

# SENATE BILL 500

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11r1679  
CF HB 970

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By: **Senators Lam and Hettleman**

Introduced and read first time: January 20, 2021

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable

Senate action: Adopted

Read second time: February 24, 2021

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Psychology Interjurisdictional Compact**

3 FOR the purpose of entering into the Psychology Interjurisdictional Compact; stating the  
4 purpose of the Compact; establishing certain criteria and duties for compact states;  
5 requiring certain psychologists to hold a certain license from a home state and meet  
6 certain eligibility requirements to exercise certain authority to practice  
7 interjurisdictional telepsychology; requiring certain psychologists to hold a certain  
8 license from a home state and meet certain eligibility requirements to exercise  
9 certain temporary authority to practice in-person, face-to-face psychology in certain  
10 compact states; establishing certain requirements for certain psychologists  
11 practicing into certain receiving states under the authority to practice  
12 interjurisdictional telepsychology; establishing certain requirements for certain  
13 psychologists practicing into certain distant states under certain temporary  
14 authorization to practice; authorizing a psychologist to practice telepsychology in  
15 certain receiving states in the performance of certain scope of practice and under  
16 certain circumstances; establishing certain authority of home states and distant  
17 states with regard to certain adverse action; establishing certain authority for  
18 certain compact states' psychology regulatory authority to investigate and take  
19 certain action with respect to certain conduct and to issue certain subpoenas and  
20 orders under certain circumstances; providing for the development and maintenance  
21 of a coordinated licensure information system; requiring that certain data be sent to  
22 the coordinated licensure information system; establishing the Psychology  
23 Interjurisdictional Compact Commission and its duties and powers; providing for the  
24 membership, meetings, and voting of the Commission; providing for the membership  
25 and duties of the Executive Board of the Commission; providing for the financing of

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 the Commission; providing qualified immunity, legal defense, and indemnification  
2 to certain individuals affiliated with the Commission under certain circumstances;  
3 authorizing the Commission to adopt certain rules and amendments in a certain  
4 manner; providing for certain oversight, dispute resolution, and enforcement of the  
5 Compact; providing for the implementation of the Compact; establishing certain  
6 requirements for withdrawal by compact states from the Compact; establishing a  
7 certain procedure for amending the Compact; making the Compact severable;  
8 defining certain terms; and generally relating to the Psychology Interjurisdictional  
9 Compact.

10 BY adding to

11 Article – Health Occupations

12 Section 18–3A–01 to be under the new subtitle “Subtitle 3A. Psychology  
13 Interjurisdictional Compact”

14 Annotated Code of Maryland

15 (2014 Replacement Volume and 2020 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
17 That the Laws of Maryland read as follows:

18 **Article – Health Occupations**

19 **SUBTITLE 3A. PSYCHOLOGY INTERJURISDICTIONAL COMPACT.**

20 **18–3A–01.**

21 **THE PSYCHOLOGY INTERJURISDICTIONAL COMPACT IS ENACTED INTO LAW**  
22 **AND ENTERED INTO WITH ALL OTHER STATES LEGALLY JOINING IN IT IN THE FORM**  
23 **SUBSTANTIALLY AS IT APPEARS IN THIS SECTION AS FOLLOWS:**

24 **ARTICLE I.**

25 **PURPOSE.**

26 **(A) THIS COMPACT IS BASED ON THE FOLLOWING PRINCIPLES:**

27 **(1) STATES LICENSE PSYCHOLOGISTS IN ORDER TO PROTECT THE**  
28 **PUBLIC THROUGH VERIFICATION OF EDUCATION, TRAINING, AND EXPERIENCE AND**  
29 **ENSURE ACCOUNTABILITY FOR PROFESSIONAL PRACTICE; AND**

30 **(2) STATES HAVE A VESTED INTEREST IN PROTECTING THE PUBLIC’S**  
31 **HEALTH AND SAFETY THROUGH THEIR LICENSING AND REGULATION OF**  
32 **PSYCHOLOGISTS AND THAT SUCH STATE REGULATION WILL BEST PROTECT PUBLIC**  
33 **HEALTH AND SAFETY.**

1           **(B) THIS COMPACT IS INTENDED TO:**

2           **(1) REGULATE THE DAY-TO-DAY PRACTICE OF TELEPSYCHOLOGY**  
3 **(I.E., THE PROVISION OF PSYCHOLOGICAL SERVICES USING TELECOMMUNICATION**  
4 **TECHNOLOGIES) BY PSYCHOLOGISTS ACROSS STATE BOUNDARIES IN THE**  
5 **PERFORMANCE OF THEIR PSYCHOLOGICAL PRACTICE AS ASSIGNED BY AN**  
6 **APPROPRIATE AUTHORITY;**

7           **(2) REGULATE THE TEMPORARY IN-PERSON, FACE-TO-FACE**  
8 **PRACTICE OF PSYCHOLOGY BY PSYCHOLOGISTS ACROSS STATE BOUNDARIES FOR 30**  
9 **DAYS WITHIN A CALENDAR YEAR IN THE PERFORMANCE OF THEIR PSYCHOLOGICAL**  
10 **PRACTICE AS ASSIGNED BY AN APPROPRIATE AUTHORITY; AND**

11           **(3) AUTHORIZE STATE PSYCHOLOGICAL REGULATORY AUTHORITIES**  
12 **TO AFFORD LEGAL RECOGNITION, IN A MANNER CONSISTENT WITH THE TERMS OF**  
13 **THE COMPACT, TO PSYCHOLOGISTS LICENSED IN ANOTHER STATE.**

14           **(C) (1) THIS COMPACT DOES NOT APPLY WHEN A PSYCHOLOGIST IS**  
15 **LICENSED IN BOTH THE HOME AND RECEIVING STATES.**

16           **(2) THIS COMPACT DOES NOT APPLY TO PERMANENT, IN-PERSON,**  
17 **FACE-TO-FACE PRACTICE BUT DOES ALLOW FOR TEMPORARY AUTHORIZATION TO**  
18 **PRACTICE.**

19           **(D) THIS COMPACT IS DESIGNED TO ACHIEVE THE FOLLOWING PURPOSES**  
20 **AND OBJECTIVES:**

21           **(1) INCREASE PUBLIC ACCESS TO PROFESSIONAL PSYCHOLOGICAL**  
22 **SERVICES BY ALLOWING FOR TELEPSYCHOLOGICAL PRACTICE ACROSS STATE LINES**  
23 **AS WELL AS TEMPORARY, IN-PERSON, FACE-TO-FACE SERVICES INTO A STATE IN**  
24 **WHICH THE PSYCHOLOGIST IS NOT LICENSED TO PRACTICE PSYCHOLOGY;**

25           **(2) ENHANCE STATES' ABILITY TO PROTECT THE PUBLIC'S HEALTH**  
26 **AND SAFETY, ESPECIALLY CLIENT/PATIENT SAFETY;**

27           **(3) ENCOURAGE THE COOPERATION OF COMPACT STATES IN THE**  
28 **AREAS OF PSYCHOLOGY LICENSURE AND REGULATION;**

29           **(4) FACILITATE THE EXCHANGE OF INFORMATION BETWEEN**  
30 **COMPACT STATES REGARDING PSYCHOLOGIST LICENSURE, ADVERSE ACTIONS, AND**  
31 **DISCIPLINARY HISTORY;**

32           **(5) PROMOTE COMPLIANCE WITH THE LAWS GOVERNING**

1 PSYCHOLOGICAL PRACTICE IN EACH COMPACT STATE; AND

2 (6) INVEST ALL COMPACT STATES WITH THE AUTHORITY TO HOLD  
3 LICENSED PSYCHOLOGISTS ACCOUNTABLE THROUGH THE MUTUAL RECOGNITION  
4 OF COMPACT STATE LICENSES.

5 ARTICLE II.

6 DEFINITIONS.

7 (A) "ADVERSE ACTION" MEANS ANY ACTION TAKEN BY A STATE  
8 PSYCHOLOGY REGULATORY AUTHORITY THAT FINDS A VIOLATION OF A STATUTE OR  
9 REGULATION THAT IS IDENTIFIED BY THE STATE PSYCHOLOGY REGULATORY  
10 AUTHORITY AS DISCIPLINE AND IS A MATTER OF PUBLIC RECORD.

11 (B) "ASSOCIATION OF STATE AND PROVINCIAL PSYCHOLOGY BOARDS" OR  
12 "ASPPB" MEANS THE RECOGNIZED MEMBERSHIP ORGANIZATION COMPOSED OF  
13 STATE AND PROVINCIAL PSYCHOLOGY REGULATORY AUTHORITIES RESPONSIBLE  
14 FOR THE LICENSURE AND REGISTRATION OF PSYCHOLOGISTS THROUGHOUT THE  
15 UNITED STATES AND CANADA.

16 (C) "AUTHORITY TO PRACTICE INTERJURISDICTIONAL TELEPSYCHOLOGY"  
17 MEANS A LICENSED PSYCHOLOGIST'S AUTHORITY TO PRACTICE TELEPSYCHOLOGY,  
18 WITHIN THE LIMITS AUTHORIZED UNDER THIS COMPACT, IN ANOTHER COMPACT  
19 STATE.

20 (D) "BYLAWS" MEANS THE BYLAWS ESTABLISHED BY THE COMMISSION  
21 PURSUANT TO ARTICLE X OF THIS COMPACT FOR ITS GOVERNANCE, OR FOR  
22 DIRECTING AND CONTROLLING ITS ACTIONS AND CONDUCT.

23 (E) "CLIENT/PATIENT" MEANS THE RECIPIENT OF PSYCHOLOGICAL  
24 SERVICES, WHETHER PSYCHOLOGICAL SERVICES ARE DELIVERED IN THE CONTEXT  
25 OF HEALTH CARE, CORPORATE, SUPERVISION, AND/OR CONSULTING SERVICES.

26 (F) "COMMISSIONER" MEANS THE VOTING REPRESENTATIVE APPOINTED  
27 BY EACH STATE PSYCHOLOGY REGULATORY AUTHORITY PURSUANT TO ARTICLE X  
28 OF THIS COMPACT.

29 (G) "COMPACT STATE" MEANS A STATE, THE DISTRICT OF COLUMBIA, OR A  
30 TERRITORY OF THE UNITED STATES THAT HAS ENACTED THIS COMPACT AND HAS  
31 NOT WITHDRAWN PURSUANT TO ARTICLE XIII(C) OF THIS COMPACT OR BEEN  
32 TERMINATED PURSUANT TO ARTICLE XII(B) OF THIS COMPACT.

