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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 2753

02/20/2018 Authored by Kiel, Theis, Flanagan, Thissen, Backer and others
The bill was read for the first time and referred to the Committee on Health and Human Services Reform
03/22/2018 Adoption of Report: Re-referred to the Committee on Health and Human Services Finance

1.1 A bill for an act
1.2 relating to health care; authorizing the Board of Medical Practice to issue a limited
1.3 license to practice medicine in rural or underserved communities for international
1.4 medical graduates; proposing coding for new law in Minnesota Statutes, chapter
1.5 147.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. [147.0373] LIMITED LICENSE TO PRACTICE MEDICINE IN RURAL
1.8 OR UNDERSERVED COMMUNITIES FOR INTERNATIONAL MEDICAL
1.9 GRADUATES.

1.10 Subdivision 1. Requirements. (a) The board shall issue a limited license to practice
1.11 medicine within a rural or underserved community to an applicant who:

1.12 (1) satisfies the requirements in section 147.037, subdivision 1, paragraphs (a), (b), (c),
1.13 and (e);

1.14 (2) submits evidence satisfactory to the board of the completion of at least one year of
1.15 postgraduate clinical medical training in the country in which the applicant received their
1.16 medical education, or of successfully practicing medicine in another country for a period
1.17 of at least five years;

1.18 (3) submits evidence of Minnesota residency for a period of at least three years prior to
1.19 the date of application; and

1.20 (4) submits an employment contract or other satisfactory evidence indicating employment
1.21 and acknowledging that the applicant is employed or will be employed upon the issuance
1.22 of a limited license under this section to practice medicine in primary care in a setting located
1.23 in a rural or underserved community.

2.1 (b) For purposes of this section, "rural" and "underserved community" are defined under
2.2 section 144.1911, subdivision 2.

2.3 Subd. 2. **Limited licensure.** (a) The board shall issue a limited license to practice
2.4 medicine to an applicant eligible for licensure under this section only if the application for
2.5 the limited license is complete, all requirements in subdivision 1 have been met, and a
2.6 nonrefundable fee set by the board has been paid. The limited license issued under this
2.7 section shall limit the practice of medicine to primary care within the employment setting
2.8 described under subdivision 1, paragraph (a), clause (4).

2.9 (b) If a person holding a limited license under this section changes employment, the
2.10 person must notify the board in writing no later than 30 days after termination of employment.
2.11 The new employment contract must be submitted to the board with the notification. If
2.12 notification and a new employment contract is not submitted to the board within this time
2.13 period, or the new employment contract does not meet the requirements in subdivision 1,
2.14 the board shall immediately revoke the limited license issued under this section.

2.15 Subd. 3. **Limitation of practice.** (a) A person issued a limited license under this section
2.16 may only practice medicine within the primary care setting of the limited licensee's employer,
2.17 and shall only practice medicine under a collaborative agreement and under a physician's
2.18 supervision.

2.19 (b) The collaborative agreement between the limited licensee and the supervising
2.20 physician must affirm the supervisory relationship and define the limited licensee's scope
2.21 of practice. The agreement must describe the scope and nature of the supervision and must
2.22 specify the categories of drugs, controlled substances, and medical devices that the
2.23 supervising physician delegates to the limited licensee to prescribe. The agreement must
2.24 be prepared and signed by the supervising physician and the limited licensee, must be kept
2.25 on file at the limited licensee's place of employment, and must be made available to the
2.26 board upon request. The agreement must be reviewed after one year and may be updated
2.27 or changed for the next year.

2.28 (c) For purposes of this section, "supervision" means overseeing the activities of, and
2.29 accepting responsibility for, the medical services performed by the limited licensee. The
2.30 scope and nature of the supervision shall be defined by the collaborative agreement between
2.31 the limited licensee and the supervising physician. For purposes of this section, "supervising
2.32 physician" means a Minnesota licensed physician who accepts full medical responsibility
2.33 for the performance, practice, and activities of the limited licensee under the collaborative
2.34 agreement as described in this subdivision.

3.1 Subd. 4. **Licensure expiration.** A limited license issued under this section shall expire
3.2 after two years and may be renewed for an additional two years. Upon expiration, the limited
3.3 licensee may apply for a license without limitations according to section 147.037 if the
3.4 licensee has practiced for a period of two years in a rural or underserved community. The
3.5 clinical medical training requirement under section 147.037, subdivision 1, paragraph (d),
3.6 shall be deemed met upon the applicant maintaining a limited license under this section for
3.7 a period of two years.

3.8 Subd. 5. **Representation of professional status.** In making representations of
3.9 professional status, a limited licensee must indicate or state that the limited licensee is
3.10 practicing under a limited license.

3.11 Subd. 6. **Standard of practice.** A licensee with a limited license issued under this section
3.12 must conduct all professional activities in accordance with sections 147.091; 147.092;
3.13 147.111; 147.121; 147.131; 147.141; 147.231; and 147.37.

3.14 Subd. 7. **Revocation of limited license.** The board may immediately revoke the limited
3.15 license of any licensee who violates a requirement of this section. A licensee whose limited
3.16 license is revoked must immediately return the limited license to the board.