

Effective 5/12/2015

58-67b-103 Section 2 -- Definitions.

In this compact:

- (1) "Bylaws" means those bylaws established by the Interstate Commission pursuant to Section 58-67b-112 for its governance, or for directing and controlling its actions and conduct.
- (2) "Commissioner" means the voting representative appointed by each member board pursuant to Section 58-67b-112.
- (3) "Conviction" means a finding by a court that an individual is guilty of a criminal offense through adjudication, or entry of a plea of guilt or no contest to the charge by the offender. Evidence of an entry of a conviction of a criminal offense by the court shall be considered final for purposes of disciplinary action by a member board.
- (4) "Expedited license" means a full and unrestricted medical license granted by a member state to an eligible physician through the process set forth in the Compact.
- (5) "Interstate Commission" means the interstate commission created pursuant to Section 58-67b-112.
- (6) "License" means authorization by a state for a physician to engage in the practice of medicine, which would be unlawful without the authorization.
- (7) "Medical practice act" means laws and regulations governing the practice of allopathic and osteopathic medicine within a member state.
- (8) "Member board" means a state agency in a member state that acts in the sovereign interests of the state by protecting the public through licensure, regulation, and education of physicians as directed by the state government.
- (9) "Member state" means a state that has enacted the Compact.
- (10) "Offense" means a felony, gross misdemeanor, or crime of moral turpitude.
- (11) "Physician" means any person who:
 - (a) is a graduate of a medical school accredited by the Liaison Committee on Medical Education, the Commission on Osteopathic College Accreditation, or a medical school listed in the International Medical Education Directory or its equivalent;
 - (b) passed each component of the United States Medical Licensing Examination (USMLE) or the Comprehensive Osteopathic Medical Licensing Examination (COMLEX-USA) within three attempts, or any of its predecessor examinations accepted by a state medical board as an equivalent examination for licensure purposes;
 - (c) successfully completed graduate medical education approved by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association;
 - (d) holds specialty certification or a time-unlimited specialty certificate recognized by the American Board of Medical Specialties or the American Osteopathic Association's Bureau of Osteopathic Specialists;
 - (e) possesses a full and unrestricted license to engage in the practice of medicine issued by a member board;
 - (f) has never been convicted, received adjudication, deferred adjudication, community supervision, or deferred disposition for any offense by a court of appropriate jurisdiction;
 - (g) has never held a license authorizing the practice of medicine subjected to discipline by a licensing agency in any state, federal, or foreign jurisdiction, excluding any action related to non-payment of fees related to a license;
 - (h) has never had a controlled substance license or permit suspended or revoked by a state or the United States Drug Enforcement Administration; and
 - (i) is not under active investigation by a licensing agency or law enforcement authority in any state, federal, or foreign jurisdiction.

- (12) "Practice of medicine" means the clinical prevention, diagnosis, or treatment of human disease, injury, or condition requiring a physician to obtain and maintain a license in compliance with the medical practice act of a member state.
- (13) "Rule" means a written statement by the Interstate Commission promulgated pursuant to Section 58-67b-113 that is of general applicability, implements, interprets, or prescribes a policy or provision of the Compact, or an organizational, procedural, or practice requirement of the Interstate Commission, and has the force and effect of statutory law in a member state, and includes the amendment, repeal, or suspension of an existing rule.
- (14) "State" means any state, commonwealth, district, or territory of the United States.
- (15) "State of principal license" means a member state where a physician holds a license to practice medicine and which has been designated as such by the physician for purposes of registration and participation in the Compact.

Enacted by Chapter 24, 2015 General Session