1           **(H) “COORDINATED LICENSURE INFORMATION SYSTEM” OR**  
2 **“COORDINATED DATABASE” MEANS AN INTEGRATED PROCESS FOR COLLECTING,**  
3 **STORING, AND SHARING INFORMATION ON PSYCHOLOGISTS’ LICENSURE AND**  
4 **ENFORCEMENT ACTIVITIES RELATED TO PSYCHOLOGY LICENSURE LAWS THAT IS**  
5 **ADMINISTERED BY THE RECOGNIZED MEMBERSHIP ORGANIZATION COMPOSED OF**  
6 **STATE AND PROVINCIAL PSYCHOLOGY REGULATORY AUTHORITIES.**

7           **(I) “CONFIDENTIALITY” MEANS THE PRINCIPLE THAT DATA OR**  
8 **INFORMATION IS NOT MADE AVAILABLE OR DISCLOSED TO UNAUTHORIZED**  
9 **PERSONS AND/OR PROCESSES.**

10           **(J) “DAY” MEANS ANY PART OF A DAY IN WHICH PSYCHOLOGICAL WORK IS**  
11 **PERFORMED.**

12           **(K) “DISTANT STATE” MEANS THE COMPACT STATE WHERE A**  
13 **PSYCHOLOGIST IS PHYSICALLY PRESENT (NOT THROUGH THE USE OF**  
14 **TELECOMMUNICATIONS TECHNOLOGIES), TO PROVIDE TEMPORARY IN-PERSON,**  
15 **FACE-TO-FACE PSYCHOLOGICAL SERVICES.**

16           **(L) “E.PASSPORT” MEANS A CERTIFICATE ISSUED BY ASPPB THAT**  
17 **PROMOTES THE STANDARDIZATION IN THE CRITERIA OF INTERJURISDICTIONAL**  
18 **TELEPSYCHOLOGY PRACTICE AND FACILITATES THE PROCESS FOR LICENSED**  
19 **PSYCHOLOGISTS TO PROVIDE TELEPSYCHOLOGICAL SERVICES ACROSS STATE**  
20 **LINES.**

21           **(M) “EXECUTIVE BOARD” MEANS A GROUP OF DIRECTORS ELECTED OR**  
22 **APPOINTED TO ACT ON BEHALF OF, AND WITHIN THE POWERS GRANTED TO THEM**  
23 **BY, THE COMMISSION.**

24           **(N) “HOME STATE” MEANS A COMPACT STATE WHERE A PSYCHOLOGIST IS**  
25 **LICENSED TO PRACTICE PSYCHOLOGY. IF THE PSYCHOLOGIST IS LICENSED IN MORE**  
26 **THAN ONE COMPACT STATE AND IS PRACTICING UNDER THE AUTHORIZATION TO**  
27 **PRACTICE INTERJURISDICTIONAL TELEPSYCHOLOGY, THE HOME STATE IS THE**  
28 **COMPACT STATE WHERE THE PSYCHOLOGIST IS PHYSICALLY PRESENT WHEN THE**  
29 **TELEPSYCHOLOGICAL SERVICES ARE DELIVERED. IF THE PSYCHOLOGIST IS**  
30 **LICENSED IN MORE THAN ONE COMPACT STATE AND IS PRACTICING UNDER THE**  
31 **TEMPORARY AUTHORIZATION TO PRACTICE, THE HOME STATE IS ANY COMPACT**  
32 **STATE WHERE THE PSYCHOLOGIST IS LICENSED.**

33           **(O) “IDENTITY HISTORY SUMMARY” MEANS A SUMMARY OF INFORMATION**  
34 **RETAINED BY THE FEDERAL BUREAU OF INVESTIGATION, OR OTHER DESIGNEE**  
35 **WITH SIMILAR AUTHORITY, IN CONNECTION WITH ARRESTS AND, IN SOME**  
36 **INSTANCES, FEDERAL EMPLOYMENT, NATURALIZATION, OR MILITARY SERVICE.**

1 (P) "IN-PERSON, FACE-TO-FACE" MEANS INTERACTIONS IN WHICH THE  
2 PSYCHOLOGIST AND THE CLIENT/PATIENT ARE IN THE SAME PHYSICAL SPACE AND  
3 THAT DO NOT INCLUDE INTERACTIONS THAT MAY OCCUR THROUGH THE USE OF  
4 TELECOMMUNICATION TECHNOLOGIES.

5 (Q) "INTERJURISDICTIONAL PRACTICE CERTIFICATE" OR "IPC" MEANS A  
6 CERTIFICATE ISSUED BY ASPPB THAT GRANTS TEMPORARY AUTHORITY TO  
7 PRACTICE BASED ON NOTIFICATION TO THE STATE PSYCHOLOGY REGULATORY  
8 AUTHORITY OF INTENTION TO PRACTICE TEMPORARILY AND VERIFICATION OF  
9 ONE'S QUALIFICATIONS FOR SUCH PRACTICE.

10 (R) "LICENSE" MEANS AUTHORIZATION BY A STATE PSYCHOLOGY  
11 REGULATORY AUTHORITY TO ENGAGE IN THE INDEPENDENT PRACTICE OF  
12 PSYCHOLOGY, WHICH WOULD BE UNLAWFUL WITHOUT THE AUTHORIZATION.

13 (S) "NON-COMPACT STATE" MEANS ANY STATE WHICH IS NOT AT THE TIME  
14 A COMPACT STATE.

15 (T) "PSYCHOLOGIST" MEANS AN INDIVIDUAL LICENSED FOR THE  
16 INDEPENDENT PRACTICE OF PSYCHOLOGY.

17 (U) "PSYCHOLOGY INTERJURISDICTIONAL COMPACT COMMISSION" OR  
18 "COMMISSION" MEANS THE NATIONAL ADMINISTRATION OF WHICH ALL COMPACT  
19 STATES ARE MEMBERS.

20 (V) "RECEIVING STATE" MEANS A COMPACT STATE WHERE THE  
21 CLIENT/PATIENT IS PHYSICALLY LOCATED WHEN THE TELEPSYCHOLOGICAL  
22 SERVICES ARE DELIVERED.

23 (W) "RULE" MEANS A WRITTEN STATEMENT BY THE COMMISSION  
24 PROMULGATED PURSUANT TO ARTICLE XI OF THIS COMPACT THAT IS OF GENERAL  
25 APPLICABILITY, IMPLEMENTS, INTERPRETS, OR PRESCRIBES A POLICY OR  
26 PROVISION OF THE COMPACT, OR AN ORGANIZATIONAL, PROCEDURAL, OR  
27 PRACTICE REQUIREMENT OF THE COMMISSION AND HAS THE FORCE AND EFFECT  
28 OF STATUTORY LAW IN A COMPACT STATE, AND INCLUDES THE AMENDMENT,  
29 REPEAL, OR SUSPENSION OF AN EXISTING RULE.

30 (X) "SIGNIFICANT INVESTIGATORY INFORMATION" MEANS:

31 (1) INVESTIGATIVE INFORMATION THAT A STATE PSYCHOLOGY  
32 REGULATORY AUTHORITY, AFTER A PRELIMINARY INQUIRY THAT INCLUDES  
33 NOTIFICATION AND AN OPPORTUNITY TO RESPOND IF REQUIRED BY STATE LAW, HAS

1 REASON TO BELIEVE, IF PROVEN TRUE, WOULD INDICATE MORE THAN A VIOLATION  
2 OF STATE STATUTE OR ETHICS CODE THAT WOULD BE CONSIDERED MORE  
3 SUBSTANTIAL THAN MINOR INFRACTION; OR

4 (2) INVESTIGATIVE INFORMATION THAT INDICATES THAT THE  
5 PSYCHOLOGIST REPRESENTS AN IMMEDIATE THREAT TO PUBLIC HEALTH AND  
6 SAFETY REGARDLESS OF WHETHER THE PSYCHOLOGIST HAS BEEN NOTIFIED  
7 AND/OR HAD AN OPPORTUNITY TO RESPOND.

8 (Y) "STATE" MEANS A STATE, COMMONWEALTH, TERRITORY, OR  
9 POSSESSION OF THE UNITED STATES OR THE DISTRICT OF COLUMBIA.

10 (Z) "STATE PSYCHOLOGY REGULATORY AUTHORITY" MEANS THE BOARD,  
11 OFFICE, OR OTHER AGENCY WITH THE LEGISLATIVE MANDATE TO LICENSE AND  
12 REGULATE THE PRACTICE OF PSYCHOLOGY.

13 (AA) "TELEPSYCHOLOGY" MEANS THE PROVISION OF PSYCHOLOGICAL  
14 SERVICES USING TELECOMMUNICATION TECHNOLOGIES.

15 (BB) "TEMPORARY AUTHORIZATION TO PRACTICE" MEANS A LICENSED  
16 PSYCHOLOGIST'S AUTHORITY TO CONDUCT TEMPORARY IN-PERSON,  
17 FACE-TO-FACE PRACTICE, WITHIN THE LIMITS AUTHORIZED UNDER THIS  
18 COMPACT, IN ANOTHER COMPACT STATE.

19 (CC) "TEMPORARY IN-PERSON, FACE-TO-FACE PRACTICE" MEANS WHERE A  
20 PSYCHOLOGIST IS PHYSICALLY PRESENT (NOT THROUGH THE USE OF  
21 TELECOMMUNICATIONS TECHNOLOGIES), IN THE DISTANT STATE TO PROVIDE FOR  
22 THE PRACTICE OF PSYCHOLOGY FOR 30 DAYS WITHIN A CALENDAR YEAR AND BASED  
23 ON NOTIFICATION IN THE DISTANT STATE.

### 24 ARTICLE III.

#### 25 HOME STATE LICENSURE.

26 (A) THE HOME STATE SHALL BE A COMPACT STATE WHERE A  
27 PSYCHOLOGIST IS LICENSED TO PRACTICE PSYCHOLOGY.

28 (B) A PSYCHOLOGIST MAY HOLD ONE OR MORE COMPACT STATE LICENSES  
29 AT A TIME. IF THE PSYCHOLOGIST IS LICENSED IN MORE THAN ONE COMPACT STATE,  
30 THE HOME STATE IS THE COMPACT STATE WHERE THE PSYCHOLOGIST IS  
31 PHYSICALLY PRESENT WHEN THE SERVICES ARE DELIVERED AS AUTHORIZED BY  
32 THE AUTHORITY TO PRACTICE INTERJURISDICTIONAL TELEPSYCHOLOGY UNDER  
33 THE TERMS OF THIS COMPACT.

