

Senate Engrossed

~~international medical graduates; licensure.~~  
(now: medical licensing; study committee)

State of Arizona  
Senate  
Fifty-sixth Legislature  
First Regular Session  
2023

# SENATE BILL 1249

AN ACT

AMENDING TITLE 32, CHAPTER 13, ARTICLE 2, ARIZONA REVISED STATUTES, BY  
ADDING SECTION 32-1440; RELATING TO MEDICAL LICENSURE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 32, chapter 13, article 2, Arizona Revised  
3 Statutes, is amended by adding section 32-1440, to read:

4 32-1440. International medical graduates; provisional  
5 licensure; disciplinary actions; revocation;  
6 definitions

7 A. NOTWITHSTANDING ANY OTHER LAW, THE BOARD SHALL GRANT A  
8 PROVISIONAL LICENSE TO ENGAGE IN THE PRACTICE OF MEDICINE IN THIS STATE TO  
9 ANY INTERNATIONAL MEDICAL GRADUATE WHO HAS AN OFFER FOR EMPLOYMENT AS A  
10 PHYSICIAN AT ANY HEALTH CARE PROVIDER THAT OPERATES IN THIS STATE AND WHO  
11 MEETS THE REQUIREMENTS FOR LICENSURE PRESCRIBED IN SECTION 32-1422 AND  
12 SECTION 32-1423, PARAGRAPHS 1 AND 2.

13 B. THE BOARD MAY DISCIPLINE A LICENSEE OR REVOKE A PROVISIONAL  
14 LICENSE GRANTED PURSUANT TO THIS SECTION BASED ON CLEAR AND COMPELLING  
15 EVIDENCE AFTER AN INVESTIGATION CONDUCTED PURSUANT TO SECTION 32-1451. A  
16 PROVISIONAL LICENSEE MAY APPEAL THE REVOCATION OF THE PROVISIONAL LICENSE  
17 TO THE SUPERIOR COURT IN MARICOPA COUNTY PURSUANT TO TITLE 12, CHAPTER 7,  
18 ARTICLE 6 WITHIN ONE HUNDRED TWENTY DAYS AFTER THE DECISION OF THE BOARD  
19 REVOKING THE PROVISIONAL LICENSE. THE COURT SHALL REINSTATE THE  
20 PROVISIONAL LICENSE IF THE COURT FINDS THAT THE BOARD'S ACTIONS DID NOT  
21 MEET THE STANDARDS PRESCRIBED IN THIS SUBSECTION.

22 C. A PROVISIONAL LICENSE SHALL AUTOMATICALLY BE CONVERTED INTO A  
23 FULL LICENSE TO PRACTICE MEDICINE IN THIS STATE AFTER THREE YEARS UNLESS  
24 THE BOARD DISCIPLINES THE LICENSEE IN THAT THREE-YEAR PERIOD OF THE  
25 PROVISIONAL LICENSE.

26 D. THIS SECTION DOES NOT REQUIRE THE BOARD TO LICENSE AN  
27 INTERNATIONAL MEDICAL GRADUATE WHO DOES NOT PROVIDE ALL OF THE FOLLOWING:

- 28 1. EVIDENCE OF SUBSTANTIALLY SIMILAR MEDICAL TRAINING AS THAT  
29 REQUIRED BY THIS STATE.  
30 2. EVIDENCE OF SATISFACTORY PASSAGE OF EXAMS.  
31 3. A COMPLETE LICENSE APPLICATION.  
32 4. PAYMENT OF ALL REQUIRED LICENSING FEES.

33 E. THE BOARD MAY REQUIRE AN APPLICANT INTERNATIONAL MEDICAL  
34 GRADUATE TO SUBMIT ANY NECESSARY SUPPORTING APPLICATION MATERIALS SO THAT  
35 THE BOARD MAY PROPERLY EVALUATE THE APPLICANT FOR LICENSURE.

36 F. THE BOARD MAY REQUIRE AN APPLICANT INTERNATIONAL MEDICAL  
37 GRADUATE, AT THE APPLICANT'S EXPENSE, TO SUBMIT MEDICAL EDUCATION  
38 INFORMATION THROUGH THE EDUCATIONAL COMMISSION FOR FOREIGN MEDICAL  
39 GRADUATES OR ANOTHER THIRD-PARTY RECORDS SERVICE.

40 G. FOR THE PURPOSES OF THIS SECTION:

- 41 1. "HEALTH CARE PROVIDER":

42 (a) MEANS AN INDIVIDUAL, ENTITY, CORPORATION, PERSON OR  
43 ORGANIZATION, WHETHER FOR-PROFIT OR NONPROFIT, THAT FURNISHES, BILLS FOR  
44 OR IS PAID FOR HEALTH CARE PROCEDURES OR SERVICE DELIVERY IN THE NORMAL  
45 COURSE OF BUSINESS.

1 (b) INCLUDES HEALTH SYSTEMS, HOSPITALS, HOSPITAL-BASED FACILITIES,  
2 FREESTANDING EMERGENCY FACILITIES AND URGENT CARE CLINICS.

3 2. "INTERNATIONAL MEDICAL GRADUATE" MEANS AN INDIVIDUAL WHO MEETS  
4 ALL OF THE FOLLOWING REQUIREMENTS:

5 (a) IS A CITIZEN OF THE UNITED STATES.

6 (b) HAS BEEN GRANTED A MEDICAL DOCTORATE OR A SUBSTANTIALLY SIMILAR  
7 DEGREE BY AN INTERNATIONAL MEDICAL PROGRAM OF GOOD STANDING.

