

**As Reported by the Senate Finance - Health and Medicaid  
Subcommittee**

**133rd General Assembly**

**Regular Session  
2019-2020**

**S. B. No. 258**

**Senator Gavarone**

**Cosponsors: Senators Roegner, Hackett, Coley, Huffman, S.**

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**A BILL**

To enact sections 4732.40 and 4732.41 of the 1  
Revised Code to enter into the Psychology 2  
Interjurisdictional Compact (PSYPACT). 3

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 4732.40 and 4732.41 of the 4  
Revised Code be enacted to read as follows: 5

**Sec. 4732.40.** The "Psychology Interjurisdictional Compact 6  
(PSYPACT)" is hereby ratified, enacted into law, and entered 7  
into by the state of Ohio as a party to the compact with any 8  
other state that has legally joined in the compact as follows: 9

PSYCHOLOGY INTERJURISDICTIONAL COMPACT (PSYPACT) 10

ARTICLE I 11

PURPOSE 12

Whereas, states license psychologists, in order to protect 13  
the public through verification of education, training and 14  
experience and ensure accountability for professional practice; 15  
and 16

Whereas, this Compact is intended to regulate the day to day practice of telepsychology (i.e. the provision of psychological services using telecommunication technologies) by psychologists across state boundaries in the performance of their psychological practice as assigned by an appropriate authority; and 17  
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Whereas, this Compact is intended to regulate the temporary in-person, face-to-face practice of psychology by psychologists across state boundaries for 30 days within a calendar year in the performance of their psychological practice as assigned by an appropriate authority; 23  
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Whereas, this Compact is intended to authorize State Psychology Regulatory Authorities to afford legal recognition, in a manner consistent with the terms of the Compact, to psychologists licensed in another state; 28  
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Whereas, this Compact recognizes that states have a vested interest in protecting the public's health and safety through their licensing and regulation of psychologists and that such state regulation will best protect public health and safety; 32  
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Whereas, this Compact does not apply when a psychologist is licensed in both the Home and Receiving States; and 36  
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Whereas, this Compact does not apply to permanent in-person, face-to-face practice, it does allow for authorization of temporary psychological practice. 38  
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Consistent with these principles, this Compact is designed to achieve the following purposes and objectives: 41  
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1. Increase public access to professional psychological services by allowing for telepsychological practice across state lines as well as temporary in-person, face-to-face services into 43  
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- a state which the psychologist is not licensed to practice 46  
psychology; 47
2. Enhance the states' ability to protect the public's 48  
health and safety, especially client/patient safety; 49
3. Encourage the cooperation of Compact States in the 50  
areas of psychology licensure and regulation; 51
4. Facilitate the exchange of information between Compact 52  
States regarding psychologist licensure, adverse actions and 53  
disciplinary history; 54
5. Promote compliance with the laws governing 55  
psychological practice in each Compact State; and 56
6. Invest all Compact States with the authority to hold 57  
licensed psychologists accountable through the mutual 58  
recognition of Compact State licenses. 59

ARTICLE II 60

DEFINITIONS 61

- A. "Adverse Action" means: Any action taken by a State 62  
Psychology Regulatory Authority which finds a violation of a 63  
statute or regulation that is identified by the State Psychology 64  
Regulatory Authority as discipline and is a matter of public 65  
record. 66
- B. "Association of State and Provincial Psychology Boards 67  
(ASPPB)" means: the recognized membership organization composed 68  
of State and Provincial Psychology Regulatory Authorities 69  
responsible for the licensure and registration of psychologists 70  
throughout the United States and Canada. 71
- C. "Authority to Practice Interjurisdictional 72

Telepsychology" means: a licensed psychologist's authority to 73  
practice telepsychology, within the limits authorized under this 74  
Compact, in another Compact State. 75

D. "Bylaws" means: those Bylaws established by the 76  
Psychology Interjurisdictional Compact Commission pursuant to 77  
Article X for its governance, or for directing and controlling 78  
its actions and conduct. 79

E. "Client/Patient" means: the recipient of psychological 80  
services, whether psychological services are delivered in the 81  
context of healthcare, corporate, supervision, and/or consulting 82  
services. 83

F. "Commissioner" means: the voting representative 84  
appointed by each State Psychology Regulatory Authority pursuant 85  
to Article X. 86

G. "Compact State" means: a state, the District of 87  
Columbia, or United States territory that has enacted this 88  
Compact legislation and which has not withdrawn pursuant to 89  
Article XIII, Section C or been terminated pursuant to Article 90  
XII, Section B. 91

H. "Coordinated Licensure Information System" also 92  
referred to as "Coordinated Database" means: an integrated 93  
process for collecting, storing, and sharing information on 94  
psychologists' licensure and enforcement activities related to 95  
psychology licensure laws, which is administered by the 96  
recognized membership organization composed of State and 97  
Provincial Psychology Regulatory Authorities. 98

I. "Confidentiality" means: the principle that data or 99  
information is not made available or disclosed to unauthorized 100  
persons and/or processes. 101

<u>J. "Day" means: any part of a day in which psychological</u>	102
<u>work is performed.</u>	103
<u>K. "Distant State" means: the Compact State where a</u>	104
<u>psychologist is physically present (not through the use of</u>	105
<u>telecommunications technologies), to provide temporary in-</u>	106
<u>person, face-to-face psychological services.</u>	107
<u>L. "E.Passport" means: a certificate issued by the</u>	108
<u>Association of State and Provincial Psychology Boards (ASPPB)</u>	109
<u>that promotes the standardization in the criteria of</u>	110
<u>interjurisdictional telepsychology practice and facilitates the</u>	111
<u>process for licensed psychologists to provide telepsychological</u>	112
<u>services across state lines.</u>	113
<u>M. "Executive Board" means: a group of directors elected</u>	114
<u>or appointed to act on behalf of, and within the powers granted</u>	115
<u>to them by, the Commission.</u>	116
<u>N. "Home State" means: a Compact State where a</u>	117
<u>psychologist is licensed to practice psychology. If the</u>	118
<u>psychologist is licensed in more than one Compact State and is</u>	119
<u>practicing under the Authorization to Practice</u>	120
<u>Interjurisdictional Telepsychology, the Home State is the</u>	121
<u>Compact State where the psychologist is physically present when</u>	122
<u>the telepsychological services are delivered. If the</u>	123
<u>psychologist is licensed in more than one Compact State and is</u>	124
<u>practicing under the Temporary Authorization to Practice, the</u>	125
<u>Home State is any Compact State where the psychologist is</u>	126
<u>licensed.</u>	127
<u>O. "Identity History Summary" means: a summary of</u>	128
<u>information retained by the FBI, or other designee with similar</u>	129
<u>authority, in connection with arrests and, in some instances,</u>	130

