

# INTERSTATE MEDICAL LICENSURE COMPACT COMMISSION

November 14, 2023

## **DRAFT** **MEETING MINUTES**

### **Call to Order**

*Chair Spangler (WV)*

The Interstate Medical Licensure Compact Commission convened at approximately 11:04 AM Eastern time in Greenwood Village, Colorado and via video conference. A test of the electronic voting process was successfully conducted.

### **Roll Call**

*Secretary Smith*

The roll was called, and a quorum was established.

### **Approval of the agenda**

*Chair Spangler (WV)*

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

MOTION

MOVED BY COMMISSIONER ESTEP (KS), SECONDED BY COMMISSIONER CLEVELAND (MS), TO APPROVE THE AMENDED AGENDA.

MOTION PASSED

UNANOMOUSLY VIA VOICE VOTE

### **Approval of the minutes**

*Secretary Smith*

The minutes from the May 16, 2023 meeting were provided prior to the meeting.

MOTION

MOVED BY COMMISSIONER GILE (KS), SECONDED BY COMMISSIONER MANAHAN (MN), TO APPROVE THE IMLCC COMMISSIONER MEETING MINUTES FROM MAY 16, 2023.

MOTION PASSED

WITH 35 YES VOTES, 0 NO VOTES, AND 2 ABSTENTIONS

### **Welcome and Keynote Speaker**

*Humayun Chaudhry, D.O.,  
President and CEO, Federation  
of State Medical Boards (FSMB)*

The keynote address was provided by Dr. Humayun Chaudhry, DO, President and Chief Executive Office of the Federation of State Medical Boards (FSMB). The address reviewed the changes and progress in physician license portability that have taken place between 2013 and the present day. The concept of an expedited physician licensure process was initiated by a symposium of medical boards in 2013 hosted by the FSMB and became a reality when the IMLCC processed the first Letter of Qualification in April 2017. Since that time the IMLCC has seen incredible growth, both in the number of member states and in the number of physicians who are using the process to obtain licenses. Dr. Chaudhry answered questions from Commissioners and provided his insights with regard to the FSMB's support of the IMLCC and other compacts.

### **Chair's Report**

*Chair Spangler (WV)*

Chair Spangler expressed his appreciation for being allowed to serve as the Chair of the Commission for the last 2 years. Chair Spangler focused his remarks the impact and importance of the Commission on the individuals and patients. The task of working together with the 41 other member organizations should be the focus of the Commission. The organization has changed and grown - the numbers of participants expanding and growing, with the impacts felt very day. He expressed his appreciation for original commissioners and the ground work they did to

make the Commission work. A call was made for commissioners to become involved and participate actively in the work of the commission.

Chair Spangler expressed his appreciation to the Commission staff and their dedication to the success. And to the Committee Chairs for their work and the work of their committee

**Executive Director’s Report**  
*Executive Director Smith*

The management and staff of the Commission were introduced. Highlights of the teams’ accomplishments were provided. Statistics and data were provided from the recently released reports about licenses issued, satisfaction, system reliability, and how the Commission is helping to address the physician shortages in the states. Appreciation was expressed to the Commissioners for providing additional employee benefits and on-going support.

Recognition was provided from staff for the past chairs and the outgoing officers for their service to the Commission.

A press release was released announcing the awarding of the bid for the Enhanced Physician Portal (EPP) to Mocingbird, Inc.

A copy of the letter of support for the SHARE Act was provided to the commissioners.

The opportunity to act as a secretariate for other compacts was introduced and a presentation was made by Ms. Nahala Kafkas. There are opportunities for the Commission to assist other compacts and the Commissioners were encouraged to support these efforts.

**Report from Legal Counsel**  
*IMLCC Legal Counsel Rick Masters*

Mr. Masters requested that his report be conducted in a session closed to the public in order to provide legal advice.

MOTION

MOVED BY COMMISSIONER ESTEP (KS), SECONDED BY COMMISSIONER MANAHAN (MN), THAT THE MEETING BE CLOSED TO THE PUBLIC IN ORDER TO RECEIVE LEGAL ADVICE AS AUTHORIZED BY IMLCC STATUTE, SECTION 11, PARAGRAPH H.

