

FIRST REGULAR SESSION

# HOUSE BILL NO. 1385

102ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE ALLEN.

2724H.011

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To amend chapter 334, RSMo, by adding thereto one new section relating to the licensure of physicians trained in other countries, with a delayed effective date.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 334, RSMo, is amended by adding thereto one new section, to be known as section 334.042, to read as follows:

**334.042. 1. The provisions of this section shall be known and may be cited as the "Expanding Physician Access Act of 2023".**

**2. For purposes of this section, the following terms mean:**

**(1) "Health care provider", any individual, entity, corporation, person, or organization, whether for profit or nonprofit, that furnishes, bills, or is paid for health care procedures or service deliveries in the normal course of business. The term "health care provider" includes, but is not limited to, health systems, hospitals, hospital-based facilities, freestanding emergency facilities, and urgent care clinics;**

**(2) "International medical graduate", any individual who:**

**(a) Has been granted a medical doctorate or substantially similar degree by an international medical program of good standing;**

**(b) Is in good standing with the medical licensing or regulatory institution of his or her resident country;**

**(c) Has completed a residency or substantially similar postgraduate medical training in his or her resident country or has practiced as a medical professional performing the duties of a physician in his or her resident country for at least five years; and**

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 (d) Possesses basic fluency in the English language;

19 (3) "International medical program", any medical school, residency program,  
20 medical internship program, or entity that provides medical education or training  
21 outside of the United States that is substantially similar to the education or training  
22 required to practice as a physician in this state.

23 3. (1) The board shall grant a provisional license to practice medicine in this  
24 state to any international medical graduate with an offer for employment as a physician  
25 by any health care provider that operates in the state as long as the graduate's federal  
26 immigration status allows him or her to practice as a physician in the United States.

27 (2) (a) The board may revoke a provisional license granted under this  
28 subsection based on clear and compelling evidence that medical services provided by the  
29 licensee have violated the state's medical safety, competency, or conduct standards  
30 established in section 334.100.

31 (b) A licensee may appeal the revocation of his or her provisional license to a  
32 state court of competent jurisdiction over the board within one hundred twenty days of  
33 the revocation of the provisional license. The court shall reinstate the provisional license  
34 if it finds that the board's actions did not meet the standards in paragraph (a) of this  
35 subdivision.

36 (3) The board shall automatically convert a provisional license described in this  
37 subsection into a full license to practice medicine in this state after three years.

38 (4) Nothing in this subsection requires the board to license, on a provisional or  
39 full basis, an international medical graduate without:

40 (a) Evidence of equivalent training;

41 (b) Evidence of satisfactory passage of examinations;

42 (c) Evidence of legal status to work in the United States;

43 (d) Satisfactory results of a background investigation;

44 (e) Completion of an application for licensure; and

45 (f) Payment of all required fees.

46 (5) International medical graduates who become fully licensed under subdivision  
47 (3) of this subsection shall not be required to maintain employment with the health care  
48 provider who made the offer of employment that qualified the international medical  
49 graduate for provisional licensure under this subsection.

50 4. (1) The board shall grant a provisional license to practice medicine in this  
51 state to any applicant who is an international medical graduate and who is a resident of  
52 and licensed to practice medicine in:

53 (a) Australia;

54 (b) Ireland;

- 55 (c) Israel;
- 56 (d) New Zealand;
- 57 (e) Singapore;
- 58 (f) South Africa;
- 59 (g) Switzerland;
- 60 (h) The United Kingdom;
- 61 (i) Canada; or
- 62 (j) Any other country approved by the board by rule. The board shall approve a
- 63 country for inclusion in this list if the governor and the standing committees of the
- 64 general assembly that have jurisdiction over health care issues recommend the country's
- 65 inclusion.
- 66 (2) The board shall grant a provisional license to an international medical
- 67 graduate under this subsection only if the graduate's federal immigration status allows
- 68 him or her to practice as a physician in the United States.
- 69 (3) (a) The board may revoke a provisional license granted under this
- 70 subsection based on clear and compelling evidence that medical services provided by the
- 71 licensee have violated the state's medical safety, competency, or conduct standards
- 72 established in section 334.100.
- 73 (b) A licensee may appeal the revocation of his or her provisional license to a
- 74 state court of competent jurisdiction over the board within one hundred twenty days of
- 75 the revocation of the provisional license. The court shall reinstate the provisional license
- 76 if it finds that the board's actions did not meet the standards in paragraph (a) of this
- 77 subdivision.
- 78 (4) The board shall automatically convert a provisional license described in this
- 79 subsection into a full license to practice medicine in this state after three years.
- 80 (5) Nothing in this subsection requires the board to license, on a provisional or
- 81 full basis, an international medical graduate without:
- 82 (a) Evidence of equivalent training;
- 83 (b) Evidence of satisfactory passage of examinations;
- 84 (c) Evidence of legal status to work in the United States;
- 85 (d) Satisfactory results of a background investigation;
- 86 (e) Completion of an application for licensure; and
- 87 (f) Payment of all required fees.

Section B. The enactment of section 334.042 of this act shall become effective on  
2 January 1, 2024.

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