

**HOUSE**

**AMENDMENT NO. \_\_\_\_\_**

**Offered by \_\_\_\_\_**

**of \_\_\_\_\_**

1 AMEND House Committee Substitute for Senate Committee Substitute  
2 for Senate Bill No. 107, Pages 42 and 43, Section 334.040, Lines  
3 1 to 50, by deleting all of said lines and inserting in lieu  
4 thereof the following:

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

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

**Action Taken \_\_\_\_\_ Date \_\_\_\_\_**

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

1 Medical Specialties, the American Osteopathic Association, or  
2 other certifying agency approved by the board by rule].

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

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

18  
19 Further amend said bill, Page 48, Section 334.280, Lines 1  
20 to 21, by deleting all of said lines and inserting in lieu  
21 thereof the following:

22 "334.280. 1. For purposes of this section, the following  
23 terms shall mean:

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

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

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

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

1       2. The state shall not require any form of maintenance of  
2 licensure as a condition of physician licensure including  
3 requiring any form of maintenance of licensure tied to  
4 maintenance of certification. Current requirements including  
5 continuous medical education shall suffice to demonstrate  
6 professional competency.

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

14  
15       Further amend said title, enacting clause and intersectional  
16 references accordingly.