

# NOTICE OF INTENT TO ADOPT RULES AND REGULATIONS

*September 7, 2011*

1. Agency: **Wyoming Board of Medicine**  
Address: **320 W. 25<sup>th</sup> St., Suite 200**  
**Cheyenne, WY 82002**  
Agency contact person: **Kevin Bohnenblust, Executive Director**  
Telephone: **(307) 778-7053**  
Email: **kevin.bohnenblust@wyo.gov**
2. Statement of the terms and substance of the proposed rule or a description of the subjects and issues involved: **The proposed rule changes: (1) Continue to streamline the issuance of licenses to physicians by permitting the Executive Director to issue temporary licenses to applicants who may need a licensure interview with the Board and setting a maximum term of 180 days for physician licenses issued under the Board's expedited endorsement process, (2) Clarify post-graduate training requirements for physician license applicants who have had substantial difficulty passing national licensing examinations, (3) Expand the ability of physicians to practice in volunteer capacity by removing potentially unconstitutional residency requirements for holders of inactive and emeritus licenses, and permitting a holder of an emeritus (volunteer) license to receive nominal compensation without losing emeritus status in order to have professional liability protection; and (4) Protect the public by changing from permitting a licensee to file an Answer to a disciplinary case Petition to requiring an Answer, and extending the time for filing an Answer from twenty (20) days to thirty (30). A more detailed Statement of Principal Reasons is available on the Board of Medicine web page at <http://wyomedboard.state.wy.us>.**
3. Citation to agency rule being amended:  
**Chapter 1 LICENSE ELIGIBILITY, APPLICATION AND INTERVIEWS**  
Sections 4, 5, and 6.  
**Chapter 4 RULES OF PRACTICE AND PROCEDURE FOR DISCIPLINARY COMPLAINTS AGAINST PHYSICIANS**  
Section 4.
4. If the proposed rules amend existing rules, a copy of the proposed rules in a format that clearly indicates additions to and deletions from existing language may be obtained at: **The Board's office at the above address or phone, or website at <http://wyomedboard.state.wy.us>.**
5. Statement of the time when, the place where, and the manner in which interested persons may present their views on the intended action: **Interested persons may present their views on the Board's intended action by writing to the Wyoming Board of Medicine at 320 W. 25<sup>th</sup> St. Suite 200, Cheyenne, WY 82002. To be considered, written comments must be received in the Board office no later than 5:00 p.m., Friday, October 28, 2011.**

6. A public hearing will be held to discuss this the proposed rules if requested by 25 persons, a government subdivision or by an association having not less than 25 members. Request for a public hearing may be addressed to: **Wyoming Board of Medicine, 320 W. 25<sup>th</sup> St. Suite 200, Cheyenne, WY 82002.**
7. Yes \_\_\_ No **X** A public hearing on the proposed rules has been scheduled.
8. Any person may urge the agency not to adopt the rules and also request the agency to state its reasons for overruling the consideration urged against adoption. Requests for an agency response under this Item 8 must be made prior to, or within 30 (thirty) days after, adoption of the rule, addressed to: **Wyoming Board of Medicine, 320 W. 25<sup>th</sup> St. Suite 200, Cheyenne, WY 82002.**
9. Yes \_\_\_ No **X** These are new rules (i.e., these are the first set of rules to be promulgated by the agency after the Legislature's adoption of a new statutory provision or an act significantly amending an existing statute. A new rule is one that is promulgated in direct response to, or that is mandated by, the enacted statute and may involve creation of an entirely new provision in the agency's rules or the repeal or amendment of an existing rule).
10. Yes \_\_\_ No **X** These rules are adopted, amended or repealed to comply with federal law or regulatory requirements.

If yes:

- (a) Citation to applicable federal law or regulation: **N/A**
- (b) Indicate one:  
 \_\_\_ The proposed rules meet but do not exceed minimum federal requirements;  
 (or)  
 \_\_\_ The proposed rules exceed minimum federal requirements.
- (c) Any person wishing to object to the accuracy of any information provided by the agency under this Item 10 should submit their objections prior to final adoption to: **Wyoming Board of Medicine, 320 W. 25<sup>th</sup> St. Suite 200, Cheyenne, WY 82002.**

If timely objections are submitted, the agency will provide the objecting person with a written response explaining and substantiating the agency's position by reference to federal law or regulations.

11. Indicate one: [Required by WYO. STAT. § 16-3-103(a)(i)(G)]
- X** The proposed rule change meets minimum substantive state statutory requirements.  
 \_\_\_ The proposed rule change exceeds minimum substantive state statutory requirements.

If the rule change exceeds the minimum substantive state statutory requirements, the agency shall include a statement explaining the reason the rule exceeds minimum substantive statutory requirements.