# INDEX
Interstate Medical Licensure Compact
Policies

<table>
<thead>
<tr>
<th>#</th>
<th>Policy Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>#1</td>
<td>Policy on Policies</td>
</tr>
<tr>
<td>#2</td>
<td>Policy on Conflict of Interest</td>
</tr>
<tr>
<td>#3</td>
<td>Policy on Spending Authority – Executive Committee</td>
</tr>
<tr>
<td>#4</td>
<td>Policy on Annual Report</td>
</tr>
<tr>
<td>#5</td>
<td>Policy on IMLCC Reserve Funds</td>
</tr>
<tr>
<td>#6</td>
<td>Policy on Records and Information Requests</td>
</tr>
</tbody>
</table>
INTERSTATE MEDICAL LICENSURE COMPACT

Policies

#1 – Policy on Policies

ADOPTED: APRIL 1, 2016

EFFECTIVE: APRIL 1, 2016

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

- None

I. Policy Statement

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

II. PURPOSE

The purpose of this policy is to establish:

1. A formal mechanism to create, approve, rescind and periodically review IMLC policies.

2. A central policy archive that is accessible and easy to use.

III. DEFINITIONS

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Policy action – A policy may be created, amended or rescinded.

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

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

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

IV. DEVELOPMENT

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

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

V. REQUIREMENTS

1. An IMLC policy shall be clearly written and understandable and be accessible to the IMLC Commission, member states, and the public.
2. An IMLC policy shall be consistent with applicable laws and regulations and case law.
3. An IMLC policy is effective upon adoption, or shall express an effective date, and the policy shall remain in effect until amended or rescinded by the authorized authority, or as expressed in the policy, such as a sunset clause. The date of amendment(s) to an existing policy shall be expressed, but the original policy adoption date shall be retained.

4. All IMLC policies shall be reviewed and updated every five fiscal years or earlier as needed.

5. All IMLC policies shall be maintained on the IMLC Commission’s website. Policies that are rescinded shall be removed on the effective date of the policy action.

6. An IMLC policy action shall be announced in a press release created and distributed by the communications committee.

VI. RESPONSIBILITY

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

#2 – Policy on Conflict of Interest

ADOPTED: JUNE 24, 2016

EFFECTIVE: JUNE 24, 2016

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

- None

I. POLICY STATEMENT

Interstate Medical Licensure Compact (IMLC) commissioners and staff members occupy positions of trust and good faith and are obligated to act in the best interest of the IMLC and its member boards without regard to their personal benefit or the interests of other organizations with which they are associated. IMLC commissioners and staff member shall disclose all actual or perceived conflicts of interest and shall recuse themselves from all discussions and decisions
when a conflict of interest has been disclosed or identified, unless a majority of the quorum of the
IMLC Commission determines otherwise.

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

III. DEFINITIONS

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

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

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

IV. REQUIREMENTS

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

2. Personal recusal. IMLC commissioners and staff members who disclose a
personal conflict of interest shall recuse themselves from all discussions and
decisions, on the matter, unless otherwise determined by a majority of the
quorum of the IMLC Commission, or by a majority of a committee designated
by the IMLC Commission. The recusal shall be recorded in the IMLC
Commission minutes or in a disclosure form provided by the IMLC
Commission at the initiation of a meeting.
3. **Commission-directed recusal.** If an IMLC commissioner or staff member becomes aware of the existence of an actual or perceived conflict of interest, the IMLC commissioner or staff member shall provide this information to the IMLC Commission or a committee designated by the IMLC Commission. Upon the commissioner’s own motion, or motion of a party, a majority of the quorum of the IMLC Commission may recuse a commission upon a determination that the actual or perceived conflict of interest raises an unacceptable risk of bias or prejudgment in matters before the IMLC Commission. The recusal shall be recorded in the IMLC Commission minutes or in a disclosure form provided by the IMLC Commission at the initiation of a meeting.

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

5. **Annual review of this policy.** Each IMLC commissioner and staff member shall annually sign a statement which affirms such person:
   a. Has received a copy of the conflict of interest policy,
   b. Has read and understands the policy, and
   c. Has agreed to comply with the policy.

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

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

ADOPTED: FEBRUARY 22, 2017

EFFECTIVE: FEBRUARY 22, 2017

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

- None

I. **POLICY STATEMENT**

The Interstate Medical Licensure Compact (IMLC) commissioners and staff members are committed to efficiently and responsibility procuring goods and service necessary to carry out the
operations of the IMLC; paying bills and expenses; and monitoring all expenditures for
compliance with applicable laws, regulations and policies. In order to assure timely, effective
business operations, it may be advantageous to delegate limited spending authority to certain
groups or individuals.

