

Expanding Physician Access Act Model Bill

SECTION 1. This bill shall be known and may be cited as the “Expanding Physician Access Act of 2024.”

(A) Purpose. This Act removes barriers that prevent high-quality, internationally-licensed physicians from filling vacancies in [State], including in rural and primary care settings, by eliminating unnecessary training duplication. All other standards of care and licensing requirements remain unchanged and the [State medical board] is empowered to continue to perform its role to ensure all internationally-licensed 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 is licensed inside or outside the United States.

(iii) “International medical program” means any medical school, residency program, medical internship program, or entity that provides physicians with a medical education or training that is eligible for certification of graduates by the Educational Commission on Foreign Medical Graduates or is otherwise substantially similar to the medical education or training required by the [state medical board] for licensure in [state].

(iv) “International physician” means any individual who:

- (a) Has been granted a medical doctorate or substantially similar degree by a domestic or international medical program of good standing;
- (b) Has been in good standing with the medical licensing or regulatory institution of his licensing country within the last five (5) years and does not have any pending discipline before the licensing body;
- (c) Has completed a residency or substantially similar post-graduate medical training program [or has practiced as a medical professional performing the duties of a physician in his licensing country at least [seven (7)] years after the completion of a medical doctorate];
- (d) Has practiced medicine as a fully licensed or otherwise authorized physician in his licensing country for at least [five (5)] years after the completion of residency training [or residency equivalent as defined in (iv)(c)];
- (e) Has obtained certification by the Educational Council for Foreign Medical Graduates, a successor organization, or another evaluation entity approved by the board;
- (f) Has passed Steps 1, 2, and 3 of the USMLE; and
- (g) 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 procedures 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 International Physicians.

(i) The State medical board shall grant a provisional license to practice medicine in [State] to any international physician 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 physician unless he is eligible to obtain federal immigration status that allows him to practice as a physician in the United States.

(b) The State medical board will not grant a provisional license to practice medicine in [State] to any international physician unless he possesses a passing score on the US Medical Licensing Examination (USMLE).

(c) The State medical board may revoke a provisional license granted under Section 2 (A)(i) of this statute if the international physician is not employed by a healthcare provider that operates in the State during the provisional license period.

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

(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 a 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 of active practice in [State].

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

(v) International physicians who must obtain federal work authorization before commencing any work for the sponsoring healthcare provider are eligible to apply for a provisional license prior to receiving federal work authorization but may not commence work without the necessary work authorization.

(v) International physicians who become licensed under Section 2 (A)(iii) need not maintain employment with the original sponsoring facility at the conclusion of the provisional licensing period.

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, 2025].