

SECOND REGULAR SESSION

HOUSE BILL NO. 2753

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE KEATHLEY.

5558H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 334.031 and 334.035, RSMo, and to enact in lieu thereof two new sections relating to licensure of physicians.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 334.031 and 334.035, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 334.031 and 334.035, to read as follows:

334.031. 1. **(1)** Candidates for licenses as physicians and surgeons shall furnish
2 [satisfactory evidence of their good moral character, and their preliminary qualifications, to
3 wit: a certificate of graduation from an accredited high school or its equivalent, and
4 satisfactory evidence of completion of preprofessional education consisting of a minimum of
5 sixty semester hours of college credits in acceptable subjects leading towards the degree of
6 bachelor of arts or bachelor of science from an accredited college or university. They shall
7 also furnish satisfactory evidence of having attended throughout at least four terms of thirty-
8 two weeks of actual instructions in each term and of having received a diploma from some
9 reputable medical college or osteopathic college that enforces requirements of four terms of
10 thirty-two weeks for actual instruction in each term, including, in addition to class work, such
11 experience in operative and hospital work during the last two years of instruction as is
12 required by the American Medical Association and the American Osteopathic Association
13 before the college is approved and accredited as reputable. Any medical college approved
14 and accredited as reputable by the American Medical Association or the Liaison Committee
15 on Medical Education and any osteopathic college approved and accredited as reputable by
16 the American Osteopathic Association is deemed to have complied with the requirements of
17 this subsection]:

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 **(a) Evidence of good moral character by submitting to a criminal background**
19 **check as provided in section 43.540;**

20 **(b) A diploma and academic transcripts from a school accredited by the Liaison**
21 **Committee on Medical Education, the Commission on Osteopathic College**
22 **Accreditation, the Educational Commission for Foreign Medical Graduates**
23 **(ECFMG), or a similar accrediting agency; and**

24 **(c) A certificate demonstrating that the applicant has successfully completed a**
25 **postgraduate internship or resident training in a hospital approved for such training by**
26 **the board. An applicant who holds a valid certificate issued by the ECFMG shall**
27 **submit satisfactory evidence of successful completion of two years of such training.**

28 **(2) Except as provided in subsection 3 of this section, the board shall not require**
29 **applicants to provide information in addition to the information the applicant is**
30 **required to furnish under this subsection.**

31 2. In determining the qualifications necessary for licensure as a qualified physician
32 and surgeon, the board, by rule and regulation, may accept the certificate of the National
33 Board of Medical Examiners of the United States, chartered pursuant to the laws of the
34 District of Columbia, of the National Board of Examiners for Osteopathic Physicians and
35 Surgeons chartered pursuant to the laws of the state of Indiana, or of the Licentiate of the
36 Medical Council of Canada (LMCC) in lieu of and as equivalent to its own professional
37 examination. Every applicant for a license on the basis of such certificate, upon making
38 application showing necessary qualifications as provided in subsection 1 of this section, shall
39 be required to pay the same fee required of applicants to take the examination before the
40 board.

41 **3. The board may require applicants to list all licenses to practice as a physician**
42 **currently or previously held in any other state, territory, or country and to disclose any**
43 **past or pending investigations, discipline, or sanctions against each such license.**
44 **Applicants shall not be required to submit verification of such licensure or any**
45 **investigations, discipline, or sanctions, but the board may require applicants to provide**
46 **any authorization necessary for the board to independently verify the existence or status**
47 **of an applicant's licensure to practice as a physician in any other state, territory, or**
48 **country.**

49 **4. In addition to the criminal background screening required by this section, the**
50 **board may obtain a report on the applicant from the National Practitioner Data Bank.**

51 **5. Notwithstanding any other provision of law, if the board does not approve or**
52 **deny an application submitted by a candidate for licensure as a physician and surgeon**
53 **within forty-five days from the date the board receives the application, the application**

54 shall be deemed approved, and the candidate shall be considered licensed as a physician
55 and surgeon in good standing with the board as of the date of the deemed approval.

334.035. 1. For purposes of this section, the following terms mean:

2 (1) "ACGME", the Accreditation Council for Graduate Medical Education;

3 (2) "Applicant", an applicant for a permanent license as a physician and
4 surgeon;

5 (3) "Hospital", the same meaning given to the term in section 197.020.

6 2. Except as otherwise provided in section 334.036, every applicant [~~for a permanent~~
7 ~~license as a physician and surgeon~~] shall provide the board with [~~satisfactory evidence of~~
8 ~~having successfully completed such postgraduate training in hospitals or medical or~~
9 ~~osteopathic colleges as the board may prescribe by rule~~] a certificate demonstrating that
10 the applicant has successfully completed a postgraduate internship or resident training
11 as described in paragraph (c) of subdivision (1) of subsection 1 of section 334.031.

12 3. Any applicant who has completed unaccredited postgraduate training in a
13 medical subspecialty for which no program accredited by ACGME exists shall be
14 deemed to have satisfactorily completed the training requirements of 20 CSR 2150-2.004
15 (2) or any successor regulation if such unaccredited postgraduate training occurred in a
16 teaching hospital accredited by ACGME.

17 4. The board shall waive the training requirements of 20 CSR 2150-2.004(2) or
18 any successor regulation for any applicant who is licensed as a physician in good
19 standing in another state and has been in good standing more than three years.

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