

REFERENCE TITLE: transitional training permittees; medical licensure

State of Arizona
Senate
Fifty-sixth Legislature
Second Regular Session
2024

SB 1507

Introduced by
Senators Shamp: Bolick, Gowan, Shope

AN ACT

AMENDING SECTION 32-1432.04, ARIZONA REVISED STATUTES; 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. Section 32-1432.04, Arizona Revised Statutes, is amended
3 to read:

4 32-1432.04. Medical graduate transitional training permits;
5 requirements; licensure; definitions

6 A. The board or, if delegated, the executive director of the board
7 shall grant a one-year transitional training permit to a graduate of an
8 allopathic school of medicine who is not otherwise eligible to apply for a
9 license to practice or a training permit pursuant to section 32-1432.02 or
10 32-1432.03 in this state if the applicant meets both of the following
11 conditions:

12 1. Within a two-year period immediately preceding initial
13 application for a transitional training permit, was either:

14 (a) Qualified to submit, and submitted, a valid application to an
15 accredited internship or residency program but was not selected for a
16 position.

17 (b) Selected for a position described in subdivision (a) of this
18 paragraph but ended participation in the program before completion for a
19 reason that would not be considered grounds for disciplinary action
20 pursuant to section 32-1451.

21 2. Successfully completed steps one and two of the United States
22 medical licensing examination or equivalent exams.

23 B. The transitional training permit may be renewed for two
24 additional one-year periods if the permittee, in the year preceding an
25 application for renewal, submits complete and valid applications to at
26 least three accredited primary care internship or residency programs and
27 is not selected for an internship or residency position. The permittee
28 shall provide the board with written documentation of the internship or
29 residency program applications and the nonselections. A permittee may not
30 hold a permit for an aggregate time period of more than thirty-six months.

31 C. The transitional training permit limits the permittee to
32 function only under the supervision of a qualified physician within the
33 setting of an eligible entity, which includes the following if located in
34 this state:

35 1. A hospital or behavioral health facility that is licensed
36 pursuant to title 36, chapter 4.

37 2. A patient care facility operated by or for any federally
38 recognized American Indian tribe, the Indian health service, the United
39 States veterans HEALTH administration, a prison or a school or university.

40 3. A community health center or a federally qualified health
41 center.

42 4. A private office or clinic where a supervising qualified
43 physician practices and that is not a pain management clinic as defined in
44 section 36-448.01.

1 D. An eligible entity contracting with or employing a permittee
2 shall:

3 1. Provide to the permittee, in collaboration with the supervising
4 qualified physician, ongoing clinical training related to the services
5 that may be delegated to the permittee by the supervising qualified
6 physician.

7 2. Be responsible, along with the supervising qualified physician,
8 for all aspects of the performance of a permittee.

9 3. Ensure that the health care tasks performed by a permittee are
10 within the permittee's scope of medical training, experience and
11 competence and have been properly delegated and supervised by a qualified
12 physician.

13 4. Ensure that during the permittee's first six months of full-time
14 practice, all clinical encounters performed by the permittee are under the
15 direct supervision of the supervising qualified physician. Subsequent
16 encounters performed by the permittee after the initial six-month period
17 may be under indirect supervision with direct supervision immediately
18 available from the supervising qualified physician.

19 5. Ensure that all qualified physician supervision is documented.

20 6. Ensure that in all clinical or other patient encounters the
21 permittee is clearly identified as a medical graduate in training.

22 7. Define the employment or contractual relationship with the
23 permittee, including terms of compensation and benefits, billing and
24 reimbursement and general and professional liability coverage.

25 8. Establish and document a process for evaluating the permittee's
26 performance that includes a review by the supervising qualified physician
27 of all medical records related to the clinical encounters performed by the
28 permittee.

29 E. The supervising qualified physician may delegate to a permittee
30 the performance of health care tasks that are of a nature typically
31 delegated in an accredited internship or residency program, including the
32 ability to provide delegated telehealth services that are of a similar
33 nature, if all other conditions prescribed in this section are met.

34 F. Before employing or contracting with a permittee, an eligible
35 entity shall notify the department of health services on a form prescribed
36 by the department, or on an equivalent form from the entity, of all the
37 following information:

38 1. The types and extent of medical training the entity plans to
39 provide to the permittee.

