

7 MCAR 4

1 State Board of Medical Examiners

2

3 Adopted Rule Regarding Changes in the Initial Licensure
4 Requirements, Specifically Regarding the Use of Examinations and
5 the Citizenship Requirements, for Those Physicians and
6 Osteopaths Seeking Licensure to Practice Medicine in Minnesota

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8 Rules as Adopted

9 7 MCAR S 4.002 Application for licensure to practice medicine
10 and surgery.

11 A. Filing; date and place of examination. An application
12 for admission to a licensing examination as provided in
13 Minnesota Statutes, section 147.02 shall be filed with the board
14 as hereinafter prescribed. If the board finds that the
15 application is complete and that all of the requirements of
16 Minnesota Statutes, section 147.02 and of these rules have been
17 met, it shall advise the applicant of the date and place of the
18 examination.

19 B. Form and content. The application must be submitted on
20 forms prepared by the board and must include the following
21 information:

22 1. If the applicant is a graduate of a medical or
23 osteopathic college approved by the board, an original or
24 certified copy of the diploma from the medical or osteopathic
25 college, indicating that the applicant has satisfactorily
26 completed a course of study acceptable to the board and that he
27 or she has received from the college the degree of Doctor of
28 Medicine or Doctor of Osteopathy.

29 2. If the applicant is currently enrolled in the final
30 year of study at an approved medical or osteopathic college, a
31 transcript of his or her credits, together with evidence,
32 satisfactory to the board, that the applicant has satisfactorily
33 completed the course of study prior to the final year at an
34 approved medical or osteopathic college. Prior to admission to
35 the licensing examination, the applicant shall file with the
36 board the original or certified copy of a diploma from a medical

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1 or osteopathic college approved by the board indicating that the
2 applicant has satisfactorily completed a course of study
3 acceptable to the board and that he or she has received from the
4 college the degree of Doctor of Medicine or Doctor of Osteopathy.

5 3. A certificate of good moral character signed by two
6 persons licensed to practice medicine and surgery by a
7 recognized and accredited licensing authority within the United
8 States or Canada.

9 4. An unmounted recent photograph of the applicant with
10 an affidavit on the reverse side of it made by the applicant
11 that the photograph is that of the applicant.

12 5. Other information as the board deems necessary to
13 evaluate the qualifications of the applicant.

14 C. Additional evidence. An applicant who has passed the
15 examination prepared and graded by either the Federation of
16 State Medical Boards or the National Board of Medical Examiners
17 shall include in the application, in addition to the information
18 required under B., evidence satisfactory to the board that
19 within three years before or five years after being granted the
20 degree of Doctor of Medicine (M.D.) or Doctor of Osteopathy
21 (D.O.), the applicant satisfactorily passed an examination
22 prepared and graded according to Minnesota Statutes, section
23 147.02.

24 D. Ineligible applicants. An applicant whose credentials
25 are determined by the board to indicate ineligibility for
26 examination shall be notified of this determination and the
27 grounds for it and may be granted a hearing on this
28 determination under ME 63 by filing a statement of issues with
29 the board within 20 days after receipt of the notice from the
30 board. After the hearing the board shall notify the applicant
31 in writing of its decision.

32 E. Evidence of training. An applicant who has
33 satisfactorily completed the licensing examination, and who has
34 fulfilled all the requirements of Minnesota Statutes, chapter
35 147, and these rules, shall be considered by the board for
36 licensure to practice medicine and surgery upon submitting to

1 the board evidence satisfactory to the board that the applicant
2 has satisfactorily completed either one year of graduate
3 training in an institution in the United States or Canada
4 approved for internship or graduate training by the board or
5 other graduate training approved by the board.

6 F. Filing deadline. Applications for examination must be
7 fully completed and forwarded to the secretary of the board,
8 postmarked not later than 30 days before the date of examination.

9 7 MCAR S 4.004 License by reciprocity to practice medicine and
10 surgery.

11 A. Who may apply. An application for a license to practice
12 medicine and surgery without written examination according to
13 Minnesota Statutes, section 147.03, may be made by a physician
14 licensed by an accredited state licensing board or agency.