1           **(C) ANY COMPACT STATE MAY REQUIRE A PSYCHOLOGIST NOT PREVIOUSLY**  
2 **LICENSED IN A COMPACT STATE TO OBTAIN AND RETAIN A LICENSE TO BE**  
3 **AUTHORIZED TO PRACTICE IN THE COMPACT STATE UNDER CIRCUMSTANCES NOT**  
4 **AUTHORIZED BY THE AUTHORITY TO PRACTICE INTERJURISDICTIONAL**  
5 **TELEPSYCHOLOGY UNDER THE TERMS OF THIS COMPACT.**

6           **(D) ANY COMPACT STATE MAY REQUIRE A PSYCHOLOGIST TO OBTAIN AND**  
7 **RETAIN A LICENSE TO BE AUTHORIZED TO PRACTICE IN A COMPACT STATE UNDER**  
8 **CIRCUMSTANCES NOT AUTHORIZED BY TEMPORARY AUTHORIZATION TO PRACTICE**  
9 **UNDER THE TERMS OF THIS COMPACT.**

10           **(E) A HOME STATE'S LICENSE AUTHORIZES A PSYCHOLOGIST TO PRACTICE**  
11 **IN A RECEIVING STATE UNDER THE AUTHORITY TO PRACTICE**  
12 **INTERJURISDICTIONAL TELEPSYCHOLOGY ONLY IF THE COMPACT STATE:**

13           **(1) CURRENTLY REQUIRES THE PSYCHOLOGIST TO HOLD AN ACTIVE**  
14 **E.PASSPORT;**

15           **(2) HAS A MECHANISM IN PLACE FOR RECEIVING AND**  
16 **INVESTIGATING COMPLAINTS ABOUT LICENSED INDIVIDUALS;**

17           **(3) NOTIFIES THE COMMISSION, IN COMPLIANCE WITH THE TERMS**  
18 **HEREIN, OF ANY ADVERSE ACTION OR SIGNIFICANT INVESTIGATORY INFORMATION**  
19 **REGARDING A LICENSED INDIVIDUAL;**

20           **(4) REQUIRES AN IDENTITY HISTORY SUMMARY OF ALL APPLICANTS**  
21 **AT INITIAL LICENSURE, INCLUDING THE USE OF THE RESULTS OF FINGERPRINTS OR**  
22 **OTHER BIOMETRIC DATA CHECKS COMPLIANT WITH THE REQUIREMENTS OF THE**  
23 **FEDERAL BUREAU OF INVESTIGATION, OR OTHER DESIGNEE WITH SIMILAR**  
24 **AUTHORITY, NO LATER THAN 10 YEARS AFTER ACTIVATION OF THIS COMPACT; AND**

25           **(5) COMPLIES WITH THE BYLAWS AND RULES OF THE COMMISSION.**

26           **(F) A HOME STATE'S LICENSE GRANTS TEMPORARY AUTHORIZATION TO**  
27 **PRACTICE TO A PSYCHOLOGIST IN A DISTANT STATE ONLY IF THE COMPACT STATE:**

28           **(1) CURRENTLY REQUIRES THE PSYCHOLOGIST TO HOLD AN ACTIVE**  
29 **IPC;**

30           **(2) HAS A MECHANISM IN PLACE FOR RECEIVING AND**  
31 **INVESTIGATING COMPLAINTS ABOUT LICENSED INDIVIDUALS;**





1           **(I) THE PROGRAM, WHEREVER IT MAY BE ADMINISTRATIVELY**  
2 **HOUSED, MUST BE CLEARLY IDENTIFIED AND LABELED AS A PSYCHOLOGY**  
3 **PROGRAM. SUCH A PROGRAM MUST SPECIFY IN PERTINENT INSTITUTIONAL**  
4 **CATALOGUES AND BROCHURES ITS INTENT TO EDUCATE AND TRAIN PROFESSIONAL**  
5 **PSYCHOLOGISTS;**

6           **(II) THE PSYCHOLOGY PROGRAM MUST STAND AS A**  
7 **RECOGNIZABLE, COHERENT, ORGANIZATIONAL ENTITY WITHIN THE INSTITUTION;**

8           **(III) THERE MUST BE A CLEAR AUTHORITY AND PRIMARY**  
9 **RESPONSIBILITY FOR THE CORE AND SPECIALTY AREAS WHETHER OR NOT THE**  
10 **PROGRAM CUTS ACROSS ADMINISTRATIVE LINES;**

11           **(IV) THE PROGRAM MUST CONSIST OF AN INTEGRATED,**  
12 **ORGANIZED SEQUENCE OF STUDY;**

13           **(V) THERE MUST BE AN IDENTIFIABLE PSYCHOLOGY FACULTY**  
14 **SUFFICIENT IN SIZE AND BREADTH TO CARRY OUT ITS RESPONSIBILITIES;**

15           **(VI) THE DESIGNATED DIRECTOR OF THE PROGRAM MUST BE A**  
16 **PSYCHOLOGIST AND A MEMBER OF THE CORE FACULTY;**

17           **(VII) THE PROGRAM MUST HAVE AN IDENTIFIABLE BODY OF**  
18 **STUDENTS WHO ARE MATRICULATED IN THAT PROGRAM FOR A DEGREE;**

19           **(VIII) THE PROGRAM MUST INCLUDE SUPERVISED PRACTICUM,**  
20 **INTERNSHIP, OR FIELD TRAINING APPROPRIATE TO THE PRACTICE OF**  
21 **PSYCHOLOGY;**

22           **(IX) THE CURRICULUM SHALL ENCOMPASS A MINIMUM OF**  
23 **THREE ACADEMIC YEARS OF FULL-TIME GRADUATE STUDY FOR DOCTORAL DEGREE**  
24 **AND A MINIMUM OF ONE ACADEMIC YEAR OF FULL-TIME GRADUATE STUDY FOR**  
25 **MASTER'S DEGREE; AND**

26           **(X) THE PROGRAM INCLUDES AN ACCEPTABLE RESIDENCY AS**  
27 **DEFINED BY THE RULES OF THE COMMISSION;**

28           **(3) POSSESS A CURRENT, FULL, AND UNRESTRICTED LICENSE TO**  
29 **PRACTICE PSYCHOLOGY IN A HOME STATE WHICH IS A COMPACT STATE;**

30           **(4) HAVE NO HISTORY OF ADVERSE ACTION THAT VIOLATES THE**  
31 **RULES OF THE COMMISSION;**



1           **(A) COMPACT STATES SHALL ALSO RECOGNIZE THE RIGHT OF A**  
2 **PSYCHOLOGIST, LICENSED IN A COMPACT STATE IN CONFORMANCE WITH ARTICLE**  
3 **III OF THIS COMPACT, TO PRACTICE TEMPORARILY IN OTHER COMPACT STATES**  
4 **(DISTANT STATES) IN WHICH THE PSYCHOLOGIST IS NOT LICENSED, AS PROVIDED IN**  
5 **THIS COMPACT.**

6           **(B) TO EXERCISE THE TEMPORARY AUTHORIZATION TO PRACTICE UNDER**  
7 **THE TERMS AND PROVISIONS OF THIS COMPACT, A PSYCHOLOGIST LICENSED TO**  
8 **PRACTICE IN A COMPACT STATE MUST:**

9           **(1) HOLD A GRADUATE DEGREE IN PSYCHOLOGY FROM AN INSTITUTE**  
10 **OF HIGHER EDUCATION THAT WAS, AT THE TIME THE DEGREE WAS AWARDED:**

11           **(I) REGIONALLY ACCREDITED BY AN ACCREDITING BODY**  
12 **RECOGNIZED BY THE UNITED STATES DEPARTMENT OF EDUCATION TO GRANT**  
13 **GRADUATE DEGREES, OR AUTHORIZED BY PROVINCIAL STATUTE OR ROYAL**  
14 **CHARTER TO GRANT DOCTORAL DEGREES; OR**

15           **(II) A FOREIGN COLLEGE OR UNIVERSITY DEEMED TO BE**  
16 **EQUIVALENT TO ITEM (1)(I) OF THIS PARAGRAPH BY A FOREIGN CREDENTIAL**  
17 **EVALUATION SERVICE THAT IS A MEMBER OF THE NATIONAL ASSOCIATION OF**  
18 **CREDENTIAL EVALUATION SERVICES (NACES) OR BY A RECOGNIZED FOREIGN**  
19 **CREDENTIAL EVALUATION SERVICE;**

20           **(2) HOLD A GRADUATE DEGREE IN PSYCHOLOGY FROM A PROGRAM**  
21 **THAT MEETS THE FOLLOWING CRITERIA:**

22           **(I) THE PROGRAM, WHEREVER IT MAY BE ADMINISTRATIVELY**  
23 **HOUSED, MUST BE CLEARLY IDENTIFIED AND LABELED AS A PSYCHOLOGY**  
24 **PROGRAM. SUCH A PROGRAM MUST SPECIFY IN PERTINENT INSTITUTIONAL**  
25 **CATALOGUES AND BROCHURES ITS INTENT TO EDUCATE AND TRAIN PROFESSIONAL**  
26 **PSYCHOLOGISTS;**

27           **(II) THE PSYCHOLOGY PROGRAM MUST STAND AS A**  
28 **RECOGNIZABLE, COHERENT, ORGANIZATIONAL ENTITY WITHIN THE INSTITUTION;**

29           **(III) THERE MUST BE A CLEAR AUTHORITY AND PRIMARY**  
30 **RESPONSIBILITY FOR THE CORE AND SPECIALTY AREAS WHETHER OR NOT THE**  
31 **PROGRAM CUTS ACROSS ADMINISTRATIVE LINES;**

32           **(IV) THE PROGRAM MUST CONSIST OF AN INTEGRATED,**  
33 **ORGANIZED SEQUENCE OF STUDY;**

1                   **(V) THERE MUST BE AN IDENTIFIABLE PSYCHOLOGY FACULTY**  
2 **SUFFICIENT IN SIZE AND BREADTH TO CARRY OUT ITS RESPONSIBILITIES;**

3                   **(VI) THE DESIGNATED DIRECTOR OF THE PROGRAM MUST BE A**  
4 **PSYCHOLOGIST AND A MEMBER OF THE CORE FACULTY;**

5                   **(VII) THE PROGRAM MUST HAVE AN IDENTIFIABLE BODY OF**  
6 **STUDENTS WHO ARE MATRICULATED IN THAT PROGRAM FOR A DEGREE;**

7                   **(VIII) THE PROGRAM MUST INCLUDE SUPERVISED PRACTICUM,**  
8 **INTERNSHIP, OR FIELD TRAINING APPROPRIATE TO THE PRACTICE OF**  
9 **PSYCHOLOGY;**

10                   **(IX) THE CURRICULUM SHALL ENCOMPASS A MINIMUM OF**  
11 **THREE ACADEMIC YEARS OF FULL-TIME GRADUATE STUDY FOR DOCTORAL**  
12 **DEGREES AND A MINIMUM OF ONE ACADEMIC YEAR OF FULL-TIME GRADUATE**  
13 **STUDY FOR A MASTER'S DEGREE; AND**

14                   **(X) THE PROGRAM INCLUDES AN ACCEPTABLE RESIDENCY AS**  
15 **DEFINED BY THE RULES OF THE COMMISSION;**

