

CHAPTER 11
GUAM BOARD OF MEDICAL EXAMINERS

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Article 1
Full Medical Licensure

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§11101. Requirements for full medical licensure (all candidates) in the Territory of Guam. The Guam Board of Medical Examiners (Board) shall insure that all applicants meet the Medical Licensure Requirements:

(a) All applicants on Guam shall possess the degree of Doctor of Medicine from a medical college or school located in foreign medical schools as listed in the World Health Organization (WHO) listing of medical schools, which was approved by the Board of Medical Examiners or the Council on Medical Education and hospitals of the American Medical Association (or by a private non-profit accrediting body approved by the Board) at the time the degree was conferred. No person who graduated from a medical school which was not so approved at the time of graduation shall be examined for licensure or be licensed in Guam based on credentials or documentation from that school nor shall that person be licensed by endorsement or reciprocity.

(b) The applicant shall have successfully completed the educational requirements necessary to become American board certified, or hold current American Board certification, in one of the specialties recognized by the American Board of Medical Specialties. These educational requirements shall be those in effect by the American Specialties Board at the time the applicant completed his post graduate training. Such educational requirements shall have been successfully completed in an institution in the

United States, its territories or possession, or Canada, approved by the Board or Guam Board of Medical Examiners or Council of Medical Education and hospitals of the American Medical Association.

(c) The applicant must have passed both components of the FLEX examination at one sitting: prior to 1986, with a weighted average score on both components of at least 75, and beginning in 1986, with a score of 75 on each component; alternatively, an applicant must be a Diplomate of the National Board of Medical Examiners or be certified by an American Specialty Board.

(d) The applicant shall be physically, mentally, and professionally capable of practicing medicine in a manner acceptable to the Board and shall be required to submit to a physical, mental, or standardized professional competency examination, or a drug dependency evaluation, if deemed necessary by the Board. In all such cases, the examiner and examination must be approved by the Board.

(e) The applicant shall not have been found guilty by a competent authority, United States or foreign, of any conduct which would constitute grounds for disciplinary action under the regulations of the Board.

(f) The applicant shall make a personal appearance before the Board for interview, review of credentials and on examination. At the discretion of the Board, the applicant shall be required to present his or her original medical education credentials, or a certified copy, for inspection at the time of personal appearance.

(g) The applicant shall be held responsible for verifying to the satisfaction of the Board the validity of all credentials required for his or her medical licensure and shall cooperate with the Board in obtaining this information. The Board shall review and verify medical education credentials including:

- (1) American Medical Association databank report;
- (2) Federation of State Medical Boards Disciplinary databank report;
- (3) Medical School of Diploma and graduate education;

(4) All previous State, Territory and Foreign Medical licenses;

(5) FLEX exam results;

(6) American Specialties Board Examination result;

(7) National Board of Medical Examiners examination result;

(8) ECFMG (Education Council for Foreign Medical Graduate) certification;

(9) Verification of Continuing Medical Education requirements of 100 credits over the past two (2) years, 25% must be in Category I;

(10) Three (3) recent letters of recommendation (within one (1) year).

(h) The applicant shall have paid all fees and have completed and attested to the accuracy of all application and information forms required by the Board.

(i) Foreign medical graduates shall have passed a screening exam in basic medical knowledge acceptable to the Board (e.g., the Foreign Medical Graduates Examination in the Medical Sciences (FMGEMS)).

(j) Foreign medical graduates shall be certified by the Educational Commission for Foreign Medical Graduates (ECFMG) or its Guam Board or Medical Examiners approved successor(s), or by an equivalent Guam Board of Medical Examiners approved entity.

(k) The Guam Board of Medical Examiners reserves the right to review any and all relevant information prior to granting the license.

(l) The applicant must show verification of practicing medicine or undergoing a medical training program within the preceding two (2) years of the application. Exceptions to the requirements must be addressed on an individual basis by the Board. The Board may require the applicant to sit for the examination such as Special Purpose Examination (SPEX) or obtain further medical training as deemed necessary by the Board.

