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Interstate Medical Licensure Compact
Policies

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1 INTERSTATE MEDICAL LICENSURE COMPACT

2
3 Policies

4
5 **#1 – Policy on Policies**

6
7 ADOPTED: APRIL 1, 2016

8
9 EFFECTIVE: APRIL 1, 2016

10
11 AMENDMENT HISTORY (LIST WHEN AMENDED AND CITE SECTION NUMBER):

- 12 • None

13
14 **I. Policy Statement**

15
16 The Interstate Medical Licensure Compact (IMLC) Commission is committed to
17 providing policies that clearly interpret and provide guidance on its actions in the
18 interpretation, application and administration of the IMLC. Policies are not legally
19 binding, but are intended to provide clarity, guide decisions, or implement a procedure
20 or protocol.

21
22 **II. PURPOSE**

23
24 The purpose of this policy is to establish:

- 25
26 1. A formal mechanism to create, approve, rescind and periodically review IMLC
27 policies.
28
29 2. A central policy archive that is accessible and easy to use.
30

31 **III. DEFINITIONS**

32
33 **Policy** – A policy is a governing set of principals that guide the IMLC Commission in
34 its actions in the application and administration of the IMLC. It helps to ensure
35 compliance with applicable laws and regulations, promotes operational efficiencies,
36 and provides a basis for consistent decision-making, resources allocations or a
37 method of action selected to guide and determine present and future decisions. It
38 mandates actions or constraints and contains specific procedures to follow.
39

40 **Policy action** – A policy may be created, amended or rescinded.

41
42 **Policy development** – Commissioners or IMLC Commission committees may
43 propose policy action. The IMLC Commission will determine the need for policy
44 action pertaining to the interpretation or application of the language and provisions of
45 the IMLC. The IMLC Commission may delegate authority to the executive director to
46 determine the need for policy action for the administration of the IMLC.

47
48 **Policy approval** – The authority to determine which policy action requires approval
49 of the IMLC Commission rests with the executive committee, which shall review
50 proposed policy action and decide to recommend it with or without amendments,
51 return it for further study and analysis, or reject it all together. The Commission may
52 review any approved or rejected policy and choose to vote to approve, rescind or
53 reject such action of the executive committee.

54
55 **Policy maintenance** – All policies will be maintained centrally and will be accessible
56 to all interested persons through the IMLC Commission website. Anyone
57 responsible for creating, distributing or revising IMLC policy shall follow the
58 procedures outlined in this policy.

60 **IV. DEVELOPMENT**

61
62 Proposed policy actions shall be presented in a format that includes:

- 63 1. *Policy Statement* – This is a summary of the policy action.
- 64 2. *Purpose* – This section addresses what the policy action intends to accomplish.
- 65 3. *Definitions* – This section lists and defines specific terms in the policy action.
- 66 4. *Development* – This section lists the format of a policy action.
- 67 5. *Requirements* – This section delineates the requirements of a policy.

74 **V. REQUIREMENTS**

- 75 1. An IMLC policy shall be clearly written and understandable and be accessible
76 to the IMLC Commission, member states, and the public.
- 77 2. An IMLC policy shall be consistent with applicable laws and regulations and
78 case law.

80

- 81
82 3. An IMLC policy is effective upon adoption, or shall express an effective date,
83 and the policy shall remain in effect until amended or rescinded by the
84 authorized authority, or as expressed in the policy, such as a sunset clause.
85 The date of amendment(s) to an existing policy shall be expressed, but the
86 original policy adoption date shall be retained.
87
88 4. All IMLC policies shall be reviewed and updated every five fiscal years or earlier
89 as needed.
90
91 5. All IMLC policies shall be maintained on the IMLC Commission’s website.
92 Policies that are rescinded shall be removed on the effective date of the policy
93 action.
94
95 6. An IMLC policy action shall be announced in a press release created and
96 distributed by the communications committee.
97

