

## **Expanding Physician Access Act Model Bill**

**SECTION 1.** This bill shall be known and may be cited as the “Expanding Physician Access Act of 2023.”

**(A) Purpose.** This Act removes barriers that prevent high-quality, internationally-trained physicians from filling vacancies in [State], including in rural and primary care settings, by eliminating training duplication and recognizing high-quality residency programs that they have already completed. All other care standards and requirements remain unchanged and the State medical board is empowered to continue to perform its role to ensure all internationally-trained applicants have the requisite knowledge and experience to practice medicine in [State].

**(B) Definitions.** As used in this Act, the following terms shall mean:

- (i) “State medical board” means the entity that regulates and licenses physicians in [State].
- (ii) “Physician” means any individual who has obtained a medical doctorate or substantially similar degree and has completed a residency program or otherwise practiced as a medical professional performing the duties of a physician for at least [two] years.
- (iii) “International medical program” means any medical school, residency program, medical internship program, or entity that provides physicians with a medical education or training outside of the United States that is substantially similar to that required to practice as a physician in [State].
- (iv) “International medical graduate” means any individual who:
  - (a) Has been granted a medical doctorate or substantially similar degree by a medical program of good standing;
  - (b) Is in good standing with the medical licensing or regulatory institution of his resident country;
  - (c) Has completed a residency or substantially similar post-graduate medical training in his resident country [and/or] has practiced as a medical professional performing the duties of a physician in his resident country for no less than [five (5) years], and
  - (d) Possesses basic fluency in the English language.
- (v) “Healthcare provider” means an individual, entity, corporation, person, or organization, whether for profit or nonprofit, that furnishes, bills, or is paid for healthcare procedure or service delivery in the normal course of business, and includes, without limitation, health systems, hospitals, hospital-based facilities, freestanding emergency facilities, and urgent care clinics.

**SECTION 2.** A new section of State Code is created, which shall read:

**(A) State License for Healthcare Provider Sponsored Internationally-Trained Physicians.**

(i) The State medical board shall grant a provisional license to practice medicine in [State] to any international medical graduate with an offer for employment as a physician at any healthcare provider that operates in the State.

(a) The State medical board will not grant a provisional license to practice medicine in [State] to any international medical graduate unless he possesses federal immigration status that allows him to practice as a physician in the United States.

(ii) The State medical board may revoke a provisional license granted under section 2 (A)(i) of this statute based on clear and compelling evidence that medical services provided by the licensee have violated State medical safety, competency, or conduct standards established in [relevant State code covering board discipline].

(a) Licensees may appeal the revocation of their provisional license to the [State court with competent jurisdiction over the State medical board] within one-hundred twenty (120) days of the revocation of their provisional license

(b) The court shall reinstate the provisional license if it finds that the board's actions did not meet the standards in section 2 (A)(ii).

(iii) Provisional licenses will automatically be converted into full licenses to practice medicine in [State] after [three (3) years].

(iv) Nothing in this subsection requires the State medical board to license, on a provisional or full basis, an international medical graduate without evidence of equivalent training, without evidence of satisfactory passage of exams, without evidence of legal status to work in the United States, without satisfactory results of a background investigation, without the completion of the License Application, and without payment of all required fees.

(v) International medical graduates who become licensed under Section 2 (A)(iii) need not maintain employment with the original sponsoring facility.

## **(B) State License for Certain Internationally-Trained Professionals.**

(i) The State medical board shall grant a provisional license to practice medicine in [State] to any applicant international medical graduate who is a resident of and licensed to practice in any of the following countries:

- (a) Australia;
- (b) Ireland;
- (c) Israel;
- (d) New Zealand;
- (e) Singapore;
- (f) South Africa;
- (g) Switzerland;
- (h) The United Kingdom, and;
- (i) Canada.

(ii) Additional countries may be added to Section 2 (B)(i) by the State medical board, or by nomination by the Governor and State legislative committee(s) that work on healthcare issues.

(iii) The State medical board will only grant a license under Section 2 (B)(i) of this code to international medical graduates who possess federal immigration status that allows them to practice as a physician in the United States.

(iv) The State medical board may revoke a provisional license granted under section 2 (B)(i) of this statute based on clear and compelling evidence that medical services provided by the licensee have violated State medical safety, competency, or conduct standards established in [relevant State code covering board discipline].

(a) Licensees may appeal the revocation of their provisional license to the [State court with competent jurisdiction over the State medical board] within one-hundred twenty (120) days of the revocation of their provisional license

(b) The court shall reinstate the provisional license if it finds that the board's actions did not meet the standards in section 2 (B)(iv).

(v) Provisional licenses will automatically be converted into full licenses to practice medicine in [State] after [three (3) years].

(vi) Nothing in this subsection requires the State medical board to license, on a provisional or full basis, an international medical graduate without evidence of equivalent training, without evidence of satisfactory passage of exams, without evidence of legal status to work in the United States, without satisfactory results of a background investigation, without the completion of the License Application, and without payment of all required fees.

(vii) Nothing in this subsection requires the State medical board to license, on a provisional or full basis, an international medical graduate without evidence of equivalent training, without evidence of satisfactory passage of exams, without evidence of legal status to work in the United States, without satisfactory results of a background investigation, without the completion of the License Application, and without payment of all required fees.

### **SECTION 3. Severability and Effective Date.**

**(A) Severability.** It is the intention of the legislature that the provisions of this section shall be severable. If any provision of this section or its application to any person or circumstance is held invalid, the remainder of the section or the application of the provision to other persons or circumstances is not affected, including but not limited to the applicability of this section to the provisions of future agreements subject to this section.

**(B) Effective Date.** The provisions of this Act take effect on [January 1, 2024].

