

# HOUSE BILL REPORT

## SHB 1129

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### As Amended by the Senate

**Title:** An act relating to the licensure of international medical graduates.

**Brief Description:** Concerning the licensure of international medical graduates.

**Sponsors:** House Committee on Health Care & Wellness (originally sponsored by Representatives Valdez, Stonier, Ortiz-Self, Goodman, Cody, Santos and Macri).

### Brief History:

#### Committee Activity:

Health Care & Wellness: 1/18/21, 1/20/21 [DPS].

#### Floor Activity:

Passed House: 2/24/21, 94-4.

Senate Amended.

Passed Senate: 4/10/21, 33-15.

### Brief Summary of Substitute Bill

- Authorizes the Washington Medical Commission to issue limited licenses to international medical graduates.
- Authorizes the Washington Medical Commission to issue limited licenses to persons who have been accepted for employment as physicians by the Department of Children, Youth, and Families.

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### HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 13 members: Representatives Cody, Chair; Bateman, Vice Chair; Bronoske, Davis, Harris, Macri, Maycumber, Riccelli, Rude, Simmons, Stonier, Tharinger and Ybarra.

**Minority Report:** Do not pass. Signed by 2 members: Representatives Schmick, Ranking Minority Member; Caldier, Assistant Ranking Minority Member.

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

**Staff:** Corey Patton (786-7388).

**Background:**

Limited Licensure of International Medical Graduates.

International medical graduates (IMGs) are physicians who receive their medical school education outside the United States and Canada.

International medical graduates must go through medical licensing examinations and credential verifications to receive certification by the Educational Commission for Foreign Medical Graduates (ECFMG). International medical graduates who receive ECFMG certification become eligible to enter the United States' graduate medical education process, where they provide supervised patient care. The ECFMG certification is a requirement for IMGs to take Step 3 of the United States Medical Licensing Examination, as well as a prerequisite to obtaining an unrestricted license to practice medicine in the United States.

The Washington Medical Commission (WMC) may issue a limited license to an applicant for the purpose of gaining clinical experience at an approved facility or program if the applicant:

- does not qualify for licensure as a United States or Canadian medical graduate; and
- meets the requirements established by the WMC.

Limited Licensure of United States and Canadian Medical Graduates.

The WMC may, upon the written request of the Secretary of the Department of Social and Health Services (DSHS) or the Secretary of the Department of Corrections (DOC), issue limited licenses to persons who work with patients, residents, or inmates of state institutions under the control and supervision of the DSHS or the DOC. In 2019 the Department of Children, Youth, and Families assumed control of programs previously administered by the DSHS, including juvenile rehabilitation facilities, community facilities, and parole services.

**Summary of Substitute Bill:**

Limited Licensure of International Medical Graduates.

The Washington Medical Commission (WMC) may issue limited licenses to international medical graduates (IMGs) upon nomination by the chief medical officer of any licensed hospital or appropriate health care facility, the Department of Children, Youth, and Families (DCYF), the Department of Social and Health Services (DSHS), the Department of Corrections (DOC), or a county or city health department.

An IMG applying for a limited license must:

- be a state resident for at least one year;
- provide proof of certification by the Educational Commission for Foreign Medical Graduates;
- pass the United States Medical Licensing Examination; and

- submit to the WMC background check as generally required of applicants.

An IMG practicing with a limited license may only practice within the nominating facility or organization, under the control of a licensed supervising physician of the same or substantially similar clinical specialty. An IMG must also file a practice agreement with the WMC between the IMG and the supervising physician. A supervising physician is limited to supervising two limited license holders, unless the WMC grants an increase upon the supervising physician's request.

A limited license for an IMG is valid for two years and may be renewed once by the WMC upon application by the nominating entity.

Limited Licensure of United States and Canadian Medical Graduates.

The WMC may, upon the written request of the Secretary of the DCYF, issue limited licenses to persons who work with patients, residents, or inmates of state institutions under the control and supervision of the DCYF.

**EFFECT OF SENATE AMENDMENT(S):**

The Senate amendment:

1. clarifies that the chief medical officer of any of the following entities may nominate an international medical graduate to receive a limited license:
  - a. a hospital;
  - b. an appropriate medical practice located in the state;
  - c. the Department of Social and Health Services;
  - d. the Department of Children, Youth, and Families;
  - e. the Department of Corrections; or
  - f. a county or city health department;
2. requires a physician supervising an international medical graduate with a limited license to:
  - a. retain professional and personal responsibility for any act by the limited license holder that constitutes the practice of medicine;
  - b. hold medical malpractice insurance for any malpractice claim against the limited license holder; and
  - c. authorizes an osteopathic physician to supervise an international medical graduate with a limited license.

**Appropriation:** None.

**Fiscal Note:** Available.

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

## **Staff Summary of Public Testimony:**

(In support) This bill will help create an employment pathway for international medical graduates (IMGs). There has been strong advocacy the past four years to create better pathways for the IMGs to practice medicine but there is still no clear pathway in Washington. Despite having the thirteenth largest population in the nation, Washington only has 2.6 physicians per 1000 residents. As a result, many patients are forced to wait an enormous amount of time to see a provider. By 2030 there will be a national shortage of approximately 120,000 physicians. With each passing year, need increases and the shortage becomes more acute.

In the United States, approximately 28,000 national medical graduates and 15,000 IMGs compete for placement in 34,000 residency programs every year. Getting into a residency program is therefore difficult because there are so few positions, not because the IMGs lack competence compared to their national counterparts. All the IMGs must graduate from an accredited medical school and sit for a medical license examination where they demonstrate they have met the same standards expected of national medical graduates. The IMGs are ready, willing, and able to join the health care workforce in Washington under the supervision of competent physicians.

Allowing the IMGs to obtain limited licenses will help recruit physicians from underrepresented populations by making Washington a state people want to practice medicine in. Only 3 percent of physicians and 7 percent of medical students in Washington identify as Latino. Hospitalization from Coronavirus Disease 2019 is four times higher for Latinos due to limited access to health care, among other factors. Washington needs more physicians that share the background, language, and culture of their patients so that they can provide care to Washington's underserved minority communities.

(Opposed) None.

(Other) Limited licenses should be conditioned on being a resident in the state for at least two years so that Washington does not become a magnet for out-of-state applicants. Limited licenses should not be renewable. Limited licenses are intended to help the IMGs gain clinical experience, not to create a permanent career track or quasi-physician assistant role. Supervising physicians should be limited to supervising two limited license holders, rather than four. Supervising physicians need a meaningful opportunity to provide oversight so that the IMGs receive the benefit of supervision.

**Persons Testifying:** (In support) Representative Valdez, prime sponsor; and Mohamed Khalif, Jamal Mustafa, Karina Yamin, Nadeem Mian, Kamal Mustafa, and Khalid Ahmed, Washington Academy For International Medical Graduates.

(Other) Katie Kolan, Washington State Medical Association.

**Persons Signed In To Testify But Not Testifying:** None.