



MEDICAL BOARD OF CALIFORNIA
Licensing Program



March 12, 2009

Dear Interested Party:

The Medical Board of California (Board) is updating the International Medical School regulations, codified at section 1314.1 of Title 16 of the California Code of Regulations. The Board will hold an interested parties meeting on Wednesday, March 25, 2009, for anyone interested in discussing the proposed regulatory amendments with Board staff. Enclosed is a copy of the meeting notice, a copy of the proposed regulation and a matrix indicating the proposed amendments to section 1314.1. If you would like to comment on the proposed amendments, you are invited to join us at the Board's headquarters in Sacramento on March 25, 2009, in the Lake Tahoe Room, from 1:30 to 4:00 p.m., or to submit written comments no later than March 25, 2009. We will incorporate relevant feedback into the proposed regulatory amendments, which the Board members will review at the May 2009 Board meeting.

For those planning an overnight stay in Sacramento, there are several hotels within one mile of the Board's headquarters, including a Hilton Hotel on Harvard Street, a Doubletree and a Red Lion Inn on Arden Way, and a Marriott Residence Inn and Best Western Expo Inn on Howe Avenue. Please consult your travel agent for information.

To ensure that we reserve sufficient space for all attendees, please respond in writing if you intend to attend the meeting. You may mail a letter to Linda Marren, Administrative Assistant, at the address listed below, fax your response to her at (916) 263-2487 or e-mail her at lmarren@mbc.ca.gov. Unfortunately, the Board is unable to arrange for participation by teleconference.

If you have any questions concerning the meeting arrangements, please contact Ms. Marren.

Sincerely,

Deborah Pellegrini, Chief
Licensing Program

Enclosures

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS
TITLE 16. PROFESSIONAL AND VOCATIONAL REGULATIONS
DIVISION 13. MEDICAL BOARD OF CALIFORNIA
CHAPTER 1. DIVISION OF LICENSING
ARTICLE 4. SCHOOLS AND COLLEGES OF MEDICINE

This database is current through 01/06/2006, Register 2006, No. 01.

Section 1314.1. International Medical Schools.

(a) For purposes of Article 5 of Chapter 5 of Division 2 of the code (commencing with Section 2100), a medical school's resident course of instruction that leads to an M.D. degree shall be deemed equivalent to that required by Sections 2089 and 2089.5 of the code if the medical school offers the curriculum and clinical instruction described in those sections and meets one of the following:

(1) The medical school is owned and operated by the government of the country in which it is located, the country is a member of the Organization for Economic Cooperation and Development, and medical school's primary purpose is educating its own citizens to practice medicine in that country; or

(2) the medical school is chartered by the jurisdiction in which it is domiciled and meets the standards set forth in subsection (b) below.

(b)(1) Mission and Objectives.

The institution shall have a clearly stated written purpose or mission statement and objectives that include:

(A) The institution's broad expectations concerning the education students will receive;

(B) The role of research as an integral component of its mission, including the importance, nature, objectives, processes and evaluation of research in medical education and practice; and

(C) Teaching, patient care, and service to the community.

The institution shall have institutional objectives that are consistent with preparing graduates to provide competent medical care.

(2) Organization.

The institution shall be organized as a definable academic unit responsible for a resident educational program that leads to the M.D. degree. The manner in which the institution is organized shall be set forth in writing.

(3) Curriculum.

The structure and content of the educational program shall provide an adequate foundation in the basic and clinical sciences and shall enable students to learn the fundamental principles of medicine, to acquire critical judgment skills, and to use those principles and skills to provide competent medical care.

(4) Governance.

The administrative and governance system shall allow the institution to accomplish its objectives (i.e. its statements of the items of knowledge, skills, behavior and attitude that students are expected to learn). An institution's governance shall give faculty a formal role in the institution's decision-making process. A student enrolled in the program shall not serve as an instructor, administrator, officer or director of the school.

(5) Faculty.

The faculty shall be qualified and sufficient in number to achieve the objectives of the institution. A "qualified" faculty member is a person who possesses either a credential generally recognized in the field of instruction or a degree, professional license, or credential at least equivalent to the level of instruction being taught or evaluated. The institution shall have a formal ongoing faculty development process that will enable it to fulfill its mission and objectives.

(6) Admission and promotion standards.

The institution shall have and adhere to standards governing admission requirements and student selection and promotion that are consistent with the institution's mission and objectives.

