

INTERSTATE MEDICAL LICENSURE COMPACT COMMISSION
EXECUTIVE COMMITTEE
Conference Call
November 5, 2024

DRAFT
MEETING MINUTES

Call to Order
Chair Silas (AL)

The Executive Committee of the Interstate Medical Licensure Compact Commission convened at 3:04 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 Rodman (KY) - Chair of the Communications Committee
Commissioner Bohall (AZ) - Chair of the Rules and Administrative Procedures Committee
Commissioner Hunthausen (MT) - Chair of the Technology Committee

Members Absent

Commissioner Spangler (WV) - Past Chair and Chair of the Personnel 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

None were noted

Approval of agenda
Chair Silas (AL)

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

MOTION

MOVED BY COMMISSIONER RODMAN (KY), SECONDED BY COMMISSIONER BOHALL (AZ), TO APPROVE THE AMENDED AGENDA.

MOTION PASSED

UNANIMOUS

Approval of the minutes
Executive Director Smith

The draft minutes of the October 8, 2024 was provided to the members prior to the meeting.

MOTION

MOVED BY COMMISSIONER MANAHAN (MN) SECONDED BY COMMISSIONER HUNTHAUSEN (MT), TO APPROVE THE OCTOBER 8, 2024 MEETING MINUTES.

MOTION PASSED

UNANIMOUS

Budget Committee
Treasurer Cleveland (MS)

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

- Revenue numbers continue to be over budget and expenses continue to remain under budget.
- The executive director's spending authority is within the projection.
- The IMLCC's investment portfolio continues to perform well.

Communication Committee
Commissioner Rodman (KY)

The committee will be meeting on November 18, 2024. The committee has a full agenda.

Personnel Committee
Commissioner Spangler (WV)

The next meeting of the committee in November 18, 2024 as part of the annual Commission meeting.

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

The committee will be meeting on November 18, 2024. Part of the meeting will focus on preparation for the rulemaking hearing that will take place as part of the full commission meeting on the 19th. The committee put in a lot of work, received a lot of comments, and are proud of the changes proposed that will be discussed at the rulemaking hearing.

Technology Committee
Commissioner Hunthausen (MT)

The committee last met on October 15, 2024 and will meeting again on November 18, 2024. The meeting topics include:

- The committee reviewed and endorsed the Administrative Memo No. 13 - Authorization and use of system Super User accounts.
- The committee will be reviewing and discussing providing funds for member boards to use in the development of their API process.
- The API 2.0 has been released. The are now API processes/end points for renewal applications and license applications, these are now available so that member boards start their part of the implementation process.

Executive Director Update
Executive Director Smith

An update was provided regarding:

- October work load
 - Phone calls = 1,377 (1,183 September)
 - Emails = 908 (916 September)
- October processing volume
 - Applications processed = 2,456 (2,310 September)
 - Licenses issued = 3,788 (3,322 September)
 - Previously issued licenses renewed = 2,821 (3,332 September)
- October member board remittances
 - Transactions = 9,007 (7,381 September)
 - Fees paid to member boards = \$3,319,422.67 (\$2,628,613.19 September)
- October inquires on LOQs issued
 - Since 2017, 39 of the 77,803 LOQ applications have been found to be invalid and 54 physicians have been the subject of 123 disciplinary actions.
 - 2 LOQ questions were raised
 - Dr. TMS - A member board questioned the location of the graduate medical education received. The SPL reviewed the application and determined that the training has taken place in Canada. The SPL determined that

