

---

**SUBSTITUTE HOUSE BILL 1939**

---

**State of Washington**

**68th Legislature**

**2024 Regular Session**

**By** House Postsecondary Education & Workforce (originally sponsored by Representatives Orwall, Rule, Leavitt, Slatter, Bateman, Reed, Jacobsen, Callan, Macri, Donaghy, Doglio, Goodman, Reeves, Riccelli, Shavers, and Hackney)

1 AN ACT Relating to adopting the social work licensure compact;  
2 adding a new chapter to Title 18 RCW; creating a new section; and  
3 providing a contingent effective date.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** (1) It is the intent of the legislature to  
6 allow clinical social workers in compact member states the  
7 opportunity to provide behavioral health services in the state of  
8 Washington, while broadening and simplifying the opportunities for  
9 Washington-licensed clinical social workers to practice in other  
10 states belonging to the compact. It is further the intent of the  
11 legislature to maintain standards already adopted in Washington by  
12 making it explicitly clear that this legislation in no way conflicts  
13 with either chapter 192, Laws of 2023 or chapter 193, Laws of 2023.

14 (2) The legislature acknowledges that the association of social  
15 work boards licensing test has been shown to have severe disparities  
16 in outcomes based on the race, age, and language of test takers.  
17 Because of these disparities, the state of Washington aims to  
18 collaborate with other states and interested parties to find  
19 alternatives to this test.

1        NEW SECTION.        **Sec. 2.**        The purpose of this compact is to  
2 facilitate interstate practice of regulated social workers by  
3 improving public access to competent social work services. The  
4 compact preserves the regulatory authority of states to protect  
5 public health and safety through the current system of state  
6 licensure.

7        This compact is designed to achieve the following objectives:

8        (1) Increase public access to social work services;

9        (2) Reduce overly burdensome and duplicative requirements  
10 associated with holding multiple licenses;

11        (3) Enhance the member states' ability to protect the public's  
12 health and safety;

13        (4) Encourage the cooperation of member states in regulating  
14 multistate practice;

15        (5) Promote mobility and address workforce shortages by  
16 eliminating the necessity for licenses in multiple states by  
17 providing for the mutual recognition of other member state licenses;

18        (6) Support military families;

19        (7) Facilitate the exchange of licensure and disciplinary  
20 information among member states;

21        (8) Authorize all member states to hold a regulated social worker  
22 accountable for abiding by a member state's laws, regulations, and  
23 applicable professional standards in the member state in which the  
24 client is located at the time care is rendered; and

25        (9) Allow for the use of telehealth to facilitate increased  
26 access to regulated social work services.

27        NEW SECTION.        **Sec. 3.**        As used in this compact, and except as  
28 otherwise provided, the following definitions shall apply:

29        (1) "Active military member" means any individual with full-time  
30 duty status in the active armed forces of the United States including  
31 members of the national guard and reserve.

32        (2) "Adverse action" means any administrative, civil, equitable,  
33 or criminal action permitted by a state's laws which is imposed by a  
34 licensing authority or other authority against a regulated social  
35 worker, including actions against an individual's license or  
36 multistate authorization to practice such as revocation, suspension,  
37 probation, monitoring of the licensee, limitation on the licensee's  
38 practice, or any other encumbrance on licensure affecting a regulated

1 social worker's authorization to practice, including issuance of a  
2 cease and desist action.

3 (3) "Alternative program" means a nondisciplinary monitoring or  
4 practice remediation process approved by a licensing authority to  
5 address practitioners with an impairment.

6 (4) "Charter member states" means member states who have enacted  
7 legislation to adopt this compact where such legislation predates the  
8 effective date of this compact as described in section 15 of this  
9 act.

10 (5) "Compact commission" or "commission" means the government  
11 agency whose membership consists of all states that have enacted this  
12 compact, which is known as the social work licensure compact  
13 commission, as described in section 11 of this act, and which shall  
14 operate as an instrumentality of the member states.

15 (6) "Current significant investigative information" means:

16 (a) Investigative information that a licensing authority, after a  
17 preliminary inquiry that includes notification and an opportunity for  
18 the regulated social worker to respond has reason to believe is not  
19 groundless and, if proved true, would indicate more than a minor  
20 infraction as may be defined by the commission; or

21 (b) Investigative information that indicates that the regulated  
22 social worker represents an immediate threat to public health and  
23 safety, as may be defined by the commission, regardless of whether  
24 the regulated social worker has been notified and has had an  
25 opportunity to respond.

26 (7) "Data system" means a repository of information about  
27 licensees including continuing education, examination, licensure,  
28 current significant investigative information, disqualifying event,  
29 multistate license(s), and adverse action information or other  
30 information as required by the commission.

31 (8) "Disqualifying event" means any adverse action or incident  
32 which results in an encumbrance that disqualifies or makes the  
33 licensee ineligible to either obtain, retain, or renew a multistate  
34 license.

35 (9) "Domicile" means the jurisdiction in which the licensee  
36 resides and intends to remain indefinitely.

37 (10) "Encumbrance" means a revocation or suspension of, or any  
38 limitation on, the full and unrestricted practice of social work  
39 licensed and regulated by a licensing authority.

1 (11) "Executive committee" means a group of delegates elected or  
2 appointed to act on behalf of, and within the powers granted to them  
3 by, the compact and commission.

4 (12) "Home state" means the member state that is the licensee's  
5 primary domicile.

6 (13) "Impairment" means a condition(s) that may impair a  
7 practitioner's ability to engage in full and unrestricted practice as  
8 a regulated social worker without some type of intervention and may  
9 include alcohol and drug dependence, mental health impairment, and  
10 neurological or physical impairments.

11 (14) "Licensee(s)" means an individual who currently holds a  
12 license from a state to practice as a regulated social worker.

13 (15) "Licensing authority" means the board or agency of a member  
14 state, or equivalent, that is responsible for the licensing and  
15 regulation of regulated social workers.

16 (16) "Member state" means a state, commonwealth, district, or  
17 territory of the United States of America that has enacted this  
18 compact.

19 (17) "Multistate authorization to practice" means a legally  
20 authorized privilege to practice, which is equivalent to a license,  
21 associated with a multistate license permitting the practice of  
22 social work in a remote state.

23 (18) "Multistate license" means a license to practice as a  
24 regulated social worker issued by a home state licensing authority  
25 that authorizes the regulated social worker to practice in all member  
26 states under multistate authorization to practice.

27 (19) "Qualifying national exam" means a national licensing  
28 examination approved by the commission.

29 (20) "Regulated social worker" means any clinical, master's or  
30 bachelor's social worker licensed by a member state regardless of the  
31 title used by that member state.

