

CHAPTER 223

Original Senate File No. 86

LICENSING OF PHYSICIANS

AN ACT to amend sections 33-333, 33-334, 33-335, and 33-341 of the statutes relating to the Wyoming board of medical examiners; deleting procedures for written examinations; modifying subjects to be covered by examination; modifying license and examination fees; and modifying qualifications of applicants for licenses.

*Be It Enacted by the Legislature of the State of Wyoming:*

**Section 1.** Sections 33-333, 33-334, 33-335, and 33-341 of the statutes are amended to read:

**33-333. Application for license; qualifications, etc., of applicants; temporary license; examination procedure; issuance of certificates.**

- (a) (i) Every person, except as hereinafter provided, wishing to engage in the practice of medicine and surgery, or either of them, within the state, shall, immediately and prior to commencing the same, make a written application to the state medical examining board, for a license so to do. The applicant shall transmit with the application his or her diploma indicating graduation from a school of medicine or osteopathy, together with an affidavit setting forth that the diploma is genuine, that the applicant is the rightful possessor thereof and the identical person named therein, that the diploma was obtained by pursuing the regular course of study or examination in the institution, and setting forth that he or she is a citizen of the United States.
- (ii) The citizenship requirement may be waived and a temporary license granted on an annual basis at the discretion of the members of the Wyoming state board of medical examiners, providing the applicant successfully completes the ECFMG examination in addition to the other requirements of the Wyoming state board of medical examiners.
- (iii) The applicant must apply annually for temporary licensure, must reside in and actively practice medicine in Wyoming and obtain United States citizenship within eight years of the date of the original temporary licensure in order to qualify for permanent licensure.

(b) He shall appear before the state board of medical examiners in person at a time and place appointed, and shall pass an examination sufficiently strict to test his qualifications as a practitioner. The examination may be in whole or in part in writing. If a written examination is required, it shall be that deviation from the federation of the national board of the United States (flex) or its equivalent as decided by the board. If requested by the applicant, any oral examination shall be fully recorded on tape or record by the board at no cost to the applicant, or, if requested by the applicant, by shorthand or other method at the expense of the applicant. The board shall review the grading of the examination of any applicant upon his request or upon the request of any member of the board. Examinations will embrace or cover subjects as determined by the board. An average grade of 75% in all the branches of the examination shall be required and the applicant shall not pass lower than 60% in any one branch. The examination shall be conducted by and under the supervision of the secretary of the board, with such assistance from the other members as shall be agreed upon by them. Examinations shall be held at stated periods to suit the convenience of the board and applicants but not to exceed four examinations in any one year. The president and secretary of the state board of medical examiners shall issue certificates to all persons who successfully pass their examinations, and certificates, after being duly recorded as herein-after provided, shall be deemed licensed to practice medicine in all branches in which the applicant has taken examination in this state. Every applicant for license under any of the provisions of sections 33-327 through 33-343.1 of the statutes must furnish sufficient evidence to the board that he or she is of good moral character, and that he or she is not the victim of such habits as shall cause him or her to endanger the lives of those entrusted to his or her care.

**33-334. Examination papers.** The examination papers of applicants, when placed in the hands of the secretary, shall become the property of the state. The gradings shall be subject to inspection at any time at the secretary's office.

**33-335. Application for certificates and examination; reexamination; fees; renewal certificate.** The state board of medical examiners shall receive through its secretary, applications for certificates and examination. A fee of \$75 shall accompany each application for reciprocity. If a written examination is required for licensure, a fee of \$100 must accompany the application. If the applicant fails the examination, repeat examinations will be administered for \$100 per repeat examination. Each person now licensed or subsequently licensed by the state board of medical examiners to practice medicine, surgery, or osteopathy in this state shall transmit to the secretary of the state board of medical examiners, on or before the first day of April of each year, his signature and address together with a fee determined by the board but not to exceed \$25, and the number of his or her registration certificate, and receive therefor a renewal license certificate. The renewal certificate shall be at all times properly displayed in the office of the one who is named as the holder of the license, and no person shall be deemed in legal practice who does not possess such renewal certificate. Any license granted by the board shall be cancelled and annulled if the holder thereof fails to secure the renewal certificate herein provided for, within a period of three months after April 1st of each year. Any license thus cancelled may be restored by the board upon the payment of a fee of \$25 plus the annual license fee.

**33-341. Exceptions.** Nothing in this chapter shall be construed to prohibit gratuitous service in case of emergency, and this chapter shall not apply to physician support persons under the direction of a physician licensed in Wyoming, nor to students who have had training in approved schools of medicine and who are continuing their training and performing the duties of a clinical clerk, intern or resident in programs approved by the Wyoming state board of medical examiners and under the direction of a physician licensed in Wyoming, nor shall the act apply to commissioned medical officers of the armed forces of the United States, the United States Public Health Service and medical officers of the Veterans' Administration of the United States, in the discharge of their official duties or any lawfully qualified physicians residing in other states or counties meeting registered physicians of this state in consultation, or any physician or surgeon residing upon the border of a neighboring state, and duly authorized under the laws thereof to practice medicine and surgery therein, whose practice extends into the limits of this state. This chapter shall apply to apothecaries and pharmacists who prescribe for the sick. This chapter shall not be construed to apply to persons treating human ailments by prayer or spiritual means, as an exercise or enjoyment of religious freedom if laws, rules, and regulations relating to communicable diseases and sanitary matters are not violated.

Approved March 5, 1973.