

INTERSTATE MEDICAL LICENSURE COMPACT COMMISSION
EXECUTIVE COMMITTEE

Conference Call
July 9, 2024

MEETING MINUTES

Call to Order
Chair Silas (AL)

The Executive Committee of the Interstate Medical Licensure Compact Commission convened at 3:02 pm, Eastern Time via conference call. The meeting was called to order by Chair Silas (AL).

Roll Call
Secretary Smith

The roll was called, and a quorum was established.

Members Present

Commissioner Silas (AL) - Commission Chair
Commissioner Manahan (MN) - Commission Vice Chair
Commissioner Cleveland (MS) - Treasurer and Chair of the Budget Committee
Commissioner Spangler (WV) - Past Chair
Commissioner Rodman (KY) - Chair of the Communications Committee
Commissioner Herlihy (VT) - Chair of the Personnel Committee
Commissioner Bohall (AZ) - Chair of the Rules and Administrative Procedures Committee
Commissioner Hunthausen (MT) - Chair of the Technology Committee

Members Absent

None

Staff Present

Keyla Blanco, Controller; David Clark, Operations Manager; Rick Masters, Legal Counsel; Matthew Robison, IT Manager; Marschall Smith, Executive Director

Other commission members and members of the public

Commissioner Douglas Smith (MD)

Approval of agenda
Chair Silas (AL)

An amended agenda was provided to the members prior to the meeting.

MOTION

MOVED BY COMMISSIONER MANAHAN (MN), SECONDED BY COMMISSIONER HUNTHAUSEN (MT), TO APPROVE THE AMENDED AGENDA.

MOTION PASSED

UNANIMOUS

Approval of the minutes
Executive Director Smith

The draft minutes of the June 11, 2024 was provided to the members prior to the meeting.

MOTION

MOVED BY COMMISSIONER MANAHAN (MN) SECONDED BY COMMISSIONER SPANGLER (WV), TO APPROVE THE JUNE 11, 2024 MEETING MINUTES.

MOTION PASSED

UNANIMOUS

Budget Committee
Treasurer Cleveland (MS)

The committee will be meeting quarterly until the work for the FY2026 budget starts in January. The next meeting is scheduled for September/October 2024. The following report was provided:

- The fiscal year ended on June 30, 2024, the books are being closed and balanced with the anticipation of starting the audit in early August.
- Work is taking place to better understand “pass-through” costs.

Communication Committee
Commissioner Rodman (KY)

The committee has not met since the last executive committee meeting. The next meeting of the committee is July 30, 2024.

Personnel Committee
Commissioner Herlihy (VT)

The committee has not met since April 1, 2024.

The executive director’s performance evaluation has been completed and provided to the Chair to be finalized.

Rules & Administrative Procedures Committee
Commissioner Bohall (AZ)

The committee held an in-person meeting on June 17th in Washington, DC. The following report was provided:

- The committee decided that it will hold an in-person meeting 2X per year to facilitate discussion.
- IMLC Policy #1 - the committee considered comments and input, a general discussion was held and modifications made to the original document. The revised IMLC Policy #1 was adopted and has been referred to the Executive Committee for action.
- IMLC Policy #12 - the committee considered comments and input, a general discussion was held and modifications made to the original document. The revised IMLC Policy #12 was adopted and has been referred to the Executive Committee for action.
- IMLC Policy #13 - the committee considered comments and input, a general discussion was held and the committee determined to take no action on the policy, instead the committee determined that the issues covered in the proposed policy would best be address via an Administrative Procedure. The draft procedure will be considered at the next meeting.
- IMLC Bylaws III - the comments received from commissioners and the public were considered by the committee. A discussion was held and a final version of the proposed changes to the Bylaw were adopted for consideration that the November 2024 Commission meeting as part of the Rulemaking process.
- IMLC Bylaws VII - the comments received from commissioners and the public were considered by the committee. A discussion was held and the committee determined that the changes would best be handled via an Administrative Procedure. The rulemaking process for this Bylaw was ended.
- The next meeting of the committee is scheduled for July 24, 2024.

Technology Committee
Commissioner Hunthausen (MT)

The committee met on June 14, 2024. The following report was provided:

- The committee discussed the ACH project and the progress toward implementation.
- The committee spent the majority of the meeting discussing the Financial Tracking and Reporting project. IMLCC’s Controller Blanco presented at the meeting, providing an overview of the IMLCC financial processes and procedures. A detailed discussion

was held about the labor intensive process of returning funds, which can be problematic and time consuming.

- The next meeting is scheduled for August 8, 2024.

