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PERMANENT ADMINISTRATIVE ORDER

OMB 14-2023

CHAPTER 847
OREGON MEDICAL BOARD

FILED

10/09/2023 5:55 PM
ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Updating licensure requirements for International Medical School Graduates and documents submitted for MD/DO licensure.

EFFECTIVE DATE: 10/09/2023

AGENCY APPROVED DATE: 10/05/2023

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RULES:

847-020-0130, 847-020-0150, 847-020-0160

AMEND: 847-020-0130

RULE TITLE: Basic Requirements for Licensure of an International Medical School Graduate

NOTICE FILED DATE: 07/11/2023

RULE SUMMARY: The rulemaking removes the listed requirement that an International Medical School Graduate (IMG) must speak English fluently and write English legibly. IMGs also obtain certification by the Educational Commission for Foreign Medical Graduates, which includes passage the USMLE, these intrinsically confirm English proficiency. This requirement is not separately verified by licensing staff. The proposed rule amendment will continue the work directed in Oregon Laws 2019, chapter 469 (SB 855), for professional licensing boards to develop and implement methods to reduce barriers to licensure for applicants who may be immigrants or refugees.

RULE TEXT:

The following requirements must be met in lieu of graduation from an approved school of medicine in order to qualify under ORS 677.100:

(1) Must have graduated from an international school of medicine:

(a) The medical school must be chartered in the country in which it is located and must provide a resident course of professional instruction, be accredited by an accrediting organization acceptable to the Board, or be recognized by the appropriate civil authorities of the country in which the school is located as an acceptable education program. The Board may determine that the accreditation of an international medical school is not acceptable if the Board receives documentation that the medical school has had its authorization, accreditation, certification or approval denied or removed by any state, country or territorial jurisdiction or that its graduates were refused a license by any state, country or territorial jurisdiction on the grounds that the school failed or fails to meet reasonable standards for medical education facilities.

(b) The graduate must have attended at least four full terms of instruction of eight months each, with all courses having been completed by physical on-site attendance in the country in which the school is chartered. The requirement for four

full terms of instruction of eight months each term may be waived for any applicant for licensure who has graduated from an international school of medicine, has substantially complied with the attendance requirements provided herein, and is certified by a specialty board.

(c) Any clinical clerkships obtained in a country other than that in which the school is chartered must be satisfactorily completed.

(d) If requested, the applicant must provide the Board with documentation to substantiate that the medical school from which the applicant graduated meets the requirements in subsection (2)(a) of this rule.

(2) Must have obtained certification by the Educational Commission for Foreign Medical Graduates. This requirement may be waived if:

(a) The accredited postgraduate training was completed in Canada; or

(b) The accredited postgraduate training was completed prior to the enforcement of the ECFMG certification; or

(c) The applicant has been certified by a specialty board; or

(d) The applicant has successfully completed a Fifth Pathway training program.

(3) Must have satisfactorily completed an approved internship, residency or clinical fellowship in the United States or Canada of at least three years of progressive training in not more than two specialties in training programs accredited for internship, residency or fellowship training by the Accreditation Council for Graduate Medical Education, the American Osteopathic Association, the College of Family Physicians of Canada or the Royal College of Physicians and Surgeons of Canada.

(a) The following may be used in lieu of the three years of postgraduate training:

(A) Current certification by a specialty board; or

(B) Successful completion of four years of practice in Oregon under a Limited License, Medical Faculty, in accordance with OAR 847-020-0140(1); or

(C) Successful completion of four years of practice in another United States jurisdiction under a license substantially similar to the Limited License, Medical Faculty.

(b) If the applicant is unable to satisfy the requirement in section (4) of this rule for postgraduate training, and the applicant has been granted a dispensation by a specialty board whereby the specialty board has granted credit for postgraduate training completed abroad toward fulfillment of the requirements for admission to a future specialty board's certification examination, the Board may consider the dispensation as fulfilling that same portion of the Board's requirement for postgraduate training.

(4) Must pass a written licensure examination as provided in ORS 677.110 and OAR 847-020-0170.

STATUTORY/OTHER AUTHORITY: ORS 677.265

STATUTES/OTHER IMPLEMENTED: ORS 677.100, 677.110, 677.265

AMEND: 847-020-0150

RULE TITLE: Documents and Forms to be Submitted for Licensure

NOTICE FILED DATE: 07/11/2023

RULE SUMMARY: The rulemaking adds the results of a Physician Data Center (PDC) Query from the Federation of State Medical Boards (FSMB) are required for licensure. Licensing staff now utilize the Physician Data Center (PDC) Query to directly verify other state licensure.

