



HOUSE OF REPRESENTATIVES

HB 2502

medical licensure compact

Prime Sponsor: Representative Carter, LD 15

DP Committee on Health
DPA Caucus and COW
X As Transmitted to the Governor

OVERVIEW

HB 2502 enacts the Medical Licensure Compact (Compact).

PROVISIONS

1. Allows the Arizona Medical Board (AMB) to accept and expend grants, gifts, devises and other contributions from any public or private source, including the federal government. Monies received do not revert to the state General Fund at the end of a fiscal year.
2. Applies the following provisions to the AMB and the Arizona Board of Osteopathic Physicians (Board):
 - a. Permits the AMB and the Board to issue temporary, non-renewable, non-extendable licenses, beginning July 1, 2017, to allow a physician who is not a licensee to practice in this state for up to 250 consecutive days if the physician meets all of the following requirements below:
 - i. Holds an active and unrestricted license to practice medicine in a state, territory or possession of the United States.
 - ii. Has never had a license revoked or suspended or surrendered a license for disciplinary reasons.
 - iii. Is not the subject of an unresolved complaint.
 - iv. Has applied for a license.
 - v. Has paid applicable fees.
 - b. A physician must submit a notarized affidavit attesting that the physician meets requirements i, ii, and iii as outlined above. The physician must immediately notify the AMB or the Board if any circumstances in i, ii or iii change during the application period for a temporary license or the term of a temporary license, at which time their temporary license may be denied or revoked.
 - c. Approve or deny an application for a temporary license within 30 days after the filed application. The approval of a temporary license allows the physician to practice in this state without restriction.
 - d. If granted, the physician's temporary license expires either 250 days after the temporary license is granted or on approval or denial of the physician's license application, whichever is earlier.
 - e. For the purposes of meeting requirements for a temporary license, an applicant must provide the name of each state, territory or possession of the United States that the person is licensed or has held a license. The AMB and the Board must verify with the applicable regulatory board that the applicant holds an active and unrestricted license to practice

medicine, has never had a license revoked or suspended or surrendered a license for disciplinary reasons and is not the subject of an unresolved complaint.

- f. Accept the verification of the information from each other regulatory board verbally, which must be followed by either an electronic or hard copy before the physician's permanent license is granted. If unable to verify the information within 30 days, the time frame may be extended by an additional 30 days to receive the necessary information.
- g. Establish a fee in rule for temporary licensure.
- h. Provides that an applicant for licensure is not required to hold or maintain a specialty certification as a condition of licensure in this state. An applicant's specialty certification may be considered as a factor in whether to grant a license to the applicant. Defines specialty certification.

Purpose

- 3. Declares that in order to strengthen access to health care, and in recognition of the advances in the delivery of health care, the member states of the Compact have allied in common purpose to develop a comprehensive process that complements the existing licensing and regulatory authority of state medical boards and provides a streamlined process that allows physicians to become licensed in multiple states, thereby enhancing the portability of a medical license and ensuring the safety of patients. This Compact creates another pathway for licensure and does not otherwise change a state's existing Medical Practice Act. This 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 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.

Eligibility

- 4. States a physician must meet the eligibility requirements of this Compact to receive an expedited license under the terms and provisions of this Compact.
- 5. Specifies that a physician who does not meet the requirements of this Compact may obtain a license to practice medicine in a member state if the individual complies with all laws and requirements, other than the Compact, relating to the issuance of a license to practice medicine in that state.

Designation of State of Principal License

- 6. Requires a physician to 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 one of the following:
 - a. The state of primary residence of the physician;
 - b. The state where at least 25% of the physician's practice occurs;
 - c. The location of the physician's employer; and
 - d. If no state qualifies, the state designated as state of residence for purpose of federal income tax.
- 7. Allows a physician to redesignate a member state as the state of principal residence license at any time, as long as the state meets the provisions outlined above.

8. Permits the Interstate Commission (Commission) to develop rules to facilitate the redesignation of another member state as the state of principal license.

