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**VIRTUAL/TELECONFERENCE  
MEDICAL EXAMINING BOARD  
Virtual, 4822 Madison Yards Way, Madison  
Contact: Tom Ryan (608) 266-2112  
July 17, 2024**

*The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Board.*

**AGENDA**

**8:00 A.M.**

**OPEN SESSION – CALL TO ORDER – ROLL CALL**

- A. Adoption of Agenda (1-4)**
- B. Approval of Minutes of June 19, 2024 (5-9)**
- C. Introductions, Announcements and Recognition
- D. Reminders: Conflicts of Interest, Scheduling Concerns
- E. Administrative Matters – Discussion and Consideration**
  - 1) Department, Staff and Board Updates
  - 2) Board Members – Term Expiration Dates
    - a. Bond, Jr., Milton – 7/1/2027
    - b. Chou, Clarence P. – 7/1/2027
    - c. Clarke, Callisia N. – 7/1/2028
    - d. Ferguson, Kris – 7/1/2025
    - e. Gerlach, Diane M. – 7/1/2028
    - f. Goel, Sumeet K. – 7/1/2027
    - g. Hilton, Stephanie – 7/1/2028
    - h. Lerma, Carmen – 7/1/2024
    - i. Leuthner, Steven R. – 7/1/2027
    - j. Majeed-Haqqi, Lubna – 7/1/2027
    - k. Schmeling, Gregory J. – 7/1/2025
    - l. Siebert, Derrick R. – 7/1/2025
    - m. Yu, Emily S. – 7/1/2028
  - 3) **Wis. Stat. § 15.085 (3)(b) – Affiliated Credentialing Boards’ Biannual Meeting with the Medical Examining Board to Consider Matters of Joint Interest, Including Wisconsin Physician Assistant and Nurse Practitioner Roles and PA Practice Overview (10)**
    - a. Physician Assistant Affiliated Credentialing Board – Jennifer Jarrett, Chairperson

- F. Legislative and Policy Matters – Discussion and Consideration
- G. Administrative Rule Matters – Discussion and Consideration (11)**
  - 1) Drafting Proposals: Med 27, Relating to Provisional Licensure for International Physicians **(12-17)**
  - 2) Pending or Possible Rulemaking Projects **(18)**
- H. Professional Assistance Procedure (PAP) Discussion of Expansion to Include Mental Health Disorders**
- I. Federation of State Medical Boards (FSMB) Matters – Discussion and Consideration
- J. Newsletter Matters – Discussion and Consideration
- K. Controlled Substances Board Report – Discussion and Consideration
- L. Interstate Medical Licensure Compact Commission (IMLCC) – Report from Wisconsin’s Commissioners – Discussion and Consideration
- M. Screening Panel Report
- N. Future Agenda Items
- O. Discussion and Consideration of Items Added After Preparation of Agenda:
  - 1) Introductions, Announcements and Recognition
  - 2) Elections, Appointments, Reappointments, Confirmations, and Committee, Panel and Liaison Appointments
  - 3) Administrative Matters
  - 4) Election of Officers
  - 5) Appointment of Liaisons and Alternates
  - 6) Delegation of Authorities
  - 7) Education and Examination Matters
  - 8) Credentialing Matters
  - 9) Practice Matters
  - 10) Public Health Emergencies
  - 11) Legislative and Policy Matters
  - 12) Administrative Rule Matters
  - 13) Liaison Reports
  - 14) Board Liaison Training and Appointment of Mentors
  - 15) Informational Items
  - 16) Division of Legal Services and Compliance (DLSC) Matters
  - 17) Presentations of Petitions for Summary Suspension
  - 18) Petitions for Designation of Hearing Examiner
  - 19) Presentation of Stipulations, Final Decisions and Orders
  - 20) Presentation of Proposed Final Decisions and Orders
  - 21) Presentation of Interim Orders
  - 22) Petitions for Re-Hearing
  - 23) Petitions for Assessments
  - 24) Petitions to Vacate Orders
  - 25) Requests for Disciplinary Proceeding Presentations
  - 26) Motions
  - 27) Petitions
  - 28) Appearances from Requests Received or Renewed

29) Speaking Engagements, Travel, or Public Relation Requests, and Reports

**P. Public Comments**

**CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85(1)(b), and 448.02(8), Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).**

**Q. Deliberation on DLSC Matters**

**1) Proposed Stipulations, Final Decisions and Orders**

- a. 22 MED 525 – James J. Foskett **(19-27)**
- b. 24 MED 0230 – Yogesh R. Patel **(28-33)**

**2) Administrative Warnings**

- a. 23 MED 296 – G.H.L. **(34-36)**
- b. 23 MED 326 – C.J.K. **(37-39)**

**3) Case Closings**

- a. 22 MED 178, 22 MED 191, 22 MED 472 – S.N.H. **(40-43)**
- b. 22 MED 517 – E.W.E. **(44-74)**
- c. 22 MED 246 – T.A.S. & K.A.B. **(75-97)**
- d. 23 MED 385 – D.W.P. **(98-110)**
- e. 23 MED 621 – J.M.V.B. **(111-128)**
- f. 24 MED 0100 – S.M.T. **(129-135)**
- g. 24 MED 0146 – M.S.G. **(136-139)**

**R. Credentialing Matters**

**1) Waiver of 24 Months of ACGME/AOA Accredited Post-Graduate Training**

- a. T.B., M.D. **(140-189)**
- b. T.O., M.D. **(190-240)**

**2) Application Review**

- a. C.W.H, M.D. – Visiting Physician Applicant **(241-253)**

**3) Full Board Oral Interview**

- a. **APPEARANCE:** Jose Ortiz Jr, M.D. – Medicine and Surgery Renewal Applicant **(254-266)**

**S. Deliberation of Items Added After Preparation of the Agenda**

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) DLSC Matters
- 4) Monitoring Matters
- 5) Professional Assistance Procedure (PAP) Matters
- 6) Petitions for Summary Suspensions
- 7) Petitions for Designation of Hearing Examiner
- 8) Proposed Stipulations, Final Decisions and Order
- 9) Proposed Interim Orders
- 10) Administrative Warnings
- 11) Review of Administrative Warnings
- 12) Proposed Final Decisions and Orders
- 13) Matters Relating to Costs/Orders Fixing Costs
- 14) Complaints
- 15) Case Closings

- 16) Board Liaison Training
- 17) Petitions for Extension of Time
- 18) Petitions for Assessments and Evaluations
- 19) Petitions to Vacate Orders
- 20) Remedial Education Cases
- 21) Motions
- 22) Petitions for Re-Hearing
- 23) Appearances from Requests Received or Renewed

T. Open Cases

U. Consulting with Legal Counsel

# **RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION**

V. Vote on Items Considered or Deliberated Upon in Closed Session if Voting is Appropriate

W. Open Session Items Noticed Above Not Completed in the Initial Open Session

X. Delegation of Ratification of Examination Results and Ratification of Licenses and Certificates

# **ADJOURNMENT**

## **ORAL INTERVIEWS OF CANDIDATES FOR LICENSURE**

### **VIRTUAL/TELECONFERENCE**

### **10:00 A.M. OR IMMEDIATELY FOLLOWING THE FULL BOARD MEETING**

**CLOSED SESSION** – Reviewing Applications and Conducting Oral Interview(s) of **three (3)** (at time of agenda publication) Candidate(s) for Licensure – **Dr. Goel** and **Dr. Leuthner**

**NEXT MEETING: AUGUST 21, 2024**

*Board Member Training: November 15, 2024*

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MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held virtually unless otherwise indicated. In-person meetings are typically conducted at 4822 Madison Yards Way, Madison, Wisconsin, unless an alternative location is listed on the meeting notice. In order to confirm a meeting or to request a complete copy of the board's agenda, please visit the Department website at <https://dsps.wi.gov>. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Requests for interpreters for the hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer, or reach the Meeting Staff by calling 608-267-7213.

**VIRTUAL/TELECONFERENCE  
MEDICAL EXAMINING BOARD  
MEETING MINUTES  
JUNE 19, 2024**

**PRESENT:** Milton Bond, Jr. (*excused at 9:34 a.m.*); Clarence Chou, M.D. (*excused at 10:00 a.m.*) (*arrived at 10:21 a.m.*); Diane Gerlach, D.O.; Sumeet Goel, D.O., Stephanie Hilton; Steven Leuthner, M.D.; Lubna Majeed-Haqqi, M.D.; Gregory Schmeling, M.D.; Derrick Siebert, M.D. (*arrived at 8:08 a.m.*); Emily Yu, M.D. (*excused at 9:06 a.m.*)

**EXCUSED:** Callisia Clarke, M.D.; Kris Ferguson, M.D.; Carmen Lerma

**STAFF:** Tom Ryan, Executive Director; Jameson Whitney, Legal Counsel; Nilajah Hardin, Administrative Rules Coordinator; Dialah Azam, Board Administration Specialist; and other Department staff

**CALL TO ORDER**

Clarence Chou, Chairperson, called the meeting to order at 8:00 a.m. A quorum was confirmed with nine (9) members present.

**ADOPTION OF AGENDA**

**Amendment to the Agenda**

- **CHANGE** 2-person oral examiner from Dr. Schmeling to Dr. Gerlach

**MOTION:** Lubna Majeed-Haqqi moved, seconded by Diane Gerlach, to adopt the Agenda as amended. Motion carried unanimously.

