

By Senator Hutson

6-01677A-16

20161626__

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

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

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

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

458.311 Licensure by examination; requirements; fees.—

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

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

1.a. Is a graduate of an allopathic medical school or
allopathic college recognized and approved by an accrediting
agency recognized by the United States Office of Education or is
a graduate of an allopathic medical school or allopathic college
within a territorial jurisdiction of the United States
recognized by the accrediting agency of the governmental body of
that jurisdiction;

b. If the language of instruction of the medical school is
other than English, has demonstrated competency in English
through presentation of a satisfactory grade on the Test of
English as a Foreign Language ~~Test of Spoken English~~ of the

6-01677A-16

20161626__

33 Educational Testing Service or a similar test approved by rule
34 of the board; and

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

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

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

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

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

51 b. Has had his or her medical credentials evaluated by the
52 Educational Commission for Foreign Medical Graduates, holds an
53 active, valid certificate issued by that commission, and has
54 passed the examination utilized by that commission; and

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

6-01677A-16

20161626__

62 4.a. Is a graduate of an allopathic foreign medical school
63 listed in the World Directory of Medical Schools and accredited
64 by an accrediting agency recognized by the governmental body of
65 the foreign jurisdiction, but which is not certified pursuant to
66 s. 458.314;

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

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

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

81 (h) Has obtained a passing score, as established by rule of
82 the board, on the licensure examination of the United States
83 Medical Licensing Examination (USMLE); or a combination of the
84 United States Medical Licensing Examination (USMLE), the
85 examination of the Federation of State Medical Boards of the
86 United States, Inc. (FLEX), or the examination of the National
87 Board of Medical Examiners up to the year 2000; or for the
88 purpose of examination of any applicant who was licensed on the
89 basis of a state board examination and who is currently licensed
90 in at least one other jurisdiction of the United States or

6-01677A-16

20161626__

91 Canada, and who has practiced pursuant to such licensure for a
92 period of at least 10 years, use of the Special Purpose
93 Examination of the Federation of State Medical Boards of the
94 United States (SPEX) upon receipt of a passing score as
95 established by rule of the board. An applicant meeting the
96 medical education and postgraduate training requirements in
97 subparagraph (f)4. may meet the examination requirement of this
98 paragraph by obtaining a passing score on an examination
99 determined by the board to be substantially equivalent to, or
100 more stringent than, the United States Medical Licensing
101 Examination (USMLE). However, for the purpose of examination of
102 any applicant who was licensed on the basis of a state board
103 examination prior to 1974, who is currently licensed in at least
104 three other jurisdictions of the United States or Canada, and
105 who has practiced pursuant to such licensure for a period of at
106 least 20 years, this paragraph does not apply.

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

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