

**SUBSTITUTE FOR
HOUSE BILL NO. 4925**

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending sections 17012 and 17031 (MCL 333.17012 and 333.17031),
section 17031 as amended by 2018 PA 463, and by adding sections
17012a and 17012b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 17012. (1) An individual shall not engage in postgraduate
2 medical study which requires the practice of medicine by that
3 individual without a full, ~~or~~-limited, **or temporary** license to
4 practice under this part.

5 (2) ~~A~~**An individual who is granted a** limited license ~~for a~~
6 ~~postgraduate shall require that the individual confine his or her~~
7 **for a postgraduate education residency program approved by the**



1 **board shall confine the individual's** practice and training to a
2 hospital or institution approved by the board for the training. The
3 hospital or institution is responsible for the training. A limited
4 license for a postgraduate **education residency program that is**
5 **granted under this subsection** is renewable for not more than 5
6 years.

7 **Sec. 17012a. (1) The board may grant a temporary license to**
8 **engage in the practice of medicine to an applicant if the applicant**
9 **demonstrates all of the following to the board:**

10 (a) The applicant has completed the requirements for a degree
11 in medicine at a medical school that is located outside the United
12 States or Canada and that is listed in the World Directory of
13 Medical Schools, a directory maintained by the World Federation for
14 Medical Education and the Foundation for Advancement of
15 International Medical Education and Research, and that meets or
16 exceeds the standards of medical schools located in the United
17 States or Canada, as determined by the board.

18 (b) The applicant was authorized to practice medicine in a
19 country other than the United States or Canada and practiced
20 medicine in that country for not less than 3 years within the 8
21 years immediately preceding the date of the application for
22 temporary licensure under this section.

23 (c) The applicant has a certification issued by the
24 Educational Commission for Foreign Medical Graduates or an
25 equivalent certification as determined by the board. The board may
26 waive the certification requirement described in this subdivision
27 if the applicant demonstrates to the satisfaction of the board that
28 the applicant is unable to obtain the required documentation from a
29 noncooperating country.



1 (d) The applicant has successfully completed step 1 and step 2
2 of the United States Medical Licensing Examination or an equivalent
3 medical licensure examination as determined by the board.

4 (e) Subject to subsection (2), the applicant has entered into
5 an agreement with a participating facility or practice for full-
6 time employment under the supervision of a physician who is fully
7 licensed under this part.

8 (f) The applicant meets any other requirement established by
9 the board.

10 (2) The agreement required under subsection (1) must require
11 the participating facility or practice to assess and evaluate the
12 applicant's nonclinical skills and other skills that the board
13 considers appropriate to the practice of medicine in this state,
14 according to evaluation criteria developed or approved by the
15 board, and to provide the department, on request, with a letter
16 from the physician described in subsection (1)(e) attesting to the
17 applicant's competence to engage in the practice of medicine in
18 this state. An applicant seeking a temporary license under this
19 section shall obtain a temporary license before beginning the
20 supervised employment experience. A temporary license granted under
21 this section is valid for 2 years and is renewable only once.

22 (3) The board may grant a limited license to engage in the
23 practice of medicine to an applicant who holds a temporary license
24 under subsection (1) if the applicant demonstrates all of the
25 following to the board:

26 (a) The applicant has held the temporary license for not less
27 than 2 years.

28 (b) The applicant has successfully completed step 3 of the
29 United States Medical Licensing Examination or an equivalent



1 medical licensure examination as determined by the board.

2 (c) The applicant has the nonclinical and other skills that
3 the board considers appropriate to the practice of medicine in this
4 state, based on an assessment and evaluation of the applicant under
5 subsection (2) by a participating facility or practice, and a
6 letter of recommendation from the physician described in subsection
7 (1)(e) .

8 (d) The applicant is not subject to any disciplinary action or
9 pending investigations.

10 (4) An individual who is granted a limited license under
11 subsection (3) may engage in the practice of medicine without the
12 supervision of a physician who is fully licensed under this part,
13 but the individual shall confine the individual's practice to a
14 medically underserved area of this state. A limited license that is
15 granted under this section is valid for 2 years and is renewable
16 only once.

17 (5) This section does not require new or additional third-
18 party reimbursement or mandated worker's compensation benefits for
19 services rendered by an individual who is licensed under this
20 section.

21 (6) As used in this section:

22 (a) "Medically underserved area of this state" means an area
23 of this state that is a primary care health professional shortage
24 area, as determined by the Health Resources and Services
25 Administration of the United States Department of Health and Human
26 Services.

