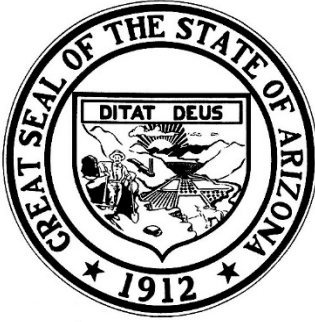




Bill Number: S.B. 1108

Shamp Floor Amendment

Reference to: printed bill

Amendment drafted by: Leg Council

FLOOR AMENDMENT EXPLANATION

1. Prohibits the inability of the Arizona Medical Board (AMB) or Arizona Board of Osteopathic Examiners in Medicine and Surgery (ABOE) to obtain records that indicate the professional conduct of the applicant from being used as the sole purpose for licensure denial.
2. Excludes sexual misconduct with a patient from the clear and convincing burden of proof standard when investigating and disciplining a provisional medical licensee.
3. Specifies that an applicant for a provisional medical license must provide evidence of substantially similar medical training that the AMB or ABOE deems to be of equivalent quality, rather than as required by Arizona.
4. Specifies that an applicant for a provisional medical license must provide evidence of satisfactory passages of exams as determined by the AMB or ABOE, rather than any exams.
5. Specifies that an applicant for a provisional medical license must have been licensed and practiced medicine for at least 60 months within the preceding 10 years, rather than been licensed within the preceding 5 years.
6. Allows the AMB or ABOE to require an applicant to submit either or both, rather than only either, of the following:
 - a) any supportive application materials necessary for the AMB or ABOE to properly evaluate the applicant for licensure; and
 - b) medical education information through the educational commission for foreign medical graduates or another third-party records service.
7. Requires the ABM or ABOE, by January 1, 2033, to submit a report to the Governor, President of the Senate, Speaker of the House of Representatives and the Secretary of State that includes:
 - a) the number of license applications the AMB and ABOE has received, approved and denied, including the reason for the denials;
 - b) the number of complaints received against provisional licensees and the number of complaints that were sustained, including the disciplinary and nondisciplinary actions taken by the AMB and ABOE;

- c) the geographic locations where the provisional licensees are practicing or have practiced in Arizona; the medical specialty or specialties practiced by each provisional licensee; and
 - d) the number of provisional licensees that have been converted to a full license to practice in Arizona and whether those licensees have continued to practice in Arizona.
- 8. Requires the Health and Human Services (HHS) Committees, or their successor committees, in the Senate and House of Representatives to:
 - a) review the submitted report and the collected data, including application outcomes, complaint records, geographic distribution and conversion rates to full licensure; and
 - b) determine whether provisional licensure should be continued, modified or discontinued.
- 9. Requires the HHS Committees in the review process to consider whether the licensing framework supports public health and safety, maintains professional standards and effectively addresses workforce needs in Arizona.
- 10. Prohibits the AMB or ABOE from accepting applications for a provisional medical license on January 1, 2034.
- 11. Makes conforming changes.

SHAMP FLOOR AMENDMENT
SENATE AMENDMENTS TO S.B. 1108
(Reference to printed bill)

Amendment instruction key:

[GREEN UNDERLINING IN BRACKETS] indicates text added to statute or previously enacted session law.

[Green underlining in brackets] indicates text added to new session law or text restoring existing law.

[GREEN STRIKEOUT IN BRACKETS] indicates new text removed from statute or previously enacted session law.

[Green strikeout in brackets] indicates text removed from existing statute, previously enacted session law or new session law.

<<Green carets>> indicate a section added to the bill.

<<Green strikeout in carets>> indicates a section removed from the bill.

1 The bill as proposed to be amended is reprinted as follows:

2 Section 1. Title 32, chapter 13, article 2, Arizona Revised
3 Statutes, is amended by adding section 32-1440, to read:

4 32-1440. International medical licensees; provisional
5 licensure; fees; renewal; rules; conversion to
6 full licensure; disciplinary actions; report;
7 definitions

8 A. NOTWITHSTANDING ANY OTHER LAW, THE BOARD MAY GRANT A PROVISIONAL
9 LICENSE TO ENGAGE IN THE PRACTICE OF MEDICINE IN THIS STATE TO ANY
10 INTERNATIONAL MEDICAL LICENSEE WHO MEETS ALL OF THE FOLLOWING:

11 1. HAS AN OFFER FOR EMPLOYMENT AS A PHYSICIAN AT ANY HEALTH CARE
12 PROVIDER THAT OPERATES IN A COUNTY WITH A POPULATION OF LESS THAN ONE
13 MILLION PERSONS.

