

INTERSTATE MEDICAL LICENSURE COMPACT

#1 – Policy on Policies

ADOPTED: April 1, 2016

EFFECTIVE: April 1, 2016

POLICY REVIEWED: February 16, 2021

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

- Paragraph III was modified by adding a new definition called “Policy review” by the Executive Committee on March 2, 2021
- Paragraph III was modified by adding a new definition called “Interested Parties” by the Executive Committee on July 9, 2024
- Paragraph III was modified by deleting the definitions called “Policy development”, “Policy development”, “Policy approval” and “Policy review” by the Executive Committee on July 9, 2024
- Paragraph V was modified creating a new subparagraph #1 and #3, with the resulting re-numbering of the subparagraphs by the Executive Committee on July 9, 2024.
- Paragraph V was modified by changing the language in subparagraphs #5 and #7.
- Paragraph VI was modified by changing the language of the paragraph making the Rules & Administrative Procedures Committee the responsible party and removing authority to delegate to the executive director.

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

Interested Parties – Persons or organizations who have expressed an interest in being notified of the public meetings, notices, and publications of the Commission. The executive director is charged with maintaining the list of emails provided by the interested parties and providing the required notice.

Policy – A policy is a governing set of principles 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 by the executive committee.~~

Policy maintenance – All policies 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.

~~***Policy review*** – The Rules and Administrative Committee is charged with conducting a regular review of the IMLCC policies. These reviews should occur at least every five (5) years. Recommendations for change should be made to the Executive Committee for action.~~

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. Any Commissioner, Commission committees, or the executive director may propose policy action.

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~~4.2.~~ 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. In accordance with Compact Statute, 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 executive committee's decision shall be effective immediately and subject to endorsement by the Commission. The Commission, at the first available opportunity, shall review and vote to endorse any approved or rejected policy action made by the executive committee.

A majority vote in opposition to the executive committee's decision regarding a policy action shall have the immediate effect of replacing the executive committee's policy action with the policy as it existed prior to the executive committee's policy action.

~~3.4.~~ 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.

~~4.5.~~ All IMLC policies shall be reviewed and updated. A policy review shall be conducted by the Rules & Administrative Procedures Committee every five-three fiscal years or earlier as needed. Recommendations for any modifications or changes should be made to the Executive Committee for action.

~~5.6.~~ 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.

~~6.7.~~ An IMLC policy action shall be announced ~~in a press release created and distributed by the communications committee on the Commissions webpage and email notice to Commissioners and "Interested Parties".~~ The action shall be included in the Commission's annual report.

VI. RESPONSIBILITY

The ~~executive committee~~ Rules & Administrative Procedures 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.~~