

311.599 Mental or physical examination of physician -- Effect of failure to submit to examination -- Opportunity to have license renewed.

- (1) When a hearing or inquiry panel has probable cause to believe a physician is suffering from a physical or mental condition that might impede his ability to practice competently, the panel may order the physician to undergo a physical or mental examination by persons designated by the panel.
- (2) Failure of a physician to submit to such an examination when directed, unless the failure was due to circumstances beyond his control, shall constitute an admission that the concerned physician has developed such a physical or mental disability, or other conditions, that continued practice is dangerous to patients or to the public; said failure shall constitute a default and a final order may be entered without the taking of testimony or presentation of evidence.
- (3) A physician whose license has been suspended, limited, restricted or revoked under this section and KRS 311.595(8), shall at reasonable intervals be afforded an opportunity to demonstrate that he can resume the competent practice of medicine with reasonable skill and safety to patients.

Effective: July 15, 1994

History: Amended 1994 Ky. Acts ch. 265, sec. 14, effective July 15, 1994; and ch. 470, sec. 14, effective July 15, 1994. -- Amended 1986 Ky. Acts ch. 302, sec. 11, effective July 15, 1986. -- Amended 1980 Ky. Acts ch. 188, sec. 255, effective July 15, 1980. - - Created 1978 Ky. Acts ch. 107, sec. 8, effective June 17, 1978.

Legislative Research Commission Note (7/15/94). This statute was amended by 1994 Ky. Acts chs. 265 and 470, which were companion bills and are substantively identical. These Acts have been codified together. For the few minor variations between the Acts, Acts ch. 470 prevails under KRS 446.250, as the Act which passed the General Assembly last.