

# Pending License Renewal Applications

**POLICY:** It is the policy of the Board of Licensure in Medicine that applications for renewal of physician and physician assistant licenses that authorize clinical practice and are received while a complaint or investigation is outstanding against the licensee shall be pended and action on the renewal held until the Board has taken final action on all complaints.

The applicant shall be so notified when the application is received and by separate letter informed that until the Board takes final action regarding the renewal application, the licensee may continue to practice under the authority of the old license, whether or not expired, as allowed by 5 M.R.S. § 10002.

A waiver of this policy may be granted in extraordinary circumstances through written request to the Board staff. Extraordinary circumstances include but are not limited to:

- Extreme hardship caused by the delay in renewal
- Allowing the licensee to sit for specialty board recertification if the complaint has not been ordered to hearing

The Board Secretary is authorized to grant or deny a request for a waiver pursuant to this policy but may defer any decision on a request for a waiver to the full Board.

When a renewal is pended and the matter is scheduled for an adjudicatory hearing, the issue of whether or not to renew the pended license shall be included as an issue at the adjudicatory hearing.

Requests for renewal of a license resulting in any non-clinical practice status shall be processed notwithstanding the existence of an outstanding investigation or complaint against the licensee.

**EFFECTIVE DATE:** February 10, 1998

**REVISION DATES:** July 10, 2007; April 12, 2011; October 14, 2014; April 9, 2018; April 9, 2019, February 11, 2020

**HISTORY:** The July 10, 2007 modification allows licensees to appeal the pended status in extraordinary circumstances, and it provides that the Board may, on its own motion, allow a license to lapse while under investigation.

The April 12, 2011 modification makes clear that the resolution of a pended license becomes part of the adjudicatory process if a hearing is ordered.

The October 14, 2014 revision clarifies that pended renewal applications are included in ordered adjudicatory hearings and changes the lapse process to be consistent with the License Lapse Due to Non-Renewal With Open Complaint policy.

April 9, 2018: The policy was amended to remove reference to a policy retired by the Board.

April 9, 2019: The policy was amended to remove reference to the Licensure Committee.

February 11, 2020: The policy was amended to allow the renewal of non-clinical license

types.

August 11, 2020: The policy was amended to delegate authority to the Board Secretary to grant or deny request for a waiver.