COMMONWEALTH OF MASSACHUSETTS BOARD OF REGISTRATION IN MEDICINE

POLICY 2019-05

August 8, 2019

Amended March 11, 2021

Amended September 9, 2021

POLICY ON APPROVING INITIAL FULL AND LIMITED LICENSE APPLICATIONS

All applications for licensure filed pursuant to M.G.L. c. 112, §§ 2 through 9B, shall be approved by the Board of Registration in Medicine ("Board").

The Licensing Committee, a Committee of the Board, has been established to assist the Board in reviewing applications filed pursuant to M.G.L. c. 112, §§ 2 through 9B. It is the Policy of the Board that the Licensing Committee shall review initial full, initial limited or limited license renewal applications when the license application raises questions regarding an applicant's qualifications, competency or good moral character. The Board authorizes the Executive Director or other designee to determine that applications do not require review by the Licensing Committee in the following instances:

Disciplinary Action in College/Pre-Medical Education

* Minor disciplinary action, not to include suspension, dismissal, expulsion or its equivalent.

Disciplinary Action in Medical School

* Successful remediation of coursework in medical school without further disciplinary action that does not increase time in medical school for a period of more than six months.

Remediation in Postgraduate Training

* Remediation during postgraduate training followed by two or more years of successful postgraduate training or two or more years of independent practice (supported by good Supervisory Evaluation(s) in which the applicant is rated as "average" or above in all categories and recommended for licensure without reservation).

Leave of Absence or Extended Period of Time in Medical School or Postgraduate Training Program

* Extended period of time or leave of absence in medical school or postgraduate training, for the following reasons:
  + To participate in research; and/or
  + To obtain additional advanced degrees.
* Extended period of time or leave of absence in medical school or postgraduate training for no longer than one year for the following reasons, but not to include any leave related to disciplinary action or in lieu of disciplinary action:
  + Maternity or paternity leave;
  + Medical leave of absence where there has been no impact on the applicant's ability to practice medicine;
  + To care for a sick family member;
  + Financial reasons;
  + To study for USMLE or COMLEX exams;
  + To provide humanitarian assistance or other public service; or
  + To participate in decelerated medical school curriculum.

Withdrawal from Medical School or Postgraduate Training Program

* Withdrawal or transfer to another medical school or postgraduate training program in good standing, not related to disciplinary action or in lieu of disciplinary action.

Medical or Physical Condition

* Medical or physical condition which has no impact on the applicant's ability to practice medicine.

Criminal History

* One criminal offense that occurs before medical school to include only the following:
  + Acts of Civil Disobedience (noproperty damage, no personal injury)
  + Underage drinking or possession of alcohol
  + Open Container violations
  + Disturbing the Peace (no property damage, no personal injury)
  + Noise Infractions
  + Hunting/fishing/boating violations.

Malpractice History

* Dismissed malpractice claim(s) (not to exceed 2) with no payments attributed to the applicant (If no identifiable pattern); or
* One pending malpractice claim.

Requests for Waivers

* Joint degree waivers of the Board's Seven Year Rule (i.e., MD/PhDs who complete all three Steps of the USMLE or all three Levels of COMLEX in less than 10 years) and complete the MD/PhD during the total exam period).

Previously Considered by the Licensing Committee and/or Board

* Any matters previously considered by the Licensing Committee and/or the Board where there is no new information, which would warrant review under this Policy.

Staff retains the authority and discretion to present any application to the Licensing Committee should staff believe that review of the application is warranted. It is the expectation of the Board that, when in doubt, staff will present an application for review to the Licensing Committee.

The Licensing Committee, in its review of applications for initial full and limited licensure, may conduct an interview, may request additional documentation, may refer an applicant for an evaluation of health concerns to a Board-approved entity, and may recommend actions to the Board.

Complete applications for initial full or limited licensure that do not raise questions regarding an applicant's qualifications, competency, or good moral character requiring review by the Licensing Committee shall be approved by the Board at a duly noticed meeting of the Board.

In the absence of a duly noticed Board meeting, the Board, through this Policy, authorizes the Executive Director to approve complete applications for initial full or limited licensure when the license application does not raise questions regarding an applicant's qualifications, competency, or good moral character requiring review by the Licensing Committee. These licenses will be approved *nunc pro tunc* by the Board at the next scheduled Board meeting.