§11102. Temporary Licenses. (a) The Board may issue a Temporary License to practice medicine in the Territory

of Guam upon submission of the following documents pending arrival of other documents required for licensure:

- (1) Application form for Licensure (GBME-1), complete and notarized.
- (2) Notarized copy of a current U.S. or U.S. Territory license.
- (3) 2" x 2" signed and dated photograph taken within the past three (3) months.
- (4) Payment of appropriate fee.
- (5) A letter of endorsement to practice in Guam from a currently-licensed physician practicing in Guam.

(b) The temporary license is valid for a period of three (3) months upon issuance in accordance with the Commission on Licensure's Administrative Rules and Regulations.

(c) The temporary license becomes null and void upon issuance of a regular medical license, upon expiration, or upon withdrawal by Board action.

(d) It is the responsibility of the applicant to ensure that all required documents are received by the Board prior to the expiration date of the temporary license.

§11103. Conditions and requirements for renewal of medical license. (a) The license period is from January 1st of every even numbered year through December 31st of every odd numbered year.

(b) Regardless of the date of licensure, all licenses expire unless renewed on or before December 31st of each odd numbered year.

(c) Requirements for Renewal:

- (1) Submission of Renewal Application Form
- (2) Submission of evidence of Continuing Medical Education which indicate completion of a minimum (100) credit hours of Continuing Medical Education over the past two (2) years, 25% must be in Category I (Copies of Category I certificates must be submitted with renewal application);
- (3) Payment of renewal fee of (\$150.00); and
- (4) Deadline for receipt of renewal application by the Board is October 31st. of the odd numbered (renewal) year.

(d) The requirement of submission of evidence of Continuing Medical Education will be met fully and automatically if the renewal applicant possesses a current and valid certification from any authorized accrediting association, such as the Physician Recognition Award from the American Medical Association.

(e) Continuing Medical Education Categories:

CATEGORY I Continuing Medical Education activities accredited by the American Medical Association and other activities approved in advance by the Guam Medical Society. A minimum of 25% of the credit hours reported should be in this category.

CATEGORY II Continuing Medical Education Activities with non-accredited sponsorship.

CATEGORY III Medical Teaching credit may be claimed for contact hours of teaching of medical students, interns, residents, and allied health professionals.

CATEGORY IV Papers, Publication, Books and Exhibits; ten (10) credit hours may be claimed for each paper published or given before a medical audience.

CATEGORY V Credit hours may be claimed for time spend with Self-Instruction activities (journal reading, studying medical audiovisual material), patient care review and Self-Assessment Examinations.

CATEGORY VI Other Meritorious Learning Experiences. These are activities which do not fit into the other five (5) categories but which the applicant feels represent valid continuing medical education. Submit a description of the activity for review by the Board.

All Continuing Medical Education Categories must be satisfactory to the Board.

Applications for renewal shall be mailed by August 1st. to the last known address of the licensee. Failure to receive the application form shall not relieve the licensee of the responsibility for renewing the license by the renewal date.

Any person practicing medicine during the time a license has lapsed shall be considered an illegal

practitioner and shall be subject to prosecution under the provisions of 10 GCA, Chapter 12, §12230.

§11104. Procedure relative to lapsed licenses. A lapsed license to practice medicine is one in which the physician failed to meet the deadlines and requirements for license renewal.

If a physician license has lapsed, the Board will impose a \$150.00 penalty fee in addition to the renewal fee.

If the physician fails to renew or to pay the penalty fee and meet the requirements of renewal within the two-year licensing period, the physician's license will become null and void at the end of the two-year licensure period and that physician will need to re-apply for licensure as a "new applicant".

§11105. Requirements for application to the Federal Licensing Examination (FLEX). (a) Completed FLEX application form.

(b) Notarized copy of diploma from approved school of medical training.

(c) 2 X 2 photograph taken within the last six months.

(d) Evidence of residency (i.e. passport or copy of the filed income tax) on Guam for twelve months prior to the date of application.

(e) Full payment of examination fee. Fee is that cost that Board pays to the Federation of State Medical Boards for each applicant's examination booklets and materials plus \$465.00* for administrative costs. Fee is non-refundable.

(f) Submission of completed application to the GBME ninety (90) days before the first day of the scheduled examination.

