

1           **MEDICAL §→ [SPECIALTY] SPECIALTY ←§ PRACTICE ACT**  
2           **AMENDMENTS**

3   2012 GENERAL SESSION

4   STATE OF UTAH

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

6   Senate Sponsor: Allen M. Christensen

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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] permits ←§** 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

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

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



H.B. 51

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 recommend40a ~~§~~→ **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; and**55 ~~§~~→ **[(xi)] (xii) ←§ Chapter 70a, Physician Assistant Act** ~~§~~→ ;55a ~~§~~→ **[(xii)] (xiii) ←§ Chapter 71, Naturopathic Physician Practice Act; and**55b ~~§~~→ **[(xiii)] (xiv) ←§ Chapter 73, Chiropractic Physician Practice 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**57a ~~§~~→ **[effected] affected** ~~§~~→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