

**INTERSTATE MEDICAL LICENSURE COMPACT COMMISSION
EXECUTIVE COMMITTEE**

Conference Call

July 11, 2023

MEETING MINUTES

Call to Order

Chair Spangler (WV)

The Executive Committee of the Interstate Medical Licensure Compact Commission convened at 3:02 PM, Eastern Time via conference call and was called to order by Chair Spangler (WV).

Roll Call

Secretary Smith

The roll was called, and a quorum was established.

Members Present

Commissioner Spangler (WV) - Commission Chair
Commissioner Silas (AL) - Commission Vice Chair
Commissioner Cleveland (MS) - Treasurer and Chair of the Budget Committee
Commissioner Rodman (KY) - Chair of the Communications Committee
Commissioner Herlihy (VT) - Chair of the Personnel Committee
Commissioner Bohall (AZ) - Chair of the Rules and Administrative Procedures Committee
Commissioner Manahan (MN) - Chair of the Technology Committee

Members Absent

Vacant - Past Chair

Staff Present

Keyla Blanco, Controller; David Clark, Operations Manager; Rick Masters, Legal Counsel; Marschall Smith, Executive Director; Dale Watts, IT Manager

Other commission members and members of the public

Commissioner Smith (MD)

Approval of agenda

Chair Spangler (WV)

The agenda was provided to the members prior to the meeting. The Executive Committee determined that it would amend the agenda to include discussion of the June 22, 2023 Special Executive Committee minutes.

MOTION TO AMEND THE AGENDA

MOVED BY COMMISSIONER CLEVELAND (MS), SECONDED BY COMMISSIONER MANAHAN (MN), TO AMEND THE DRAFT AGENDA TO INCLUDE A DISCUSSION OF THE JUNE 22, 2023 SPECIAL EXECUTIVE COMMITTEE MEETING MINUTES.

MOTION PASSED

UNANIMOUS

MOTION TO APPROVE THE AMENDED AGENDA

MOVED BY COMMISSIONER CLEVELAND (MS), SECONDED BY COMMISSIONER RODMAN (KY), TO APPROVE THE AMENDED AGENDA.

MOTION PASSED

UNANIMOUS

Approval of the minutes

Executive Director Smith

The draft minutes from the June 6, 2023 meeting and June 22, 2023 special meeting were provided to the members prior to the meeting for their consideration. Each set of minutes were considered and voted on separately.

MOTION REGARDING JUNE 6, 2023 MINUTES MOVED BY COMMISSIONER BOHALL (AZ), SECONDED BY COMMISSIONER HERLIHY (VT), TO APPROVE THE MINUTES FROM JUNE 6, 2023.

MOTION PASSED UNANIMOUS

MOTION REGARDING JUNE 22, 2023 MINUTES MOVED BY COMMISSIONER RODMAN (KY), SECONDED BY COMMISSIONER MANAHAN (MN), TO APPROVE THE MINUTES FROM THE SPECIAL MEETING ON JUNE 22, 2023.

MOTION PASSED UNANIMOUS

Budget Committee

Treasurer Cleveland (MS)

The committee met on June 18, 2023. At the next meeting, the discussion topics related to:

- The closing of FY2023 which was accomplished on July 7, 2023.
- The IMLCC remains in a strong financial position. Revenues were higher than projections and expenses were at the budgeted amount.
- The audit for FY2023 is scheduled to begin in August, with the goal to provide a final report at the November Commission meeting.
- The review the IMLCC investment policy and the status of IMLCC's investment portfolios. The strategy is working and helping to ensure the IMLCC's long term financial stability.
- A review and discussion of the strategy related to property investments.

The committee determined it would meet quarterly moving forward except for the January to April timeframe when the IMLCC's budget is developed. The next meeting is scheduled for October 17, 2023.

Communication Committee

Commissioner Rodman (KY)

The committee's next meeting is scheduled for the end of July with the meeting focusing on the Summer/Fall newsletter.

Personnel Committee

Commissioner Herlihy (VT)

Commissioner Herlihy reminded the committee members that comments and input on the executive director's performance evaluation are due July 14, 2023.