<u>federal employment, naturalization, or military service.</u>	131
<u>P. "In-Person, Face-to-Face" means: interactions in which</u>	132
<u>the psychologist and the client/patient are in the same physical</u>	133
<u>space and which does not include interactions that may occur</u>	134
<u>through the use of telecommunication technologies.</u>	135
<u>Q. "Interjurisdictional Practice Certificate (IPC)" means:</u>	136
<u>a certificate issued by the Association of State and Provincial</u>	137
<u>Psychology Boards (ASPPB) that grants temporary authority to</u>	138
<u>practice based on notification to the State Psychology</u>	139
<u>Regulatory Authority of intention to practice temporarily, and</u>	140
<u>verification of one's qualifications for such practice.</u>	141
<u>R. "License" means: authorization by a State Psychology</u>	142
<u>Regulatory Authority to engage in the independent practice of</u>	143
<u>psychology, which would be unlawful without the authorization.</u>	144
<u>S. "Non-Compact State" means: any State which is not at</u>	145
<u>the time a Compact State.</u>	146
<u>T. "Psychologist" means: an individual licensed for the</u>	147
<u>independent practice of psychology.</u>	148
<u>U. "Psychology Interjurisdictional Compact Commission"</u>	149
<u>also referred to as "Commission" means: the national</u>	150
<u>administration of which all Compact States are members.</u>	151
<u>V. "Receiving State" means: a Compact State where the</u>	152
<u>client/patient is physically located when the telepsychological</u>	153
<u>services are delivered.</u>	154
<u>W. "Rule" means: a written statement by the Psychology</u>	155
<u>Interjurisdictional Compact Commission promulgated pursuant to</u>	156
<u>Article XI of the Compact that is of general applicability,</u>	157
<u>implements, interprets, or prescribes a policy or provision of</u>	158

the Compact, or an organizational, procedural, or practice 159  
requirement of the Commission and has the force and effect of 160  
statutory law in a Compact State, and includes the amendment, 161  
repeal or suspension of an existing rule. 162

X. "Significant Investigatory Information" means: 163

1. investigative information that a State Psychology 164  
Regulatory Authority, after a preliminary inquiry that includes 165  
notification and an opportunity to respond if required by state 166  
law, has reason to believe, if proven true, would indicate more 167  
than a violation of state statute or ethics code that would be 168  
considered more substantial than minor infraction; or 169

2. investigative information that indicates that the 170  
psychologist represents an immediate threat to public health and 171  
safety regardless of whether the psychologist has been notified 172  
and/or had an opportunity to respond. 173

Y. "State" means: a state, commonwealth, territory, or 174  
possession of the United States, the District of Columbia. 175

Z. "State Psychology Regulatory Authority" means: the 176  
Board, office or other agency with the legislative mandate to 177  
license and regulate the practice of psychology. 178

AA. "Telepsychology" means: the provision of psychological 179  
services using telecommunication technologies. 180

BB. "Temporary Authorization to Practice" means: a 181  
licensed psychologist's authority to conduct temporary in- 182  
person, face-to-face practice, within the limits authorized 183  
under this Compact, in another Compact State. 184

CC. "Temporary In-Person, Face-to-Face Practice" means: 185  
where a psychologist is physically present (not through the use 186

of telecommunications technologies), in the Distant State to 187  
provide for the practice of psychology for 30 days within a 188  
calendar year and based on notification to the Distant State. 189

ARTICLE III 190

HOME STATE LICENSURE 191

A. The Home State shall be a Compact State where a 192  
psychologist is licensed to practice psychology. 193

B. A psychologist may hold one or more Compact State 194  
licenses at a time. If the psychologist is licensed in more than 195  
one Compact State, the Home State is the Compact State where the 196  
psychologist is physically present when the services are 197  
delivered as authorized by the Authority to Practice 198  
Interjurisdictional Telepsychology under the terms of this 199  
Compact. 200

C. Any Compact State may require a psychologist not 201  
previously licensed in a Compact State to obtain and retain a 202  
license to be authorized to practice in the Compact State under 203  
circumstances not authorized by the Authority to Practice 204  
Interjurisdictional Telepsychology under the terms of this 205  
Compact. 206

D. Any Compact State may require a psychologist to obtain 207  
and retain a license to be authorized to practice in a Compact 208  
State under circumstances not authorized by Temporary 209  
Authorization to Practice under the terms of this Compact. 210

E. A Home State's license authorizes a psychologist to 211  
practice in a Receiving State under the Authority to Practice 212  
Interjurisdictional Telepsychology only if the Compact State: 213

1. Currently requires the psychologist to hold an active 214



<u>E.Passport;</u>	215
<u>2. Has a mechanism in place for receiving and</u>	216
<u>investigating complaints about licensed individuals;</u>	217
<u>3. Notifies the Commission, in compliance with the terms</u>	218
<u>herein, of any adverse action or significant investigatory</u>	219
<u>information regarding a licensed individual;</u>	220
<u>4. Requires an Identity History Summary of all applicants</u>	221
<u>at initial licensure, including the use of the results of</u>	222
<u>fingerprints or other biometric data checks compliant with the</u>	223
<u>requirements of the Federal Bureau of Investigation FBI, or</u>	224
<u>other designee with similar authority, no later than ten years</u>	225
<u>after activation of the Compact; and</u>	226
<u>5. Complies with the Bylaws and Rules of the Commission.</u>	227
<u>F. A Home State's license grants Temporary Authorization</u>	228
<u>to Practice to a psychologist in a Distant State only if the</u>	229
<u>Compact State:</u>	230
<u>1. Currently requires the psychologist to hold an active</u>	231
<u>IPC;</u>	232
<u>2. Has a mechanism in place for receiving and</u>	233
<u>investigating complaints about licensed individuals;</u>	234
<u>3. Notifies the Commission, in compliance with the terms</u>	235
<u>herein, of any adverse action or significant investigatory</u>	236
<u>information regarding a licensed individual;</u>	237
<u>4. Requires an Identity History Summary of all applicants</u>	238
<u>at initial licensure, including the use of the results of</u>	239
<u>fingerprints or other biometric data checks compliant with the</u>	240
<u>requirements of the Federal Bureau of Investigation FBI, or</u>	241
<u>other designee with similar authority, no later than ten years</u>	242

