

MEDICAL DIRECTOR OVERVIEW BY STATE

STATE	LEGISLATION/ BOARD RULES REQUIRING MEDICAL LICENSURE IN ANY STATE	LEGISLATION/ BOARD RULES REQUIRING MEDICAL LICENSURE IN THE STATE THE PLAN OPERATES	STATES WITHOUT LEGISLATION/ BOARD RULES REQUIRING ANY LICENSURE FOR MEDICAL DIRECTORS	LEGISLATION/ NOTES
AL		X State Board of Health Rules		Chapter 420-5-6 Health Maintenance Organizations
AK			X	Medical Board explained that managed care is not a big issue in Alaska.
AZ		X Legislation and Court Ruling.		Murphy v. BOMEX
AR			X	
CA		X Legislation		
CO			X	
CT			X	
DE		X Legislation		
DC			X	
FL		X Legislation		
GA			X	
GM			X	
HI		X Legislation		
ID			X	Does not specify medical directors for licensure. Board says if a medical director is practicing medicine, then a medical license is required.
IL	X Legislation			
IN	X Legislation			
IA			X	
KS			X	
KY		X Legislation		
LA		X Legislation and Attorney General Opinion.		
ME		X Board Ruling		Board determined that a medical director in an insurance company making medical decisions does fall under Board jurisdiction.
MD	X Legislation			
MA			X	Board states that medical directors are practicing

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				medicine and therefore require a medical license.
MI			X	
MN			X	
MS	X MS Code Title 41. Chapter 83. Section 31.			
MO	X Legislation			
MT		X Legislation		
NE	X- law does not specifically address medical director having license- but definition of practice of medicine includes making medical decisions, which implies medical directors, according to the Board.		X	
NV		X Legislation		
NH		X Legislation		
NJ	X Statute			Title 26:2S-6 Designation of licensed physician as medical director for managed care. 2008 AB 1374 - Deems certain utilization management decisions by physicians or dentists on behalf of certain insurers as the practice of medicine or dentistry. PENDING
NM			X	
NY			X	
NC		X Legislation		
ND		X Legislation		
OH			X	
OK			X	
OR			X	
PA	X Statute			Section 9.76. Professional staffing of health maintenance organizations.
PR			X	
RI			X	
SC		X		Chapter 47. Physicians,

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		Legislation		Surgeons and Osteopaths. Section 40-47-20 (36)(f) 2007 HB 3912 - States that the rendering of a determination of medical necessity or a decision affecting the diagnosis and/or treatment of a patient is the practice of medicine except in certain limited instances. FAILED
SD		X Legislation		
TN			X	
TX		X Board Statement Legislation Section 413.031, Labor Code		
UT			X	
VT		X Legislation		
VA		X Legislation		
VI			X	
WA		X Legislation		
WV			X	Board stated they support FSMB position requiring a medical license for medical directors. No statute or rules in effect.
WI	X Statute			Chapter 609.34. Managed Care Plans
WY			X	
TOTALS	9	21	26	