

**INTERSTATE MEDICAL LICENSURE COMPACT
COMMISSION
Salt Lake City, UT
December 18, 2015**

The second meeting of the Interstate Medical Licensure Compact Commission convened at 8:05 AM with a call to order by Chairman Ian Marquand (MT).

Roll Call was completed by Secretary Shepard (WV) with 100% attendance of the eleven (11) member states. Karen Silas was named by Commissioner Smith (AL) to serve in his absence today and Commissioner McGill (WY) joined by teleconference.

Invited guests included: Rick Masters from The Council of State Governments and Colmon Elridge from The Council of State Governments National Center for Interstate Compacts. The public audience consisted of representatives from the AOA, AMA, the states of Utah, Illinois and Georgia and Kay Taylor from the FSMB who has been serving as the Commission's on-site coordinator. Also joining by teleconference was Lisa Robin, Jonathan Jagoda and Humayun J. Chaudhry, D.O., from the FSMB; Randall Manning from the FSMB Foundation and Mark Lane from the Federation of State Boards of Physical Therapy.

Agenda:

The draft agenda was presented for review. On a motion by Commissioner Bohnenblust (WY) and seconded by Commissioner Martinez (MN) the agenda was approved by voice vote as presented.

Minutes:

The minutes from the inaugural meeting of October 27, 2015 were presented with recommended revisions received by the Secretary after the posting of the draft minutes. On a motion by Commissioner Feist (MT) and seconded by Vice Chairman Thomas (MN), the minutes were unanimously approved by voice vote with all recommended revisions included.

The inaugural minutes were very specific and detailed for clear understanding of the discussions held and decisions made. Future recording of minutes will only reflect motions and decisions made and how those votes were taken. Details of discussion will be made available via the digital recording of the meetings. The Communications Committee will establish a consistent style for all Commission communications.

Committee Reports:

The following committee reports were made by their respective chairs. Unless noted below, reports were received as information only but Commissioners and the public were allowed comments on each report.

Coordinating Committee:

Chairman Marquand (MT) shared the report of the Coordinating Committee. The majority of the report dealt with the planning for the December meeting of the Commission, including the request for Kay Taylor from FSMB to serve as the coordinator. The committee also addressed the following:

- 1) Seating of any new member states within the public gallery, not at the Commissioners' table. Upon official appointment to the Commission, those new Commissioners will take their seat at the table.
- 2) The Chairman of the Commission should be the face and voice for the Commission for those outside communications requiring an immediate response from the Commission.

- 3) No recommendations were made by the Coordinating Committee regarding more complex communications as the Communications Committee was scheduled to meet the following day.

Bylaws/Rules
Committee:

The Bylaws/Rules Committee met three times since the first meeting of the Commission and was led by Chairman Bowden (IA). Commissioner Martinez (MN) presented the following recommended changes:

- 1) Grammatical and language changes:
- 2) Establishment of an Executive Committee in Article VII, Section 1:
- 3) Establishment of Advisory Committees as sub-committees of the Commission, therefore, not requiring public meeting notices;
- 4) Prohibit Commission voting by ballot with approval of four (4) forms of voting:
 - a) Voice Vote
 - b) Roll Call Vote
 - c) Non-Audible Vote
 - d) Consensus Vote

Following much discussion regarding “advisory” committees and a roll call vote on secret balloting and several motions and motion withdrawals, a motion was made by Commissioner Schneider (IL) and seconded by Commissioner Goetter (AL) recommending the following:

Acceptance of the report and recommendations of the Bylaws/Rules Committee with the following specific changes:

- 1) *Delete all “advisory” references.*
- 2) *Article VI, Section 4 – Delete “Ballot votes are prohibited” and replace with “Ballots are allowed only for the election of officers.”*
- 3) *Article VII, Section 2 – Revise first sentence to read as follows: “The Commission may establish such Committees as it deems necessary to advise it concerning the fulfillment of its objectives, which may include, but not be limited to,*
- 4) *Article VII, Section 2 - Delete “No officer of the Commission or immediate past chairperson of the Commission shall concurrently serve as a chairperson on a Committee.”*
- 5) *Article VII, Section 2 – Revise last sentence to read, “Committees created under this Article VII, Section 2 are not subject to the requirements of Article VI under these bylaws.”*

The motion was approved unanimously by roll call vote.

