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**VIRTUAL/TELECONFERENCE  
MEDICAL EXAMINING BOARD  
Virtual, 4822 Madison Yards Way, Madison  
Contact: Tom Ryan (608) 266-2112  
June 18, 2025**

*The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Board.*

**AGENDA**

**8:00 A.M.**

**OPEN SESSION – CALL TO ORDER – ROLL CALL**

- A. Adoption of Agenda (1-5)**
- B. Approval of Minutes of May 21, 2025 (6-10)**
- C. Introductions, Announcements and Recognition**
- D. Reminders: Conflicts of Interest, Scheduling Concerns**
- E. Administrative Matters – Discussion and Consideration**
  - 1) Department, Staff and Board Updates
  - 2) Board Members – Term Expiration Dates
    - a. Bond, Jr., Milton – 7/1/2027
    - b. Chou, Clarence P. – 7/1/2027
    - c. Clarke, Callisia N. – 7/1/2028
    - d. Ferguson, Kris – 7/1/2029
    - e. Gerlach, Diane M. – 7/1/2028
    - f. Goel, Sumeet K. – 7/1/2027
    - g. Lerma, Carmen – 7/1/2024
    - h. Leuthner, Steven R. – 7/1/2027
    - i. Majeed-Haqqi, Lubna – 7/1/2027
    - j. Schmeling, Gregory J. – 7/1/2029
    - k. Siebert, Derrick R. – 7/1/2029
    - l. Yu, Emily S. – 7/1/2028
    - m. Gribble, Robert – Chairperson of the Injured Patients and Families Compensation Fund Peer Review Council – Non-Voting Member
  - 3) **Wis. Stat. § 15.085 (3)(b) – Affiliated Credentialing Boards’ Biannual Meeting with the Medical Examining Board to Consider Matters of Joint Interest**
    - a. Physician Assistant Affiliated Credentialing Board – Jennifer Jarrett, Chairperson

- F. Federation of State Medical Boards (FSMB) Matters – Discussion and Consideration (11-30)**
  - 1) Presentation – Telemedicine and Facilitating License Portability – Humayun Chaudhry, DO, President and Chief Executive Officer and George Abraham, MD, FSMB Chair **(12-30)**
- G. Administrative Rules Matters – Discussion and Consideration (31-34)**
  - 1) Pending or Possible Rulemaking Projects
    - a. Rule Projects Charts **(32-33)**
    - b. Affiliated Credentialing Board Rule Summaries **(34)**
- H. Credentialing Matters – Discussion and Consideration**
- I. Legislative and Policy Matters – Discussion and Consideration**
- J. Newsletter Matters – Discussion and Consideration**
- K. Interdisciplinary Advisory Committee Liaison Report – Discussion and Consideration**
- L. Professional Assistance Procedure (PAP) Discussion of Expansion to Include Mental Health Disorders**
- M. Controlled Substances Board Report – Discussion and Consideration**
- N. Interstate Medical Licensure Compact Commission (IMLCC) – Report from Wisconsin’s Commissioners – Discussion and Consideration**
- O. Screening Panel Report**
- P. Future Agenda Items**
- Q. Discussion and Consideration of Items Added After Preparation of Agenda:**
  - 1) Introductions, Announcements and Recognition
  - 2) Elections, Appointments, Reappointments, Confirmations, and Committee, Panel and Liaison Appointments
  - 3) Administrative Matters
  - 4) Election of Officers
  - 5) Appointment of Liaisons and Alternates
  - 6) Delegation of Authorities
  - 7) Education and Examination Matters
  - 8) Credentialing Matters
  - 9) Practice Matters
  - 10) Public Health Emergencies
  - 11) Legislative and Policy Matters
  - 12) Administrative Rule Matters
  - 13) Liaison Reports
  - 14) Board Liaison Training and Appointment of Mentors
  - 15) Informational Items
  - 16) Division of Legal Services and Compliance (DLSC) Matters

- 17) Presentations of Petitions for Summary Suspension
- 18) Petitions for Designation of Hearing Examiner
- 19) Presentation of Stipulations, Final Decisions and Orders
- 20) Presentation of Proposed Final Decisions and Orders
- 21) Presentation of Interim Orders
- 22) Petitions for Re-Hearing
- 23) Petitions for Assessments
- 24) Petitions to Vacate Orders
- 25) Requests for Disciplinary Proceeding Presentations
- 26) Motions
- 27) Petitions
- 28) Appearances from Requests Received or Renewed
- 29) Speaking Engagements, Travel, or Public Relation Requests, and Reports

## **R. Public Comments**

**CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85(1)(b), and 448.02(8), Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).**

## **S. Credentialing Matters**

### **1) Application Review**

- a. J.A.B. – Waiver of 24 Months of ACGME/AOA Accredited Post-Graduate Training (IA-613971) **(35-102)**
- b. M.T.G. – Physician - MD (IA-622196) **(103-145)**

## **T. Deliberation on DLSC Matters**

### **1) Complaints**

- a. 22 MED 311 – Robert V. Nagle **(146-151)**

### **2) Proposed Stipulations, Final Decisions and Orders**

- a. 22 MED 311 – Robert V. Nagle **(152-158)**
- b. 23 MED 536 – William P. Shannon **(159-164)**
- c. 24 MED 0151 – Megan M. Norris **(165-172)**
- d. 24 MED 0428 – Eleazar M. Kadile **(173-178)**
- e. 24 MED 0439 – Brandon W. Welsh **(179-185)**
- f. 25 MED 0048 – Patrick W. Jost **(186-191)**

### **3) Administrative Warnings**

- a. 24 MED 066 – B.M.M. **(192-193)**
- b. 24 MED 0379 – G.R. **(194-195)**

### **4) Case Closings**

- a. 23 MED 291 – C.R.L. **(196-205)**
- b. 23 MED 403 – D.W.T. **(206-211)**
- c. 23 MED 547 – N.S.K. **(212-224)**
- d. 24 MED 027 – M.R. **(225-237)**
- e. 24 MED 0249 – P.V.B. **(238-249)**
- f. 24 MED 0285 – D.O.M. **(250-255)**
- g. 24 MED 0491 – E.M.L. **(256-269)**
- h. 25 MED 0107 – R.D.W. **(270-274)**

U. Deliberation of Items Added After Preparation of the Agenda

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) DLSC Matters
- 4) Monitoring Matters
- 5) Professional Assistance Procedure (PAP) Matters
- 6) Petitions for Summary Suspensions
- 7) Petitions for Designation of Hearing Examiner
- 8) Proposed Stipulations, Final Decisions and Order
- 9) Proposed Interim Orders
- 10) Administrative Warnings
- 11) Review of Administrative Warnings
- 12) Proposed Final Decisions and Orders
- 13) Matters Relating to Costs/Orders Fixing Costs
- 14) Complaints
- 15) Case Closings
- 16) Board Liaison Training
- 17) Petitions for Extension of Time
- 18) Petitions for Assessments and Evaluations
- 19) Petitions to Vacate Orders
- 20) Remedial Education Cases
- 21) Motions
- 22) Petitions for Re-Hearing
- 23) Appearances from Requests Received or Renewed

