



# House of Representatives

General Assembly

**File No. 123**

February Session, 2022

Substitute House Bill No. 5046

*House of Representatives, March 28, 2022*

The Committee on Public Health reported through REP. STEINBERG of the 136th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

***AN ACT ADOPTING THE INTERSTATE MEDICAL LICENSURE COMPACT AND PSYCHOLOGY INTERJURISDICTIONAL COMPACT.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2022*) The Interstate Medical  
2 Licensure Compact is hereby enacted into law and entered into by the  
3 state of Connecticut with any and all states legally joining therein in  
4 accordance with its terms. The compact is substantially as follows:

5 "INTERSTATE MEDICAL LICENSURE COMPACT

6 SECTION 1. PURPOSE

7 In order to strengthen access to health care, and in recognition of the  
8 advances in the delivery of health care, the member states of the  
9 Interstate Medical Licensure Compact have allied in common purpose  
10 to develop a comprehensive process that complements the existing  
11 licensing and regulatory authority of state medical boards, provides a  
12 streamlined process that allows physicians to become licensed in

13 multiple states, thereby enhancing the portability of a medical license  
14 and ensuring the safety of patients. The compact creates another  
15 pathway for licensure and does not otherwise change a state's existing  
16 licensure requirements for physicians. The compact also adopts the  
17 prevailing standard for licensure and affirms that the practice of  
18 medicine occurs where the patient is located at the time of the physician-  
19 patient encounter, and therefore, requires the physician to be under the  
20 jurisdiction of the state medical board where the patient is located. State  
21 medical boards that participate in the compact retain the jurisdiction to  
22 impose an adverse action against a license to practice medicine in such  
23 state issued to a physician through the procedures in the compact.

24 SECTION 2. DEFINITIONS

25 As used in section 1, this section, and sections 3 to 24, inclusive, of the  
26 compact:

27 (1) "Bylaws" means those bylaws established by the Interstate  
28 Commission pursuant to section 11 of the compact.

29 (2) "Commissioner" means the voting representative appointed by  
30 each member board pursuant to section 11 of the compact.

31 (3) "Compact" means the Interstate Medical Licensure Compact.

32 (4) "Conviction" means a finding by a court that an individual is  
33 guilty of a criminal offense through adjudication, or entry of a plea of  
34 guilt or no contest to the charge by the offender. Evidence of an entry of  
35 a conviction of a criminal offense by the court shall be considered final  
36 for purposes of disciplinary action by a member board.

37 (5) "Expedited license" means a full and unrestricted medical license  
38 granted by a member state to an eligible physician through the process  
39 set forth in the compact.

40 (6) "Interstate Commission" means the interstate commission created  
41 pursuant to section 11 of the compact.

42 (7) "License" means authorization by a member state for a physician  
43 to engage in the practice of medicine, which would be unlawful without  
44 authorization.

45 (8) "Medical Practice Act" means laws and regulations governing the  
46 practice of allopathic and osteopathic medicine within a member state.

47 (9) "Member board" means a state agency in a member state that acts  
48 in the sovereign interests of the state by protecting the public through  
49 licensure, regulation and education of physicians as directed by the state  
50 government.

51 (10) "Member state" means a state that has enacted the compact.

52 (11) "Practice of medicine" means the clinical prevention, diagnosis  
53 or treatment of human disease, injury or condition requiring a physician  
54 to obtain and maintain a license in compliance with the Medical Practice  
55 Act of a member state.

56 (12) "Physician" means any person who:

57 (A) Is a graduate of a medical school accredited by the Liaison  
58 Committee on Medical Education, the Commission on Osteopathic  
59 College Accreditation or a medical school listed in the International  
60 Medical Education Directory or its equivalent;

61 (B) Passed each component of the United States Medical Licensing  
62 Examination or the Comprehensive Osteopathic Medical Licensing  
63 Examination within three attempts, or any of said examination's  
64 predecessor examinations accepted by a state medical board as an  
65 equivalent examination for licensure purposes;

66 (C) Successfully completed graduate medical education approved by  
67 the Accreditation Council for Graduate Medical Education or the  
68 American Osteopathic Association;

69 (D) Holds specialty certification or a time-unlimited specialty  
70 certificate recognized by the American Board of Medical Specialties or

71 the American Osteopathic Association's Bureau of Osteopathic  
72 Specialists;

73 (E) Possesses a full and unrestricted license to engage in the practice  
74 of medicine issued by a member board;

75 (F) Has never been convicted, received adjudication, deferred  
76 adjudication, community supervision or deferred disposition for any  
77 offense by a court of appropriate jurisdiction;

78 (G) Has never held a license authorizing the practice of medicine  
79 subjected to discipline by a licensing agency in any state, federal or  
80 foreign jurisdiction, excluding any action related to nonpayment of fees  
81 related to a license;

82 (H) Has never had a controlled substance license or permit  
83 suspended or revoked by a state or the United States Drug Enforcement  
84 Administration; and

85 (I) Is not under active investigation by a licensing agency or law  
86 enforcement authority in any state, federal or foreign jurisdiction.

87 (13) "Offense" means a felony, gross misdemeanor or crime of moral  
88 turpitude.

89 (14) "Rule" means a written statement by the Interstate Commission  
90 promulgated pursuant to section 12 of the compact that is of general  
91 applicability, implements, interprets or prescribes a policy or provision  
92 of the compact, or an organizational, procedural or practice requirement  
93 of the Interstate Commission, and has the force and effect of statutory  
94 law in a member state, and includes the amendment, repeal or  
95 suspension of an existing rule.

96 (15) "State" means any state, commonwealth, district or territory of  
97 the United States.

98 (16) "State of principal license" means a member state where a  
99 physician holds a license to practice medicine and that has been

100 designated as such by the physician for purposes of registration and  
101 participation in the compact.

102 SECTION 3. ELIGIBILITY

103 (a) A physician shall meet the eligibility requirements set forth in  
104 subparagraphs (A) to (I), inclusive, of subdivision (12) of section 2 of the  
105 compact to receive an expedited license under the terms and provisions  
106 of the compact.

107 (b) A physician who does not meet the requirements set forth in  
108 subparagraphs (A) to (I), inclusive, of subdivision (12) of section 2 of the  
109 compact may obtain a license to practice medicine in a member state if  
110 the individual complies with all laws and requirements, other than the  
111 compact, relating to the issuance of a license to practice medicine in such  
112 state.

113 SECTION 4. DESIGNATION OF STATE OF PRINCIPAL LICENSE

114 (a) A physician shall designate a member state as the state of principal  
115 license for purposes of registration for expedited licensure through the  
116 compact if the physician possesses a full and unrestricted license to  
117 practice medicine in such state, and the state is:

118 (1) The state of principal residence for the physician;

119 (2) The state where at least twenty-five per cent of the practice of  
120 medicine occurs;

121 (3) The location of the physician's employer; or

122 (4) If no state qualifies under subdivision (1), (2) or (3) of this  
123 subsection, the state designated as state of residence for purpose of  
124 federal income tax.

125 (b) A physician may redesignate a member state as state of principal  
126 license at any time, provided the state meets the requirements of  
127 subsection (a) of this section.

128 (c) The Interstate Commission is authorized to develop rules to  
129 facilitate redesignation of another member state as the state of principal  
130 license.

131 SECTION 5. APPLICATION AND ISSUANCE OF EXPEDITED  
132 LICENSURE

133 (a) A physician seeking licensure through the compact shall file an  
134 application for an expedited license with the member board of the state  
135 selected by the physician as the state of principal license.

136 (b) Upon receipt of an application for an expedited license, the  
137 member board within the state selected as the state of principal license  
138 shall evaluate whether the physician is eligible for expedited licensure  
139 and issue a letter of qualification, verifying or denying the physician's  
140 eligibility, to the Interstate Commission.

141 (1) Static qualifications, including, but not limited to, verification of  
142 medical education, graduate medical education, results of any medical  
143 or licensing examination and other qualifications as determined by the  
144 Interstate Commission through rule, shall not be subject to additional  
145 primary source verification where already primary source verified by  
146 the state of principal license.

147 (2) The member board within the state selected as the state of  
148 principal license shall, in the course of verifying eligibility, perform a  
149 criminal background check of an applicant, including, but not limited  
150 to, the use of the results of fingerprint or other biometric data checks  
151 compliant with the requirements of the Federal Bureau of Investigation,  
152 with the exception of federal employees who have suitability  
153 determination in accordance with 5 CFR 731.202.

154 (3) Appeal on the determination of eligibility shall be made to the  
155 member state where the application was filed and shall be subject to the  
156 law of such state.

157 (c) Upon verification in subsection (b) of this section, a physician  
158 eligible for an expedited license shall complete the registration process

159 established by the Interstate Commission to receive a license in a  
160 member state selected pursuant to subsection (a) of this section,  
161 including, but not limited to, the payment of any applicable fees.

162 (d) After receiving verification of eligibility under subsection (b) of  
163 this section and any fees under subsection (c) of this section, a member  
164 board shall issue an expedited license to the physician. This license shall  
165 authorize the physician to practice medicine in the issuing state  
166 consistent with the Medical Practice Act and all applicable laws and  
167 regulations of the issuing member board and member state.

168 (e) An expedited license shall be valid for a period consistent with the  
169 licensure period in the member state and in the same manner as  
170 required for other physicians holding a full and unrestricted license in  
171 the member state.

172 (f) An expedited license obtained through the compact shall be  
173 terminated if a physician fails to maintain a license in the state of  
174 principal licensure for a nondisciplinary reason, without redesignation  
175 of a new state of principal licensure.

176 (g) The Interstate Commission is authorized to develop rules  
177 regarding the application process, including, but not limited to,  
178 payment of any applicable fees, and the issuance of an expedited license.

179 SECTION 6. FEES FOR EXPEDITED LICENSURE

180 (a) A member state issuing an expedited license authorizing the  
181 practice of medicine in such state may impose a fee for a license issued  
182 or renewed through the compact.

183 (b) The Interstate Commission is authorized to develop rules  
184 regarding fees for expedited licenses.

185 SECTION 7. RENEWAL AND CONTINUED PARTICIPATION

186 (a) A physician seeking to renew an expedited license granted in a  
187 member state shall complete a renewal process with the Interstate

188 Commission if the physician:

189 (1) Maintains a full and unrestricted license in a state of principal  
190 license;

191 (2) Has not been convicted or received adjudication, deferred  
192 adjudication, community supervision or deferred disposition for any  
193 offense by a court of appropriate jurisdiction;

194 (3) Has not had a license authorizing the practice of medicine subject  
195 to discipline by a licensing agency in any state, federal or foreign  
196 jurisdiction, excluding any action related to nonpayment of fees related  
197 to a license; and

198 (4) Has not had a controlled substance license or permit suspended  
199 or revoked by a state or the United States Drug Enforcement  
200 Administration.

201 (b) Physicians shall comply with all continuing professional  
202 development or continuing medical education requirements for  
203 renewal of a license issued by a member state.

204 (c) The Interstate Commission shall collect any renewal fees charged  
205 for the renewal of a license and distribute the fees to the applicable  
206 member board.

207 (d) Upon receipt of any renewal fees collected in subsection (c) of this  
208 section, a member board shall renew the physician's license.

209 (e) Physician information collected by the Interstate Commission  
210 during the renewal process shall be distributed to all member boards.

211 (f) The Interstate Commission is authorized to develop rules to  
212 address renewal of licenses obtained through the compact.

213 SECTION 8. COORDINATED INFORMATION SYSTEM

214 (a) The Interstate Commission shall establish a database of all  
215 physicians licensed, or who have applied for licensure, under section 5



216 of the compact.

217 (b) Notwithstanding any other provision of law, member boards shall  
218 report to the Interstate Commission any public action or complaint  
219 against a licensed physician who has applied or received an expedited  
220 license through the compact.

221 (c) Member boards shall report disciplinary or investigatory  
222 information determined as necessary and proper by rule of the  
223 Interstate Commission.

224 (d) Member boards may report any nonpublic complaint or any  
225 disciplinary or investigatory information not required by subsection (c)  
226 of the compact to the Interstate Commission.

227 (e) Member boards shall share complaint or disciplinary information  
228 about a physician upon request of another member board.

229 (f) All information provided to the Interstate Commission or  
230 distributed by member boards shall be confidential, filed under seal and  
231 used only for investigatory or disciplinary matters.

232 (g) The Interstate Commission is authorized to develop rules for  
233 mandated or discretionary sharing of information by member boards.

234 SECTION 9. JOINT INVESTIGATIONS

235 (a) Licensure and disciplinary records of physicians are deemed  
236 investigative.

237 (b) In addition to the authority granted to a member board by its  
238 respective Medical Practice Act or other applicable state law, a member  
239 board may participate with other member boards in joint investigations  
240 of physicians licensed by the member boards.

241 (c) A subpoena issued by a member state shall be enforceable in other  
242 member states.

243 (d) Member boards may share any investigative, litigation or

244 compliance materials in furtherance of any joint or individual  
245 investigation initiate under the compact.

