

# HOUSE BILL 970

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EMERGENCY BILL

11r1977  
CF SB 500

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By: **Delegate Johnson**

Introduced and read first time: February 5, 2021

Assigned to: Health and Government Operations

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 5, 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

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

11 BY adding to  
 12 Article – Health Occupations  
 13 Section 18–3A–01 to be under the new subtitle “Subtitle 3A. Psychology  
 14 Interjurisdictional Compact”  
 15 Annotated Code of Maryland  
 16 (2014 Replacement Volume and 2020 Supplement)

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

19 **Article – Health Occupations**

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

21 **18–3A–01.**

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

25 **ARTICLE I.**

26 **PURPOSE.**

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

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

31 **(2) STATES HAVE A VESTED INTEREST IN PROTECTING THE PUBLIC’S**  
 32 **HEALTH AND SAFETY THROUGH THEIR LICENSING AND REGULATION OF**  
 33 **PSYCHOLOGISTS AND THAT SUCH STATE REGULATION WILL BEST PROTECT PUBLIC**  
 34 **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**  
33 **PSYCHOLOGICAL PRACTICE IN EACH COMPACT STATE; AND**



1 STORING, AND SHARING INFORMATION ON PSYCHOLOGISTS' LICENSURE AND  
2 ENFORCEMENT ACTIVITIES RELATED TO PSYCHOLOGY LICENSURE LAWS THAT IS  
3 ADMINISTERED BY THE RECOGNIZED MEMBERSHIP ORGANIZATION COMPOSED OF  
4 STATE AND PROVINCIAL PSYCHOLOGY REGULATORY AUTHORITIES.

5 (I) "CONFIDENTIALITY" MEANS THE PRINCIPLE THAT DATA OR  
6 INFORMATION IS NOT MADE AVAILABLE OR DISCLOSED TO UNAUTHORIZED  
7 PERSONS AND/OR PROCESSES.

8 (J) "DAY" MEANS ANY PART OF A DAY IN WHICH PSYCHOLOGICAL WORK IS  
9 PERFORMED.

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

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

19 (M) "EXECUTIVE BOARD" MEANS A GROUP OF DIRECTORS ELECTED OR  
20 APPOINTED TO ACT ON BEHALF OF, AND WITHIN THE POWERS GRANTED TO THEM  
21 BY, THE COMMISSION.

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

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

35 (P) "IN-PERSON, FACE-TO-FACE" MEANS INTERACTIONS IN WHICH THE  
36 PSYCHOLOGIST AND THE CLIENT/PATIENT ARE IN THE SAME PHYSICAL SPACE AND

1 THAT DO NOT INCLUDE INTERACTIONS THAT MAY OCCUR THROUGH THE USE OF  
2 TELECOMMUNICATION TECHNOLOGIES.

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

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

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

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

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

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

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

28 (X) "SIGNIFICANT INVESTIGATORY INFORMATION" MEANS:

29 (1) INVESTIGATIVE INFORMATION THAT A STATE PSYCHOLOGY  
30 REGULATORY AUTHORITY, AFTER A PRELIMINARY INQUIRY THAT INCLUDES  
31 NOTIFICATION AND AN OPPORTUNITY TO RESPOND IF REQUIRED BY STATE LAW, HAS  
32 REASON TO BELIEVE, IF PROVEN TRUE, WOULD INDICATE MORE THAN A VIOLATION  
33 OF STATE STATUTE OR ETHICS CODE THAT WOULD BE CONSIDERED MORE  
34 SUBSTANTIAL THAN MINOR INFRACTION; OR



1 AUTHORIZED BY THE AUTHORITY TO PRACTICE INTERJURISDICTIONAL  
2 TELEPSYCHOLOGY UNDER THE TERMS OF THIS COMPACT.

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

7 (E) A HOME STATE'S LICENSE AUTHORIZES A PSYCHOLOGIST TO PRACTICE  
8 IN A RECEIVING STATE UNDER THE AUTHORITY TO PRACTICE  
9 INTERJURISDICTIONAL TELEPSYCHOLOGY ONLY IF THE COMPACT STATE:

10 (1) CURRENTLY REQUIRES THE PSYCHOLOGIST TO HOLD AN ACTIVE  
11 E.PASSPORT;

12 (2) HAS A MECHANISM IN PLACE FOR RECEIVING AND  
13 INVESTIGATING COMPLAINTS ABOUT LICENSED INDIVIDUALS;

14 (3) NOTIFIES THE COMMISSION, IN COMPLIANCE WITH THE TERMS  
15 HEREIN, OF ANY ADVERSE ACTION OR SIGNIFICANT INVESTIGATORY INFORMATION  
16 REGARDING A LICENSED INDIVIDUAL;

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

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

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

25 (1) CURRENTLY REQUIRES THE PSYCHOLOGIST TO HOLD AN ACTIVE  
26 IPC;

27 (2) HAS A MECHANISM IN PLACE FOR RECEIVING AND  
28 INVESTIGATING COMPLAINTS ABOUT LICENSED INDIVIDUALS;

29 (3) NOTIFIES THE COMMISSION, IN COMPLIANCE WITH THE TERMS  
30 HEREIN, OF ANY ADVERSE ACTION OR SIGNIFICANT INVESTIGATORY INFORMATION  
31 REGARDING A LICENSED INDIVIDUAL;