**APPROVAL OF MINUTES OF MAY 15, 2024**

**MOTION:** Lubna Majeed-Haqqi moved, seconded by Steven Leuthner, to approve the Minutes of May 15, 2024 as published. Motion carried unanimously.

(*Derrick Siebert arrived at 8:08 a.m.*)

**8:00 A.M. PUBLIC HEARING FOR CLEARINGHOUSE RULE 24-039 ON MED 24,  
RELATING TO TELEMEDICINE AND TELEHEALTH**

**Review Public Hearing Comments and Respond to Clearinghouse Report**

**MOTION:** Sumeet Goel moved, seconded by Steven Leuthner, to accept all Clearinghouse comments for Clearinghouse Rule 24-039 (Med 24), Relating to Telemedicine and Telehealth. Motion carried unanimously.

**MOTION:** Diane Gerlach moved, seconded by Lubna Majeed-Haqqi, to authorize the Chairperson to approve the Legislative Report and Draft for Clearinghouse Rule 24-039 (Med 24), Relating to Telemedicine and Telehealth for submission to the Governor's Office and Legislature. Motion carried unanimously.

## ADMINISTRATIVE RULE MATTERS

### Updated Scope Statement: Med 1, Relating to Licensure Requirements

**MOTION:** Steven Leuthner moved, seconded by Lubna Majeed-Haqqi, to approve the Scope Statement revising Med 1, relating to Licensure Requirements, for submission to the Department of Administration and Governor's Office and for publication. Additionally, the Board authorizes the Chairperson to approve the Scope Statement for implementation no less than 10 days after publication. If the Board is directed to hold a preliminary public hearing on the Scope Statement, the Chairperson is authorized to approve the required notice of hearing. Motion carried unanimously.

### **REVIEW OF 2025 BOARD GOALS TO ADDRESS OPIOID ABUSE AND DELEGATE DEPARTMENT TO FILE WIS. STAT. S. 440.035(2M) REPORT TO LEGISLATURE**

**MOTION:** Diane Gerlach moved, seconded by Lubna Majeed-Haqqi, to adopt the 2025 goals to address opioid abuse as presented in the agenda and to delegate the Department to file the Wis. Stat. s. 440.035 Report to Legislature. Motion carried unanimously.

### **CLOSED SESSION**

**MOTION:** Diane Gerlach moved, seconded by Sumeet Goel, to convene to Closed Session to deliberate on cases following hearing (§ 19.85(1)(a), Stats.); to consider licensure or certification of individuals (§ 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (§ 19.85(1)(b), Stats. and § 448.02(8), Stats.); to consider individual histories or disciplinary data (§ 19.85(1)(f), Stats.); and to confer with legal counsel (§ 19.85(1)(g), Stats.). Clarence Chou, Chairperson, read the language of the motion aloud for the record. The vote of each member was ascertained by voice vote. Roll Call Vote: Milton Bond, Jr.-yes; Clarence Chou-yes; Diane Gerlach-yes; Sumeet Goel-yes; Stephanie Hilton-yes; Steven Leuthner-yes; Lubna Majeed-Haqqi-yes; Gregory Schmeling-yes; Derrick Siebert-yes; and Emily Yu-yes. Motion carried unanimously.

The Board convened into Closed Session at 8:49 a.m.

### **DELIBERATION ON DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS**

### Proposed Stipulations, Final Decisions and Orders

#### *23 MED 522 – Justin W. Schoen*

**MOTION:** Steven Leuthner moved, seconded by Stephanie Hilton, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Justin W. Schoen, DLSC Case Number 23 MED 522. Motion carried unanimously.

(Clarence Chou recused themselves and left the room for deliberation and voting in the matter concerning Justin W. Schoen, DLSC Case Number 23 MED 522.)

## **CREDENTIALING MATTERS**

### **Application Review**

#### ***Robert Stang, D.O. – Medicine and Surgery Applicant***

**MOTION:** Sumeet Goel moved, seconded by Lubna Majeed-Haqqi, to require Robert Stang, D.O. to appear for an oral examination before the full board.  
Motion carried unanimously.

(Emily Yu excused at 9:06 a.m.)

## **DELIBERATION ON DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS**

### **Proposed Stipulations, Final Decisions and Orders**

#### ***21 MED 188 – Alexander D. Serra***

**MOTION:** Sumeet Goel moved, seconded by Gregory Schmeling, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Alexander D. Serra, DLSC Case Number 21 MED 188. Motion carried unanimously.

(Milton Bond Jr. excused at 9:34 a.m.)

#### ***24 MED 0153 – Ama Fordwor-Koranteng***

**MOTION:** Sumeet Goel moved, seconded by Gregory Schmeling, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Ama Fordwor-Koranteng, DLSC Case Number 24 MED 0153. Motion carried unanimously.

### **Complaints**

#### ***23 MED 015 – A.S.***

**MOTION:** Diane Gerlach moved, seconded by Gregory Schmeling, to find probable cause in DLSC Case Number 23 MED 015, to believe that A.S. has committed unprofessional conduct, and therefore, to issue the Complaint and hold a hearing on such conduct pursuant to Wis. Stat§ 448.02(3)(b). Motion carried unanimously.

## **Administrative Warnings**

### ***23 MED 507 – J.M.D.***

**MOTION:** Steven Leuthner moved, seconded by Sumeet Goel, to issue an Administrative Warning in the matter of J.M.D., DLSC Case Number 23 MED 507. Motion carried unanimously.

## **Case Closings**

**MOTION:** Stephanie Hilton moved, seconded by Gregory Schmeling, to close the following DLSC Cases for the reasons outlined below:

- a) 22 MED 486 – G.F. – Insufficient Evidence
- b) 23 MED 141 – M.R.H. – Insufficient Evidence
- c) 23 MED 334 – J.E.B. – No Violation
- d) 23 MED 456 – M.F.T. – Insufficient Evidence
- e) 23 MED 459 – A.M.S. – No Violation
- f) 23 MED 470 – K.C.L. – Prosecutorial Discretion (P1)
- g) 23 MED 506 – G.R. – Prosecutorial Discretion (P2)
- h) 23 MED 509 – D.C.G. – Lack of Jurisdiction (L3)
- i) 23 MED 616 – A.N.W. – No Violation

Motion carried unanimously.

### ***23 MED 425 – M.M.F.***

**MOTION:** Diane Gerlach moved, seconded by Stephanie Hilton, to close DLSC Case Number 23 MED 425 against M.M.F., for Insufficient Evidence. Motion carried.

*(Clarence Chou excused at 10:00 a.m.)*

*(Clarence Chou arrived at 10:21 a.m.)*

## **CREDENTIALING MATTERS**

### **Waiver of 24 Months of ACGME/AOA Accredited Post-Graduate Training**

#### ***Adedamola Akinsiku, M.D.***

**MOTION:** Steven Leuthner moved, seconded by Lubna Majeed-Haqqi, to approve the waiver of 24 Months of ACGME/AOA Accredited Post-Graduate Training application of Adedamola Akinsiku, M.D., once all requirements are met. Motion carried unanimously.

#### ***Amir Farah, M.D.***

**MOTION:** Gregory Schmeling moved, seconded by Clarence Chou, to deny the waiver of 24 Months of ACGME/AOA Accredited Post-Graduate Training application of Amir Farah, M.D. **Reason for Denial:** Med 1.02 3(c) applicant has failed to prove equivalence of training and experience. Motion carried unanimously.



*Andreas Wibmer, M.D.*

**MOTION:** Gregory Schmeling moved, seconded by Clarence Chou, to approve the waiver of 24 Months of ACGME/AOA Accredited Post-Graduate Training application of Andreas Wibmer, M.D., once all requirements are met. Motion carried unanimously.

*Pamela Ines Causa Andrieu, M.D.*

**MOTION:** Gregory Schmeling moved, seconded by Steven Leuthner, to approve the waiver of 24 Months of ACGME/AOA Accredited Post-Graduate Training application of Pamela Ines Causa Andrieu, M.D., once all requirements are met. Motion carried unanimously.

**MILITARY MEDICAL PERSONNEL APPLICATION REVIEW**

**John Fox**

**MOTION:** Gregory Schmeling moved, seconded by Lubna Majeed-Haqqi, to approve the Military Medical Personnel application of John Fox, once all requirements are met. Motion carried unanimously.

**RECONVENE TO OPEN SESSION**

**MOTION:** Gregory Schmeling moved, seconded by Steven Leuthner, to reconvene to Open Session. Motion carried unanimously.

The Board reconvened to Open Session at 10:45 a.m.

**VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION**

**MOTION:** Steven Leuthner moved, seconded by Diane Gerlach, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

*(Be advised that any recusals or abstentions reflected in the closed session motions stand for the purposes of the affirmation vote.)*

**DELEGATION OF RATIFICATION OF EXAMINATION RESULTS AND  
RATIFICATION OF LICENSES AND CERTIFICATES**

**MOTION:** Gregory Schmeling moved, seconded by Lubna Majeed-Haqqi, to delegate ratification of examination results to DSPS staff and to ratify all licenses and certificates as issued. Motion carried unanimously.

**ADJOURNMENT**

**MOTION:** Stephanie Hilton moved, seconded by Steven Leuthner, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 10:47 a.m.

**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

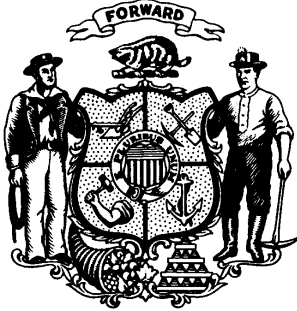
|   |   |  |  |
|---|---|--|--|
| <b>1) Name and title of person submitting the request:</b><br>Jennifer Jarrett, PAACB Board Chair   |   | <b>2) Date when request submitted:</b><br>6/17/2024<br><small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>   |  |
| <b>3) Name of Board, Committee, Council, Sections:</b><br>Medical Examining Board   |   |  |  |
| <b>4) Meeting Date:</b><br>July 17, 2024  | <b>5) Attachments:</b><br><input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No  | <b>6) How should the item be titled on the agenda page?</b><br>Wis. Stat. § 15.085 (3)(b) – Affiliated Credentialing Boards’ Biannual Meeting with the Medical Examining Board to Consider Matters of Joint Interest, including Wisconsin Physician Assistant and Nurse Practitioner Roles and PA Practice Overview<br>a.     Physician Assistant Affiliated Credentialing Board – Jennifer Jarrett, Chairperson |  |
| <b>7) Place Item in:</b><br><input checked="" type="checkbox"/> Open Session<br><input type="checkbox"/> Closed Session   | <b>8) Is an appearance before the Board being scheduled?</b> <i>(If yes, please complete <a href="#">Appearance Request</a> for Non-DSPS Staff)</i><br><input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No | <b>9) Name of Case Advisor(s), if applicable:</b><br>N/A   |  |
| <b>10) Describe the issue and action that should be addressed:</b><br>Jennifer Jarrett and Dr. Yu will give an overview of PA Training and Practice Workforce Data.   |   |  |  |
| <b>11) Authorization</b><br><div style="text-align: right; margin-right: 100px;"><i>6/17/1966</i></div> <hr/> <div style="display: flex; justify-content: space-between;"> <span>Signature of person making this request</span> <span>Date</span> </div> <hr/> <div style="display: flex; justify-content: space-between;"> <span>Supervisor (Only required for post agenda deadline items)</span> <span>Date</span> </div> <hr/> <div style="display: flex; justify-content: space-between;"> <span>Executive Director signature (Indicates approval for post agenda deadline items)</span> <span>Date</span> </div> |   |  |  |
| <b>Directions for including supporting documents:</b><br>1. This form should be saved with any other documents submitted to the <a href="#">Agenda Items</a> folders.<br>2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director.<br>3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.  |   |  |  |

**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

|   |   |  |  |                              |        |   |      |                          |      |  |  |      |  |
|---|---|--|--|------------------------------|--------|---|------|--------------------------|------|--|--|------|--|
| <b>1) Name and title of person submitting the request:</b><br>Nilajah Hardin, Administrative Rules Coordinator  |   | <b>2) Date when request submitted:</b><br>7/5/24<br><small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>  |  |                              |        |   |      |                          |      |  |  |      |  |
| <b>3) Name of Board, Committee, Council, Sections:</b><br>Medical Examining Board   |   |  |  |                              |        |   |      |                          |      |  |  |      |  |
| <b>4) Meeting Date:</b><br>7/17/24  | <b>5) Attachments:</b><br><input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No  | <b>6) How should the item be titled on the agenda page?</b><br>Administrative Rule Matters – Discussion and Consideration<br>1. Drafting Proposals: Med 27, Relating to Provisional Licensure for International Physicians<br>2. Pending or Possible Rulemaking Projects<br>a. Rule Projects Chart |  |                              |        |   |      |                          |      |  |  |      |  |
| <b>7) Place Item in:</b><br><input checked="" type="checkbox"/> Open Session<br><input type="checkbox"/> Closed Session   | <b>8) Is an appearance before the Board being scheduled?</b> <i>(If yes, please complete <a href="#">Appearance Request</a> for Non-DSPS Staff)</i><br><input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No | <b>9) Name of Case Advisor(s), if required:</b><br>N/A   |  |                              |        |   |      |                          |      |  |  |      |  |
| <b>10) Describe the issue and action that should be addressed:</b><br><br>Attachments:<br>2023 WI Act 214<br>Med 27 Draft Text of Rule<br>Med 27 Scope Statement<br>Rule Project Chart<br><br>(Board Rule projects can be Viewed Here if Needed: <a href="https://dsps.wi.gov/Pages/RulesStatutes/PendingRules.aspx">https://dsps.wi.gov/Pages/RulesStatutes/PendingRules.aspx</a> )  |   |  |  |                              |        |   |      |                          |      |  |  |      |  |
| <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%; border-bottom: 1px solid black; vertical-align: bottom;"> <b>11) Authorization</b><br/> </td> <td style="width: 40%; border-bottom: 1px solid black; vertical-align: bottom; text-align: right;">           7/5/24         </td> </tr> <tr> <td style="border-bottom: 1px solid black; vertical-align: bottom;">           Signature of person making this request         </td> <td style="border-bottom: 1px solid black; vertical-align: bottom; text-align: right;">           Date         </td> </tr> <tr> <td style="border-bottom: 1px solid black; vertical-align: bottom;">           Supervisor (if required)         </td> <td style="border-bottom: 1px solid black; vertical-align: bottom; text-align: right;">           Date         </td> </tr> <tr> <td colspan="2" style="border-bottom: 1px solid black; vertical-align: bottom;">           Executive Director signature (indicates approval to add post agenda deadline item to agenda)         </td> </tr> <tr> <td colspan="2" style="border-bottom: 1px solid black; vertical-align: bottom; text-align: right;">           Date         </td> </tr> </table> |   |  |  | <b>11) Authorization</b><br> | 7/5/24 | Signature of person making this request | Date | Supervisor (if required) | Date | Executive Director signature (indicates approval to add post agenda deadline item to agenda) |  | Date |  |
| <b>11) Authorization</b><br>  | 7/5/24  |  |  |                              |        |   |      |                          |      |  |  |      |  |
| Signature of person making this request   | Date  |  |  |                              |        |   |      |                          |      |  |  |      |  |
| Supervisor (if required)  | Date  |  |  |                              |        |   |      |                          |      |  |  |      |  |
| Executive Director signature (indicates approval to add post agenda deadline item to agenda)  |   |  |  |                              |        |   |      |                          |      |  |  |      |  |
| Date  |   |  |  |                              |        |   |      |                          |      |  |  |      |  |
| <b>Directions for including supporting documents:</b><br>1. This form should be attached to any documents submitted to the agenda.<br>2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director.<br>3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.   |   |  |  |                              |        |   |      |                          |      |  |  |      |  |

# State of Wisconsin



2023 Assembly Bill 954

Date of enactment: **March 22, 2024**

Date of publication\*: **March 23, 2024**

## 2023 WISCONSIN ACT 214

AN ACT *to amend* 448.05 (2) (a) (intro.) and 448.05 (2) (b) (intro.); and *to create* 448.01 (3), 448.02 (4m), 448.04 (1) (br), 448.05 (2m), 448.075 and 448.40 (3) of the statutes; **relating to:** provisional licenses to practice medicine and surgery for internationally trained physicians and granting rule-making authority.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

**SECTION 1.** 448.01 (3) of the statutes is created to read:

448.01 (3) "International medical program" means any medical school, residency program, medical internship program, or other program that is approved by the Educational Commission for Foreign Medical Graduates or provides individuals with a medical education or training outside the United States that is substantially similar to the training required to qualify to practice medicine and surgery in this state.

**SECTION 2.** 448.02 (4m) of the statutes is created to read:

448.02 (4m) INTERNATIONAL PHYSICIANS. The board may suspend or revoke a license granted under s. 448.04 (1) (br) if a majority of the board determines that the holder of the license is no longer employed as a physician in this state by an employer described in s. 448.05 (2m) (a). The holder of the license shall be granted an opportunity to be heard prior to the board's determination.

**SECTION 3.** 448.04 (1) (br) of the statutes is created to read:

448.04 (1) (br) *Provisional license to practice medicine and surgery for international physicians.* The board may grant a provisional license to practice

medicine and surgery for international physicians to an applicant who satisfies the requirements under s. 448.05 (2m). The holder of a provisional license granted under this paragraph may practice medicine and surgery only under the supervision of a physician who is licensed to practice medicine and surgery under par. (a). A provisional license to practice medicine and surgery under this paragraph shall be converted into a license to practice medicine and surgery under par. (a) after the provisional license holder practices medicine and surgery full-time in this state and maintains good standing for 3 consecutive years.

**SECTION 4.** 448.05 (2) (a) (intro.) of the statutes is amended to read:

448.05 (2) (a) (intro.) Except as provided in pars. (b) to (f) and sub. (2m), an applicant for any class of license to practice medicine and surgery must supply evidence satisfactory to the board of all of the following:

**SECTION 5.** 448.05 (2) (b) (intro.) of the statutes is amended to read:

448.05 (2) (b) (intro.) Except as provided in pars. (c) to (f) and sub. (2m), an applicant for a license to practice medicine and surgery who is a graduate of a foreign medical college must supply evidence satisfactory to the board of all of the following:

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\* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

**SECTION 6.** 448.05 (2m) of the statutes is created to read:

**448.05 (2m) PROVISIONAL LICENSE TO PRACTICE MEDICINE AND SURGERY FOR INTERNATIONAL PHYSICIANS.** An applicant for a provisional license to practice medicine and surgery for international physicians must supply evidence to the board that the applicant satisfies all of the following:

(a) The applicant has an offer for full-time employment as a physician in this state from a federally qualified health center, as defined in s. 253.075 (1) (e), a community health center, as defined in s. 250.15 (1) (a), a hospital, as defined in s. 50.33 (2), an ambulatory surgical center, as defined in 42 CFR 416.2, or any other health care facility approved by the board.

