STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2020

AN ACT

RELATING TO BUSINESSES AND PROFESSIONS -- BOARD OF MEDICAL LICENSURE AND DISCIPLINE

Introduced By: Representatives Jacquard, Lima, Ucci, Fellela, and Shekarchi

Date Introduced: June 18, 2020

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

SECTION 1. Section 5-37-6.3 of the General Laws in Chapter 5-37 entitled "Board of Medical Licensure and Discipline" is hereby amended to read as follows:

5-37-6.3. Sanctions.

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- If the accused is found guilty of unprofessional conduct as described in § 5-37-6.2, the director, at the direction of the board, shall impose one or more of the following conditions:
- 6 (1) Administer a reprimand;
- 7 (2) Suspend or limit or restrict his or her license or limited registration to practice medicine;
- 8 (3) Require him or her to serve a period of probation subject to certain conditions and 9 requirements including, where appropriate, sanctions or restitution;
- 10 (4) Revoke indefinitely his or her license or limited registration to practice medicine;
- 11 (5) Require him or her to submit to the care, counseling, or treatment of a physician or 12 program acceptable to the board;
 - (6) Require him or her to participate in a program of continuing medical education in the area or areas in which he or she has been judged deficient;
 - (7) Require him or her to practice under the direction of a physician in a public institution, public or private healthcare program, or private practice for a period of time specified by the board;
- 17 (8) Assess against the physician the administrative costs of the proceedings instituted 18 against the physician under this chapter; provided, that this assessment does not exceed ten

SECTION 2. Chapter 5-37 of the General Laws entitled "Board of Medical License Discipline" is hereby amended by adding thereto the following section: 5		
Discipline" is hereby amended by adding thereto the following section: 5.37-34. Authority to fine health care professionals. (a) The director, at the discretion of the board, shall have the authority to assess against a licensee who has been found guilty of unprofessional conduct and/or violated provision of the general laws, or any rule, regulation, order, license or any approval issued director; provided that: (1) No fine may be assessed for the first charge or count against a licensee. (2) Any fine assessed against a licensee for the second charge or count, regardless charge or count appears on the first complaint or a subsequent complaint, shall not exceed thousand dollars (\$1,000). (3) Any fine assessed against a licensee for each charge or count subsequent to the charge or count, regardless if such charge or count appears on the first complaint or a subsequent complaint, shall not exceed five thousand dollars (\$5,000). (b) Any licensee who fails to pay an assessed fine within the time period prescriber relevant licensing board shall be subject to disciplinary action, up to and including revocany professional licensee provided pursuant to title 5. (c) No licensee shall be subject to discipline by multiple boards with the authority a fine pursuant to subsection (a) of this section, when an individual licensed by a board do in subsection (a) of this section concurrently: (1) Holds at least one other license issued by a regulatory entity subject to the juri of the department; and (2) Fails to comply with any provision of the general laws, any rule, any regulation order, any license or any approval issued by the director. (d) Prior to the assessment of a fine under this section, the department shall adopt regulations providing guidance on the appropriate range of sanctions and the criteric considered when recommending specific sanctions or administrative monetary penaltic director. SECTION 3. This act shall take effect upon passage.	2	(9) Any other conditions or restrictions deemed appropriate under the circumstances.
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====== LC005217	31	SECTION 3. This act shall take effect upon passage.
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EXPLANATION

BY THE LEGISLATIVE COUNCIL

OF

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RELATING TO BUSINESSES AND PROFESSIONS -- BOARD OF MEDICAL LICENSURE AND DISCIPLINE

1	This act would increase the maximum fine amount for those found guilty of unprofessional
2	conduct by the board of medical licensure and discipline from ten thousand dollars (\$10,000) to
3	thirty thousand dollars (\$30,000), and would establish a new chapter of the general laws which
4	gives the board of medical licensure and discipline the authority to levy fines.
5	This act would take effect upon passage.
	LC005217
	