

**TITLE 510. OKLAHOMA STATE BOARD OF OSTEOPATHIC EXAMINERS
CHAPTER 10. LICENSURE OF OSTEOPATHIC PHYSICIANS AND SURGEONS**

SUBCHAPTER 1. GENERAL PROVISIONS

510:10-1-1. Purpose

The purpose of this chapter is to describe the process of licensure for applicants, renewal for current license holders and annual registration requirements for ~~dispensing of drugs~~ statutory permits.

SUBCHAPTER 3. LICENSURE REQUIREMENTS

510:10-3-1. Full licensure requirements

(a) It is the general requirement in the State of Oklahoma that osteopathic physicians be licensed by the State Board of Osteopathic Examiners. No person shall be licensed by the Board unless and until that person first fully complies with all licensure provisions of the Act and these Rules and has satisfied the Board of the ability to practice osteopathic medicine and surgery with reasonable skill and safety.

(b) **Postgraduate training.** One completed year of postgraduate training is a requirement for full licensure. The training must be or have been completed in a residency program that is approved by ~~either the Accreditation Council for Graduate Medical Education (ACGME), or the Accreditation Council for Graduate Medical Education International (ACGME-I), the American Osteopathic Association (AOA) or the World Federation Medical Education (WFME).~~ the Accreditation Council for Graduate Medical Education International (ACGME-I), the American Osteopathic Association (AOA) or the World Federation Medical Education (WFME). If the applicant did not complete a residency, then this experience may be in the form of a rotating internship or its equivalent, in an accredited internship or residency program acceptable to the Board. ~~To be deemed equivalent to a rotating internship and, acceptable to the Board, a program must provide the following:~~

~~(1) The program must provide the following core experience:~~

- ~~(A) One (1) month – General Practice~~
- ~~(B) Two (2) months – General Internal Medicine~~
- ~~(C) One (1) month – General Surgery~~
- ~~(D) One (1) month – Obstetrics/Gynecology~~
- ~~(E) One (1) month – Pediatrics~~

~~(2) This core experience must be supplemented by three (3) months of Selectives and three (3) months of Electives, accounting for a total of twelve (12) months. A Selective may be defined as any core category or Emergency Medicine. An Elective may be any category of experience chosen by the intern or resident.~~

Clerkships are not permitted and do not replace the Postgraduate training requirements.

(c) **Application.** An applicant for a license to practice osteopathic medicine and surgery shall complete an application provided by the Board, which is available on the Board's website at: www.osbee.ok.gov. The applicant shall complete and submit the application in full prior to the Board consideration. In addition to the application form online, each candidate must also provide the following materials:

- (1) A 3x4 photograph or larger taken within the previous sixty (60) days which meets the requirements of a passport photo;

- (2) Verification of graduation from an osteopathic medical school approved by the American Osteopathic Association (AOA) or the Board. The applicant's medical school shall provide a copy of a final transcript and diploma in addition to verifying graduation;
 - (3) the postgraduate training certificate, as applicable;
 - (4) certificate of specialty board certification, as applicable;
 - (5) Payment of all fees as established by the Board in the Fee Schedule under rule 510:10-7-1;
 - (6) A transcript ordered from the National Board of Osteopathic Medical Examiners (NBOME) or the National Board of Medical Examiners (NBME), with a passing score on all steps of the examination as set forth by the testing entity. Any applicant who has failed more than four (4) of the following examinations: COMLEX-USA, FLEX, or USMLE, may be required to appear before the Board. The Board may accept an equivalent exam given by another State Board. The Board is not required, however, to accept these exams in lieu of the COMLEX-USA or USMLE examinations;
 - (7) A notarized copy of the applicant's birth certificate or passport;
 - (8) Verification of postgraduate training on a form furnished by the Board on its website, ~~www.osboe.ok.gov~~. The postgraduate training form shall be filled out in its entirety by the program's residency coordinator or director, for each residency that the physician attended;
 - (9) License verification of standing from each state where the physician has held a license, whether that license is current or inactive and whether or not the physician has been the subject of any disciplinary action in that state. If action has been taken by another state board, all orders and relevant documentation are required to be sent to the Board before the physician can be reviewed for licensure;
 - (10) A chronology of events which accounts for the applicants time and activity, from medical school graduation to the present.
 - (11) A report from the National Practitioner Data Bank (NPDB), shall be ordered by the applicant and sent to the Board;
 - (12) Fingerprints ~~-based background check completed~~ by a Board approved entity that meets the requirements of a National Criminal History Record check pursuant to 74 O.S. § 150.9.
- (d) **Interview.** The Board may require a personal interview from any applicant.
- (e) **Beginning of practice.** Applicants for licensure shall not begin practice until their license information is publicly provided on the Board's website at ~~www.osboe.ok.gov~~.

