

SENATE FILE NO. SF0155

International physician licensing.

Sponsored by: Senator(s) Driskill, Anderson, Brennan,
Dockstader and Schuler

A BILL

for

1 AN ACT relating to physicians and surgeons; authorizing the
2 state board of medicine to provide provisional medical
3 licenses to international physicians as specified;
4 providing definitions; making conforming amendments;
5 requiring rulemaking; and providing for effective dates.

6

7 *Be It Enacted by the Legislature of the State of Wyoming:*

8

9 **Section 1.** W.S. 33-26-801 through 33-26-803 are
10 created to read:

11

12

ARTICLE 8

13

EXPANDING PHYSICIAN ACCESS ACT

14

15 **33-26-801. Short title.**

1

2 This act shall be known and may be cited as the "Expanding
3 Physician Access Act."

4

5 **33-26-802. Definitions.**

6

7 (a) As used in this act:

8

9 (i) "Board" means the Wyoming state board of
10 medicine;

11

12 (ii) "Health care provider" means a person that
13 furnishes, bills or is paid for health care procedures or
14 service delivery in the normal course of business and
15 includes, without limitation, health systems, hospitals,
16 hospital-based facilities, freestanding emergency
17 facilities and urgent care clinics;

18

19 (iii) "International physician" means any person
20 who:

21

1 (A) Has been granted a medical doctorate or
2 substantially similar degree by a domestic or international
3 medical program of good standing;

4

5 (B) Has been in good standing with a
6 medical licensing or regulatory institution of the person's
7 licensing country at all times in the last five (5) years
8 and does not have any pending discipline before the
9 licensing body;

10

11 (C) Has completed a residency or
12 substantially similar post-graduate medical training
13 program or has practiced as a medical professional
14 performing the duties of a physician in the person's
15 licensing country for not less than seven (7) years after
16 the completion of a medical doctorate;

17

18 (D) Has practiced medicine as a fully
19 licensed or otherwise authorized physician in the person's
20 licensing country for not less than five (5) years after
21 the completion of residency training or a residency
22 equivalent pursuant to subparagraph (C) of this paragraph;

23

1 (E) Has passed steps 1, 2 and 3 of the
2 United States Medical Licensing Examination (USMLE); and

3

4 (F) Possesses basic fluency in the English
5 language.

6

7 (iv) "Physician" means any person who has
8 obtained a medical doctorate or substantially similar
9 degree and is licensed inside or outside the United States;

10

11 (v) "This act" means W.S. 33-26-801 through
12 33-26-803.

13

14 **33-26-803. State license for health care provider**
15 **sponsored international physicians.**

16

17 (a) The board shall grant a provisional license to
18 practice medicine in this state to any international
19 physician with an offer for employment as a physician at
20 any health care provider that operates in this state. The
21 board shall require an international physician to complete
22 an application form provided or approved by the board, pass
23 a criminal background investigation and pay all fees

1 required by the board to obtain a provisional license. The
2 board:

3

4 (i) Shall not grant a provisional license to
5 practice medicine in this state to any international
6 physician unless they are eligible to obtain federal
7 immigration status that allows them to practice as a
8 physician in the United States;

9

10 (ii) Shall not grant a provisional license to
11 practice medicine in this state to any international
12 physician unless they possess a passing score on the USMLE
13 as provided in W.S. 33-26-802(a)(iii)(E);

14

15 (iii) May revoke a provisional license granted
16 under this subsection if the international physician is not
17 employed by a health care provider that operates in this
18 state during the provisional license period.

19

20 (b) The board may suspend or revoke a provisional
21 license granted under subsection (a) of this section
22 pursuant to W.S. 33-26-401 through 33-26-410. Licensees may
23 appeal the revocation of their provisional license in

1 accordance with the requirements of W.S. 33-26-401 through
2 33-26-410.

