January 19, 2017

TO: Interstate Medical Licensure Compact Commissioners

FR: IMLCC Bylaws & Rules Committee

RE: Seeking commissioners’ comments on proposed rule on renewal of an expedited license issued

Pursuant to the Interstate Medical Licensure Compact Commission’s administrative rule 1.4(b), the Bylaws and Rules Committee is seeking review and comments from all commissioners on the following proposed amendments to Administrative Rule Chapter 3 and Chapter 5 to express the expedited licensure renewal process set forth in Section 7 of the Interstate Medical Licensure Compact. The proposed rulemaking consists of three parts:

Item 1. A new subrule, 5.8, which expresses the renewal process consistent with Section 7 of the Compact legislation.

Item 2. An amendment to 5.2(ee) to update the definition of service fee to include a service fee for expedited licensure renewal. Amendment ensures consistency in definition of a service fee.

Items 3, 4, 5. Amendments to Chapter 3 - Fees to update definition of service fees to include a service fee for expedited licensure renewal. Ensures consistency in definition of a service fee.

The draft rulemaking establishes that the Interstate Medical Licensure Compact Commission may collect a service fee for services rendered by the commission in the expedited licensure renewal process. The amount of this service fee will be determined before the Commission votes to adopt the rule.

The Bylaws and Rules Committee will receive comments from commissioners about the proposed rulemaking through January 28, 2017. Send comments by e-mail to mark.bowden@iowa.gov Comments will be posted on licenseportability.org as they are received.

The Bylaws and Rules Committee will consider commissioners’ comments and prepare a final draft and present it to initiate the formal rulemaking at the Commission’s teleconference on February 22, 2017.
ITEM 1. Adopt the following new subrule 5.8:

**5.8 Expedited licensure renewal and continued participation.**

**5.8(1)** At least 90 days in advance of the expiration date of an expedited license, the Interstate Commission shall notify the physician by e-mail of the pending expiration and provide information on the process to renew the expedited license. The e-mail notice shall be sent to the address specified in rule 2.2. The physician is responsible for renewing the expedited license prior to its expiration. Failure of the physician to receive a renewal notice does not relieve the physician of responsibility for renewing the expedited license through the Interstate Commission.

**5.8(2)** The physician shall complete an online renewal application on a form provided by the Interstate Commission.

**5.8(3)** The physician shall attest on an online form provided by the Interstate Commission the following:

a. Maintains a full and unrestricted medical license in a state of principal license.
b. Has not been convicted, received adjudication, deferred adjudication, community supervision, or deferred disposition for any offense by a court of appropriate jurisdiction.

c. Has not had a license authorizing the practice of medicine subject to discipline by a licensing agency in any state, federal, or foreign jurisdiction, excluding any action related to nonpayment of fees related to a medical license.

d. Has not had a controlled substance license or permit suspended or revoked by a state or the United States drug enforcement administration.

e. Complies with all continuing professional development or continuing medical education requirements for renewal of a medical license issued by a member state.

5.8 (4) The Interstate Commission may verify that the physician satisfies renewal requirements in 5.8(3).

5.8(5) The Interstate Commission may collect a service fee from the physician for renewal of an expedited license issued through the Compact. The Interstate
Commission shall retain 100 percent of this service fee for renewal of an expedited license.

5.8(6) The Interstate Commission shall collect any renewal fees charged for the renewal of an expedited license and distribute the fees to the applicable member board.

5.8(7) Upon receipt of any renewal fees collected in 5.8.(6), a member board shall renew the physician’s expedited license.

5.8(8) After the expedited license is renewed the member state may collect additional information from the physician related to that state’s specific requirements for license renewal.

5.8(9) Physician information collected by the Interstate Commission during the renewal process will be available or provided as appropriate to all member boards.

5.8(10) A physician who seeks to renew an expedited license after its expiration date may be subject to any and all penalties, terms and conditions for licensure renewal established by the member state that issued the expedited license.
ITEM 2. Amend 5.2 as follows:

5.2 Definitions

"Service fee" means fees that may be assessed by the Interstate Commission or the state of principal license, or both, to handle and process an application for a letter of qualification, or the issuance of an expedited license through the Compact, or the renewal of an expedited license through the Compact. A service fee is not a license fee for the issuance of an expedited license or the renewal of an expedited license.

ITEM 3. Amend 3.2 as follows:

3.2 Definitions

"Service fee" means fees that may be assessed by the Interstate Commission, or the state of principal license, or both, to handle and process an application for a letter of qualification, or the issuance of an expedited license through the Compact, or the renewal of an expedited license through the Compact. A service fee is not a license fee for the issuance of an expedited license or the renewal of an expedited license.

ITEM 4. Amend 3.4 as follows:

3.4 Letter of qualification Service fees
ITEM 5. Adopt the following new subrule, 3.4(3):

3.4(3) A non-refundable service fee of $00.00 shall be assessed to the physician for each expedited license renewed through the Compact.

a. Payment shall be made by electronic means to the Interstate Commission. 100 percent of this service fee shall be deposited in the Interstate Commission’s general fund.