14 2. HAS A FEDERAL IMMIGRATION STATUS THAT ALLOWS THE PERSON TO WORK
15 AS A PHYSICIAN IN THE UNITED STATES.

16 3. MEETS THE REQUIREMENTS FOR LICENSURE PRESCRIBED IN EITHER:

17 (a) SECTION 32-1422, EXCEPT FOR SECTION 32-1422, SUBSECTION A,
18 PARAGRAPH 2, AND, IF APPLICABLE, SECTION 32-1423, PARAGRAPHS 1 AND 2. [THE
19 BOARD'S INABILITY TO OBTAIN RECORDS PURSUANT TO SECTION 32-1422,
20 SUBSECTION A, PARAGRAPH 4 MAY NOT BE USED AS THE SOLE PURPOSE FOR
21 LICENSURE DENIAL.]

22 (b) SECTION 32-1822, EXCEPT FOR SECTION 32-1822, SUBSECTION A,
23 PARAGRAPHS 3 AND 4.

24 B. THE BOARD BY RULE MAY ESTABLISH LICENSING AND RENEWAL FEES FOR
25 PROVISIONAL LICENSEES. A PROVISIONAL LICENSE SHALL BE RENEWED ANNUALLY.

26 C. EACH PROVISIONAL LICENSEE SHALL DO BOTH OF THE FOLLOWING:

1 1. WHILE LICENSED PURSUANT TO THIS SECTION, WORK UNDER THE
2 SUPERVISION OF A PHYSICIAN WHO IS LICENSED PURSUANT TO CHAPTER 13 OR 17 OF
3 THIS TITLE. THE BOARD SHALL ADOPT RULES RELATING TO THIS SUPERVISION
4 REQUIREMENT, INCLUDING REQUIREMENTS FOR PROVISIONAL LICENSEES TO SUBMIT
5 THE SUPERVISION AGREEMENT TO THE BOARD, TO REPORT TO THE BOARD AND TO
6 OBTAIN MEDICAL MALPRACTICE LIABILITY INSURANCE AND REQUIREMENTS REGARDING
7 HEALTH INSURANCE COVERAGE AND PROCEDURES FOR FAILING TO ADHERE TO THE
8 TERMS OF THE SUPERVISION AGREEMENT.

9 2. COMPLY WITH THE CONTINUING EDUCATION REQUIREMENTS REQUIRED UNDER
10 THIS CHAPTER AND THE RULES ADOPTED PURSUANT TO THIS CHAPTER.

11 D. THE PROVISIONAL LICENSEE'S EMPLOYER SHALL NOTIFY THE BOARD IF
12 THE PROVISIONAL LICENSEE IS TERMINATED OR LEAVES EMPLOYMENT FOR ANY
13 REASON. WITHIN FIVE DAYS AFTER RECEIVING THE NOTIFICATION FROM THE
14 EMPLOYER, THE BOARD SHALL TERMINATE THE PROVISIONAL LICENSE UNLESS THE
15 INTERNATIONAL MEDICAL LICENSEE NOTIFIES THE BOARD THAT THE INTERNATIONAL
16 MEDICAL LICENSEE IS WORKING FOR ANOTHER EMPLOYER IN A COUNTY WITH A
17 POPULATION OF LESS THAN ONE MILLION PERSONS AND THE NEW EMPLOYER NOTIFIES
18 THE BOARD THAT THE INTERNATIONAL MEDICAL LICENSEE HAS ACCEPTED AN OFFER OF
19 EMPLOYMENT. THE NEW EMPLOYER SHALL COMPLY WITH BOARD RULES RELATED TO
20 ISSUING A NEW SUPERVISION AGREEMENT.

