

Physicians Begin Receiving Licenses Under Licensure Compact

By [Christina M. Kuta](#), Associate

Recently, physicians became eligible to apply for out-of-state licensure pursuant to the Interstate Medical License Compact (Compact). The Compact is a voluntary agreement among eighteen states and twenty-three medical boards that allows a physician with a valid medical license in one of the Compact states to obtain an expedited license to practice medicine in another Compact state. Implementation of the Compact stems from the increased desire and need for physicians to provide telehealth services. Each state regulates the practice of medicine for services provided to patients residing in that states. With limited exceptions, most state laws view a physician located in State X who provides telehealth services to a patient located in State Y, to be practicing medicine in State Y, necessitating that such physician be licensed to Practice medicine in State Y. Physicians wanting to expand their practices outside of their state of licensure often found the process to obtain a license in another state to be administratively burdensome and time-consuming. The Compact streamlines the application process and significantly minimizes the timeframe for physicians to become licensed in multiple other states.

The process to obtain a license through the Compact requires a physician to complete an application and submit a fee to the Compact. The participating Compact state where the physician is licensed at the time of the application (the State of Principal Licensure or SPL) reviews the application to determine if the applicant meets the minimum requirements for licensure. At this time, not all states practicing in the Compact have been approved to process applications as the SPL. For example, a physician whose SPL is in Illinois cannot currently apply for licensure through the Compact, as Illinois is still in the process of establishing its application processing and background check procedures to process applications as an SPL.

Generally, the requirements necessary to obtain licensure through the Compact require physicians to: (1) hold an unrestricted license to practice medicine in a Compact-member state; (2) have graduated from an accredited medical school (or foreign medical school equivalent); (3) have passed all components of the USMLE, COMPLEX-USA or equivalent in no more than three attempts; (4) have no disciplinary or controlled substance action against their medical license; (5) have no criminal history; and (6) not be under investigation at the time of application. Once an application is approved by the SPL, the physician can designate any number of Compact-member states where he or she wishes to become licensed and will need to submit a separate state-designated fee for each state. Once licensed in a Compact state, the physician must meet all licensure requirements of that state, including meeting continuing education standards and license renewal requirements.

Although the Compact currently applies only to physicians, there is a similar compact that has been established for Advanced Practice Nurses (APN Compact). The APN Compact, however, will not go into effect until a minimum of ten states have enacted legislation agreeing to participate. To date, only three states have enacted such legislation.

If you are a physician considering becoming licensed in another state or intend to service patients who are located in states where you do not maintain a license, we encourage you to contact one of the listed Roetzel attorneys for more information on how the Compact may apply.

Author

Christina M. Kuta
ckuta@ralaw.com

Additional Contact

Ericka L. Adler
eadler@ralaw.com

Media Contact

Ashley McCool
amccool@ralaw.com

This alert is informational only and should not be construed as legal advice. ©2017 Roetzel & Andress LPA. All rights reserved.
For more information, please contact Roetzel's Marketing Department at 330.849.6636.