

SENATE BILL NO. 296

INTRODUCED BY STIMATZ, B. BROWN, LYNCH, JACOBSON, DANIELS

IN THE SENATE

February 1, 1985	Introduced and referred to Committee on Public Health, Welfare and Safety.
February 14, 1985	Committee recommend bill do pass as amended. Report adopted.
February 15, 1985	Bill printed and placed on members' desks.
February 16, 1985	Second reading, do pass.
February 18, 1985	Considered correctly engrossed.
February 19, 1985	Third reading, passed. Ayes, 45; Noes, 0.
	Transmitted to House.

IN THE HOUSE

February 27, 1985	Introduced and referred to Committee on Human Services and Aging.
March 18, 1985	Committee recommend bill be concurred in as amended. Report adopted.
March 20, 1985	Second reading, concurred in.
March 22, 1985	Third reading, concurred in.
	Returned to Senate with amendments.

IN THE SENATE

March 22, 1985

Received from Senate.

March 27, 1985

Second reading, amendments
concurrent in.

March 29, 1985

Third reading, amendments
concurrent in.

Ayes, 49; Noes, 0.

Sent to enrolling.

Reported correctly enrolled.

1 *Senate* BILL NO. *296*
 2 INTRODUCED BY *Senators Bob Brown, Stephen Jackson*
 3 *Paul*

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE
 5 EXAMINATION GRADE REQUIREMENTS AND REEXAMINATION PROCEDURES
 6 FOR A LICENSE TO PRACTICE MEDICINE; AMENDING SECTION
 7 37-3-311, MCA."
 8

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 37-3-311, MCA, is amended to read:

11 "37-3-311. Examination. (1) Examinations for a license
 12 to practice medicine shall be held not less than twice each
 13 year, at a time and place specified by the board. The
 14 examination shall be conducted in the English language and
 15 shall be sufficiently comprehensive in medicine to
 16 adequately test the applicant's professional competence and
 17 ability. The examination shall be fair and impartial.
 18 Examination papers shall be identified by both the name of
 19 the applicant and a number assigned by the department. The
 20 board may require the department to use the examination
 21 prepared by the national board of medical examiners or the
 22 examination prepared by the federation licensing examination
 23 committee or successors.

24 (2) An applicant must meet the requirements of
 25 37-3-305 prior to taking a scheduled examination.

1 (3) An applicant who is a graduate of a foreign
 2 medical school shall have passed an examination given by the
 3 education council for foreign medical graduates or its
 4 successor.

5 (4) The board may in its discretion require the
 6 department to give, subject to 37-1-101, an oral or
 7 practical examination to test the applicant's qualifications
 8 for licensure and grant appropriate credit for this.

9 (5) The board may use other Montana physicians to
 10 assist in preparing the examination.

11 (6) A person may not be granted a license to practice
 12 medicine if he fails to attain an average a passing grade of
 13 at least 75% as set by the board. If an applicant fails to
 14 meet the minimum grade requirements in his first
 15 examination, he may, ~~after not less than 6 months or more~~
 16 ~~than 12 months,~~ be reexamined not more than three times on
 17 each of the component parts of the examination. He may take
 18 ~~one additional examination, but not less than 1 year after~~
 19 ~~the date of the last preceding examination.~~ An examination
 20 fee shall be charged for each additional examination. If an
 21 applicant is prevented through no fault of his own from
 22 taking a scheduled examination, he may, within 2 years, be
 23 examined without submitting a new application."

24 NEW SECTION. Section 2. Extension of authority. Any
 25 existing authority of the board of medical examiners to make



LC 1604/01

1 rules on the subject of the provisions of this act is
2 extended to the provisions of this act.

-End-

APPROVED BY COMMITTEE
ON PUBLIC HEALTH, WELFARE
& SAFETY

1 SENATE BILL NO. 296

2 INTRODUCED BY STIMATZ, B. BROWN,

3 LYNCH, JACOBSON, DANIELS

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE
6 EXAMINATION GRADE REQUIREMENTS AND REEXAMINATION PROCEDURES
7 FOR A LICENSE TO PRACTICE MEDICINE; AMENDING SECTION
8 37-3-311, MCA."

9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Section 37-3-311, MCA, is amended to read:

12 "37-3-311. Examination. (1) Examinations for a license
13 to practice medicine shall be held not less than twice each
14 year, at a time and place specified by the board. The
15 examination shall be conducted in the English language and
16 shall be sufficiently comprehensive in medicine to
17 adequately test the applicant's professional competence and
18 ability. The examination shall be fair and impartial.
19 Examination papers shall be identified by both the name of
20 the applicant and a number assigned by the department. The
21 board may require the department to use the examination
22 prepared by the national board of medical examiners or the
23 examination prepared by the federation licensing examination
24 committee or successors.

25 (2) An applicant must meet the requirements of

1 37-3-305 prior to taking a scheduled examination.

2 (3) An applicant who is a graduate of a foreign
3 medical school shall have passed an examination given by the
4 education council for foreign medical graduates or its
5 successor.

6 (4) The board may in its discretion require the
7 department to give, subject to 37-1-101, an oral or
8 practical examination to test the applicant's qualifications
9 for licensure and grant appropriate credit for this.

10 (5) The board may use other Montana physicians to
11 assist in preparing the examination.

