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State of Minnesota
HOUSE OF REPRESENTATIVES

**EIGHTY-FIFTH
SESSION**

HOUSE FILE No. 3640

March 3, 2008

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The bill was read for the first time and referred to the Committee on Health and Human Services

1.1 A bill for an act
1.2 relating to the Board of Medical Practice; changing criteria for removal from the
1.3 board; amending Minnesota Statutes 2006, section 147.01, subdivision 1, by
1.4 adding a subdivision.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2006, section 147.01, subdivision 1, is amended to read:

1.7 Subdivision 1. **Creation; terms.** The Board of Medical Practice consists of 16
1.8 residents of the state of Minnesota appointed by the governor. Ten board members must
1.9 hold a degree of doctor of medicine and be licensed to practice medicine under this
1.10 chapter. One board member must hold a degree of doctor of osteopathy and either be
1.11 licensed to practice osteopathy under Minnesota Statutes 1961, sections 148.11 to 148.16;
1.12 prior to May 1, 1963, or be licensed to practice medicine under this chapter. Five board
1.13 members must be public members as defined by section 214.02. The governor shall
1.14 make appointments to the board which reflect the geography of the state. In making
1.15 these appointments, the governor shall ensure that no more than one public member
1.16 resides in each United States congressional district, and that at least one member who
1.17 is not a public member resides in each United States congressional district. The board
1.18 members holding the degree of doctor of medicine must, as a whole, reflect the broad mix
1.19 of expertise of physicians practicing in Minnesota. A member may be reappointed but
1.20 shall not serve more than eight years consecutively. Membership terms, compensation
1.21 of members, ~~removal of members~~, the filling of membership vacancies, and fiscal year
1.22 and reporting requirements are as provided in sections 214.07 to 214.09. The provision of
1.23 staff, administrative services and office space; the review and processing of complaints;

2.1 the setting of board fees; and other provisions relating to board operations are as provided
2.2 in chapter 214.

2.3 Sec. 2. Minnesota Statutes 2006, section 147.01, is amended by adding a subdivision
2.4 to read:

2.5 Subd. 1a. **Removal from the board.** A member may be removed by the appointing
2.6 authority at any time (1) for cause after notice and hearing, (2) if the member fails to make
2.7 a conflict of interest disclosure as required under section 10A.07, (3) if the board fails to
2.8 prepare and submit the report required under section 214.07, or (4) after missing three
2.9 consecutive meetings. The chair of the board shall inform the appointing authority of a
2.10 member missing the three consecutive meetings. After the second consecutive missed
2.11 meeting and before the next meeting, the secretary of the board shall notify the member in
2.12 writing that the member may be removed for missing the next meeting. In the case of a
2.13 vacancy on the board, the appointing authority shall appoint a person to fill the vacancy
2.14 for the remainder of the unexpired term.