



## Georgia Board for Physician Workforce

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State of Georgia

### NOTICE OF INTENTION TO REPEAL RULES AND REGULATIONS OF THE GEORGIA BOARD FOR PHYSICIAN WORKFORCE

The Georgia Board for Physician Workforce hereby gives notice of its intention to repeal the Rules and Regulations of the Georgia Board for Physician Workforce as follows:

**Applicable Rules to be Repealed:**

- 195-4-.02 (Developing Programs)
- 195-7-.02 (Developing Programs)

The Rules and Regulations of the Georgia Board for Physician Workforce are being repealed. The information is posted at [www.gbpw.georgia.gov](http://www.gbpw.georgia.gov) or may be reviewed during normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, except official State holidays, at the office of the Georgia Board for Physician Workforce, 2 Peachtree Street, NW, 36<sup>th</sup> Floor, Atlanta, Georgia 30303.

Any interested person wishing to make objections or present their views on this action to the Board may do so in writing no later than December 7, 2012 or make comments at the public hearing during the January 31, 2013 GBPW Board meeting. Comments may be directed to Cherri Tucker, Georgia Board for Physician Workforce, 2 Peachtree St., NW, 36<sup>th</sup> Floor, Atlanta, Georgia 30303. Comments may be received by the Board via e-mail to [ctucker@dch.ga.gov](mailto:ctucker@dch.ga.gov) or by calling (404) 232-7972.

The Board voted to adopt this Notice of Intent on July 19, 2012 and intends to repeal the Rules at the January 31, 2013 meeting following any public comment.

Date: 11-6-12

Signed: 

Cherri Tucker  
Executive Director

## **Family Medicine – New Program Development**

### **~~195-4-.02 Developing Programs.~~**

~~(1) For the development of a new Family Practice Residency Training Program, the Board requires the following conditions to be met:~~

~~(a) Qualified hospital located in an area deemed to be underserved by the Board.~~

~~(b) Agreement by the hospital administration and medical staff to provide resources necessary to satisfy the requirements for Program accreditation by the Accreditation Council for Graduate Medical Education.~~

~~(2) Payment Process. Based on submission and approval of documentation of expenditures by the Hospital, the Board shall authorize disbursement of funds to reimburse the hospital, up to the contracted amount, for costs relating to the development of a training program for family physicians.~~

~~(3) Limitation for Developmental Funding. New Program Development funding will be limited to no more than two (2) years unless otherwise approved by the Board and state funds are appropriated for such purpose.~~

Authority O.C.G.A. Sec. 49-10. History. Original Rule entitled "Family Practice Training Grants" adopted. F. Feb. 12, 1998; eff. Mar. 4, 1998. Repealed: New Rule entitled "Developing Programs" adopted. F. Nov. 13, 2000, eff. Dec. 3, 2000. Repealed: New Rule of same title adopted. F. Jan. 10, 2005; eff. Jan. 30, 2005.

## **Pediatric – New Program Development**

### **~~195-7-.02 Developing Programs.~~**

~~(1) For the development of a new Pediatric Residency Training Program, the Board requires the following conditions be met:~~

~~(a) Qualified hospital shall be located in a region of the state deemed to be underserved by the Board.~~

~~(b) Agreement by the hospital administration and medical staff to provide resources necessary to satisfy the requirements for Program accreditation by the Accreditation Council for Graduate Medical Education.~~

~~(2) Payment Process. Based on submission and approval of documentation of expenditures by the hospital, the Board shall authorize disbursement of funds to reimburse the hospital, up to the contracted amount, for costs relating to the development of a training program for pediatric physicians.~~

~~(3) Limitation for Developmental Funding. New Program Development funding will be limited to no more than two (2) years unless otherwise approved by the Board and state funds are appropriated for such purpose.~~

Authority Ga. L. 1998, S.B. 533; O.C.G.A. Sec. 49-10. History. Original rule entitled "Developing Programs" adopted. F. Jul. 7, 1998; eff. Jul 27, 1998. Repealed: New Rule, same title adopted. F. Nov. 13, 2000; eff. Dec. 3, 2000. Repealed: New Rule of same title adopted. F. Jan. 10, 2005; eff. Jan. 30, 2005.