(7) Financial Resources.

The institution shall possess sufficient financial resources to accomplish its mission and objectives.

(8) Facilities.

The institution shall have, or have access to, facilities, laboratories, equipment and library resources that are sufficient to support the educational programs offered by the institution and to enable it to fulfill its mission and objectives. If an institution utilizes affiliated institutions to provide clinical instruction, the institution shall be fully responsible for the conduct and quality of the educational program at those affiliated institutions.

(9) Quality Assurance System.

If the institution provides patient care, it shall have a formal system of quality assurance for its patient care program.

(10) Records.

The institution shall maintain and make available for inspection any records that relate to the institution's compliance with this section for at least five years, except, however, that student transcripts shall be retained indefinitely.

(11) Branch Campuses.

An institution with more than one campus shall have written policies and procedures governing the division and sharing of administrative and teaching responsibilities between the central administration and faculty, and the administration and faculty at the other locations. These policies shall be consistent with the institution's mission and objectives. The institution shall be fully responsible for the conduct and quality of the educational program at these sites. If an institution operates a branch campus located within the United States or Canada, instruction received at that branch campus shall be deemed to be instruction received and evaluated at that institution. For purposes of this section, the term "branch campus" means a site other than the main location of the institution but does not include any hospital at which only clinical instruction is provided.

(c) The division may, on its own or at the request of an institution, determine whether that institution meets the requirements of subsections (a) and (b). The division shall have the sole discretion to determine whether a site visit is necessary in order to verify the accuracy and completeness of the data provided and to conduct an in-depth review of the program to determine whether the institution is in compliance with this regulation.

(d) An institution's failure to provide requested data regarding its educational program or to cooperate with a site team shall be grounds for disapproval of its educational program.

(e) If the division determines that a site visit is necessary, it shall appoint a site inspection team to conduct a comprehensive, qualitative onsite inspection and review of all aspects of the institution's operations to determine whether the institution complies with the requirements of subsections (a) and (b).

The fee for a site visit is all reasonable costs incurred by the board staff and the site team, payable in estimated form in advance of the site visit. If the cost of the site visit exceeds the amount previously paid, the board shall bill the institution for the remaining amount and shall not take action to determine the institution's equivalency until such time as the full amount has been paid. If the amount paid exceeds the actual costs incurred, the board shall remit the difference to the institution within 60 days.

The site team shall prepare and submit to the division a report that includes

(1) Its findings regarding the institution's compliance with the requirements of the law and this regulation;

(2) Its assessment of the quality of the institution as a whole and the quality of the institution's educational program, including any deficiencies; and

(3) Its recommendation whether or not the institution's resident course of instruction leading to an M.D. degree should be deemed equivalent to that required by Sections 2089 and 2089.5 of the code, including a recommendation regarding the correction of any deficiencies identified in the report. A copy of the report shall be provided to the institution, which shall have 60 days following the date of the report in which to respond to board staff as to any errors of fact or erroneous findings.

(f) If an institution wishes to retain the division's determination that its resident course of instruction leading to an M.D. degree is equivalent to that required by Sections 2089 and 2089.5 of the code, or if it is currently being evaluated for such equivalency, it shall do the following:

(1) It shall notify the division in writing no later than 30 days after making any change in the following:

(A) Location;

(B) Mission, purposes or objectives;

(C) Change of name;

(D) Any change in curriculum or other circumstance that would affect the institution's compliance with subsections (a) and (b).

(E) Shift or change in control. A "shift or change in control" means any change in the power or authority to manage, direct or influence the conduct, policies, and affairs of the institution from one person or group of people to another person or group of people, but does not include the replacement of an individual administrator with another natural person if the owner does not transfer any interest in, or relinquish any control of, the institution to that person.

(2) Every seven years, it shall submit documentation sufficient to establish that it remains in compliance with the requirements of this section and of Sections 2089 and 2089.5 of the code.

(g) The documentation submitted pursuant to subsection (f)(2) shall be reviewed by the division or its designee to determine whether the institution remains in compliance with the requirements of these regulations and of Sections 2089 and 2089.5 of the code.

