



March 1, 2024

Delegate Joseline A. Pena-Melnyk, Chair  
Health and Government Operations Committee  
Maryland House of Representatives  
Room 241  
House Office Building  
Annapolis, MD 21401

Re: Maryland House Bill 1054, *Physicians - Licensing - Foreign Practicing Physicians*

Dear Chair Pena-Melnyk,

On behalf of the Federation of State Medical Boards (FSMB), I would like to comment on House Bill 1054, which has been referred to your committee. As the membership organization of the nation's 70 state and territorial medical and osteopathic boards, FSMB serves as a collective voice for medical regulation and supports boards in carrying out their statutory responsibilities to protect the public by assuring physicians are qualified and prepared to safely provide health care services to the public.

There is increasing interest among policymakers to address patient access and projected workforce shortages by easing licensure requirements, including requirements related to examination and postgraduate training, by creating new licensure categories and pathways. These legislative proposals would bypass requirements that have been depended upon to ensure physicians have acquired the necessary knowledge and skills to safely provide their services to patients. There are some commonalities among these proposals, but also differences that will create confusion among physicians, regulators, and patients. In response, FSMB, together with the national organizations representing graduate medical education accreditation, international medical graduate certification, specialty certification, and medical education are working together to develop meaningful recommendations for licensing requirements and pathways for foreign trained and practicing physicians, the subject of HB 1054. This work has begun, and the group is expected to issue recommendations and identify resources for states in the coming months. Accordingly, FSMB urges the Committee to recommend HR 1054 not progress, pending the release of the aforementioned recommendations, with the mutual goal of improving access, while protecting patients from harm and assuring the delivery of quality care to all patient populations.

FSMB expresses particular concern regarding Sections 14–319.1. (A)(1)(I-II) and (A)(3), which would require the Maryland Board of Physicians to establish a consortium of postgraduate medical education programs to develop, implement, and administer an examination to assess the ability of a foreign practicing physician to meet the standard of care for the independent practice of medicine in Maryland. It would also direct the newly established consortium to determine the passing score for the examination, develop procedures for repeating the examination if a passing

score is not achieved, and develop policies for additional educational requirements or license restrictions for a foreign practicing physician if a passing score is not achieved.

Creating an examination as proposed in HB 1054 is unnecessary and redundant as high stakes examinations exist and are accepted by all state boards. The United States Medical Licensing Examination (USMLE) and the Comprehensive Osteopathic Medical Examination (COMLEX-USA) are high stakes examinations designed to assure that all physicians who seek licensure in this country have met the minimum level of medical knowledge necessary to safely engage in the unsupervised practice of medicine. Additionally, passage of Steps 1 and 2 of the USMLE are required for IMGs to obtain Educational Commission for Foreign Medical Graduate (ECFMG) certification.

Requiring the Maryland Board of Physicians to establish a consortium to undertake this work would be resource intensive and an unnecessary use of public funds. State medical boards do not have the resources, expertise, or staffing to develop and maintain an examination program, regardless of collaboration with others, including postgraduate medical education programs. For this reason, for more than 30 years, states have delegated the development and administration of licensing examinations to professional assessment organizations.

Thank you for the opportunity to comment. The FSMB urges the Committee to pause consideration of HB 1054 until meaningful recommendations are issued regarding licensure and examination requirements for foreign trained practicing physicians.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa Robin". The signature is fluid and cursive, with the first name "Lisa" being more prominent than the last name "Robin".

Lisa A. Robin  
Chief Advocacy Officer

#### *About FSMB*

*FSMB is a national non-profit organization representing the medical boards within the United States and its territories that license and discipline allopathic and osteopathic physicians and, in some jurisdictions, other health care professionals. FSMB serves as the voice for state medical boards, supporting them through education, assessment, research, and advocacy while providing services and initiatives that promote patient safety, quality health care and regulatory best practices. FSMB serves the public through [Docinfo.org](http://Docinfo.org), a free physician search tool that provides background information on the more than 1 million doctors in the United States.*