V. Open Cases

W. Consulting with Legal Counsel

**RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION**

X. Vote on Items Considered or Deliberated Upon in Closed Session if Voting is Appropriate

Y. Open Session Items Noticed Above Not Completed in the Initial Open Session

Z. Delegation of Ratification of Examination Results and Ratification of Licenses and Certificates

**ADJOURNMENT**

**ORAL INTERVIEWS OF CANDIDATES FOR LICENSURE**

**VIRTUAL/TELECONFERENCE**

**9:00 A.M. OR IMMEDIATELY FOLLOWING THE FULL BOARD MEETING**

**CLOSED SESSION** – Reviewing Applications and Conducting Oral Interviews of **three (3)** (at time of agenda publication) Candidates for Licensure – **Dr. Goel** and **Dr. Siebert**

**NEXT MEETING: JULY 16, 2025**

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MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held virtually unless otherwise indicated. In-person meetings are typically conducted at 4822 Madison Yards Way, Madison, Wisconsin, unless an alternative location is listed on the meeting notice. In order to confirm a meeting or to request a complete copy of the board's agenda, please visit the Department website at <https://dsps.wi.gov>. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of any agenda item may be changed by the board for the convenience of the parties. The person credentialed by the board has the right to demand that the meeting at which final action may be taken against the credential be held in open session. Requests for interpreters for the hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer or reach the Meeting Staff by calling 608-267-7213.

**HYBRID (IN-PERSON/VIRTUAL)  
MEDICAL EXAMINING BOARD  
MEETING MINUTES  
MAY 21, 2025**

**PRESENT:** Milton Bond, Jr.; Clarence Chou, M.D. (*Virtual*); Callisia Clarke, M.D. (*Virtual; arrived at 8:13 a.m.*); Kris Ferguson, M.D.; Sumeet Goel, D.O.; Diane Gerlach, D.O. (*Virtual*); Steven Leuthner, M.D.; Lubna Majeed-Haqqi (*arrived at 8:10 a.m.*), M.D.; Gregory Schmeling, M.D.; Derrick Siebert, M.D. (*Virtual; arrived at 8:10 a.m.*); Emily Yu, M.D.

**ABSENT:** Carmen Lerma

**STAFF:** Tom Ryan, Executive Director; Renee Parton, Legal Counsel; Nilajah Hardin, Administrative Rules Coordinator; Brenda Taylor, Board Services Supervisor; and other Department staff

**CALL TO ORDER**

Gregory Schmeling, Chairperson, called the meeting to order at 8:00 a.m. A quorum was confirmed with nine (9) members present.

**ADOPTION OF AGENDA**

**Amendment to the Agenda**

- Remove E.2.g. Hilton from Roster
- Oral Exams: Remove Dr. Goel; Add Dr. Schmeling

**MOTION:** Sumeet Goel moved, seconded by Kris Ferguson, to adopt the Agenda as amended. Motion carried unanimously.

**APPROVAL OF MINUTES OF APRIL 16, 2025**

**MOTION:** Milton Bond moved, seconded by Clarence Chou, to approve the Minutes of April 16, 2025 as published. Motion carried unanimously.

**INTRODUCTIONS, ANNOUNCEMENTS AND RECOGNITION**

**MOTION:** Emily Yu moved, seconded by Sumeet Goel, to recognize and thank Stephanie Hilton for her years of dedicated service to the Board and State of Wisconsin. Motion carried unanimously.

*Derrick Siebert arrived at 8:10 a.m.*

*Lubna Majeed-Haqqi arrived at 8:10 a.m.*

**PRELIMINARY HEARING ON STATEMENT OF SCOPE – SS 025-25 ON MED 21,  
RELATING TO PATIENT HEALTH CARE RECORDS (11-14)**

**MOTION:** Steven Leuthner moved, seconded by Lubna Majeed-Haqqi, to affirm the Board has provided an opportunity to receive public comments concerning Scope Statement (SS) 025-25 on Med 21, Relating to Patient Health Care Records. Additionally, after consideration of all public comments and feedback the Board approves SS 025-25 for implementation. Motion carried unanimously.

*Calissia Clark arrived at 8:13 a.m.*

**CREDENTIALING MATTERS**

**Physician Application language updates**

**MOTION:** Milton Bond moved, seconded by Derrick Siebert, to authorize the Board Chair to approve the suggested modifications to the physician license applications when finalized. Motion carried unanimously.

**CLOSED SESSION**

**MOTION:** Milton Bond moved, seconded by Kris Ferguson, to convene to Closed Session to deliberate on cases following hearing (Wis. Stat. § 19.85(1)(a)); to consider licensure or certification of individuals (Wis. Stat. § 19.85(1)(b)); to consider closing disciplinary investigations with administrative warnings (Wis. Stat. §§ 19.85(1)(b) and 448.02(8)); to consider individual histories or disciplinary data (Wis. Stat. § 19.85(1)(f)); and to confer with legal counsel (Wis. Stat. § 19.85(1)(g)). Gregory Schmeling, Chairperson, read the language of the motion aloud for the record. The vote of each member was ascertained by voice vote. Roll Call Vote: Milton Bond, Jr.-yes; Clarence Chou-yes; Callisia Clarke-yes; Kris Ferguson-yes; Diane Gerlach-yes; Sumeet Goel-yes; Steven Leuthner-yes; Lubna Majeed-Haqqi-yes; Gregory Schmeling-yes; Derrick Siebert-yes; and Emily Yu-yes. Motion carried unanimously.

The Board convened into Closed Session at 9:32 a.m.

**CREDENTIALING MATTERS**

**Application Review**

***F.V. – Visiting Physician (IA-590672)***

**MOTION:** Clarence Chou moved, seconded by Emily Yu, to request Applicant (IA-590672) appear for an oral interview. Motion carried unanimously.

***H.I. – Visiting Physician (IA-598435)***

**MOTION:** Milton Bond moved, seconded by Sumeet Goel, to authorize Board Counsel to request additional information from Applicant (IA-598435). Once the additional information is received the credentialing liaisons may act on the application. Motion carried unanimously.

***J.K. – Predetermination Physician - MD (IA-571690)***

**MOTION:** Sumeet Goel moved, seconded by Lubna Majeed-Haqqi, to find that the conviction record of J.K. predetermination application would disqualify J.K. from obtaining a Physician License at the time of review. **Reason for Disqualification:** Wis. Stat. § 111.335(4)(f). Motion carried unanimously.

