

ONE HUNDRED FIFTH LEGISLATURE - FIRST SESSION - 2017
COMMITTEE STATEMENT
LB61

Hearing Date: Thursday January 19, 2017
Committee On: Health and Human Services
Introducer: Kolterman
One Liner: Adopt the Interstate Medical Licensure Compact

Roll Call Vote - Final Committee Action:
Advanced to General File

Vote Results:

Aye: 7 Senators Crawford, Erdman, Howard, Kolterman, Linehan, Riepe, Williams

Nay:

Absent:

Present Not Voting:

Verbal Testimony:

Proponents:

Senator Mark Kolterman
Elisabeth Hurst
Jeanne McClure
Kim Robak
Matt Litt

Representing:

Introducer
Nebraska Hospital Association
CHI Health
Nebraska Medical Association
Americans for Prosperity - Nebraska

Opponents:

Representing:

Neutral:

Tom Venzor

Representing:

Nebraska Catholic Conference

Summary of purpose and/or changes:

LB61 creates the Interstate Medical Licensure Compact which offers a new, expedited pathway to licensure for qualified physicians who wish to practice in multiple states, increasing health care for patients in underserved or rural areas and allowing them to more easily connect with medical experts through the use of telemedicine technologies.

The Compact is based on several key principles, which include: developing a comprehensive process that complements the existing licensing and regulatory authority of state medical boards; creating another pathway for licensure that does not otherwise change a state's existing medicine and surgery practice act; adopting the prevailing standard for licensure, affirming that the practice of medicine occurs where the patient is located at the time of the patient-physician encounter; requiring the physician to be under the jurisdiction of the state medical board where the patient is located; ensuring that the state medical boards that participate in the compact retain the jurisdiction; and creating the Interstate Medical Licensure Compact Commission.

SECTION BY SECTION:

Section (1): Creates the Interstate Medical Licensure Compact.

Section (2): Sets out purposes of the Compact.

Section (3): Defines terms for purpose of this Compact.

Section (4): Requires physicians to meet requirements; spells out consequences of not meeting requirements.

Section (5): Adds provisions relating to physician-designated member states.

Section (6): Adds language regarding physician application for licensure.

Section (7): Allows member state to charge a fee for licensure issue/renewal.

Section (8): Sets out requirements for physician license renewal.

Section (9): Requires the interstate commission to create a database of all licensed physicians.

Section (10): Adds language regarding physician licensure and disciplinary records.

Section (11): Gives language relating to disciplinary actions and sanctions.

Section (12): Creates the Interstate Medical Licensure Compact Commission; describes membership of the commission.

Section (13): Sets out the duties of the interstate commission.

Section (14): Gives the commission authority to levy and collect an annual assessment from each member state.

Section (15): Gives commission authority to adopt bylaws, elect a chairperson.

Section (16): Requires the interstate commission to promulgate reasonable rules to carry out the purposes of the Compact.

Section (17): Requires the three branches of state government to enforce the Compact.

Section (18): Gives the interstate commission authority to enforce the provisions/rules of the Compact.

Section (19): Describes consequences of defaulting on obligations/responsibilities.

Section (20): Requires commission to attempt to resolve disputes regarding the Compact.

Section (21): Allows any state to become a member state under the Compact.

Section (22): Adds language regarding duration and withdrawing of the Compact in each member state.

Section (23): Sets out that the Compact dissolves when there is only one member state left; it then becomes null/void and has no future affect.

Section (24): Adds language relating to severability and construction of the compact language.

Section (25): Adds provision regarding conflict of laws issues.

Section (26): Amends Section 38-2028 of the Medicine and Surgery Practice Act to require compliance with the Compact.

Section (27): Amends Section 38-2034 of the Medicine and Surgery Practice Act to require compliance with the Compact.

Section 28 repeals Sections 38-2028 and 38-2034.

Merv Riepe, Chairperson