

Senate Engrossed

FILED

**KEN BENNETT
SECRETARY OF STATE**

State of Arizona
Senate
Fiftieth Legislature
Second Regular Session
2012

CHAPTER 7

SENATE BILL 1003

AN ACT

AMENDING SECTION 32-2912, ARIZONA REVISED STATUTES; RELATING TO THE BOARD OF HOMEOPATHIC AND INTEGRATED MEDICINE EXAMINERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 32-2912, Arizona Revised Statutes, is amended to
3 read:

4 32-2912. Qualifications of applicant; applications; scope of
5 practice

6 A. The board shall grant a license to practice pursuant to this
7 chapter to an applicant who meets all of the following requirements:

8 1. Is a person of good moral character.

9 2. Holds a degree from an approved school of medicine or has received
10 a medical education that the board determines is of equivalent quality.

11 3. Holds a license in good standing to practice medicine or
12 osteopathic medicine that is issued under chapter 13 or 17 of this title or
13 by another state, district or territory of the United States.

14 4. Has a professional record that indicates that the applicant has not
15 had a license to practice medicine refused, revoked, suspended or restricted
16 in any way by any state, territory, district or country for reasons that
17 relate to the applicant's ability to competently and safely practice
18 medicine.

19 5. Has a professional record that indicates that the applicant has not
20 committed any act or engaged in any conduct that would constitute grounds for
21 disciplinary action against a licensee under this chapter.

22 6. Has the physical and mental capacity to safely engage in the
23 practice of medicine.

24 7. Pays all fees and costs required by the board.

25 8. Completes the application required by the board.

26 B. Notwithstanding subsection A, paragraphs 2, ~~AND 3 and 4~~ of this
27 section, the board shall issue a license pursuant to this chapter to an
28 applicant who meets the requirements of subsection A, paragraphs 1, 4, 5, 6,
29 7 and 8 of this section and who holds a degree from an approved school of
30 medicine.

31 C. The board may require an applicant to submit additional written or
32 oral information and may conduct additional investigations if it determines
33 that this is necessary to adequately inform itself of the applicant's ability
34 to meet the requirements of this chapter. If an applicant has had a license
35 revoked by or has surrendered a license to another jurisdiction, the
36 applicant may attempt to demonstrate to the board's satisfaction that the
37 applicant is completely rehabilitated with respect to the conduct that was
38 the basis for the revocation or surrender of the license.

39 D. The board shall vacate its previous order to deny a license if that
40 denial was based on the applicant's conviction of a felony or an offense
41 involving moral turpitude and that conviction has been reversed on appeal.
42 The applicant may resubmit an application for licensure as soon as the court
43 enters the reversal.

1 E. If the board finds that an applicant has committed an act or
2 engaged in conduct that would constitute grounds for disciplinary action, the
3 board shall determine to its satisfaction that the conduct has been
4 corrected, monitored and resolved. If the matter has not been resolved,
5 before it issues a license the board shall determine to its satisfaction that
6 mitigating circumstances exist that prevent its resolution.

7 F. Except as provided in subsection D of this section, a person shall
8 not submit an application for reinstatement or a new application within five
9 years after the person has completely corrected the conduct and made full
10 legal restitution to the board's satisfaction.

11 G. An applicant shall submit a verified completed application to the
12 board in a form and within a period of time prescribed by the board. The
13 application shall include:

14 1. The application fee.

15 2. Affidavits from three persons who are actively licensed to practice
16 allopathic, osteopathic or homeopathic medicine in any state or district of
17 the United States and who are able to attest to the applicant's good moral
18 character and fitness to practice pursuant to this chapter.

19 3. A diploma or certificate issued by a homeopathic college or any
20 other educational institution approved by the board or documentation of the
21 applicant's successful completion of preceptorships or formal postgraduate
22 courses approved by the board.

23 4. If the person is applying for licensure pursuant to subsection A of
24 this section, proof that the applicant has served a board approved
25 internship.

26 5. The applicant's oath that:

27 (a) All of the information contained in the application and the
28 accompanying evidence or other credentials is correct.

29 (b) The applicant submitted the credentials without fraud or
30 misrepresentation and that the applicant is the lawful holder of the
31 credentials.

32 (c) The applicant authorizes the release to the board of any
33 information from any source that the board determines is necessary for it to
34 act on the application.

35 H. The board shall promptly inform an applicant in writing of any
36 deficiency in the application that prevents the board from acting on it.

37 I. The board shall consider an application withdrawn if any of the
38 following is true:

39 1. The applicant submits a written request to withdraw the
40 application.

41 2. The applicant without good cause fails to appear for a board
42 interview.

43 3. The applicant fails to submit information to the board within one
44 year of the board's request for that information.

1 4. The applicant fails to complete the required examination or
2 personal interview within one year of submitting the application.

3 J. A person who is issued a license pursuant to subsection B of this
4 section shall practice only within the scope of practice as prescribed by
5 this chapter. A licensee who acts outside that scope of practice commits an
6 act of unprofessional conduct. In addition to all other available remedies,
7 the board may seek injunctive relieve pursuant to section 32-2940.

APPROVED BY THE GOVERNOR MARCH 13, 2012.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 13, 2012.

Passed the House March 8, 2012,

by the following vote: 56 Ayes,

0 Nays, 4 Not Voting

[Signature]
Speaker of the House

Cheryl Laube
Chief Clerk of the House

Passed the Senate January 19, 2012,

by the following vote: 28 Ayes,

0 Nays, 1 Not Voting

[Signature]
President of the Senate

Charmine Bellington
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

9th day of March, 2012,

at 8:33 o'clock A M.

[Signature]
Secretary to the Governor

Approved this 13th day of

March, 2012,

at 10:05 o'clock A M.

Jeanne K. Brewer
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 13th day of March, 2012,

at 3:16 o'clock P M.

[Signature]
Secretary of State

S.B. 1003