

131st MAINE LEGISLATURE

SECOND REGULAR SESSION-2024

Legislative Document

No. 2268

H.P. 1458

House of Representatives, March 14, 2024

An Act to Implement the Recommendations of the Commission Regarding Foreign-trained Physicians Living in Maine to Establish a Sponsorship Program for International Medical Graduates

Reported by Representative PERRY of Calais for the Joint Standing Committee on Health Coverage, Insurance and Financial Services pursuant to Resolve 2023, chapter 93, section 8. Reference to the Committee on Health Coverage, Insurance and Financial Services suggested and ordered printed pursuant to Joint Rule 218.

R(+ B. Hunt

ROBERT B. HUNT Clerk

1	Be it enacted by the People of the State of Maine as follows:
2	Sec. 1. 20-A MRSA §12103-B is enacted to read:
3	<u>§12103-B. International Medical Graduates Sponsorship Program</u>
4 5	1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.
6 7	A. "Internationally trained physician" has the same meaning as in Title 32, section 3271, subsection 8, paragraph A, subparagraph (1).
8 9	B. "Sponsoring institution" has the same meaning as in Title 32, section 3271, subsection 8, paragraph A, subparagraph (5).
10 11 12 13 14 15 16	2. Program established. The International Medical Graduates Sponsorship Program, referred to in this section as "the program," is established within the authority to make grants to sponsoring institutions to provide a pathway to licensure for internationally trained physicians in this State and to expand the number of physicians practicing in Maine physician shortage areas, as defined in Title 32, section 3271, subsection 8, paragraph A, subparagraph (2). The authority shall administer the program in accordance with the requirements of this section.
17 18 19 20 21	3. Administration. Under the program, the authority shall use available funding to establish up to 10 total positions annually at one or more sponsoring institutions for the employment and training of an internationally trained physician issued a limited license to practice medicine pursuant to Title 32, section 3271, subsection 8. The authority shall enter into an agreement with each sponsoring institution that seeks to participate in the program.
22 23 24 25	4. Application. An internationally trained physician shall apply directly to each sponsoring institution for placement through the program and the sponsoring institution shall screen each applicant by using an existing process of a rural graduate medical education collaborative in the State.
26 27 28 29 30 31 32 33 34	5. Fund created. A nonlapsing, interest-earning, revolving fund under the jurisdiction of the authority, known as the International Medical Graduates Sponsorship Program Fund and referred to in this subsection as "the fund," is created to carry out the purposes of this section. Any unexpended balance in the fund carries over for continued use under this section. The authority may receive, invest and expend on behalf of the fund money from gifts, grants, bequests and donations or other sources in addition to money appropriated or allocated by the State. Money in the fund must be invested by the authority, as provided by law, with the earned income to be added to the fund. Money received by the authority on behalf of the fund must be used for the purposes of this section.
35	Sec. 2. 32 MRSA §3271, sub-§8 is enacted to read:
36 37 38 39 40 41	8. Alternative license pathway for internationally trained physician. Notwithstanding any other requirements of this chapter, the board shall provide a pathway for an internationally trained physician who has been licensed or otherwise authorized to practice medicine in a country other than the United States and who meets the requirements of this subsection to apply for and obtain a full and unrestricted license to practice medicine in this State.

1 2	A. For the purposes of this subsection, unless the context otherwise indicates, the following terms have the following meanings.
3 4 5 6 7 8	(1) "Internationally trained physician" means a physician who has received a degree of doctor of medicine or its equivalent from a legally chartered medical school outside the United States recognized by the World Health Organization or its successor organization; who has been licensed or otherwise authorized to practice medicine in a country other than the United States; who has practiced medicine for at least one year; and who has lived in this State for at least 12 months.
9 10 11	(2) "Maine physician shortage area" means a geographic region or population in the State experiencing a shortage of physicians, relative to population and need, as determined by the board.
12 13	(3) "Medical licensing exam" means the United States Medical Licensing Examination or its successor examination.
14 15 16 17	(4) "Participating health care facility" means a health care facility approved by the board that provides a program for internationally trained physicians according to criteria developed or approved by the board and that provides medical care in a Maine physician shortage area.
18 19	(5) "Sponsoring institution" means any of the 4 hospitals in this State accredited by the Accreditation Council for Graduate Medical Education on January 1, 2024.
20 21 22	B. An internationally trained physician may apply for a limited license to practice medicine for a renewable 2-year term if a sponsoring institution and the applicant submit evidence acceptable to the board that the applicant:
23	(1) Is an internationally trained physician;
24 25 26 27	(2) Has a valid certificate issued by the Educational Commission for Foreign Medical Graduates or its successor organization or other credential evaluation service approved by the board, except that the board may waive such certification at its discretion when the applicant is unable to obtain the required documentation;
28 29	(3) Has achieved a passing score on both Step 1 and Step 2 CK of the medical licensing exam;
30 31 32 33 34	(4) Has entered into an agreement with the sponsoring institution providing that the participating health care facility shall develop, assess and evaluate the applicant's familiarity with nonclinical skills and standards appropriate for the practice of medicine in the State, according to assessment and evaluation criteria developed or approved by the board;
35 36 37	(5) Has agreed to enter a full-time employment relationship with the sponsoring institution after the board issues to the applicant a limited license to practice medicine; and
38 39	(6) Has satisfied other criteria that may be developed by the board in fulfillment of this subsection.
40 41	C. A limited license to practice medicine granted by the board under paragraph B may be renewed twice, for a total 6-year period.

1D. An internationally trained physician who provides the board with proof of2successful completion of the sponsoring institution's program pursuant to Title 20-A,3section 12103-B and a passing score on Step 3 of the medical licensing exam is eligible4to apply for a renewable 2-year restricted license to practice medicine only at a5participating health care facility in a Maine physician shortage area designated by the6board, and that license authorizes the physician to practice medicine independently in7a primary care setting or a specialty approved by the board.

8 E. After a minimum of 2 years of restricted practice pursuant to a license issued by the 9 board under paragraph D, an internationally trained physician may apply for and the 10 board may issue a full and unrestricted license to practice medicine in accordance with 11 this subsection.

SUMMARY

12

30

13 This bill implements certain recommendations of the Commission Regarding Foreign-14 trained Physicians Living in Maine and is reported out by the Joint Standing Committee on 15 Health Coverage, Insurance and Financial Services pursuant to Resolve 2023, chapter 93. 16 The committee is reporting the bill out for the sole purpose of having a bill printed that can 17 be referred to the committee for an appropriate public hearing and subsequent processing 18 in the normal course and has not taken a substantive position on the bill. The committee is 19 taking this action to ensure clarity and transparency in the legislative review of the 20 proposals contained in the bill.

The bill establishes a sponsorship program for international medical graduates. The bill provides funding for up to 10 total positions at any one time at sponsoring institutions responsible for training and employing eligible international medical graduates. Sponsoring institutions are the 4 teaching programs in the State accredited by the Accreditation Council for Graduate Medical Education. An internationally trained physician is provided a pathway to full licensure as a physician in the State as long as the internationally trained physician successfully does the following:

- 28 1. Completes the training provided by the sponsoring institution under a limited license
 29 to practice medicine granted by the Board of Licensure in Medicine;
 - 2. Achieves a passing score on Step 3 of the national medical licensing exam; and
- 31 3. Practices medicine under a restricted license for minimum of 2 years at a
 32 participating health care facility in a Maine physician shortage area.