

2025 -- H 5108 SUBSTITUTE A

LC000280/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

RELATING TO BUSINESSES AND PROFESSIONS -- BOARD OF MEDICAL LICENSURE
AND DISCIPLINE

Introduced By: Representatives Solomon, Casimiro, Cruz, McNamara, J. Lombardi,
Ackerman, Cortvriend, Biah, McGaw, and Marszalkowski
Date Introduced: January 22, 2025

Referred To: House Corporations

It is enacted by the General Assembly as follows:

- 1 SECTION 1. Sections 5-37-1 and 5-37-16 of the General Laws in Chapter 5-37 entitled
2 "Board of Medical Licensure and Discipline" are hereby amended to read as follows:
- 3 **5-37-1. Definitions.**
- 4 As used in this chapter:
- 5 (1) "ACGME" means the Accreditation Council for Graduate Medical Education.
- 6 (2) "ACGME-I" means the Accreditation Council for Graduate Medical Education-
7 International.
- 8 ~~(3)~~(3) "Board" means the Rhode Island board of medical licensure and discipline or any
9 committee or subcommittee thereof.
- 10 ~~(4)~~(4) "Chief administrative officer" means the administrator of the Rhode Island board of
11 medical licensure and discipline.
- 12 ~~(5)~~(5) "Department" means the Rhode Island department of health.
- 13 ~~(6)~~(6) "Director" means the director of the Rhode Island department of health.
- 14 (7) "ECFMG" means the Educational Commission for Foreign Medical Graduates.
- 15 (8) "GME" means graduate medical education, which is specialty-specific clinical training
16 that commences after graduation from medical school and provides physicians with the knowledge
17 and clinical skills necessary to practice their specialty independently. GME curricula and clinical
18 experience vary widely across countries and do not have uniform standards.

1 ~~(5)~~(9) "Healthcare facility" means any institutional health-service provider licensed
2 pursuant to the provisions of chapter 17 of title 23.

3 ~~(6)~~(10) "Health-maintenance organization" means a public or private organization licensed
4 pursuant to the provisions of chapter 17 of title 23 or chapter 41 of title 27.

5 (11) "Internationally-trained physician" means a physician who has received a degree of
6 doctor of medicine or its equivalent from a medical school located outside the United States with
7 recognized accreditation status from ECFMG; has completed the required years of training in a
8 residency program accredited by ACGME-I or in a residency program in a country whose GME
9 accrediting agency has been recognized by the WFME, or programs accredited by another
10 accreditation authority approved by the board; and who has been licensed or otherwise authorized
11 to practice medicine in a country other than the United States for at least three (3) years with an
12 unrestricted medical license. Physicians who have completed ACGME-accredited residency
13 training in the United States or Royal College of Physicians and Surgeons-accredited residency
14 training in Canada are not internationally-trained physicians.

15 (12) "Limited international physician registrant" means an internationally-trained
16 physician granted a limited license pursuant to the provisions of this chapter.

17 ~~(7)~~(13) "Limited registrant" means a person holding a limited-registration certificate
18 pursuant to the provisions of this chapter.

19 ~~(8)~~(14) "Medical malpractice" or "malpractice" means any tort, or breach of contract, based
20 on health care or professional services rendered or that should have been rendered, by a physician,
21 dentist, hospital, clinic, health-maintenance organization, or professional service corporation
22 providing healthcare services and organized under chapter 5.1 of title 7, to a patient or the rendering
23 of medically unnecessary services except at the informed request of the patient.

24 ~~(9)~~(15) "Medical-practice group" means a single legal entity formed primarily for the
25 purpose of being a physician group practice in any organizational form recognized by the state in
26 which the group practice achieves its legal status, including, but not limited to, a partnership,
27 professional corporation, limited-liability company, limited-liability partnership, foundation, not-
28 for-profit corporation, faculty practice plan, or similar association.

29 ~~(10)~~(16) "Medical record" means a record of a patient's medical information and treatment
30 history maintained by physicians and other medical personnel, which includes, but is not limited
31 to, information related to medical diagnosis, immunizations, allergies, x-rays, copies of laboratory
32 reports, records of prescriptions, and other technical information used in assessing the patient's
33 health condition, whether such information is maintained in a paper or electronic format.

