

28 Subsection (2), shall:

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

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

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

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

35 (c) be of good moral character;

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

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

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

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

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

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

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

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

57 (C) has agreed to surrender to the division his license as a physician and surgeon
58 without any proceedings under Title 63, Chapter 46b, Administrative Procedures Act, and has

59 agreed his license as a physician and surgeon will be automatically revoked by the division if
60 the applicant fails to continue in good standing in an ACGME approved progressive resident
61 training program within the state;

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

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

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

68 (j) designate:

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

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

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

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

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

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

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

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

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

88 (3) An applicant for licensure by endorsement may engage in the practice of medicine
89 under a temporary license while the applicant's application for licensure is being processed by

90 the division, provided:

91 (a) the applicant submits a complete application required for temporary licensure to the
92 division;

93 (b) the applicant documents that the applicant is practicing under the invitation of a
94 sponsoring entity;

95 (c) the applicant submits a verification that the applicant meets the requirements of
96 Subsection (2);

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

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

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

Legislative Review Note

as of 1-17-06 3:34 PM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel