

**ACT 205**

H.B. NO. 2092

A Bill for an Act Relating to Medicine and Surgery.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The legislature finds that existing statutory requirements for a license to practice medicine or surgery in Hawaii, include the completion of a residency program accredited by the Accreditation Council for Graduate Medical Education (ACGME), or, for graduates of foreign medical schools, completion of a residency program accredited by ACGME. However, ACGME only accredits residency programs in the United States and thus, only those who complete an accredited United States residency program may obtain a medical license in Hawaii.

The legislature finds that this denies licensure to many highly qualified foreign medical school graduates who have completed foreign residency programs that are at least equivalent to medical schools and residency programs in the United States.

The legislature further finds that the Royal College of Physicians and Surgeons of Canada (RCPSC) and the College of Family Physicians of Canada (CFPC) are Canadian medical accreditation bodies with standards recognized as equivalent to the ACGME.

The purpose of this Act is to amend the medicine and surgery licensing law to:

- (1) Authorize licensure of persons who have served their residency in programs accredited by RCPSC or CFPC or in programs outside the United States or Canada approved by the Board; and
- (2) Allow licensure without further examination for persons who have completed education and residency requirements and passed the Medical Council of Canada Qualifying Examination.

SECTION 2. Section 453-4, Hawaii Revised Statutes, is amended by amending subsections (b) and (c) to read as follows:

“(b) Before any applicant shall be eligible for licensure, the applicant shall furnish proof satisfactory to the board that:

- (1) The applicant is of demonstrated competence and professional knowledge; and

- (2) ~~[(A)]~~ The applicant is a graduate of [a]:

- (A) ~~A medical school or college whose program leading to the M.D. degree is accredited by the Liaison Committee on Medical Education, and has served a residency of at least one year in a program which has been accredited for the training of resident physicians by the Accreditation Council for Graduate Medical Education, or [if outside the United States, in a program which is shown by the applicant to the satisfaction of the board to possess standards substantially the equivalent of those required for accreditation by the Accreditation Council for Graduate Medical Education; or] a residency of at least one year in a program in Canada which has been accredited for the training of resident physicians by the Royal College of Physicians and Surgeons of Canada, or the College of Family Physicians of Canada; or~~

- (B) ~~[The applicant is a graduate of a] A foreign medical school and has had at least two years of residency in a program accredited by the Accreditation Council for Graduate Medical Education, [and] or has had at least two years of residency in a program in Canada that has been accredited for the training of resident physicians by the Royal College of Physicians and Surgeons of Canada, or by the College of Family Physicians of Canada; and:~~

- (i) ~~Holds the national certificate of the Educational Commission for Foreign Medical Graduates, or its successor[;], or for applicants with residency training in Canada, has passed with scores deemed satisfactory by the board, the Medical Council of Canada Evaluating Examination, or its successor; or~~

- (ii) ~~Holds the certificate of the Fifth Pathway Program of the American Medical Association;~~

~~provided that for a period of two years after June 26, [1990,] 2004, the requirements of subsection (b)(2)(B)(i) and (ii) shall~~

not apply to any applicant who has had four years of residency in a program accredited by the Accreditation Council for Graduate Medical Education[-] and who has passed, with scores deemed satisfactory by the board, the Special Purpose Examination (SPEX).

(c) Applicants who have passed, with scores deemed satisfactory by the board, the National Board of Medical Examiners examination (NBME), the Federation Licensing Examination (FLEX), [øf] the United States Medical Licensing Examination (USMLE), or a combination of these examinations as approved by the board, [~~with scores deemed satisfactory by the board;~~] or the Medical Council of Canada Qualifying Examination (MCCQE), and who meet the requirements of subsection (b) shall be licensed without the necessity of any further examination; provided that with respect to any applicant, the board may require letters of evaluation, professional evaluation forms, and interviews with chiefs of service or attending physicians who have been associated with an applicant, or chief residents on a service who have been associated with an applicant during the applicant's training or practice, to be used by the board in assessing the applicant's qualifications to practice medicine.”

SECTION 3. The Board of Medical Examiners shall periodically review the provisions of section 453-4(b), Hawaii Revised Statutes.

SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 5. This Act shall take effect upon its approval.

(Approved July 12, 2004.)