15 B. Submission and contents of application. The
16 application must be submitted on forms prepared by the board and
17 must include the following information:

18 1. An original or certified copy of the applicant's then
19 current license originally obtained by examination, together
20 with evidence at the time of submission that the license is in
21 good standing. If the applicant is a graduate of a foreign
22 medical school, he or she shall also submit the information
23 required by 7 MCAR S 4.007 A.4. and 5., and the original or a
24 certified copy of a birth certificate.

25 2. An original or certified copy of a diploma from a
26 medical or osteopathic college accredited by the board,
27 indicating that the applicant has satisfactorily completed a
28 course of study acceptable to the board, and that he or she has
29 received from the college the degree of Doctor of Medicine or
30 Doctor of Osteopathy. If the applicant is a graduate of a
31 foreign medical school, he or she shall submit instead the
32 information required by 7 MCAR S 4.007 A.2.

33 3. Evidence satisfactory to the board that the applicant
34 has satisfactorily completed either one year of graduate
35 training in an institution in the United States or Canada
36 approved for internship or graduate training by the board, or

1 other graduate training approved by the board.

2 4. If the applicant is a graduate of a foreign medical
3 school, evidence satisfactory to the board that the applicant
4 has been awarded a certificate by the Educational Council for
5 Foreign Medical Graduates, certifying to the applicant's formal
6 education and passage of the ECFMG English test and the ECFMG
7 examination. This evidence is not required if the applicant:
8 (a) was licensed by examination in a state which at the time of
9 applicant's licensure in the state did not require that he or
10 she had been awarded a certificate by the Education Council for
11 Foreign Medical Graduates, or (b) is a diplomate of a medical
12 specialty board approved by the American Medical Association.

13 5. The information required by 7 MCAR S 4.002 B.3., 4.,
14 and 5.

15 C. Passing grade. A FLEX weighted average of 75.0 or a
16 grade average of 75.0 on examinations other than FLEX shall be
17 the passing grade on all examinations graded by the board. If
18 the applicant fails the examination, he or she shall repeat the
19 entire examination. An applicant may take the test not more
20 than five times, at which point he or she is no longer eligible
21 to take the examination. An applicant who has failed the
22 examination five times is not eligible for licensure by the
23 board.

24 7 MCAR S 4.005 License by endorsement without examination to
25 practice medicine and surgery.

26 A. Who may apply. An application for a license to practice
27 medicine and surgery by endorsement without written examination
28 may be made by an applicant who is a diplomate of the National
29 Board of Medical Examiners or of the National Board of Examiners
30 for Osteopathic Physicians and Surgeons, or who has passed a
31 licensing examination given by the appropriate board or agency
32 of a state which the board determines acceptable as provided in
33 Minnesota Statutes, section 147.03; provided however, that the
34 board may require the applicant to be examined in subjects
35 which, in the opinion of the board, have not been satisfactorily
36 covered.

1 B. Submission and contents of application. The
2 application must be submitted on forms prepared by the board and
3 must include the following information:

4 1. The information required by 7 MCAR S 4.002 B.3., 4.,
5 and 5.

6 2. An original or certified copy of the certificate or
7 diploma from the appropriate national or state board or agency,
8 as referred to in A., evidencing satisfactory completion of the
9 licensing examination referred to in A.

10 3. If the applicant is a graduate of a foreign medical
11 school: (a) evidence satisfactory to the board that the
12 applicant has been awarded a certificate by the Education
13 Council for Foreign Medical Graduates, certifying to the
14 applicant's formal education and passage of the ECFMG English
15 test and the ECFMG examination, (b) an original or certified
16 copy of a birth certificate, and (c) the information required by
17 7 MCAR S 4.007 A.4. and A.5. The evidence required in clause
18 (a) is not required if the applicant is a diplomate of a medical
19 specialty board approved by the American Medical Association.

20 4. Evidence satisfactory to the board that the applicant
21 has satisfactorily completed either one year of graduate
22 training in an institution in the United States or Canada
23 approved for internship or graduate training by the board, or
24 other graduate training approved by the board.

25 C. Ineligible applicants. An applicant whose credentials
26 are determined by the board to indicate ineligibility for
27 licensure shall be notified of this determination and the
28 grounds for it and may be granted a hearing on this
29 determination according to ME 63 by filing a statement of issues
30 with the board within 20 days after receipt of this notice from
31 the board. After the hearing the board shall notify the
32 applicant in writing of its decision.