32 (21) "Remote state" means a member state other than the  
33 licensee's home state.

34 (22) "Rule(s)" or "rule(s) of the commission" means a regulation  
35 or regulations duly promulgated by the commission, as authorized by  
36 the compact, that has the force of law.

37 (23) "Single state license" means a social work license issued by  
38 any state that authorizes practice only within the issuing state and  
39 does not include multistate authorization to practice in any member  
40 state.

1 (24) "Social work" or "social work services" means the  
2 application of social work theory, knowledge, methods, ethics, and  
3 the professional use of self to restore or enhance social,  
4 psychosocial, or biopsychosocial functioning of individuals, couples,  
5 families, groups, organizations, and communities through the care and  
6 services provided by a regulated social worker as set forth in the  
7 member state's statutes and regulations in the state where the  
8 services are being provided.

9 (25) "State" means any state, commonwealth, district, or  
10 territory of the United States of America that regulates the practice  
11 of social work.

12 (26) "Unencumbered license" means a license that authorizes a  
13 regulated social worker to engage in the full and unrestricted  
14 practice of social work.

15 NEW SECTION. **Sec. 4.** (1) To be eligible to participate in the  
16 compact, a potential member state must currently meet all of the  
17 following criteria:

18 (a) License and regulate the practice of social work at either  
19 the clinical, master's, or bachelor's category;

20 (b) Require applicants for licensure to graduate from a program  
21 that:

22 (i) Is operated by a college or university recognized by the  
23 licensing authority;

24 (ii) Is accredited, or in candidacy by an institution that  
25 subsequently becomes accredited, by an accrediting agency recognized  
26 by either:

27 (A) The council for higher education accreditation, or its  
28 successor; or

29 (B) The United States department of education; and

30 (iii) Corresponds to the licensure sought as outlined in section  
31 5 of this act;

32 (c) Require applicants for clinical licensure to complete a  
33 period of supervised practice; and

34 (d) Have a mechanism in place for receiving, investigating, and  
35 adjudicating complaints about licensees.

36 (2) To maintain membership in the compact, a member state shall:

37 (a) Require that applicants for a multistate license pass a  
38 qualifying national exam for the corresponding category of multistate  
39 license sought as outlined in section 5 of this act;

1 (b) Participate fully in the commission's data system, including  
2 using the commission's unique identifier as defined in rules;

3 (c) Notify the commission, in compliance with the terms of the  
4 compact and rules, of any adverse action or the availability of  
5 current significant investigative information regarding a licensee;

6 (d) Implement procedures for considering the criminal history  
7 records of applicants for a multistate license. Such procedures shall  
8 include the submission of fingerprints or other biometric-based  
9 information by applicants for the purpose of obtaining an applicant's  
10 criminal history record information from the federal bureau of  
11 investigation and the agency responsible for retaining that state's  
12 criminal records;

13 (e) Comply with the rules of the commission;

14 (f) Require an applicant to obtain or retain a license in the  
15 home state and meet the home state's qualifications for licensure or  
16 renewal of licensure, as well as all other applicable home state  
17 laws;

18 (g) Authorize a licensee holding a multistate license in any  
19 member state to practice in accordance with the terms of the compact  
20 and rules of the commission; and

21 (h) Designate a delegate to participate in the commission  
22 meetings.

23 (3) A member state meeting the requirements of subsections (1)  
24 and (2) of this section shall designate the categories of social work  
25 licensure that are eligible for issuance of a multistate license for  
26 applicants in such member state. To the extent that any member state  
27 does not meet the requirements for participation in the compact at  
28 any particular category of social work licensure, such member state  
29 may choose, but is not obligated to, issue a multistate license to  
30 applicants that otherwise meet the requirements of section 5 of this  
31 act for issuance of a multistate license in such category or  
32 categories of licensure.

33 (4) The home state may charge a fee for granting the multistate  
34 license.

35 NEW SECTION. **Sec. 5.** (1) To be eligible for a multistate  
36 license under the terms and provisions of the compact, an applicant,  
37 regardless of category must:

38 (a) Hold or be eligible for an active, unencumbered license in  
39 the home state;

1 (b) Pay any applicable fees, including any state fee, for the  
2 multistate license;

3 (c) Submit, in connection with an application for a multistate  
4 license, fingerprints or other biometric data for the purpose of  
5 obtaining criminal history record information from the federal bureau  
6 of investigation and the agency responsible for retaining that  
7 state's criminal records;

8 (d) Notify the home state of any adverse action, encumbrance, or  
9 restriction on any professional license taken by any member state or  
10 nonmember state within 30 days from the date the action is taken;

11 (e) Meet any continuing competence requirements established by  
12 the home state; and

13 (f) Abide by the laws, regulations, and applicable standards in  
14 the member state where the client is located at the time care is  
15 rendered.

16 (2) An applicant for a clinical-category multistate license must  
17 meet all of the following requirements:

18 (a) Fulfill a competency requirement, which shall be satisfied by  
19 either:

20 (i) Passage of a clinical-category qualifying national exam; or

21 (ii) Licensure of the applicant in their home state at the  
22 clinical category, beginning prior to such time as a qualifying  
23 national exam was required by the home state and accompanied by a  
24 period of continuous social work licensure thereafter, all of which  
25 may be further governed by the rules of the commission; or

26 (iii) The substantial equivalency of the foregoing competency  
27 requirements which the commission may determine by rule.

28 (b) Attain at least a master's degree in social work from a  
29 program that is:

30 (i) Operated by a college or university recognized by the  
31 licensing authority; and

32 (ii) Accredited, or in candidacy that subsequently becomes  
33 accredited, by an accrediting agency recognized by either:

34 (A) The council for higher education accreditation or its  
35 successor; or

36 (B) The United States department of education;

37 (c) Fulfill a practice requirement, which shall be satisfied by  
38 demonstrating completion of either:

39 (i) A period of postgraduate supervised clinical practice equal  
40 to a minimum of 3,000 hours; or

1 (ii) A minimum of two years of full-time postgraduate supervised  
2 clinical practice; or

3 (iii) The substantial equivalency of the foregoing practice  
4 requirements which the commission may determine by rule.

5 (3) An applicant for a master's-category multistate license must  
6 meet all of the following requirements:

7 (a) Fulfill a competency requirement, which shall be satisfied by  
8 either:

9 (i) Passage of a master's-category qualifying national exam;

10 (ii) Licensure of the applicant in their home state at the  
11 master's category, beginning prior to such time as a qualifying  
12 national exam was required by the home state at the master's category  
13 and accompanied by a continuous period of social work licensure  
14 thereafter, all of which may be further governed by the rules of the  
15 commission; or

16 (iii) The substantial equivalency of the foregoing competency  
17 requirements which the commission may determine by rule;

18 (b) Attain at least a master's degree in social work from a  
19 program that is:

20 (i) Operated by a college or university recognized by the  
21 licensing authority; and

22 (ii) Accredited, or in candidacy that subsequently becomes  
23 accredited, by an accrediting agency recognized by either:

24 (A) The council for higher education accreditation or its  
25 successor; or

26 (B) The United States department of education.