Rules & Administrative Procedures Committee

Commissioner Bohall (AZ)

The committee met June 20th. At the meeting the committee determined that it would move forward with the rulemaking process for IMLC Rules Chapter 3, 4, and 6. Rule Chapter 4 would be placed for public comments and Rules Chapter 3 and 6 would be placed for commissioner comments. The next meeting is scheduled for July 18th to review comments received.

Technology Committee

Commissioner Manahan (MN)

The committee met on June 8, 2023 and was well attended by 10 of the 14 committee members. The discussion included:

- The report from the IT Manager are positive items, a low system processing failure rate that is below the national average.
- The committee will continue their discussion of ideas for improving the financial aspects of the system after the RFP for the Enhanced Physician Portal is awarded.
- The committee determined that it would hold its next meeting on August 10th.

Executive Director Update

An update was provided regarding:

Executive Director Smith

- June work load
 - Phone calls = 1,258 (1,099 May)
 - Emails = 1,071 (952 May)
- June processing volume
 - Applications processed = 1,800 (1,988 May)
 - Licenses issued = 2,905 (2,968 May)
 - Previously issued licenses renewed = 4,982 (4,991 May)
- June member board remittances
 - Transactions = 8,752 (5,517 May)
 - Fees paid to member boards = \$2,960,018.85 (\$3,320,427.85 May)
- June inquires on LOQs issued - Since 2019 there have been 21 LOQs found to be invalid and 28 physicians have been the subject of disciplinary actions.
 - No LOQ questions were raised and 4 disciplinary action was reported
 1. Dr. VSN
 - A member board took disciplinary action. Impacted member boards were notified.
 2. Dr. GHL
 - A member board took disciplinary action. Impacted member boards were notified.
 3. Dr. AK
 - A member board took disciplinary action. Impacted member boards were notified.
 4. Dr. LEP
 - A member board took disciplinary action. Impacted member boards were notified.
- The Washington District of Columbia Board of Medicine began actively processing of applications on Monday, June 12, 2023.
- Hawaii became the 40th member of the IMLCC on June 22, 2023.
- Missouri became the 41th member of the IMLCC on July 6, 2023
- There is active legislation in 3 states: MA, NY, and NC

Action Item #1
Chair Spangler

The Chair is requesting that a Nominations Committee be created as an Ad Hoc committee as permitted under IMLC Bylaws, Article II. Comments were made that this is a good sign, showing that the organization is growing and maturing. Several other compacts also have nominating committees and it is an effective way to recruit candidates for offices. It was suggested that if the committee continues, that commissioners be allowed to run for the nominating committee. The current request would follow the IMLC Bylaws, Article II, which authorizes the chair to appoint the members and chair. The goal of the committee is to create a more orderly process for developing a recommended slate of officers for the commissioners to consider. The process of nominations from the floor would continue.

The Chair has also asked the Rules & Administrative Procedures Committee to consider changing the terms of office from 1 year to 2 years, with the intention of adding the change of the Bylaws to the agenda for the November meeting. After discussion of the purpose and intention of the committee, the question was called.

MOTION

MOVED BY COMMISSIONER RODMAN (KY), SECONDED BY COMMISSIONER CLEVELAND (MS), TO AUTHORIZE THE CHAIR TO FORM AN AD HOC NOMINATIONS COMMITTEE AND FOR THE CHAIR TO APPOINT MEMBERS TO THE COMMITTEE AND A CHAIR OF THE COMMITTEE IN ACCORDANCE WITH IMLC BYLAWS, ARTICLE II.

MOTION PASSED

UNANIMOUS

Action Item #2
Chair Spangler

The executive director is requesting authorization to execute a lease agreement for new IMLCC office space. It was generally agreed that the current office space was no longer adequate for the staff and a new space that included room for future expansion was appropriate. The agreement has been negotiated with Pantheon ViewPoint LLC after an evaluation of space needs and an extensive property search in the Denver Metro area. The search was conducted by Treasurer Cleveland and the executive director. Legal counsel was part of the lease negotiation process and has determined that there is no legal reason to recommend against signing the agreement. The move-in date is scheduled for October 1, 2023, which would result in the early termination of the lease of the current office space. Negotiations are being conducted to minimize the cost impacts of the early termination. The FY2024 budget, which was approved in May 2023, has been adjusted to accommodate the new lease and associated move costs without the need to increase the executive director's spending authority. After discussion the question was called.