<u>after activation of the Compact; and</u>	243
<u>5. Complies with the Bylaws and Rules of the Commission.</u>	244
<u>ARTICLE IV</u>	245
<u>COMPACT PRIVILEGE TO PRACTICE TELEPSYCHOLOGY</u>	246
<u>A. Compact States shall recognize the right of a</u>	247
<u>psychologist, licensed in a Compact State in conformance with</u>	248
<u>Article III, to practice telepsychology in other Compact States</u>	249
<u>(Receiving States) in which the psychologist is not licensed,</u>	250
<u>under the Authority to Practice Interjurisdictional</u>	251
<u>Telepsychology as provided in the Compact.</u>	252
<u>B. To exercise the Authority to Practice</u>	253
<u>Interjurisdictional Telepsychology under the terms and</u>	254
<u>provisions of this Compact, a psychologist licensed to practice</u>	255
<u>in a Compact State must:</u>	256
<u>1. Hold a graduate degree in psychology from an institute</u>	257
<u>of higher education that was, at the time the degree was</u>	258
<u>awarded:</u>	259
<u>a. Regionally accredited by an accrediting body recognized</u>	260
<u>by the U.S. Department of Education to grant graduate degrees,</u>	261
<u>OR authorized by Provincial Statute or Royal Charter to grant</u>	262
<u>doctoral degrees; OR</u>	263
<u>b. A foreign college or university deemed to be equivalent</u>	264
<u>to 1 (a) above by a foreign credential evaluation service that</u>	265
<u>is a member of the National Association of Credential Evaluation</u>	266
<u>Services (NACES) or by a recognized foreign credential</u>	267
<u>evaluation service; AND</u>	268
<u>2. Hold a graduate degree in psychology that meets the</u>	269
<u>following criteria:</u>	270

- a. The program, wherever it may be administratively housed, must be clearly identified and labeled as a psychology program. Such a program must specify in pertinent institutional catalogues and brochures its intent to educate and train professional psychologists; 271  
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- b. The psychology program must stand as a recognizable, coherent, organizational entity within the institution; 276  
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- c. There must be a clear authority and primary responsibility for the core and specialty areas whether or not the program cuts across administrative lines; 278  
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- d. The program must consist of an integrated, organized sequence of study; 281  
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- e. There must be an identifiable psychology faculty sufficient in size and breadth to carry out its responsibilities; 283  
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- f. The designated director of the program must be a psychologist and a member of the core faculty; 286  
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- g. The program must have an identifiable body of students who are matriculated in that program for a degree; 288  
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- h. The program must include supervised practicum, internship, or field training appropriate to the practice of psychology; 290  
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- i. The curriculum shall encompass a minimum of three academic years of full-time graduate study for doctoral degree and a minimum of one academic year of full-time graduate study for master's degree; 293  
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- j. The program includes an acceptable residency as defined by the Rules of the Commission. 297  
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<u>3. Possess a current, full and unrestricted license to practice psychology in a Home State which is a Compact State;</u>	299
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<u>4. Have no history of adverse action that violate the Rules of the Commission;</u>	301
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<u>5. Have no criminal record history reported on an Identity History Summary that violates the Rules of the Commission;</u>	303
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<u>6. Possess a current, active E.Passport;</u>	305
<u>7. Provide attestations in regard to areas of intended practice, conformity with standards of practice, competence in telepsychology technology; criminal background; and knowledge and adherence to legal requirements in the home and receiving states, and provide a release of information to allow for primary source verification in a manner specified by the Commission; and</u>	306
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<u>8. Meet other criteria as defined by the Rules of the Commission.</u>	313
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<u>C. The Home State maintains authority over the license of any psychologist practicing into a Receiving State under the Authority to Practice Interjurisdictional Telepsychology.</u>	315
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<u>D. A psychologist practicing into a Receiving State under the Authority to Practice Interjurisdictional Telepsychology will be subject to the Receiving State's scope of practice. A Receiving State may, in accordance with that state's due process law, limit or revoke a psychologist's Authority to Practice Interjurisdictional Telepsychology in the Receiving State and may take any other necessary actions under the Receiving State's applicable law to protect the health and safety of the Receiving State's citizens. If a Receiving State takes action, the state shall promptly notify the Home State and the Commission.</u>	318
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E. If a psychologist's license in any Home State, another Compact State, or any Authority to Practice Interjurisdictional Telepsychology in any Receiving State, is restricted, suspended or otherwise limited, the E.Passport shall be revoked and therefore the psychologist shall not be eligible to practice telepsychology in a Compact State under the Authority to Practice Interjurisdictional Telepsychology. 328  
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ARTICLE V 335

COMPACT TEMPORARY AUTHORIZATION TO PRACTICE 336

A. Compact States shall also recognize the right of a psychologist, licensed in a Compact State in conformance with Article III, to practice temporarily in other Compact States (Distant States) in which the psychologist is not licensed, as provided in the Compact. 337  
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B. To exercise the Temporary Authorization to Practice under the terms and provisions of this Compact, a psychologist licensed to practice in a Compact State must: 342  
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1. Hold a graduate degree in psychology from an institute of higher education that was, at the time the degree was awarded: 345  
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a. Regionally accredited by an accrediting body recognized by the U.S. Department of Education to grant graduate degrees, OR authorized by Provincial Statute or Royal Charter to grant doctoral degrees; OR 348  
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b. A foreign college or university deemed to be equivalent to 1 (a) above by a foreign credential evaluation service that is a member of the National Association of Credential Evaluation Services (NACES) or by a recognized foreign credential evaluation service; AND 352  
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<u>2. Hold a graduate degree in psychology that meets the</u>	357
<u>following criteria:</u>	358
<u>a. The program, wherever it may be administratively</u>	359
<u>housed, must be clearly identified and labeled as a psychology</u>	360
<u>program. Such a program must specify in pertinent institutional</u>	361
<u>catalogues and brochures its intent to educate and train</u>	362
<u>professional psychologists;</u>	363
<u>b. The psychology program must stand as a recognizable,</u>	364
<u>coherent, organizational entity within the institution;</u>	365
<u>c. There must be a clear authority and primary</u>	366
<u>responsibility for the core and specialty areas whether or not</u>	367
<u>the program cuts across administrative lines;</u>	368
<u>d. The program must consist of an integrated, organized</u>	369
<u>sequence of study;</u>	370
<u>e. There must be an identifiable psychology faculty</u>	371
<u>sufficient in size and breadth to carry out its</u>	372
<u>responsibilities;</u>	373
<u>f. The designated director of the program must be a</u>	374
<u>psychologist and a member of the core faculty;</u>	375
<u>g. The program must have an identifiable body of students</u>	376
<u>who are matriculated in that program for a degree;</u>	377
<u>h. The program must include supervised practicum,</u>	378
<u>internship, or field training appropriate to the practice of</u>	379
<u>psychology;</u>	380
<u>i. The curriculum shall encompass a minimum of three</u>	381
<u>academic years of full-time graduate study for doctoral degrees</u>	382
<u>and a minimum of one academic year of full-time graduate study</u>	383
<u>for master's degree;</u>	384

