Dear Ms. Kirchmeyer:

This letter outlines a request from the California Medical Association (CMA) for the Department of Consumer Affairs (DCA) to grant a waiver that would temporarily suspend the requirement for applicants for the Medical Board of California’s (MBC) Postgraduate Training License (PTL) to take and provide scores for the United States Medical Licensing Examination (USMLE) Step 2 Clinical Skills Examination.

**DCA Authority.** On March 4, 2020, the Governor proclaimed a State of Emergency to exist in California as a result of the impacts of COVID-19 and to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the state prepare to respond to an increasing number of individuals requiring medical care and hospitalization as a result of a broader spread of COVID-19.

Pursuant to the Governor's Executive Order N-39-20, during the State of Emergency, the Director of the California Department of Consumer Affairs may waive any statutory or regulatory requirements with respect to a professional license issued pursuant to Division 2 of the Business and Professions Code.

**Medical Board of California Postgraduate Training License.** Senate (SB) 798 (Hill, Chapter 775) revised postgraduate training and licensing requirements for physicians and surgeons beginning January 1, 2020. Effective January 1, 2020, all applicants, regardless of whether the medical school attended was domestic or international, would be required to successfully complete 36 months of postgraduate training accredited by either the Accreditation Council for Graduate Medical Education (ACGME), Royal College of Physicians and Surgeons of Canada (RCSPC), or College of Family Physicians of Canada (CFPC) that includes four months of general medicine. An applicant needs to complete 24 consecutive months of training in the same program to be eligible for a physician’s and surgeon’s license. In addition, applicants are required to have taken and passed board approved
medical licensing examinations, which would include submitting scores for the USMLE Step 2 Clinical Skills exam with their application.¹

Further, a Postgraduate Training License (PTL) will be required for all residents participating in an ACGME accredited postgraduate training program in California in order to practice medicine as part of their training program. A PTL must be obtained within 180 days after enrollment in the program and will not be required to be renewed. Any resident participating in an ACGME accredited postgraduate training program at the time the law goes in effect, and is not eligible for licensure, will need a PTL by June 30, 2020, to continue in the program.

Due to the current COVID-19 pandemic and the complexity of technical and psychometric work required to administer the USMLE Step 2 exam, USMLE has determined that they will not be able to meet timelines for the immediate release of a revised exam that was set for implementation. After consideration of multiple options for administering the exam, USMLE has decided to suspend Step 2 Clinical Skills test administrations for the next 12-18 months.

**Suspend USMLE Step 2 Requirement for PTL application.** Due to the recent decision by USMLE to suspend administration of the Step 2 Clinical Skills test for 12-18 months, CMA requests that the state suspend the requirement for PTL applicants to pass the Step 2 Clinical Skills exam until January 2022 or until such time that the USMLE is able to administer the Step 2 Clinical Examination and provide scores to applicants in a timely manner.

This delay would allow medical students and residents who are and will be applying for a PTL during the period when the USMLE Step 2 exam is not being offered, to move forward with their PTL applications and ensure that there are no delays in progressing with their graduate medical education training with no limitations.

We appreciate DCA’s support and flexibility during the current pandemic with regard to issuing waivers pursuant to the authority granted by Governor’s Executive Order N-39-20. Delaying implementation of this requirement would prevent disruption in the medical training for residents, hold residents harmless for USMLE examination decisions that are outside of their control and maintain the flexibility of graduate medical education programs to provide medical care during the declared

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¹ Business and Professions Code 2065:

2065. (a) Unless otherwise provided by law, no postgraduate trainee, intern, resident, postdoctoral fellow, or instructor may engage in the practice of medicine, or receive compensation therefor, or offer to engage in the practice of medicine unless he or she holds a valid, unrevoked, and unsuspended physician’s and surgeon’s certificate issued by the board. However, a graduate of an approved medical school may engage in the practice of medicine whenever and wherever required as a part of a postgraduate training program under the following conditions:

1) The medical school graduate has taken and passed the board-approved medical licensing examinations required to qualify the applicant to participate in an approved postgraduate training program.
emergency. Thank you for consideration of this request. If you require additional information, please contact me at ychoong@cmadocs.org or 916-551-2884.

Sincerely,

Yvonne Choong
Vice President, Center for Health Policy
California Medical Association