A motion was made by Commissioner Schneider (IL) and seconded by Vice Chair Thomas (MN) to request the Bylaws/Rules Committee look into the development of a process for dissolution of the Compact and how assessments, if assessed, would be disseminated. This should be reported back to the full Commission. Motion passed by voice vote.

Chairman Marquand called for a 20 minute recess at 9:40 AM. The Commission re-convened at 10 AM.

The Bylaws/Rules Committee continues to work on the promulgation of rules and, at this time, presented a Conflict of Interest Policy, an amendment to the adoption of rules and a procedure for the Commission's acceptance of gifts. Chairman Bowden (IA) asked Commissioner McGill (WY) to walk the Commission through the recommendations.

Motion made by Chairman Bowden (IA) for the adoption of the Conflict of Interest Policy and seconded by Commissioner Clark (IA).

With discussion about definition of "tangential" and "deminimis" gifts, the motion to adopt the Conflict of Interest Policy was withdrawn and the policy sent back to the Bylaws/Rules Committee for more in depth study and reflection.

The Committee was asked to review rules for parliamentary procedures and whether Roberts Rules of Order, which is currently required by the Commission Bylaws, is the best rule to follow. Discussion ensued on whether the Commission should appoint a Parliamentarian to assist in clarifying parliamentary procedures or obtain legal counsel on the same.

No further action was taken on the Bylaws/Rules Committee report.

Budget Committee:

Chairman Zachariah (IL) presented two policies for review and approval. Motion was made by Chairman Zachariah (IL) to establish a checking account at a national bank which shall have a local branch in at least one member state and to give authority to the Commission Treasurer to deposit funds on behalf of the IMLCC and to disperse funds on behalf of the IMLCC up to one thousand (1,000) dollars on his sole authorization. Any deposit greater than one thousand (1,000) dollars would require authorization of both the Treasurer and the Chairperson of the Interstate Medical Licensure Compact Commission. The motion was seconded by Commissioner Thomas (MN).

The motion carried unanimously by voice vote.

Chairman Zachariah (IL) presented a proposed six month budget with an income of \$1,000 from a donation made to the Commission and an expense budget of \$176,926.05. The proposed budget was presented for informational purposes only. No action needed.

Until a home office has been established for the Commission with the hiring of an Executive Director, the Commission Secretary, along with the office of Central State Governments, will maintain all policies approved by the Commission.

Funding Committee:

Chairman Thomas (MN) presented two (2) action items to the Commission.

- 1) Permission to explore incorporating the IMLCC as a 501 (c) 3 to benefit directly from possible grant funding while also looking at other options available for government agencies.

- 2) Recommend that the IMLCC work with FSMB in applying for the HRSA License Portability Grant equaling \$250,000 a year for a three year duration. This application could be done three different ways but has a deadline of 01-19-16.
 - A) As a block grant;
 - B) The IMLCC could ask FSMB to assist in the application process for the IMLCC;
 - C) The FSMB could apply for the HRSA grant as a pass through for the IMLCC.

Motion was made by Chairman Thomas (MN) and seconded by Commissioner Cousineau (NV) to ask FSMB to work with the Commission on the most prudent process to apply for the HRSA grant.

Motion was unanimously passed with voice vote.

Commissioner Schneider (IL) moved to appoint the Funding Committee to work with FSMB in the drafting of the application for the HRSA grant. Motion seconded by Commissioner Longo (NV).

Motion was unanimously passed with voice vote.

Commissioner Schneider (IL) moved to request Chairman Marquand (MT) to write a letter on behalf of the Commission for the grant. Motion was seconded by Commissioner Goetter (AL).

Motion unanimously passed with voice vote.

Chairman Marquand (MT) recognized Randall Manning in attendance via telephone from the FSMB Foundation. Mr. Manning announced that grants are available, upon request, to any states for IMLC start up monies. Letters requesting grant monies should be sent directly to the Foundation.

Motion was made by Commissioner Hansen (SD) to ask the Commission Chairman to write a letter to the Foundation requesting a grant for the IMLCC. When asked by the Chairman if the motion contained a dollar amount, Commissioner Hansen requested the motion ask for funds to support the Commission. Motion was seconded by Commissioner Feist (MT).

A voice vote was taken with indecisive results. The Chairman asked for a show of hands with the results showing 13 Yes and 8 No. Chairman Marquand abstained. The motion carried.

