

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative Farkas offered the following:

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3 **Amendment to Amendment (954111)**

4 Remove lines 845-949 and insert:

5 ~~(7)~~(6) As a condition of renewal of a license, the Board  
6 of Medicine, the Board of Osteopathic Medicine, the Board of  
7 Chiropractic Medicine, and the Board of Podiatric Medicine shall  
8 each require licensees which they respectively regulate to  
9 periodically demonstrate their professional competency by  
10 completing at least 40 hours of continuing education every 2  
11 years. The boards may require by rule that up to 1 hour of the  
12 required 40 or more hours be in the area of risk management or  
13 cost containment. This provision shall not be construed to limit  
14 the number of hours that a licensee may obtain in risk  
15 management or cost containment to be credited toward satisfying  
16 the 40 or more required hours. This provision shall not be

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17 construed to require the boards to impose any requirement on  
18 licensees except for the completion of at least 40 hours of  
19 continuing education every 2 years. Each of such boards shall  
20 determine whether any specific continuing education requirements  
21 not otherwise mandated by law shall be mandated and shall  
22 approve criteria for, and the content of, any continuing  
23 education mandated by such board. Notwithstanding any other  
24 provision of law, the board, or the department when there is no  
25 board, may approve by rule alternative methods of obtaining  
26 continuing education credits in risk management. The alternative  
27 methods may include attending a board meeting at which another  
28 licensee is disciplined, serving as a volunteer expert witness  
29 for the department in a disciplinary case, or serving as a  
30 member of a probable cause panel following the expiration of a  
31 board member's term. Other boards within the Division of Medical  
32 Quality Assurance, or the department if there is no board, may  
33 adopt rules granting continuing education hours in risk  
34 management for attending a board meeting at which another  
35 licensee is disciplined, for serving as a volunteer expert  
36 witness for the department in a disciplinary case, or for  
37 serving as a member of a probable cause panel following the  
38 expiration of a board member's term.

39 (8)~~(7)~~ The boards, or the department when there is no  
40 board, shall require the completion of a 2-hour course relating  
41 to prevention of medical errors as part of the licensure and  
42 renewal process. The 2-hour course shall count towards the total  
43 number of continuing education hours required for the  
44 profession. The course shall be approved by the board or

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45 department, as appropriate, and shall include a study of root-  
46 cause analysis, error reduction and prevention, and patient  
47 safety. In addition, the course approved by the Board of  
48 Medicine and the Board of Osteopathic Medicine shall include  
49 information relating to the five most misdiagnosed conditions  
50 during the previous biennium, as determined by the board. If the  
51 course is being offered by a facility licensed pursuant to  
52 chapter 395 for its employees, the board may approve up to 1  
53 hour of the 2-hour course to be specifically related to error  
54 reduction and prevention methods used in that facility.

55 ~~(9)(8)~~ The respective boards within the jurisdiction of  
56 the department, or the department when there is no board, may  
57 adopt rules to provide for the use of approved videocassette  
58 courses, not to exceed 5 hours per subject, to fulfill the  
59 continuing education requirements of the professions they  
60 regulate. Such rules shall provide for prior approval of the  
61 board, or the department when there is no board, of the criteria  
62 for and content of such courses and shall provide for a  
63 videocassette course validation form to be signed by the vendor  
64 and the licensee and submitted to the department, along with the  
65 license renewal application, for continuing education credit.

66 ~~(10)(9)~~ Any board that currently requires continuing  
67 education for renewal of a license, or the department if there  
68 is no board, shall adopt rules to establish the criteria for  
69 continuing education courses. The rules may provide that up to a  
70 maximum of 25 percent of the required continuing education hours  
71 can be fulfilled by the performance of pro bono services to the  
72 indigent or to underserved populations or in areas of critical

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73 need within the state where the licensee practices. The board,  
74 or the department if there is no board, must require that any  
75 pro bono services be approved in advance in order to receive  
76 credit for continuing education under this subsection. The  
77 standard for determining indigency shall be that recognized by  
78 the Federal Poverty Income Guidelines produced by the United  
79 States Department of Health and Human Services. The rules may  
80 provide for approval by the board, or the department if there is  
81 no board, that a part of the continuing education hours can be  
82 fulfilled by performing research in critical need areas or for  
83 training leading to advanced professional certification. The  
84 board, or the department if there is no board, may make rules to  
85 define underserved and critical need areas. The department shall  
86 adopt rules for administering continuing education requirements  
87 adopted by the boards or the department if there is no board.

88 (11)~~(10)~~ Notwithstanding any law to the contrary, an  
89 elected official who is licensed under a practice act  
90 administered by the Division of Medical Quality Assurance may  
91 hold employment for compensation with any public agency  
92 concurrent with such public service. Such dual service must be  
93 disclosed according to any disclosure required by applicable  
94 law.

95 (12)~~(11)~~ In any instance in which a licensee or applicant  
96 to the department is required to be in compliance with a  
97 particular provision by, on, or before a certain date, and if  
98 that date occurs on a Saturday, Sunday, or a legal holiday, then  
99 the licensee or applicant is deemed to be in compliance with the  
100 specific date requirement if the required action occurs on the

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101 first succeeding day which is not a Saturday, Sunday, or legal  
102 holiday.

103 (13)~~(12)~~ Pursuant to the federal Personal Responsibility  
104 and Work Opportunity Reconciliation Act of 1996, each party is  
105 required to provide his or her social security number in  
106 accordance with this section. Disclosure of social security  
107 numbers obtained through this requirement shall be limited to  
108 the purpose of administration of the Title IV-D program for  
109 child support enforcement.