21 E. THE EMPLOYER OF A PROVISIONAL LICENSEE MAY REQUIRE THE
22 PROVISIONAL LICENSEE TO TAKE A COMPETENCY TEST AT ANYTIME DURING
23 EMPLOYMENT.

24 F. THE BOARD MAY DISCIPLINE A PROVISIONAL LICENSEE OR REVOKE A
25 PROVISIONAL LICENSE GRANTED PURSUANT TO THIS SECTION BASED ON CLEAR AND
26 CONVINCING EVIDENCE [, EXCEPT FOR DISCIPLINARY MATTERS BROUGHT PURSUANT TO
27 SECTION 32-1401, PARAGRAPH 27, SUBDIVISION (aa).] AFTER AN INVESTIGATION
28 CONDUCTED PURSUANT TO SECTION 32-1451. AN INTERNATIONAL MEDICAL LICENSEE
29 MAY APPEAL THE REVOCATION OF THE PROVISIONAL LICENSE TO THE SUPERIOR COURT
30 IN MARICOPA COUNTY PURSUANT TO TITLE 12, CHAPTER 7, ARTICLE 6. THE COURT
31 SHALL REINSTATE THE PROVISIONAL LICENSE IF THE COURT FINDS THAT THE
32 BOARD'S ACTIONS DID NOT MEET THE STANDARDS PRESCRIBED IN THIS SUBSECTION.

33 G. A PROVISIONAL LICENSE SHALL AUTOMATICALLY BE CONVERTED TO A FULL
34 LICENSE TO PRACTICE MEDICINE IN THIS STATE AFTER FOUR YEARS IF ALL OF THE
35 FOLLOWING ARE MET:

36 1. THE PROVISIONAL LICENSEE ENGAGES IN THE PRACTICE OF MEDICINE IN
37 THIS STATE FOR FOUR YEARS IN A COUNTY WITH A POPULATION OF LESS THAN ONE
38 MILLION PERSONS.

39 2. THE PROVISIONAL LICENSEE IS NOT DISCIPLINED BY THE BOARD DURING
40 THAT FOUR-YEAR PERIOD OF THE PROVISIONAL LICENSE.

41 3. THE SUPERVISING PHYSICIAN WITH WHOM THE PROVISIONAL LICENSEE HAS
42 A SUPERVISION AGREEMENT SUBMITS A SIGNED ATTESTATION TO THE BOARD
43 CERTIFYING THAT IT IS THE SUPERVISING PHYSICIAN'S PROFESSIONAL OPINION
44 THAT THE PROVISIONAL LICENSEE MEETS THIS STATE'S STANDARDS FOR PROVIDING
45 MEDICAL CARE. THE BOARD SHALL ADOPT RULES RELATED TO THE FORMAT AND
46 SUBMISSION REQUIREMENTS FOR THIS ATTESTATION DOCUMENT.

1 H. THIS SECTION DOES NOT REQUIRE THE BOARD TO GRANT A PROVISIONAL
2 LICENSE TO AN INTERNATIONAL MEDICAL LICENSEE WHO DOES NOT PROVIDE ALL OF
3 THE FOLLOWING:

4 1. EVIDENCE OF SUBSTANTIALLY SIMILAR MEDICAL TRAINING ~~[AS THAT~~
5 ~~REQUIRED BY THIS STATE]~~[THAT THE BOARD DEEMS TO BE OF EQUIVALENT QUALITY].

6 2. EVIDENCE OF SATISFACTORY PASSAGE OF EXAMS ~~[AS DETERMINED BY THE~~
7 ~~BOARD]~~.

8 3. A COMPLETE LICENSE APPLICATION.

9 4. PAYMENT OF ALL REQUIRED LICENSING FEES.

10 5. SATISFACTORY PROOF OF A FEDERAL IMMIGRATION STATUS THAT ALLOWS
11 THE INDIVIDUAL TO WORK AS A PHYSICIAN IN THE UNITED STATES.

12 I. THE BOARD MAY REQUIRE AN APPLICANT INTERNATIONAL MEDICAL
13 LICENSEE TO SUBMIT EITHER ~~[OR BOTH]~~ OF THE FOLLOWING:

14 1. ANY SUPPORTING APPLICATION MATERIALS NECESSARY FOR THE BOARD TO
15 PROPERLY EVALUATE THE APPLICANT FOR LICENSURE.

