

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 SENATE BILL 298

By: McAffrey

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5
6 AS INTRODUCED

7 An Act relating to licensure requirements for
8 physicians; amending 59 O.S. 2011, Section 493.1,
9 which relates to advertising by physicians; and
10 providing an effective date.

11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

12 SECTION 1. AMENDATORY 59 O.S. 2011, Section 493.1, is
13 amended to read as follows:

14 Section 493.1. A. An applicant to practice medicine and
15 surgery in this state shall provide to the State Board of Medical
16 Licensure and Supervision and attest to the following information
17 and documentation in a manner required by the Board:

18 1. The applicant's full name and all aliases or other names
19 ever used, current address, social security number and date and
20 place of birth;

21 2. A signed and notarized photograph of the applicant, taken
22 within the previous twelve (12) months;

1 3. Originals of all documents and credentials required by the
2 Board, or notarized photocopies or other verification acceptable to
3 the Board of such documents and credentials;

4 4. A list of all jurisdictions, United States or foreign, in
5 which the applicant is licensed or has applied for licensure to
6 practice medicine and surgery or is authorized or has applied for
7 authorization to practice medicine and surgery;

8 5. A list of all jurisdictions, United States or foreign, in
9 which the applicant has been denied licensure or authorization to
10 practice medicine and surgery or has voluntarily surrendered a
11 license or an authorization to practice medicine and surgery;

12 6. A list of all sanctions, judgments, awards, settlements, or
13 convictions against the applicant in any jurisdiction, United States
14 or foreign, that would constitute grounds for disciplinary action
15 under this act or the Board's rules;

16 7. A detailed educational history, including places,
17 institutions, dates, and program descriptions, of all his or her
18 education, including all college, preprofessional, professional, and
19 professional graduate education;

20 8. A detailed chronological life history from age eighteen (18)
21 years to the present, including places and dates of residence,
22 employment, and military service (United States or foreign) and all
23 professional degrees or licenses or certificates now or ever held;
24 and

1 9. Any other information or documentation specifically
2 requested by the Board that is related to the applicant's ability to
3 practice medicine and surgery.

4 B. The applicant shall possess a valid degree of Doctor of
5 Medicine from a medical college or school located in the United
6 States, its territories or possessions, or Canada that was approved
7 by the Board or by a private nonprofit accrediting body approved by
8 the Board at the time the degree was conferred. The application
9 shall be considered by the Board based upon the product and process
10 of the medical education and training.

11 C. The applicant shall have satisfactorily completed twelve
12 (12) months of progressive postgraduate medical training approved by
13 the Board or by a private nonprofit accrediting body approved by the
14 Board in an institution in the United States, its territories or
15 possessions, or in programs in Canada, England, Scotland or Ireland
16 approved by the Board or by a private nonprofit accrediting body
17 approved by the Board.

18 D. The applicant shall submit a history from the Administration
19 of the Medical School from which the applicant graduated of any
20 suspension, probation, or disciplinary action taken against the
21 applicant while a student at that institution.

22 E. The applicant shall have passed medical licensing
23 examination(s) satisfactory to the Board.

1 F. The applicant shall have demonstrated a familiarity with all
2 appropriate statutes and rules and regulations of this state and the
3 federal government relating to the practice of medicine and surgery.

4 G. The applicant shall be physically, mentally, professionally,
5 and morally capable of practicing medicine and surgery in a manner
6 reasonably acceptable to the Board and in accordance with federal
7 law and shall be required to submit to a physical, mental, or
8 professional competency examination or a drug dependency evaluation
9 if deemed necessary by the Board.

10 H. The applicant shall not have committed or been found guilty
11 by a competent authority, United States or foreign, of any conduct
12 that would constitute grounds for disciplinary action under this act
13 or rules of the Board. The Board may modify this restriction for
14 cause.

15 I. Upon request by the Board, the applicant shall make a
16 personal appearance before the Board or a representative thereof for
17 interview, examination, or review of credentials. At the discretion
18 of the Board, the applicant shall be required to present his or her
19 original medical education credentials for inspection during the
20 personal appearance.

21 J. The applicant shall be held responsible for verifying to the
22 satisfaction of the Board the identity of the applicant and the
23 validity of all credentials required for his or her medical
24 licensure. The Board may review and verify medical credentials and

1 screen applicant records through recognized national physician
2 information services.

3 K. The applicant shall have paid all fees and completed and
4 attested to the accuracy of all application and information forms
5 required by the Board.

6 L. Grounds for the denial of a license shall include:

7 1. Use of false or fraudulent information by an applicant;

8 2. Suspension or revocation of a license in another state
9 unless the license has been reinstated in that state;

10 3. Refusal of licensure in another state other than for
11 examination failure; and

12 4. Multiple examination failures.

13 M. The Board shall not deny a license or the right to advertise
14 as board certified to a person otherwise qualified to practice
15 allopathic medicine within the meaning of this act solely because
16 the person's practice or a therapy is experimental or
17 nontraditional.

18 SECTION 2. This act shall become effective November 1, 2013.

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