246 (e) Any member state may investigate actual or alleged violations of  
247 the statutes authorizing the practice of medicine in any other member  
248 state in which a physician holds a license to practice medicine.

249 SECTION 10. DISCIPLINARY ACTIONS

250 (a) Any disciplinary action taken by any member board against a  
251 physician licensed through the compact shall be deemed unprofessional  
252 conduct that may be subject to discipline by other member boards, in  
253 addition to any violation of the Medical Practice Act or regulations in  
254 such state.

255 (b) If a license granted to a physician by the member board in the state  
256 of principal license is revoked, surrendered or relinquished in lieu of  
257 discipline, or suspended, then all licenses issued to the physician by  
258 member boards shall automatically be placed, without further action  
259 necessary by any member board, on the same status. If the member  
260 board in the state of principal license subsequently reinstates the  
261 physician's license, a license issued to the physician by any other  
262 member board shall remain encumbered until such respective member  
263 board takes action to reinstate the license in a manner consistent with  
264 the Medical Practice Act of such state.

265 (c) If disciplinary action is taken against a physician by a member  
266 board not in the state of principal license, any other member board may  
267 deem the action conclusive as to matter of law and fact decided, and  
268 perform one of the following actions:

269 (1) Impose the same or any lesser sanction against the physician,  
270 provided such sanctions are consistent with the Medical Practice Act of  
271 such state; or

272 (2) Pursue separate disciplinary action against the physician under its  
273 respective Medical Practice Act, regardless of the action taken in other  
274 member states.

275 (d) If a license granted to a physician by a member board is revoked,  
276 surrendered or relinquished in lieu of discipline, or suspended, then any  
277 license issued to the physician by any other member board shall be  
278 suspended, automatically and immediately without further action  
279 necessary by the other member board, for ninety days upon entry of the  
280 order by the disciplining board, to permit the member board to  
281 investigate the basis for the action under the Medical Practice Act of  
282 such state. A member board may terminate the automatic suspension of  
283 the license it issued prior to the completion of the ninety-day suspension  
284 period in a manner consistent with the Medical Practice Act of such  
285 state.

286 SECTION 11. INTERSTATE MEDICAL LICENSURE COMPACT  
287 COMMISSION

288 (a) The member states hereby create the Interstate Medical Licensure  
289 Compact Commission.

290 (b) The purpose of the Interstate Commission is the administration of  
291 the compact, which is a discretionary state function.

292 (c) The Interstate Commission shall be a body corporate and joint  
293 agency of the member states and shall have all the responsibilities,  
294 powers, and duties set forth in the compact, and such additional powers  
295 as may be conferred upon it by a subsequent concurrent action of the  
296 respective legislatures of the member states in accordance with the  
297 terms of the compact.

298 (d) The Interstate Commission shall consist of two voting  
299 representatives appointed by each member state who shall serve as  
300 commissioners. In states where allopathic and osteopathic physicians  
301 are regulated by separate member boards, or if the licensing and  
302 disciplinary authority is split between separate member boards, or if the  
303 licensing and disciplinary authority is split between multiple member  
304 boards within a member state, the member state shall appoint one  
305 representative from each member board. A commissioner shall be the  
306 following:

307 (1) An allopathic or osteopathic physician appointed to a member  
308 board;

309 (2) An executive director, executive secretary or similar executive of  
310 a member board; or

311 (3) A member of the public appointed to a member board.

312 (e) The Interstate Commission shall meet at least once each calendar  
313 year. A portion of such meeting shall be a business meeting to address  
314 such matters as may properly come before the commission, including,  
315 but not limited to, the election of officers. The chairperson may call  
316 additional meetings and shall call for a meeting upon the request of a  
317 majority of the member states.

318 (f) The bylaws may provide for meetings of the Interstate  
319 Commission to be conducted by telecommunication or electronic  
320 communication.

321 (g) Each commissioner participating at a meeting of the Interstate  
322 Commission is entitled to one vote. A majority of commissioners shall  
323 constitute a quorum for the transaction of business, unless a larger  
324 quorum is required by the bylaws of the Interstate Commission. A  
325 commissioner shall not delegate a vote to another commissioner. In the  
326 absence of its commissioner, a member state may delegate voting  
327 authority for a specified meeting to another person from such state who  
328 shall meet the requirements of subsection (d) of this section.

329 (h) The Interstate Commission shall provide public notice of all  
330 meetings and all meetings shall be open to the public. The Interstate  
331 Commission may close a meeting, in full or in portion, where it  
332 determines by a two-thirds vote of the commissioners present that an  
333 open meeting would be likely to:

334 (1) Relate solely to the internal personnel practice and procedures of  
335 the Interstate Commission;

336 (2) Include a discussion of matters specifically exempted from

337 disclosure by federal statute;

338 (3) Include a discussion of trade secrets or commercial or financial  
339 information that is privileged or confidential;

340 (4) Involve accusing a person of a crime, or formally censuring a  
341 person;

342 (5) Include a discussion of information of a personal nature where  
343 disclosure would constitute a clearly unwarranted invasion of personal  
344 privacy;

345 (6) Include a discussion of investigative records compiled for law  
346 enforcement purposes; or

347 (7) Specifically relate to the participation in a civil action or other legal  
348 proceeding.

349 (i) The Interstate Commission shall keep minutes of all meetings,  
350 which minutes shall fully describe all matters discussed in a meeting  
351 and shall provide a full and accurate summary of actions taken,  
352 including, but not limited to, a record of any roll call votes.

353 (j) The Interstate Commission shall make its information and official  
354 records, to the extent not otherwise designated in the compact or by its  
355 rules, available to the public for inspection.

356 (k) The Interstate Commission shall establish an executive committee,  
357 which shall include officers, members and others as determined by the  
358 bylaws. The executive committee shall have the power to act on behalf  
359 of the Interstate Commission, with the exception of rulemaking, during  
360 periods when the Interstate Commission is not in session. When acting  
361 on behalf of the Interstate Commission, the executive committee shall  
362 oversee the administration of the compact, including, but not limited to,  
363 enforcement and compliance with the provisions of the compact, its  
364 bylaws and rules and other such duties as necessary.

365 (l) The Interstate Commission shall establish other committees for

366 governance and administration of the compact.

367 SECTION 12. POWERS AND DUTIES OF THE INTERSTATE  
368 COMMISSION

369 The powers and duties of the Interstate Commission are as follows:

370 (1) Oversee and maintain the administration of the compact;

371 (2) Promulgate rules that shall be binding to the extent and in the  
372 manner provided for in the compact;

373 (3) Issue, upon the request of a member state or member board,  
374 advisory opinions concerning the meaning or interpretation of the  
375 compact, its bylaws, rules and actions;

376 (4) Enforce compliance with compact provisions, the rules  
377 promulgated by the Interstate Commission and the bylaws, using all  
378 necessary and proper means, including, but not limited to, the use of  
379 judicial process;

380 (5) Establish and appoint committees, including, but not limited to,  
381 an executive committee as required by section 11 of the compact, that  
382 shall have the power to act on behalf of the Interstate Commission in  
383 carrying out its powers and duties;

384 (6) Pay, or provide for the payment of the expenses related to the  
385 establishment, organization and ongoing activities of the Interstate  
386 Commission;

387 (7) Establish and maintain one or more offices;

388 (8) Borrow, accept, hire or contract for services of personnel;

389 (9) Purchase and maintain insurance and bonds;

390 (10) Employ an executive director who shall have such powers to  
391 employ, select or appoint employees, agents or consultants, and to  
392 determine the qualifications, define the duties and fix the compensation

393 of such employees, agents or consultants;

394 (11) Establish personnel policies and programs relating to conflicts of  
395 interest, rates of compensation and qualifications of personnel;

396 (12) Accept donations and grants of money, equipment, supplies,  
397 materials and services, and receive, utilize and dispose of such money,  
398 equipment, supplies, material and services in a manner consistent with  
399 the conflict of interest policies established by the Interstate Commission;

400 (13) Lease, purchase, accept contributions or donations of, or  
401 otherwise own, hold, improve or use, any property, real, personal or  
402 mixed;

403 (14) Sell, convey, mortgage, pledge, lease, exchange, abandon or  
404 otherwise dispose of any property, real, personal or mixed;

405 (15) Establish a budget and make expenditures;

406 (16) Adopt a seal and bylaws governing the management and  
407 operation of the Interstate Commission;

408 (17) Report annually to the legislatures and governors of the member  
409 states concerning the activities of the Interstate Commission during the  
410 preceding year. Such report shall also include reports of financial audits  
411 and any recommendations that may have been adopted by the Interstate  
412 Commission;

413 (18) Coordinate education, training and public awareness regarding  
414 the compact, its implementation and its operation;

415 (19) Maintain records in accordance with the bylaws;

416 (20) Seek and obtain trademarks, copyrights and patents; and

417 (21) Perform such functions as may be necessary or appropriate to  
418 achieve the purpose of the compact.

419 SECTION 13. FINANCE POWERS

420 (a) The Interstate Commission may levy on and collect an annual  
421 assessment from each member state to cover the cost of the operations  
422 and activities of the Interstate Commission and its staff. The total  
423 assessment shall be sufficient to cover the annual budget approved each  
424 year for which revenue is not provided by other sources. The aggregate  
425 annual assessment amount shall be allocated upon a formula to be  
426 determined by the Interstate Commission, which shall promulgate a  
427 rule binding upon all member states.

428 (b) The Interstate Commission shall not incur obligations of any kind  
429 prior to securing the funds adequate to meet the same.

430 (c) The Interstate Commission shall not pledge the credit of any of the  
431 member states, except by, and with the authority of, the member state.

432 (d) The Interstate Commission shall be subject to a yearly financial  
433 audit conducted by a certified or licensed accountant and the report of  
434 the audit shall be included in the annual report of the Interstate  
435 Commission.

436 SECTION 14. ORGANIZATION AND OPERATION OF THE  
437 INTERSTATE COMMISSION

438 (a) The Interstate Commission shall, by a majority of commissioners  
439 present and voting, adopt bylaws to govern its conduct as may be  
440 necessary or appropriate to carry out the purposes of the compact not  
441 later than twelve months after the first Interstate Commission meeting.

442 (b) The Interstate Commission shall elect or appoint annually from  
443 among its commissioners a chairperson, a vice-chairperson and a  
444 treasurer, each of whom shall have such authority and duties as may be  
445 specified in the bylaws. The chairperson, or in the chairperson's absence  
446 or disability, the vice-chairperson, shall preside at all meetings of the  
447 Interstate Commission.

448 (c) Officers elected or appointed pursuant to subsection (b) of this  
449 section shall serve without remuneration for the Interstate Commission.



450 (d) The officers and employees of the Interstate Commission shall be  
451 immune from suit and liability, either personally or in their official  
452 capacity, for a claim for damage to or loss of property or personal injury  
453 or other civil liability caused or arising out of, or relating to, an actual or  
454 alleged act, error or omission that occurred, or that such person had a  
455 reasonable basis for believing occurred, within the scope of Interstate  
456 Commission employment, duties or responsibilities, provided such  
457 person shall not be protected from suit or liability for damage, loss,  
458 injury, or liability caused by the intentional or wilful and wanton  
459 misconduct of such person.

460 (e) The liability of the executive director and employees of the  
461 Interstate Commission or representatives of the Interstate Commission,  
462 acting within the scope of such person's employment or duties for acts,  
463 errors or omissions occurring within such person's state, may not exceed  
464 the limits of liability set forth under the constitution and laws of such  
465 state for state officials, employees and agents. The Interstate  
466 Commission is considered to be an instrumentality of the states for the  
467 purpose of any such action. Nothing in this subsection shall be  
468 construed to protect such person from suit or liability for damage, loss,  
469 injury or liability caused by the intentional or wilful and wanton  
470 misconduct of such person.

471 (f) The Interstate Commission shall defend the executive director, its  
472 employees and, subject to the approval of the attorney general or other  
473 appropriate legal counsel of the member state represented by an  
474 Interstate Commission representative, such Interstate Commission  
475 representative in any civil action seeking to impose liability arising out  
476 of an actual or alleged act, error or omission that occurred within the  
477 scope of Interstate Commission employment, duties or responsibilities,  
478 or that the defendant had a reasonable basis for believing occurred  
479 within the scope of Interstate Commission employment, duties or  
480 responsibilities, provided the actual or alleged act, error or omission did  
481 not result from intentional or wilful and wanton misconduct on the part  
482 of such person.

483 (g) To the extent not covered by the state involved, member state or  
484 the Interstate Commission, the representatives or employees of the  
485 Interstate Commission shall be held harmless in the amount of a  
486 settlement or judgment, including, but not limited to, attorney's fees and  
487 costs, obtained against such persons arising out of an actual or alleged  
488 act, error or omission that occurred within the scope of the Interstate  
489 Commission employment, duties or responsibilities, or that such  
490 persons had a reasonable basis for believing occurred within the scope  
491 of Interstate Commission employment, duties or responsibilities,  
492 provided the actual or alleged act, error or omission did not result from  
493 intentional or wilful and wanton misconduct on the part of such person.

