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February 22, 2021

The Honorable Shane Pendergrass, Chair
House Health and Government Operations Committee
House Office Building
6 Bladen Street, Room 21
Annapolis, MD 21401

RE: HB 970 – PSYCHOLOGY INTERJURISDICTIONAL COMPACT

Dear Delegate Pendergrass and Members of the Health and Government Operations Committee:

My name is Dr. Paul Berman. I am a licensed psychologist in Maryland. My wife and I, both psychologists, have a forensic/court-related psychology practice in Towson, Maryland. I was also the Director of the Towson Addictions Center, an outpatient substance abuse education and treatment program for more than 30 years. In addition, I work part-time for the Maryland Psychological Association as Professional Affairs Officer.

I am honored to be here today on behalf of the Maryland Psychological Association and the 1000 member psychologists to testify in **support of House Bill 970 – the Psychology Interjurisdictional Compact.**

I will spend a few minutes discussing this interstate compact, how it works, and why the Maryland Psychological Association is supporting the compact. I will also spend a few minutes talking about the benefits of telehealth, and specifically, this interstate compact which allows psychologists to provide telehealth services across state and jurisdictional boundaries. I will explain the credentialing process and the disciplinary process.

I would like to start by talking about the history and purpose of the Psychology Interjurisdictional Compact – HB 970.

HB 970, The Psychology Interjurisdictional Compact, or PSYPACT, is an interstate compact, or an agreement between member states, that is designed to increase access to mental health care services. To join this psychology interstate compact, a state must enact the model statute into law. The model statute is HB 970, sponsored by Delegates Johnson and Cullison and that is what we are asking you to support.

PSYPACT was developed with the assistance of local and national psychological associations, practicing psychologists, consumer groups, the National Governors Association, the Council of State Governments and the psychological regulatory community.

Psychologists licensed in their home state which is a member of PSYPACT will be able to practice into other member states via two Authorizations (Authority to Practice Interjurisdictional Telepsychology and/or Temporary Authorization to Practice) issued by the PSYPACT Commission. This interstate compact increases access to mental health care by creating a process to approve and regulate the delivery of telepsychology and the temporary practice of psychology by doctoral degree psychologists across state and territorial boundaries into other PSYPACT states. The purpose of PSYPACT is to increase public access to needed psychological services by increasing access to care and providing mechanisms for continuity of care all while ensuring a higher degree of consumer protection across state lines.

PSYPACT provides for patient protection by certifying that only doctoral degree psychologists can practice in PSYPACT and certifies that each psychologist applicant is competent to provide services and is free of criminal and disciplinary history. PSYPACT is governed by the Psychology Interjurisdictional Compact Commission, a governmental entity made up of the member states. Each state appoints one member of its Licensing Board to the Commission which meets annually. If this bill is enacted into law, then Maryland appoints one member to the PSYPACT Commission.

Licensed psychologists in any PSYPACT state who wish to participate with PSYPACT must meet the following credentials (please see Attachment 1 which includes materials which demonstrate that the doctoral degree is the required degree for participation in PSYPACT):

- Possess a current, full, unrestricted license in their Home State which is a Compact State;
- Possess a doctoral degree from an American Psychological Association/Canadian Psychological Association or National Register accredited graduate school program;
- Have no history of adverse action that violates the rules of the Commission;
- Have no criminal record;
- Possess a current active E. Passport certificate or IPC Certificate (depending on if the psychologist is practicing telepsychology or physically practicing in a distant jurisdiction temporarily);
- Provide attestation in regard to areas of intended practice, criminal background, competence in telepsychology technology, etc.
- Provide release of information to allow for primary source verification; and
- Meet other criteria as defined by the Commission.

Maryland is the only jurisdiction in our region which is not yet included in PSYPACT – the District of Columbia, Pennsylvania, Delaware, and Virginia are all active PSYPACT members (please see Attachment 2). **West Virginia is expected to introduce PSYPACT in this legislative session.** PSYPACT has been enacted in a total of 16 states/jurisdictions including: Arizona, Utah, Nevada, Colorado, Nebraska, Missouri, Georgia, Delaware, Texas, New Hampshire, Oklahoma, Illinois, Pennsylvania, Virginia, the District of Columbia, and North Carolina. *In addition, fourteen states, including Maryland, have introduced legislation this year (2021).*

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We know there is considerable support for mental health interstate compacts and believe the introduction of HB 970 is particularly timely. This administration has made it abundantly clear how important interstate compacts are for access to behavioral health services. In addition, they have publicly stated that **their bill is not a substitute for interstate compacts**.

In addition, we know that the General Assembly the General Assembly passed Senate Bill 402 during the 2020 session, with Sponsors Senator Kagan and Senator Lam, and clearly recognized the importance of interstate compacts when it stated: "...it is the intent of the General Assembly that the Governor shall develop and implement a plan to facilitate the joining of the State with adjacent states and jurisdictions in interstate compacts regulating health care practitioners for the purpose of improving patient access to health care practitioners in State communities experiencing a health care practitioner shortage." (Please see Attachment 3.)

Research has shown that telehealth services are effective, and offer additional benefits such as increased accessibility, flexibility, and affordability.

PSYPACT will benefit Maryland's residents who live near bordering states and the District of Columbia, those in rural areas, those who lack access to specialty care (addictions, autism spectrum disorder, language barriers), those with transportation or mobility issues, individuals with significant time constraints such as caregivers, and those concerned about seeking treatment due to potential stigma of mental health care.

COVID-19 has forcefully highlighted the importance of an interstate compact like PSYPACT which allows for continuity of mental health and substance use treatment in situations when someone needs to relocate. People who have lost their jobs and been forced to move, college students who have started and stopped school and returned home, people who have had to temporarily leave Maryland to take care of a sick family member, and people in similar circumstances have suddenly found their mental health and substance use treatment interrupted by this global pandemic. PSYPACT allows people who move between states – whether temporarily or permanently – as a result of illness, family, financial, education, business, or other reasons, to maintain consistent mental health and substance use treatment.

I want to make clear that this interstate compact, PSYPACT, has the same credentialing requirements as those in Maryland. There is no difference between PSYPACT credentialing requirements and Maryland licensing requirements for psychologists. Both require:

- doctoral degree in psychology from a program that was accredited by APA/CPA or designated as a psychology program by the ASPPB/ National Register Joint Designation Committee at time of conferral; or deemed to be equivalent by a recognized foreign credential evaluation service
- two years supervised training.

Article VII within HB 970 details the Adverse Action/Disciplinary Process. This section covers how the compact, home and receiving states conduct and report adverse actions as well as the consequences for a psychologist who receives adverse actions. (Please see Attachments 4, 5, 6.)

- The home state may take adverse actions against a psychologist's license.

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- If home state does take adverse action a psychologist's authority to practice Interjurisdictional telepsychology is terminated and the e. Passport is revoked. In addition, that psychologist's temporary practice is terminated, and the IPC is revoked.
- A home state's psychology regulatory authority shall investigate and take appropriate action with respect to reported inappropriate conduct engaged in by a licensee which occurred in a receiving state as it would if such conduct had occurred by a licensee within the home state. In such cases, the home state's law shall control in determining any adverse action against a psychologist's license.
- A receiving state may take adverse action on a psychologist's authority to practice interjurisdictional telepsychology and temporary authorization to practice within that receiving state.
- If Discipline is reported against a psychologist, the psychologist will not be eligible for telepsychology or temporary practice in accordance with the rules of the Commission.
- All adverse actions taken are electronically reported to the Commission in accordance with the rules of the Commission.
- Nothing in the compact will override a compact state's decision that a psychologist's participation in an alternative program may be used in lieu of adverse action and that such participation shall remain non-public if required by the compact state's law. The psychologist must cease providing services while in an alternative program.

HB 970 is clear and specific with regard to our licensing board's responsibilities regarding out-of-state licensees. (Please see Attachment 7.)

- Investigation by the BoE of psychologists who practice into Maryland via telehealth is discretionary. The BoE is not required by PSYPACT to investigate complaints made against licensed psychologists who practice into Maryland via telehealth. Complaints submitted to the Maryland BoE against out-of-state licensees may be investigated by the BoE, or the BoE can forward the complaint to the licensee's Home state for investigation via the electronic process developed by PSYPACT.
- The BoE, however, is required to investigate complaints made against licensed psychologists from other states who practice in Maryland, face-to-face, under the auspices of PSYPACT and the 30 day/year Temporary Authorization to Practice (TAP).

The Maryland Psychological Association urges you to support HB 970 – the Psychology Interjurisdictional Compact. Thank you for your time and attention.



Paul C. Berman, Ph.D.
Licensed Psychologist

ATTACHMENT 1

UNDERSTANDING

HOW PSYPACT WORKS



1 STATES ENACT PSYPACT

PSYPACT legislation is enacted by a state legislature. Upon enactment, the state officially joins PSYPACT.



