

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 605

Session of
1983

INTRODUCED BY TIGUE, BELARDI AND CAWLEY, MARCH 23, 1983

REFERRED TO COMMITTEE ON HEALTH AND WELFARE, MARCH 23, 1983

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 defining "foreign medical college"; and further providing for
13 the definition of "clinical clerk"; and further establishing
14 standards for medical training and facilities.

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 clause 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:

23 * * *

1 (2.1) "Foreign medical college." A medical school located
2 outside the United States and Canada, which is listed by the
3 World Health Organization, or its successor or which is
4 otherwise recognized as a medical school by the competent
5 authorities of the jurisdiction in which it is located.

6 * * *

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

22 * * *

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

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

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

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

7 * * *

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) An individual enrolled as an undergraduate
11 student in a foreign medical college may serve as a clinical
12 clerk in a Pennsylvania hospital eligible to accept such
13 students as clinical clerks under subsection (c) if the foreign
14 medical college:

15 (1) is structurally definable as an academic unit;

16 (2) offers an educational program, the structure and content
17 of which provides a foundation in the basic and clinical
18 sciences;

19 (3) maintains a qualified faculty sufficient to provide
20 satisfactory instruction in the basic and clinical sciences;

21 (4) maintains or has access to facilities which are
22 quantitatively and qualitatively adequate to provide a
23 foundation in the basic and clinical sciences;

24 (5) is composed of an administrative system appropriate to
25 the goal of providing a competent medical education;

26 (6) has submitted information to an eligible Pennsylvania
27 hospital and the board which establishes to the satisfaction of
28 the hospital and the board that it has met the criteria set
29 forth in clauses (1) through (5); and

30 (7) has submitted to an eligible Pennsylvania hospital and

1 the board a clinical clerkship program acceptable to the
2 hospital and the board which is designed to provide the student
3 with a foundation in the methods and skills utilized in clinical
4 medicine.

5 (b) Each undergraduate student enrolled in a foreign medical
6 college shall, as a prerequisite to serving as a clinical clerk
7 in a Pennsylvania hospital:

8 (1) obtain a satisfactory score on the Medical Sciences
9 Knowledge Profile examination, or other examination approved by
10 the board; and

11 (2) have successfully completed at least two years
12 undergraduate training in an eligible foreign medical college.

13 (c) All clinical clerkships authorized by this section shall
14 be served only in Pennsylvania hospitals offering at least two
15 residency programs in the areas of family practice, internal
16 medicine, general surgery or pediatrics which are accredited by
17 the Accreditation Council on Graduate Medical Education, or its
18 successor, or which is part of such program through affiliations
19 approved by said council or its successor. Each clerkship shall
20 be served in a clinical subject in which the hospital has an
21 accredited residency program. Every hospital which participates
22 in clinical clerkship programs authorized by this section shall
23 establish, maintain and from time to time revise minimum
24 acceptable standards of performance to be met by each clinical
25 clerk. Each program submitted to the board under subsection
26 (a)(6) shall specify, as a condition of board approval, that no
27 credit will be given by the hospital or foreign medical college
28 for clerkships in which the minimum acceptable standards of
29 performance are not met.

30 (d) Nothing contained in this section shall be construed to

1 prohibit foreign medical students who are registered, on a
2 temporary basis, in a medical college from serving as clinical
3 clerks in Pennsylvania hospitals under a clinical clerkship
4 program maintained as part of the undergraduate curriculum of
5 the medical college in which the foreign medical student is
6 temporarily registered.

7 (e) Nothing contained in this section shall be construed to
8 require any hospital to accept foreign medical students as
9 clinical clerks.

10 (f) The board may, in the manner provided by law, promulgate
11 the rules and regulations reasonably necessary to carry out this
12 section. Rules and regulations proposed by the board shall be
13 subject to the act of June 25, 1982 (P.L.633, No.181), known as
14 the "Regulatory Review Act."

15 (g) It is the intent of the General Assembly that this
16 section be construed liberally in order to ensure the
17 establishment of an accessible, viable program through which
18 United States citizens who are students enrolled in foreign
19 medical schools may obtain clinical training in Pennsylvania
20 hospitals.

21 Section 4. This act shall take effect in 60 days.