Executive Director Update
Executive Director Smith

An update was provided regarding:

- June work load
 - Phone calls = 1,167 (1,301 May)
 - Emails = 876 (969 May)
- June processing volume
 - Applications processed = 1976 (2,175 May)
 - Licenses issued = 3,302 (3,081 May)
 - Previously issued licenses renewed = 4,225 (5,431 May)
- June member board remittances
 - Transactions = 8,263 (8,263 May)
 - Fees paid to member boards = \$3,030,736.48 (\$2,778,006.28 May)
- June inquires on LOQs issued - Since 2017, 30 of the 68,366 LOQ applications have been found to be invalid and 50 physicians have been the subject of 111 disciplinary actions.
 - No LOQ questions were raised
 - 4 disciplinary actions were reported and a joint investigation was formed that now has 10 member boards.
 - Dr. KMB - A member board took disciplinary action on a previously reported action. Impacted member boards were notified.
 - Dr. CMH - A member board took disciplinary action. Impacted member boards were notified.
 - Dr. PDW - A member board took disciplinary action. Impacted member boards were notified.
 - Dr. JER - A member board took disciplinary action. Impacted member boards were notified.
- No new Commissioners were appointed in May.
 - There are 20 unfilled appointments.
- There is active legislation in 3 states: MA, NY, and NC
- Dr. Ian Madom and Mr. Bob Hagh from Modingbird provided an update regarding process on the Enhanced Physician Portal (EPP) project. The project is on target for a December 2024 / January 2025 release. Beta testing will be started in the fall of 2024. The software being developed in iterative, which means the 1st version released with the core functionality and new versions will be added as they are developed and tested. The EPP will reduce errors and duplicate applications. The application will be adaptable to various screen sizes, so that it can be used on smart phones, tablets, and desk top computers.
- The executive director is requesting permission to represent the IMLCC as a participating member of the CTel AI Blue Ribbon Collaborative. The purpose of the Collaborative was discussed along with the purpose of CTel and how having a seat at the

discussion table would be beneficial to the IMLCC and our member states. After the discussion, the question was called.

MOTION

MOVED BY COMMISSIONER MANAHAN (MN), SECONDED BY COMMISSIONER RODMAN (KY), TO AUTHORIZE THE EXECUTIVE DIRECTOR TO PARTICIPATE IN THE CTEL AI BLUE RIBBON COLLABORATIVE REPRESENTING THE IMLCC AND TO PROVIDE PERIODIC UPDATES.

MOTION PASSED

UNANIMOUS

Discussion/Action Items
Chair Silas (AL)

- ACTION ITEM #1 - Consideration of proposed changes to IMLC Policy #1 - Policy on Policies. The changes to the policy were referred by the IMLC Rules & Administrative Procedures Committee for action. Commissioner Bohall provided a review of the changes to the proposed policy and considerations of the committee in providing the recommended policy. After discussion, the question was called.

MOTION

MOVED BY COMMISSIONER MANAHAN (MN), SECONDED BY COMMISSIONER SPANGLER (WV), TO ADOPT IMLC POLICY #1 AS PRESENTED, TO BE EFFECTIVE IMMEDIATELY.

MOTION PASSED

UNANIMOUS

- ACTION ITEM #2 - Consideration of proposed changes to IMLC Policy #12 - Policy on Procurement. The changes to the policy were referred by the IMLC Rules & Administrative Procedures Committee for action. Commissioner Bohall provided a review of the changes to the proposed policy and considerations of the committee in providing the recommended policy. A modification to paragraph 10 was discussed and incorporated in the final version of the policy. After discussion, the question was called.

MOTION

MOVED BY COMMISSIONER MANAHAN (MN), SECONDED BY COMMISSIONER HUNTHAUSEN (MT), TO ADOPT IMLC POLICY #12 AS MODIFIED, TO BE EFFECTIVE IMMEDIATELY.

MOTION PASSED

UNANIMOUS

- ACTION ITEM #3 - Consideration of proposed changes to IMLC Bylaws XII - Nominating Committee. A draft of a new Bylaw was provided to the members prior to the meeting. The purpose and need for a Bylaw to be developed and considered at the November 2024 Commission meeting for a rulemaking hearing were discussed. After discussion, the question was called.

MOTION

MOVED BY COMMISSIONER MANAHAN (MN), SECONDED BY COMMISSIONER CLEVELAND (MS), TO REFER THE DRAFT BYLAW TO THE RULES & ADMINISTRATIVE PROCEDURES COMMITTEE FOR CONSIDERATION AND ACTION. FURTHER, ALL COMMENTS RECEIVED BY THE EXECUTIVE COMMITTEE ON THE DRAFT SUBMITTED TO THE EXECUTIVE COMMITTEE SHOULD BE FORWARDED TO THE RULES & ADMINISTRATIVE PROCEDURES COMMITTEE FOR THEIR CONSIDERATION.

