


I Mina'trentai Ocho Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
294-38 (L.S)	Committee on Rules by request of I Maga'hågan Guåhan, the Governor of Guam, in accordance with the Organic Act of Guam.	AN ACT TO ADD A NEW § 12206.1, § 12206.2, § 12206.3, AND § 12206.4 TO ARTICLE 2 OF CHAPTER 12, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING AN INTERIM PROVISIONAL LICENSE AND PERMANENT LIMITED LICENSE FOR INTERNATIONALLY TRAINED PHYSICIANS (ITPs) TO PRACTICE AT GOVERNMENT OF GUAM FUNDED HEALTHCARE FACILITIES SUCH AS THE GUAM MEMORIAL HOSPITAL (GMH), THE DEPARTMENT OF PUBLIC HEALTH & SOCIAL SERVICES (DPHSS), FEDERALLY QUALIFIED HEALTH CENTERS (FQHCs) AND GUAM BEHAVIORAL HEALTH AND WELLNESS CENTER (GBHWC).	3/23/26 3:51 p.m.						

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2026 (SECOND) Regular Session

Bill No. 294-38 (LS)

Introduced by:

Committee on Rules 
by request of *I Maga'hågan*
Guåhan, the Governor of
Guam, in accordance with
the Organic Act of Guam.

AN ACT TO ADD A NEW § 12206.1, § 12206.2, § 12206.3, AND § 12206.4 TO ARTICLE 2 OF CHAPTER 12, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING AN INTERIM PROVISIONAL LICENSE AND PERMANENT LIMITED LICENSE FOR INTERNATIONALLY TRAINED PHYSICIANS (ITPs) TO PRACTICE AT GOVERNMENT OF GUAM FUNDED HEALTHCARE FACILITIES SUCH AS THE GUAM MEMORIAL HOSPITAL (GMH), THE DEPARTMENT OF PUBLIC HEALTH & SOCIAL SERVICES (DPHSS), FEDERALLY QUALIFIED HEALTH CENTERS (FQHCs) AND GUAM BEHAVIORAL HEALTH AND WELLNESS CENTER (GBHWC).

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Findings and Intent. *I Liheslaturan Guåhan* finds that the people of Guam continue to face a critical shortage of physicians, particularly at the Guam Memorial Hospital (GMH), the island's only public hospital, the Department of Public Health & Social Services (DPHSS), Federally Qualified Health Centers (FQHCs), and the Guam Behavioral Health and Wellness Center (GBHWC). This shortage places tremendous strain on the delivery of essential health care services. It jeopardizes the ability of GMHA, DPHSS, FQHCs, and GBHWC to meet the urgent, ongoing medical and healthcare needs of the people of Guam.

I Liheslaturan Guåhan further finds nineteen (19) other jurisdictions including Arkansas, Florida, Iowa, Idaho, Illinois, Indiana, Louisiana, Massachusetts, Minnesota, North Carolina, Nevada, Oklahoma, Oregon, Rhode Island, Tennessee, Texas, Virginia, Wisconsin and the Northern Mariana Islands have enacted similar legislation to establish licensing pathways for Internationally Trained Physicians (ITPs) and an additional twenty-two (22) states having proposed or legislation pending. These comparable acts incorporate ITPs' education, training, and experience into the licensing process, allowing them to practice in areas of need under defined

1 supervision and subject to other conditions. Such policies have proven to be a vital mechanism to
2 address physician shortages while maintaining appropriate safeguards for patient care and medical
3 oversight.

4 It is the intent of *I Liheslaturan Guåhan* to create a pathway for government of Guam-
5 funded healthcare agencies to recruit ITPs. This legislation will enable GMHA, DPHSS, FQHCs,
6 and GBHWC to recruit qualified Internationally-Trained Physicians to address critical staffing
7 shortages while also ensuring that physicians practice under appropriate supervision and remain
8 committed to serving the people of Guam. In addition, the Guam Board of Medical Examiners, as
9 a member board of the Federation of State Medical Boards (FSMB), has been actively studying
10 this issue for several years, working closely with the FSMB and leaders of medical regulatory
11 authorities across multiple states and territories of the United States. Most recently, the Board
12 concluded an on-site visit with the leadership of the Federation of State Medical Boards, including
13 the Chairman of the Board and the President of the FSMB, with extensive discussions along with
14 GMHA, DPHSS, GBHWC and the Governor’s Health and Policy offices on how to finalize
15 legislation that is appropriate for the unique circumstances and needs of the Territory of Guam.

