

PROPOSED
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2435
(Reference to printed bill)

Amendment instruction key:

[GREEN UNDERLINING IN BRACKETS] indicates text added to statute or previously enacted session law.
[Green underlining in brackets] indicates text added to new session law or text restoring existing law.
[GREEN STRIKEOUT IN BRACKETS] indicates new text removed from statute or previously enacted session law.
[Green strikeout in brackets] indicates text removed from existing statute, previously enacted session law or new session law.
<<Green carets>> indicate a section added to the bill.
<<Green strikeout in carets>> indicates a section removed from the bill.

1 The bill as proposed to be amended is reprinted as follows:

2 Section 1. Section 32-1424, Arizona Revised Statutes, is amended to
3 read:

4 32-1424. Fifth pathway program; pathway one; licensure;
5 provisional licensure

6 A. In addition to the requirements for licensure prescribed in
7 sections 32-1422 and 32-1423, an applicant for licensure under this
8 article who attended a foreign school of medicine and successfully
9 completed all ~~the~~ formal requirements to receive the degree of doctor of
10 medicine except internship or social service, and WHO is accordingly not
11 eligible for certification by the educational [~~council~~] [COMMISSION] for
12 foreign medical graduates, may be considered for licensure under this
13 chapter if the applicant meets the following conditions:

14 1. Satisfactorily completes an approved fifth pathway program of
15 one academic year of supervised clinical training under the direction of
16 an approved school of medicine in the United States.

17 2. Successfully completes an approved ~~twenty-four month~~
18 TWENTY-FOUR-MONTH internship, residency or clinical fellowship program
19 ~~upon~~ ON completion of the fifth pathway program.

20 B. A document granted by a foreign school of medicine signifying
21 completion of all [~~the~~] formal requirements for graduation from ~~such~~ THE
22 foreign medical school except internship or social service training, or
23 both, along with certification by the approved school of medicine in the
24 United States of successful completion of the fifth pathway program is
25 deemed the equivalent of a degree of doctor of medicine for purposes of
26 licensure and practice as a physician in this state.

1 C. NOTWITHSTANDING SUBSECTIONS A AND B OF THIS SECTION, AN
2 APPLICANT FOR LICENSURE WHO ATTENDED A ~~[FOREIGN]~~ SCHOOL OF MEDICINE, WHO
3 SUCCESSFULLY COMPLETED ALL FORMAL REQUIREMENTS FOR GRADUATION FROM THE
4 ~~[FOREIGN]~~ SCHOOL OF MEDICINE AND WHO SATISFIES THE REQUIREMENTS PRESCRIBED
5 IN PATHWAY ONE OF THE EDUCATIONAL ~~[COUNCIL]~~ [COMMISSION] FOR FOREIGN
6 MEDICAL GRADUATES SHALL BE GRANTED ~~[LICENSURE]~~ [A PROVISIONAL LICENSE] IF
7 THE APPLICANT:

8 [1. COMPLIES WITH SUBSECTIONS D AND E OF THIS SECTION AND SECTION
9 32-1424.01.]

10 ~~[1.]~~ [2.] HOLDS A VALID LICENSE TO PRACTICE MEDICINE THAT DOES NOT
11 REQUIRE DIRECT SUPERVISION.

12 ~~[2.]~~ [3.] HAS A FEDERAL IMMIGRATION STATUS THAT ALLOWS THE PERSON
13 TO WORK AS A PHYSICIAN IN THE UNITED STATES.

14 ~~[3.]~~ [4.] HAS AN OFFER FOR EMPLOYMENT AS A PHYSICIAN ~~[AT ANY~~
15 ~~HEALTH CARE PROVIDER THAT OPERATES]~~ IN A COUNTY WITH A POPULATION OF LESS
16 THAN ONE MILLION PERSONS.

17 ~~[4.]~~ [5.] MEETS THE REQUIREMENTS FOR LICENSURE PRESCRIBED IN
18 SECTION 32-1422, EXCEPT FOR SECTION 32-1422, SUBSECTION A, PARAGRAPHS 1
19 AND 2.

20 [D. AN APPLICANT FOR A PROVISIONAL LICENSE PURSUANT TO SUBSECTION C
21 OF THIS SECTION SHALL PROVIDE THE BOARD WITH ALL OF THE FOLLOWING:

22 1. EVIDENCE OF HAVING SUBSTANTIALLY SIMILAR MEDICAL TRAINING THAT
23 THE BOARD DEEMS TO BE OF EQUIVALENT QUALITY.

