

201 KAR 9:021. Medical and osteopathic schools approved by the board; denial or withdrawal of approval; application of KRS 311.271; postgraduate training requirements; approved programs; recognition of degrees.

RELATES TO: KRS 311.271, 311.550, 311.560, 311.571

STATUTORY AUTHORITY: KRS 311.565(1)(b), 311.571(1)(d), (2)(f)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 311.565(1)(b) authorizes the board to promulgate administrative regulations to establish requirements for a regular license to practice medicine or osteopathy in the Commonwealth of Kentucky. This administrative regulation establishes the requirements for board approval of medical or osteopathic schools.

Section 1. (1) Except as provided by subsection (2) of this section:

(a) A license or permit shall not be issued by the board or retained by a licensee if an applicant or licensee has failed to provide the board proof that he is a graduate of a medical or osteopathic school, college, or university that has been approved by the board; and

(b) The requirement for board approval of an educational institution shall not be waived.

(2) An applicant for limited licensure-institutional practice pursuant to KRS 311.571(4) shall be granted a license without prior approval by the board of the medical or osteopathic school, college, or university from which he graduated if he has submitted proof:

(a) Of the educational institution's existence; and

(b) That he is a graduate thereof.

Section 2. Except as provided by Section 4 of this administrative regulation:

(1) A medical or osteopathic school, college, or university located in the United States, its territories or protectorates, or Canada shall be considered approved by the board; and

(2) A license or permit granted by a medical or osteopathic school, college, or university located in the United States, its territories or protectorates, or Canada shall be recognized if written proof is submitted that the educational institution is located in:

(a) The United States, its territories or protectorates, and accredited by the:

1. Liaison Committee on Medical Education; or

2. American Osteopathic Association Commission on Osteopathic College Accreditation; or

(b) Canada and approved or accredited by the Canadian Medical Association.

Section 3. Except as provided by Section 4 of this administrative regulation, a medical or osteopathic school, college, or university located outside the United States, its territories or protectorates, or Canada in which an applicant originally enrolled in any academic year through and concluding with academic year 2008-2009 shall be considered approved by the board, and a license or permit issued by a medical or osteopathic school, college, or university located outside the United States, its territories or protectorates, or Canada shall be recognized, if the educational institution:

(1) Is officially recognized in good standing by the country in which it is located;

(2) Is registered as a medical school, college, or university in the:

(a) World Health Organization directory; or

(b) World Directory of Medical Schools; and

(3) Possesses a basic course of clinical and classroom medical instruction that is:

(a) Not less than thirty-two (32) months in length; and

(b) Under the educational institution's direct authority.

Section 4. Except as provided by Section 5 of this administrative regulation, a medical or os-

teopathic school, college, or university located outside the United States, its territories, or Canada in which an applicant originally enrolled in academic year 2009 - 2010 or any academic year thereafter shall be considered approved by the board, and a license or permit issued by a medical or osteopathic school, college, or university located outside the United States, its territories or protectorates, or Canada shall be recognized, if the educational institution:

- (1) Is officially recognized in good standing by the country in which it is located;
- (2) Is registered as a medical school, college, or university in the International Medical Educational Directory;
- (3) Requires that all courses be completed by physical on-site attendance in the country in which the school is chartered; and
- (4) Possesses a basic course of clinical and classroom medical instruction that is:
 - (a) Not less than thirty-two (32) months in length; and
 - (b) Under the educational institution's direct authority.

Section 5. (1) The board shall deny or revoke its approval of a medical or osteopathic school, college, or university that has failed to meet the requirements for approval established by this administrative regulation.

(2) If the board denies or withdraws its approval of a medical or osteopathic school, college, or university, it shall issue an order stating the grounds upon which the denial or approval was based.

Section 6. (1)(a) Except as provided by subsection (2) of this section, the degree of an applicant shall not be recognized unless an applicant has met the requirements established by this section.

(b) Except as provided by subsection (2) of this section, clinical clerkships that a medical school located outside the United States, its territories or protectorates, or Canada permits a student to perform in order to satisfy its curriculum's clinical requirements shall be approved if an applicant has established that:

1. The clinical clerkships he performed were equal in quality and character to the clinical training performed in the United States by students in American medical and osteopathic schools; and

2. The clinical clerkships he performed had been evaluated and approved by the foreign medical school:

- a. Prior to commencement; and
- b. As required by the foreign school's established standards for approval of clerkships performed in the United States.

(2) The board shall waive the requirements established by subsection (1) of this section, if an applicant:

- (a) Commenced a clerkship prior to February 12, 1985; and
- (b) Has verified that he has:
 1. Satisfactorily completed an approved three (3) year post graduate training program at one (1) hospital or institution; or
 2. Been accepted into, or is currently enrolled, in the second or third year of a postgraduate training program approved by the board.

Section 7. The executive director shall recommend for approval by the board the equivalency of premedical or preosteopathic units of study credited by a college or university located outside the United States or Canada on an individual basis.

Section 8. Amount of Postgraduate Training Required. An applicant for licensure shall provide written proof of having completed the postgraduate training required by this administrative regulation. (1) Pursuant to KRS 311.571(1)(d), an applicant for a regular license shall have satisfactorily completed:

(a) At least two (2) years of prescribed courses of postgraduate training in accordance with this administrative regulation; or

(b) At least one (1) year of prescribed courses of postgraduate training in accordance with this administrative regulation and an Oral and Maxillofacial Surgery program approved by the Commission on Dental Accreditation.

(2) Resident training license.

(a) Except as provided in paragraph (c) of this subsection, a resident in a Kentucky postgraduate training program accredited by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association shall receive a resident training license if the applicant has:

1. Completed one (1) year of postgraduate training in accordance with this administrative regulation;

2. Successfully completed:

a. One (1) of the examinations approved under 201 KAR 9:031, Section 2; or

b. One (1) of the combinations of examinations approved under 201 KAR 9:031, Section 1; and

3. Paid to the board a seventy-five (75) dollar fee.

(b) The resident training license shall permit its holder to practice medicine within the institution or in a setting approved by the postgraduate training program.

(c) The resident training license shall not be issued to a second-year resident without a recommendation by the director of the postgraduate training program and the approval of the board.

Section 9. Postgraduate Training Programs Approved by the Board. The following postgraduate training programs shall meet the postgraduate training requirement for licensure:

(1) All postgraduate training programs in hospitals and institutions located in the United States and approved by the Accreditation Council for Graduate Medical Education;

(2) All postgraduate training programs in hospitals and institutions located in Canada; and

(3) All postgraduate training programs in hospitals and institutions located in the United States or Canada and approved by the American Osteopathic Association.

Section 10. Fellowship Training in the United States or Canada. The board shall consider on an individual basis written proof of satisfactory completion of fellowship training recognized by the board to be of satisfactory quality as substitution for the second year of required postgraduate training approved by the board pursuant to this administrative regulation. (11 Ky.R. 309; 553; eff. 10-9-1984; 1063; 1257; eff. 2-12-1985; 12 Ky.R. 668; eff. 1-3-1986; 16 Ky.R. 1225; eff. 2-3-1990; 23 Ky.R. 2836; 3555; eff. 3-19-1997; 27 Ky.R. 1501; 2123; eff. 2-1-2001; 32 Ky.R. 717; eff. 1-6-2006; 34 Ky.R. 1525; 1935; eff. 2-14-2008; 44 Ky.R. 2361, eff. 7-18-2018.)