

RULE

Department of Health and Hospitals Board of Medical Examiners

Licensure and Certification; Practice; Administrative Provisions (LAC 46:XLV.402, 449, 6504, 8301-8311)

In accordance with the provisions of the Louisiana Administrative Procedure Act, R.S. 49:950 et seq., and pursuant to the authority of the Louisiana Medical Practice Act, R.S. 37:1261-1292, the Louisiana State Board of Medical Examiners has amended §§402 and 449 of its rules governing Licensure and Certification of Physicians, adopted §6504 governing Physician Practice, and repealed Chapter 83, relative to Administrative Provisions. The amendments are set forth below.

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part XLV. Medical Professions

Subpart 2. License and Certification

Chapter 3. Physicians

Subchapter H. Restricted Licensure, Permits

§402. Provisional Temporary Permit Pending Results of Criminal History Record Information

A. - B.2 ...

C. The board may, in its discretion:

1. extend or renew for one or more additional 90-day periods, a provisional temporary permit issued hereunder which has expired pursuant to §402.B.1, in favor of an applicant who holds a provisional temporary permit issued under this Section who has submitted or attempted to submit fingerprints and all other required information and paid all applicable fees and costs attendant thereto but whose criminal history record information has not been received from the bureau or the FBI within 90 days from issuance of such provisional temporary permit; or

2. issue the license or permit applied for to an individual holding a temporary permit under this Section whose fingerprints are rejected by the bureau or the FBI provided, however, that such individual shall submit such additional sets of fingerprints as may be required for the board to receive criminal history record information or as otherwise deemed appropriate by the board.

D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270, R.S. 37:1275 and R.S. 37:1277, R.S. 37:1281.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 27:843 (June 2001), amended LR 33:1344 (July 2007), amended LR 36:1243 (June 2010).

Subchapter K. Continuing Medical Education

§449. CME Requirement for Initial Renewal of License

A. - D. ...

E. A physician who at the time of the initial renewal of medical licensure resides and practices medicine exclusively outside of Louisiana or who has held an unrestricted license to practice medicine in any state for at least 10 years may, in lieu of personal attendance, satisfy the mandatory requirements of Subsection A of this Section by successfully completing the board's orientation program on-line in a manner specified by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270, 37:1270(A)(8).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 26:697 (April 2000), amended LR 27:850 (June 2001), amended LR 36:1243 (June 2010).

Subpart 3. Practice

Chapter 65. Dispensation of Medications

Subchapter A. General Provisions

§6504. Clinical Trials

A. *Clinical Trial Research*—for purposes of this Chapter, means a clinical study conducted by a physician in accordance with United States Food and Drug Administration protocols involving an investigational drug, which is not a controlled substance, and is supplied to participants at no cost.

B. A dispensing registration shall not be required for a physician engaged in clinical trial research.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1261-1292, 37:1201.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Medical Examiners, LR 36:1244 (June 2010).

Subpart 4. Administrative Provisions

Chapter 83. Investigation of Information and Records Relating to Physician Impairment

§8301. Scope of Chapter

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270(B)(1), (6) and 37:1278(B).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 15:269 (April 1989), repealed LR 36:1244 (June 2010).

§8303. Definitions

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270(B)(1), (6) and 37:1278(B).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 15:269 (April 1989), repealed LR 36:1244 (June 2010).

§8305. Statement of Policy and Intent

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270(B)(1), (6) and 37:1278(B).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 15:269 (April 1989), repealed LR 36:1244 (June 2010).

§8307. Basis for Obtaining Medical Information and Records

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270(B)(1), (6) and 37:1278(B).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 15:269 (April 1989), repealed LR 36:1244 (June 2010).

§8309. Procedure for Obtaining Medical Information and Records

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270(B)(1), (6) and 37:1278(B).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 15:269 (April 1989), repealed LR 36:1244 (June 2010).

§8311. Confidentiality of Medical Information and Records

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270(B)(1), (6) and 37:1278(B).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 15:270 (April 1989), repealed LR 36:1244 (June 2010).

Robert L. Marier, M.D.
Executive Director