510:10-3-4. Licensure by endorsement

- (a) **Reciprocity.** An applicant for licensure by reciprocity, may, at the discretion of the Board, be licensed without further examination. Such applicants may be required to appear before the Board. An applicant for a license to practice osteopathic medicine and surgery by reciprocal endorsement shall:
- (1) Complete and submit the uniform application together with all applicable fees and required documentation;
 - (2) Provide evidence of graduation from a medical school accredited by the Commission on Osteopathic College Accreditation (COCA);
 - (3) Provide license verification from each state in which the applicant is currently or was previously licensed.

(b) Endorsement of the National Board of Osteopathic Medical Examiners or the National Board of Medical Examiners. An applicant who has successfully completed all parts of the examination sequence of the National Board of Osteopathic Medical Examiners or the National Board of Medical Examiners and, who presents the required documentation of having met all of the scholastic and other requirements of the Board, may, at the discretion of the Board, be licensed without further examination.

(c) Interstate Medical Licensure Compact. An applicant for licensure who has successfully completed the Letter of Qualification (LOQ) process in their State of Principal License (SPL), may be granted licensure upon submittal of a license application through the Interstate Medical Licensure Compact (IMLC). [Title 59 O.S. 493.7 et seq.]

(d) Reinstatement. A previously cancelled license issued by this Board, may, at the discretion of the Board, be reinstated. Such applicants may be required to appear before the Board. An applicant for reinstatement in this state, whose license has been cancelled for a period of two (2) years or greater, shall complete and submit the uniform application together with required documentation and payment of applicable fee.

(ee) Board discretion. The Board may refuse to grant a license by reciprocity or endorsement to any applicant ~~who has failed any examination administered by or accepted by the Oklahoma State Board of Osteopathic Examiners.~~

510:10-3-5. Other criteria

An application for licensure or renewal may be denied or tabled if the applicant has engaged in any of the conduct ~~discribed~~described at Title 59 O.S. Section 637 or any other conduct prescribed by statute or Board rule.

510:10-3-8. Annual registration

(a) A licensee shall renew his or her license every year, by submitting a renewal application, which is available on the Board's website, and paying a non-refundable renewal fee in an amount established by the Board in its Fee Schedule pursuant to 510:10-7-1. If the licensee pays by mailing in a check, the payment must be postmarked by June 30. A physician who fails to acquire and submit a renewal application may not practice using an ~~expired~~lapsed license. The renewal application together with all documents submitted with the application is the property of the Board and shall not be returned.

(b) Continuing education required. Annual license renewal requires proof of having attended and received credit for sixteen (16) American Osteopathic Association (AOA) Category One hours of Continuing Medical Education (CME).

(1) Osteopathic physicians who are obtaining or maintaining board certification through the American Medical Association (AMA) Board of Medical Specialties (ABMS) may complete sixteen (16) Category One American Medical Association (AMA)-AMA credit hours for purposes of satisfying their CME credits for renewal.

(2) One (1) hour every year of the required sixteen (16) hours shall be devoted to the subject of prescribing Controlled Dangerous Substances (CDS) as defined in Title 21, Code of Federal Regulations, Part 1308 or Title 63 of the Oklahoma Statutes.

(4A) The one (1) hour of CME shall be dedicated to pain management, opioid use, or addiction, The course shall be obtained at a seminar approved by the State Board of Osteopathic Examiners.

(2B) Certification of attendance shall be ~~provided~~ submitted to CE Broker by the organization sponsoring the program.

(3C) Those osteopathic physicians who are licensed in Oklahoma who do not possess the State Bureau of Narcotics and Drug Enforcement Administration authority to handle CDS are exempt from this requirement.

