

1 **MEDICAL SPECIALITY PRACTICE ACT AMENDMENTS**

2 2012 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Evan J. Vickers**

5 Senate Sponsor: Allen M. Christensen

7 **LONG TITLE**

8 **General Description:**

9 This bill amends provisions in the administration of the Division of Occupational and
10 Professional Licensing related to the duties of certain professional boards.

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ amends the duties and functions of boards that govern certain medical professions;
- 14 ▶ requires a person who wants to amend certain medical practice acts to submit the
15 proposed amendment to the board; and
- 16 ▶ permits the board to make a recommendation to the Legislature concerning the
17 proposed amendment.

18 **Money Appropriated in this Bill:**

19 None

20 **Other Special Clauses:**

21 None

22 **Utah Code Sections Affected:**

23 AMENDS:

24 **58-1-202**, as last amended by Laws of Utah 2002, Chapter 241

26 *Be it enacted by the Legislature of the state of Utah:*

27 Section 1. Section **58-1-202** is amended to read:



28 **58-1-202. Boards -- Duties, functions, and responsibilities.**

29 (1) The duties, functions, and responsibilities of each board include the following:

30 (a) recommending to the director appropriate rules;

31 (b) recommending to the director policy and budgetary matters;

32 (c) approving and establishing a passing score for applicant examinations;

33 (d) screening applicants and recommending licensing, renewal, reinstatement, and
34 relicensure actions to the director in writing;

35 (e) assisting the director in establishing standards of supervision for students or persons
36 in training to become qualified to obtain a license in the occupation or profession it represents;

37 [and]

38 (f) acting as presiding officer in conducting hearings associated with adjudicative
39 proceedings and in issuing recommended orders when so designated by the director[-]; and

40 (g) in accordance with Subsection (3), recommending to the appropriate legislative
41 committee whether the board supports a change to the licensing act.

42 (2) Subsection (1) does not apply to boards created in Title 58, Chapter 55,
43 Construction Trades Licensing.

44 (3) (a) This Subsection (3) applies to the following:

45 (i) Chapter 5a, Podiatric Physician Licensing Act;

46 (ii) Chapter 16a, Optometry Practice Act;

47 (iii) Chapter 17b, Pharmacy Practice Act;

48 (iv) Chapter 24b, Physical Therapy Practice Act;

49 (v) Chapter 28, Veterinary Practice Act;

50 (vi) Chapter 31b, Nurse Practice Act;

51 (vii) Chapter 44a, Nurse Midwife Practice Act;

52 (viii) Chapter 67, Utah Medical Practice Act;

53 (ix) Chapter 68, Utah Osteopathic Medical Practice Act;

54 (x) Chapter 69, Dentist and Dental Hygienist Practice Act; and

55 (xi) Chapter 70a, Physician Assistant Act.

56 (b) (i) A person shall submit a proposed amendment to a practice act listed in
57 Subsection (3)(a) to the board that represents the occupation or profession that will be effected
58 by the proposed amendments.

59 (ii) The board may review the proposed amendment and submit its recommendation
60 regarding the proposed amendment to the Legislature.

61 (iii) This Subsection (3) does not require a board's approval to amend a practice act.

Legislative Review Note
as of 11-7-11 11:46 AM

Office of Legislative Research and General Counsel