98 **VI. RESPONSIBILITY**
99

100 The executive committee shall be responsible for ensuring that all IMLC policies are
101 current, compliant with all statutory requirements and case law, and consistent with
102 other applicable standards. The executive committee may delegate this responsibility to
103 the executive director.
104
105

106 **#2 – Policy on Conflict of Interest**
107

108 ADOPTED: JUNE 24, 2016
109
110 EFFECTIVE: JUNE 24, 2016
111

112 AMENDMENT HISTORY (LIST WHEN AMENDED AND CITE SECTION NUMBER):
113 • None
114

115 **I. POLICY STATEMENT**
116

117 Interstate Medical Licensure Compact (IMLC) commissioners and staff members occupy
118 positions of trust and good faith and are obligated to act in the best interest of the IMLC and its
119 member boards without regard to their personal benefit or the interests of other organizations
120 with which they are associated. IMLC commissioners and staff member shall disclose all actual
121 or perceived conflicts of interest and shall recuse themselves from all discussions and decisions

122 when a conflict of interest has been disclosed or identified, unless a majority of the quorum of the
123 IMLC Commission determines otherwise.

124

125 **II. PURPOSE**

126 The purpose of the conflict of interest policy is to foster public confidence and trust in
127 the IMLC Commission and to protect the interests of the IMLC Commission as it
128 conducts its business. This policy is intended to prevent actual or perceived conflicts of
129 from influencing IMLC commissioners or staff members in the performance of their
130 duties.

131

132 **III. DEFINITIONS**

133

134 ***Conflict of Interest*** – An actual or perceived conflict of interest exists when a
135 financial or other relationship might directly or indirectly benefit the private or
136 personal interests of an IMLC commissioner or staff member, or prejudice an IMLC
137 commissioner or staff member in business before the IMLC Commission. A majority
138 of the quorum of the IMLC Commission may determine if an actual or perceived
139 conflict of interest exists for an IMLC commissioner or staff member

140

141 ***Financial Interest*** – Is an interest, whether through commitment, investment,
142 relationship, obligation, involvement, loan, donation, exchange transaction, or
143 otherwise, direct or indirect, that may influence a person’s judgement.

144

145 ***Gift*** – Is any item or service with monetary value in excess of \$50.00 offered to the
146 IMLC Commission, an IMLC commissioner or an IMLC staff member without the
147 expectation of compensation to the contributor. The gift might be tangible or
148 intangible.

149

150 **IV. REQUIREMENTS**

151

152 **1. Duty to Disclose.** IMLC commissioners and staff members have a duty to
153 disclose all actual and perceived conflicts of interest for themselves or other
154 IMLC commissioners or staff members.

155

156 **2. Personal recusal.** IMLC commissioners and staff members who disclose a
157 personal conflict of interest shall recuse themselves from all discussions and
158 decisions, on the matter, unless otherwise determined by a majority of the
159 quorum of the IMLC Commission, or by a majority of a committee designated
160 by the IMLC Commission. The recusal shall be recorded in the IMLC
161 Commission minutes or in a disclosure form provided by the IMLC
162 Commission at the initiation of a meeting.

163

164 **3. Commission-directed recusal.** If an IMLC commissioner or staff member
165 becomes aware of the existence of an actual or perceived conflict of interest,
166 the IMLC commissioner or staff member shall provide this information to the
167 IMLC Commission or a committee designated by the IMLC Commission.
168 Upon the commissioner’s own motion, or motion of a party, a majority of the
169 quorum of the IMLC Commission may recuse a commission upon a
170 determination that the actual or perceived conflict of interest raises an
171 unacceptable risk of bias or prejudgment in matters before the IMLC
172 Commission. The recusal shall be recorded in the IMLC Commission minutes
173 or in a disclosure form provided by the IMLC Commission at the initiation of a
174 meeting.