34 ~~(11)~~(17) "Nonprofit medical-services corporation" or "nonprofit hospital-service

corporation" means any corporation organized pursuant to chapter 19 or chapter 20 of title 27 for the purpose of establishing, maintaining, and operating a nonprofit medical-service plan.

(18) "Participating healthcare facility" means a federally-qualified health center, community health center, hospital, or other healthcare facility that provides a board-approved assessment, training and evaluation program designed to develop, assess, train and evaluate an internationally-trained physician's clinical and non-clinical skills, including training in identified clinical and non-clinical gaps identified by the physician(s) in the facility.

~~(12)~~(19)(i) "Peer-review board" means any committee of a state or local professional association or society including a hospital association, or a committee of any licensed healthcare facility, or the medical staff thereof, or any committee of a medical-care foundation or health-maintenance organization, or any committee of a professional-service corporation or nonprofit corporation employing twenty (20) or more practicing professionals, organized for the purpose of furnishing medical service, or any staff committee or consultant of a hospital-service or medical-service corporation, the function of which, or one of the functions of which, is to evaluate and improve the quality of health care rendered by providers of healthcare services or to determine that healthcare services rendered were professionally indicated or were performed in compliance with the applicable standard of care or that the cost of health care rendered was considered reasonable by the providers of professional healthcare services in the area and shall include a committee functioning as a utilization-review committee under the provisions of 42 U.S.C. § 1395 et seq. (Medicare law) or as a professional-standards review organization or statewide professional-standards review council under the provisions of 42 U.S.C. § 1301 et seq. (professional-standards review organizations) or a similar committee or a committee of similar purpose, to evaluate or review the diagnosis or treatment of the performance or rendition of medical or hospital services that are performed under public medical programs of either state or federal design.

(ii) "Peer-review board" also means the board of trustees or board of directors of a state or local professional association or society, a licensed healthcare facility, a medical-care foundation, a health-maintenance organization, and a hospital-service or medical-service corporation only when such board of trustees or board of directors is reviewing the proceedings, records, or recommendations of a peer-review board of the above enumerated organizations.

~~(13)~~(20) "Person" means any individual, partnership, firm, corporation, association, trust or estate, state or political subdivision, or instrumentality of a state.

~~(14)~~(21) "Physician" means a person with a license to practice allopathic or osteopathic medicine in this state under the provisions of this chapter.

~~(15)~~(22) "Practice of medicine" includes the practice of allopathic and osteopathic

1 medicine. Any person is regarded as practicing medicine within the meaning of this chapter who
2 holds himself or herself out as being able to diagnose, treat, operate, or prescribe for any person ill
3 or alleged to be ill with disease, pain, injury, deformity, or abnormal physical or mental condition,
4 or who either professes to heal, offer, or undertake, by any means or method, to diagnose, treat,
5 operate, or prescribe for any person for disease, pain, injury, deformity, or physical or mental
6 condition. In addition, one who attaches the title, M.D., physician, surgeon, D.O., osteopathic
7 physician, and surgeon, or any other similar word or words or abbreviation to his or her name
8 indicating that he or she is engaged in the treatment or diagnosis of the diseases, injuries, or
9 conditions of persons, shall be held to be engaged in the practice of medicine.

10 (23) "USMLE" means United States Medical Licensing Examination which consists of
11 three (3) steps:

12 (i) Step 1 of the USMLE requires an assessment of the examinee's understanding of and
13 ability to apply important concepts of the basic sciences to the practice of medicine, with special
14 emphasis on principles and mechanisms underlying health disease, and modes of therapy;

15 (ii) Step 2 of the USMLE requires an assessment of the examinee's ability to apply
16 knowledge, skills, and understanding of clinical science essentials for the provision of patient care
17 under supervision, with an emphasis on health promotion and disease prevention;

18 (iii) Step 3 of the USMLE requires an assessment of the examinee's ability to apply medical
19 knowledge and understanding of biomedical and clinical science essential for the unsupervised
20 practice of medicine, with the emphasis on patient management in ambulatory settings.

21 (24) "WFME" means the World Federation for Medical Education.

