

2017 -- H 5672

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

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A N A C T

RELATING TO BUSINESSES AND PROFESSIONS - BOARD OF MEDICAL LICENSURE
AND DISCIPLINE

Introduced By: Representatives Morgan, Chippendale, Giarrusso, Price, and Nardolillo

Date Introduced: March 01, 2017

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 5-37 of the General Laws entitled "Board of Medical Licensure and
2 Discipline" is hereby amended by adding thereto the following section:

3 **5-37-2.2. Reciprocity.**

4 (a) When a person licensed to practice medicine and surgery or osteopathic medicine and
5 surgery by the licensing department of another state, a diplomate of the National Board of
6 Medical Examiners or the National Board of Examiners for Osteopathic Physicians and Surgeons,
7 or a licentiate of the Medical Council of Canada wishes to move to this state to practice, the
8 person shall file an application with the state medical licensure board. The board may, in its
9 discretion, by an affirmative vote of not less than seven (7) of its members, issue its certificate to
10 practice medicine and surgery or osteopathic medicine and surgery without requiring the
11 applicant to submit to examination, provided the applicant submits evidence satisfactory to the
12 board of meeting the same age, moral character, and educational requirements individuals must
13 meet under §5-37-2 and, if applicable, demonstrates proficiency in spoken English in accordance
14 with subsection (e) of this section.

15 (b) The board shall issue or deny its certificate to practice within sixty (60) days after the
16 receipt of a complete application under subsection (a) of this section. Within thirty (30) days after
17 receipt of an application, the board shall provide the applicant with written notice of any
18 information required before an application can be considered complete for purposes of this

1 section.

2 (c) If an applicant is under investigation pursuant to §5-37-4, the board shall conclude the
3 investigation within ninety (90) days of receipt of a complete application unless extended by
4 written consent of the applicant or unless the board determines that a substantial question of a
5 violation of this chapter or the rules adopted under it exists and the board has notified the
6 applicant in writing of the reasons for the continuation of the investigation. If the board
7 determines that the applicant is not in violation, it shall issue a certificate within forty-five (45)
8 days of that determination.

9 (d) A fee of three hundred dollars (\$300) shall be submitted with each application for
10 certification under this section.

11 (e)(1) Except as provided in subsection (e)(2) of this section, an applicant licensed to
12 practice medicine and surgery or osteopathic medicine and surgery by the licensing department of
13 another state who received that license based in part on certification from the educational
14 commission for foreign medical graduates shall demonstrate proficiency in spoken English if the
15 applicant fulfilled the undergraduate requirements for a certificate issued under this section at an
16 institution outside the United States.

17 (2) An applicant described in subsection (a)(1) of this section is not required to
18 demonstrate proficiency in spoken English if either of the following apply:

19 (i) During the five (5) years immediately preceding the date of application, the applicant's
20 license has been unrestricted and the applicant has been actively practicing medicine and surgery
21 or osteopathic medicine and surgery in the United States.

22 (ii) At the beginning of the five (5) year period preceding the date of application under
23 this section, the applicant was participating in graduate medical education, and since completing
24 that education has held an unrestricted license and has been actively practicing medicine and
25 surgery or osteopathic medicine and surgery in the United States.

26 (iii) The applicant was required to demonstrate such proficiency as a condition of
27 receiving certification from the educational commission for foreign medical graduates.

28 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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1 This act would grant reciprocity to physicians licensed to practice medicine in other
2 states and foreign jurisdictions, upon the submission of an application to the board of medical
3 licensure and discipline, and the presentation of evidence that the physician seeking reciprocity
4 meets all of the requirements applicable to resident physicians.

5 This act would take effect upon passage.

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