**PROPOSED STIPULATIONS AND INTERIM ORDERS**

***24 MED 0493 – Keith G. Hickey***

**MOTION:** Steven Leuthner moved, seconded by Callisia Clarke, to adopt the Findings of Fact, Conclusions of Law and Interim Order in the matter of disciplinary proceedings against Keith G. Hickey, DLSC Case Number 24 MED 0493. Motion carried unanimously.

*(Diane Gerlach recused herself and left the room for deliberation and voting in the matter concerning Keith G. Hickey, DLSC Case Number 24 MED 0493.)*

**DELIBERATION ON DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS**

**Proposed Stipulations, Final Decisions and Orders**

***22 MED 308 and 24 MED 0105 – Kathryn A. Lilley***

**MOTION:** Sumeet Goel moved, seconded by Milton Bond, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of proceedings against Kathryn A. Lilley, DLSC Case Numbers 22 MED 308 and 24 MED 0105. Motion carried unanimously.

***24 MED 0095 – Bashar E. Kiami***

**MOTION:** Clarence Chou moved, seconded by Kris Ferguson, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of proceedings against Bashar E. Kiami, DLSC Case Number 24 MED 0095. Motion carried unanimously.



**24 MED 0189 – Nathan T. Zwagerman**

**MOTION:** Clarence Chou moved, seconded by Kris Ferguson, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of proceedings against Nathan T. Zwagerman, DLSC Case Number 24 MED 0189. Motion carried unanimously.

*Gregory Schmeling recused himself and left the room for deliberation and voting in the matter concerning Nathan T. Zwagerman, DLSC Case Number 24 MED 0189.)*

**24 MED 0248 – Shankar M. Sundaram**

**MOTION:** Milton Bond moved, seconded by Emily Yu, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of proceedings against Shankar M. Sundaram, DLSC Case Number 24 MED 0248, as corrected. Motion carried unanimously.

*(Milton Bond excused at 10:40 a.m.)*

**24 MED 0379 – Geoffrey Roelant**

**MOTION:** Sumeet Goel moved, seconded by Steven Leuthner, to refer back to DLSC for further review the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Geoffrey Roelant, DLSC Case Number 24 MED 0379. Motion carried unanimously.

*(Milton Bond arrived at 10:42 a.m.)*

**Administrative Warnings**

**MOTION:** Milton Bond moved, seconded by Lubna Majeed-Haqqi, to issue an Administrative Warning in the following DLSC Cases:  
23 MED 177 – D.L.A.  
24 MED 0216 – F.X.R.  
24 MED 0342 – S.R.S.  
24 MED 0440 – M.G.T.  
25 MED 0017 – J.W.S.  
25 MED 0066 – E.A.M.W.  
Motion carried unanimously.

## **Case Closings**

**MOTION:** Clarence Chou moved, seconded by Emily Yu, to close the following DLSC Cases for the reasons outlined below:  
22 MED 133 – M.M.M. – No Violation  
23 MED 347 – L.N.H. – Prosecutorial Discretion (P7)  
23 MED 444 – H.R.B. – No Violation  
24 MED 0263 – G.A.C. & N.C.R. – No Violation  
24 MED 0368 & 24 MED 0373 – S.K.K. – No Violation  
24 MED 0487 – M.A.H. – No Violation  
24 MED 0490 – J.D.A. – No Violation  
25 MED 0037 – J.R.K. – No Violation  
25 MED 0038 – R.R.R. – No Violation  
25 MED 0044 – B.S.R. – No Violation  
25 MED 0106 – K.A.B. – No Violation  
Motion carried unanimously.

### **RECONVENE TO OPEN SESSION**

**MOTION:** Kris Ferguson moved, seconded by Lubna Majeed-Haqqi, to reconvene to Open Session. Motion carried unanimously.

The Board reconvened to Open Session at 10:45 a.m.

### **VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION**

**MOTION:** Milton Bond moved, seconded by Kris Ferguson, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

*(Be advised that any recusals or abstentions reflected in the closed session motions stand for the purposes of the affirmation vote.)*

### **DELEGATION OF RATIFICATION OF EXAMINATION RESULTS AND RATIFICATION OF LICENSES AND CERTIFICATES**

**MOTION:** Lubna Majeed-Haqqi moved, seconded by Steven Leuthner, to delegate ratification of examination results to DSPS staff and to ratify all licenses and certificates as issued. Motion carried unanimously.

### **ADJOURNMENT**

**MOTION:** Sumeet Goel moved, seconded by Milton Bond, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 10:47 a.m.

**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

|  |   |   |  |   |               |      |   |      |  |  |      |  |
|--|---|---|--|---|---------------|------|---|------|--|--|------|--|
| 1) Name and title of person submitting the request:<br>DSPS  |   | 2) Date when request submitted:<br>3/31/2025<br>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting  |  |   |               |      |   |      |  |  |      |  |
| 3) Name of Board, Committee, Council, Sections:<br>Medical Examining Board   |   |   |  |   |               |      |   |      |  |  |      |  |
| 4) Meeting Date:<br>June 18, 2025  | 5) Attachments:<br><input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No   | 6) How should the item be titled on the agenda page?<br>Federation of State Medical Boards (FSMB) Presentation – Telemedicine and Facilitating License Portability – Humayan Chaudhry, DO, President and Chief Executive Officer and George Abraham, MD, FSMB Chair |  |   |               |      |   |      |  |  |      |  |
| 7) Place Item in:<br><input checked="" type="checkbox"/> Open Session<br><input type="checkbox"/> Closed Session   | 8) Is an appearance before the Board being scheduled? <i>(If yes, please complete <a href="#">Appearance Request</a> for Non-DSPS Staff)</i><br><input checked="" type="checkbox"/> Yes Drs. Humayan Chaudhry and George Abraham<br><input type="checkbox"/> No | 9) Name of Case Advisor(s), if applicable:<br>N/A   |  |   |               |      |   |      |  |  |      |  |
| 10) Describe the issue and action that should be addressed:<br>Drs. Chaudhry and Abraham will present and advise on telehealth matters impacting state regulatory boards.  |   |   |  |   |               |      |   |      |  |  |      |  |
| <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%; border-bottom: 1px solid black; vertical-align: bottom;">           11) Signature of person making this request         </td> <td style="width: 20%; border-bottom: 1px solid black; vertical-align: bottom; text-align: center;">           Authorization         </td> <td style="width: 20%; border-bottom: 1px solid black; vertical-align: bottom; text-align: center;">           Date         </td> </tr> <tr> <td style="border-bottom: 1px solid black; vertical-align: bottom;">           Supervisor (Only required for post agenda deadline items)         </td> <td style="border-bottom: 1px solid black; vertical-align: bottom; text-align: center;">           Date         </td> <td></td> </tr> <tr> <td style="border-bottom: 1px solid black; vertical-align: bottom;">           Executive Director signature (Indicates approval for post agenda deadline items)         </td> <td style="border-bottom: 1px solid black; vertical-align: bottom; text-align: center;">           Date         </td> <td></td> </tr> </table> |   |   |  | 11) Signature of person making this request | Authorization | Date | Supervisor (Only required for post agenda deadline items) | Date |  | Executive Director signature (Indicates approval for post agenda deadline items) | Date |  |
| 11) Signature of person making this request  | Authorization   | Date  |  |   |               |      |   |      |  |  |      |  |
| Supervisor (Only required for post agenda deadline items)  | Date  |   |  |   |               |      |   |      |  |  |      |  |
| Executive Director signature (Indicates approval for post agenda deadline items)   | Date  |   |  |   |               |      |   |      |  |  |      |  |
| Directions for including supporting documents:<br>1. This form should be saved with any other documents submitted to the <a href="#">Agenda Items</a> folders.<br>2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director.<br>3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.  |   |   |  |   |               |      |   |      |  |  |      |  |

