

FIRST REGULAR SESSION

# SENATE BILL NO. 411

98TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR BROWN.

Read 1st time February 5, 2015, and ordered printed.

ADRIANE D. CROUSE, Secretary.

1629S.02I

## AN ACT

To repeal section 334.040, RSMo, and to enact in lieu thereof one new section relating to the licensure examination requirements for physicians and surgeons.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 334.040, RSMo, is repealed and one new section  
2 enacted in lieu thereof, to be known as section 334.040, to read as follows:

334.040. 1. Except as provided in section 334.260, all persons desiring to  
2 practice as physicians and surgeons in this state shall be examined as to their  
3 fitness to engage in such practice by the board. All persons applying for  
4 examination shall file a completed application with the board upon forms  
5 furnished by the board.

6 2. The examination shall be sufficient to test the applicant's fitness to  
7 practice as a physician and surgeon. The examination shall be conducted in such  
8 a manner as to conceal the identity of the applicant until all examinations have  
9 been scored. In all such examinations an average score of not less than  
10 seventy-five percent is required to pass; provided, however, that the board may  
11 require applicants to take the Federation Licensing Examination, also known as  
12 FLEX, or the United States Medical Licensing Examination (USMLE). If the  
13 FLEX examination is required, a weighted average score of no less than  
14 seventy-five is required to pass. Scores from one test administration of the FLEX  
15 shall not be combined or averaged with scores from other test administrations to  
16 achieve a passing score. The passing score of the United States Medical  
17 Licensing Examination shall be determined by the board through rule and  
18 regulation. Applicants graduating from a medical or osteopathic college, as  
19 [defined] **described** in section 334.031 prior to January 1, 1994, shall provide

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

20 proof of successful completion of the FLEX, USMLE, an exam administered by the  
21 National Board of Osteopathic Medical Examiners (NBOME), a state board  
22 examination approved by the board, compliance with subsection 2 of section  
23 334.031, or compliance with 20 CSR 2150-2.005. Applicants graduating from a  
24 medical or osteopathic college, as [defined] **described** in section 334.031 on or  
25 after January 1, 1994, must provide proof of completion of the USMLE or an  
26 exam administered by NBOME or provide proof of compliance with subsection 2  
27 of section 334.031. [The board shall not issue a permanent license as a physician  
28 and surgeon or allow the Missouri state board examination to be administered to  
29 any applicant who has failed to achieve a passing score within three attempts on  
30 licensing examinations administered in one or more states or territories of the  
31 United States, the District of Columbia or Canada. The steps one, two and three  
32 of the United States Medical Licensing Examination shall be taken within a  
33 seven-year period with no more than three attempts on any step of the  
34 examination; however, the board may grant an extension of the seven-year period  
35 if the applicant has obtained a MD/PhD degree in a program accredited by the  
36 Liaison Committee on Medical Education (LCME) and a regional university  
37 accrediting body or a DO/PhD degree accredited by the American Osteopathic  
38 Association and a regional university accrediting body.] The board may waive the  
39 provisions of this section if the applicant is licensed to practice as a physician and  
40 surgeon in another state of the United States, the District of Columbia or Canada  
41 and the applicant has achieved a passing score on a licensing examination  
42 administered in a state or territory of the United States or the District of  
43 Columbia and no license issued to the applicant has been disciplined in any state  
44 or territory of the United States or the District of Columbia and the applicant is  
45 certified in the applicant's area of specialty by the American Board of Medical  
46 Specialties, the American Osteopathic Association, or other certifying agency  
47 approved by the board by rule.

48         3. If the board waives the provisions of this section, then the license  
49 issued to the applicant may be limited or restricted to the applicant's board  
50 specialty. The board shall not be permitted to favor any particular school or  
51 system of healing.

52         4. If an applicant has not actively engaged in the practice of clinical  
53 medicine or held a teaching or faculty position in a medical or osteopathic school  
54 approved by the American Medical Association, the Liaison Committee on Medical  
55 Education, or the American Osteopathic Association for any two years in the

56 three-year period immediately preceding the filing of his or her application for  
57 licensure, the board may require successful completion of another examination,  
58 continuing medical education, or further training before issuing a permanent  
59 license. The board shall adopt rules to prescribe the form and manner of such  
60 reexamination, continuing medical education, and training.

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Unofficial

Bill

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