

**INTERSTATE MEDICAL LICENSURE COMPACT COMMISSION**

# **RULE ON STATE OF PRINCIPAL LICENSE**

**ADOPTED: NOVEMBER 17, 2017**

**EFFECTIVE: NOVEMBER 17, 2017**

**REVIEWED: MARCH 16, 2021**

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

- Section 4.4 was amended by the Interstate Commission on November 16, 2018 by adding subparagraph 4.4(4)
- Section 4.5 was removed by the Interstate Commission on November 19, 2019
- Section 4.2 “Employer” was amended – FUTURE DATE
- Section 4.3, paragraph (b) was amended – FUTURE DATE

## **Chapter 4 - State of Principal License**

### **4.1 Authority**

This chapter is promulgated by the Interstate Commission pursuant to the Interstate Medical Licensure Compact Section 4. The rule shall become effective upon adoption by the Interstate Commission.

### **4.2 Definitions**

As used in this chapter:

“*Employer*” means a person, business or organization located in a physician’s designated state of principal license that employs or contracts with a physician to practice medicine. Excluded from this definition is:

1. Only the registration of an employer with the Secretary of State of a member state.
- 4-2. Only the presence of a registered agent of the employer who is located in a member state.

“*Member board*” means a state agency in a member state that acts in the sovereign interests of the state by protecting the public through licensure, regulation, and education of physicians as directed by the state government.

“*Practice of medicine*” means the clinical prevention, diagnosis, or treatment of human disease, injury, or condition requiring a physician to obtain and maintain a license in

compliance with the medical practice act of a member state. The practice of medicine occurs where the patient is located at the time of the physician-patient encounter.

*“Primary residence”* means the dwelling where a person usually lives. A person can only have one primary residence at any given time.

*“State of principal license”* means a member state where a physician holds a license to practice medicine and which has been designated as such by the physician for purposes of registration and participation in the Compact.

#### **4.3 Designation of state of principal license**

(a) A physician shall designate a member state as the state of principal license for purposes of registration for expedited licensure through the Compact if the physician possesses a full and unrestricted license to practice medicine in that state, and the state is:

- (1) The state of primary residence for the physician, or
- (2) The state where at least twenty-five percent of the practice of medicine occurs, or
- (3) The location of the physician’s employer, or
- (4) If no state qualifies under subparagraph (1), subparagraph (2), or subparagraph (3), the state designated as state of residence for purposes of federal income tax.

(b) The physician must meet one of the state of principal license’s eligibility requirements when the application for a letter of qualification is reviewed by the designated state of principal license’s medical board. Member boards, when acting as the state of principal license, shall apply these requirements contemporaneously to determine if a physician has appropriately designated a state of principal license.

#### **4.4 Redesignation of the state of principal license**

(a) The physician may redesignate a member state as the state of principal license at any time, as long as the physician meets the requirements in paragraph “a” of Section 4 of the Compact, following this process:

- (1) The physician shall complete a state of principal license form at the Interstate Commission’s website, [www.imlcc.org](http://www.imlcc.org)

- (2) Upon receipt of the completed form, the Interstate Commission shall notify the new state of principal license and existing state of principal license.
- (3) Physician information collected by the Interstate Commission during the process to redesignate a state of principal license shall be distributed to all member boards.
- (4) The redesignated member state of principal license shall be responsible for ensuring that the physician meets the requirements of paragraph 4.3(a) at the time of the application for redesignation of the state of principal license. The redesignated member state shall notify the Interstate Commission of its findings contemporaneously.