

SENATE
STATE OF MINNESOTA
NINETIETH SESSION

S.F. No. 2310

(SENATE AUTHORS: ABELER, Utke, Klein, Rosen and Benson)

DATE	D-PG	OFFICIAL STATUS
04/06/2017	3142	Introduction and first reading
		Referred to Health and Human Services Finance and Policy
03/12/2018		Comm report: To pass as amended
		Second reading

1.1 A bill for an act

1.2 relating to health care; modifying licensure requirements for international medical

1.3 graduates and eminent physicians; amending Minnesota Statutes 2016, sections

1.4 147.037, subdivision 1; 147.0375, subdivision 1.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2016, section 147.037, subdivision 1, is amended to read:

1.7 Subdivision 1. **Requirements.** The board shall issue a license to practice medicine to

1.8 any person who satisfies the requirements in paragraphs (a) to (g).

1.9 (a) The applicant shall satisfy all the requirements established in section 147.02,

1.10 subdivision 1, paragraphs (a), (e), (f), (g), and (h).

1.11 (b) The applicant shall present evidence satisfactory to the board that the applicant is a

1.12 graduate of a medical or osteopathic school approved by the board as equivalent to accredited

1.13 United States or Canadian schools based upon its faculty, curriculum, facilities, accreditation,

1.14 or other relevant data. If the applicant is a graduate of a medical or osteopathic program

1.15 that is not accredited by the Liaison Committee for Medical Education or the American

1.16 Osteopathic Association, the applicant may use the Federation of State Medical Boards'

1.17 Federation Credentials Verification Service (FCVS) or its successor. If the applicant uses

1.18 this service as allowed under this paragraph, the physician application fee may be less than

1.19 \$200 but must not exceed the cost of administering this paragraph.

1.20 (c) The applicant shall present evidence satisfactory to the board that the applicant has

1.21 been awarded a certificate by the Educational Council for Foreign Medical Graduates, and

1.22 the applicant has a working ability in the English language sufficient to communicate with

1.23 patients and physicians and to engage in the practice of medicine.

2.1 (d) The applicant shall present evidence satisfactory to the board of the completion of
2.2 ~~two years~~ one year of graduate, clinical medical training in a program located in the United
2.3 States, its territories, or Canada and ~~accredited by a national accrediting organization~~
2.4 ~~approved by the board~~ accredited by a national accrediting organization approved by the
2.5 board or other graduate training approved in advance by the board as meeting standards
2.6 similar to those of a national accrediting organization. This requirement does not apply:

2.7 (1) to an applicant who is admitted as a permanent immigrant to the United States on or
2.8 before October 1, 1991, as a person of exceptional ability in the sciences according to Code
2.9 of Federal Regulations, title 20, section 656.22(d); or

2.10 (2) to an applicant holding a valid license to practice medicine in another country and
2.11 issued a permanent immigrant visa after October 1, 1991, as a person of extraordinary ability
2.12 in the field of science or as an outstanding professor or researcher according to Code of
2.13 Federal Regulations, title 8, section 204.5(h) and (i), or a temporary nonimmigrant visa as
2.14 a person of extraordinary ability in the field of science according to Code of Federal
2.15 Regulations, title 8, section 214.2(o),

2.16 provided that a person under clause (1) or (2) is admitted pursuant to rules of the United
2.17 States Department of Labor; ~~or~~

2.18 ~~(3) to an applicant who is licensed in another state, has practiced five years without~~
2.19 ~~disciplinary action in the United States, its territories, or Canada, has completed one year~~
2.20 ~~of the graduate, clinical medical training required by this paragraph, and has passed the~~
2.21 ~~Special Purpose Examination of the Federation of State Medical Boards within three attempts~~
2.22 ~~in the 24 months before licensing.~~

2.23 (e) The applicant must:

2.24 (1) have passed an examination prepared and graded by the Federation of State Medical
2.25 Boards, the United States Medical Licensing Examination program in accordance with
2.26 section 147.02, subdivision 1, paragraph (c), clause (2), or the Medical Council of Canada;
2.27 and

2.28 (2) ~~have a current license from the equivalent licensing agency in another state or country~~
2.29 ~~and~~, if the examination in clause (1) was passed more than ten years ago, either:

2.30 (i) pass the Special Purpose Examination of the Federation of State Medical Boards with
2.31 a score of 75 or better within three attempts; or