27 (4) An applicant for a bachelor's-category multistate license  
28 must meet all of the following requirements:

29 (a) Fulfill a competency requirement, which shall be satisfied by  
30 either:

31 (i) Passage of a bachelor's-category qualifying national exam;

32 (ii) Licensure of the applicant in their home state at the  
33 bachelor's category, beginning prior to such time as a qualifying  
34 national exam was required by the home state and accompanied by a  
35 period of continuous social work licensure thereafter, all of which  
36 may be further governed by the rules of the commission; or

37 (iii) The substantial equivalency of the foregoing competency  
38 requirements which the commission may determine by rule;

39 (b) Attain at least a bachelor's degree in social work from a  
40 program that is:



1 (i) Operated by a college or university recognized by the  
2 licensing authority; and

3 (ii) Accredited, or in candidacy that subsequently becomes  
4 accredited, by an accrediting agency recognized by either:

5 (A) The council for higher education accreditation or its  
6 successor; or

7 (B) The United States department of education.

8 (5) The multistate license for a regulated social worker is  
9 subject to the renewal requirements of the home state. The regulated  
10 social worker must maintain compliance with the requirements of  
11 subsection (1) of this section to be eligible to renew a multistate  
12 license.

13 (6) The regulated social worker's services in a remote state are  
14 subject to that member state's regulatory authority. A remote state  
15 may, in accordance with due process and that member state's laws,  
16 remove a regulated social worker's multistate authorization to  
17 practice in the remote state for a specific period of time, impose  
18 fines, and take any other necessary actions to protect the health and  
19 safety of its citizens.

20 (7) If a multistate license is encumbered, the regulated social  
21 worker's multistate authorization to practice shall be deactivated in  
22 all remote states until the multistate license is no longer  
23 encumbered.

24 (8) If a multistate authorization to practice is encumbered in a  
25 remote state, the regulated social worker's multistate authorization  
26 to practice may be deactivated in that state until the multistate  
27 authorization to practice is no longer encumbered.

28 NEW SECTION. **Sec. 6.** (1) Upon receipt of an application for a  
29 multistate license, the home state licensing authority shall  
30 determine the applicant's eligibility for a multistate license in  
31 accordance with section 5 of this act.

32 (2) If such applicant is eligible pursuant to section 5 of this  
33 act, the home state licensing authority shall issue a multistate  
34 license that authorizes the applicant or regulated social worker to  
35 practice in all member states under a multistate authorization to  
36 practice.

37 (3) Upon issuance of a multistate license, the home state  
38 licensing authority shall designate whether the regulated social

1 worker holds a multistate license in the bachelor's, master's, or  
2 clinical category of social work.

3 (4) A multistate license issued by a home state to a resident in  
4 that state shall be recognized by all compact member states as  
5 authorizing social work practice under a multistate authorization to  
6 practice corresponding to each category of licensure regulated in  
7 each member state.

8 NEW SECTION. **Sec. 7.** (1) Nothing in this compact, nor any rule  
9 of the commission, shall be construed to limit, restrict, or in any  
10 way reduce the ability of a member state to enact and enforce laws,  
11 regulations, or other rules related to the practice of social work in  
12 that state, where those laws, regulations, or other rules are not  
13 inconsistent with the provisions of this compact.

14 (2) Nothing in this compact shall affect the requirements  
15 established by a member state for the issuance of a single state  
16 license.

17 (3) Nothing in this compact, nor any rule of the commission,  
18 shall be construed to limit, restrict, or in any way reduce the  
19 ability of a member state to take adverse action against a licensee's  
20 single state license to practice social work in that state.

21 (4) Nothing in this compact, nor any rule of the commission,  
22 shall be construed to limit, restrict, or in any way reduce the  
23 ability of a remote state to take adverse action against a licensee's  
24 multistate authorization to practice in that state.

25 (5) Nothing in this compact, nor any rule of the commission,  
26 shall be construed to limit, restrict, or in any way reduce the  
27 ability of a licensee's home state to take adverse action against a  
28 licensee's multistate license based upon information provided by a  
29 remote state.

30 NEW SECTION. **Sec. 8.** (1) A licensee can hold a multistate  
31 license, issued by their home state, in only one member state at any  
32 given time.

33 (2) If a licensee changes their home state by moving between two  
34 member states:

35 (a) The licensee shall immediately apply for the reissuance of  
36 their multistate license in their new home state. The licensee shall  
37 pay all applicable fees and notify the prior home state in accordance  
38 with the rules of the commission.

1 (b) Upon receipt of an application to reissue a multistate  
2 license, the new home state shall verify that the multistate license  
3 is active, unencumbered, and eligible for reissuance under the terms  
4 of the compact and the rules of the commission. The multistate  
5 license issued by the prior home state will be deactivated and all  
6 member states notified in accordance with the applicable rules  
7 adopted by the commission.

8 (c) Prior to the reissuance of the multistate license, the new  
9 home state shall conduct procedures for considering the criminal  
10 history records of the licensee. Such procedures shall include the  
11 submission of fingerprints or other biometric-based information by  
12 applicants for the purpose of obtaining an applicant's criminal  
13 history record information from the federal bureau of investigation  
14 and the agency responsible for retaining that state's criminal  
15 records.

16 (d) If required for initial licensure, the new home state may  
17 require completion of jurisprudence requirements in the new home  
18 state.

19 (e) Notwithstanding any other provision of this compact, if a  
20 licensee does not meet the requirements set forth in this compact for  
21 the reissuance of a multistate license by the new home state, then  
22 the licensee shall be subject to the new home state requirements for  
23 the issuance of a single state license in that state.

24 (3) If a licensee changes their primary state of residence by  
25 moving from a member state to a nonmember state, or from a nonmember  
26 state to a member state, then the licensee shall be subject to the  
27 state requirements for the issuance of a single state license in the  
28 new home state.

29 (4) Nothing in this compact shall interfere with a licensee's  
30 ability to hold a single state license in multiple states; however,  
31 for the purposes of this compact, a licensee shall have only one home  
32 state, and only one multistate license.

33 (5) Nothing in this compact shall interfere with the requirements  
34 established by a member state for the issuance of a single state  
35 license.