(h) The division may at any time withdraw its determination of equivalence when an institution is no longer in compliance with this section. Prior to withdrawing its determination of equivalence, the division shall send the institution a written notice of its intent to withdraw its determination of equivalence, identifying those deficiencies upon which it is proposing to base the withdrawal and giving the institution 120 days from the date of the notice within which to respond to the notice. The division shall have the sole discretion to determine whether a site visit is necessary in order to ascertain the institution's compliance with this section. The division shall notify the institution in writing of its decision and the basis for that decision.

(i) The division may evaluate any institution described in subsection (a)(1) to determine its continued compliance with Sections 2089 and 2089.5 of the code if, in its sole discretion, the division has reason to believe that the institution may no longer be in compliance.

DIVISION 13. MEDICAL BOARD OF CALIFORNIA

For disposition of former Sections 1370-1375.45, see Table of Parallel Reference, Chapter 13.2, Title 16, California Code of Regulations.

General Materials (GM) - References, Annotations, or Tables

Note: Authority cited: Section 2018, Business and Professions Code. Reference: Sections 2018, 2089, 2089.5, 2102 and 2103, Business and Professions Code.

HISTORY

1. New section filed 11-13-2003; operative 12-13-2003 (Register 2003, No. 46).

MEDICAL BOARD OF CALIFORNIA
Interested Parties Meeting March 25, 2009
International Medical Schools Proposed Regulations Amendments
Draft March 9, 2009

Item No.	Code Section	Language with Strike Out	Source/No Changes	Comments	Action
1.	1314.1(a)	(a) For purposes of Article 5 of Chapter 5 of Division 2 of the code (commencing with Section 2100), a medical school's resident course of instruction that leads to an M.D. degree shall be deemed equivalent to that required by Sections 2089 and 2089.5 of the code if the medical school offers the curriculum and clinical instruction described in those sections and meets one of the following:	No Changes		
	1314.1(a)(1)	(1) The medical school is owned and operated by the government of the country in which it is located, the country is a member of the Organization for Economic Cooperation and Development, <u>the medical school is a component of a university offering other graduate and professional degree programs that contribute to the academic environment of the medical school,</u> and the medical school's primary purpose is educating its own citizens to practice medicine	Board Consultants		

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		in that country; or			
	1314.1(a)(2)	the medical school is chartered by the jurisdiction in which it is domiciled and meets the standards set forth in subsection (b) below.	No Changes		
	1314.1(b)(1)	<p>Mission and Objectives. The institution shall have a clearly stated written purpose or mission statement and objectives that include:</p> <p>(A) The institution's broad expectations concerning the education students will receive;</p> <p>(B) The role of research as an integral component of its mission, including the importance, nature, objectives, processes and evaluation of research in medical education <u>and its application to patient care and practice</u>; and</p> <p>(C) Teaching, patient care, and service to the community</p>	Board Staff		
	1314.1(b)(2)	The institution shall be organized as a definable academic unit responsible for a resident educational program	No Changes		

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		that leads to the M.D. degree. The manner in which the institution is organized shall be set forth in writing.			
	1314.1(b)(3)	(3) Curriculum. The structure and content of the educational program shall provide an adequate foundation in the basic and clinical sciences and shall enable students to learn the fundamental principles of medicine, to acquire critical judgment skills, and to use those principles and skills to provide competent medical care. <u>The objectives of the educational program shall state, in outcome-based terms, what students are expected to learn. When an institution provides clinical clerkships at multiple teaching sites, the institution shall demonstrate comparability of educational experiences for all students across instructional sites.</u>	Board Consultants		
	1314.1(b)(4)	<u>Clinical Oversight</u> <u>The institution shall have a system with central oversight to assure that the facility define the types of patient and clinical conditions that students must encounter, the appropriate</u>	LCME		

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		<u>clinical setting for the educational experiences, and the expected level of student responsibility. The system shall ensure that the facility monitor and verify student experience and modify it as necessary to ensure that the objectives of the clinical education program will be met.</u>			
	1314.1(b)(5)	(5) Professionalism <u>The learning environment shall promote the development of appropriate professional attributes in medical students. The institution shall define the professional attributes it expects students to develop, in the context of the institution's mission and of promoting the safe practice of medicine.</u>	LCME		
	1314.1(b)(6)	(4) (6) Governance. The administrative and governance system shall allow the institution to accomplish its objectives (i.e. its statements of the items of knowledge, skills, behavior and attitude that students are expected to learn). An institution's governance shall give faculty a formal role in the institution's decision-making process. A student enrolled in the program shall not serve as an instructor, administrator, officer or director of	No Changes		