For every scheduled FLEX examination, the Board will examiner a maximum of Fifteen (15) applicants and as necessary maintain a wait list for applicants who fully met application requirements but for whom no seat was available on a first come first serve basis.

These requirements will be in effect starting with the June 1986 FLEX examination.

§11106. Prevention of HIV/HBV transmission to patients. The Federation of State medical Boards Membership adopted the policy April 25, 1992.

(a) All physicians should comply with the guidelines established by the Centers for Disease Control (CDC) for preventing the transmission of human immunodeficiency virus (HIV) and of hepatitis B virus (HBV) to patients, and physicians who are infected with HIV or with HBV (and are HBeAg positive) should not perform exposure-prone procedures as defined by the CDC except within guidelines set by the Guam Board of Medical Examiners.

(b) The Guam Board of Medical Examiners should have the following powers and responsibilities:

(1) to encourage that physicians doing exposure-prone procedures know their HIV and their HBV status;

(2) to require reporting to the Guam Board of Medical Examiners and/or the Department of Public Health and Social Services, Bureau of Communicable Disease Control of HIV and of HBV/infected physicians;

(3) to ensure confidentiality of those reports received by the state medical board and/or state health department under #2 above;

(4) to establish practice guidelines for HIV and for HBV infected physicians;

(5) to monitor, or the Department of Public Health and Social Services, Bureau of Communicable Disease Control to monitor, the practices and health of HIV and of HBV infected physicians.

(c) The Guam Board of Medical Examiners should be authorized to discipline physicians who violate the statute(s) or rule(s) establishing or otherwise implementing requirements related to preventing transmission of HIV and/or of HBV to patients.

(d) Each of the above should also apply to all other persons regulated by the Guam Board of Medical Examiners.

Article 2
Limited Licensure for Physicians in
Graduate Training

§11201. Qualifications.

§11101. Qualifications. All physicians in graduate training programs approved by the Guam Board of Medical Examiners who are not otherwise fully licensed to practice medicine shall be licensed on a limited basis for educational purpose.

(a) To be eligible for limited licensure, the applicant should have completed all requirements for full and unrestricted medical licensure except graduate education and/or licensing examination.

(b) The application for limited licensure should be made through a Board-approved institution which will supervise the applicant's graduate training, and which will verify the applicant's satisfaction of the requirements for limited licensure. The demonstrated failure of an approved supervising institution to properly and effectively verify an applicant's satisfaction of the requirements for limited licensure is grounds for the Board, at its discretion, to withdraw or limit its approval of that institution for graduate training until such time as the institution can demonstrate to the Board's satisfaction the implementation of an acceptable verification process. Proof of an institution's failure to properly and effectively verify that an applicant has satisfied the requirements for limited licensure should be established by the presence in graduate training or completion of graduate training by an individual whose medical or other required documents or credentials are shown to be fraudulent or to have been obtained through fraud, deception, or dishonesty.

(c) the Board may renew the limited license annually, until such time as Board regulations require full and unrestricted medical licensure, upon the written recommendation of the supervising institution, which shall include a written performance evaluation.

(d) Institutions responsible for graduate training must make a written report to the Board if any person with a limited license:

(1) is the subject of any disciplinary action by the institutions, whether for academic, clinical, or ethical reasons;

(2) does not advance in the institution's program in accordance with the institution's program requirements; or

(3) is dropped from the institution's program for unsatisfactory performance whether academic, clinical, or ethical.

(e) The disciplinary provisions of the Medical practice Act should apply to the holders of the limited license as if he held a full and unrestricted medical license.

(f) The issuance of a limited license should not be construed to imply that a full and unrestricted medical license will be issued at any future date.

(g) A candidate with a limited license shall not imply that a full and unrestricted medical license will be issued at any future date.

(h) All limited-license physicians must have a sponsoring physician with an unrestricted Guam Board of Medical Examiners license. The limited licensee must practice only under appropriate supervision by the sponsoring physician and only within the scope of the qualifications of the sponsoring physician.

(i) Any deviation from these restrictions constitutes grounds for immediate termination of the limited license by the Guam Board of Medical Examiners.