

**MEDICAL SPECIALTY PRACTICE ACT AMENDMENTS**

2012 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Evan J. Vickers**

Senate Sponsor: Allen M. Christensen

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**LONG TITLE**

**General Description:**

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

**Highlighted Provisions:**

This bill:

- ▶ amends the duties and functions of boards that govern certain medical professions;
- and
- ▶ permits the board to make a recommendation to the Legislature concerning the proposed amendment.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

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

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

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

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

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

- (a) recommending to the director appropriate rules;

- 30 (b) recommending to the director policy and budgetary matters;
- 31 (c) approving and establishing a passing score for applicant examinations;
- 32 (d) screening applicants and recommending licensing, renewal, reinstatement, and  
33 relicensure actions to the director in writing;
- 34 (e) assisting the director in establishing standards of supervision for students or persons  
35 in training to become qualified to obtain a license in the occupation or profession it represents;  
36 [and]
- 37 (f) acting as presiding officer in conducting hearings associated with adjudicative  
38 proceedings and in issuing recommended orders when so designated by the director[-]; and
- 39 (g) in accordance with Subsection (3), each board may recommend to the appropriate  
40 legislative committee whether the board supports a change to the licensing act.
- 41 (2) Subsection (1) does not apply to boards created in Title 58, Chapter 55,  
42 Construction Trades Licensing.
- 43 (3) (a) This Subsection (3) applies to the following:
- 44 (i) Chapter 5a, Podiatric Physician Licensing Act;
- 45 (ii) Chapter 16a, Optometry Practice Act;
- 46 (iii) Chapter 17b, Pharmacy Practice Act;
- 47 (iv) Chapter 24b, Physical Therapy Practice Act;
- 48 (v) Chapter 28, Veterinary Practice Act;
- 49 (vi) Chapter 31b, Nurse Practice Act;
- 50 (vii) Chapter 40a, Athletic Trainer Licensing Act;
- 51 (viii) Chapter 44a, Nurse Midwife Practice Act;
- 52 (ix) Chapter 67, Utah Medical Practice Act;
- 53 (x) Chapter 68, Utah Osteopathic Medical Practice Act;
- 54 (xi) Chapter 69, Dentist and Dental Hygienist Practice Act;
- 55 (xii) Chapter 70a, Physician Assistant Act;
- 56 (xiii) Chapter 71, Naturopathic Physician Practice Act; and
- 57 (xiv) Chapter 73, Chiropractic Physician Practice Act.

- 58           (b) Subsection (1)(g) does not:  
59           (i) require a board's approval to amend a practice act; and  
60           (ii) apply to technical or clarifying amendments to a practice act.