- LOQ was not valid and the impacted member boards were notified.
- Dr. RG - A member board questioned action reported to the NPDB. The SPL determined that the reported action was listed as “non-disciplinary”. The SPL determined that the LOQ is valid.
 - 6 disciplinary actions were reported and a joint investigation that was formed in April 2024 has 10 member boards.
 - Dr. SWP - A member board took action on a previously reported disciplinary action. Impacted member boards were notified.
 - Dr. JMP - A member board took action on a previously reported disciplinary action. Impacted member boards were notified.
 - Dr. BAF - A member board took action on a previously reported disciplinary action. Impacted member boards were notified.
 - Dr. DL - A member board took disciplinary action. Impacted member boards were notified.
 - Dr. AKP - The SPL took summary suspension action. A member board took summary suspension action based on the SPL’s action. Impacted member boards were notified.
 - Four new Commissioners were appointed in October.
 - There are 15 unfilled appointments.
 - There is active legislation in 3 states: MA, NY, and NC
 - The following member boards initiated active participation:
 - Missouri State Board of Registration for the Healing Arts
 - The Super User Account was created for IMLCC Staff to act on behalf of the Maryland Board of Physicians on September 18, 2024. To date the account was used as follows:
 - 997 requests were received by the MD board,
 - 192 were for licenses issued
 - 805 were for renewal of existing licenses
 - 73 applications were input by the MD board staff prior to action by IMLCC staff
 - 924 applications were input by IMLCC staff
 - 28 application had incorrect data provided by the MD board and were corrected by IMLCC staff after notification by the MD board
 - October 2, 2024 was the last date the Super User account was used to input data, the MD board has input the application information since that date
 - The potential default situation that was reported and discussed at the August 27, 2024 Special Commission meeting appears to be resolved. The 3 conditions established to cure the potential default have all been met by the Maryland Board of Physicians:
 1. All applications outstanding have been input into the iStarsII system.

2. Applications received have been timely input by the Maryland Board of Physicians
3. The API implementation discussions between the Maryland Board of Physicians and IMLCC took place on 11/1/2024 and continue to be scheduled.

Discussion/Action Items

Chair Silas (AL)

Chair Silas led a discussion regarding the pending Old Business item scheduled for the November 19, 2024 commission meeting. Since the default appears to have been cured per the executive director's update, the item can be removed from the agenda as it is now mute. A general discussion about the options and the situation was held. Mr. Masters stated that there are 3 potential options for the Executive Committee to consider:

- Remove the item from the agenda,
- Consider the item mute and take no action, or
- Continue with the item on the agenda and vote on the matter.

After the discussion concluded, the members decided to remove the item from the agenda, so the question was called.

MOTION

MOVED BY COMMISSIONER MANAHAN (MN) SECONDED BY COMMISSIONER HUNTHAUSEN (MT), THAT IT IS THE RECOMMENDATION OF THE EXECUTIVE COMMITTEE TO WITHDRAWAL ITS MOTION TO FIND THE MARYLAND BOARD OF PHYSICIANS IN DEFAULT AS THE CIRCUMSTANCES OF THE POTENTIAL DEFAULT NO LONGER EXIST.

MOTION PASSED

UNANIMOUS

Commissioner Comments

Chair Silas (AL)

None were provided

Public Comments

Chair Silas (AL)

None were provided

Closed Meeting

Chair Silas (AL)

The Executive Committee determined that it should enter into a closed meeting in order to discuss a matter with legal counsel in accordance with IMLC Statute, Section 11, paragraph (h)(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 3:28 pm Eastern time. The public space of the virtual meeting remained active during the closed meeting.

MOTION

MOVED BY COMMISSIONER HUNTHAUSEN (MT), SECONDED BY COMMISSIONER CLEVELAND (MS), 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 3:43 pm Eastern time. The Executive Committee resumed its business in open session.

MOTION

MOTION BY COMMISSIONER MANAHAN (MN), SECONDED BY COMMISSIONER CLEVELAND (MS), TO INSTRUCT THE EXECUTIVE DIRECTOR TO PROVIDE TO ALL COMMISSIONERS A COPY OF THE UNITED STATE COURT OF APPEALS, TENTH CIRCUIT, DECISION REGARDING THE MATTER OF THE 'INTERSTATE MEDICAL LICENSURE COMPACT COMMISSION V. WANDA BOWLING'.

MOTION PASSED

UNANIMOUS

Adjournment

Executive Director Smith

There being no further business, the meeting was adjourned at 3:44 pm Eastern Time.