

SENATE FILE NO. SF0037

Psychology Interjurisdictional Compact.

Sponsored by: Joint Labor, Health & Social Services Interim  
Committee

A BILL

for

1 AN ACT relating to professional licensing; adopting the  
2 Psychology Interjurisdictional Compact; authorizing the  
3 temporary and telemedicine based provision of psychology  
4 services by psychologists not licensed to practice  
5 psychology in Wyoming; providing for participation in the  
6 compact; making conforming amendments; assigning duties to  
7 the Wyoming state board of psychology; authorizing the  
8 fingerprinting and background investigation of psychology  
9 license applicants and license renewals; and providing for  
10 an effective date.

11

12 *Be It Enacted by the Legislature of the State of Wyoming:*

13

14 **Section 1.** W.S. 33-27-201 and 33-27-202 are created to  
15 read:

1

2

ARTICLE 2

3

PSYCHOLOGY INTERJURISDICTIONAL COMPACT

4

5

**33-27-201. Short title.**

6

7

This article shall be known and may be cited as the

8

"Psychology Interjurisdictional Compact."

9

10

**33-27-202. Compact provisions generally.**

11

12

The Psychology Interjurisdictional Compact is enacted into

13

law and entered into on behalf of this state with all other

14

states legally joining in the compact in a form

15

substantially as follows:

16

17

ARTICLE I

18

PURPOSE

19

20

Whereas, states license psychologists, in order to protect

21

the public through verification of education, training and

22

experience and ensure accountability for professional

23

practice; and

1

2 Whereas, this Compact is intended to regulate the day to day  
3 practice of telepsychology (i.e. the provision of  
4 psychological services using telecommunication technologies)  
5 by psychologists across state boundaries in the performance  
6 of their psychological practice as assigned by an  
7 appropriate authority; and

8

9 Whereas, this Compact is intended to regulate the temporary  
10 in-person, face-to-face practice of psychology by  
11 psychologists across state boundaries for 30 days within a  
12 calendar year in the performance of their psychological  
13 practice as assigned by an appropriate authority;

14

15 Whereas, this Compact is intended to authorize State  
16 Psychology Regulatory Authorities to afford legal  
17 recognition, in a manner consistent with the terms of the  
18 Compact, to psychologists licensed in another state;

19

20 Whereas, this Compact recognizes that states have a vested  
21 interest in protecting the public's health and safety  
22 through their licensing and regulation of psychologists and

1 that such state regulation will best protect public health  
2 and safety;

3

4 Whereas, this Compact does not apply when a psychologist is  
5 licensed in both the Home and Receiving States; and

6

7 Whereas, this Compact does not apply to permanent in-person,  
8 face-to-face practice, it does allow for authorization of  
9 temporary psychological practice.

10

11 Consistent with these principles, this Compact is designed  
12 to achieve the following purposes and objectives:

13

14 1. Increase public access to professional  
15 psychological services by allowing for telepsychological  
16 practice across state lines as well as temporary in-person,  
17 face-to-face services into a state which the psychologist is  
18 not licensed to practice psychology;

19

20 2. Enhance the states' ability to protect the public's  
21 health and safety, especially client/patient safety;

22



1           B. "Association of State and Provincial Psychology  
2 Boards (ASPPB)" means: the recognized membership  
3 organization composed of State and Provincial Psychology  
4 Regulatory Authorities responsible for the licensure and  
5 registration of psychologists throughout the United States  
6 and Canada.

7

8           C. "Authority to Practice Interjurisdictional  
9 Telepsychology" means: a licensed psychologist's authority  
10 to practice telepsychology, within the limits authorized  
11 under this Compact, in another Compact State.

12

13           D. "Bylaws" means: those Bylaws established by the  
14 Psychology Interjurisdictional Compact Commission pursuant  
15 to Article X for its governance, or for directing and  
16 controlling its actions and conduct.

17

18           E. "Client/Patient" means: the recipient of  
19 psychological services, whether psychological services are  
20 delivered in the context of healthcare, corporate,  
21 supervision, and/or consulting services.

22

1           F. "Commissioner" means: the voting representative  
2 appointed by each State Psychology Regulatory Authority  
3 pursuant to Article X.

4

5           G. "Compact State" means: a state, the District of  
6 Columbia, or United States territory that has enacted this  
7 Compact legislation and which has not withdrawn pursuant to  
8 Article XIII, Section C or been terminated pursuant to  
9 Article XII, Section B.

10

11           H. "Coordinated Licensure Information System" also  
12 referred to as "Coordinated Database" means: an integrated  
13 process for collecting, storing, and sharing information on  
14 psychologists' licensure and enforcement activities related  
15 to psychology licensure laws, which is administered by the  
16 recognized membership organization composed of State and  
17 Provincial Psychology Regulatory Authorities.

18

19           I. "Confidentiality" means: the principle that data or  
20 information is not made available or disclosed to  
21 unauthorized persons and/or processes.

22

1 J. "Day" means: any part of a day in which  
2 psychological work is performed.

3

4 K. "Distant State" means: the Compact State where a  
5 psychologist is physically present (not through the use of  
6 telecommunications technologies), to provide temporary  
7 in-person, face-to-face psychological services.

8

9 L. "E.Passport" means: a certificate issued by the  
10 Association of State and Provincial Psychology Boards  
11 (ASPPB) that promotes the standardization in the criteria of  
12 interjurisdictional telepsychology practice and facilitates  
13 the process for licensed psychologists to provide  
14 telepsychological services across state lines.

15

16 M. "Executive Board" means: a group of directors  
17 elected or appointed to act on behalf of, and within the  
18 powers granted to them by, the Commission.

19

20 N. "Home State" means: a Compact State where a  
21 psychologist is licensed to practice psychology. If the  
22 psychologist is licensed in more than one Compact State and  
23 is practicing under the Authorization to Practice



1 Interjurisdictional Telepsychology, the Home State is the  
2 Compact State where the psychologist is physically present  
3 when the telepsychological services are delivered. If the  
4 psychologist is licensed in more than one Compact State and  
5 is practicing under the Temporary Authorization to Practice,  
6 the Home State is any Compact State where the psychologist  
7 is licensed.

8

9 O. "Identity History Summary" means: a summary of  
10 information retained by the FBI, or other designee with  
11 similar authority, in connection with arrests and, in some  
12 instances, federal employment, naturalization, or military  
13 service.

14

15 P. "In-Person, Face-to-Face" means: interactions in  
16 which the psychologist and the client/patient are in the  
17 same physical space and which does not include interactions  
18 that may occur through the use of telecommunication  
19 technologies.

20

21 Q. "Interjurisdictional Practice Certificate (IPC)"  
22 means: a certificate issued by the Association of State and  
23 Provincial Psychology Boards (ASPPB) that grants temporary

1 authority to practice based on notification to the State  
2 Psychology Regulatory Authority of intention to practice  
3 temporarily, and verification of one's qualifications for  
4 such practice.