RULE TEXT:

The documents submitted must be legible and no larger than 8 1/2" x 11". All documents and photographs will be retained by the Board as a permanent part of the application file. If original documents are larger than 8 1/2" x 11", the copies must be reduced to the correct size with all wording and signatures clearly shown. Official translations are required for documents issued in a foreign language. The following documents are required:

- (1) Application: Completed formal application provided by the Board. Required dates must include month, day and year.
- (2) Birth Certificate: A copy of birth certificate.
- (3) Medical School Diploma: A copy of a diploma showing graduation from an approved school of medicine or an international school of medicine.
- (4) American Specialty Board Certificate or Recertification Certificate: A copy of the certificate issued by the American Specialty Board in the applicant's specialty, if applicable.
- (5) Photograph: A close-up, color, passport quality photograph, front view, head and shoulders (not profile), with features distinct, taken within 90 days preceding the filing of the application.
- (6) The results of a Practitioner Self-Query from the National Practitioner Data Bank, if requested by the Board.
- (7) The results of a Physician Data Center Query from the Federation of State Medical Boards, if requested by the Board.
- (8) Legible fingerprints as described in 847-008-0068 for the purpose of a criminal records background check.
- (9) An open-book examination on the Medical Practice Act (ORS chapter 677) and Oregon Administrative Rules chapter 847. If an applicant fails the examination three times, the applicant must attend an informal meeting with a Board member, the Executive Director, a Board investigator and/or the Medical Director of the Board to discuss the applicant's failure of the examination, before being given a fourth and final attempt to pass the examination. If the applicant does not pass the examination on the fourth attempt, the applicant may be denied licensure.
- (10) Any other documentation or explanatory statements as required by the Board.

STATUTORY/OTHER AUTHORITY: ORS 181A.195, 677.100, 677.265

STATUTES/OTHER IMPLEMENTED: ORS 181A.195, 677.100, 677.265

AMEND: 847-020-0160

RULE TITLE: Letters and Official Verifications to be Submitted for Licensure

NOTICE FILED DATE: 07/11/2023

RULE SUMMARY: The rule clarifies an employer verification must include an evaluation of overall performance by a statement of good standing. The rule also updates when an applicant must ensure another jurisdiction's license verification is sent directly to the Board. Licensing staff now utilize the Physician Data Center (PDC) Query to directly verify other state licensure. If the jurisdiction is not covered by the PDC or the PDC notes there was a disciplinary action, the Board will request the applicant have the verification sent directly from the issuing state to the Board. Lastly, the PDC includes the Board Action Data Search, thus the search does not need to be separately called out in rule.

RULE TEXT:

The applicant must ensure that official documents are sent to the Board directly from:

(1) The school of medicine:

(a) A Dean's Letter of Recommendation must include a statement concerning the applicant's moral and ethical character and overall performance as a medical student. If the school attests that a Dean's Letter is unavailable or the Board determines that it is unacceptable, a copy of the transcripts may be acceptable.

(b) Verification of Medical Education form must include degree issued, date of degree, dates of attendance for each year, dates and reason for any leaves of absence or repeated years, and dates, name and location of school of medicine if a transfer student.

(2) The Fifth Pathway Hospital, if such applies: An evaluation of overall performance and specific beginning and ending dates of training.

(3) The Educational Commission for Foreign Medical Graduates: Verification of certification.

(4) The Director of Medical Education, Chairman or other official of the internship, residency and fellowship hospitals in the United States and other countries: An evaluation of overall performance, specialty and specific beginning and ending dates of training.

(5)(a) The Director or other official for practice and employment in hospitals, clinics, etc. in the United States and foreign countries: A currently dated original letter (a copy is not acceptable), sent directly from the hospital/clinic, must include a statement of good standing and specific beginning and ending dates of practice and employment, for the past five (5) years only.

(b) If the applicant has ceased practice for more than two years, employment verifications will be required for the past ten (10) years.

(c) If such verification is unavailable or incomplete, and for physicians who have been or are in solo practice without hospital privileges at the time of solo practice, provide three reference letters from physicians in the local medical community who are familiar with the applicant's practice and who have known the applicant for more than six months.

(6) If requested by the Board, all health licensing boards in any jurisdiction where the applicant has ever been licensed; regardless of status, i.e., current, lapsed, never practiced there: Verification, sent directly from the boards, must show license number, date issued, examination grades if applicable and status.

(7) Official Examination Certifications: An official examination certification showing the examination score is required directly from the National Board of Medical Examiners, the National Board of Osteopathic Medical Examiners, the Medical Council of Canada, the Federation of State Medical Boards or the individual state administering the exam.

(8) Any other documentation as required by the Board, including but not limited to medical records and criminal or civil records.

STATUTORY/OTHER AUTHORITY: ORS 677.265

STATUTES/OTHER IMPLEMENTED: ORS 677.010, ORS 677.100, ORS 677.265