16 2. AT THE APPLICANT'S EXPENSE, MEDICAL EDUCATION INFORMATION
17 THROUGH THE EDUCATIONAL COMMISSION FOR FOREIGN MEDICAL GRADUATES OR
18 ANOTHER THIRD-PARTY RECORDS SERVICE.

19 [J. ON OR BEFORE JANUARY 1, 2033, THE BOARD SHALL SUBMIT A REPORT
20 TO THE GOVERNOR AND THE HEALTH AND HUMAN SERVICES COMMITTEES, OR THEIR
21 SUCCESSOR COMMITTEES, IN THE SENATE AND THE HOUSE OF REPRESENTATIVES, AND
22 SHALL PROVIDE A COPY OF THE REPORT TO THE SECRETARY OF STATE, THAT
23 INCLUDES THE FOLLOWING INFORMATION:

24 1. THE NUMBER OF LICENSE APPLICATIONS THE BOARD HAS RECEIVED,
25 APPROVED AND DENIED, INCLUDING THE REASONS FOR THE DENIALS, PURSUANT TO
26 THIS SECTION.

27 2. THE NUMBER OF COMPLAINTS RECEIVED AGAINST PROVISIONAL LICENSEES
28 AND THE NUMBER OF COMPLAINTS THAT WERE SUSTAINED, INCLUDING THE
29 DISCIPLINARY AND NONDISCIPLINARY ACTIONS TAKEN BY THE BOARD.

30 3. THE GEOGRAPHIC LOCATIONS WHERE THE PROVISIONAL LICENSEES ARE
31 PRACTICING OR HAVE PRACTICED IN THIS STATE.

32 4. THE MEDICAL SPECIALTY OR SPECIALTIES PRACTICED BY EACH
33 PROVISIONAL LICENSEE.

34 5. THE NUMBER OF PROVISIONAL LICENSES THAT HAVE BEEN CONVERTED TO A
35 FULL LICENSE TO PRACTICE IN THIS STATE AND WHETHER THOSE LICENSEES HAVE
36 CONTINUED TO PRACTICE IN THIS STATE.

37 K. THE HEALTH AND HUMAN SERVICES COMMITTEES, OR THEIR SUCCESSOR
38 COMMITTEES, IN THE SENATE AND THE HOUSE OF REPRESENTATIVES SHALL:

39 1. REVIEW THE REPORT SUBMITTED PURSUANT TO SUBSECTION J OF THIS
40 SECTION AND THE DATA COLLECTED, INCLUDING APPLICATION OUTCOMES, COMPLAINT
41 RECORDS, GEOGRAPHIC DISTRIBUTION AND CONVERSION RATES TO FULL LICENSURE.
42 THE REVIEW PROCESS SHALL CONSIDER WHETHER THE LICENSING FRAMEWORK SUPPORTS
43 PUBLIC HEALTH AND SAFETY, MAINTAINS PROFESSIONAL STANDARDS AND EFFECTIVELY
44 ADDRESSES WORKFORCE NEEDS IN THIS STATE.

45 2. DETERMINE WHETHER PROVISIONAL LICENSURE SHOULD BE CONTINUED,
46 MODIFIED OR DISCONTINUED.

1 L. THE BOARD MAY NOT ACCEPT APPLICATIONS UNDER THIS SECTION FROM
2 AND AFTER DECEMBER 31, 2033.]

3 [J.] [M.] FOR THE PURPOSES OF THIS SECTION:

4 1. "BOARD" MEANS THE ARIZONA MEDICAL BOARD OR THE ARIZONA BOARD OF
5 OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY, AS APPLICABLE.

6 2. "HEALTH CARE PROVIDER":

7 (a) MEANS AN INDIVIDUAL, ENTITY, CORPORATION, PERSON OR
8 ORGANIZATION, WHETHER FOR-PROFIT OR NONPROFIT, THAT FURNISHES, BILLS FOR
9 OR IS PAID FOR HEALTH CARE PROCEDURES OR SERVICE DELIVERY IN THE NORMAL
10 COURSE OF BUSINESS.

