

HOUSE BILL REPORT

HB 1409

As Reported by House Committee On: Health Care & Wellness

Title: An act relating to the requirements of allopathic physician licensure.

Brief Description: Regarding the requirements of allopathic physician licensure.

Sponsors: Representatives Tharinger, Schmick, Cody, Clibborn, Ross and Jinkins; by request of Department of Health.

Brief History:

Committee Activity:

Health Care & Wellness: 2/7/13, 2/8/13 [DPS].

Brief Summary of Substitute Bill

- Requires that graduates of foreign medical schools meet all licensing standards applicable to graduates of domestic medical schools and be certified by the Educational Commission for Foreign Medical Graduates.
- Establishes an alternative standard for receiving a license to practice medicine for applicants with exceptional credentials.
- Establishes a process for those who hold a limited license for teaching-research to obtain a full license to practice medicine.

HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 16 members: Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel, Clibborn, Green, Harris, Manweller, Moeller, Morrell, Riccelli, Ross, Short, Tharinger and Van De Wege.

Staff: Chris Blake (786-7392).

Background:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The Medical Quality Assurance Commission (MQAC) establishes requirements for applicants for a license to practice medicine. Applicants who have graduated from a medical school located in the United States or Canada must show that they:

- graduated from a MQAC-approved school of medicine;
- completed two years of postgraduate medical training;
- are of good moral character; and
- are able to physically and mentally practice medicine safely.

Applicants for a license to practice medicine who graduated from a medical school located outside of the United States or Canada must have:

- completed a course of instruction equivalent to that required for other applicants;
- met all requirements applicable to graduates of United States or Canadian medical schools;
- passed the examination given by the Educational Commission for Foreign Medical Graduates; and
- demonstrated that he or she can understand and be understood in English.

An applicant from a foreign medical school who has not completed the required two years of postgraduate medical training requirement may alternatively provide proof of: (1) being a permanent immigrant of exceptional ability in the sciences or holding a permanent immigration visa; (2) certification as a Multiple Sclerosis specialist; and (3) completion of at least 24 months of training in Multiple Sclerosis at a United States educational institution with a residency program in neurology or rehabilitation.

The MQAC may issue a limited license to practice medicine under specific circumstances. The situations relate to individuals:

- licensed in another state or Canada who have been accepted for employment by the Department of Social and Health Services, the Department of Corrections, or a local health jurisdiction;
- appointed as a resident physician in a program of postgraduate clinical training; or
- nominated by the Dean of the University of Washington School of Medicine or the chief executive officer of a hospital to serve as a teaching-research member of the institution's instructional staff.

Summary of Substitute Bill:

The standards for an applicant for a license to practice medicine who graduated from a medical school located in the United States or Canada are applicable also to graduates of foreign medical schools, except that they must also complete the certification process of the Educational Commission for Foreign Medical Graduates (ECFMG). The requirement that a postgraduate medical training program last for two years is eliminated and the Medical Quality Assurance Commission (MQAC) is directed to define the requirements for such training in rule. All applicants for a license to practice medicine must provide proof of the ability to understand and be understood in English.

An alternative standard for receiving a license to practice medicine is established for applicants who establish: (1) exceptional education, training, and practice credentials, and (2) that his or her practice in Washington would benefit the public welfare. The MQAC must adopt rules to determine what qualifications may be considered exceptional.

Upon completion of 24 months of postgraduate medical training, individuals who hold a limited license as a resident physician may practice outside of the scope of the residency if the graduate medical education program approves and the individuals file that approval with the MQAC. Individuals who hold a limited license for teaching-research are eligible for full licensure if they have completed the MQAC's examination requirement, demonstrated the ability to understand and be understood in English, held a position of associate professor or higher at a Washington medical school for at least three years, and practiced without any disciplinary action in the prior five years. If the applicant holding a limited license for teaching-research graduated from a medical school outside of the United States or Canada, he or she must complete the certification process of the ECFMG.

Substitute Bill Compared to Original Bill:

The substitute bill requires that all applicants for a license to practice medicine meet the same standards regardless of the country in which they attended medical school, except that those who graduated outside of the United States or Canada must obtain certification with the Educational Commission for Foreign Medical Graduates.

Persons holding a limited residency license to practice medicine are required to have completed at least 24 months of postgraduate medical training before they may practice outside of the scope of their licenses.

Limited residency license holders who are approved to practice beyond the scope of the residency must file the approval with the Medical Quality Assurance Commission and notify the Commission if it is revoked, rather than the postgraduate training program.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) There is a need for increased health care providers and this bill makes it easier for qualified physicians to practice in Washington. The country is looking at a shortage of up to 46,000 physicians in the coming years and this can help alleviate that. This bill is the result of the Medical Quality Assurance Commission (MQAC) taking a hard look at current physician licensing laws. There have been complications in the past in granting licenses to well-qualified physicians who graduated abroad. The MQAC's licensing staff receives calls

every week from clinics, hospitals, and individual providers about physicians who would like to be licensed and are excellent practitioners, but do not qualify under the traditional pathway to licensure. This bill will revise current statutes to recognize appropriately-trained applicants.

(Opposed) None.

Persons Testifying: Representative Tharinger, prime sponsor; Maryella Jensen and Dr. Richard Brantner, Medical Quality Assurance Commission; and Carl Nelson, Washington State Medical Association.

Persons Signed In To Testify But Not Testifying: None.