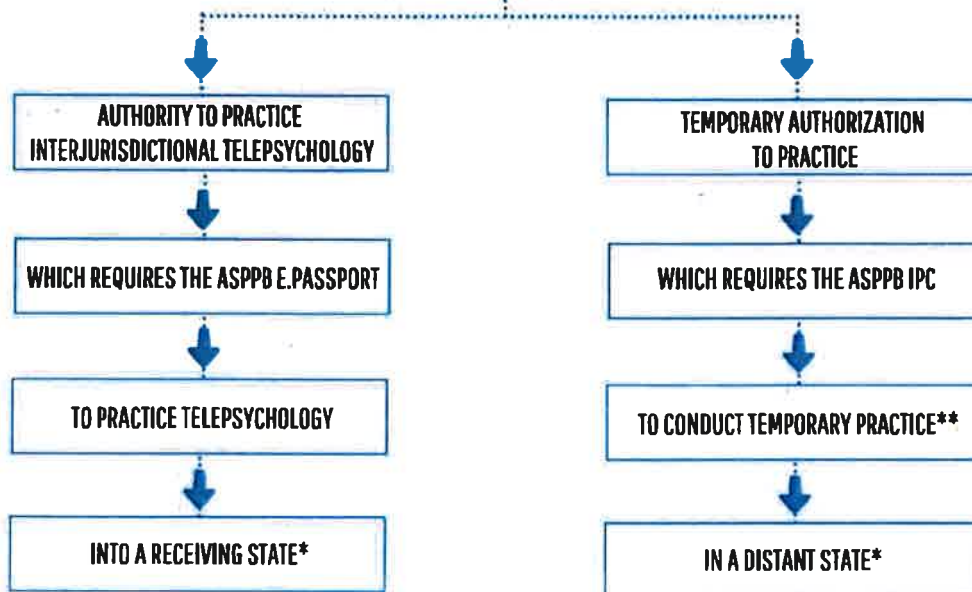
2 STATES JOIN THE PSYPACT COMMISSION

Each state appoints a representative to serve as that state's Commissioner. The PSYPACT Commission is the governing body of PSYPACT and is responsible for writing the Bylaws and Rules of PSYPACT.



3 PSYCHOLOGISTS PRACTICE UNDER PSYPACT

Psychologists licensed in their Home State* can obtain authorization to practice under PSYPACT from the PSYPACT Commission:





ASPPB E.Passport QUICK GUIDE

**Read the ASPPB Mobility Program Policies and Procedures for a comprehensive look at the Mobility Program and requirements. Note: Requirements are subject to change and are determined by the Mobility Committee.*

The E. Passport facilitates the process for licensed psychologists to practice telepsychology across state lines, in states that participate in PSYPACT,* without obtaining additional licenses.

**In order to practice telepsychology under the authority of PSYPACT, the PSYPACT Commission requires that a psychologist obtains an Authority to Practice Interjurisdictional Telepsychology (APIT). The E.Passport is required in order to obtain an APIT from the PSYPACT Commission.*

Application Checklist



License

- ☐ Must have a current and active psychology license, based on a doctoral degree, in at least one PSYPACT participating state.
- ☐ No disciplinary action listed on any psychology license.



Education

- ☐ Must have a doctoral degree in psychology from an institution of higher education that was, at the time the degree was awarded: (1) accredited by the American Psychological Association, the Canadian Psychological Association, or designated as a psychology program by the Joint Designation Committee of the Association of State and Provincial Psychology Boards and the National Register of Health Service Psychologists; or (2) deemed to be equivalent to (1) above by a foreign credential evaluation service that is a member of the National Association of Credential Evaluation Services (NACES) or by a recognized foreign credential evaluation service.
- ☐ Graduate degree transcripts must be sent directly by the degree granting institution to ASPPB in a sealed envelope with appropriate institutional seals



Examination

- ☐ Successful completion of the Examination for Professional Practice in Psychology (EPPP) with a score that meets or exceeds the established ASPPB recommended passing score at the time of application.

Renewal Requirement

Annual renewal by submission of established fee, documentation of a current and active license in a PSYPACT participating state and demonstration of 3 hours of continuing education relevant to the use technology in psychology (continuing education may include academic courses and/or approved sponsor continuing education). Failure to renew will cause the certificate to expire and the certificate holder may not practice if certificate is expired.



ASPPB Interjurisdictional Practice Certificate (IPC) QUICK GUIDE

**Read the ASPPB Mobility Program Policies and Procedures for a comprehensive look at the Mobility Program and requirements. Note: Requirements are subject to change and are determined by the Mobility Committee.*

The IPC facilitates the process for licensed psychologists to provide temporary psychological services across state lines, in states that participate in PSYPACT,* without obtaining additional licenses. Temporary psychological services can be provided up to 30 days per calendar year.

*In order to conduct temporary practice under the authority of PSYPACT, the PSYPACT Commission requires that a psychologist obtains a Temporary Authorization to Practice (TAP). The IPC is required in order to obtain a TAP from the PSYPACT Commission.

Application Checklist



License

- ☐ Must have a current and active psychology license, based on a doctoral degree, in at least one PSYPACT-participating state.
- ☐ No disciplinary action listed on any psychology license.



Education

- ☐ Must have a doctoral degree in psychology from an institution of higher education that was, at the time the degree was awarded: (1) accredited by the American Psychological Association, the Canadian Psychological Association, or designated as a psychology program by the Joint Designation Committee of the Association of State and Provincial Psychology Boards and the National Register of Health Service Psychologists; or (2) deemed to be equivalent to (1) above by a foreign credential evaluation service that is a member of the National Association of Credential Evaluation Services (NACES) or by a recognized foreign credential evaluation service.
- ☐ Graduate degree transcripts must be sent directly by the degree granting institution to ASPPB in a sealed envelope with appropriate institutional seals.

Renewal Requirement

Annual renewal by submission of established fee and documentation of a current and active license in a PSYPACT participating state. Failure to renew will cause the certificate to expire and the certificate holder may not practice if certificate is expired.

1 **Psychology Interjurisdictional Compact (PSYPACT)**

2 **Psychology Interjurisdictional Compact Commission**

3

4 **Title of Rule:** Definitions

5 **Drafted:** November 21, 2019

6 **Effective:** February 27, 2020

7 **Amended:**

8 **History for Rule:** Introduced at public meeting on November 21-22, 2019

9 Public hearing February 27, 2020

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12 **Section 2:** Definitions

13 **Authority:** Article II: Definitions

14 **2.0 Purpose:** Pursuant to Article II and for the purpose of the rules adopted by the
15 PSYPACT Commission, the following definitions shall apply. Terms not
16 specifically defined in these Rules shall have the definition as set forth in
17 the Compact. In an event of a conflict with definitions found elsewhere in
18 these Rules, definitions found in Section 2.1 shall control and prevail.

19 **2.1 Definition(s):**

- 20 (A) *“Adverse Action” means: any action taken by a State Psychology Regulatory*
21 *Authority which finds a violation of a statute or regulation that is identified by the*
22 *State Psychology Regulatory Authority as discipline and is a matter of public record.*
23 (B) *“Alternative Program” means: any non-disciplinary monitoring program intended to*
24 *remediate the licensee that is not a matter of public record and to which a State*
25 *Psychology Regulatory Authority refers a licensee, or of which the State Psychology*
26 *Regulatory Authority is aware of the licensee’s participation.*
27 (C) *“Association of State and Provincial Psychology Boards (ASPPB)” means: the*
28 *recognized membership organization composed of State and Provincial Psychology*
29 *Regulatory Authorities responsible for the licensure and registration of psychologists*
30 *throughout the United States and Canada.*
31 (D) *“Authority to Practice Interjurisdictional Telepsychology” means: a licensed*
32 *psychologist’s Authority to Practice Telepsychology, within the limits authorized*
33 *under this Compact, in another Compact State. This Authority to Practice*
34 *Interjurisdictional Telepsychology is deemed valid until the psychologist is no longer*
35 *eligible under the Compact Statute and/or the Rules and/or Policies established by the*
36 *Commission.*

