

Interstate Medical Licensure Compact

Advisory Opinion DRAFT

OPINION NO. 04-2019 – ADVISORY OPINION ON A THE DATE TO ESTABLISH AN APPLICANT’S QUALIFICATION FOR AN EXPEDITED LICENSE.

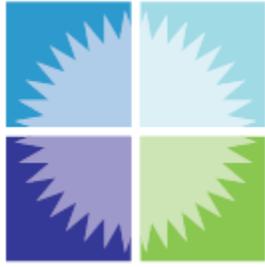
A question has been raised regarding the date to be used to determine the applicant’s qualifications for an expedited license. The issue relates to an applicant who met the qualifications outlined in IMLC Rule, Chapter 5, Section 5.4 on the date the applicant submitted the application; however, between that submission date and the date the application was processed by the State of Principal License (SPL), the applicant had allowed their board certification to expire. Another example is when an applicant has a valid Letter of Qualification (LOQ) on the date the application is submitted but it has expired on the date the application is processed. The IMLCC Executive Director has instructed member boards previously and has processed requests for additional licenses based on the principal that the applicant met the criteria on the date the application was submitted so that the applicant would not be negatively impacted due to processing of the application.

AUTHORITY: The Executive Committee issues this advisory opinion under authority of the Interstate Medical Licensure Compact Commission.

- **IMLCC Statute, Section 12c** – (The commission shall) Issue, upon the request of a member state or member board, advisory opinions concerning the meaning or interpretation of the compact, its bylaws, rules, and actions.
- **IMLCC Statute, Section 11k** -- ...The executive committee shall have the power to act on behalf of the Interstate Commission, with the exception of rulemaking, during periods when the Interstate Commission is not in session....

ISSUE: The principal issues for discussion relates to a member board’s role and responsibilities as a State of Principal License (SPL) in determining eligibility and establishing a consistent date to be used in qualifying an applicant.

- **IMLCC Statute, Section 3** – states that “A physician must meet the eligibility requirements as defined in Section 2(k) to receive an expedited license...”
- **IMLCC Statute, Section 2(k)** – states that a “Physician means any person who...” meets the established criteria in paragraph 1 to 9.
- **IMLCC Rule, Chapter 5, Section 5.4** – establishes that an applicant must meet the established requirements to receive an expedited license.



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QUESTION:

- What date should be used to establish the eligibility criteria for an applicant?

ADVISORY OPINION:

In order to create a consistent process, a member board must use the date that the applicant submits their completed application to the IMLC as the date used to determine eligibility to receive an expedited license. The date the application is submitted is a recorded date that is available to the applicant and the SPL.

APPLICABILITY: This opinion applies to all member states acting as a state of principal license and to member boards issuing licenses under the authority of the Interstate Medical Licensure Compact.

EFFECTIVE DATE: This opinion is effective upon issuance by the Executive Committee of the Interstate Medical Licensure Compact Commission (May 7, 2019).