<u>j. The program includes an acceptable residency as defined</u>	385
<u>by the Rules of the Commission.</u>	386
<u>3. Possess a current, full and unrestricted license to</u>	387
<u>practice psychology in a Home State which is a Compact State;</u>	388
<u>4. No history of adverse action that violate the Rules of</u>	389
<u>the Commission;</u>	390
<u>5. No criminal record history that violates the Rules of</u>	391
<u>the Commission;</u>	392
<u>6. Possess a current, active IPC;</u>	393
<u>7. Provide attestations in regard to areas of intended</u>	394
<u>practice and work experience and provide a release of</u>	395
<u>information to allow for primary source verification in a manner</u>	396
<u>specified by the Commission; and</u>	397
<u>8. Meet other criteria as defined by the Rules of the</u>	398
<u>Commission.</u>	399
<u>C. A psychologist practicing into a Distant State under</u>	400
<u>the Temporary Authorization to Practice shall practice within</u>	401
<u>the scope of practice authorized by the Distant State.</u>	402
<u>D. A psychologist practicing into a Distant State under</u>	403
<u>the Temporary Authorization to Practice will be subject to the</u>	404
<u>Distant State's authority and law. A Distant State may, in</u>	405
<u>accordance with that state's due process law, limit or revoke a</u>	406
<u>psychologist's Temporary Authorization to Practice in the</u>	407
<u>Distant State and may take any other necessary actions under the</u>	408
<u>Distant State's applicable law to protect the health and safety</u>	409
<u>of the Distant State's citizens. If a Distant State takes</u>	410
<u>action, the state shall promptly notify the Home State and the</u>	411
<u>Commission.</u>	412

E. If a psychologist's license in any Home State, another Compact State, or any Temporary Authorization to Practice in any Distant State, is restricted, suspended or otherwise limited, the IPC shall be revoked and therefore the psychologist shall not be eligible to practice in a Compact State under the Temporary Authorization to Practice. 413  
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ARTICLE VI 419

CONDITIONS OF TELEPSYCHOLOGY PRACTICE IN A RECEIVING STATE 420

A. A psychologist may practice in a Receiving State under the Authority to Practice Interjurisdictional Telepsychology only in the performance of the scope of practice for psychology as assigned by an appropriate State Psychology Regulatory Authority, as defined in the Rules of the Commission, and under the following circumstances: 421  
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1. The psychologist initiates a client/patient contact in a Home State via telecommunications technologies with a client/patient in a Receiving State; 427  
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2. Other conditions regarding telepsychology as determined by Rules promulgated by the Commission. 430  
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ARTICLE VII 432

ADVERSE ACTIONS 433

A. A Home State shall have the power to impose adverse action against a psychologist's license issued by the Home State. A Distant State shall have the power to take adverse action on a psychologist's Temporary Authorization to Practice within that Distant State. 434  
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B. A Receiving State may take adverse action on a psychologist's Authority to Practice Interjurisdictional 439  
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Telepsychology within that Receiving State. A Home State may 441  
take adverse action against a psychologist based on an adverse 442  
action taken by a Distant State regarding temporary in-person, 443  
face-to-face practice. 444

C. If a Home State takes adverse action against a 445  
psychologist's license, that psychologist's Authority to 446  
Practice Interjurisdictional Telepsychology is terminated and 447  
the E.Passport is revoked. Furthermore, that psychologist's 448  
Temporary Authorization to Practice is terminated and the IPC is 449  
revoked. 450

1. All Home State disciplinary orders which impose adverse 451  
action shall be reported to the Commission in accordance with 452  
the Rules promulgated by the Commission. A Compact State shall 453  
report adverse actions in accordance with the Rules of the 454  
Commission. 455

2. In the event discipline is reported on a psychologist, 456  
the psychologist will not be eligible for telepsychology or 457  
temporary in-person, face-to-face practice in accordance with 458  
the Rules of the Commission. 459

3. Other actions may be imposed as determined by the Rules 460  
promulgated by the Commission. 461

D. A Home State's Psychology Regulatory Authority shall 462  
investigate and take appropriate action with respect to reported 463  
inappropriate conduct engaged in by a licensee which occurred in 464  
a Receiving State as it would if such conduct had occurred by a 465  
licensee within the Home State. In such cases, the Home State's 466  
law shall control in determining any adverse action against a 467  
psychologist's license. 468

E. A Distant State's Psychology Regulatory Authority shall 469

investigate and take appropriate action with respect to reported 470  
inappropriate conduct engaged in by a psychologist practicing 471  
under Temporary Authorization Practice which occurred in that 472  
Distant State as it would if such conduct had occurred by a 473  
licensee within the Home State. In such cases, Distant States 474  
law shall control in determining any adverse action against a 475  
psychologist's Temporary Authorization to Practice. 476

F. Nothing in this Compact shall override a Compact 477  
State's decision that a psychologist's participation in an 478  
alternative program may be used in lieu of adverse action and 479  
that such participation shall remain non-public if required by 480  
the Compact State's law. Compact States must require 481  
psychologists who enter any alternative programs to not provide 482  
telepsychology services under the Authority to Practice 483  
Interjurisdictional Telepsychology or provide temporary 484  
psychological services under the Temporary Authorization to 485  
Practice in any other Compact State during the term of the 486  
alternative program. 487

G. No other judicial or administrative remedies shall be 488  
available to a psychologist in the event a Compact State imposes 489  
an adverse action pursuant to subsection C, above. 490

ARTICLE VIII 491

ADDITIONAL AUTHORITIES INVESTED IN A COMPACT STATE'S PSYCHOLOGY 492

REGULATORY AUTHORITY 493

A. In addition to any other powers granted under state 494  
law, a Compact State's Psychology Regulatory Authority shall 495  
have the authority under this Compact to: 496

1. Issue subpoenas, for both hearings and investigations, 497  
which require the attendance and testimony of witnesses and the 498

production of evidence. Subpoenas issued by a Compact State's 499  
Psychology Regulatory Authority for the attendance and testimony 500  
of witnesses, and/or the production of evidence from another 501  
Compact State shall be enforced in the latter state by any court 502  
of competent jurisdiction, according to that court's practice 503  
and procedure in considering subpoenas issued in its own 504  
proceedings. The issuing State Psychology Regulatory Authority 505  
shall pay any witness fees, travel expenses, mileage and other 506  
fees required by the service statutes of the state where the 507  
witnesses and/or evidence are located; and 508

2. Issue cease and desist and/or injunctive relief orders 509  
to revoke a psychologist's Authority to Practice 510  
Interjurisdictional Telepsychology and/or Temporary 511  
Authorization to Practice. 512

3. During the course of any investigation, a psychologist 513  
may not change his/her Home State licensure. A Home State 514  
Psychology Regulatory Authority is authorized to complete any 515  
pending investigations of a psychologist and to take any actions 516  
appropriate under its law. The Home State Psychology Regulatory 517  
Authority shall promptly report the conclusions of such 518  
investigations to the Commission. Once an investigation has been 519  
completed, and pending the outcome of said investigation, the 520  
psychologist may change his/her Home State licensure. The 521  
Commission shall promptly notify the new Home State of any such 522  
decisions as provided in the Rules of the Commission. All 523  
information provided to the Commission or distributed by Compact 524  
States pursuant to the psychologist shall be confidential, filed 525  
under seal and used for investigatory or disciplinary matters. 526  
The Commission may create additional rules for mandated or 527  
discretionary sharing of information by Compact States. 528

