
By: **Delegate Barve**
Introduced and read first time: March 8, 1999
Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Licensure of Physicians - Qualifications - Postgraduate Training**

3 FOR the purpose of requiring an applicant for a license to practice medicine to
4 complete a certain number of years of certain postgraduate medical training;
5 exempting certain foreign medical school graduates from certain educational
6 requirements if the foreign graduates complete a certain number of years of
7 certain postgraduate medical training; and generally relating to certain
8 qualifications for medical licensure.

9 BY repealing and reenacting, with amendments,
10 Article - Health Occupations
11 Section 14-307 and 14-308
12 Annotated Code of Maryland
13 (1994 Replacement Volume and 1998 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article - Health Occupations**

17 14-307.

18 (a) To qualify for a license, an applicant shall be an individual who meets the
19 requirements of this section.

20 (b) The applicant shall be of good moral character.

21 (c) The applicant shall be at least 18 years old.

22 (d) Except as provided in § 14-308 of this subtitle, the applicant shall:

23 (1) (I) Have a degree of doctor of medicine from a medical school that
24 is accredited by an accrediting organization that the Board recognizes in its
25 regulations; AND

1 (II) SUBMIT EVIDENCE ACCEPTABLE TO THE BOARD OF
2 SUCCESSFUL COMPLETION OF 2 YEARS OF TRAINING IN A POSTGRADUATE MEDICAL
3 TRAINING PROGRAM THAT IS ACCREDITED BY AN ACCREDITING ORGANIZATION
4 THAT THE BOARD RECOGNIZES IN ITS REGULATIONS; or

5 (2) (i) Have a degree of doctor of osteopathy from a school of
6 osteopathy in the United States, its territories or possessions, Puerto Rico, or Canada
7 that has standards for graduation equivalent to those established by the American
8 Osteopathic Association; and

9 (ii) Submit evidence acceptable to the Board of successful
10 completion of 1 year of training in a postgraduate medical training program
11 accredited by an accrediting organization that the Board recognizes in its regulations.

12 (e) Except as otherwise provided in this title, the applicant shall pass an
13 examination required by the Board under this subtitle.

14 (f) The applicant shall meet any other qualifications that the Board
15 establishes in its regulations for license applicants.

16 (g) An applicant who has failed the examination or any part of the
17 examination 3 or more times shall submit evidence of having completed 1 year of
18 additional clinical training in an approved postgraduate training program following
19 the latest failure.

20 (h) (1) The Board shall require as part of its examination or licensing
21 procedures that an applicant for a license to practice medicine demonstrate an oral
22 competency in the English language.

23 (2) Graduation from a recognized English-speaking undergraduate
24 school or high school, including General Education Development (GED), after at least
25 3 years of enrollment, or from a recognized English-speaking professional school is
26 acceptable as proof of proficiency in the oral communication of the English language
27 under this section.

28 (3) By regulation, the Board shall develop a procedure for testing
29 individuals who because of their speech impairment are unable to complete
30 satisfactorily a Board approved standardized test of oral competency.

31 (4) If any disciplinary charges or action that involves a problem with the
32 oral communication of the English language are brought against a licensee under this
33 title, the Board shall require the licensee to take and pass a Board approved
34 standardized test of oral competency.

35 14-308.

36 (a) (1) In this section the following terms have the meanings indicated.

37 (2) "Fifth pathway program" means a program that the Board approves
38 in its regulations for a student who:

1 (i) Has studied medicine at a foreign medical school;

2 (ii) Was a United States citizen when the student enrolled in the
3 foreign medical school; and

4 (iii) Has completed all of the formal requirements for graduation
5 from the foreign medical school, except for any social service or postgraduate
6 requirements.

7 (3) "Foreign medical school" means a medical school located outside of
8 the United States, its territories or possessions, Puerto Rico, or Canada.

9 (b) An applicant for a license is exempt from the educational requirements of
10 § 14-307 of this subtitle, if the applicant:

11 (1) Has studied medicine at a foreign medical school;

12 (2) Is certified by the Educational Commission for Foreign Medical
13 Graduates or by its successor as approved by the Board;

14 (3) Passes a qualifying examination for foreign medical school graduates
15 required by the Board;

16 (4) Meets any other qualifications for foreign medical school graduates
17 that the Board establishes in its regulation for licensing of applicants;

18 (5) Submits acceptable evidence to the Board of the requirements set in
19 the Board's regulations; and

20 (6) Meets one of the following requirements:

21 (i) Except as provided in subsections (c) and (d) of this section, the
22 applicant graduated from any foreign medical school and submits evidence acceptable
23 to the Board of successful completion of [3] 2 years of training in a postgraduate
24 medical education program accredited by an accrediting organization recognized by
25 the Board; or

26 (ii) The applicant successfully completed a fifth pathway program
27 and submits evidence acceptable to the Board that the applicant:

28 1. Has a document issued by the foreign medical school
29 certifying that the applicant completed all of the formal requirements of that school
30 for the study of medicine, except for the postgraduate or social service components as
31 required by the foreign country or its medical school;

32 2. Has successfully completed a fifth pathway program; and

33 3. Has successfully completed 2 years of training in a
34 postgraduate medical education program following completion of a Board approved
35 fifth pathway program.

1 (c) A current licensee who is a graduate of a foreign medical school approved
2 by the Board prior to July 1, 1992 shall only be required to demonstrate successful
3 completion of 1 year of training in a postgraduate medical education program
4 accredited by an accrediting organization recognized by the Board.

5 (d) An applicant for licensure who, prior to July 1, 1992 has successfully
6 graduated from a foreign medical school approved by the Board prior to July 1, 1992
7 shall only be required to demonstrate successful completion of 1 year of training in a
8 postgraduate medical education program accredited by an accrediting organization
9 recognized by the Board.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 1999.