175
176 **4. Gifts.** The IMLC Commission shall maintain a public listing of all gifts.
177

178 **5. Annual review of this policy.** Each IMLC commissioner and staff member
179 shall annually sign a statement which affirms such person:
180

- 181 a. Has received a copy of the conflict of interest policy,
 - 182 b. Has read and understands the policy, and
 - 183 c. Has agreed to comply with the policy.
- 184

185 **6. Administration of this policy.** The IMLC Commission executive committee
186 shall be responsible for administering this policy and ensuring that this policy is
187 current, compliant with all statutory requirements and case law, and consistent
188 with other applicable standards. The executive committee may delegate
189 administration and maintenance of this policy to the IMLC executive director.
190

191
192 **#3 – Policy on Executive Committee Spending Authority**

193
194 ADOPTED: FEBRUARY 22, 2017

195
196 EFFECTIVE: FEBRUARY 22, 2017

197
198 AMENDMENT HISTORY (LIST WHEN AMENDED AND CITE SECTION NUMBER):

- 199 • None
- 200

201 **I. POLICY STATEMENT**

202
203 The Interstate Medical Licensure Compact (IMLC) commissioners and staff members are
204 committed to efficiently and responsibly procuring goods and service necessary to carry out the

205 operations of the IMLC; paying bills and expenses; and monitoring all expenditures for
206 compliance with applicable laws, regulations and policies. In order to assure timely, effective
207 business operations, it may be advantageous to delegate limited spending authority to certain
208 groups or individuals.

209

210 **II. PURPOSE**

211

212 The purpose of this policy is to establish:

213

214 • A formal mechanism to empower the Executive Committee spending authority for
215 goods and services **up to \$5,000** without IMLC Commission approval.

216

217 • A formal process for the Executive Committee to delegate signature authority to
218 appropriate parties for purchasing goods or services pursuant to this policy.

219

220 • A definition of qualified expenditures under this policy.

221

222 • A process for reporting expenditures authorized by the Executive Committee or
223 its designees(s) to the IMLC Commission.

224

225 **III. DEFINITIONS**

226

227 ***Qualified expenditure*** – Any type of goods or services totaling **up to \$5,000**
228 necessary to carry out the day-to-day operations of the IMLC.

229

230 ***Signature authority*** – Delegation to a designated individual or individuals to sign
231 contracts or other documents authorizing expenditures made pursuant to this policy.

232

233 **IV. REQUIREMENTS**

234

235 **1. Documentation of expenditures.** All expenditures made in accordance with
236 this policy shall be immediately documented in a format established and
237 approved by the IMLC Commission and maintained by the Executive
238 Committee.

239

240 **2. Report.** The Executive Committee shall prepare a report of all expenditures
241 made under this policy to be presented to the IMLC Commission annually, or
242 more frequently if requested by the IMLC Commission.

243

244 **3. Annual review of this policy.** The IMLC Commission Bylaws and Rules
245 Committee shall review this policy each year and make recommendations to
246 the IMLC Commission for continuation or modification of this policy.
247

248 **4. Administration of this policy.** The Executive Committee shall be responsible
249 for administering this policy and ensuring that this policy is current, compliant
250 with all statutory requirements and case law, and consistent with other
251 applicable standards. The Executive Committee may delegate administration
252 and maintenance of this policy to the IMLC executive director.
253

254
255 **#4 – Policy on Annual Report**

256
257 ADOPTED: MARCH 20, 2018

258
259 EFFECTIVE: MARCH 20, 2018

260
261 AMENDMENT HISTORY (LIST WHEN AMENDED AND CITE SECTION NUMBER):

- 262 • None

263
264 **VII. Policy Statement**

265
266 The Interstate Medical Licensure Compact (IMLC) Statute Section 12, paragraph “q”
267 states that the Interstate Commission shall report annually to the legislatures and
268 governors of the member states concerning the activities of the Interstate Commission
269 during the preceding year.
270

271 **VIII. PURPOSE**

272
273 The purpose of this policy is to:

- 274
275 A. Assign to the Communications Committee the responsibility for creation,
276 production, and distribution of the annual report.
277
- 278 B. Establish the date the annual report shall be released.
279
- 280 C. Identify the mandatory content of the annual report.
281