<u>ARTICLE IX</u>	529
<u>COORDINATED LICENSURE INFORMATION SYSTEM</u>	530
<u>A. The Commission shall provide for the development and maintenance of a Coordinated Licensure Information System (Coordinated Database) and reporting system containing licensure and disciplinary action information on all psychologists individuals to whom this Compact is applicable in all Compact States as defined by the Rules of the Commission.</u>	531 532 533 534 535 536
<u>B. Notwithstanding any other provision of state law to the contrary, a Compact State shall submit a uniform data set to the Coordinated Database on all licensees as required by the Rules of the Commission, including:</u>	537 538 539 540
<u>1. Identifying information;</u>	541
<u>2. Licensure data;</u>	542
<u>3. Significant investigatory information;</u>	543
<u>4. Adverse actions against a psychologist's license;</u>	544
<u>5. An indicator that a psychologist's Authority to Practice Interjurisdictional Telepsychology and/or Temporary Authorization to Practice is revoked;</u>	545 546 547
<u>6. Non-confidential information related to alternative program participation information;</u>	548 549
<u>7. Any denial of application for licensure, and the reasons for such denial; and</u>	550 551
<u>8. Other information which may facilitate the administration of this Compact, as determined by the Rules of the Commission.</u>	552 553 554
<u>C. The Coordinated Database administrator shall promptly</u>	555

notify all Compact States of any adverse action taken against, 556  
or significant investigative information on, any licensee in a 557  
Compact State. 558

D. Compact States reporting information to the Coordinated 559  
Database may designate information that may not be shared with 560  
the public without the express permission of the Compact State 561  
reporting the information. 562

E. Any information submitted to the Coordinated Database 563  
that is subsequently required to be expunged by the law of the 564  
Compact State reporting the information shall be removed from 565  
the Coordinated Database. 566

ARTICLE X 567

ESTABLISHMENT OF THE PSYCHOLOGY INTERJURISDICTIONAL COMPACT 568  
COMMISSION 569

A. The Compact States hereby create and establish a joint 570  
public agency known as the Psychology Interjurisdictional 571  
Compact Commission. 572

1. The Commission is a body politic and an instrumentality 573  
of the Compact States. 574

2. Venue is proper and judicial proceedings by or against 575  
the Commission shall be brought solely and exclusively in a 576  
court of competent jurisdiction where the principal office of 577  
the Commission is located. The Commission may waive venue and 578  
jurisdictional defenses to the extent it adopts or consents to 579  
participate in alternative dispute resolution proceedings. 580

3. Nothing in this Compact shall be construed to be a 581  
waiver of sovereign immunity. 582

B. Membership, Voting, and Meetings 583

1. The Commission shall consist of one voting 584  
representative appointed by each Compact State who shall serve 585  
as that state's Commissioner. The State Psychology Regulatory 586  
Authority shall appoint its delegate. This delegate shall be 587  
empowered to act on behalf of the Compact State. This delegate 588  
shall be limited to: 589
- a. Executive Director, Executive Secretary or similar 590  
executive; 591
- b. Current member of the State Psychology Regulatory 592  
Authority of a Compact State; OR 593
- c. Designee empowered with the appropriate delegate 594  
authority to act on behalf of the Compact State. 595
2. Any Commissioner may be removed or suspended from 596  
office as provided by the law of the state from which the 597  
Commissioner is appointed. Any vacancy occurring in the 598  
Commission shall be filled in accordance with the laws of the 599  
Compact State in which the vacancy exists. 600
3. Each Commissioner shall be entitled to one (1) vote 601  
with regard to the promulgation of Rules and creation of Bylaws 602  
and shall otherwise have an opportunity to participate in the 603  
business and affairs of the Commission. A Commissioner shall 604  
vote in person or by such other means as provided in the Bylaws. 605  
The Bylaws may provide for Commissioners' participation in 606  
meetings by telephone or other means of communication. 607
4. The Commission shall meet at least once during each 608  
calendar year. Additional meetings shall be held as set forth in 609  
the Bylaws. 610
5. All meetings shall be open to the public, and public 611  
notice of meetings shall be given in the same manner as required 612

<u>under the rulemaking provisions in Article XI.</u>	613
<u>6. The Commission may convene in a closed, non-public meeting if the Commission must discuss:</u>	614
<u>615</u>	615
<u>a. Non-compliance of a Compact State with its obligations under the Compact;</u>	616
<u>617</u>	617
<u>b. The employment, compensation, discipline or other personnel matters, practices or procedures related to specific employees or other matters related to the Commission's internal personnel practices and procedures;</u>	618
<u>619</u>	619
<u>620</u>	620
<u>621</u>	621
<u>c. Current, threatened, or reasonably anticipated litigation against the Commission;</u>	622
<u>623</u>	623
<u>d. Negotiation of contracts for the purchase or sale of goods, services or real estate;</u>	624
<u>625</u>	625
<u>e. Accusation against any person of a crime or formally censuring any person;</u>	626
<u>627</u>	627
<u>f. Disclosure of trade secrets or commercial or financial information which is privileged or confidential;</u>	628
<u>629</u>	629
<u>g. Disclosure of information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;</u>	630
<u>631</u>	631
<u>632</u>	632
<u>h. Disclosure of investigatory records compiled for law enforcement purposes;</u>	633
<u>634</u>	634
<u>i. Disclosure of information related to any investigatory reports prepared by or on behalf of or for use of the Commission or other committee charged with responsibility for investigation or determination of compliance issues pursuant to the Compact;</u>	635
<u>636</u>	636
<u>637</u>	637
<u>638</u>	638
<u>or</u>	639

j. Matters specifically exempted from disclosure by 640  
federal and state statute. 641

7. If a meeting, or portion of a meeting, is closed 642  
pursuant to this provision, the Commission's legal counsel or 643  
designee shall certify that the meeting may be closed and shall 644  
reference each relevant exempting provision. The Commission 645  
shall keep minutes which fully and clearly describe all matters 646  
discussed in a meeting and shall provide a full and accurate 647  
summary of actions taken, of any person participating in the 648  
meeting, and the reasons therefore, including a description of 649  
the views expressed. All documents considered in connection with 650  
an action shall be identified in such minutes. All minutes and 651  
documents of a closed meeting shall remain under seal, subject 652  
to release only by a majority vote of the Commission or order of 653  
a court of competent jurisdiction. 654

C. The Commission shall, by a majority vote of the 655  
Commissioners, prescribe Bylaws and/or Rules to govern its 656  
conduct as may be necessary or appropriate to carry out the 657  
purposes and exercise the powers of the Compact, including but 658  
not limited to: 659

1. Establishing the fiscal year of the Commission; 660

2. Providing reasonable standards and procedures: 661

a. for the establishment and meetings of other committees; 662

and 663

b. governing any general or specific delegation of any 664  
authority or function of the Commission; 665