16                   **(3) POSSESS A CURRENT, FULL, AND UNRESTRICTED LICENSE TO**  
17 **PRACTICE PSYCHOLOGY IN A HOME STATE WHICH IS A COMPACT STATE;**

18                   **(4) HAVE NO HISTORY OF ADVERSE ACTION THAT VIOLATES THE**  
19 **RULES OF THE COMMISSION;**

20                   **(5) HAVE NO CRIMINAL RECORD HISTORY THAT VIOLATES THE RULES**  
21 **OF THE COMMISSION;**

22                   **(6) POSSESS A CURRENT, ACTIVE IPC;**

23                   **(7) PROVIDE ATTESTATIONS IN REGARD TO AREAS OF INTENDED**  
24 **PRACTICE AND WORK EXPERIENCE AND PROVIDE A RELEASE OF INFORMATION TO**  
25 **ALLOW FOR PRIMARY SOURCE VERIFICATION IN A MANNER SPECIFIED BY THE**  
26 **COMMISSION; AND**

27                   **(8) MEET OTHER CRITERIA AS DEFINED BY THE RULES OF THE**  
28 **COMMISSION.**

29                   **(C) A PSYCHOLOGIST PRACTICING INTO A DISTANT STATE UNDER THE**  
30 **TEMPORARY AUTHORIZATION TO PRACTICE SHALL PRACTICE WITHIN THE SCOPE OF**  
31 **PRACTICE AUTHORIZED BY THE DISTANT STATE.**

1 (D) A PSYCHOLOGIST PRACTICING INTO A DISTANT STATE UNDER THE  
2 TEMPORARY AUTHORIZATION TO PRACTICE WILL BE SUBJECT TO THE DISTANT  
3 STATE'S AUTHORITY AND LAW. A DISTANT STATE MAY, IN ACCORDANCE WITH THAT  
4 STATE'S DUE PROCESS LAW, LIMIT OR REVOKE A PSYCHOLOGIST'S TEMPORARY  
5 AUTHORIZATION TO PRACTICE IN THE DISTANT STATE AND MAY TAKE ANY OTHER  
6 NECESSARY ACTIONS UNDER THE DISTANT STATE'S APPLICABLE LAW TO PROTECT  
7 THE HEALTH AND SAFETY OF THE DISTANT STATE'S CITIZENS. IF A DISTANT STATE  
8 TAKES ACTION, THE STATE SHALL PROMPTLY NOTIFY THE HOME STATE AND THE  
9 COMMISSION.

10 (E) IF A PSYCHOLOGIST'S LICENSE IN ANY HOME STATE OR ANOTHER  
11 COMPACT STATE, OR ANY TEMPORARY AUTHORIZATION TO PRACTICE IN ANY  
12 DISTANT STATE, IS RESTRICTED, SUSPENDED, OR OTHERWISE LIMITED, THE IPC  
13 SHALL BE REVOKED AND THEREFORE THE PSYCHOLOGIST SHALL NOT BE ELIGIBLE  
14 TO PRACTICE IN A COMPACT STATE UNDER THE TEMPORARY AUTHORIZATION TO  
15 PRACTICE.

## 16 ARTICLE VI.

### 17 CONDITIONS OF TELEPSYCHOLOGY PRACTICE IN A RECEIVING STATE.

18 A PSYCHOLOGIST MAY PRACTICE IN A RECEIVING STATE UNDER THE  
19 AUTHORITY TO PRACTICE INTERJURISDICTIONAL TELEPSYCHOLOGY ONLY IN THE  
20 PERFORMANCE OF THE SCOPE OF PRACTICE FOR PSYCHOLOGY AS ASSIGNED BY AN  
21 APPROPRIATE STATE PSYCHOLOGY REGULATORY AUTHORITY, AS DEFINED IN THE  
22 RULES OF THE COMMISSION, AND UNDER THE FOLLOWING CIRCUMSTANCES:

23 (1) THE PSYCHOLOGIST INITIATES A CLIENT/PATIENT CONTACT IN A  
24 HOME STATE VIA A TELECOMMUNICATIONS TECHNOLOGY WITH A CLIENT/PATIENT  
25 IN A RECEIVING STATE; AND

26 (2) OTHER CONDITIONS REGARDING TELEPSYCHOLOGY AS  
27 DETERMINED BY RULES PROMULGATED BY THE COMMISSION.

## 28 ARTICLE VII.

### 29 ADVERSE ACTIONS.

30 (A) A HOME STATE SHALL HAVE THE POWER TO IMPOSE ADVERSE ACTION  
31 AGAINST A PSYCHOLOGIST'S LICENSE ISSUED BY THE HOME STATE. A DISTANT  
32 STATE SHALL HAVE THE POWER TO TAKE ADVERSE ACTION ON A PSYCHOLOGIST'S  
33 TEMPORARY AUTHORIZATION TO PRACTICE WITHIN THAT DISTANT STATE.

1           **(B) A RECEIVING STATE MAY TAKE ADVERSE ACTION ON A PSYCHOLOGIST'S**  
2 **AUTHORITY TO PRACTICE INTERJURISDICTIONAL TELEPSYCHOLOGY WITHIN THAT**  
3 **RECEIVING STATE. A HOME STATE MAY TAKE ADVERSE ACTION AGAINST A**  
4 **PSYCHOLOGIST BASED ON AN ADVERSE ACTION TAKEN BY A DISTANT STATE**  
5 **REGARDING TEMPORARY IN-PERSON, FACE-TO-FACE PRACTICE.**

6           **(C) (1) IF A HOME STATE TAKES ADVERSE ACTION AGAINST A**  
7 **PSYCHOLOGIST'S LICENSE, THAT PSYCHOLOGIST'S AUTHORITY TO PRACTICE**  
8 **INTERJURISDICTIONAL TELEPSYCHOLOGY IS TERMINATED AND THE E.PASSPORT IS**  
9 **REVOKED. FURTHERMORE, THAT PSYCHOLOGIST'S TEMPORARY AUTHORIZATION**  
10 **TO PRACTICE IS TERMINATED AND THE IPC IS REVOKED.**

11           **(2) ALL HOME STATE DISCIPLINARY ORDERS THAT IMPOSE ADVERSE**  
12 **ACTION SHALL BE REPORTED TO THE COMMISSION IN ACCORDANCE WITH THE**  
13 **RULES PROMULGATED BY THE COMMISSION. A COMPACT STATE SHALL REPORT**  
14 **ADVERSE ACTIONS IN ACCORDANCE WITH THE RULES OF THE COMMISSION.**

15           **(3) IN THE EVENT DISCIPLINE IS REPORTED ON A PSYCHOLOGIST,**  
16 **THE PSYCHOLOGIST WILL NOT BE ELIGIBLE FOR TELEPSYCHOLOGY OR TEMPORARY**  
17 **IN-PERSON, FACE-TO-FACE PRACTICE IN ACCORDANCE WITH THE RULES OF THE**  
18 **COMMISSION.**

19           **(4) OTHER ACTIONS MAY BE IMPOSED AS DETERMINED BY THE RULES**  
20 **PROMULGATED BY THE COMMISSION.**

21           **(D) A HOME STATE'S PSYCHOLOGY REGULATORY AUTHORITY SHALL**  
22 **INVESTIGATE AND TAKE APPROPRIATE ACTION WITH RESPECT TO REPORTED**  
23 **INAPPROPRIATE CONDUCT ENGAGED IN BY A LICENSEE THAT OCCURRED IN A**  
24 **RECEIVING STATE AS IT WOULD IF SUCH CONDUCT HAD OCCURRED BY A LICENSEE**  
25 **WITHIN THE HOME STATE. IN SUCH CASES, THE HOME STATE'S LAW SHALL CONTROL**  
26 **IN DETERMINING ANY ADVERSE ACTION AGAINST A PSYCHOLOGIST'S LICENSE.**

27           **(E) A DISTANT STATE'S PSYCHOLOGY REGULATORY AUTHORITY SHALL**  
28 **INVESTIGATE AND TAKE APPROPRIATE ACTION WITH RESPECT TO REPORTED**  
29 **INAPPROPRIATE CONDUCT ENGAGED IN BY A PSYCHOLOGIST PRACTICING UNDER**  
30 **TEMPORARY AUTHORIZATION TO PRACTICE THAT OCCURRED IN THAT DISTANT**  
31 **STATE AS IT WOULD IF SUCH CONDUCT HAD OCCURRED BY A LICENSEE WITHIN THE**  
32 **HOME STATE. IN SUCH CASES, THE DISTANT STATE'S LAW SHALL CONTROL IN**  
33 **DETERMINING ANY ADVERSE ACTION AGAINST A PSYCHOLOGIST'S TEMPORARY**  
34 **AUTHORIZATION TO PRACTICE.**

35           **(F) NOTHING IN THIS COMPACT SHALL OVERRIDE A COMPACT STATE'S**

1 DECISION THAT A PSYCHOLOGIST'S PARTICIPATION IN AN ALTERNATIVE PROGRAM  
2 MAY BE USED IN LIEU OF ADVERSE ACTION AND THAT SUCH PARTICIPATION SHALL  
3 REMAIN NON-PUBLIC IF REQUIRED BY THE COMPACT STATE'S LAW. COMPACT  
4 STATES MUST REQUIRE PSYCHOLOGISTS WHO ENTER ANY ALTERNATIVE PROGRAMS  
5 TO NOT PROVIDE TELEPSYCHOLOGY SERVICES UNDER THE AUTHORITY TO  
6 PRACTICE INTERJURISDICTIONAL TELEPSYCHOLOGY OR PROVIDE TEMPORARY  
7 PSYCHOLOGICAL SERVICES UNDER THE TEMPORARY AUTHORIZATION TO PRACTICE  
8 IN ANY OTHER COMPACT STATE DURING THE TERM OF THE ALTERNATIVE PROGRAM.

9 (G) NO OTHER JUDICIAL OR ADMINISTRATIVE REMEDIES SHALL BE  
10 AVAILABLE TO A PSYCHOLOGIST IN THE EVENT A COMPACT STATE IMPOSES AN  
11 ADVERSE ACTION PURSUANT TO SUBSECTION (C) OF THIS ARTICLE.