# Telemedicine and Facilitating License Portability

June 18, 2025

**George M. Abraham, MD, MPH, MACP**  
Chair, FSMB

**Humayun “Hank” Chaudhry, DO, MS, MACP**  
President and CEO, FSMB



# Board of Directors, 2025-26

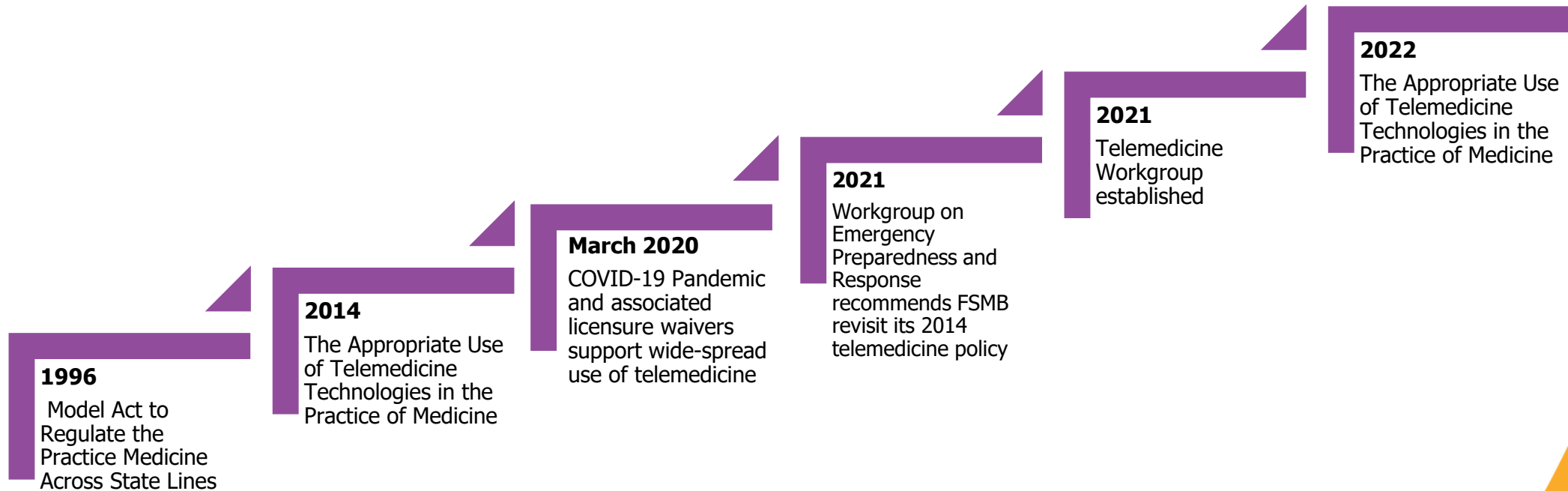


# *About* FSMB

Founded in 1912, the Federation of State Medical Boards (FSMB) is the national, non-profit organization that represents all 69 of the state medical and osteopathic boards across the United States.

At FSMB, we proudly support state medical boards within the United States, its territories, and the District of Columbia. We serve our member boards as they fulfill their mandate of protecting the public's health, safety, and welfare through proper medical regulation, licensing, and disciplining of physicians, physician assistants/associates (PAs), and other healthcare professionals.

# *FSMB* Telemedicine Policies



# *Guidelines* The Appropriate Use of Telemedicine Technologies in the Practice of Medicine (2022)

- Adopted April 30, 2022
- Superseded FSMB's 2014 policy
- Recognizes that when utilized and deployed effectively as a seamlessly integrated part of healthcare delivery, telemedicine can improve access and reduce inequities in the delivery of healthcare. To be effective, certain barriers must be eliminated or reduced, such as literacy gaps, access to broadband internet, and coverage and payment of telemedicine services.



# *Guidelines* The Appropriate Use of Telemedicine Technologies in the Practice of Medicine (2022)

- Telemedicine is only one component of the practice of medicine;
- Certain exceptions may permit the telemedicine across state lines without the need for licensure in the states where the patient is located;
- The same standard of care and professional ethics apply. Failure to follow appropriate standard of care or professional ethics while using telemedicine may subject the practitioner to discipline by the medical board.

# *Guidelines* The Appropriate Use of Telemedicine Technologies in the Practice of Medicine (2022)

The FSMB policy provides for **exceptions to licensure** for:

- Physician-to-Physician Consultations
- Prospective Patient Screening for Complex Referrals
- Episodic Follow-up Care
- Follow-up After Travel for Surgical/Medical Treatment
- Clinical Trials

## *Definition* - Telemedicine

The practice of medicine using electronic communications, information technology or other means between a physician in one location and a patient in another, with or without an intervening healthcare provider.

**Telemedicine is not an e-mail/instant messaging conversation or fax-based interaction.** It typically involves the application of secure videoconferencing or store and forward technology to provide or support healthcare delivery by replicating the interaction of a traditional, in-person encounter. **Telemedicine may include audio-only communications, but audio-only communications should only be used as a substitute when a patient is unable or unwilling to access live-interactive modalities or when audio-only interactions are considered the standard of care for the corresponding healthcare service being delivered.**

## *Guidelines* – Continuity of Care and Referrals

“Patients should be able to seek, with relative ease, follow-up care or information from the physician [or physician’s designee] who conducts an encounter using telemedicine technologies....Physicians have the responsibility to refer patients for in-person follow-up care when a patient’s medical issue requires an additional in-person physical exam, diagnostic procedure, ancillary lab, or radiologic test...Physicians have an obligation to support continuity of care for their patients.