1 CATALOGUES AND BROCHURES ITS INTENT TO EDUCATE AND TRAIN PROFESSIONAL  
2 PSYCHOLOGISTS;

3 (II) THE PSYCHOLOGY PROGRAM MUST STAND AS A  
4 RECOGNIZABLE, COHERENT, ORGANIZATIONAL ENTITY WITHIN THE INSTITUTION;

5 (III) THERE MUST BE A CLEAR AUTHORITY AND PRIMARY  
6 RESPONSIBILITY FOR THE CORE AND SPECIALTY AREAS WHETHER OR NOT THE  
7 PROGRAM CUTS ACROSS ADMINISTRATIVE LINES;

8 (IV) THE PROGRAM MUST CONSIST OF AN INTEGRATED,  
9 ORGANIZED SEQUENCE OF STUDY;

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

12 (VI) THE DESIGNATED DIRECTOR OF THE PROGRAM MUST BE A  
13 PSYCHOLOGIST AND A MEMBER OF THE CORE FACULTY;

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

16 (VIII) THE PROGRAM MUST INCLUDE SUPERVISED PRACTICUM,  
17 INTERNSHIP, OR FIELD TRAINING APPROPRIATE TO THE PRACTICE OF  
18 PSYCHOLOGY;

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

23 (X) THE PROGRAM INCLUDES AN ACCEPTABLE RESIDENCY AS  
24 DEFINED BY THE RULES OF THE COMMISSION;

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

27 (4) HAVE NO HISTORY OF ADVERSE ACTION THAT VIOLATES THE  
28 RULES OF THE COMMISSION;

29 (5) HAVE NO CRIMINAL RECORD HISTORY REPORTED ON AN  
30 IDENTITY HISTORY SUMMARY THAT VIOLATES THE RULES OF THE COMMISSION;

31 (6) POSSESS A CURRENT, ACTIVE E.PASSPORT;



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

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

6           **(I) REGIONALLY ACCREDITED BY AN ACCREDITING BODY**  
7 **RECOGNIZED BY THE UNITED STATES DEPARTMENT OF EDUCATION TO GRANT**  
8 **GRADUATE DEGREES, OR AUTHORIZED BY PROVINCIAL STATUTE OR ROYAL**  
9 **CHARTER TO GRANT DOCTORAL DEGREES; OR**

10           **(II) A FOREIGN COLLEGE OR UNIVERSITY DEEMED TO BE**  
11 **EQUIVALENT TO ITEM (1)(I) OF THIS PARAGRAPH BY A FOREIGN CREDENTIAL**  
12 **EVALUATION SERVICE THAT IS A MEMBER OF THE NATIONAL ASSOCIATION OF**  
13 **CREDENTIAL EVALUATION SERVICES (NACES) OR BY A RECOGNIZED FOREIGN**  
14 **CREDENTIAL EVALUATION SERVICE;**

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

17           **(I) THE PROGRAM, WHEREVER IT MAY BE ADMINISTRATIVELY**  
18 **HOUSED, MUST BE CLEARLY IDENTIFIED AND LABELED AS A PSYCHOLOGY**  
19 **PROGRAM. SUCH A PROGRAM MUST SPECIFY IN PERTINENT INSTITUTIONAL**  
20 **CATALOGUES AND BROCHURES ITS INTENT TO EDUCATE AND TRAIN PROFESSIONAL**  
21 **PSYCHOLOGISTS;**

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

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

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

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

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

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

3           **(VIII) THE PROGRAM MUST INCLUDE SUPERVISED PRACTICUM,**  
4 **INTERNSHIP, OR FIELD TRAINING APPROPRIATE TO THE PRACTICE OF**  
5 **PSYCHOLOGY;**

6           **(IX) THE CURRICULUM SHALL ENCOMPASS A MINIMUM OF**  
7 **THREE ACADEMIC YEARS OF FULL-TIME GRADUATE STUDY FOR DOCTORAL**  
8 **DEGREES AND A MINIMUM OF ONE ACADEMIC YEAR OF FULL-TIME GRADUATE**  
9 **STUDY FOR A MASTER'S DEGREE; AND**

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

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

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

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

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

19           **(7) PROVIDE ATTESTATIONS IN REGARD TO AREAS OF INTENDED**  
20 **PRACTICE AND WORK EXPERIENCE AND PROVIDE A RELEASE OF INFORMATION TO**  
21 **ALLOW FOR PRIMARY SOURCE VERIFICATION IN A MANNER SPECIFIED BY THE**  
22 **COMMISSION; AND**

23           **(8) MEET OTHER CRITERIA AS DEFINED BY THE RULES OF THE**  
24 **COMMISSION.**

25           **(C) A PSYCHOLOGIST PRACTICING INTO A DISTANT STATE UNDER THE**  
26 **TEMPORARY AUTHORIZATION TO PRACTICE SHALL PRACTICE WITHIN THE SCOPE OF**  
27 **PRACTICE AUTHORIZED BY THE DISTANT STATE.**

28           **(D) A PSYCHOLOGIST PRACTICING INTO A DISTANT STATE UNDER THE**  
29 **TEMPORARY AUTHORIZATION TO PRACTICE WILL BE SUBJECT TO THE DISTANT**  
30 **STATE'S AUTHORITY AND LAW. A DISTANT STATE MAY, IN ACCORDANCE WITH THAT**  
31 **STATE'S DUE PROCESS LAW, LIMIT OR REVOKE A PSYCHOLOGIST'S TEMPORARY**  
32 **AUTHORIZATION TO PRACTICE IN THE DISTANT STATE AND MAY TAKE ANY OTHER**  
33 **NECESSARY ACTIONS UNDER THE DISTANT STATE'S APPLICABLE LAW TO PROTECT**

1 THE HEALTH AND SAFETY OF THE DISTANT STATE'S CITIZENS. IF A DISTANT STATE  
2 TAKES ACTION, THE STATE SHALL PROMPTLY NOTIFY THE HOME STATE AND THE  
3 COMMISSION.

