

MEDICAL BOARD STAFF REPORT

DATE REPORT ISSUED: April 15, 2015  
 ATTENTION: Members, Medical Board of California  
 SUBJECT: Physician’s and Surgeon’s Licensing Examinations  
 Minimum Passing Scores  
 STAFF CONTACT: Curtis J. Worden, Chief of Licensing

REQUESTED ACTION:

After review and consideration of the attached proposed physician and surgeon licensing score regulatory language, make a motion to direct staff to notice the proposed regulatory language and hold a hearing to add Title 16, Division 13, Article 8, California Code of Regulations (CCR), section 1328.1. The new regulation would define California Business and Professions Code (BPC) section 2177(a) regarding the minimum passing examinations scores.

BACKGROUND AND ANALYSIS:

BPC section 2177(a) states the Board will specify the passing score for each step of a required physician and surgeon licensing examination as established by resolution of the Board. The Board has enacted a resolution on this issue on a yearly basis.

The purpose of this proposed regulation is to further define BPC section 2177(a) by regulation. This would provide clarity regarding the minimum passing score for each required licensing examination(s) steps. The Board’s last resolution specified the minimum passing score would be determined by the licensing examination organizations. The proposed regulation, if approved, would eliminate the need for a new resolution every year and provide the applicants clarification regarding the minimum passing score for each step of the approved licensing examinations.

The current licensing examinations are developed and/or administered by the following organizations:

- National Board of Medical Examiners (NBME)
- United States Medical License Examination (USMLE)
- Educational Commission for Foreign Medical Graduates (ECFMG)
- Federation of State of Medical Boards (FSMB).
- Licentiate of the Medical Council of Canada (LMCC)

All of the above organizations conduct extensive research to prepare each step of the examinations for relevant content; ensure each examination step is psychometrically valid; and ensure that the examinations are conducted in secure testing environments.

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**STAFF RECOMMENDATION:**

Staff recommends the Board authorize staff to proceed with preparing the necessary regulatory documents for proposed CCR section 1328.1 and hold a regulatory hearing. The suggested language is identified with underline text. BPC section 2177 is attached (Attachment A) for reference.

**PROPOSED REGULATION LANGUAGE:**

California Code of Regulations  
Title 16, Division 13, Chapter 1, Article 8

Section 1328.1 Licensing Examination Minimum Passing Score

The board accepts the minimum passing score for each step of the required national physician and surgeon licensing examinations, as determined by the National Board of Medical Examiners (NBME), the United States Medical License Examination (USMLE), the Educational Commission for Foreign Medical Graduates (ECFMG), the Federation of State of Medical Boards (FSMB), and the Licentiate of the Medical Council of Canada (LMCC).

Note: Authority cited: Section 2018, Business and Professions Code. Reference: Sections 2176 and 2177, Business and Professions Code.

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Attachment A

**BUSINESS AND PROFESSIONS CODE - BPC**

**DIVISION 2. HEALING ARTS [500 - 4999.129]**

(Division 2 enacted by Stats. 1937, Ch. 399.)

**CHAPTER 5. Medicine [2000 - 2521]**

(Chapter 5 repealed and added by Stats. 1980, Ch. 1313, Sec. 2.)

**ARTICLE 9. Examinations [2170 - 2186]**

(Article 9 added by Stats. 1980, Ch. 1313, Sec. 2.)

2177.

(a) A passing score is required for an entire examination or for each part of an examination, as established by resolution of the board.

(b) Applicants may elect to take the written examinations conducted or accepted by the board in separate parts.

(c) (1) An applicant shall have obtained a passing score on all parts of Step 3 of the United States Medical Licensing Examination within not more than four attempts in order to be eligible for a physician's and surgeon's certificate.

(2) Notwithstanding paragraph (1), an applicant who obtains a passing score on all parts of Step 3 of the United States Medical Licensing Examination in more than four attempts and who meets the requirements of Section 2135.5 shall be eligible to be considered for issuance of a physician's and surgeon's certificate.

*(Amended by Stats. 2013, Ch. 515, Sec. 11. Effective January 1, 2014.)*