## Georgia Board for Physician Workforce

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State of Georgia

### NOTICE OF INTENTION TO ADOPT RULES AND REGULATIONS OF THE GEORGIA BOARD FOR PHYSICIAN WORKFORCE

The Georgia Board for Physician Workforce hereby gives notice of its intention to adopt the Rules and Regulations of the Georgia Board for Physician Workforce as follows:

**Applicable Rules to be Adopted:**

- 195-13-.01 (General Definitions)
- 195-13-.02 (Developing Graduate Medical Education Programs)

Rules and Regulations of the Georgia Board for Physician Workforce are being adopted. The information is posted at [www.gbpw.georgia.gov](http://www.gbpw.georgia.gov) or may be reviewed during normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, except official State holidays, at the office of the Georgia Board for Physician Workforce, 2 Peachtree Street, NW, 36<sup>th</sup> Floor, Atlanta, Georgia 30303.

Any interested person wishing to make objections or present their views on this action to the Board may do so in writing no later than December 7, 2012 or make comments at the public hearing during the January 31, 2013 GBPW Board meeting. Comments may be directed to Cherri Tucker, Georgia Board for Physician Workforce, 2 Peachtree St., NW, 36<sup>th</sup> Floor, Atlanta, Georgia 30303. Comments may be received by the Board via e-mail to [ctucker@dch.ga.gov](mailto:ctucker@dch.ga.gov) or by calling (404) 232-7972.

The Board voted to adopt this Notice of Intent on July 19, 2012 and intends to adopt the Rules at the January 31, 2013 meeting following any public comment.

Date: 11-16-12

Signed: 

Cherri Tucker  
Executive Director

## **Rules for New Program Development Funding**

### **195-13-.01 General Definitions.**

(1) "Graduate Medical Education Training Program" is a multi-year training program after graduation from medical school designed to provide the ambulatory and hospital experience required to train physicians as delineated by the Accreditation Council for Graduate Medical Education (ACGME) and/or the American Osteopathic Association (AOA).

(2) "Accreditation Council for Graduate Medical Education" is the body established to accredit allopathic graduate medical education training programs.

(3) "American Osteopathic Association" is the body established to accredit osteopathic graduate medical education training programs.

(3) "Qualified Hospital" means a hospital, or associated hospitals, which meet(s) the Accreditation Council for Graduate Medical Education and/or American Osteopathic requirements for a critical mass and mix of hospital patients, medical staff, facilities, and financial support adequate to sustain a quality program of physician training.

(4) "Underserved Areas" are those geographic areas of the state in which the Board determines there is a shortage of physicians.

(5) "Developing Program" means a proposed Graduate Medical Education Training Program at a qualified hospital which meets the accreditation requirements of the Accreditation Council for Graduate Medical Education and/or the American Osteopathic Association.

### **195-13-.02 Developing Graduate Medical Education Programs.**

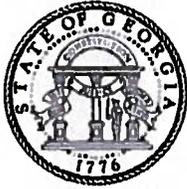
(1) For the development of new Graduate Medical Education Training Programs, the Board requires the following conditions be met:

(a) Qualified hospital shall be located in a region of the state deemed to be underserved by the Board.

(b) Agreement by the hospital administration and medical staff to provide resources necessary to satisfy the requirements for Program accreditation by the Accreditation Council for Graduate Medical Education and/or the American Osteopathic Association.

(2) Payment Process. Based on submission and approval of documentation of expenditures by the hospital, the Board shall authorize disbursement of funds to reimburse the hospital, up to the contracted amount, for costs relating to the development of training programs for physicians.

(3) Limitation for Developmental Funding. New Program Development funding will be limited to no more than two (2) years unless otherwise approved by the Board and state funds are appropriated for such purpose.