- 37 (E) **“Authorization Holder”** means: a licensed psychologist who has been granted
38 Authority to Practice Interjurisdictional Telepsychology or Temporary Authorization
39 to Practice under this Compact.
- 40 (F) **“Bylaws”** means: those Bylaws established by the Psychology Interjurisdictional
41 Compact Commission pursuant to Article X for its governance, or for directing and
42 controlling its actions and conduct.
- 43 (G) **“Client/Patient”** means: the recipient of psychological services, whether
44 psychological services are delivered in the context of healthcare, corporate,
45 supervision, and/or consulting services.
- 46 (H) **“Commissioner”** means: the voting representative appointed by each State
47 Psychology Regulatory Authority pursuant in Article X.
- 48 (I) **“Compact State”** means: a state, the District of Columbia, or United States territory
49 that has enacted this Compact legislation and which has not withdrawn pursuant to
50 Article XIII, Section C or been terminated pursuant to Article XII, Section B. For
51 purposes of this Compact, Compact State and Member State may be used
52 interchangeably.
- 53 (J) **“Coordinated Licensure Information System”** also referred to as “Coordinated
54 Database” means: an integrated process for collecting, storing, and sharing
55 information on psychologists’ licensure and enforcement activities related to
56 psychology licensure laws, which is administered by the recognized membership
57 organization composed of State and Provincial Psychology Regulatory Authorities.
- 58 (K) **“Confidentiality”** means: the principle that data or information is not made available
59 or disclosed to unauthorized persons and/or processes.
- 60 (L) **“Day”** means: any part of a day in which psychological work is performed.
- 61 (M) **“Distant State”** means: the Compact State where a psychologist is physically present
62 (not through the use of telecommunications technologies), to provide temporary in-
63 person, face-to-face psychological services.
- 64 (N) **“Encumbrance”** means: any action taken by the State Psychology Regulatory
65 Authority that limits the practice or work of a psychologist. An encumbrance may be
66 disciplinary or non-disciplinary in nature.
- 67 (O) **“E. Passport”** means: a certificate issued by the Association of State and Provincial
68 Psychology Boards (ASPPB) that promotes the standardization in the criteria of
69 interjurisdictional telepsychology practice and facilitates the process for licensed
70 psychologists to provide telepsychological services across state lines.
- 71 (P) **“Executive Board”** means: a group of directors elected or appointed to act on behalf
72 of, and within the powers granted to them by, the Commission.
- 73 (Q) **“Ex-Officio Member”** means: the non-voting representative from the membership
74 organization composed of State and Provincial Psychology Regulatory Authorities.
75 The Ex-Officio Member serves on the Commission Executive Board.
- 76 (R) **“Graduate Degree”** means: for the purpose of this Compact, a doctoral degree.
- 77 (S) **“Home of Record”** means: for the purpose of this Compact, the active duty military
78 personnel’s or spouse’s state of legal residence on record with the military.
- 79 (T) **“Home State”** means: a Compact State where a psychologist is licensed to practice
80 psychology. If the psychologist is licensed in more than one Compact State and is
81 practicing under the Authorization to Practice Interjurisdictional Telepsychology, the
82 Home State is the Compact State where the psychologist is physically present when the

- 129 (HH) *“State Psychology Regulatory Authority” means: the Board, office or other agency*
130 *with the legislative mandate to license and regulate the practice of psychology.*
131 (II) *“Telepsychology” means: the provision of psychological services using*
132 *telecommunications technologies.*
133 (JJ) *“Temporary Authorization to Practice” means: a licensed psychologist’s authority*
134 *to conduct temporary in-person, face-to-face practice, within the limits authorized*
135 *under this Compact, in another Compact State. This Temporary Authorization to*
136 *Practice is deemed valid until the psychologist is no longer eligible under the Compact*
137 *Statute and/or the Rules and/or Policies established by the Commission.*
138 (KK) *“Temporary In-Person, Face-to-Face Practice” means: where a psychologist is*
139 *physically present (not through the use of telecommunications technologies), in the*
140 *Distant State to provide for the practice of psychology for 30 days within a calendar*
141 *year and based on notification to the Distant State.*

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144 Italicized definitions are mirrored directly from the PSYPACT Compact Language.

1 **Psychology Interjurisdictional Compact (PSYPACT)**

2 **Psychology Interjurisdictional Compact Commission**

3
4 **Title of Rule:** Compact Privilege to Practice Telepsychology

5 **Drafted:** November 21, 2019

6 **Effective:** February 27, 2020

7 **Amended:**

8 **History for Rule:** Introduced at public meeting on November 21-22, 2019
9 Public hearing February 27, 2020

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12 **Section 4:** Compact Privilege to Practice Telepsychology

13 **Authority:** Article IV: Compact Privilege to Practice Telepsychology
14 Article II: Definitions
15 Article III: Home State Licensure
16

17 **4.0 Purpose:** Pursuant to Article IV, the Compact State shall recognize the right of a
18 psychologist to practice telepsychology in other Compact States under the
19 Authority to Practice Interjurisdictional Telepsychology as provided in the
20 Compact and further defined in these Rules.

21 **4.1 Definition(s):** (A) *“Association of State and Provincial Psychology Boards (ASPPB)”*
22 *means: the recognized membership organization composed of State and*
23 *Provincial Psychology Regulatory Authorities responsible for the*
24 *licensure and registration of psychologists throughout the United States*
25 *and Canada.*
26 (B) **“Authority to Practice Interjurisdictional Telepsychology”** means:
27 a licensed psychologist’s Authority to Practice Telepsychology, within the
28 limits authorized under this Compact, in another Compact State. This
29 Authority to Practice Interjurisdictional Telepsychology is deemed valid
30 until the psychologist is no longer eligible under the Compact Statute
31 and/or the Rules and/or Policies established by the Commission.
32 (C) **“Authorization Holder”** means: a licensed psychologist who has been
33 granted Authority to Practice Interjurisdictional Telepsychology or
34 Temporary Authorization to Practice under this Compact.
35 (D) *“Commission” means: the national administrative body of which all*
36 *states that have enacted the Compact are members.*
37 (E) **“Compact”** means: Psychology Interjurisdictional Compact
38 (PSYPACT).

(F) **“Compact State”** means: a state, the District of Columbia, or United States territory that has enacted this Compact legislation and which has not withdrawn pursuant to Article XIII, Section C or has been terminated pursuant to Article XII, Section B. For purposes of this Compact, Compact State and Member State may be used interchangeably.

(G) **“E.Passport”** means: a certificate issued by the Association of State and Provincial Psychology Boards (ASPPB) that promotes the standardization in the criteria of interjurisdictional telepsychology practice and facilitates the process for licensed psychologists to provide telepsychological services across state lines.

(H) **“Graduate Degree”** means: For the purpose of this Compact, a doctoral degree.

(I) **“Home of Record”** means: for the purpose of this Compact, the active duty military personnel’s or spouse’s state of legal residence on record with the military.

(J) **“Home State”** means: a Compact State where a psychologist is licensed to practice psychology. If the psychologist is licensed in more than one Compact State and is practicing under the Authorization to Practice Interjurisdictional Telepsychology, the Home State is the Compact State where the psychologist is physically present when the telepsychological services are delivered. If the psychologist is licensed in more than one Compact State and is practicing under the Temporary Authorization to Practice, the Home State is any Compact State where the psychologist is licensed.

(K) **“License”** means: authorization by a State and Psychology Regulatory Authority to engage in the independent practice of psychology, which would be unlawful without the authorization.

(L) **“Permanent Change of Station” or “PCS”** means: the state of the duty station noted in the active duty military personnel’s PCS orders.

(M) **“Receiving State”** means: a Compact State where the client/patient is physically located when the telepsychological services are delivered.

(N) **“Rule”** means: a written statement by the Psychology Interjurisdictional Compact Commission promulgated pursuant to Article XI of this Compact that is of general applicability; implements, interprets, or prescribes a policy or provision of the Compact; or is an organizational, procedural, or practice requirement of the Commission and has the force and effect of statutory law in a member state and includes the amendment, repeal, or suspension of an existing rule.

(O) **“State”** means: any state, commonwealth, territory, or possession of the United States, the District of Columbia.

(P) **“State of Current Residence”** means: the state in which the active duty military personnel or spouse is currently physically residing.

(Q) **“State Psychology Regulatory Authority”** means: the Board, office or agency with the legislative mandate to license and regulate the practice of psychology.

(R) “**Temporary Authorization to Practice**” means: a licensed psychologist’s authority to conduct temporary in-person, face-to-face practice, within the limits authorized under this Compact, in another Compact State. This Temporary Authorization to Practice is deemed valid until the psychologist is no longer eligible under the Compact Statute and/or the Rules and/or Policies established by the Commission.

4.2 Exercising Authority to Practice Interjurisdictional Telepsychology: A psychologist must apply for an Authority to Practice Interjurisdictional Telepsychology as required by the Commission and pay all applicable fees.

4.3 Qualifications for Authority to Practice Interjurisdictional Telepsychology: A psychologist licensed in a Compact State must meet all qualifications as defined in the Psychology Interjurisdictional Compact Language Article IV, Section B.

