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State of Minnesota
HOUSE OF REPRESENTATIVES

**EIGHTY-FIFTH
SESSION**

HOUSE FILE No. 3611

February 28, 2008

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The bill was read for the first time and referred to the Committee on Health and Human Services

1.1 A bill for an act
1.2 relating to occupations and professions; improving physician licensure standards
1.3 based on reciprocity; amending Minnesota Statutes 2007 Supplement, section
1.4 147.037, subdivision 1.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2007 Supplement, section 147.037, subdivision 1,
1.7 is amended to read:

1.8 Subdivision 1. **Requirements.** The board shall issue a license to practice medicine
1.9 to any person who satisfies the requirements in paragraphs (a) to (g).

1.10 (a) The applicant shall satisfy all the requirements established in section 147.02,
1.11 subdivision 1, paragraphs (a), (e), (f), (g), and (h).

1.12 (b) The applicant shall present evidence satisfactory to the board that the applicant
1.13 is a graduate of a medical or osteopathic school approved by the board as equivalent
1.14 to accredited United States or Canadian schools based upon its faculty, curriculum,
1.15 facilities, accreditation, or other relevant data. If the applicant is a graduate of a medical or
1.16 osteopathic program that is not accredited by the Liaison Committee for Medical Education
1.17 or the American Osteopathic Association, the applicant may use the Federation of State
1.18 Medical Boards' Federation Credentials Verification Service (FCVS) or its successor. If
1.19 the applicant uses this service as allowed under this paragraph, the physician application
1.20 fee may be less than \$200 but must not exceed the cost of administering this paragraph.

1.21 (c) The applicant shall present evidence satisfactory to the board that the applicant
1.22 has been awarded a certificate by the Educational Council for Foreign Medical Graduates,
1.23 and the applicant has a working ability in the English language sufficient to communicate
1.24 with patients and physicians and to engage in the practice of medicine.

2.1 (d) The applicant shall present evidence satisfactory to the board of the completion
2.2 of two years of graduate, clinical medical training in a program located in the United
2.3 States, its territories, or Canada and accredited by a national accrediting organization
2.4 approved by the board. This requirement does not apply:

2.5 (1) to an applicant who is admitted as a permanent immigrant to the United States on
2.6 or before October 1, 1991, as a person of exceptional ability in the sciences according to
2.7 Code of Federal Regulations, title 20, section 656.22(d);

2.8 (2) to an applicant holding a valid license to practice medicine in another country
2.9 and issued a permanent immigrant visa after October 1, 1991, as a person of extraordinary
2.10 ability in the field of science or as an outstanding professor or researcher according to
2.11 Code of Federal Regulations, title 8, section 204.5(h) and (i), or a temporary nonimmigrant
2.12 visa as a person of extraordinary ability in the field of science according to Code of
2.13 Federal Regulations, title 8, section 214.2(o),

2.14 provided that a person under clause (1) or (2) is admitted pursuant to rules of the United
2.15 States Department of Labor; or

2.16 (3) to an applicant who is licensed in another state, has practiced five years without
2.17 disciplinary action in the United States, its territories, or Canada, has completed one year
2.18 of the graduate, clinical medical training required by this paragraph, and has passed the
2.19 Special Purpose Examination of the Federation of State Medical Boards within three
2.20 attempts in the 24 months before licensing.

2.21 (e) The applicant must:

2.22 (1) have passed an examination prepared and graded by the Federation of State
2.23 Medical Boards, the United States Medical Licensing Examination (USMLE) program
2.24 ~~in accordance with section 147.02, subdivision 1, paragraph (c), clause (2), or the Medical~~
2.25 Council of Canada; and the applicant taking the USMLE must have passed steps one, two,
2.26 and three; step three must be passed within five years of passing step two, or before the
2.27 end of residency training; and the applicant must either pass each of steps one, two, and
2.28 three with passing scores as recommended by the USMLE program within three attempts
2.29 or must have a current certification by a specialty board of the American Board of Medical
2.30 Specialties, of the American Osteopathic Association Bureau of Professional Education,
2.31 of the Royal College of Physicians and Surgeons of Canada, or of the College of Family
2.32 Physicians of Canada; and

2.33 (2) have a current license from the equivalent licensing agency in another state or
2.34 country and, if the examination in clause (1) was passed more than ten years ago, either:

2.35 (i) pass the Special Purpose Examination of the Federation of State Medical Boards
2.36 with a score of 75 or better within three attempts; or

3.1 (ii) have a current certification by a specialty board of the American Board of
3.2 Medical Specialties, of the American Osteopathic Association Bureau of Professional
3.3 Education, of the Royal College of Physicians and Surgeons of Canada, or of the College
3.4 of Family Physicians of Canada.

3.5 (f) The applicant must not be under license suspension or revocation by the licensing
3.6 board of the state or jurisdiction in which the conduct that caused the suspension or
3.7 revocation occurred.

3.8 (g) The applicant must not have engaged in conduct warranting disciplinary action
3.9 against a licensee, or have been subject to disciplinary action other than as specified in
3.10 paragraph (f). If an applicant does not satisfy the requirements stated in this paragraph,
3.11 the board may issue a license only on the applicant's showing that the public will be
3.12 protected through issuance of a license with conditions or limitations the board considers
3.13 appropriate.