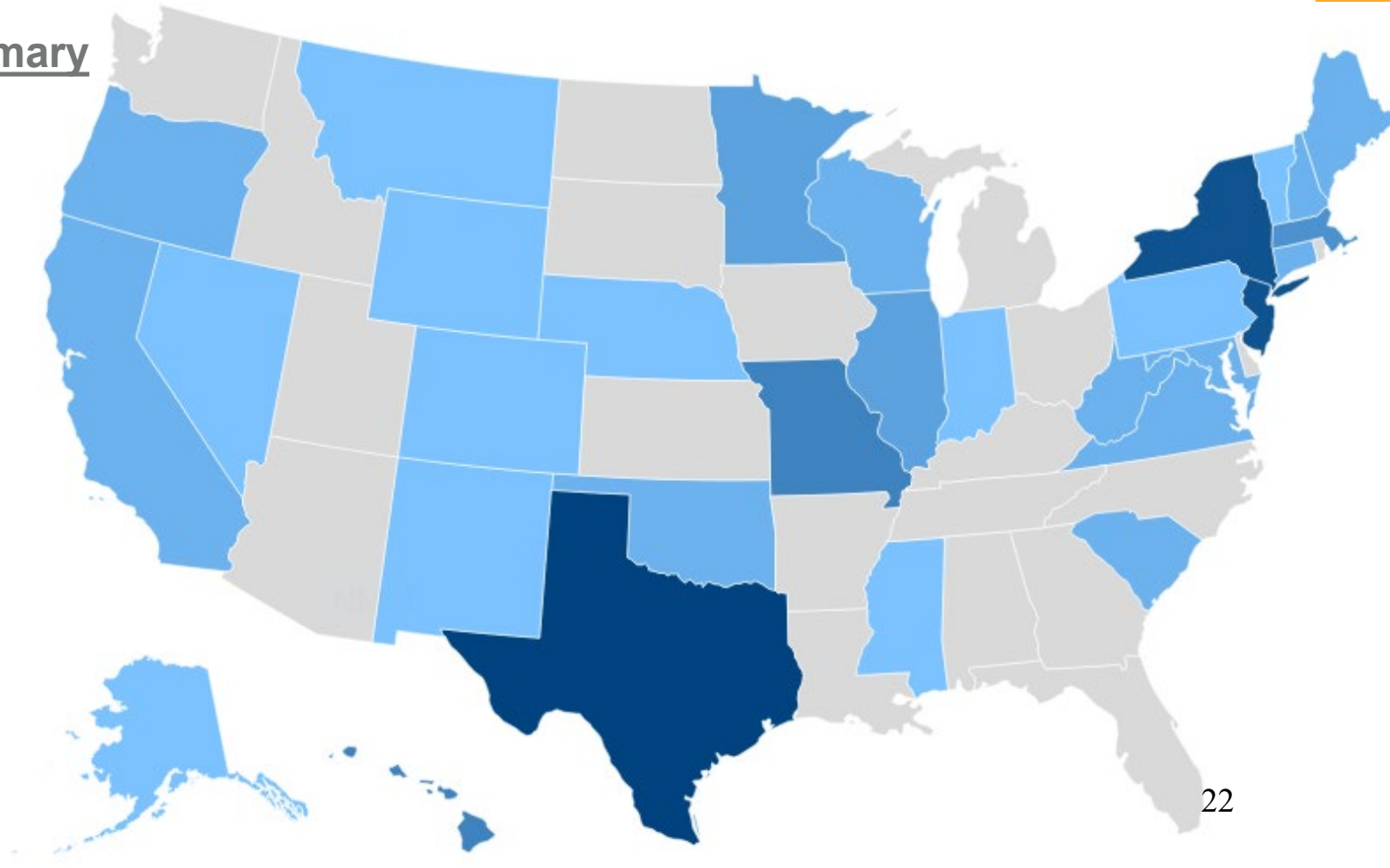
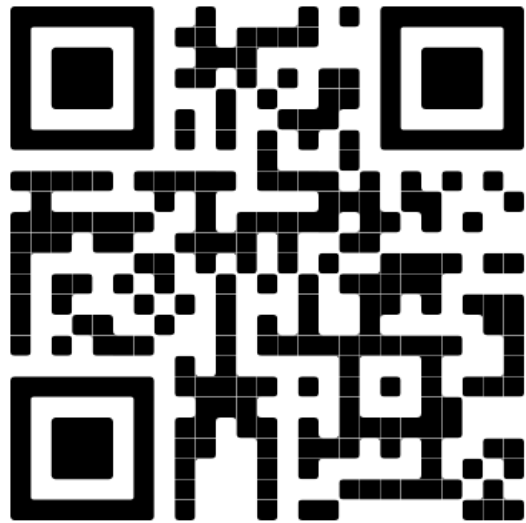
Terminating the medical care of a patient without adequate notice or without making other arrangements for the continued care of the patient may be considered patient abandonment and may result in disciplinary action.”



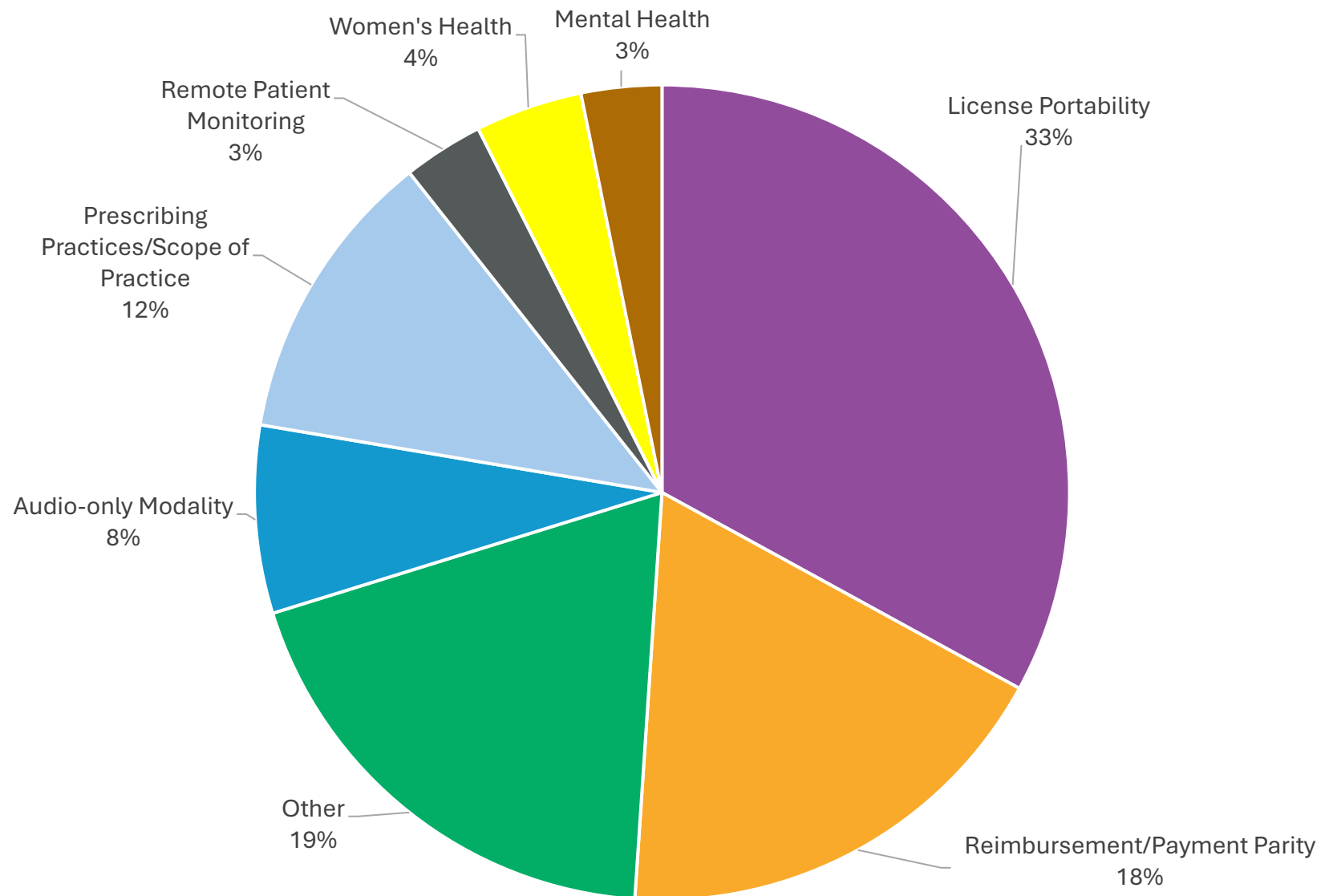
# Telemedicine Legislation in the 2025 Session