8 (c) HAS COMPLETED A RESIDENCY OR SUBSTANTIALLY SIMILAR POSTGRADUATE  
9 MEDICAL TRAINING IN THE COUNTRY WHERE THE INDIVIDUAL WAS GRANTED A MEDICAL  
10 DOCTORATE OR A SUBSTANTIALLY SIMILAR DEGREE BY AN INTERNATIONAL MEDICAL  
11 PROGRAM IN GOOD STANDING.

12 (d) POSSESSES BASIC FLUENCY IN THE ENGLISH LANGUAGE.

13 3. "INTERNATIONAL MEDICAL PROGRAM" MEANS ANY MEDICAL SCHOOL,  
14 RESIDENCY PROGRAM, MEDICAL INTERNSHIP PROGRAM OR ENTITY THAT PROVIDES  
15 PHYSICIANS WITH A MEDICAL EDUCATION OR TRAINING OUTSIDE OF THE UNITED  
16 STATES AND THAT IS SUBSTANTIALLY SIMILAR TO THAT REQUIRED TO PRACTICE AS A  
17 PHYSICIAN IN THIS STATE.

18 4. "PHYSICIAN" MEANS AN INDIVIDUAL WHO HAS OBTAINED A MEDICAL  
19 DOCTORATE OR A SUBSTANTIALLY SIMILAR DEGREE AND WHO HAS COMPLETED A  
20 RESIDENCY PROGRAM OR SUBSTANTIALLY SIMILAR POSTGRADUATE MEDICAL TRAINING.

21 Sec. 2. Study committee on physician shortages; membership;  
22 duties; report; delayed repeal

23 A. The study committee on physician shortages is established  
24 consisting of the following members:

25 1. One member of the majority party in the senate who is appointed  
26 by the president of the senate and who serves as cochairperson of the  
27 study committee.

28 2. One member of the minority party in the senate who is appointed  
29 by the president of the senate.

30 3. One member of the majority party in the house of representatives  
31 who is appointed by the speaker of the house of representatives and who  
32 serves as cochairperson of the study committee.

33 4. One member of the minority party in the house of representatives  
34 who is appointed by the speaker of the house of representatives.

35 5. The director of the department of health services or the  
36 director's designee.

37 6. A representative from a statewide association that primarily  
38 represents physicians and that engages in health care policy who is  
39 appointed by the president of the senate.

40 7. Two representatives from two different organizations that  
41 represent hospitals in this state, one of whom is appointed by the  
42 president of the senate and one of whom is appointed by the speaker of the  
43 house of representatives.

44 8. A representative of a public university with a medical school in  
45 this state who is appointed by the president of the senate.

1           9. A representative of a private university with a medical school  
2 in this state who is appointed by the speaker of the house of  
3 representatives.

4           10. One resident physician practicing in this state who attended  
5 medical school outside the United States and who is appointed by the  
6 speaker of the house of representatives.

7           11. One licensed practicing primary care physician who practices in  
8 a county with a population of less than one hundred thousand persons and  
9 who is appointed by the president of the senate.

10          12. Two representatives from nonprofit advocacy organizations that  
11 engage in health care policy and have an interest in addressing the  
12 physician shortage. These members shall be appointed by the speaker of  
13 the house of representatives.

14          13. A representative from a tribal government that is facing a  
15 physician shortage who is appointed by the president of the senate.

16          14. A representative from this state's immigrant or refugee  
17 community that understands the skills immigrants and refugees bring to  
18 this country and the barriers those individuals face to use their  
19 training. This member shall be appointed by the speaker of the house of  
20 representatives.

21          15. An Arizona licensed physician who was previously licensed in a  
22 foreign country and then enrolled in a residency program in the United  
23 States in order to be licensed in this state. This member shall be  
24 appointed by the president of the senate.

25          16. The executive director of the Arizona medical board or the  
26 executive director's designee.

27          17. One representative of an organization that seeks to eliminate  
28 employment barriers and advance the skills for immigrant professionals.  
29 This member shall be appointed by the president of the senate.

30          B. The study committee shall research and make recommendations for  
31 addressing the physician shortage in this state, with a particular  
32 emphasis on how to encourage more physicians to practice in rural areas  
33 and low-income communities and in primary care practice. The study  
34 committee shall review current policies and practices on the licensing of  
35 international medical graduates and foreign-licensed physicians to  
36 determine how to reduce barriers to entry into medical practice in this  
37 state. The study committee shall prioritize increasing health care access  
38 in rural areas and low-income communities while maintaining public health  
39 and safety when making its recommendations.

40          C. The study committee shall consult with the following national  
41 organizations to solicit their input on any preliminary recommendations:

- 42           1. The federation of state medical boards.
- 43           2. The accreditation council for graduate medical education.
- 44           3. The educational commission for foreign medical graduates.

1           D. The study committee shall meet as frequently as the  
2 cochairpersons deem necessary and may hold hearings and take testimony  
3 from stakeholders in fulfilling its responsibilities. All study committee  
4 hearings shall be open to the public.

5           E. Study committee members are not eligible to receive  
6 compensation, but members are eligible for reimbursement of expenses under  
7 title 38, chapter 4, article 2, Arizona Revised Statutes.

8           F. On or before December 1, 2024, the study committee shall submit  
9 a report regarding its findings and recommendations to the governor, the  
10 president of the senate and the speaker of the house of representatives  
11 and shall provide a copy of this report to the secretary of state.

12           G. This section is repealed from and after December 31, 2024.

13           Sec. 3. Effective date

14           Section 32-1440, Arizona Revised Statutes, as added by this act, is  
15 effective from and after December 31, 2023.