3. Providing reasonable procedures for calling and 666  
conducting meetings of the Commission, ensuring reasonable 667  
advance notice of all meetings and providing an opportunity for 668



attendance of such meetings by interested parties, with 669  
enumerated exceptions designed to protect the public's interest, 670  
the privacy of individuals of such proceedings, and proprietary 671  
information, including trade secrets. The Commission may meet in 672  
closed session only after a majority of the Commissioners vote 673  
to close a meeting to the public in whole or in part. As soon as 674  
practicable, the Commission must make public a copy of the vote 675  
to close the meeting revealing the vote of each Commissioner 676  
with no proxy votes allowed; 677

4. Establishing the titles, duties and authority and 678  
reasonable procedures for the election of the officers of the 679  
Commission; 680

5. Providing reasonable standards and procedures for the 681  
establishment of the personnel policies and programs of the 682  
Commission. Notwithstanding any civil service or other similar 683  
law of any Compact State, the Bylaws shall exclusively govern 684  
the personnel policies and programs of the Commission; 685

6. Promulgating a Code of Ethics to address permissible 686  
and prohibited activities of Commission members and employees; 687

7. Providing a mechanism for concluding the operations of 688  
the Commission and the equitable disposition of any surplus 689  
funds that may exist after the termination of the Compact after 690  
the payment and/or reserving of all of its debts and 691  
obligations; 692

8. The Commission shall publish its Bylaws in a convenient 693  
form and file a copy thereof and a copy of any amendment 694  
thereto, with the appropriate agency or officer in each of the 695  
Compact States; 696

9. The Commission shall maintain its financial records in 697

<u>accordance with the Bylaws; and</u>	698
<u>10. The Commission shall meet and take such actions as are</u>	699
<u>consistent with the provisions of this Compact and the Bylaws.</u>	700
<u>D. The Commission shall have the following powers:</u>	701
<u>1. The authority to promulgate uniform rules to facilitate</u>	702
<u>and coordinate implementation and administration of this</u>	703
<u>Compact. The rule shall have the force and effect of law and</u>	704
<u>shall be binding in all Compact States;</u>	705
<u>2. To bring and prosecute legal proceedings or actions in</u>	706
<u>the name of the Commission, provided that the standing of any</u>	707
<u>State Psychology Regulatory Authority or other regulatory body</u>	708
<u>responsible for psychology licensure to sue or be sued under</u>	709
<u>applicable law shall not be affected;</u>	710
<u>3. To purchase and maintain insurance and bonds;</u>	711
<u>4. To borrow, accept or contract for services of</u>	712
<u>personnel, including, but not limited to, employees of a Compact</u>	713
<u>State;</u>	714
<u>5. To hire employees, elect or appoint officers, fix</u>	715
<u>compensation, define duties, grant such individuals appropriate</u>	716
<u>authority to carry out the purposes of the Compact, and to</u>	717
<u>establish the Commission's personnel policies and programs</u>	718
<u>relating to conflicts of interest, qualifications of personnel,</u>	719
<u>and other related personnel matters;</u>	720
<u>6. To accept any and all appropriate donations and grants</u>	721
<u>of money, equipment, supplies, materials and services, and to</u>	722
<u>receive, utilize and dispose of the same; provided that at all</u>	723
<u>times the Commission shall strive to avoid any appearance of</u>	724
<u>impropriety and/or conflict of interest;</u>	725

<u>7. To lease, purchase, accept appropriate gifts or</u>	726
<u>donations of, or otherwise to own, hold, improve or use, any</u>	727
<u>property, real, personal or mixed; provided that at all times</u>	728
<u>the Commission shall strive to avoid any appearance of</u>	729
<u>impropriety;</u>	730
<u>8. To sell, convey, mortgage, pledge, lease, exchange,</u>	731
<u>abandon or otherwise dispose of any property real, personal or</u>	732
<u>mixed;</u>	733
<u>9. To establish a budget and make expenditures;</u>	734
<u>10. To borrow money;</u>	735
<u>11. To appoint committees, including advisory committees</u>	736
<u>comprised of Members, State regulators, State legislators or</u>	737
<u>their representatives, and consumer representatives, and such</u>	738
<u>other interested persons as may be designated in this Compact</u>	739
<u>and the Bylaws;</u>	740
<u>12. To provide and receive information from, and to</u>	741
<u>cooperate with, law enforcement agencies;</u>	742
<u>13. To adopt and use an official seal; and</u>	743
<u>14. To perform such other functions as may be necessary or</u>	744
<u>appropriate to achieve the purposes of this Compact consistent</u>	745
<u>with the state regulation of psychology licensure, temporary in-</u>	746
<u>person, face-to-face practice and telepsychology practice.</u>	747
<u>E. The Executive Board</u>	748
<u>The elected officers shall serve as the Executive Board,</u>	749
<u>which shall have the power to act on behalf of the Commission</u>	750
<u>according to the terms of this Compact.</u>	751
<u>1. The Executive Board shall be comprised of six members:</u>	752

<u>a. Five voting members who are elected from the current</u>	753
<u>membership of the Commission by the Commission;</u>	754
<u>b. One ex-officio, nonvoting member from the recognized</u>	755
<u>membership organization composed of State and Provincial</u>	756
<u>Psychology Regulatory Authorities.</u>	757
<u>2. The ex-officio member must have served as staff or</u>	758
<u>member on a State Psychology Regulatory Authority and will be</u>	759
<u>selected by its respective organization.</u>	760
<u>3. The Commission may remove any member of the Executive</u>	761
<u>Board as provided in Bylaws.</u>	762
<u>4. The Executive Board shall meet at least annually.</u>	763
<u>5. The Executive Board shall have the following duties and</u>	764
<u>responsibilities:</u>	765
<u>a. Recommend to the entire Commission changes to the Rules</u>	766
<u>or Bylaws, changes to this Compact legislation, fees paid by</u>	767
<u>Compact States such as annual dues, and any other applicable</u>	768
<u>fees;</u>	769
<u>b. Ensure Compact administration services are</u>	770
<u>appropriately provided, contractual or otherwise;</u>	771
<u>c. Prepare and recommend the budget;</u>	772
<u>d. Maintain financial records on behalf of the Commission;</u>	773
<u>e. Monitor Compact compliance of member states and provide</u>	774
<u>compliance reports to the Commission;</u>	775
<u>f. Establish additional committees as necessary; and</u>	776
<u>g. Other duties as provided in Rules or Bylaws.</u>	777
<u>F. Financing of the Commission</u>	778