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

## 10 ARTICLE VI.

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

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

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

20 (2) OTHER CONDITIONS REGARDING TELEPSYCHOLOGY AS  
21 DETERMINED BY RULES PROMULGATED BY THE COMMISSION.

## 22 ARTICLE VII.

### 23 ADVERSE ACTIONS.

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

28 (B) A RECEIVING STATE MAY TAKE ADVERSE ACTION ON A PSYCHOLOGIST'S  
29 AUTHORITY TO PRACTICE INTERJURISDICTIONAL TELEPSYCHOLOGY WITHIN THAT  
30 RECEIVING STATE. A HOME STATE MAY TAKE ADVERSE ACTION AGAINST A  
31 PSYCHOLOGIST BASED ON AN ADVERSE ACTION TAKEN BY A DISTANT STATE  
32 REGARDING TEMPORARY IN-PERSON, FACE-TO-FACE PRACTICE.

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

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

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

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

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

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

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





1 THE COMMISSION MAY CREATE ADDITIONAL RULES FOR MANDATED OR  
2 DISCRETIONARY SHARING OF INFORMATION BY COMPACT STATES.

3 ARTICLE IX.

4 COORDINATED LICENSURE INFORMATION SYSTEM.

5 (A) THE COMMISSION SHALL PROVIDE FOR THE DEVELOPMENT AND  
6 MAINTENANCE OF A COORDINATED LICENSURE INFORMATION SYSTEM AND  
7 REPORTING SYSTEM CONTAINING LICENSURE AND DISCIPLINARY ACTION  
8 INFORMATION ON ALL LICENSEES TO WHOM THIS COMPACT IS APPLICABLE IN ALL  
9 COMPACT STATES AS DEFINED BY THE RULES OF THE COMMISSION.

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

14 (1) IDENTIFYING INFORMATION;

15 (2) LICENSURE DATA;

16 (3) SIGNIFICANT INVESTIGATORY INFORMATION;

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

18 (5) AN INDICATOR THAT A PSYCHOLOGIST'S AUTHORITY TO  
19 PRACTICE INTERJURISDICTIONAL TELEPSYCHOLOGY AND/OR TEMPORARY  
20 AUTHORIZATION TO PRACTICE IS REVOKED;

21 (6) NON-CONFIDENTIAL INFORMATION RELATED TO ALTERNATIVE  
22 PROGRAM PARTICIPATION INFORMATION;

23 (7) ANY DENIAL OF APPLICATION FOR LICENSURE, AND THE REASONS  
24 FOR SUCH DENIAL; AND

25 (8) OTHER INFORMATION WHICH MAY FACILITATE THE  
26 ADMINISTRATION OF THIS COMPACT, AS DETERMINED BY THE RULES OF THE  
27 COMMISSION.

28 (C) THE COORDINATED DATABASE ADMINISTRATOR SHALL PROMPTLY  
29 NOTIFY ALL COMPACT STATES OF ANY ADVERSE ACTION TAKEN AGAINST, OR  
30 SIGNIFICANT INVESTIGATIVE INFORMATION ON, ANY LICENSEE IN A COMPACT  
31 STATE.



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

3           (2) ANY COMMISSIONER MAY BE REMOVED OR SUSPENDED FROM  
4 OFFICE AS PROVIDED BY THE LAW OF THE STATE FROM WHICH THE COMMISSIONER  
5 IS APPOINTED. ANY VACANCY OCCURRING IN THE COMMISSION SHALL BE FILLED IN  
6 ACCORDANCE WITH THE LAWS OF THE COMPACT STATE IN WHICH THE VACANCY  
7 EXISTS.

8           (3) EACH COMMISSIONER SHALL BE ENTITLED TO ONE VOTE WITH  
9 REGARD TO THE PROMULGATION OF RULES AND CREATION OF BYLAWS AND SHALL  
10 OTHERWISE HAVE AN OPPORTUNITY TO PARTICIPATE IN THE BUSINESS AND  
11 AFFAIRS OF THE COMMISSION. A COMMISSIONER SHALL VOTE IN PERSON OR BY  
12 SUCH OTHER MEANS AS PROVIDED IN THE BYLAWS. THE BYLAWS MAY PROVIDE FOR  
13 COMMISSIONERS' PARTICIPATION IN MEETINGS BY TELEPHONE OR OTHER MEANS  
14 OF COMMUNICATION.