4.4 Home State Licensure:

- A. A psychologist must identify the Home State which has been designated as such by the psychologist for purposes of practicing interjurisdictional telepsychology and participation in the Compact at the point of initial application and provide an update regarding any Home State changes.
- B. A psychologist having an Authority to Practice Interjurisdictional Telepsychology may be audited at any time by the Commission to verify compliance with Home State licensure verification requirements.
- C. A psychologist holding a temporary permit, temporary license or other equivalent status does not allow the psychologist to practice under the authority of the Psychology Interjurisdictional Compact (PSYPACT).
- D. In addition to complying with reporting name and address changes as required by the Home State, psychologists holding an Authority to Practice Interjurisdictional Telepsychology must also notify the Commission of a change of name and/or Home State address within 30 days of the change.
- E. The Home State maintains authority over the license of any psychologist practicing into a Receiving State under the Authority to Practice Interjurisdictional Telepsychology.

4.5 Scope of Practice: A psychologist practicing under an Authority to Practice Interjurisdictional Telepsychology into a Receiving State is subject to the scope of practice of the Receiving State.

4.6 E.Passport: As required in Psychology Interjurisdictional Compact Language Article IV Section B.6., a psychologist must possess a current active E.Passport. The E.Passport must be applied to and issued by the Association of State and Provincial Psychology Boards (ASPPB).

4.7 Fee for Authority to Practice Interjurisdictional Telepsychology:

- A. The Commission shall charge a one-time fee for the Authority to Practice Interjurisdictional Telepsychology.

123 B. The Commission's Authority to Practice Interjurisdictional Telepsychology fee shall be
124 posted on the Commission's website (<http://www.psypact.org>).

125 C. The Commission shall give 30 days' notice before modifying the Authority to Practice
126 Interjurisdictional Telepsychology fee by posting notice of the new fee on the
127 Commission's website.

128 **4.8 Impact of Non-Payment on Eligibility:** If a psychologist fails to pay any applicable fees,
129 the Commission may:

130 A. Terminate the existing Authority to Practice Interjurisdictional Telepsychology; and

131 B. Prevent the psychologist from purchasing a Temporary Authorization to Practice under
132 PSYPACT as well until the non-payment is remedied.

133 **4.9 Active Duty Military Personnel or Their Spouses:** A licensed psychologist who is active
134 duty military or is the spouse of an individual who is active duty military may designate one of
135 the following as the Home State as long as the Receiving State and the Home State are members
136 of the Compact:

137 A. Home of Record;

138 B. Permanent Change of Station (PCS); or

139 C. State of Current Residence if it is different than the PCS state or Home of Record.

140 D. The active duty military personnel or spouse of an individual who is active duty military
141 may change the Member State designated as the individual's Home State by notifying the
142 Commission.

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145 *Italicized definitions are mirrored directly from the PSYPACT Compact Language.*

1 **Psychology Interjurisdictional Compact (PSYPACT)**

2 **Psychology Interjurisdictional Compact Commission**

3
4 **Title of Rule:** **Compact Temporary Authorization to Practice**

5 **Drafted:** November 21, 2019

6 **Effective:** February 27, 2020

7 **Amended:**

8 **History for Rule:** Introduced at public meeting on November 21-22, 2019
9 Public hearing February 27, 2020

11 **Section 5:** **Compact Temporary Authorization to Practice**

12 **Authority:** Article V: Compact Temporary Authorization to Practice
13 Article II: Definitions
14 Article III: Home State Licensure

15
16 **5.0 Purpose:** **Pursuant to Article V**, the Compact State shall recognize the right of a
17 psychologist licensed in a Compact State to practice temporarily in other
18 Compact States under the Compact Temporary Authorization to Practice
19 as provided in the Compact and further defined in these Rules.

20 **5.1 Definition(s):** ***(A) “Association of State and Provincial Psychology Boards ASPPB)”***
21 *means: the recognized membership organization composed of State and*
22 *Provincial Psychology Regulatory Authorities responsible for the*
23 *licensure and registration of psychologists throughout the United States*
24 *and Canada.*
25 ***(B) “Authority to Practice Interjurisdictional Telepsychology”*** means:
26 a licensed psychologist’s Authority to Practice Telepsychology, within the
27 limits authorized under this Compact, in another Compact State. This
28 Authority to Practice Interjurisdictional Telepsychology is deemed valid
29 until the psychologist is no longer eligible under the Compact Statute
30 and/or the Rules and/or Policies established by the Commission.
31 ***(C) “Authorization Holder”*** means: a licensed psychologist who has been
32 granted Authority to Practice Interjurisdictional Telepsychology or
33 Temporary Authorization to Practice under this Compact.
34 ***(D) “Commission”*** means: *the national administrative body of which all*
35 *states that have enacted the Compact are members.*
36 ***(E) “Compact”*** means: Psychology Interjurisdictional Compact
37 (PSYPACT).
38 ***(F) “Compact State”*** means: *a state, the District of Columbia, or United*
39 *States territory that has enacted this Compact legislation and which has*

not withdrawn pursuant to Article XIII, Section C or has been terminated pursuant to Article XII, Section B. For purposes of this Compact, Compact State and Member State may be used interchangeably.

(G) ***“Distant State”*** means: the Compact State where a psychologist is physically present (not through the use of telecommunications technologies), to provide temporary in-person, face-to-face psychological services.

(H) ***“Graduate Degree”*** means: For the purpose of this Compact, a doctoral degree.

(I) ***“Home of Record”*** means: for the purpose of this Compact, the active duty military personnel’s or spouse’s state of legal residence on record with the military.

(J) ***“Home State”*** means: a Compact State where a psychologist is licensed to practice psychology. If the psychologist is licensed in more than one Compact State and is practicing under the Authorization to Practice Interjurisdictional Telepsychology, the Home State is the Compact State where the psychologist is physically present when the telepsychological services are delivered. If the psychologist is licensed in more than one Compact State and is practicing under the Temporary Authorization to Practice, the Home State is any Compact State where the psychologist is licensed.

(K) ***“Interjurisdictional Practice Certificate (IPC)”*** means: a certificate issued by the Association of State and Provincial Psychology Boards (ASPPB).

(L) ***“License”*** means: authorization by a State and Psychology Regulatory Authority to engage in the independent practice of psychology, which would be unlawful without the authorization.

(M) ***“Permanent Change of Station”*** or ***“PCS”*** means: the state of the duty station noted in the active duty military personnel’s PCS orders.

(N) ***“Rule”*** means: a written statement by the Psychology Interjurisdictional Compact Commission promulgated pursuant to Article XI of this Compact that is of general applicability; implements, interprets, or prescribes a policy or provision of the Compact; or is an organizational, procedural, or practice requirement of the Commission and has the force and effect of statutory law in a member state and includes the amendment, repeal, or suspension of an existing rule.

(O) ***“State”*** means: any state, commonwealth, territory, or possession of the United States, the District of Columbia.

(P) ***“State of Current Residence”*** means: the state in which the active duty military personnel or spouse is currently physically residing.

(Q) ***“State Psychology Regulatory Authority”*** means: the Board, office or agency with the legislative mandate to license and regulate the practice of psychology.

(R) ***“Temporary Authorization to Practice”*** means: a licensed psychologist’s authority to conduct temporary in-person, face-to-face practice, within the limits authorized under this Compact, in another

Compact State. This Temporary Authorization to Practice is deemed valid until the psychologist is no longer eligible under the Compact Statute and/or the Rules and/or Policies established by the Commission.

5.2 Exercising Temporary Authorization to Practice: Psychologist must apply for Temporary Authorization to Practice as required by the Commission and pay all applicable fees.

5.3 Qualifications for Temporary Authorization to Practice: A psychologist licensed in a Compact State must meet all qualifications as defined in the Psychology Interjurisdictional Compact Language Article V, Section B. A psychologist holding an Interjurisdictional Practice Certificate (IPC) in good standing that was issued prior to July 1, 2019 is considered to have met the educational qualifications.

5.4 Home State Licensure:

- A. A psychologist must identify the Home State which has been designated as such by the psychologist for purposes of the Temporary Authorization to Practice and participation in the Compact at the point of initial application and provide an update regarding any Home State changes.
- B. A psychologist having a Temporary Authorization to Practice may be audited at any time by the Commission to verify compliance with Home State licensure verification requirements.
- C. A psychologist holding a temporary permit, temporary license or other equivalent status does not allow the psychologist to practice under the authority of the Psychology Interjurisdictional Compact (PSYPACT).
- D. In addition to complying with reporting name and address change as required by the Home State, psychologists holding a Temporary Authorization to Practice must also notify the Commission of a change of name and/or Home State address within 30 days of the change.

5.5 Scope of Practice: A psychologist practicing under the Temporary Authorization to Practice is subject to scope of practice authorized by the Distant State and is subject to the Distant State's authority and law.

5.6 Interjurisdictional Practice Certificate (IPC): As required in PSYPACT Language Article V, Section B. 6., a psychologist must possess a current active IPC. The IPC must be applied to and issued by the Association of State and Provincial Psychology Boards (ASPPB).