11 (b) INCLUDES HEALTH SYSTEMS, HOSPITALS, HOSPITAL-BASED FACILITIES,
12 FREESTANDING EMERGENCY FACILITIES AND URGENT CARE CLINICS.

13 3. "INTERNATIONAL MEDICAL LICENSEE" MEANS AN INDIVIDUAL WHO MEETS
14 ALL OF THE FOLLOWING REQUIREMENTS:

15 (a) HAS BEEN GRANTED A MEDICAL DOCTORATE OR A SUBSTANTIALLY SIMILAR
16 DEGREE BY AN INTERNATIONAL MEDICAL PROGRAM OF GOOD STANDING.

17 (b) HAS COMPLETED A RESIDENCY OR SUBSTANTIALLY SIMILAR POSTGRADUATE
18 MEDICAL TRAINING RECOGNIZED BY THE LICENSING BODY OF THE COUNTRY WHERE THE
19 INDIVIDUAL IS LICENSED.

20 (c) POSSESSES BASIC FLUENCY IN THE ENGLISH LANGUAGE AT A LEVEL
21 SUFFICIENT TO COMMUNICATE WITH PATIENTS ABOUT MEDICAL CONDITIONS AND
22 TREATMENTS.

23 (d) HAS BEEN LICENSED TO PRACTICE MEDICINE [AND HAS PRACTICED
24 MEDICINE FOR AT LEAST SIXTY MONTHS] WITHIN THE PRECEDING [FIVE][TEN] YEARS
25 IN ONE OR MORE OF THE FOLLOWING:

26 (i) AUSTRALIA.

27 (ii) CANADA.

28 (iii) HONG KONG.

29 (iv) IRELAND.

30 (v) ISRAEL.

31 (vi) NEW ZEALAND.

32 (vii) SINGAPORE.

33 (viii) SOUTH AFRICA.

34 (ix) SWITZERLAND.

35 (x) THE UNITED KINGDOM.

36 (xi) ANY ADDITIONAL COUNTRY ADDED BY THE BOARD.

37 (e) HAS [BEEN LICENSED TO PRACTICE MEDICINE AND HAS] PRACTICED
38 MEDICINE IN THE LICENSING COUNTRY FOR AT LEAST [FIVE YEARS][SIXTY MONTHS
39 WITHIN THE PRECEDING TEN YEARS] AFTER COMPLETING THE POSTGRADUATE TRAINING
40 REQUIRED IN SUBDIVISION (b) OF THIS PARAGRAPH.

41 4. "INTERNATIONAL MEDICAL PROGRAM" MEANS ANY MEDICAL SCHOOL,
42 RESIDENCY PROGRAM, MEDICAL INTERNSHIP PROGRAM OR ENTITY THAT PROVIDES
43 PHYSICIANS WITH A MEDICAL EDUCATION OR TRAINING THAT IS SUBSTANTIALLY
44 SIMILAR TO THAT REQUIRED TO PRACTICE AS A PHYSICIAN IN THIS STATE.

45 5. "PHYSICIAN" MEANS AN INDIVIDUAL WHO HAS OBTAINED A MEDICAL
46 DOCTORATE OR A SUBSTANTIALLY SIMILAR DEGREE AND WHO HAS COMPLETED A
47 RESIDENCY PROGRAM OR SUBSTANTIALLY SIMILAR POSTGRADUATE MEDICAL TRAINING.

1 6. "PROVISIONAL LICENSEE" MEANS AN INTERNATIONAL MEDICAL LICENSEE
2 WHO HAS BEEN GRANTED A PROVISIONAL LICENSE PURSUANT TO THIS SECTION.

3 Sec. 2. Exemption from rulemaking

4 Notwithstanding any other law, for the purposes of this act, the
5 Arizona medical board and the Arizona board of osteopathic examiners in
6 medicine and surgery are exempt from the rulemaking requirements of title
7 41, chapter 6, Arizona Revised Statutes, for one year after the effective
8 date of this act.

9 Sec. 3. Effective date

10 Section 32-1440, Arizona Revised Statutes, as added by this act, is
11 effective from and after December 31, 2025.

12 Enroll and engross to conform

13 Amend title to conform

JANAE SHAMP

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02/21/2025

12:11 PM

C: MH