

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 244

Session of
1985

INTRODUCED BY ITKIN, DORR, PISTELLA, TIGUE, J. L. WRIGHT,
HALUSKA, PETRARCA, WOZNIAK, COHEN, MRKONIC, SEVENTY, PRESTON,
TRELLO, CLYMER, SHOWERS, KUKOVICH, RYBAK, D. R. WRIGHT,
PERZEL, MAIALE, DAWIDA, McVERRY, SEMMEL AND BELARDI,
FEBRUARY 11, 1985

REFERRED TO COMMITTEE ON HEALTH AND WELFARE, FEBRUARY 11, 1985

AN ACT

1 Amending the act of July 20, 1974 (P.L.551, No.190), entitled
2 "An act relating to the right to practice medicine and
3 surgery in the Commonwealth of Pennsylvania; and establishing
4 means and methods whereby the right to practice medicine and
5 surgery and any of its branches and limited right to practice
6 medically related acts may be obtained, and exemptions
7 therefrom; imposing powers and duties on the State Board of
8 Medical Education and Licensure; providing for appropriation
9 of board fees to carry out the provisions thereof, and for
10 the granting, revocation and suspension of licenses;
11 providing penalties for violations; and making repeals,"
12 further providing for the definitions of "foreign medical
13 college" and "clinical clerk"; further establishing standards
14 for medical training; and making an appropriation.

15 The General Assembly of the Commonwealth of Pennsylvania
16 hereby enacts as follows:

17 Section 1. Section 2(7) of the act of July 20, 1974
18 (P.L.551, No.190), known as the Medical Practice Act of 1974, is
19 amended and a definition is added to read:

20 Section 2. Definitions.--As used in this act, the following
21 terms shall have the following meanings ascribed to them in this
22 section unless the context clearly determines otherwise:

1 * * *

2 (2.1) "Foreign medical college." A medical school located
3 outside the United States and Canada, which is listed by the
4 World Health Organization, or its successor or which is
5 otherwise recognized as a medical school by the competent
6 authorities of the jurisdiction in which it is located.

7 * * *

8 (7) "Clinical clerk." An undergraduate student in a medical
9 college, or a qualifying United States citizen who is an
10 undergraduate student in a foreign medical college, who is
11 assigned under the auspices of the school in which he is
12 currently enrolled to make notes upon patient histories [and],
13 to conduct physical examinations and to perform certain medical
14 procedures and laboratory tests under supervision of a member of
15 the hospital staff for the sole purpose of instruction and
16 experience [or], and who may make notes or patient medical
17 records which become official only when edited and countersigned
18 by a member of the hospital staff who is licensed pursuant to
19 this act. Nothing contained in this act shall be construed to
20 entitle a clinical clerk to practice medicine and surgery or to
21 prescribe drugs or to practice medicine beyond that which is
22 authorized by this section.

23 * * *

24 Section 2. Section 5(c) of the act is amended to read:

25 Section 5. Standards for Medical Training and Facilities.--

26 * * *

27 (c) Any medical institutions empowered by the Commonwealth
28 to confer academic degrees in medicine which in the judgment of
29 the board: (i) fail to provide proper facilities[, or]; (ii)
30 fail to maintain the minimum requirements for accreditation; or

1 (iii) discriminate in any way against a hospital which
2 participates in a clinical clerkship program with a foreign
3 medical college shall be duly notified of such failure or
4 discrimination. Until such deficiencies or acts of
5 discrimination are corrected, graduates of such institutions
6 shall be ineligible for licensure and/or graduate medical
7 training.

8 Section 3. The act is amended by adding a section to read:

9 Section 6.2. Foreign Medical Students Serving Clinical
10 Clerkships.--(a) Each undergraduate student enrolled in a
11 foreign medical college shall, as a prerequisite to serving as a
12 clinical clerk in a Pennsylvania hospital:

13 (1) Obtain a satisfactory score on the medical sciences
14 knowledge profile examination, or other examination approved by
15 the board.

16 (2) Have successfully completed at least two years
17 undergraduate training in an eligible foreign medical college.

18 (b) Nothing contained in this section shall be construed to
19 prohibit foreign medical students who are registered, on a
20 temporary basis, in a medical college from serving as clinical
21 clerks in Pennsylvania hospitals under a clinical clerkship
22 program maintained as part of the undergraduate curriculum of
23 the medical college in which the foreign medical student is
24 temporarily registered.

25 (c) It is the intent of the General Assembly that the
26 provisions of this section be construed liberally in order to
27 ensure the establishment of an accessible, viable program
28 through which United States citizens who are students enrolled
29 in foreign medical schools may obtain clinical training in
30 Pennsylvania hospitals.

1 Section 4. The sum of \$500,000, or as much thereof as may be
2 necessary is specifically appropriated to the Department of
3 Education for the fiscal year July 1, 1985, to June 30, 1986,
4 for payment to qualified teaching hospitals at a rate of \$10,000
5 per student who is a citizen of the United States of America and
6 a legal resident of Pennsylvania immediately prior to entering a
7 foreign medical school for a one year "fifth pathway" program.
8 In the event a teaching hospital requires a program of more than
9 one year's duration for one or more of its "fifth pathway"
10 students, it shall be the responsibility of the student and/or
11 the teaching hospital to assume all further costs. Exhaustion of
12 the appropriation provided for in this section shall not prevent
13 any teaching hospital from accepting resident or nonresident
14 students for participation in the "fifth pathway" program:
15 Provided, however, That after exhaustion of the appropriation it
16 shall be the responsibility of the student and/or the teaching
17 hospital to assume all costs of such program.
18 Section 5. This act shall take effect in 60 days.