16 *I Liheslaturan Guåhan* declares that passage of this Act is essential to strengthening
17 Guam’s healthcare system, improving access to physicians, ensuring GMHA, DPHSS, FQHCs
18 and GBHWC fulfill their mission, with GMH’s mission to provide compassionate, forward-
19 thinking, quality-driven, and safe healthcare that honors the community, with the ultimate goal of
20 improving the health and well-being of the people of Guam in tandem with DPHSS’ mission to
21 assist the people of Guam in achieving and maintaining their highest levels of independence and
22 self-sufficiency in health and social welfare; with Federally Qualified Health Centers (FQHCs)
23 addressing health disparities and promoting health equity, providing accessible, affordable,
24 patient-centered care (medical, dental, behavioral health, pharmacy) to all ages and incomes,
25 working to keep the island community healthy and strong by focusing on prevention and
26 addressing social determinants of health, often through community outreach and partnerships; and
27 further supported by the GBHWC’s mission to lead and foster culturally respectful and inclusive
28 quality behavioral health services that strengthen the well-being of our community.

29 **Section 2.** A new § 12206.1 is added to Article 2, Chapter 12, Title 10, Guam Code
30 Annotated, to read as follows:

31 **§ 12206.1. Internationally-Trained Physicians (ITPs) Interim Provisional License.**

32 (a) The Guam Board of Medical Examiners (GBME) may issue an Interim Provisional
33 License, a limited licensed, to Internationally-Trained Physicians (ITPs) to practice medicine to a

1 physician when the Board has received satisfactory verification of all of the following
2 requirements:

3 1. The applicant has been offered employment as a physician at a government
4 of Guam-funded healthcare facility, such as but not limited to Guam Memorial Hospital
5 Authority (GMHA), Department of Public Health Social Services (DPHSS), Federally
6 Qualified Health Centers (FQHCs), or the Guam Behavioral Health and Wellness Center
7 (GBHWC);

8 2. The applicant has a current and active license in good standing to practice
9 medicine in a foreign country.

10 3. The applicant previously completed at least one hundred thirty (130) weeks
11 of medical education at a medical school listed in the World Directory of Medical Schools
12 and is certified by the Educational Commission for Foreign Medical Graduates or its
13 Board-approved successor(s), or by an equivalent Board-approved entity, and meets one
14 of the following requirements:

15 a. The applicant has completed three (3) years of progressive
16 postgraduate training in a graduate medical education program approved by the
17 applicant's country of licensure; or

18 4. The applicant has demonstrated competency to practice medicine in one of
19 the following ways:

20 a. Successfully passed each part of the United States Medical
21 Licensing Examination (USMLE) or an equivalent examination recognized by the
22 Board; or

23 b. Successfully passed each part of a nationally recognized standard
24 medical licensing examination from a country that is Board-approved and that
25 meets all of the following requirements:

26 i. Tests for the ability to practice medicine;

27 ii. Tests for medical knowledge, skills, and understanding of
28 clinical science essential for providing patient care;

29 iii. Tests for communication and interpersonal skills; and

30 iv. Includes an interactive testing component; or

31 c. Received specialty board certification as approved by any of the
32 following:

33 i. The American Board of Medical Specialties;

1 ii. The Bureau of Osteopathic Specialists of the American
2 Osteopathic Association;

3 iii. The Royal College of Physicians and Surgeons of Canada;

4 or

5 iv. Any other specialty board recognized pursuant to rules
6 adopted by the Board; or

7 d. Submits to a comprehensive assessment demonstrating clinical
8 competence by a program approved by the Board. Alternatively, the Board may
9 waive this requirement and issue a temporary license, requiring the applicant to
10 successfully pass a Post-Licensure Assessment System, such as the Special Purpose
11 Examination (SPEX), within one (1) year from the date of Board approval.

12 5. The applicant has not had a license revoked, suspended, restricted, denied,
13 or otherwise acted against in any jurisdiction and is not the subject of any pending
14 investigations, in whole or in part.

