
By: **Delegate Barve**
Introduced and read first time: February 7, 2000
Assigned to: Environmental Matters

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 7, 2000

CHAPTER _____

1 AN ACT concerning

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

3 FOR the purpose of requiring certain applicants 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; repealing certain provisions of law that
8 relate to certain graduates from foreign medical schools; and generally relating
9 to certain qualifications for medical licensure.

10 BY repealing and reenacting, with amendments,
11 Article - Health Occupations
12 Section 14-307 and 14-308
13 Annotated Code of Maryland
14 (1994 Replacement Volume and 1999 Supplement)

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

17 **Article - Health Occupations**

18 14-307.

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

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

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

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

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

6 (II) SUBMIT EVIDENCE ACCEPTABLE TO THE BOARD OF
7 SUCCESSFUL COMPLETION OF ~~2-YEARS~~ 1 YEAR OF TRAINING IN A POSTGRADUATE
8 MEDICAL TRAINING PROGRAM THAT IS ACCREDITED BY AN ACCREDITING
9 ORGANIZATION THAT THE BOARD RECOGNIZES IN ITS REGULATIONS; or

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

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

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

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

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

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

28 (2) Graduation from a recognized English-speaking undergraduate
29 school or high school, including General Education Development (GED), after at least
30 3 years of enrollment, or from a recognized English-speaking professional school is
31 acceptable as proof of proficiency in the oral communication of the English language
32 under this section.

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

36 (4) If any disciplinary charges or action that involves a problem with the
37 oral communication of the English language are brought against a licensee under this

1 title, the Board shall require the licensee to take and pass a Board approved
2 standardized test of oral competency.

3 14-308.

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

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

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

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

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

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

15 (b) An applicant for a license is exempt from the educational requirements of
16 § 14-307 of this subtitle, if the applicant:

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

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

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

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

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

26 (6) Meets one of the following requirements:

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

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

