SENATE DOCKET, NO. 1823 FILED ON: 1/20/2023

SENATE . . . . . No. 1402

The Commonwealth of Massachusetts

PRESENTED BY:

Jason M. Lewis

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act improving healthcare delivery for underserved residents of the commonwealth.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
Jason M. Lewis	*Fifth Middlesex*	
Jack Patrick Lewis	*7th Middlesex*	*1/20/2023*
Joanne M. Comerford	*Hampshire, Franklin and Worcester*	*1/30/2023*
Jacob R. Oliveira	*Hampden, Hampshire and Worcester*	*1/30/2023*
Julian Cyr	*Cape and Islands*	*2/10/2023*
Carmine Lawrence Gentile	*13th Middlesex*	*2/10/2023*
Vanna Howard	*17th Middlesex*	*2/14/2023*
Michael O. Moore	*Second Worcester*	*2/15/2023*
James B. Eldridge	*Middlesex and Worcester*	*2/17/2023*
Thomas M. Stanley	*9th Middlesex*	*3/13/2023*
Sal N. DiDomenico	*Middlesex and Suffolk*	*3/13/2023*
Susan L. Moran	*Plymouth and Barnstable*	*4/10/2023*
Pavel Payano	*First Essex*	*2/2/2024*

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SENATE . . . . . No. 1402

By Mr. Lewis, a petition (accompanied by bill, Senate, No. 1402) of Jason M. Lewis, Jack Patrick Lewis, Joanne M. Comerford, Jacob R. Oliveira and other members of the General Court for legislation to improve healthcare delivery for underserved residents of the commonwealth. Public Health.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Third General Court
(2023-2024)

An Act improving healthcare delivery for underserved residents of the commonwealth.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 112 of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by striking out Section 9, and inserting in place thereof the following section:-

Section 9.

(a) An applicant for limited registration under this section may, upon payment of a fee to be determined annually by the commissioner of administration under the provision of section three B of chapter seven, be registered by the board as an intern, fellow or medical officer for such time as it may subscribe if the applicant furnishes the board with satisfactory proof of the following:

(1) The applicant is eighteen or over and of good moral character.

(2) (i) The applicant has creditably completed two years of a premedical course of study in a college or university and not less than three and one-half years of study in a legally chartered medical school having the power to grant degrees in medicine; or (ii) if not enrolled in or a graduate of a legally chartered medical school in the United States or Canada, the applicant is the holder of a standard certificate granted after an examination by the Education Council for Foreign Medical Graduates, unless granted an exemption by the board; or (iii) the applicant has completed two years of premedical education in a college or university of the United States, Canada or Puerto Rico and if the applicant has studied medicine in a medical school outside the United States, Canada or Puerto Rico that is recognized by the World Health Organization, has completed all the formal requirements for the degree corresponding to doctor of medicine, except internship and social service, and has completed a year of clinical clerkship approved by the liaison committee on medical education of the American Medical Association.

(3) The applicant has been appointed as an intern, fellow or medical officer in a hospital or other institution of the commonwealth, or of a county or municipality thereof, or in a hospital or clinic which is incorporated under the laws of the commonwealth or in a clinic which is affiliated with a hospital licensed by the department of public health under authority of section seventy-one of chapter one hundred and eleven, or in an out-patient clinic operated by the department of mental health, or in the department of public health for duty in clinics or in programs operated or approved by the department of public health, or in programs approved by the board of registration in medicine in the commonwealth and leading toward certification by specialty boards recognized by the American Medical Association.

(4) The applicant has applied to participate in the medical assistance program administered by the secretary of health and human services in accordance with chapter 118E and

Title XIX of the Social Security Act and any federal demonstration or waiver relating to the medical assistance program for the limited purpose of ordering and referring services covered under the program if regulations governing such limited participation are promulgated under chapter 118E.