494 SECTION 15. RULEMAKING FUNCTIONS OF THE INTERSTATE  
495 COMMISSION

496 (a) The Interstate Commission shall promulgate reasonable rules in  
497 order to effectively and efficiently achieve the purpose of the compact.  
498 Notwithstanding the foregoing, if the Interstate Commission exercises  
499 its rulemaking authority in a manner that is beyond the scope of the  
500 purposes of the compact, or the powers granted under the compact, then  
501 such an action by the Interstate Commission shall be invalid and have  
502 no force or effect.

503 (b) Rules deemed appropriate for the operations of the Interstate  
504 Commission shall be made pursuant to a rulemaking process that  
505 substantially conforms to the "Model State Administrative Procedure  
506 Act" of 2010, as amended from time to time.

507 (c) Not later than thirty days after a rule is promulgated, any person  
508 may file a petition for judicial review of the rule in the United States  
509 District Court for the District of Columbia or the federal district where  
510 the Interstate Commission has its principal offices, provided the filing  
511 of such a petition shall not stay or otherwise prevent the rule from  
512 becoming effective unless the court finds that the petitioner has a  
513 substantial likelihood of success. The court shall give deference to the  
514 actions of the Interstate Commission consistent with applicable law and  
515 shall not find the rule to be unlawful if the rule represents a reasonable

516 exercise of the authority granted to the Interstate Commission.

517 SECTION 16. OVERSIGHT OF INTERSTATE COMPACT

518 (a) The executive, legislative and judicial branches of state  
519 government in each member state shall enforce the compact and take all  
520 actions necessary and appropriate to effectuate the compact's purposes  
521 and intent. The provisions of the compact and the rules promulgated  
522 under the compact shall have standing as statutory law, but shall not  
523 override existing state authority to regulate the practice of medicine.

524 (b) All courts shall take judicial notice of the compact and the rules in  
525 any judicial or administrative proceeding in a member state pertaining  
526 to the subject matter of the compact that may affect the powers,  
527 responsibilities or actions of the Interstate Commission.

528 (c) The Interstate Commission shall be entitled to receive all services  
529 of process in any such proceeding, and shall have standing to intervene  
530 in the proceeding for all purposes. Failure to provide service of process  
531 to the Interstate Commission shall render a judgment or order void as  
532 to the Interstate Commission, the compact or promulgated rules.

533 SECTION 17. ENFORCEMENT OF INTERSTATE COMPACT

534 (a) The Interstate Commission, in the reasonable exercise of its  
535 discretion, shall enforce the provisions and rules of the compact.

536 (b) The Interstate Commission may, by majority vote of the  
537 commissioners, initiate legal action in the United States Court for the  
538 District of Columbia, or, at the discretion of the Interstate Commission,  
539 in the federal district where the Interstate Commission has its principal  
540 offices, to enforce compliance with the provisions of the compact, and  
541 its promulgated rules and bylaws, against a member state in default.  
542 The relief sought may include both injunctive relief and damages. If  
543 judicial enforcement is necessary, the prevailing party shall be awarded  
544 all costs of such litigation, including, but not limited to, reasonable  
545 attorney's fees.

546 (c) The remedies set forth in the compact shall not be the exclusive  
547 remedies of the Interstate Commission. The Interstate Commission may  
548 avail itself of any other remedies available under state law or regulation  
549 of a profession.

550 SECTION 18. DEFAULT PROCEDURES

551 (a) The grounds for default include, but are not limited to, failure of  
552 a member state to perform such obligations or responsibilities imposed  
553 upon it by the compact, or the rules and bylaws of the Interstate  
554 Commission promulgated under the compact.

555 (b) If the Interstate Commission determines that a member state has  
556 defaulted in the performance of its obligations or responsibilities under  
557 the compact, or the bylaws or promulgated rules, the Interstate  
558 Commission shall take the following actions:

559 (1) Provide written notice to the defaulting state and other member  
560 states of the nature of the default, the means of curing the default and  
561 any action taken by the Interstate Commission. The Interstate  
562 Commission shall specify the conditions by which the defaulting state  
563 shall cure its default; and

564 (2) Provide remedial training and specific technical assistance  
565 regarding the default.

566 (c) If the defaulting state fails to cure the default, the defaulting state  
567 shall be terminated from the compact upon an affirmative vote of a  
568 majority of the commissioners and all rights, privileges and benefits  
569 conferred by the compact shall terminate on the effective date of  
570 termination. A cure of the default shall not relieve the offending state of  
571 obligations or liabilities incurred during the period of the default.

572 (d) Termination of membership in the compact shall be imposed only  
573 after all other means of securing compliance have been exhausted.  
574 Notice of intent to terminate shall be given by the Interstate Commission  
575 to the governor, the majority and minority leaders of the defaulting  
576 state's legislature and each of the member states.

577 (e) The Interstate Commission shall establish rules and procedures to  
578 address licenses and physicians that are materially impacted by the  
579 termination of a member state, or the withdrawal of a member state.

580 (f) The member state that has been terminated is responsible for all  
581 dues, obligations and liabilities incurred through the effective date of  
582 termination, including, but not limited to, obligations the performance  
583 of which extends beyond the effective date of termination.

584 (g) The Interstate Commission shall not bear any costs relating to any  
585 state that has been found to be in default or that has been terminated  
586 from the compact, unless otherwise mutually agreed upon in writing  
587 between the Interstate Commission and the defaulting state.

588 (h) The defaulting state may appeal the action of the Interstate  
589 Commission by petitioning the United States District Court for the  
590 District of Columbia or the federal district where the Interstate  
591 Commission has its principal offices. The prevailing party shall be  
592 awarded all costs of such litigation, including, but not limited to,  
593 reasonable attorney's fees.

594 SECTION 19. DISPUTE RESOLUTION

595 (a) The Interstate Commission shall attempt, upon the request of a  
596 member state, to resolve disputes that are subject to the compact and  
597 may arise among member states or member boards.

598 (b) The Interstate Commission shall promulgate rules providing for  
599 both mediation and binding dispute resolution as appropriate.

600 SECTION 20. MEMBER STATES, EFFECTIVE DATE AND  
601 AMENDMENT

602 (a) Any state is eligible to become a member of the compact.

603 (b) The compact shall become effective and binding upon legislative  
604 enactment of the compact into law by not less than seven states.  
605 Thereafter, it shall become effective and binding on a state upon

606 enactment of the compact into law by such state.

607 (c) The governors of nonmember states, or their designees, shall be  
608 invited to participate in the activities of the Interstate Commission on a  
609 nonvoting basis prior to adoption of the compact by all states.

610 (d) The Interstate Commission may propose amendments to the  
611 compact for enactment by the member states. No amendment shall  
612 become effective and binding upon the Interstate Commission and the  
613 member states unless and until it is enacted into law by unanimous  
614 consent of the member states.

615 SECTION 21. WITHDRAWAL

616 (a) Once effective, the compact shall continue in force and remain  
617 binding upon every member state, provided a member state may  
618 withdraw from the compact by specifically repealing the statute that  
619 enacted the compact into law.

620 (b) Withdrawal from the compact shall be done by the enactment of  
621 a statute repealing the compact, but shall not take effect until one year  
622 after the effective date of such statute and until written notice of the  
623 withdrawal has been given by the withdrawing state to the governor of  
624 each other member state.

625 (c) The withdrawing state shall immediately notify the chairperson  
626 of the Interstate Commission in writing upon the introduction of  
627 legislation repealing the compact in the withdrawing state.

628 (d) The Interstate Commission shall notify the other member states of  
629 the withdrawing state's intent to withdraw not later than sixty days after  
630 its receipt of notice provided under subsection (c) of this section.

631 (e) The withdrawing state is responsible for all dues, obligations and  
632 liabilities incurred through the effective date of withdrawal, including,  
633 but not limited to, obligations, the performance of which extend beyond  
634 the effective date of withdrawal.

635 (f) Reinstatement following withdrawal of a member state shall occur  
636 upon the withdrawing state reenacting the compact or upon such later  
637 date as determined by the Interstate Commission.

638 (g) The Interstate Commission is authorized to develop rules to  
639 address the impact of the withdrawal of a member state on licenses  
640 granted in other member states to physicians who designated the  
641 withdrawing member state as the state of principal license.

642 SECTION 22. DISSOLUTION

643 (a) The compact shall dissolve effective upon the date of the  
644 withdrawal or default of the member state that reduces the membership  
645 of the compact to one member state.

646 (b) Upon the dissolution of the compact, the compact becomes null  
647 and void and shall be of no further force or effect, and the business and  
648 affairs of the Interstate Commission shall be concluded, and surplus  
649 funds shall be distributed in accordance with the bylaws.

650 SECTION 23. SEVERABILITY AND CONSTRUCTION

651 (a) The provisions of the compact shall be severable, and if any  
652 phrase, clause, sentence or provision of the compact is deemed  
653 unenforceable, the remaining provisions of the compact shall be  
654 enforceable.

655 (b) The provisions of the compact shall be liberally construed to  
656 effectuate its purposes.

657 (c) Nothing in the compact shall be construed to prohibit the  
658 applicability of other interstate compacts to which the member states are  
659 members.

660 SECTION 24. BINDING EFFECT OF COMPACT AND OTHER  
661 LAWS

662 (a) Nothing in the compact prevents the enforcement of any other law  
663 of a member state that is not inconsistent with the compact.

664 (b) All laws in a member state in conflict with the compact are  
665 superseded to the extent of the conflict.

666 (c) All lawful actions of the Interstate Commission, including, but not  
667 limited to, all rules and bylaws promulgated by said commission, are  
668 binding upon the member states.

669 (d) All agreements between the Interstate Commission and the  
670 member states are binding in accordance with the terms of such  
671 agreements.

672 (e) If any provision of the compact exceeds the constitutional limits  
673 imposed on the legislature of any member state, such provision shall be  
674 ineffective to the extent of the conflict with the constitutional provision  
675 in question in such member state."

676 Sec. 2. (NEW) (*Effective October 1, 2022*) The Psychology  
677 Interjurisdictional Compact is hereby enacted into law and entered into  
678 by the state of Connecticut with any and all states legally joining therein  
679 in accordance with its terms. The compact is substantially as follows:

680 "PSYCHOLOGY INTERJURISDICTIONAL COMPACT

681 ARTICLE I

682 PURPOSE

683 Whereas, states license psychologists in order to protect the public  
684 through verification of education, training and experience and ensure  
685 accountability for professional practice; and

686 Whereas, the compact is intended to regulate the day-to-day practice  
687 of telepsychology, including, but not limited to, the provision of  
688 psychological services using telecommunication technologies, by  
689 psychologists across state boundaries in the performance of their  
690 psychological practice as assigned by an appropriate authority; and

691 Whereas, the compact is intended to regulate the temporary in-  
692 person, face-to-face practice of psychology by psychologists across state



693 boundaries for thirty days within a calendar year in the performance of  
694 their psychological practice as assigned by an appropriate authority;  
695 and

696 Whereas, the compact is intended to authorize state psychology  
697 regulatory authorities to afford legal recognition, in a manner consistent  
698 with the terms of the compact, to psychologists licensed in another state;  
699 and

700 Whereas, the compact recognizes that states have a vested interest in  
701 protecting the public's health and safety through their licensing and  
702 regulation of psychologists and that such state licensing and regulation  
703 will best protect public health and safety; and

704 Whereas, the compact shall not apply when a psychologist is licensed  
705 in both the home and receiving states; and

706 Whereas, the compact shall not apply to permanent in-person, face-  
707 to-face practice, it shall allow for authorization of temporary  
708 psychological practice.

709 Consistent with such principles, the compact is designed to achieve  
710 the following purposes and objectives:

711 (1) Increase public access to professional psychological services by  
712 allowing for telepsychological practice across state lines and temporary  
713 in-person, face-to-face services in a state which the psychologist is not  
714 licensed to practice psychology;

715 (2) Enhance the states' ability to protect the public's health and safety,  
716 especially client or patient safety;

717 (3) Encourage the cooperation of compact states in the areas of  
718 psychology licensure and regulation;

719 (4) Facilitate the exchange of information between compact states  
720 regarding licensure, adverse actions and disciplinary history of  
721 psychologists;

722 (5) Promote compliance with the laws governing psychological  
723 practice in each compact state; and

724 (6) Invest all compact states with the authority to hold licensed  
725 psychologists accountable through the mutual recognition of compact  
726 state licenses.

727 ARTICLE II

728 DEFINITIONS

729 (1) "Adverse action" means any action taken by a state psychology  
730 regulatory authority that finds a violation of a statute or regulation that  
731 is identified by the state psychology regulatory authority as discipline  
732 and is a matter of public record.