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

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

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

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

25           (II) THE EMPLOYMENT, COMPENSATION, DISCIPLINE OR OTHER  
26 PERSONNEL MATTERS, PRACTICES, OR PROCEDURES RELATED TO SPECIFIC  
27 EMPLOYEES, OR OTHER MATTERS RELATED TO THE COMMISSION'S INTERNAL  
28 PERSONNEL PRACTICE AND PROCEDURES;

29           (III) CURRENT, THREATENED, OR REASONABLY ANTICIPATED  
30 LITIGATION AGAINST THE COMMISSION;

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

1 (V) ACCUSATION AGAINST ANY PERSON OF A CRIME OR  
2 FORMALLY CENSURING ANY PERSON;

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

5 (VII) DISCLOSURE OF INFORMATION OF A PERSONAL NATURE  
6 WHERE DISCLOSURE WOULD CONSTITUTE A CLEARLY UNWARRANTED INVASION OF  
7 PERSONAL PRIVACY;

8 (VIII) DISCLOSURE OF INVESTIGATORY RECORDS COMPILED FOR  
9 LAW ENFORCEMENT PURPOSES;

10 (IX) DISCLOSURE OF INFORMATION RELATED TO ANY  
11 INVESTIGATORY REPORTS PREPARED BY OR ON BEHALF OF OR FOR USE OF THE  
12 COMMISSION OR OTHER COMMITTEE CHARGED WITH RESPONSIBILITY FOR  
13 INVESTIGATION OR DETERMINATION OF COMPLIANCE ISSUES PURSUANT TO THIS  
14 COMPACT; OR

15 (X) MATTERS SPECIFICALLY EXEMPTED FROM DISCLOSURE BY  
16 FEDERAL AND STATE STATUTE.

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

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

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

34 (2) PROVIDING REASONABLE STANDARDS AND PROCEDURES:

1                   **(I) FOR THE ESTABLISHMENT AND MEETINGS OF OTHER**  
2 **COMMITTEES; AND**

3                   **(II) GOVERNING ANY GENERAL OR SPECIFIC DELEGATION OF**  
4 **ANY AUTHORITY OR FUNCTION OF THE COMMISSION;**

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

16                   **(4) ESTABLISHING THE TITLES, DUTIES, AND AUTHORITY AND**  
17 **REASONABLE PROCEDURES FOR THE ELECTION OF THE OFFICERS OF THE**  
18 **COMMISSION;**

19                   **(5) PROVIDING REASONABLE STANDARDS AND PROCEDURES FOR**  
20 **THE ESTABLISHMENT OF THE PERSONNEL POLICIES AND PROGRAMS OF THE**  
21 **COMMISSION. NOTWITHSTANDING ANY CIVIL SERVICE OR OTHER SIMILAR LAW OF**  
22 **ANY COMPACT STATE, THE BYLAWS SHALL EXCLUSIVELY GOVERN THE PERSONNEL**  
23 **POLICIES AND PROGRAMS OF THE COMMISSION;**

24                   **(6) PROMULGATING A CODE OF ETHICS TO ADDRESS PERMISSIBLE**  
25 **AND PROHIBITED ACTIVITIES OF COMMISSION MEMBERS AND EMPLOYEES;**

26                   **(7) PROVIDING A MECHANISM FOR CONCLUDING THE OPERATIONS**  
27 **OF THE COMMISSION AND THE EQUITABLE DISPOSITION OF ANY SURPLUS FUNDS**  
28 **THAT MAY EXIST AFTER THE TERMINATION OF THIS COMPACT AFTER THE PAYMENT**  
29 **AND/OR RESERVING OF ALL OF ITS DEBTS AND OBLIGATIONS;**

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

33                   **(9) MAINTAINING ITS FINANCIAL RECORDS IN ACCORDANCE WITH**  
34 **THE BYLAWS; AND**

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

3           **(D) THE COMMISSION SHALL HAVE THE FOLLOWING POWERS:**

4           **(1) TO PROMULGATE UNIFORM RULES TO FACILITATE AND**  
5 **COORDINATE IMPLEMENTATION AND ADMINISTRATION OF THIS COMPACT. THE**  
6 **RULES SHALL HAVE THE FORCE AND EFFECT OF LAW AND SHALL BE BINDING IN ALL**  
7 **COMPACT STATES;**

8           **(2) TO BRING AND PROSECUTE LEGAL PROCEEDINGS OR ACTIONS IN**  
9 **THE NAME OF THE COMMISSION, PROVIDED THAT THE STANDING OF ANY STATE**  
10 **PSYCHOLOGY REGULATORY AUTHORITY OR OTHER REGULATORY BODY**  
11 **RESPONSIBLE FOR PSYCHOLOGY LICENSURE TO SUE OR BE SUED UNDER**  
12 **APPLICABLE LAW SHALL NOT BE AFFECTED;**

13           **(3) TO PURCHASE AND MAINTAIN INSURANCE AND BONDS;**

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

16           **(5) TO HIRE EMPLOYEES, ELECT OR APPOINT OFFICERS, FIX**  
17 **COMPENSATION, DEFINE DUTIES, GRANT SUCH INDIVIDUALS APPROPRIATE**  
18 **AUTHORITY TO CARRY OUT THE PURPOSES OF THIS COMPACT, AND ESTABLISH THE**  
19 **COMMISSION'S PERSONNEL POLICIES AND PROGRAMS RELATING TO CONFLICTS OF**  
20 **INTEREST, QUALIFICATIONS OF PERSONNEL, AND OTHER RELATED PERSONNEL**  
21 **MATTERS;**

22           **(6) TO ACCEPT ANY AND ALL APPROPRIATE DONATIONS AND GRANTS**  
23 **OF MONEY, EQUIPMENT, SUPPLIES, MATERIALS, AND SERVICES, AND TO RECEIVE,**  
24 **UTILIZE, AND DISPOSE OF THE SAME; PROVIDED THAT AT ALL TIMES THE**  
25 **COMMISSION SHALL STRIVE TO AVOID ANY APPEARANCE OF IMPROPRIETY AND/OR**  
26 **CONFLICT OF INTEREST;**