5

6 R. "License" means: authorization by a State  
7 Psychology Regulatory Authority to engage in the independent  
8 practice of psychology, which would be unlawful without the  
9 authorization.

10

11 S. "Non-Compact State" means: any State which is not  
12 at the time a Compact State.

13

14 T. "Psychologist" means: an individual licensed for  
15 the independent practice of psychology.

16

17 U. "Psychology Interjurisdictional Compact Commission"  
18 also referred to as "Commission" means: the national  
19 administration of which all Compact States are members.

20

21 V. "Receiving State" means: a Compact State where the  
22 client/patient is physically located when the  
23 telepsychological services are delivered.

1

2           W. "Rule" means: a written statement by the Psychology  
3 Interjurisdictional Compact Commission promulgated pursuant  
4 to Article XI of the Compact that is of general  
5 applicability, implements, interprets, or prescribes a  
6 policy or provision of the Compact, or an organizational,  
7 procedural, or practice requirement of the Commission and  
8 has the force and effect of statutory law in a Compact  
9 State, and includes the amendment, repeal or suspension of  
10 an existing rule.

11

12           X. "Significant Investigatory Information" means:

13

14           1. Investigative information that a State  
15 Psychology Regulatory Authority, after a preliminary inquiry  
16 that includes notification and an opportunity to respond if  
17 required by state law, has reason to believe, if proven  
18 true, would indicate more than a violation of state statute  
19 or ethics code that would be considered more substantial  
20 than minor infraction; or

21

22           2. Investigative information that indicates that  
23 the psychologist represents an immediate threat to public

1 health and safety regardless of whether the psychologist has  
2 been notified and/or had an opportunity to respond.

3

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

6

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

10

11 AA. "Telepsychology" means: the provision of  
12 psychological services using telecommunication technologies.

13

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

18

19 CC. "Temporary In-Person, Face-to-Face Practice"  
20 means: where a psychologist is physically present (not  
21 through the use of telecommunications technologies), in the  
22 Distant State to provide for the practice of psychology for

1 30 days within a calendar year and based on notification to  
2 the Distant State.

3

4

### ARTICLE III

5

#### HOME STATE LICENSURE

6

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

9

10 B. A psychologist may hold one or more Compact State  
11 licenses at a time. If the psychologist is licensed in more  
12 than one Compact State, the Home State is the Compact State  
13 where the psychologist is physically present when the  
14 services are delivered as authorized by the Authority to  
15 Practice Interjurisdictional Telepsychology under the terms  
16 of this Compact.

17

18 C. Any Compact State may require a psychologist not  
19 previously licensed in a Compact State to obtain and retain  
20 a license to be authorized to practice in the Compact State  
21 under circumstances not authorized by the Authority to  
22 Practice Interjurisdictional Telepsychology under the terms  
23 of this Compact.

1

2           D. Any Compact State may require a psychologist to  
3 obtain and retain a license to be authorized to practice in  
4 a Compact State under circumstances not authorized by  
5 Temporary Authorization to Practice under the terms of this  
6 Compact.

7

8           E. A Home State's license authorizes a psychologist to  
9 practice in a Receiving State under the Authority to  
10 Practice Interjurisdictional Telepsychology only if the  
11 Compact State:

12

13           1. Currently requires the psychologist to hold an  
14 active E.Passport;

15

16           2. Has a mechanism in place for receiving and  
17 investigating complaints about licensed individuals;

18

19           3. Notifies the Commission, in compliance with  
20 the terms herein, of any adverse action or significant  
21 investigatory information regarding a licensed individual;

22

1           4. Requires an Identity History Summary of all  
2 applicants at initial licensure, including the use of the  
3 results of fingerprints or other biometric data checks  
4 compliant with the requirements of the Federal Bureau of  
5 Investigation FBI, or other designee with similar authority,  
6 no later than ten years after activation of the Compact; and

7

8           5. Complies with the Bylaws and Rules of the  
9 Commission.

10

11           F. A home State's license grants Temporary  
12 Authorization to Practice to a psychologist in a Distant  
13 State only if the Compact State:

14

15           1. Currently requires the psychologist to hold an  
16 active IPC;

17

18           2. Has a mechanism in place for receiving and  
19 investigating complaints about licensed individuals;

20

21           3. Notifies the Commission, in compliance with  
22 the terms herein, of any adverse action or significant  
23 investigatory information regarding a licensed individual;





1           B. To exercise the Authority to Practice  
2 Interjurisdictional Telepsychology under the terms and  
3 provisions of this Compact, a psychologist licensed to  
4 practice in a Compact State must:

5

6           1. Hold a graduate degree in psychology from an  
7 institute of higher education that was, at the time the  
8 degree was awarded:

9

10           a. Regionally accredited by an accrediting  
11 body recognized by the U.S. Department of Education to grant  
12 graduate degrees, or authorized by Provincial Statute or  
13 Royal Charter to grant doctoral degrees; or

14

15           b. A foreign college or university deemed to  
16 be equivalent to 1 (a) above by a foreign credential  
17 evaluation service that is a member of the National  
18 Association of Credential Evaluation Services (NACES) or by  
19 a recognized foreign credential evaluation service; and

20

21           2. Hold a graduate degree in psychology that  
22 meets the following criteria:

23

1           a. The program, wherever it may be  
2 administratively housed, must be clearly identified and  
3 labeled as a psychology program. Such a program must specify  
4 in pertinent institutional catalogues and brochures its  
5 intent to educate and train professional psychologists;

6

7           b. The psychology program must stand as a  
8 recognizable, coherent, organizational entity within the  
9 institution;

10

11           c. There must be a clear authority and  
12 primary responsibility for the core and specialty areas  
13 whether or not the program cuts across administrative lines;

14

15           d. The program must consist of an  
16 integrated, organized sequence of study;

17

18           e. There must be an identifiable psychology  
19 faculty sufficient in size and breadth to carry out its  
20 responsibilities;

21

22           f. The designated director of the program  
23 must be a psychologist and a member of the core faculty;

1

2           g. The program must have an identifiable  
3 body of students who are matriculated in that program for a  
4 degree;

5

6           h. The program must include supervised  
7 practicum, internship, or field training appropriate to the  
8 practice of psychology;

9

10           i. The curriculum shall encompass a minimum  
11 of three academic years of full-time graduate study for  
12 doctoral degree and a minimum of one academic year of  
13 full-time graduate study for master's degree;

14

15           j. The program includes an acceptable  
16 residency as defined by the Rules of the Commission.

17

18           3. Possess a current, full and unrestricted  
19 license to practice psychology in a Home State which is a  
20 Compact State;

21

22           4. Have no history of adverse action that violate  
23 the Rules of the Commission;

1

2           5. Have no criminal record history reported on an  
3 Identity History Summary that violates the Rules of the  
4 Commission;

5

6           6. Possess a current, active E.Passport;

7

8           7. Provide attestations in regard to areas of  
9 intended practice, conformity with standards of practice,  
10 competence in telepsychology technology; criminal  
11 background; and knowledge and adherence to legal  
12 requirements in the home and receiving states, and provide a  
13 release of information to allow for primary source  
14 verification in a manner specified by the Commission; and

15

16           8. Meet other criteria as defined by the Rules of  
17 the Commission.