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		the school.			
	1314.1(b)(7)	<p>{5} <u>(7)</u> Faculty.</p> <p>The faculty shall be qualified and sufficient in number to achieve the objectives of the institution. A "qualified" faculty member is a person who possesses either a credential generally recognized in the field of instruction or a degree, professional license, or credential at least equivalent to the level of instruction being taught or evaluated. The institution shall have a formal ongoing faculty development process that will enable it to fulfill its mission and objectives.</p>	No Changes		
	1314.1(b)(8)	<p>{6} <u>(8)</u> Admission and promotion standards.</p> <p>The institution shall have and adhere to standards governing admission requirements and student selection and promotion that are consistent with the institution's mission and objectives. <u>The institution shall document that its applicant pool generally meets entrance requirements equivalent to those utilized by an approved medical school, including an appropriate background check of all applicants admitted to the institution</u></p>	Board Consultants		
	1314.1(b)(9)	{7} <u>(9)</u> Financial Resources.	LCME		

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		The institution shall possess sufficient financial resources to accomplish its mission and objectives. <u>Pressure for institutional self-financing must not compromise the educational mission of the institution nor cause it to enroll more students than its total resources can accommodate.</u>			
	1314.1(b)(10)	(8) <u>(10)</u> Facilities. The institution shall have, or have access to, facilities, laboratories, equipment and library resources that are sufficient to support the educational programs offered by the institution and to enable it to fulfill its mission and objectives. If an institution utilizes affiliated institutions to provide clinical instruction, the institution shall be fully responsible for the conduct and quality of the educational program at those affiliated institutions.	No Changes		
	1314.1(b)(11)	(9) <u>(11)</u> Quality Assurance System. If the institution provides patient care, it shall have a formal system of quality assurance for its patient care program.	No Changes		
	1314.1(b)(12)	(10) <u>(12)</u> Records. The institution shall maintain and make available for inspection any records that relate to the institution's compliance with this section for at	No Changes		

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		least five years, except, however, that student transcripts shall be retained indefinitely.			
	1314.1(b)(13)	<p>(11) (13) Branch Campuses.</p> <p>(A)An institution with more than one campus shall have written policies and procedures governing the division and sharing of administrative and teaching responsibilities between the central administration and faculty, and the administration and faculty at the other locations. These policies shall be consistent with the institution's mission and objectives. The institution shall be fully responsible for the conduct and quality of the educational program at these sites. If an institution operates a branch campus located within the United States or Canada, instruction received at that branch campus shall be deemed to be instruction received and evaluated at that institution. For purposes of this section, the term "branch campus" means a site other than the main location of the institution but does not include any hospital at which only clinical instruction is provided.</p> <p><u>(B)For purposes of this section, an institution shall disclose any</u></p>	Board Staff		

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		<u>affiliation or other relationship that it has with another institution in which that other institution agrees to grant a doctor of medicine degree or its equivalent to students of the institution who complete coursework at the affiliated institution.</u>			
	1314.1(b)(14)	<u>(14) Evaluation of Program Effectiveness.</u> <u>An institution shall collect and use a variety of outcome data to demonstrate the extent to which it is meeting its educational program objectives. For purposes of this subsection, "outcome data" may include performance on national licensure examinations, academic progress and program completion rates, acceptance into residency training programs, and issuance of licenses or registrations to practice medicine.</u>	Board Consultants		
	1314.1(c)	(c) The division <u>board</u> may, on its own or at the request of an institution, determine whether that institution meets the requirements of subsections (a) and (b). The division <u>board</u> shall have the sole discretion to determine whether a site visit is necessary in order to verify the accuracy and completeness of the data provided and to conduct an in-	No Changes		

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		depth review of the program to determine whether the institution is in compliance with this regulation.			
	1314.1(d)	(d) An institution's failure to provide requested data regarding its educational program or to cooperate with a site team shall be grounds for disapproval of its educational program.	No Changes		
	1314.1(e)	<p>(e) If the division <u>board</u> determines that a site visit is necessary, it shall appoint a site inspection team to conduct a comprehensive, qualitative onsite inspection and review of all aspects of the institution's operations to determine whether the institution complies with the requirements of subsections (a) and (b).</p> <p>The fee for a site visit is all reasonable costs incurred by the board staff and the site team, payable in estimated form in advance of the site visit. If the cost of the site visit exceeds the amount previously paid, the board shall bill the institution for the remaining amount and shall not take action to determine the institution's equivalency until such time as the full amount has been paid. If the amount paid exceeds the actual costs incurred, the board shall remit the</p>	No Changes		