15 6. The applicant does not have any convictions involving violations of medical
16 practice law or a conviction substantially equivalent to a felony. The applicant shall submit
17 to a background check from both the jurisdiction of prior licensure and the Federal Bureau
18 of Investigation (FBI).

19 7. The applicant has demonstrated proficiency in English through a
20 standardized assessment, documentation of medical education completed entirely in
21 English, or other evidence accepted by the Board.

22 8. The applicant is legally authorized to work in the United States. An
23 applicant may apply for an ITP License before receiving federal work authorization, but
24 may not begin employment at government of Guam-funded healthcare facilities until
25 receiving legal work authorization and is issued a License by the Board.

26 9. The applicant must submit an application and pay a fee in accordance with
27 rules adopted by the Board.

28 (a) If an applicant has not engaged in clinical practice for a period of
29 twenty-four (24) or more consecutive months at the time the Board receives the
30 application, the applicant shall complete a physical reentry program approved by
31 the Board in the United States prior to being eligible for an Interim Provisional
32 License under this Article.

1 **Section 3.** A new § 12206.2 is added to Article 2, Chapter 12, Title 10, Guam Code
2 Annotated, to read as follows:

3 **§ 12206.2. Interim Provisional License to Permanent Limited License.**

4 (a) An Interim Provisional License holder shall be eligible for a Permanent Limited
5 License after completing at least three (3) years of practice under the Interim Provisional
6 License, if the licensee:

7 (i) Has successfully completed the assessment and evaluation requirements of
8 Section 12256;

9 (ii) Has received an attestation from the participating healthcare facility that the
10 licensee has demonstrated competence to practice independently in all the current
11 areas of the general competency domains;

12 (iii) Has achieved a passing score on Step 3 of the USMLE within three (3)
13 attempts;

14 (iv) Has maintained the Interim Provisional License in good standing with no
15 disciplinary actions;

16 (v) Has complied with all terms and conditions of the Interim Provisional
17 License; and

18 (vi) Has submitted a complete application and paid the applicable fee.

19 (b) A Permanent Limited License issued pursuant to this Section shall authorize the
20 holder to practice medicine with full clinical autonomy, without direct supervision, but
21 only at government of Guam-funded healthcare facilities approved by the Board.

22 (c) A Permanent Limited License holder shall not be eligible for:

23 (i) Conversion to a full and unrestricted license to practice medicine;

24 (ii) Practice at private hospitals, private clinics, or private healthcare facilities;

25 (iii) Participation in the Interstate Medical Licensure Compact; or

26 (iv) Any other license category that would permit practice outside of
27 government of Guam-funded healthcare facilities.

28 (d) The Board may, in its discretion, require additional supervised practice or
29 remediation if the Board determines that the applicant has not demonstrated competence
30 in one or more of the current general competency domains.

1 (e) A Permanent Limited License shall be subject to renewal in accordance with the
2 same schedule and requirements applicable to full and unrestricted licenses, provided that
3 the restriction to government of Guam-funded healthcare facilities shall remain in effect
4 permanently and shall not be removed or modified.

5 **Section 4.** A new § 12206.3 is added to Article 2, Chapter 12, Title 10, Guam Code
6 Annotated, to read as follows:

7 **§ 12206.3. Enforcement and Disciplinary Authority.**

8 (a) Holders of an Interim Provisional or Permanent Limited License issued pursuant to
9 this Article shall be subject to the same disciplinary authority of the Board as holders of
10 full and unrestricted licenses, including but not limited to suspension, revocation, and
11 imposition of conditions.

12 (b) An Interim Provisional or Permanent Limited License shall be automatically
13 suspended if the licensee ceases to be employed by a government of Guam-funded
14 healthcare facility approved by the Board.

15 (c) The Board may immediately suspend an Interim Provisional License or Permanent
16 Limited License if the Board determines that continued practice poses an imminent risk to
17 patient safety.

18 (d) The holder of the Interim Provisional License or Permanent Limited License shall
19 not practice medicine outside the confines of government of Guam-funded healthcare
20 facilities. A violation of this provision is subject to penalties under Guam law, including
21 fines not to exceed Five Hundred Dollars (\$500.00) per offense, and may result in
22 revocation of the License by the Board. The Board may, at its discretion, revoke the License
23 at any time.

24 (e) An Interim Provisional License or Permanent Limited License shall become
25 inactive if its holder ceases employment with the government of Guam-funded healthcare
26 facilities.