(3) A licensee who, for any period during the CME cycle year, was considered a Resident or Fellow is exempt from CME requirements. CME requirements will be required beginning the first July 1 following graduation from Residency or Fellowship.

(4) All relevant CME data and completion certificates shall be submitted through CE Broker. If applicable, the course provider may report the relevant CME data on behalf of the licensee.

(c) **Fee required.** All osteopathic physicians licensed to practice by the Board shall pay an annual renewal fee ~~on or~~ before July 1. In addition to the annual renewal fee, the Board may charge a convenience fee. A late fee shall be charged for any license not renewed ~~by~~ before July 1 or any check not postmarked by June 30. ~~Any license reinstated by Board staff within six (6) months of cancellation for failure to renew timely shall pay all renewal fees and an administrative fine of five hundred (500) dollars.~~ The Boards fees are provided in the Fee Schedule in 510:10-7-1.

(d) **Professional Standards Questionnaire.** Annual license renewal requires the physician to truthfully answer questions posed by the Board regarding relevant personal and professional history of the applicant since their last renewal. If any question is answered "yes", then the applicant shall provide supporting documentation and a personal statement to the Board regarding the question answered.

(e) **Fitness to Practice Attestation.** Annual license renewal requires the physician to attest to their fitness to practice.

(f) **Cancellation of License.** A licensee who does not successfully complete the annual renewal of their license shall be cancelled at the September regular meeting of the Board and will be issued an Order of Cancellation. A licensee who wishes to reinstate their license following cancellation may request to do so within two (2) years. This request shall include the following and is subject to Board review:

(1) Completion of the Professional Standards Questionnaire;

(2) Signed Fitness to Practice Attestation;

(3) Proof of sixteen (16) current cycle CME credit hours;

(4) License Verifications from all states the licensee holds or had held a license.

510:10-3-11. Resident training license

The Osteopathic Medicine Act authorizes the Board to issue a Resident Training license for medical school graduates during their first year of postgraduate training, also known as PGY-1. In order to begin the first year of residency, all resident physicians must obtain a Resident Training license. The Board may issue a Resident Training license upon completion of an application, payment of any fees, and submission of documentation from the applicants Oklahoma training program recommending the physician and stating the applicant meets all the requirements for such license. Any person holding a Resident Training license is not guaranteed subsequent full licensure in Oklahoma as an osteopathic physician.

(1) A Resident Training license shall be:

(A) Issued by the State Board of Osteopathic Examiners to eligible physicians;

- (B) Issued for no longer than one (1) year unless extended by the Board;
- (C) Issued without continuing medical education (CME) requirements unless the physician holds a registration to prescribe controlled drugs in Oklahoma;
- ~~(D) Nonrenewable unless approved by the State Board of Osteopathic Examiners and upon payment of the fee.~~
- (2) If the physician's resident training program specifically approves the resident to have prescribing authority, the resident training license shall permit the physician to apply for prescribing privileges from state or federal authorities.
- (3) The Resident Training license shall not permit:
 - (A) The physician to apply for prescribing privileges for controlled drugs unless authorized by the resident's training program;
 - (B) The physician to recommend medical marijuana;
 - (C) The physician to supervise any mid-level practitioner;
 - (D) The physician to practice medicine outside the scope allowed by the training program; or
 - (E) The physician to practice independent of the training program.
- (4) Following completion of PGY-1 training the post graduate student must apply for a conditional medical license to practice medicine in Oklahoma. The conditional license shall allow the practice of medicine for all necessary purposes to complete post-graduate student training. Termination of the post-graduate student from the training program, voluntarily or involuntarily, will result in the automatic suspension of the conditional license until the student appears before the Board at the next regularly meeting. In addition, the conditional license holder may practice medicine in nongraduate student training locations provided the individual submits to the Board a letter signed by the post-graduate Medical Director that provides all the following information:
 - (A) The name and practice location of all places in which the post-graduate student will be permitted to practice medicine. Changes in location or duties of the post-graduate student must result in the submission of a new letter signed by the Medical Director of the post-graduate program.
 - (B) The Medical Director has ensured that the post-graduate student has been properly trained to provide competent medical services required in the locations listed.
 - (C) The practice of medicine by the post-graduate student in the listed locations will not interfere with the training of the student and is consistent with the program training goals.

