

SENATE BILL REPORT

SB 5394

As of January 29, 2023

Title: An act relating to malpractice insurance for international medical graduate supervisors.

Brief Description: Concerning malpractice insurance for international medical graduate supervisors.

Sponsors: Senators Randall, Dhingra, Keiser, Nguyen, Stanford, Valdez and Wilson, C..

Brief History:

Committee Activity: Health & Long Term Care: 1/31/23.

Brief Summary of Bill

- Removes the requirement that a physician supervising an international medical graduate maintain medical malpractice insurance for claims made against the international medical graduate.

SENATE COMMITTEE ON HEALTH & LONG TERM CARE

Staff: Andie Parnell (786-7439)

Background: The Washington Medical Commission (WMC) currently regulates licenses for physician assistants, physicians, and surgeons in Washington State. WMC may issue limited licenses to qualified applicants to practice medicine in a limited capacity.

International Medical Graduates. International medical graduates are physicians who receive their medical school education outside the United States and Canada. International medical graduates must go through medical licensing examinations and credential verifications to receive certification by the Educational Commission for Foreign Medical Graduates (ECFMG). International medical graduates who receive ECFMG certification become eligible to enter the United States' graduate medical education process, where they provide supervised patient care. ECFMG certification is a requirement for international

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medical graduates to take Step 3 of the United States Medical Licensing Examination, as well as a prerequisite to obtaining an unrestricted license to practice medicine in the United States.

Limited Licensure of International Medical Graduates. In 2021, the Legislature passed SHB 1129 which requires WMC to offer a limited license for international medical graduates to gain clinical experience.

WMC may issue limited licenses to international medical graduates upon nomination by the chief medical officer of any licensed hospital or appropriate medical practice located in Washington State, the Department of Social and Health services, the Department of Children, Youth, Families, the Department of Corrections, or a county or city health department. An international medical graduate applying for a limited license must:

- be a state resident for at least one year;
- provide proof of certification by ECFMG;
- pass the United States Medical Licensing Examination; and
- submit to a WMC background check generally required of applicants.

An international medical graduate practicing with a limited license may only practice within the nominating facility or organization, under the control of a licensed supervising physician or osteopathic physician of the same or substantially similar clinical specialty. A limited license is valid for two years, and may be renewed once by WMC upon application for renewal by the nominating entity. All persons licensed are subject to the jurisdiction of WMC to the same extent as other members of the medical profession.

An international medical graduate must file a practice agreement with WMC between the international medical graduate and the supervising physician. A supervising physician is limited to supervising two limited license holders unless WMC grants an increase upon the supervising physician's request. The supervising physician must retain professional and personal responsibility for any act which constitutes the osteopathic medicine and surgery when performed by an international medical graduate practicing under their supervision. The supervising physician must hold medical malpractice insurance for any malpractice claim against an international medical graduate practicing under their supervision.

Summary of Bill: The requirement that a physician supervising an international medical graduate maintain medical malpractice insurance for claims made against the international medical graduate is removed.

Appropriation: None.

Fiscal Note: Requested on January 23, 2023.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.