

SENATE BILL NO. 1030

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR ESLINGER.

4380S.01I

KRISTINA MARTIN, Secretary

AN ACT

To repeal sections 334.031 and 334.035, RSMo, and to enact in lieu thereof two new sections relating to licensure of physicians.

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

Section A. Sections 334.031 and 334.035, RSMo, are
2 repealed and two new sections enacted in lieu thereof, to be
3 known as sections 334.031 and 334.035, to read as follows:

334.031. 1. Candidates for licenses as physicians and
2 surgeons shall furnish [satisfactory evidence of their good
3 moral character, and their preliminary qualifications, to
4 wit: a certificate of graduation from an accredited high
5 school or its equivalent, and satisfactory evidence of
6 completion of preprofessional education consisting of a
7 minimum of sixty semester hours of college credits in
8 acceptable subjects leading towards the degree of bachelor
9 of arts or bachelor of science from an accredited college or
10 university. They shall also furnish satisfactory evidence
11 of having attended throughout at least four terms of thirty-
12 two weeks of actual instructions in each term and of having
13 received a diploma from some reputable medical college or
14 osteopathic college that enforces requirements of four terms
15 of thirty-two weeks for actual instruction in each term,
16 including, in addition to class work, such experience in
17 operative and hospital work during the last two years of
18 instruction as is required by the American Medical

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

19 Association and the American Osteopathic Association before
20 the college is approved and accredited as reputable. Any
21 medical college approved and accredited as reputable by the
22 American Medical Association or the Liaison Committee on
23 Medical Education and any osteopathic college approved and
24 accredited as reputable by the American Osteopathic
25 Association is deemed to have complied with the requirements
26 of this subsection]:

27 (1) Evidence of good moral character by submitting to
28 a criminal background check as provided in section 43.540;

29 (2) A diploma and academic transcripts from a school
30 accredited by the Liaison Committee on Medical Education,
31 the Commission on Osteopathic College Accreditation, the
32 Educational Commission for Foreign Medical Graduates
33 (ECFMG), or a similar accrediting agency; and

34 (3) A certificate demonstrating that the applicant has
35 successfully completed a postgraduate internship or resident
36 training in a hospital approved for such training by the
37 board. An applicant who holds a valid certificate issued by
38 the ECFMG shall submit satisfactory evidence of successful
39 completion of two years of such training.

40 Except as provided in subsection 3 of this section, the
41 board shall not require applicants to provide information in
42 addition to what the applicant is required to furnish by
43 this subsection.

44 2. In determining the qualifications necessary for
45 licensure as a qualified physician and surgeon, the board,
46 by rule and regulation, may accept the certificate of the
47 National Board of Medical Examiners of the United States,
48 chartered pursuant to the laws of the District of Columbia,
49 of the National Board of Examiners for Osteopathic

50 Physicians and Surgeons chartered pursuant to the laws of
51 the state of Indiana, or of the Licentiate of the Medical
52 Counsel of Canada (LMCC) in lieu of and as equivalent to its
53 own professional examination. Every applicant for a license
54 on the basis of such certificate, upon making application
55 showing necessary qualifications as provided in subsection 1
56 of this section, shall be required to pay the same fee
57 required of applicants to take the examination before the
58 board.

59 **3. The board may require applicants to list all**
60 **licenses to practice as a physician currently or previously**
61 **held in any other state, territory, or country and to**
62 **disclose any past or pending investigations, discipline, or**
63 **sanctions against each such license. Applicants shall not**
64 **be required to submit verification of such licensure or any**
65 **investigations, discipline, or sanctions, except the board**
66 **may require applicants to provide any authorization**
67 **necessary for the board to independently verify the**
68 **existence or status of an applicant's licensure to practice**
69 **as a physician in any other state, territory, or country.**

70 **4. In addition to the criminal background screening**
71 **required by this section, the board may obtain a report on**
72 **the applicant from the National Practitioner Data Bank.**

73 **5. Notwithstanding any other provision of law to the**
74 **contrary, if the board does not approve or deny an**
75 **application submitted by a candidate for licensure as a**
76 **physician and surgeon within forty-five days from the date**
77 **the board receives the application, the application shall be**
78 **deemed approved, and the candidate shall be considered**
79 **licensed as a physician and surgeon in good standing with**
80 **the board as of the date of the deemed approval.**

334.035. 1. For purposes of this section, the following terms mean:

(1) "ACGME", the Accreditation Council for Graduate Medical Education;

(2) "Applicant", an applicant for a permanent license as a physician and surgeon;

(3) "Hospital", the same meaning given to the term in section 197.020.

2. Except as otherwise provided in section 334.036, every applicant [for a permanent license as a physician and surgeon] shall provide the board with satisfactory evidence of having successfully completed such postgraduate training in hospitals or medical or osteopathic colleges as the board may prescribe by rule.

3. Any applicant who has completed unaccredited postgraduate training in a medical subspecialty for which no program accredited by ACGME exists shall be deemed to have satisfactorily completed the training requirements of 20 CSR 2150-2.004(2) or any successor regulation if such unaccredited postgraduate training occurred in a teaching hospital accredited by ACGME.

4. The board shall waive the training requirements of 20 CSR 2150-2.004(2) or any successor regulation for any applicant who is licensed as a physician in good standing in another state and has been in good standing more than three years.

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