

HB 1005

2017

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

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

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

16           458.311 Licensure by examination; requirements; fees.—

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

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

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

26 | a graduate of an allopathic medical school or allopathic college  
 27 | within a territorial jurisdiction of the United States  
 28 | recognized by the accrediting agency of the governmental body of  
 29 | that jurisdiction;

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

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

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

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

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

50 |       3.a. Is a graduate of an allopathic foreign medical school

51 | which has not been certified pursuant to s. 458.314;

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

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

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

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

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

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

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

101 paragraph by obtaining a passing score on an examination  
102 determined by the board to be substantially equivalent to, or  
103 more stringent than, the United States Medical Licensing  
104 Examination (USMLE). However, for the purpose of examination of  
105 any applicant who was licensed on the basis of a state board  
106 examination prior to 1974, who is currently licensed in at least  
107 three other jurisdictions of the United States or Canada, and  
108 who has practiced pursuant to such licensure for a period of at  
109 least 20 years, this paragraph does not apply.

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

122 Section 2. This act shall take effect July 1, 2017.