ASSEMBLY, No. 2896

STATE OF NEW JERSEY

210th LEGISLATURE

INTRODUCED OCTOBER 10, 2002

Sponsored by:
Assemblyman HERBERT CONAWAY, JR.
District 7 (Burlington and Camden)
Assemblyman JEFFREY W. MORAN
District 9 (Atlantic, Burlington and Ocean)
Assemblyman JOSEPH R. MALONE, III
District 30 (Burlington, Mercer, Monmouth and Ocean)
Assemblyman ANTHONY IMPREVEDUTO
District 32 (Bergen and Hudson)

SYNOPSIS
Establishes Advisory Committee on Alternatively Accredited Medical School Clinical Clerkships and provides for clinical clerkships for students from foreign medical schools.

CURRENT VERSION OF TEXT
As introduced.

(Sponsorship Updated As Of: 10/29/2002)
AN ACT concerning certain medical school clinical clerkships and
supplementing P.L.1977, c.390 (C.18A:64H-1 et seq.).

BE IT ENACTED by the Senate and General Assembly of the State
of New Jersey:

1. a. There is created, within the Commission on Higher Education,
the "Advisory Committee on Alternatively Accredited Medical School
Clinical Clerkships."

The advisory committee shall consist of 11 members as follows: the
Commissioner of Health and Senior Services or his designee, who shall
serve ex officio; four members appointed by the Governor who include
one representative of the Medical Society of New Jersey, one
representative of the New Jersey Association of Osteopathic
Physicians and Surgeons, one representative of the New Jersey
Hospital Association and one representative of an alternatively
accredited medical school; two members appointed by the President
of the Senate who include one representative of the New Jersey
Council of Teaching Hospitals and one representative of a teaching
hospital in New Jersey that has students from an alternatively
accredited medical school participating in a clinical clerkship program;
two members appointed by the Speaker of the General Assembly who
include one representative of an alternatively accredited medical
school and one representative of a teaching hospital in New Jersey that
has students from a medical school of the University of Medicine and
Dentistry of New Jersey in a clinical clerkship program; one member
appointed by the State Board of Medical Examiners; and one member
appointed by the President of the University of Medicine and Dentistry
of New Jersey. No two members of the advisory committee shall be
representatives of the same medical school or hospital.

b. Members shall serve for a term of three years from the date of
their appointment and until their successors are appointed and
qualified, except that of the members first appointed, four members
shall serve for a term of one year, three members shall serve for a term
of two years and three members shall serve for a term of three years.
Vacancies shall be filled for the balance of the unexpired term in the
same manner as the original appointments were made. A member of
the advisory committee shall be eligible for reappointment.

c. The members of the advisory committee shall serve without
compensation, but shall be reimbursed for necessary and reasonable
expenses actually incurred in the performance of their duties, within
the limits of funds appropriated or otherwise made available to the
advisory committee for this purpose.

d. The advisory committee shall select a chairman from among its
members, who shall serve a one-year term but may serve successive
terms. The advisory committee shall meet upon the call of the
chairman or of a majority of its members. A majority of the members of the advisory committee shall constitute a quorum, and no action of the advisory committee shall be taken except upon the affirmative vote of a majority of the members of the entire advisory committee.

e. As used in this act, "alternatively accredited medical school” means a medical school located outside the United States: (1) in a country that applies accreditation standards that have been determined by the National Committee on Foreign Medical Education and Accreditation within the United States Department of Education to be comparable to the accreditation standards applied to medical schools located within the United States; (2) that continues to meet the accreditation standards of that country; and (3) has medical school students participating in a clinical clerkship program in New Jersey prior to the effective date of this act, or is approved by the Advisory Graduate Medical Education Council of New Jersey pursuant to section 4 of this act to operate a clinical clerkship program in this State.

