

BOARD OF HEALTH: Qualifications of applicant for medical license. ✓

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September 1, 1933 9/1



The State Board of Health,
Jefferson City, Missouri.

Attention: Dr. Herman S. Gove.

My Dear Dr. Gove:

I acknowledge receipt of your inquiry of recent date, requesting an opinion of this office. Your letter reads as follows:

"Within the next year we are going to be confronted with candidates from foreign Medical Colleges. It is estimated that there are about five or six thousand Americans in European Medical Schools.

New York has very rigid restrictions on allowing foreigners to appear before their board. Possibly it would require legislative action.

I would like very much to have your opinion on this particular point."

The statutory requirements respecting the qualifications of an applicant for a medical license are found in the Medical Practice Act, found in Chapter 53 of the R. S. of Mo. 1929. Sections 9113 and 9120 provide in part as follows:

"Sec. 9113. Examination--subjects to be passed--grade--recognition of certificates of other states.--" * * * "All persons appearing for examination shall make application in writing to the secretary of the said board thirty days before the meeting. They shall furnish satisfactory evidence of their preliminary qualifications, to-wit, a certificate of graduation from an accredited high school, or its equivalent. They shall also furnish satisfactory evidence of having attended throughout at least four terms of thirty-two weeks of actual instruction in each term and of having received a diploma

from some reputable medical college that enforces requirements of four terms of thirty-two weeks of actual instruction in each term, including two years' experience in operative and hospital work at time of graduation; * * * *The candidate shall be required to attain an average of seventy-five per centum of all subjects examined on, provided that he must not fall below fifty per centum on any one subject, before being granted a license; * * * *The board of health shall issue to such persons as they shall find upon examination to possess the requisite qualifications, a license to practice medicine and surgery in accordance with the provisions of this article" * * *

"Sec. 9120. Authority of state board of health to issue or revoke licenses to practice medicine.--The board may refuse to license individuals of bad moral character, or persons guilty of unprofessional or dishonorable conduct, and they may revoke licenses, or other rights to practice, however derived, for like causes,* * * *"

A candidate for a license to practice medicine and surgery in this State therefore must be graduated from an accredited high school or have equivalent educational qualifications; must be a graduate of a reputable medical college prescribing and enforcing the above requirements; must pass an examination as above prescribed with average grades as above set out; and must not be of bad moral character or guilty of unprofessional or dishonorable conduct.

The foregoing is the yard stick by which applicants are to be measured. No discrimination is made because of age, sex, race, color or citizenship. No discrimination is made between medical colleges, whether local, out of the state or foreign. In respect to the question of "reputable medical college", we refer to Section 9114 R. S. No. 1929, portions of which read:

"The question as to whether any medical school is one entitled to recognition" * * * as a medical school of good standing" * * * is hereby declared to be a question of fact and any person aggrieved by reason of the action of the board, shall have the right to have such question reviewed" * * *in the circuit court." * * *"

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Accordingly, each college is to be judged by the Board as the occasion arises, upon the particular facts of each case. No set rule is laid down, nor can one be applied.

We are unable to determine the nature of the legislation considered by the board, but the forgoing sets out the present requirements of the laws of this state. If you will submit to us the legislation considered with a memorandum as to the evils to be corrected or eliminated, we shall be glad to advise you further on the question.

Respectfully submitted,

HARRY G. WALTNER, JR.,
Assistant Attorney General.

APPROVED:

Attorney General.

HGW:MM