Mr. Masters has to leave the meeting early today and Chairman Marquand requested permission to allow Mr. Masters to present his portion of the report from The Council of State Governments Conflict Waiver Agreement with disclosures. The agreement has been signed by the President and CEO of the Federation of State Medical Boards, Humayun J. Chaudhry, D.O.

Motion was made by Commissioner Martinez (MN) and seconded by Vice Chairman Thomas (MN) to authorize the Commission Chairman to sign the Conflict Waiver Agreement presented by Mr. Masters.

The motion was unanimously passed by voice vote.

Personnel Committee: The committee recommends a change to the Bylaws, Article IV, Section 2, "Duties of the Executive Director." A sub-section "k" is requested to , "seek and assist in acquisition of financial grants."

Motion was made by Vice Chair Thomas (MN) and seconded by Commissioner Schaecher (UT) to approve the Bylaws change to add sub-section "k" to Article IV, Section 2.

Original motion was withdrawn and a motion to refer this change to the Bylaws/Rules Committee for consideration was made by Commissioner Knittle (WV) and seconded by Commissioner Goetter (AL).

Motion unanimously passed with voice vote.

Chairman Marquand (MT) requested a brief recess and asked the Commission to reconvene for a working lunch with Lisa Robin's report from Federation of State Medical Boards. Ms. Robin provided an update on the status of the current HRSA grant monies. To date, the Commission has operated under budget as established with the HRSA grant.

Technology Committee:

The Technology Committee approached their job by surveying all member states to identify a required minimal data set for each member state's licensing process. Great consistency was found between the member states and was determined to be the initial starting point in the development of a minimal data set. It was also determined the initial licensing process and data flow should be given priority over the renewal process.

As the process moves forward, the Technology Committee, as well as all Commission appointed committees, should work closely with the Bylaws/Rules Committee to insure rules are developed to assist with the objectives as each committee does its work. The Commission requested Mr. Masters, from CSG, to work with the Technology Committee as they continue their work.

While the Federation of State Medical Boards already has a compilation of state boards data, Commissioners felt additional information would be needed from FSMB before our technology needs are more definitively identified. It was the consensus of the Commission to invite Michael Dugan, Chief Information Officer of the FSMB, to the next meeting of the IMLCC to discuss this further.

Communications Committee:

The first two objectives of the committee were to:

- 1) Provide consistent, uniform communication to and from the IMLCC through all communication mediums;
- 2) Development of a dedicated IMLC website.

To meet their objectives, the committee presented a Communications Policy to address and prioritize outside requests for information and to report back to the Commission. They also designed a letterhead format for IMLCC correspondence and a power point presentation with talking points for presentations on the IMLCC. A request was made to move all contact information from the top of the letterhead to the bottom, until a Commission office has been identified.

The committee will continue to work on the development/management of a dedicated website for the IMLC.

The Commission Chairman was invited and participated in a roundtable discussion on the IMLC sponsored by the FSMB. There were over 40 participants from across the United States who participated.

Chairman Marquand (MT) called for a 15 minute recess and reconvened to vote on a recommendation from the Communications Committee.

Motion was made by Vice Chair Thomas (MN) and seconded by Commissioner Schaecher (UT) to accept the Communications Committee's "triage" process to prioritize incoming requests. Motion passed by unanimous voice vote.

Correspondence Requests:

The following communication requests were reviewed:

- 1) AMA – Requested clarification on the Maintenance of Certification requirement for renewal of license within the compact. Motion was made by Commissioner Hansen (SD) and seconded by Commissioner Lawlor (ID) to answer by stating the IMLC currently has no requirement for board certification upon renewal. That issue is deferred to individual state requirements at time of renewal. Board certification is currently required at time of initial licensure only.

The motion unanimously passed by voice vote. The AOA requested the same written response be sent to their organization recognizing Osteopathic Continued Certification as only being required at initial licensure.

- 2) A letter has been received from the Nurse Licensure Compact Administrators offering congratulations and offering their assistance. The Chair will acknowledge the letter on behalf of the IMLCC.
- 3) An invitation to participate in a research study on medical licensing has been received from Licentiam, Inc. A motion was made by Commissioner Schaecher (UT) and seconded by Vice Chair Thomas (MN) to decline the invitation.
- 4) An invitation to speak at their annual meeting in Kissimmee, Florida, has been received from the National Association of Locum Tenens Organizations and the National Association of Physician Recruiters at their expense.

