



Cosponsor the bipartisan *FAIR Act* to ensure that DO applicants receive equitable consideration for Medicare-funded residency positions

Purpose

Osteopathic medical graduates should not face added barriers to federally-funded graduate medical education (GME). The *FAIR Act* brings transparency and accountability to Medicare-funded residency selection by ensuring DO students are not excluded from programs or required to take the MD exam, USMLE.

The Problem

Since 2020, DO and MD graduates compete in the same residency selection process for programs accredited by the Accreditation Council for Graduate Medical Education. Residency program directors make selection decisions, usually including passage of a licensure exam. DO students take COMLEX-USA for licensure, while MD students take USMLE. **Many residency programs that receive Medicare funding do not consider DO applicants or require them to take the USMLE.**

AACOM's 2025 Graduating Seniors Survey found:

- **63%** of DOs entering the Match reported experiencing bias, including **43% in family medicine** and **85% in general surgery**
- **45%** reported that at least one residency program **required a USMLE score for an interview**

Taking the USMLE in addition to the COMLEX-USA can cost DO students **up to \$2,335 and require 32 testing hours**—costs their MD peers do not have to bear. As a result, many DO students self-select out of competitive specialties they would otherwise pursue. Although the American Medical Association supports equal treatment of DO and MD applicants, practices remain inconsistent across more than 13,000 residency and fellowship programs.

Why It Matters

Medicare provides \$21 billion—73% of all GME funding—yet many programs exclude DO applicants or require the USMLE in addition to COMLEX-USA. With 51% of DO seniors entering primary care and 73% of DOs practicing in the state where they complete residency, restricting admittance to residency training negatively affects their preferred practice locations, weakening local physician pipelines and access to care.

What the FAIR Act Does

The *FAIR Act* requires Medicare-funded GME programs to:

- Report annually the number of DO and MD applicants and accepted residents
- Affirm that DO applications and COMLEX-USA are accepted for consideration

The bill explicitly does not impose quotas, direct admissions decisions or federalize medical education. Failure to report would result in a 2% annual decrease in Indirect Medical Education payments.

The bipartisan FAIR Act is led in the House by Reps. Diana Harshbarger (R-TN), Chellie Pingree (D-ME), Sam Graves (R-MO), Carol Miller (R-WV) and Don Davis (D-NC), and in the Senate by Sens. Steve Daines (R-MT), Martin Heinrich (D-NM) and Angus King (I-ME).

About AACOM

Founded in 1898, AACOM represents all 48 colleges of osteopathic medicine, which educate more than 40,000 students, or 30 percent of all U.S. medical students, across 75 campuses, as well as osteopathic GME professionals and trainees nationwide. **Contact David Bergman, Senior Vice President of Government Relations and Health Affairs, dbergman@aacom.org (301) 968-4174.**