

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 certain licensure requirements for
 5 certain foreign-trained physicians; authorizing the
 6 Board of Medicine to impose licensure conditions,
 7 limitations, or restrictions on certain foreign-
 8 trained physicians; 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 | English as a Foreign Language ~~Test of Spoken English of the~~
 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.

62 4.a. Effective January 1, 2019:

63 (I) 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 approved by an accrediting agency
69 recognized by the governmental body of the foreign jurisdiction;
70 that is not certified pursuant to s. 458.314;

71 (II) 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 or a similar test approved by
75 rule of the board;

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

81 (IV) Has been a licensed physician and practiced medicine
82 in a foreign jurisdiction for at least 10 years immediately
83 preceding the application for licensure under this section.

84 b. This subparagraph expires December 31, 2023.

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

101 subparagraph (1)(f)4. may meet the examination requirement of
102 this paragraph by obtaining a passing score on an examination
103 determined by the board to be substantially equivalent to, or
104 more stringent than, the United States Medical Licensing
105 Examination (USMLE). However, for the purpose of examination of
106 any applicant who was licensed on the basis of a state board
107 examination prior to 1974, who is currently licensed in at least
108 three other jurisdictions of the United States or Canada, and
109 who has practiced pursuant to such licensure for a period of at
110 least 20 years, this paragraph does not apply.

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

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Section 2. This act shall take effect July 1, 2018.