2. The Advisory Committee on Alternatively Accredited Medical School Clinical Clerkships shall:

a. Recommend standards for appropriate facilities to be used in clinical clerkship programs operated by an alternatively accredited medical school;

b. Make recommendations as to the number and type of clinical clerkship programs that may be directed by an alternatively accredited medical school at a teaching hospital in this State, based upon the capacity of that hospital and the health care needs of the community in which the hospital is located;

c. Review the clinical clerkship programs operated by alternatively accredited medical schools in this State, and prepare a report which shall include, but not be limited to, a description and analysis of:

(1) the teacher to student ratio, the resident to clinical clerkship student ratio and the capacity of each teaching hospital operating a clinical clerkship program;

(2) the number and type of clerkship positions that are filled and the number and type of clerkship positions that are requested by alternatively accredited medical schools;

(3) the number of alternatively accredited medical school graduates who participated in clinical clerkships in the State and have attained residencies in New Jersey;

(4) the types and locations of residencies accepted by clinical clerkship students, identifying types and locations of residencies accepted by students of alternatively accredited medical schools and of medical schools located within the United States;

(5) the degree of success of the clinical clerkship programs operated by alternatively accredited medical schools as measured by
the use of the same criteria as published in the Journal of the American
Medical Association annual education report; and
(6) any recommendations to the Legislature, including any
proposed legislation, which it may desire to recommend for enactment;
and
d. Make recommendations to the Advisory Graduate Medical
Education Council of New Jersey with respect to the operation of
clinical clerkship programs operated by alternatively accredited
medical schools at teaching hospitals in this State.

3. An alternatively accredited medical school that is operating a
clinical clerkship program on the effective date of this act is authorized
to continue its existing clinical clerkship program, provided it
maintains its accreditation status as provided in subsection e. of
section 1 of this act.

4. a. A medical school located outside of the United States: (1) in
a country that applies accreditation standards that have been
determined by the National Committee on Foreign Medical Education
and Accreditation within the United States Department of Education
to be comparable to the accreditation standards applied to medical
schools located within the United States; and (2) that continues to
meet the accreditation standards of that country, but is not an
alternatively accredited medical school on the effective date of this act,
as that term is defined in this act, may apply to the Advisory Graduate
Medical Education Council of New Jersey, pursuant to this section, to
be approved to operate a clinical clerkship program in this State.
b. The council shall adopt regulations specifying the criteria for
approval of a foreign medical school to operate a clinical clerkship
program in the State. The criteria shall include, but not be limited to,
satisfactory evaluation, pursuant to a site visit, of the applicant's
institution, including both its main campus and any clinical facilities in
locations other than the main campus.
c. The applicant shall be responsible for all costs incurred by
persons designated by the council, who are experienced in medical
education program evaluation, for conducting the site visit, and by the
council for reviewing and processing the application.
d. After a medical school is approved by the council to operate a
clinical clerkship program, it may apply to the council for
authorization to operate a specific clinical clerkship program in this
State, in accordance with standards adopted by the council. The
standards shall include, but not be limited to, those standards listed in
paragraphs (1) through (9) of subsection b. of section 5 of this act.
e. A medical school that has been approved by the council,
pursuant to this act, to operate a specific clinical clerkship program in
this State shall be deemed an alternatively accredited medical school
for the purposes of this act, provided it maintains its accreditation status as provided in subsection e. of section 1 of this act.

f. A medical school authorized to operate a specific clinical clerkship program pursuant to this section may apply to the council to increase the number of students participating in the clinical clerkships or to increase the number of programs operated by the school, pursuant to the requirements of section 5 of this act.

5. The Advisory Graduate Medical Education Council of New Jersey shall review each application made by an alternatively accredited medical school to increase the number of students participating in clinical clerkships or to increase the number of programs operated by the school. The application shall be made in a form and manner prescribed by the council.

a. The council shall notify the applicant, in writing, of the approval or disapproval of an application within 90 days; except that, if the council determines that the application is not complete or additional information is required before the council can make a determination, the council shall notify the applicant in writing and shall have an additional 90 days after receipt of the requested information to approve or disapprove the application. If the council does not affirmatively approve or disapprove the application, or request additional information concerning the application, within 90 days of its submission, the application shall be deemed approved.

