

IMLCC Rules and Administrative Procedures Committee

Summary

May 14, 2019

Participants

Commissioner Christine Farrelly, Chair (MD)
Commissioner Ruth Martinez (MN)
Commissioner Warren Gall (IA)
Tyler Klatt for Commissioner Margaret Hanson (SD)
Commissioner Larry Marx (UT)

Absent:

E. Garland (ID)

IMLC Executive Director Marschall Smith and Wanda Bowling, Consultant were in attendance, as well as David Finkler (MD).

On May 14, 2019, the IMLCC Bylaws and Rules Committee convened by telephone to discuss the following agenda items:

- 1) A draft rule for Chapter 3 - Administrative Rule on Fees - the proposal is to establish a return of funds process.
- 2) Administrative Procedures for:
 - a) LOQs issued in error.
 - b) Situations where the physician failed to maintain the SPL relationship.
 - c) Situations where the IMLCC renewal process was used for a non-IMLCC renewal.
 - d) Situations where funds have been returned to the applicant.

Technology Concerns:

The Committee expressed concerns about the payment errors due to lack of appropriate technology. It was reported by Mr. Smith and Ms. Bowling that 80% of the issues will be resolved with technology in 8 or 9 months.

Refunds, Proposed Administrative Procedures and Proposed Rule:

The Committee determined that a rule was not necessary to address a return of funds process. The Committee discussed and made modifications to language in Administrative Procedures 1, 2 and 3.

As revised, the Committee voted unanimously to approve Administrative Procedure No. 1- LOQs Issued In Error. (Motion by Marx/second by Gall)

As revised, the Committee voted unanimously to approve Administrative Procedure No. 2- The Action Steps To Be Taken When It Is Determined That A Physician Has Failed To Maintain Their Relationship With The State Of Principal License (SPL). (Motion by Martinez/second by Marx)

As revised, the Committee voted unanimously to approve Administrative Procedure No. 3- The Action Steps To Be Taken When It Is Determined That A Physician Has Used The IMLCC Renewal Process For A License That Was Not Obtained Through The IMLCC. (Motion by Martinez/second by Marx)

Recommendations to Executive Committee:

The Committee will recommend the following to the Executive Committee:

1. The Executive Committee should delegate the following Administrative Refunds to the Executive Director and IMLCC staff: duplicate applications; applications that could not be completed due to system errors; wrong application completed; double or multiple payments; credit card disputes that are lost.
2. The IMLCC should retain service fees.
3. The IMLCC should not refund based upon a State's request. The IMLCC should pay all funds collected to the respective States. The States can then make a determination of whether to issue a refund and the amount of the refund.
4. Administrative Procedures 1, 2 and 3 be adopted.

Continuing topics for further consideration:

- SPL designation and redesignation
- Maintenance of licensure in SPL
- Termination of licenses (ineligibility to renew)
- FAQs and other educational messages
- Collaborating with other IMLCC Committees (e.g. Technology and Communications)