

1 H.559

2 Introduced by Representatives Lenes of Shelburne, Dakin of Chester, Davis of
3 Washington, Donovan of Burlington, Fields of Bennington,
4 Frank of Underhill, Macaig of Williston, McCullough of
5 Williston, and Till of Jericho

6 Referred to Committee on

7 Date:

8 Subject: Health; professions and occupations; physicians; athletic teams;
9 licensure

10 Statement of purpose of bill as introduced: This bill proposes to allow visiting
11 team physicians licensed to practice medicine in another state to serve their
12 teams while in Vermont without being licensed by the Vermont Board of
13 Medical Practice or the Vermont Board of Osteopathic Physicians and
14 Surgeons.

15 An act relating to an exemption from licensure for visiting team physicians

1 It is hereby enacted by the General Assembly of the State of Vermont:

2 ~~Sec. 1. 26 V.S.A. § 1313(a) is amended to read.~~

3 (a) The provisions of this chapter shall not apply to the following:

4 (1) a health care professional licensed or certified by the office of
5 professional regulation when that person is practicing within the scope of his
6 or her profession;

7 (2) a member of the ~~United States~~ U.S. military or national guard,
8 including a national guard member in state status, or to any person giving aid,
9 assistance, or relief in emergency or accident cases pending the arrival of a
10 regularly licensed physician;

11 (3) a nonresident physician coming into this state to consult or using
12 telecommunications to consult with a duly licensed practitioner herein; ~~or~~

13 (4) a duly licensed physician in another state, in Canada, or in another
14 nation as approved by the board who is visiting a medical school or a teaching
15 hospital in this state to receive or conduct medical instruction for a period not
16 to exceed three months, provided the practice is limited to that instruction and
17 is under the supervision of a physician licensed by the board; or

18 (5) a physician licensed in another state, territory, or jurisdiction of the
19 United States if the physician is employed as or formally designated as the
20 team physician by an athletic team visiting Vermont for a specific sporting
21 event and the physician limits the practice of medicine in this State to medical

1 ~~treatment of the members, coaches, and staff of the sports team employing or~~
2 designating the physician.

3 Sec. 2. 26 V.S.A. § 1753(c) is amended to read:

4 (c) The provisions of this chapter shall not apply to:

5 (1) ~~A~~ a commissioned officer of the U.S. Armed Forces or Public Health
6 Service when acting within the scope of his or her official duties;

7 (2) ~~A~~ a nonresident licensed osteopathic physician or surgeon who is
8 called to treat or to consult on a particular case in this State provided he or she
9 does not otherwise practice in this State; or

10 (3) an osteopathic physician licensed in another state, territory, or
11 jurisdiction of the United States if the physician is employed as or formally
12 designated as the team physician by an athletic team visiting Vermont for a
13 specific sporting event and the physician limits the practice of medicine in this
14 State to medical treatment of the members, coaches, and staff of the sports
15 team employing or designating the physician.

16 Sec. 3. EFFECTIVE DATE

17 ~~This act shall take effect on July 1, 2016.~~

Sec. 1. 26 V.S.A. § 377 is added to read:

§ 377. EXEMPTION

The provisions of this chapter shall not apply to a podiatrist who is duly
licensed and in good standing in another state, territory, or jurisdiction of the

United States or in Canada if the podiatrist is employed as or formally designated as the team podiatrist by an athletic team visiting Vermont for a specific sporting event and the podiatrist limits his or her practice in this State to the treatment of the members, coaches, and staff of the sports team employing or designating the podiatrist.

Sec. 2. 26 V.S.A. § 1313(a) is amended to read:

(a) The provisions of this chapter shall not apply to the following:

(1) a health care professional licensed or certified by the ~~office of professional regulation~~ Office of Professional Regulation when that person is practicing within the scope of his or her profession;

(2) a member of the ~~United States military or national guard~~ U.S. Armed Forces or National Guard, including a ~~national guard~~ National Guard member in state status, or to any person giving aid, assistance, or relief in emergency or accident cases pending the arrival of a regularly licensed physician;

(3) a nonresident physician coming into this ~~state~~ State to consult or using telecommunications to consult with a duly licensed practitioner herein; ~~or~~

(4) a duly licensed physician in another state, in Canada, or in another nation as approved by the ~~board~~ Board who is visiting a medical school or a teaching hospital in this ~~state~~ State to receive or conduct medical instruction

for a period not to exceed three months, provided the practice is limited to that instruction and is under the supervision of a physician licensed by the ~~board~~ Board; or

(5) a physician who is duly licensed and in good standing in another state, territory, or jurisdiction of the United States or in Canada if the physician is employed as or formally designated as the team physician by an athletic team visiting Vermont for a specific sporting event and the physician limits the practice of medicine in this State to medical treatment of the members, coaches, and staff of the sports team employing or designating the physician.

Sec. 3. 26 V.S.A. § 1734c is amended to read:

§ 1734c. EXEMPTIONS

Nothing herein shall be construed to require licensure under this chapter of:

(1) a physician assistant student enrolled in a physician assistant educational program accredited by the Accreditation Review Commission on Education for the Physician Assistant;

(2) a physician assistant employed in the service of the U.S. ~~military or national guard~~ Armed Forces or National Guard, including ~~national guard~~ National Guard in-state status, while performing duties incident to that employment; ~~or~~

(3) a technician or other assistant or employee of a physician who performs physician-delegated tasks but who is not rendering services as a physician assistant or identifying himself or herself as a physician assistant; or

(4) a physician assistant who is duly licensed and in good standing in another state, territory, or jurisdiction of the United States or in Canada if the physician assistant is employed as or formally designated as the team physician assistant by an athletic team visiting Vermont for a specific sporting event and the physician assistant limits his or her practice in this State to the treatment of the members, coaches, and staff of the sports team employing or designating the physician assistant.

Sec. 4. 26 V.S.A. § 1753(c) is amended to read:

(c) The provisions of this chapter shall not apply to:

(1) A a commissioned officer of the U.S. Armed Forces or Public Health Service when acting within the scope of his or her official duties;_

(2) A a nonresident licensed osteopathic physician or surgeon who is called to treat or to consult on a particular case in this State, provided he or she does not otherwise practice in this State; or

(3) an osteopathic physician who is duly licensed and in good standing in another state, territory, or jurisdiction of the United States or in Canada if the physician is employed as or formally designated as the team physician by an athletic team visiting Vermont for a specific sporting event and the

physician limits the practice of medicine in this State to medical treatment of the members, coaches, and staff of the sports team employing or designating the physician.

Sec. 5. EFFECTIVE DATE

This act shall take effect on passage.