282
283 **IX. DEFINITIONS**
284

285 **Year** – The annual report shall cover the activities of the Interstate Commission
286 during the established fiscal year which is the period of time between July 1 of a
287 given year to June 30 of the following year.
288

289 **X. DEVELOPMENT**

290
291 Proposed policy actions shall be presented in a format that includes:
292

293 A. The Communications Committee shall be responsible for the creation, production
294 and distribution of the annual report. The committee may delegate
295 responsibilities to the executive director.
296

297 B. The annual report shall be release not later than 120 days after the end of the
298 fiscal year. The 2017 Annual Report will be considered a transition report as the
299 reporting cycle moves from a calendar year reporting cycle to a fiscal year cycle.
300 The result is that the 2017 Annual Report will reflect the activities of the Interstate
301 Commission from January 1, 2017 to June 30, 2017.
302

303 C. Content of the annual report shall be determined by the Communications
304 Committee, which will include as a minimum:
305

- 306 1. Reports of financial audits and any recommendations that may have been
307 adopted by the Interstate Commission;
308
- 309 2. A report of the budget;
310
- 311 3. A summary of policies, amendments to the bylaws, amendments to the
312 rules, and advisory opinions that were issued or renewed by the Interstate
313 Commission;
314
- 315 4. Information on licenses issued, including renewals, through the Compact;
316
- 317 5. Information on compliance actions through the Compact;
318
- 319 6. A Roster of Compact member boards and their appointed commissioners;
320
- 321 7. A summary of committee activities; and
322
- 323 8. A report from the executive director.
324

325 **XI. RESPONSIBILITY**

326
327 The executive committee shall be responsible for administering this policy and
328 ensuring that this policy is current, compliant with all statutory requirements and
329 case law, and consistent with other applicable standards. The executive committee
330 may approve the publication of the annual report as presented by the
331 Communications Committee. The executive committee may delegate administration
332 and maintenance of this policy to the executive director.

333
334 **#5 – Policy on IMLCC Reserve Funds**

335
336 ADOPTED: MAY 18, 2018

337
338 EFFECTIVE: JULY 1, 2018

339
340 AMENDMENT HISTORY (LIST WHEN AMENDED AND CITE SECTION NUMBER):

- 341 • None

342
343 **I. Policy Statement**

344
345 The Interstate Medical Licensure Compact (IMLC) Statute Section 13 establishes the
346 Interstate Commission with financial powers, including the establishment of an annual
347 budget. IMLC Bylaws, Article VIII, establishes the fiscal years and covers matters of
348 IMLCC finance. The IMLCC budget intends to establish reserve funds to provide for
349 contingency funding and large item purchase funding. These reserve funds are
350 necessary to ensure that financial resources are sufficient and available to prevent the
351 creation of debt obligations.

352
353 **II. PURPOSE**

354
355 The purpose of this policy is to:

- 356
357 A. Define the types of reserve funds to be developed and maintained.
358
359 B. Define how the reserve fund amount(s) are to be determined.
360
361 C. Define the authorization required to use the cash fund.
362
363 D. Define how unexpended reserve funds are to be handled.

364
365
366 **III. DEFINITIONS**

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Cash – Money that is held in an account, including certificates of deposit and other secured financial instruments, owned and controlled by the IMLCC at a Federal Deposit Insurance Corporation (FDIC) member bank.

Reserve Fund – An amount of cash set aside to meet future liability.

IV. DEVELOPMENT

The IMLCC can create multiple reserve funds. The creation of a reserve fund is initiated as a motion from the Budget Committee, reviewed by the Executive Committee, and requires the approval of a majority of IMLC commissioners present during a regularly scheduled IMLCC meeting. The reserve funds may be built during a single fiscal year or may be built over multiple fiscal years. These funds include:

- A. General Reserve Fund – A specific amount of cash held in anticipation to meet unforeseen financial obligations or budget shortfalls. Expenditures from this fund require a motion from an IMLCC committee and requires the approval of a 2/3rd majority of the IMLC commissioners present during a regularly scheduled meeting.
- B. IT Reserve Fund – An amount of cash to be established as part of the budget development process of the Budget Committee. A specific IT project must be identified, such as to reserve funds to pay for the replacement or upgrade the current Data Management System, and the funds are only available to pay for that identified project. There can be more than one IT Reserve Fund created and maintained. Expenditures from this fund require the approval of the Executive Committee. Funds that are not used shall revert to the IMLCC General Reserve Fund.
- C. Capital Project Reserve Fund – An amount of cash to be established as part of the budget development process of the Budget Committee. A specific project must be identified, and funds are only available to pay for that identified project. There can be more than one Capital Project Reserve Fund created and maintained. Expenditures from this fund require the approval of the Executive Committee. Funds that are not used shall revert to the IMLCC General Reserve Fund.
- D. Special Project Reserve Fund – An amount of cash to be established as part of the budget development process of the Budget Committee. A specific project must be identified, and funds are only available to pay for that identified project.

408 There can be more than one Special Project Reserve Fund created and
409 maintained. Expenditures from this fund require the approval of the Executive
410 Committee. Funds that are not used shall revert to the IMLCC General
411 Reserve Fund.

412

413 **V. RESPONSIBILITY**

414

415 The executive committee shall be responsible for administering this policy and ensuring
416 that this policy is current, compliant with all statutory requirements and case law, and
417 consistent with other applicable standards. The executive committee may delegate
418 administration and maintenance of this policy to the executive director.

419

420 **#6 – Policy on Records and Information Requests**

421

422 ADOPTED: SEPTEMBER 18, 2018

423

424 EFFECTIVE: SEPTEMBER 18, 2018

425

426 AMENDMENT HISTORY (LIST WHEN AMENDED AND CITE SECTION NUMBER):

- 427 • None

428

429 **I. POLICY STATEMENT**

430

431 The Interstate Medical Licensure Compact Commission is a public body made up of
432 representatives from the various states that have joined the IMLC.

433

434 Because the IMLCC is not a federal, state, municipal or other government agency, or an
435 incorporated private entity, it is not subject to the federal Freedom of Information Act or
436 to any public records law of a particular state. The IMLCC is subject only to the
437 language of the Compact and its own rules and policies.

438

439 **II. AUTHORITY**

440

441 Interstate Medical Licensure Compact Statute, Section 12 – Powers and Duties of the
442 Interstate Commission, includes the following provisions, specifically in subparagraphs:

443

444 (a) oversee and maintain the administration of the compact;

445

446 (k) establish personnel policies and programs relating to conflicts of interest,
447 rates of compensation, and qualifications of personnel;

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(s) maintain records in accordance with the bylaws;

(u) perform such functions as may be necessary or appropriate to achieve the purposes of the compact.

This policy also in compliance with Chapter 2 (Information Practices) of the IMLCC's administrative rules and with IMLCC Policy #1 (Policy on Policies.)

Further Interstate Medical Licensure Compact Statute, Section 11 – Interstate Medical Licensure Compact Commission, subparagraph (j) states that “The interstate commission shall make its information and official records, to the extent not otherwise designated in the compact or by its rules, available to the public for inspection.”

III. PURPOSE

The IMLCC recognizes that individuals or entities may make requests for information from the IMLCC. This policy outlines what is considered IMLCC information and what is information held by the member states and, therefore, subject to the individual laws of those states. This policy also outlines the procedures that IMLCC personnel will follow after receiving requests for information from the IMLCC.

IV. DEFINITIONS

“Board” means a state medical or osteopathic board from a state that is a member of the Compact.

“IMLCC information” includes the following:

- a) Lists of member states.
- b) Lists of appointed commissioners to the IMLCC.
- c) Lists of IMLCC employees and/or contractors.
- d) Meeting agendas and minutes.
- e) Meeting materials (excluding those considered confidential under terms of the Compact, IMLCC rules, or IMLCC policies.)
- f) Financial reports of IMLCC revenues and expenses.
- g) Reports regarding grants, gifts, loans or non-monetary contributions to the IMLCC.
- h) Total numbers of physician applications to the IMLCC for Letters of Qualification.