## Georgia Board for Physician Workforce

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State of Georgia

### NOTICE OF INTENTION TO AMEND RULES AND REGULATIONS OF THE GEORGIA BOARD FOR PHYSICIAN WORKFORCE

The Georgia Board for Physician Workforce hereby gives notice of its intention to amend the Rules and Regulations of the Georgia Board for Physician Workforce as follows:

**Applicable Rules to be Amended:**

- 195-1-.01 (General Definitions)
- 195-1-.02 (Organization)

Rules and Regulations of the Georgia Board for Physician Workforce are being amended. The information is posted at [www.gbpw.georgia.gov](http://www.gbpw.georgia.gov) or may be reviewed during normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, except official State holidays, at the office of the Georgia Board for Physician Workforce, 2 Peachtree Street, NW, 36<sup>th</sup> Floor, Atlanta, Georgia 30303.

Any interested person wishing to make objections or present their views on this action to the Board may do so in writing no later than December 7, 2012 or make comments at the public hearing during the January 31, 2013 GBPW Board meeting. Comments may be directed to Cherri Tucker, Georgia Board for Physician Workforce, 2 Peachtree St., NW, 36<sup>th</sup> Floor, Atlanta, Georgia 30303. Comments may be received by the Board via e-mail to [ctucker@dch.ga.gov](mailto:ctucker@dch.ga.gov) or by calling (404) 232-7972.

The Board voted to adopt this Notice of Intent on July 19, 2012 and intends to amend the Rules at the January 31, 2013 meeting following any public comment.

Date: 11-6-2012

Signed: 

Cherri Tucker  
Executive Director

## **Administration**

### **195-1-.01 General Definitions.**

(1) "Georgia Board for Physician Workforce" means the organization and its office, formerly known as the Joint Board of Family Practice, redesignated under Ga. Laws 1998, Act 785 (SB 533), and governed by Title 49 Chapter 10 of the Official Code of Georgia Annotated as amended to address the physician workforce needs of Georgia communities through the support and development of medical education programs and to administer such grants and programs as may be funded from time to time by the Georgia General Assembly relating to the education and training of physicians.

(2) "Board" means the members serving a term of office on the Georgia Board for Physician Workforce. The Board shall be composed of 15 members, all of whom are residents of Georgia.

(a) Five members shall be primary care physicians, at least three of whom shall be from rural areas, five members shall be physicians who are not primary care physicians, at least three of whom shall practice in rural areas; , three members shall be representatives of hospital which are not teaching hospitals, with at least ~~one~~ two of those members being a representative of a rural, nonprofit hospital, one member shall be a representative from the business community, and one member shall have no connection with the practice of medicine or the provision of health care. The physicians on the Board shall represent a diversity of medical disciplines including, but not limited to, women's health, geriatrics and children's health. The Board shall represent the gender, racial, and geographical diversity of the state.

(b) All members shall be appointed by the Governor and confirmed by the Senate. The terms of office of all the members of the Joint Board of Family Practice shall expire on July 1, 1998, but only at such time on or after that date when all 15 of the initial members of the Georgia Board for Physician Workforce have been appointed and qualified. No such initial member shall exercise any power until all 15 members have been appointed and qualified. The initial members of the Board who are appointed thereto shall take office for initial terms of office as follows:

1. Two primary care physicians, two physicians who are not primary care physicians and one representative of a hospital which is not a teaching hospital shall be appointed to two-year terms of office;
2. Two primary care physicians, two physicians who are not primary care physicians and one representative of a hospital which is not a teaching hospital shall be appointed to four-year terms of office; and
3. The remainder of the Board shall be appointed to six-year terms of office.

4. Thereafter, successors to such members shall be appointed for terms of six years. The Governor shall designate the term to which each initial member is appointed. All members shall serve until their successors are appointed and qualified. Members appointed shall be eligible to serve on the Board until confirmed by the Senate at the session of the General Assembly next following their appointment.

