S-5495.1

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**SENATE BILL 6551**

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**State of Washington 66th Legislature 2020 Regular Session**

**By** Senators Stanford, Saldaña, Darneille, Dhingra, Frockt, Hasegawa, and Wilson, C.

AN ACT Relating to integrating international medical graduates into Washington's health care delivery system; amending RCW 18.71.051 and 18.71.095; adding new sections to chapter 18.71 RCW; and providing an expiration date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  A new section is added to chapter 18.71 RCW to read as follows:

(1) The international medical graduate implementation work group is established. The work group membership must consist of the following members appointed by the governor:

(a) A representative from the commission;

(b) A representative from the department of health, health systems quality assurance division;

(c) A representative from the University of Washington school of medicine graduate medical education program;

(d) A representative from the Washington State University Elson S. Floyd college of medicine graduate medical education program;

(e) A representative from the Pacific Northwest University of Health Sciences college of osteopathic medicine graduate medical education program;

(f) A representative from a statewide association representing physicians;

(g) A representative from the Washington state family medicine residency network;

(h) A representative from a primary care health care employer in a rural or underserved area of Washington;

(i) A representative from a health carrier offering coverage in a rural or underserved area of Washington;

(j) A licensed physician with experience working with international medical graduates;

(k) A representative from an organization specializing in refugee advocacy in Washington;

(l) A representative from an organization serving refugee physicians and international medical graduates;

(m) A representative from an organization offering counseling and educational programs to internationally trained health professionals;

(n) A representative from an organization representing community and migrant health centers; and

(o) At least two international medical graduates.

(2) Staff support for the work group must be provided by the department of health.

(3) The work group shall:

(a) Propose clinical readiness criteria for international medical graduates using published benchmarks for medical school graduation or residency admission;

(b) Propose a grant award process for distributing funds for approved entities to provide career guidance and clinical training to international medical graduates;

(c) Propose an evaluation process to grant a hardship waiver to international medical graduates who cannot provide all necessary documentation for licensure due to circumstances outside their control; and

(d) Provide policy recommendations to the legislature.

(4) The work group must submit an annual report to the legislature by June 30, 2021, and yearly thereafter.

(5) This section expires July 1, 2025.

NEW SECTION. **Sec.**  A new section is added to chapter 18.71 RCW to read as follows:

Based on recommendations from the international medical graduate implementation work group, the commission shall adopt a clinical assessment to determine the readiness of international medical graduates to apply and serve in residency programs and adopt a grant award process for distributing funds pursuant to section 3 of this act.

NEW SECTION. **Sec.**  A new section is added to chapter 18.71 RCW to read as follows:

Subject to appropriation by the legislature and donations received from public and private entities, the department of health shall award grant funding to:

(1) Approved entities for career guidance and support services to international medical graduates including, but not limited to, assistance with educational commission for foreign medical graduates certification application and United States medical licensing examination preparation; and

(2) Health care facilities or clinical programs to provide supervised clinical training to international medical graduates.

**Sec.**  RCW 18.71.051 and 2011 c 138 s 1 are each amended to read as follows:

(1) Applicants for licensure to practice medicine who have graduated from a school of medicine located outside of the states, territories, and possessions of the United States, the District of Columbia, or the Dominion of Canada, shall file an application for licensure with the commission on a form prepared by the secretary with the approval of the commission. Each applicant shall furnish proof satisfactory to the commission of the following:

((~~(1)~~)) (a) That he or she has completed in a school of medicine a resident course of professional instruction equivalent to that required in this chapter for applicants generally;

((~~(2)(a)~~)) (b)(i) Except as provided in (b)(ii) of this subsection, that he or she meets all the requirements which must be met by graduates of the United States and Canadian school of medicine except that he or she need not have graduated from a school of medicine approved by the commission;

((~~(b)~~)) (ii) An applicant for licensure under this section is not required to meet the requirements of RCW 18.71.050(1)(b) if he or she furnishes proof satisfactory to the commission that he or she has:

((~~(i)(A)~~)) (A)(I) Been admitted as a permanent immigrant to the United States as a person of exceptional ability in sciences pursuant to the rules of the United States department of labor; or

((~~(B)~~)) (II) Been issued a permanent immigration visa; and

((~~(ii)~~)) (B) Received multiple sclerosis certified specialist status from the consortium of multiple sclerosis centers; and

((~~(iii)~~)) (C) Successfully completed at least twenty-four months of training in multiple sclerosis at an educational institution in the United States with an accredited residency program in neurology or rehabilitation;

((~~(3)~~)) (c) That he or she has satisfactorily passed the examination given by the educational council for foreign medical graduates or has met the requirements in lieu thereof as set forth in rules adopted by the commission;

((~~(4)~~)) (d) That he or she has the ability to read, write, speak, understand, and be understood in the English language.

