

Health Services Interim Committee

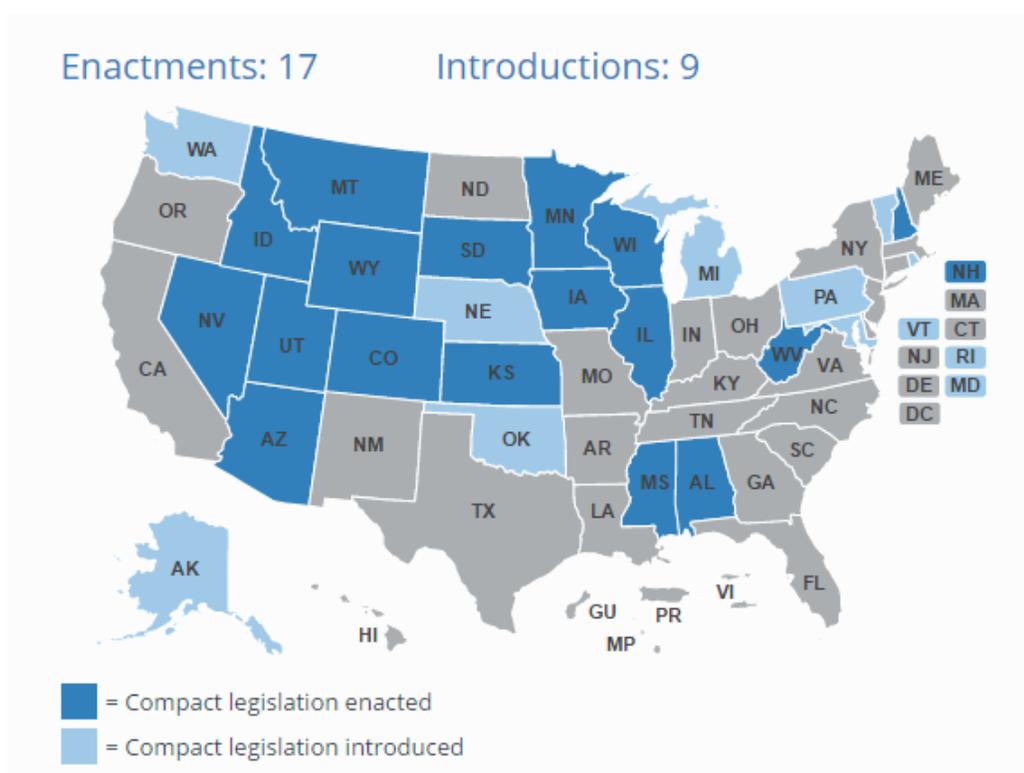
ALAN FEHR
DISTRICT 36 REPRESENTATIVE

Madam Chair and members of the Health Services Committee, thank you for the opportunity to provide a brief introduction to the Interstate Medical Licensure Compact.

A couple months ago I learned of the Interstate Medical Licensure Compact through a press release from the Federation of State Medical Boards. That press release is attached.

The Interstate Medical Licensure Compact makes it easier for physicians to gain licenses in multiple states. It is particularly useful for rural areas and the use of telemedicine.

The website is at: licenseportability.org/



As you can see on the map of states, South Dakota, Montana, Minnesota, Iowa, and Wyoming are participants in the Compact.

According to the website, the Compact is a “voluntary expedited pathway to licensure for qualified physicians who wish to practice in multiple states...” “... the Compact strengthens public protection by enhancing the ability of states to share investigative and disciplinary information.”

The website lists an example for model legislation, which includes the following statement:

“The Compact creates another pathway for licensure and does not otherwise change a state's existing Medical Practice Act. The Compact also adopts the prevailing standard for licensure and affirms that the practice of medicine occurs where the patient is located at the time of the physician-patient encounter, and therefore, requires the physician to be under the jurisdiction of the state medical board where the patient is located. State medical boards that participate in the Compact retain the jurisdiction to impose an adverse action against a license to practice medicine in that state issued to a physician through the procedures in the Compact.”

After making a few inquiries, it was suggested that this Health Services Committee look at this Compact and I agreed to give you this brief introduction.

I also talked to the ND Medical Association and the ND Medical Board. I learned from the Medical Association that their members are in favor of the Compact.

It is a bit more complicated with the ND Medical Board. They have been looking at this Compact and, while they are not opposed to participating in a Compact, there are concerns and unanswered questions.