(c) In the case of a vacancy on the Board by reason of death or resignation of a member or for any other cause other than the expiration of the member's term of office, the Board shall by secret ballot elect a temporary successor. If the General Assembly is in session, the temporary successor shall serve until the end of that session. If the General Assembly is not in session, the temporary successor shall serve until the end of the session next following the vacancy or until the expiration of the vacated member's term of office, whichever occurs first. The Governor shall appoint a permanent successor who shall be confirmed by the Senate. The permanent successor shall take office on the first day after the General Assembly adjourns and shall serve for the unexpired term and until his or her successor is appointed and qualified.

(3) The "Executive Director" is the chief administrative officer of the Board and directs the day-to-day operations of its office. The Executive Director is charged to perform all the duties and responsibilities delegated by the Board.

(4) "Standing Committee" means a committee performing a continuous function which will remain in existence permanently or for the life of the assembly that establishes it.

(5) "Special Committee" means a committee organized to carry out a specific task, which at the completion of said task, shall no longer exist.

(6) "Annual Meeting" means the first meeting of the Board after the beginning of the Fiscal Year and at which a quorum is present.

(7) "Georgia Resident" means to qualify as a resident of the state of Georgia for the purpose of participation in the Medical Student Capitation Program, or other Board program where appropriate, an entering freshman student must show he/she has been a legal resident of Georgia for a period of at least twelve months prior to certification of residency. In the event a student is identified as a potential participant after beginning a program of study, the student must demonstrate he/she was a legal resident of Georgia for a period of one year prior to entering the medical school. A Certification of Residency Form, as defined by the Georgia Board for Physician Workforce, must be completed. This Form shall be notarized and signed by a judge of the highest court of the county where a student maintains his/her legal residence. Completion of this Form shall constitute sufficient proof of Georgia residency status.

Authority O.C.G.A. Secs. 49-10, 49-10-6. **History.** Original Rule entitled "General Definitions" adopted. F. Aug. 25, 1978; eff. Sept. 14, 1978. **Amended:** F. Aug. 14, 1979; eff. Sept. 3, 1979. **Amended:** F. Sept. 4, 1981; eff. Sept. 24, 1981. **Amended:** F. Feb. 12, 1985; eff. Mar. 4, 1985. **Amended:** F. Oct. 9, 1986; eff. Oct. 29, 1986. **Amended:** F. Feb. 12, 1998; eff. Mar. 4, 1998. **Amended:** F. Dec. 14, 1999; eff. Jan. 3, 2000. **Amended:** F. Mar. 13, 2000; eff. Apr. 2, 2000. **Repealed:** New Rule of same title adopted. F. Jan. 10, 2005; eff. Jan. 30, 2005. **Repealed:** New Rule of same title adopted. F. May 5, 2009; eff. May 25, 2009.

### **195-1-.02 Organization.**

(1) **Board.** The Board is responsible for conducting programs established pursuant to Ga. Law 1998, Act 785 (SB 533), Title 49 Chapter 10 of the Official Code of Georgia Annotated, as amended; Ga. Law 2011, p. 459, § 1/HB 509, Title 20 Chapter 3 Article 7, as amended; Ga. Law 2011, p. 459, § 2/HB509, Title 31 Chapter 34, as amended; to address the health care physician workforce needs of Georgia communities through the support and development of medical education programs, to increase the number of physicians and health care practitioners practicing in underserved rural areas and administering other programs as may be assigned from time to time by Georgia's General Assembly.

(2) **Officers.** The officers of the Board are the Chairman, Vice-Chairman, and Secretary-Treasurer. They are elected, by ballot, for a one ~~two~~-year term at the annual meeting of the Board. Each officer shall serve until his/her successor is elected. Each officer may succeed him/herself for one term. No one person may hold more than one office. The Chairman, upon completion of his/her term, shall serve as an ex-officio member of the Executive Committee. The responsibilities of the officers include the following:

(a) In addition to directing the day-to-day operations of the Board through the Executive Director, the Chairman shall preside at all meetings of the Board. The Chairman also shall appoint all Board committees with the exception of the Nominating Committee, shall submit an Annual Report to the Governor on behalf of the Board, and shall execute contracts and other documents on behalf of the Board.

