



## Purpose

Federally-funded graduate medical education (GME) programs frequently exclude or impose burdensome requirements on doctors of osteopathic medicine (DOs). These practices exacerbate the workforce shortage by limiting the availability of licensed DO physicians. The FAIR Act is needed to ensure that DOs have equal access to Medicare-funded GME programs and that the nation is leveraging the entire physician workforce.

## Background

DO and MD education and training requirements are parallel, both leading to unrestricted physician licenses. DOs attend Colleges of Osteopathic Medicine and take the Comprehensive Osteopathic Medical Licensing Examination of the United States (COMLEX-USA) for state licensure. **COMLEX-USA is recognized by all 50 state licensure boards and is equivalent to the United States Medical Licensing Examination (USMLE) taken by allopathic students (MDs).**

In 2020, residency training for physicians was consolidated under a single accreditor, the Accreditation Council for Graduate Medical Education (ACGME). Graduating DO and MD seniors now enter a single Match and compete for acceptance into residency programs where they will train for the next three to seven years, depending on medical specialty. Residency training is required for licensure, and **Medicare accounts for 71 percent of all GME funding.**

However, DO students are excluded from many federally-funded residencies: **29 percent of residency program directors report never or seldom interviewing DOs, which is required for residency selection.** A 2023 survey of DO students entering the match demonstrated that **62 percent experienced bias.** These exclusions restrict the specialty choices of osteopathic medical students as reflected in the decline of DOs who match to their preferred surgical specialties since single accreditation.

**Almost three-quarters (73 percent) of GME programs that consider DOs mandate the USMLE.** DOs incur significant costs to take the MD exam (\$2,335 in exam fees and 32 hours of exam time) along with the emotional strain associated with preparing for an additional test that is not intended for the osteopathic profession nor needed for licensure. **While the American Medical Association promotes equality in GME for DOs and MDs, including equal acceptance of the COMLEX-USA and USMLE at all U.S. residency programs, this standard is not upheld uniformly across the almost 6,400 individual residency programs.** Despite years of dialogue with all parties, AACOM has been unable to reach a solution within the House of Medicine.

DO discrimination has a profound effect on our nation's healthcare system because DOs play a critical role in addressing the physician workforce shortage. In 2024, 52.1 percent of matched US DO seniors went into primary care, compared to only 35.6 percent of US MD seniors. **More than 73 percent of DOs practice in the state where they do residency training, so barriers impact rural and primary care access.** Increasing access and improving transparency in the Medicare GME reporting system will enable DOs to more effectively pursue their preferred residency programs and serve the communities that need them most.

## Impact

The FAIR Act increases transparency by establishing two reporting requirements for Medicare-funded GME programs. Failure to report results in a two percent (2%) annual decrease in Indirect Medical Education payments:

- Annual report on the number of DO and MD applicants and accepted residents.
- Affirmation that DO applications and the COMLEX-USA are accepted for consideration.

The FAIR Act does not federalize medical education or impose quotas on any residency program.

Championed by Reps. Harshbarger (R-TN), Pingree (D-ME), Graves (R-MO), Miller (R-WV) and Davis (D-NC) the FAIR Act will help strengthen the physician pipeline, support equitable treatment of DOs and increase access to high-quality, patient-centered healthcare.

### AACOM Requests

- Representatives to cosponsor FAIR Act (H.R. 2314)
- Senate to introduce a companion bill to the FAIR Act.

#### About AACOM

The American Association of Colleges of Osteopathic Medicine (AACOM) leads and advocates for osteopathic medical education to improve the health of the public. Founded in 1898 by the nation's osteopathic medical schools, AACOM represents all 42 colleges of osteopathic medicine — educating more than 36,500 future physicians, 29 percent of all US medical students — at 67 medical school campuses as well as osteopathic graduate medical education professionals and trainees at US medical centers, hospitals, clinics and health systems. **For more information, please contact David Bergman, JD, SVP of Government Relations and Health Affairs, [dbergman@aacom.org](mailto:dbergman@aacom.org) (301) 968-4174.**