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

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

33           **(9) TO ESTABLISH A BUDGET AND MAKE EXPENDITURES;**

1           **(10) TO BORROW MONEY;**

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

6           **(12) TO PROVIDE AND RECEIVE INFORMATION FROM, AND TO**  
7 **COOPERATE WITH, LAW ENFORCEMENT AGENCIES;**

8           **(13) TO ADOPT AND USE AN OFFICIAL SEAL; AND**

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

13           **(E) (1) THE ELECTED OFFICERS SHALL SERVE AS THE EXECUTIVE**  
14 **BOARD, WHICH SHALL HAVE THE POWER TO ACT ON BEHALF OF THE COMMISSION**  
15 **ACCORDING TO THE TERMS OF THIS COMPACT.**

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

17                   **(I) FIVE VOTING MEMBERS WHO ARE ELECTED FROM THE**  
18 **CURRENT MEMBERSHIP OF THE COMMISSION BY THE COMMISSION; AND**

19                   **(II) ONE EX-OFFICIO, NONVOTING MEMBER FROM THE**  
20 **RECOGNIZED MEMBERSHIP ORGANIZATION COMPOSED OF ASPPB.**

21           **(3) THE EX-OFFICIO MEMBER MUST HAVE SERVED AS STAFF OR**  
22 **MEMBER ON A STATE PSYCHOLOGY REGULATORY AUTHORITY AND WILL BE**  
23 **SELECTED BY ASPPB.**

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

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

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

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

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

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

4                   **(IV) MAINTAIN FINANCIAL RECORDS ON BEHALF OF THE**  
5 **COMMISSION;**

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

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

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

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

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

16                   **(3) THE COMMISSION MAY LEVY ON AND COLLECT AN ANNUAL**  
17 **ASSESSMENT FROM EACH COMPACT STATE OR IMPOSE FEES ON OTHER PARTIES TO**  
18 **COVER THE COST OF THE OPERATIONS AND ACTIVITIES OF THE COMMISSION AND**  
19 **ITS STAFF WHICH MUST BE IN A TOTAL AMOUNT SUFFICIENT TO COVER ITS ANNUAL**  
20 **BUDGET AS APPROVED EACH YEAR FOR WHICH REVENUE IS NOT PROVIDED BY**  
21 **OTHER SOURCES. THE AGGREGATE ANNUAL ASSESSMENT AMOUNT SHALL BE**  
22 **ALLOCATED BASED UPON A FORMULA TO BE DETERMINED BY THE COMMISSION**  
23 **WHICH SHALL PROMULGATE A RULE BINDING UPON ALL COMPACT STATES.**

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

28                   **(5) THE COMMISSION SHALL KEEP ACCURATE ACCOUNTS OF ALL**  
29 **RECEIPTS AND DISBURSEMENTS. THE RECEIPTS AND DISBURSEMENTS OF THE**  
30 **COMMISSION SHALL BE SUBJECT TO THE AUDIT AND ACCOUNTING PROCEDURES**  
31 **ESTABLISHED UNDER ITS BYLAWS. HOWEVER, ALL RECEIPTS AND DISBURSEMENTS**  
32 **OF FUNDS HANDLED BY THE COMMISSION SHALL BE AUDITED YEARLY BY A**  
33 **CERTIFIED OR LICENSED PUBLIC ACCOUNTANT AND THE REPORT OF THE AUDIT**



1 SHALL BE INCLUDED IN AND BECOME PART OF THE ANNUAL REPORT OF THE  
2 COMMISSION.

3 (G) (1) THE MEMBERS, OFFICERS, EXECUTIVE DIRECTOR, EMPLOYEES,  
4 AND REPRESENTATIVES OF THE COMMISSION SHALL BE IMMUNE FROM SUIT AND  
5 LIABILITY, EITHER PERSONALLY OR IN THEIR OFFICIAL CAPACITY, FOR ANY CLAIM  
6 FOR DAMAGE TO OR LOSS OF PROPERTY OR PERSONAL INJURY OR OTHER CIVIL  
7 LIABILITY CAUSED BY OR ARISING OUT OF ANY ACTUAL OR ALLEGED ACT, ERROR,  
8 OR OMISSION THAT OCCURRED, OR THAT THE PERSON AGAINST WHOM THE CLAIM  
9 IS MADE HAD A REASONABLE BASIS FOR BELIEVING OCCURRED WITHIN THE SCOPE  
10 OF COMMISSION EMPLOYMENT, DUTIES, OR RESPONSIBILITIES; PROVIDED THAT  
11 NOTHING IN THIS PARAGRAPH SHALL BE CONSTRUED TO PROTECT ANY SUCH  
12 PERSON FROM SUIT AND/OR LIABILITY FOR ANY DAMAGE, LOSS, INJURY, OR  
13 LIABILITY CAUSED BY THE INTENTIONAL, WILLFUL, OR WANTON MISCONDUCT OF  
14 THAT PERSON.

