

45:9-1

LEGISLATIVE HISTORY CHECKLIST
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NJSA: 45:9-1 (Board of Medical Examiners -- members)

LAWS OF: 1973 CHAPTER: 187

Bill No: S830

Sponsor(s): Parker, Brown and Italiano

Date Introduced: March 27, 1972

Committee: Assembly: Commerce, Industry & Professions

Senate: Labor, Industry & Professions

Amended during passage: No

Date of Passage: Assembly: March 29, 1973

Senate: November 13, 1972

Date of Approval: June 26, 1973

Following statements are attached if available:

Sponsor statement: Yes

Committee Statement: Assembly: No

Senate: Yes

Fiscal Note: No

Veto Message: No

Message on signing: No

Following were printed:

Reports: No

Hearings: No

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SENATE, No. 830

STATE OF NEW JERSEY

INTRODUCED MARCH 27, 1972

By Senators PARKER, BROWN and ITALIANO

Referred to Committee on Labor, Industry and Professions

AN ACT concerning the practice of medicine and surgery, and
amending R. S. 45:9-1 and R. S. 45:9-5.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. R. S. 45:9-1 is amended to read as follows:

2 45:9-1. The State Board of Medical Examiners, hereinafter in
3 this chapter designated as the "board" [created and established
4 by the act entitled "An act to regulate the practice of medicine
5 and surgery, to license physicians and surgeons, and to punish
6 persons violating the provisions thereof," approved May 22, 1894
7 (L. 1894, c. 306, p. 454), as supplemented by an act approved April
8 2, 1913 (L. 1913, c. 224, p. 408), and by an act approved March 31,
9 1921 (L. 1921, c. 136, p. 263), is continued and the members and
10 officers of said board as constituted pursuant to said act, and the
11 amendments and supplements of said act, shall continue to hold
12 office until the expiration of their terms. The board] shall consist
13 of [11 full] 15 members [and two qualified members who], *one of*
14 *whom shall be a public member and one an executive department*
15 *designee as required pursuant to section 2 of P. L. 1971, c. 60*
16 *(C. 45:1-2.2), and 13 of whom shall be persons of recognized pro-*
17 *fessional ability and honor, and shall possess a license to practice*
18 *[his or her] their respective [profession] professions in New*
19 *Jersey, and [who] all of whom shall be appointed by the Governor*
20 *[from a list to be furnished within 30 days after any vacancy*
21 *occurs in the membership of said board by the society or organiza-*
22 *tion of whom the persons nominated are members, if there be such*
23 *a society or organization, or if such society or organization has a*
24 *membership in good standing of not less than 100, and for every*
25 *membership filled in said board at least three names shall be*
26 *submitted to the Governor, and from the names thus submitted*

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill
is not enacted and is intended to be omitted in the law.

27 the Governor shall select one person to be a member of said board]
28 *in accordance with the provisions of section 2 of P. L. 1971, c. 60*
29 *(C. 45:1-2.2)*; provided, however, that said board shall consist of
30 nine graduates of schools of medicine who shall possess the degree
31 of M. D., and in addition the membership of said board shall
32 comprise one osteopath, one chiropractor, one [qualified member
33 who shall be a chiropodist] *podiatrist* and one [qualified member
34 who shall be a] licensed bio-analytical laboratory director, who
35 may or may not be the holder of a degree of M.D. [The qualified
36 members of the board shall have equal rights and privileges with
37 the other members of the board, but shall vote only on matters
38 pertaining to their own specialties and shall have no vote on the
39 selection of officers.] The term of office of members of the board
40 hereafter appointed shall be 3 years or until their successors are
41 appointed. Said appointees shall, within 30 days after receipt of
42 their respective commissions, take and subscribe the oath or
43 affirmation prescribed by law and file the same in the office of the
44 Secretary of State.