## 12 ARTICLE VIII.

### 13 ADDITIONAL AUTHORITIES INVESTED IN A COMPACT STATE'S PSYCHOLOGY 14 REGULATORY AUTHORITY.

15 (A) IN ADDITION TO ANY OTHER POWERS GRANTED UNDER STATE LAW, A  
16 COMPACT STATE'S PSYCHOLOGY REGULATORY AUTHORITY SHALL HAVE THE  
17 AUTHORITY UNDER THIS COMPACT TO:

18 (1) ISSUE SUBPOENAS, FOR BOTH HEARINGS AND INVESTIGATIONS,  
19 WHICH REQUIRE THE ATTENDANCE AND TESTIMONY OF WITNESSES AND THE  
20 PRODUCTION OF EVIDENCE. SUBPOENAS ISSUED BY A COMPACT STATE'S  
21 PSYCHOLOGY REGULATORY AUTHORITY FOR THE ATTENDANCE AND TESTIMONY OF  
22 WITNESSES, AND/OR THE PRODUCTION OF EVIDENCE FROM ANOTHER COMPACT  
23 STATE SHALL BE ENFORCED IN THE LATTER STATE BY ANY COURT OF COMPETENT  
24 JURISDICTION, ACCORDING TO THAT COURT'S PRACTICE AND PROCEDURE IN  
25 CONSIDERING SUBPOENAS ISSUED IN ITS OWN PROCEEDINGS. THE ISSUING STATE  
26 PSYCHOLOGY REGULATORY AUTHORITY SHALL PAY ANY WITNESS FEES, TRAVEL  
27 EXPENSES, MILEAGE, AND OTHER FEES REQUIRED BY THE SERVICE STATUTES OF  
28 THE STATE WHERE THE WITNESSES AND/OR EVIDENCE ARE LOCATED; AND

29 (2) ISSUE CEASE AND DESIST AND/OR INJUNCTIVE RELIEF ORDERS  
30 TO REVOKE A PSYCHOLOGIST'S AUTHORITY TO PRACTICE INTERJURISDICTIONAL  
31 TELEPSYCHOLOGY AND/OR TEMPORARY AUTHORIZATION TO PRACTICE.

32 (B) DURING THE COURSE OF ANY INVESTIGATION, A PSYCHOLOGIST MAY  
33 NOT CHANGE HIS/HER HOME STATE LICENSURE. A HOME STATE PSYCHOLOGY  
34 REGULATORY AUTHORITY IS AUTHORIZED TO COMPLETE ANY PENDING  
35 INVESTIGATIONS OF A PSYCHOLOGIST AND TO TAKE ANY ACTIONS APPROPRIATE  
36 UNDER ITS LAW. THE HOME STATE PSYCHOLOGY REGULATORY AUTHORITY SHALL



1 PROMPTLY REPORT THE CONCLUSIONS OF SUCH INVESTIGATIONS TO THE  
2 COMMISSION. ONCE AN INVESTIGATION HAS BEEN COMPLETED, AND PENDING THE  
3 OUTCOME OF SAID INVESTIGATION, THE PSYCHOLOGIST MAY CHANGE HIS/HER  
4 HOME STATE LICENSURE. THE COMMISSION SHALL PROMPTLY NOTIFY THE NEW  
5 HOME STATE OF ANY SUCH DECISIONS AS PROVIDED IN THE RULES OF THE  
6 COMMISSION. ALL INFORMATION PROVIDED TO THE COMMISSION OR DISTRIBUTED  
7 BY COMPACT STATES PURSUANT TO THE PSYCHOLOGIST SHALL BE CONFIDENTIAL,  
8 FILED UNDER SEAL AND USED FOR INVESTIGATORY OR DISCIPLINARY MATTERS.  
9 THE COMMISSION MAY CREATE ADDITIONAL RULES FOR MANDATED OR  
10 DISCRETIONARY SHARING OF INFORMATION BY COMPACT STATES.

11 **ARTICLE IX.**

12 **COORDINATED LICENSURE INFORMATION SYSTEM.**

13 (A) THE COMMISSION SHALL PROVIDE FOR THE DEVELOPMENT AND  
14 MAINTENANCE OF A COORDINATED LICENSURE INFORMATION SYSTEM AND  
15 REPORTING SYSTEM CONTAINING LICENSURE AND DISCIPLINARY ACTION  
16 INFORMATION ON ALL LICENSEES TO WHOM THIS COMPACT IS APPLICABLE IN ALL  
17 COMPACT STATES AS DEFINED BY THE RULES OF THE COMMISSION.

18 (B) NOTWITHSTANDING ANY OTHER PROVISION OF STATE LAW TO THE  
19 CONTRARY, A COMPACT STATE SHALL SUBMIT A UNIFORM DATA SET TO THE  
20 COORDINATED DATABASE ON ALL LICENSEES AS REQUIRED BY THE RULES OF THE  
21 COMMISSION, INCLUDING:

22 (1) IDENTIFYING INFORMATION;

23 (2) LICENSURE DATA;

24 (3) SIGNIFICANT INVESTIGATORY INFORMATION;

25 (4) ADVERSE ACTIONS AGAINST A PSYCHOLOGIST'S LICENSE;

26 (5) AN INDICATOR THAT A PSYCHOLOGIST'S AUTHORITY TO  
27 PRACTICE INTERJURISDICTIONAL TELEPSYCHOLOGY AND/OR TEMPORARY  
28 AUTHORIZATION TO PRACTICE IS REVOKED;

29 (6) NON-CONFIDENTIAL INFORMATION RELATED TO ALTERNATIVE  
30 PROGRAM PARTICIPATION INFORMATION;

31 (7) ANY DENIAL OF APPLICATION FOR LICENSURE, AND THE REASONS  
32 FOR SUCH DENIAL; AND



1 REPRESENTATIVE APPOINTED BY EACH COMPACT STATE WHO SHALL SERVE AS  
2 THAT STATE'S COMMISSIONER. THE STATE PSYCHOLOGY REGULATORY AUTHORITY  
3 SHALL APPOINT ITS DELEGATE. THIS DELEGATE SHALL BE EMPOWERED TO ACT ON  
4 BEHALF OF THE COMPACT STATE. THIS DELEGATE SHALL BE LIMITED TO:

5 (I) AN EXECUTIVE DIRECTOR, AN EXECUTIVE SECRETARY, OR  
6 A SIMILAR EXECUTIVE;

7 (II) A CURRENT MEMBER OF THE STATE PSYCHOLOGY  
8 REGULATORY AUTHORITY OF A COMPACT STATE; OR

9 (III) A DESIGNEE EMPOWERED WITH THE APPROPRIATE  
10 DELEGATE AUTHORITY TO ACT ON BEHALF OF THE COMPACT STATE.

11 (2) ANY COMMISSIONER MAY BE REMOVED OR SUSPENDED FROM  
12 OFFICE AS PROVIDED BY THE LAW OF THE STATE FROM WHICH THE COMMISSIONER  
13 IS APPOINTED. ANY VACANCY OCCURRING IN THE COMMISSION SHALL BE FILLED IN  
14 ACCORDANCE WITH THE LAWS OF THE COMPACT STATE IN WHICH THE VACANCY  
15 EXISTS.

16 (3) EACH COMMISSIONER SHALL BE ENTITLED TO ONE VOTE WITH  
17 REGARD TO THE PROMULGATION OF RULES AND CREATION OF BYLAWS AND SHALL  
18 OTHERWISE HAVE AN OPPORTUNITY TO PARTICIPATE IN THE BUSINESS AND  
19 AFFAIRS OF THE COMMISSION. A COMMISSIONER SHALL VOTE IN PERSON OR BY  
20 SUCH OTHER MEANS AS PROVIDED IN THE BYLAWS. THE BYLAWS MAY PROVIDE FOR  
21 COMMISSIONERS' PARTICIPATION IN MEETINGS BY TELEPHONE OR OTHER MEANS  
22 OF COMMUNICATION.

23 (4) THE COMMISSION SHALL MEET AT LEAST ONCE DURING EACH  
24 CALENDAR YEAR. ADDITIONAL MEETINGS SHALL BE HELD AS SET FORTH IN THE  
25 BYLAWS.

26 (5) ALL MEETINGS SHALL BE OPEN TO THE PUBLIC, AND PUBLIC  
27 NOTICE OF MEETINGS SHALL BE GIVEN IN THE SAME MANNER AS REQUIRED UNDER  
28 THE RULEMAKING PROVISIONS IN ARTICLE XI OF THIS COMPACT.

29 (6) THE COMMISSION MAY CONVENE IN A CLOSED, NON-PUBLIC  
30 MEETING IF THE COMMISSION MUST DISCUSS:

31 (I) NON-COMPLIANCE OF A COMPACT STATE WITH ITS  
32 OBLIGATIONS UNDER THIS COMPACT;

33 (II) THE EMPLOYMENT, COMPENSATION, DISCIPLINE OR OTHER

1 PERSONNEL MATTERS, PRACTICES, OR PROCEDURES RELATED TO SPECIFIC  
2 EMPLOYEES, OR OTHER MATTERS RELATED TO THE COMMISSION'S INTERNAL  
3 PERSONNEL PRACTICE AND PROCEDURES;

4 (III) CURRENT, THREATENED, OR REASONABLY ANTICIPATED  
5 LITIGATION AGAINST THE COMMISSION;

6 (IV) NEGOTIATION OF CONTRACTS FOR THE PURCHASE OR SALE  
7 OF GOODS, SERVICES, OR REAL ESTATE;

8 (V) ACCUSATION AGAINST ANY PERSON OF A CRIME OR  
9 FORMALLY CENSURING ANY PERSON;

10 (VI) DISCLOSURE OF TRADE SECRETS OR COMMERCIAL OR  
11 FINANCIAL INFORMATION WHICH IS PRIVILEGED OR CONFIDENTIAL;

12 (VII) DISCLOSURE OF INFORMATION OF A PERSONAL NATURE  
13 WHERE DISCLOSURE WOULD CONSTITUTE A CLEARLY UNWARRANTED INVASION OF  
14 PERSONAL PRIVACY;

15 (VIII) DISCLOSURE OF INVESTIGATORY RECORDS COMPILED FOR  
16 LAW ENFORCEMENT PURPOSES;

17 (IX) DISCLOSURE OF INFORMATION RELATED TO ANY  
18 INVESTIGATORY REPORTS PREPARED BY OR ON BEHALF OF OR FOR USE OF THE  
19 COMMISSION OR OTHER COMMITTEE CHARGED WITH RESPONSIBILITY FOR  
20 INVESTIGATION OR DETERMINATION OF COMPLIANCE ISSUES PURSUANT TO THIS  
21 COMPACT; OR

22 (X) MATTERS SPECIFICALLY EXEMPTED FROM DISCLOSURE BY  
23 FEDERAL AND STATE STATUTE.

