

ENROLLMENT(S)



(5)

COUNCIL OF THE DISTRICT OF COLUMBIA

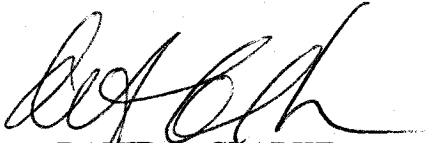
NOTICE

D.C. LAW 11- 14

"Foreign Physicians of Conceded Eminence University, Hospital, and Medical Centers Practices Amendment Act of 1995".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P.L. 93-198 "the Act", the Council of the District of Columbia adopted Bill No. 11-39 on first and second readings, January 17, 1995 and February 7, 1995, respectively. Following the signature of the Mayor on March 9, 1995, pursuant to Section 404(e) of "the Act", and was assigned Act No. 11-26, and published in the March 24, 1995, edition of the D.C. Register (Vol. 42 page 1388) and transmitted to Congress on March 14, 1995 for a 30-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 11-14, effective May 16, 1995.


DAVID A. CLARKE
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

Mar. 14,15,16,17,20,21,22,23,24,27,28,29,30,31

Apr. 3,4,5,6,7,

May 1,2,3,4,5,8,9,10,11,12,15

AN ACT
D.C. ACT 11-26

Codification
District of Columbia Code
(1996 Supplement)

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MARCH 9, 1995

To amend the District of Columbia Health Occupations Revisions Act of 1985 to permit the licensure of foreign licensed and educated doctors of world renown and conceded eminence to practice with local universities, hospitals, and designated medical centers in the District of Columbia.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Foreign Physicians of Conceded Eminence University, Hospital, and Medical Centers Practices Amendment Act of 1995".

Sec. 2. The District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Code § 2-3301.1 *et seq.*), is amended by adding a new section 509a to read as follows:

New
Section
2-3305,9a

"Sec 509a. (a) Notwithstanding any other provision of this act, the Board shall grant a limited license to practice specialized medicine with a university, hospital or medical center in the District of Columbia to an applicant licensed as a physician in a foreign country or state who by virtue of the recognized and conceded eminence and authority in the profession of medicine or medical research in the international community, if this applicant:

"(1) Is recommended to the Board by:

"(A) The dean of an accredited school of medicine in the District of Columbia;

"(B) The Director of the National Institute of Health; or

"(C) The Director of an accredited and licensed hospital in the District of Columbia;

"(2) Is to receive an appointment at the institution making the recommendation under paragraph (1) of this subsection; and

"(3) Meets the requirements of subsection (d) of this section.

"(b) The Board shall not issue to any entity under paragraph (1) of this section more than 1 such license in any single year;

"(c) Any license issued under this section shall be issued jointly in the name of the applicant and the sponsoring entity under subsection (a)(1) of this section.

"(d) In determining whether an applicant is a recognized and conceded eminence and authority in the profession, the Board shall consider, but not be limited to, whether the applicant

meets the following criteria:

"(1) Is a bona fide graduate in good standing who has successfully completed medical education at a foreign medical school which is recognized or accredited by the foreign country, the Liaison Committee on Medical Education of the Association of American Medical Colleges, or other organization satisfactory to the Board;

"(2) Holds a valid foreign medical license or registration certificate, in good standing, issued by the United States or a foreign country on the basis of a foreign examination;

"(3) Practiced medicine for at least 10 years in patient care, excluding the 2 years of postgraduate clinical training, 5 years of which occurred immediately preceding the date application is made to the Board;

"(4) Successfully completed no less than 2 years of post graduate clinical training in a recognized medical specialty or subspecialty either in the United States or other foreign country, or in lieu of each year of required graduate medical training, documents a practice as a full time university medical school faculty member at an accredited institution;

"(5) Meets the Federal Professional Visa requirements for HI Visa or holds a Federally issued HI Visa;

"(6) Has been the recipient of professional honors and awards, and professional recognition in the international medical community, for achievements, contributions, or advancements in the field of medicine, or medical research as evidenced by (i) publications in recognized scientific, medical, or medical research journals, including American peer review journals, (ii) being the recipient or nominee for international or national awards for distinguished contributions to the advancement of medicine or medical research, (iii) acknowledgement of expertise from recognized American authorities in the applicant's field of medical specialty, or (iv) other professional accomplishments as determined meritorious in the sole discretion of the Board;

"(7) Submits documentation from the university, hospital or medical center from which the candidate is to receive an academic appointment at such institution or has been accepted for practice, pending receipt of a license, with privileges at a university medical school, local hospital, or medical institution making the recommendation under subsection (a)(1) of this section;

"(8) Submits 3 letters of recommendation from District of Columbia physicians who are licensed in the areas of medical practice for which the applicant is applying for licensure who shall attest to the candidate's qualifications, character, and ethical behavior;

"(9) Submits 5 letters from renowned American specialists in the candidate's discipline who attest to his eminence and qualifications;

"(10) Has never been convicted of a felony; and

"(11) Agrees to perform a maximum of 15 hours per month of community service for patient care, teaching, or training as may be required by the Board.

"(c) As an exception to the general education and examination requirements of sections 503, 504, and 506, the Board shall waive those requirements when an applicant under this section shall furnish proof satisfactory to the Board of successful completion or satisfaction of the requirements of subsections (a) and (b) of this section, and shall provide documentation sufficient to support the application, including, but not limited to, a diploma or certified transcripts of the applicant's medical or, if applicable, premedical education and certified

verification of licensure or registration to practice medicine in a foreign country.

