

REFERENCE TITLE: international medical graduates; licensure; accreditation

State of Arizona
Senate
Fifty-fifth Legislature
Second Regular Session
2022

SB 1331

Introduced by
Senator Barto

AN ACT

AMENDING TITLE 32, CHAPTER 13, ARTICLE 2, ARIZONA REVISED STATUTES, BY
ADDING SECTIONS 32-1440 AND 32-1440.01; RELATING TO THE ARIZONA MEDICAL
BOARD.

(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 sections 32-1440 and 32-1440.01, to read:

4 32-1440. International medical graduates; licensure; program
5 accreditation; definitions

6 A. NOTWITHSTANDING ANY OTHER LAW, THE BOARD SHALL GRANT A LICENSE
7 TO PRACTICE MEDICINE IN THIS STATE TO AN INTERNATIONAL MEDICAL GRADUATE
8 WHO MEETS THE REQUIREMENTS OF THIS SECTION AND WHO IS A RESIDENT OF AND
9 LICENSED TO PRACTICE IN ANY OF THE FOLLOWING:

- 10 1. AUSTRALIA.
- 11 2. HONG KONG.
- 12 3. IRELAND.
- 13 4. ISRAEL.
- 14 5. NEW ZEALAND.
- 15 6. SINGAPORE.
- 16 7. SOUTH AFRICA.
- 17 8. SWITZERLAND.
- 18 9. THE UNITED KINGDOM.
- 19 10. CANADA.

20 B. THE BOARD MAY ADD ADDITIONAL COUNTRIES TO THE LIST PRESCRIBED IN
21 SUBSECTION A OF THIS SECTION.

22 C. THE BOARD MAY GRANT A LICENSE UNDER THIS SECTION ONLY TO AN
23 INTERNATIONAL MEDICAL GRADUATE WHO IS AN INTERNATIONAL MEDICAL PROGRAM
24 GRADUATE, WHOSE FEDERAL IMMIGRATION STATUS ALLOWS THE PERSON TO WORK AS A
25 PHYSICIAN IN THE UNITED STATES AND WHO MEETS THE REQUIREMENTS FOR
26 LICENSURE PRESCRIBED IN SECTION 32-1422.

27 D. NOTWITHSTANDING ANY OTHER LAW, AN INTERNATIONAL MEDICAL GRADUATE
28 WITH A DEGREE FROM AN ACCREDITED INTERNATIONAL MEDICAL PROGRAM MAY
29 PRACTICE MEDICINE IN THIS STATE WITHOUT ADDITIONAL TRAINING OR RESIDENCY
30 REQUIREMENTS IF THE PERSON MEETS THE REQUIREMENTS OF THIS SECTION.

31 E. AN INTERNATIONAL MEDICAL PROGRAM MAY APPLY TO THE BOARD FOR
32 ACCREDITATION. THE BOARD SHALL GRANT ACCREDITATION TO AN INTERNATIONAL
33 MEDICAL PROGRAM APPLICANT WITHIN ONE HUNDRED TWENTY DAYS AFTER RECEIVING
34 THE APPLICATION UNLESS THE BOARD CAN PROVIDE CLEAR AND COMPELLING EVIDENCE
35 THAT THE MAJORITY OF THE INTERNATIONAL MEDICAL PROGRAM'S GRADUATES ARE NOT
36 LIKELY TO PROVIDE MEDICAL SERVICES THAT SATISFY THIS STATE'S MEDICAL
37 SAFETY, COMPETENCE OR CONDUCT STANDARDS. AN INTERNATIONAL MEDICAL PROGRAM
38 MAY APPEAL A DENIAL OF ACCREDITATION STATUS TO THE SUPERIOR COURT IN
39 MARICOPA COUNTY PURSUANT TO TITLE 12, CHAPTER 7, ARTICLE 6 WITHIN ONE
40 HUNDRED TWENTY DAYS AFTER THE BOARD'S DECISION DENYING ACCREDITATION
41 STATUS. THE COURT SHALL GRANT THE ACCREDITATION IF THE COURT FINDS THAT
42 THE BOARD FAILED TO MEET THE STANDARDS SPECIFIED IN THIS SECTION.

43 F. THE BOARD SHALL POST A COMPLETE LIST OF ACCREDITED INTERNATIONAL
44 MEDICAL PROGRAMS ON THE BOARD'S PUBLIC WEBSITE AND SHALL PROVIDE THIS LIST
45 ON REQUEST.

1 G. NOTWITHSTANDING SUBSECTION E OF THIS SECTION, THE BOARD SHALL
2 GRANT ACCREDITATION STATUS TO ANY INTERNATIONAL MEDICAL PROGRAM THAT
3 PRODUCES AT LEAST FIVE INTERNATIONAL MEDICAL GRADUATES WHO HAVE BEEN
4 GRANTED A FULL LICENSE TO PRACTICE MEDICINE IN THIS STATE PURSUANT TO
5 SUBSECTION C OF THIS SECTION OR SECTION 32-1440.01.

6 H. FOR THE PURPOSES OF THIS SECTION:

7 1. "INTERNATIONAL MEDICAL GRADUATE" MEANS AN INDIVIDUAL WHO MEETS
8 ALL OF THE FOLLOWING REQUIREMENTS:

9 (a) HAS BEEN GRANTED A MEDICAL DOCTORATE OR A SUBSTANTIALLY SIMILAR
10 DEGREE BY AN INTERNATIONAL MEDICAL PROGRAM OF GOOD STANDING.

