

REFERENCE TITLE: international medical graduates; licensure.

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

SB 1249

Introduced by
Senator Shope

AN ACT

AMENDING TITLE 32, CHAPTER 13, ARTICLE 2, ARIZONA REVISED STATUTES, BY
ADDING SECTIONS 32-1440 AND 32-1441; 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 32-1441, 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, WHOSE
11 FEDERAL IMMIGRATION STATUS ALLOWS THE INTERNATIONAL MEDICAL GRADUATE TO
12 PRACTICE AS A PHYSICIAN IN THE UNITED STATES AND WHO MEETS THE
13 REQUIREMENTS FOR LICENSURE PRESCRIBED IN SECTION 32-1422 AND SECTION
14 32-1423, PARAGRAPHS 1 AND 2.

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

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

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

30 1. EVIDENCE OF SUBSTANTIALLY SIMILAR MEDICAL TRAINING AS THAT
31 REQUIRED BY THIS STATE.

32 2. EVIDENCE OF SATISFACTORY PASSAGE OF EXAMS.

33 3. DOCUMENTATION OF LEGAL STATUS TO WORK IN THE UNITED STATES.

34 4. A COMPLETE LICENSE APPLICATION.

35 5. PAYMENT OF ALL REQUIRED LICENSING FEES.

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

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

1 G. FOR THE PURPOSES OF THIS SECTION:
2 1. "HEALTH CARE PROVIDER":
3 (a) MEANS AN INDIVIDUAL, ENTITY, CORPORATION, PERSON OR
4 ORGANIZATION, WHETHER FOR-PROFIT OR NONPROFIT, THAT FURNISHES, BILLS FOR
5 OR IS PAID FOR HEALTH CARE PROCEDURES OR SERVICE DELIVERY IN THE NORMAL
6 COURSE OF BUSINESS.
7 (b) INCLUDES HEALTH SYSTEMS, HOSPITALS, HOSPITAL-BASED FACILITIES,
8 FREESTANDING EMERGENCY FACILITIES AND URGENT CARE CLINICS.
9 2. "INTERNATIONAL MEDICAL GRADUATE" MEANS AN INDIVIDUAL WHO MEETS
10 ALL OF THE FOLLOWING REQUIREMENTS:
11 (a) HAS BEEN GRANTED A MEDICAL DOCTORATE OR A SUBSTANTIALLY SIMILAR
12 DEGREE BY AN INTERNATIONAL MEDICAL PROGRAM OF GOOD STANDING.
13 (b) IS IN GOOD STANDING WITH THE MEDICAL LICENSING OR REGULATORY
14 INSTITUTION OF THE INDIVIDUAL'S RESIDENT COUNTRY.
15 (c) HAS COMPLETED A RESIDENCY OR SUBSTANTIALLY SIMILAR POSTGRADUATE
16 MEDICAL TRAINING IN THE INDIVIDUAL'S RESIDENT COUNTRY AND HAS PRACTICED AS
17 A MEDICAL PROFESSIONAL PERFORMING THE DUTIES OF A PHYSICIAN IN THE
18 INDIVIDUAL'S RESIDENT COUNTRY FOR AT LEAST TWO YEARS.
19 (d) POSSESSES BASIC FLUENCY IN THE ENGLISH LANGUAGE.
20 3. "INTERNATIONAL MEDICAL PROGRAM" MEANS ANY MEDICAL SCHOOL,
21 RESIDENCY PROGRAM, MEDICAL INTERNSHIP PROGRAM OR ENTITY THAT PROVIDES
22 PHYSICIANS WITH A MEDICAL EDUCATION OR TRAINING OUTSIDE OF THE UNITED
23 STATES AND THAT IS SUBSTANTIALLY SIMILAR TO THAT REQUIRED TO PRACTICE AS A
24 PHYSICIAN IN THIS STATE.
25 4. "PHYSICIAN" MEANS AN INDIVIDUAL WHO HAS OBTAINED A MEDICAL
26 DOCTORATE OR A SUBSTANTIALLY SIMILAR DEGREE AND WHO HAS COMPLETED A
27 RESIDENCY PROGRAM OR SUBSTANTIALLY SIMILAR POSTGRADUATE MEDICAL TRAINING.
28 32-1441. International medical graduates; licensure;
29 countries; requirements; definitions
30 A. NOTWITHSTANDING ANY OTHER LAW, THE BOARD SHALL GRANT A LICENSE
31 TO ENGAGE IN THE PRACTICE OF MEDICINE IN THIS STATE TO AN INTERNATIONAL
32 MEDICAL GRADUATE WHO MEETS THE REQUIREMENTS OF THIS SECTION AND WHO IS
33 LICENSED TO PRACTICE IN ANY OF THE FOLLOWING:
34 1. AUSTRALIA.
35 2. HONG KONG.
36 3. IRELAND.
37 4. ISRAEL.
38 5. NEW ZEALAND.
39 6. SINGAPORE.
40 7. SOUTH AFRICA.
41 8. SWITZERLAND.
42 9. THE UNITED KINGDOM.
43 10. CANADA.
44 B. THE BOARD MAY ADD ADDITIONAL COUNTRIES TO THE LIST PRESCRIBED IN
45 SUBSECTION A OF THIS SECTION.