15 (2) THE COMMISSION SHALL DEFEND ANY MEMBER, OFFICER,  
16 EXECUTIVE DIRECTOR, EMPLOYEE, OR REPRESENTATIVE OF THE COMMISSION IN  
17 ANY CIVIL ACTION SEEKING TO IMPOSE LIABILITY ARISING OUT OF ANY ACTUAL OR  
18 ALLEGED ACT, ERROR, OR OMISSION THAT OCCURRED WITHIN THE SCOPE OF  
19 COMMISSION EMPLOYMENT, DUTIES, OR RESPONSIBILITIES, OR THAT THE PERSON  
20 AGAINST WHOM THE CLAIM IS MADE HAD A REASONABLE BASIS FOR BELIEVING  
21 OCCURRED WITHIN THE SCOPE OF COMMISSION EMPLOYMENT, DUTIES, OR  
22 RESPONSIBILITIES; PROVIDED THAT NOTHING HEREIN SHALL BE CONSTRUED TO  
23 PROHIBIT THAT PERSON FROM RETAINING HIS OR HER OWN COUNSEL; AND  
24 PROVIDED FURTHER, THAT THE ACTUAL OR ALLEGED ACT, ERROR, OR OMISSION  
25 DID NOT RESULT FROM THAT PERSON'S INTENTIONAL, WILLFUL, OR WANTON  
26 MISCONDUCT.

27 (3) THE COMMISSION SHALL INDEMNIFY AND HOLD HARMLESS ANY  
28 MEMBER, OFFICER, EXECUTIVE DIRECTOR, EMPLOYEE, OR REPRESENTATIVE OF  
29 THE COMMISSION FOR THE AMOUNT OF ANY SETTLEMENT OR JUDGMENT OBTAINED  
30 AGAINST THAT PERSON ARISING OUT OF ANY ACTUAL OR ALLEGED ACT, ERROR, OR  
31 OMISSION THAT OCCURRED WITHIN THE SCOPE OF COMMISSION EMPLOYMENT,  
32 DUTIES, OR RESPONSIBILITIES, OR THAT SUCH PERSON HAD A REASONABLE BASIS  
33 FOR BELIEVING OCCURRED WITHIN THE SCOPE OF COMMISSION EMPLOYMENT,  
34 DUTIES, OR RESPONSIBILITIES; PROVIDED THAT THE ACTUAL OR ALLEGED ACT,  
35 ERROR, OR OMISSION DID NOT RESULT FROM THE INTENTIONAL, WILLFUL, OR  
36 WANTON MISCONDUCT OF THAT PERSON.

37 ARTICLE XI.

38 RULEMAKING.

1           **(A) THE COMMISSION SHALL EXERCISE ITS RULEMAKING POWERS**  
2 **PURSUANT TO THE CRITERIA SET FORTH IN THIS ARTICLE AND THE RULES ADOPTED**  
3 **THEREUNDER. RULES AND AMENDMENTS SHALL BECOME BINDING AS OF THE DATE**  
4 **SPECIFIED IN EACH RULE OR AMENDMENT.**

5           **(B) IF A MAJORITY OF THE LEGISLATURES OF THE COMPACT STATES**  
6 **REJECTS A RULE, BY ENACTMENT OF A STATUTE OR RESOLUTION IN THE SAME**  
7 **MANNER USED TO ADOPT THIS COMPACT, THEN SUCH RULE SHALL HAVE NO**  
8 **FURTHER FORCE AND EFFECT IN ANY COMPACT STATE.**

9           **(C) RULES OR AMENDMENTS TO THE RULES SHALL BE ADOPTED AT A**  
10 **REGULAR OR SPECIAL MEETING OF THE COMMISSION.**

11           **(D) PRIOR TO PROMULGATION AND ADOPTION OF A FINAL RULE OR RULES**  
12 **BY THE COMMISSION, AND AT LEAST 60 DAYS IN ADVANCE OF THE MEETING AT**  
13 **WHICH THE RULE WILL BE CONSIDERED AND VOTED UPON, THE COMMISSION SHALL**  
14 **FILE A NOTICE OF PROPOSED RULEMAKING:**

15                   **(1) ON THE WEBSITE OF THE COMMISSION; AND**

16                   **(2) ON THE WEBSITE OF EACH COMPACT STATE'S PSYCHOLOGY**  
17 **REGULATORY AUTHORITY OR THE PUBLICATION IN WHICH EACH STATE WOULD**  
18 **OTHERWISE PUBLISH PROPOSED RULES.**

19           **(E) THE NOTICE OF PROPOSED RULEMAKING SHALL INCLUDE:**

20                   **(1) THE PROPOSED TIME, DATE, AND LOCATION OF THE MEETING IN**  
21 **WHICH THE RULE WILL BE CONSIDERED AND VOTED UPON;**

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

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

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

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

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

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

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

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

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

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

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

20           **(4) NO TRANSCRIPT OF THE HEARING IS REQUIRED, UNLESS A**  
21 **WRITTEN REQUEST FOR A TRANSCRIPT IS MADE, IN WHICH CASE THE PERSON**  
22 **REQUESTING THE TRANSCRIPT SHALL BEAR THE COST OF PRODUCING THE**  
23 **TRANSCRIPT. A RECORDING MAY BE MADE IN LIEU OF A TRANSCRIPT UNDER THE**  
24 **SAME TERMS AND CONDITIONS AS A TRANSCRIPT. THIS SUBSECTION SHALL NOT**  
25 **PRECLUDE THE COMMISSION FROM MAKING A TRANSCRIPT OR RECORDING OF THE**  
26 **HEARING IF IT SO CHOOSES.**

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

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

33           **(J) THE COMMISSION SHALL, BY MAJORITY VOTE OF ALL MEMBERS, TAKE**  
34 **FINAL ACTION ON THE PROPOSED RULE AND SHALL DETERMINE THE EFFECTIVE**

