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FAQs

THE INTERSTATE MEDICAL LICENSURE COMPACT: FREQUENTLY ASKED QUESTIONS

Prepared by the Communications Committee of the Interstate Medical Licensure Compact Commission

WHAT IS AN INTERSTATE COMPACT?

An interstate compact is a legal agreement among states. In the case of the Interstate Medical Licensure Compact (also referred to here as the IMLC or just "the compact"), it's an agreement that addresses the licensing of physicians in multiple states.

WHERE DID THE IMLC COME FROM?

A group of state medical board executives, administrators and attorneys wrote the language of the IMLC in 2013 and 2014. The national Federation of State Medical Boards also was involved and helped facilitate' the creation of the compact. But no one "owns" the IMLC.

WHAT DOES THE IMLC DO?

It creates a new "expedited" pathway to state licensure for experienced physicians who have outstanding practice histories. It sets the qualifications for licensure and outlines the process for physicians to apply and receive licenses in states where they're not currently licensed. The IMLC also details the role of the governing IMLC Commission and sets limits on what the Commission can do.

HOW DOES A STATE JOIN THE COMPACT?

The state Legislature must pass a bill authorizing the state to join the compact. The Governor must then sign it into law. The language of the compact must be identical in each state.

WHO'S IN CHARGE OF THE COMPACT?

The Compact creates a Commission made up of two representatives from each adopting state. Commissioners must be either a physician member of a medical or osteopathic physician licensing board, a public member of such a board, or an executive director or administrator of such a board. If a state has only one medical board, then both Commissioners must come from that board. But if it has two boards, a medical board, and an osteopathic board, then each board gets one seat. Only the Commission can enforce the IMLC through its bylaws, rules, policies, and advisory opinions. No other governmental agency or private entity has control over how the IMLC is implemented.

IS THE COMPACT IN FORCE NOW?

Yes. Once seven states adopted it, the compact became active and in force. The Commission was seated in October 2015, and began issuing Letters of Qualification in April 2017.

WHAT WILL A PHYSICIAN HAVE TO DO TO GET A LICENSE THROUGH THE COMPACT?

The first step of licensure is to make sure the physician meets all eligibility requirements. Additional information on those eligibility requirements can be found on the "Apply Now" tab on the IMLCC.org website. A physician desiring to use the Compact to acquire licenses must apply to the Commission at www.imlcc.org. The physician will be asked for demographic and professional information and to select a State of Principal License (SPL) within the compact where the physician already has a license. The physician also will be charged a non-refundable \$700 fee for applying to the Commission. Payment is made online by credit card. The physician also must submit fingerprints to the designated criminal justice agency of the State of Principal License, so that a criminal background check can be initiated.

WHAT HAPPENS ONCE THE PHYSICIAN APPLIES?

The SPL reviews the physician's application including primary source verifications and state and federal criminal background check. If the physician meets all the requirements of the Compact, the SPL issues a Letter of Qualification to the Commission. The Commission then notifies the Physician, who selects the states within the Compact where he/she wishes to be licensed. The "licensing state(s)" then issue a license upon receiving the LOQ. No verbal approval of licensure will be given by SPL or other state licensing board. All approvals (LOQ) will be in writing from the Commission as instructed by the SPLs. If a physician does not meet the requirements of the Compact, the SPL notifies both the physician and the Commission that eligibility was not confirmed. No further information is shared.

WHAT HAPPENS IF A PHYSICIAN DOES NOT QUALIFY?

If the physician questions his/her eligibility, they will be referred to the SPL and the SPL only.

WHAT ARE THE RESPONSIBILITIES OF THE PHYSICIAN IN THE LICENSING PROCESS?

The physician's main responsibilities are to accurately and fully complete the application process at the Commission's website, paying the application fee, and submitting fingerprints to the SPL's criminal justice agency so that a state and federal criminal background check can begin. It's also possible the physician might be asked by the State of Principal License to provide evidence how he/she can claim that state as the SPL. This must be proven in one of the following four ways:

- Physician lives within the state;
- At least 25% of the physician's business is conducted in the state;
- Physician designates the state as state of residence for federal income tax purposes; or
- if the physician's medical employer is located in the state.

Once a license is issued, the physician comes under the jurisdiction of that state's statutes, rules and Board regulations. Under the Compact, the location of medical practice is the state where the patient is located. All laws and regulations of the patient's state apply.

WHAT ARE THE RESPONSIBILITIES OF THE "STATE OF PRINCIPAL LICENSE" IN LICENSING?

The SPL must conduct the primary source verification of the applying physician's qualifications under terms of the compact.

WHAT ARE THE RESPONSIBILITIES OF THE "LICENSING STATES" IN LICENSING?