(b) The Vice-Chairman shall exercise the functions of the Chairman in the absence of the Chairman. The Vice-Chairman may have such other duties as set by the Board from time to time.

(c) The Secretary-Treasurer is responsible for keeping accurate minutes of Board meetings and actions and shall submit official minutes of all Board meetings to the Governor and shall present periodic reports to the Board on its budget.

(d) The election of the Board's officers shall occur at the Annual Meeting. At the Board meeting prior to the Annual one, the Board shall elect a Nominating Committee composed of three Board members which shall present its report at the Annual Meeting; additional nominations may be made from the floor. The election

of the officers shall be upon a majority vote of the members voting. The officers shall be installed at the next regular meeting of the Board.

(3) Meetings. The Board shall meet at least four times at regular intervals during the year. Meetings shall be conducted under the Roberts Rule of Order. Additional meetings may be called by the Chairman or upon written request of a majority of members of the Board. The Annual Meeting of the Board is its first meeting of the fiscal year. The meetings of the Board may be held in any place set forth in the notice so long as within the state of Georgia. Not less than seven days notice is required for a meeting except for those called for a special purpose. A majority of members then in office shall constitute a quorum.

(4) Attendance. It shall be the duty of members of the Board to attend the meetings of the Board. If any member fails to attend more than three consecutive regular meetings of the Board, without excuse approved by resolution of the board, good and valid cause (as determined by the Executive Committee), or without an excused leave of absence from the Chairman (or if the Chair for any cause cannot act, from the Vice-Chairman), that member's office shall be declared vacant, and the Chairman of the Board shall notify the Governor of a vacancy on the Board, and the Governor shall fill the same.

(5) Standing Committees. Standing Committees of the Board will be the Executive Committee, Budget and Contracts Committee, and Physician Workforce Committee.

(6) Consultation. The Board, as it deems appropriate, shall have the authority to appoint advisory committees to advise it on the fulfillment of its duties. The members of the advisory committee shall not receive any per diem or reimbursement. However, such members shall receive the mileage allowance provided for in Code Section 50-19-7 of the Official Code of Georgia Annotated for the use of a personal car in connection with attendance at meetings called by the Board if funds are appropriated and available.

(7) Administrative Attachment. Effective July 1, 1999, the Board shall be attached to the Department of Community Health for administrative purposes only as defined by Code Section 50-4-3 of the Official Code of Georgia Annotated.

(8) Compensation and allowances. Each member of the Board shall receive the same expense allowance as that received by a member of the General Assembly as provided by Code Section 45-7-21 for each day or substantial portion thereof that such member is engaged in the work of the Board or for travel as a member of a committee of the board, which travel has been authorized by the chairman or by action of the board and shall receive reimbursement for state use mileage as is normally allowed to state employees. No member shall receive the above per diem for more than thirty (30) days in any one calendar year.

(9) **Administrative Staff.** The Department of Community Health, with the concurrence of the Board shall have the authority to employ such administrative staff as necessary to carry out the functions of the Board. Such staff members will be employed within the limits of the appropriations made to the Board.

Authority O.C.G.A. Secs. 49-10, 49-10-6. **History.** Original Rule entitled "Organizations" adopted. F. Aug. 25, 1978; eff. Sept. 14, 1978. **Amended:** F. Feb. 5, 1979; eff. Feb. 25, 1979. **Amended:** F. Aug. 14, 1979; eff. Sept. 3, 1979. **Amended:** F. Feb. 12, 1985; eff. Mar. 4, 1985. **Amended:** F. Feb. 5, 1986; eff. Feb. 25, 1986. **Amended:** F. Oct. 9, 1986; eff. Oct. 29, 1986. **Amended:** F. Feb. 12, 1998; eff. Mar. 4, 1998. **Amended:** F. Dec. 14, 1999; eff. Jan. 23, 2000. **Amended:** F. Mar. 13, 2000; eff. Apr. 2, 2000. **Repealed:** New Rule of same title adopted. F. Jan. 10, 2005; eff. Jan. 30, 2005.