

# State of Wisconsin



2023 Assembly Bill 954

Date of enactment: **March 22, 2024**

Date of publication\*: **March 23, 2024**

## 2023 WISCONSIN ACT 214

AN ACT *to amend* 448.05 (2) (a) (intro.) and 448.05 (2) (b) (intro.); and *to create* 448.01 (3), 448.02 (4m), 448.04 (1) (br), 448.05 (2m), 448.075 and 448.40 (3) of the statutes; **relating to**: provisional licenses to practice medicine and surgery for internationally trained physicians and granting rule-making authority.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

**SECTION 1.** 448.01 (3) of the statutes is created to read:

448.01 (3) "International medical program" means any medical school, residency program, medical internship program, or other program that is approved by the Educational Commission for Foreign Medical Graduates or provides individuals with a medical education or training outside the United States that is substantially similar to the training required to qualify to practice medicine and surgery in this state.

**SECTION 2.** 448.02 (4m) of the statutes is created to read:

448.02 (4m) INTERNATIONAL PHYSICIANS. The board may suspend or revoke a license granted under s. 448.04 (1) (br) if a majority of the board determines that the holder of the license is no longer employed as a physician in this state by an employer described in s. 448.05 (2m) (a). The holder of the license shall be granted an opportunity to be heard prior to the board's determination.

**SECTION 3.** 448.04 (1) (br) of the statutes is created to read:

448.04 (1) (br) *Provisional license to practice medicine and surgery for international physicians.* The board may grant a provisional license to practice

medicine and surgery for international physicians to an applicant who satisfies the requirements under s. 448.05 (2m). The holder of a provisional license granted under this paragraph may practice medicine and surgery only under the supervision of a physician who is licensed to practice medicine and surgery under par. (a). A provisional license to practice medicine and surgery under this paragraph shall be converted into a license to practice medicine and surgery under par. (a) after the provisional license holder practices medicine and surgery full-time in this state and maintains good standing for 3 consecutive years.

**SECTION 4.** 448.05 (2) (a) (intro.) of the statutes is amended to read:

448.05 (2) (a) (intro.) Except as provided in pars. (b) to (f) and sub. (2m), an applicant for any class of license to practice medicine and surgery must supply evidence satisfactory to the board of all of the following:

**SECTION 5.** 448.05 (2) (b) (intro.) of the statutes is amended to read:

448.05 (2) (b) (intro.) Except as provided in pars. (c) to (f) and sub. (2m), an applicant for a license to practice medicine and surgery who is a graduate of a foreign medical college must supply evidence satisfactory to the board of all of the following:

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\* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

**SECTION 6.** 448.05 (2m) of the statutes is created to read:

**448.05 (2m) PROVISIONAL LICENSE TO PRACTICE MEDICINE AND SURGERY FOR INTERNATIONAL PHYSICIANS.** An applicant for a provisional license to practice medicine and surgery for international physicians must supply evidence to the board that the applicant satisfies all of the following:

(a) The applicant has an offer for full-time employment as a physician in this state from a federally qualified health center, as defined in s. 253.075 (1) (e), a community health center, as defined in s. 250.15 (1) (a), a hospital, as defined in s. 50.33 (2), an ambulatory surgical center, as defined in 42 CFR 416.2, or any other health care facility approved by the board.

(b) The applicant has been granted a medical doctorate or a substantially similar degree by an international medical program.

(c) The applicant has completed a residency program or a postgraduate medical training program that is substantially similar to a residency program.

(d) The applicant has practiced as a fully licensed or otherwise authorized physician in his or her country of practice for at least 5 years after completing a residency program or a postgraduate medical training program that is substantially similar to a residency program.

(dm) The applicant has practiced continuously as a physician in his or her country of practice for at least one out of the 5 years immediately preceding the date that the applicant submits an application for a provisional license under s. 448.04 (1) (br).

(e) The applicant has been in good standing with the medical licensing or regulatory agency of his or her country of practice for the 5 years preceding the individual's

application and does not have any pending disciplinary action before the medical licensing or regulatory agency.

(em) The applicant has obtained certification by the Educational Council for Foreign Medical Graduates, a successor organization, or another evaluation entity approved by the board.

(f) The applicant has passed all steps of the United States Medical Licensing Examination administered by the National Board of Medical Examiners and the Federation of State Medical Boards, or their successor organizations.

(g) The applicant has, or will have prior to working as a physician in this state, a federal immigration status and employment authorization that enables the applicant to work as a physician in this state.

(h) The applicant possesses basic fluency in the English language.

**SECTION 7.** 448.075 of the statutes is created to read:

**448.075 Provisional licenses.** Every 6 months or upon request of the board, the holder of a provisional license under s. 448.04 (1) (br) shall submit to the board a statement certifying whether the license holder is still employed as a physician in this state and whether the license holder has been subjected to professional discipline as a result of the license holder's practice. If the license holder has been subject to professional discipline, the license holder shall submit to the board a description of the circumstances of the discipline.

**SECTION 8.** 448.40 (3) of the statutes is created to read:

448.40 (3) The board may promulgate rules defining "substantially similar" under s. 448.05 (2m).

**SECTION 12. Effective date.**

(1) This act takes effect on January 1, 2025.

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