5.7 Fee for Temporary Authorization to Practice:

- A. The Commission shall charge a one-time fee for the Temporary Authorization to Practice.
- B. The Commission's Temporary Authorization to Practice fee shall be posted on the Commission's website (<http://www.psypact.org>).
- C. The Commission shall give thirty (30) days' notice before modifying the Temporary Authorization to Practice fee by posting notice of the new fee on the Commission's website.

126 **5.8 Impact of Non-Payment on Eligibility:** If a psychologist fails to pay any applicable fees,
127 the Commission may:

- 128 A. Terminate the existing Temporary Authorization to Practice; and
- 129 B. Prevent the psychologist from purchasing an Authority to Practice Interjurisdictional
130 Telepsychology under PSYPACT as well until the non-payment is remedied.

131 **5.9 Active Duty Military Personnel or Their Spouses:** A licensed psychologist who is active
132 duty military or is the spouse of an individual who is active duty military may designate one of
133 the following as the Home State as long as the Distant State and the Home State are members of
134 the Compact:

- 135 A. Home of Record;
- 136 B. Permanent Change of Station (PCS); or
- 137 C. State of Current Residence if it is different than the PCS state or Home of Record.
- 138 D. The active duty military personnel or spouse of an individual who is active duty military
139 may change the Member State designated as the individual's Home State by notifying the
140 Commission.

141

142

143 *Italicized definitions are mirrored directly from the PSYPACT Compact Language.*

ATTACHMENT 2

PSYPACT WHAT'S NEW WITH

THE PSYCHOLOGY INTERJURISDICTIONAL COMPACT



North Carolina becomes effective 3/1/2021.

PSYPACT COMMISSION

The PSYPACT Commission is the governing body of PSYPACT responsible for oversight of the compact and for writing the Bylaws and Rules that govern PSYPACT. Each PSYPACT state has appointed a representative to serve as their state's Commissioner.

Since its formation, the PSYPACT Commission has convened for six meetings. For more information about the meetings as well as future meeting dates, please visit the Scheduled Meetings page at www.psypact.org.

PSYPACT APPLICATIONS ARE NOW OPEN

On July 1, 2020, applications to practice under the authority of PSYPACT officially opened. There are two ways to practice under PSYPACT. As a psychologist licensed in a PSYPACT state, you can apply to practice telepsychology and/or conduct temporary in-person, face-to-face practice in PSYPACT states.



VISIT WWW.PSYPACT.ORG TO START YOUR APPLICATION!

FEES FOR PSYCHOLOGISTS

TELEPSYCHOLOGY	FEE	TEMPORARY IN-PERSON, FACE-TO-FACE PRACTICE	FEE
Authorization to Practice		Temporary Authorization to Practice	
Interjurisdictional Telepsychology	\$40	Interjurisdictional Practice Certificate (IPC) Application Fee	\$200
E Passport Application Fee	\$400	Interjurisdictional Practice Certificate (IPC) Annual Renewal Fee	\$50
E Passport Annual Renewal Fee	\$100		

PSYPACT COMMISSION TIMELINE



ATTACHMENT 3

SENATE BILL 402

J2, J1

EMERGENCY BILL

(0lr1855)

ENROLLED BILL

— *Education, Health, and Environmental Affairs/Health and Government Operations*

Introduced by Senators **Kagan and Lam**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Health Care Practitioners – Telehealth and Shortage**

3 FOR the purpose of authorizing certain health care practitioners to establish a
4 practitioner–patient relationship through certain telehealth interactions under
5 certain circumstances; requiring a health care practitioner providing telehealth
6 services to be held to certain standards of practice and provide or refer a patient for
7 certain services under certain circumstances; requiring a health care practitioner to
8 perform a certain clinical evaluation before providing certain treatment or issuing a
9 prescription through telehealth; prohibiting a health care practitioner from
10 prescribing a ~~controlled dangerous substance~~ certain opiate through telehealth
11 except under certain circumstances; providing that a health care practitioner who
12 prescribes a controlled dangerous substance through telehealth is subject to certain
13 laws under certain circumstances; requiring a health care practitioner to document
14 certain information in a patient's medical record using certain documentation

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.

Italics indicate opposite chamber/conference committee amendments.



standards; providing that certain laws regarding confidentiality and a patient's right to health information apply to telehealth interactions in a certain manner; requiring a health care practitioner performing services through telehealth to be licensed, certified, or otherwise authorized by law to provide health care services in the State under certain circumstances; authorizing health occupations boards to adopt certain regulations; defining certain terms; stating the intent of the General Assembly; making this Act an emergency measure; and generally relating to ~~telehealth and~~ health care practitioners.

BY adding to

Article – Health Occupations

Section 1–1001 through 1–1006 to be under the new subtitle “Subtitle 10. Telehealth”

Annotated Code of Maryland

(2014 Replacement Volume and 2019 Supplement)

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

Article – Health Occupations

SUBTITLE 10. TELEHEALTH.

1–1001.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
INDICATED.

(B) “ASYNCHRONOUS TELEHEALTH INTERACTION” MEANS AN EXCHANGE
OF INFORMATION BETWEEN A PATIENT AND A HEALTH CARE PRACTITIONER THAT
DOES NOT OCCUR IN REAL TIME, INCLUDING THE SECURE COLLECTION AND
TRANSMISSION OF A PATIENT’S MEDICAL INFORMATION, CLINICAL DATA, CLINICAL
IMAGES, LABORATORY RESULTS, AND SELF-REPORTED MEDICAL HISTORY.

(C) “HEALTH CARE PRACTITIONER” MEANS AN INDIVIDUAL WHO IS
LICENSED, CERTIFIED, OR OTHERWISE AUTHORIZED BY LAW TO PROVIDE HEALTH
CARE SERVICES UNDER THIS ARTICLE.

(D) “SYNCHRONOUS TELEHEALTH INTERACTION” MEANS AN EXCHANGE OF
INFORMATION BETWEEN A PATIENT AND A HEALTH CARE PRACTITIONER THAT
OCCURS IN REAL TIME.

(E) (1) “TELEHEALTH” MEANS A MODE OF DELIVERING HEALTH CARE
SERVICES THROUGH THE USE OF TELECOMMUNICATIONS TECHNOLOGIES BY A

1 HEALTH CARE PRACTITIONER TO A PATIENT AT A DIFFERENT PHYSICAL LOCATION
2 THAN THE HEALTH CARE PRACTITIONER.

3 (2) "TELEHEALTH" INCLUDES SYNCHRONOUS AND ASYNCHRONOUS
4 INTERACTIONS.

5 (3) "TELEHEALTH" DOES NOT INCLUDE THE PROVISION OF HEALTH
6 CARE SERVICES SOLELY THROUGH AUDIO-ONLY CALLS, E-MAIL MESSAGES, OR
7 FACSIMILE TRANSMISSIONS.

8 1-1002.

9 A HEALTH CARE PRACTITIONER MAY ESTABLISH A PRACTITIONER-PATIENT
10 RELATIONSHIP THROUGH EITHER A SYNCHRONOUS TELEHEALTH INTERACTION OR
11 AN ASYNCHRONOUS TELEHEALTH INTERACTION, IF THE HEALTH CARE
12 PRACTITIONER:

13 (1) VERIFIES THE IDENTITY OF THE PATIENT RECEIVING HEALTH
14 CARE SERVICES THROUGH TELEHEALTH;

15 (2) DISCLOSES TO THE PATIENT THE HEALTH CARE PRACTITIONER'S
16 NAME, CONTACT INFORMATION, AND THE TYPE OF HEALTH OCCUPATION LICENSE
17 HELD BY THE HEALTH CARE PRACTITIONER; AND

18 (3) OBTAINS ORAL OR WRITTEN CONSENT FROM THE PATIENT OR
19 FROM THE PATIENT'S PARENT OR GUARDIAN IF STATE LAW REQUIRES THE CONSENT
20 OF A PARENT OR GUARDIAN.

21 1-1003.

22 (A) A HEALTH CARE PRACTITIONER PROVIDING TELEHEALTH SERVICES
23 SHALL ~~BE~~;

24 (1) BE HELD TO THE SAME STANDARDS OF PRACTICE THAT ARE
25 APPLICABLE TO IN-PERSON HEALTH CARE SETTINGS; AND

26 (2) IF CLINICALLY APPROPRIATE FOR THE PATIENT, PROVIDE OR
27 REFER A PATIENT TO IN-PERSON HEALTH CARE SERVICES OR ANOTHER TYPE OF
28 TELEHEALTH SERVICE.