3.1 (ii) have a current certification by a specialty board of the American Board of Medical
3.2 Specialties, of the American Osteopathic Association, of the Royal College of Physicians
3.3 and Surgeons of Canada, or of the College of Family Physicians of Canada; or

3.4 (3) if the applicant fails to meet the requirement established in section 147.02, subdivision
3.5 1, paragraph (c), clause (2), because the applicant failed to pass each of steps one, two, and
3.6 three of the USMLE within the required three attempts, the applicant may be granted a
3.7 license provided the applicant:

3.8 (i) has passed each of steps one, two, and three with passing scores as recommended by
3.9 the USMLE program within no more than four attempts for any of the three steps;

3.10 (ii) is currently licensed in another state; and

3.11 (iii) has current certification by a specialty board of the American Board of Medical
3.12 Specialties, the American Osteopathic Association, the Royal College of Physicians and
3.13 Surgeons of Canada, or the College of Family Physicians of Canada.

3.14 (f) The applicant must not be under license suspension or revocation by the licensing
3.15 board of the state or jurisdiction in which the conduct that caused the suspension or revocation
3.16 occurred.

3.17 (g) The applicant must not have engaged in conduct warranting disciplinary action
3.18 against a licensee, or have been subject to disciplinary action other than as specified in
3.19 paragraph (f). If an applicant does not satisfy the requirements stated in this paragraph, the
3.20 board may issue a license only on the applicant's showing that the public will be protected
3.21 through issuance of a license with conditions or limitations the board considers appropriate.

3.22 Sec. 2. Minnesota Statutes 2016, section 147.0375, subdivision 1, is amended to read:

3.23 Subdivision 1. **Requirements.** The board shall issue a license to practice medicine to
3.24 any person who satisfies the requirements in paragraphs (a) to (d).

3.25 (a) The applicant must satisfy all the requirements established in section 147.02,
3.26 subdivision 1, paragraphs (a), (e), (f), (g), and (h).

3.27 (b) The applicant must present evidence satisfactory to the board that the applicant is a
3.28 graduate of a medical or osteopathic school approved by the board as equivalent to accredited
3.29 United States or Canadian schools based upon its faculty, curriculum, facilities, accreditation,
3.30 or other relevant data. If the applicant is a graduate of a medical or osteopathic program
3.31 that is not accredited by the Liaison Committee for Medical Education or the American
3.32 Osteopathic Association, the applicant may use the Federation of State Medical Boards'

4.1 Federation Credentials Verification Service (FCVS) or its successor. If the applicant uses
4.2 this service as allowed under this paragraph, the physician application fee may be less than
4.3 \$200 but must not exceed the cost of administering this paragraph.

4.4 (c) The applicant must present evidence satisfactory to the board of the completion of
4.5 ~~two years~~ one year of graduate, clinical medical training in a program ~~located in the United~~
4.6 ~~States, its territories, or Canada and accredited by a national accrediting organization~~
4.7 approved by the board accredited by a national accrediting organization approved by the
4.8 board or other graduate training approved in advance by the board as meeting standards
4.9 similar to those of a national accrediting organization. This requirement does not apply:

4.10 (1) to an applicant who is admitted as a permanent immigrant to the United States on or
4.11 before October 1, 1991, as a person of exceptional ability in the sciences according to Code
4.12 of Federal Regulations, title 20, section 656.22 (d); or

4.13 (2) to an applicant holding a valid license to practice medicine in another state or country
4.14 and issued a permanent immigrant visa after October 1, 1991, as a person of extraordinary
4.15 ability in the field of science or as an outstanding professor or researcher according to Code
4.16 of Federal Regulations, title 8, section 204.5(h) and (i), or a temporary nonimmigrant visa
4.17 or status as a person of extraordinary ability in the field of science according to Code of
4.18 Federal Regulations, title 8, section 214.2(o); ~~or~~

4.19 ~~(3) to an applicant who is licensed in another state, has practiced five years without~~
4.20 ~~disciplinary action in the United States, its territories, or Canada, has completed one year~~
4.21 ~~of the graduate, clinical medical training required by this paragraph, and has passed the~~
4.22 ~~Special Purpose Examination of the Federation of State Medical Boards within three attempts~~
4.23 ~~in the 24 months before licensing.~~

4.24 (d) The applicant must present evidence satisfactory to the board that the applicant has
4.25 been appointed to serve as a faculty member of a medical school accredited by the Liaison
4.26 Committee of Medical Education or an osteopathic medical school accredited by the
4.27 American Osteopathic Association.