fee charged the applicant will
edule of fees applied to the
ss earnings of the applicant.

ent is one which the applicant
basis or on the basis of a salary
ons, the fee charged to the
's filed schedule of fees applied
he applicant, as estimated by
first year of employment, and
nings of the applicant, said fee
rd as is appropriate, provided
time pay be included in gross
ent in fees must be made in
ithin sixty days after one year
ever is sooner.

r becomes temporary, the fee
l twenty per cent of the gross
for permanent employment
ployment means procured
reason in less than ninety
days.

cepts employment but fails to
harged to such applicant shall
or permanent employment on
t remains with his present

of this Act or the application
idity shall not affect other
this Act which can be given
items or applications, and to
hereby declared severable.

n conflict herewith are hereby

1975.

e State: August 1, 1975.

ACT No. 350

House Bill No. 1006. By: Messrs. LeBlanc, Breaux, O'Neal and Scogin and Senator Mouton.

AN ACT

To amend and reenact Part I of Chapter 15 of Title 37 of the Louisiana Revised Statutes of 1950, comprising Sections 1261 through 1291, to provide for the regulation and control of the practice of medicine, surgery, and midwifery, to declare the purpose of the Act; to provide definitions; to provide with respect to the Louisiana State Board of Medical Examiners by providing for the terms of members, quorum, compensation, and the duties, powers, functions, and authority thereof; to provide with respect to the requirements for physicians, surgeons, and midwives and their licensing; qualifications, and examination; to provide for the issuance of permits; to provide for physical and mental examinations of persons licensed; to provide with respect to the recordation of licenses; to provide for renewals of licenses and permits; to authorize fees; to provide for a list of license and permit holders; to require reports to the governor; to provide with respect to unlicensed physicians; to enumerate causes for the nonissuance, suspension, revocation, or imposition of restrictions on licenses and permits; to authorize the issuance of writs of injunction; to protect certain persons from liability and actions for damages; to impose restrictions upon itinerant vendors of drugs; to provide penalties; to provide exemptions from the Act; and to provide with respect to matters related thereto.

Be it enacted by the Legislature of Louisiana:

Section 1. Part I of Chapter 15 of Title 37 of the Louisiana Revised Statutes of 1950, comprising Sections 1261 through 1291, is hereby amended and reenacted to read as follows:

PART I. MEDICINE, SURGERY, MIDWIFERY

§1261. Declaration of purpose

Recognizing that the practice of medicine, surgery, and midwifery is a privilege granted by legislative authority and is not a natural right of individuals, the state of Louisiana deems it necessary as a matter of policy in the interests of public health, safety and welfare, to provide laws and provisions covering the granting of that privilege and its subsequent use, control, and regulation to the end that the public shall be properly protected against unprofessional, improper, unauthorized, and unqualified practice of medicine and from unprofessional conduct of persons licensed to practice medicine, surgery, and midwifery.

§1262. Definition

As used in this Part the following words and phrases shall have the meanings ascribed to them:

(1) "the practice of medicine, surgery, or midwifery" means the holding out of one's self to the public as being engaged in the business of, or the actual engagement in, the diagnosing, treating, curing, or relieving of any bodily or mental disease, condition, infirmity, deformity, defect, ailment, or injury in any human being, other than himself, whether by the use of any drug, instrument or force, whether physical or psychic, or of what other nature, or any other agency or means; or the examining, either gratuitously or for compensation, of any person or material from any person for such purpose whether such drug, instrument, force, or other agency or means is applied to or used by the patient or by another person; or the attending of a woman in childbirth without the aid of a licensed physician, surgeon, or midwife.

(2) "Board" means the Louisiana State Board of Medical Examiners.

§1263. Louisiana State Board of Medical Examiners; appointment

A. The Louisiana State Board of Medical Examiners is created.

B. The board shall consist of five members appointed by the governor from a list of names recommended by the Louisiana State Medical Society and the Louisiana Medical Association.

C. All members of the board shall be graduate physicians or surgeons and practitioners.

§1264. Vacancies; removal

The governor shall fill all vacancies on the board from recommendations made according to R.S. 37:1263.

The governor may remove any member of the board for inefficiency or neglect of duty.

§1265. Term of members

Each member of the board shall serve for a term of six years commencing from the date of his appointment. Each member will succeed himself in each subsequent term thereafter unless removed or replaced by the governor.

§1266. Meetings of board

The regular meeting of the board shall be held at least twice in each year in the city of New Orleans. A special meeting of the board may be called by the president at any place when a majority of the board, or its president, deems it expedient. The call shall be issued by the secretary-treasurer.

§1267. Quorum

Three members of the board
including the holding of examin
permits, and the rule making
board.

§1268. Compensation and ex

The members of the board
during their session and also t
traveled by the most direct rout
of residence. These expenses sh
board upon the certific
secretary-treasurer.

§1269. Receipts and disburse

All monies collected by the
treasury of the board. All expe
of board members and employe
the board only and shall never

§1270. Duties and powers of

A. The board shall:

(1) Examine all applicants f
licenses or permits to those pos
therefor; and, take appropriate
the practice of medicine in the

(2) Have its seal; and

(3) Report to the prosecutir
violating the provisions of this

B. The board may:

(1) Select officers and adopt
efficient operation of the board;

(2) Authorize any member o
necessary to the issuance of an
authorized under this Part;

(3) Employ counsel to carry o
fees of the counsel and the costs
prosecutions, are paid by the bo

(4) Employ inspectors, speci
subpoenas to require attendance
of documents and things for t
relative to the practice of me
violations thereof; employ neces
the administrative work of the b
and incur other necessary expen