18

19           C. The Home State maintains authority over the license  
20 of any psychologist practicing into a Receiving State under  
21 the Authority to Practice Interjurisdictional  
22 Telepsychology.

23

1           D. A psychologist practicing into a Receiving State  
2 under the Authority to Practice Interjurisdictional  
3 Telepsychology will be subject to the Receiving State's  
4 scope of practice. A Receiving State may, in accordance with  
5 that state's due process law, limit or revoke a  
6 psychologist's Authority to Practice Interjurisdictional  
7 Telepsychology in the Receiving State and may take any other  
8 necessary actions under the Receiving State's applicable law  
9 to protect the health and safety of the Receiving State's  
10 citizens. If a Receiving State takes action, the state shall  
11 promptly notify the Home State and the Commission.

12

13           E. If a psychologist's license in any Home State,  
14 another Compact State, or any Authority to Practice  
15 Interjurisdictional Telepsychology in any Receiving State,  
16 is restricted, suspended or otherwise limited, the  
17 E.Passport shall be revoked and therefore the psychologist  
18 shall not be eligible to practice telepsychology in a  
19 Compact State under the Authority to Practice  
20 Interjurisdictional Telepsychology.

21

22

## ARTICLE V

23

## COMPACT TEMPORARY AUTHORIZATION TO PRACTICE

1

2           A. Compact States shall also recognize the right of a  
3 psychologist, licensed in a Compact State in conformance  
4 with Article III, to practice temporarily in other Compact  
5 States (Distant States) in which the psychologist is not  
6 licensed, as provided in the Compact.

7

8           B. To exercise the Temporary Authorization to Practice  
9 under the terms and provisions of this Compact, a  
10 psychologist licensed to practice in a Compact State must:

11

12           1. Hold a graduate degree in psychology from an  
13 institute of higher education that was, at the time the  
14 degree was awarded:

15

16           a. Regionally accredited by an accrediting  
17 body recognized by the U.S. Department of Education to grant  
18 graduate degrees, or authorized by Provincial Statute or  
19 Royal Charter to grant doctoral degrees; or

20

21           b. A foreign college or university deemed to  
22 be equivalent to 1 (a) above by a foreign credential  
23 evaluation service that is a member of the National

1 Association of Credential Evaluation Services (NACES) or by  
2 a recognized foreign credential evaluation service; and

3

4           2. Hold a graduate degree in psychology that  
5 meets the following criteria:

6

7           a. The program, wherever it may be  
8 administratively housed, must be clearly identified and  
9 labeled as a psychology program. Such a program must specify  
10 in pertinent institutional catalogues and brochures its  
11 intent to educate and train professional psychologists;

12

13           b. The psychology program must stand as a  
14 recognizable, coherent, organizational entity within the  
15 institution;

16

17           c. There must be a clear authority and  
18 primary responsibility for the core and specialty areas  
19 whether or not the program cuts across administrative lines;

20

21           d. The program must consist of an  
22 integrated, organized sequence of study;

23

1           e. There must be an identifiable psychology  
2 faculty sufficient in size and breadth to carry out its  
3 responsibilities;

4

5           f. The designated director of the program  
6 must be a psychologist and a member of the core faculty;

7

8           g. The program must have an identifiable  
9 body of students who are matriculated in that program for a  
10 degree;

11

12           h. The program must include supervised  
13 practicum, internship, or field training appropriate to the  
14 practice of psychology;

15

16           i. The curriculum shall encompass a minimum  
17 of three academic years of full-time graduate study for  
18 doctoral degrees and a minimum of one academic year of  
19 full-time graduate study for master's degree;

20

21           j. The program includes an acceptable  
22 residency as defined by the Rules of the Commission.

23



1           3. Possess a current, full and unrestricted  
2 license to practice psychology in a Home State which is a  
3 Compact State;

4

5           4. No history of adverse action that violate the  
6 Rules of the Commission;

7

8           5. No criminal record history that violates the  
9 Rules of the Commission;

10

11           6. Possess a current, active IPC;

12

13           7. Provide attestations in regard to areas of  
14 intended practice and work experience and provide a release  
15 of information to allow for primary source verification in a  
16 manner specified by the Commission; and

17

18           8. Meet other criteria as defined by the Rules of  
19 the Commission.

20

21           C. A psychologist practicing into a Distant State  
22 under the Temporary Authorization to Practice shall practice

1 within the scope of practice authorized by the Distant  
2 State.

3

4 D. A psychologist practicing into a Distant State  
5 under the Temporary Authorization to Practice will be  
6 subject to the Distant State's authority and law. A Distant  
7 State may, in accordance with that state's due process law,  
8 limit or revoke a psychologist's Temporary Authorization to  
9 Practice in the Distant State and may take any other  
10 necessary actions under the Distant State's applicable law  
11 to protect the health and safety of the Distant State's  
12 citizens. If a Distant State takes action, the state shall  
13 promptly notify the Home State and the Commission.

14

15 E. If a psychologist's license in any Home State,  
16 another Compact State, or any Temporary Authorization to  
17 Practice in any Distant State, is restricted, suspended or  
18 otherwise limited, the IPC shall be revoked and therefore  
19 the psychologist shall not be eligible to practice in a  
20 Compact State under the Temporary Authorization to Practice.

21

22

#### ARTICLE VI

23

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

1

2           A. A psychologist may practice in a Receiving State  
3 under the Authority to Practice Interjurisdictional  
4 Telepsychology only in the performance of the scope of  
5 practice for psychology as assigned by an appropriate State  
6 Psychology Regulatory Authority, as defined in the Rules of  
7 the Commission, and under the following circumstances:

8

9           1. The psychologist initiates a client/patient  
10 contact in a Home State via telecommunications technologies  
11 with a client/patient in a Receiving State;

12

13           2. Other conditions regarding telepsychology as  
14 determined by Rules promulgated by the Commission.

15

16

## ARTICLE VII

17

## ADVERSE ACTIONS

18

19           A. A Home State shall have the power to impose adverse  
20 action against a psychologist's license issued by the Home  
21 State. A Distant State shall have the power to take adverse  
22 action on a psychologist's Temporary Authorization to  
23 Practice within that Distant State.

1

2           B. A Receiving State may take adverse action on a  
3 psychologist's Authority to Practice Interjurisdictional  
4 Telepsychology within that Receiving State. A Home State may  
5 take adverse action against a psychologist based on an  
6 adverse action taken by a Distant State regarding temporary  
7 in-person, face-to-face practice.