11 (b) IS IN GOOD STANDING WITH THE MEDICAL LICENSING OR REGULATORY
12 INSTITUTION OF THE INDIVIDUAL'S RESIDENT COUNTRY.

13 (c) HAS COMPLETED A RESIDENCY OR SUBSTANTIALLY SIMILAR POSTGRADUATE
14 MEDICAL TRAINING IN THE INDIVIDUAL'S RESIDENT COUNTRY OR HAS PRACTICED AS
15 A MEDICAL PROFESSIONAL PERFORMING THE DUTIES OF A PHYSICIAN IN THE
16 INDIVIDUAL'S RESIDENT COUNTRY FOR AT LEAST TWO YEARS.

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

18 2. "INTERNATIONAL MEDICAL PROGRAM" MEANS ANY MEDICAL SCHOOL,
19 RESIDENCY PROGRAM, MEDICAL INTERNSHIP PROGRAM OR ENTITY THAT PROVIDES
20 PHYSICIANS WITH A MEDICAL EDUCATION OR TRAINING OUTSIDE OF THE UNITED
21 STATES AND THAT IS SUBSTANTIALLY SIMILAR TO THAT REQUIRED TO PRACTICE AS A
22 PHYSICIAN IN THIS STATE.

23 3. "PHYSICIAN" MEANS AN INDIVIDUAL WHO HAS OBTAINED A MEDICAL
24 DOCTORATE OR SUBSTANTIALLY SIMILAR DEGREE AND HAS COMPLETED A RESIDENCY
25 PROGRAM OR OTHERWISE PRACTICED AS A MEDICAL PROFESSIONAL PERFORMING THE
26 DUTIES OF A PHYSICIAN FOR AT LEAST TWO YEARS.

27 32-1440.01. International medical graduates: provisional
28 licensure; definition

29 A. NOTWITHSTANDING ANY OTHER LAW, THE BOARD SHALL GRANT A
30 PROVISIONAL LICENSE TO PRACTICE MEDICINE IN THIS STATE TO ANY
31 INTERNATIONAL MEDICAL GRADUATE WHO HAS AN OFFER FOR EMPLOYMENT AS A
32 PHYSICIAN AT ANY HEALTH CARE PROVIDER THAT OPERATES IN THIS STATE, WHOSE
33 FEDERAL IMMIGRATION STATUS ALLOWS THE INTERNATIONAL MEDICAL GRADUATE TO
34 PRACTICE AS A PHYSICIAN IN THE UNITED STATES AND WHO MEETS THE
35 REQUIREMENTS FOR LICENSURE PRESCRIBED IN SECTION 32-1422. THE BOARD MAY
36 DISCIPLINE A LICENSEE OR REVOKE A PROVISIONAL LICENSE GRANTED PURSUANT TO
37 THIS SUBSECTION BASED ON CLEAR AND COMPELLING EVIDENCE AFTER AN
38 INVESTIGATION CONDUCTED PURSUANT TO SECTION 32-1451. A PROVISIONAL
39 LICENSEE MAY APPEAL THE REVOCATION OF THE PROVISIONAL LICENSE TO THE
40 SUPERIOR COURT IN MARICOPA COUNTY PURSUANT TO TITLE 12, CHAPTER 7,
41 ARTICLE 6 WITHIN ONE HUNDRED TWENTY DAYS AFTER THE DECISION OF THE BOARD
42 REVOKING THE PROVISIONAL LICENSE. THE COURT SHALL REINSTATE THE
43 PROVISIONAL LICENSE IF THE COURT FINDS THAT THE BOARD'S ACTIONS DID NOT
44 MEET THE STANDARDS PRESCRIBED IN THIS SUBSECTION. A PROVISIONAL LICENSE
45 SHALL AUTOMATICALLY BE CONVERTED INTO A FULL LICENSE TO PRACTICE MEDICINE

1 IN THIS STATE AFTER ONE YEAR UNLESS THE LICENSEE IS DISCIPLINED IN THAT
2 ONE-YEAR PERIOD OF THE PROVISIONAL LICENSE.

3 B. FOR THE PURPOSES OF THIS SECTION:

4 1. "HEALTH CARE PROVIDER" MEANS AN INDIVIDUAL, ENTITY, CORPORATION,
5 PERSON OR ORGANIZATION, WHETHER FOR-PROFIT OR NONPROFIT, THAT FURNISHES,
6 BILLS OR IS PAID FOR HEALTH CARE PROCEDURES OR SERVICE DELIVERY IN THE
7 NORMAL COURSE OF BUSINESS, INCLUDING HEALTH SYSTEMS, HOSPITALS,
8 HOSPITAL-BASED FACILITIES, FREESTANDING EMERGENCY FACILITIES AND URGENT
9 CARE CLINICS.

10 2. "INTERNATIONAL MEDICAL GRADUATE" HAS THE SAME MEANING PRESCRIBED
11 IN SECTION 32-1440.

12 3. "PHYSICIAN" HAS THE SAME MEANING PRESCRIBED IN SECTION 32-1440.

13 Sec. 2. Effective date

14 This act is effective from and after December 31, 2022.