First, if they enter into the Compact, they would be required to provide a North Dakota license anyone who qualifies through the Compact, which reduces their control over who attains a ND license. Second, there is question about the collection of license fees from someone who gets licensed through the Compact. This is particularly important since the Board derives their funding through the collection of fees from licensees. Third, it was pointed out that the Federation of State Medical Boards has not completed their rules for how the Compact will be operated. The completion of their rules is expected later this year.

It was also pointed out that the ND Medical Board may already have authority to enter into the Compact at this time without a change in the ND Century Code, based on wording in NDCC 43-17-21.

*43-17-21. License granted without examination to persons licensed in other states. The board may in its discretion license by endorsement an applicant who has complied with licensure requirements and who has passed an examination given by a recognized certifying agency approved by the licensing agency, provided such examination was, in the opinion of the board, equivalent in every respect to its examination. **The board may also, in its discretion, enter into reciprocal agreements with the licensing agencies of other states or territories or the District of Columbia providing for a reciprocal waiver of further examination or any part thereof.** In any case the applicant must appear before the board for such examination into the applicant's qualifications as may be required by the board. The board may by regulation make provision for temporary and special licenses to be in effect in the interval between board meetings.*

This concludes my brief introduction of the Interstate Medical Licensure Compact. I would welcome any questions.



For Immediate Release: May 12, 2016

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New Hampshire and Arizona Enact Interstate Medical Licensure Compact Legislation

Fourteen states have now enacted legislation to expand access to quality health care through expedited medical licensure

WASHINGTON, D.C. (May 12, 2016) – New Hampshire and Arizona became the latest states to adopt the Interstate Medical Licensure Compact when legislation was signed into law by New Hampshire Governor Maggie Hassan on May 5 and Arizona Governor Doug Ducey on May 11. With the addition of New Hampshire and Arizona, 14 states have now adopted the Compact legislation to expand access to health care by expediting medical licensure. Compact legislation is also awaiting the signatures of the governors of Colorado, Kansas and Mississippi, whose Legislatures recently passed the legislation.

The Interstate Medical Licensure Compact offers an expedited licensing process for physicians interested in practicing medicine in multiple states. The Compact is expected to expand access to health care, especially to those in rural and underserved areas of the country, and facilitate the use of telemedicine technologies in the delivery of health care.

“New Hampshire’s participation in the Compact will bring many benefits, both for patients and the physicians who care for them,” said Sarah Blodgett, JD, Executive Director of the New Hampshire Board of Medicine. “Most importantly, the Compact’s streamlined licensing process will enable us to expand access to care – a priority for our state.”

“The Arizona Medical Board looks forward to working with the Interstate Medical Licensure Compact Commission to establish procedures to effectively administer the Compact to provide another pathway to expeditiously license physicians,” said Patricia McSorley, JD, Executive Director of the Arizona Medical Board. “We are delighted to become a participant in the Compact,” added Jenna Jones, CPM, Executive Director of the Arizona Board of Osteopathic Examiners in Medicine and Surgery. “As the sixth largest state in the United States in square miles, Arizona has a diverse patient

population, many of whom live in distant or rural locations. The Compact will be a valuable resource in ensuring they receive quality health care.”

“On behalf of the Commission, I welcome New Hampshire and Arizona to the group of states that have joined the Compact,” said Ian Marquand, Chairperson of the Interstate Medical Licensure Compact Commission. “It’s an exciting time for the Commission as it continues its work and I look forward to seeing new faces at the table in the coming weeks.”

The Interstate Medical Licensure Compact Commission is made up of two appointed Commissioners from each state that joins the Compact. The Compact empowers the Commission to administer the Compact, create bylaws and rules for its operation, and otherwise implement the expedited licensure of physicians as the Compact directs.

The Compact has been endorsed by a broad coalition of health care stakeholders, including the American Medical Association (AMA) and the American Osteopathic Association (AOA).

For more information about the Interstate Medical Licensure Compact, please visit <http://licenseportability.org/>. To read the Interstate Medical Licensure Compact model legislation, [click here](#).

About the Federation of State Medical Boards

The Federation of State Medical Boards (FSMB) is a national non-profit organization representing all medical boards within the United States and its territories that license and discipline allopathic and osteopathic physicians and, in some jurisdictions, other health care professionals. The FSMB serves as the voice for state medical boards, supporting them through education, assessment, research and advocacy while providing services and initiatives that promote patient safety, quality health care and regulatory best practices. To learn more about FSMB, visit www.fsmb.org. You can also follow FSMB on Twitter (@theFSMB and @FSMBPolicy).

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