b. The council shall approve an application if the applicant demonstrates that it meets the registration standards comparable to those promulgated by the Liaison Committee on Medical Education, which include, but are not limited to: (1) a requirement that a medical student who will participate in a clinical clerkship program shall have successfully completed the United States Medical Licensing Examination - Step 1; (2) the hospital is accredited by the Joint Commission on Accreditation of Healthcare Organizations; (3) the clinical clerkship program shall take place in a hospital with an approved Advisory Graduate Medical Education Council of New Jersey or American Osteopathic Association residency training program in the clinical area of instruction for which credit is sought; (4) clinical instruction shall be supervised by a Director of Medical Education; (5) clinical instruction shall be provided pursuant to a written agreement that includes a written curriculum for each individual clinical subject; (6) the hospital shall insure that there is a minimum daily census in each clerkship area that will meet the instructional needs of the clinical subject; (7) the hospital shall have on the premises a library facility that has adequate resources to support clinical clerkships in each core area; (8) each department chair shall be board certified in the specialty area in his department; and (9) the hospital shall ensure a ratio of no less than one medical resident for
every two clinical clerkship students.  
c. If the council disapproves the application, the notification of  
disapproval shall specify each deficiency, including the reason the  
applicant failed to meet the registration standards, and shall provide  
information on remedial steps that applicant must take to meet the  
standard. An applicant shall be provided the opportunity to submit  
evidence of remediation, within a time period specified by the council.  
d. The applicant shall be responsible for all costs incurred by the  
council for reviewing and processing the application.  

6. The Commission on Higher Education, in consultation with the  
Advisory Graduate Medical Education Council of New Jersey, shall  
adopt regulations pursuant to the "Administrative Procedure Act,"  
P.L.1968, c.410 (C.52:14B-1 et seq.) necessary to carry out the  
purposes of this act.  

7. This act shall take effect 180 days after enactment.  

STATEMENT  

This bill creates a process, through the Advisory Graduate Medical  
Education Council of New Jersey (AGMEC), for approving clinical  
clerkship programs for alternatively accredited medical schools located  
outside the United States that choose to establish their clinical  
clerkship programs in teaching hospitals in this State. The bill also  
creates an 11-member "Advisory Committee on Alternatively  
Accredited Medical School Clinical Clerkships" within the Commission  
on Higher Education.  

Clinical Clerkship Program Approval Process: The bill defines  
"alternatively accredited medical school" to mean a medical school  
located outside the United States: (1) in a country that applies  
accreditation standards that have been determined by the National  
Committee on Foreign Medical Education and Accreditation within the  
United States Department of Education to be comparable to the  
accreditation standards applied to medical schools located within the  
United States; (2) that continues to meet the accreditation standards  
of that country; and (3) has medical school students participating in a  
clinical clerkship program in New Jersey prior to the effective date of  
this act, or is approved by the Advisory Graduate Medical Education  
Council of New Jersey (AGMEC) pursuant to this bill to operate a  
clinical clerkship program in this State.  

The bill provides that an alternatively accredited medical school  
that is operating a clinical clerkship program on the effective date of  
this bill is authorized to continue its existing clinical clerkship  
program, provided it maintains its accreditation status as provided in
A medical school located outside of the United States that does not operate a clinical clerkship program in the State, but otherwise meets the definition of an alternatively accredited medical school, may apply to AGMEC to be approved to operate a clinical clerkship program in this State.

AGMEC is directed to adopt regulations specifying the criteria for approval of a foreign medical school to operate a clinical clerkship program in the State, which criteria shall include, but not be limited to, satisfactory evaluation, pursuant to a site visit, of the applicant's institution, including both its main campus and any clinical facilities in locations other than the main campus. The bill provides that the applicant shall be responsible for all costs incurred by AGMEC for conducting the site visit, and for reviewing and processing the application.

After a medical school is approved to operate a clinical clerkship program, it may apply to AGMEC for authorization to operate a specific clinical clerkship program in this State, in accordance with standards adopted by AGMEC. A medical school that has been approved to operate a specific clinical clerkship program in this State shall be deemed an alternatively accredited medical school, provided it maintains its accreditation status as provided in the bill.