- After a physician has been approved for licensure with a Letter of Qualification from the SPL and selects states for licensure, those "licensing states" receive a notification from the Commission.
- When a "licensing state" receives a Letter of Qualification for a physician seeking licensure in that state via the compact, the licensing state is expected to process that LOQ and issue the license promptly. This means each licensing state must have procedures and processes in place to enter information associated with the LOQ into its information database, generate a license, and account for license fees received from the IMLCC. A licensing state also must report the licensure to the IMLCC.
- Each licensing state must notify the Commission 90 days in advance when a license issued via the compact is due to expire. Licensing states also are expected to work with the IMLCC to facilitate timely renewal of licenses granted via the compact.

WHAT ARE THE RESPONSIBILITIES OF THE IMLC COMMISSION IN LICENSING?

Mostly, the Commission will act as an information exchange between a home state/state of principal license and a receiving state. The compact also envisions the Commission as the entity that collects fees from physicians and transfers licensure fees to receiving states. The Commission also will collect data about physician applications for licensure and actual licensure via the IMLC.

WHAT ARE THE RESPONSIBILITIES OF THE "LICENSING STATES" BEYOND LICENSING?

All state medical and osteopathic boards participating in the Compact are required to share complaint/investigative information with each other. If any participating board takes action against the physician who received a license via the Compact, all boards within the Compact are notified and authorized to take similar action through their regular complaint process.

WHAT IS A STATE OF PRINCIPAL LICENSE?

The "State of Principal License" or SPL is the official term for the state in which a physician holds a full and unrestricted medical license. The SPL is also sometimes called a home state or primary state of licensure, but the official term is SPL, which is used throughout this document. Once a physician has selected a SPL, they have to also make sure they meet at least ONE of the following for the State to qualify as an SPL:

- Your primary residency is in the SPL (State of Principal Licensure);
- At least 25% of your practice of medicine occurs in the SPL;
- You are employed to practice medicine by a person, business or organization located in the SPL;
- You use the SPL as your state of residence for U.S. Federal Income Tax purposes.

The SPL has authority to determine if a physician meets any or all of the qualifications listed above.

SELECTING A STATE OF PRINCIPAL LICENSE IS AN IMPORTANT FIRST STEP IN DETERMINING ELIGIBILITY FOR APPLICATION.

CAN A PHYSICIAN APPLY FOR MORE THAN ONE LICENSE AT A TIME THROUGH THE COMPACT?

Yes, but all states chosen must have adopted the compact and be listed as an issuing state on the IMLCC.org website map. Those states defined as issuing LOQ's and serving as SPL's are identified in dark blue on the map. The light blue states have introduced legislation but it has not yet been approved by their state legislature. Those states which are issuing concurrent licenses but, not yet serving as SPL's, are shown on the map as medium blue states. The purple states have passed the legislation but their government has delayed the implementation. A physician practicing under the Compact is bound to comply with the statutes, rules, and regulations of each compact state wherein he/she chooses to practice medicine.

HOW LONG DOES A LETTER OF QUALIFICATION FROM A SPL LAST ONCE IT HAS BEEN ISSUED?

The letter of qualification is valid for 365 days from its date of issuance to request expedited licensure in a member state. There shall be no waiver of this time limit. A physician who has been issued a Letter of Qualification by a state of principal license attesting the physician is qualified for expedited licensure through the Compact may apply for a new LOQ after 365 days from issuance of the initial LOQ. Upon request for a new letter of qualification, a physician will not be required to demonstrate current specialty board certification.

WHAT IF A PHYSICIAN WANTS TO ADD ANOTHER LICENSE LATER? DOES THE PROCESS REPEAT?

At any time during the one-year period when a Letter of Qualification is valid, a physician can return to www.imlcc.org and request additional states for licensure. The physician will be required to pay licensure fees for each of the states chosen plus a \$100 fee for requesting additional state license. The Commission then notifies the new states that the physician is eligible for licensure. The license issuance process is the same as for initial state selections.

HOW CAN I PARTICIPATE IN COMMISSION MEETINGS OR DECISIONS?

Commission meetings (including meetings of the Executive Committee) are public meetings and noticed through the participating states websites and on the IMLCC.org website. Commission meetings are open to the public and include a telephone conference call for individuals who cannot attend in person. Information on committee meetings and rules proposals also is available on the Commission's website and individual state member board websites.

If the LOQ expires, physician will need to reapply and pay a new application fee. If a license is requested for an additional state(s) during that year, the \$100 application fee plus the state application fee is due.

HOW CAN I RECEIVE ALL UPDATES ON IMLCC?

A list serve is in process of being implemented by the Executive Director, Marschall Smith. Until it is available on IMLCC.org, to request your name be added to a contact list, please contact Mr. Smith at:

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