MOTION PASSED

UNANIMOUS

- DISCUSSION ITEM #1 - Should changes be made to the traditional process of assigning each commissioner to a committee? A discussion was held regarding how to best impact participation of commissioners on committees.
 - After discussion, it was determined that:
 - Each commissioner should be assigned to a committee by the Commission Chair.
 - A commissioner could opt out of their committee assignment.
 - A survey of committee interest should be included in the Commissioner Welcome Packet for new commissioners. Submitted surveys will be provided to the Commission Chair. The executive director is charged with developing the survey with the Commission Chair.
 - The Rules & Administrative Procedures Committee should discuss and consider options regarding the necessity of a quorum to conduct committee business.
- DISCUSSION ITEM #2 - Should committee chairs be able to select a vice-chair for the committee? A discussion was held regarding the need for a committee vice chair and how that need should be balanced against concerns about participation of committee chairs on the Executive Committee.
 - After discussion, the Commission Chair authorized each committee chair to appoint a committee vice chair with the advice and consent of the Commission Chair.
- DISCUSSION ITEM #3 - Should commissioners be removed from committees for failure to attend?
 - After discussion, it was determined that this concern would best be addressed by following the recommendations outlined in Discussion Item #1 above.
- DISCUSSION ITEM #4 - Should a Hospitality and Annual Meeting Committee be formed?
 - After discussion, it was determined that the formation of a special Hospitality and Annual Meeting Committee should be referred to the Rules & Administrative Procedures Committee so that they can consider the matter.
- DISCUSSION ITEM #5 - Should an Engagement and Participation Committee be formed?
 - After discussion, it was determined that the formation of a special Engagement and Participation Committee should be referred to the Rules & Administrative Procedures Committee so that they can consider the matter.

Closed Meeting
Chair Silas (AL)

The Executive Committee determined that it should enter into a closed meeting in order to: (1) discuss a personnel matter and (2) discuss a matter with legal counsel in accordance with IMLC Statute, Section 11, paragraph (h)(1) & (2). Legal Counsel certified that the reason to close the meeting complied with the IMLC Statute and Rules.

The executive committee members and legal counsel were invited to a segregated area of the virtual meeting space for the closed meeting

portion which started at approximately 4:27 pm Eastern time. The public space of the virtual meeting remained active during the closed meeting.

MOTION

MOVED BY COMMISSIONER RODMAN (KY), SECONDED BY COMMISSIONER SPANGLER (WV), TO CLOSE THE EXECUTIVE COMMITTEE MEETING FOR THE PURPOSE OF DISCUSSING A MATTER WITH LEGAL COUNSEL.

MOTION PASSED

UNANIMOUS

Resumption of the open meeting
Chair Silas (AL)

The closed meeting ended at approximately 5:34 pm Eastern time. The Executive Committee resumed its business in open session.

MOTION #1

MOVED BY COMMISSIONER SPANGLER (WV), SECONDED BY COMMISSIONER RODMAN (KY), THAT THE EXECUTIVE COMMITTEE INSTRUCTS IMLCC COUNSEL TO CONTACT A MEMBER BOARD IN AN EFFORT TO RESOLVE CONCERNS ABOUT THAT BOARD'S UNILATERAL ACTION AS OUTLINED IN THE CORRESPONDANCE RECEIVED JULY 1, 2024 AND TO DISCUSS THE LEGAL REQUIREMENTS OF A BOARD'S PARTICIPATION AND OBLIGATIONS AS A MEMBER STATE.

MOTION PASSED

UNANIMOUS

IMLCC Legal Counsel was requested to discuss how the proposed action by the member board, in their July 1, 2024 letter, does not adequately provide timely information from a member board and appears to be a failure to meet its obligations as a member state of the IMLCC. The correspondence to the Board is to mention that the Executive Committee's concerns might rise to the level of requesting consideration of additional action as outlined in the IMLC Model Statute, Section 18, and further that the contact with the Board should also copy the State's Governor and State's Leadership of the House and Senate.

MOTION #2

MOVED BY COMMISSIONER SPANGLER (WV), SECONDED BY COMMISSIONER RODMAN (KY), THAT THE COMPENSATION OF THE EXECUTIVE DIRECTOR, EFFECTIVE WITH THE AUGUST 2024 STAFF ADJUSTMENT, BE ADJUSTED IN ACCORDANCE WITH THE TERMS DISCUSSED AND AGREED UPON BY THE EXECUTIVE COMMITTEE IN A CLOSED SESSION OF THIS MEETING, AND FURTHER THAT SAID COMPENSATION BE MEMORIALIZED IN THE FINANCIAL RECORD OF THE IMLCC, AND FURTHER THAT THE DETAILS OF SAID COMPENSATION NOT BE MADE PUBLIC EXCEPT AS MAY BE REQUIRED BY LAW.

MOTION PASSED

UNANIMOUS

Commissioner Comments
Chair Silas (AL)

Commissioner Douglas Smith (MD) asked about the process regarding the proposed IMLC Bylaw XII. Executive Director Smith provided an outline of the process which includes obtaining Commissioner and public comments for consideration by the Rules Committee so that a final draft can be considered at the scheduled November 2024 rulemaking hearing by the Commission.

Public Comments
Chair Silas (AL)

None were provided.

Adjournment

Executive Director Smith

There being no further business, the meeting was adjourned at 5:37 pm Eastern Time.