



January 19, 2017

Senator Merv Riepe
District #24 State Capitol
PO Box 94604
Lincoln, NE 68509-4604

RE: LB 61

Dear Senator Riepe and Members of the Health and Human Services Committee:

LB 61 will allow Nebraska to participate in the Interstate Medical Licensure Compact. Currently there are 18 states who have joined the Compact, with additional states considering membership. Agreements are still being negotiated among the member states, and no license has been issued through the Compact.

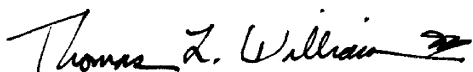
Following are the Department's technical concerns:

- The eligibility requirement for completing graduate medical education beginning on Page 3, Line 30, does not specify how many years of graduate medical education must be completed or whether the completion of a residency program is required.
- It appears that renewal fees are collected by the Interstate Commission and then distributed to the member state. It is unknown over time how the Interstate Commission will control the fees.
- Section 9 requires the establishment of a database of all physicians who have been issued an expedited license. The cost of such a database is unknown and would likely be charged to member states to support.
- It is required that the member state report to the Interstate Commission public actions, complaints, and disciplinary or investigatory information regarding a physician who has applied for or received an expedited license through the Compact. Member states are also required to share complaint or disciplinary information with other member boards. Considerations on what information and how the information would be shared would need to be evaluated.
- Section 10 refers to member boards participating in joint investigations with other member boards. Again, it is not known whether other sections of the Uniform Credentialing Act would need to be changed to allow for Nebraska to participate in joint investigations with other states.

- Authority is included for the Commission to establish an Executive Committee that would have the power to act on behalf of the Commission. It is concerning that an Executive Committee could act on behalf of the Commission. Nebraska may or may not have a representative who is on the Executive Committee, and decisions could be made by the Executive Committee that impact Nebraska without adequate representation.
- Section 14 allows the Commission to 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. This is concerning because there is no maximum amount included for what a member state would be required to pay for participation with the Compact. The Commission developed rules in December 2016 that will not require member states to pay a fee for participation, but those rules could be revised in the future to require such a fee.
- Section 19 includes provisions for terminating a member state that fails to perform its responsibilities under the Compact. It requires the member state which has been terminated to be 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. This is concerning because there is no specific end to how long a member state would be incurring liabilities related to the Compact.
- Section 22 allows member states to withdraw from the Compact by repealing statutes that enacted the Compact. Withdrawal from the Compact cannot take effect until one year after the effective date of repealing the enacting statutes and until written notice of the withdrawal has been given to the governor of every other member state. It is concerning that provisions of the Compact would remain for a full year beyond the date statutes are repealed.

Thank you for the opportunity to share these technical concerns.

Sincerely,



Thomas L. Williams, MD
Chief Medical Officer
Director, Division of Public Health
Department of Health and Human Services

cc: Senator Mark Kolterman