With respect to increasing the number of students participating in clinical clerkships or the number of programs operated by the school, the bill provides that an alternatively accredited medical school may apply to AGMEC to request the increase. AGMEC is required to notify the applicant, in writing, of the approval or disapproval of an application within 90 days; except that, if AGMEC determines that the application is not complete or additional information is required before it can make a determination, AGMEC shall notify the applicant in writing and have an additional 90 days after receipt of the requested information to approve or disapprove the application. If AGMEC does not affirmatively approve or disapprove the application, or request additional information concerning the application, within 90 days of its submission, the application shall be deemed approved.

The bill provides that AGMEC shall approve an application if the applicant demonstrates that it meets the registration standards comparable to those promulgated by the Liaison Committee on Medical Education, which include, but are not limited to: (1) a requirement that a medical student who will participate in a clinical clerkship program shall have successfully completed the United States Medical Licensure Examination - Part 1; (2) the hospital is accredited by the Joint Commission on Accreditation of Hospital Organizations; (3) the clinical clerkship program shall take place in a hospital with an approved AGMEC or American Osteopathic Association residency training program in the clinical area of instruction for which credit is
sought; (4) clinical instruction shall be supervised by a Director of
Medical Education; (5) clinical instruction shall be provided pursuant
to a written agreement that includes a written curriculum for each
individual clinical subject; (6) the hospital shall insure that there is a
minimum daily census in each clerkship area that will meet the
instructional needs of the clinical subject; (7) the hospital shall have on
the premises a library facility that has adequate resources to support
clinical clerkships in each core area; (8) each department chair shall be
board certified in the specialty area in his department; and (9) the
hospital shall ensure a ratio of no less than one medical resident for
every two clinical clerkship students.

If AGMEC disapproves the application, the notification of
disapproval shall specify each deficiency, including the reason the
applicant failed to meet the registration standards, and shall provide
information on remedial steps that applicant must take to meet the
standard. An applicant shall be provided the opportunity to submit
evidence of remediation, within a time period specified by AGMEC.
The bill provides that the applicant shall be responsible for all costs
incurred by AGMEC for reviewing and processing the application.
The bill provides that the Commission on Higher Education, in
consultation with AGMEC, shall adopt regulations necessary to carry
out the purposes of this bill.

Advisory Committee on Alternatively Accredited Medical
School Clinical Clerkships: The Advisory Committee is directed to:
C Recommend standards for appropriate facilities to be used in
clinical clerkship programs operated by an alternatively accredited
medical school;
C Make recommendations as to the number and type of clinical
clerkship programs that may be directed by an alternatively
accredited medical school at a teaching hospital in this State, based
upon the capacity of that hospital and the health care needs of the
community in which the hospital is located;
C Review the clinical clerkship programs operated by alternatively
accredited medical schools in this State; and
C Make recommendations to AGMEC with respect to the operation
of clinical clerkship programs operated by alternatively accredited
medical schools at teaching hospitals in this State.
The members of the advisory committee shall include:
-- the Commissioner of Health and Senior Services or his designee,
who shall serve ex officio;
-- four members appointed by the Governor who include one
representative of the Medical Society of New Jersey, one
representative of the New Jersey Association of Osteopathic
Physicians and Surgeons, one representative of the New Jersey
Hospital Association and one representative of an alternatively
accredited medical school;
-- two members appointed by the President of the Senate who include one representative of the New Jersey Council of Teaching Hospitals and one representative of a teaching hospital in New Jersey that has students from an alternatively accredited medical school participating in a clinical clerkship program;

-- two members appointed by the Speaker of the General Assembly who include one representative of an alternatively accredited medical school and one representative of a teaching hospital in New Jersey that has students from a medical school of the University of Medicine and Dentistry of New Jersey in a clinical clerkship program;

-- one member appointed by the State Board of Medical Examiners; and

-- one member appointed by the President of the University of Medicine and Dentistry of New Jersey.