

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

1 AN ACT

2 To amend and reenact R.S. 37:1263(B) and 1270(A)(9), relative to the Louisiana State
3 Board of Medical Examiners; to provide for the membership of the board; to provide
4 for the qualifications of the members of the board; to provide for the director of
5 investigations; to provide for an effective date; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 37:1263(B) and 1270(A)(9) are hereby amended and reenacted to
8 read as follows:

9 §1263. Louisiana State Board of Medical Examiners; membership; qualifications;
10 appointment; removal; terms

11 * * *

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

14 (1) Two members from a list of names submitted by the Louisiana State
15 Medical Society. One of the members so appointed shall practice in a parish or
16 municipality with a population of less than twenty thousand people. One member
17 appointed shall practice in the first congressional district and the other member
18 appointed shall practice in the fourth congressional district.

19 (2) One member from a list of names submitted by the Louisiana State
20 University Health Sciences Center at New Orleans. At least every other member

1 appointed from a list provided for in this Paragraph shall be a minority appointee.

2 Nothing in this Paragraph shall preclude consecutive minority appointments from

3 lists provided for in this Paragraph. The member appointed shall practice in the

4 second congressional district.

5 (3) One member from a list of names submitted by the Louisiana State

6 University Health Sciences Center at Shreveport. At least every other member

7 appointed from a list provided for in this Paragraph shall be a minority appointee.

8 Nothing in this Paragraph shall preclude consecutive minority appointments from

9 lists provided for in this Paragraph. The member appointed shall practice in the sixth

10 congressional district.

11 (4) One member from a list of names submitted by the Tulane Medical

12 School. The member appointed shall practice in the second congressional district.

13 (5) Two members from a list submitted by the Louisiana Medical

14 Association.

15 (6) One member from a list submitted by the Louisiana Academy of Family

16 Practice Physicians. The member appointed shall practice in the third congressional

17 district.

18 (7) One member from a list submitted by the Louisiana Hospital Association.

19 At least every other member appointed from a list provided for in this Paragraph

20 shall be a minority appointee. Nothing in this Paragraph shall preclude consecutive

21 minority appointments from lists provided for in this Paragraph.

22 (8) One consumer member. At least every other consumer member

23 appointed to the board shall be a minority appointee. Nothing in this Paragraph shall

24 preclude consecutive minority appointments of consumer members. The consumer

25 member of the board shall possess all of the qualifications for consumer members

26 provided in this Section and shall have all of the rights and privileges conferred by

27 this Section.

28 (9) One member who is a physician assistant.

29 * * *

§1270. Duties and powers of the board

A. The board shall:

* * *

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

* * *

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

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)]

HB 138 Reengrossed

2025 Regular Session

Dewitt

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

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

Proposed law adds a physician assistant member to the board.

Present law provides that the nine physician members of the board shall be appointed by the governor from a list of names provided by an entity in this state.

Proposed law adds that six of the physician members shall practice in a congressional district specified by proposed law.

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

Proposed law directs the executive director of the board to hire a director of investigations.

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

Present law provides that the director of investigations is answerable directly to the board.

Proposed law provides that the director of investigations is answerable directly to the executive director of the board.

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

(Amends R.S. 37:1263(B) and 1270(A)(9))

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.

The House Floor Amendments to the engrossed bill:

1. Remove provisions relative to the membership, qualifications, and appointments of the La. St. Bd. of Medical Examiners.
2. Add provisions that require certain members of the board to practice in certain areas in the state.
3. Make the director of investigations answerable directly to the executive director of the board.