45 The Governor shall appoint two chiropractors who are licensed
46 to practice chiropractic in the State of New Jersey to serve for a
47 term of 3 years each and until their successors are appointed and
48 qualify, who shall be available to assist the board in the administra-
49 tion of sections 4, 5, 6, 7, 8, 9, 12, 15 and 16 of P. L. 1953, c. 233,
50 which act supplements chapter 9 of Title 45 of the Revised Statutes,
51 and contains this amendment to this section. Within the limits of
52 available appropriations therefor each such chiropractor shall be
53 paid a fee of \$10.00 for each applicant assigned to him for examina-
54 tion and when designated and authorized by the board to do business
55 on behalf of the board outside of the State shall receive \$50.00
56 per day and when performing authorized official duties in or out
57 of the State shall be reimbursed for all proper expenses incurred
58 in the performance of such duties.

59 The Governor shall also appoint an advisory committee to consist
60 of four licensed bio-analytical laboratory directors, only two of
61 whom shall possess the degree of M.D., and who shall be appointed
62 from a list to be submitted by the society or organization of which
63 the persons nominated are members. The members of this advisory
64 committee shall serve for a term of 3 years and until their
65 successors are appointed and qualified, and shall be available to
66 assist the board in the administration of the Bio-analytical Labora-
67 tory and Laboratory Director's Act. The advisory committee shall
68 meet at the call of the board. The board may authorize reimburse-
69 ment of the members of the advisory committee for their actual

70 expenses incurred in connection with the performance of their
71 duties as members of the committee.

1 2. R. S. 45:9-5 is amended to read as follows:

2 45:9-5. The board shall hold meetings once a month, and shall
3 hold meetings for examinations on the third Tuesday of June and
4 October of each year, which shall be held at the capitol of this
5 State and at such other times and places as it may deem expedient.
6 The secretary of the board shall receive an annual salary as
7 provided by section 45:1-4 of this Title, and each member thereof,
8 including said secretary [and the two qualified members] shall
9 receive the sum of \$250.00 for each regular examination so held,
10 which sum shall be paid from the receipts of the board before any
11 unused balances are paid over to the State Treasurer; but if an
12 appropriation is made for the expenses of the board such sums
13 shall be paid from such appropriation. The board shall keep an
14 official record of all its meetings and an official register of all
15 applicants for a license to practice medicine and surgery in this
16 State. The register shall show the name, age, nativity, last and
17 intended place of residence of each applicant, the time he has
18 spent in obtaining a competent academic and professional educa-
19 tion as hereinafter provided, and the names and location of all
20 professional schools or colleges, or examining and licensing boards
21 which have granted the applicant any degree or certificate of at-
22 tendance upon lectures upon medicine and surgery or State ex-
23 aminations. The register shall also show whether the applicant
24 was licensed or rejected under this article; if licensed, whether the
25 applicant was examined or licensed without examination, and the
26 register shall be prima facie evidence of all matters therein
27 contained.

1 3. This act shall take effect immediately.

SENATE LABOR, INDUSTRY AND PROFESSIONS
COMMITTEE

STATEMENT TO
SENATE, No. 830

STATE OF NEW JERSEY

DATED: MAY 18, 1972

This bill amends two sections of the law regulating the practice of medicine and surgery (R. S. 45:9-1 and 45:9-5) to reflect changes made in the membership of the State Board of Medical Examiners and in the method of appointment of such membership by P. L. 1971, c. 60, and to make all members of the board fully qualified to participate in its actions.

P. L. 1971, c. 60 provided for the appointment of a public member and a representative of the relevant State department to a number of professional and occupational licensing boards, and eliminated requirement that the Governor appoint members to such boards from lists submitted by the appropriate professional organizations. This bill would reflect these changes in the law regulating the practice of medicine and surgery. The law currently provides for two qualified members on the State Board of Medical Examiners, one being a podiatrist and the other an bio-analytical laboratory director. The qualified members are authorized to vote only on matters relating to their specialties and they are not entitled to vote in the selection of officers. This bill would make these members fully qualified.