Application and Issuance of Expedited License

9. Requires a physician seeking licensure through the Compact to file an application for an expedited license with the member board of the state selected by the physician as the state of principal license.
10. Provides that a member board within the state selected as the state of principal license, on receipt of an application for expedited license, must evaluate whether the physician is eligible for expedited licensure and issue a letter of qualification verifying or denying the physician's eligibility to the Interstate Commission as follows:
 - a. Static qualifications that are not subject to additional primary source verification when already verified by the state of principal residence;
 - b. Requires the member board of the principal license state, in the course of verifying eligibility, to perform a criminal background check of an applicant; and
 - c. States that on appeal the determination of eligibility must be made to the member state where the application was filed and must be subject to the laws of that state.
11. Specifies that after verification of a physician's qualifications by the member state, eligible physicians for an expedited license must complete the registration process established by the Commission to receive a license in a member state, including payment of applicable fees.
12. Sets forth that after verification of eligibility and payment of fees, a member board must issue an expedited license to the physician. This license must authorize the physician to practice medicine in the issuing state, consistent with the medical practice act and all applicable laws and regulations of the issuing member board and member state.
13. States an expedited license must be valid for a period consistent with the licensure period in the member state and in the same manner as required for physicians holding a full and unrestricted license within the member state.
14. Provides that an expedited license obtained through the Compact must be terminated if the physician fails to maintain a license in the state of principal license for a nondisciplinary reason, without designation of a new state of principal license.
15. Authorizes the Commission to develop rules regarding the application process, including payment of applicable fees and the issuance of an expedited license.

Fees for Expedited License

16. Allows a member state issuing an expedited license to impose a fee for the license issued or renewed through the Compact.
17. Permits the Commission to develop rules regarding fees for expedited licenses.

Renewal and Continued Participation

18. Stipulates that a physician seeking to renew an expedited license must complete a renewal process with the Commission if the physician:
 - a. Maintains a full and unrestricted license in a state of principal license;
 - b. Has not been convicted, received adjudication, deferred adjudication, community supervision or deferred disposition for any offense by a court of appropriate jurisdiction;

HB 2502

- c. Has not had a license subject to discipline by a licensing agency in any state, federal or foreign jurisdiction, excluding any action related to nonpayment of fees related to a license; and
 - d. Has not had a controlled substance license or permit suspended or revoked by a state or the United States Drug Enforcement Administration.
- 19. Mandates that physicians must comply with all continuing professional development or continuing medical education requirements for renewal of a license issued by a member state.
 - 20. Requires the Commission to collect any renewal fees and distribute the fees to the applicable member board and upon receipt of any renewal fees the member board must renew the physicians license.
 - 21. State that all physician information collected by the Commission during the renewal process must be distributed to all member boards.
 - 22. Permits the Commission to develop rules to address renewal of licenses obtained through the Compact.

Coordinated Information System

- 23. Requires the Commission to establish a database of all physicians who are licensed or who have applied for licensure under the Compact.
- 24. States member boards must report to the Commission any public action or complaints against a licensed physician who has applied or received an expedited license through the Compact.
- 25. Specifies that member boards must report disciplinary or investigative information as necessary and proper by rule of the Commission.
- 26. Allows member boards to report any nonpublic complaint, disciplinary or investigative information to the Commission.
- 27. Requires member boards to share complaint or disciplinary information about a physician to other member boards on request.
- 28. States that all information provided to the Commission or distributed by board members must be confidential, filed under seal and used only for investigatory or disciplinary matters.
- 29. Allows the Commission to develop rules for mandated or discretionary sharing of information by member boards.

Joint Investigations

- 30. States that licensure and disciplinary records of physicians are deemed investigative.
- 31. Permits a member board to participate with other members boards in joint investigations of physicians licensed by the member boards.
- 32. Requires that a subpoena issued by a member state be enforceable in other member states.
- 33. Provides for member boards to share any investigative, litigation or compliance materials in furtherance of any joint or individual investigation initiated under the Compact.
- 34. Allows any member state to investigate actual or alleged violations of the statutes authorizing the practice of medicine in any other member state in which a physician holds a license to practice medicine.