12 (6) A person may not be granted a license to practice
13 medicine if he fails to attain an average a passing grade of
14 at least 75% as set by the board. If an applicant fails to
15 meet the minimum grade requirements in his first
16 examination, he may ~~after not less than 6 months or more~~
17 ~~than 12 months~~, be reexamined not more than three TWO
18 ADDITIONAL times on each of the component parts of the
19 examination. ~~He may take one additional examination, but not~~
20 ~~less than 1 year after the date of the last preceding~~
21 ~~examination~~. An examination fee shall be charged for each
22 additional examination. If an applicant is prevented through
23 no fault of his own from taking a scheduled examination, he
24 may, within 2 years, be examined without submitting a new
25 application."

SB 0296/02

1 NEW SECTION. Section 2. Extension of authority. Any
2 existing authority of the board of medical examiners to make
3 rules on the subject of the provisions of this act is
4 extended to the provisions of this act.

-End-

SENATE BILL NO. 296

INTRODUCED BY STIMATZ, B. BROWN,

LYNCH, JACOBSON, DANIELS

A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE EXAMINATION GRADE REQUIREMENTS AND REEXAMINATION PROCEDURES FOR A LICENSE TO PRACTICE MEDICINE; AMENDING SECTION 37-3-311, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 37-3-311, MCA, is amended to read:

"37-3-311. Examination. (1) Examinations for a license to practice medicine shall be held not less than twice each year, at a time and place specified by the board. The examination shall be conducted in the English language and shall be sufficiently comprehensive in medicine to adequately test the applicant's professional competence and ability. The examination shall be fair and impartial. Examination papers shall be identified by both the name of the applicant and a number assigned by the department. The board may require the department to use the examination prepared by the national board of medical examiners or the examination prepared by the federation licensing examination committee or successors.

(2) An applicant must meet the requirements of

37-3-305 prior to taking a scheduled examination.

(3) An applicant who is a graduate of a foreign medical school shall have passed an examination given by the education council for foreign medical graduates or its successor.

(4) The board may in its discretion require the department to give, subject to 37-1-101, an oral or practical examination to test the applicant's qualifications for licensure and grant appropriate credit for this.

(5) The board may use other Montana physicians to assist in preparing the examination.

(6) A person may not be granted a license to practice medicine if he fails to attain an average passing grade of at least 75% as set by the board. If an applicant fails to meet the minimum grade requirements in his first examination, he may, ~~after not less than 6 months or more than 12 months,~~ be reexamined not more than three TWO ADDITIONAL times on each of the component parts of the examination. ~~He may take one additional examination, but not less than 1 year after the date of the last preceding examination.~~ An examination fee shall be charged for each additional examination. If an applicant is prevented through no fault of his own from taking a scheduled examination, he may, within 2 years, be examined without submitting a new application."

SB 0296/02

1 NEW SECTION. Section 2. Extension of authority. Any
2 existing authority of the board of medical examiners to make
3 rules on the subject of the provisions of this act is
4 extended to the provisions of this act.

-End-

STANDING COMMITTEE REPORT

HOUSE

March 15

19 85

MR. Speaker

We, your committee on House Human Services and Aging

having had under consideration Senate Bill No. 296

third reading copy (blue)
color

Revise grade and reexamination areas of license to practice medicine

Respectfully report as follows: That Senate Bill No. 296

AMENDED AS FOLLOWS:

- 1) Title, line 8.
Following: "MCA"
Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

- 2) Page 3.
Following: line 4
Insert: "NEW SECTION. Section 3. Effective date. This act is effective upon passage and approval."

KMK

BE CONCURRED IN
AS AMENDED
~~DO PASS~~

Rep. Keenan

Chairman.

SENATE BILL NO. 296

INTRODUCED BY STIMATZ, B. BROWN,

LYNCH, JACOBSON, DANIELS

A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE EXAMINATION GRADE REQUIREMENTS AND REEXAMINATION PROCEDURES FOR A LICENSE TO PRACTICE MEDICINE; AMENDING SECTION 37-3-311, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 37-3-311, MCA, is amended to read:

"37-3-311. Examination. (1) Examinations for a license to practice medicine shall be held not less than twice each year, at a time and place specified by the board. The examination shall be conducted in the English language and shall be sufficiently comprehensive in medicine to adequately test the applicant's professional competence and ability. The examination shall be fair and impartial. Examination papers shall be identified by both the name of the applicant and a number assigned by the department. The board may require the department to use the examination prepared by the national board of medical examiners or the examination prepared by the federation licensing examination committee or successors.

(2) An applicant must meet the requirements of

37-3-305 prior to taking a scheduled examination.

(3) An applicant who is a graduate of a foreign medical school shall have passed an examination given by the education council for foreign medical graduates or its successor.

(4) The board may in its discretion require the department to give, subject to 37-1-101, an oral or practical examination to test the applicant's qualifications for licensure and grant appropriate credit for this.

(5) The board may use other Montana physicians to assist in preparing the examination.

(6) A person may not be granted a license to practice medicine if he fails to attain an average a passing grade of at least 75% as set by the board. If an applicant fails to meet the minimum grade requirements in his first examination, he may, after not less than 6 months or more than 12 months, be reexamined not more than three TWO ADDITIONAL times on each of the component parts of the examination. He may take one additional examination, but not less than 1 year after the date of the last preceding examination. An examination fee shall be charged for each additional examination. If an applicant is prevented through no fault of his own from taking a scheduled examination, he may, within 2 years, be examined without submitting a new application."



1 NEW SECTION. Section 2. Extension of authority. Any
2 existing authority of the board of medical examiners to make
3 rules on the subject of the provisions of this act is
4 extended to the provisions of this act.

5 NEW SECTION. SECTION 3. EFFECTIVE DATE. THIS ACT IS
6 EFFECTIVE UPON PASSAGE AND APPROVAL.

-End-