733 (2) "Association of State and Provincial Psychology Boards" means  
734 the recognized membership organization composed of state and  
735 provincial psychology regulatory authorities responsible for the  
736 licensure and registration of psychologists throughout the United States  
737 and Canada.

738 (3) "Authority to practice interjurisdictional telepsychology" means a  
739 licensed psychologist's authority to practice telepsychology, within the  
740 limits authorized under the compact, in another compact state.

741 (4) "Bylaws" means the bylaws established by the Psychology  
742 Interjurisdictional Compact Commission pursuant to Article X of the  
743 compact for the governance of said commission, or for directing and  
744 controlling the actions and conduct of said commission.

745 (5) "Client or patient" means the recipient of psychological services,  
746 whether psychological services are delivered in the context of  
747 healthcare, corporate, supervision or consulting services.

748 (6) "Commissioner" means the voting representative appointed by  
749 each state psychology regulatory authority pursuant to Article X of the  
750 compact.

751 (7) "Compact" means the Psychology Interjurisdictional Compact.

752 (8) "Compact state" means a state, the District of Columbia or United  
753 States territory that has enacted the compact and that has not withdrawn  
754 pursuant to subsection (c) of Article XIII of the compact, or been  
755 terminated pursuant to subsection (b) of Article XII of the compact.

756 (9) "Coordinated licensure information system" or "coordinated  
757 database" means an integrated process for collecting, storing and  
758 sharing information on psychologists' licensure and enforcement  
759 activities related to psychology licensure laws, that is administered by  
760 the recognized membership organization composed of state and  
761 provincial psychology regulatory authorities.

762 (10) "Confidentiality" means the principle that data or information is  
763 not made available or disclosed to unauthorized persons or processes.

764 (11) "Day" means any part of a day in which psychological work is  
765 performed.

766 (12) "Distant state" means the compact state where a psychologist is  
767 physically present, not through the use of telecommunications  
768 technologies, to provide temporary in-person, face-to-face  
769 psychological services.

770 (13) "E.Passport" means the Interjurisdictional Practice Certificate  
771 issued by the Association of State and Provincial Psychology Boards  
772 that promotes the standardization in the criteria of interjurisdictional  
773 telepsychology practice and facilitates the process for licensed  
774 psychologists to provide telepsychological services across state lines.

775 (14) "Executive board" means a group of directors elected or  
776 appointed to act on behalf of, and within the powers granted to them  
777 by, the commission.

778 (15) "Home state" means a compact state where a psychologist is  
779 licensed to practice psychology, provided (A) if the psychologist is  
780 licensed in more than one compact state and is practicing under the

781 temporary authorization to practice, the home state is the compact state  
782 where the psychologist is physically present when delivering  
783 telepsychological services, and (B) if the psychologist is licensed in more  
784 than one compact state and is practicing under the temporary  
785 authorization to practice, the home state is any compact state where the  
786 psychologist is licensed.

787 (16) "Identity history summary" means a summary of information  
788 retained by the Federal Bureau of Investigation, or said bureau's  
789 designee with similar authority, in connection with arrests and, in some  
790 instances, federal employment, naturalization, or military service.

791 (17) "In-person, face-to-face" (A) means interactions in which the  
792 psychologist and the client or patient are in the same physical space, and  
793 (B) does not include interactions that may occur through the use of  
794 telecommunication technologies.

795 (18) "IPC" means the Interjurisdictional Practice Certificate issued by  
796 the Association of State and Provincial Psychology Boards that grants  
797 temporary authority to practice based on notification to the state  
798 psychology regulatory authority of intention to practice temporarily,  
799 and verification of one's qualifications for such practice.

800 (19) "License" means authorization by a state psychology regulatory  
801 authority to engage in the independent practice of psychology, which  
802 practice would be unlawful without the authorization.

803 (20) "Noncompact state" means any state that is not a compact state.

804 (21) "Psychologist" means an individual licensed for the independent  
805 practice of psychology.

806 (22) "Psychology Interjurisdictional Compact Commission" or  
807 "commission" means the national administration of which all compact  
808 states are members.

809 (23) "Receiving state" means a compact state where the client or  
810 patient is physically located when the telepsychological services are

811 delivered.

812 (24) "Rule" means a written statement by the Psychology  
813 Interjurisdictional Compact Commission promulgated pursuant to  
814 Article XI of the compact that is of general applicability, implements,  
815 interprets or prescribes a policy or provision of the compact, or an  
816 organizational, procedural or practice requirement of the commission,  
817 and has the force and effect of statutory law in a compact state,  
818 including, but not limited to, the amendment, repeal or suspension of  
819 an existing rule.

820 (25) "Significant investigatory information" means:

821 (A) Investigative information that a state psychology regulatory  
822 authority, after a preliminary inquiry that includes notification and an  
823 opportunity to respond if required by state law, has reason to believe, if  
824 proven true, would indicate more than a violation of state statute or  
825 ethics code that would be considered more substantial than a minor  
826 infraction; or

827 (B) Investigative information that indicates that the psychologist  
828 represents an immediate threat to public health and safety regardless of  
829 whether the psychologist has been notified or had an opportunity to  
830 respond.

831 (26) "State" means a state, commonwealth, territory or possession of  
832 the United States, or the District of Columbia.

833 (27) "State psychology regulatory authority" means the board, office  
834 or other agency with the legislative mandate to license and regulate the  
835 practice of psychology.

836 (28) "Telepsychology" means the provision of psychological services  
837 using telecommunication technologies.

838 (29) "Temporary authorization to practice" means a licensed  
839 psychologist's authority to conduct temporary in-person, face-to-face  
840 practice, within the limits authorized under the compact, in another

841 compact state.

842 (30) "Temporary in-person, face-to-face practice" means the practice  
843 of psychology by a psychologist who is physically present, not through  
844 the use of telecommunications technologies, in the distant state for not  
845 more than thirty days in a calendar year and based on notification to the  
846 distant state.

847 ARTICLE III HOME STATE LICENSURE

848 (a) The home state shall be a compact state where a psychologist is  
849 licensed to practice psychology.

850 (b) A psychologist may hold one or more compact state licenses at a  
851 time. If the psychologist is licensed in more than one compact state, the  
852 home state is the compact state where the psychologist is physically  
853 present when the services are delivered as authorized by the authority  
854 to practice interjurisdictional telepsychology under the terms of the  
855 compact.

856 (c) Any compact state may require a psychologist not previously  
857 licensed in a compact state to obtain and retain a license to be authorized  
858 to practice in the compact state under circumstances not authorized by  
859 the authority to practice interjurisdictional telepsychology under the  
860 terms of the compact.

861 (d) Any compact state may require a psychologist to obtain and retain  
862 a license to be authorized to practice in a compact state under  
863 circumstances not authorized by a temporary authorization to practice  
864 under the terms of the compact.

865 (e) A home state's license authorizes a psychologist to practice in a  
866 receiving state under the authority to practice interjurisdictional  
867 telepsychology only if the compact state:

- 868 (1) Currently requires the psychologist to hold an active E.Passport;  
869 (2) Has a mechanism in place for receiving and investigating

870 complaints about licensed individuals;

871 (3) Notifies the commission, in compliance with the terms of the  
872 compact, of any adverse action or significant investigatory information  
873 regarding a licensed individual;

874 (4) Requires an identity history summary of all applicants at initial  
875 licensure, including, but not limited to, the use of the results of  
876 fingerprints or other biometric data checks compliant with the  
877 requirements of the Federal Bureau of Investigation, or said bureau's  
878 designee with similar authority, not later than ten years after activation  
879 of the compact; and

880 (5) Complies with the bylaws and rules of the commission.

881 (f) A home state's license grants a temporary authorization to practice  
882 to a psychologist in a distant state only if the compact state:

883 (1) Currently requires the psychologist to hold an active IPC;

884 (2) Has a mechanism in place for receiving and investigating  
885 complaints about licensed individuals;

886 (3) Notifies the commission, in compliance with the terms of the  
887 compact, of any adverse action or significant investigatory information  
888 regarding a licensed individual;

889 (4) Requires an identity history summary of all applicants at initial  
890 licensure, including, but not limited to, the use of the results of  
891 fingerprints or other biometric data checks compliant with the  
892 requirements of the Federal Bureau of Investigation, or said bureau's  
893 designee with similar authority, not later than ten years after activation  
894 of the compact; and

895 (5) Complies with the bylaws and rules of the commission.

896 ARTICLE IV

897 COMPACT PRIVILEGE TO PRACTICE TELEPSYCHOLOGY

898 (a) Compact states shall recognize the right of a psychologist, licensed  
899 in a compact state in conformance with Article III of the compact, to  
900 practice telepsychology in receiving states in which the psychologist is  
901 not licensed, under the authority to practice interjurisdictional  
902 telepsychology as provided in the compact.

903 (b) To exercise the authority to practice interjurisdictional  
904 telepsychology under the terms and provisions of the compact, a  
905 psychologist licensed to practice in a compact state shall:

906 (1) Hold a graduate degree in psychology from an institution of  
907 higher education that was, at the time the degree was awarded:

908 (A) Regionally accredited by an accrediting body recognized by the  
909 United States Department of Education to grant graduate degrees, or  
910 authorized by provincial statute or royal charter to grant doctoral  
911 degrees; or

912 (B) A foreign college or university deemed to be equivalent to an  
913 institution of higher education described in subparagraph (A) of this  
914 subdivision by a foreign credential evaluation service that is a member  
915 of the National Association of Credential Evaluation Services or by a  
916 recognized foreign credential evaluation service; and

917 (2) Hold a graduate degree in psychology from a psychology  
918 program that meets the following criteria:

919 (A) The program, wherever it may be administratively housed, shall  
920 be clearly identified and labeled as a psychology program. Such  
921 program shall specify in pertinent institutional catalogues and  
922 brochures its intent to educate and train professional psychologists;

923 (B) The psychology program shall stand as a recognizable, coherent,  
924 organizational entity within the institution;

925 (C) There shall be a clear authority and primary responsibility for the  
926 core and specialty areas whether or not the program cuts across  
927 administrative lines;



928 (D) The program shall consist of an integrated, organized sequence  
929 of study;

930 (E) There shall be an identifiable psychology faculty sufficient in size  
931 and breadth to carry out its responsibilities;

932 (F) The designated director of the program shall be a psychologist  
933 and a member of the core faculty;

934 (G) The program shall have an identifiable body of students who are  
935 matriculated in such program for a degree;

936 (H) The program shall include supervised practicum, internship or  
937 field training appropriate to the practice of psychology;

938 (I) The curriculum shall encompass a minimum of three academic  
939 years of full-time graduate study for a doctoral degree and a minimum  
940 of one academic year of full-time graduate study for a master's degree;  
941 and

942 (J) The program shall include an acceptable residency, as defined by  
943 the rules of the commission;

944 (3) Possess a current, full and unrestricted license to practice  
945 psychology in a home state that is a compact state;

946 (4) Have no history of adverse action that violates the rules of the  
947 commission;

948 (5) Have no criminal record history reported on an identity history  
949 summary that violates the rules of the commission;

950 (6) Possess a current, active E.Passport;

951 (7) Provide (A) attestations regarding areas of intended practice,  
952 conformity with standards of practice, competence in telepsychology  
953 technology, criminal background and knowledge and adherence to  
954 legal requirements in the home and receiving states, and (B) a release of  
955 information to allow for primary source verification in a manner

956 specified by the commission; and

957 (8) Meet other criteria as defined by the rules of the commission.

958 (c) The home state maintains authority over the license of any  
959 psychologist practicing in a receiving state under the authority to  
960 practice interjurisdictional telepsychology.

961 (d) A psychologist practicing in a receiving state under the authority  
962 to practice interjurisdictional telepsychology shall be subject to the  
963 receiving state's scope of practice. A receiving state may, in accordance  
964 with such state's due process law, limit or revoke a psychologist's  
965 authority to practice interjurisdictional telepsychology in the receiving  
966 state and may take any other necessary actions under the receiving  
967 state's applicable law to protect the health and safety of the receiving  
968 state's citizens. If a receiving state takes action, the state shall promptly  
969 notify the home state and the commission.

970 (e) If a psychologist's license in any home state, another compact state  
971 or any authority to practice interjurisdictional telepsychology in any  
972 receiving state, is restricted, suspended or otherwise limited, the  
973 E.Passport shall be revoked and the psychologist shall not be eligible to  
974 practice telepsychology in a compact state under the authority to  
975 practice interjurisdictional telepsychology.

976 ARTICLE V

977 COMPACT TEMPORARY AUTHORIZATION TO PRACTICE

978 (a) Compact states shall recognize the right of a psychologist, licensed  
979 in a compact state in conformance with Article III of the compact, to  
980 practice temporarily in other compact states in which the psychologist  
981 is not licensed, as provided in the compact.