Motion was made by Treasurer Zachariah (IL) and seconded by Commissioner Carpenter (SD) to authorize Chairman Marquand (MT) to speak at the national meeting in March 2016 using the current power point presentation. The motion unanimously passed by voice vote.

Public Comments: The meeting was opened for public comments. The AMA representative acknowledged that they are interested in the sharing of data whether it be through RFP or other means.

Report of Council of State Governments: Report from Council of State Governments was received from Colmon Elridge. He acknowledged the work of the Commission is being closely watched on a national level and he applauded the progress made by the Commission to date. He spoke to the work ethic of Mr. Masters and expressed his appreciation to the Commission for the signing of the Conflict of Interest Waiver. Mr. Elridge presented the work plan as it was submitted for the current HRSA grant and offered it to the Commission for their consideration.

The Commission expressed their thanks to Mr. Elridge, from CSG and Kay Taylor from the FSMB for their assistance in handling the administrative functions for these Commission meetings. Secretary Shepard requested guidance on where the digital recordings of each Commission meeting should be made available. Motion was made by Commissioner Hansen (SD) and seconded by Commissioner Feist (MT) to upload the digital recordings to the "Knowledge" section of the CSG website with a link to all member state websites until such time as the Commission has a dedicated website. The motion unanimously passed by voice vote.

Work Plan and Time Line Development: Chairman Marquand (MT) noted that Commissioner Schaecher (UT) had left the first Commission meeting prior to the committee assignments being made. He was asked if he wished to serve on a committee and he agreed to be added to the Bylaws/Rules Committee.

The Commission was asked by its Chair to establish what they wanted to accomplish over the next 60 days. The list was set as follows:

- 1) The Technology Committee should meet with Michael Dugan from the FSMB prior to the next Commission meeting to outline a strategic plan for information technology;
- 2) Remote conferencing will be made available for all committees;
- 3) Budget and Funding Committees will work on the HRSA Grant for submission by the January 19, 2016 deadline;
- 4) Bylaws/Rules Committee will work and report on the following issues by the next Commission meeting;
 - a) Conflict of Interest
 - b) Gifts
 - c) Rulemaking
 - d) Add "k" duty for Executive Director Position
 - e) Rules on Policies and Policy Making
- 5) Chairman Marquand (MT) will draft a letter to the FSMB Foundation for presentation at the next Commission meeting;
- 6) For the telehealth community in support of the IMLC, the Commission Chair will reach out for cooperation and dialogue;
- 7) Communication Committee was requested to provide a pilot presentation at the next Commission meeting just for the Commissioners;
- 8) The Commission Chair will contact the FSMB about making a presentation at the Annual FSMB meeting;

- 9) The tabled motion on establishing a July 1, 2016 licensing deadline was withdrawn by Commissioner Steinagle (UT);
- 10) An orientation program will be developed by the Communication Committee with the assistance of CSG, for new commissioners;
- 11) Commission Secretary will contact any new commissioners with a letter of welcome and request a copy of their appointment letter;

A motion was made by Commissioner Hansen (SD) and seconded by Commissioner Steinagle (UT) to ask the Executive Committee to prepare a work plan for submission with the HRSA Grant and present it to the Commission as a working document at the next Commission meeting. The motion carried with voice vote.

Because an Executive Committee has been created at this meeting of the IMLCC, a motion was made by Vice Chair Thomas (MN) and seconded by Commissioner Goetter (AL) to dissolve the Coordinating Committee. However, Commissioner Lawler (ID) reminded members of the 30 day notice required prior to the Executive Committee meeting. Vice Chair Thomas (MN) withdrew his motion.

Next Meeting: The next meeting of the Commission will be held on March 31, 2016, beginning at 1:00 PM and through April 1, 2016, until 1:00 PM. The State of Minnesota has agreed to host the March 31st meeting with a possible gathering time for new commissioners prior to the 1:00 PM meeting.

Public Comments: Opportunity was given for those in the audience to make comments on the work of the Commission, but none were made.

Press Release: Communications Committee was asked to prepare a press release following this meeting. Commission Secretary will work with Communications Committee to develop a summary to member boards, CSG and FSMB for public consumption.

Adjournment: Chairman Marquand declared the meeting adjourned at 4:05 PM.

Respectfully submitted,

Diana Shepard, CMBE
Commission Secretary