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		<p>difference to the institution within 60 days.</p> <p>The site team shall prepare and submit to the division <u>board</u> a report that includes:</p> <p>(1) Its findings regarding the institution's compliance with the requirements of the law and this regulation;</p> <p>(2) Its assessment of the quality of the institution as a whole and the quality of the institution's educational program, including any deficiencies; and</p> <p>(3) Its recommendation whether or not the institution's resident course of instruction leading to an M.D. degree should be deemed equivalent to that required by Sections 2089 and 2089.5 of the code, including a recommendation regarding the correction of any deficiencies identified in the report. A copy of the report shall be provided to the institution, which shall have 60 days following the date of the report in which to respond to board staff as to any errors of fact or erroneous findings.</p>			

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	1314.1(f)	<p>(f) If an institution wishes to retain the division's <u>board's</u> determination that its resident course of instruction leading to an M.D. degree is equivalent to that required by Sections 2089 and 2089.5 of the code, or if it is currently being evaluated for such equivalency, it shall do the following:</p> <p>(1) It shall notify the division <u>board</u> in writing no later than 30 days after making any change in the following:</p> <p>(A) <u>Location including addition or termination of any branch campus;</u></p> <p>(B) Mission, purposes or objectives;</p> <p>(C) Change of name;</p> <p>(D) Any change in curriculum or other circumstance that would affect the institution's compliance with subsections (a) and (b).</p> <p>(E) Shift or change in control. A "shift or change in control" means any change in the power or authority to manage, direct or influence the conduct, policies, and affairs of the institution from one person or group of people to another person or group of people, but does not include the replacement of an individual administrator with another natural person if the owner does not transfer any interest in, or relinquish any</p>	Board Staff LCME		

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		<p>control of, the institution to that person.</p> <p><u>(F) An increase in its entering enrollment above 10% of the current enrollment or 15 students in one year, whichever is less, or 20% in three years.</u></p> <p>(2) Every seven years, it shall submit documentation sufficient to establish that it remains in compliance with the requirements of this section and of Sections 2089 and 2089.5 of the code.</p>			
	1314.1(g)	<p>(g) The documentation submitted pursuant to subsection (f)(2) shall be reviewed by the division <u>board</u> or its designee to determine whether the institution remains in compliance with the requirements of these regulations and of Sections 2089 and 2089.5 of the code. <u>The board may require a site visit as part of this review or at any other time during the seven-year period.</u></p>	Board Consultants		
	1314.1(h)	<p>(h) The division <u>board</u> may at any time withdraw its determination of equivalence when <u>any of the following occur:</u></p> <p>(1) an <u>An</u> institution is no longer in compliance with this section;</p>	Board Staff		

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		<p>(2)<u>The institution submits false or misleading information or documentation regarding its compliance with this section;</u></p> <p>(3) <u>Institution officials submit fraudulent documentation concerning a former student's medical curriculum; or</u></p> <p>(4) <u>The institution permits students to engage in clinical training in California facilities that do not satisfy the requirements of section 2089.5(c) and (d) and, where applicable, section 1327.</u></p> <p>Prior to withdrawing its determination of equivalence, the division board shall send the institution a written notice of its intent to withdraw its determination of equivalence, identifying those deficiencies upon which it is proposing to base the withdrawal and giving the institution 120 days from the date of the notice within which to respond to the notice. The division board shall have the sole discretion to determine whether a site visit is necessary in order to ascertain the institution's compliance</p>			

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		with this section. The division <u>board</u> shall notify the institution in writing of its decision and the basis for that decision.			
	1314.1(i)	<p>(i) The division <u>board</u> may evaluate any institution described in subsection (a)(1) to determine its continued compliance with Sections 2089 and 2089.5 of the code if, in its sole discretion, the division <u>board</u> has reason to believe that the institution may no longer be in compliance.</p> <p>Note: Authority cited: Section 2018, Business and Professions Code. Reference: Sections 2018, 2089, 2089.5, 2102 and 2103, Business and Professions Code.</p>	No Changes		

*A change from “division” to “board” and/or renumbered/lettering are considered “no changes”.