MOTION PASSED

UNANOMOUSLY VIA VOICE VOTE

**Meeting closed to the public**

The meeting was closed at 11:58 am Eastern Time. During this time the commissioners, IMLCC Executive Director and Legal Counsel were segregated into a private conference call room where no members of the public were included and members of the public retired from the meeting space and the room secured. The general conference call room remained active for members of the public. At the conclusion of the closed session, the private conference call room was emptied and the meeting resumed in public session. The closed session ended at 12:16 pm Eastern Time.

**Election of officers**  
*Chair Spangler (WV)*

Elections for the officers of the Commission were held in accordance of IMLCC Bylaws, Article III, Section 1. A report was provided by the Chair of the Ad Hoc Nominations Committee, Commissioner Cousineau (NV). The committee received several letters of interest and met several times to consider the Commissioners who had expressed an interest to run for

office. After careful consideration, the Ad Hoc Nominations Committee developed a slate of recommended candidates for each position.

In addition to the recommended candidates from the Ad Hoc Nominations Committee, a call for nominations from the floor was held for each position and discussion held prior to the nominations being closed. Each officer position was considered as separate actions and the nominations voted on by the commissioners.

CHAIR	The Ad Hoc Nominating Committee recommended Commissioner Silas (AL) to the position of IMLCC Chair. No nominations were received from the floor. Nominations were closed by a motion from Commissioner Herlihy (VT), seconded by Commissioner Marshall (GA). The nomination was accepted and an opportunity for discussion was provided.
RESULT	Commissioner Silas (AL) was elected to the position of Chair by acclamation.
VICE CHAIR	The Ad Hoc Nominating Committee recommended Commissioner Manahan (MN) to the position of IMLCC Vice Chair. No nominations were received from the floor. Nominations were closed by a motion from Commissioner Hunthausen (MT), seconded by Commissioner Bohall (AZ). The nomination was accepted and an opportunity for discussion was provided.
RESULT	Commissioner Manahan (MN) was elected to the position of Vice Chair by acclamation.
TREASURER	The Ad Hoc Nominating Committee recommended Commissioner Cleveland (MS) to a second term in the position of IMLCC Treasurer. No nominations were received from the floor. Nominations were closed by a motion from Commissioner Sabando (NJ), seconded by Commissioner Dorsey (GA). The nomination was accepted and an opportunity for discussion was provided.
RESULT	Commissioner Cleveland (MS) was re-elected to the position of Treasurer by acclamation.

**Presentation - Provider Bridge**  
*Anne Lawler, RN, JD,  
 Federation of State Medical  
 Boards (FSMB) Provider Bridge  
 Project Manager*

Ms. Lawler provided an update on the FSMB's Provider Bridge project, to help provide verification of healthcare professionals during emergencies. The Provider Bridge system and website was demonstrated along with the goals and objectives of the system. The IMLCC's Communication Committee is working with the project to include links on the IMLCC's application pages. Additionally, Ms. Lawler offered to meet and work with the individual member boards to include the Provider Bridge link on their webpage.

**Working Lunch - "Access to  
 Care and Physician Practice  
 Growth After the Interstate  
 Medical Licensure Compact"**  
*Darwynn Deyo, Ph.D., Associate  
 Professor of Economics, San  
 Jose State University*

Dr. Deyo presented information on a paper currently under review by an economics journal. A copy of the working version of the paper was provided. The paper was studied from an economics perspective looking at regulatory solutions to address the physician shortages in the United States. The data looked at impact of a state joining the IMLCC in 2017 to 2020.

The paper's findings independently confirmed the impact of the IMLCC on the physician shortage areas and expanding care to patients. A copy of the working paper is available on the IMLCC's webpage.

Dr. Deyo answered questions and participated in a discussion about the paper with the Commissioners.

**Rulemaking Hearing**  
*Commissioner Bohall (AZ)*

The Rulemaking Hearing was called to order by Commissioner Bohall at 3:02 pm Eastern Time.

The following rules, bylaws, and policies were considered: IMLC Rule Chapter 3, Chapter 4, Chapter 5, Chapter 6, Bylaws Article III, Bylaws Article VII, Policy #1, Policy #12, Policy #13 Suspended rules to allow Maryland Board attorney to speak.

It was noted that proposed changes to IMLC Bylaws, Article III and IMLC Bylaws, Article VII were withdrawn from consideration by the Rules & Administrative Procedures Committee prior to the meeting.