II. PURPOSE

The purpose of this policy is to establish:

- A formal mechanism to empower the Executive Committee spending authority for
goods and services up to $5,000 without IMLC Commission approval.
- A formal process for the Executive Committee to delegate signature authority to
appropriate parties for purchasing goods or services pursuant to this policy.
- A definition of qualified expenditures under this policy.
- A process for reporting expenditures authorized by the Executive Committee or
its designee(s) to the IMLC Commission.

III. DEFINITIONS

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

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

IV. REQUIREMENTS

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

2. **Report.** The Executive Committee shall prepare a report of all expenditures
made under this policy to be presented to the IMLC Commission annually, or
more frequently if requested by the IMLC Commission.
3. **Annual review of this policy.** The IMLC Commission Bylaws and Rules Committee shall review this policy each year and make recommendations to the IMLC Commission for continuation or modification of this policy.

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

### #4 – Policy on Annual Report

ADOPTED: MARCH 20, 2018  
EFFECTIVE: MARCH 20, 2018  

AMENDMENT HISTORY (LIST WHEN AMENDED AND CITE SECTION NUMBER):  
- None  

VII. **Policy Statement**  

The Interstate Medical Licensure Compact (IMLC) Statute Section 12, paragraph "q" states that the Interstate Commission shall report annually to the legislatures and governors of the member states concerning the activities of the Interstate Commission during the preceding year.  

VIII. **PURPOSE**  

The purpose of this policy is to:  

A. Assign to the Communications Committee the responsibility for creation, production, and distribution of the annual report.  

B. Establish the date the annual report shall be released.  

C. Identify the mandatory content of the annual report.  

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

X. DEVELOPMENT

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

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

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

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

1. Reports of financial audits and any recommendations that may have been adopted by the Interstate Commission;

2. A report of the budget;

3. A summary of policies, amendments to the bylaws, amendments to the rules, and advisory opinions that were issued or renewed by the Interstate Commission;

4. Information on licenses issued, including renewals, through the Compact;

5. Information on compliance actions through the Compact;

6. A Roster of Compact member boards and their appointed commissioners;

7. A summary of committee activities; and

8. A report from the executive director.

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

#5 – Policy on IMLCC Reserve Funds

ADOPTED: MAY 18, 2018
EFFECTIVE: JULY 1, 2018

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

I. Policy Statement

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

II. PURPOSE

The purpose of this policy is to:

A. Define the types of reserve funds to be developed and maintained.
B. Define how the reserve fund amount(s) are to be determined.
C. Define the authorization required to use the cash fund.
D. Define how unexpended reserve funds are to be handled.

III. DEFINITIONS
**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.
There can be more than one Special 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.

V. RESPONSIBILITY

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

#6 – Policy on Records and Information Requests

ADOPTED: SEPTEMBER 18, 2018
EFFECTIVE: SEPTEMBER 18, 2018

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

I. POLICY STATEMENT

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

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

II. AUTHORITY

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

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

(k) establish personnel policies and programs relating to conflicts of interest, rates of compensation, and qualifications of personnel;
(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.
i) Total numbers of physicians granted a Letter of Qualification.

j) Total numbers of physicians denied a Letter of Qualification.

k) Total numbers of state licenses requested by physicians with Letters of Qualification.

l) Total numbers of state physician licenses granted via the Compact.

m) Total numbers of state physician licenses renewed via the Compact.

n) Total numbers of revoked Letters of Qualification.

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

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

“State-held information” includes the following:

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

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

V. PROCEDURES

A. All requestors of IMLCC information shall submit a request in writing to the IMLCC executive director. The written request, which also includes via email, shall include the name, address and other contact information of the
requestor, as well as a detailed description of the information sought. If the IMLCC approves a form for this purpose, it shall be available on the IMLCC website.

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

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

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

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

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

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

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

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

J. For requests that require extensive time, money or other resources to fulfill, the IMLCC executive director shall work cooperatively with the requestor regarding when the request shall be fulfilled.
K. The preferred method of providing information to requestors shall be e-mail, including attachments if needed. The IMLCC executive director also may provide information on a portable memory device supplied by the requestor or via a file transfer service approved by the IMLCC Executive Committee.

VI. RESPONSIBILITY

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