

**DECLARATORY RULING OF
THE ALABAMA STATE BOARD OF MEDICAL EXAMINERS**

On July 28, 2026, the Alabama State Board of Medical Examiners (“the Board”) considered a request submitted by Brittany M. Johnson, a fourth-year medical student (“Petitioner”), for a declaratory ruling pursuant to Ala. Code § 41-22-11 and Ala. Admin. Code r. 540-X-1-.10, concerning whether she is a “dual degree candidate” under Ala. Admin. Code r. 540-X-3-.04(1)(a)3-4.

FACTS PRESENTED

Petitioner presents the following factual background¹:

Petitioner is currently a fourth-year medical student at the University of Alabama at Birmingham School of Medicine (“UABSOM”). She is on an approved academic leave of absence from UABSOM to pursue a Ph.D. in medical sciences, with a specialization in cancer biology, at the University of Oxford in the United Kingdom. Petitioner passed USMLE Step 1 in June 2020 and USMLE Step 2 in June 2021. She began her Ph.D. studies at Oxford in October 2021. Because of the timing of her Ph.D. program and subsequent return to complete her M.D. degree at UABSOM, Petitioner is concerned that she may not complete USMLE Step 3 within the seven-year period generally applicable to candidates for licensure under Ala. Admin. Code r. 540-X-3-.04(1)(a)1.

Petitioner has experienced two significant interruptions during her Ph.D. course work that have extended her doctoral timeline. Both interruptions were formally approved by Oxford and classified as suspended terms due to extenuating personal or medical circumstances. In addition to those formally approved suspensions, related health and family-care circumstances caused several

¹ A complete copy of Petitioner’s petition is attached as Attachment A.

shorter disruptions to Petitioner's research progress between 2023 and 2025. In total, these circumstances have resulted in extending her Ph.D. program by 11 months, creating a concern regarding her ability to comply with Ala. Admin. Code r. 540-X-3-.04(1)(a)1.

Petitioner is currently in the final year of her Ph.D. at Oxford and anticipates returning to UABSOM within the next six to nine months. If Petitioner can be considered a dual degree candidate, she will have sufficient time to complete the final stages of her Ph.D., return to UABSOM, graduate, begin residency, and take Step 3 on a timeline consistent with her medical training and consistent with Ala. Admin. Code r. 540-X-3-.04(1)(a)3.

QUESTION PRESENTED

Whether, under Ala. Admin. Code r. 540-X-3-.04(1)(a)3–4, Petitioner may be considered a “dual degree candidate” for purposes of the USMLE examination-completion period, when she is pursuing an M.D. degree from the University of Alabama School of Medicine and a Ph.D. in medical sciences/cancer biology from the University of Oxford in the United Kingdom?

ANSWER

The University of Oxford in the United Kingdom is a world-class research and educational institution and qualifies as an institution recognized by the Board for dual-degree candidates to obtain a Ph.D. degree under Ala. Admin. Code r. 540-X-3-.04(1)(a)3-4. Petitioner is therefore a dual-degree candidate and is eligible to complete the USMLE testing steps within a 10-year timeframe, as provided under Ala. Admin. Code r. 540-X-3-.04(1)(a)3.

DISCUSSION

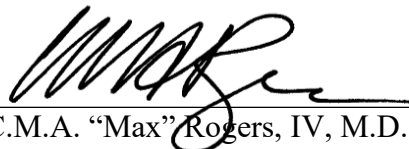
Under Ala. Admin. Code r. 540-X-3-.04(1)(a)1, an applicant for a certificate of qualification must have passed steps 1, 2, and 3 of the USMLE within a seven- year time frame. However, an applicant who is recognized by the Board as a “dual degree candidate” may complete

the USMLE testing steps within a ten-year timeframe to account for and permit completion of certain types of advanced degrees in addition to the medical school degree. Ala. Admin. Code r. 540-X-3-.04(1)(a)3. The Board's rules consider anyone to be a dual degree candidate who: (1) is pursuing the M.D. or D.O. degree; (2) is also pursuing a Ph.D. degree in an institution or program accredited by the LCME and a regional university accrediting body; (3) is a student in good standing, enrolled in the institution or program; and (4) The Ph.D. studies are in a field of biological sciences tested in the USMLE Step 1 content, including, but not limited to anatomy, biochemistry, physiology, microbiology, pharmacology, pathology, genetics, neuroscience and molecular biology. Ala. Admin. Code r. 540-X-3-.04(1)(a)4(i)-(iii).

Petitioner met all the qualifications for a dual-degree candidate at the time of her request for a declaratory ruling, except that the Board had not previously had the occasion to identify the University of Oxford as a qualifying institution for pursuing a Ph.D. degree. The Board now avails itself of this opportunity and so makes this finding.

This ruling is based upon the precise facts presented and upon statutes and rules currently in existence. Should any relevant statutes or rules be amended or repealed, this ruling may no longer be valid.

DONE this 20th day of August, 2026.


