

**LOCAL**

Monday, February 14, 2011

House junks, then reconsiders bill allowing foreign-trained physicians to work in CNMI  
Health Care Professions Licensing Board nixes measure

By Haidee V. Eugenio  
Reporter

After debating for almost an hour, the House thumbed down on Friday a proposal to allow foreign-trained doctors and non-U.S. licensed physicians to work in the CNMI to address the doctor shortage, only to reconsider it for further committee review just minutes later.

Vice Speaker Felicidad Ogumoro (Cov-Saipan) said the Legislature should not wait for the problem of doctor shortage to go from worse to worst before acting on House Bill 17-71.

She said the Department of Public Health's Children's Clinic had to close because of lack of physicians. It has temporarily reopened, but is providing limited services.

Ogumoro also took a jab at the federal government for not considering this issue with the passage of U.S. Public Law 110-229, which placed CNMI immigration under federal control.

Speaker Eli Cabrera (R-Saipan) said during the session that Gov. Benigno R. Fitial would have wanted HB 17-71 passed before he leaves for Washington, D.C. on Feb. 22, so he could discuss the matter with federal officials.

The bill, however, got defeated on a 9-7 vote.

Minutes later, the members voted to recommit the bill to Iguel's Health Committee.

Of the 16 members present, Dela Cruz was the only one who voted "no" on recommitting the bill to committee.

Other House members, including Rep. Joe Deleon Guerrero (R-Saipan), said they support hiring more physicians, but said the House should not rush to pass HB 17-71 without input from the Health Care Professions Licensing Board, the Department of Public Health, medical practitioners, and other members of the community on the proposal.

The author of the bill, Rep. Sylvester Iguel (Cov-Saipan), was absent on Friday.

The other members were at a loss whether Iguel as chairman of the House Committee on Health received comments on HB 17-71, including from HCPLB.

Deleon Guerrero said House members need to hear first from health care professionals before making informed decisions.

Rep. Trenton Conner (R-Tinian) asked whether there's a committee report on the bill.

While the committee deliberated on the bill, it has yet to issue a report.

Frances Sablan, executive director of HCPLB, told House members that the board submitted its formal comment on HB 17-71 as early as Nov. 26, 2010.

She said the board does not recommend passage of the bill in its present form because, among other things, it does not ensure these foreign-trained doctors meet comparable U.S. requirements.

Sablan said the bill does not contain a provision that allows foreign medical graduates to take four years residency in the CNMI or any U.S. institution which is required under the J1 visa waiver

program.

The board said it fully understands that at times the CNMI has experienced a physician shortage, and this may possibly be alleviated temporarily with the assistance of allowing foreign trained and non-U.S. licensed physicians to work in the CNMI.

“However, without serious modification in several areas of the bill, the HCPLB cannot endorse HB 17-71,” said the board in a letter to Iguel.

Those who signed the letter were HCPLB chair Dr. Janet McCullough, Ken Pierson, Pam Carhill, Dr. Ahmad Al-Alou, and Dr. Leticia Borja.

HCPLB, in its four-page letter, said HB 17-71 removes several basic requirements and conditions that the board previously developed.

“HB 17-71 is not nearly restrictive enough with regard to the required training, experience, credentialing, and verification of good standing that is needed to ensure that a comparable standard to U.S. requirements is met,” it said.

Rep. Teresita Santos (Ind-Rota) on Friday said hundreds of CNMI patients are referred to the Philippines, for example, to get treatment, yet the same doctors that are treating these CNMI patients cannot come to the islands to do the treatment here.

In a later statement, Santos said with the CNMI's depleting financial resources, cost of millions in funding referring patients to foreign countries such as the Philippines and Japan, and the lack of medical practitioners in hospitals, “it underscores the need to allow and encourage qualified medical professionals, including foreign medical professionals, to practice in the Commonwealth.”

“Having said this, all affected stakeholders should come together and act on the foregoing issues in order to facilitate the passage of HB17-71 which seeks to provide quality medical/health care for every citizen and visitor in our Commonwealth,” she said.

### **Credibility of licensing process**

HCPLB, in its letter to the Health Committee, is also concerned that the bill's requirements could allow foreign-trained physicians “with little or no similarity to U.S. standardized health care training to be eligible to practice in the CNMI.”

“We are concerned about upholding the credibility and integrity of the CNMI licensing procedures,” the board said.

HB 17-71 says although the CNMI has consistently experienced a physician shortage, the Medical Professional Licensing Board (which is now the Health Care Professional Licensing Board) has not adopted any regulations for the licensing of medical professionals who are not U.S. citizens or permanent residents. The board was created in 1982.

Iguel's bill says since the board has not adopted necessary licensing regulations, “the Legislature finds that it is appropriate for the Legislature to adopt appropriate regulations for the licensing of foreign medical professionals.”

Deleon Guerrero, during debate on the bill, said even if the Legislature passes HB 17-71, it will still not allow foreign-trained doctors to prescribe medication because of U.S. Drug Enforcement Administration certification requirements.

“What good does it do? How does this law conflict with the CNRA [Consolidated Natural Resources Act, the law that federalized CNMI immigration],” he said.

House minority leader Diego Benavente (R-Saipan) and Rep. Frank Dela Cruz (R-Saipan) asked the Committee on Health whether they have done research on how HB 17-71 would affect federal health grants including Medicare and Medicaid.

The nine members who voted against the bill's passage were Rep. Frank Dela Cruz (R-Saipan), Rep. Joe Deleon Guerrero (R-Saipan), Rep. Ralph Demapan (Cov-Saipan), Rep. Ray Palacios (Cov-Saipan), Rep. Ray Tebuteb (R-Saipan), Rep. Ray Yumul (R-Saipan), minority leader Diego Benavente (R-Saipan), Rep. Trenton Conner (R-Tinian), and Speaker Eli Cabrera (R-Saipan).

The seven who voted for its passage were floor leader George Camacho (Ind-Saipan), Rep. Fred Deleon Guerrero (Ind-Saipan), Rep. Joe Palacios (R-Saipan), Rep. Teresita Santos (Ind-Rota), Rep. Edmund Villagomez (Cov-Saipan), Rep. Ray Basa (Cov-Saipan), and Vice Speaker Felicidad Ogumoro (Cov-Saipan).

### **Federalization**

The board said it has considered many times in the past the question of allowing foreign trained medical professionals who do not possess current and valid U.S. licenses to practice medicine.

In late 2009, HCPLB passed emergency regulations to allow for the licensing of foreign trained medical professionals in order to temporarily alleviate a physician shortage within the Department of Public Health.

But the board said they were not able to implement the emergency regulations because of the impending federalization of CNMI immigration at the time and the uncertainty about the requirements for legal entry of foreign health care professionals into the CNMI.

The board said there were also questions relating to the eligibility of these individuals to be reimbursed by various federal health care programs.

"Immigration issues notwithstanding, the HCPLB has several serious concerns about HB 17-71. Allowing foreign trained and non-U.S. licensed physicians to practice in the Commonwealth is a serious matter which requires careful thought and research," the board said.

House members expect that the Health Committee will be able to look into all these issues, and recommend action on HB 17-71.

Back to top  