Disciplinary Actions

35. Provides that any disciplinary action taken by any member board against a physician licensed through this Compact must be deemed unprofessional conduct that may be subject to discipline by other member boards, in addition to any violation of the medical practice act or regulations in that state.
36. Specifies that if a physician license granted by a member board in the state of principal license is surrendered or relinquished in lieu of discipline, revoked or suspended, then all licenses issued to the physician by member boards must automatically be placed on the same status. If the member board in the state of principal license subsequently reinstates the physician's license, a license issued to the physician by any other member board must remain encumbered until that respective member board takes action to reinstate the license.
37. States that if disciplinary action is taken against a physician by a member board not in the state of principal license, any other member board may deem the action conclusive as to matter of law and fact decided, and either:
 - a. Impose the same or lesser sanctions against the physician, so long as such sanctions are consistent with the medical practice act of that state; or
 - b. Pursue separate disciplinary action against the physician under its respective medical practice act, regardless of the action taken in other member states.
38. Stipulates that if a license granted to a physician by a member board is surrendered or relinquished in lieu of discipline, revoked or suspended, any license issued to the physician by any other member board must be automatically and immediately suspended without further action necessary by the other member board, for 90 days on entry of the order by the disciplining board, to permit the member board to investigate the basis for the action under the medical practice act of that state. A member board may terminate the automatic suspension of the license it issued before the completion of the 90 day suspension period in a manner consistent with the medical practice act of that state.

Interstate Medical Licensure Compact Commission

39. Declares that the member states hereby create the Commission.
40. Provides that the purpose of the Commission is the administration of the Compact, which is a discretionary state function.
41. Mandates that the Commission be a body corporate and joint agency of the member states and must have all the responsibilities, powers and duties set forth in this Compact, and such additional powers as may be conferred on it by a subsequent concurrent action of the respective legislatures of the member states in accordance with the terms of the Compact.
42. Requires the Commission to consist of two voting representatives appointed by each member state who must serve as commissioners. In states where allopathic and osteopathic physicians are regulated by separate member boards, or if the licensing and disciplinary authority is split between multiple boards within a member state, the member state must appoint one representative from each member board. A commissioner must be one of the following:
 - a. An allopathic or osteopathic physician appointed to a member board;
 - b. An executive director, executive secretary or similar executive of a member board; and
 - c. A member of the public appointed to a member board.
43. Mandates the Commission meet at least once per calendar year. A portion of this meeting

must be a business meeting to address such matters as may properly come before the Commission, including the election of officers. The chairperson may call additional meetings and must call a meeting on the request of the majority of the member states.

44. States the bylaws may allow for meetings of the Commission to be conducted by telecommunication or electronic communication.
45. Provides that each commissioner participating at a meeting of the Commission is entitled to one vote. A majority of commissioners constitute a quorum for the transaction of business, unless a larger quorum is required by the bylaws of the Commission. A commissioner must not delegate a vote to another commissioner. In the absence of its commissioner, a member state may delegate voting authority for a specified meeting to another person from that state who meets commissioner requirements.
46. Requires the Commission to provide public notice of all meetings and all meetings must be open to the public. The Commission may close a meeting, in full or in part, if it determines by a two-thirds vote of the commissioners present that an open meeting would be likely to do any of the following:
 - a. Relate solely to the internal personnel practices and procedures of the Commission;
 - b. Discuss matters specifically exempted from disclosure by federal statute;
 - c. Discuss trade secrets or commercial or financial information that is privileged or confidential;
 - d. Involve accusing a person of a crime or formally censuring a person;
 - e. Discuss information of a personal nature for which disclosure would constitute a clearly unwarranted invasion of personal privacy;
 - f. Discuss investigative records compiled for law enforcement purposes; or
 - g. Specifically relate to the participation in a civil action or other legal proceeding.
47. Require the Commission to keep minutes that fully describe all matters discussed in a meeting and must provide a full and accurate summary of actions taken, including a record of all roll call votes.
48. State the Commission must make its information and official records, to the extent not otherwise designated in this Compact or by the Commission's rules, available to the public for inspection.
49. Requires the Commission to establish an executive committee, which must include officers, members and others as determined by the bylaws. The executive committee must have the power to act on behalf of the Commission, with the exception of rulemaking, during periods when the Commission is not in session. When acting on behalf of the Commission, the executive committee must oversee the administration of this Compact, including enforcement and compliance with the provisions of this Compact, its bylaws, rules and other duties as necessary.
50. Permits the Commission to establish other committees for governance and administration of this Compact.

