

IN THE SENATE

SENATE BILL NO. 1256

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1 RELATING TO THE STATE BOARD OF MEDICINE; AMENDING SECTION 54-1805, IDAHO
2 CODE, TO REVISE PROVISIONS RELATING TO THE TERMS OF BOARD MEMBERS AND TO
3 MAKE TECHNICAL CORRECTIONS.
4

5 Be It Enacted by the Legislature of the State of Idaho:

6 SECTION 1. That Section 54-1805, Idaho Code, be, and the same is hereby
7 amended to read as follows:

8 54-1805. ~~THE~~ STATE BOARD OF MEDICINE ESTABLISHED. (1) There is hereby
9 established in the department of self-governing agencies a state board of
10 medicine to be composed of ten (10) members. The membership of the state
11 board of medicine as it ~~exists on the effective date of this act~~ is hereby
12 confirmed as members of the board for the terms to which they were originally
13 appointed.

14 (2) (a) The board shall consist of ten (10) members. The director of
15 the Idaho state police shall be a member of the board. Seven (7) members
16 shall be physicians who are residents of this state and engaged in the
17 active practice of medicine in this state, and two (2) members shall be
18 public members.

19 (b) All physician appointments to the board shall be for six (6) year
20 terms. The physician members shall consist of six (6) members who are
21 licensed to practice medicine and surgery in this state and one (1)
22 member who is licensed to practice osteopathic medicine or osteopathic
23 medicine and surgery in this state. Whenever a term of a member of the
24 board who is licensed to practice medicine and surgery expires or be-
25 comes vacant, the Idaho medical association shall nominate three (3)
26 persons licensed to practice medicine and surgery for each such va-
27 cancy, and forward such nominations to the governor who shall appoint
28 from among such nominees, one (1) person to be a member of the board
29 to fill such vacancy. Whenever a term of the member of the board who
30 is licensed to practice osteopathic medicine or osteopathic medicine
31 and surgery expires or becomes vacant, the Idaho osteopathic associa-
32 tion shall nominate three (3) persons licensed to practice osteopathic
33 medicine or osteopathic medicine and surgery for such vacancy, and
34 shall forward the nominations to the governor who shall appoint from
35 among such nominees one (1) person to be a member of the board to fill
36 such vacancy. Members of the board shall hold office until expiration
37 of the term to which the member was appointed and until his successor has
38 been duly appointed and qualified.

39 (c) All public members shall be appointed by the governor for three (3)
40 year terms. Public members must reside in the state and be persons of
41 integrity and good reputation who have lived in this state for at least
42 five (5) years immediately preceding their appointment, who have never

1 been authorized to practice a healing art, and who have never had a sub-
2 stantial personal, business, professional, or pecuniary connection
3 with a healing art or with a medical education or health care facility,
4 except as patients or potential patients. Public members of the board
5 shall hold office until expiration of the term to which the member was
6 appointed and until his successor has been duly appointed and quali-
7 fied.

8 (3) Appointments to fill vacancies occurring from some other reason
9 than expiration of a term for which a member was appointed, shall be made in
10 the same manner as hereinabove set forth for the unexpired term. The gover-
11 nor may remove any member of the board from the membership of the board, who
12 is guilty of malfeasance, misfeasance or nonfeasance.

13 (4) The board shall elect a chairman from its membership. The members
14 of the board except for state employees shall be compensated as provided by
15 section 59-509(n), Idaho Code. Five (5) members of the board shall consti-
16 tute a quorum, and the board may act by virtue of a majority vote of members
17 present at a meeting.