INTERSTATE MEDICAL LICENSURE COMPACT COMMISSION

RULE ON EXEMPTION FROM DISCLOSURE OF RECORDS

ADOPTED: DRAFT – September 2019

EFFECTIVE: DRAFT

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

Chapter 9 – Exemption from Disclosure of Records

9.1 Authority

This chapter is promulgated by the Interstate Commission pursuant to the Interstate Medical Licensure Compact sections 11, 12, and 15. The rule shall become effective upon adoption by the Interstate Commission.

9.2 Exemption from disclosure or inspection of Commission Records

a) The following Commission records shall be exempt from public 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) The following internal Commission records:
   i) personnel records of Commission staff;
   ii) commission personnel practice and procedures;
   iii) matters specifically exempted from disclosure by federal statute
   iv) trade secrets, commercial, or financial information that is privileged or confidential;
   v) censures and accusations of a crime;
   vi) personal information where disclosure would constitute an unwarranted invasion of personal privacy;
vii) investigative records compiled for law enforcement purposes;
viii) that specifically relate to a civil action or other legal proceeding;
ix) closed session records related to any of the above topics
x) records that contain legal advice or attorney-client communications
or attorney work product; and
xi) confidential mediation or arbitration documents.

b) After consultation with counsel, the full Commission may designate records not
designated exempt under section (a) to be confidential and not available to the
public for inspection.