

SB0489/283724/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 489
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “**Senator Lam**” and substitute “**Senators Lam, Lewis Young, Beidle, Hayes, and A. Washington**”; in line 2, strike “**International Medical Schools**” and substitute “**Foreign Countries – Exemption From Educational Requirements and Limited License**”; strike beginning with “establishing” in line 3 down through “supervision;” in line 7 and substitute “altering the exemption from certain educational requirements required for a license to practice medicine for certain applicants who have studied at an international medical school; authorizing the State Board of Physicians to issue a limited license to practice medicine to a physician trained and licensed in a foreign country under certain circumstances;”; in line 8, strike “international medical schools” and substitute “foreign countries”; after line 8, insert:

“BY repealing and reenacting, without amendments,
Article - Health Occupations
Section 14-101(a)
Annotated Code of Maryland
(2021 Replacement Volume and 2025 Supplement)”;

in line 11, strike “14–308(b)(6)(i) and 14–314(a)” and substitute “14–101(g) and 14–308”; after line 13, insert:

“BY adding to
Article - Health Occupations
Section 14-308
Annotated Code of Maryland
(2021 Replacement Volume and 2025 Supplement)”.

AMENDMENT NO. 2

SB0489/283724/01 **Finance Committee**
Amendments to SB 489
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On pages 1 and 2, strike in their entirety the lines beginning with line 17 on page 1 through line 9 on page 2, inclusive, and substitute:

“14-101.

(a) In this title the following words have the meanings indicated.

(g) (1) “License” means, unless the context requires otherwise, a license issued by the Board to practice medicine or an allied health profession regulated by the Board.

(2) “LICENSE” INCLUDES, UNLESS THE CONTEXT REQUIRES OTHERWISE, A LIMITED LICENSE ISSUED UNDER § 14-308 OF THIS TITLE.

[14-308.] 14-307.1.

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

(2) “Fifth pathway program” means a program that the Board approves in its regulations for a student who:

(i) Has studied medicine at an international medical school;

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

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

(3) “International medical school” means a medical school located outside of the United States, its territories or possessions, Puerto Rico, or Canada.

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

(1) Has studied medicine at an international medical school;

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

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

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

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

(6) [Meets one of the following requirements:

(i) The applicant graduated] GRADUATED from any international medical school and submits evidence acceptable to the Board of successful completion of 2 years of POSTGRADUATE training in [a postgraduate medical education program] AN accredited TRAINING PROGRAM [by an accrediting organization recognized by the Board; or

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

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

2. Has successfully completed a fifth pathway program;
and

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

(A) IN THIS SECTION, “HEALTH CARE FACILITY” MEANS:

- (1) A LOCAL HEALTH DEPARTMENT;**
- (2) A SCHOOL OF MEDICINE;**
- (3) A FEDERALLY QUALIFIED HEALTH CENTER;**
- (4) A HEALTH SYSTEM;**
- (5) A HOSPITAL;**
- (6) A HOSPITAL-BASED FACILITY; OR**
- (7) A FREESTANDING EMERGENCY FACILITY.**

(B) THIS SECTION DOES NOT APPLY TO A PHYSICIAN WHO:

(1) HAS COMPLETED:

(I) A RESIDENCY ACCREDITED BY THE ACCREDITATION COUNCIL FOR GRADUATE MEDICAL EDUCATION;

(II) A RESIDENCY ACCREDITED BY THE AMERICAN OSTEOPATHIC ASSOCIATION; OR

(III) ROYAL COLLEGE OF PHYSICIANS AND SURGEONS ACCREDITED RESIDENCY TRAINING IN CANADA; OR

(2) PREVIOUSLY HELD A MEDICAL LICENSE ISSUED IN THE UNITED STATES OR CANADA.

(C) BEGINNING OCTOBER 1, 2028, THE BOARD MAY ISSUE A LIMITED LICENSE TO PRACTICE MEDICINE TO A PHYSICIAN TRAINED AND LICENSED IN A FOREIGN COUNTRY WHO MEETS THE REQUIREMENTS OF THIS SECTION.

