

BEFORE THE BOARD OF MEDICAL EXAMINERS  
DEPARTMENT OF LABOR AND INDUSTRY  
STATE OF MONTANA

In the matter of the amendment of ) NOTICE OF AMENDMENT  
ARM 24.156.615 renewals, )  
24.156.617 license categories, and )  
24.156.618 reactivation of license )

TO: All Concerned Persons

1. On October 31, 2013, the Board of Medical Examiners (board) published MAR Notice No. 24-156-79 regarding the public hearing on the proposed amendment of the above-stated rules at page 1897 of the 2013 Montana Administrative Register, Issue No. 20.

2. On November 21, 2013, a public hearing was held on the proposed amendment of the above-stated rules in Helena. Two comments were received by the November 29, 2013, deadline.

3. The board has thoroughly considered the comments received. A summary of the comments and the board's responses are as follows:

COMMENT 1: One comment was received regarding ARM 24.156.617, requesting that the retired license status be maintained, because eliminating it would make a physician who had worked for 40-plus years a "nonentity" after almost 20 years of enjoying retired status.

RESPONSE 1: The board considered this comment and notes that, while physicians who held Montana licenses but are now retired may not represent themselves as being licensed physicians, they may still affix the "M.D." to their names and still be referred to respectfully as "doctors." The board also wishes "retired" physician license holders to know that the board will consider adding an "emeritus" status for physician licensees at a future date, and will ensure that any physician currently holding a "retired" license will have an opportunity to renew that license as "retired" one last time. The board is amending ARM 24.156.615 and 24.156.617 accordingly.

COMMENT 2: During this rulemaking process, staff noticed and brought to the board's attention some unnecessary redundancy in ARM 24.156.618(1)(d).

RESPONSE 2: The board agrees with the suggestions and is amending the rule for simplicity and improved clarity.

4. The board has amended ARM 24.156.615, 24.156.617, and 24.156.618 with the following changes, stricken matter interlined, new matter underlined.

24.156.615 RENEWALS (1) through (4)(a) remain as proposed.

(5) Until March 31, 2016, a physician with a permanent license not engaged in the practice of medicine and who has retired from practice may renew this license as an inactive-retired licensee and pay the fee listed in ARM 24.156.601. A retired license may not be reactivated. The individual must reapply for a new original license. After March 31, 2016, inactive-retired status no longer will be granted.

(5) remains as proposed, but is renumbered (6).

24.156.617 LICENSE CATEGORIES (1) through (4)(b) remain as proposed.

(5) An inactive-retired license may be renewed by the renewal date set in ARM 24.101.413 through March 31, 2016, after which date the inactive-retired status no longer will be granted.

24.156.618 REACTIVATION OF LICENSE (1) through (1)(c) remain as proposed.

(d) pass the Special Purpose Examination (SPEX) or the Comprehensive Osteopathic Medical Variable Purpose Examination (COMVEX). The applicant who ~~is required to take~~ fails the SPEX or COMVEX and fails the examination three times, whether in Montana or other states, must successfully complete one year of an accredited residency or an accredited or board-approved clinical training before retaking the SPEX or COMVEX examination;

(e) through (3) remain as proposed.

BOARD OF MEDICAL EXAMINERS  
MARY ANNE GUGGENHEIM, PHYSICIAN,  
PRESIDENT

/s/ DARCEE L. MOE

Darcee L. Moe  
Rule Reviewer

/s/ PAM BUCY

Pam Bucy, Commissioner  
DEPARTMENT OF LABOR AND INDUSTRY

Certified to the Secretary of State March 17, 2014