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S.142

An act relating to a pathway to licensure for internationally trained physicians

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. PATHWAY TO LICENSURE FOR INTERNATIONALLY TRAINED PHYSICIANS; REPORT

(a) On or before January 15, 2027, the Department of Health, in collaboration with the Board of Medical Practice, shall provide to the House Committees on Health Care and on Government Operations and Military Affairs and the Senate Committees on Health and Welfare and on Government Operations a report detailing a pathway to licensure for internationally trained physicians. The report shall include the following information:

(1) a summary of other states' processes for licensing internationally trained physicians to practice medicine and, if available, data on the outcomes of these processes and related programs;

(2) a description of the external resources needed to evaluate the education, experience, and examinations of internationally trained physicians and the availability of these resources;

(3) a proposal for licensing internationally trained physicians to practice medicine in Vermont, including potential qualifications and supervision requirements for licensure, proposed requirements for recency of practice, a

1 summary of any additional resources and statutory authority needed, and a plan
2 and timeline for implementing the licensing program; and

3 (4) any additional information that the Department deems relevant to a
4 robust consideration of the issues related to licensing internationally trained
5 physicians to practice medicine in Vermont.

6 (b) In preparing the report required by this section, the Department shall
7 consult with other states that have implemented licensing programs for
8 internationally trained physicians; the Windham County Branch of the
9 NAACP; third-party credentialing services; the Vermont Medical Society; the
10 Vermont Association of Hospitals and Health Systems; and other advocacy
11 organizations, researchers, and other entities whose expertise is relevant to
12 developing the report.

13 Sec. 2. 26 V.S.A. § 1391 is amended to read:

14 § 1391. QUALIFICATIONS FOR MEDICAL LICENSURE

15 * * *

16 (g) Internationally trained physicians. The Board may issue:

17 (1) a provisional license to practice at a participating health care facility,
18 as defined in section 1397 of this chapter, to an internationally trained
19 physician who meets the requirements for provisional licensure established by
20 the Board by rule pursuant to section 1396 of this chapter; and

1 (2) a full license to an internationally trained physician who has
2 successfully completed the pathway to licensure established by the Board by
3 rule pursuant to section 1396 of this chapter.

4 Sec. 3. 26 V.S.A. § 1396 is added to read:

5 § 1396. PATHWAY TO LICENSURE FOR INTERNATIONALLY
6 TRAINED PHYSICIANS; RULEMAKING

7 Pursuant to the authority of the Commissioner in subsection 1351(e) of this
8 chapter, the Board shall adopt rules in accordance with 3 V.S.A. chapter 25 as
9 needed to enable the licensure of internationally trained physicians as set forth
10 in subsection 1391(g) of this chapter. The rules adopted by the Board shall
11 reflect the least restrictive form of regulation necessary to protect the public
12 interest and shall include:

13 (1) the qualifications necessary for an internationally trained physician
14 to obtain a provisional license to practice at a participating health care facility,
15 as defined in section 1397 of this chapter;

16 (2) the standards for participating health care facilities to use for the
17 evaluation and assessment of the holder of a provisional license; and

18 (3) the additional qualifications necessary for an internationally trained
19 physician to obtain a full license to practice medicine in this State following
20 successful completion of the provisional licensure period.

1 Sec. 4. 26 V.S.A. § 1397 is added to read:

2 § 1397. PARTICIPATING HEALTH CARE FACILITIES

3 (a) As used in this section:

4 (1) “Health care facility” means a hospital, federally qualified health
5 center, or community health center.

6 (2) “Participating health care facility” means a health care facility that
7 meets the requirements of this section and has the capacity to provide an
8 assessment and evaluation program designed in accordance with rules adopted
9 by the Board pursuant to section 1396 of this chapter to evaluate an
10 internationally trained physician holding a provisional license issued pursuant
11 to subdivision 1391(g)(1) of this chapter.

12 (b) In order to be eligible to be a participating health care facility for
13 purposes of subdivision 1391(g)(1) and section 1396 of this chapter, a health
14 care facility shall:

15 (1) agree to provide medical mentoring, evaluation, assessment, and
16 support in navigating the U.S. health care system by one or more fully licensed
17 physicians employed by the health care facility to a provisionally licensed
18 physician using an evaluation and assessment system that meets the standards
19 established by the Board by rule pursuant to section 1396 of this chapter;

20 (2) ensure that the mentoring, evaluation, assessment, and support of a
21 provisionally licensed physician is provided by one or more physicians who

1 are licensed under 26 V.S.A. chapter 33 or this chapter and who are physically
2 located in Vermont and that the provisionally licensed physician provides
3 services only to patients physically located in Vermont;

4 (3) carry medical malpractice insurance covering the provisionally
5 licensed physician for the duration of that physician's employment by the
6 participating health care facility; and

7 (4) not retaliate against or discipline a provisionally licensed physician
8 for making a complaint or pursuing enforcement of an employment-related
9 claim.

10 Sec. 5. EFFECTIVE DATES

11 (a) Sec. 1 (pathway to licensure for internationally trained physicians;
12 report) and this section shall take effect on passage.

13 (b) Sec. 3 (26 V.S.A. § 1396; pathway to licensure for internationally
14 trained physicians; rulemaking) shall take effect on July 1, 2027.

15 (c) Secs. 2 (26 V.S.A. § 1391; qualifications for medical licensure) and 4
16 (26 V.S.A. § 1397; participating health care facilities) shall take effect on July
17 1, 2028.