(D) TO BE ELIGIBLE FOR A LIMITED LICENSE UNDER THIS SECTION, AN APPLICANT SHALL:

(1) BE OF GOOD MORAL CHARACTER;

(2) HAVE RECEIVED A DEGREE OF DOCTOR OF MEDICINE OR ITS EQUIVALENT FROM A MEDICAL SCHOOL LOCATED OUTSIDE THE UNITED STATES WITH RECOGNIZED ACCREDITATION STATUS FROM THE EDUCATIONAL COMMISSION FOR FOREIGN MEDICAL GRADUATES;

(3) HAVE COMPLETED AT LEAST 2 YEARS OF TRAINING IN A RESIDENCY PROGRAM:

(I) ACCREDITED BY THE AMERICAN COUNCIL FOR GRADUATE MEDICAL EDUCATION – INTERNATIONAL;

(II) IN A COUNTRY WHOSE GRADUATE MEDICAL EDUCATION ACCREDITING AGENCY HAS BEEN RECOGNIZED BY THE WORLD FEDERATION FOR MEDICAL EDUCATION; OR

(Over)

(III) ACCREDITED BY ANOTHER ACCREDITATION AUTHORITY APPROVED BY THE BOARD;

(4) (I) HAVE BEEN IN GOOD STANDING WITH THE MEDICAL LICENSING OR REGULATORY AUTHORITY IN THE FOREIGN COUNTRY AT THE TIME OF THE APPLICANT'S DEPARTURE; OR

(II) IF REASONABLE ATTEMPTS TO OBTAIN THE INDIVIDUAL'S LICENSURE STATUS HAVE BEEN UNSUCCESSFUL, BE APPROVED BY THE BOARD ON AN INDIVIDUAL BASIS;

(5) HAVE NO PENDING DISCIPLINARY MATTERS BEFORE A LICENSING OR REGULATORY BODY;

(6) HAVE AN OFFER OF EMPLOYMENT WITH A PARTICIPATING HEALTH CARE FACILITY THAT WILL EVALUATE THE APPLICANT'S NONCLINICAL SKILLS AND FAMILIARITY WITH STANDARDS APPROPRIATE FOR MEDICAL PRACTICE IN THE STATE; AND

(7) SATISFY ANY OTHER REQUIREMENTS ESTABLISHED BY THE BOARD IN REGULATION, INCLUDING PRIOR PRACTICE EXPERIENCE.

(E) THE BOARD MAY DETERMINE AN APPLICANT INELIGIBLE FOR A LIMITED LICENSE IF THE APPLICANT:

(1) WAS SUBJECT TO PREVIOUS DISCIPLINARY ACTION;

(2) HAD DISCIPLINE OR COMPETENCY PROBLEMS DURING THE APPLICANT'S POSTGRADUATE TRAINING; OR

(3) FAILS TO SUBMIT EVIDENCE ACCEPTABLE TO THE BOARD THAT THE APPLICANT MEETS THE REQUIREMENTS FOR A LIMITED LICENSE.

(F) TO APPLY FOR A LIMITED LICENSE, AN APPLICANT SHALL:

(1) SUBMIT AN APPLICATION TO THE BOARD ON THE FORM THAT THE BOARD REQUIRES; AND

(2) PAY TO THE BOARD AN APPLICATION FEE SET BY THE BOARD.

(G) (1) THE TERM OF A LIMITED LICENSE MAY NOT EXCEED 3 YEARS.

(2) A LIMITED LICENSE MAY NOT BE RENEWED.

(H) A LIMITED LICENSE AUTHORIZES THE HOLDER TO PRACTICE MEDICINE ONLY:

(1) WHILE EMPLOYED IN FULL-TIME EMPLOYMENT BY THE HEALTH CARE FACILITY DESCRIBED IN SUBSECTION (D)(6) OF THIS SECTION; AND

(2) IN THE EMPLOYING HEALTH CARE FACILITY OR A HEALTH CARE FACILITY OPERATED BY THE EMPLOYING HEALTH CARE FACILITY.

(I) THE BOARD MAY REVOKE A LIMITED LICENSE ISSUED UNDER THIS SECTION IF:

(1) THE LICENSEE PRACTICES OUTSIDE THE SCOPE OF THE LIMITED LICENSE;

(2) THE LICENSEE IS NO LONGER EMPLOYED BY THE HEALTH CARE FACILITY DESCRIBED IN SUBSECTION (D)(6) OF THIS SECTION;

(3) THE LICENSEE PRACTICES MEDICINE OUTSIDE THE STATE WITHOUT BEING LEGALLY AUTHORIZED TO PRACTICE MEDICINE IN THE OTHER JURISDICTION;

(4) THE LICENSEE HAS BEEN SUBJECT TO A DISCIPLINARY ACTION BY THE HEALTH CARE FACILITY DESCRIBED IN SUBSECTION (D)(6) OF THIS SECTION OR THE BOARD; OR

(5) THE LICENSEE IS NO LONGER ELIGIBLE FOR THE LIMITED LICENSE.

SECTION 2. AND BE IT FURTHER ENACTED, That the State Board of Physicians shall consult with MedChi, the Maryland State Medical Society, on the development of policies and regulations implementing this Act.”.

On page 2, in line 10, strike “2.” and substitute “3.”.