

INTERSTATE MEDICAL LICENSURE COMPACT COMMISSION
EXECUTIVE COMMITTEE
Conference Call
September 10, 2024

MEETING MINUTES
DRAFT

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 Hunthausen (MT) - Chair of the Technology Committee

Members Absent

Commissioner Bohall (AZ) - Chair of the Rules and Administrative Procedures Committee

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

David Finkler

Approval of agenda
Chair Silas (AL)

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

MOTION

MOVED BY COMMISSIONER SPANGLER (WV), SECONDED BY COMMISSIONER MANAHAN (MN), TO APPROVE THE AGENDA.

MOTION PASSED

UNANIMOUS

Approval of the minutes
Executive Director Smith

The draft minutes of the August 13, 2024 was provided to the members prior to the meeting.

MOTION

MOVED BY COMMISSIONER MANAHAN (MN) SECONDED BY COMMISSIONER HUNTHAUSEN (MT), TO APPROVE THE AUGUST 13, 2024 MEETING MINUTES.

MOTION PASSED

WITH COMMISSIONER CLEVELAND ABSTAINING

Budget Committee
Treasurer Cleveland (MS)

The next meeting is scheduled for November 18, 2024. The following report was provided:

- Revenue numbers are up by approximately 10% over budget and expenses are approximately 34% under budget.
- The executive director's spending authority has just started and is within the monthly projections.
- The IMLCC's investment portfolio has increased by over \$17,000 in earnings and a \$22,000 increase in value.
- The FY2024 audit has started. The IMLCC's auditors are Clifton, Larson, Allen (CLA) and the plan is to do the field work from October to December with the final report available in mid-January 2025.
- The review process to understand and account for fees that are not controlled, such as the credit card transaction fee and the EPP user fee is starting. This will include considering the option of passing the cost of these fees on to the physician applicants.

Communication Committee
Commissioner Rodman (KY)

The committee met on August 28, 2024, with 0 of the committee members present. The following report was provided:

- The Annual Report is on scheduled to be published in October 2024. The committee will review and approve the report at its September 2024 meeting.
- A proposed new commissioner questionnaire was approved and sent to the Rules & Administrative Procedures Committee for review and comments. Their input will be discussed at the September 2024 meeting.
- The Enhanced Physician Portal (EPP) FAQ for the IMLCC's webpage was approved along with the email language that will be system generated. This information will be published once the EPP goes live.
- IMLCC Customer Service staff is creating a Spanish version of selected parts of the webpage.
- The next meeting of the committee is scheduled for August 28, 2024, where the committee will start work on the IMLCC's Annual Report.

Personnel Committee
Commissioner Spangler (WV)

Commissioner Herlihy has resigned as the Chair of the committee and Chair Silas has appointed Commissioner Spangler (WV) as the new chair effective immediately.

The next meeting of the committee in November 18, 2024 as part of the annual Commission meeting. The topics to be discussed are developing a list of projects/actions for the upcoming year, a meeting schedule, and working with staff on developing job classifications.

The changeover of administrative/oversight functions has started and will be completed soon. These include authorization for the committee chair to act as a Trustee for the IMLCC's 429(b) plan.

Rules & Administrative Procedures Committee
Executive Director Smith for Commissioner Bohall (AZ)

The committee met on August 20, 2024. The following report was provided:

- The committee reviewed the proposed IMLC Bylaws, Article XII - Nominating Committee and included the commissioner comments received as part of the record. The committee unanimously recommended that the rulemaking be continued and requested the Executive Director to obtain public

comments. The committee will consider the commissioner and public comments at the September 2024 meeting.

- The committee reviewed a draft Administrative Memo #12 - IMLCC Transparency. After discussion it was determined that commissioner and public comments should be requested and the executive director was instructed to post the draft and solicit comments.
- The committee reviewed the New Commissioner Questionnaire referred from the Communications Committee and asked that the comments be provided to the Communications Committee.
- The next meeting of the committee is scheduled for September 17, 2024.

