

114TH CONGRESS  
1ST SESSION

# S. 1374

To amend the Higher Education Act of 1965 to establish fair and consistent eligibility requirements for graduate medical schools operating outside the United States and Canada.

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## IN THE SENATE OF THE UNITED STATES

MAY 19, 2015

Mr. DURBIN (for himself and Mr. CASSIDY) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To amend the Higher Education Act of 1965 to establish fair and consistent eligibility requirements for graduate medical schools operating outside the United States and Canada.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Foreign Medical School  
5 Accountability Fairness Act of 2015”.

6 **SEC. 2. PURPOSE.**

7 To establish consistent eligibility requirements for  
8 graduate medical schools operating outside of the United

1 States and Canada in order to increase accountability and  
2 protect American students and taxpayer dollars.

3 **SEC. 3. FINDINGS.**

4 Congress finds the following:

5 (1) Three for-profit schools in the Caribbean re-  
6 ceive more than two-thirds of all Federal funding  
7 under title IV of the Higher Education Act of 1965  
8 (20 U.S.C. 1070 et seq.) that goes to students en-  
9 rolled at foreign graduate medical schools, despite  
10 those three schools being exempt from meeting the  
11 same eligibility requirements as the majority of  
12 graduate medical schools located outside of the  
13 United States and Canada.

14 (2) The National Committee on Foreign Med-  
15 ical Education and Accreditation and the Depart-  
16 ment of Education recommend that all foreign grad-  
17 uate medical schools should be required to meet the  
18 same eligibility requirements to participate in Fed-  
19 eral funding under title IV of the Higher Education  
20 Act of 1965 (20 U.S.C. 1070 et seq.) and see no ra-  
21 tionale for excluding certain schools.

22 (3) The attrition rate at United States medical  
23 schools averaged 3 percent for the class beginning in  
24 2009 while rates at for-profit Caribbean schools  
25 have reached 26 percent or higher.

1           (4) In 2013, residency match rates for foreign  
2 trained graduates averaged 53 percent compared to  
3 94 percent for graduates of medical schools in the  
4 United States.

5           (5) On average, students at for-profit medical  
6 schools operating outside of the United States and  
7 Canada amass more student debt than those at med-  
8 ical schools in the United States.

9 **SEC. 4. REPEAL GRANDFATHER PROVISIONS.**

10         Section 102(a)(2) of the Higher Education Act of  
11 1965 (20 U.S.C. 1002(a)(2)) is amended—

12           (1) in subparagraph (A), by striking clause (i)  
13 and inserting the following:

14                     “(i) in the case of a graduate medical  
15 school located outside the United States—

16                             “(I) at least 60 percent of those  
17 enrolled in, and at least 60 percent of  
18 the graduates of, the graduate med-  
19 ical school outside the United States  
20 were not persons described in section  
21 484(a)(5) in the year preceding the  
22 year for which a student is seeking a  
23 loan under part D of title IV; and

24                             “(II) at least 75 percent of the  
25 individuals who were students or

1 graduates of the graduate medical  
 2 school outside the United States or  
 3 Canada (both nationals of the United  
 4 States and others) taking the exami-  
 5 nations administered by the Edu-  
 6 cational Commission for Foreign Med-  
 7 ical Graduates received a passing  
 8 score in the year preceding the year  
 9 for which a student is seeking a loan  
 10 under part D of title IV;” and

11 (2) in subparagraph (B)(iii), by adding at the  
 12 end the following:

13 “(V) EXPIRATION OF AUTHOR-  
 14 ITY.—The authority of a graduate  
 15 medical school described in subclause  
 16 (I) to qualify for participation in the  
 17 loan programs under part D of title  
 18 IV pursuant to this clause shall expire  
 19 beginning on the first July 1 following  
 20 the date of enactment of the Foreign  
 21 Medical School Accountability Fair-  
 22 ness Act of 2015.”.

23 **SEC. 5. LOSS OF ELIGIBILITY.**

24 If a graduate medical school loses eligibility to par-  
 25 ticipate in the loan programs under part D of title IV of

1 the Higher Education Act of 1965 (20 U.S.C. 1087a et  
2 seq.) due to the enactment of the amendments made by  
3 section 4, then a student enrolled at such graduate med-  
4 ical school on or before the date of enactment of this Act  
5 may, notwithstanding such loss of eligibility, continue to  
6 be eligible to receive a loan under such part D while at-  
7 tending such graduate medical school in which the student  
8 was enrolled upon the date of enactment of this Act, sub-  
9 ject to the student continuing to meet all applicable re-  
10 quirements for satisfactory academic progress, until the  
11 earliest of—

12           (1) withdrawal by the student from the grad-  
13           uate medical school;

14           (2) completion of the program of study by the  
15           student at the graduate medical school; or

16           (3) the fourth June 30 after such loss of eligi-  
17           bility.

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