24 2. EVIDENCE OF SATISFACTORILY PASSING EXAMS AS DETERMINED BY THE
25 BOARD.

26 3. PROOF OF HOLDING CERTIFICATION FROM THE EDUCATIONAL COMMISSION
27 FOR FOREIGN MEDICAL GRADUATES.

28 4. A COMPLETE LICENSE APPLICATION.

29 5. PAYMENT OF ALL REQUIRED LICENSING FEES.

30 E. THE BOARD MAY REQUIRE AN APPLICANT FOR A PROVISIONAL LICENSE TO
31 SUBMIT EITHER OR BOTH OF THE FOLLOWING:

32 1. ANY SUPPORTING APPLICATION MATERIALS NECESSARY FOR THE BOARD TO
33 PROPERLY EVALUATE THE APPLICANT.

34 2. AT THE APPLICANT'S EXPENSE, MEDICAL EDUCATION INFORMATION
35 THROUGH THE EDUCATIONAL COMMISSION FOR FOREIGN MEDICAL GRADUATES OR
36 ANOTHER THIRD-PARTY RECORDS SERVICE.]

37 <<Sec. 2. Title 32, chapter 13, article 2, Arizona Revised
38 Statutes, is amended by adding section 32-1424.01, to read:

39 32-1424.01. Provisional licensure; fees; supervision
40 agreement; rules; employment; discipline;
41 conversion to full license; definition

42 [A. THE BOARD BY RULE MAY ESTABLISH LICENSING AND RENEWAL FEES FOR
43 PROVISIONAL LICENSEES. A PROVISIONAL LICENSE SHALL BE RENEWED ANNUALLY.

44 B. EACH PROVISIONAL LICENSEE SHALL DO BOTH OF THE FOLLOWING:

45 1. WHILE LICENSED PURSUANT TO SECTION 32-1424, WORK UNDER THE
46 SUPERVISION OF A PHYSICIAN WHO PRACTICES IN THE SAME SPECIALTY AS THE
47 PROVISIONAL LICENSEE AND WHO IS LICENSED PURSUANT TO CHAPTER 13 OR 17 OF

1 THIS TITLE. THE BOARD SHALL ADOPT RULES RELATING TO THIS SUPERVISION
2 REQUIREMENT, INCLUDING REQUIREMENTS FOR PROVISIONAL LICENSEES TO SUBMIT
3 THE SUPERVISION AGREEMENT TO THE BOARD, TO REPORT TO THE BOARD AND TO
4 OBTAIN MEDICAL MALPRACTICE LIABILITY INSURANCE AND REQUIREMENTS REGARDING
5 HEALTH INSURANCE COVERAGE AND PROCEDURES FOR FAILING TO ADHERE TO THE
6 TERMS OF THE SUPERVISION AGREEMENT.

7 2. COMPLY WITH THE CONTINUING EDUCATION REQUIREMENTS PRESCRIBED IN
8 THIS CHAPTER AND THE RULES ADOPTED PURSUANT TO THIS CHAPTER.

9 C. A PROVISIONAL LICENSEE'S EMPLOYER SHALL NOTIFY THE BOARD IF THE
10 PROVISIONAL LICENSEE IS TERMINATED OR LEAVES EMPLOYMENT FOR ANY REASON.
11 WITHIN FIVE DAYS AFTER RECEIVING THE NOTIFICATION FROM THE EMPLOYER, THE
12 BOARD SHALL TERMINATE THE PROVISIONAL LICENSE UNLESS THE PROVISIONAL
13 LICENSEE NOTIFIES THE BOARD THAT THE PROVISIONAL LICENSEE IS WORKING FOR
14 ANOTHER EMPLOYER IN A COUNTY WITH A POPULATION OF LESS THAN ONE MILLION
15 PERSONS AND THE NEW EMPLOYER NOTIFIES THE BOARD THAT THE PROVISIONAL
16 LICENSEE HAS ACCEPTED AN OFFER OF EMPLOYMENT. THE NEW EMPLOYER SHALL
17 COMPLY WITH BOARD RULES RELATED TO ISSUING A NEW SUPERVISION AGREEMENT.