(b) The applicant has been granted a medical doctorate or a substantially similar degree by an international medical program.

(c) The applicant has completed a residency program or a postgraduate medical training program that is substantially similar to a residency program.

(d) The applicant has practiced as a fully licensed or otherwise authorized physician in his or her country of practice for at least 5 years after completing a residency program or a postgraduate medical training program that is substantially similar to a residency program.

(dm) The applicant has practiced continuously as a physician in his or her country of practice for at least one out of the 5 years immediately preceding the date that the applicant submits an application for a provisional license under s. 448.04 (1) (br).

(e) The applicant has been in good standing with the medical licensing or regulatory agency of his or her country of practice for the 5 years preceding the individual's

application and does not have any pending disciplinary action before the medical licensing or regulatory agency.

(em) The applicant has obtained certification by the Educational Council for Foreign Medical Graduates, a successor organization, or another evaluation entity approved by the board.

(f) The applicant has passed all steps of the United States Medical Licensing Examination administered by the National Board of Medical Examiners and the Federation of State Medical Boards, or their successor organizations.

(g) The applicant has, or will have prior to working as a physician in this state, a federal immigration status and employment authorization that enables the applicant to work as a physician in this state.

(h) The applicant possesses basic fluency in the English language.

**SECTION 7.** 448.075 of the statutes is created to read:

**448.075 Provisional licenses.** Every 6 months or upon request of the board, the holder of a provisional license under s. 448.04 (1) (br) shall submit to the board a statement certifying whether the license holder is still employed as a physician in this state and whether the license holder has been subjected to professional discipline as a result of the license holder's practice. If the license holder has been subject to professional discipline, the license holder shall submit to the board a description of the circumstances of the discipline.

**SECTION 8.** 448.40 (3) of the statutes is created to read:

**448.40 (3)** The board may promulgate rules defining "substantially similar" under s. 448.05 (2m).

**SECTION 12. Effective date.**

(1) This act takes effect on January 1, 2025.

## Chapter Med 27 INTERNATIONAL PHYSICIAN PROVISIONAL LICENSE

**Med 27.01 Authority and purpose.** The rules in this chapter are adopted by the Medical Examining Board pursuant to the authority delegated by ss. 15.08 (5) (b) and 448.40 (3), Stats.

**Med 27.02 Definitions.** As used in this chapter:

- (1) “basic fluency” means the ability to speak, read, write, and listen at the B2 Global Scale Common Reference Level of the Common European Framework for Reference Languages. (Global scale - Table 1 (CEFR 3.3): Common Reference levels - Common European Framework of Reference for Languages (CEFR) (coe.int))  
Note: The Global Scale Common Reference Levels of the Common European Framework for Reference Languages can be found at <https://coe.int/en.web/common-european-framework-reference-languages/level-descriptions>.
- (2) “country of practice” means the country where the applicant currently or has recently practiced medicine and surgery under a credential with good standing.
- (3) “substantially similar” means a program with competencies determined by the board to be at least a majority/two-thirds/three-quarters/75 % the same or equivalent to those of a program in the United States.
- (4)

**Med 27.03 Provisional licensure.** An applicant for a provisional license to practice medicine and surgery shall submit evidence to the board that the applicant satisfies all of the following:

- (1) Submission of a completed application for provisional licensure.  
Note: Instructions for applications are available from the department of safety and professional services’ website at <http://dsps.wi.gov>.
- (2) Payment of the fee determined by the department under s. 440.05 (1), Stats.
- (3) Subject to ss. 111.321, 111.322, and 111.335, Stats., the applicant does not have an arrest or conviction record.
- (4) An offer for full-time employment as a physician in this state from any of the following:
  - (a) A federally qualified health center as defined in s. 253.075 (1) (e), Stats.
  - (b) A hospital as defined in s. 50.33 (2), Stats.
  - (c) An ambulatory surgical center as defined in 42 CFR 416.2.
  - (d) Any other health care facility approved by the board.
- (5) The applicant has been granted a medical doctorate or a substantially similar degree by an international medical program.
- (6) The applicant has completed a residency program or a postgraduate medical training program that is substantially similar to a residency program.
- (7) The applicant has practiced as a fully licensed physician in their country of practice for at least 5 years after completing a residency program or a postgraduate medical training program that is substantially similar to a residency program.
- (8) Within the 5 years immediately preceding the submission of a completed application under sub (1), the applicant has continuously:
  - (a) Practiced as a physician in their country of practice for at least one year.