36 NEW SECTION. **Sec. 9.** An active military member or their spouse  
37 shall designate a home state where the individual has a multistate  
38 license. The individual may retain their home state designation  
39 during the period the service member is on active duty.

1        NEW SECTION.

2        **Sec. 10.**

3        (1) In addition to the other powers  
4 conferred by state law, a remote state shall have the authority, in  
5 accordance with existing state due process law, to:

6        (a) Take adverse action against a regulated social worker's  
7 multistate authorization to practice only within that member state,  
8 and issue subpoenas for both hearings and investigations that require  
9 the attendance and testimony of witnesses as well as the production  
10 of evidence. Subpoenas issued by a licensing authority in a member  
11 state for the attendance and testimony of witnesses or the production  
12 of evidence from another member state shall be enforced in the latter  
13 state by any court of competent jurisdiction, according to the  
14 practice and procedure of that court applicable to subpoenas issued  
15 in proceedings pending before it. The issuing licensing authority  
16 shall pay any witness fees, travel expenses, mileage, and other fees  
17 required by the service statutes of the state in which the witnesses  
18 or evidence are located.

19        (b) Only the home state shall have the power to take adverse  
20 action against a regulated social worker's multistate license.

21        (2) For purposes of taking adverse action, the home state shall  
22 give the same priority and effect to reported conduct received from a  
23 member state as it would if the conduct had occurred within the home  
24 state. In so doing, the home state shall apply its own state laws to  
25 determine appropriate action.

26        (3) The home state shall complete any pending investigations of a  
27 regulated social worker who changes their home state during the  
28 course of the investigations. The home state shall also have the  
29 authority to take appropriate action(s) and shall promptly report the  
30 conclusions of the investigations to the administrator of the data  
31 system. The administrator of the data system shall promptly notify  
32 the new home state of any adverse actions.

33        (4) A member state, if otherwise permitted by state law, may  
34 recover from the affected regulated social worker the costs of  
35 investigations and dispositions of cases resulting from any adverse  
36 action taken against that regulated social worker.

37        (5) A member state may take adverse action based on the factual  
38 findings of another member state, provided that the member state  
39 follows its own procedures for taking the adverse action.

40        (6) Joint investigations:

      (a) In addition to the authority granted to a member state by its  
      respective social work practice act or other applicable state law,

1 any member state may participate with other member states in joint  
2 investigations of licensees.

3 (b) Member states shall share any investigative, litigation, or  
4 compliance materials in furtherance of any joint or individual  
5 investigation initiated under the compact.

6 (7) If adverse action is taken by the home state against the  
7 multistate license of a regulated social worker, the regulated social  
8 worker's multistate authorization to practice in all other member  
9 states shall be deactivated until all encumbrances have been removed  
10 from the multistate license. All home state disciplinary orders that  
11 impose adverse action against the license of a regulated social  
12 worker shall include a statement that the regulated social worker's  
13 multistate authorization to practice is deactivated in all member  
14 states until all conditions of the decision, order, or agreement are  
15 satisfied.

16 (8) If a member state takes adverse action, it shall promptly  
17 notify the administrator of the data system. The administrator of the  
18 data system shall promptly notify the home state and all other member  
19 states of any adverse actions by remote states.

20 (9) Nothing in this compact shall override a member state's  
21 decision that participation in an alternative program may be used in  
22 lieu of adverse action.

23 (10) Nothing in this compact shall authorize a member state to  
24 demand the issuance of subpoenas for attendance and testimony of  
25 witnesses or the production of evidence from another member state for  
26 lawful actions within that member state.

27 (11) Nothing in this compact shall authorize a member state to  
28 impose discipline against a regulated social worker who holds a  
29 multistate authorization to practice for lawful actions within  
30 another member state.

31 NEW SECTION. **Sec. 11.** (1) The compact member states hereby  
32 create and establish a joint government agency whose membership  
33 consists of all member states that have enacted the compact known as  
34 the social work licensure compact commission. The commission is an  
35 instrumentality of the compact states acting jointly and not an  
36 instrumentality of any one state. The commission shall come into  
37 existence on or after the effective date of the compact as set forth  
38 in section 15 of this act.

39 (2) Membership, voting, and meetings.

1 (a) Each member state shall have and be limited to one delegate  
2 selected by that member state's state licensing authority.

3 (b) The delegate shall be either:

4 (i) A current member of the state licensing authority at the time  
5 of appointment, who is a regulated social worker or public member of  
6 the state licensing authority; or

7 (ii) An administrator of the state licensing authority or their  
8 designee.

9 (c) The commission shall by rule or bylaw establish a term of  
10 office for delegates and may by rule or bylaw establish term limits.

11 (d) The commission may recommend removal or suspension of any  
12 delegate from office.

13 (e) A member state's state licensing authority shall fill any  
14 vacancy of its delegate occurring on the commission within 60 days of  
15 the vacancy.

16 (f) Each delegate shall be entitled to one vote on all matters  
17 before the commission requiring a vote by commission delegates.

18 (g) A delegate shall vote in person or by such other means as  
19 provided in the bylaws. The bylaws may provide for delegates to meet  
20 by telecommunication, videoconference, or other means of  
21 communication.

22 (h) The commission shall meet at least once during each calendar  
23 year. Additional meetings may be held as set forth in the bylaws. The  
24 commission may meet by telecommunication, video conference, or other  
25 similar electronic means.

26 (3) The commission shall have the following powers:

27 (a) Establish the fiscal year of the commission;

28 (b) Establish code of conduct and conflict of interest policies;

29 (c) Establish and amend rules and bylaws;

30 (d) Maintain its financial records in accordance with the bylaws;

31 (e) Meet and take such actions as are consistent with the  
32 provisions of this compact, the commission's rules, and the bylaws;

33 (f) Initiate and conclude legal proceedings or actions in the  
34 name of the commission, provided that the standing of any state  
35 licensing board to sue or be sued under applicable law shall not be  
36 affected;

37 (g) Maintain and certify records and information provided to a  
38 member state as the authenticated business records of the commission,  
39 and designate an agent to do so on the commission's behalf;

40 (h) Purchase and maintain insurance and bonds;

1 (i) Borrow, accept, or contract for services of personnel  
2 including, but not limited to, employees of a member state;

3 (j) Conduct an annual financial review;

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

9 (l) Assess and collect fees;

10 (m) Accept any and all appropriate gifts, donations, grants of  
11 money, other sources of revenue, equipment, supplies, materials, and  
12 services, and receive, utilize, and dispose of the same; provided  
13 that at all times the commission shall avoid any appearance of  
14 impropriety or conflict of interest;

15 (n) Lease, purchase, retain, own, hold, improve, or use any  
16 property, real, personal, or mixed, or any undivided interest  
17 therein;

18 (o) Sell, convey, mortgage, pledge, lease, exchange, abandon, or  
19 otherwise dispose of any property real, personal, or mixed;

20 (p) Establish a budget and make expenditures;

21 (q) Borrow money;

22 (r) Appoint committees, including standing committees, composed  
23 of members, state regulators, state legislators or their  
24 representatives, and consumer representatives, and such other  
25 interested persons as may be designated in this compact and the  
26 bylaws;

27 (s) Provide and receive information from, and cooperate with, law  
28 enforcement agencies;

29 (t) Establish and elect an executive committee, including a chair  
30 and a vice chair;

31 (u) Determine whether a state's adopted language is materially  
32 different from the model compact language such that the state would  
33 not qualify for participation in the compact; and

34 (v) Perform such other functions as may be necessary or  
35 appropriate to achieve the purposes of this compact.