8

9           C. If a Home State takes adverse action against a  
10 psychologist's license, that psychologist's Authority to  
11 Practice Interjurisdictional Telepsychology is terminated  
12 and the E.Passport is revoked. Furthermore, that  
13 psychologist's Temporary Authorization to Practice is  
14 terminated and the IPC is revoked.

15

16           1. All Home State disciplinary orders which  
17 impose adverse action shall be reported to the Commission in  
18 accordance with the Rules promulgated by the Commission. A  
19 Compact State shall report adverse actions in accordance  
20 with the Rules of the Commission;

21

22           2. In the event discipline is reported on a  
23 psychologist, the psychologist will not be eligible for

1 telepsychology or temporary in-person, face-to-face practice  
2 in accordance with the Rules of the Commission;

3

4           3. Other actions may be imposed as determined by  
5 the Rules promulgated by the Commission.

6

7           D. A Home State's Psychology Regulatory Authority  
8 shall investigate and take appropriate action with respect  
9 to reported inappropriate conduct engaged in by a licensee  
10 which occurred in a Receiving State as it would if such  
11 conduct had occurred by a licensee within the Home State. In  
12 such cases, the Home State's law shall control in  
13 determining any adverse action against a psychologist's  
14 license.

15

16           E. A Distant State's Psychology Regulatory Authority  
17 shall investigate and take appropriate action with respect  
18 to reported inappropriate conduct engaged in by a  
19 psychologist practicing under Temporary Authorization  
20 Practice which occurred in that Distant State as it would if  
21 such conduct had occurred by a licensee within the Home  
22 State. In such cases, Distant State's law shall control in

1 determining any adverse action against a psychologist's  
2 Temporary Authorization to Practice.

3

4 F. Nothing in this Compact shall override a Compact  
5 State's decision that a psychologist's participation in an  
6 alternative program may be used in lieu of adverse action  
7 and that such participation shall remain non-public if  
8 required by the Compact State's law. Compact States must  
9 require psychologists who enter any alternative programs to  
10 not provide telepsychology services under the Authority to  
11 Practice Interjurisdictional Telepsychology or provide  
12 temporary psychological services under the Temporary  
13 Authorization to Practice in any other Compact State during  
14 the term of the alternative program.

15

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

19

20

#### ARTICLE VIII

21

ADDITIONAL AUTHORITIES INVESTED IN A COMPACT STATE'S

22

PSYCHOLOGY REGULATORY AUTHORITY

23

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

4  
5           1. Issue subpoenas, for both hearings and  
6 investigations, which require the attendance and testimony  
7 of witnesses and the production of evidence. Subpoenas  
8 issued by a Compact State's Psychology Regulatory Authority  
9 for the attendance and testimony of witnesses, and/or the  
10 production of evidence from another Compact State shall be  
11 enforced in the latter state by any court of competent  
12 jurisdiction, according to that court's practice and  
13 procedure in considering subpoenas issued in its own  
14 proceedings. The issuing State Psychology Regulatory  
15 Authority shall pay any witness fees, travel expenses,  
16 mileage and other fees required by the service statutes of  
17 the state where the witnesses and/or evidence are located;  
18 and

19  
20           2. Issue cease and desist and/or injunctive  
21 relief orders to revoke a psychologist's Authority to  
22 Practice Interjurisdictional Telepsychology and/or Temporary  
23 Authorization to Practice;

1

2           3. During the course of any investigation, a  
3 psychologist may not change his/her Home State licensure. A  
4 Home State Psychology Regulatory Authority is authorized to  
5 complete any pending investigations of a psychologist and to  
6 take any actions appropriate under its law. The Home State  
7 Psychology Regulatory Authority shall promptly report the  
8 conclusions of such investigations to the Commission. Once  
9 an investigation has been completed, and pending the outcome  
10 of said investigation, the psychologist may change his/her  
11 Home State licensure. The Commission shall promptly notify  
12 the new Home State of any such decisions as provided in the  
13 Rules of the Commission. All information provided to the  
14 Commission or distributed by Compact States pursuant to the  
15 psychologist shall be confidential, filed under seal and  
16 used for investigatory or disciplinary matters. The  
17 Commission may create additional rules for mandated or  
18 discretionary sharing of information by Compact States.

19

20

## ARTICLE IX

21

## COORDINATED LICENSURE INFORMATION SYSTEM

22



1           A. The Commission shall provide for the development  
2 and maintenance of a Coordinated Licensure Information  
3 System (Coordinated Database) and reporting system  
4 containing licensure and disciplinary action information on  
5 all psychologists individuals to whom this Compact is  
6 applicable in all Compact States as defined by the Rules of  
7 the Commission.

8

9           B. Notwithstanding any other provision of state law to  
10 the contrary, a Compact State shall submit a uniform data  
11 set to the Coordinated Database on all licensees as required  
12 by the Rules of the Commission, including:

13

14           1. Identifying information;

15

16           2. Licensure data;

17

18           3. Significant investigatory information;

19

20           4. Adverse actions against a psychologist's  
21 license;

22

1           5. An indicator that a psychologist's Authority  
2 to Practice Interjurisdictional Telepsychology and/or  
3 Temporary Authorization to Practice is revoked;

4

5           6. Non-confidential information related to  
6 alternative program participation information;

7

8           7. Any denial of application for licensure, and  
9 the reasons for such denial; and

10

11           8. Other information which may facilitate the  
12 administration of this Compact, as determined by the Rules  
13 of the Commission.

14

15           C. The Coordinated Database administrator shall  
16 promptly notify all Compact States of any adverse action  
17 taken against, or significant investigative information on,  
18 any licensee in a Compact State.

19

20           D. Compact States reporting information to the  
21 Coordinated Database may designate information that may not  
22 be shared with the public without the express permission of  
23 the Compact State reporting the information.

1

2           E. Any information submitted to the Coordinated  
3 Database that is subsequently required to be expunged by the  
4 law of the Compact State reporting the information shall be  
5 removed from the Coordinated Database.

6

7

## ARTICLE X

8

## ESTABLISHMENT OF THE PSYCHOLOGY INTERJURISDICTIONAL COMPACT

9

## COMMISSION

10

11           A. The Compact States hereby create and establish a  
12 joint public agency known as the Psychology  
13 Interjurisdictional Compact Commission.

14

15           1. The Commission is a body politic and an  
16 instrumentality of the Compact States;

17

18           2. Venue is proper and judicial proceedings by or  
19 against the Commission shall be brought solely and  
20 exclusively in a court of competent jurisdiction where the  
21 principal office of the Commission is located. The  
22 Commission may waive venue and jurisdictional defenses to

1 the extent it adopts or consents to participate in  
2 alternative dispute resolution proceedings;

3

4 3. Nothing in this Compact shall be construed to  
5 be a waiver of sovereign immunity;

6

7 B. Membership, Voting, and Meetings.

8

9 1. The Commission shall consist of one voting  
10 representative appointed by each Compact State who shall  
11 serve as that state's Commissioner. The State Psychology  
12 Regulatory Authority shall appoint its delegate. This  
13 delegate shall be empowered to act on behalf of the Compact  
14 State. This delegate shall be limited to:

15

16 a. Executive Director, Executive Secretary  
17 or similar executive;

18

19 b. Current member of the State Psychology  
20 Regulatory Authority of a Compact State; or

21

22 c. Designee empowered with the appropriate  
23 delegate authority to act on behalf of the Compact State.

