

SB0489/173125/1

BY: Health Committee

AMENDMENTS TO SENATE BILL 489
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “**Occupations –**” insert “**Internationally Trained**”; in the same line, strike “**Trained in**”; in line 3, strike “**Foreign Countries**”; in line 14, after “circumstances;” insert “establishing certain additional requirements that a holder of a limited license must meet to be eligible for a full license to practice medicine;”; in line 14, strike “physicians trained in” and substitute “internationally trained physicians.”; strike line 15 in its entirety; in line 18, after “14-101(a)” insert “and 14-306(g)(1)(i)”; and in line 23, after “14-101(g)” insert “, 14-302(2)(iii)4., 14-306(g)(1)(iii)1.B., 14-307(d)(2)(i).”.

AMENDMENT NO. 2

On page 2, after line 32, insert:

“14-302.

Subject to the rules, regulations, and orders of the Board, the following individuals may practice medicine without a license:

(2) A physician licensed by and residing in another jurisdiction, if the physician:

(iii) Is engaged in clinical training or participates in training or teaching of a skill or procedure in a hospital if:

4. The visiting physician [has]:

A. HAS no history of any medical disciplinary action in any other state, territory, nation, or any branch of the uniformed services or the U.S. Department of Veterans Affairs, UNLESS THE DISCIPLINARY ACTION HAS BEEN SATISFIED AND THE BOARD CONSIDERS THAT THE BEHAVIOR FOR WHICH THE DISCIPLINARY ACTION WAS IMPOSED HAS BEEN SUFFICIENTLY CORRECTED; and [has]

B. HAS no significant detrimental malpractice history;

14-306.

(g) (1) (i) In this subsection the following words have the meanings indicated.

(iii) "Supervised medical graduate" means an individual who:

1. Has a degree of:

B. Doctor of osteopathy from a school of osteopathy in the United States, its territories or possessions, [Puerto Rico,] or Canada that has standards for graduation equivalent to those established by the American Osteopathic Association; and

14-307.

(d) Except as provided in § 14-308 of this subtitle, the applicant shall:

(2) (i) Have a degree of doctor of osteopathy from a school of osteopathy in the United States, its territories or possessions, [Puerto Rico,] or Canada that has standards for graduation equivalent to those established by the American Osteopathic Association; and".

On page 4, strike line 12 in its entirety and substitute:

“(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “FOREIGN COUNTRY” MEANS A COUNTRY OTHER THAN THE UNITED STATES, ITS TERRITORIES OR POSSESSIONS, OR CANADA.

(3) “HEALTH CARE FACILITY” MEANS:”;

in lines 13, 14, 15, 16, 17, 18, and 19, strike “**(1)**”, “**(2)**”, “**(3)**”, “**(4)**”, “**(5)**”, “**(6)**”, and “**(7)**”, respectively, and substitute “**(I)**”, “**(II)**”, “**(III)**”, “**(IV)**”, “**(V)**”, “**(VI)**”, and “**(VII)**”, respectively; in line 18, strike “**OR**”; in line 19, after “**FACILITY**” insert “**; OR**”

(VIII) A NONPROFIT CLINIC SERVING A HEALTH PROFESSIONAL SHORTAGE AREA AS DEFINED IN COMAR 31.10.44.02”.

On page 5, in line 2, after “**STATES**” insert “**, ITS TERRITORIES OR POSSESSIONS,**”; in line 6, after “**(D)**” insert “**(1)**”; in lines 8, 9, 13, 22, 28, and 30, strike “**(1)**”, “**(2)**”, “**(3)**”, “**(4)**”, “**(5)**”, and “**(6)**”, respectively, and substitute “**(I)**”, “**(II)**”, “**(III)**”, “**(IV)**”, “**(V)**”, and “**(VI)**”, respectively; in line 10, after “**STATES**” insert “**, ITS TERRITORIES OR POSSESSIONS, OR CANADA**”; in line 13, after “**HAVE**” insert “**SUCCESSFULLY**”; in lines 15, 17, and 20, strike “**(I)**”, “**(II)**”, and “**(III)**”, respectively, and substitute “**1.**”, “**2.**”, and “**3.**”, respectively; in lines 22 and 25, strike “**(I)**” and “**(II)**”, respectively, and substitute “**1.**” and “**2.**”, respectively; in line 30, strike “**HAVE**” and substitute “**SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, HAVE**”; in the same line, strike “**PARTICIPATING**”; in line 31, strike “**EVALUATE**” and substitute “**:**”

(Over)

1. EVALUATE, CONSISTENT WITH REQUIREMENTS DETERMINED BY THE BOARD,.

On page 6, in line 2, after “AND” insert:

