

INTERSTATE MEDICAL LICENSURE COMPACT COMMISSION

RULE ON COMPLIANCE AND ENFORCEMENT

ADOPTED: November 16, 2018

EFFECTIVE: November 16, 2018

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

DRAFT – March 2021

Reviewed:

Chapter 7 – Compliance and Enforcement

7.1 Authority

This chapter is promulgated by the Interstate Commission pursuant to the Interstate Medical Licensure Compact section 19. The rule shall become effective upon adoption by the Interstate Commission.

7.2 Dispute resolution

- 1) Any disputes between member states on compliance and enforcement issues shall be presented to and mediated by the Executive Committee.
- 2) Before submitting a complaint to the Executive Committee, the complaining member Board and the responding member Board shall attempt to resolve the issues without intervention by the Interstate Commission.
- 3) The attempt to resolve the issue, should start with the complaining member Board shall providing a detailed statement to the Executive Director. The statement shall include, at a minimum:
 - a) A description of the compliance issue(s):
 - b) The references to IMLCC Statute and Rules that appear to have been violated:
and
 - c) Any documents or information relevant to the compliance issue(s).

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4) The Executive Director shall present to the responding member Board the concerns raised by the complaining member board within two (2) business days.

5) The responding member Board shall provide a statement to the Executive Director responding to each compliance issue that has been raised. The statement shall include, at a minimum:

a) A description of the how the compliance issue was reviewed and addressed;

b) An explanation of the reason why the compliance issue does not violate the IMLCC Statute and Rules;

c) Any documents or information relevant to the compliance issue(s); and

d) A statement regarding that the issue(s) raised have been reviewed and the actions determined by the responding member board are valid.

6) The Executive Director shall provide the response from the responding member Board to the complaining member Board. If the responding member Board has determined that its actions and/or decisions were in compliance with the IMLCC Statute and Rules, the Executive Director shall instruct the complaining member Board to proceed with the processing of the application or issuing the requested licenses.

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7) If the parties are unable to resolve the issue, the complaining member state Board is not satisfied with the response and does not believe that it can comply with the Executive Director's instructions to proceed, then the complaining member Board shall provide the Secretary of the Executive Committee a written statement, not to exceed five pages, including the name, email, and phone number of the party(s) to whom correspondence about this matter should be addressed.

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8) The Secretary of the Executive Committee shall within two (2) business days, send, which will be sent to the responding member state a copy of the written statement. The responding member state may submit a written response to the complaining member state and the Executive Committee, not to exceed five pages, within 30 calendar days, including the name, email, and phone number of the party(s) to whom correspondence about this matter should be addressed.

9) The Secretary of the Executive Committee shall notify both member boards, including the appointed Commissioners from each member Board's state, of the date and time for a meeting where the matter will be discussed. The member state representatives may appear telephonically before the Interstate Commission at a time and place as designated by the Executive Committee of the Interstate Commission shall serve as the party responsible determining potential resolutions to

the conflict and shall take action to mediate the concerns and with the intention of developing a mutually agreeable resolution. ~~for mediation.~~

10)The Secretary of the Executive Committee shall act as chair of the mediation meeting.

4)11) The meetings regarding this matter shall be considered confidential and closed to the public in accordance with IMLCC Statute, Section 11, paragraph (h).

5)12) After the meeting and deliberations, The Executive Committee of the Interstate Commission shall make a recommendation to the parties to resolve the issue.

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