

PUBLIC HEALTH CODE (EXCERPT)
Act 368 of 1978

333.16189a Disclosure of information under the interstate medical licensure compact; conditions; subpoena requirements; conditions for certain violation investigation; definitions.

Sec. 16189a. (1) Notwithstanding section 16189 and any rule promulgated by the interstate commission under the compact, a member board of this state may only disclose information about an individual under the compact if all of the following are met:

(a) Any of the following apply to the individual:

(i) He or she holds a current expedited license that was granted by a member board of this state under the compact.

(ii) He or she holds a current expedited license that was granted by another member state or is applying to receive an expedited license in another member state, and this state is currently designated as the individual's state of principal license.

(iii) He or she is requesting to designate this state as his or her state of principal license under the compact.

(iv) He or she is applying to receive an expedited license to practice in this state under the compact.

(b) The information is provided only to a member board of another state with responsibility for authorizing the practice of medicine in the member state or to the interstate commission.

(c) The information is not considered confidential under a law of this state.

(2) A subpoena issued under the compact is only enforceable in this state or against a citizen of this state if all of the following apply:

(a) The subpoena is issued by a member board with responsibility for authorizing the practice of medicine in the member state.

(b) The individual being subpoenaed meets 1 of the following:

(i) He or she is a physician who holds a current expedited license granted by a member board of this state under the compact.

(ii) He or she is a physician who holds a current expedited license granted by another member state, and this state is currently designated as the physician's state of principal license.

(3) In applying section 9(e) of the compact, a member board of this state may only undertake an investigation of a violation of another state's statute authorizing the practice of medicine if 1 of the following applies to the physician being investigated:

(a) He or she holds a current expedited license that was granted by a member board of this state and holds a current expedited license that was granted by the other state under the compact.

(b) He or she holds a current expedited license that was granted by a member board of this state under the compact and the other state is the physician's currently designated state of principal license.

(c) He or she holds a current expedited license that was granted by the other state under the compact and this state is the physician's currently designated state of principal license.

(4) As used in this section and section 16189b:

(a) "Compact" means the interstate medical licensure compact enacted in section 16189(1).

(b) "Expedited license" means that term as defined in section 2(d) of the compact.

(c) "Interstate commission" means that term as defined in section 2(e) of the compact.

(d) "Member board" means that term as defined in section 2(h) of the compact.

(e) "Practice of medicine" means that term as defined in section 2(j) of the compact.

(f) "State of principal license" means that term as defined in section 2(o) of the compact.

History: Add. 2018, Act 524, Eff. Mar. 28, 2019.

Popular name: Act 368