"(1) An applicant under this section shall arrange to have certified transcripts of all medical and premedical, if applicable, education sent directly from the educational institution to the Board.

"(2) The Board may waive the educational transcript requirement of this section on a showing of extraordinary hardship if the applicant is able to establish by substitute documentation that the applicant possesses the requisite education and degrees.

"(3) If a document required by this section is in a language other than English, an applicant shall arrange for its translation into English by a translation service for the Board, and shall submit a notarized translation signed by the translator attesting to its accuracy.

"(4) All applicants shall pay an applicant fee of \$500 to the Board.

"(d) No license granted under this section shall issue to any candidate until the Board reviews the qualifications for eminence and makes a final decision. The Board shall have the sole authority and responsibility to interpret the qualifications for eminence and for licensure under these provisions, and may qualify, restrict, or otherwise limit a license granted under this section by controlling the type of medical areas of practice and patient care as the applicant has received credentials and acceptance for practice from an institution under subsection (a)(1) of this section.

"(e) All applicants who have complied with these requirements, and have otherwise complied with the provisions of this act, shall receive from the Board within 90 days after the application is complete by the candidate's submission of all requirements imposed under subsection (b) of this section, a license entitling them to the right to practice in the District of Columbia. Each such license shall be duly recorded in the office of the Board, in a record to be properly kept for that purpose which shall be open to public inspection, and a certified copy of the record shall be received as evidence in all courts in the District of Columbia in the trial of any case.

"(1) It shall be the duty of all persons now or hereafter licensed to be registered with the Board and, thereafter, to register in like manner at such intervals and by such methods as the Board shall determine by regulations, but in no case shall such renewal period be longer than any other licensed physician. The form and method of such registration shall be determined by the Board.

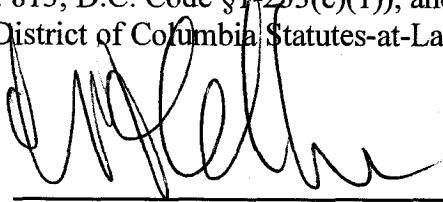
"(2) Each person so registering with the Board shall pay, for each biennial registration, a fee of \$1,000, which shall accompany the application for such registration.

"(3) Upon receiving a proper application for such registration accompanied by the fee, if any, the Board shall issue a license to the applicant; provided, however, such license shall automatically expire when the holder's relationship with any institution under subsection (a)(1) of this section is terminated.

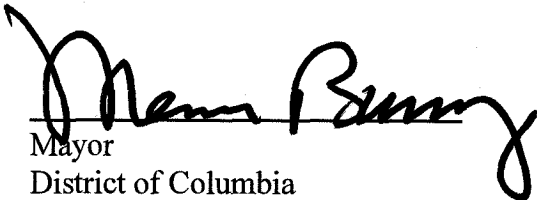
"(f) The holder of the limited license practicing medicine or surgery beyond the areas of the medical specialty or practice as laid down in said license shall be guilty of a misdemeanor, and upon conviction shall be fined not less than \$10,000 for each and every offense; and the Board is empowered to revoke such limited license, for cause, after due notice.

"(g) Any person granted a limited license under this section who subsequently desires to obtain a license without restriction shall be required to meet all of the requirements of such license as set forth in this section."

Sec. 3. This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code §1-233(c)(1)), and publication in either the District of Columbia Register, the District of Columbia Statutes-at-Large, or the District of Columbia Municipal Regulations.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED: March 9, 1995



COUNCIL OF THE DISTRICT OF COLUMBIA

COUNCIL PERIOD ELEVEN

RECORD OF OFFICIAL COUNCIL VOTE

Docket No. B11-39

ITEM ON CONSENT CALENDAR

ACTION & DATE Adopted First Reading, 1-17-95

VOICE VOTE Approved

RECORDED VOTE ON REQUEST Jarvis and Lightfoot

ABSENT _____

ROLL CALL VOTE - Result _____

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
CHMN. CLARKE					JARVIS					SMITH, JR.				
BRAZIL					LIGHTFOOT					THOMAS, SR.				
CHAVOUS					MASON									
CROPP					PATTERSON									
EVANS					RAY									

X - Indicates Vote AB - Absent NV - Present not voting

Quynh Luu CERTIFICATION RECORD February 22, 1995

Secretary to the Council Date

ITEM ON CONSENT CALENDAR

ACTION & DATE Adopted Final Reading, 2-7-95

VOICE VOTE Approved

RECORDED VOTE ON REQUEST all present

ABSENT _____

ROLL CALL VOTE - Result _____

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
CHMN. CLARKE					JARVIS					SMITH, JR.				
BRAZIL					LIGHTFOOT					THOMAS, SR.				
CHAVOUS					MASON									
CROPP					PATTERSON									
EVANS					RAY									

X - Indicates Vote AB - Absent NV - Present not voting

Quynh Luu CERTIFICATION RECORD February 22, 1995

Secretary to the Council Date

ITEM ON CONSENT CALENDAR

ACTION & DATE _____

VOICE VOTE _____

RECORDED VOTE ON REQUEST _____

ABSENT _____

ROLL CALL VOTE - Result _____

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
CHMN. CLARKE					JARVIS					SMITH, JR.				
BRAZIL					LIGHTFOOT					THOMAS, SR.				
CHAVOUS					MASON									
CROPP					PATTERSON									
EVANS					RAY									

X - Indicates Vote AB - Absent NV - Present not voting

_____ CERTIFICATION RECORD _____

Secretary to the Council Date