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Senate Bill 1029 as amended by the House on 9-19-90
First Analysis (9-25-90)

Sponsor: Sen. Vernon J. Ehlers
Senate Committee: Health Policy
House Committee: Public Health

THE APPARENT PROBLEM:

Under the Public Health Code, foreign-trained medical doctors have to complete the same licensing procedures as new graduates of foreign medical schools in order to practice medicine in Michigan. Therefore, an internationally acclaimed physician with years of experience who is recruited for a position at a health care facility has to undergo the same examinations and residency programs required of a new graduate of a foreign medical school. In addition, the code provides for the issuance of temporary limited licenses for health professionals. Each health profession licensing board has the authority to issue limited licenses. However, the statute regarding the issuance of clinical academic licenses is vague and ambiguous regarding the location at which a licensee must practice and how an individual should "function" in the capacity of a clinical academic. In addition, "limited" licenses can be renewed for an unlimited number of times. Legislation has been introduced to address these issues.

THE CONTENT OF THE BILL:

The bill would amend the Public Health Code to allow the Michigan Board of Medicine to grant a full medical license to an applicant who had completed the requirements for a degree in medicine at a foreign medical school (excluding Canada) if the applicant had been engaged in the practice of medicine for at least ten years after completing the degree requirements. An applicant would have to demonstrate that he or she completed at least three years of postgraduate clinical training in an institution affiliated with a medical school that was listed in the directory of medical schools published by the World Health Organization and approved by the Department of Licensing and Regulation. In addition, the applicant would be required to achieve a passing score on the special purpose examination (SPEX) or a substitute examination, or on an initial medical licensure examination approved by the board. Further, the applicant would have to demonstrate that he or she had safely or competently practiced medicine for two years under a clinical academic limited license granted by the board for one or more academic institutions in Michigan for at least two years immediately preceding the date of application for a license. The applicant would be required to have functioned not less than 800 hours per year in the observation and treatment of patients while practicing under the limited license.

Clinical limited licenses. The bill would amend the code to clarify the section regarding limited licenses. The bill would define the term "clinical academic" to mean one who practices the health profession only as part of an academic institution and only in connection with his or her employment or other contractual relationship with the academic institution. For an individual applying for a limited license to engage in the practice of medicine, the term "academic

institution" would be defined as a medical school approved by the board, or a hospital that met all of the criteria included in the bill. A clinical academic limited license granted by the board for the practice of medicine would require that the individual practice only for an academic institution and under the supervision of one or more physicians who were fully licensed. A clinical academic limited license granted by the board for the practice of medicine would be renewable annually, but an individual could not engage in the practice of medicine under one or more clinical academic limited licenses for more than five years. The bill would also specifically prohibit a person from engaging in teaching or research that required the practice of medicine unless the individual was licensed or authorized under the act.

MCL 333.1682 et al.

FISCAL IMPLICATIONS:

According to the Department of Licensing and Regulation, the bill would have no fiscal implications for the state. (9-24-90)

ARGUMENTS:

For:

It is unacceptable and unfair to require foreign physicians who have been trained at foreign health care facilities and who have practiced competently and safely for several years to complete the same procedures for licensing that new graduates of foreign medical schools have to complete in order to practice medicine in Michigan. The bill would establish a procedure for the licensing of foreign physicians who have been practicing medicine for several years. The licensing procedure would continue to protect the health and safety of the public by requiring physicians to meet minimum standards regarding education and experience. However, it would allow an experienced physician to forego the residency requirements and examinations required of new graduates of foreign medical schools.

For:

Several of the code's provisions regarding clinical academic limited licenses are ambiguous and vague. The bill would clarify the code's clinical academic limited license provisions. In addition, the bill would prohibit the continuous renewal of clinical academic limited licenses by specifying that limited licenses could only be renewed for up to five years.

POSITIONS:

The Henry Ford Health System supports the bill. (9-24-90)

The Michigan Board of Medicine supports the bill. (9-24-90)

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The Michigan Hospital Association supports the bill. (9-24-90)

The Michigan State Medical Society supports the bill. (9-20-90)