510:10-3-13. Volunteer and Emeritus Medical License

- (a) The Osteopathic Medicine Act authorizes the Board to issue a volunteer medical license for physicians who are retired from active practice and wish to donate their expertise for the medical care and treatment of indigent and needy persons of the State. The Board may issue a volunteer medical license:
 - (1) Upon completion of a special volunteer medical license application, including documentation of the physician's osteopathic school graduation and practice history;
 - (2) Upon receipt of documentation that the physician has been previously issued a full and unrestricted license to practice medicine in Oklahoma or in another state of the United States and that they have never been the subject of any medical disciplinary action in any jurisdiction;

(3) Upon acknowledgement and documentation that the physician's practice under the volunteer medical license will be exclusively and totally devoted to providing medical care to needy and indigent persons in Oklahoma or to providing care under the Oklahoma Medical Reserve Corps; and

(4) Upon acknowledgement and documentation that the physician will not receive or have the expectation to receive any payment or compensation, either direct or indirect, for any medical services rendered under the volunteer medical license.

(5) A volunteer medical license shall be:

(A) Issued by the State Board of Osteopathic Examiners to eligible physicians;

(B) Issued without any fees;

(C) Issued without continuing medical education (CME) requirements;

(D) Issued for no longer than one (1) year;

(E) Renewable annually upon completion of renewal application furnished by Board.

(6) The volunteer medical license shall not permit:

(A) The physician to apply for prescribing privileges for controlled drugs;

(B) The physician to recommend medical marijuana;

(C) The physician to supervise any mid-level practitioner;

(D) The physician to receive compensation for medical care and treatment provided.

(b) Holders of full and unrestricted licenses in Oklahoma for at least ten (10) years may choose at any time to apply for a Physician Emeritus license by notifying the office of the Board. The Physician Emeritus license is for fully retired physicians. The Physician Emeritus license shall be issued with no Continuing Medical Education (CME) requirements. A fee may be charged for this license.

(1) Physicians holding an Emeritus license may continue to use the title or append to their name the letters, D.O., Doctor, Specialist, Physician or any other title, letters or designation which represents that such person is a physician. Service on boards, committees or other such groups which require that a member be a physician shall be allowed.

(2) Physicians holding an Emeritus license shall not practice medicine in any form or prescribe, dispense, or administer drugs.

(3) When a physician has retired from practice and subsequently chooses to return to active practice from Physician Emeritus status, the physician may, be required, at the Boards discretion, to,:

(A) Pay required reinstatement fees;

(B) Complete required forms;

(C) Make a personal appearance before the Board or ~~Secretary of the Board~~;

(D) Submit to a physical examination, psychological and/or psychiatric examination; and

(E) Provide evidence of successful completion of continuing medical education.

~~(4) Upon acknowledgement and documentation that the physician will not receive or have the expectation to receive any payment or compensation, either direct or indirect, for any medical services rendered under the Physician Emeritus license.~~

510:10-3-14. Military License

This section was created to comply with the Servicemember Civil Relief Act (SCRA), 50 U.S.C. § 4025a. The purpose of which is to enhance portability of professional licenses of servicemembers and their spouses when they must relocate due to military orders. All active-duty servicemembers and their spouses who have

moved to a location outside the jurisdiction of the licensing authority that issued the covered license or certificate may apply for a Military License. This license shall be issued for a period of one (1) year and is renewable, without fee, upon request of the servicemember or spouse for the duration of the military orders provided.

(1) Each applicant for Military License shall meet the following requirements:

(A) Have actively used the license or certificate during the two (2) years immediately preceding the move;

(B) Remain in good standing with:

(i) The licensing authority that issued the covered license or certificate; and

(ii) Every other licensing authority that issued a certificate valid for a similar scope of practice and in the discipline applied in the new jurisdiction.

(C) Submittal to the authority of the Oklahoma State Board of Osteopathic Examiners for the purposes of standards of practice, discipline, and fulfillment of any continuing education requirements.

(2) Each applicant for Military License shall provide the following requirements:

(A) Submittal of the Military License application;

(B) Payment of the fee as provided in the fee schedule;

(C) A copy of the relevant military orders;

(D) A copy of the applicants military identification;

(E) License verifications for the states in which the servicemember or spouse is licensed; and

(F) Attestation of Fitness to Practice.