## FSMB's Telemedicine Legislative Summary

- 80 bills in 31 states



# *Telemedicine* Legislation in the 2025 Session



## *Cross State Licensure Court Cases*

The **Pacific Legal Foundation** (PLF), a public interest law firm, represents plaintiffs in two separate suits challenging the constitutionality of states' requiring providers to be licensed in the state in which the patient is located:

- In December 2023, PLF filed *MacDonald et al v. Sabando* on behalf of plaintiffs in **New Jersey** who require specialty care but are hindered by the state's **licensing laws** which require licensure in the state to render care to patients.
- In May 2024, PLF filed a similar suit against the Medical Board of California, in *McBride et al v. Lawson*, challenging the **state's telehealth laws**, arguing that the laws significantly impact patients' access to specialized medical care.
  - *On January 30, 2025, the case was dismissed, with the Court tossing the arguments related to the Commerce Clause, Privileges and Immunities Clause, and Equal Protection Clause. Plaintiffs' appeal filed February 13, 2025.*



## *Cross State Licensure Court Cases (continued)*

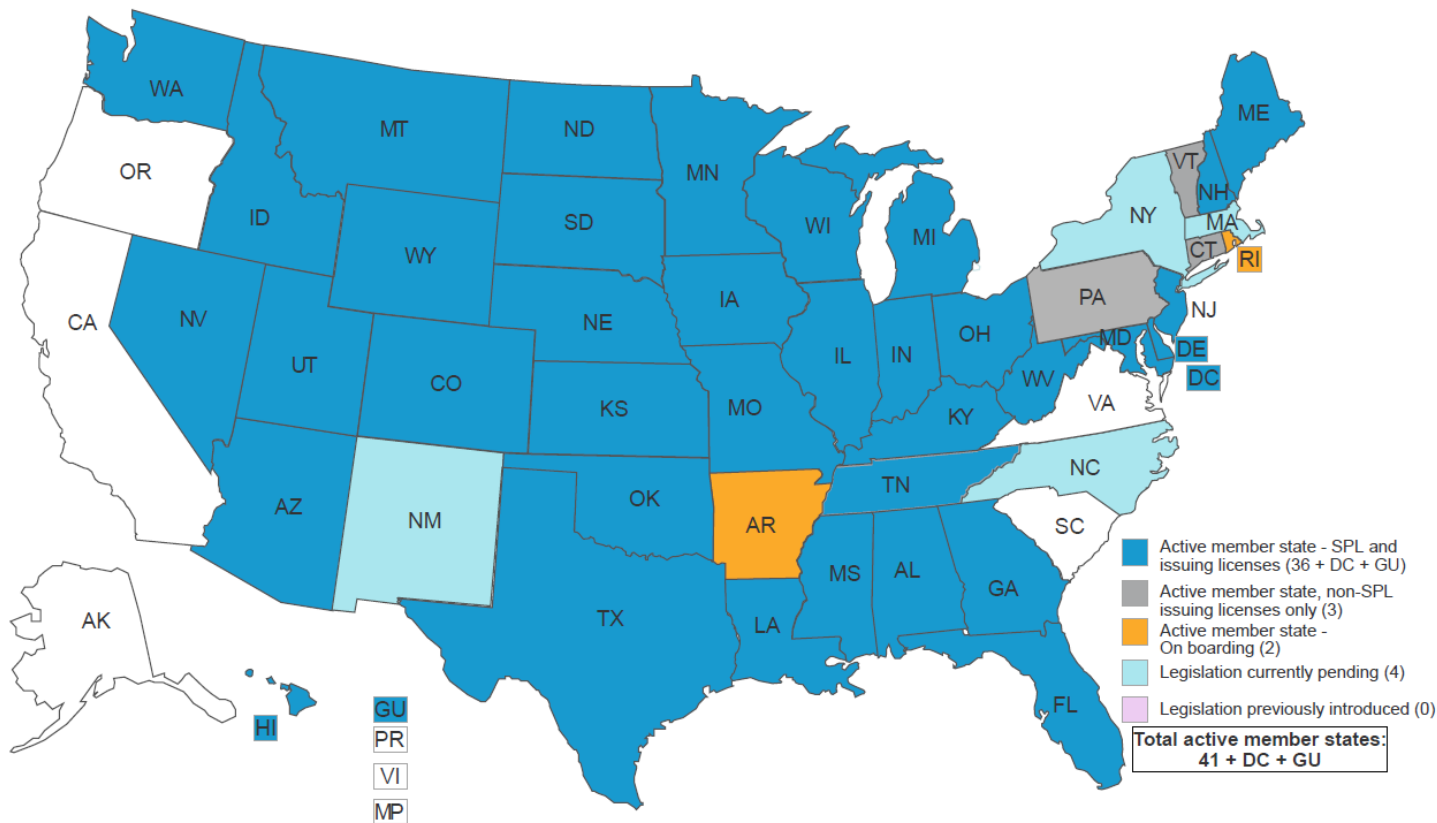
*MacDonald et al v. Sabando* was resolved on May 12 when a judge **dismissed** the case.

The physicians, based in PA and MA, had treated NJ patients for rare conditions and wanted to continue offering remote care after the patients returned home. They argued that the state's licensure requirement violated several constitutional protections, including the dormant Commerce Clause, the Privileges and Immunities Clause, the First Amendment, and parents' due process rights.