29 (B) (1) A HEALTH CARE PRACTITIONER SHALL PERFORM A CLINICAL
30 EVALUATION THAT IS APPROPRIATE FOR THE PATIENT AND THE CONDITION WITH
31 WHICH THE PATIENT PRESENTS BEFORE PROVIDING TREATMENT OR ISSUING A
32 PRESCRIPTION THROUGH TELEHEALTH.

(2) A HEALTH CARE PRACTITIONER MAY USE A SYNCHRONOUS TELEHEALTH INTERACTION OR AN ASYNCHRONOUS TELEHEALTH INTERACTION TO PERFORM THE CLINICAL EVALUATION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

~~(C) (1) A HEALTH CARE PRACTITIONER MAY NOT PRESCRIBE A CONTROLLED DANGEROUS SUBSTANCE, AS DEFINED IN § 5-101 OF THE CRIMINAL LAW ARTICLE, THROUGH TELEHEALTH, UNLESS A DECLARED STATE OF EMERGENCY IS IN EFFECT.~~

(C) (1) A HEALTH CARE PRACTITIONER MAY NOT PRESCRIBE AN OPIATE DESCRIBED IN THE LIST OF SCHEDULE II SUBSTANCES UNDER § 5-403 OF THE CRIMINAL LAW ARTICLE FOR THE TREATMENT OF PAIN THROUGH TELEHEALTH, UNLESS:

(I) THE INDIVIDUAL RECEIVING THE PRESCRIPTION IS A PATIENT IN A HEALTH CARE FACILITY, AS DEFINED IN § 19-114 OF THE HEALTH - GENERAL ARTICLE; OR

(II) THE GOVERNOR HAS DECLARED A STATE OF EMERGENCY DUE TO A CATASTROPHIC HEALTH EMERGENCY.

~~(2) IF A DECLARED STATE OF EMERGENCY IS IN EFFECT SUBJECT TO PARAGRAPH (1) OF THIS SUBSECTION, A HEALTH CARE PRACTITIONER WHO THROUGH TELEHEALTH PRESCRIBES A CONTROLLED DANGEROUS SUBSTANCE, AS DEFINED IN § 5-101 OF THE CRIMINAL LAW ARTICLE, IS SUBJECT TO ANY APPLICABLE REGULATION, LIMITATION, AND PROHIBITION IN FEDERAL AND STATE LAW RELATING TO THE PRESCRIPTION OF CONTROLLED DANGEROUS SUBSTANCES.~~

1-1004.

(A) A HEALTH CARE PRACTITIONER SHALL DOCUMENT IN A PATIENT'S MEDICAL RECORD THE HEALTH CARE SERVICES PROVIDED THROUGH TELEHEALTH TO THE PATIENT ACCORDING TO THE SAME DOCUMENTATION STANDARDS USED FOR IN-PERSON HEALTH CARE SERVICES.

(B) ALL LAWS REGARDING THE CONFIDENTIALITY OF HEALTH INFORMATION AND A PATIENT'S RIGHT TO THE PATIENT'S HEALTH INFORMATION APPLY TO TELEHEALTH INTERACTIONS IN THE SAME MANNER AS THE LAWS APPLY TO IN-PERSON HEALTH CARE INTERACTIONS.

1-1005.

1 A HEALTH CARE PRACTITIONER PROVIDING HEALTH CARE SERVICES
2 THROUGH TELEHEALTH MUST BE LICENSED, CERTIFIED, OR OTHERWISE
3 AUTHORIZED BY LAW TO PROVIDE HEALTH CARE SERVICES IN THE STATE IF THE
4 HEALTH CARE SERVICES ARE BEING PROVIDED TO A PATIENT LOCATED IN THE
5 STATE.

6 1-1006.

7 (A) A HEALTH OCCUPATIONS BOARD MAY ADOPT REGULATIONS TO
8 IMPLEMENT THIS SUBTITLE.

9 (B) REGULATIONS ADOPTED BY A HEALTH OCCUPATIONS BOARD UNDER
10 SUBSECTION (A) OF THIS SECTION:

11 (1) MAY NOT ESTABLISH A SEPARATE STANDARD OF CARE FOR
12 TELEHEALTH; AND

13 (2) SHALL ALLOW FOR THE ESTABLISHMENT OF A
14 PRACTITIONER-PATIENT RELATIONSHIP THROUGH A SYNCHRONOUS TELEHEALTH
15 INTERACTION OR AN ASYNCHRONOUS TELEHEALTH INTERACTION PROVIDED BY A
16 HEALTH CARE PRACTITIONER WHO IS COMPLYING WITH THE HEALTH CARE
17 PRACTITIONER'S STANDARD OF CARE.

18 SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General
19 Assembly that the Governor shall develop and implement a plan to facilitate the joining of
20 the State with adjacent states and jurisdictions in interstate compacts regulating health
21 care practitioners for the purpose of improving patient access to health care practitioners
22 in State communities experiencing a health care practitioner shortage.

23 SECTION 2. 3. AND BE IT FURTHER ENACTED, That this Act ~~shall take effect~~
24 July 1, 2020 is an emergency measure, is necessary for the immediate preservation of the
25 public health or safety, has been passed by a yea and nay vote supported by three-fifths of
26 all the members elected to each of the two Houses of the General Assembly, and shall take
27 effect from the date it is enacted.

ATTACHMENT 4

PSYPACT Advancing the Interjurisdictional Practice of Psychology

Purpose

- Allows for Telepsychological Communications from providers to patients in separate states.
- Allows for up to 30 days of In-Person Face-to-Face Practice
- Recognizes that states have vested interest in protection public health and safety and through this compact and regulation will afford the best available protection.
- Only applies to person not holding licenses in both home and receiving jurisdictions
- Compact does not apply to permanent In-Person Face-to-Face practice

Article II

Definitions

This article is used to define the terms as used throughout the compact. This was done in an effort to alleviate confusion on the part of the states and practitioners.

Article III

Home State Licensure

This article denotes what home state licensure means and further requirements to provide services through the compact.

This section defines the Home state. "Home state in which a psychologist is licensed shall be a compact state where a psychologist is licensed to practice psychology." To provide the services allowed by this compact the professional must hold a license in a compact state.

Section E. Allows for practice to the receiving jurisdiction to practice telepsychology only if the state requires:

- That the psychologist holds an active E. Passport
- Has a mechanism in place for receiving and investigating complaints about licensed individuals.
- Notifies the commission, in compliance with the terms herein, of any adverse action or significant investigatory information regarding a licensed individual.
- Requires an identity history summary of all applicants at initial licensure.
- Complies with the bylaws and rules of the commission.

Section F. Allows for temporary face-to-face practice in a distant state if requires:

- That the psychologist holds active Interjurisdictional Practice Certificate (IPC).
- Has a mechanism in place for receiving and investigating complaints about licensed individuals.
- Notifies the commission, in compliance with the terms herein, of any adverse action or significant investigatory information regarding a licensed individual.
- Requires an identity history summary of all applicants at initial licensure.
- Complies with the bylaws and rules of the commission.

Article IV

Compact Privilege to Practice Telepsychology

This section lays out the requirements of education and training to provide services through the Compact.

This section allows for the practice of telepsychology in a “receiving state” in which the psychologist is not licensed. Only if the psychologist:

- Holds a graduate degree in psychology from an institute of higher education that was at the time the degree was awarded;
 - Regionally accredited by an accrediting body recognized by the US Department of Education to grant graduate degrees or authorize by provincial statute or royal charter to grant doctoral degrees.
 - A foreign college or university deemed to be equivalent by a foreign credential evaluation service that is a member of the NACES or by a recognize foreign credential evaluation.
- Hold a graduate degree in psychology that meets designated criteria
- Possess current, full and unrestricted license to practice psychology in a home state which is a compact state
- Have no history of adverse action that violate the rules of the commission
- Have no criminal record history that violates the rules of the commission
- Possess a current and active E. Passport
- Provide attestations regarding areas of intended practice, conformity with standards of practice, competence in telepsychology technology, criminal background and knowledge and adherence to legal requirements in the home and receiving states, and provide a release of information to allow for primary source verification in a manner specified by the Commission; and
- Meet other criteria as defined by the rules of the Commission.

This section also requires a psychologist practicing under the compact must practice within the areas of competencies and is subject to the scope of practice of the receiving state.

A receiving state may, in accordance with that state’s due process law, limit or revoke a psychologist’s authority to practice interjurisdictional telepsychology in the receiving state and may take any other necessary actions under the receiving state’s applicable law to protect the health and safety of the receiving state’s citizens. If a receiving state takes action, the state shall promptly notify the home state and the Commission.

If a psychologist’s license in any home state or another compact state or any authority to practice interjurisdictional telepsychology in any receiving state is restricted, suspended or otherwise limited, the E. Passport shall be revoked and therefore the psychologist shall not be eligible to practice telepsychology in a compact state under the authority to practice interjurisdictional telepsychology.