22 **5-37-16. Limited registrations.**

23 (a) An applicant for limited registration under this chapter who furnishes the board with
24 satisfactory proof that the applicant is eighteen (18) years of age or older and of good moral
25 character; that the applicant has graduated from a legally chartered medical school or school of
26 osteopathic medicine having power to grant degrees in allopathic or osteopathic medicine; and that
27 the applicant has been appointed an intern, resident, fellow, or medical officer in a hospital or other
28 institution maintained by the state, or by a city or town, or in a hospital or clinic that is incorporated
29 under the laws of this state, or in a clinic that is affiliated with a hospital licensed by the department
30 of health, or in an outpatient clinic operated by the state, may, upon the payment as set forth in §
31 23-1-54, be registered by the board as a hospital medical officer for any time that the board may
32 prescribe. This limited registration shall entitle the applicant to practice medicine in the hospital or
33 other institution designated on his or her certificate of limited registration, or outside this hospital
34 or other institution for the treatment, under the supervision of one of its medical officers who is a

1 licensed physician, of persons accepted by it as patients, or in any hospital, institution, clinic, or
2 program affiliated for training purposes with the hospital, institution, or clinic designated on this
3 certificate, which affiliation is approved by the board, and in any case under regulations established
4 by the hospital, institution, or clinic; provided, that each hospital, institution, or clinic annually
5 submits to the board a list of affiliated hospitals, institutions, clinics, or programs providing training
6 programs that comply with the terms of this section. Limited registration under this section may be
7 revoked at any time by the board.

8 (b) Notwithstanding the other provisions of subsection (a) of this section, an
9 internationally-trained physician who has been licensed or otherwise authorized to practice
10 medicine in a country other than the United States shall be eligible to apply for a limited
11 international physician registration (license) to practice medicine for a renewable one-year term
12 after satisfying the criteria in subsection (c) of this section; provided, however, that such limited
13 registration shall provide a pathway to apply for the issuance of a full unrestricted license to practice
14 medicine in accordance with, and upon satisfaction of, the criteria in subsection (f) of this section.

15 (c) The board shall issue a limited license international physician license to an applicant if
16 the participating healthcare facility and the applicant submit evidence acceptable to the board that
17 the applicant:

18 (1) Is an internationally-trained physician;

19 (2) Has a valid certificate issued by the Educational Commission for Foreign Medical
20 Graduates; provided, however, that the board may waive such certification at its discretion where
21 the applicant is unable to obtain the required documentation from a non-cooperating country;

22 (3) Has achieved a passing score on both of Steps 1 and 2 (clinical knowledge) of the
23 United States Medical Licensing Examination within three (3) attempts for each step;

24 (4) Has entered into an agreement with the participating healthcare facility providing that
25 the facility shall assess, train and evaluate the applicant's clinical and nonclinical skills to ensure
26 standards appropriate for medical practice in Rhode Island, according to the assessment and
27 evaluation criteria developed or approved by the board;

28 (5) Will enter a full-time employment relationship with that participating healthcare facility
29 after the board issues a limited international physician license pursuant to this subsection; and

30 (6) Has satisfied other criteria that the board may require for issuance of a limited
31 international physician license pursuant to this section.

32 (d) The one-year limited international physician license may be renewed twice, for a total
33 three (3) year term of limited international physician registration for physicians in primary care
34 specialties and may be renewed for the total number of years required for ACGME-accredited

1 residency training in other specialties, at the discretion of the board.

2 (e) To be eligible to apply for a full medical license to practice medicine in Rhode Island,

3 an internationally-trained physician shall provide the board with proof of the following:

4 (1) Successful completion of the participating healthcare facility's assessment, training and

5 evaluation program, with an attestation from the facility that the physician is competent to practice

6 their specialty independently;

7 (2) A passing score on Step 3 of the USMLE within three (3) attempts; and

8 (3) The license shall authorize the holder to practice independently in a primary care

9 specialty, psychiatry, or other specialty approved by the board.

10 ~~(b)~~(f) The director may promulgate any rules and regulations that ~~he or she~~ the director

11 deems necessary to carry out the provisions of this chapter.

12 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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1 This act would allow internationally-trained physicians to practice at healthcare facilities
2 in Rhode Island under the guidance, assessment and evaluation of licensed physicians in the state,
3 offering a pathway to full licensure outside of the current requirements to train in ACGME-
4 accredited United States residency training programs.

5 This act would take effect upon passage.

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