



**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 954**

February 9, 2024 - Offered by Representative CALLAHAN.

1 **AN ACT to amend** 448.05 (2) (a) (intro.), 448.05 (2) (b) (intro.) and 448.974 (1) (a)
2 (intro.); and **to create** 448.01 (3), 448.02 (4m), 448.04 (1) (br), 448.05 (2m),
3 448.075, 448.40 (3), 448.971 (5) and 448.974 (1) (c) of the statutes; **relating to:**
4 provisional licenses to practice medicine and surgery for internationally
5 trained physicians and physician assistants and granting rule-making
6 authority.

Analysis by the Legislative Reference Bureau

This bill creates provisional licenses for certain internationally trained physicians to practice as a physician in this state and provides that certain physician assistants or physician associates who are licensed to practice in certain qualifying countries may apply for and receive a license to practice as a physician assistant in this state without having to satisfy certain educational requirements provided under current law. Under the bill, provisional licenses to practice as a physician are automatically converted into permanent licenses after the provisional license holder practices in this state and maintains good standing for three consecutive years.

Under current law, the Medical Examining Board licenses and regulates physicians. This bill provides that the Medical Examining Board may grant a

provisional license to practice as a physician to an applicant who meets certain requirements, including: (1) the applicant has an offer for full-time employment as a physician in this state from a federally qualified health center, a community health center, a hospital, an ambulatory surgical center, or any other health care facility approved by the Medical Examining Board; (2) the applicant has been granted a medical doctorate or a substantially similar degree by an international medical program; (3) the applicant has completed a residency program or a postgraduate medical training program that is substantially similar to a residency program; (4) the applicant has practiced as a fully licensed or otherwise authorized physician in his or her country of practice for at least five years after completing a residency program or a postgraduate medical training program that is substantially similar to a residency program; (5) the applicant has practiced continuously as a physician in his or her country of practice for at least one out of the five years immediately preceding the date that the applicant submits an application for a provisional license; (6) the applicant has been in good standing with the medical licensing or regulatory agency of his or her country of practice for the five years preceding the individual's application and does not have any pending disciplinary action before the medical licensing or regulatory agency; (7) the applicant has obtained certification by the Educational Council for Foreign Medical Graduates, a successor organization, or another evaluation entity approved by the Medical Examining Board; (8) the applicant has passed all steps of the United States Medical Licensing Examination administered by the National Board of Medical Examiners and the Federation of State Medical Boards, or their successor organizations; (9) the applicant has, or will have prior to working as a physician in this state, a federal immigration status and employment authorization that enables the applicant to work as a physician in this state; and (10) the applicant possesses basic fluency in the English language. The bill requires that any individual who holds a provisional license as a physician submit to the Medical Examining Board every six months or upon request of the board a statement certifying whether the individual is still employed as a physician in this state and whether the individual has been subjected to professional discipline as a result of the individual's practice. Under the bill, "international medical program" is defined to mean any medical school, residency program, medical internship program, or other program that is approved by the Educational Commission for Foreign Medical Graduates or provides individuals with a medical education or training outside the United States that is substantially similar to the training required to qualify to practice medicine and surgery in this state.

Under current law, the Physician Assistant Affiliated Credentialing Board is attached to the Medical Examining Board and is responsible for the licensing and regulation of physician assistants. The Physician Assistant Affiliated Credentialing Board must issue licenses to practice as a physician assistant to any applicant who is found qualified by three-fourths of the members of the board and who satisfies certain requirements including that the applicant has successfully completed an educational program for physician assistants or physician associates that is described under current law or has successfully passed the Physician Assistant National Certifying Examination prior to January 1, 1986. This bill provides that

an applicant for a license as a physician assistant does not have to complete the educational program described under current law if the applicant provides evidence satisfactory to the Physician Assistant Affiliated Credentialing Board that the applicant is licensed as a physician assistant or physician associate in a qualified country, that the applicant is in good standing with the licensing or regulatory institution in the qualified country, that the applicant can speak fluently in the English language, and that the applicant is lawfully admitted to work as a physician assistant in the United States. Under the bill, “qualified country” is defined to mean a country that the Physician Assistant Affiliated Credentialing Board determines by rule has set educational requirements for obtaining a license to practice as a physician assistant or physician associate in that country that are substantially equivalent to the educational requirements for licensure as a physician assistant in this state.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 448.01 (3) of the statutes is created to read:

2 448.01 (3) “International medical program” means any medical school,
3 residency program, medical internship program, or other program that is approved
4 by the Educational Commission for Foreign Medical Graduates or provides
5 individuals with a medical education or training outside the United States that is
6 substantially similar to the training required to qualify to practice medicine and
7 surgery in this state.

8 **SECTION 2.** 448.02 (4m) of the statutes is created to read:

9 448.02 (4m) INTERNATIONAL PHYSICIANS. The board may suspend or revoke a
10 license granted under s. 448.04 (1) (br) if a majority of the board determines that the
11 holder of the license is no longer employed as a physician in this state by an employer
12 described in s. 448.05 (2m) (a). The holder of the license shall be granted an
13 opportunity to be heard prior to the board’s determination.