27 (b) "Participating facility or practice" means a federally
28 qualified health center, a hospital licensed under article 17, or
29 another facility that is approved by the board, or a group practice



1 of 4 or more physicians.

2 Sec. 17012b. (1) The department shall collect and maintain all
3 of the following information for purposes of section 17012a:

4 (a) The number of applicants for a temporary license and a
5 limited license.

6 (b) The number of applicants who are denied a temporary
7 license or a limited license.

8 (c) The number of individuals who are granted a temporary
9 license or limited license.

10 (d) The number of individuals who are granted a license under
11 section 17031(2)(b).

12 (e) The percentage of individuals who are granted a license
13 under section 17031(2)(b) and who continue to practice in a
14 medically underserved area of this state.

15 (f) If an individual who is granted a license under section
16 17031(2)(b) does not continue to practice in a medically
17 underserved area of this state, the practice setting and specialty
18 that the individual practices.

19 (2) The department shall submit an annual report containing
20 the information required under subsection (1) to the senate and
21 house of representatives standing committees on health policy. The
22 report required under this subsection may also include specific
23 recommendations for any changes to section 17012a that the
24 department considers necessary or appropriate.

25 (3) As used in this section, "medically underserved area"
26 means that term as defined in section 17012a.

27 Sec. 17031. (1) Except as provided in subsection (2), an
28 applicant, in addition to completing the requirements for the
29 degree in medicine, shall complete a period of postgraduate



1 education to attain proficiency in the practice of the profession,
 2 as prescribed by the board in rules, as a condition for more than
 3 limited **or temporary** licensure.

4 (2) The board may grant a full license to practice medicine to
 5 an applicant who has completed the requirements for a degree in
 6 medicine at a medical school located outside the United States or
 7 Canada if, except as provided in subsection (4), the applicant
 8 demonstrates to the board ~~all~~**1** of the following:

9 (a) That the applicant has **met all of the following**:

10 **(i) The applicant has** engaged in the practice of medicine for
 11 not less than 10 years after completing the requirements for a
 12 degree in medicine.

13 **(ii)** ~~(b) That the~~**The** applicant has completed not less than 3
 14 years of postgraduate clinical training in an institution that has
 15 an affiliation with a medical school that is listed in ~~a directory~~
 16 ~~of medical schools published by the World Health Organization~~**the**
 17 **World Directory of Medical Schools, a directory maintained by the**
 18 **World Federation for Medical Education and the Foundation for**
 19 **Advancement of International Medical Education and Research, as**
 20 approved by the board.

21 **(iii)** ~~(c) That the~~**The** applicant has achieved a score determined
 22 by the board to be a passing score on an initial medical licensure
 23 examination approved by the board.

24 **(iv)** ~~(d) That the~~**The** applicant has safely and competently
 25 practiced medicine under a clinical academic limited license
 26 granted by the board under this article for 1 or more academic
 27 institutions located in this state for not less than the 2 years
 28 immediately preceding the date of application for a license under
 29 this ~~subsection,~~**subdivision**, during which time the applicant



1 functioned not less than 800 hours per year in the observation and
2 treatment of patients.

3 **(b) That the applicant has safely and competently practiced**
4 **medicine under a limited license granted under section 17012a for**
5 **not less than 2 years immediately preceding the date of the**
6 **application for a license under this subdivision.**

7 (3) An applicant who is required to meet the requirements of
8 subsection ~~(2) (d)~~ **(2) (a) (iv)** shall file with the board a written
9 statement from each academic institution upon which the applicant
10 relies to satisfy that subsection. The statement ~~shall~~ **must**
11 indicate, at a minimum, that the applicant functioned for the
12 academic institution in the observation and treatment of patients
13 not less than 800 hours per year and that in so doing the applicant
14 practiced medicine safely and competently. A person who in good
15 faith makes a written statement that is filed under this subsection
16 is not civilly or criminally liable for that statement. There is a
17 rebuttable presumption that a person who makes a written statement
18 that is filed under this subsection has done so in good faith.

19 (4) Subsection ~~(2) (c) and (d)~~ **(2) (a) (iii) and (iv)** does not
20 apply to an applicant who was granted a clinical academic limited
21 license after January 1, 2011 but before January 1, 2017 and who
22 has continuously held a license to practice medicine from ~~the~~
23 ~~effective date of the amendatory act that added this subsection~~
24 **March 27, 2019** through the date of application for a full license
25 under subsection ~~(2)~~ **(2) (a)** .

26 Enacting section 1. This amendatory act does not take effect
27 unless House Bill No. 4896 of the 103rd Legislature is enacted into
28 law.