Powers and Duties of the Commission

51. Outlines the Commission's powers and duties as follows:
 - a. Oversee and maintain the administration of the Compact;
 - b. Promulgate rules that are binding to the extent and in the manner provided for in the Compact;

- c. Issue, on the request of a member state or member board, advisory opinions concerning the meaning or interpretation of this Compact, its bylaws, rules and actions;
- d. Enforce compliance with compact provisions, the rules promulgated by the Commission and the bylaws, using all necessary and proper means, including the use of judicial process;
- e. Establish and appoint committees, including an executive committee that must have the power to act on behalf of the Commission in carrying out its powers and duties;
- f. Pay, or provide for the payment of, expenses related to the establishment, organization and ongoing activities of the Commission;
- g. Establish and maintain one or more offices;
- h. Borrow, accept, hire or contract for services of personnel;
- i. Purchase and maintain insurance and bonds;
- j. Employ an executive director who must have powers and duties to employ, select or appoint employees, agents or consultants and to determine their qualifications, define their duties and fix compensation;
- k. Establish personnel policies and programs relating to conflicts of interest, rates of compensation and qualifications of personnel;
- l. Accept donations and grants of money, equipment, supplies, materials and services and receive, utilize and dispose of these in a manner consistent with the conflict of interest policies established by the Commission;
- m. Lease, purchase, accept contributions or donations of, or otherwise own, hold, improve or use, any property, real, personal or mixed (Property);
- n. Sell, convey, mortgage, pledge, lease, exchange, abandon or otherwise dispose of Property;
- o. Establish a budget and make expenditures;
- p. Adopt a seal and bylaws governing the management and operation of the Commission;
- q. Report annually to the legislatures and governors of the member states concerning the activities of the Commission during the preceding year. Such reports must include reports of financial audits and recommendations that have been adopted by the Commission;
- r. Coordinate education, training and public awareness regarding the Compact and its implementation and operation;
- s. Maintain records in accordance with its bylaws;
- t. Seek and obtain trademarks, copyrights and patents; and
- u. Perform such functions as may be necessary or appropriate to achieve the purposes of the Compact.

Finance Powers

- 52. Permits the Commission to levy on and collect an annual assessment from each member state to cover the cost of the operations and activities of the Commission and its staff. The total assessment must be sufficient to cover the annual budget approved each year, for which revenue is not provided by other sources. The aggregate annual assessment must be allocated on a formula to be determined by the Commission, which must promulgate a rule binding on the member states.
- 53. States the Commission must not incur obligations of any kind before securing the funds adequate to meet the same.
- 54. Specifies the Commission must not pledge the credit of any member state, except by and

with the authority of the member state.

55. Provides that the Commission must be subject to a yearly financial audit conducted by a certified or licensed public accountant, and the report of the audit must be included in the annual report of the Commission.

