

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.

MARCH 4, 1989

SECOND READING, CONCURRED IN.

MARCH 6, 1989

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

RETURNED TO SENATE.

IN THE SENATE

MARCH 7, 1989

RECEIVED FROM HOUSE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 Amend BILL NO. 63
2 INTRODUCED BY Hager Bradley
3 BY REQUEST OF THE BOARD OF MEDICAL EXAMINERS Thyle
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING CREATION OF
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."
9

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

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

12 **"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;

16 (2) hold hearings and take evidence in matters
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

24 (4) establish a program to assist and rehabilitate
25 licensed physicians who are found to be physically or

1 mentally impaired by habitual intemperance or the excessive
2 use of narcotic 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
22 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

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

-End-

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:

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

Ray Shackleford 11/11/89
RAY SHACKLEFORD, BUDGET DIRECTOR DATE

Tom Hager 1/12/89
TOM HAGER, PRIMARY SPONSOR DATE

Fiscal Note for SB063, as introduced

SB 63

APPROVED BY COMMITTEE
ON PUBLIC HEALTH, WELFARE
& SAFETY

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