

30 Subsection (2), shall:

31 (a) submit an application in a form prescribed by the division, which may include:

32 (i) submissions by the applicant of information maintained by practitioner data banks,
33 as designated by division rule, with respect to the applicant; and

34 (ii) a record of professional liability claims made against the applicant and settlements
35 paid by or on behalf of the applicant;

36 (b) pay a fee determined by the department under Section 63-38-3.2;

37 (c) be of good moral character;

38 (d) provide satisfactory documentation of having successfully completed a program of
39 professional education preparing an individual as a physician and surgeon, as evidenced by
40 having received an earned degree of doctor of medicine from:

41 (i) an LCME accredited medical school or college; or

42 (ii) a medical school or college located outside of the United States or its jurisdictions
43 which at the time of the applicant's graduation, met criteria for LCME accreditation;

44 (e) hold a current certification by the Educational Commission for Foreign Medical
45 Graduates or any successor organization approved by the division in collaboration with the
46 board, if the applicant graduated from a medical school or college located outside of the United
47 States or its jurisdictions;

48 (f) satisfy the division and board that the applicant:

49 (i) has successfully completed 24 months of progressive resident training in a program
50 approved by the ACGME, the Royal College of Physicians and Surgeons, the College of
51 Family Physicians of Canada, or any similar body in the United States or Canada approved by
52 the division in collaboration with the board; or

53 (ii) (A) has successfully completed 12 months of resident training in an ACGME
54 approved program after receiving a degree of doctor of medicine as required under Subsection
55 (1)(d);

56 (B) has been accepted in and is successfully participating in progressive resident
57 training in an ACGME approved program within Utah, in the applicant's second or third year

58 of postgraduate training; and

59 (C) has agreed to surrender to the division his license as a physician and surgeon
60 without any proceedings under Title 63, Chapter 46b, Administrative Procedures Act, and has
61 agreed his license as a physician and surgeon will be automatically revoked by the division if
62 the applicant fails to continue in good standing in an ACGME approved progressive resident
63 training program within the state;

64 (g) pass the licensing examination sequence required by division rule made in
65 collaboration with the board;

66 (h) be able to read, write, speak, understand, and be understood in the English language
67 and demonstrate proficiency to the satisfaction of the board if requested by the board;

68 (i) meet with the board and representatives of the division, if requested, for the purpose
69 of evaluating the applicant's qualifications for licensure;

70 (j) designate:

71 (i) a contact person for access to medical records in accordance with the federal Health
72 Insurance Portability and Accountability Act; and

73 (ii) an alternate contact person for access to medical records, in the event the original
74 contact person is unable or unwilling to serve as the contact person for access to medical
75 records; and

76 (k) establish a method for notifying patients of the identity and location of the contact
77 person and alternate contact person, if the applicant will practice in a location with no other
78 persons licensed under this chapter.

79 (2) An applicant for licensure as a physician and surgeon by endorsement shall:

80 (a) be currently licensed with a full unrestricted license in good standing in any state,
81 district, or territory of the United States;

82 (b) have been actively engaged in the legal practice of medicine in any state, district, or
83 territory of the United States for not less than 6,000 hours during the five years immediately
84 preceding the date of application for licensure in Utah;

85 (c) not have any action pending against the applicant's license; [~~and~~]

86 (d) not have a license that was suspended or revoked in any state, unless the license
87 was subsequently reinstated as a full unrestricted license in good standing; and

88 ~~[(d)]~~ (e) produce satisfactory evidence of the applicant's qualifications, identity, and
89 good standing to the satisfaction of the division in collaboration with the board.

