

Regular Session, 2011

SENATE BILL NO. 152

BY SENATOR MICHOT

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

HEALTH SERVICES. Provides for requirements of advertising by physicians. (8/15/11)

1 AN ACT

2 To enact R.S. 37:1285(A)(32), relative to the Louisiana State Board of Medical Examiners;  
3 to provide for advertisement requirements by physicians; to provide for causes for  
4 which the board may refuse to issue, or may suspend or revoke, any license or  
5 permit, or impose probationary or other restrictions on the license of a physician; and  
6 to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 37:1285(A)(32) is hereby enacted to read as follows:

9 §1285. Causes for nonissuance; suspension; revocation; or the imposition of  
10 restrictions; fines; reinstatement; publication of action; stays

11 A. The board may refuse to issue, or may suspend or revoke any license or  
12 permit, or impose probationary or other restrictions on any license or permit issued  
13 under this Part for the following causes:

14 \* \* \*

15 **(32) Holding oneself out to the public in any manner as being certified**  
16 **by a public or private board including but not limited to a multidisciplinary**  
17 **board or "board certified", unless all of the following criteria are satisfied:**

1 **(a) The full name of the board from which the physician is certified and**  
2 **the name of the specialty or subspecialty is included in the advertisement.**

3 **(b) The board meets any of the following qualifications:**

4 **(i) The board is an American Board of Medical Specialties member**  
5 **board or an American Osteopathic Association certifying board.**

6 **(ii) The board has been approved by the Louisiana State Board of**  
7 **Medical Examiners.**

8 **(iii) A board requiring an Accreditation Council for Graduate Medical**  
9 **Education or American Osteopathic Association approved postgraduate**  
10 **training program that provides complete training in that specialty or**  
11 **subspecialty.**

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The original instrument was prepared by Greg Waddell. The following digest, which does not constitute a part of the legislative instrument, was prepared by Alan Miller.

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DIGEST

Michot (SB 152)

Proposed law adds certain advertisements by a physician holding himself out to the public in any manner as being certified by a public or private board as cause for the Louisiana State Board of Medical Examiners to refuse to issue or suspend or revoke any license or permit, or impose probationary or other restrictions on the license of the physician, unless certain criteria are satisfied.

Effective August 15, 2011.

(Adds R.S. 37:1285(A)(32))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Commerce, Consumer Protection, and International Affairs to the original bill.

1. Adds American Osteopathic Association certifying board to the criteria for certification for certain advertisement.