

Senate Bill 529

By: Senators Jackson of the 41st, Hatchett of the 50th, Kirkpatrick of the 32nd, Halpern of the 39th and Butler of the 55th

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 foreign medical graduates; to provide for a nonrenewable limited provisional
4 license under certain conditions; to provide for a renewable restricted license under certain
5 conditions; to provide for the application for full licensure under certain conditions; to
6 provide for rules and regulations; to provide for related matters; to provide an effective date;
7 to repeal conflicting 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 revising Code Section 43-34-34,
12 relating to limited provisional licenses relative to physicians, as follows:

13 "43-34-34.

14 (a) A person who held a valid provisional license on or before April 16, 1979, shall be able
15 to renew such license annually without any one-time-only renewal limitation, as long as

16 such person continues to meet the other requirements specified in this article and does not
17 otherwise violate this article.

18 (b) The board may issue a limited provisional license to a physician licensed or otherwise
19 authorized to practice in a jurisdiction outside of the United States, provided that the board
20 receives acceptable evidence that the applicant has:

21 (1) Received a degree of doctor of medicine or its equivalent from an accredited medical
22 school outside of the United States, has been licensed or otherwise authorized to practice
23 medicine in a jurisdiction outside of the United States, and has practiced medicine for at
24 least three years;

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

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

31 (4) Entered into an agreement for a full-time employment relationship with a hospital
32 licensed by the Department of Community Health, a board approved medical school, a
33 teaching hospital within this state, a federally qualified health center, or a clinic within
34 this state that services Medicaid, indigent, or underserved populations, provided that any
35 such prospective employing entity shall carry medical malpractice insurance covering
36 such licensee for the duration of employment; and

37 (5) Satisfied any other criteria that the board may require for issuance of a limited
38 provisional license pursuant to this subsection.

39 (c) The limited provisional license provided for in subsection (b) of this Code section shall
40 be valid for a period not to exceed two years and shall not be renewed.

41 (d) A person who holds a current, valid limited provisional license as provided for in
42 subsection (b) of this Code section for two years shall be eligible to apply for a restricted

43 license to practice medicine in a designated health professional shortage area or medically
44 underserved area or with a medically underserved population in this state as determined by
45 the board. The board may issue such restricted license to an applicant, provided that the
46 board receives acceptable evidence that the applicant has:

47 (1) Maintained in good standing a provisional license pursuant to subsection (b) of this
48 Code section;

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

51 (3) Entered into an agreement for a full-time employment relationship with a hospital
52 licensed by the Department of Community Health, a board approved medical school, a
53 teaching hospital within this state, a federally qualified health center, or a clinic within
54 this state that services Medicaid, indigent, or underserved populations, provided that any
55 such prospective employing entity shall carry medical malpractice insurance covering
56 such licensee for the duration of employment.

57 (e) The restricted license provided for in subsection (d) of this Code section shall be valid
58 for two years and may be renewed.

59 (f) A person who holds a current, valid restricted license issued pursuant to subsection (d)
60 of this Code section for two years shall be eligible to apply for a full, unrestricted license
61 to practice medicine in this state, and the board may establish standards for evaluating such
62 applications.

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

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

70 (i) The board shall promulgate rules and regulations necessary to implement the provisions
71 of this Code section."

72 **SECTION 2.**

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

75 **SECTION 3.**

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