1. The Commission shall pay, or provide for the payment of the reasonable expenses of its establishment, organization and ongoing activities. 779  
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2. The Commission may accept any and all appropriate revenue sources, donations and grants of money, equipment, supplies, materials and services. 782  
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3. The Commission may levy on and collect an annual assessment from each Compact State or impose fees on other parties to cover the cost of the operations and activities of the Commission and its staff which must be in a total amount sufficient to cover its annual budget as approved each year for which revenue is not provided by other sources. The aggregate annual assessment amount shall be allocated based upon a formula to be determined by the Commission which shall promulgate a rule binding upon all Compact States. 785  
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4. The Commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same; nor shall the Commission pledge the credit of any of the Compact States, except by and with the authority of the Compact State. 794  
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5. The Commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Commission shall be subject to the audit and accounting procedures established under its Bylaws. However, all receipts and disbursements of funds handled by the Commission shall be audited yearly by a certified or licensed public accountant and the report of the audit shall be included in and become part of the annual report of the Commission. 798  
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G. Qualified Immunity, Defense, and Indemnification 806

1. The members, officers, Executive Director, employees 807

and representatives of the Commission shall be immune from suit 808  
and liability, either personally or in their official capacity, 809  
for any claim for damage to or loss of property or personal 810  
injury or other civil liability caused by or arising out of any 811  
actual or alleged act, error or omission that occurred, or that 812  
the person against whom the claim is made had a reasonable basis 813  
for believing occurred within the scope of Commission 814  
employment, duties or responsibilities; provided that nothing in 815  
this paragraph shall be construed to protect any such person 816  
from suit and/or liability for any damage, loss, injury or 817  
liability caused by the intentional or willful or wanton 818  
misconduct of that person. 819

2. The Commission shall defend any member, officer, 820  
Executive Director, employee or representative of the Commission 821  
in any civil action seeking to impose liability arising out of 822  
any actual or alleged act, error or omission that occurred 823  
within the scope of Commission employment, duties or 824  
responsibilities, or that the person against whom the claim is 825  
made had a reasonable basis for believing occurred within the 826  
scope of Commission employment, duties or responsibilities; 827  
provided that nothing herein shall be construed to prohibit that 828  
person from retaining his or her own counsel; and provided 829  
further, that the actual or alleged act, error or omission did 830  
not result from that person's intentional or willful or wanton 831  
misconduct. 832

3. The Commission shall indemnify and hold harmless any 833  
member, officer, Executive Director, employee or representative 834  
of the Commission for the amount of any settlement or judgment 835  
obtained against that person arising out of any actual or 836  
alleged act, error or omission that occurred within the scope of 837  
Commission employment, duties or responsibilities, or that such 838

person had a reasonable basis for believing occurred within the 839  
scope of Commission employment, duties or responsibilities, 840  
provided that the actual or alleged act, error or omission did 841  
not result from the intentional or willful or wanton misconduct 842  
of that person. 843

ARTICLE XI 844

RULEMAKING 845

A. The Commission shall exercise its rulemaking powers 846  
pursuant to the criteria set forth in this Article and the Rules 847  
adopted thereunder. Rules and amendments shall become binding as 848  
of the date specified in each rule or amendment. 849

B. If a majority of the legislatures of the Compact States 850  
rejects a rule, by enactment of a statute or resolution in the 851  
same manner used to adopt the Compact, then such rule shall have 852  
no further force and effect in any Compact State. 853

C. Rules or amendments to the rules shall be adopted at a 854  
regular or special meeting of the Commission. 855

D. Prior to promulgation and adoption of a final rule or 856  
Rules by the Commission, and at least sixty (60) days in advance 857  
of the meeting at which the rule will be considered and voted 858  
upon, the Commission shall file a Notice of Proposed Rulemaking: 859

1. On the website of the Commission; and 860

2. On the website of each Compact States' Psychology 861  
Regulatory Authority or the publication in which each state 862  
would otherwise publish proposed rules. 863

E. The Notice of Proposed Rulemaking shall include: 864

1. The proposed time, date, and location of the meeting in 865

which the rule will be considered and voted upon; 866

2. The text of the proposed rule or amendment and the 867  
reason for the proposed rule; 868

3. A request for comments on the proposed rule from any 869  
interested person; and 870

4. The manner in which interested persons may submit 871  
notice to the Commission of their intention to attend the public 872  
hearing and any written comments. 873

F. Prior to adoption of a proposed rule, the Commission 874  
shall allow persons to submit written data, facts, opinions and 875  
arguments, which shall be made available to the public. 876

G. The Commission shall grant an opportunity for a public 877  
hearing before it adopts a rule or amendment if a hearing is 878  
requested by: 879

1. At least twenty-five (25) persons who submit comments 880  
independently of each other; 881

2. A governmental subdivision or agency; or 882

3. A duly appointed person in an association that has 883  
having at least twenty-five (25) members. 884

H. If a hearing is held on the proposed rule or amendment, 885  
the Commission shall publish the place, time, and date of the 886  
scheduled public hearing. 887

1. All persons wishing to be heard at the hearing shall 888  
notify the Executive Director of the Commission or other 889  
designated member in writing of their desire to appear and 890  
testify at the hearing not less than five (5) business days 891  
before the scheduled date of the hearing. 892



2. Hearings shall be conducted in a manner providing each person who wishes to comment a fair and reasonable opportunity to comment orally or in writing. 893  
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3. No transcript of the hearing is required, unless a written request for a transcript is made, in which case the person requesting the transcript shall bear the cost of producing the transcript. A recording may be made in lieu of a transcript under the same terms and conditions as a transcript. This subsection shall not preclude the Commission from making a transcript or recording of the hearing if it so chooses. 896  
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4. Nothing in this section shall be construed as requiring a separate hearing on each rule. Rules may be grouped for the convenience of the Commission at hearings required by this section. 903  
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I. Following the scheduled hearing date, or by the close of business on the scheduled hearing date if the hearing was not held, the Commission shall consider all written and oral comments received. 907  
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J. The Commission shall, by majority vote of all members, take final action on the proposed rule and shall determine the effective date of the rule, if any, based on the rulemaking record and the full text of the rule. 911  
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K. If no written notice of intent to attend the public hearing by interested parties is received, the Commission may proceed with promulgation of the proposed rule without a public hearing. 915  
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L. Upon determination that an emergency exists, the Commission may consider and adopt an emergency rule without prior notice, opportunity for comment, or hearing, provided that 919  
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the usual rulemaking procedures provided in the Compact and in 922  
this section shall be retroactively applied to the rule as soon 923  
as reasonably possible, in no event later than ninety (90) days 924  
after the effective date of the rule. For the purposes of this 925  
provision, an emergency rule is one that must be adopted 926  
immediately in order to: 927

1. Meet an imminent threat to public health, safety, or 928  
welfare; 929

2. Prevent a loss of Commission or Compact State funds; 930

3. Meet a deadline for the promulgation of an 931  
administrative rule that is established by federal law or rule; 932  
or 933