1

2           2. Any Commissioner may be removed or suspended  
3 from office as provided by the law of the state from which  
4 the Commissioner is appointed. Any vacancy occurring in the  
5 Commission shall be filled in accordance with the laws of  
6 the Compact State in which the vacancy exists.

7

8           3. Each Commissioner shall be entitled to one (1)  
9 vote with regard to the promulgation of Rules and creation  
10 of Bylaws and shall otherwise have an opportunity to  
11 participate in the business and affairs of the Commission. A  
12 Commissioner shall vote in person or by such other means as  
13 provided in the Bylaws. The Bylaws may provide for  
14 Commissioners' participation in meetings by telephone or  
15 other means of communication.

16

17           4. The Commission shall meet at least once during  
18 each calendar year. Additional meetings shall be held as set  
19 forth in the Bylaws.

20

21           5. All meetings shall be open to the public, and  
22 public notice of meetings shall be given in the same manner  
23 as required under the rulemaking provisions in Article XI.

1

2           6. The Commission may convene in a closed,  
3 non-public meeting if the Commission must discuss:

4

5           a. Non-compliance of a Compact State with  
6 its obligations under the Compact;

7

8           b. The employment, compensation, discipline  
9 or other personnel matters, practices or procedures related  
10 to specific employees or other matters related to the  
11 Commission's internal personnel practices and procedures;

12

13           c. Current, threatened, or reasonably  
14 anticipated litigation against the Commission;

15

16           d. Negotiation of contracts for the purchase  
17 or sale of goods, services or real estate;

18

19           e. Accusation against any person of a crime  
20 or formally censuring any person;

21

1           f. Disclosure of trade secrets or commercial  
2 or financial information which is privileged or  
3 confidential;

4

5           g. Disclosure of information of a personal  
6 nature where disclosure would constitute a clearly  
7 unwarranted invasion of personal privacy;

8

9           h. Disclosure of investigatory records  
10 compiled for law enforcement purposes;

11

12           i. Disclosure of information related to any  
13 investigatory reports prepared by or on behalf of or for use  
14 of the Commission or other committee charged with  
15 responsibility for investigation or determination of  
16 compliance issues pursuant to the Compact; or

17

18           j. Matters specifically exempted from  
19 disclosure by federal and state statute.

20

21           7. If a meeting, or portion of a meeting, is  
22 closed pursuant to this provision, the Commission's legal  
23 counsel or designee shall certify that the meeting may be

1 closed and shall reference each relevant exempting  
2 provision. The Commission shall keep minutes which fully and  
3 clearly describe all matters discussed in a meeting and  
4 shall provide a full and accurate summary of actions taken,  
5 of any person participating in the meeting, and the reasons  
6 therefore, including a description of the views expressed.  
7 All documents considered in connection with an action shall  
8 be identified in such minutes. All minutes and documents of  
9 a closed meeting shall remain under seal, subject to release  
10 only by a majority vote of the Commission or order of a  
11 court of competent jurisdiction.

12

13 C. The Commission shall, by a majority vote of the  
14 Commissioners, prescribe Bylaws and/or Rules to govern its  
15 conduct as may be necessary or appropriate to carry out the  
16 purposes and exercise the powers of the Compact, including  
17 but not limited to:

18

19 1. Establishing the fiscal year of the  
20 Commission;

21

22 2. Providing reasonable standards and procedures:

23



1           a. For the establishment and meetings of  
2 other committees; and

3  
4           b. Governing any general or specific  
5 delegation of any authority or function of the Commission.

6  
7           3. Providing reasonable procedures for calling  
8 and conducting meetings of the Commission, ensuring  
9 reasonable advance notice of all meetings and providing an  
10 opportunity for attendance of such meetings by interested  
11 parties, with enumerated exceptions designed to protect the  
12 public's interest, the privacy of individuals of such  
13 proceedings, and proprietary information, including trade  
14 secrets. The Commission may meet in closed session only  
15 after a majority of the Commissioners vote to close a  
16 meeting to the public in whole or in part. As soon as  
17 practicable, the Commission must make public a copy of the  
18 vote to close the meeting revealing the vote of each  
19 Commissioner with no proxy votes allowed;

20  
21           4. Establishing the titles, duties and authority  
22 and reasonable procedures for the election of the officers  
23 of the Commission;

1

2           5. Providing reasonable standards and procedures  
3 for the establishment of the personnel policies and programs  
4 of the Commission. Notwithstanding any civil service or  
5 other similar law of any Compact State, the Bylaws shall  
6 exclusively govern the personnel policies and programs of  
7 the Commission;

8

9           6. Promulgating a Code of Ethics to address  
10 permissible and prohibited activities of Commission members  
11 and employees;

12

13           7. Providing a mechanism for concluding the  
14 operations of the Commission and the equitable disposition  
15 of any surplus funds that may exist after the termination of  
16 the Compact after the payment and/or reserving of all of its  
17 debts and obligations;

18

19           8. The Commission shall publish its Bylaws in a  
20 convenient form and file a copy thereof and a copy of any  
21 amendment thereto, with the appropriate agency or officer in  
22 each of the Compact States;

23

1           9. The Commission shall maintain its financial  
2 records in accordance with the Bylaws; and

3

4           10. The Commission shall meet and take such  
5 actions as are consistent with the provisions of this  
6 Compact and the Bylaws.

7

8           D. The Commission shall have the following powers:

9

10           1. The authority to promulgate uniform rules to  
11 facilitate and coordinate implementation and administration  
12 of this Compact. The rule shall have the force and effect of  
13 law and shall be binding in all Compact States;

14

15           2. To bring and prosecute legal proceedings or  
16 actions in the name of the Commission, provided that the  
17 standing of any State Psychology Regulatory Authority or  
18 other regulatory body responsible for psychology licensure  
19 to sue or be sued under applicable law shall not be  
20 affected;

21

22           3. To purchase and maintain insurance and bonds;

23

1           4. To borrow, accept or contract for services of  
2 personnel, including, but not limited to, employees of a  
3 Compact State;

4

5           5. To hire employees, elect or appoint officers,  
6 fix compensation, define duties, grant such individuals  
7 appropriate authority to carry out the purposes of the  
8 Compact, and to establish the Commission's personnel  
9 policies and programs relating to conflicts of interest,  
10 qualifications of personnel, and other related personnel  
11 matters;

12

13           6. To accept any and all appropriate donations  
14 and grants of money, equipment, supplies, materials and  
15 services, and to receive, utilize and dispose of the same;  
16 provided that at all times the Commission shall strive to  
17 avoid any appearance of impropriety and/or conflict of  
18 interest;