90 (3) An applicant for licensure by endorsement may engage in the practice of medicine
91 under a temporary license while the applicant's application for licensure is being processed by
92 the division, provided:

93 (a) the applicant submits a complete application required for temporary licensure to the
94 division;

95 (b) the applicant submits a written document to the division from:

96 (i) a health care facility licensed under Title 26, Chapter 21. Health Care Facility
97 Licensing and Inspection Act, stating that the applicant is practicing under the invitation of the
98 health care facility; or

99 (ii) two individuals licensed under this chapter, whose license is in good standing and
100 who practice in the same clinical location, both stating that:

101 (A) the applicant is practicing under the invitation of the individual; and

102 (B) the applicant will practice at the same clinical location as the individual;

103 (c) the applicant submits a signed certification to the division that the applicant meets
104 the requirements of Subsection (2);

105 (d) the applicant does not engage in the practice of medicine until the division has
106 issued a temporary license;

107 (e) the temporary license is only issued for and may not be extended beyond the
108 duration of one year from issuance; and

109 (f) the temporary license expires immediately and prior to the expiration of one year
110 from issuance, upon notification from the division that the applicant's application for licensure
111 by endorsement is denied.

112 (4) The division shall issue a temporary license under Subsection (3) within 15
113 business days after the applicant satisfies the requirements of Subsection (3).

114 Section 2. Section **58-68-302** is amended to read:

115 **58-68-302. Qualifications for licensure.**

116 (1) An applicant for licensure as an osteopathic physician and surgeon, except as set
117 forth in Subsection (2) or (3), shall:

118 (a) submit an application in a form prescribed by the division, which may include:

119 (i) submissions by the applicant of information maintained by practitioner data banks,
120 as designated by division rule, with respect to the applicant; and

121 (ii) a record of professional liability claims made against the applicant and settlements
122 paid by or on behalf of the applicant;

123 (b) pay a fee determined by the department under Section 63-38-3.2;

124 (c) be of good moral character;

125 (d) provide satisfactory documentation of having successfully completed a program of
126 professional education preparing an individual as an osteopathic physician and surgeon, as
127 evidenced by having received an earned degree of doctor of osteopathic medicine from:

128 (i) an AOA approved medical school or college; or

129 (ii) an osteopathic medical school or college located outside of the United States or its
130 jurisdictions which at the time of the applicant's graduation, met criteria for accreditation by the
131 AOA;

132 (e) hold a current certification by the Educational Commission for Foreign Medical
133 Graduates or any successor organization approved by the division in collaboration with the
134 board, if the applicant graduated from a medical school or college located outside of the United
135 States or its jurisdictions;

136 (f) satisfy the division and board that the applicant:

137 (i) has successfully completed 24 months of progressive resident training in an
138 ACGME or AOA approved program after receiving a degree of doctor of osteopathic medicine
139 required under Subsection (1)(d); or

140 (ii) (A) has successfully completed 12 months of resident training in an ACGME or
141 AOA approved program after receiving a degree of doctor of osteopathic medicine as required

142 under Subsection (1)(d);

143 (B) has been accepted in and is successfully participating in progressive resident
144 training in an ACGME or AOA approved program within Utah, in the applicant's second or
145 third year of postgraduate training; and

146 (C) has agreed to surrender to the division his license as an osteopathic physician and
147 surgeon without any proceedings under Title 63, Chapter 46b, Administrative Procedures Act,
148 and has agreed his license as an osteopathic physician and surgeon will be automatically
149 revoked by the division if the applicant fails to continue in good standing in an ACGME or
150 AOA approved progressive resident training program within the state;

151 (g) pass the licensing examination sequence required by division rule, as made in
152 collaboration with the board;

153 (h) be able to read, write, speak, understand, and be understood in the English language
154 and demonstrate proficiency to the satisfaction of the board, if requested by the board;

155 (i) meet with the board and representatives of the division, if requested for the purpose
156 of evaluating the applicant's qualifications for licensure;

157 (j) designate:

158 (i) a contact person for access to medical records in accordance with the federal Health
159 Insurance Portability and Accountability Act; and

160 (ii) an alternate contact person for access to medical records, in the event the original
161 contact person is unable or unwilling to serve as the contact person; and

162 (k) establish a method for notifying patients of the identity and location of the contact
163 person and alternate contact person, if the applicant will practice in a location with no other
164 persons licensed under this chapter.