- 487 i) Total numbers of physicians granted a Letter of Qualification.
488 j) Total numbers of physicians denied a Letter of Qualification.
489 k) Total numbers of state licenses requested by physicians with Letters of
490 Qualification.
491 l) Total numbers of state physician licenses granted via the Compact.
492 m) Total numbers of state physician licenses renewed via the Compact.
493 n) Total numbers of revoked Letters of Qualification.

494
495 “Requestor” means any individual, organization or entity that contacts the IMLCC
496 with a request for information.

497
498 “State” means a state which has joined the Compact through legislation.
499

500 “State-held information” includes the following:

- 501 a) Total numbers of requests to a state for a Letter of Qualification.
502 b) Total numbers of physicians granted a Letter of Qualification by a state.
503 c) Total numbers of physicians denied a Letter of Qualification by a state.
504 d) Total numbers of physician licenses granted by a state to applicants
505 using the Compact.
506 e) Total numbers of state physician licenses renewed by a state to
507 physicians licensed via the Compact.
508 f) Total numbers of reported disciplinary actions by a state against
509 physicians licensed via the Compact.
510 g) Total numbers of Letters of Qualification revoked by a state.
511 h) Total numbers of licenses granted via the Compact that have been
512 revoked, suspended or otherwise sanctioned by a state as the result of a
513 disciplinary adjudication.
514 i) Individual information about a physician who has been approved,
515 denied, licensed or disciplined by a state under terms of the Compact
516 that is considered public record under the laws of an individual state.

517
518 “Working days” means Monday, Tuesday, Wednesday, Thursday and Friday,
519 excluding federal or state holidays.

520 521 **V. PROCEDURES**

- 522
523 A. All requestors of IMLCC information shall submit a request in writing to the
524 IMLCC executive director. The written request, which also includes via email,
525 shall include the name, address and other contact information of the

526 requestor, as well as a detailed description of the information sought. If the
527 IMLCC approves a form for this purpose, it shall be available on the IMLCC
528 website.
529

530 B. The IMLCC executive director shall make a record of each request as it is
531 received.
532

533 C. The IMLCC executive director shall determine whether the request is for
534 IMLCC information or state/board information.
535

536 D. When the requestor seeks state/board information, the IMLCC executive
537 director shall refer the requestor to the state(s)/board(s) where that
538 information is located.
539

540 E. When a requestor seeks IMLCC information and has submitted the request in
541 writing, the IMLCC executive director shall notify the requestor that the
542 request has been received. If the information is available on the IMLCC
543 website, the executive director shall refer the requestor to the website. If the
544 information is not available on the website, the executive director shall notify
545 the requestor that further communication will be forthcoming.
546

547 F. For those requests that involve information not on the IMLCC website, the
548 IMLCC executive director shall assess the nature of the request and the
549 resources required to fulfill it.
550

551 G. The IMLCC executive director shall fulfill a request for IMLCC information as
552 soon as possible after sending the notification of receipt.
553

554 H. The IMLCC executive director shall charge a fee of \$50.00/hour for
555 information searches, with the first hour free of charge.
556

557 I. For requests that the IMLCC executive director determines will require
558 extensive time, money or other resources to fulfill, the executive director may
559 bring the request to the IMLCC Executive Committee for consultation.
560

561 J. For requests that require extensive time, money or other resources to fulfill,
562 the IMLCC executive director shall work cooperatively with the requestor
563 regarding when the request shall be fulfilled.
564

565 K. The preferred method of providing information to requestors shall be e-mail,
566 including attachments if needed. The IMLCC executive director also may
567 provide information on a portable memory device supplied by the requestor or
568 via a file transfer service approved by the IMLCC Executive Committee.
569

570 **VI. RESPONSIBILITY**

571
572 The executive committee shall be responsible for administering this policy and ensuring
573 that this policy is current, compliant with all statutory requirements and case law, and
574 consistent with other applicable standards. The executive committee may delegate
575 administration and maintenance of this policy to the executive director.
576