

House Bill 157

By: Representatives Kelley of the 16th, Cooper of the 43rd, LaRiccia of the 169th, Rynders of the 152nd, and Hatchett of the 150th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 43-34-22.1 of the Official Code of Georgia Annotated, relating to
2 requirements for advertising or publicizing of medical specialty certification, so as to revise
3 certain criteria for certain certifying organizations; to provide for related matters; to repeal
4 conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Code Section 43-34-22.1 of the Official Code of Georgia Annotated, relating to requirements
8 for advertising or publicizing of medical specialty certification, is amended by revising
9 subsection (a) as follows:

10 "(a) No physician shall advertise or hold himself or herself out to the public in any manner
11 as being certified or board certified in any specialty or subspecialty by a public or private
12 board, including, but not limited to, a multidisciplinary board, unless:

13 (1) The advertisement or publication states the full name of the certifying board; and

14 (2) Such certifying board or organization ~~either~~:

15 (A) Is a member board of the American Board of Medical Specialties;

16 (B) Is a member board of the Bureau of Osteopathic Specialists of ~~or~~ the American
17 Osteopathic Association; or

18 ~~(B)~~(C) Meets the following requirements:

19 (i) Requires satisfactory completion of a training program with training,
20 documentation, and clinical requirements similar in scope and complexity to
21 programs approved by the Accreditation Council for Graduate Medical Education or
22 Bureau of Osteopathic Specialists of the American Osteopathic Association in the
23 specialty or subspecialty field of medicine in which the physician seeks certification;

24 (ii) Requires all physicians seeking certification to successfully pass a written or oral
25 examination, or both, which psychometrically tests the physician's knowledge and
26 skill in the specialty or subspecialty field of medicine;

27 (iii) Requires diplomates to recertify no more than every ten years;
 28 (iv) Has written bylaws and a code of ethics to guide the practice of its diplomates;
 29 (v) Has proof of a determination by the Internal Revenue Service that the certifying
 30 organization is tax-exempt under Section 501(c) of the Internal Revenue Code; and
 31 (vi) Maintains a permanent headquarters to respond to consumer inquiries.
 32 Any physician advertising or holding himself or herself out to the public in any manner
 33 as being certified or board certified shall maintain and provide to the board, upon
 34 request, evidence of current board certification. In the case of physicians who are
 35 certified pursuant to subparagraph (C) of paragraph (2) of this subsection, such
 36 physician shall maintain and provide to the board, upon request, evidence that the
 37 certifying organization meets the criteria listed in subparagraph (C) of paragraph (2) of
 38 this subsection.
 39 ~~Requires successful completion of a postgraduate training program approved by the~~
 40 ~~Accreditation Commission for Graduate Medical Education or the American~~
 41 ~~Osteopathic Association that provides complete training in the specialty or subspecialty~~
 42 ~~certified, followed by prerequisite certification by the American Board of Medical~~
 43 ~~Specialties or the American Osteopathic Association board for that training field, and~~
 44 ~~further successful completion of an examination in the specialty or subspecialty~~
 45 ~~certified."~~

46 **SECTION 2.**

47 All laws and parts of laws in conflict with this Act are repealed.