14 **SECTION 3.** 448.04 (1) (br) of the statutes is created to read:

1 448.04 (1) (br) *Provisional license to practice medicine and surgery for*
2 *international physicians.* The board may grant a provisional license to practice
3 medicine and surgery for international physicians to an applicant who satisfies the
4 requirements under s. 448.05 (2m). The holder of a provisional license granted under
5 this paragraph may practice medicine and surgery only under the supervision of a
6 physician who is licensed to practice medicine and surgery under par. (a). A
7 provisional license to practice medicine and surgery under this paragraph shall be
8 converted into a license to practice medicine and surgery under par. (a) after the
9 provisional license holder practices medicine and surgery full-time in this state and
10 maintains good standing for 3 consecutive years.

11 **SECTION 4.** 448.05 (2) (a) (intro.) of the statutes is amended to read:

12 448.05 (2) (a) (intro.) Except as provided in pars. (b) to (f) and sub. (2m), an
13 applicant for any class of license to practice medicine and surgery must supply
14 evidence satisfactory to the board of all of the following:

15 **SECTION 5.** 448.05 (2) (b) (intro.) of the statutes is amended to read:

16 448.05 (2) (b) (intro.) Except as provided in pars. (c) to (f) and sub. (2m), an
17 applicant for a license to practice medicine and surgery who is a graduate of a foreign
18 medical college must supply evidence satisfactory to the board of all of the following:

19 **SECTION 6.** 448.05 (2m) of the statutes is created to read:

20 448.05 (2m) PROVISIONAL LICENSE TO PRACTICE MEDICINE AND SURGERY FOR
21 INTERNATIONAL PHYSICIANS. An applicant for a provisional license to practice medicine
22 and surgery for international physicians must supply evidence to the board that the
23 applicant satisfies all of the following:

24 (a) The applicant has an offer for full-time employment as a physician in this
25 state from a federally qualified health center, as defined in s. 253.075 (1) (e), a

1 community health center, as defined in s. 250.15 (1) (a), a hospital, as defined in s.
2 50.33 (2), an ambulatory surgical center, as defined in 42 CFR 416.2, or any other
3 health care facility approved by the board.

4 (b) The applicant has been granted a medical doctorate or a substantially
5 similar degree by an international medical program.

6 (c) The applicant has completed a residency program or a postgraduate medical
7 training program that is substantially similar to a residency program.

8 (d) The applicant has practiced as a fully licensed or otherwise authorized
9 physician in his or her country of practice for at least 5 years after completing a
10 residency program or a postgraduate medical training program that is substantially
11 similar to a residency program.

12 (dm) The applicant has practiced continuously as a physician in his or her
13 country of practice for at least one out of the 5 years immediately preceding the date
14 that the applicant submits an application for a provisional license under s. 448.04
15 (1) (br).

16 (e) The applicant has been in good standing with the medical licensing or
17 regulatory agency of his or her country of practice for the 5 years preceding the
18 individual's application and does not have any pending disciplinary action before the
19 medical licensing or regulatory agency.

20 (em) The applicant has obtained certification by the Educational Council for
21 Foreign Medical Graduates, a successor organization, or another evaluation entity
22 approved by the board.

23 (f) The applicant has passed all steps of the United States Medical Licensing
24 Examination administered by the National Board of Medical Examiners and the
25 Federation of State Medical Boards, or their successor organizations.

1 (g) The applicant has, or will have prior to working as a physician in this state,
2 a federal immigration status and employment authorization that enables the
3 applicant to work as a physician in this state.

4 (h) The applicant possesses basic fluency in the English language.

5 **SECTION 7.** 448.075 of the statutes is created to read:

6 **448.075 Provisional licenses.** Every 6 months or upon request of the board,
7 the holder of a provisional license under s. 448.04 (1) (br) shall submit to the board
8 a statement certifying whether the license holder is still employed as a physician in
9 this state and whether the license holder has been subjected to professional
10 discipline as a result of the license holder's practice. If the license holder has been
11 subject to professional discipline, the license holder shall submit to the board a
12 description of the circumstances of the discipline.

13 **SECTION 8.** 448.40 (3) of the statutes is created to read:

14 448.40 (3) The board may promulgate rules defining "substantially similar"
15 under s. 448.05 (2m).

16 **SECTION 9.** 448.971 (5) of the statutes is created to read:

17 448.971 (5) "Qualified country" means a country that the board determines by
18 rule has set educational requirements for obtaining a license to practice as a
19 physician assistant or physician associate in that country that are substantially
20 equivalent to the educational requirements for licensure as a physician assistant
21 under s. 448.974 (1) (a) 3. a.

22 **SECTION 10.** 448.974 (1) (a) (intro.) of the statutes is amended to read:

23 448.974 (1) (a) (intro.) Except as provided in ~~par.~~ pars. (b) and (c), the board
24 shall grant an initial license to practice as a physician assistant to any applicant who

1 is found qualified by three-fourths of the members of the board and satisfies all of
2 the following requirements, as determined by the board:

3 **SECTION 11.** 448.974 (1) (c) of the statutes is created to read:

4 448.974 (1) (c) Paragraph (a) 3. does not apply to an applicant who provides
5 evidence satisfactory to the board that the applicant is licensed as a physician
6 assistant or physician associate in a qualified country, that the applicant is in good
7 standing with the licensing or regulatory institution in the qualified country, that the
8 applicant can speak fluently in the English language, and that the applicant is
9 lawfully admitted to work as a physician assistant in the United States.

10 **SECTION 12. Effective date.**

11 (1) This act takes effect on January 1, 2025.

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(END)