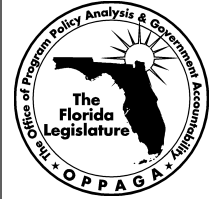




Office of Program Policy Analysis And Government Accountability



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Follow-Up Review of the Licensing and Disciplinary Practices of the Board of Medicine

Abstract

- To assist foreign-trained doctors, the Board of Medicine developed a curriculum for a refresher course to prepare applicants for the licensing exam. However, no medical school or organization has offered to provide the refresher course.
- The Legislature reduced the residency requirement for foreign-trained doctors to two years.
- The board revised the disciplinary case cover sheet, but does not formally track sanctions imposed on domestic and foreign-trained doctors to ensure that they are being imposed in a fair and consistent way.

Purpose

In accordance with s. 11.45(7)(f), F.S., this follow-up report informs the Legislature of actions taken by the Department of Health in response to the Office of Program Policy Analysis and Government Accountability's (OPPAGA) Report No. 95-14, issued December 4, 1995. This report presents our assessment of the extent to which the department has addressed the findings and recommendations included in our report.

Background

The Board of Medicine in the Department of Health establishes standards and procedures for licensing and disciplining doctors. There were approximately 37,500 active licensed physicians in Florida at the time of our prior study; 66% were domestic-trained and 34% were foreign-trained. Licensure requirements differ for domestic-trained and foreign-trained physicians. Foreign-trained applicants must obtain Educational Commission for Foreign Medical Graduates (ECFMG) certification and complete a longer residency. All applicants must pass the United States Medical Licensing Examination (USMLE), a standardized, nationwide examination developed by the Federation of State Medical Boards and administered by individual states.

Complaints against practicing physicians go through an investigation and screening process to eliminate allegations that do not have medical or legal merit. Physicians found guilty of unprofessional conduct are subject to sanction by the Board of Medicine.

Prior Findings

OPPAGA found that the Board of Medicine's licensing requirements provided a reasonable means for qualified domestic and foreign-trained doctors to obtain licenses.

In the past, the Legislature had provided some exceptions to the licensing requirements for foreign-trained doctors by authorizing Cuban and Nicaraguan applicants to take a preparatory training course developed by the University of Miami as an alternative

to the usual ECFMG certification. Although these exceptions had expired, some controversy remained concerning which of these special students had been eligible to take the physician licensing exam. As a result, the Legislature was considering new initiatives for special licensing for exile groups.

OPPAGA also reviewed the board's disciplinary process and found a small difference in the administration of some sanctions. Foreign-trained doctors received suspensions more frequently than domestic-trained physicians, and domestic-trained physicians received probation more frequently. However, 80% of these sanctions were administered through consent agreements approved by the physician. All other sanctions were applied similarly. Based on these facts, OPPAGA concluded that there was not differential treatment between foreign-trained and domestic-trained physicians by the Board of Medicine.

Current Status

The Legislature, the Department of Health, and the Board of Medicine have implemented most of OPPAGA's recommendations. Further action is needed by Florida medical schools.

OPPAGA recommended that the Legislature and the Board of Medicine consider the following options to offer additional assistance to all foreign-trained graduates to obtain medical licenses:

- initiate fee-based voluntary courses at Florida medical schools to prepare for ECFMG certification prior to the licensing exam;
- initiate fee-based voluntary courses at Florida medical schools to prepare for the USLME licensing exam;
- set aside a number of residency slots in Accreditation Council for Graduate Medical Education accredited hospitals for the required residency program to accommodate foreign-trained physicians who have been out of school for a

period of time but who have been unable to practice; and

- revise and reduce the residency requirements for foreign-trained physicians to two years.

A fee-based voluntary course for ECFMG pre-license certification has not been established. However, in 1996 the Legislature authorized the board to work with organizations to offer a medical refresher course to prepare applicants to take licensing examinations. While the board has developed a curriculum guideline, no school or organization has offered to provide the refresher course.

Similarly, none of the medical schools or teaching hospitals have set aside any resident training slots specifically for foreign-trained physicians who have been out of school for an extended period of time.

On the board's recommendation, the Legislature reduced the residency requirement for foreign-trained physicians to two years. The Legislature also authorized the board to allow foreign-trained physicians who meet other requirements and have practiced for five years outside the United States to take the license exam without any residency training. These practitioners would receive a two-year restricted license.

Concerning the disciplinary process, OPPAGA recommended that the board:

- monitor the imposition of suspensions and probation sanctions to ensure that they are being applied in a fair and consistent way; and
- revise the disciplinary case cover sheet to exclude information regarding where the physician attended medical school

The board has revised the disciplinary cover sheet to exclude information regarding where the physician attended medical school. But, the board has not been formally monitoring the sanctions it imposes on foreign-trained and domestic-trained physicians to ensure that they are being applied in a fair and consistent way.

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