982 (b) To exercise the temporary authorization to practice under the  
983 terms and provisions of the compact, a psychologist licensed to practice  
984 in a compact state shall:

985 (1) Hold a graduate degree in psychology from an institution of  
986 higher education that was, at the time the degree was awarded:

987 (A) Regionally accredited by an accrediting body recognized by the  
988 United States Department of Education to grant graduate degrees, or  
989 authorized by provincial statute or royal charter to grant doctoral  
990 degrees; or

991 (B) A foreign college or university deemed to be equivalent to an  
992 institution of higher education described in subparagraph (A) of this  
993 subdivision by a foreign credential evaluation service that is a member  
994 of the National Association of Credential Evaluation Services or by a  
995 recognized foreign credential evaluation service; and

996 (2) Hold a graduate degree in psychology that meets the following  
997 criteria:

998 (A) The program, wherever it may be administratively housed, shall  
999 be clearly identified and labeled as a psychology program. Such  
1000 program shall specify in pertinent institutional catalogues and  
1001 brochures its intent to educate and train professional psychologists;

1002 (B) The psychology program shall stand as a recognizable, coherent,  
1003 organizational entity within the institution;

1004 (C) There shall be a clear authority and primary responsibility for the  
1005 core and specialty areas whether or not the program cuts across  
1006 administrative lines;

1007 (D) The program shall consist of an integrated, organized sequence  
1008 of study;

1009 (E) There shall be an identifiable psychology faculty sufficient in size  
1010 and breadth to carry out its responsibilities;

1011 (F) The designated director of the program shall be a psychologist  
1012 and a member of the core faculty;

1013 (G) The program shall have an identifiable body of students who are

1014 matriculated in such program for a degree;

1015 (H) The program shall include supervised practicum, internship or  
1016 field training appropriate to the practice of psychology;

1017 (I) The curriculum shall encompass a minimum of three academic  
1018 years of full-time graduate study for a doctoral degree and a minimum  
1019 of one academic year of full-time graduate study for a master's degree;  
1020 and

1021 (J) The program includes an acceptable residency, as defined by the  
1022 rules of the commission;

1023 (3) Possess a current, full and unrestricted license to practice  
1024 psychology in a home state that is a compact state;

1025 (4) No history of adverse action that violates the rules of the  
1026 commission;

1027 (5) No criminal record history that violates the rules of the  
1028 commission;

1029 (6) Possess a current, active IPC;

1030 (7) Provide attestations regarding areas of intended practice and  
1031 work experience and provide a release of information to allow for  
1032 primary source verification in a manner specified by the commission;  
1033 and

1034 (8) Meet other criteria, as defined by the rules of the commission.

1035 (c) A psychologist practicing in a distant state under the temporary  
1036 authorization to practice shall practice within the scope of practice  
1037 authorized by the distant state.

1038 (d) A psychologist practicing in a distant state under the temporary  
1039 authorization to practice shall be subject to the distant state's authority  
1040 and law. A distant state may, in accordance with such state's due process  
1041 law, limit or revoke a psychologist's temporary authorization to practice

1042 in the distant state and may take any other necessary actions under the  
1043 distant state's applicable law to protect the health and safety of the  
1044 distant state's citizens. If a distant state takes action, the state shall  
1045 promptly notify the home state and the commission.

1046 (e) If a psychologist's license in any home state or another compact  
1047 state, or any temporary authorization to practice in any distant state, is  
1048 restricted, suspended or otherwise limited, the IPC shall be revoked and  
1049 the psychologist shall not be eligible to practice in a compact state under  
1050 the temporary authorization to practice.

1051 ARTICLE VI

1052 CONDITIONS OF TELEPSYCHOLOGY PRACTICE IN A  
1053 RECEIVING STATE

1054 A psychologist may practice in a receiving state under the authority  
1055 to practice interjurisdictional telepsychology only in the performance of  
1056 the scope of practice for psychology as assigned by an appropriate state  
1057 psychology regulatory authority, as defined in the rules of the  
1058 commission, and under the following circumstances:

1059 (1) The psychologist initiates a client or patient contact in a home state  
1060 via telecommunications technologies with a client or patient in a  
1061 receiving state; and

1062 (2) The psychologist complies with any other conditions regarding  
1063 telepsychology that are set forth in the rules promulgated by the  
1064 commission.

1065 ARTICLE VII

1066 ADVERSE ACTIONS

1067 (a) A home state shall have the power to impose adverse action  
1068 against a psychologist's license issued by the home state. A distant state  
1069 shall have the power to take adverse action on a psychologist's  
1070 temporary authorization to practice in such distant state.

1071 (b) A receiving state may take adverse action on a psychologist's  
1072 authority to practice interjurisdictional telepsychology in such receiving  
1073 state. A home state may take adverse action against a psychologist based  
1074 on an adverse action taken by a distant state regarding temporary in-  
1075 person, face-to-face practice.

1076 (c) If a home state takes adverse action against a psychologist's  
1077 license, the psychologist's (1) authority to practice interjurisdictional  
1078 telepsychology is terminated, (2) E.Passport is revoked, (3) temporary  
1079 authorization to practice is terminated, and (4) IPC is revoked. All home  
1080 state disciplinary orders that impose adverse action shall be reported to  
1081 the commission in accordance with the rules promulgated by the  
1082 commission. A compact state shall report adverse actions in accordance  
1083 with the rules of the commission. If discipline is reported on a  
1084 psychologist, the psychologist shall not be eligible for telepsychology or  
1085 temporary in-person, face-to-face practice in accordance with the rules  
1086 of the commission. Other actions may be imposed as determined by the  
1087 rules promulgated by the commission.

1088 (d) A home state's psychology regulatory authority shall investigate  
1089 and take appropriate action with respect to reported inappropriate  
1090 conduct engaged in by a licensee that occurred in a receiving state as it  
1091 would if such conduct had occurred by a licensee in the home state. In  
1092 such cases, the home state's law shall control in determining any adverse  
1093 action against a psychologist's license.

1094 (e) A distant state's psychology regulatory authority shall investigate  
1095 and take appropriate action with respect to reported inappropriate  
1096 conduct engaged in by a psychologist practicing under temporary  
1097 authorization to practice that occurred in that distant state as it would if  
1098 such conduct had occurred by a licensee within the home state. In such  
1099 cases, the distant state's law shall control in determining any adverse  
1100 action against a psychologist's temporary authorization to practice.

1101 (f) Nothing in the compact shall override a compact state's decision  
1102 that a psychologist's participation in an alternative program may be  
1103 used in lieu of adverse action and that such participation shall remain

1104 nonpublic if required by the compact state's law. Compact states shall  
1105 require psychologists who enter any alternative program to not provide  
1106 telepsychology services under the authority to practice  
1107 interjurisdictional telepsychology or provide temporary psychological  
1108 services under the temporary authorization to practice in any other  
1109 compact state during the term of the alternative program.

1110 (g) No other judicial or administrative remedies shall be available to  
1111 a psychologist if the compact state imposes an adverse action pursuant  
1112 to subsection (c) of this article.

1113 ARTICLE VIII

1114 ADDITIONAL AUTHORITIES INVESTED IN A COMPACT  
1115 STATE'S PSYCHOLOGY REGULATORY AUTHORITY

1116 (a) In addition to any other powers granted under state law, a  
1117 compact state's psychology regulatory authority shall have the  
1118 authority under the compact to do the following:

1119 (1) Issue subpoenas, for both hearings and investigations, that require  
1120 the attendance and testimony of witnesses and the production of  
1121 evidence. Subpoenas issued by a compact state's psychology regulatory  
1122 authority for the attendance and testimony of witnesses or the  
1123 production of evidence from another compact state shall be enforced in  
1124 the latter compact state by any court of competent jurisdiction,  
1125 according to such court's practice and procedure in considering  
1126 subpoenas issued in its own proceedings. The issuing state psychology  
1127 regulatory authority shall pay any witness fees, travel expenses, mileage  
1128 and other fees required by the service statutes of the state where the  
1129 witnesses are or evidence is located; and

1130 (2) Issue cease and desist or injunctive relief orders to revoke a  
1131 psychologist's authority to practice interjurisdictional telepsychology or  
1132 temporary authorization to practice.

1133 (b) During the course of any investigation, a psychologist may not  
1134 change the psychologist's home state licensure. A home state

1135 psychology regulatory authority is authorized to complete any pending  
1136 investigations of a psychologist and to take any actions appropriate  
1137 under its law. The home state psychology regulatory authority shall  
1138 promptly report the conclusions of such investigations to the  
1139 commission. Once an investigation has been completed, and pending  
1140 the outcome of such investigation, the psychologist may change his or  
1141 her home state licensure. The commission shall promptly notify the new  
1142 home state of any such decisions as provided in the rules of the  
1143 commission. All information provided to the commission or distributed  
1144 by compact states pursuant to the psychologist shall be confidential,  
1145 filed under seal and used for investigatory or disciplinary matters. The  
1146 commission may create additional rules for mandated or discretionary  
1147 sharing of information by compact states.

1148 ARTICLE IX

1149 COORDINATED LICENSURE INFORMATION SYSTEM

1150 (a) The commission shall provide for the development and  
1151 maintenance of a coordinated licensure information system and  
1152 reporting system containing licensure and disciplinary action  
1153 information on all psychologists to whom the compact is applicable in  
1154 all compact states as defined by the rules of the commission.

1155 (b) Notwithstanding any other provision of the general statutes, a  
1156 compact state shall submit a uniform data set to the coordinated  
1157 database on all licensees as required by the rules of the commission,  
1158 including, but not limited to, the following:

1159 (1) Identifying information;

1160 (2) Licensure data;

1161 (3) Significant investigatory information;

1162 (4) Adverse actions against a psychologist's license;

1163 (5) An indicator that a psychologist's authority to practice



1164 interjurisdictional telepsychology or temporary authorization to  
1165 practice is revoked;

1166 (6) Nonconfidential information related to alternative program  
1167 participation information;

1168 (7) Any denial of application for licensure, and the reasons for such  
1169 denial; and

1170 (8) Other information that may facilitate the administration of the  
1171 compact, as determined by the rules of the commission.

1172 (c) The coordinated database administrator shall promptly notify all  
1173 compact states of any adverse action taken against, or significant  
1174 investigative information on, any licensee in a compact state.

1175 (d) Compact states reporting information to the coordinated database  
1176 may designate information that may not be shared with the public  
1177 without the express permission of the compact state reporting the  
1178 information.

1179 (e) Any information submitted to the coordinated database that is  
1180 subsequently required to be expunged by the law of the compact state  
1181 reporting the information shall be removed from the coordinated  
1182 database.

1183 ARTICLE X

1184 ESTABLISHMENT OF THE PSYCHOLOGY INTER-  
1185 JURISDICTIONAL COMPACT COMMISSION

1186 (a) The compact states hereby create and establish a joint public  
1187 agency known as the Psychology Interjurisdictional Compact  
1188 Commission.

1189 (1) The commission is a body politic and an instrumentality of the  
1190 compact states.

1191 (2) Venue is proper and judicial proceedings by or against the

1192 commission shall be brought solely and exclusively in a court of  
1193 competent jurisdiction where the principal office of the commission is  
1194 located. The commission may waive venue and jurisdictional defenses  
1195 to the extent it adopts or consents to participate in alternative dispute  
1196 resolution proceedings.

1197 (3) Nothing in the compact shall be construed to be a waiver of  
1198 sovereign immunity.

1199 (b) (1) The commission shall consist of one voting representative  
1200 appointed by each compact state who shall serve as such state's  
1201 commissioner. The state psychology regulatory authority shall appoint  
1202 its delegate. The delegate shall be empowered to act on behalf of the  
1203 compact state. The delegate shall be limited to the following:

1204 (A) An executive director, executive secretary or similar executive;

1205 (B) A current member of the state psychology regulatory authority of  
1206 a compact state; or

1207 (C) A designee empowered with the appropriate delegate authority  
1208 to act on behalf of the compact state.

1209 (2) Any commissioner may be removed or suspended from office as  
1210 provided by the law of the state from which the commissioner is  
1211 appointed. Any vacancy occurring in the commission shall be filled in  
1212 accordance with the laws of the compact state in which the vacancy  
1213 exists.

1214 (3) Each commissioner shall be entitled to one vote with regard to the  
1215 promulgation of rules and creation of bylaws and shall otherwise have  
1216 an opportunity to participate in the business and affairs of the  
1217 commission. A commissioner shall vote in person or by such other  
1218 means as provided in the bylaws. The bylaws may provide for  
1219 commissioners' participation in meetings by telephone or other means  
1220 of communication.

1221 (4) The commission shall meet at least once during each calendar

1222 year. Additional meetings shall be held as set forth in the bylaws.

1223 (5) All meetings shall be open to the public, and public notice of  
1224 meetings shall be given in the same manner as required under the  
1225 rulemaking provisions in Article XI of the compact.

