



Legislative Council Staff

Research Note

Version: Final

Date: 5/10/2016

Bill Number

House Bill 16-1047

Sponsors

*Representatives Buck & Winter
Senators Newell & Roberts*

Short Title

*Interstate Medical Licensure
Compact*

Research Analyst

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Status

This research note reflects the final version of the bill and becomes effective upon signature of the Governor.

Summary

This bill enacts the Interstate Medical Licensure Compact (compact) and authorizes the Governor to enter into the compact on behalf of Colorado. Under the compact, physicians licensed in a member state may obtain an expedited license in other member states, allowing them to practice in Colorado or in another member state. The compact is governed by the Interstate Medical Licensure Commission (interstate commission). The compact outlines the process for obtaining an expedited license, including:

- eligibility requirements;
- the designation of a state of principal license;
- the application, issuance, and renewal processes; and
- the fees charged by member states.

The compact allows member states to investigate and discipline physicians, including as part of joint investigations with other member states. The interstate commission is required to maintain a database of all licensed physicians in member states. Member states are required to report certain disciplinary actions and complaints against licensed physicians to the interstate commission. In addition, member states are required to share information about disciplinary actions and complaints at the request of another member state.

The compact becomes effective and binding upon enactment of the compact by at least seven states. The compact outlines the processes for member states to withdraw from the compact voluntarily, or for the interstate commission to terminate the membership of a state that defaults

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on its obligations under the compact.

The Colorado Medical Board must facilitate the licensure of physicians under the compact, including obtaining a set of fingerprints from an applicant for a fingerprint-based criminal history record check. Physicians licensed under the compact are subject to the Michael Skolnik Medical Transparency Act of 2010.

Background

As of January 2015, the following 12 states have enacted the compact: Alabama, Idaho, Illinois, Iowa, Minnesota, Montana, Nevada, South Dakota, Utah, West Virginia, Wisconsin, and Wyoming. The interstate commission has begun its work and held meetings in October and December 2015. The interstate commission consists of two voting representatives from each member state and is required to meet at least once per year. Among its various duties, the interstate commission may:

- levy and collect an annual assessment on member states to fund its operations;
- employ an executive director and other staff;
- promulgate rules;
- enforce compliance with compact provisions;
- issue advisory opinions; and
- perform other duties necessary for administration of the compact.

The Michael Skolnik Medical Transparency Act of 2010 requires applicants for a new license, certification, or registration or renewal, reinstatement, or reactivation of a license, certification, or registration, to provide certain information to the director of the Division of Professions and Occupations in the Department of Regulatory Agencies. The director must make certain information submitted by an applicant publicly available in a manner that allows the public to search the information by name, license number, board certification or specialty area, if applicable, or city of the applicant's address of record. If the information is made available on a website, the director must ensure that the web site is updated at least monthly and that the date on which the update occurs is indicated on the website.

House Action

House Health, Insurance, and Environment Committee (February 4, 2016). At the hearing representatives from Children's Hospital Colorado, Colorado Community Health Network, Colorado Hospital Association, Colorado Psychiatric Society, and Peak Vista Community Health Centers testified in support of the bill. The committee adopted amendments L.001 and L.002, and referred the bill, as amended, to the House Finance Committee. Amendment L.001 added facilitating the licensure of physicians under the compact, including obtaining a set of fingerprints from an applicant for a fingerprint-based criminal history record check, to the powers and duties of the Colorado Medical Board. Amendment L.002 added physicians licensed under the compact to the Michael Skolnik Medical Transparency Act of 2010.

House Finance Committee (March 24, 2016). At the hearing, a representative from Children's Hospital Colorado answered questions from the committee. The committee adopted amendment L.004, and referred the bill, as amended, to the House Appropriations Committee. Amendment L.004:

- made the provisions of the bill effective on January 1, 2017, or the date on which the

interstate commission is able to fully implement the compact and licenses are able to be issued through the process specified in the compact; and

- required the Executive Director of the Department of Regulatory Agencies to appoint two individuals to represent the state on the interstate commission.

House Appropriations Committee (April 7, 2016). The committee adopted amendment J.001 and referred the bill to the House Committee of the Whole. The amendment adds an appropriations clause to the bill.

House second reading (April 11, 2016). The House adopted the House Health, Insurance, and Environment, House Finance, and House Appropriations committee reports. The House passed the bill on second reading, as amended.

House third reading (April 14, 2016). The House passed the bill on third reading with no amendments.

Senate Action

Senate Health and Human Services Committee (April 21, 2016). At the hearing, representatives from AARP Colorado, Children's Hospital Colorado, and Colorado Community Health Network testified in support of the bill. The committee adopted amendment L.005, and referred the bill, as amended, to the Senate Finance Committee. Amendment L.005 removed the provisions of the bill that:

- made the provisions of the bill effective on January 1, 2017, or the date on which the interstate commission is able to fully implement the compact and licenses are able to be issued through the process specified in the compact; and
- required the Executive Director of the Department of Regulatory Agencies to appoint two individuals to represent the state on the interstate commission.

Senate Finance Committee (May 3, 2016). At the hearing, representatives from Children's Hospital Colorado testified in support of the bill. The committee referred the bill, unamended, to the Senate Appropriations Committee.

Senate Appropriations Committee (May 5, 2016). The committee adopted amendment J.002 and referred the bill to the Senate Committee of the Whole. The amendment adjusts the bill's appropriations clause.

Senate second reading (May 5, 2016). The Senate adopted the Senate Health and Human Services and Senate Appropriations committee reports. The Senate passed the bill on second reading, as amended.

Senate third reading (May 6, 2016). The Senate passed the bill on third reading with no amendments.