

# MAINE STATE LEGISLATURE

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# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 1200

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H.P. 837

House of Representatives, March 28, 2017

### An Act Relating To the Licensure of Physicians and Surgeons

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Reference to the Committee on Labor, Commerce, Research and Economic Development suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative HYMANSON of York.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 32 MRSA §2581**, as amended by PL 2001, c. 492, §6, is further amended  
3 by adding after the 2nd paragraph a new paragraph to read:

4 Nothing in this chapter may be construed to require an osteopathic physician or  
5 surgeon licensed under this chapter to secure a maintenance of certification as a condition  
6 of licensure, reimbursement, employment or admitting privileges at a hospital in the  
7 State. For the purposes of this section, "maintenance of certification" means a process,  
8 subsequent to initial board certification, that requires periodic recertification  
9 examinations to maintain specialty medical board certification.

10 **Sec. 2. 32 MRSA §3271, sub-§2**, as amended by PL 2013, c. 355, §6, is further  
11 amended to read:

12 **2. Postgraduate training.** Each applicant who has graduated from an accredited  
13 medical school on or after January 1, 1970 but before July 1, 2004 must have  
14 satisfactorily completed at least 24 months in a graduate educational program accredited  
15 by the Accreditation Council on Graduate Medical Education, the Canadian Medical  
16 Association or the Royal College of Physicians and Surgeons of Canada.  
17 Notwithstanding other requirements of postgraduate training, an applicant is eligible for  
18 licensure when the candidate has satisfactorily graduated from a combined postgraduate  
19 training program in which each of the contributing programs is accredited by the  
20 Accreditation Council on Graduate Medical Education and the applicant is eligible for  
21 accreditation by the American Board of Medical Specialties in both specialties. Each  
22 applicant who has graduated from an accredited medical school prior to January 1, 1970  
23 must have satisfactorily completed at least 12 months in a graduate educational program  
24 accredited by the Accreditation Council on Graduate Medical Education, the Canadian  
25 Medical Association or the Royal College of Physicians and Surgeons of Canada. Each  
26 applicant who has graduated from an accredited medical school on or after July 1, 2004  
27 or an unaccredited medical school must have satisfactorily completed at least 36 months  
28 in a graduate educational program accredited by the Accreditation Council on Graduate  
29 Medical Education, the Canadian Medical Association, the Royal College of Physicians  
30 and Surgeons of Canada or the Royal Colleges of England, Ireland or Scotland. An  
31 applicant who has completed 24 months of postgraduate training and has received an  
32 unrestricted endorsement from the director of an accredited graduate education program  
33 in the State is considered to have satisfied the postgraduate training requirements of this  
34 subsection if the applicant continues in that program and completes 36 months of  
35 postgraduate training. Notwithstanding this subsection, an applicant who is board  
36 certified by the American Board of Medical Specialties is deemed to meet the  
37 postgraduate training requirements of this subsection. Notwithstanding this subsection, in  
38 the case of subspecialty or clinical fellowship programs, the board may accept in  
39 fulfillment of the requirements of this subsection postgraduate training at a hospital in  
40 which the subspecialty clinical program, such as a training program accredited by the  
41 American Dental Association Commission on Dental Accreditation or its successor  
42 organization, is not accredited but the parent specialty program is accredited by the  
43 Accreditation Council on Graduate Medical Education.

1 Nothing in this chapter may be construed to require a physician or surgeon licensed under  
2 this chapter to secure a maintenance of certification as a condition of licensure,  
3 reimbursement, employment or admitting privileges at a hospital in the State. For the  
4 purposes of this subsection, "maintenance of certification" means a process, subsequent to  
5 initial board certification, that requires periodic recertification examinations to maintain  
6 specialty medical board certification.

7

### SUMMARY

8       This bill specifies that nothing in the chapters of law governing the licensure of  
9 physicians may be construed to require a maintenance of certification as a condition of  
10 licensure, reimbursement, employment or admitting privileges at a hospital in Maine.