

HB 1277

2016

1 A bill to be entitled
2 An act relating to licensure of foreign-trained
3 physicians; amending s. 458.311, F.S.; establishing
4 licensure requirements for certain foreign-trained
5 physicians; authorizing the Board of Medicine to
6 impose licensure restrictions, limitations, or
7 conditions on certain foreign-trained physicians;
8 providing an effective date.

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10 Be It Enacted by the Legislature of the State of Florida:

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12 Section 1. Paragraphs (f) and (h) of subsection (1) and
13 subsection (7) of section 458.311, Florida Statutes, are amended
14 to read:

15 458.311 Licensure by examination; requirements; fees.—

16 (1) Any person desiring to be licensed as a physician, who
17 does not hold a valid license in any state, shall apply to the
18 department on forms furnished by the department. The department
19 shall license each applicant who the board certifies:

20 (f) Meets one of the following medical education and
21 postgraduate training requirements:

22 1.a. Is a graduate of an allopathic medical school or
23 allopathic college recognized and approved by an accrediting
24 agency recognized by the United States Office of Education or is
25 a graduate of an allopathic medical school or allopathic college
26 within a territorial jurisdiction of the United States

27 | recognized by the accrediting agency of the governmental body of
28 | that jurisdiction;

29 | b. If the language of instruction of the medical school is
30 | other than English, has demonstrated competency in English
31 | through presentation of a satisfactory grade on the Test of
32 | Spoken English of the Educational Testing Service or a similar
33 | test approved by rule of the board; and

34 | c. Has completed an approved residency of at least 1 year.

35 | 2.a. Is a graduate of an allopathic foreign medical school
36 | registered with the World Health Organization and certified
37 | pursuant to s. 458.314 as having met the standards required to
38 | accredit medical schools in the United States or reasonably
39 | comparable standards;

40 | b. If the language of instruction of the foreign medical
41 | school is other than English, has demonstrated competency in
42 | English through presentation of the Educational Commission for
43 | Foreign Medical Graduates English proficiency certificate or by
44 | a satisfactory grade on the Test of Spoken English of the
45 | Educational Testing Service or a similar test approved by rule
46 | of the board; and

47 | c. Has completed an approved residency of at least 1 year.

48 | 3.a. Is a graduate of an allopathic foreign medical school
49 | which has not been certified pursuant to s. 458.314;

50 | b. Has had his or her medical credentials evaluated by the
51 | Educational Commission for Foreign Medical Graduates, holds an
52 | active, valid certificate issued by that commission, and has

53 passed the examination utilized by that commission; and

54 c. Has completed an approved residency of at least 1 year;
55 however, after October 1, 1992, the applicant shall have
56 completed an approved residency or fellowship of at least 2
57 years in one specialty area. However, to be acceptable, the
58 fellowship experience and training must be counted toward
59 regular or subspecialty certification by a board recognized and
60 certified by the American Board of Medical Specialties.

61 4.a. Is a graduate of an allopathic foreign medical school
62 listed in the World Directory of Medical Schools produced as a
63 joint venture of the World Federation for Medical Education and
64 the Foundation for Advancement of International Medical
65 Education and Research, in collaboration with the World Health
66 Organization, and accredited by an accrediting agency recognized
67 by the governmental body of the foreign jurisdiction, but which
68 is not certified pursuant to s. 458.314;

69 b. If the language of instruction of the foreign medical
70 school is other than English, has demonstrated competency in
71 English through presentation of a satisfactory grade on the Test
72 of Spoken English of the Educational Testing Service or a
73 similar test approved by rule of the board;

74 c. Has completed a board-approved residency or fellowship
75 of at least 1 year in one specialty area, which must be counted
76 toward regular or subspecialty certification by a board
77 recognized and certified by the American Board of Medical
78 Specialties; and

79 d. Has held an active physician license and practiced
80 medicine in a foreign jurisdiction for at least the 10 years
81 immediately preceding the application for licensure under this
82 section.

83 (h) Has obtained a passing score, as established by rule
84 of the board, on the licensure examination of the United States
85 Medical Licensing Examination (USMLE); or a combination of the
86 United States Medical Licensing Examination (USMLE), the
87 examination of the Federation of State Medical Boards of the
88 United States, Inc. (FLEX), or the examination of the National
89 Board of Medical Examiners up to the year 2000; or for the
90 purpose of examination of any applicant who was licensed on the
91 basis of a state board examination and who is currently licensed
92 in at least one other jurisdiction of the United States or
93 Canada, and who has practiced pursuant to such licensure for a
94 period of at least 10 years, use of the Special Purpose
95 Examination of the Federation of State Medical Boards of the
96 United States (SPEX) upon receipt of a passing score as
97 established by rule of the board. An applicant meeting the
98 medical education and postgraduate training requirements in
99 subparagraph (f)4. may meet the examination requirement of this
100 paragraph by obtaining a passing score on an examination
101 determined by the board to be substantially equivalent to, or
102 more stringent than, the United States Medical Licensing
103 Examination (USMLE). However, for the purpose of examination of
104 any applicant who was licensed on the basis of a state board

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105 examination prior to 1974, who is currently licensed in at least
106 three other jurisdictions of the United States or Canada, and
107 who has practiced pursuant to such licensure for a period of at
108 least 20 years, this paragraph does not apply.

109 (7) Upon certification by the board, the department shall
110 impose conditions, limitations, or restrictions on a license if
111 the applicant is on probation in another jurisdiction for an act
112 which would constitute a violation of this chapter. The board
113 may certify an applicant for licensure who has met the medical
114 education and postgraduate training requirements under
115 subparagraph (1)(f)4. and all other licensure requirements with
116 a condition, limitation, or restriction, including, but not
117 limited to, a probationary period of practice, a scope of
118 practice limitation, or a supervision requirement, which shall
119 be imposed by the department for a duration specified by the
120 board.

121 Section 2. This act shall take effect July 1, 2016.