40 2. The names of the qualified physicians who will supervise the
41 permittee and the types of health care tasks that may be delegated to the
42 permittee by those supervising qualified physicians.

1 G. An eligible entity shall post on its public website and submit
2 to the department an annual report that includes all of the following:

3 1. The number of permittees and supervising qualified physicians
4 employed by or contracted with the entity.

5 2. The length of time each permittee and supervising qualified
6 physician has been employed by or contracted with the entity.

7 3. The total number of hours of medical education provided to each
8 permittee.

9 4. The total number of hours of clinical care provided by each
10 permittee.

11 5. The number of permittees who obtained a match with an accredited
12 internship or residency program.

13 H. Before supervising a permittee, a qualified physician shall
14 notify the board in writing of the qualified physician's agreement to
15 serve as a supervising qualified physician. The notification shall
16 include the name of the permittee and the name and location of the
17 eligible entity at which the supervision will occur.

18 I. Before the board issues or renews a training permit under this
19 section, the applicant or renewing permittee shall comply with the
20 applicable registration requirements of this article and pay the fee,
21 which shall be the same as the fee prescribed for an approved internship
22 pursuant to section 32-1436.

23 J. This section does not require any eligible entity or qualified
24 physician to establish a program to employ or contract with permittees as
25 described in this section or require any qualified physician to assume
26 supervision responsibilities for a permittee.

27 K. A permittee under this section:

28 1. Is subject to the disciplinary regulation of article 3 of this
29 chapter.

30 2. Per one-year period, shall participate in at least sixty hours
31 of continuing medical education programs approved by the board.

32 3. Shall notify the board on the permittee's acceptance to an
33 accredited internship or residency program.

34 L. A supervising qualified physician under this section:

35 1. Is responsible for all aspects of a permittee's performance
36 whether or not the supervising qualified physician employs the permittee.

37 2. Is responsible for supervising the permittee and ensuring that
38 the health care tasks performed by the permittee are within the
39 permittee's scope of medical training and experience, are appropriate to
40 the permittee's level of competence and are properly delegated by the
41 supervising qualified physician.

42 3. May allow a permittee to administer or dispense drugs under the
43 conditions of section 32-1491 if the controlled substance permit under
44 which the drugs are dispensed is either the supervising qualified
45 physician's or the eligible entity's permit.

1 4. May serve as a supervising qualified physician for only one
2 permittee at any one time.

3 5. Shall notify the board, the eligible entity and the permittee in
4 writing if the permittee exceeds the scope of the delegated health care
5 tasks to allow the board to investigate.

6 M. IF A PERMITTEE HAS HELD A TRANSITIONAL TRAINING PERMIT FOR A
7 PERIOD OF THIRTY-SIX MONTHS AND PROVIDES TO THE BOARD A LETTER OF
8 RECOMMENDATION FROM EACH OF THE PERMITTEE'S SUPERVISING QUALIFIED
9 PHYSICIANS, THE PERMITTEE, NOTWITHSTANDING SECTION 32-1422, SUBSECTION A,
10 PARAGRAPH 2 AND SECTION 32-1424, IS ELIGIBLE FOR LICENSURE AS A DOCTOR OF
11 MEDICINE ON SUCCESSFUL PASSAGE OF STEP THREE OF THE UNITED STATES MEDICAL
12 LICENSING EXAMINATION WITH A SCALED SCORE OF AT LEAST SEVENTY-FIVE.

13 ~~M.~~ N. For the purposes of this section:

14 1. "Direct supervision" means the supervising qualified physician
15 is physically present with the permittee and patient.

16 2. "Indirect supervision with direct supervision immediately
17 available" means the supervising qualified physician is physically present
18 within the hospital or other eligible entity site of patient care and is
19 immediately available to provide direct supervision of the permittee.

20 3. "Permittee" means a person who holds a transitional training
21 permit issued pursuant to this section.

22 4. "Qualified physician" means a physician who possesses a full and
23 unrestricted license issued pursuant to this chapter to engage in the
24 practice of medicine in this state and who is not currently under board
25 discipline.