SUBCHAPTER 4. OSTEOPATHIC SUPERVISION OF MID-LEVEL PRACTITIONERS

510:10-4-2. Definitions

The following words and terms used in this Subchapter, shall have the following meaning unless the context clearly indicates otherwise:

"Board" means the State Board of Osteopathic Examiners.

"Mid-level practitioners" include physician assistants and advanced practice nurses.

"Primary Care Medicine" means the practice of medicine with emphasis on emergency medicine, family medicine, general internal medicine, general pediatrics, and obstetrics and gynecology.

"Proper physician supervision" means the supervising physician regularly and routinely reviews the prescriptive practices and patterns of the mid-level practitioners. Proper physician supervision of mid-level practitioners is essential.

510:10-4-3. Eligibility, Limits, and Responsibilities of supervising osteopathic physician

(a) To be eligible to serve as a supervising physician for mid-level practitioners, an osteopathic physician shall meet the following criteria:

(1) Have possession of a full and unrestricted Oklahoma license to practice osteopathic medicine; with Drug Enforcement Agency (DEA) and Oklahoma Bureau of Narcotics and Dangerous Drugs Control (OBNDD) permits.

(2) The supervising physician shall be trained and fully qualified in the field of the mid-level practitioners specialty.

(b) No physician shall supervise more than six (6) mid-level practitioners.

- (c) The Board may make an exception to any limit set herein upon written request of the physician. Exception requests for rural primary care shall be given priority by the Board.
- (d) Subject to approval, disapproval, or modification by the Board, the Executive Director of the Board may temporarily approve a written request to supervise up to seven (7) or more mid-level practitioners between regularly scheduled meeting of the Board. ~~Under no circumstance shall the Executive Director approve more than ten (10) mid-level practitioners without expressed approval of the Board.~~
- (e) All supervising osteopathic physicians shall have a written agreement with each mid-level practitioner they supervise to memorialize the extent of the authority of the mid-level practitioner to practice under the supervision of the physician. The written agreement shall comply with Oklahoma law.
- (f) All supervising osteopathic physicians shall visit each location in which he or she supervises mid-level practitioners at least once a month.
- (g) To ensure appropriate levels of chart review of mid-level practice, all supervising osteopathic physicians shall ensure a physician shall review at least fifteen percent (15%) of patient charts recording treatment by the supervised mid-level practitioners each month.
- (h) To ensure appropriate levels of chart review, a supervising physician shall develop a list of High-risk procedures, for each mid-level practitioner. The performance of any of those procedures by the respective mid-level practitioner shall, in each instance, be reviewed within twenty-four (24) hours of treatment by the physician.
- (i) A physician may not supervise a mid-level provider who is an immediate family member, however, this prohibition shall not apply to family members outside the second degree of consanguinity or affinity.

SUBCHAPTER 7. FEE SCHEDULE

510:10-7-1. Fee Schedule

- (a) The fees charged by the Board are as follows:
- (1) Physician and Surgeon License Application Fee ~~\$600.00~~ 25.00
 - (2) Physician and Surgeon Renewal Fee for full license - ~~\$225.00~~ 250.00
 - (3) Physician and Surgeon Reinstatement Fee within two (2) years of after-cancellation by Board \$500.00
 - (4) Duplicate License (Physician/Surgeon) \$50.00
 - (5) Late Re-registration Fee \$150.00
 - (6) Copy of Licensure File \$50.00
 - (7) Copy of Disciplinary File \$25.00
 - (8) Verification of Licensure \$30.00
 - (9) ~~Registration to Dispense Dangerous Drugs \$50.00 per location~~ Statutory Permits \$100 per location
 - (10) Licensure Data Base \$50.00
 - (11) ~~Fee for Certification of Files \$5.00~~
 - (12) Returned Check Fee \$25.00
 - (13) Letter of Good Standing for incorporations \$30.00
 - (14) Specialty Licenses
- (A) Temporary Resident License (6-month license) \$100
- (B) Resident Training License (PGY1 resident only) \$120

(C) Military License \$125

(14) Monthly Probation Monitoring Fee \$100

(b) **Note:** Licensure fees may include a convenience fee.