1226 (6) The commission may convene in a closed, nonpublic meeting if  
1227 the commission has to discuss the following:

1228 (A) Noncompliance of a compact state with its obligations under the  
1229 compact;

1230 (B) The employment, compensation, discipline or other personnel  
1231 matters, practices or procedures related to specific employees or other  
1232 matters related to the commission's internal personnel practices and  
1233 procedures;

1234 (C) Current, threatened or reasonably anticipated litigation against  
1235 the commission;

1236 (D) Negotiation of contracts for the purchase or sale of goods, services  
1237 or real estate;

1238 (E) Accusation against any person of a crime or formally censuring  
1239 any person;

1240 (F) Disclosure of trade secrets or commercial or financial information  
1241 which is privileged or confidential;

1242 (G) Disclosure of information of a personal nature where disclosure  
1243 would constitute a clearly unwarranted invasion of personal privacy;

1244 (H) Disclosure of investigatory records compiled for law enforcement  
1245 purposes;

1246 (I) Disclosure of information related to any investigatory reports  
1247 prepared by or on behalf of or for use of the commission or other  
1248 committee charged with responsibility for investigation or  
1249 determination of compliance issues pursuant to the compact; or

1250 (J) Matters specifically exempted from disclosure by federal and state  
1251 statute.

1252 (7) If a meeting, or portion of a meeting, is closed pursuant to the  
1253 provisions of subdivision (6) of this subsection, the commission's legal  
1254 counsel or designee shall certify that the meeting may be closed and  
1255 shall reference each relevant exempting provision. The commission  
1256 shall keep minutes that fully and clearly describe all matters discussed  
1257 in a meeting and shall provide a full and accurate summary of actions  
1258 taken, of any person participating in the meeting, and the reasons  
1259 therefore, including, but not limited to, a description of the views  
1260 expressed. All documents considered in connection with an action shall  
1261 be identified in such minutes. All minutes and documents of a closed  
1262 meeting shall remain under seal, subject to release only by a majority  
1263 vote of the commission or order of a court of competent jurisdiction.

1264 (c) The commission shall, by a majority vote of the commissioners,  
1265 prescribe bylaws or rules to govern its conduct as may be necessary or  
1266 appropriate to carry out the purposes and exercise the powers of the  
1267 compact, including, but not limited to:

1268 (1) Establishing the fiscal year of the commission;

1269 (2) Providing reasonable standards and procedures for the following:

1270 (A) The establishment and meetings of other committees; and

1271 (B) Governing any general or specific delegation of any authority or  
1272 function of the commission;

1273 (3) Providing reasonable procedures for calling and conducting  
1274 meetings of the commission, ensuring reasonable advance notice of all  
1275 meetings and providing an opportunity for attendance of such meetings  
1276 by interested parties, with enumerated exceptions designed to protect  
1277 the public's interest, the privacy of individuals at such meetings and  
1278 proprietary information, including, but not limited to, trade secrets. The  
1279 commission may meet in closed session only after a majority of the  
1280 commissioners vote to close a meeting to the public in whole or in part.

1281 As soon as practicable, the commission shall make public a copy of the  
1282 vote to close the meeting revealing the vote of each commissioner with  
1283 no proxy votes allowed;

1284 (4) Establishing the titles, duties and authority and reasonable  
1285 procedures for the election of the officers of the commission;

1286 (5) Providing reasonable standards and procedures for the  
1287 establishment of the personnel policies and programs of the  
1288 commission. Notwithstanding any civil service law or other similar law  
1289 of any compact state, the bylaws shall exclusively govern the personnel  
1290 policies and programs of the commission;

1291 (6) Promulgating a code of ethics to address permissible and  
1292 prohibited activities of commission members and employees;

1293 (7) Providing a mechanism for concluding the operations of the  
1294 commission and the equitable disposition of any surplus funds that may  
1295 exist after the termination of the compact after the payment or reserving  
1296 of all of its debts and obligations;

1297 (8) The commission shall publish its bylaws in a convenient form and  
1298 file a copy thereof and a copy of any amendment thereto, with the  
1299 appropriate agency or officer in each of the compact states;

1300 (9) The commission shall maintain its financial records in accordance  
1301 with the bylaws; and

1302 (10) The commission shall meet and take such actions as are  
1303 consistent with the provisions of the compact and the bylaws.

1304 (d) The commission may:

1305 (1) Promulgate uniform rules to facilitate and coordinate  
1306 implementation and administration of the compact, which rules shall  
1307 have the force and effect of law and shall be binding in all compact  
1308 states;

1309 (2) Bring and prosecute legal proceedings or actions in the name of

1310 the commission, provided the standing of any state psychology  
1311 regulatory authority or other regulatory body responsible for  
1312 psychology licensure to sue or be sued under applicable law shall not  
1313 be affected;

1314 (3) Purchase and maintain insurance and bonds;

1315 (4) Borrow, accept or contract for services of personnel, including, but  
1316 not limited to, employees of a compact state;

1317 (5) Hire employees, elect or appoint officers, fix compensation, define  
1318 duties, grant such individuals appropriate authority to carry out the  
1319 purposes of the compact and to establish the commission's personnel  
1320 policies and programs relating to conflicts of interest, qualifications of  
1321 personnel and other related personnel matters;

1322 (6) Accept any appropriate donations and grants of money,  
1323 equipment, supplies, materials and services and to receive, utilize and  
1324 dispose of the same; provided the commission shall strive at all times to  
1325 avoid any appearance of impropriety or conflict of interest;

1326 (7) Lease, purchase, accept appropriate gifts or donations of, or  
1327 otherwise own, hold, improve or use, any property, real, personal or  
1328 mixed, provided the commission shall strive at all times to avoid any  
1329 appearance of impropriety;

1330 (8) Sell, convey, mortgage, pledge, lease, exchange, abandon or  
1331 otherwise dispose of any property real, personal or mixed;

1332 (9) Establish a budget and make expenditures;

1333 (10) Borrow money;

1334 (11) Appoint committees, including, but not limited to, advisory  
1335 committees comprised of members, state regulators, state legislators or  
1336 their representatives and consumer representatives, and such other  
1337 interested persons as may be designated in the compact and the bylaws;

1338 (12) Provide and receive information from, and to cooperate with,

1339 law enforcement agencies;

1340 (13) Adopt and use an official seal; and

1341 (14) Perform such other functions as may be necessary or appropriate  
1342 to achieve the purposes of the compact consistent with the state  
1343 regulation of psychology licensure, temporary in-person, face-to-face  
1344 practice and telepsychology practice.

1345 (e) (1) The elected officers shall serve as the executive board, which  
1346 shall have the power to act on behalf of the commission according to the  
1347 terms of the compact. The executive board shall be comprised of the  
1348 following six members:

1349 (A) Five voting members who are elected from the membership of the  
1350 commission by the commission; and

1351 (B) One ex-officio, nonvoting member from the recognized  
1352 membership organization composed of state and provincial psychology  
1353 regulatory authorities.

1354 (2) The ex-officio member shall have served as staff or member on a  
1355 state psychology regulatory authority and shall be selected by its  
1356 respective organization.

1357 (3) The commission may remove any member of the executive board  
1358 as provided in the bylaws.

1359 (4) The executive board shall meet at least annually.

1360 (5) The executive board shall have the following duties and  
1361 responsibilities:

1362 (A) Recommend to the entire commission changes to the rules or  
1363 bylaws, changes to the compact legislation, fees paid by compact states,  
1364 including, but not limited to, annual dues, and any other applicable fees;

1365 (B) Ensure compact administration services are appropriately  
1366 provided, contractually or otherwise;

- 1367 (C) Prepare and recommend the budget;
- 1368 (D) Maintain financial records on behalf of the commission;
- 1369 (E) Monitor compact compliance of member states and provide  
1370 compliance reports to the commission;
- 1371 (F) Establish additional committees as necessary; and
- 1372 (G) Other duties as provided in rules or bylaws.
- 1373 (f) The commission:
- 1374 (1) Shall pay, or provide for the payment of the reasonable expenses  
1375 of its establishment, organization and ongoing activities.
- 1376 (2) May accept any and all appropriate revenue sources, donations  
1377 and grants of money, equipment, supplies, materials and services.
- 1378 (3) May levy on and collect an annual assessment from each compact  
1379 state or impose fees on other parties to cover the cost of the operations  
1380 and activities of the commission and its staff. Such assessment and fees  
1381 shall be in a total amount sufficient to cover the commission's annual  
1382 budget as approved each year for which revenue is not provided by  
1383 other sources. The aggregate annual assessment amount shall be  
1384 allocated based upon a formula to be determined by the commission.  
1385 The commission shall promulgate a rule under this subdivision that is  
1386 binding upon all compact states.
- 1387 (4) Shall not incur obligations of any kind prior to securing the funds  
1388 adequate to meet such obligations, or pledge the credit of any of the  
1389 compact states, except by and with the authority of the compact state.
- 1390 (5) Shall keep accurate accounts of all receipts and disbursements.  
1391 The receipts and disbursements of the commission shall be subject to the  
1392 audit and accounting procedures established under its bylaws. All  
1393 receipts and disbursements of funds handled by the commission shall  
1394 be audited yearly by a certified or licensed public accountant and the  
1395 report of the audit shall be included in and become part of the annual



1396 report of the commission.

1397 (g) (1) The members, officers, executive director, employees and  
1398 representatives of the commission shall be immune from suit and  
1399 liability, either personally or in their official capacity, for any claim for  
1400 damage to or loss of property or personal injury or other civil liability  
1401 caused by or arising out of any actual or alleged act, error or omission  
1402 that occurred, or that the person against whom the claim is made had a  
1403 reasonable basis for believing occurred within the scope of commission  
1404 employment, duties or responsibilities, provided nothing in this  
1405 subdivision shall be construed to protect any such person from suit or  
1406 liability for any damage, loss, injury or liability caused by the intentional  
1407 or wilful or wanton misconduct of such person.

1408 (2) The commission shall defend any member, officer, executive  
1409 director, employee or representative of the commission in any civil  
1410 action seeking to impose liability arising out of any actual or alleged act,  
1411 error or omission that occurred within the scope of commission  
1412 employment, duties or responsibilities, or that the person against whom  
1413 the claim is made had a reasonable basis for believing occurred within  
1414 the scope of commission employment, duties or responsibilities,  
1415 provided (A) nothing in this subdivision shall be construed to prohibit  
1416 such person from retaining his or her own counsel, and (B) the actual or  
1417 alleged act, error or omission did not result from such person's  
1418 intentional or wilful or wanton misconduct.

1419 (3) The commission shall indemnify and hold harmless any member,  
1420 officer, executive director, employee or representative of the  
1421 commission for the amount of any settlement or judgment obtained  
1422 against such person arising out of any actual or alleged act, error or  
1423 omission that occurred within the scope of commission employment,  
1424 duties or responsibilities, or that such person had a reasonable basis for  
1425 believing occurred within the scope of commission employment, duties  
1426 or responsibilities, provided the actual or alleged act, error or omission  
1427 did not result from the intentional or wilful or wanton misconduct of  
1428 such person.

1429 ARTICLE XI

1430 RULEMAKING

1431 (a) The commission shall exercise its rulemaking powers pursuant to  
1432 the criteria set forth in this Article and the rules adopted thereunder.  
1433 Rules and amendments shall become binding as of the date specified in  
1434 each rule or amendment.

1435 (b) If a majority of the legislatures of the compact states rejects a rule,  
1436 by enactment of a statute or resolution in the same manner used to adopt  
1437 the compact, then such rule shall have no further force and effect in any  
1438 compact state.

1439 (c) Rules, or amendments to the rules, shall be adopted at a regular  
1440 or special meeting of the commission.

1441 (d) Prior to promulgation and adoption of a final rule or rules by the  
1442 commission, and at least sixty days prior to the scheduled date of the  
1443 meeting at which the rule will be considered and voted upon, the  
1444 commission shall file a notice of proposed rulemaking as follows:

1445 (1) On the Internet web site of the commission; and

1446 (2) On the Internet web site of each compact state's psychology  
1447 regulatory authority or the publication in which each state would  
1448 otherwise publish proposed rules.

1449 (e) The notice of proposed rulemaking shall include the following:

1450 (1) The proposed time, date and location of the meeting in which the  
1451 rule will be considered and voted upon;

1452 (2) The text of the proposed rule or amendment and the reason for  
1453 the proposed rule;

1454 (3) A request for comments on the proposed rule from any interested  
1455 person; and

1456 (4) The manner in which interested persons may submit to the  
1457 commission (A) notice of their intention to attend the public hearing,  
1458 and (B) written comments.

1459 (f) Prior to adoption of a proposed rule, the commission shall allow  
1460 persons to submit written data, facts, opinions and arguments, which  
1461 shall be made available to the public.

1462 (g) The commission shall grant an opportunity for a public hearing  
1463 before it adopts a rule or amendment if a hearing is requested by the  
1464 following:

1465 (1) At least twenty-five persons who submit written comments  
1466 independently of each other;

1467 (2) A governmental subdivision or agency; or

1468 (3) A duly appointed person in an association that has at least twenty-  
1469 five members.

1470 (h) If a hearing is held on the proposed rule or amendment, the  
1471 commission shall publish the location, time and date of the scheduled  
1472 public hearing.

