**Section 1285.95**  **Professional Capacity** **Standards for Applicants Having Graduated More Than** **2** **Years Prior to Application**

Pursuant to Section 9(B)(4) of the Act, in determining professional capacity for individuals who have not been actively engaged in the practice of medicine or as a medical, osteopathic, or chiropractic student or who have not been engaged in a formal program of medical education during the 2 years immediately preceding application, the individual may be required to complete such additional testing, training, or remedial education as the Licensing Board may deem necessary to establish the applicant's present capacity to practice medicine with reasonable judgment, skill and safety. In determining professional capacity, the Board shall consider, but not be limited to, the following activities:

a) Medical research that is human clinical research consistent with the requirements of the Federal Food and Drug Administration (21 CFR 50) (2001, no further amendments or additions included) and the Consumer Product Safety Commission (16 CFR 1028) (2001, no further amendments or additions included) or other equivalent medical research.

b) Specialized training or education that is clinical training or clinical education such as, or equivalent to, the following:

1) Clinical training that takes place in a residency training program in accordance with the requirements set forth in Section 1285.40 of this Part or the equivalent (e.g., residency training in another state or jurisdiction).

2) Clinical medical practice in the National Health Service or its equivalent.

3) Continuing medical education (CME) recognized by the Accreditation Council on Continuing Medical Education (ACCME), the American Osteopathic Association (AOA), American Chiropractic Association (ACA), or continuing medical education in accordance with Section 1285.110 of this Part.

4) Post-graduate education in basic or related medical sciences in any state or jurisdiction.

c) Publication of original work in clinical medicine published in medical or scientific journals that are listed by the Cumulative Index Medicas (CIM).

d) Clinical research or professional clinical medical practice in public health organizations (e.g., World Health Organization (WHO), Malaria Prevention programs, United Nations International Children's Emergency Fund (UNICEF) programs, both national and international).

e) Having been engaged in clinical research or clinical medical practice at a veterans, military, or other medical institution operated by the federal government.

f) Other professional or clinical medical activities or chiropractic activities, such as, or equivalent to, the following:

1) Presentation of papers or participation on panels as a faculty member at a program approved or recognized by the American Medical Association (AMA) or its affiliates, the American Osteopathic Association (AOA) or its affiliates, the American Chiropractic Association (ACA) or its affiliates, or a recognized specialty society or equivalent recognized by the medical community; or

2) Experience obtained as a Visiting Professor in accordance with Section 18(A) of the Act.

g) Clinical medical practice obtained in violation of the Act shall not be considered by the Board in determining professional capacity for the purposes of this Section.

h) Each applicant for temporary licensure, in accordance with this Section, shall submit a certificate of acceptance form signed by the program director of an approved residency training program, in accordance with Section 1285.40 of this Part, attesting that the applicant will be accepted for specialty/residency training, if, upon the evaluation of medical education and clinical skills by the Division, the applicant is found to be eligible for temporary licensure.

i) In determining eligibility, the Board will consider any and all documentation of activities submitted by the applicant.

(Source: Amended at 29 Ill. Reg. 18823, effective November 4, 2005)