

TITLE 3: HUMAN RESOURCES
DIVISION 2: HEALTH

§ 2244. Licenses; Category I.

(a) Category I: Temporary, Limited Licensure with Supervision Required for Foreign Physicians without U.S. Training and U.S. Licensure. An applicant to practice as a physician under this category must:

(1) Be at least twenty-one years of age and lawfully entitled to enter, work and remain in the Commonwealth, and

(2) Be a graduate of a medical school listed in the IMED and have graduated in a calendar year when the medical school was recognized by the government agency in the country where the school is located; and

(3) Have satisfactorily completed a 3-year postgraduate training program (residency and fellowship, if applicable), after earning a medical degree, in the field applicant is applying for; and

(4) Provide proof of ECFMG certification and have taken and passed all parts of the Step 1 and Step 2 examinations of the USMLE or the equivalent of those exams in former tests such as the FLEX and NBME; and

(5) Have taken and passed the national specialty examination of his/her field of medicine (if applicable) in the country where he/she currently practices medicine; and

(6) Demonstrate a command of the English language by taking and passing the TOEFL test. A score of at least 550 on the paper based test or a score of at least 79 on the internet based test will be considered as an acceptable passing score. The test must have been taken and passed within the two year time period preceding the date of application to practice in the CNMI. Test scores must be submitted directly to the HCPLB from the Educational Testing Service (ETS); and

(7) Hold an unrestricted, active license to practice medicine in the country where s/he is currently practicing, and must have held that license and practiced independently in that country for at least two years preceding the date of application to practice in the CNMI; and

(8) Provide a Letter of Good Standing from the licensing and/or regulatory agency from the country where he/she is currently practicing medicine, satisfactory to the Board, that no disciplinary action has been taken against his/her license by any medical profession licensing authority and has not been the subject of any adverse action in which his/her license was suspended, revoked, placed on probation, conditioned or renewal denied. This Letter of Good Standing must be issued and dated within six months preceding the date of application to practice in the CNMI; and

(9) Provide an original or certified copy of a police clearance where s/he currently practices medicine issued and dated 30 days preceding the date of application to practice in the CNMI; and

(10) Provide proof of completion of a minimum of 50 U.S. Category 1 Continuing Medical Education in his/her field of medicine within the two year period preceding the date of application to practice in CNMI.

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(b) The limited license shall be for a period of not more than two years and shall not be renewed or granted an extension.

(c) A U.S. Social Security number and a National Provider Identification (NPI) number must be provided upon request by the Board during the period of time that the limited license is valid.

(d) Scope of Practice; Practice Agreement.

(1) The foreign-licensed physician shall practice in accordance with his/her training and experience; and

(2) The foreign-licensed physician shall not practice unless an active written practice agreement has been filed with and approved by the Board. A practice agreement is not active if the supervising physician has communicated in writing his/her termination of supervision, has been rendered legally incompetent to continue supervising, or has moved from the CNMI; and

(3) The foreign-licensed physician shall be employed only by the CNMI Government and shall practice only within the CNMI Department of Public Health.

(e) Supervising Physician. The supervising physician must comply with the following requirements in order to supervise foreign-licensed physicians:

(1) The supervising physician shall possess a current unrestricted CNMI license to practice medicine that is in good standing with the Board; and

(2) The supervising physician must be currently practicing in the CNMI and be a full-time employee of the CNMI government; and

(3) The supervising physician must have a similar specialty to that of the supervised foreign-licensed physician; and

(4) The supervising physician shall supervise no more than two foreign-licensed physicians; and

(5) The supervising physician must include in the Practice Agreement, a statement that he or she will direct and exercise supervision over the foreign-licensed physicians in accordance with this article and recognizes that he or she retains professional and legal responsibility for the performance of the foreign-licensed physician and for the care and treatment of the patient; and

(6) The supervising physician will provide adequate means for direct communication between the foreign-licensed physician and him or her; provided that where the physical presence of the supervising physician is not required, the direct communication may occur through the use of technology which may include but is not limited to, two-way radio, telephone, fax machine, modem, or other telecommunication device; and

(7) The supervising physician will perform a monthly random chart review of at least 10% of all the foreign-licensed physician's patient encounters; and

(8) The supervising physician shall designate an alternate supervising physician in his or her absence. The alternate supervising physician must meet all of the above requirements as a supervising physician.

Source: PL 17-56, § 2(140-50.3-201) (September 27, 2011), modified.

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Commission Comment: The Commission removed numerical figures that repeated words and replaced “these regulations” with “this article” pursuant to 1 CMC § 3806(e) and (d), respectively. The Commission made the following corrections pursuant to 1 CMC § 3806(g): changed “practicing independently” to “practiced independently” in subsection (a)(7); changed “grant” to “granted” in subsection (b); and made “two foreign-licensed physician” plural in subsection (e)(4).