- (b) Been in good standing with the medical licensing or regulatory agency of their country and does not have any pending disciplinary action against their license.
- (9) The applicant has passed all steps of the United States Medical Licensing Examination Administered by the National Board of Medical Examiners and the Federation of State Medical Boards, or their successor organization.
- (10) The applicant has federal immigration status and employment authorization to work as a physician in this state.
- (11) The applicant possess basic fluency in the English language.

**Med 27.04 Practice limitations.** A provisional license holder shall comply with all of the following while performing the practice of medicine in this state:

- (1) Only practice under the supervision of a physician who is licensed under s. 448.04 (1) (a), Stats.
- (2) Every 6 months or at the request of the board, the licensee shall submit a statement certifying whether they are still employed as a physician in this state and whether they have been subjected to professional discipline as a result of their practice to the board. If the licensee has been subjected to professional discipline, they shall submit a description of the circumstances to the board.
- (3)

**Med 27.05 Regular Licensure.** After practicing medicine and surgery full-time in this state while maintaining good standing for 3 consecutive years, a provisional license to practice medicine and surgery under this chapter shall be converted into a regular license under s. 448.04 (1) (a), Stats.

**Med 27.06 Complaints, investigations, suspension, and revocation.** The medical examining board may receive and investigate complaints against provisional license holders to determine whether a licensee has violated the rules in this chapter or has violated any state or federal law or any other jurisdiction related to the practice of medicine. The board may reprimand a physician or deny, limit, suspend, or revoke a provisional license as a result of any such investigations and complaints.

# STATEMENT OF SCOPE

## MEDICAL EXAMINING BOARD

**Rule No.:** Med 27

**Relating to:** Provisional Licensure for International Physicians

**Rule Type:** Permanent

**1. Finding/nature of emergency (Emergency Rule only):** N/A

**2. Detailed description of the objective of the proposed rule:**

The objective of the proposed rule is to implement the statutory changes from 2023 Wisconsin Act 214.

**3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:**

The Board intends to update the administrative code to bring it into alignment with 2023 Wisconsin Act 214 by creating a new chapter Med 27 to outline requirements for the new provisional license for international physicians. An alternative would be to not revise the administrative code to reflect these new requirements, which would create confusion and a lack of clarity for stakeholders as to what is required regarding this new license type.

**4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):**

Section 15.08 (5) (b), Stats. states that “the board shall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains, and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession.”

Section 448.40 (1), Stats., provides that “[t]he board may promulgate rules to carry out the purposes of this subchapter, including rules requiring the completion of continuing education, professional development, and maintenance of certification or performance improvement or continuing medical education programs for renewal of a license to practice medicine and surgery.”

Section 448.40 (3), Stats., as created by 2023 Wisconsin Act 214, states that “the board may promulgate rules defining “substantially similar” under s. 448.05 (2m).”

**5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:**

Approximately 80 hours

**6. List with description of all entities that may be affected by the proposed rule:**

Wisconsin licensed physicians and those applying for physician licensure, and their employers.



**7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:** None.

**8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):**

The proposed rule will have minimal to no economic impact on small businesses and the state's economy as a whole.

**Contact Person:** Nilajah Hardin, Administrative Rules Coordinator,  
DSPSAdminRules@wisconsin.gov, (608) 267-7139.

Approved for publication:



\_\_\_\_\_  
Authorized Signature

4/25/2024

\_\_\_\_\_  
Date Submitted

Approved for implementation:



\_\_\_\_\_  
Authorized Signature

6/10/2024

\_\_\_\_\_  
Date Submitted

**Medical Examining Board**  
**Rule Projects (updated 07/05/24)**

| <b>Clearinghouse Rule Number</b> | <b>Scope #</b>   | <b>Scope Expiration</b> | <b>Code Chapter Affected</b> | <b>Relating clause (description)</b>               | <b>Current Stage</b>                                   | <b>Next Step</b>  |
|----------------------------------|------------------|-------------------------|------------------------------|--|--|---|
| Not Assigned Yet                 | Not Assigned Yet | Not Assigned Yet        | Med 1                        | Licensure Requirements                             | Updated Scope Statement Pending Submission to Governor | Submission for Publication in Administrative Register   |
| 24-039                           | 117-23           | 06/26/2026              | Med 24                       | Telemedicine and Telehealth                        | Drafting Final Rule and Legislative Report             | Submission for Governor Approval and Legislative Review |
| Not Assigned Yet                 | 055-24           | 11/28/2026              | Med 27                       | Provisional Licensure for International Physicians | Drafting   | Board Review and Approval of Preliminary Rule Draft     |