Article V

Compact Temporary Authorization to Practice

By accepting the compact the jurisdiction will allow for temporary face-to-face practice.

The education requirements are like those listed in Article IV with the substitution of a psychologist to be required to hold an Interjurisdictional Practice Certificate (IPC) instead of the E. Passport. The other components are similar to those in Article IV.

Article VI

Condition of Telepsychological Practice in a Receiving State.

A psychologist must practice interjurisdictional telepsychology in accordance with the scope of practice of the receiving jurisdiction and within the rules of the commission, as well as;

- The psychologist initiates a client/patient contact in home state via telecommunications technologies with a client/patient in a receiving state or

- other condition regarding telepsychology as determined by rule promulgated by the commission.

Article VII

Adverse Actions

This section covers how the compact, home and receiving states will conduct and report adverse actions. As well as the consequences for a psychologist who receives adverse actions.

- The home state may take adverse actions against a psychologist license. A receiving state may take adverse action on a psychologist authority to practice interjurisdictional telepsychology and temporary authorization to practice within that receiving state.
- If home state does take adverse action a psychologist's authority to practice interjurisdictional telepsychology is terminated and the E. Passport is revoked. In addition, that psychologist's temporary practice is terminated, and the IPC is revoked.
 - All adverse actions taken should be reported to the Commission. In accordance to the rules of the Commission.
 - If Discipline is reported against a psychologist, the psychologist will not be eligible for telepsychology or temporary practice in accordance with the rules of the Commission.
 - Other actions may be imposed as determined by the rules promulgated by the commission.
- A home state's psychology regulatory authority shall investigate and take appropriate action with respect to reported inappropriate conduct engaged in by a licensee which occurred in a receiving state as it would if such conduct had occurred by a licensee within the home state. In such cases, the home state's law shall control in determining any adverse action against a psychologist's license.
- A license revoked, surrendered in lieu of discipline or suspended following investigation of all services granted through the compact would be terminated.
- Nothing in the compact will override a compact state's decision that a psychologist's participation in an alternative program may be used in lieu of adverse action and that such participation shall remain non-public if required by the compact state's law. The psychologist must cease providing services while in an alternative program.

Article VIII

Additional Authorities Invested in a Compact State's Psychology Regulatory Authority.

This section provides all compact states the right to maintain their psychology regulatory authority.

- Issue Subpoenas, for both hearings and investigations.
- Issue Cease and Desists and injunctive relief orders to revoke a psychologist's authority to practice interjurisdictional telepsychology or through temporary authorization.

It also states if an investigation is taking place, a psychologist may not change their home state status. The conclusion of all investigations should be reported to the Commission. All information provided to the commission or distributed by compact states pursuant to the psychologist shall remain confidential, filed under seal and used for investigatory or disciplinary matters. The commission may create additional rules for mandated discretionary sharing of information by compact states.

Article IX

Coordinated Licensure Information System

This section denotes the requirement of sharing licensee information for all compact states. Notwithstanding any other provision of state law to the contrary, a compact state shall submit a uniform dataset to the Coordinated Database on all

psychologists to whom this compact is applicable as required by the rules of the commission. This database will allow for the expedited sharing of adverse action against compact psychologists. The coordinated database information will be expunged by the law of the reporting compact state.

Article X

Establishment of the Psychology Interjurisdictional Compact Commission

This section establishes the ruling commission of the compact. The compact is not a waiver of sovereign immunity.

- The commission shall consist of one voting representative appointed by each compact state who shall serve as that state's commissioner. Appointed by each states regulatory Board.
- Vacancies of Commissioners must be filled in accordance of the laws of the compact state.
- Each commissioner is granted (1) vote in regard to creation of rules and bylaws and shall otherwise have the opportunity to participate in the business and affairs of the Commission.

Article XI

Rulemaking

This section lays out the requirements for rules made to the current compact once accepted by the first 7 states.

Article XII

Oversight, Dispute Resolution and Enforcement

This section details the oversight and enforcement of the compact by accepting states.

Article XIII

Date of Implementation of Psychology Interjurisdictional Compact Commission and Associated Rules, Withdrawal and Amendment

The compact becomes effective on the date of enactment in the seventh compact state.

States that join after the adoption of the rules shall be subject to the rules as they exist on the date which the compact becomes law in that state.

Article XIV

Construction and Severability

This compact shall be liberally construed so as to effectuate the purposes thereof. If this Compact shall be held contrary to the constitution of any state member thereto, the compact shall remain in full force and effect as to the remaining compact states.

ATTACHMENT 5

1 AUTHORIZATION TO PRACTICE IN THE DISTANT STATE AND MAY TAKE ANY OTHER
2 NECESSARY ACTIONS UNDER THE DISTANT STATE'S APPLICABLE LAW TO PROTECT
3 THE HEALTH AND SAFETY OF THE DISTANT STATE'S CITIZENS. IF A DISTANT STATE
4 TAKES ACTION, THE STATE SHALL PROMPTLY NOTIFY THE HOME STATE AND THE
5 COMMISSION.

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

12 ARTICLE VI.

13 CONDITIONS OF TELEPSYCHOLOGY PRACTICE IN A RECEIVING STATE.

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

19 (1) THE PSYCHOLOGIST INITIATES A CLIENT/PATIENT CONTACT IN A
20 HOME STATE VIA A TELECOMMUNICATIONS TECHNOLOGY WITH A CLIENT/PATIENT
21 IN A RECEIVING STATE; AND

22 (2) OTHER CONDITIONS REGARDING TELEPSYCHOLOGY AS
23 DETERMINED BY RULES PROMULGATED BY THE COMMISSION.

24 ARTICLE VII.

25 ADVERSE ACTIONS.

26 (A) A HOME STATE SHALL HAVE THE POWER TO IMPOSE ADVERSE ACTION
27 AGAINST A PSYCHOLOGIST'S LICENSE ISSUED BY THE HOME STATE. A DISTANT
28 STATE SHALL HAVE THE POWER TO TAKE ADVERSE ACTION ON A PSYCHOLOGIST'S
29 TEMPORARY AUTHORIZATION TO PRACTICE WITHIN THAT DISTANT STATE.

30 (B) A RECEIVING STATE MAY TAKE ADVERSE ACTION ON A PSYCHOLOGIST'S
31 AUTHORITY TO PRACTICE INTERJURISDICTIONAL TELEPSYCHOLOGY WITHIN THAT
32 RECEIVING STATE. A HOME STATE MAY TAKE ADVERSE ACTION AGAINST A
33 PSYCHOLOGIST BASED ON AN ADVERSE ACTION TAKEN BY A DISTANT STATE

1 REGARDING TEMPORARY IN-PERSON, FACE-TO-FACE PRACTICE.

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

7 (2) ALL HOME STATE DISCIPLINARY ORDERS THAT IMPOSE ADVERSE
8 ACTION SHALL BE REPORTED TO THE COMMISSION IN ACCORDANCE WITH THE
9 RULES PROMULGATED BY THE COMMISSION. A COMPACT STATE SHALL REPORT
10 ADVERSE ACTIONS IN ACCORDANCE WITH THE RULES OF THE COMMISSION.

11 (3) IN THE EVENT DISCIPLINE IS REPORTED ON A PSYCHOLOGIST,
12 THE PSYCHOLOGIST WILL NOT BE ELIGIBLE FOR TELEPSYCHOLOGY OR TEMPORARY
13 IN-PERSON, FACE-TO-FACE PRACTICE IN ACCORDANCE WITH THE RULES OF THE
14 COMMISSION.

15 (4) OTHER ACTIONS MAY BE IMPOSED AS DETERMINED BY THE RULES
16 PROMULGATED BY THE COMMISSION.

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

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

31 (F) NOTHING IN THIS COMPACT SHALL OVERRIDE A COMPACT STATE'S
32 DECISION THAT A PSYCHOLOGIST'S PARTICIPATION IN AN ALTERNATIVE PROGRAM
33 MAY BE USED IN LIEU OF ADVERSE ACTION AND THAT SUCH PARTICIPATION SHALL
34 REMAIN NON-PUBLIC IF REQUIRED BY THE COMPACT STATE'S LAW. COMPACT
35 STATES MUST REQUIRE PSYCHOLOGISTS WHO ENTER ANY ALTERNATIVE PROGRAMS
36 TO NOT PROVIDE TELEPSYCHOLOGY SERVICES UNDER THE AUTHORITY TO

1 PRACTICE INTERJURISDICTIONAL TELEPSYCHOLOGY OR PROVIDE TEMPORARY
2 PSYCHOLOGICAL SERVICES UNDER THE TEMPORARY AUTHORIZATION TO PRACTICE
3 IN ANY OTHER COMPACT STATE DURING THE TERM OF THE ALTERNATIVE PROGRAM.