C.M.A. "Max" Rogers, IV, M.D.
Chairman
Alabama State Board of Medical Examiners

ATTACHMENT A

Brittany M. Johnson
2173 Highland Avenue S, Apt H1117
Birmingham, Alabama 35205

July 28, 2026

Alabama Board of Medical Examiners
P.O. Box 946
Montgomery, Alabama 36101-0946

Re: Petition for Declaratory Ruling Regarding Alabama Administrative Code Rule 540-X-3-.04(1)(a) — USMLE Examination Period for Dual Degree Candidate

Dear Members of the Alabama Board of Medical Examiners:

I respectfully submit this Petition for Declaratory Ruling pursuant to Alabama Administrative Code rule 540-X-1-.10. I request a written ruling regarding the applicability of Alabama Administrative Code rule 540-X-3-.04(1)(a)3–4 to my specific circumstances as a fourth-year medical student at the University of Alabama at Birmingham School of Medicine (UABSOM) currently on an approved academic leave of absence to pursue a PhD in medical sciences, with a specialization in cancer biology, at the University of Oxford in the United Kingdom.

Specifically, I request that the Board determine whether I may be considered a “dual degree candidate” for purposes of Ala. Admin. Code r. 540-X-3-.04(1)(a)3–4, and therefore subject to the ten-year period for completion of USMLE Steps 1, 2, and 3, rather than the seven-year period applicable to applicants who are not dual degree candidates.

I. Petitioner Information

Petitioner: Brittany Morgan Johnson
Mailing Address: 2173 Highland Avenue S, Apt H1117, Birmingham, AL 35205
Telephone: 404-567-3250
Email: bmjohn7@uab.edu
Current Status: Fourth-year medical student, UAB School of Medicine and final year PhD candidate, University of Oxford
Alabama license or application number, if any: N/A

II. Facts Showing That I Am Substantially Affected

I am currently a fourth-year medical student at the University of Alabama at Birmingham School of Medicine. I am on an approved academic leave of absence from UABSOM to pursue a PhD in medical sciences, with a specialization in cancer biology, at the University of Oxford in the United Kingdom.

I passed USMLE Step 1 in June 2020 and USMLE Step 2 in June 2021. I began my PhD studies at Oxford in October 2021. Because of the timing of my PhD program and subsequent return to complete my MD degree at UABSOM, I am concerned that I may have difficulty

completing USMLE Step 3 by June 2027 if the seven-year period in Ala. Admin. Code r. 540-X-3-.04(1)(a)1 applies to me.

I initially planned to complete my PhD at Oxford within approximately four years, return to UABSOM to complete my remaining three months of clinical rotations, graduate, begin residency, and take USMLE Step 3 during or after my intern year. Under that original timeline, I expected to complete all three Step examinations before June 2027, within the seven-year period.

During my PhD program, however, I experienced two significant interruptions that extended my doctoral timeline. Both interruptions were formally approved by Oxford and classified as suspended terms due to extenuating personal or medical circumstances. First, I suspended my studies for one Oxford term, approximately three months, because of a serious health emergency involving an immediate family member that required me to return to the United States and serve as a primary caretaker. Second, I suspended my studies for one Oxford term, approximately three months, because of a personal health emergency that required me to return to the United States to obtain medical care.

In addition to those formally approved suspensions, related health and family-care circumstances caused several shorter disruptions to my research progress between 2023 and 2025. In total, these circumstances resulted in just over eleven months away from my PhD program and contributed materially to the timing concerns described in this Petition.

At present, I am in the final year of my PhD at Oxford. I anticipate submitting my thesis and returning to UABSOM within the next six to nine months. The June 2027 deadline for completion of all three Step examinations under the seven-year rule is now less than one year away. A ruling that I may be considered a dual degree candidate would allow me to complete the final stages of my PhD, return to UABSOM, graduate, begin residency, and take Step 3 on a timeline consistent with my medical training.

If the Board determines that I may not be considered a dual degree candidate, I may need to substantially compress or alter the final stages of my PhD and medical school timeline in order to attempt Step 3 by June 2027. Alternatively, I may need to repeat at least one previously passed Step examination to extend my eligibility timeline. Either outcome would have significant academic, financial, and professional consequences.

For these reasons, my ability to plan the timing of my return to medical school, graduation from UABSOM, residency training, USMLE Step 3, and future Alabama licensure is substantially affected by the Board's interpretation of Ala. Admin. Code r. 540-X-3-.04(1)(a)3–4.

III. Rule at Issue and Reason for the Question

The rule at issue is Ala. Admin. Code r. 540-X-3-.04 – Examination Requirements.

I understand that Ala. Admin. Code r. 540-X-3-.04(1)(a)1 provides that applicants who are not dual degree candidates must pass USMLE Steps 1, 2, and 3 within a seven-year period, beginning when the applicant initially passes the first Step exam.

I further understand that Ala. Admin. Code r. 540-X-3-.04(1)(a)3 provides that applicants who are dual degree candidates must have completed Steps 1, 2, and 3 within a ten-year period, except that the Board may approve, within its discretion and at the request of the applicant, a longer period not to exceed fifteen years.

Ala. Admin. Code r. 540-X-3-.04(1)(a)4 defines dual degree candidates as applicants who are pursuing the MD or DO degree and the PhD degree in an institution or program accredited by the LCME and a regional university accrediting body, who are students in good standing, and whose PhD studies are in a biological-sciences field tested in USMLE Step 1 content.

