

Emergency Regulations for Physicians Displaced by Hurricanes Gustav or Ike

*Adding* 243 CMR 2.02(6)(e): Emergency Restricted License

TEXT:

(e) Emergency Restricted License. The Board may issue an emergency restricted license to practice to a physician licensed in another state, who has been displaced from his or her medical practice by reason of a federally-declared disaster, provided the physician applies for the emergency restricted license under the sponsorship of a licensed Massachusetts physician. An emergency restricted license issued for this purpose shall expire no later than three months after the date of issuance, or upon issuance of a full, unrestricted license, if sooner. If the Board approves a restricted licensee's application for a full, unrestricted license, the issue date of the full unrestricted license shall be the issue date of the emergency restricted license. An emergency restricted license may be restricted by location, specialty or any other manner as described in 243 CMR 2.02(6)(a) through (d). For purposes of 243 CMR 2.02(6)(e), a sponsoring physician must have a full, active, unrestricted Massachusetts license, and must be readily available on a continuing basis to provide guidance to the applicant regarding his or her responsibilities under the Board's regulations and the statutes of the Commonwealth. However, 243 CMR 2.02(6)(e) is not intended to affect existing law such that a sponsoring physician might become strictly or otherwise liable for the acts or omissions of the restricted licensee. Each restricted licensee shall provide the Board with proof of appropriate insurance coverage for malpractice claims.

*Adding* 243 CMR 2.02(8)(a): Emergency Restricted Limited License

TEXT:

(a) Emergency Restricted Limited License. The Board may issue an emergency restricted limited license to practice to a person who has been displaced from his or her medical training by reason of a federally-declared disaster, provided the person has received an appointment as an intern, fellow, or medical officer at a health care facility or in a training program approved by the Board, and such program sponsors the person for the emergency restricted limited license. An emergency restricted limited license issued for this purpose shall expire no later than three months after the date of issuance, or upon issuance of a limited license, if sooner. If the Board approves a restricted licensee's application for a limited license, the issue date of the limited license shall be the issue date of the emergency restricted limited license. An emergency restricted limited license may be restricted by location, specialty or any other manner as described in 243 CMR 2.02(8), 2.02(9), 2.02(10), 2.02(11), or 2.02(12). For purposes of 243 CMR 2.02(8), a sponsoring training program or health care facility must designate a medical officer or administrator who is readily available on a continuing basis to provide guidance to the applicant regarding his or her responsibilities under the Board's regulations and the statutes of the Commonwealth. However, 243 CMR 2.02(8) is not intended to affect existing law such that a medical officer acting as a sponsoring physician might become strictly or otherwise liable for the acts or omissions of the restricted limited licensee.