36 (4) The executive committee.

37 (a) The executive committee shall have the power to act on behalf  
38 of the commission according to the terms of this compact. The powers,  
39 duties, and responsibilities of the executive committee shall  
40 include:

1 (i) Oversee the day-to-day activities of the administration of  
2 the compact including enforcement and compliance with the provisions  
3 of the compact, its rules and bylaws, and other such duties as deemed  
4 necessary;

5 (ii) Recommend to the commission changes to the rules or bylaws,  
6 changes to this compact legislation, fees charged to compact member  
7 states, fees charged to licensees, and other fees;

8 (iii) Ensure compact administration services are appropriately  
9 provided, including by contract;

10 (iv) Prepare and recommend the budget;

11 (v) Maintain financial records on behalf of the commission;

12 (vi) Monitor compact compliance of member states and provide  
13 compliance reports to the commission;

14 (vii) Establish additional committees as necessary;

15 (viii) Exercise the powers and duties of the commission during  
16 the interim between commission meetings, except for adopting or  
17 amending rules, adopting or amending bylaws, and exercising any other  
18 powers and duties expressly reserved to the commission by rule or  
19 bylaw; and

20 (ix) Other duties as provided in the rules or bylaws of the  
21 commission.

22 (b) The executive committee shall be composed of up to 11  
23 members:

24 (i) The chair and vice chair of the commission shall be voting  
25 members of the executive committee;

26 (ii) The commission shall elect five voting members from the  
27 current membership of the commission;

28 (iii) Up to four ex-officio, nonvoting members from four  
29 recognized national social work organizations; and

30 (iv) The ex-officio members will be selected by their respective  
31 organizations.

32 (c) The commission may remove any member of the executive  
33 committee as provided in the commission's bylaws.

34 (d) The executive committee shall meet at least annually.

35 (i) Executive committee meetings shall be open to the public,  
36 except that the executive committee may meet in a closed, nonpublic  
37 meeting as provided in subsection (6)(b) of this section.

38 (ii) The executive committee shall give seven days' notice of its  
39 meetings, posted on its website and as determined to provide notice  
40 to persons with an interest in the business of the commission.



1 (iii) The executive committee may hold a special meeting in  
2 accordance with subsection (6) (a) (ii) of this section.

3 (5) The commission shall adopt and provide to the member states  
4 an annual report.

5 (6) Meetings of the commission.

6 (a) All meetings shall be open to the public, except that the  
7 commission may meet in a closed, nonpublic meeting as provided in (b)  
8 of this subsection.

9 (i) Public notice for all meetings of the full commission of  
10 meetings shall be given in the same manner as required under the  
11 rule-making provisions in section 13 of this act, except that the  
12 commission may hold a special meeting as provided in (a) (ii) of this  
13 subsection.

14 (ii) The commission may hold a special meeting when it must meet  
15 to conduct emergency business by giving 48 hours' notice to all  
16 commissioners, on the commission's website, and other means as  
17 provided in the commission's rules. The commission's legal counsel  
18 shall certify that the commission's need to meet qualifies as an  
19 emergency.

20 (b) The commission or the executive committee or other committees  
21 of the commission may convene in a closed, nonpublic meeting for the  
22 commission or executive committee or other committees of the  
23 commission to receive legal advice or to discuss:

24 (i) Noncompliance of a member state with its obligations under  
25 the compact;

26 (ii) The employment, compensation, discipline, or other matters,  
27 practices, or procedures related to specific employees;

28 (iii) Current or threatened discipline of a licensee by the  
29 commission or by a member state's licensing authority;

30 (iv) Current, threatened, or reasonably anticipated litigation;

31 (v) Negotiation of contracts for the purchase, lease, or sale of  
32 goods, services, or real estate;

33 (vi) Accusing any person of a crime or formally censuring any  
34 person;

35 (vii) Trade secrets or commercial or financial information that  
36 is privileged or confidential;

37 (viii) Information of a personal nature where disclosure would  
38 constitute a clearly unwarranted invasion of personal privacy;

39 (ix) Investigative records compiled for law enforcement purposes;

1 (x) Information related to any investigative reports prepared by  
2 or on behalf of or for use of the commission or other committee  
3 charged with responsibility of investigation or determination of  
4 compliance issues pursuant to the compact;

5 (xi) Matters specifically exempted from disclosure by federal or  
6 member state law; or

7 (xii) Other matters as promulgated by the commission by rule.

8 (c) If a meeting, or portion of a meeting, is closed, the  
9 presiding officer shall state that the meeting will be closed and  
10 reference each relevant exempting provision, and such reference shall  
11 be recorded in the minutes.

12 (d) The commission shall keep minutes that fully and clearly  
13 describe all matters discussed in a meeting and shall provide a full  
14 and accurate summary of actions taken, and the reasons therefore,  
15 including a description of the views expressed. All documents  
16 considered in connection with an action shall be identified in such  
17 minutes. All minutes and documents of a closed meeting shall remain  
18 under seal, subject to release only by a majority vote of the  
19 commission or order of a court of competent jurisdiction.

20 (7) Financing of the commission.

21 (a) The commission shall pay, or provide for the payment of, the  
22 reasonable expenses of its establishment, organization, and ongoing  
23 activities.

24 (b) The commission may accept any and all appropriate revenue  
25 sources as provided in subsection (3)(m) of this section.

26 (c) The commission may levy on and collect an annual assessment  
27 from each member state and impose fees on licensees of member states  
28 to whom it grants a multistate license to cover the cost of the  
29 operations and activities of the commission and its staff, which must  
30 be in a total amount sufficient to cover its annual budget as  
31 approved each year for which revenue is not provided by other  
32 sources. The aggregate annual assessment amount for member states  
33 shall be allocated based upon a formula that the commission shall  
34 promulgate by rule.