1473 (1) All persons wishing to be heard at the hearing shall notify the  
1474 executive director of the commission or other designated member in  
1475 writing of their desire to appear and testify at the hearing not less than  
1476 five business days prior to the scheduled date of the hearing.

1477 (2) Hearings shall be conducted in a manner providing each person  
1478 who wishes to comment a fair and reasonable opportunity to comment  
1479 orally or in writing.

1480 (3) No transcript of the hearing is required, unless a written request  
1481 for a transcript is made, in which case the person requesting the  
1482 transcript shall bear the cost of producing the transcript. A recording  
1483 may be made in lieu of a transcript under the same terms and conditions  
1484 as a transcript. The provisions of this subdivision shall not preclude the

1485 commission from making a transcript or recording of the hearing if it so  
1486 chooses.

1487 (4) Nothing in this subsection shall be construed as requiring a  
1488 separate hearing on each rule. Rules may be grouped for the  
1489 convenience of the commission at hearings required under this  
1490 subsection.

1491 (i) Following the scheduled hearing date, or by the close of business  
1492 on the scheduled hearing date if the hearing was not held, the  
1493 commission shall consider all written and oral comments received.

1494 (j) The commission shall, by majority vote of all members, take final  
1495 action on the proposed rule and shall determine the effective date of the  
1496 rule, if any, based on the rulemaking record and the full text of the rule.

1497 (k) If no written notice of intent to attend the public hearing by  
1498 interested parties is received, the commission may proceed with  
1499 promulgation of the proposed rule without a public hearing.

1500 (l) Upon determination that an emergency exists, the commission  
1501 may consider and adopt an emergency rule without prior notice,  
1502 opportunity for comment or hearing, provided the usual rulemaking  
1503 procedures described in the compact and in this subsection shall be  
1504 retroactively applied to the rule as soon as reasonably possible, in no  
1505 event later than ninety days after the effective date of the rule. For the  
1506 purposes of this subsection, "emergency rule" means a rule that shall be  
1507 adopted immediately in order to:

1508 (1) Meet an imminent threat to public health, safety or welfare;

1509 (2) Prevent a loss of commission or compact state funds;

1510 (3) Meet a deadline for the promulgation of an administrative rule  
1511 that is established by federal law or rule; or

1512 (4) Protect public health and safety.

1513 (m) The commission, or an authorized committee of the commission,

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1514 may direct revisions to a previously adopted rule or amendment for  
1515 purposes of correcting typographical errors, errors in format, errors in  
1516 consistency or grammatical errors. Public notice of any revisions shall  
1517 be posted on the Internet web site of the commission. The revision shall  
1518 be subject to challenge by any person for a period of thirty days after  
1519 posting. The revision may be challenged only on grounds that the  
1520 revision results in a material change to a rule. A challenge shall be made  
1521 in writing, and delivered to the chair of the commission prior to the end  
1522 of the notice period. If no challenge is made, the revision shall take effect  
1523 without further action. If the revision is challenged, the revision may not  
1524 take effect without the approval of the commission.

1525       ARTICLE XII

1526       OVERSIGHT, DISPUTE RESOLUTION AND ENFORCEMENT

1527       (a) (1) The executive, legislative and judicial branches of state  
1528 government in each compact state shall enforce the compact and take all  
1529 actions necessary and appropriate to effectuate the compact's purposes  
1530 and intent. The provisions of the compact and the rules promulgated  
1531 under the compact shall have standing as statutory law.

1532       (2) All courts shall take judicial notice of the compact and the rules in  
1533 any judicial or administrative proceeding in a compact state pertaining  
1534 to the subject matter of the compact that may affect the powers,  
1535 responsibilities or actions of the commission.

1536       (3) The commission shall be entitled to receive service of process in  
1537 any such proceeding, and shall have standing to intervene in such  
1538 proceeding for all purposes. Failure to provide service of process to the  
1539 commission shall render a judgment or order void as to the commission,  
1540 the compact or promulgated rules.

1541       (b) (1) If the commission determines that a compact state has  
1542 defaulted in the performance of its obligations or responsibilities under  
1543 the compact or the promulgated rules, the commission shall perform the  
1544 following actions:

1545 (A) Provide written notice to the defaulting state and other compact  
1546 states of the nature of the default, the proposed means of remedying the  
1547 default or any other action to be taken by the commission; and

1548 (B) Provide remedial training and specific technical assistance  
1549 regarding the default.

1550 (2) If a state in default fails to remedy the default, the defaulting state  
1551 may be terminated from the compact upon an affirmative vote of a  
1552 majority of the compact states, and all rights, privileges and benefits  
1553 conferred by the compact shall be terminated on the effective date of  
1554 termination of the defaulting state. A remedy of the default does not  
1555 relieve the offending state of obligations or liabilities incurred during  
1556 the period of default.

1557 (3) Termination of membership in the compact shall be imposed only  
1558 after all other means of securing compliance have been exhausted.  
1559 Notice of intent to suspend or terminate shall be submitted by the  
1560 commission to the governor, the majority and minority leaders of the  
1561 defaulting state's legislature, and each of the compact states.

1562 (4) A compact state that has been terminated shall be responsible for  
1563 all assessments, obligations and liabilities incurred through the effective  
1564 date of termination, including, but not limited to, obligations that extend  
1565 beyond the effective date of termination.

1566 (5) The commission shall not bear any costs incurred by the state that  
1567 is found to be in default or that has been terminated from the compact,  
1568 unless agreed upon in writing between the commission and the  
1569 defaulting state.

1570 (6) The defaulting state may appeal the action of the commission by  
1571 petitioning the United States District Court for the State of Georgia or  
1572 the federal district where the compact has its principal offices. The  
1573 prevailing member shall be awarded all costs of such litigation,  
1574 including, but not limited to, reasonable attorney's fees.

1575 (c) (1) Upon request by a compact state, the commission shall attempt

1576 to resolve disputes related to the compact that arise among compact  
1577 states and between compact and noncompact states.

1578 (2) The commission shall promulgate a rule providing for both  
1579 mediation and binding dispute resolution for disputes that arise before  
1580 the commission.

1581 (d) (1) The commission, in the reasonable exercise of its discretion,  
1582 shall enforce the provisions and rules of the compact.

1583 (2) By majority vote, the commission may initiate legal action in the  
1584 United States District Court for the State of Georgia or the federal district  
1585 where the compact has its principal offices against a compact state in  
1586 default to enforce compliance with the provisions of the compact and its  
1587 promulgated rules and bylaws. The relief sought may include both  
1588 injunctive relief and damages. In the event judicial enforcement is  
1589 necessary, the prevailing member shall be awarded all costs of such  
1590 litigation, including, but not limited to, reasonable attorney's fees.

1591 (3) The remedies set forth in the compact shall not be the exclusive  
1592 remedies of the commission. The commission may pursue any other  
1593 remedies available under federal or state law.

1594 ARTICLE XIII

1595 DATE OF IMPLEMENTATION OF THE PSYCHOLOGY  
1596 INTERJURISDICTIONAL COMPACT COMMISSION AND  
1597 ASSOCIATED RULES, WITHDRAWAL AND AMENDMENTS

1598 (a) The compact shall come into effect on the date on which the  
1599 compact is enacted into law in the seventh compact state. The provisions  
1600 that become effective at such time shall be limited to the powers granted  
1601 to the commission relating to assembly and the promulgation of rules.  
1602 Thereafter, the commission shall meet and exercise rulemaking powers  
1603 necessary to the implementation and administration of the compact.

1604 (b) Any state that joins the compact subsequent to the commission's  
1605 initial adoption of the rules shall be subject to the rules as they exist on

1606 the date on which the compact becomes law in such state. Any rule that  
1607 has been previously adopted by the commission shall have the full force  
1608 and effect of law on the day the compact becomes law in such state.

1609 (c) Any compact state may withdraw from the compact by enacting a  
1610 statute repealing the same.

1611 (1) A compact state's withdrawal shall not take effect until six months  
1612 after enactment of the repealing statute.

1613 (2) Withdrawal shall not affect the continuing requirement of the  
1614 withdrawing state's psychology regulatory authority to comply with the  
1615 investigative and adverse action reporting requirements set forth in  
1616 Article VII of this section prior to the effective date of withdrawal.

1617 (d) Nothing contained in the compact shall be construed to invalidate  
1618 or prevent any psychology licensure agreement or other cooperative  
1619 arrangement between a compact state and a noncompact state that does  
1620 not conflict with the provisions of the compact.

1621 (e) The compact may be amended by the compact states. No  
1622 amendment to the compact shall become effective and binding upon  
1623 any compact state until it is enacted into the law of all compact states.

1624 ARTICLE XIV

1625 CONSTRUCTION AND SEVERABILITY

1626 The compact shall be liberally construed so as to effectuate the  
1627 purposes thereof. If the compact is held contrary to the constitution of  
1628 any state member of the compact, the compact shall remain in full force  
1629 and effect as to the remaining compact states."

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2022	New section
Sec. 2	October 1, 2022	New section



**Statement of Legislative Commissioners:**

In Section 1, section 21 (f), "withdrawing date" was changed to "withdrawing state" for accuracy; in Section 2, article VII (f), "alternative programs" was changed to "alternative program" for consistency; and in Section 2, article II (25)(A), "minor" was changed to "a minor" for clarity.

**PH**      *Joint Favorable Subst. -LCO*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

**OFA Fiscal Note**

**State Impact:**

Agency Affected	Fund-Effect	FY 23 \$	FY 24 \$
Public Health, Dept.	GF - Cost	81,000	81,000
State Comptroller - Fringe Benefits <sup>1</sup>	GF - Cost	32,800	32,800

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

This bill enters Connecticut into two interstate compacts, the Interstate Medical Licensure Compact and the Psychology Interjurisdictional Compact.

The medical compact provides an expedited licensure process for physicians seeking to practice in multiple states (including by telehealth). The psychology compact provides a process authorizing psychologists to practice by (1) telehealth and (2) temporary in-person, face-to-face services across state boundaries, without the psychologist having to be licensed in each of the states.

It is anticipated that the Department of Public Health (DPH) will need to one Analyst II position at \$81,000 (plus fringe benefits) to handle the bill's requirements.

<sup>1</sup>The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes is 40.53% of payroll in FY 23.

***The Out Years***

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

**OLR Bill Analysis****sHB 5046*****AN ACT ADOPTING THE INTERSTATE MEDICAL LICENSURE COMPACT AND PSYCHOLOGY INTERJURISDICTIONAL COMPACT.*****SUMMARY**

This bill enters Connecticut into two interstate compacts, the Interstate Medical Licensure Compact (§ 1) and the Psychology Interjurisdictional Compact (PSYPACT, § 2).

The medical compact provides an expedited licensure process for physicians seeking to practice in multiple states (including by telehealth). Among other eligibility criteria, a physician must first be licensed in a member state and never had his or her medical license subjected to disciplinary action. Eligible physicians can complete one application within the compact, but receive separate licenses from the states where they will practice.

The psychology compact provides a process authorizing psychologists to practice by (1) telehealth (unlimited) and (2) temporary in-person, face-to-face services (30 days per year per state) across state boundaries, without the psychologist having to be licensed in each of the states. A psychologist can apply for authorization for either or both types of interjurisdictional practice under the compact.

Among various other provisions, each compact:

1. provides eligibility criteria for physicians or psychologists to practice under the respective compact;
2. is overseen by a separate commission, made up of representatives from the participating states;

3. addresses several matters related to disciplinary actions for providers practicing under the compact, such as information sharing among participating states and automatic suspension of practice in some circumstances;
4. allows its respective commission to levy an annual assessment on member states to cover the cost of its operations;
5. provides that amendments to the compact only take effect if all participating states adopt them into law; and
6. provides a process for states to withdraw from the compact.

A broad overview of each compact appears below.

EFFECTIVE DATE: October 1, 2022

## **§ 1 — INTERSTATE MEDICAL LICENSURE COMPACT**

The Interstate Medical Licensure Compact provides an expedited licensure process for physicians seeking to practice in multiple states. The compact defines “expedited license” as a full and unrestricted medical license granted by a member state to an eligible physician through the process described in the compact. A “state” is a U.S. state, commonwealth, district, or territory.

### ***Physician Eligibility and Application Process (§ 1(3)-(7))***

To be eligible to receive an expedited license under the compact, a physician must meet the following criteria:

1. have graduated from an accredited medical school or school listed in the International Medical Education Directory;
2. passed each component of the U.S. Medical Licensing Examination or Comprehensive Osteopathic Medical Licensing Examination within three attempts (or predecessor examinations accepted by a state medical board);
3. successfully completed graduate medical education approved by

the Accreditation Council for Graduate Medical Education or the American Osteopathic Association;

4. hold specialty certification or a time-unlimited specialty certificate recognized by the American Board of Medical Specialties or the American Osteopathic Association's Bureau of Osteopathic Specialists;
5. possess a full and unrestricted license to engage in the practice of medicine issued by a member board;
6. have no criminal history (e.g., convictions, community supervision, or deferred dispositions) for any felony, gross misdemeanor, or crime of moral turpitude;
7. have no history of disciplinary history against their medical license (other than for nonpayment of fees);
8. have never had a controlled substance license or permit suspended or revoked by a state or the U.S. Drug Enforcement Administration; and
9. not be under active investigation by a licensing agency or law enforcement authority in any state, federal, or foreign jurisdiction.

