

118TH CONGRESS
2D SESSION

S. 4744

To amend the Higher Education Act of 1965 to establish fair and consistent eligibility requirements for graduate medical schools operating outside the United States and Canada.

IN THE SENATE OF THE UNITED STATES

JULY 23, 2024

Mr. DURBIN introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Higher Education Act of 1965 to establish fair and consistent eligibility requirements for graduate medical schools operating outside the United States and Canada.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Foreign Medical School
5 Accountability Fairness Act of 2024”.

6 **SEC. 2. PURPOSE.**

7 The purpose of this Act is to establish consistent eli-
8 gibility requirements for graduate medical schools oper-

1 ating outside of the United States and Canada in order
2 to increase accountability and protect United States stu-
3 dents and taxpayer dollars.

4 **SEC. 3. FINDINGS.**

5 Congress finds the following:

6 (1) Three for-profit schools in the Caribbean
7 have historically received nearly $\frac{3}{4}$ of all Federal
8 funding under title IV of the Higher Education Act
9 of 1965 (20 U.S.C. 1070 et seq.) that goes to stu-
10 dents enrolled at foreign graduate medical schools,
11 despite those three schools being exempt from meet-
12 ing the same eligibility requirements as the majority
13 of graduate medical schools located outside of the
14 United States and Canada.

15 (2) The National Committee on Foreign Med-
16 ical Education and Accreditation and the Depart-
17 ment of Education recommend that all foreign grad-
18 uate medical schools should be required to meet the
19 same eligibility requirements to participate in Fed-
20 eral funding under title IV of the Higher Education
21 Act of 1965 (20 U.S.C. 1070 et seq.).

22 (3) The attrition rate at United States medical
23 schools averaged 3.2 percent between 1998 and
24 2018, while rates at for-profit Caribbean medical
25 schools have been known to reach 30 percent.

1 (4) In 2024, residency match rates for foreign
 2 trained graduates averaged 67 percent compared to
 3 93.5 percent for graduates of allopathic medical
 4 schools in the United States and 92.3 percent for
 5 graduates of osteopathic medical schools in the
 6 United States.

7 (5) On average, students at for-profit medical
 8 schools operating outside of the United States and
 9 Canada amass more student debt than students at
 10 medical schools in the United States.

11 **SEC. 4. REPEAL GRANDFATHER PROVISIONS.**

12 Section 102(a)(2) of the Higher Education Act of
 13 1965 (20 U.S.C. 1002(a)(2)) is amended—

14 (1) in subparagraph (A), by striking clause (i)
 15 and inserting the following:

16 “(i) in the case of a graduate medical
 17 school located outside the United States—

18 “(I) at least 60 percent of those
 19 enrolled in, and at least 60 percent of
 20 the graduates of, the graduate med-
 21 ical school outside the United States
 22 were not persons described in section
 23 484(a)(5) in the year preceding the
 24 year for which a student is seeking a
 25 loan under part D of title IV; and

1 “(II) at least 75 percent of the
2 individuals who were students or
3 graduates of the graduate medical
4 school outside the United States or
5 Canada (both nationals of the United
6 States and others) taking the exami-
7 nations administered by the Edu-
8 cational Commission for Foreign Med-
9 ical Graduates received a passing
10 score in the year preceding the year
11 for which a student is seeking a loan
12 under part D of title IV;” and

13 (2) in subparagraph (B)(iii), by adding at the
14 end the following:

15 “(V) EXPIRATION OF AUTHOR-
16 ITY.—The authority of a graduate
17 medical school described in subclause
18 (I) to qualify for participation in the
19 loan programs under part D of title
20 IV pursuant to this clause shall expire
21 beginning on the first July 1 following
22 the date of enactment of the Foreign
23 Medical School Accountability Fair-
24 ness Act of 2024.”.

1 **SEC. 5. LOSS OF ELIGIBILITY.**

2 If a graduate medical school loses eligibility to par-
3 ticipate in the loan programs under part D of title IV of
4 the Higher Education Act of 1965 (20 U.S.C. 1087a et
5 seq.) due to the enactment of the amendments made by
6 section 4, then a student enrolled at such graduate med-
7 ical school on or before the date of enactment of this Act
8 may, notwithstanding such loss of eligibility, continue to
9 be eligible to receive a loan under such part D while at-
10 tending such graduate medical school in which the student
11 was enrolled upon the date of enactment of this Act, sub-
12 ject to the student continuing to meet all applicable re-
13 quirements for satisfactory academic progress, until the
14 earliest of—

- 15 (1) withdrawal by the student from the grad-
16 uate medical school;
- 17 (2) completion of the program of study by the
18 student at the graduate medical school; or
- 19 (3) the fourth June 30 after such loss of eligi-
20 bility.

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