33 7 MCAR S 4.006 Temporary permits to practice medicine and
34 temporary certificates for graduate training.

35 A. Form and content of application for permit. Applications
36 for a temporary permit to practice medicine, under Minnesota

1 Statutes, section 147.02 must be submitted on forms prepared by
2 the board and must include the information required in 7 MCAR S
3 4.004 B.

4 B. Form and content of application for certificate. An
5 application for a temporary certificate for graduate training
6 under Minnesota Statutes, section 147.16 may be issued only to a
7 graduate of a foreign medical school. The application must be
8 submitted on forms prepared by the board, which must include the
9 following information:

10 1. An original or certified copy of a birth certificate.

11 2. Evidence of good moral character satisfactory to the
12 board.

13 3. Evidence satisfactory to the board that the applicant
14 is a graduate of a foreign medical school approved by the
15 licensing authority of the jurisdiction or country in which such
16 medical school is located and is the holder of an approved
17 diploma or degree recognized by the board as evidencing a level
18 of training from said approved foreign medical school
19 commensurate with medical training required by approved medical
20 schools in the United States.

21 4. If the applicant is licensed to practice medicine and
22 surgery in a foreign country, the original or a certified copy
23 of his or her then current license to practice medicine and
24 surgery in the foreign country, issued by the school from which
25 he or she graduated or by the appropriate licensing body of the
26 country in which he or she was originally licensed. If
27 applicant is not so licensed, evidence satisfactory to the board
28 that the applicant has passed an examination, or is eligible
29 therefor, which is substantially equivalent to the examination
30 given by the board to applicants for a license to practice
31 medicine in all of its branches in Minnesota.

32 5. Evidence satisfactory to the board that the applicant
33 has been awarded a certificate by the Educational Council for
34 Foreign Medical Graduates, certifying to the applicant's formal
35 education and passage of the ECFMG English test and the ECFMG
36 examination.

1 6. The name and location of the institution at which such
2 graduate training will be taken, and evidence that the
3 institution has accepted the applicant for training.

4 7. In the case of an applicant for residency training,
5 evidence satisfactory to the board that the applicant has
6 completed at least 12 months of hospital training as an intern
7 in a hospital acceptable to the board.

8 8. The information required by 7 MCAR S 4.002 B.4. and 5.

9 C. Postgraduate training. Upon issuance of a temporary
10 certificate for graduate training, the holder may take
11 postgraduate training in a teaching institution within the state
12 of Minnesota approved for resident training by the board.

13 D. Services allowed. The holder of a temporary certificate
14 may perform those services incident to the training prescribed
15 by the approved institution while acting under the direction of
16 a person licensed to practice medicine and surgery in this
17 state; provided, however, that no fee or remuneration of any
18 kind shall be collected by the holder of a certificate from any
19 patients treated by the holder; and, provided, further, that the
20 holder of the certificate shall confine his or her training and
21 practice to the institution or group of institutions designated
22 in the original or amended application.

23 E. Ineligible applicants. An applicant whose credentials
24 are determined by the board to indicate ineligibility for a
25 temporary permit or certificate shall be notified of this
26 determination and the grounds for it and may be granted a
27 hearing on this determination according to ME 63 by filing a
28 statement of issues with the board within 20 days after receipt
29 of the notice from the board. After the hearing, the board
30 shall notify the applicant in writing of its decision.

31 7 MCAR S 4.007 Licensure of foreign graduates in medicine and
32 surgery.

33 A. Who may apply. A graduate of a foreign medical school
34 may apply for admission to a licensing examination in accordance
35 with Minnesota Statutes, section 147.02, by filing with the
36 board an application on forms provided by the board, which forms

1 must include the following information:

2 1. The information required by 7 MCAR S 4.002 B.3., 4.,
3 and 5.

4 2. Evidence satisfactory to the board that the applicant
5 is a graduate of a foreign medical school and is the holder of
6 an approved diploma or degree recognized by the board as
7 evidencing a level of training from the approved foreign medical
8 school commensurate with the medical training required by
9 approved medical schools in the United States.