Organization and Operation of the Commission

56. Delineates that the Commission, by a majority of commissioners present and voting, must adopt bylaws to govern its conduct as may be necessary or appropriate to carry out the purposes of the Compact within 12 months after the first Commission meeting.
57. Requires the Commission to elect or appoint annually from among its commissioners a chairperson, a vice chairperson and a treasurer, each of whom must have such authority and duties as may be specified in the bylaws. The chairperson or, in the chairperson's absence or disability, the vice chairperson must preside at all meetings of the Commission.
58. States the officers must serve without remuneration from the Commission.
59. Specifies that the officers and employees of the Commission must be immune from suit and liability, either personally or in their official capacity, for a claim for damage to or loss of property, personal injury or other civil liability caused by, arising out of, or relating to an actual or alleged act, error or omission that occurred or that such person had a reasonable basis for believing occurred, within the scope of Commission employment, duties or responsibilities. Such a person must not be protected from suit or liability for damage, loss, injury or liability caused by the person's intentional, willful or wanton misconduct as follows:
- a. The liability of the executive director and an employee or a representative of the Commission, acting within the scope of that person's employment or duties, for acts, errors or omissions occurring within that person's state, may not exceed the limits of liability set forth under the constitution and laws of that state for state officials, employees and agents. The Commission is considered to be an instrumentality of the states for the purposes of any such action. This does not protect such a person from suit or liability for damage, loss, injury or liability caused by the person's intentional or wilful and wanton misconduct;
 - b. The Commission must defend the executive director and the Commission's employees and, subject to approval of the attorney general or other appropriate legal counsel of the member state represented by a Commission representative, must defend a Commission representative in any civil action seeking to impose liability arising out of an actual or alleged act, error or omission that occurred within the scope of Commission employment, duties or responsibilities or that the defendant had reasonable basis for believing occurred within the scope of Commission employment, duties or responsibilities, if the actual or alleged act, error or omission did not result from the person's intentional or wilful and wanton misconduct; and
 - c. To the extent not covered by the state involved, the member state or the Commission, a representative or employee of the Commission must be held harmless in the amount of a settlement or judgment, including attorney fees and costs, obtained against that person arising out of an actual or alleged act, error or omission that occurred within the scope of Commission employment, duties or responsibilities or that the person had a reasonable basis for believing occurred within the scope of Commission employment, duties or responsibilities, if the actual or alleged act, error or omission did not result from the

person's intentional or wilful and wanton misconduct.

Rulemaking Functions of the Commission

60. Requires the Commission to promulgate reasonable rules in order to effectively and efficiently achieve the purposes of this Compact. If the Commission exercises its rulemaking authority in a manner that is beyond the scope of the purposes of this Compact, or the powers granted hereunder, such an action by the Commission must be invalid and have no force or effect.
61. States rules deemed appropriate for the operations of the Commission must be made pursuant to a rulemaking process that substantially conforms to the Model State Administrative Act of 2010 and subsequent amendments thereto.
62. Provides that not less than 30 days after a rule is promulgated, any person may file a petition for judicial review of the rule in the United States District Court for the District of Columbia or the Federal District where the Commission has its principal offices, provided that the filing of such a petition must not stay or otherwise prevent the rule from becoming effective unless the court finds that the petitioner has a substantial likelihood of success. The court must give deference to the actions of the Commission consistent with applicable law and must not find the rule to be unlawful if the rule represents a reasonable exercise of the authority granted to the Commission.

Oversight of the Compact

63. States the executive, legislative and judicial branches of state government in each member state must enforce the Compact and take all actions necessary and appropriate to effectuate the Compact's purposes and intent. The provisions of the Compact and the rules promulgated under the Compact must have standing as statutory law but must not override existing state authority to regulate the practice of medicine.
64. Stipulates all courts must take judicial notice of the Compact and the rules in any judicial or administrative proceeding in a member state pertaining to the subject matter of the Compact that may affect the powers, responsibilities or actions of the Commission.
65. Requires that the Commission be entitled to receive all service of process in any such proceeding and must have standing to intervene in the proceeding for all purposes. Failure to provide service of process to the Commission must render a judgment or order void as to the Commission, the Compact or promulgated rules.

Enforcement of the Compact

66. States the Commission, in the reasonable exercise of its discretion, must enforce the provisions and rules of this Compact.
67. Allows the Commission, by a majority vote of the commissioners, to initiate legal action in the United States District Court for the District of Columbia or, at the discretion of the Commission, in the Federal District where the Commission has its principal offices to enforce compliance with the provisions of this Compact, its promulgated rules and bylaws against a member state in default. The relief sought may include both injunctive relief and damages. If judicial enforcement is necessary, the prevailing party must be awarded all costs of such litigation, including reasonable attorney fees.
68. Provides that the remedies must not be the exclusive remedies of the Commission and the

Commission may avail itself of any other remedies available under state law or the regulation of the profession.