27 (f) The Board shall retain jurisdiction over the holder of inactive Licenses.

28 (g) The Board, in coordination with the DPHSS' Health Professional Licensing Office
29 (HPLO), shall collect and evaluate data on the implementation and success of this pathway
30 to licensure, including, at a minimum:

31 (i) The number of applicants for licensure under this section;

32 (ii) The number of licenses issued and denied;

- 1 (iii) Reasons for denial of applications
- 2 (iv) The applicant’s licensing country and medical education background;
- 3 (v) The number of Interim Provisional and Permanent Limited Licenses
- 4 granted following completion of each pathway;
- 5 (vi) The number of complaints or disciplinary actions involving ITP License
- 6 holders;
- 7 (vii) The specialties and practice settings of applicants; and
- 8 (viii) The geographic distribution of licensees practicing in Guam.
- 9 (h) On or before December 1 of each year, the Board shall report the information
- 10 collected pursuant to Subsection (g) to the Governor of Guam and the Speaker of the Guam
- 11 Legislature.”

12 **Section 5.** A new § 12206.4 is added to Article 2, Chapter 12, Title 10, Guam Code

13 Annotated, to read as follows:

14 **“§ 12206.4. Determination of Need Requirement.**

15 As part of offering employment to an ITP, the hiring authority of the government of

16 Guam funded healthcare facility such as the CEO/Administrator of GMH, the Director of the

17 DPHSS, the Chief Executive Officer of the FOHCs as applicable, or the Director of GBHWC

18 upon receiving approval, as applicable, from their respective board or council, shall demonstrate

19 the need to hire an ITP to provide adequate coverage in the provision of medical care at their

20 healthcare agency to the Board by filing a Determination of Need statement that includes the

21 following attestations:

22 (a) There are not sufficient individuals able, willing, qualified, and available at the

23 location of employment with the government of Guam-funded healthcare agency at the

24 time of the offer; and

25 (b) The employment of the ITP will not adversely affect the wages and working

26 conditions of individuals similarly employed at the qualifying location.

27 A copy of the job offer for employment with the government of Guam-funded healthcare agency

28 must be submitted to the Board, along with the filing of the Determination of Need statement.

29 **Section 6.** A new § 12206.5 is added to Article 2, Chapter 12, Title 10, Guam Code

30 Annotated, to read as follows:

31 (a) The Board shall adopt rules necessary to issue an ITP License. The Board

32 is authorized to develop the Internationally-Trained Physicians Interim Provisional

33 Licence and Permanent Limited Licence pathway, to include, but not limited to, the rules

1 and regulations governing the application, supervision, management, and execution of the
2 Internationally-Trained Physicians program. The Board shall be guided, at a minimum, by
3 the latest Federation of State Medical Boards general competencies endorsed by the
4 Coalition of Physician Accountability.

5 (b) The Board shall provide for the issuance of an ITP Interim Provisional
6 License for a term not to exceed four (4) years from the date of issuance. An ITP may apply
7 for a Permanent Limited License during the third year of the ITP's service. If granted, the
8 Permanent Limited License shall be valid for the remainder of the initial four (4)-year term.
9 It may be extended for one (1) additional term not to exceed two (2) years, for a total period
10 not to exceed six (6) years.

11 (c) The Board shall work with government of Guam-funded healthcare
12 facilities, starting with GMH and the HPLO of DPHSS, for the first eighteen (18) months
13 following the enactment of this provision, to offer employment to an ITP at GMH. After
14 the eighteen (18)-month period has elapsed, the Board shall accept applications from other
15 government of Guam-funded healthcare facilities.

16 (d) The Board shall issue an Interim Provisional License or Permanent Limited
17 License to ITPs who meet the requirements. The Board shall approve and grant exceptions
18 to countries on a case-by-case basis, provided all other requirements are met, and it is
19 evident that the employment of the ITP is to the benefit of the public.

20 **Section 7. Severability.** If any provision of this Act or its application to any person
21 or circumstance is found to be unconstitutional, invalid, inorganic, such invalidity shall not affect
22 other provisions or applications of this Act that can be given effect without the invalid provision
23 or application, and to this end, the provisions of this Act are severable.

24 **Section 8. Effective Date.** This Act shall become effective upon enactment.