

SENATE BILL 42

Unofficial Copy
J2

2002 Regular Session
2lr0849

(PRE-FILED)

By: **Senator Hafer**

Requested: November 6, 2001

Introduced and read first time: January 9, 2002

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Physician Quality Assurance - Examination Requirements -**
3 **Exception**

4 FOR the purpose of requiring the Board of Physician Quality Assurance to adopt
5 regulations, to take effect by a certain date, that provide for a limited exception
6 to the time period within which an applicant must pass a certain medical
7 licensing examination; providing for the application of this Act; and generally
8 relating to examination requirements of the Board of Physician Quality
9 Assurance.

10 BY repealing and reenacting, with amendments,
11 Article - Health Occupations
12 Section 14-307
13 Annotated Code of Maryland
14 (2000 Replacement Volume and 2001 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.

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

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

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

1 (ii) Submit evidence acceptable to the Board of successful
2 completion of 1 year of training in a postgraduate medical training program that is
3 accredited by an accrediting organization that the Board recognizes in its regulations;
4 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) THE BOARD SHALL ADOPT REGULATIONS GRANTING A LIMITED
17 EXCEPTION TO THE TIME PERIOD SET BY THE BOARD IN REGULATIONS WITHIN
18 WHICH AN APPLICANT SHALL PASS ALL OR PART OF THE UNITED STATES MEDICAL
19 LICENSING EXAMINATION TO AN APPLICANT WHOSE MEDICAL EDUCATION WAS
20 DELAYED DUE TO SERIOUS ILLNESS OF THE APPLICANT, IF THE APPLICANT:

21 (1) SUBMITS DOCUMENTED EVIDENCE OF THE ILLNESS TO THE BOARD,
22 INCLUDING PROOF THAT THE ILLNESS CAUSED THE DELAY IN MEDICAL EDUCATION;
23 AND

24 (2) RESUMES THE APPLICANT'S MEDICAL EDUCATION WITHIN A
25 REASONABLE TIME AFTER THE ILLNESS NO LONGER CAUSED THE DELAY IN
26 MEDICAL EDUCATION.

27 [(g)] (H) An applicant who has failed the examination or any part of the
28 examination 3 or more times shall submit evidence of having completed 1 year of
29 additional clinical training in an approved postgraduate training program following
30 the latest failure.

31 [(h)] (I) (1) The Board shall require as part of its examination or licensing
32 procedures that an applicant for a license to practice medicine demonstrate an oral
33 competency in the English language.

34 (2) Graduation from a recognized English-speaking undergraduate
35 school or high school, including General Education Development (GED), after at least
36 3 years of enrollment, or from a recognized English-speaking professional school is
37 acceptable as proof of proficiency in the oral communication of the English language
38 under this section.

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

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

8 SECTION 2. AND BE IT FURTHER ENACTED, That the State Board of
9 Physician Quality Assurance shall adopt regulations to take effect no later than
10 October 1, 2002, implementing the requirements of § 14-307(g) of the Health
11 Occupations Article, as enacted by this Act.

12 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall be
13 construed to apply retroactively and shall be applied to and interpreted to affect any
14 applicant who first passed Step 1 or Step 2 of the United States Medical Licensing
15 Examination on or after January 1, 1992.

16 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 June 1, 2002.