

1                   **MEDICAL  $\hat{S} \rightarrow$  [SPECIALTY] SPECIALTY  $\leftarrow \hat{S}$  PRACTICE ACT**  
2  
3  
4                   **AMENDMENTS**

2012 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Evan J. Vickers**

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                   ▶  **$\hat{S} \rightarrow$  [requires] permits  $\leftarrow \hat{S}$**  a person who wants to amend certain medical practice acts to

14a                  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** **each board may recommend**40a ~~←§~~ **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; ~~§~~→ **(vii) Chapter 40a, Athletic Trainer Licensing**50a **Act;** ~~←§~~51 ~~§~~→ ~~[(vii)]~~ ~~(viii)~~ ~~←§~~ Chapter 44a, Nurse Midwife Practice Act;52 ~~§~~→ ~~[(viii)]~~ ~~(ix)~~ ~~←§~~ Chapter 67, Utah Medical Practice Act;53 ~~§~~→ ~~[(ix)]~~ ~~(x)~~ ~~←§~~ Chapter 68, Utah Osteopathic Medical Practice Act;54 ~~§~~→ ~~[(x)]~~ ~~(xi)~~ ~~←§~~ Chapter 69, Dentist and Dental Hygienist Practice Act; and55 ~~§~~→ ~~[(xi)]~~ ~~(xii)~~ ~~←§~~ Chapter 70a, Physician Assistant Act ~~Ĥ~~→ ;55a ~~§~~→ ~~[(xii)]~~ ~~(xiii)~~ ~~←§~~ **Chapter 71, Naturopathic Physician Practice Act; and**55b ~~§~~→ ~~[(xiii)]~~ ~~(xiv)~~ ~~←§~~ **Chapter 73, Chiropractic Physician Practice Act** ~~←Ĥ~~ .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**57a ~~Ĥ~~→ ~~[(effected)]~~ **affected** ~~←Ĥ~~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  $\hat{H}$  [Legislature] appropriate legislative~~
- 60a ~~committee  $\leftarrow \hat{H}$ .]  $\leftarrow \hat{S}$~~
- 61 (iii)  $\hat{H}$   $\rightarrow$  [This]  $\leftarrow \hat{H}$  Subsection  $\hat{H}$   $\rightarrow$  [(3)] (1)(g)  $\leftarrow \hat{H}$  does not  $\hat{H}$   $\rightarrow$  :
- 61a (A)  $\leftarrow \hat{H}$  require a board's approval to amend a practice act  $\hat{H}$   $\rightarrow$  ; and
- 61b (B) apply to technical or clarifying amendments to a practice act  $\leftarrow \hat{H}$  .

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

Office of Legislative Research and General Counsel