1 C. THE BOARD MAY GRANT A LICENSE UNDER THIS SECTION ONLY TO AN
2 INTERNATIONAL MEDICAL GRADUATE WHO IS AN INTERNATIONAL MEDICAL PROGRAM
3 GRADUATE, WHOSE FEDERAL IMMIGRATION STATUS ALLOWS THE PERSON TO WORK AS A
4 PHYSICIAN IN THE UNITED STATES AND WHO MEETS THE REQUIREMENTS FOR
5 LICENSURE PRESCRIBED IN SECTION 32-1422 AND SECTION 32-1423, PARAGRAPHS 1
6 AND 2.

7 D. AN INTERNATIONAL MEDICAL GRADUATE WHO IS LICENSED TO PRACTICE IN
8 A COUNTRY LISTED IN SUBSECTION A OF THIS SECTION OR ADDED PURSUANT TO
9 SUBSECTION B OF THIS SECTION MAY ENGAGE IN THE PRACTICE OF MEDICINE IN
10 THIS STATE WITHOUT ADDITIONAL TRAINING OR RESIDENCY REQUIREMENTS IF THE
11 PERSON MEETS THE REQUIREMENTS OF THIS SECTION.

12 E. AN INTERNATIONAL MEDICAL GRADUATE WHOSE LICENSE IN A COUNTRY
13 LISTED IN SUBSECTION A OF THIS SECTION OR ADDED PURSUANT TO SUBSECTION B
14 OF THIS SECTION HAS EXPIRED OR LAPSED WITHIN THE PREVIOUS FIVE YEARS BUT
15 WHO MEETS ALL OTHER REQUIREMENTS OF THIS SECTION MAY ALSO BE GRANTED A
16 LICENSE UNDER THIS SECTION. SUCH APPLICANTS MUST HAVE BEEN IN GOOD
17 STANDING WITH THE MEDICAL LICENSING OR REGULATORY INSTITUTION OF THE
18 LICENSING COUNTRY AT THE TIME THE LICENSE EXPIRED OR LAPSED.

19 F. FOR THE PURPOSES OF THIS SECTION:

20 1. "INTERNATIONAL MEDICAL GRADUATE" HAS THE SAME MEANING PRESCRIBED
21 IN SECTION 32-1440.

22 2. "INTERNATIONAL MEDICAL PROGRAM" HAS THE SAME MEANING PRESCRIBED
23 IN SECTION 32-1440.

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

25 Sec. 2. Effective date

26 This act is effective from and after December 31, 2023.