MOTION

MOVED BY COMMISSIONER MANAHAN (MN), SECONDED BY COMMISSIONER SILAS (AL), TO AUTHORIZE THE CHAIR AND EXECUTIVE DIRECTOR TO ENTER INTO THE NEGOTIATED LEASE AGREEMENT WITH PANTHEON VIEWPOINT LLC AND TO SIGN THE NECESSARY DOCUMENTS AND AGREEMENTS TO ACCOMPLISH THE MOVE OF THE IMLCC OFFICES.

MOTION PASSED

UNANIMOUS

Action Item #3
Chair Spangler

The executive director is requesting endorsement of the signed agreement to hold the November annual commission meeting at the Hyatt Regency Denver Tech Center. The Hyatt Regency was selected after a search of multiple Colorado locations. The Hosting Agreement has been negotiated and signed for the annual meeting on November 13 and 14, 2023. The costs are within the amounts budgeted for the function. After a brief discussion, the question was called.

MOTION

MOVED BY COMMISSIONER HERLIHY (VT), SECONDED BY COMMISSIONER BOHALL (AZ), TO ENDORSE THE EXECUTIVE DIRECTOR'S ACTION OF SIGNING THE HOSTING AGREEMENT AND CONTRACT SO THAT THE 2023 ANNUAL COMMISSION MEETING CAN BE HELD AT THE HYATT REGENCY DENVER TECH CENTER.

MOTION PASSED

UNANIMOUS

Discussion Item

Chair Spangler

Discussion and review of the submitted bids for the Enhanced Physician Portal RFP. The discussion would take place in a Closed Meeting.

Closed Meeting

Chair Spangler

The Executive Committee determined that it should enter a closed meeting in order to discuss and review the bids submitted by vendors in response to the Enhanced Physician Portal RFP, as permitted by IMLC Statute, Section 11, paragraph (h)(3) and IMLC Policy 12 - Policy on Procurement. Legal Counsel certified that the reason to close the meeting complied with the IMLC Statutes and Policies. The executive committee members, legal counsel, IT technology manager, and the executive director were invited to a segregated area of the virtual meeting space for the closed meeting portion which started at 3:52 pm Eastern time. The public space of the virtual meeting remained active during the closed meeting.

MOTION

MOVED BY COMMISSIONER CLEVELAND (MS), SECONDED BY COMMISSIONER RODMAN (KY) TO CLOSE THE EXECUTIVE COMMITTEE MEETING FOR THE PURPOSE OF DISCUSSION AND REVIEW OF THE BIDS SUBMITTED BY VENDORS IN RESPONSE TO THE ENHANCED PHYSICIAN PORTAL RFP.

MOTION PASSED

UNANIMOUS

Action items from the Closed Meeting

Chair Spangler

The closed meeting ended at 4:45 pm Eastern Time. The Executive Committee resumed its business in open session.

MOTION

MOVED BY COMMISSIONER CLEVELAND (MS), SECONDED BY COMMISSIONER BOHALL (AZ) TO INSTRUCT THE EXECUTIVE DIRECTOR AND IT MANAGER TO PROVIDE QUESTIONS TO SELECTED BIDDERS IN ORDER TO SEEK ADDITIONAL INFORMATION AS A CONTINUATION OF THE DELIBERATIVE PROCESS OF THE ENHANCED PHYSICIAN PORTAL REQUEST FOR PROPOSAL.

MOTION PASSED

UNANIMOUS

Commissioner Comments

Chair Spangler (WV)

Commissioner Smith (MD) asked how the Nominating Committee would be formed. The Chair stated that the committee would be formed and chair selected in accordance with the IMLC Bylaws, Article II which entrusts these actions to the Chair of the IMLCC.

Public Comments

Chair Spangler (WV)

The executive director announced that the 2023 IMLCC Commission Annual Meeting would be held in Denver, Colorado on November 13 and 14, 2023 at the Hyatt Regency Denver Tech Center, 7800 East Tufts Avenue, Denver, CO 80237. Additional information will be provided in September.

Adjournment

Executive Director Smith

There being no further business, the meeting was adjourned at 4:49 PM Eastern Time.