

Rule Chapter 8 Notice to Licensees Upon a Withdrawal or Termination of membership in the Compact

8.1 Authority

This chapter is promulgated by the Interstate Commission pursuant to the Interstate Medical Licensure Compact Sections 15, 18, and 21. The rule shall become effective upon adoption by the Interstate Commission.

8.2 Definitions

“Defaulting state” means a state that has defaulted under Section 18 of the Compact.

“State of principal license” means a member state where a physician holds a license to practice medicine and which has been designated as such by the physician for purposes of registration and participation in the Compact.

“Termination of membership in the Compact” means the Commission’s expulsion of a defaulting state from the Compact under the procedures set forth in Section 18 of the Compact.

“Withdrawing state” means a state that has, in accordance with Section 21 of the Compact, repealed the Compact.

8.3 Notice from Withdrawing State

- a. Within 90 days from enactment of a statute withdrawing a member state from the Compact, the withdrawing state shall send notices, pursuant to this rule, to licensees who have been licensed in the withdrawing state and licensees who list the withdrawing state as their state of principal of license.
- b. The notice from the withdrawing state to licensees who have been licensed through the Compact in the withdrawing state, shall inform the licensees that they will not be able to renew their withdrawing state’s license through the Compact. The notice shall provide information concerning other methods to apply for licensure in the withdrawing state, including a link or directions to access the withdrawing state’s licensure application.
- c. The notice to licensees whose state of principal license is the withdrawing state shall inform licensees that they must maintain a state of principal license through the compact under Compact Rule 4.5. The notice shall inform the licensees that they will not be able to renew their license in any state through the compact if they have not redesignated their state of principle license prior to the withdrawing state’s exit from the Compact. The notice shall include instructions, created by the Commission in accordance with Compact Rule 4.4, regarding how licensees may redesignate their state of principal license.
- d. Upon notice from the withdrawing state of the enactment of a statute withdrawing a member state from the Compact, the Commission shall update its website to notify all applicants of the withdrawing state’s withdrawal from the Commission. The website shall provide notice to applicants that the licenses will terminate upon the effective date of withdrawal and shall list the effective date of withdrawal.

8.4 Immunity from Suit and Liability for Withdrawal

A withdrawing state that withdraws from the compact pursuant to the laws and rules of the Interstate Medical License Compact and has complied with the rules regarding notice provided in this section shall be immune from suit and liability from a physician or entity claiming injury based on the withdrawing state's withdrawal from the compact.

8.5 Notice after Termination of membership in the Compact

- a. Within 90 days from the vote by the Commission to terminate membership in the Compact of a defaulting state, the defaulting state shall send notices, pursuant to this rule, to licensees who have been licensed in the defaulting state and licensees who list the defaulting state as their state of principal of license.
- b. The notice from the defaulting state to licensees who have been licensed through the Compact in the defaulting state, shall inform the licensees that they will not be able to renew their defaulting state's license through the Compact. The notice shall provide information concerning other methods to apply for licensure in the defaulting state, including a link or directions to access the defaulting state's licensure application.
- c. The notice to licensees whose state of principal license is the defaulting state shall inform licensees that they must maintain a state of principal license through the compact under Compact Rule 4.5. The notice shall inform the licensees that they will not be able to renew their license in any state through the compact if they have not redesignated their state of principle license prior to the defaulting state's exit from the Compact. The notice shall include instructions, created by the Commission in accordance with Compact Rule 4.4, regarding how licensees may redesignate their state of principal license.
- d. Upon notice from the defaulting state of the enactment of a statute defaulting a member state from the Compact, the Commission shall update its website to notify all applicants of the defaulting state's withdrawal from the Commission. The website shall provide notice to applicants that the licenses will terminate upon the effective date of withdrawal and shall list the effective date of withdrawal.
- e. The effective date of termination of membership in the Compact shall be no earlier than six months following the full Commission's vote to terminate.

Rule Chapter 9 Commission Records Access and Control Confidentiality of Records

9.1 Authority

This chapter is promulgated by the Interstate Commission pursuant to the Interstate Medical Licensure Compact Sections 11 and 15. The rule shall become effective upon adoption by the Interstate Commission.

9.2 Classification and Confidentiality of Records

a. All records created by and maintained by the Commission are the property of the Commission;

b. The Commission shall classify record series, records or information within a record as public, private, controlled, protected, or exempt from disclosure.

c. The following Commission records shall be ~~exempt confidential~~ and not available to the public for inspection or disclosure:

(1) The following physician information:

- (i) personal identifying information;
- (ii) personal contact information;
- (iii) answers to criminal or disciplinary questions;
- (iv) fiscal or payment information;
- (v) disciplinary records; and
- (vi) test scores and test results;

(2) Personnel records of Commission staff;

(3) Records that contain legal advice or attorney-client communications or attorney work product; and

(4) Confidential mediation or arbitration documents.

b. After consultation with counsel to the Commission, the Executive Committee may designate records to be confidential and not available to the public for inspection.