19

20           7. To lease, purchase, accept appropriate gifts  
21 or donations of, or otherwise to own, hold, improve or use,  
22 any property, real, personal or mixed; provided that at all

1 times the Commission shall strive to avoid any appearance of  
2 impropriety;

3

4 8. To sell, convey, mortgage, pledge, lease,  
5 exchange, abandon or otherwise dispose of any property real,  
6 personal or mixed;

7

8 9. To establish a budget and make expenditures;

9

10 10. To borrow money;

11

12 11. To appoint committees, including advisory  
13 committees comprised of Members, State regulators, State  
14 legislators or their representatives, and consumer  
15 representatives, and such other interested persons as may be  
16 designated in this Compact and the Bylaws;

17

18 12. To provide and receive information from, and  
19 to cooperate with, law enforcement agencies;

20

21 13. To adopt and use an official seal; and

22

1           14. To perform such other functions as may be  
2 necessary or appropriate to achieve the purposes of this  
3 Compact consistent with the state regulation of psychology  
4 licensure, temporary in-person, face-to-face practice and  
5 telepsychology practice.

6

7           E. The Executive Board

8

9 The elected officers shall serve as the Executive Board,  
10 which shall have the power to act on behalf of the  
11 Commission according to the terms of this Compact.

12

13           1. The Executive Board shall be comprised of six  
14 members:

15

16           a. Five voting members who are elected from  
17 the current membership of the Commission by the Commission;

18

19           b. One ex-officio, nonvoting member from the  
20 recognized membership organization composed of State and  
21 Provincial Psychology Regulatory Authorities.

22

1           2. The ex-officio member must have served as  
2 staff or member on a State Psychology Regulatory Authority  
3 and will be selected by its respective organization.

4

5           3. The Commission may remove any member of the  
6 Executive Board as provided in Bylaws.

7

8           4. The Executive Board shall meet at least  
9 annually.

10

11           5. The Executive Board shall have the following  
12 duties and responsibilities:

13

14           a. Recommend to the entire Commission  
15 changes to the Rules or Bylaws, changes to this Compact  
16 legislation, fees paid by Compact States such as annual  
17 dues, and any other applicable fees;

18

19           b. Ensure Compact administration services  
20 are appropriately provided, contractual or otherwise;

21

22           c. Prepare and recommend the budget;

23

1                   d. Maintain financial records on behalf of  
2 the Commission;

3

4                   e. Monitor Compact compliance of member  
5 states and provide compliance reports to the Commission;

6

7                   f. Establish additional committees as  
8 necessary; and

9

10                  g. Other duties as provided in Rules or  
11 Bylaws.

12

13           F. Financing of the Commission

14

15                  1. The Commission shall pay, or provide for the  
16 payment of the reasonable expenses of its establishment,  
17 organization and ongoing activities.

18

19                  2. The Commission may accept any and all  
20 appropriate revenue sources, donations and grants of money,  
21 equipment, supplies, materials and services.

22



1           3. The Commission may levy on and collect an  
2 annual assessment from each Compact State or impose fees on  
3 other parties to cover the cost of the operations and  
4 activities of the Commission and its staff which must be in  
5 a total amount sufficient to cover its annual budget as  
6 approved each year for which revenue is not provided by  
7 other sources. The aggregate annual assessment amount shall  
8 be allocated based upon a formula to be determined by the  
9 Commission which shall promulgate a rule binding upon all  
10 Compact States.

11

12           4. The Commission shall not incur obligations of  
13 any kind prior to securing the funds adequate to meet the  
14 same; nor shall the Commission pledge the credit of any of  
15 the Compact States, except by and with the authority of the  
16 Compact State.

17

18           5. The Commission shall keep accurate accounts of  
19 all receipts and disbursements. The receipts and  
20 disbursements of the Commission shall be subject to the  
21 audit and accounting procedures established under its  
22 Bylaws. However, all receipts and disbursements of funds  
23 handled by the Commission shall be audited yearly by a

1 certified or licensed public accountant and the report of  
2 the audit shall be included in and become part of the annual  
3 report of the Commission.

4

5 G. Qualified Immunity, Defense, and Indemnification

6

7 1. The members, officers, Executive Director,  
8 employees and representatives of the Commission shall be  
9 immune from suit and liability, either personally or in  
10 their official capacity, for any claim for damage to or loss  
11 of property or personal injury or other civil liability  
12 caused by or arising out of any actual or alleged act, error  
13 or omission that occurred, or that the person against whom  
14 the claim is made had a reasonable basis for believing  
15 occurred within the scope of Commission employment, duties  
16 or responsibilities; provided that nothing in this paragraph  
17 shall be construed to protect any such person from suit  
18 and/or liability for any damage, loss, injury or liability  
19 caused by the intentional or willful or wanton misconduct of  
20 that person.

21

22 2. The Commission shall defend any member,  
23 officer, Executive Director, employee or representative of

1 the Commission in any civil action seeking to impose  
2 liability arising out of any actual or alleged act, error or  
3 omission that occurred within the scope of Commission  
4 employment, duties or responsibilities, or that the person  
5 against whom the claim is made had a reasonable basis for  
6 believing occurred within the scope of Commission  
7 employment, duties or responsibilities; provided that  
8 nothing herein shall be construed to prohibit that person  
9 from retaining his or her own counsel; and provided further,  
10 that the actual or alleged act, error or omission did not  
11 result from that person's intentional or willful or wanton  
12 misconduct.

13

14 3. The Commission shall indemnify and hold  
15 harmless any member, officer, Executive Director, employee  
16 or representative of the Commission for the amount of any  
17 settlement or judgment obtained against that person arising  
18 out of any actual or alleged act, error or omission that  
19 occurred within the scope of Commission employment, duties  
20 or responsibilities, or that such person had a reasonable  
21 basis for believing occurred within the scope of Commission  
22 employment, duties or responsibilities, provided that the  
23 actual or alleged act, error or omission did not result from

1 the intentional or willful or wanton misconduct of that  
2 person.

3

4

ARTICLE XI

5

RULEMAKING

6

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

11

12       B. If a majority of the legislatures of the Compact  
13 States rejects a rule, by enactment of a statute or  
14 resolution in the same manner used to adopt the Compact,  
15 then such rule shall have no further force and effect in any  
16 Compact State.

17

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

20

21       D. Prior to promulgation and adoption of a final rule  
22 or Rules by the Commission, and at least sixty (60) days in  
23 advance of the meeting at which the rule will be considered

1 and voted upon, the Commission shall file a Notice of  
2 Proposed Rulemaking:

3

4 1. On the website of the Commission; and

5

6 2. On the website of each Compact States'  
7 Psychology Regulatory Authority or the publication in which  
8 each state would otherwise publish proposed rules.

