

# DECLARATION OF MELANIE DE LEON

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**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON**

STATE OF WASHINGTON and  
STATE OF MINNESOTA,

Plaintiffs,

v.

CIVIL ACTION NO. 2:17-cv-00141-JLR

DONALD TRUMP, in his official  
capacity as President of the United  
States; U.S. DEPARTMENT OF  
HOMELAND SECURITY; JOHN F.  
KELLY, in his official capacity as  
Secretary of the Department of  
Homeland Security; REX W.  
TILLERSON, in his official capacity  
as Acting Secretary of State; and the  
UNITED STATES OF AMERICA,

Defendants.

Pursuant to 28 U.S.C. § 1746(2), I, Melanie de Leon, hereby declare as follows:

1. I am the Executive Director of the Washington State Medical Quality Assurance Commission (“Medical Commission”) and have personal knowledge of the facts set forth in this declaration.
2. The Medical Commission regulates all allopathic physicians and physician assistants practicing on Washington patients through licensing, discipline, rulemaking and education.

- 1 3. The Medical Commission's mission, as set forth in statutes RCW 18.71 and 18.71A, is to  
2 protect public health and promote the integrity of the profession. The health and well-being  
3 of the people of Washington are of paramount importance and the conduct of those licensed  
4 to practice medicine and surgery in this state plays a vital role in preserving this health and  
5 well-being.
- 6  
7 4. As of February 24, 2017, the Medical Commission regulated 27,001 physicians whose  
8 licenses are in active status. Information regarding the applicant's country of birth is not  
9 available prior to 2008, and is only captured on the original licensing application, not  
10 subsequent renewals; therefore reported statistics involving this information may  
11 underrepresent the true numbers of applicants or licensees from any given location, either  
12 inside or outside of the United States.
- 13  
14 5. The Presidential Executive Order dated January 27, 2017 ("Presidential Order") impacts the  
15 ability of individuals generally from the affected countries to travel to the United States or,  
16 if currently in the United States, to temporarily return to their home countries. It also  
17 impacts the ability of their family members to travel to the United States, or if they are here,  
18 to return home.
- 19  
20 6. Based upon licensing data gathered after 2008, 2191 licensees indicated on their  
21 application that they were born outside the United States. It is not clear when or at what  
22 age any such individuals may have immigrated to the United States. Of the physicians  
23 who were born outside of the United States, the Medical Commission currently licenses  
24 105 physicians who were born in one of the seven countries that are named in the  
25 Presidential Order, with seven additional licenses pending approval. These licensees  
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1 include 67 physicians born in Iran, nine physicians born in Iraq, four physicians born in  
2 Libya, two physicians born in Somalia, one physician born in Sudan, and 22 physicians  
3 born in Syria.

4 7. The Medical Commission also issues limited licenses for residents, fellows and  
5 teaching and research.

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- 7 a. Residency licenses are issued to physicians who have completed all of the  
8 requirements for licensure except for completion of two years of postgraduate  
9 training and have been appointed as a resident physician in a program of  
10 postgraduate clinical training in Washington. The Medical Commission has  
11 issued active limited licenses to six applicants from Iran, two applicants from  
12 Iraq, one applicant from Somalia, and one applicant from Sudan.
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- 14 b. Upon nomination by the dean of the school of medicine of the University of  
15 Washington or the chief executive officer of any hospital or appropriate health  
16 care facility licensed in the state, the Medical Commission may issue a limited  
17 license to an applicant selected by its designated sponsoring institution to be  
18 enrolled in one of its designated departmental or divisional fellowship  
19 programs. Fellowship programs provide focused training in a narrow specialty  
20 area. There is currently one active fellowship license issued to an applicant  
21 from Iran.
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- 23 c. Upon nomination by the dean of the school of medicine of the University of  
24 Washington or the chief executive officer of any hospital or appropriate health  
25 care facility licensed in the state, the Medical Commission may issue a limited  
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1 license to a physician applicant invited to serve as a teaching-research member  
2 of the institution's instructional staff. There is currently one active teaching and  
3 research license issued to a physician born in Iran and one pending application  
4 for a teaching-research license for a physician born in Libya.

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6 8. The Medical Commission has found it appropriate under its statutory authority to license  
7 applicants who may have completed all or a portion of their medical training in international  
8 settings. Based upon census data gathered in October 2016, the Medical Commission has  
9 3037 licensees who were internationally trained. Of this number, 45 active licensees  
10 received all or part of their medical education in Iran, 12 active licensees from Iraq, two  
11 active licensees from Libya, three active licensees from the Sudan, 27 active licensees from  
12 Syria and one active licensee from Yemen.

13 I declare under penalty of perjury that the foregoing is true and correct.

14 Executed on this 28<sup>th</sup> day of February, 2017

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17 Melanie de Leon, JD, MPA  
18 Executive Director  
19 Medical Quality Assurance Commission  
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