

Georgia Composite Medical Board

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NOTICE OF INTENT TO AMEND AND ADOPT RULES

TO ALL INTERESTED PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Georgia Composite Medical Board (hereinafter “Board”) proposes amendments to the Georgia Composite Medical Board Rules by amending Rule New Rule 360-2-.17 “Requirements for Telemedicine License.” An exact copy of the proposed rule is attached to this Notice.

This notice, together with an exact copy of the proposed rules and a synopsis of the proposed amendments may be reviewed between 8:00 a.m. and 4:00 p.m., Monday through Friday, except official State holidays, at 2 Peachtree Street, N.W., 6th Floor, Atlanta, Georgia 30303. These documents can also be reviewed online at <http://medicalboard.georgia.gov/notice-intent-amendadopt-rules>.

A public hearing is scheduled to begin at **8:00 a.m.** on **January 9, 2020** at the Board offices, 2 Peachtree Street, NW, 6th Floor, Atlanta, GA 30303 to provide the public an opportunity to comment upon and provide input into the proposed rules. At the public hearing, any interested person may present data, make a statement or comment, or offer a viewpoint or argument orally or in in writing. Lengthy statements and statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for the official record. Oral statements should be concise and will be limited to 5 minutes per person. Additional comments should be presented in writing. To ensure their consideration, submit all written comments by **January 6, 2020 to lhughes@dch.ga.gov** or via mail to the Georgia Composite Medical Board Rule Committee at 2 Peachtree Street, N.W., 6th Floor, Atlanta, Georgia 30303.

The Board voted to adopt this Notice of Intent on **December 9, 2019**. Upon conclusion of the public hearing on **January 9, 2020**, the Board will consider whether the formulation and adoption of these proposed rule amendments imposes excessive regulatory costs on any license or entity, and whether any cost to comply with the proposed rule amendments could be reduced by a less expensive alternative that accomplishes the objectives of the statutes which are the basis of the proposed rule. Additionally, the Board will consider whether it is legal or feasible in meeting the objectives of the applicable laws to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(3)(A),(B),(C), and (D).

This Notice is adopted and posted in compliance with O.C.G.A. § 50-13-4 of the Georgia Administrative Procedures Act. A synopsis of the proposed rules and an economic impact statement are attached to this Notice. The authority for promulgation of these rules is O.C.G.A. §§ 33-24-56.4, 43-34-31.1 and 50-13-3.

Issued this day, December 9, 2019.


LaSharn Hughes, MBA
Executive Director
Georgia Composite Medical Board

ECONOMIC IMPACT AND SYNOPSIS FOR

RULE CHAPTER 360-2

ECONOMIC IMPACT:

The attached rules are promulgated under the authority of the Medical Practice Act, Title 43, Chapter 34. The Georgia Composite Medical Board licenses and regulates nine professions. The formulation and adoption of these rules do not impose excessive regulatory cost on any licensee, and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of Article 2 of Chapter 34 of Title 43 of the Official Code of Georgia Annotated. Additionally, it is not legal or feasible to meet the objectives of the Article 2 of Chapter 34 of Title 43 of the Official Code of Georgia Annotated to adopt or implement differing actions for businesses listed in O.C.G.A. §50-13-4(a)(3)(A), (B), (C) and (D).

RULE SYNOPSIS:

Rule 360-2-.17 Requirements for Telemedicine License

Purpose/Main Features: The purpose of the proposed rules is to address Senate Bill 115, which will establish a new licensure category for physicians by telemedicine.

O.C.G.A. §§ 33-24-56.4, 43-34-31.1 and 50-13-3.

Rule 360-2-.17. Requirements for Telemedicine Licensure

- (1) Must meet the requirements of Rule 360-2-.01 and hold a full and unrestricted license to practice medicine in another state.
- (2) Telemedicine License will be limited to the practice of telemedicine and shall not be used to practice medicine physically in this state on a patient that is in this state, unless an emergency.
- (3) Must maintain records in accordance with Rule 360-3-.02(16).
- (4) Must adhere to Rule 360-3-.07.
- (5) Once licensed applicant must notify the Board of any restrictions placed on his or her license or revocation of his or her license by a licensing board or entity in another state.
- (6) Issuance of this license is at the discretion of the Board.
- (7) The denial of a telemedicine license is not a contested case, but the applicant shall be entitled to an appearance before the Board.

Authority OCGA 33-24-56.4 and 43-34-31.1