

Requirements and Standards For Foreign Licensed Physicians To Obtain Temporary Licensure in New Jersey

On April 17, 2020, the New Jersey Division of Consumer Affairs announced the specifics of a program authorized by Governor Murphy's April 1 Executive Order 112 related to the temporary licensure of foreign licensed physicians.

The temporary licenses to be effective as a result of COVID-19, and to remain effective for the duration of the public health emergency, can be obtained by application to the State Board of Medical Examiners. Applicants must satisfy the following criteria to be eligible for the temporary licensure:

Individuals whose licensure in the country of licensure has been suspended or revoked are not eligible for the program. Similarly, persons who have a criminal background are probably not eligible without further evaluation. Undocumented residents are ineligible for licensure under the program, which maintains a requirement under federal law of being legally authorized to work in the United States.

Under this program, the normal requirements for licensure an applicant would need to obtain an Educational Commission for Foreign Medical Graduates (ECFMG) certificate; pass all three steps of the United States Medical Licensing Examination (USMLE); and have completed two years of an Accreditation Council for Graduate Medical Education (ACGME) approved residency in their specialty in the United States and have a contract for a third year. The Board of Medical Examiners is waiving these requirements, as well as the requirements for medical malpractice insurance otherwise required in mandatory minimum amounts. The Board is also waiving the usual application fee so that it is free to apply.

The application can be submitted through an online process available [here](#).

There are several limitations on the scope of practice for temporary licensees under this program. In addition to the expectation that in-person clinical medical services will be provided at licensed facilities, these temporary licensees will not be able to prescribe controlled dangerous substances.

The relaxation of licensure requirements for foreign licensed physicians to assist with the COVID-19 pandemic has been under consideration in several other states, including New York, Massachusetts, and Nevada. New Jersey appears to be the first state to implement such a program.

Please contact the author of this Alert, **John Zen Jackson** jjackson@greenbaumlaw.com | 732.476.3336 with questions or to discuss your specific circumstances. Mr. Jackson is Of Counsel to the firm's **Healthcare Department**.

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