Default Provisions

69. Stipulates that the grounds for default include failure of a member state to perform such obligations or responsibilities imposed on it by this Compact or the rules and bylaws of the Commission promulgated under this Compact.
70. States if the Commission determines that a member state has defaulted in the performance of its obligations or responsibilities under this Compact, the bylaws or promulgated rules, the Commission must:
 - a. Provide written notice to the defaulting state and other member states of the nature of the default, the means of curing the default and any action taken by the Commission. The Commission must specify the conditions by which the defaulting state must cure its default; and
 - b. Provide remedial training and specific technical assistance regarding the default.
71. Specifies that if the defaulting state fails to cure the default, the defaulting state must be terminated from this Compact on an affirmative vote of a majority of the commissioners, and all rights, privileges and benefits conferred by this Compact must terminate on the effective date of termination. A cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of default.
72. Provides that the termination of membership in this Compact must be imposed only after all other means of securing compliance have been exhausted. Notice of intent to terminate must be given by the Commission to the governor, the majority and minority leaders of the defaulting state's legislature and to each member state.
73. Requires the Commission to establish rules and procedures to address licenses and physicians that are materially impacted by the termination or withdrawal of a member state.
74. States that a member state that has been terminated is responsible for all dues, obligations and liabilities incurred through the effective date of termination, including obligations, the performance of which extends beyond the effective date of termination.
75. Specifies that the Commission not bear any costs relating to any state that has been found to be in default or that has been terminated from this Compact, unless otherwise mutually agreed on in writing between the Commission and defaulting state.
76. Allows the defaulting state to appeal the action of the Commission by petitioning the United States District Court for the District of Columbia or the Federal District Court where the Commission has its principal offices. The prevailing party must be awarded all costs of such litigation, including reasonable attorney fees.

Dispute Resolution

77. Requires the Commission to attempt, on the request of a member state, to resolve disputes that are subject to the Compact and that may arise among member states or member boards.
78. Mandates the Commission to promulgate rules providing for both mediation and binding dispute resolution as appropriate.

Member States, Effective Date and Amendment

79. Provides that any state is eligible to become a member state of this Compact.
80. Stipulates that the Compact becomes effective and binding on legislative enactment of this Compact into law by no less than seven member states. Thereafter, it must become effective and binding on a state on enactment of this Compact into law by that state.
81. States the governors of nonmember states, or their designees, must be invited to participate in the activities of the Commission on a nonvoting basis before adoption of this Compact by all states.
82. Provides the Commission may propose amendments to this Compact for enactment by the member states. An amendment must not become effective and binding on the Commission and the member states unless and until it is enacted into law by unanimous consent of the member states.

Withdrawal

83. Requires, once effective, that the Compact continue in force and remain binding on each and every member state, except that a member state may withdraw from this Compact by specifically repealing the statute that enacted this Compact into law.
84. States that withdrawal from this Compact must be by the enactment of a statute repealing the Compact, but must not take effect until one year after the effective date of such statute and until written notice of the withdrawal has been given by the withdrawing state to the governor of each other member state.
85. Requires the withdrawing state to immediately provide written notice to the chairperson of the Commission on the introduction of the legislation repealing this Compact in the withdrawing state.
86. Stipulates that the Commission must notify the other member states of the withdrawing state's intent to withdraw within 60 days of its receipt of notice.
87. States the withdrawing state is responsible for all dues, obligations and liabilities incurred through the effective date of withdrawal, including obligations, the performance of which extend beyond the effective date of the withdrawal.
88. Provides that reinstatement following withdrawal of a member state must occur on the withdrawing state reenacting this Compact or on such later date as determined by the Commission.
89. Allows the Commission to develop rules to address the impact of the withdrawal of a member state on licenses granted in other member states to physicians who designated the withdrawing member state as the state of principal license.

Dissolution

90. Requires this Compact to dissolve effective on the date of the withdrawal or default of the member state that reduces the membership in the Compact to one member state.
91. States that on dissolution of this Compact, the Compact becomes void and must be of no further force or effect, the business and affairs of the Commission must be concluded and surplus funds must be distributed in accordance with the bylaws.

Severability and Construction

92. Instructs that the provisions of this Compact must be severable, and if any phrase, clause, sentence or provision is deemed unenforceable, the remaining provisions of the Compact must be enforceable.
93. States that the provisions of this Compact must be liberally construed to effectuate its purposes and this Compact must not be construed to prohibit the applicability of other interstate compacts to which the states are members.