24 (7) IF A MEETING, OR PORTION OF A MEETING, IS CLOSED PURSUANT  
25 TO THIS PROVISION, THE COMMISSION'S LEGAL COUNSEL OR DESIGNEE SHALL  
26 CERTIFY THAT THE MEETING MAY BE CLOSED AND SHALL REFERENCE EACH  
27 RELEVANT EXEMPTING PROVISION. THE COMMISSION SHALL KEEP MINUTES WHICH  
28 FULLY AND CLEARLY DESCRIBE ALL MATTERS DISCUSSED IN A MEETING AND SHALL  
29 PROVIDE A FULL AND ACCURATE SUMMARY OF ACTIONS TAKEN, OF ANY PERSON  
30 PARTICIPATING IN THE MEETING, AND THE REASONS THEREFORE, INCLUDING A  
31 DESCRIPTION OF THE VIEWS EXPRESSED. ALL DOCUMENTS CONSIDERED IN  
32 CONNECTION WITH AN ACTION SHALL BE IDENTIFIED IN SUCH MINUTES. ALL  
33 MINUTES AND DOCUMENTS OF A CLOSED MEETING SHALL REMAIN UNDER SEAL,  
34 SUBJECT TO RELEASE ONLY BY A MAJORITY VOTE OF THE COMMISSION OR ORDER

1 OF A COURT OF COMPETENT JURISDICTION.

2 (C) THE COMMISSION SHALL, BY A MAJORITY VOTE OF THE  
3 COMMISSIONERS, PRESCRIBE BYLAWS AND/OR RULES TO GOVERN ITS CONDUCT AS  
4 MAY BE NECESSARY OR APPROPRIATE TO CARRY OUT THE PURPOSES AND EXERCISE  
5 THE POWERS OF THIS COMPACT, INCLUDING BUT NOT LIMITED TO:

6 (1) ESTABLISHING THE FISCAL YEAR OF THE COMMISSION;

7 (2) PROVIDING REASONABLE STANDARDS AND PROCEDURES:

8 (I) FOR THE ESTABLISHMENT AND MEETINGS OF OTHER  
9 COMMITTEES; AND

10 (II) GOVERNING ANY GENERAL OR SPECIFIC DELEGATION OF  
11 ANY AUTHORITY OR FUNCTION OF THE COMMISSION;

12 (3) PROVIDING REASONABLE PROCEDURES FOR CALLING AND  
13 CONDUCTING MEETINGS OF THE COMMISSION, ENSURING REASONABLE ADVANCE  
14 NOTICE OF ALL MEETINGS AND PROVIDING AN OPPORTUNITY FOR ATTENDANCE OF  
15 SUCH MEETINGS BY INTERESTED PARTIES, WITH ENUMERATED EXCEPTIONS  
16 DESIGNED TO PROTECT THE PUBLIC'S INTEREST, THE PRIVACY OF INDIVIDUALS  
17 PARTICIPATING IN SUCH PROCEEDINGS, AND PROPRIETARY INFORMATION,  
18 INCLUDING TRADE SECRETS. THE COMMISSION MAY MEET IN CLOSED SESSION  
19 ONLY AFTER A MAJORITY OF THE COMMISSIONERS VOTE TO CLOSE A MEETING TO  
20 THE PUBLIC IN WHOLE OR IN PART. AS SOON AS PRACTICABLE, THE COMMISSION  
21 MUST MAKE PUBLIC A COPY OF THE VOTE TO CLOSE THE MEETING REVEALING THE  
22 VOTE OF EACH COMMISSIONER WITH NO PROXY VOTES ALLOWED;

23 (4) ESTABLISHING THE TITLES, DUTIES, AND AUTHORITY AND  
24 REASONABLE PROCEDURES FOR THE ELECTION OF THE OFFICERS OF THE  
25 COMMISSION;

26 (5) PROVIDING REASONABLE STANDARDS AND PROCEDURES FOR  
27 THE ESTABLISHMENT OF THE PERSONNEL POLICIES AND PROGRAMS OF THE  
28 COMMISSION. NOTWITHSTANDING ANY CIVIL SERVICE OR OTHER SIMILAR LAW OF  
29 ANY COMPACT STATE, THE BYLAWS SHALL EXCLUSIVELY GOVERN THE PERSONNEL  
30 POLICIES AND PROGRAMS OF THE COMMISSION;

31 (6) PROMULGATING A CODE OF ETHICS TO ADDRESS PERMISSIBLE  
32 AND PROHIBITED ACTIVITIES OF COMMISSION MEMBERS AND EMPLOYEES;

33 (7) PROVIDING A MECHANISM FOR CONCLUDING THE OPERATIONS

1 OF THE COMMISSION AND THE EQUITABLE DISPOSITION OF ANY SURPLUS FUNDS  
2 THAT MAY EXIST AFTER THE TERMINATION OF THIS COMPACT AFTER THE PAYMENT  
3 AND/OR RESERVING OF ALL OF ITS DEBTS AND OBLIGATIONS;

4 (8) PUBLISHING ITS BYLAWS IN A CONVENIENT FORM AND FILING A  
5 COPY THEREOF AND A COPY OF ANY AMENDMENT THERETO, WITH THE  
6 APPROPRIATE AGENCY OR OFFICER IN EACH OF THE COMPACT STATES;

7 (9) MAINTAINING ITS FINANCIAL RECORDS IN ACCORDANCE WITH  
8 THE BYLAWS; AND

9 (10) MEETING AND TAKING SUCH ACTIONS AS ARE CONSISTENT WITH  
10 THE PROVISIONS OF THIS COMPACT AND THE BYLAWS.

11 (D) THE COMMISSION SHALL HAVE THE FOLLOWING POWERS:

12 (1) TO PROMULGATE UNIFORM RULES TO FACILITATE AND  
13 COORDINATE IMPLEMENTATION AND ADMINISTRATION OF THIS COMPACT. THE  
14 RULES SHALL HAVE THE FORCE AND EFFECT OF LAW AND SHALL BE BINDING IN ALL  
15 COMPACT STATES;

16 (2) TO BRING AND PROSECUTE LEGAL PROCEEDINGS OR ACTIONS IN  
17 THE NAME OF THE COMMISSION, PROVIDED THAT THE STANDING OF ANY STATE  
18 PSYCHOLOGY REGULATORY AUTHORITY OR OTHER REGULATORY BODY  
19 RESPONSIBLE FOR PSYCHOLOGY LICENSURE TO SUE OR BE SUED UNDER  
20 APPLICABLE LAW SHALL NOT BE AFFECTED;

21 (3) TO PURCHASE AND MAINTAIN INSURANCE AND BONDS;

22 (4) TO BORROW, ACCEPT, OR CONTRACT FOR SERVICES OF  
23 PERSONNEL, INCLUDING, BUT NOT LIMITED TO, EMPLOYEES OF A COMPACT STATE;

24 (5) TO HIRE EMPLOYEES, ELECT OR APPOINT OFFICERS, FIX  
25 COMPENSATION, DEFINE DUTIES, GRANT SUCH INDIVIDUALS APPROPRIATE  
26 AUTHORITY TO CARRY OUT THE PURPOSES OF THIS COMPACT, AND ESTABLISH THE  
27 COMMISSION'S PERSONNEL POLICIES AND PROGRAMS RELATING TO CONFLICTS OF  
28 INTEREST, QUALIFICATIONS OF PERSONNEL, AND OTHER RELATED PERSONNEL  
29 MATTERS;

30 (6) TO ACCEPT ANY AND ALL APPROPRIATE DONATIONS AND GRANTS  
31 OF MONEY, EQUIPMENT, SUPPLIES, MATERIALS, AND SERVICES, AND TO RECEIVE,  
32 UTILIZE, AND DISPOSE OF THE SAME; PROVIDED THAT AT ALL TIMES THE  
33 COMMISSION SHALL STRIVE TO AVOID ANY APPEARANCE OF IMPROPRIETY AND/OR

1 CONFLICT OF INTEREST;

2 (7) TO LEASE, PURCHASE, ACCEPT APPROPRIATE GIFTS OR  
3 DONATIONS OF, OR OTHERWISE TO OWN, HOLD, IMPROVE, OR USE ANY PROPERTY,  
4 REAL, PERSONAL, OR MIXED; PROVIDED THAT AT ALL TIMES THE COMMISSION  
5 SHALL STRIVE TO AVOID ANY APPEARANCE OF IMPROPRIETY;

6 (8) TO SELL, CONVEY, MORTGAGE, PLEDGE, LEASE, EXCHANGE,  
7 ABANDON, OR OTHERWISE DISPOSE OF ANY PROPERTY REAL, PERSONAL, OR MIXED;

8 (9) TO ESTABLISH A BUDGET AND MAKE EXPENDITURES;

9 (10) TO BORROW MONEY;

10 (11) TO APPOINT COMMITTEES, INCLUDING ADVISORY COMMITTEES  
11 COMPOSED OF MEMBERS, STATE REGULATORS, STATE LEGISLATORS OR THEIR  
12 REPRESENTATIVES, AND CONSUMER REPRESENTATIVES, AND SUCH OTHER  
13 INTERESTED PERSONS AS MAY BE DESIGNATED IN THIS COMPACT AND THE BYLAWS;

14 (12) TO PROVIDE AND RECEIVE INFORMATION FROM, AND TO  
15 COOPERATE WITH, LAW ENFORCEMENT AGENCIES;

16 (13) TO ADOPT AND USE AN OFFICIAL SEAL; AND

17 (14) TO PERFORM SUCH OTHER FUNCTIONS AS MAY BE NECESSARY OR  
18 APPROPRIATE TO ACHIEVE THE PURPOSES OF THIS COMPACT CONSISTENT WITH  
19 THE STATE REGULATION OF PSYCHOLOGY LICENSURE, TEMPORARY IN-PERSON,  
20 FACE-TO-FACE PRACTICE, AND TELEPSYCHOLOGY PRACTICE.

21 (E) (1) THE ELECTED OFFICERS SHALL SERVE AS THE EXECUTIVE  
22 BOARD, WHICH SHALL HAVE THE POWER TO ACT ON BEHALF OF THE COMMISSION  
23 ACCORDING TO THE TERMS OF THIS COMPACT.

24 (2) THE EXECUTIVE BOARD SHALL BE COMPOSED OF SIX MEMBERS:

25 (I) FIVE VOTING MEMBERS WHO ARE ELECTED FROM THE  
26 CURRENT MEMBERSHIP OF THE COMMISSION BY THE COMMISSION; AND

27 (II) ONE EX-OFFICIO, NONVOTING MEMBER FROM THE  
28 RECOGNIZED MEMBERSHIP ORGANIZATION COMPOSED OF ASPPB.