10 3. An original or certified copy of a birth certificate.

11 4. If the applicant is licensed to practice medicine and
12 surgery in a foreign country, the original or a certified copy
13 of the license to practice medicine and surgery in the foreign
14 country, issued by the school from which he or she graduated or
15 by the appropriate licensing body of the country in which he or
16 she was originally licensed. If the applicant is not so
17 licensed, evidence satisfactory to the board that the applicant
18 has passed an examination, or is eligible for it, which is
19 substantially equivalent to the examination given by the board
20 to applicants for a license to practice medicine in all of its
21 branches in Minnesota.

22 5. Evidence satisfactory to the board that the applicant
23 has been awarded a certificate by the Educational Council for
24 Foreign Medical Graduates, certifying to the applicant's formal
25 education and passage of the ECFMG English test and the ECFMG
26 examination.

27 6. The name and location of the institution at which the
28 graduate training will be taken, and evidence that the
29 institution has accepted the applicant for training.

30 7. (a) Evidence satisfactory to the board that the
31 applicant has been awarded a certificate by the Educational
32 Council for Foreign Medical Graduates, certifying to the
33 applicant's formal education and passage of the ECFMG English
34 test and the ECFMG examination, and (b) evidence satisfactory to
35 the board that the applicant has satisfactorily completed either
36 one year of graduate training in an institution in the United

1 States or Canada approved for internship or graduate training by
2 the board, or other graduate training approved by the board.
3 The evidence required in clause (a) is not required if the
4 applicant is a diplomate of a medical specialty board approved
5 by the American Medical Association, or if the applicant has
6 successfully completed the licensure examination prepared and
7 graded by the Federation of State Medical Boards of the United
8 States.

9 B. Definition. As used herein, the term "foreign medical
10 school" means a medical school located outside the United
11 States and Canada.

12 C. Ineligible applicants. An applicant whose credentials
13 are determined by the board to indicate ineligibility for
14 examination shall be notified of this determination and the
15 grounds for it and may be granted a hearing on this
16 determination under ME 63 by filing a statement of issues with
17 the board within 20 days after receipt of the notice from the
18 board. After the hearing the board shall notify the applicant
19 in writing of its decision.

20 D. Filing deadline. All applications for examination must
21 be fully completed and forwarded to the secretary of the board,
22 postmarked not later than 30 days before the date of the
23 examination.

24 7 MCAR S 4.008 Licensure to practice medicine and surgery by
25 persons licensed to practice osteopathy.

26 A. Who may apply. Any person licensed to practice
27 osteopathy in this state under Minnesota Statutes, sections
28 148.11 to 148.16 may apply to this board for admission to a
29 licensing examination to practice medicine and surgery by filing
30 with the board an application as prescribed in this rule.

31 B. Form and content of application. The application must
32 be submitted on forms prepared by the board and must include the
33 following information:

34 1. An original or certified copy of diploma from an
35 osteopathic college, accredited by the board, indicating that
36 the applicant has satisfactorily completed a course of study

1 acceptable to the board, and that he or she has received from
2 such college the degree of Doctor of Osteopathy.

3 2. An original or certified copy of the applicant's then
4 current license to practice osteopathy in this state.

5 3. The information required by 7 MCAR S 4.002 B.3., 4.,
6 and 5.

7 4. The applicant's statement as to the locations at which
8 he or she has practiced osteopathy from the date of licensure,
9 showing the beginning and ending dates for each location.

10 C. Required passage of examination. The applicant, prior to
11 licensure to practice medicine and surgery, shall satisfactorily
12 pass an examination prepared and graded by the Federation of
13 State Medical Boards of the United States.

14 D. Ineligible applicants. An applicant whose credentials
15 are determined by the board to indicate ineligibility for
16 examination shall be notified of this determination and the
17 grounds for it and may be granted a hearing on this
18 determination under ME 63 by filing a statement of issues with
19 the board within 20 days after receipt of the notice from the
20 board. After the hearing the board shall notify the applicant
21 in writing of its decision.

22 E. Filing deadline. All applications for examinations must
23 be fully completed and forwarded to the secretary of the board,
24 postmarked not later than 30 days before the date of the
25 examination.