9

10 E. The Notice of Proposed Rulemaking shall include:

11

12 1. The proposed time, date, and location of the  
13 meeting in which the rule will be considered and voted upon;

14

15 2. The text of the proposed rule or amendment and  
16 the reason for the proposed rule;

17

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

20

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

1

2 F. Prior to adoption of a proposed rule, the  
3 Commission shall allow persons to submit written data,  
4 facts, opinions and arguments, which shall be made available  
5 to the public.

6

7 G. The Commission shall grant an opportunity for a  
8 public hearing before it adopts a rule or amendment if a  
9 hearing is requested by:

10

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

13

14 2. A governmental subdivision or agency; or

15

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

18

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

22

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

6

7           2. Hearings shall be conducted in a manner  
8 providing each person who wishes to comment a fair and  
9 reasonable opportunity to comment orally or in writing.

10

11           3. No transcript of the hearing is required,  
12 unless a written request for a transcript is made, in which  
13 case the person requesting the transcript shall bear the  
14 cost of producing the transcript. A recording may be made in  
15 lieu of a transcript under the same terms and conditions as  
16 a transcript. This subsection shall not preclude the  
17 Commission from making a transcript or recording of the  
18 hearing if it so chooses.

19

20           4. Nothing in this section shall be construed as  
21 requiring a separate hearing on each rule. Rules may be  
22 grouped for the convenience of the Commission at hearings  
23 required by this section.

1

2 I. Following the scheduled hearing date, or by the  
3 close of business on the scheduled hearing date if the  
4 hearing was not held, the Commission shall consider all  
5 written and oral comments received.

6

7 J. The Commission shall, by majority vote of all  
8 members, take final action on the proposed rule and shall  
9 determine the effective date of the rule, if any, based on  
10 the rulemaking record and the full text of the rule.

11

12 K. If no written notice of intent to attend the public  
13 hearing by interested parties is received, the Commission  
14 may proceed with promulgation of the proposed rule without a  
15 public hearing.

16

17 L. Upon determination that an emergency exists, the  
18 Commission may consider and adopt an emergency rule without  
19 prior notice, opportunity for comment, or hearing, provided  
20 that the usual rulemaking procedures provided in the Compact  
21 and in this section shall be retroactively applied to the  
22 rule as soon as reasonably possible, in no event later than  
23 ninety (90) days after the effective date of the rule. For



1 the purposes of this provision, an emergency rule is one  
2 that must be adopted immediately in order to:

3

4 1. Meet an imminent threat to public health,  
5 safety, or welfare;

6

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

9

10 3. Meet a deadline for the promulgation of an  
11 administrative rule that is established by federal law or  
12 rule; or

13

14 4. Protect public health and safety.

15

16 M. The Commission or an authorized committee of the  
17 Commission may direct revisions to a previously adopted rule  
18 or amendment for purposes of correcting typographical  
19 errors, errors in format, errors in consistency, or  
20 grammatical errors. Public notice of any revisions shall be  
21 posted on the website of the Commission. The revision shall  
22 be subject to challenge by any person for a period of thirty  
23 (30) days after posting. The revision may be challenged

1 only on grounds that the revision results in a material  
2 change to a rule. A challenge shall be made in writing, and  
3 delivered to the Chair of the Commission prior to the end of  
4 the notice period. If no challenge is made, the revision  
5 will take effect without further action. If the revision is  
6 challenged, the revision may not take effect without the  
7 approval of the Commission.

8

9

## ARTICLE XII

10

## OVERSIGHT, DISPUTE RESOLUTION AND ENFORCEMENT

11

12 A. Oversight.

13

14 1. The Executive, Legislative and Judicial  
15 branches of state government in each Compact State shall  
16 enforce this Compact and take all actions necessary and  
17 appropriate to effectuate the Compact's purposes and intent.  
18 The provisions of this Compact and the rules promulgated  
19 hereunder shall have standing as statutory law.

20

21 2. All courts shall take judicial notice of the  
22 Compact and the rules in any judicial or administrative  
23 proceeding in a Compact State pertaining to the subject

1 matter of this Compact which may affect the powers,  
2 responsibilities or actions of the Commission.

3

4           3. The Commission shall be entitled to receive  
5 service of process in any such proceeding, and shall have  
6 standing to intervene in such a proceeding for all purposes.  
7 Failure to provide service of process to the Commission  
8 shall render a judgment or order void as to the Commission,  
9 this Compact or promulgated rules.

10

11           B. Default, Technical Assistance, and Termination.

12

13           1. If the Commission determines that a Compact  
14 State has defaulted in the performance of its obligations or  
15 responsibilities under this Compact or the promulgated  
16 rules, the Commission shall:

17

18           a. Provide written notice to the defaulting  
19 state and other Compact States of the nature of the default,  
20 the proposed means of remedying the default and/or any other  
21 action to be taken by the Commission; and

22

1                   b. Provide remedial training and specific  
2 technical assistance regarding the default.

3

4                   2. If a state in default fails to remedy the  
5 default, the defaulting state may be terminated from the  
6 Compact upon an affirmative vote of a majority of the  
7 Compact States, and all rights, privileges and benefits  
8 conferred by this Compact shall be terminated on the  
9 effective date of termination. A remedy of the default does  
10 not relieve the offending state of obligations or  
11 liabilities incurred during the period of default.

12

13                   3. Termination of membership in the Compact shall  
14 be imposed only after all other means of securing compliance  
15 have been exhausted. Notice of intent to suspend or  
16 terminate shall be submitted by the Commission to the  
17 Governor, the majority and minority leaders of the  
18 defaulting state's legislature, and each of the Compact  
19 States.

20

21                   4. A Compact State which has been terminated is  
22 responsible for all assessments, obligations and liabilities  
23 incurred through the effective date of termination,

1 including obligations which extend beyond the effective date  
2 of termination.

3

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

9

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

16

17           C. Dispute Resolution.

18

19           1. Upon request by a Compact State, the  
20 Commission shall attempt to resolve disputes related to the  
21 Compact which arise among Compact States and between Compact  
22 and Non-Compact States.

23

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

4

5           D. Enforcement.

6

7           1. The Commission, in the reasonable exercise of  
8 its discretion, shall enforce the provisions and Rules of  
9 this Compact.

10

11           2. By majority vote, the Commission may initiate  
12 legal action in the United States District Court for the  
13 State of Georgia or the federal district where the Compact  
14 has its principal offices against a Compact State in default  
15 to enforce compliance with the provisions of the Compact and  
16 its promulgated Rules and Bylaws. The relief sought may  
17 include both injunctive relief and damages. In the event  
18 judicial enforcement is necessary, the prevailing member  
19 shall be awarded all costs of such litigation, including  
20 reasonable attorney's fees.