1 DATE OF THE RULE, IF ANY, BASED ON THE RULEMAKING RECORD AND THE FULL  
2 TEXT OF THE RULE.

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

6 (L) UPON DETERMINATION THAT AN EMERGENCY EXISTS, THE  
7 COMMISSION MAY CONSIDER AND ADOPT AN EMERGENCY RULE WITHOUT PRIOR  
8 NOTICE, OPPORTUNITY FOR COMMENT, OR HEARING, PROVIDED THAT THE USUAL  
9 RULEMAKING PROCEDURES PROVIDED IN THIS COMPACT AND IN THIS SECTION  
10 SHALL BE RETROACTIVELY APPLIED TO THE RULE AS SOON AS REASONABLY  
11 POSSIBLE, IN NO EVENT LATER THAN 90 DAYS AFTER THE EFFECTIVE DATE OF THE  
12 RULE. FOR THE PURPOSES OF THIS PROVISION, AN EMERGENCY RULE IS ONE THAT  
13 MUST BE ADOPTED IMMEDIATELY IN ORDER TO:

14 (1) MEET AN IMMINENT THREAT TO PUBLIC HEALTH, SAFETY, OR  
15 WELFARE;

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

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

19 (4) PROTECT PUBLIC HEALTH AND SAFETY.

20 (M) THE COMMISSION OR AN AUTHORIZED COMMITTEE OF THE  
21 COMMISSION MAY DIRECT REVISIONS TO A PREVIOUSLY ADOPTED RULE OR  
22 AMENDMENT FOR PURPOSES OF CORRECTING TYPOGRAPHICAL ERRORS, ERRORS IN  
23 FORMAT, ERRORS IN CONSISTENCY, OR GRAMMATICAL ERRORS. PUBLIC NOTICE OF  
24 ANY REVISIONS SHALL BE POSTED ON THE WEBSITE OF THE COMMISSION. THE  
25 REVISION SHALL BE SUBJECT TO CHALLENGE BY ANY PERSON FOR A PERIOD OF 30  
26 DAYS AFTER POSTING. THE REVISION MAY BE CHALLENGED ONLY ON GROUNDS  
27 THAT THE REVISION RESULTS IN A MATERIAL CHANGE TO A RULE. A CHALLENGE  
28 SHALL BE MADE IN WRITING, AND DELIVERED TO THE CHAIR OF THE COMMISSION  
29 PRIOR TO THE END OF THE NOTICE PERIOD. IF NO CHALLENGE IS MADE, THE  
30 REVISION WILL TAKE EFFECT WITHOUT FURTHER ACTION. IF THE REVISION IS  
31 CHALLENGED, THE REVISION MAY NOT TAKE EFFECT WITHOUT THE APPROVAL OF  
32 THE COMMISSION.

33 ARTICLE XII.

34 OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT.

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

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

9           (3) THE COMMISSION SHALL BE ENTITLED TO RECEIVE SERVICE OF  
10 PROCESS IN ANY SUCH PROCEEDING, AND SHALL HAVE STANDING TO INTERVENE IN  
11 SUCH A PROCEEDING FOR ALL PURPOSES. FAILURE TO PROVIDE SERVICE OF  
12 PROCESS TO THE COMMISSION SHALL RENDER A JUDGMENT OR ORDER VOID AS TO  
13 THE COMMISSION, THIS COMPACT, OR PROMULGATED RULES.

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

17                   (I) PROVIDE WRITTEN NOTICE TO THE DEFAULTING STATE  
18 AND OTHER COMPACT STATES OF THE NATURE OF THE DEFAULT, THE PROPOSED  
19 MEANS OF REMEDYING THE DEFAULTS, AND/OR ANY OTHER ACTION TO BE TAKEN BY  
20 THE COMMISSION; AND

21                   (II) PROVIDE REMEDIAL TRAINING AND SPECIFIC TECHNICAL  
22 ASSISTANCE REGARDING THE DEFAULT.

23           (2) IF A STATE IN DEFAULT FAILS TO REMEDY THE DEFAULT, THE  
24 DEFAULTING STATE MAY BE TERMINATED FROM THIS COMPACT UPON AN  
25 AFFIRMATIVE VOTE OF A MAJORITY OF THE COMPACT STATES, AND ALL RIGHTS,  
26 PRIVILEGES, AND BENEFITS CONFERRED BY THIS COMPACT SHALL BE TERMINATED  
27 ON THE EFFECTIVE DATE OF TERMINATION. A REMEDY OF THE DEFAULT DOES NOT  
28 RELIEVE THE OFFENDING STATE OF OBLIGATIONS OR LIABILITIES INCURRED  
29 DURING THE PERIOD OF DEFAULT.

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

35           (4) A COMPACT STATE WHICH HAS BEEN TERMINATED IS  
36 RESPONSIBLE FOR ALL ASSESSMENTS, OBLIGATIONS, AND LIABILITIES INCURRED

1 THROUGH THE EFFECTIVE DATE OF TERMINATION, INCLUDING OBLIGATIONS  
2 WHICH EXTEND BEYOND THE EFFECTIVE DATE OF TERMINATION.

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

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

12 (C) (1) UPON REQUEST BY A COMPACT STATE, THE COMMISSION SHALL  
13 ATTEMPT TO RESOLVE DISPUTES RELATED TO THIS COMPACT WHICH ARISE AMONG  
14 COMPACT STATES AND BETWEEN COMPACT AND NON-COMPACT STATES.

