

HOUSE

AMENDMENT NO. _____

Offered by

of

1 AMEND House Committee Substitute for Senate Committee Substitute
2 for Senate Bill No. 38, Page 31, Section 334.037, Line 149, by
3 inserting after all of said line the following:

4 "334.040. 1. Except as provided in section 334.260, all
5 persons desiring to practice as physicians and surgeons in this
6 state shall be examined as to their fitness to engage in such
7 practice by the board. All persons applying for examination
8 shall file a completed application with the board upon forms
9 furnished by the board.

10 2. The examination shall be sufficient to test the
11 applicant's fitness to practice as a physician and surgeon. The
12 examination shall be conducted in such a manner as to conceal the
13 identity of the applicant until all examinations have been
14 scored. In all such examinations an average score of not less
15 than seventy-five percent is required to pass; provided, however,
16 that the board may require applicants to take the Federation
17 Licensing Examination, also known as FLEX, or the United States
18 Medical Licensing Examination (USMLE). If the FLEX examination
19 is required, a weighted average score of no less than
20 seventy-five is required to pass. Scores from one test
21 administration of the FLEX shall not be combined or averaged with
22 scores from other test administrations to achieve a passing
23 score. The passing score of the United States Medical Licensing
24 Examination shall be determined by the board through rule and
25 regulation. Applicants graduating from a medical or osteopathic
26 college, as [defined] described in section 334.031 prior to
27 January 1, 1994, shall provide proof of successful completion of
28 the FLEX, USMLE, an exam administered by the National Board of

Action Taken _____ Date _____

1 Osteopathic Medical Examiners (NBOME), a state board examination
2 approved by the board, compliance with subsection 2 of section
3 334.031, or compliance with 20 CSR 2150-2.005. Applicants
4 graduating from a medical or osteopathic college, as [defined]
5 described in section 334.031 on or after January 1, 1994, must
6 provide proof of successful completion of the USMLE or an exam
7 administered by NBOME or provide proof of compliance with
8 subsection 2 of section 334.031. The board shall not issue a
9 permanent license as a physician and surgeon or allow the
10 Missouri state board examination to be administered to any
11 applicant who has failed to achieve a passing score within three
12 attempts on licensing examinations administered in one or more
13 states or territories of the United States, the District of
14 Columbia or Canada, unless the applicant petitions the board for
15 an exception based upon unusual or extenuating circumstances that
16 the board may deem reasonable. The steps one, two and three of
17 the United States Medical Licensing Examination shall be taken
18 within a seven-year period with no more than three attempts on
19 any step of the examination; however, an applicant may petition
20 the board for an exception to such requirements based upon
21 unusual or extenuating circumstances that the board may deem
22 reasonable. The board also may grant an extension of the
23 seven-year period if the applicant has obtained a MD/PhD degree
24 in a program accredited by the Liaison Committee on Medical
25 Education (LCME) and a regional university accrediting body or a
26 DO/PhD degree accredited by the American Osteopathic Association
27 and a regional university accrediting body. The board may waive
28 the provisions of this section if the applicant is licensed to
29 practice as a physician and surgeon in another state of the
30 United States, the District of Columbia or Canada and the
31 applicant has achieved a passing score on a licensing examination
32 administered in a state or territory of the United States or the
33 District of Columbia and no license issued to the applicant has
34 been disciplined in any state or territory of the United States
35 or the District of Columbia [and the applicant is certified in
36 the applicant's area of specialty by the American Board of
37 Medical Specialties, the American Osteopathic Association, or

1 other certifying agency approved by the board by rule].

2 3. If the board waives the provisions of this section, then
3 the license issued to the applicant may be limited or restricted
4 to the applicant's board specialty. The board shall not be
5 permitted to favor any particular school or system of healing.

6 4. If an applicant has not actively engaged in the practice
7 of clinical medicine or held a teaching or faculty position in a
8 medical or osteopathic school approved by the American Medical
9 Association, the Liaison Committee on Medical Education, or the
10 American Osteopathic Association for any two years in the
11 three-year period immediately preceding the filing of his or her
12 application for licensure, the board may require successful
13 completion of another examination, continuing medical education,
14 or further training before issuing a permanent license. The
15 board shall adopt rules to prescribe the form and manner of such
16 reexamination, continuing medical education, and training."; and
17

18 Further amend said bill, Page 35, Section 334.104, Line 155,
19 by inserting after all of said line the following:

20 "334.280. 1. For purposes of this section, the following
21 terms shall mean:

22 (1) "Continuous medical education", continued postgraduate
23 medical education intended to provide medical professionals with
24 knowledge of new developments in their field;

25 (2) "Maintenance of certification", any process requiring
26 periodic recertification examinations to maintain specialty
27 medical board certification;

28 (3) "Maintenance of licensure", the Federation of State
29 Medical Boards' proprietary framework for physician license
30 renewal including additional periodic testing other than
31 continuous medical education;

32 (4) "Specialty medical board certification", certification
33 by a board that specializes in one particular area of medicine
34 and typically requires additional and more strenuous exams than
35 state board of medicine requirements to practice medicine.

36 2. The state shall not require any form of maintenance of
37 licensure as a condition of physician licensure including

1 requiring any form of maintenance of licensure tied to
2 maintenance of certification. Current requirements including
3 continuous medical education shall suffice to demonstrate
4 professional competency.

5 3. The state shall not require any form of specialty
6 medical board certification or any maintenance of certification
7 to practice medicine within the state. There shall be no
8 discrimination by the state board of registration for the healing
9 arts or any other state agency against physicians who do not
10 maintain specialty medical board certification including
11 recertification."; and

12
13 Further amend said title, enacting clause and intersectional
14 references accordingly.