

HOUSE BILL 1312

By Kumar

AN ACT to amend Tennessee Code Annotated, Title 63,
relative to health care.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 63-6-207(a), is amended by adding the following as a new subdivision:

(3) If a licensed physician outside the United States or Canada who has completed a residency program or otherwise practiced as a medical professional performing the duties of a physician for at least three (3) of the last five (5) years outside the United States:

(A) A certificate from a medical school whose curriculum is judged to be acceptable by the board;

(B) A nonrefundable application fee as set by the board and by an examination fee prescribed in this section;

(C) Sufficient evidence of good standing with the medical licensing or regulatory institution of the applicant's licensing country;

(D) Sufficient evidence of:

(i) Completion of a residency or substantially similar post-graduate medical training; or

(ii) Practice as a medical professional performing the duties of a physician for no less than five (5) years;

(E) Sufficient evidence of good moral character;

(F) Evidence of being a citizen of the United States or Canada, or legally entitled to live or work in the United States;

(G) Evidence of basic fluency in the English language; and

(H) Sufficient evidence that the applicant is an international medical graduate and has an offer for employment as a physician at a healthcare provider that operates in this state and has a residency program accredited by the Accreditation Council for Graduate Medical Education in place. As used in this subdivision (a)(3)(H)(i), "healthcare provider" means an individual, entity, corporation, person, or organization, whether for profit or nonprofit, that furnishes, bills, or is paid for a healthcare procedure or service delivery in the normal course of business, and includes, but is not limited to, a health system, hospital, hospital-based facility, freestanding emergency facility, and urgent care clinic.

SECTION 2. Tennessee Code Annotated, Section 63-6-207, is amended by adding the following as new subsections:

(i)

(1) The board shall grant a provisional license to practice medicine in this state to an international medical graduate who qualifies under subdivision (a)(3). An international medical graduate who is granted a provisional license pursuant to this subdivision (i)(1) shall only provide medical services at a healthcare provider, as defined in subdivision (a)(3)(H)(i), that has a residency program accredited by the Accreditation Council for Graduate Medical Education in place.

(2) The board may revoke a provisional license issued pursuant to subdivision (i)(1) based upon finding that clear and convincing evidence exists that medical services provided by the provisional licensee have violated medical safety, competency, or conduct standards established by the board.

(3) A provisional licensee may appeal the board's revocation of the licensee's provisional license within one hundred twenty (120) days of the date of revocation by delivering a written request to the board for a contested case hearing. The board shall convene the contested case hearing within thirty (30) days of receipt of the request and shall conduct the contested case hearing in compliance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

(4) The board shall grant a full and unrestricted license to practice medicine to a provisional licensee who is in good standing two (2) years after the date of initial licensure. A provisional licensee who obtains a full and unrestricted license is not subject to the limitation of practicing at a healthcare facility with a residency program.

(j) As used in this section:

(1) "International medical graduate" means an individual who:

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

(B) Is in good standing with the medical licensing or regulatory institution of the individual's licensing country;

(C) Has completed a residency or substantially similar post-graduate medical training in the individual's licensing country, or practiced as a medical professional performing the duties of a physician in the individual's licensing country for no less than five (5) years, and

(D) Possesses basic fluency in the English language; and

(2) "International medical program" means a medical school, residency program, medical internship program, or entity that provides physicians with a

medical education or training outside of the United States that is substantially similar to that required to practice as a physician in this state.

SECTION 3. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end, the provisions of this act are severable.

SECTION 4. This act takes effect January 1, 2024, the public welfare requiring it.