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

7 ARTICLE VIII.

8 ADDITIONAL AUTHORITIES INVESTED IN A COMPACT STATE'S PSYCHOLOGY
9 REGULATORY AUTHORITY.

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

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

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

27 (B) DURING THE COURSE OF ANY INVESTIGATION, A PSYCHOLOGIST MAY
28 NOT CHANGE HIS/HER HOME STATE LICENSURE. A HOME STATE PSYCHOLOGY
29 REGULATORY AUTHORITY IS AUTHORIZED TO COMPLETE ANY PENDING
30 INVESTIGATIONS OF A PSYCHOLOGIST AND TO TAKE ANY ACTIONS APPROPRIATE
31 UNDER ITS LAW. THE HOME STATE PSYCHOLOGY REGULATORY AUTHORITY SHALL
32 PROMPTLY REPORT THE CONCLUSIONS OF SUCH INVESTIGATIONS TO THE
33 COMMISSION. ONCE AN INVESTIGATION HAS BEEN COMPLETED, AND PENDING THE
34 OUTCOME OF SAID INVESTIGATION, THE PSYCHOLOGIST MAY CHANGE HIS/HER
35 HOME STATE LICENSURE. THE COMMISSION SHALL PROMPTLY NOTIFY THE NEW
36 HOME STATE OF ANY SUCH DECISIONS AS PROVIDED IN THE RULES OF THE

ATTACHMENT 6

PSYPACT AND DISCIPLINE:

Understanding the Role Each State Plays

TELEPSYCHOLOGY

PSYPACT requires that a psychologist obtain an **AUTHORITY TO PRACTICE INTERJURISDICTIONAL TELEPSYCHOLOGY (APT)**. Psychologists can then practice telepsychology into a:

AND

One of the main purposes of PSYPACT is provide states with a regulatory mechanism designed to address disciplinary issues that occur across state lines in other compact states. PSYPACT specifies the role each state plays concerning disciplinary issues related to the practice of telepsychology and temporary in-person, face-to-face practice across state lines in PSYPACT states.

TEMPORARY PRACTICE

PSYPACT requires that a psychologist obtain a **TEMPORARY AUTHORIZATION TO PRACTICE (TAP)**. Psychologists can then practice temporarily into a:

RECEIVING STATE

As a requirement of the APT, a psychologist must obtain an E.Passport Certificate to practice telepsychology into a **RECEIVING STATE**.

A psychologist is subject to the **RECEIVING STATES** scope of practice.

A **RECEIVING STATE** can limit or revoke a psychologist's Authority to Practice Interjurisdictional Telepsychology.

If a **RECEIVING STATE** takes action, it will notify the **HOME STATE** and the PSYPACT Commission.

A **HOME STATE** will investigate and take appropriate action on reported inappropriate conduct in a **RECEIVING STATE** as it would if such conduct had occurred within the **HOME STATE**.

A **HOME STATES** law will control in determining any adverse action against a psychologist's license.

HOME STATE

A psychologist must hold a current, full and unrestricted license to practice psychology in a **HOME STATE**, which has enacted PSYPACT.

A **HOME STATE** maintains authority over the license of any psychologist practicing under the authority of PSYPACT.

A **HOME STATE** can impose adverse action against a psychologist's license issued by the **HOME STATE**.

All **HOME STATE** disciplinary orders which impose adverse action are reported to the PSYPACT Commission.

DISTANT STATE

As a requirement of TAP, a psychologist must obtain an Interjurisdictional Practice Certificate (IPC) to conduct temporary practice in a **DISTANT STATE**.

A psychologist must practice within the scope of practice of the **DISTANT STATE** and is subject to the **DISTANT STATES** authority and law.

A **DISTANT STATE** can limit, revoke or take adverse action on a psychologist's Temporary Authorization to Practice.

If a **DISTANT STATE** takes action, it will notify the **HOME STATE** and the PSYPACT Commission.

A **DISTANT STATE** will investigate and take appropriate action on reported inappropriate conduct which occurred in that **DISTANT STATE** as it would if such conduct had occurred within the **HOME STATE**.

A **DISTANT STATES** law will control in determining any adverse action against a psychologist's Temporary Authorization to Practice.

If a psychologist's license in any **HOME STATE**, another **COMPACT STATE**, or Authority to Practice Interjurisdictional Telepsychology in any **RECEIVING STATE**, is restricted, suspended or otherwise limited, the E.Passport will also be revoked, and the psychologist will not be eligible to practice telepsychology in a **COMPACT STATE** under the Authority to Practice Interjurisdictional Telepsychology.

If a psychologist's license in any **HOME STATE**, another **COMPACT STATE**, or Temporary Authorization to Practice in any **DISTANT STATE**, is restricted, suspended or otherwise limited, the IPC will also be revoked, and the psychologist will not be eligible to practice in a **COMPACT STATE** under the Temporary Authorization to Practice.

ATTACHMENT 7

1 AUTHORIZATION TO PRACTICE IN THE DISTANT STATE AND MAY TAKE ANY OTHER
2 NECESSARY ACTIONS UNDER THE DISTANT STATE'S APPLICABLE LAW TO PROTECT
3 THE HEALTH AND SAFETY OF THE DISTANT STATE'S CITIZENS. IF A DISTANT STATE
4 TAKES ACTION, THE STATE SHALL PROMPTLY NOTIFY THE HOME STATE AND THE
5 COMMISSION.

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

12 ARTICLE VI.

13 CONDITIONS OF TELEPSYCHOLOGY PRACTICE IN A RECEIVING STATE.

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

19 (1) THE PSYCHOLOGIST INITIATES A CLIENT/PATIENT CONTACT IN A
20 HOME STATE VIA A TELECOMMUNICATIONS TECHNOLOGY WITH A CLIENT/PATIENT
21 IN A RECEIVING STATE; AND

22 (2) OTHER CONDITIONS REGARDING TELEPSYCHOLOGY AS
23 DETERMINED BY RULES PROMULGATED BY THE COMMISSION.

24 ARTICLE VII.

25 ADVERSE ACTIONS.

26 (A) A HOME STATE SHALL HAVE THE POWER TO IMPOSE ADVERSE ACTION
27 AGAINST A PSYCHOLOGIST'S LICENSE ISSUED BY THE HOME STATE. A DISTANT
28 STATE SHALL HAVE THE POWER TO TAKE ADVERSE ACTION ON A PSYCHOLOGIST'S
29 TEMPORARY AUTHORIZATION TO PRACTICE WITHIN THAT DISTANT STATE.

30 (B) A RECEIVING STATE MAY TAKE ADVERSE ACTION ON A PSYCHOLOGIST'S
31 AUTHORITY TO PRACTICE INTERJURISDICTIONAL TELEPSYCHOLOGY WITHIN THAT
32 RECEIVING STATE. A HOME STATE MAY TAKE ADVERSE ACTION AGAINST A
33 PSYCHOLOGIST BASED ON AN ADVERSE ACTION TAKEN BY A DISTANT STATE

1 **REGARDING TEMPORARY IN-PERSON, FACE-TO-FACE PRACTICE.**

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

7 (2) ALL HOME STATE DISCIPLINARY ORDERS THAT IMPOSE ADVERSE
8 ACTION SHALL BE REPORTED TO THE COMMISSION IN ACCORDANCE WITH THE
9 RULES PROMULGATED BY THE COMMISSION. A COMPACT STATE SHALL REPORT
10 ADVERSE ACTIONS IN ACCORDANCE WITH THE RULES OF THE COMMISSION.

11 (3) IN THE EVENT DISCIPLINE IS REPORTED ON A PSYCHOLOGIST,
12 THE PSYCHOLOGIST WILL NOT BE ELIGIBLE FOR TELEPSYCHOLOGY OR TEMPORARY
13 IN-PERSON, FACE-TO-FACE PRACTICE IN ACCORDANCE WITH THE RULES OF THE
14 COMMISSION.

15 (4) OTHER ACTIONS MAY BE IMPOSED AS DETERMINED BY THE RULES
16 PROMULGATED BY THE COMMISSION.

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

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

31 (F) NOTHING IN THIS COMPACT SHALL OVERRIDE A COMPACT STATE'S
32 DECISION THAT A PSYCHOLOGIST'S PARTICIPATION IN AN ALTERNATIVE PROGRAM
33 MAY BE USED IN LIEU OF ADVERSE ACTION AND THAT SUCH PARTICIPATION SHALL
34 REMAIN NON-PUBLIC IF REQUIRED BY THE COMPACT STATE'S LAW. COMPACT
35 STATES MUST REQUIRE PSYCHOLOGISTS WHO ENTER ANY ALTERNATIVE PROGRAMS
36 TO NOT PROVIDE TELEPSYCHOLOGY SERVICES UNDER THE AUTHORITY TO