

Senate Bill 142

By: Senators Jackson of the 41st, Hufstetler of the 52nd, Jones II of the 22nd and Hatchett of the 50th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 34 of Title 43 of the Official Code of Georgia Annotated,
2 relating to medical practice relative to physicians, so as to provide for certain licensure for
3 qualifying international medical graduates; to provide for definitions; to provide for a
4 provisional license under certain conditions; to provide for a limited license under certain
5 conditions; to provide for full licensure under certain conditions; to provide for rules and
6 regulations; to provide for related matters; to provide an effective date; to repeal conflicting
7 laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Article 2 of Chapter 34 of Title 43 of the Official Code of Georgia Annotated, relating to
11 medical practice relative to physicians, is amended by adding a new Code section to read as
12 follows:

13 "43-34-34.1.

14 (a) As used in this Code section, the term:

15 (1) 'Institution' means a hospital licensed by the Department of Community Health, a
16 board approved medical school, a teaching hospital within this state, or a clinic within

17 this state that provides healthcare services to Medicaid, indigent, or underserved
18 populations, provided that such institution carries medical malpractice insurance covering
19 international medical graduates employed by such institution for the duration of
20 employment.

21 (2) 'International medical graduate' means a physician who has received a degree of
22 doctor of medicine or its equivalent from an accredited medical school outside of the
23 United States and has been licensed or otherwise authorized to practice in a jurisdiction
24 outside of the United States.

25 (3) 'Limited license' means a license to practice medicine limited to providing healthcare
26 services in a health professional shortage area or medically underserved area or to a
27 medically underserved population or limited to teaching at a board approved medical
28 college or its affiliated clinic in this state. Such license shall be valid for up to two years
29 and may be renewed.

30 (4) 'Provisional license' means a license to practice medicine provisionally issued to an
31 international medical graduate employed at an institution. Such license shall be valid for
32 up to two years and shall not be renewed.

33 (b) The board may issue a provisional license to practice medicine to an international
34 medical graduate, provided that the board receives acceptable evidence that the applicant:

35 (1) Is an international medical graduate who has practiced medicine for three of the past
36 ten years;

37 (2) Received a valid certificate issued by the Educational Commission for Foreign
38 Medical Graduates or other credential evaluation service approved by the board;
39 provided, however, that the board may waive such certification at its discretion when the
40 applicant is unable to obtain the required documentation from a noncooperative country;

41 (3) Achieved a passing score on both Step 1 and Step 2 Clinical Knowledge of the
42 United States Medical Licensing Examination;

43 (4) Entered into an agreement for a full-time employment relationship with an
44 institution; and

45 (5) Satisfied any other criteria that the board may require for issuance of a provisional
46 license pursuant to this Code section.

47 (c) A person who holds a current, valid provisional license pursuant to this Code section
48 for two years shall be eligible to apply for a limited license to practice medicine, provided
49 that the board receives acceptable evidence that the applicant has:

50 (1) Maintained in good standing a provisional license issued pursuant to this Code
51 section;

52 (2) Achieved a passing score on Step 3 of the United States Medical Licensing
53 Examination; and

54 (3) Entered into an agreement for a full-time employment relationship with an institution
55 to provide healthcare services in a health professional shortage area or medically
56 underserved area or to a medically underserved population or entered into a full-time
57 employment relationship to teach or demonstrate medicine at a board approved medical
58 college or its affiliated clinic in this state.

59 (d) A person who holds a current, valid limited license issued pursuant to this Code section
60 for at least two years shall be eligible to apply for a full license to practice medicine in this
61 state, provided that the board receives acceptable evidence that the applicant met the
62 requirements of subsections (b) and (c) of this Code section and maintained in good
63 standing a limited license issued pursuant to this Code section.

64 (e) A person licensed pursuant to this Code section shall be subject to the rules and
65 regulations of the board. Any license provided for in this Code section may be granted or
66 denied at the discretion of the board and shall be subject to revocation by the board after
67 notice and opportunity for hearing.

68 (f) The board shall not grant a license under this Code section unless the international
69 medical graduate possesses a federal immigration status that allows him or her to practice
70 medicine as a physician in the United States.

71 (g) The board shall coordinate with the Department of Community Health and the Georgia
72 Board of Health Care Workforce to provide healthcare services by international medical
73 graduates with limited licenses in a health professional shortage area or medically
74 underserved area or to a medically underserved population, as such terms are designated
75 by United States secretary of health and human services.

76 (h) The board is authorized to establish standards and criteria, evaluate applications, and
77 issue licenses consistent with this Code section and shall promulgate rules and regulations
78 necessary to implement the provisions of this Code section."

79 **SECTION 2.**

80 This Act shall become effective upon its approval by the Governor or upon its becoming law
81 without such approval.

82 **SECTION 3.**

83 All laws and parts of laws in conflict with this Act are repealed.