**IMLC Rule Chapter 3**

A discussion was held after the motion was introduced. An opportunity for public was provided, none was received. Commissioners requested that a copy of the proposed rule be displayed for the Commissioners, which was made available. Treasurer Cleveland (MS) spoke in favor of the changes. Commissioner Farrelly (MD) asked for clarification of a change in section 3.5. Commissioner Turek (OH) provided a reference to the statute in support of the language as presented.

MOTION #1

A motion by the Rules & Administrative Procedures Committee, a motion from a committee does not require a second, to adopt the changes to IMLC Rule 3 as presented.

MOTION PASSED

WITH 33 YES VOTES, 3 NO VOTES, AND 2 ABSTENTIONS

**IMLC Rule Chapter 4**

A discussion was held after the motion was introduced. An opportunity for public was provided, none was received. Commissioner Terranova (ME) provided written comments that were read into the record. Commissioner Farrelly (MD) stated that the comment provided by Commissioner Terranova provided a clearer version. Chair Bohall noted that the comment was reviewed by the Rules & Administrative Procedures Committee prior to the final version of the rule and did not accept the changes proposed.

MOTION #2

A motion by the Rules & Administrative Procedures Committee, a motion from a committee does not require a second, to adopt the changes to IMLC Rule 4 as presented.

MOTION PASSED

WITH 34 YES VOTES, 2 NO VOTES, AND 3 ABSTENTIONS

**IMLC Rule Chapter 5**

A discussion was held after the motion was introduced. An opportunity for public was provided, none was received. Commissioner Cousineau (NV) asked about the effective date, which was noted as effective immediately.

MOTION #3

A motion by the Rules & Administrative Procedures Committee, a motion from a committee does not require a second, to adopt the changes to IMLC Rule 4 as presented.

MOTION PASSED

WITH 34 YES VOTES, 0 NO VOTES, AND 0 ABSTENTIONS

**IMLC Rule Chapter 6**

A discussion was held after the motion was introduced. An opportunity for public was provided, none was received. Commissioner Estep (KS) asked how the decision to vote impacted the proposed changes.

MOTION #4

A motion by the Rules & Administrative Procedures Committee, a motion from a committee does not require a second, to adopt the changes to IMLC Rule 4 as presented.

MOTION PASSED

WITH 31 YES VOTES, 4 NO VOTES, AND 2 ABSTENTIONS

*Suspension of the Rules*

Commissioner Farrelly (MD) requested that the rules be suspended so that adequate opportunity would be provided for consideration of the State of Maryland’s request to consider changes to IMLC Bylaws, Article III and VII; IMLC Policy #1, and #12; and a new proposed IMLC Policy #13. Specifically, to allow Mr. Finkley, Legal Counsel to the Maryland Board of Physicians to speak to the Bylaws and Policies being brought forward to discussion.

MOTION #5

MOVED BY COMMISSIONER FARRELLY (MD), SECONDED BY COMMISSIONER HANSEN (SD), TO SUSPEND THE RULES AND ALLOW A NON-COMMISSIONER, MR. FINKLER TO PROVIDE COMMENTARY.

MOTION PASSED

WITH 25 YES VOTES, 12 NO VOTES, AND 2 ABSTENTIONS

Commissioner Farrelly (MD) provided comments outlining the purpose of the introduction of the proposed changes. A PowerPoint presentation was provided expressing the concern about. Mr. Finkler stated that there exist 3 concerns related to 1. Policy making, 2. Nominating Committee, and 3. Removal of Commissioners from committees

Policy making - Concern exists a lack of transparency by the Executive Committee in the taking of action through the policy making process. Request that changes be made to the Bylaws and Policies.

Nominating Committee - Concern exists regarding the creation of an ad hoc nominating committee. The action should have been made through changes to the Bylaws. It is an example of the Executive Committee exceeding its authority. A

Removal of Commissioners from committees - Removal of a Maryland Commissioner from a committee. Commissioner Martinez (MN) recommended that Commissioner Farrelly be named as the chair of the

Rules and Administrative Procedure Committee. Instead, she was removed from the committee, an action believed by Maryland to be without precedence. A request be made to the Bylaws.

The resolutions were presented and read into the record for the Bylaw and Rule changes proposed by the Commissioners from Maryland. There was discussion on each matter and opportunity was provided for comments and discussion. The information below provides a summary of the motions and actions taken.

MOTION #6

MOVED BY COMMISSIONER FARRELLY (MD), SECONDED BY COMMISSIONER SMITH (MD), TO AMEND IMLC BYLAW, ARTICLE III AND ARTICLE VII AS PRESENTED AND READ INTO THE RECORD.