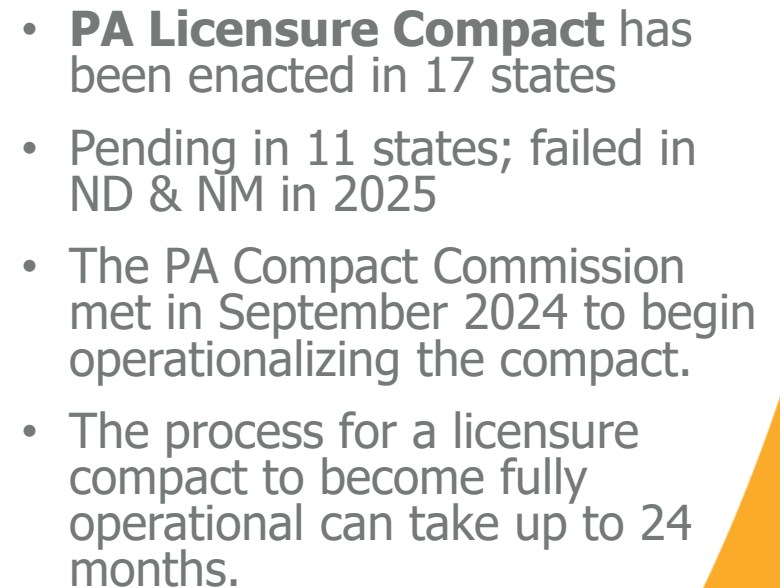
The court rejected these claims, ruling that:

- The **Commerce Clause** does not apply because the law treats in-state and out-of-state physicians equally.
- The **Privileges and Immunities Clause** does not apply, as the licensing requirement is uniformly enforced for all telehealth providers, regardless of residency.
- The law does **not regulate speech**, so the **First Amendment** is not implicated.
- Parents do **not have a fundamental constitutional right** to choose a specific health care provider for their child.

# Licensure Compacts IMLC



- **IMLC** has been enacted in 41 states, DC, and Guam
- Enacted in Arkansas in March
- Introduced in 2025 in New Mexico, New York, North Carolina, and Massachusetts
- As of May 1, 2025:
  - 93,014 applications
  - 148,359 licenses issued



# *Other Healthcare Licensure Compacts*

## **Enhanced Nurse Licensure Compact (eNLC)**

- Effective 2018
- 41 states, Guam, and Virgin Islands

## **APRN Compact**

- Not effective until 7 states enact
- 4 states are Members

## **EMS Compact**

- Effective October 2017
- 24 states are Members

## **Occupational Therapy Licensure Compact**

- Effective 2018
- 31 states are Members

## **Physical Therapy Licensure Compact**

- Effective April 2017
- 40 states and DC are Members

## **Psychology Interjurisdictional Compact (PYSPACT)**

- Effective April 2019
- 40 states, DC, and CNMI are Members

# *Other Healthcare Licensure Compacts*

## **Audiology and Speech-Language Pathology (ASLP) Interstate Compact**

- Effective January 2022
- 34 states are Members

## **Dental and Dental Hygienist Compact**

- Effective April 2024
- 10 states are Members

## **Dietitian Licensure Compact**

- Not effective until 7 states
- 3 states are Members

## **Interstate Massage Compact**

- Not effective until 7 states enact
- 2 states are Members

## **Respiratory Therapists Compact**

- Not effective until 7 states enact
- 0 states are Members

## **Athletic Trainers Compact**

- In Development

## **Interstate Podiatric Medical License Compact**

- In Development

# Thank You! Questions?



**U.S. Medical Regulatory Trends &  
Actions Report**



**FSMB Policies &  
Regulatory Resources**



**Advocacy Network  
Newsletter**

**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

|  |   |  |  |                              |          |   |      |                          |      |  |  |      |  |
|--|---|--|--|------------------------------|----------|---|------|--------------------------|------|--|--|------|--|
| <b>1) Name and title of person submitting the request:</b><br>Nilajah Hardin, Administrative Rules Coordinator   |   | <b>2) Date when request submitted:</b><br>06/06/25<br><small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>  |  |                              |          |   |      |                          |      |  |  |      |  |
| <b>3) Name of Board, Committee, Council, Sections:</b><br>Medical Examining Board  |   |  |  |                              |          |   |      |                          |      |  |  |      |  |
| <b>4) Meeting Date:</b><br>06/18/25  | <b>5) Attachments:</b><br><input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No  | <b>6) How should the item be titled on the agenda page?</b><br>Administrative Rule Matters – Discussion and Consideration<br>1. Pending or Possible Rulemaking Projects<br>a. Rule Projects Charts<br>b. Affiliated Credentialing Board Rule Summaries |  |                              |          |   |      |                          |      |  |  |      |  |
| <b>7) Place Item in:</b><br><input checked="" type="checkbox"/> Open Session<br><input type="checkbox"/> Closed Session  | <b>8) Is an appearance before the Board being scheduled?</b> <i>(If yes, please complete <a href="#">Appearance Request</a> for Non-DSPS Staff)</i><br><input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No | <b>9) Name of Case Advisor(s), if required:</b><br>N/A   |  |                              |          |   |      |                          |      |  |  |      |  |
| <b>10) Describe the issue and action that should be addressed:</b><br><br>Attachments:<br>Rule Project Charts<br>Affiliated Credentialing Board Rule Summaries<br><br>(Board Rule projects can be Viewed Here if Needed: <a href="https://dsps.wi.gov/Pages/RulesStatutes/PendingRules.aspx">https://dsps.wi.gov/Pages/RulesStatutes/PendingRules.aspx</a> )   |   |  |  |                              |          |   |      |                          |      |  |  |      |  |
| <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%; border-bottom: 1px solid black; vertical-align: bottom;"> <b>11) Authorization</b><br/> </td> <td style="width: 40%; border-bottom: 1px solid black; vertical-align: bottom; text-align: right;">           06/06/25         </td> </tr> <tr> <td style="border-bottom: 1px solid black; vertical-align: bottom;">           Signature of person making this request         </td> <td style="border-bottom: 1px solid black; vertical-align: bottom; text-align: right;">           Date         </td> </tr> <tr> <td style="border-bottom: 1px solid black; vertical-align: bottom;">           Supervisor (if required)         </td> <td style="border-bottom: 1px solid black; vertical-align: bottom; text-align: right;">           Date         </td> </tr> <tr> <td colspan="2" style="border-bottom: 1px solid black; vertical-align: bottom;">           Executive Director signature (indicates approval to add post agenda deadline item to agenda)         </td> </tr> <tr> <td colspan="2" style="border-bottom: 1px solid black; vertical-align: bottom;">           Date         </td> </tr> </table> |   |  |  | <b>11) Authorization</b><br> | 06/06/25 | Signature of person making this request | Date | Supervisor (if required) | Date | Executive Director signature (indicates approval to add post agenda deadline item to agenda) |  | Date |  |
| <b>11) Authorization</b><br>   | 06/06/25  |  |  |                              |          |   |      |                          |      |  |  |      |  |
| Signature of person making this request  | Date  |  |  |                              |          |   |      |                          |      |  |  |      |  |
| Supervisor (if required)   | Date  |  |  |                              |          |   |      |                          |      |  |  |      |  |
| Executive Director signature (indicates approval to add post agenda deadline item to agenda)   |   |  |  |                              |          |   |      |                          |      |  |  |      |  |
| Date   |   |  |  |                              |          |   |      |                          |      |  |  |      |  |
| <b>Directions for including supporting documents:</b><br>1. This form should be attached to any documents submitted to the agenda.<br>2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director.<br>3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.  |   |  |  |                              |          |   |      |                          |      |  |  |      |  |