29 (3) THE EX-OFFICIO MEMBER MUST HAVE SERVED AS STAFF OR  
30 MEMBER ON A STATE PSYCHOLOGY REGULATORY AUTHORITY AND WILL BE

1 **SELECTED BY ASPPB.**

2 **(4) THE COMMISSION MAY REMOVE ANY MEMBER OF THE EXECUTIVE**  
3 **BOARD AS PROVIDED IN THE BYLAWS.**

4 **(5) THE EXECUTIVE BOARD SHALL MEET AT LEAST ANNUALLY.**

5 **(6) THE EXECUTIVE BOARD SHALL HAVE THE FOLLOWING DUTIES**  
6 **AND RESPONSIBILITIES:**

7 **(I) RECOMMEND TO THE ENTIRE COMMISSION CHANGES TO**  
8 **THE RULES OR BYLAWS, CHANGES TO THIS COMPACT LEGISLATION, FEES PAID BY**  
9 **COMPACT STATES SUCH AS ANNUAL DUES, AND ANY OTHER APPLICABLE FEES;**

10 **(II) ENSURE ADMINISTRATION SERVICES FOR THIS COMPACT**  
11 **ARE APPROPRIATELY PROVIDED, CONTRACTUAL OR OTHERWISE;**

12 **(III) PREPARE AND RECOMMEND THE BUDGET;**

13 **(IV) MAINTAIN FINANCIAL RECORDS ON BEHALF OF THE**  
14 **COMMISSION;**

15 **(V) MONITOR MEMBER STATES' COMPLIANCE WITH THIS**  
16 **COMPACT AND PROVIDE COMPLIANCE REPORTS TO THE COMMISSION;**

17 **(VI) ESTABLISH ADDITIONAL COMMITTEES AS NECESSARY; AND**

18 **(VII) OTHER DUTIES AS PROVIDED IN RULES OR BYLAWS.**

19 **(F) (1) THE COMMISSION SHALL PAY, OR PROVIDE FOR THE PAYMENT**  
20 **OF, THE REASONABLE EXPENSES OF ITS ESTABLISHMENT, ORGANIZATION, AND**  
21 **ONGOING ACTIVITIES.**

22 **(2) THE COMMISSION MAY ACCEPT ANY AND ALL APPROPRIATE**  
23 **REVENUE SOURCES, DONATIONS, AND GRANTS OF MONEY, EQUIPMENT, SUPPLIES,**  
24 **MATERIALS, AND SERVICES.**

25 **(3) THE COMMISSION MAY LEVY ON AND COLLECT AN ANNUAL**  
26 **ASSESSMENT FROM EACH COMPACT STATE OR IMPOSE FEES ON OTHER PARTIES TO**  
27 **COVER THE COST OF THE OPERATIONS AND ACTIVITIES OF THE COMMISSION AND**  
28 **ITS STAFF WHICH MUST BE IN A TOTAL AMOUNT SUFFICIENT TO COVER ITS ANNUAL**  
29 **BUDGET AS APPROVED EACH YEAR FOR WHICH REVENUE IS NOT PROVIDED BY**  
30 **OTHER SOURCES. THE AGGREGATE ANNUAL ASSESSMENT AMOUNT SHALL BE**



1 ALLOCATED BASED UPON A FORMULA TO BE DETERMINED BY THE COMMISSION  
2 WHICH SHALL PROMULGATE A RULE BINDING UPON ALL COMPACT STATES.

3 (4) THE COMMISSION SHALL NOT INCUR OBLIGATIONS OF ANY KIND  
4 PRIOR TO SECURING THE FUNDS ADEQUATE TO MEET THE SAME; NOR SHALL THE  
5 COMMISSION PLEDGE THE CREDIT OF ANY OF THE COMPACT STATES, EXCEPT BY  
6 AND WITH THE AUTHORITY OF THE COMPACT STATE.

7 (5) THE COMMISSION SHALL KEEP ACCURATE ACCOUNTS OF ALL  
8 RECEIPTS AND DISBURSEMENTS. THE RECEIPTS AND DISBURSEMENTS OF THE  
9 COMMISSION SHALL BE SUBJECT TO THE AUDIT AND ACCOUNTING PROCEDURES  
10 ESTABLISHED UNDER ITS BYLAWS. HOWEVER, ALL RECEIPTS AND DISBURSEMENTS  
11 OF FUNDS HANDLED BY THE COMMISSION SHALL BE AUDITED YEARLY BY A  
12 CERTIFIED OR LICENSED PUBLIC ACCOUNTANT AND THE REPORT OF THE AUDIT  
13 SHALL BE INCLUDED IN AND BECOME PART OF THE ANNUAL REPORT OF THE  
14 COMMISSION.

15 (G) (1) THE MEMBERS, OFFICERS, EXECUTIVE DIRECTOR, EMPLOYEES,  
16 AND REPRESENTATIVES OF THE COMMISSION SHALL BE IMMUNE FROM SUIT AND  
17 LIABILITY, EITHER PERSONALLY OR IN THEIR OFFICIAL CAPACITY, FOR ANY CLAIM  
18 FOR DAMAGE TO OR LOSS OF PROPERTY OR PERSONAL INJURY OR OTHER CIVIL  
19 LIABILITY CAUSED BY OR ARISING OUT OF ANY ACTUAL OR ALLEGED ACT, ERROR,  
20 OR OMISSION THAT OCCURRED, OR THAT THE PERSON AGAINST WHOM THE CLAIM  
21 IS MADE HAD A REASONABLE BASIS FOR BELIEVING OCCURRED WITHIN THE SCOPE  
22 OF COMMISSION EMPLOYMENT, DUTIES, OR RESPONSIBILITIES; PROVIDED THAT  
23 NOTHING IN THIS PARAGRAPH SHALL BE CONSTRUED TO PROTECT ANY SUCH  
24 PERSON FROM SUIT AND/OR LIABILITY FOR ANY DAMAGE, LOSS, INJURY, OR  
25 LIABILITY CAUSED BY THE INTENTIONAL, WILLFUL, OR WANTON MISCONDUCT OF  
26 THAT PERSON.

27 (2) THE COMMISSION SHALL DEFEND ANY MEMBER, OFFICER,  
28 EXECUTIVE DIRECTOR, EMPLOYEE, OR REPRESENTATIVE OF THE COMMISSION IN  
29 ANY CIVIL ACTION SEEKING TO IMPOSE LIABILITY ARISING OUT OF ANY ACTUAL OR  
30 ALLEGED ACT, ERROR, OR OMISSION THAT OCCURRED WITHIN THE SCOPE OF  
31 COMMISSION EMPLOYMENT, DUTIES, OR RESPONSIBILITIES, OR THAT THE PERSON  
32 AGAINST WHOM THE CLAIM IS MADE HAD A REASONABLE BASIS FOR BELIEVING  
33 OCCURRED WITHIN THE SCOPE OF COMMISSION EMPLOYMENT, DUTIES, OR  
34 RESPONSIBILITIES; PROVIDED THAT NOTHING HEREIN SHALL BE CONSTRUED TO  
35 PROHIBIT THAT PERSON FROM RETAINING HIS OR HER OWN COUNSEL; AND  
36 PROVIDED FURTHER, THAT THE ACTUAL OR ALLEGED ACT, ERROR, OR OMISSION  
37 DID NOT RESULT FROM THAT PERSON'S INTENTIONAL, WILLFUL, OR WANTON  
38 MISCONDUCT.



1           **(2) THE TEXT OF THE PROPOSED RULE OR AMENDMENT AND THE**  
2 **REASON FOR THE PROPOSED RULE;**

3           **(3) A REQUEST FOR COMMENTS ON THE PROPOSED RULE FROM ANY**  
4 **INTERESTED PERSON; AND**

5           **(4) THE MANNER IN WHICH INTERESTED PERSONS MAY SUBMIT**  
6 **NOTICE TO THE COMMISSION OF THEIR INTENTION TO ATTEND THE PUBLIC**  
7 **HEARING AND ANY WRITTEN COMMENTS.**

8           **(F) PRIOR TO ADOPTION OF A PROPOSED RULE, THE COMMISSION SHALL**  
9 **ALLOW PERSONS TO SUBMIT WRITTEN DATA, FACTS, OPINIONS, AND ARGUMENTS,**  
10 **WHICH SHALL BE MADE AVAILABLE TO THE PUBLIC.**

11           **(G) THE COMMISSION SHALL GRANT AN OPPORTUNITY FOR A PUBLIC**  
12 **HEARING BEFORE IT ADOPTS A RULE OR AMENDMENT IF A HEARING IS REQUESTED**  
13 **BY:**

14           **(1) AT LEAST 25 PERSONS WHO SUBMIT COMMENTS INDEPENDENTLY**  
15 **OF EACH OTHER;**

16           **(2) A GOVERNMENTAL SUBDIVISION OR AGENCY; OR**

17           **(3) A DULY APPOINTED PERSON IN AN ASSOCIATION THAT HAS AT**  
18 **LEAST 25 MEMBERS.**

19           **(H) (1) IF A HEARING IS HELD ON THE PROPOSED RULE OR AMENDMENT,**  
20 **THE COMMISSION SHALL PUBLISH THE PLACE, TIME, AND DATE OF THE SCHEDULED**  
21 **PUBLIC HEARING.**

22           **(2) ALL PERSONS WISHING TO BE HEARD AT THE HEARING SHALL**  
23 **NOTIFY THE EXECUTIVE DIRECTOR OF THE COMMISSION OR OTHER DESIGNATED**  
24 **MEMBER IN WRITING OF THEIR DESIRE TO APPEAR AND TESTIFY AT THE HEARING**  
25 **NOT LESS THAN FIVE BUSINESS DAYS BEFORE THE SCHEDULED DATE OF THE**  
26 **HEARING.**

27           **(3) HEARINGS SHALL BE CONDUCTED IN A MANNER PROVIDING EACH**  
28 **PERSON WHO WISHES TO COMMENT A FAIR AND REASONABLE OPPORTUNITY TO**  
29 **COMMENT ORALLY OR IN WRITING.**

30           **(4) NO TRANSCRIPT OF THE HEARING IS REQUIRED, UNLESS A**  
31 **WRITTEN REQUEST FOR A TRANSCRIPT IS MADE, IN WHICH CASE THE PERSON**

1 REQUESTING THE TRANSCRIPT SHALL BEAR THE COST OF PRODUCING THE  
2 TRANSCRIPT. A RECORDING MAY BE MADE IN LIEU OF A TRANSCRIPT UNDER THE  
3 SAME TERMS AND CONDITIONS AS A TRANSCRIPT. THIS SUBSECTION SHALL NOT  
4 PRECLUDE THE COMMISSION FROM MAKING A TRANSCRIPT OR RECORDING OF THE  
5 HEARING IF IT SO CHOOSES.

6 (5) NOTHING IN THIS SECTION SHALL BE CONSTRUED AS REQUIRING  
7 A SEPARATE HEARING ON EACH RULE. RULES MAY BE GROUPED FOR THE  
8 CONVENIENCE OF THE COMMISSION AT HEARINGS REQUIRED BY THIS SECTION.

9 (I) FOLLOWING THE SCHEDULED HEARING DATE, OR BY THE CLOSE OF  
10 BUSINESS ON THE SCHEDULED HEARING DATE IF THE HEARING WAS NOT HELD, THE  
11 COMMISSION SHALL CONSIDER ALL WRITTEN AND ORAL COMMENTS RECEIVED.