3

4 (c) Provisional licenses shall automatically be
5 converted into full licenses to practice medicine in this
6 state after three (3) years of active practice under a
7 provisional license in this state if the licensee has not
8 disciplined under W.S. 33-26-401 through 33-26-410 and
9 subject to all of the board's rules and regulations under
10 the Medical Practice Act under W.S. 33-26-101 through
11 33-26-601.

12

13 (d) Provisional license holders shall annually
14 provide proof of compliance with and fulfillment of
15 continuing medical education requirements as required by
16 the board in the manner set forth by the board's continuing
17 medical education rules and regulations.

18

19 (e) Nothing in this section shall require the board
20 to license, on a provisional or full basis, an
21 international physician without evidence of full compliance
22 with the requirements under W.S. 33-26-803(a).

23

1 (f) International physicians who are required to
2 obtain federal work authorization before commencing any
3 work for the sponsoring health care provider are eligible
4 to apply for a provisional license prior to receiving
5 federal work authorization but shall not commence work
6 under the provisional license without the required work
7 authorization.

8
9 (g) International physicians who become licensed
10 under subsection (a) of this section shall not need to
11 maintain employment with the original sponsoring health
12 care provider at the conclusion of the provisional
13 licensing period.

14
15 **Section 2.** W.S. 33-26-102(a)(x), 33-26-202(b) by
16 creating a new paragraph (xx), 33-26-301(b) by creating a
17 new paragraph (ix), 33-26-303(a)(intro), 33-26-305(a) and
18 33-26-401(e) are amended to read:

19

20 **33-26-102. Definitions.**

21

22 (a) As used in this chapter:

23

1 (x) "Licensee" means any person licensed by the
2 board under this chapter, including a person granted a
3 provisional license under W.S. 33-26-801 through 33-26-803;
4

5 **33-26-202. Board; duties; general powers.**
6

7 (b) The board is empowered and directed to:

8
9 (xx) Adopt rules and regulations regarding
10 granting international physicians provisional licenses
11 pursuant to W.S. 33-26-801 through 33-26-803.
12

13 **33-26-301. License required.**
14

15 (b) Upon appropriate application, fulfillment of
16 eligibility criteria and successful completion of all other
17 requirements, the board may grant:

18
19 (ix) A provisional license to an international
20 physician pursuant to W.S. 33-26-801 through 33-26-803.
21

22 **33-26-303. Requirements for granting license.**
23

1 (a) The board may grant a license to practice
2 medicine in this state as provided in the Interstate
3 Medical Licensure Compact, as provided by W.S. 33-26-801
4 through 33-26-803 or, under this article, to any applicant
5 who demonstrates, to the board, that he:

6

7 **33-26-305. Annual renewal; expiration; reactivation**
8 **of lapsed and inactive licenses; restoration of emeritus**
9 **licenses to active status; duplicates.**

10

11 (a) All licenses other than temporary licenses,
12 provisional licenses pursuant to W.S. 33-26-801 through
13 33-26-803 and medical training licenses shall lapse
14 annually on a date or dates to be established by rules
15 adopted by the board. A licensee may renew his license
16 each year by submitting a renewal application containing
17 information required by the board, accompanied by proof of
18 compliance with and fulfillment of continuing medical
19 education requirements of the board in the manner set forth
20 in the ~~board's~~ board's continuing medical education rules
21 and regulations and a renewal fee to the board in an amount
22 set by the board pursuant to W.S. 33-26-307. The licensee,
23 including a provisional licensee, additionally shall report

1 any disciplinary action pending or taken by a state
2 examining board, a health care entity or the grievance
3 committee of a medical society during the preceding year.

4

5 **33-26-401. Board duties; investigation; interview.**

6

7 (e) The board retains jurisdiction over only those
8 licensees to whom provisional licenses under W.S. 33-26-801
9 through 33-26-803, temporary or full licenses were granted
10 and who are subject to ongoing investigation by the board,
11 regardless of whether the license expired, lapsed or was
12 relinquished during or after the alleged occurrence of
13 conduct proscribed by W.S. 33-26-402 by the licensee.

14

15 **Section 3.** The state board of medicine shall
16 promulgate all rules necessary to implement this act.

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