Such limited registration shall entitle the applicant to practice medicine only in the hospital, institution, clinic or program designated on the applicant's certificate of limited registration, or outside such hospital, institution, clinic or program for the treatment, under supervision of one of its medical officers who is a duly registered physician, of persons accepted by it as patients, or in any hospital, institution, clinic or program affiliated for training purposes with the hospital, institution, clinic or program designated on such certificate, which affiliation is approved by the board and in any case under regulations established by such hospital, institution, clinic or program. The name of any hospital, institution, clinic or program so affiliated and so approved shall also be indicated on such certificate. Limited registration under this section may be revoked at any time by the board.

(b) Notwithstanding the other provisions of this section, an internationally-trained physician who has been licensed or otherwise authorized to practice medicine in a country other than the United States shall be eligible to apply for a limited license to practice medicine for a renewable one-year term after satisfying the criteria in below paragraph (3), provided, however, that such limited registration shall provide a pathway for the issuance of a full unrestricted license to practice medicine in accordance with, and upon satisfaction of, the criteria in below paragraph (5).

(1) Definitions. For the purposes of this subsection, the following terms shall have the following meanings—

(i) “Commission” shall mean the Educational Commission for Foreign Medical Graduates.

(ii) “Internationally-trained physician” shall mean a physician who has received a degree of doctor of medicine or its equivalent from a legally chartered medical school outside the United States recognized by the World Health Organization, who has been licensed or otherwise authorized to practice medicine in a country other than the United States, and who has practiced medicine for at least one year.

(iii) “Licensing Exam” shall mean United States Medical Licensing Examination.

(iv) “Massachusetts physician shortage area” shall mean a geographic region or population in the commonwealth experiencing a shortage of physicians, especially primary care physicians or psychiatrists, relative to population and need.

(v) “Participating healthcare facility” shall mean a federally-qualified health center, community health center, hospital, or other healthcare facility approved by the board that provides an assessment and evaluation program designed to develop, assess, and evaluate an internationally-trained physician’s non-clinical skills, according to criteria developed or approved by the board; provided, however, that the participating healthcare facility provides medical care in a Massachusetts physician shortage area.

(2) For the purposes of this subsection, the Massachusetts health care workforce center or its equivalent in the department of public health shall assist the board in determining the regions or populations comprising a Massachusetts physician shortage area.

(3) The board shall issue a limited license to an applicant if the participating facility and the applicant submit evidence acceptable to the board that the applicant:

(i) is an internationally-trained physician;

(ii) has a valid certificate issued by the Commission or other credential evaluation service approved by the board, provided, however, that the board may waive such certification at its discretion where the applicant is unable to obtain the required documentation from a non-cooperating country;

(iii) has achieved a passing score on Step 1 and Step 2-Clinical Knowledge (CK) of the Licensing Exam;

(iv) has entered into an agreement with the participating facility providing that the facility shall develop, assess and evaluate the applicant's familiarity with non-clinical skills and standards appropriate for medical practice in the commonwealth, according to assessment and evaluation criteria developed or approved by the board;

(v) shall enter a full-time full employment relationship with the participating facility after the board issues a limited license to practice medicine to the applicant; and

(vi) has satisfied other criteria that may be developed by the board in fulfillment of this subsection.

(4) The 1-year limited license may be renewed no more than once.

(5) An internationally-trained physician who provides the board with proof of (i) successful completion of the participating facility's assessment and evaluation program, (ii) a passing score on Step 3 of the Licensing Exam, and (iii) any additional prerequisites that the board may require, shall be eligible to apply for a renewable 2-year restricted license to practice medicine only in a Massachusetts physician shortage area designated by the board; provided, however, that any additional prerequisites for eligibility shall not include post-graduate clinical training, and that the restricted license shall authorize the holder to practice independently in a primary care specialty, psychiatry, or other specialty approved by the board. After 2 years of restricted practice, the internationally-trained physician shall be eligible to apply for a full, unrestricted license to practice medicine. The 2-year restricted license may be renewed no more than once.