12 (J) THE COMMISSION SHALL, BY MAJORITY VOTE OF ALL MEMBERS, TAKE  
13 FINAL ACTION ON THE PROPOSED RULE AND SHALL DETERMINE THE EFFECTIVE  
14 DATE OF THE RULE, IF ANY, BASED ON THE RULEMAKING RECORD AND THE FULL  
15 TEXT OF THE RULE.

16 (K) IF NO WRITTEN NOTICE OF INTENT TO ATTEND THE PUBLIC HEARING BY  
17 INTERESTED PARTIES IS RECEIVED, THE COMMISSION MAY PROCEED WITH  
18 PROMULGATION OF THE PROPOSED RULE WITHOUT A PUBLIC HEARING.

19 (L) UPON DETERMINATION THAT AN EMERGENCY EXISTS, THE  
20 COMMISSION MAY CONSIDER AND ADOPT AN EMERGENCY RULE WITHOUT PRIOR  
21 NOTICE, OPPORTUNITY FOR COMMENT, OR HEARING, PROVIDED THAT THE USUAL  
22 RULEMAKING PROCEDURES PROVIDED IN THIS COMPACT AND IN THIS SECTION  
23 SHALL BE RETROACTIVELY APPLIED TO THE RULE AS SOON AS REASONABLY  
24 POSSIBLE, IN NO EVENT LATER THAN 90 DAYS AFTER THE EFFECTIVE DATE OF THE  
25 RULE. FOR THE PURPOSES OF THIS PROVISION, AN EMERGENCY RULE IS ONE THAT  
26 MUST BE ADOPTED IMMEDIATELY IN ORDER TO:

27 (1) MEET AN IMMINENT THREAT TO PUBLIC HEALTH, SAFETY, OR  
28 WELFARE;

29 (2) PREVENT A LOSS OF COMMISSION OR COMPACT STATE FUNDS;

30 (3) MEET A DEADLINE FOR THE PROMULGATION OF AN  
31 ADMINISTRATIVE RULE THAT IS ESTABLISHED BY FEDERAL LAW OR RULE; OR

32 (4) PROTECT PUBLIC HEALTH AND SAFETY.

33 (M) THE COMMISSION OR AN AUTHORIZED COMMITTEE OF THE

1 COMMISSION MAY DIRECT REVISIONS TO A PREVIOUSLY ADOPTED RULE OR  
2 AMENDMENT FOR PURPOSES OF CORRECTING TYPOGRAPHICAL ERRORS, ERRORS IN  
3 FORMAT, ERRORS IN CONSISTENCY, OR GRAMMATICAL ERRORS. PUBLIC NOTICE OF  
4 ANY REVISIONS SHALL BE POSTED ON THE WEBSITE OF THE COMMISSION. THE  
5 REVISION SHALL BE SUBJECT TO CHALLENGE BY ANY PERSON FOR A PERIOD OF 30  
6 DAYS AFTER POSTING. THE REVISION MAY BE CHALLENGED ONLY ON GROUNDS  
7 THAT THE REVISION RESULTS IN A MATERIAL CHANGE TO A RULE. A CHALLENGE  
8 SHALL BE MADE IN WRITING, AND DELIVERED TO THE CHAIR OF THE COMMISSION  
9 PRIOR TO THE END OF THE NOTICE PERIOD. IF NO CHALLENGE IS MADE, THE  
10 REVISION WILL TAKE EFFECT WITHOUT FURTHER ACTION. IF THE REVISION IS  
11 CHALLENGED, THE REVISION MAY NOT TAKE EFFECT WITHOUT THE APPROVAL OF  
12 THE COMMISSION.

13 **ARTICLE XII.**

14 **OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT.**

15 (A) (1) THE EXECUTIVE, LEGISLATIVE, AND JUDICIAL BRANCHES OF  
16 STATE GOVERNMENT IN EACH COMPACT STATE SHALL ENFORCE THIS COMPACT  
17 AND TAKE ALL ACTIONS NECESSARY AND APPROPRIATE TO EFFECTUATE THIS  
18 COMPACT'S PURPOSES AND INTENT.

19 (2) ALL COURTS SHALL TAKE JUDICIAL NOTICE OF THIS COMPACT  
20 AND THE RULES IN ANY JUDICIAL OR ADMINISTRATIVE PROCEEDING IN A COMPACT  
21 STATE PERTAINING TO THE SUBJECT MATTER OF THIS COMPACT WHICH MAY  
22 AFFECT THE POWERS, RESPONSIBILITIES, OR ACTIONS OF THE COMMISSION.

23 (3) THE COMMISSION SHALL BE ENTITLED TO RECEIVE SERVICE OF  
24 PROCESS IN ANY SUCH PROCEEDING, AND SHALL HAVE STANDING TO INTERVENE IN  
25 SUCH A PROCEEDING FOR ALL PURPOSES. FAILURE TO PROVIDE SERVICE OF  
26 PROCESS TO THE COMMISSION SHALL RENDER A JUDGMENT OR ORDER VOID AS TO  
27 THE COMMISSION, THIS COMPACT, OR PROMULGATED RULES.

28 (B) (1) IF THE COMMISSION DETERMINES THAT A COMPACT STATE HAS  
29 DEFAULTED IN THE PERFORMANCE OF ITS OBLIGATIONS OR RESPONSIBILITIES  
30 UNDER THIS COMPACT OR THE PROMULGATED RULES, THE COMMISSION SHALL:

31 (I) PROVIDE WRITTEN NOTICE TO THE DEFAULTING STATE  
32 AND OTHER COMPACT STATES OF THE NATURE OF THE DEFAULT, THE PROPOSED  
33 MEANS OF REMEDYING THE DEFAULTS, AND/OR ANY OTHER ACTION TO BE TAKEN BY  
34 THE COMMISSION; AND

35 (II) PROVIDE REMEDIAL TRAINING AND SPECIFIC TECHNICAL

1 ASSISTANCE REGARDING THE DEFAULT.

2 (2) IF A STATE IN DEFAULT FAILS TO REMEDY THE DEFAULT, THE  
3 DEFAULTING STATE MAY BE TERMINATED FROM THIS COMPACT UPON AN  
4 AFFIRMATIVE VOTE OF A MAJORITY OF THE COMPACT STATES, AND ALL RIGHTS,  
5 PRIVILEGES, AND BENEFITS CONFERRED BY THIS COMPACT SHALL BE TERMINATED  
6 ON THE EFFECTIVE DATE OF TERMINATION. A REMEDY OF THE DEFAULT DOES NOT  
7 RELIEVE THE OFFENDING STATE OF OBLIGATIONS OR LIABILITIES INCURRED  
8 DURING THE PERIOD OF DEFAULT.

9 (3) TERMINATION OF MEMBERSHIP IN THIS COMPACT SHALL BE  
10 IMPOSED ONLY AFTER ALL OTHER MEANS OF SECURING COMPLIANCE HAVE BEEN  
11 EXHAUSTED. NOTICE OF INTENT TO SUSPEND OR TERMINATE SHALL BE SUBMITTED  
12 BY THE COMMISSION TO THE GOVERNOR, THE MAJORITY AND MINORITY LEADERS  
13 OF THE DEFAULTING STATE'S LEGISLATURE, AND EACH OF THE COMPACT STATES.

14 (4) A COMPACT STATE WHICH HAS BEEN TERMINATED IS  
15 RESPONSIBLE FOR ALL ASSESSMENTS, OBLIGATIONS, AND LIABILITIES INCURRED  
16 THROUGH THE EFFECTIVE DATE OF TERMINATION, INCLUDING OBLIGATIONS  
17 WHICH EXTEND BEYOND THE EFFECTIVE DATE OF TERMINATION.

18 (5) THE COMMISSION SHALL NOT BEAR ANY COSTS INCURRED BY THE  
19 STATE WHICH IS FOUND TO BE IN DEFAULT OR WHICH HAS BEEN TERMINATED FROM  
20 THIS COMPACT, UNLESS AGREED UPON IN WRITING BETWEEN THE COMMISSION  
21 AND THE DEFAULTING STATE.

22 (6) THE DEFAULTING STATE MAY APPEAL THE ACTION OF THE  
23 COMMISSION BY PETITIONING THE UNITED STATES DISTRICT COURT FOR THE  
24 STATE OF GEORGIA OR THE FEDERAL DISTRICT WHERE THE COMPACT HAS ITS  
25 PRINCIPAL OFFICES. THE PREVAILING MEMBER SHALL BE AWARDED ALL COSTS OF  
26 SUCH LITIGATION, INCLUDING REASONABLE ATTORNEY'S FEES.

27 (c) (1) UPON REQUEST BY A COMPACT STATE, THE COMMISSION SHALL  
28 ATTEMPT TO RESOLVE DISPUTES RELATED TO THIS COMPACT WHICH ARISE AMONG  
29 COMPACT STATES AND BETWEEN COMPACT AND NON-COMPACT STATES.

30 (2) THE COMMISSION SHALL PROMULGATE A RULE PROVIDING FOR  
31 BOTH MEDIATION AND BINDING DISPUTE RESOLUTION FOR DISPUTES THAT ARISE  
32 BEFORE THE COMMISSION.

33 (d) (1) THE COMMISSION, IN THE REASONABLE EXERCISE OF ITS  
34 DISCRETION, SHALL ENFORCE THE PROVISIONS AND RULES OF THIS COMPACT.



1 AUTHORITY TO COMPLY WITH THE INVESTIGATIVE AND ADVERSE ACTION  
 2 REPORTING REQUIREMENT OF THIS ACT PRIOR TO THE EFFECTIVE DATE OF  
 3 WITHDRAWAL.

4 (D) NOTHING CONTAINED IN THIS COMPACT SHALL BE CONSTRUED TO  
 5 INVALIDATE OR PREVENT ANY PSYCHOLOGY LICENSURE AGREEMENT OR OTHER  
 6 COOPERATIVE ARRANGEMENT BETWEEN A COMPACT STATE AND A NON-COMPACT  
 7 STATE WHICH DOES NOT CONFLICT WITH THE PROVISIONS OF THIS COMPACT.

8 (E) THIS COMPACT MAY BE AMENDED BY THE COMPACT STATES. NO  
 9 AMENDMENT TO THIS COMPACT SHALL BECOME EFFECTIVE AND BINDING UPON  
 10 ANY COMPACT STATE UNTIL IT IS ENACTED INTO THE LAW OF ALL COMPACT STATES.

11 ARTICLE XIV.

12 CONSTRUCTION AND SEVERABILITY.

13 THIS COMPACT SHALL BE LIBERALLY CONSTRUED SO AS TO EFFECTUATE THE  
 14 PURPOSES THEREOF. IF THIS COMPACT SHALL BE HELD CONTRARY TO THE  
 15 CONSTITUTION OF ANY STATE MEMBER THERETO, THIS COMPACT SHALL REMAIN IN  
 16 FULL FORCE AND EFFECT AS TO THE REMAINING COMPACT STATES.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
 18 October 1, 2021.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.