MOTION #7 - SECONDARY MOTION TO REFER THE MATTER TO A COMMITTEE

MOVED BY COMMISSIONER CLEVELAND (MS), SECONDED BY COMMISSIONER MARSHALL (GA) AND COMMISSIONER GILE (KS), TO REFER THE PROPOSED CHANGES TO THE IMLC BYLAWS TO THE RULES & ADMINISTRATIVE PROCEDURES COMMITTEE FOR DELIBERATION AND THE RESULTS TO BE REPORTED TO THE FULL COMMISSION FOR A FINAL DECISION. A FRIENDLY AMENDMENT WAS MADE AND ACCEPTED TO REQUIRE THE RULES & ADMINISTRATIVE PROCEDURES COMMITTEE TO REPORT TO THE COMMISSION ITS FINDINGS AND RECOMMENDATIONS.

MOTION #8

MOVED BY COMMISSIONER MARX (UT) TO APPOINT THE COMMISSIONER FARRELLY (MD) TO THE RULES & ADMINISTRATIVE COMMITTEE.

MOTION #8 - DETERMINED BY THE CHAIR THAT THE MOTION WAS NOT RELEVANT TO THE MOTION ON THE FLOOR.

MOTION #8 NOT CONSIDERED

MOTION #7 PASSED

WITH 34 YES VOTES, 6 NO VOTES, AND 0 ABSTENTIONS

MOTION #9

MOVED BY COMMISSIONER FARRELLY (MD), SECONDED BY COMMISSIONER SMITH (MD), TO AMEND IMLC POLICY #1 AS PRESENTED AND READ INTO THE RECORD.

MOTION #10 - SECONDARY MOTION TO REFER THE MATTER TO A COMMITTEE

MOVED BY COMMISSIONER GILE (KS), SECONDED BY COMMISSIONER MARSHALL (GA), TO REFER THE PROPOSED CHANGES TO THE IMLC RULES #1 TO THE RULES & ADMINISTRATIVE PROCEDURES COMMITTEE FOR DELIBERATION AND THE RESULTS TO BE REPORTED TO THE FULL COMMISSION FOR A FINAL DECISION.

MOTION #10 PASSED

WITH 28 YES VOTES, 6 NO VOTES, AND 5 ABSTENTIONS

MOTION #11

MOVED BY COMMISSIONER FARRELLY (MD), SECONDED BY COMMISSIONER SMITH (MD), TO AMEND IMLC POLICY #12 AS PRESENTED AND READ INTO THE RECORD.

MOTION #12 - SECONDARY MOTION TO REFER THE MATTER TO A COMMITTEE

MOVED BY COMMISSIONER CLEVELAND (MS), SECONDED BY COMMISSIONER OSBORN (WV), TO REFER THE PROPOSED CHANGES TO THE IMLC RULES #12 TO THE RULES & ADMINISTRATIVE PROCEDURES COMMITTEE FOR DELIBERATION AND THE RESULTS TO BE REPORTED TO THE FULL COMMISSION FOR A FINAL DECISION.

- MOTION #12 PASSED WITH 28 YES VOTES, 7 NO VOTES, AND 3 ABSTENTIONS
- MOTION #13 MOVED BY COMMISSIONER FARRELLY (MD), SECONDED BY COMMISSIONER SMITH (MD), TO CREATE A NEW IMLC POLICY #13 AS PRESENTED AND READ INTO THE RECORD.
- MOTION #14 - MOTION TO CALL THE QUESTION MOVED BY COMMISSIONER HANSEN (SD), SECONDED BY COMMISSIONER FARRELLY (MD), TO END DISCUSSION AND CALL THE QUESTION.
- MOTION #14 FAILED WITH 18 YES VOTES, 20 NO VOTES, AND 3 ABSTENTIONS
- MOTION #15 - SECONDARY MOTION TO REFER THE MATTER TO A COMMITTEE MOVED BY COMMISSIONER OSBORN (WV), SECONDED BY COMMISSIONER AQUINO (OK), TO REFER THE PROPOSED NEW IMLC RULES #13 TO THE RULES & ADMINISTRATIVE PROCEDURES COMMITTEE FOR DELIBERATION AND THE RESULTS TO BE REPORTED TO THE FULL COMMISSION FOR A FINAL DECISION.
- MOTION #15 PASSED WITH 32 YES VOTES, 7 NO VOTES, AND 0 ABSTENTIONS

The rulemaking hearing was concluded at approximately 4:05 pm Eastern Time.