“2. SUPPORT THE APPLICANT’S ACCLIMATION TO THE MEDICAL SYSTEM IN THE UNITED STATES;”;

in line 3, strike “(7)” and substitute “(VII)”; in the same line, strike “SATISFY” and substitute “HOLD A CURRENT CERTIFICATE FROM THE EDUCATIONAL COMMISSION FOR FOREIGN MEDICAL GRADUATES; AND

(VIII) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, SATISFY”;

after line 4, insert:

“(2) AN APPLICANT MAY HAVE AN OFFER OF EMPLOYMENT UNDER SUBSECTION (D)(1)(VI) OF THIS SECTION WITH A HEALTH FACILITY DESCRIBED UNDER SUBSECTION (A)(2)(VIII) OF THIS SECTION ONLY IF THE APPLICANT HAS:

(I) BEEN LICENSED OR OTHERWISE AUTHORIZED TO PRACTICE MEDICINE IN A FOREIGN COUNTRY FOR AT LEAST 3 YEARS WITH A MEDICAL LICENSE IN GOOD STANDING; AND

(II) PRACTICED MEDICINE IN A FOREIGN COUNTRY:

1. FOR AT LEAST 3 OUT OF THE 10 YEARS IMMEDIATELY PRECEDING THE APPLICATION FOR A LIMITED LICENSE AFTER COMPLETION OF A POSTGRADUATE INTERNSHIP OR RESIDENCY; OR

2. FOR A PERIOD OF TIME DETERMINED BY THE BOARD ON AN INDIVIDUAL BASIS.

(3) THE BOARD MAY NOT REQUIRE THAT AN APPLICANT HAVE MORE THAN 5 YEARS' PRIOR PRACTICE EXPERIENCE.”;

in line 18, after “**(H)**” insert “**(1)**”; in lines 20 and 22, strike “**(1)**” and “**(2)**”, respectively, and substitute “**(I)**” and “**(II)**”, respectively; in lines 21 and 29, in each instance, strike “**(D)(6)**” and substitute “**(D)(1)(VI)**”; and after line 23, insert:

“(2) THE EMPLOYING HEALTH CARE FACILITY SHALL REPORT TO THE BOARD, IN A MANNER THE BOARD REQUIRES, ANY CONCERNS RELATED TO THE PROFESSIONALISM OR COMPETENCE OF THE LICENSEE.”.

On page 7, in line 5, strike “**(D)(6)**” and substitute “**(D)(1)(VI)**”; after line 8, insert:

“(J) TO BE ELIGIBLE FOR A FULL LICENSE TO PRACTICE MEDICINE, IN ADDITION TO ANY OTHER APPLICABLE REQUIREMENTS, A LICENSEE SHALL PROVIDE TO THE BOARD:

(1) AN EVALUATION FROM THE HEALTH CARE FACILITY DESCRIBED IN SUBSECTION (D)(1)(VI) OF THIS SECTION THAT INCLUDES:

(I) AN ATTESTATION FROM THE CHIEF MEDICAL OFFICER, OR A PHYSICIAN IN AN EQUIVALENT POSITION, OF THE HEALTH CARE FACILITY THAT THE LICENSEE IS COMPETENT TO PRACTICE INDEPENDENTLY; AND

(II) PROOF THAT THE LICENSEE WORKED AT A HEALTH CARE FACILITY FOR AT LEAST 6 MONTHS; AND

(2) EVIDENCE THAT THE LICENSEE ACHIEVED A PASSING SCORE ON STEP 3 OF THE UNITED STATES MEDICAL LICENSING EXAMINATION OR ANOTHER EXAM APPROVED BY THE BOARD.

(K) A HEALTH CARE FACILITY OR A LICENSED PHYSICIAN MAY NOT ACCEPT, DIRECTLY OR INDIRECTLY, COMPENSATION FROM A LICENSEE AS A CONDITION OF EMPLOYMENT OR APPROVAL OF THE LICENSEE'S READINESS TO PRACTICE INDEPENDENTLY.

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1, 2027, the State Board of Physicians shall report to the Senate Finance Committee and the House Health Committee, in accordance with § 2-1257 of the State Government Article, on:

(1) the status of the Board's preparations to begin accepting applications for a limited license under § 14-308 of the Health Occupations Article, as enacted by Section 1 of this Act; and

(2) if the Board is unable to meet the October 1, 2028, deadline to begin accepting applications, the reason it is unable to comply with the deadline and the projected date when it will begin accepting applications.”;

and in lines 9 and 12, strike “2.” and “3.”, respectively, and substitute “3.” and “4.”, respectively.