

2025 Regular Session

HOUSE BILL NO. 138

BY REPRESENTATIVE DEWITT

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

PHYSICIAN ASSISTANTS: Provides with respect to the Louisiana State Board of Medical Examiners

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AN ACT

To amend and reenact R.S. 37:1263(B) and (C)(1)(a) and 1270(A)(9), to enact R.S. 37:1263(D)(4), and to repeal R.S. 37:1263(C)(2) and (E), relative to the Louisiana State Board of Medical Examiners; to provide for the membership of the board; to provide for the qualifications of the members of the board; to provide authority to appoint members of the board; to repeal cause for removal from the board; to provide duties of the board; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 37:1263(B) and (C)(1)(a) and 1270(A)(9) are hereby amended and reenacted and R.S. 37:1263(D)(4) is hereby enacted to read as follows:

§1263. Louisiana State Board of Medical Examiners; membership; qualifications; appointment; removal; terms

\* \* \*

B. The board shall consist of ten voting members, all appointed by the governor and subject to Senate confirmation as follows:

(1) ~~Two members from a list of names submitted by the Louisiana State Medical Society. One of the members so appointed shall practice in a parish or municipality with a population of less than twenty thousand people.~~ One member

1       who is a physician from each of the nine administrative regions of the Louisiana  
2       Department of Health.

3               ~~(2) One member from a list of names submitted by the Louisiana State~~  
4       ~~University Health Sciences Center at New Orleans. At least every other member~~  
5       ~~appointed from a list provided for in this Paragraph shall be a minority appointee.~~  
6       ~~Nothing in this Paragraph shall preclude consecutive minority appointments from~~  
7       ~~lists provided for in this Paragraph. One member who is a non-physician healthcare~~  
8       ~~professional whose profession is regulated by the board.~~

9               ~~(3) One member from a list of names submitted by the Louisiana State~~  
10       ~~University Health Sciences Center at Shreveport. At least every other member~~  
11       ~~appointed from a list provided for in this Paragraph shall be a minority appointee.~~  
12       ~~Nothing in this Paragraph shall preclude consecutive minority appointments from~~  
13       ~~lists provided for in this Paragraph.~~

14               ~~(4) One member from a list of names submitted by the Tulane Medical~~  
15       ~~School.~~

16               ~~(5) Two members from a list submitted by the Louisiana Medical~~  
17       ~~Association.~~

18               ~~(6) One member from a list submitted by the Louisiana Academy of Family~~  
19       ~~Practice Physicians.~~

20               ~~(7) One member from a list submitted by the Louisiana Hospital Association.~~  
21       ~~At least every other member appointed from a list provided for in this Paragraph~~  
22       ~~shall be a minority appointee. Nothing in this Paragraph shall preclude consecutive~~  
23       ~~minority appointments from lists provided for in this Paragraph.~~

24               ~~(8) One consumer member. At least every other consumer member~~  
25       ~~appointed to the board shall be a minority appointee. Nothing in this Paragraph shall~~  
26       ~~preclude consecutive minority appointments of consumer members. The consumer~~  
27       ~~member of the board shall possess all of the qualifications for consumer members~~  
28       ~~provided in this Section and shall have all of the rights and privileges conferred by~~  
29       ~~this Section.~~

1 C.(1) Each physician member of the board shall, at the time of appointment,  
2 meet all of the following qualifications:

3 (a) Has been a resident of this state for not less than ~~six months~~ five years.

4 \* \* \*

5 D.

6 \* \* \*

7 (4) Each member shall serve at the pleasure of the governor and under the  
8 auspices of the Louisiana Department of Health.

9 \* \* \*

10 §1270. Duties and powers of the board

11 A. The board shall:

12 \* \* \*

13 (9) ~~Appoint~~ Consult with the executive director who shall hire a director of  
14 investigations to act as the lead investigator for any complaint regarding a physician  
15 received by the board or any investigation regarding a physician initiated by the  
16 board upon its own motion in accordance with R.S. 37:1285.2(A). The director of  
17 investigations shall recommend disciplinary action or other appropriate response to  
18 the outcome of an investigation for any licensee to the board as needed to remediate  
19 problems, improve care, or protect the public. The director of investigations shall  
20 serve at the pleasure of the board and be answerable directly to the board. The  
21 director of investigations shall be prohibited from concurrently serving as the  
22 executive director of the board. Any person ~~appointed~~ hired by the board to serve  
23 as director of investigations shall be a Louisiana-licensed physician who maintains  
24 board certification and has engaged in the active practice of medicine for at least five  
25 years.

26 \* \* \*

27 Section 2. R.S. 37:1263(C)(2) and (E) are hereby repealed in their entirety.

1 Section 3. The first member appointed by the governor as a non-physician healthcare  
2 professional member of the Louisiana State Board of Medical Examiners shall be a  
3 physician assistant who shall serve a four-year term.

4 Section 4. This Act shall become effective upon signature by the governor or, if not  
5 signed by the governor, upon expiration of the time for bills to become law without signature  
6 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
7 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
8 effective on the day following such approval.

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#### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 138 Engrossed

2025 Regular Session

Dewitt

**Abstract:** Provides for the membership, qualifications, powers, and duties of the La. State Bd. of Medical Examiners (LSBME).

Present law provides that LSBME shall have 10 voting members who are all appointed by the governor and subject to Senate confirmation.

Proposed law repeals the membership of LSBME and adds the following members:

- (1) One member who is a physician from each of the nine administrative regions of the Louisiana Department of Health (LDH).
- (2) One member who is a non-physician healthcare professional whose profession is regulated by the board.

Present law provides grounds for removal from the LSBME.

Proposed law repeals present law and provides that all members shall serve at the pleasure of the governor under the auspices of LDH.

Present law provides for mandatory and discretionary powers and duties of the LSBME.

Proposed law directs the executive director of LSBME to hire a director of investigation.

Proposed law provides that the director of investigations shall provide recommendations on disciplinary action.

Present law provides for the qualifications of the consumer member of the board.

Proposed law repeals present law.

Present law provides grounds for removal from the board.

Proposed law repeals present law.

Proposed law provides that the first non-physician healthcare professional shall be a physician assistant appointed by the governor for a term of four years.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 37:1263(B) and (C)(1)(a) and 1270(A)(9); Adds R.S. 37:1263(D)(4); Repeals R.S. 37:1263(C)(2) and (E))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Provide for the membership, qualification, and appointments of the La. St. Bd. Of Medical Examiners.
2. Provide for the duties of the board.
3. Repeal provisions of present law that provide for the procedures for removal of members of the board.