18 D. THE EMPLOYER OF A PROVISIONAL LICENSEE MAY REQUIRE THE
19 PROVISIONAL LICENSEE TO TAKE A COMPETENCY TEST AT ANY TIME DURING
20 EMPLOYMENT.

21 E. THE BOARD MAY DISCIPLINE A PROVISIONAL LICENSEE OR REVOKE A
22 PROVISIONAL LICENSE GRANTED PURSUANT TO SECTION 32-1424 AFTER AN
23 INVESTIGATION CONDUCTED PURSUANT TO SECTION 32-1451. AN INTERNATIONAL
24 MEDICAL LICENSEE MAY APPEAL THE REVOCATION OF THE PROVISIONAL LICENSE TO
25 THE SUPERIOR COURT IN MARICOPA COUNTY PURSUANT TO TITLE 12, CHAPTER 7,
26 ARTICLE 6. THE COURT SHALL REINSTATE THE PROVISIONAL LICENSE IF THE COURT
27 FINDS THAT THE BOARD'S ACTIONS DID NOT MEET THE STANDARD PRESCRIBED IN
28 SECTION 32-1451.04.

29 F. A PROVISIONAL LICENSE IS AUTOMATICALLY CONVERTED TO A FULL
30 LICENSE TO PRACTICE MEDICINE IN THIS STATE AFTER FOUR YEARS IF ALL OF THE
31 FOLLOWING ARE MET:

32 1. THE PROVISIONAL LICENSEE ENGAGES IN THE PRACTICE OF MEDICINE IN
33 THIS STATE FOR FOUR YEARS IN A COUNTY WITH A POPULATION OF LESS THAN ONE
34 MILLION PERSONS.

35 2. THE PROVISIONAL LICENSEE IS NOT DISCIPLINED BY THE BOARD DURING
36 THE FOUR-YEAR PERIOD OF PROVISIONAL LICENSURE.

37 3. THE SUPERVISING PHYSICIAN WITH WHOM THE PROVISIONAL LICENSEE HAS
38 A SUPERVISION AGREEMENT SUBMITS A SIGNED ATTESTATION TO THE BOARD
39 CERTIFYING THAT IT IS THE SUPERVISING PHYSICIAN'S PROFESSIONAL OPINION
40 THAT THE PROVISIONAL LICENSEE MEETS THIS STATE'S STANDARDS FOR PROVIDING
41 MEDICAL CARE. THE BOARD SHALL ADOPT RULES RELATED TO THE FORMAT AND
42 SUBMISSION REQUIREMENTS FOR THIS ATTESTATION DOCUMENT.

43 G. FOR THE PURPOSES OF THIS SECTION, "PROVISIONAL LICENSEE" MEANS
44 AN APPLICANT WHO HAS BEEN GRANTED A PROVISIONAL LICENSE PURSUANT TO
45 SECTION 32-1424, SUBSECTION C.]

1 <<Sec. 3. Section 32-1425, Arizona Revised Statutes, is amended to
2 read:

3 32-1425. Initial licensure

4 A. An applicant who meets the applicable requirements provided in
5 section 32-1422, 32-1423 or 32-1424, has passed steps one and two of the
6 United States medical licensing examination or one of the examination
7 combinations prescribed in section 32-1426, subsection A, paragraph 6,
8 subdivision (c), items (i) and (ii), has paid the fees required by this
9 chapter and has filed a completed application found by the board to be
10 true and correct is eligible for licensure as a doctor of medicine [upon]
11 [ON] successful passage of step three of the United States medical
12 licensing examination with a scaled score of at least seventy-five if the
13 applicant has passed all three steps within a [seven-year] [SEVEN-YEAR]
14 period.

15 B. An applicant for licensure applying pursuant to section 32-1422,
16 32-1423 or 32-1424 may take the examination only after successfully
17 completing six months of a [board-approved] [BOARD-APPROVED] hospital
18 internship, residency or clinical fellowship or fifth pathway program [OR
19 A PATHWAY PRESCRIBED IN SECTION 32-1424, SUBSECTION C] or serving as a
20 full-time assistant professor or in a higher position in a [board
21 approved] [BOARD-APPROVED] school of medicine in this state.

22 C. The board shall not grant a license until the applicant meets
23 the requirements for licensure pursuant to this chapter. >>

24 Enroll and engross to conform

25 Amend title to conform

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