My question arises because I am pursuing an MD degree at UAB School of Medicine and a PhD in medical sciences/cancer biology at the University of Oxford. I am a student in good standing and am currently enrolled at both the University of Oxford and UAB School of Medicine. UAB School of Medicine is an LCME-accredited medical school, and my PhD studies are in a field of biological science related to USMLE Step 1 content. However, I am pursuing my PhD at Oxford, an international institution, rather than at the same LCME-accredited institution as my MD program or at a US institution accredited by a regional university accrediting body.

It may be relevant to note that my Oxford degree is funded in part through U.S. federal student loans, as may be the case for graduate study undertaken at eligible institutions in the United States. I understand that federal-loan eligibility is not the same as LCME accreditation or regional university accreditation. However, I respectfully submit that this fact may be relevant to the Board's consideration because it reflects that my PhD program is a formal degree-granting academic course of study and is not an informal or non-degree research experience.

IV. Declaratory Ruling Requested

I respectfully request that the Board issue a declaratory ruling answering the following questions:

1. Whether, under Ala. Admin. Code r. 540-X-3-.04(1)(a)3–4, I may be considered a “dual degree candidate” for purposes of the USMLE examination-completion period, where I am pursuing an MD degree from UAB School of Medicine and a PhD in medical sciences/cancer biology from the University of Oxford while on an approved academic leave of absence from UABSOM.
2. If the Board determines that my Oxford PhD pathway does not automatically fall within the definition of “dual degree candidate” in Ala. Admin. Code r. 540-X-3-.04(1)(a)4, whether the Board may nevertheless review my specific circumstances and approve application of the ten-year period in Ala. Admin. Code r. 540-X-3-.04(1)(a)3.

3. If the Board determines that I may be considered a dual degree candidate, whether my USMLE examination period would be calculated as ten years beginning from my initial passing score on USMLE Step 1 in June 2020, such that I would be required to complete USMLE Step 3 by the applicable deadline in 2030, subject to all other requirements of the rule.
4. If the Board determines that I may not be considered a dual degree candidate, whether the seven-year period in Ala. Admin. Code r. 540-X-3-.04(1)(a)1 applies to me, and how the Board would calculate the applicable deadline based on my June 2020 Step 1 passing date, including the rule's statement that the period is determined on a calendar-year-to-calendar-year basis.

V. Position of the Petitioner

I respectfully request that the Board consider my circumstances as consistent with the purpose of the dual degree provision. I am pursuing both an MD degree and a PhD in a biological-sciences field directly related to cancer biology and medical science. My leave of absence from UAB School of Medicine was approved by UABSOM's Student Academic Standing Committee for the purpose of completing this PhD training, and my delay in completing USMLE Step 3 is directly related to the additional academic training required by the PhD program.

Although I am completing my PhD at the University of Oxford rather than at a U.S. institution regionally accredited in the United States, my doctoral program is a formal degree-granting PhD program at an internationally recognized university.

In addition, the timing issue prompting this Petition is not the result of lack of diligence. Rather, it reflects the inherent uncertainty of lab-based doctoral research, the difficulty of predicting the exact timeline for completion of a PhD, two temporary Oxford suspensions related to serious health and family-care circumstances, and shorter related disruptions to my research progress.

I recognize that Ala. Admin. Code r. 540-X-3-.04(1)(a)4 refers to an institution or program accredited by the LCME and a regional university accrediting body, and I understand that Oxford is an international institution rather than a U.S. institution accredited by the LCME or a regional university accrediting body. For that reason, I am not asking the Board to assume that the rule applies automatically. Rather, I respectfully request a declaratory ruling on whether the rule applies to my circumstances, or whether the Board has discretion to approve application of the ten-year period to my circumstances.

VI. Requested Relief

For the reasons above, I respectfully request that the Board issue a written declaratory ruling stating:

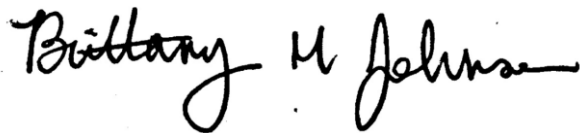
1. Whether I qualify as a dual degree candidate under Ala. Admin. Code r. 540-X-3-.04(1)(a)3–4;

2. Whether the ten-year USMLE completion period may apply to my circumstances;
3. If the Board determines that I do not qualify as a dual degree candidate, whether the seven-year period applies and how the Board would calculate the applicable deadline based on my June 2020 Step 1 passing date, including the rule's statement that the period is determined on a calendar-year-to-calendar-year basis; and
4. Whether any additional documentation is required for the Board to review my circumstances.

I would be happy to provide supporting documentation regarding my enrollment status, approved academic leave, Oxford student status, USMLE examination dates, or Oxford-approved suspensions if the Board determines that such documentation would assist its review.

Thank you very much for your time and consideration.

Respectfully submitted,

A handwritten signature in black ink that reads "Brittany M. Johnson". The signature is written in a cursive, flowing style.

Brittany M. Johnson