4. Protect public health and safety. 934

M. The Commission or an authorized committee of the 935  
Commission may direct revisions to a previously adopted rule or 936  
amendment for purposes of correcting typographical errors, 937  
errors in format, errors in consistency, or grammatical errors. 938  
Public notice of any revisions shall be posted on the website of 939  
the Commission. The revision shall be subject to challenge by 940  
any person for a period of thirty (30) days after posting. The 941  
revision may be challenged only on grounds that the revision 942  
results in a material change to a rule. A challenge shall be 943  
made in writing, and delivered to the Chair of the Commission 944  
prior to the end of the notice period. If no challenge is made, 945  
the revision will take effect without further action. If the 946  
revision is challenged, the revision may not take effect without 947  
the approval of the Commission. 948

ARTICLE XII 949

OVERSIGHT, DISPUTE RESOLUTION AND ENFORCEMENT 950

<u>A. Oversight</u>	951
<u>1. The Executive, Legislative and Judicial branches of state government in each Compact State shall enforce this Compact and take all actions necessary and appropriate to effectuate the Compact's purposes and intent. The provisions of this Compact and the rules promulgated hereunder shall have standing as statutory law.</u>	952 953 954 955 956 957
<u>2. All courts shall take judicial notice of the Compact and the rules in any judicial or administrative proceeding in a Compact State pertaining to the subject matter of this Compact which may affect the powers, responsibilities or actions of the Commission.</u>	958 959 960 961 962
<u>3. The Commission shall be entitled to receive service of process in any such proceeding, and shall have standing to intervene in such a proceeding for all purposes. Failure to provide service of process to the Commission shall render a judgment or order void as to the Commission, this Compact or promulgated rules.</u>	963 964 965 966 967 968
<u>B. Default, Technical Assistance, and Termination</u>	969
<u>1. If the Commission determines that a Compact State has defaulted in the performance of its obligations or responsibilities under this Compact or the promulgated rules, the Commission shall:</u>	970 971 972 973
<u>a. Provide written notice to the defaulting state and other Compact States of the nature of the default, the proposed means of remedying the default and/or any other action to be taken by the Commission; and</u>	974 975 976 977
<u>b. Provide remedial training and specific technical assistance regarding the default.</u>	978 979

2. If a state in default fails to remedy the default, the 980  
defaulting state may be terminated from the Compact upon an 981  
affirmative vote of a majority of the Compact States, and all 982  
rights, privileges and benefits conferred by this Compact shall 983  
be terminated on the effective date of termination. A remedy of 984  
the default does not relieve the offending state of obligations 985  
or liabilities incurred during the period of default. 986

3. Termination of membership in the Compact shall be 987  
imposed only after all other means of securing compliance have 988  
been exhausted. Notice of intent to suspend or terminate shall 989  
be submitted by the Commission to the Governor, the majority and 990  
minority leaders of the defaulting state's legislature, and each 991  
of the Compact States. 992

4. A Compact State which has been terminated is 993  
responsible for all assessments, obligations and liabilities 994  
incurred through the effective date of termination, including 995  
obligations which extend beyond the effective date of 996  
termination. 997

5. The Commission shall not bear any costs incurred by the 998  
state which is found to be in default or which has been 999  
terminated from the Compact, unless agreed upon in writing 1000  
between the Commission and the defaulting state. 1001

6. The defaulting state may appeal the action of the 1002  
Commission by petitioning the U.S. District Court for the state 1003  
of Georgia or the federal district where the Compact has its 1004  
principal offices. The prevailing member shall be awarded all 1005  
costs of such litigation, including reasonable attorney's fees. 1006

C. Dispute Resolution 1007

1. Upon request by a Compact State, the Commission shall 1008

attempt to resolve disputes related to the Compact which arise 1009  
among Compact States and between Compact and Non-Compact States. 1010

2. The Commission shall promulgate a rule providing for 1011  
both mediation and binding dispute resolution for disputes that 1012  
arise before the commission. 1013

D. Enforcement 1014

1. The Commission, in the reasonable exercise of its 1015  
discretion, shall enforce the provisions and Rules of this 1016  
Compact. 1017

2. By majority vote, the Commission may initiate legal 1018  
action in the United States District Court for the State of 1019  
Georgia or the federal district where the Compact has its 1020  
principal offices against a Compact State in default to enforce 1021  
compliance with the provisions of the Compact and its 1022  
promulgated Rules and Bylaws. The relief sought may include both 1023  
injunctive relief and damages. In the event judicial enforcement 1024  
is necessary, the prevailing member shall be awarded all costs 1025  
of such litigation, including reasonable attorney's fees. 1026

3. The remedies herein shall not be the exclusive remedies 1027  
of the Commission. The Commission may pursue any other remedies 1028  
available under federal or state law. 1029

ARTICLE XIII 1030

DATE OF IMPLEMENTATION OF THE PSYCHOLOGY INTERJURISDICTIONAL 1031

COMPACT COMMISSION AND ASSOCIATED RULES, WITHDRAWAL, AND 1032

AMENDMENTS 1033

A. The Compact shall come into effect on the date on which 1034  
the Compact is enacted into law in the seventh Compact State. 1035  
The provisions which become effective at that time shall be 1036

limited to the powers granted to the Commission relating to 1037  
assembly and the promulgation of rules. Thereafter, the 1038  
Commission shall meet and exercise rulemaking powers necessary 1039  
to the implementation and administration of the Compact. 1040

B. Any state which joins the Compact subsequent to the 1041  
Commission's initial adoption of the rules shall be subject to 1042  
the rules as they exist on the date on which the Compact becomes 1043  
law in that state. Any rule which has been previously adopted by 1044  
the Commission shall have the full force and effect of law on 1045  
the day the Compact becomes law in that state. 1046

C. Any Compact State may withdraw from this Compact by 1047  
enacting a statute repealing the same. 1048

1. A Compact State's withdrawal shall not take effect 1049  
until six (6) months after enactment of the repealing statute. 1050

2. Withdrawal shall not affect the continuing requirement 1051  
of the withdrawing State's Psychology Regulatory Authority to 1052  
comply with the investigative and adverse action reporting 1053  
requirements of this act prior to the effective date of 1054  
withdrawal. 1055

D. Nothing contained in this Compact shall be construed to 1056  
invalidate or prevent any psychology licensure agreement or 1057  
other cooperative arrangement between a Compact State and a Non- 1058  
Compact State which does not conflict with the provisions of 1059  
this Compact. 1060

E. This Compact may be amended by the Compact States. No 1061  
amendment to this Compact shall become effective and binding 1062  
upon any Compact State until it is enacted into the law of all 1063  
Compact States. 1064

ARTICLE XIV 1065

CONSTRUCTION AND SEVERABILITY

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

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**Sec. 4732.41.** Not later than thirty days after the  
"Psychology Interjurisdictional Compact (PSYPACT)" is entered  
into under section 4732.40 of the Revised Code, the state board  
of psychology shall appoint a member to the psychology  
interjurisdictional compact commission created under the  
compact. The board shall fill a vacancy not later than thirty  
days after the vacancy occurs.

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