**Medical Examining Board**  
**Rule Projects (updated 06/06/25)**

| <b>Clearinghouse Rule Number</b> | <b>Scope #</b>         | <b>Scope Expiration</b> | <b>Code Chapter Affected</b> | <b>Relating clause</b>                             | <b>Current Stage</b>  | <b>Next Step</b>   |
|----------------------------------|------------------------|-------------------------|------------------------------|--|---|--|
| Not Assigned Yet                 | <a href="#">099-24</a> | 03/23/2027              | Med 1                        | Licensure Requirements                             | Preliminary Rule Draft Under EIA Comment, Fiscal Estimate, and Clearinghouse Review | Public Hearing Anticipated for Future Meeting              |
| Not Assigned Yet                 | <a href="#">025-25</a> | 10/14/2027              | Med 21                       | Patient Health Care Records                        | Drafting  | Board Review of Preliminary Rule Draft at a Future Meeting |
| <a href="#">24-099</a>           | <a href="#">055-24</a> | 11/28/2026              | Med 27                       | Provisional Licensure for International Physicians | Legislative Review  | Board Review of Adoption Order at a Future Meeting         |



**Medical Examining Board**  
**Affiliated Credentialing Board (ACB) Rule Projects**

| Clearinghouse Rule Number | Scope #                | Scope Expiration | ACB Name                             | Code Chapter Affected | Relating clause  | Current Stage  | Next Step  |
|---------------------------|------------------------|------------------|--------------------------------------|-----------------------|--|--|--|
| <a href="#">25-020</a>    | <a href="#">097-22</a> | 06/12/2025       | Athletic Trainers                    | AT 4                  | Protocol Requirements  | Legislative Review   | Adoption Order Review at a Future Meeting                  |
| <a href="#">24-098</a>    | <a href="#">064-24</a> | 12/03/2026       | Dietitians                           | DI 1                  | Definitions  | Final Rule and Legislative Report Pending Governor's Office Approval | Submission for Legislative Review                          |
| Not Assigned Yet          | <a href="#">009-25</a> | 02/17/2027       | Massage Therapy and Bodywork Therapy | MTBT 3                | Education  | Scope Statement Pending Chairperson Signature for Implementation     | Drafting   |
| <a href="#">24-054</a>    | <a href="#">080-23</a> | 04/23/2026       | Massage Therapy and Bodywork Therapy | MTBT 6                | Temporary License  | Legislative Review   | Adoption Order Review at a Future Meeting                  |
| <a href="#">24-050</a>    | <a href="#">072-22</a> | 02/22/2025       | Occupational Therapists              | OT 1 to 5             | Implementation of the Occupational Therapy Licensure Compact | Adoption Order ready for 06/10/25 Meeting                            | Submission for Publication and Effective Date              |
| <a href="#">25-029</a>    | <a href="#">091-24</a> | 02/12/2027       | Physician Assistant                  | PA 1 to 4             | Implementation of the Physician Assistant Licensure Compact  | Public Hearing Scheduled for 06/26/25 Meeting                        | Drafting Final Rule and Legislative Report                 |
| <a href="#">25-002</a>    | <a href="#">065-24</a> | 12/03/2026       | Physician Assistant                  | PA 4                  | Physical Examinations  | Legislative Review   | Adoption Order Review at a Future Meeting                  |
| Not Assigned Yet          | <a href="#">024-25</a> | 10/14/2027       | Podiatry                             | Pod 1 and 9           | Supervision of Physician Assistants                          | Preliminary Hearing on Statement of Scope Ordered by JCRAR           | Preliminary Hearing Anticipated at 06/11/25 Meeting        |
| Not Assigned Yet          | <a href="#">023-25</a> | 10/14/2027       | Podiatry                             | Pod 1 and 10          | Podiatrists and Telehealth                                   | Drafting   | Board Review of Preliminary Rule Draft at a Future Meeting |

## Affiliated Credentialing Board (ACB) Rule Summaries

### Athletic Trainers:

- AT 4, Relating to Protocol Requirements
  - Updates the Athletic Trainer Protocol to include already existing statutory practice exceptions and adds manual therapy as a service

### Dietitians:

- DI 1, Relating to Definitions
  - Updates the definition of “regionally accredited college or university” to mean a college or university recognized by the US Department of Education as being accredited, instead of listing individual institutions by name

### Massage Therapy and Bodywork Therapy:

- MTBT 3, Relating to Education (Scope Statement not implemented yet)
  - The ACB plans to change the initial licensure requirement of 600 education hours to match the standard recommended by the Federation of State Massage Therapy Boards.
  - Other updates may be made to the chapter to align with current practice if needed
- MTBT 6, Relating to Temporary Licenses
  - Updates to allow applicants to practice while waiting for their examination results.
  - Each temporary license expires after 6 months or when the applicant successfully passes their examination, whichever comes first.

### Occupational Therapists:

- OT 1 to 5, Relating to Implementation of the Occupational Therapy Licensure Compact
  - 2021 WI Act 123 outlines all compact requirements in the statute.
  - This rule project adds compact privilege as a license option to the rules.

### Physician Assistant:

- PA 1 to 4, Relating to Implementation of the Physician Assistant Licensure Compact
  - 2023 WI Act 81 outlines all compact requirements in the statute.
  - This rule project adds compact privilege as a license option to the rules.
- PA 4, Relating to Physical Examinations
  - Similar to the recent rule that amended Med 10, this rule requires that each licensee have a policy on chaperones for sensitive examinations, and that such a policy be made available to all patients.

### Podiatry:

- Pod 1 and 9, Relating to Supervision of Physician Assistants (Scope Statement not implemented yet)
  - Due to 2021 WI Act 23, the ACB plans to create requirements for supervision of Physician Assistants by a Podiatrist.
- Pod 1 and 10, Relating to Podiatrists and Telehealth
  - The ACB plans to create requirements on Telehealth in line with 2021 WI Act 121.