Technology Committee

Commissioner Hunthausen (MT)

The committee last met on August 8, 2024 and is scheduled to meet next week on September 19, 2024. The meeting topics include:

- API development schedule and project re-alignment instructions to IMLCC staff.
- Discussion on how to encourage member states to sign up for the API process, including a review of plans to providing funding incentives for member states.
- Division of authority within the iStarsII system between the functions permitted for member board users and IMLCC staff users. Discussion will include how the system roles and responsibilities were created, why, and options for allowing IMLCC staff to act on behalf of member boards.

Executive Director Update

Executive Director Smith

An update was provided regarding:

- August work load
 - Phone calls = 1,102 (1,191 July)
 - Emails = 835 (977 July)
- August processing volume
 - Applications processed = 2,354 (2,317 July)
 - Licenses issued = 3,361 (3,833 July)
 - Previously issued licenses renewed = 2,432 (2,695 July)
- August member board remittances
 - Transactions = 8,067 (8,067 July)
 - Fees paid to member boards = \$2,379,455.24 (\$2,980,599.31 July)
- August inquires on LOQs issued - Since 2017, 33 of the 73,037 LOQ applications have been found to be invalid and 50 physicians have been the subject of 114 disciplinary actions.
 - 3 LOQ questions were raised
 - Dr. PS - A member board questioned action reported to the NPDB. The SPL is still reviewing the situation.
 - Dr. GOO - The SPL initially determined that the LOQ should not have been issued as the physician's board certification appeared to have expired prior to the LOQ application. However, information provided by the physician and verified, showed that the physician was board certified at the time the

- application was submitted. Impacted member boards were notified.
 - Dr. SE - The SPL determined that the LOQ should not have been issued as the physician's board certification had expired prior to the LOQ application. Impacted member boards were notified.
 - 2 disciplinary actions were reported and a joint investigation that was formed in April 2024 has 10 member boards.
 - Dr. KMB - A member board took suspension action on a previously reported action. Impacted member boards were notified.
 - Dr. LEP - A member board took suspension action on a previously reported action. Impacted member boards were notified.
 - Four new Commissioners were appointed in August.
 - There are 20 unfilled appointments.
 - There is active legislation in 3 states: MA, NY, and NC

Discussion/Action Items
Chair Silas (AL)

Discussion Item #1 - The ongoing situation with the Maryland Board of Physicians.

The executive director provided a report that the number of applications that remain in a pending status continues to grow, with the number currently over 900 applications requesting a license and renewals. The physicians are being issued a license and the renewal is taking place, but due to system constraints, the actions are not being recorded in the IMLCC's iStarsII system. The renewal API information has been provided to the Maryland Board of Physicians in August for a 3rd time. There are concerns that have been raised by the IMLCC's auditors about IMLCC staff acting on behalf of a member board to input data into the iStarsII system. The Maryland Board of Physicians is regularly reporting their licensure and renewal actions and the information is being recorded and maintained. But currently there is no ability to input the information by anyone other than the staff of a member board.

Dale Watts, former IMLCC IT Manager, was asked to comment on the development timeframe for a member board to implement the API, he indicated that the onboarding process takes between 1 and 3 months. He also commented that the API process has been provided to the Maryland Board of Physicians in 2023 and 2024 but it was not acted on by the board, there were no reported technical issues about implementation reported.

Commissioner Comments
Chair Silas (AL)

None were provided

Public Comments
Chair Silas (AL)

Mr. Finkler, Assistant Attorney General for the Maryland Board of Physicians, reported that the board was unaware that the information was not being input into the iStarsII system by IMLCC staff. The board believes that they have developed an adequate reporting process and thought that a data transfer process was in place. He asked IMLCC

staff to confirm that the data provided by the Maryland Board of Physicians has been received.

Executive Director Smith and IT Manager Matthew Robison confirmed that the data has been received but there does not exist a process to input that data into the iStarsII system.

Mr. Finkler stated that the Maryland Board of Physicians believed that the situation was resolved and were unaware that no resolution had been found.

Adjournment

Executive Director Smith

There being no further business, the meeting was adjourned at 3:42 pm Eastern Time.