(2) An applicant may obtain an exceptional qualification waiver, waiving requirements determined by the commission in rule, if they possess an acceptable body of work related to research, medical excellence, or employment, and have the recommendation of other national or international experts in the same specialty or field.

**Sec.**  RCW 18.71.095 and 2017 c 45 s 1 are each amended to read as follows:

The commission may, without examination, issue a limited license to persons who possess the qualifications set forth herein:

(1) The commission may, upon the written request of the secretary of the department of social and health services or the secretary of corrections, issue a limited license to practice medicine in this state to persons who have been accepted for employment by the department of social and health services or the department of corrections as physicians; who are licensed to practice medicine in another state of the United States or in the country of Canada or any province or territory thereof; and who meet all of the qualifications for licensure set forth in RCW 18.71.050.

Such license shall permit the holder thereof to practice medicine only in connection with patients, residents, or inmates of the state institutions under the control and supervision of the secretary of the department of social and health services or the department of corrections.

(2) The commission may issue a limited license to practice medicine in this state to persons who have been accepted for employment by a county or city health department as physicians; who are licensed to practice medicine in another state of the United States or in the country of Canada or any province or territory thereof; and who meet all of the qualifications for licensure set forth in RCW 18.71.050.

Such license shall permit the holder thereof to practice medicine only in connection with his or her duties in employment with the city or county health department.

(3) Upon receipt of a completed application showing that the applicant meets all of the requirements for licensure set forth in RCW 18.71.050 except for completion of two years of postgraduate medical training, and that the applicant has been appointed as a resident physician in a program of postgraduate clinical training in this state approved by the commission, the commission may issue a limited license to a resident physician. Such license shall permit the resident physician to practice medicine only in connection with his or her duties as a resident physician and shall not authorize the physician to engage in any other form of practice. Each resident physician shall practice medicine only under the supervision and control of a physician licensed in this state, but such supervision and control shall not be construed to necessarily require the personal presence of the supervising physician at the place where services are rendered.

(4)(a) Upon nomination by the dean of an accredited school of medicine in the state of Washington or the chief executive officer of a hospital or other appropriate health care facility licensed in the state of Washington, the commission may issue a limited license to a physician applicant invited to serve as a teaching-research member of the institution's instructional staff if the sponsoring institution and the applicant give evidence that he or she has graduated from a recognized medical school and has been licensed or otherwise privileged to practice medicine at his or her location of origin. Such license shall permit the recipient to practice medicine only within the confines of the instructional program specified in the application and shall terminate whenever the holder ceases to be involved in that program, or at the end of one year, whichever is earlier. Upon request of the applicant and the institutional authority, the license may be renewed. The holder of a teaching research license under this subsection (4)(a) is eligible for full licensure if the following conditions are met:

(i) If the applicant has not graduated from a school of medicine located in any state, territory, or possession of the United States, the District of Columbia, or the Dominion of Canada, the applicant must satisfactorily pass the certification process by the educational commission for foreign medical graduates;

(ii) The applicant has successfully completed the exam requirements set forth by the commission by rule;

(iii) The applicant has the ability to read, write, speak, understand, and be understood in the English language at a level acceptable for performing competent medical care in all practice settings;

(iv) The applicant has continuously held a position of associate professor or higher at an accredited Washington state medical school for no less than three years; and

(v) The applicant has had no disciplinary action taken in the previous five years.

(b) Upon nomination by the dean of an accredited school of medicine in the state of Washington or the chief executive officer of any hospital or appropriate health care facility licensed in the state of Washington, the commission may issue a limited license to an applicant selected by the sponsoring institution to be enrolled in one of its designated departmental or divisional fellowship programs provided that the applicant shall have graduated from a recognized medical school and has been granted a license or other appropriate certificate to practice medicine in the location of the applicant's origin. Such license shall permit the holder only to practice medicine within the confines of the fellowship program to which he or she has been appointed and, upon the request of the applicant and the sponsoring institution, the license may be renewed by the commission.

All persons licensed under this section shall be subject to the jurisdiction of the commission to the same extent as other members of the medical profession, in accordance with this chapter and chapter 18.130 RCW.

Persons applying for licensure and renewing licenses pursuant to this section shall comply with administrative procedures, administrative requirements, and fees determined as provided in RCW 43.70.250 and 43.70.280. Any person who obtains a limited license pursuant to this section may apply for licensure under this chapter, but shall submit a new application form and comply with all other licensing requirements of this chapter.

(5) The commission may issue a time-limited clinical experience license to an applicant who does not qualify for licensure under RCW 18.71.050 or chapter 18.71B RCW and who meets the requirements established by the commission in rule for the purpose of gaining clinical experience at an approved facility or program.

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