165 (2) An applicant for licensure as an osteopathic physician and surgeon qualifying under
166 the endorsement provision of Section 58-1-302 shall:

167 (a) be currently licensed in good standing in another jurisdiction as set forth in Section
168 58-1-302;

169 (b) (i) document having met all requirements for licensure under Subsection (1) except,

170 if an applicant received licensure in another state or jurisdiction based upon only 12 months
171 residency training after graduation from medical school, the applicant may qualify for licensure
172 in Utah by endorsement only if licensed in the other state prior to July 1, 1996; or

173 (ii) document having obtained licensure in another state or jurisdiction whose licensure
174 requirements were at the time of obtaining licensure equal to licensure requirements at that
175 time in Utah;

176 (c) have passed the SPEX examination within 12 months preceding the date of
177 application for licensure in Utah if the date on which the applicant passed qualifying
178 examinations for licensure is greater than five years prior to the date of the application for
179 licensure in Utah, or meet medical specialty certification requirements which may be
180 established by division rule made in collaboration with the board;

181 (d) have been actively engaged in the practice as an osteopathic physician and surgeon
182 for not less than 6,000 hours during the five years immediately preceding the date of
183 application for licensure in Utah; ~~and~~

184 (e) meet with the board and representatives of the division, if requested for the purpose
185 of evaluating the applicant's qualifications for licensure[-]; and

186 (f) not have a license that was suspended or revoked in any state, unless the license was
187 subsequently reinstated as a full unrestricted license in good standing.

188 (3) An applicant for licensure as an osteopathic physician and surgeon, who has been
189 licensed as an osteopathic physician in Utah, who has allowed his license in Utah to expire for
190 nonpayment of license fees, and who is currently licensed in good standing in another state or
191 jurisdiction of the United States shall:

192 (a) submit an application in a form prescribed by the division;

193 (b) pay a fee determined by the department under Section 63-38-3.2;

194 (c) be of good moral character;

195 (d) have passed the SPEX examination within 12 months preceding the date of
196 application for licensure in Utah if the date on which the applicant passed qualifying
197 examinations for licensure is greater than five years prior to the date of the application for

198 licensure in Utah;

199 (e) have been actively engaged in the practice as an osteopathic physician for not fewer
200 than 6,000 hours during the five years immediately preceding the date of application for
201 licensure; and

202 (f) meet with the board and representatives of the division, if requested for the purpose
203 of evaluating the applicant's qualifications for licensure.

204 (4) An applicant for licensure by endorsement may engage in the practice of medicine
205 under a temporary license while the applicant's application for licensure is being processed by
206 the division, provided:

207 (a) the applicant submits a complete application required for temporary licensure to the
208 division;

209 (b) the applicant submits a written document to the division from:

210 (i) a health care facility licensed under Title 26, Chapter 21, Health Care Facility
211 Licensing and Inspection Act, stating that the applicant is practicing under the invitation of the
212 health care facility; or

213 (ii) two individuals licensed under this chapter, whose license is in good standing and
214 who practice in the same clinical location, both stating that:

215 (A) the applicant is practicing under the invitation of the individual; and

216 (B) the applicant will practice at the same clinical location as the individual;

217 (c) the applicant submits a signed certification to the division that the applicant meets
218 the requirements of Subsection (2);

219 (d) the applicant does not engage in the practice of medicine until the division has
220 issued a temporary license;

221 (e) the temporary license is only issued for and may not be extended beyond the
222 duration of one year from issuance; and

223 (f) the temporary license expires immediately and prior to the expiration of one year
224 from issuance, upon notification from the division that the applicant's application for licensure
225 by endorsement is denied.

226 (5) The division shall issue a temporary license under Subsection (4) within 15
227 business days after the applicant satisfies the requirements of Subsection (4).