

Notices of Proposed Rulemaking

Not applicable

8. The preliminary summary of the economic, small business, and consumer impact:

Annual cost/revenue changes are designated as minimal when less than \$5,000, moderate when between \$5,000 and \$10,000, and substantial when greater than \$10,000.

Fees charged by the Board affect the Board, an applicant, a licensed physician, and a patient. The total amount of fees affect the Board because the Board operates on the amount of fees collected subject to appropriation.

The Board will incur minimal costs for the rulemaking. The rule will have no cost impact on any other state agency other than the Secretary of State's Office and the Governor's Regulatory Review Council, both of which incur some minimal costs to process and publish the rules. Because A.R.S. § 32-1436 requires the Board to establish its fees annually at its fall meeting, it has always published its fees on the Board's web site. The Board is codifying the fees that have been on its web site since approximately 2001 and 2006. The renewal fee has been on the Board's web site since approximately July 2003. Most of the fees are lower than their statutory limits stated in A.R.S. § 32-1436, with a few of the fees being at the statutory limit. The \$500 cost for the application fee, initial license issuance fee, and renewal fee are minimal to an applicant and licensee and are \$200 below the statutory limit of \$700. This is a \$50 increase for the license issuance and renewal fees as stated in rule. The Board increased the reactivation fee to the statutory limit of \$500, an increase of \$50. The Board is still charging \$200 for the initial registration to dispense drugs, but has increased the annual renewal registration fee to \$150, which is \$50 below the statutory limit. The annual registration of an approved internship, residency, clinical fellowship program, or short-term residency program fee was increased by \$25 to \$50 and the annual teaching fee was also increased from \$225 to \$250. The locum tenens registration was changed from \$200 to \$350. The license verification fee was changed from \$5 to \$10. All of these fees are minimal to an applicant and licensee. The other fees have not been changed and are also minimal.

The Board, applicants, licensees, and businesses benefit from rules that contain the most accurate fees charged by the Board. Consumers of medical services benefit should not experience any increase in costs.

9. The agency's contact person who can answer questions about the economic, small business, and consumer impact statement:

Name: Lisa Wynn, Executive Director
Address: 9545 E. Doubletree Ranch Rd.
Scottsdale, AZ 85258
Telephone: (480) 551-2791
Fax: (480) 551-2828
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10. The time, place, and nature of the proceedings to make, amend, repeal, or renumber the rule, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:

The Board will hold an oral proceeding regarding the proposed rules as follows:

Date: November 26, 2012
Time: 1:00 p.m.
Location: 9545 E. Doubletree Ranch Rd.
Scottsdale, AZ 85258

The rulemaking record will close at 5:00 p.m. on November 26, 2012.

11. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:

a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:

Yes, the Board is charging a fee for applications and for issuing a license, which falls within the definition of general permit.

b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:

Federal law is not applicable to the subject of rules.

c. Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:

The Board did not receive such an analysis from any person.

12. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules:

None

13. The full text of the rules follows:

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 16. ARIZONA MEDICAL BOARD

ARTICLE 2. LICENSURE

Section

R4-16-205. ~~Miscellaneous Fees~~

ARTICLE 2. LICENSURE

R4-16-205. ~~Miscellaneous Fees~~

The ~~Board charges the following fees, are established~~ which are nonrefundable unless A.R.S. § 41-1077 applies:

1. ~~Application to practice allopathic medicine for a license through endorsement, USMLE Step 3, or Endorsement with SPX Examination, \$500;~~
2. ~~For issuing Issuance of an initial license, \$450 \$500, which may be prorated from date of issuance to date of license renewal;~~
3. ~~Two-year license renewal, \$450 \$500;~~
4. ~~Reactivation of an inactive license, \$450 \$500, which may be prorated from date of reactivation to date of license renewal;~~
5. ~~Application for a temporary license to practice medicine, \$200;~~
- 6-5. ~~Locum tenens registration, \$200 \$350;~~
- 7-6. ~~Duplicate license, \$50;~~
- 8-7. ~~Annual registration of an approved internship, residency, clinical fellowship program, or short-term residency program, \$25 \$50;~~
- 9-8. ~~Annual teaching license at an approved school of medicine or at an approved hospital internship, residency, or clinical fellowship program, \$225 \$250;~~
- 10-9. ~~Five-day teaching permit at an approved school of medicine or at an approved hospital internship, residency, or clinical fellowship program, \$100;~~
- 11-10. ~~Copy of the annual allopathic medical directory, \$30;~~
- 12-11. ~~Initial registration to dispense drugs and devices, \$200;~~
- 13-12. ~~Annual renewal to dispense drugs and devices, \$400 \$150;~~
- 14-13. ~~Penalty fee for late renewal of an active license, \$350;~~
- 15-14. ~~Verifying a license, \$5 \$10 per request;~~
16. ~~Copies of the minutes of all Board meetings during a fiscal year, \$15 per meeting;~~
- 17-15. ~~Copies of records, documents, letters, minutes, applications, and files, \$1 for the first three pages and 25¢ for each additional page;~~
- 18-16. ~~Sale of computerized tapes or diskettes not requiring programming, \$100 Data disk containing public information about licensed physicians, \$100; and~~
19. ~~A wallet card is provided free of charge at time of licensure, additional wallet cards, \$10.~~