SENATE BILL NO. 63

INTRODUCED BY HAGER, BRADLEY, O'KEEFE

BY REQUEST OF THE BOARD OF MEDICAL EXAMINERS

IN THE SENATE

JANUARY 4, 1989 INTRODUCED AND REFERRED TO COMMITTEE ON PUBLIC HEALTH, WELFARE & SAFETY. FIRST READING. FEBRUARY 9, 1989 COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED. FEBRUARY 10, 1989 PRINTING REPORT. FEBRUARY 11, 1989 SECOND READING, DO PASS. FEBRUARY 13, 1989 ENGROSSING REPORT. FEBRUARY 14, 1989 THIRD READING, PASSED. AYES, 47; NOES, 0. TRANSMITTED TO HOUSE. IN THE HOUSE FEBRUARY 14, 1989 INTRODUCED AND REFERRED TO COMMITTEE ON HUMAN SERVICES & AGING. FEBRUARY 20, 1989 FIRST READING. MARCH 2, 1989

COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.

SECOND READING, CONCURRED IN.

THIRD READING, CONCURRED IN. AYES, 80; NOES, 13.

RETURNED TO SENATE.

IN THE SENATE

MARCH 7, 1989 RECEIVED FROM HOUSE.

MARCH 4, 1989

MARCH 6, 1989

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

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6 THE POSITION OF EXECUTIVE SECRETARY OF THE BOARD OF MEDICAL
7 EXAMINERS; ESTABLISHING QUALIFICATIONS FOR THE POSITION; AND
8 AMENDING SECTION 37-3-203, MCA."

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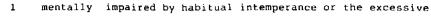
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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 37-3-203, MCA, is amended to read:

*37-3-203. Powers and duties. The board may:

- 13 (1) adopt rules necessary or proper to carry out parts
 14 1 through 3 of this chapter; the rules shall be fair,
 15 impartial, and nondiscriminatory;
 - (2) hold hearings and take evidence in matters relating to the exercise and performance of the powers and duties vested in the board;
 - (3) aid the county attorneys of this state in the enforcement of parts 1 through 3 of this chapter and the prosecution of persons, firms, associations, or corporations charged with violations of parts 1 through 3 of this chapter; and
- 24 (4) establish a program to assist and rehabilitate
 25 licensed physicians who are found to be physically or



- 2 use of marcotic drugs, alcohol, or any other drug or
- 3 substance; and
- 4 (5) select an executive secretary to be hired by the
- 5 department to:
- 6 (a) provide services to the board in connection with
- 7 the board's duties under this chapter;
- 8 (b) assist in prosecution and matters of license
- 9 discipline under this chapter; and
- 10 (c) administer the board's affairs."
- 11 NEW SECTION. Section 2. Executive secretary. To
- 12 perform the services provided for in 37-3-203(5), the
- 13 department shall hire a person selected by the board who:
- 14 (1) is a citizen of the United States;
- 15 (2) is of good moral character; and
- 16 (3) holds at least a postgraduate degree from an
- 17 accredited college or university or has equivalent
- 18 experience. The degree or experience need not be in the
- 19 field of medicine.
- 20 NEW SECTION. Section 3. Codification instruction.
- 21 [Section 2] is intended to be codified as an integral part
- of Title 37, chapter 3, part 2, and the provisions of Title
- 23 37, chapter 3, part 2, apply to [section 2].
- 24 NEW SECTION. Section 4. Extension of authority. Any
- 25 existing authority to make rules on the subject of the

LC 0473/01

- provisions of [this act] is extended to the provisions of
- 2 [this act].

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB063, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

SB063 allows creation of the position of executive secretary to the Board of Medical Examiners, which is administratively attached to the Department of Commerce, by amending Section 37-3-203, MCA.

ASSUMPTIONS:

- 1. SB063 is not by request of the Department of Commerce because this request was denied during the 1991 biennium executive planning process.
- 2. The position would be a grade 17; operating expenses would increase for supplies, telephone and rent by \$4,110 per year; and FY90 start-up expenses would be \$2,920.
- 3. The board chairman will no longer serve as secretary, thereby saving \$12,000 per year.
- 4. No license fee increase will be required because the board has sufficient revenue to pay the increased costs.
- 5. The executive budget figures are used for current law expenditures.

FISCAL IMPACT:

Expenditures: Medical Fees	Current <u>Law</u> \$234,317	FY90 Proposed Law \$263,347	Difference \$29,030	Current	FY91 Proposed <u>Law</u> \$257,377	Difference \$26,110
Funding: State Special Revenue	\$234,317	\$263,347	\$29,030	\$231,267	\$257,377	\$26,110

RAY SHACKLEFORD, BUDGET DIRECTOR

DATE

TOM HAGER, PRIMARY SPONSOR

DATE

Fiscal Note for SB063, as introduced

SB 63

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APPROVED BY COMMITTEE ON PUBLIC HEALTH: WELFARE & SAFETY

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17	relating to the exercise and performance of the powers and
18	duties vested in the board;
19	(3) aid the county attorneys of this state in the
20	enforcement of parts 1 through 3 of this chapter and the
21	prosecution of persons, firms, associations, or corporations
22	charged with violations of parts 1 through 3 of this
23	chapter; and
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25	licensed physicians who are found to be physically or

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SECOND READING SB 63

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SB 0063/02

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