35 (d) The commission shall not incur obligations of any kind prior  
36 to securing the funds adequate to meet the same; nor shall the  
37 commission pledge the credit of any of the member states, except by  
38 and with the authority of the member state.

39 (e) The commission shall keep accurate accounts of all receipts  
40 and disbursements. The receipts and disbursements of the commission

1 shall be subject to the financial review and accounting procedures  
2 established under its bylaws. However, all receipts and disbursements  
3 of funds handled by the commission shall be subject to an annual  
4 financial review by a certified or licensed public accountant, and  
5 the report of the financial review shall be included in and become  
6 part of the annual report of the commission.

7 (8) Qualified immunity, defense, and indemnification.

8 (a) The members, officers, executive director, employees, and  
9 representatives of the commission shall be immune from suit and  
10 liability, both personally and in their official capacity, for any  
11 claim for damage to or loss of property or personal injury or other  
12 civil liability caused by or arising out of any actual or alleged  
13 act, error, or omission that occurred, or that the person against  
14 whom the claim is made had a reasonable basis for believing occurred  
15 within the scope of commission employment, duties, or  
16 responsibilities; provided that nothing in this subsection (8)(a)  
17 shall be construed to protect any such person from suit or liability  
18 for any damage, loss, injury, or liability caused by the intentional  
19 or willful or wanton misconduct of that person. The procurement of  
20 insurance of any type by the commission shall not in any way  
21 compromise or limit the immunity granted hereunder.

22 (b) The commission shall defend any member, officer, executive  
23 director, employee, and representative of the commission in any civil  
24 action seeking to impose liability arising out of any actual or  
25 alleged act, error, or omission that occurred within the scope of  
26 commission employment, duties, or responsibilities, or as determined  
27 by the commission that the person against whom the claim is made had  
28 a reasonable basis for believing occurred within the scope of  
29 commission employment, duties, or responsibilities; provided that  
30 nothing herein shall be construed to prohibit that person from  
31 retaining their own counsel at their own expense; and provided  
32 further, that the actual or alleged act, error, or omission did not  
33 result from that person's intentional or willful or wanton  
34 misconduct.

35 (c) The commission shall indemnify and hold harmless any member,  
36 officer, executive director, employee, and representative of the  
37 commission for the amount of any settlement or judgment obtained  
38 against that person arising out of any actual or alleged act, error,  
39 or omission that occurred within the scope of commission employment,  
40 duties, or responsibilities, or that such person had a reasonable

1 basis for believing occurred within the scope of commission  
2 employment, duties, or responsibilities, provided that the actual or  
3 alleged act, error, or omission did not result from the intentional  
4 or willful or wanton misconduct of that person.

5 (d) Nothing herein shall be construed as a limitation on the  
6 liability of any licensee for professional malpractice or misconduct,  
7 which shall be governed solely by any other applicable state laws.

8 (e) Nothing in this compact shall be interpreted to waive or  
9 otherwise abrogate a member state's state action immunity or state  
10 action affirmative defense with respect to antitrust claims under the  
11 Sherman act, Clayton act, or any other state or federal antitrust or  
12 anticompetitive law or regulation.

13 (f) Nothing in this compact shall be construed to be a waiver of  
14 sovereign immunity by the member states or by the commission.

15 NEW SECTION. **Sec. 12.** (1) The commission shall provide for the  
16 development, maintenance, operation, and utilization of a coordinated  
17 data system.

18 (2) The commission shall assign each applicant for a multistate  
19 license a unique identifier, as determined by the rules of the  
20 commission.

21 (3) Notwithstanding any other provision of state law to the  
22 contrary, a member state shall submit a uniform data set to the data  
23 system on all individuals to whom this compact is applicable as  
24 required by the rules of the commission, including:

25 (a) Identifying information;

26 (b) Licensure data;

27 (c) Adverse actions against a license and information related  
28 thereto;

29 (d) Nonconfidential information related to alternative program  
30 participation, the beginning and ending dates of such participation,  
31 and other information related to such participation not made  
32 confidential under member state law;

33 (e) Any denial of application for licensure, and the reason(s)  
34 for such denial;

35 (f) The presence of current significant investigative  
36 information; and

37 (g) Other information that may facilitate the administration of  
38 this compact or the protection of the public, as determined by the  
39 rules of the commission.

1 (4) The records and information provided to a member state  
2 pursuant to this compact or through the data system, when certified  
3 by the commission or an agent thereof, shall constitute the  
4 authenticated business records of the commission, and shall be  
5 entitled to any associated hearsay exception in any relevant  
6 judicial, quasi judicial or administrative proceedings in a member  
7 state.

8 (5) Current significant investigative information pertaining to a  
9 licensee in any member state will only be available to other member  
10 states. It is the responsibility of the member states to report any  
11 adverse action against a licensee and to monitor the database to  
12 determine whether adverse action has been taken against a licensee.  
13 Adverse action information pertaining to a licensee in any member  
14 state will be available to any other member state.

15 (6) Member states contributing information to the data system may  
16 designate information that may not be shared with the public without  
17 the express permission of the contributing state.

18 (7) Any information submitted to the data system that is  
19 subsequently expunged pursuant to federal law or the laws of the  
20 member state contributing the information shall be removed from the  
21 data system.

22 NEW SECTION. **Sec. 13.** (1) The commission shall promulgate  
23 reasonable rules in order to effectively and efficiently implement  
24 and administer the purposes and provisions of the compact. A rule  
25 shall be invalid and have no force or effect only if a court of  
26 competent jurisdiction holds that the rule is invalid because the  
27 commission exercised its rule-making authority in a manner that is  
28 beyond the scope and purposes of the compact, or the powers granted  
29 hereunder, or based upon another applicable standard of review.

30 (2) The rules of the commission shall have the force of law in  
31 each member state, provided however that where the rules of the  
32 commission conflict with the laws of the member state that establish  
33 the member state's laws, regulations, and applicable standards that  
34 govern the practice of social work as held by a court of competent  
35 jurisdiction, the rules of the commission shall be ineffective in  
36 that state to the extent of the conflict.

37 (3) The commission shall exercise its rule-making powers pursuant  
38 to the criteria set forth in this section and the rules adopted

1 thereunder. Rules shall become binding on the day following adoption  
2 or the date specified in the rule or amendment, whichever is later.

3 (4) If a majority of the legislatures of the member states  
4 rejects a rule or portion of a rule, by enactment of a statute or  
5 resolution in the same manner used to adopt the compact within four  
6 years of the date of adoption of the rule, then such rule shall have  
7 no further force and effect in any member state.

8 (5) Rules shall be adopted at a regular or special meeting of the  
9 commission.