15 (2) THE COMMISSION SHALL PROMULGATE A RULE PROVIDING FOR  
16 BOTH MEDIATION AND BINDING DISPUTE RESOLUTION FOR DISPUTES THAT ARISE  
17 BEFORE THE COMMISSION.

18 (D) (1) THE COMMISSION, IN THE REASONABLE EXERCISE OF ITS  
19 DISCRETION, SHALL ENFORCE THE PROVISIONS AND RULES OF THIS COMPACT.

20 (2) BY MAJORITY VOTE, THE COMMISSION MAY INITIATE LEGAL  
21 ACTION IN THE UNITED STATES DISTRICT COURT FOR THE STATE OF GEORGIA OR  
22 THE FEDERAL DISTRICT WHERE THIS COMPACT HAS ITS PRINCIPAL OFFICE  
23 AGAINST A COMPACT STATE IN DEFAULT TO ENFORCE COMPLIANCE WITH THE  
24 PROVISIONS OF THIS COMPACT AND ITS PROMULGATED RULES AND BYLAWS. THE  
25 RELIEF SOUGHT MAY INCLUDE BOTH INJUNCTIVE RELIEF AND DAMAGES. IN THE  
26 EVENT JUDICIAL ENFORCEMENT IS NECESSARY, THE PREVAILING MEMBER SHALL  
27 BE AWARDED ALL COSTS OF SUCH LITIGATION, INCLUDING REASONABLE  
28 ATTORNEY'S FEES.

29 (3) THE REMEDIES HEREIN SHALL NOT BE THE EXCLUSIVE REMEDIES  
30 OF THE COMMISSION. THE COMMISSION MAY PURSUE ANY OTHER REMEDIES  
31 AVAILABLE UNDER FEDERAL OR STATE LAW.

32 **ARTICLE XIII.**

33 **DATE OF IMPLEMENTATION OF THE PSYCHOLOGY INTERJURISDICTIONAL**  
34 **COMPACT COMMISSION AND ASSOCIATED RULES, WITHDRAWAL, AND**  
35 **AMENDMENTS.**

1           (A) THIS COMPACT SHALL COME INTO EFFECT ON THE DATE ON WHICH  
2 THIS COMPACT IS ENACTED INTO LAW IN THE SEVENTH COMPACT STATE. THE  
3 PROVISIONS WHICH BECOME EFFECTIVE AT THAT TIME SHALL BE LIMITED TO THE  
4 POWERS GRANTED TO THE COMMISSION RELATING TO ASSEMBLY AND THE  
5 PROMULGATION OF RULES. THEREAFTER, THE COMMISSION SHALL MEET AND  
6 EXERCISE RULEMAKING POWERS NECESSARY TO THE IMPLEMENTATION AND  
7 ADMINISTRATION OF THIS COMPACT.

8           (B) ANY STATE WHICH JOINS THIS COMPACT SUBSEQUENT TO THE  
9 COMMISSION'S INITIAL ADOPTION OF THE RULES SHALL BE SUBJECT TO THE RULES  
10 AS THEY EXIST ON THE DATE ON WHICH THIS COMPACT BECOMES LAW IN THAT  
11 STATE. ANY RULE WHICH HAS BEEN PREVIOUSLY ADOPTED BY THE COMMISSION  
12 SHALL HAVE THE FULL FORCE AND EFFECT OF LAW ON THE DAY THIS COMPACT  
13 BECOMES LAW IN THAT STATE.

14           (C) (1) ANY COMPACT STATE MAY WITHDRAW FROM THIS COMPACT BY  
15 ENACTING A STATUTE REPEALING THE SAME.

16                   (2) A COMPACT STATE'S WITHDRAWAL SHALL NOT TAKE EFFECT  
17 UNTIL SIX MONTHS AFTER ENACTMENT OF THE REPEALING STATUTE.

18                   (3) WITHDRAWAL SHALL NOT AFFECT THE CONTINUING  
19 REQUIREMENT OF THE WITHDRAWING STATE'S PSYCHOLOGY REGULATORY  
20 AUTHORITY TO COMPLY WITH THE INVESTIGATIVE AND ADVERSE ACTION  
21 REPORTING REQUIREMENT OF THIS ACT PRIOR TO THE EFFECTIVE DATE OF  
22 WITHDRAWAL.

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

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

#### 30                                   ARTICLE XIV.

#### 31                                   CONSTRUCTION AND SEVERABILITY.

32           THIS COMPACT SHALL BE LIBERALLY CONSTRUED SO AS TO EFFECTUATE THE  
33 PURPOSES THEREOF. IF THIS COMPACT SHALL BE HELD CONTRARY TO THE

1 CONSTITUTION OF ANY STATE MEMBER THERETO, THIS COMPACT SHALL REMAIN IN  
2 FULL FORCE AND EFFECT AS TO THE REMAINING COMPACT STATES.

3 ~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect~~  
4 ~~October 1, 2021.~~

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency  
6 measure, is necessary for the immediate preservation of the public health or safety, has  
7 been passed by a yea and nay vote supported by three-fifths of all the members elected to  
8 each of the two Houses of the General Assembly, and shall take effect from the date it is  
9 enacted.

Approved:

\_\_\_\_\_  
Governor.

\_\_\_\_\_  
Speaker of the House of Delegates.

\_\_\_\_\_  
President of the Senate.