

1 **January 19, 2017**

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3 **TO: Interstate Medical Licensure Compact Commissioners**

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5 **FR: IMLCC Bylaws & Rules Committee**

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7 **RE: Seeking commissioners' comments on proposed rule on renewal of an**
8 **expedited license issued**

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

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

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

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

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

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33 **The Bylaws and Rules Committee will receive comments from**
34 **commissioners about the proposed rulemaking through January**
35 **28, 2017. Send comments by e-mail to mark.bowden@iowa.gov**
36 **Comments will be posted on licenseportability.org as they are**
37 **received.**

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39 The Bylaws and Rules Committee will consider commissioners' comments and
40 prepare a final draft and present it to initiate the formal rulemaking at the
41 Commission's teleconference on February 22, 2017.

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HERE IS THE PROPOSED RULEMAKING

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ITEM 1. Adopt the following new subrule 5.8:

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5.8 Expedited licensure renewal and continued participation.

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5.8(1) At least 90 days in advance of the expiration date of an expedited license,

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the Interstate Commission shall notify the physician by e-mail of the pending

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expiration and provide information on the process to renew the expedited license.

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The e-mail notice shall be sent to the address specified in rule 2.2. The physician is

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responsible for renewing the expedited license prior to its expiration. Failure of

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the physician to receive a renewal notice does not relieve the physician of

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responsibility for renewing the expedited license through the Interstate

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Commission.

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5.8(2) The physician shall complete an online renewal application on a form

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provided by the Interstate Commission.

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

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Commission the following:

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a. Maintains a full and unrestricted medical license in a state of principal license.

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65 **b.** Has not been convicted, received adjudication, deferred adjudication,
66 community supervision, or deferred disposition for any offense by a court of
67 appropriate jurisdiction.

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

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

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

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80 **5.8 (4)** The Interstate Commission may verify that the physician satisfies renewal
81 requirements in 5.8(3).

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83 **5.8(5)** The Interstate Commission may collect a service fee from the physician for
84 renewal of an expedited license issued through the Compact. The Interstate

85 Commission shall retain 100 percent of this service fee for renewal of an expedited
86 license.

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88 **5.8(6)** The Interstate Commission shall collect any renewal fees charged for the
89 renewal of an expedited license and distribute the fees to the applicable member
90 board.

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92 **5.8(7)** Upon receipt of any renewal fees collected in 5.8.(6), a member board shall
93 renew the physician's expedited license.

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95 **5.8 (8)** After the expedited license is renewed the member state may collect
96 additional information from the physician related to that state's specific
97 requirements for license renewal.

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99 **5.8(9)** Physician information collected by the Interstate Commission during the
100 renewal process will be available or provided as appropriate to all member boards.

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102 **5.8 (10)** A physician who seeks to renew an expedited license after its expiration
103 date may be subject to any and all penalties, terms and conditions for licensure
104 renewal established by the member state that issued the expedited license.

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106 **ITEM 2. Amend 5.2 as follows:**

107 **5.2 Definitions**

108 *ee. “Service fee”* means fees that may be assessed by the Interstate Commission or
109 the state of principal license , or both, to handle and process an application for a
110 letter of qualification, or the issuance of an expedited license through the Compact,
111 or the renewal of an expedited license through the Compact. A service fee is not a
112 license fee for the issuance of an expedited license or the renewal of an expedited
113 license.

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115 **ITEM 3. Amend 3.2 as follows:**

116 **3.2 Definitions**

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118 *“Service fee”* means fees that may be assessed by the Interstate Commission, or
119 the state of principal license, or both, to handle and process an application for a
120 letter of qualification, or the issuance of an expedited license through the Compact,
121 or the renewal of an expected license through the Compact ~~or both~~. A service fee
122 is not a license fee for the issuance of an expedited license or the renewal of an
123 expedited license.

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125 **ITEM 4. Amend 3.4 as follows:**

126 **~~3.4 Letter of qualification~~ Service fees**

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128 **ITEM 5. Adopt the following new subrule, 3.4(3):**

129 **3.4(3)** A non-refundable service fee of \$00.00 shall be assessed to the physician for
130 each expedited license renewed through the Compact.

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