10 (6) Prior to adoption of a proposed rule, the commission shall  
11 hold a public hearing and allow persons to provide oral and written  
12 comments, data, facts, opinions, and arguments.

13 (7) Prior to adoption of a proposed rule by the commission, and  
14 at least 30 days in advance of the meeting at which the commission  
15 will hold a public hearing on the proposed rule, the commission shall  
16 provide a notice of proposed rule making:

17 (a) On the website of the commission or other publicly accessible  
18 platform;

19 (b) To persons who have requested notice of the commission's  
20 notices of proposed rule making; and

21 (c) In such other way(s) as the commission may by rule specify.

22 (8) The notice of proposed rule making shall include:

23 (a) The time, date, and location of the public hearing at which  
24 the commission will hear public comments on the proposed rule and, if  
25 different, the time, date, and location of the meeting where the  
26 commission will consider and vote on the proposed rule;

27 (b) If the hearing is held via telecommunication, video  
28 conference, or other electronic means, the commission shall include  
29 the mechanism for access to the hearing in the notice of proposed  
30 rule making;

31 (c) The text of the proposed rule and the reason therefor;

32 (d) A request for comments on the proposed rule from any  
33 interested person; and

34 (e) The manner in which interested persons may submit written  
35 comments.

36 (9) All hearings will be recorded. A copy of the recording and  
37 all written comments and documents received by the commission in  
38 response to the proposed rule shall be available to the public.

1 (10) Nothing in this section shall be construed as requiring a  
2 separate hearing on each rule. Rules may be grouped for the  
3 convenience of the commission at hearings required by this section.

4 (11) The commission shall, by majority vote of all members, take  
5 final action on the proposed rule based on the rule-making record and  
6 the full text of the rule.

7 (a) The commission may adopt changes to the proposed rule  
8 provided the changes do not enlarge the original purpose of the  
9 proposed rule.

10 (b) The commission shall provide an explanation of the reasons  
11 for substantive changes made to the proposed rule as well as reasons  
12 for substantive changes not made that were recommended by commenters.

13 (c) The commission shall determine a reasonable effective date  
14 for the rule. Except for an emergency as provided in subsection (12)  
15 of this section, the effective date of the rule shall be no sooner  
16 than 30 days after issuing the notice that it adopted or amended the  
17 rule.

18 (12) Upon determination that an emergency exists, the commission  
19 may consider and adopt an emergency rule with 48 hours' notice, with  
20 opportunity to comment, provided that the usual rule-making  
21 procedures provided in the compact and in this section shall be  
22 retroactively applied to the rule as soon as reasonably possible, in  
23 no event later than 90 days after the effective date of the rule. For  
24 the purposes of this provision, an emergency rule is one that must be  
25 adopted immediately in order to:

26 (a) Meet an imminent threat to public health, safety, or welfare;

27 (b) Prevent a loss of commission or member state funds;

28 (c) Meet a deadline for the promulgation of a rule that is  
29 established by federal law or rule; or

30 (d) Protect public health and safety.

31 (13) The commission or an authorized committee of the commission  
32 may direct revisions to a previously adopted rule for purposes of  
33 correcting typographical errors, errors in format, errors in  
34 consistency, or grammatical errors. Public notice of any revisions  
35 shall be posted on the website of the commission. The revision shall  
36 be subject to challenge by any person for a period of 30 days after  
37 posting. The revision may be challenged only on grounds that the  
38 revision results in a material change to a rule. A challenge shall be  
39 made in writing and delivered to the commission prior to the end of  
40 the notice period. If no challenge is made, the revision will take

1 effect without further action. If the revision is challenged, the  
2 revision may not take effect without the approval of the commission.

3 (14) No member state's rule-making requirements shall apply under  
4 this compact.

5 NEW SECTION. **Sec. 14.** (1) Oversight.

6 (a) The executive and judicial branches of state government in  
7 each member state shall enforce this compact and take all actions  
8 necessary and appropriate to implement the compact.

9 (b) Except as otherwise provided in this compact, venue is proper  
10 and judicial proceedings by or against the commission shall be  
11 brought solely and exclusively in a court of competent jurisdiction  
12 where the principal office of the commission is located. The  
13 commission may waive venue and jurisdictional defenses to the extent  
14 it adopts or consents to participate in alternative dispute  
15 resolution proceedings. Nothing herein shall affect or limit the  
16 selection or propriety of venue in any action against a licensee for  
17 professional malpractice, misconduct, or any such similar matter.

18 (c) The commission shall be entitled to receive service of  
19 process in any proceeding regarding the enforcement or interpretation  
20 of the compact and shall have standing to intervene in such a  
21 proceeding for all purposes. Failure to provide the commission  
22 service of process shall render a judgment or order void as to the  
23 commission, this compact, or promulgated rules.

24 (2) Default, technical assistance, and termination.

25 (a) If the commission determines that a member state has  
26 defaulted in the performance of its obligations or responsibilities  
27 under this compact or the promulgated rules, the commission shall  
28 provide written notice to the defaulting state. The notice of default  
29 shall describe the default, the proposed means of curing the default,  
30 and any other action that the commission may take, and shall offer  
31 training and specific technical assistance regarding the default.

32 (b) The commission shall provide a copy of the notice of default  
33 to the other member states.

34 (3) If a state in default fails to cure the default, the  
35 defaulting state may be terminated from the compact upon an  
36 affirmative vote of a majority of the delegates of the member states,  
37 and all rights, privileges, and benefits conferred on that state by  
38 this compact may be terminated on the effective date of termination.



1 A cure of the default does not relieve the offending state of  
2 obligations or liabilities incurred during the period of default.

3 (4) Termination of membership in the compact shall be imposed  
4 only after all other means of securing compliance have been  
5 exhausted. Notice of intent to suspend or terminate shall be given by  
6 the commission to the governor, the majority and minority leaders of  
7 the defaulting state's legislature, the defaulting state's state  
8 licensing authority, and each of the member states' state licensing  
9 authority.

10 (5) A state that has been terminated is responsible for all  
11 assessments, obligations, and liabilities incurred through the  
12 effective date of termination, including obligations that extend  
13 beyond the effective date of termination.

14 (6) Upon the termination of a state's membership from this  
15 compact, that state shall immediately provide notice to all licensees  
16 within that state of such termination. The terminated state shall  
17 continue to recognize all licenses granted pursuant to this compact  
18 for a minimum of six months after the date of said notice of  
19 termination.

20 (7) The commission shall not bear any costs related to a state  
21 that is found to be in default or that has been terminated from the  
22 compact, unless agreed upon in writing between the commission and the  
23 defaulting state.

