

CHAPTER 141.

REVOCATION OF PHYSICIANS' CERTIFICATES.

H. F. 286.

AN ACT to repeal section two thousand five hundred and seventy-eight (2578) of the code and to enact a substitute therefor, relating to the revocation of physicians' certificates.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Repealed—refusal of certificate or revocation for cause. That section two thousand five hundred and seventy-eight (2578) of the code be and the same is hereby repealed and the following is enacted in lieu thereof:

“The board of medical examiners may refuse to grant a certificate to any person otherwise qualified and shall revoke any certificate issued by it to any physician, who is not of good moral character, or who solicits professional patronage by agents, or who profits by the acts of those representing themselves to be his agents, or who is guilty of fraudulent representations as to his skill and ability, or who is guilty of gross unprofessional conduct, or for incompetency, or for habitual intoxication or drug habit; or if the certificate has been granted upon false and fraudulent statements as to graduation or length of practice, the board of medical examiners shall, to safeguard the public health, revoke the certificate in the manner hereinafter set forth.

“**SEC. 2. Revocation of certificates—procedure.** Before the revocation of any certificate issued by the state board of medical examiners the licentiate shall have been afforded an opportunity for a hearing before the board. At least twenty (20) days prior to the date set for such a hearing, the secretary of the state board of medical examiners shall cause written notice to be personally served upon the defendant in the manner prescribed for the serving of original notice in civil actions. Said notice shall contain a statement of the charges and the date and place set for the hearing before the board. If the party thus notified fails to appear, either in person or by counsel at the time and place designated in said notice, the board shall, after receiving satisfactory evidence of the truth of the charges and the proper issuance of notice, revoke said certificate. If the licentiate appear either in person or by counsel, the board shall proceed with the hearing as herein provided. The board may receive and consider affidavits and oral statements and shall cause stenographic reports of the oral testimony to be taken, which, together with all other papers pertaining thereto, shall be preserved for two years. If five members of the board, present at the hearing, are satisfied that the licentiate is guilty of any of the offenses charged, the license shall be revoked. After the revocation of a certificate the holder thereof shall not practice medicine, surgery or obstetrics in this state, for such times as the state board of health may determine.

“**SEC. 3. Appeal.** Any person aggrieved by any ruling or order entered under the provisions of this act shall have the right of an appeal to the district court in the county where the alleged offense was committed, upon giving notice to the board of medical examiners of such appeal within twenty days after the entry of such ruling, order, or judgment.”

Approved April 4, A. D. 1907.