

# MAINE STATE LEGISLATURE

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3 Date: 6-7-21

4 **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES**

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6 **STATE OF MAINE**  
7 **HOUSE OF REPRESENTATIVES**  
8 **130TH LEGISLATURE**  
9 **FIRST SPECIAL SESSION**

10 COMMITTEE AMENDMENT "A" to H.P. 1212, L.D. 1629, "An Act Regarding  
11 the Qualifications for Licensure as a Physician or Surgeon"

12 Amend the bill by inserting after the title and before the enacting clause the following:

13 **Emergency preamble.** Whereas, acts and resolves of the Legislature do not  
14 become effective until 90 days after adjournment unless enacted as emergencies; and

15 **Whereas,** the sole reliance on completing 36 months of postgraduate training has  
16 created unnecessary barriers for otherwise qualified applicants who have completed certain  
17 oral and maxillofacial surgery training to obtain licensure in medicine; and

18 **Whereas,** immediate enactment of this legislation is necessary to give the Board of  
19 Licensure in Medicine statutory authority to consider on a case-by-case basis an applicant's  
20 postgraduate training equivalency in meeting the postgraduate training qualifications for  
21 licensure; and

22 **Whereas,** in the judgment of the Legislature, these facts create an emergency within  
23 the meaning of the Constitution of Maine and require the following legislation as  
24 immediately necessary for the preservation of the public peace, health and safety; now,  
25 therefore,'

26 Amend the bill by striking out everything after the enacting clause and inserting the  
27 following:

28 **'Sec. 1. 32 MRSA §3271, sub-§2,** as amended by PL 2017, c. 189, §2, is further  
29 amended to read:

30 **2. Postgraduate training.** Each applicant who has graduated from an accredited  
31 medical school on or after January 1, 1970 but before July 1, 2004 must have satisfactorily  
32 completed at least 24 months in a graduate educational program accredited by the  
33 Accreditation Council on Graduate Medical Education, the Canadian Medical Association  
34 or the Royal College of Physicians and Surgeons of Canada. Notwithstanding other  
35 requirements of postgraduate training, an applicant is eligible for licensure when the  
candidate has satisfactorily graduated from a combined postgraduate training program in

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which each of the contributing programs is accredited by the Accreditation Council on Graduate Medical Education and the applicant is eligible for accreditation by the American Board of Medical Specialties in both specialties. Each applicant who has graduated from an accredited medical school prior to January 1, 1970 must have satisfactorily completed at least 12 months in a graduate educational program accredited by the Accreditation Council on Graduate Medical Education, the Canadian Medical Association or the Royal College of Physicians and Surgeons of Canada. Each applicant who has graduated from an accredited medical school on or after July 1, 2004 or an unaccredited medical school must have satisfactorily completed at least 36 months in a graduate educational program accredited by the Accreditation Council on Graduate Medical Education, the Canadian Medical Association, the Royal College of Physicians and Surgeons of Canada or the Royal Colleges of England, Ireland or Scotland. An applicant who has completed 24 months of postgraduate training and has received an unrestricted endorsement from the director of an accredited graduate education program in the State is considered to have satisfied the postgraduate training requirements of this subsection if the applicant continues in that program and completes 36 months of postgraduate training. Notwithstanding this subsection, an applicant who is board certified by the American Board of Medical Specialties is deemed to meet the postgraduate training requirements of this subsection. Notwithstanding this subsection, in the case of subspecialty or clinical fellowship programs, the board may accept in fulfillment of the requirements of this subsection postgraduate training at a hospital in which the subspecialty clinical program, such as a training program accredited by the American Dental Association Commission on Dental Accreditation or its successor organization, is not accredited but the parent specialty program is accredited by the Accreditation Council on Graduate Medical Education, including training that occurs following graduation from a dental school accredited by the American Dental Association Commission on Dental Accreditation or its successor organization, but before graduation from a medical school accredited by the Liaison Committee on Medical Education or its successor organization.

The board may not require an applicant for initial licensure or license renewal as a physician under this chapter to obtain certification from a specialty medical board or to obtain a maintenance of certification as a condition of licensure. For the purposes of this subsection, "maintenance of certification" means a program that requires a physician to engage in periodic examination, self-assessment, peer evaluation or other activities to maintain certification from a specialty medical board.'

Amend the bill by adding before the summary the following:

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

### SUMMARY

This amendment replaces the bill. The amendment specifies that the Board of Licensure in Medicine may accept in fulfillment of the requirements for licensure postgraduate training of an applicant that occurs following graduation from a dental school accredited by the American Dental Association Commission on Dental Accreditation or its

# COMMITTEE AMENDMENT

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COMMITTEE AMENDMENT "A" to H.P. 1212, L.D. 1629

- 1 successor organization, but before graduation from a medical school accredited by the
- 2 Liaison Committee on Medical Education or its successor organization.
- 3 The amendment also adds an emergency preamble and emergency clause.

# COMMITTEE AMENDMENT