For purposes of registering for expedited licensure through the compact, a physician must also designate a compact member state as the state of principle license. The physician must select a state in which the physician has an unrestricted license to practice medicine and that is:

1. the state of the physician's primary residence;
2. the state where at least 25% of the physician's practice of medicine occurs;
3. the location of the physician's employer; or
4. if no state qualifies under the above three criteria, the physician's

state of residence for federal income tax purposes.

A physician seeking licensure through the compact must apply for an expedited license with the member board (i.e., the state physician licensing board) of the physician's selected state of principal license. The member board, upon receiving the application, must evaluate the physician's eligibility and issue a letter of qualification, verifying or denying eligibility, to the Interstate Commission (see below). As part of this process, the member board must conduct a criminal background check.

After the physician's eligibility is verified, the physician must complete the commission's registration process to receive a license in a member state (including payment of applicable fees). The member board then issues an expedited license to the physician, authorizing the physician to practice in that state according to its applicable laws.

An expedited license is valid for a period consistent with the member state's licensure period. Physicians seeking to renew an expedited license must complete a renewal process with the commission, subject to certain eligibility requirements (e.g., applicable continuing education requirements). The commission collects renewal fees and distributes them to the applicable member board.

### ***Disciplinary Action and Investigations (§ 1(8)-(10))***

The compact addresses several matters related to investigation and discipline of physicians licensed through its procedures. For example:

1. member boards must report to the commission any public action or complaint against a physician who has applied for or received an expedited license through the compact, and other disciplinary or investigatory information as described in commission rules;
2. member boards can participate with one another in joint investigations of physicians licensed by them and subpoenas issued by a member state are enforceable in other member states;

3. if the physician's license is subject to revocation, suspension, or certain other disciplinary actions in the state of principal license, then all of that physician's licenses in other member states are automatically placed on that same status; and
4. if disciplinary action is taken against a physician by a member board not in the state of principal license, any other member board may (a) impose the same or any lesser sanction that is consistent with that state's Medical Practice Act or (b) pursue separate disciplinary action under its Medical Practice Act (in some cases, a member board must suspend a license for 90 days to allow for an investigation).

***Interstate Medical Licensure Compact Commission (§ 1(11)-(15))***

The compact is administered by the Interstate Medical Licensure Compact Commission, which consists of two voting members appointed by each member state (representing the member boards). The compact sets forth several powers, duties, and procedures for the commission. For example, the commission:

1. promulgates rules that are binding to the extent and in the manner provided for in the compact;
2. enforces compliance with compact provisions as well as the commission's rules and bylaws; and
3. reports annually to the legislature and governors of member states concerning its activities during the prior year.

The commission (1) can levy an annual assessment on member states to cover the costs of its operations, based on a formula that the commission determines and (2) is subject to a yearly financial audit.

The compact addresses several other matters regarding the commission and its operations, such as establishing conditions under which its officers and employees are immune from civil liability.



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**Compact Oversight, Enforcement, Member Withdrawal,  
Dissolution, and Related Matters (§ 1(16)-(24))**

Among several other related provisions, the compact provides that:

1. each member state's executive, legislative, and judicial branches must enforce the compact and take necessary steps to carry out its purposes (§ 1(16));
2. the commission must enforce the compact and rules, and may bring legal action against a state in default (generally, one that has failed to perform its obligations under the compact), upon a majority vote of its commissioners (the case can be brought in the U.S. District Court for the District of Columbia or, at the commission's discretion, the federal district where the commission's principal offices are located) (§ 1(17));
3. the commission must take specified steps against a member state in default and after all other means of securing compliance have been exhausted, a defaulting state is terminated from the compact upon a majority vote of its commissioners (§ 1(18));
4. upon a member state's request, the commission must attempt to resolve a compact-related dispute between member states or member boards (§ 1(19));
5. the commission may propose compact amendments, but no amendment takes effect unless it is enacted into law by unanimous consent of the member states (§ 1(20));
6. a member state may withdraw from the compact by repealing that state's enabling legislation, but withdrawal does not take effect until one year after the effective date of the repealing statute (§ 1 (21));
7. the compact dissolves when its membership is reduced to one state (§ 1(22));
8. the compact's provisions are severable and its provisions must be

liberally construed to carry out its purposes (§ 1(23)); and

9. all member state laws in conflict with the compact are superseded to the extent of the conflict (unless a compact provision exceeds the constitutional limits imposed on a member state's legislature) (§ 1(24)).

## **§ 2 — PSYCHOLOGY INTERJURISDICTIONAL COMPACT**

The Psychology Interjurisdictional Compact provides a process authorizing (1) telepsychology or (2) temporary in-person, face-to-face practice in other compact states, without the psychologist having to be licensed in each of the states.

Under the compact, “telepsychology” is the provision of psychological services using telecommunication technologies. “Temporary in-person, face-to-face practice” is the practice of psychology by a psychologist who is physically present, not through telecommunications technologies, in another state for up to 30 days in a calendar year and based on notification to that state.

Under the compact, a “state” is a U.S. state, commonwealth, territory, or possession or the District of Columbia. A “compact state” is a U.S. state, the District of Columbia, or a U.S. territory that is part of the compact (and has not withdrawn or been terminated from it).

A “home state” is a compact state where a psychologist is licensed. If a psychologist is licensed in multiple compact states, (1) for telepsychology, the home state is the compact state where the psychologist is physically present when delivering those services, and (2) for temporary in-person practice, the home state is any state where the psychologist is licensed and practicing under the compact.

A “receiving state” is a compact state where the client or patient is physically located when the telepsychological services are delivered. A “distant state” is the compact state where a psychologist is physically present to provide temporary in-person, face-to-face services.

### ***Eligibility and Conditions of Practice (§ 2, Art. III-VI)***

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Under the compact, a home state's license authorizes a psychologist to practice in a receiving state (for telepsychology) or distant state (for temporary in-person services) only if the compact state:

1. requires the psychologist to hold an active E.Passport (for telepsychology) or Interjurisdictional Practice Certificate (IPC) (for temporary in-person services);
2. has a mechanism to receive and investigate complaints about licensed individuals;
3. notifies the commission (see below), in compliance with the compact's terms, of any adverse action (generally, public disciplinary action) or significant investigatory information regarding a licensed individual;
4. requires an identity history summary (e.g., FBI data on arrests) of all applicants at initial licensure (including fingerprints or other biometric data checks), no later than 10 years after the compact's activation; and
5. complies with the commission's rules and bylaws.

To be eligible to practice interjurisdictional telepsychology or through temporary in-person services under the compact, a psychologist must hold an unrestricted license in a compact state and hold a graduate psychology degree.

The degree-granting higher education institution must meet specified accreditation or similar requirements (depending on whether it is a domestic or foreign school). The psychology program itself also must meet several requirements, such as that it (1) is clearly identified and labeled as a psychology program, (2) includes a curriculum of at least three academic years of full-time graduate study for a doctorate, and (3) includes an acceptable residency.

The psychologist also must:

1. have no adverse action or criminal record history that violates the commission's rules;
2. possess a current, active E.Passport (for telepsychology) or IPC (for temporary in-person practice);
3. provide attestations on specified matters (e.g., areas of intended practice) and an information release; and
4. meet other criteria as defined by commission rules.

Under the compact, "E.Passport" is the Interjurisdictional Practice Certificate issued by the Association of State and Provincial Psychology Boards (ASPPB) that promotes standardization in interjurisdictional telepsychology practice criteria and facilitates the process for licensed psychologists to provide telepsychological services across state lines. The "IPC" is the certificate issued by the ASPPB that grants temporary authority to practice based on notification to the state psychology regulatory authority of intention to practice temporarily and verification of qualification for that practice.

Currently, many of the specific requirements for the E.Passport and IPC are similar. For example, both require the psychologist to have a current license based on a doctorate. Both the E.Passport and IPC require annual renewal; the former requires three hours of continuing education on use of technology in psychology.

The compact establishes certain other rules for which state maintains authority over a psychologist practicing under the compact. For example, it provides that:

1. the home state maintains authority over the license of any psychologist practicing in a receiving state under the authority to practice interjurisdictional telepsychology;
2. a psychologist practicing in a distant state under the temporary authorization to practice is subject to that state's authority and law; and

3. a psychologist practicing under the compact must do so within the scope of practice of the receiving or distant state (for telepsychology or temporary in-person practice, respectively).

For telepsychology under the compact, the psychologist also must (1) initiate the client or patient contact in a home state via telecommunications technologies and (2) comply with other commission rules.

***Adverse Actions, Regulatory Board Authority, and Coordinated Licensure Information System (§ 2, Art. IV-V, VII-IX)***

The compact addresses several matters related to investigation and discipline of psychologists practicing under its procedures. For example:

1. a home state may take adverse action against a psychologist license issued by that state, and a receiving or distant state may take adverse action on a psychologist's authority to practice interjurisdictional telepsychology or temporary authorization to practice in that state under the compact;
2. if the home state or a receiving or distant state takes such action, the psychologist's E.Passport or IPC is revoked;
3. a home state's psychology regulatory authority must investigate and take appropriate action with respect to reported inappropriate conduct in a receiving state as if the conduct had happened in the home state, and the home state's law controls in determining any adverse action against the license;
4. a distant state's psychology regulatory authority must investigate and take appropriate action with respect to reported inappropriate conduct in that state as if the conduct had happened in the home state, and the distant state's law controls in determining any adverse action against the authorization to practice;
5. in addition to authority granted under state laws, psychology

regulatory boards have specified authority under the compact, such as issuing cease and desist or injunctive relief orders to revoke a psychologist's authority to practice interjurisdictional telepsychology or temporary authorization to practice;

6. psychologists are prohibited from changing their home state licensure during an investigation, and home state regulatory authorities must promptly report the conclusion of investigations to the commission;
7. the commission must provide for the development of a coordinated database for compact states to report and share information on disciplinary action against psychologists; and
8. compact states must submit the same information on all licensees for inclusion in the database, and the database administrator must promptly notify all compact states of any adverse action against, or significant investigative information on, any licensee in a compact state.

***Psychology Interjurisdictional Compact Commission (§ 2, Art. X-XI)***

The compact is administered by the Psychology Interjurisdictional Compact Commission, which consists of one voting member appointed by each compact state's psychology regulatory authority. The compact sets forth several powers, duties, and procedures for the commission. For example, the commission:

1. may promulgate rules to facilitate and coordinate the compact's implementation and administration (a rule has no effect if a majority of the legislatures of the compact states reject it in the same manner used to adopt the compact),
2. may levy and collect an annual assessment from each compact state and impose fees on other parties to cover the costs of its operations, and
3. must have its receipts and disbursements audited yearly and the

audit report included in the commission's annual report.

The compact addresses several other matters regarding the commission and its operations, such as establishing conditions under which its officers and employees are immune from civil liability.

***Compact Oversight, Enforcement, Member Withdrawal, and Related Matters (§ 2, Art. XII-XIV)***

Among other related provisions, the compact provides that:

1. each compact state's executive, legislative, and judicial branches must enforce the compact and take necessary steps to carry out its purposes (§ 2, Art. XII(a));
2. the commission must take specified steps against a compact state in default, and after all other means of securing compliance have been exhausted, a defaulting state is terminated from the compact upon a majority vote of the compact states (§ 2, Art. XII(b));
3. upon a compact state's request, the commission must attempt to resolve a compact-related dispute among compact states or between compact and non-compact states (§ 2, Art. XII(c));
4. the commission must enforce the compact and rules, and may bring legal action against a compact state in default upon a majority vote of its commissioners (the case may be brought in the U.S. District Court in Georgia or the federal district where the commission's principal offices are located) (§ 2, Art. XII(d));
5. a compact state may withdraw from the compact by repealing that state's enabling legislation, but withdrawal does not take effect until six months after enactment of the repealing statute (§ 2, Art. XIII(c));
6. the compact states may amend the compact, but no amendment takes effect until it is enacted into law by all compact states (§ 2, Art. XIII(e)); and

7. the compact’s provisions must be liberally construed to carry out its purposes, and if the compact is held to violate a compact state’s constitution, the compact remains in effect in the remaining compact states (§ 2, Art. XIV).

**BACKGROUND**

***Related Bills***

HB 5395 (§§ 1 & 2), favorably reported by the Public Health Committee, contains identical provisions as this bill.

SB 2 (§ 36), favorably reported by the Children’s Committee, contains identical provisions on the Psychology Interjurisdictional Compact.

**COMMITTEE ACTION**

Public Health Committee

Joint Favorable

Yea 31    Nay 0    (03/11/2022)