Binding Effect of Compact and Other Laws

94. Provides that nothing in this Compact prevents the enforcement of any other law in a member state that is not inconsistent with this Compact. All laws in a member state in conflict with this Compact are superseded to the extent of the conflict.
95. Stipulates that all lawful actions of the Commission, including all rules and bylaws promulgated by the Commission, are binding on the member states. All agreements between the Commission and the member state are binding in accordance with their terms.
96. States if any provision of this Compact exceeds the constitutional limits imposed on the legislature of any member state, such provision must be ineffective to the extent of the conflict with the constitutional provision in question in that member state.

Other

97. States that a subpoena issued pursuant to the Compact provisions, for the attendance of testimony of witnesses or the production of evidence from this state must be enforced by any court of competent jurisdiction in this state according to that court's practice and procedure in considering subpoenas issued in the court's own proceedings.
98. Prohibits an employer from requiring a physician to seek licensure through the Compact as a condition of initial or continued employment.
99. Allows an employer to require that a physician obtain and maintain a license to practice in multiple states, if the physician is free to obtain and maintain the licenses by any means authorized by laws of the respective states.
100. Requires the Commission's legal counsel or designee, if an open meeting or a portion of a meeting is closed, to certify that the meeting may be closed and must reference each relevant exempting provision.
101. Requires the Commission to keep minutes that fully and clearly describe all matters discussed in the meeting and must provide a full and accurate summary of actions taken and the reasons for those actions, including a description of the views expressed. All documents considered must be identified in the minutes and all minutes and documents of a closed meeting must remain under seal, subject to release by a majority vote of the Commission or an order of a court of competent jurisdiction.
102. Allows the AMB to accept and expend grants, gifts, devises and other contributions from any public or private source, including the federal government. These monies do not revert to the state General Fund at the end of a fiscal year (FY).
103. States that the AMB and the Board, within 30 days after a Commission action that may affect a physician's license, to post on their website notice of any Commission action.

HB 2502

104. Prohibits the AMB and the Board from spending any monies received from physicians or applicants for licensure through this Compact on any activities, obligations or duties required by the Compact.
105. Provides that the AMB and the Board must create a proposal for the expedited licensure of a physician who is licensed in at least one other state, whose license is in good standing and who chooses to not be licensed through the Compact. The proposals must include recommended changes to implement expedited licensure. On or before December 1, 2017, each board must submit a report to the Senate Health and Human Services and the House of Representatives Health Committees, or their successor committees for review. Repeals these provisions on October 1, 2019.
106. Exempts the AMB and the Board for purposes related to the temporary licensing from the rulemaking requirements for one year after the effective date of this act.
107. Appropriates \$50,000 and three FTEs from the AMB Fund in FY 17 to the AMB for licensure. The appropriation is exempt from lapsing.
108. Repeals the Compact if either of the following occurs:
 - a. The Commission issues a rule or decision that would change the scope of practice of or the definition of unprofessional conduct for a licensed physician that is inconsistent with any statute relating to abortion; or
 - b. A court issues a rule that would change the scope of practice of or the definition of unprofessional conduct for a licensed physician inconsistent with any statute relating to abortion.
109. Requires the Attorney General (AG) to notify the director of the Arizona Legislative Council in writing of the date on which either of the actions noted directly above occur.
110. Stipulates that the repeal of this Compact constitutes this state's immediate withdrawal from the Compact. The AG must send written notification to the Governor or each other state that has enacted this Compact.
111. States any resident of this state or member of the legislature may request in writing that the AG review the actions of the Commission or a court ruling relating to the enforcement of the Compact.
112. Defines terms.

CURRENT LAW

Contained within Title 32, Chapters 13 and 17 respectively are laws relating to the practice of medicine for allopathic and osteopathic physicians. Included therein are licensing and education requirements along with applicable regulations.

ADDITIONAL INFORMATION

According to a press release issued by the Federation of State Medical Boards ([Hyperlink](#)) twelve states have enacted the Compact which offers a streamlined licensing process for physicians interested in practicing medicine in multiple states.