### Committee reports

#### Budget Committee - Treasurer Cleveland (MS)

- Thank you to the committee members.
- The IMLCC is financially strong.
- A financial investment strategy was implemented and has shown to be successful.
- Need to look to the future when all states are a part of the IMLCC.
- FY2023 expenditures were below projections and revenues greater than expectations.
- Audit for FY2022 has been completed, and FY2023 has been submitted for review.
- IMLCC has completed its search for a new office space.

Commissioner Smith (MD) asked for clarification regarding the purchase of office space. Treasurer Cleveland noted that there is no effort currently under review to purchase a property.

#### Communications Committee - Commissioner Rodman (KY)

- Thank you to the committee members
- Approved Annual Report and Newsletters
- Two projects completed:
  - Review of email correspondence to physicians from iStarsII system
  - Reviewed the entire IMLCC webpage
- Will now be involving IMLCC Customer Service Staff for input regarding correspondence for the physicians

Commissioner Smith (MD) asked for copies of the email correspondence. Commissioner Rodman stated that the executive director can provide copies if requested.

#### Personnel Committee - Commissioner Herlihy (VT)

- Thank you to the committee members

- IMLCC staff is in great shape.
- A positive work place.
- Approved changes, including an expansion of benefits, including the establishment of a 475b retirement plan.
- Approved the addition of a new Customer Service Representative.
- Executive Director's performance evaluation process had little input and a request was made for additional input.
- Looking forward to future staffing needs.

#### Rules & Administrative Procedures Committee - Commissioner Bohall (AZ)

- Thank you to the committee members.
- Conducted review of each IMLC Rule.
- The rulemaking hearing was the result of the work over the past year.

#### Technology Committee - Commissioner Manahan (MN)

- Thank you to the committee members.
- Meet every month on detailed and complex issues.
- Appreciation of the staff and Dale Watts, IT Manager.
- Work completed on the portal making it easier for the physician and fewer errors.
- The new portal design was awarded to Mocingbird, Inc.
- A renewal API was implemented and is available for member boards to implement. Selection of States and Initial Applications are the next projects.
- Looking at how assistance can be provided to member boards to implement the API process.
- Next project is the development a fiscal aspect of the iStarsII system.
- Great debt is owed to the original commissioner who created the system and process for the Commission to work. Recognized Commissioner Bohnenblust (WY) and his leadership.

#### Staff reports

Keyla Blanco, IMLCC Controller, provided a brief update about the IMLCC's fiscal unit. Highlights include:

- 61% more license requests
- 44% more LOQ applications
- 107% more renewal applications
- \$29M in gross revenue, with \$23M was paid to member boards
- Staff have seen changes and adopted to benefit the organization.
- Appreciation for the Budget Committee and Treasurer Cleveland.
- Completing FY2023 audit.

Dale Watts, IMLCC IT Manager, provided a brief update about the IMLCC's IT unit.

- The renewal API is in place with 3 states using the process.
- Completing a security evaluation to determine which are the next API's to be implemented.
- Added 2 additional developers and working on how to ensure that development progress is productive.

David Clark, IMLCC Operations Manager, provided a brief update about the IMLCC's Operations unit.

- Handles the incoming correspondence from physicians and their staff.
- 18,518 calls and emails in FY2023 - 15,655 in FY2022
- Work clean-up reports, including the verification of SPL license expirations.
- Open 5 days per week from 8 am Eastern to 8 pm Eastern.
- Thanks to the Personnel Committee for approving the new position.
- Assist member boards in ensuring that the information is accurate and complete in the system.
- On-boarding training process has been improved and a responsibility of the Operations Unit:
  - Indiana - May 1st
  - District of Columbia - June 12th
  - 5 states working through the training.

**Public Comments***Chair Spangler (WV)*

None were provided.

**Location of the next annual commission meeting***Chair Spangler (WV)*

The next meeting of Commissioners will take place in Arizona based on a vote of the Commissioners.

The specific dates and information about attending the meetings will be provided when it has been finalized.

**Adjournment***Chair Spangler (WV)*

There being no further business, the meeting was adjourned at approximately 5:33 pm Eastern Time.