

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-THREE

—
H.P. 584 - L.D. 937

**Resolve, to Establish the Commission Regarding Foreign-trained Physicians
Living in Maine**

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, this legislation establishes the Commission Regarding Foreign-trained Physicians Living in Maine to study integrating foreign-trained physicians into the health care workforce; and

Whereas, this legislation must take effect before the expiration of the 90-day period so that the commission may timely meet and make its report to the Legislature; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Commission established. Resolved: That the Commission Regarding Foreign-trained Physicians Living in Maine, referred to in this resolve as "the commission," is established.

Sec. 2. Commission membership. Resolved: That, notwithstanding Joint Rule 353, the commission consists of 13 members appointed as follows:

1. Two members of the Senate, appointed by the President of the Senate, at least one of whom must be a member of the Joint Standing Committee on Health Coverage, Insurance and Financial Services;
2. Two members of the House of Representatives, appointed by the Speaker of the House of Representatives, at least one of whom must be a member of the Joint Standing Committee on Health and Human Services;
3. One member who is a member or staff member of the Board of Licensure in Medicine, appointed by the President of the Senate;
4. One member who is a representative of the Maine Hospital Association, appointed by the President of the Senate;

5. One member who is a representative of the New Mainers Resource Center, appointed by the President of the Senate;

6. Three members who are physicians who are refugees or immigrants, 2 of whom are appointed by the Speaker of the House of Representatives, at least one of whom must be licensed to practice in the State, and one of whom is appointed by the President of the Senate;

7. One member who is a representative of the Maine Medical Association, appointed by the Speaker of the House of Representatives;

8. One member who is a representative of the Maine Immigrants' Rights Coalition, appointed by the Speaker of the House of Representatives; and

9. One member from the staff of the Office of the Governor, appointed by the Governor.

Sec. 3. Chairs. Resolved: That the first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the commission.

Sec. 4. Appointments; convening of commission. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the commission. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the commission to meet and conduct its business.

Sec. 5. Duties. Resolved: That the commission shall study integrating foreign-trained physicians, including surgeons, living in the State into the health care workforce to best reflect their level of skills and training, with a focus on those who are here as refugees and asylum seekers, and reducing barriers to licensing for foreign-trained physicians and physicians from other states. The commission shall explore a wide range of options for how to help enable foreign-trained physicians who wish to live and practice in the State to best use their skills and talents, increase health care workforce cultural competency and address potential workforce shortages. The commission shall make recommendations on:

1. Strategies to integrate foreign-trained physicians into the health care workforce;
2. Other ways, outside of being licensed as a physician, that foreign-trained physicians can be supported to best use their skills and training;
3. Changes for regulations that may pose unnecessary barriers to practice for foreign-trained physicians and physicians from other states;
4. Necessary supports for foreign-trained physicians moving through the different steps in the licensing process prior to involvement with the Board of Licensure in Medicine;
5. Opportunities to advocate for corresponding changes to national licensing requirements; and
6. Any other matters pertaining to foreign-trained physicians and physicians from other states considered necessary by the commission.

The commission shall review and identify best practices learned from similar efforts in other states. The commission may hold hearings and invite testimony from experts and the public to gather information. The commission may develop guidelines for full licensure and conditional licensure of foreign-trained physicians and physicians from other states and recommendations for the types of strategies, programs and support that would benefit foreign-trained physicians and physicians from other states to use the fullest extent of their training and experience.

Sec. 6. Staff assistance. Resolved: That the Legislative Council shall provide necessary staffing services to the commission, except that Legislative Council staff support is not authorized when the Legislature is in regular or special session.

Sec. 7. Stakeholder participation. Resolved: That the commission may invite the participation of stakeholders to participate in meetings or subcommittee meetings of the commission to ensure the commission has the information and expertise necessary to fulfill its duties, including, but not limited to, representatives of health insurance carriers, the University of New England College of Osteopathic Medicine, medical graduate residency programs in the State, the Maine Public Health Association, the Maine Osteopathic Association and the Maine Association of Physician Assistants.

Sec. 8. Report. Resolved: That, notwithstanding Joint Rule 353, no later than January 15, 2024, the commission shall submit a report that includes its findings and recommendations, including suggested legislation, to the Joint Standing Committee on Health Coverage, Insurance and Financial Services. The joint standing committee may report out legislation to the Second Regular Session of the 131st Legislature based on the report.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.