24 (8) The defaulting state may appeal the action of the commission  
25 by petitioning the United States district court for the District of  
26 Columbia or the federal district where the commission has its  
27 principal offices. The prevailing party shall be awarded all costs of  
28 such litigation, including reasonable attorneys' fees.

29 (9) Dispute resolution.

30 (a) Upon request by a member state, the commission shall attempt  
31 to resolve disputes related to the compact that arise among member  
32 states and between member and nonmember states.

33 (b) The commission shall promulgate a rule providing for both  
34 mediation and binding dispute resolution for disputes as appropriate.

35 (10) Enforcement.

36 (a) By majority vote as provided by rule, the commission may  
37 initiate legal action against a member state in default in the United  
38 States district court for the District of Columbia or the federal  
39 district where the commission has its principal offices to enforce  
40 compliance with the provisions of the compact and its promulgated

1 rules. The relief sought may include both injunctive relief and  
2 damages. In the event judicial enforcement is necessary, the  
3 prevailing party shall be awarded all costs of such litigation,  
4 including reasonable attorneys' fees. The remedies herein shall not  
5 be the exclusive remedies of the commission. The commission may  
6 pursue any other remedies available under federal or the defaulting  
7 member state's law.

8 (b) A member state may initiate legal action against the  
9 commission in the United States district court for the District of  
10 Columbia or the federal district where the commission has its  
11 principal offices to enforce compliance with the provisions of the  
12 compact and its promulgated rules. The relief sought may include both  
13 injunctive relief and damages. In the event judicial enforcement is  
14 necessary, the prevailing party shall be awarded all costs of such  
15 litigation, including reasonable attorneys' fees.

16 (c) No person other than a member state shall enforce this  
17 compact against the commission.

18 NEW SECTION. **Sec. 15.** (1) The compact shall come into effect on  
19 the date on which the compact statute is enacted into law in the  
20 seventh member state.

21 (a) On or after the effective date of the compact, the commission  
22 shall convene and review the enactment of each of the first seven  
23 member states ("charter member states") to determine if the statute  
24 enacted by each such charter member state is materially different  
25 than the model compact statute.

26 (i) A charter member state whose enactment is found to be  
27 materially different from the model compact statute shall be entitled  
28 to the default process set forth in section 14 of this act.

29 (ii) If any member state is later found to be in default, or is  
30 terminated or withdraws from the compact, the commission shall remain  
31 in existence and the compact shall remain in effect even if the  
32 number of member states should be less than seven.

33 (b) Member states enacting the compact subsequent to the seven  
34 initial charter member states shall be subject to the process set  
35 forth in section 11(3)(u) of this act to determine if their  
36 enactments are materially different from the model compact statute  
37 and whether they qualify for participation in the compact.

38 (c) All actions taken for the benefit of the commission or in  
39 furtherance of the purposes of the administration of the compact

1 prior to the effective date of the compact or the commission coming  
2 into existence shall be considered to be actions of the commission  
3 unless specifically repudiated by the commission.

4 (d) Any state that joins the compact subsequent to the  
5 commission's initial adoption of the rules and bylaws shall be  
6 subject to the rules and bylaws as they exist on the date on which  
7 the compact becomes law in that state. Any rule that has been  
8 previously adopted by the commission shall have the full force and  
9 effect of law on the day the compact becomes law in that state.

10 (2) Any member state may withdraw from this compact by enacting a  
11 statute repealing the same.

12 (a) A member state's withdrawal shall not take effect until 180  
13 days after enactment of the repealing statute.

14 (b) Withdrawal shall not affect the continuing requirement of the  
15 withdrawing state's licensing authority to comply with the  
16 investigative and adverse action reporting requirements of this  
17 compact prior to the effective date of withdrawal.

18 (c) Upon the enactment of a statute withdrawing from this  
19 compact, a state shall immediately provide notice of such withdrawal  
20 to all licensees within that state. Notwithstanding any subsequent  
21 statutory enactment to the contrary, such withdrawing state shall  
22 continue to recognize all licenses granted pursuant to this compact  
23 for a minimum of 180 days after the date of such notice of  
24 withdrawal.

25 (3) Nothing contained in this compact shall be construed to  
26 invalidate or prevent any licensure agreement or other cooperative  
27 arrangement between a member state and a nonmember state that does  
28 not conflict with the provisions of this compact.

29 (4) This compact may be amended by the member states. No  
30 amendment to this compact shall become effective and binding upon any  
31 member state until it is enacted into the laws of all member states.

32 NEW SECTION. **Sec. 16.** (1) This compact and the commission's  
33 rule-making authority shall be liberally construed so as to  
34 effectuate the purposes, and the implementation and administration of  
35 the compact. Provisions of the compact expressly authorizing or  
36 requiring the promulgation of rules shall not be construed to limit  
37 the commission's rule-making authority solely for those purposes.

38 (2) The provisions of this compact shall be severable and if any  
39 phrase, clause, sentence, or provision of this compact is held by a

1 court of competent jurisdiction to be contrary to the Constitution of  
2 any member state, a state seeking participation in the compact, or of  
3 the United States, or the applicability thereof to any government,  
4 agency, person, or circumstance is held to be unconstitutional by a  
5 court of competent jurisdiction, the validity of the remainder of  
6 this compact and the applicability thereof to any other government,  
7 agency, person, or circumstance shall not be affected thereby.

8 (3) Notwithstanding subsection (2) of this section, the  
9 commission may deny a state's participation in the compact or, in  
10 accordance with the requirements of section 14(2) of this act,  
11 terminate a member state's participation in the compact, if it  
12 determines that a constitutional requirement of a member state is a  
13 material departure from the compact. Otherwise, if this compact shall  
14 be held to be contrary to the Constitution of any member state, the  
15 compact shall remain in full force and effect as to the remaining  
16 member states and in full force and effect as to the member state  
17 affected as to all severable matters.

18 NEW SECTION. **Sec. 17.** (1) A licensee providing services in a  
19 remote state under a multistate authorization to practice shall  
20 adhere to the laws and regulations, including laws, regulations, and  
21 applicable standards, of the remote state where the client is located  
22 at the time care is rendered.

23 (2) Nothing herein shall prevent or inhibit the enforcement of  
24 any other law of a member state that is not inconsistent with the  
25 compact.

26 (3) Any laws, statutes, regulations, or other legal requirements  
27 in a member state in conflict with the compact are superseded to the  
28 extent of the conflict.

29 (4) All permissible agreements between the commission and the  
30 member states are binding in accordance with their terms.

31 NEW SECTION. **Sec. 18.** Sections 2 through 17 of this act  
32 constitute a new chapter in Title 18 RCW.

--- END ---