21

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

4

5

#### ARTICLE XIII

6 DATE OF IMPLEMENTATION OF THE PSYCHOLOGY INTERJURISDICTIONAL

7 COMPACT COMMISSION AND ASSOCIATED RULES, WITHDRAWAL, AND

8

#### AMENDMENTS

9

10           A. The Compact shall come into effect on the date on  
11 which the Compact is enacted into law in the seventh Compact  
12 State. The provisions which become effective at that time  
13 shall be limited to the powers granted to the Commission  
14 relating to assembly and the promulgation of rules.  
15 Thereafter, the Commission shall meet and exercise  
16 rulemaking powers necessary to the implementation and  
17 administration of the Compact.

18

19           B. Any state which joins the Compact subsequent to the  
20 Commission's initial adoption of the rules shall be subject  
21 to the rules as they exist on the date on which the Compact  
22 becomes law in that state. Any rule which has been  
23 previously adopted by the Commission shall have the full

1 force and effect of law on the day the Compact becomes law  
2 in that state.

3

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

6

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

10

11 2. Withdrawal shall not affect the continuing  
12 requirement of the withdrawing State's Psychology Regulatory  
13 Authority to comply with the investigative and adverse  
14 action reporting requirements of this act prior to the  
15 effective date of withdrawal.

16

17 D. Nothing contained in this Compact shall be  
18 construed to invalidate or prevent any psychology licensure  
19 agreement or other cooperative arrangement between a Compact  
20 State and a Non-Compact State which does not conflict with  
21 the provisions of this Compact.

22



1           E. This Compact may be amended by the Compact States.  
2 No amendment to this Compact shall become effective and  
3 binding upon any Compact State until it is enacted into the  
4 law of all Compact States.

5

6

## ARTICLE XIV

7

## CONSTRUCTION AND SEVERABILITY

8

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

14

15           **Section 2.** W.S. 33-27-114 by creating a new subsection  
16 (h), 33-27-116(f) and by creating new subsections (o)  
17 through (q), 33-27-117 by creating a new subsection (f),  
18 33-27-118, 33-27-119(d) and (e), 33-27-120(b)(xvi), (xvii)  
19 and by creating a new paragraph (xviii) and (c),  
20 33-27-122(a), (f), (h)(intro) and by creating a new  
21 subsection (j) and 33-27-123(a)(intro) and (viii) are  
22 amended to read:

23

1           **33-27-114. Exemptions.**

2

3           (h) Nothing in this act shall prevent a person from  
4 providing the psychological services authorized by the  
5 Psychology Interjurisdictional Compact, W.S. 33-27-202, if  
6 the person satisfies all the standards and conditions  
7 required by the Compact and complies with all compact  
8 participation requirements imposed pursuant to rules adopted  
9 by the board.

10

11           **33-27-116. Powers and duties of the board.**

12

13           (f) The board shall establish reasonable fees ~~from~~for  
14 the issuance and renewal of licenses, certificates and its  
15 other services in its rules promulgated in accordance with  
16 the Wyoming Administrative Procedure Act as specified in  
17 W.S. 33-1-201.

18

19           (o) The board shall administer the provisions of the  
20 Psychology Interjurisdictional Compact pursuant to W.S.  
21 33-27-201 and 33-27-202, including factoring the annual  
22 assessment required under the Compact into its biennial  
23 budget, and may promulgate reasonable rules for the orderly

1 administration of the Compact. The board shall immediately  
2 advise the legislature's joint labor, health and social  
3 services interim committee if the board determines that any  
4 assessment levied against Wyoming pursuant to the Psychology  
5 Interjurisdictional Compact is excessive when compared to  
6 the benefits of Compact participation or if any assessment  
7 is not proportionally adjusted to reflect the number of  
8 licensed psychologists in Wyoming compared to the number of  
9 licensed psychologists in other compact states.

10  
11 (p) Pursuant to the Psychology Interjurisdictional  
12 Compact, W.S. 33-27-201 and 33-27-202, and consistent with  
13 W.S. 7-19-106(a)(xxviii) and 7-19-201(a)(xxv), the board  
14 shall require an identity history summary, as defined in the  
15 Compact, for all applicants for licensure as a psychologist  
16 and shall require applicants to submit to a background  
17 investigation including fingerprints or the submission of  
18 other biometric data compliant with the requirements of the  
19 federal bureau of investigation or other designee with  
20 similar authority.

21  
22 (q) Every person licensed under this act who has not  
23 previously completed an identity history summary, as defined

1 in the Psychology Interjurisdictional Compact, W.S.  
2 33-27-201 and 33-27-202, including the required background  
3 investigation as provided for by the Compact and consistent  
4 with W.S. 7-19-106(a)(xxviii), 7-19-201(a)(xxv) and  
5 33-27-116(p) as part of obtaining or renewing a license  
6 under this act shall be required to do so as part of the  
7 person's next license renewal.

8  
9 **33-27-117. Requirements for licensure.**

10  
11 (f) Notwithstanding the licensure requirements  
12 provided by this section, the board shall extend authority  
13 to perform the psychological services authorized by the  
14 Psychology Interjurisdictional Compact, W.S. 33-27-202, to  
15 any person who satisfies all the conditions and standards  
16 required by the Compact and who complies with all compact  
17 participation requirements imposed pursuant to rules adopted  
18 by the board.

19  
20 **33-27-118. Limitation of practice.**

21  
22 The board shall ensure through rules and regulations and  
23 enforcement that those persons licensed or certified under

1 this act, including persons providing psychological services  
2 pursuant to the Psychology Interjurisdictional Compact, W.S.  
3 33-27-202, limit their practice to demonstrated areas of  
4 competence.

5

6 **33-27-119. Practice without license.**

7

8 (d) No person whose license to practice as a  
9 psychologist in any jurisdiction has been suspended or  
10 revoked shall practice psychology in this state nor shall  
11 any person provide psychological services under the  
12 Psychology Interjurisdictional Compact, W.S. 33-27-202, when  
13 the person's practice rights have been removed pursuant to  
14 the terms of the Psychology Interjurisdictional Compact.  
15 The board may suspend or revoke the license of that person  
16 and, if applicable, take all action consistent with the  
17 Psychology Interjurisdictional Compact. The board may issue  
18 a new license whenever it deems the issuance to be safe and  
19 just and, if applicable, when consistent with the terms of  
20 the Psychology Interjurisdictional Compact.

21

22 (e) The board on its own motion may investigate any  
23 evidence or allegation that appears to show that any person

1 is or may be in violation of any provision of this act or  
2 the Psychology Interjurisdictional Compact, W.S. 33-27-302.

3

4 **33-27-120. Grounds for denial, suspension or**  
5 **revocation of license and other disciplinary sanctions.**

6

7 (b) After notice and a hearing, the board may revoke,  
8 refuse to renew, reprimand, censure, limit the scope of  
9 practice, place on probation with or without terms,  
10 conditions or limitations or suspend licenses to practice  
11 psychology for any of the following acts or offenses:

12

13 (xvi) Violation of the code of ethics adopted in  
14 the rules and regulations of the board;~~or~~

15

16 (xvii) Inability to practice psychology with  
17 reasonable skill and safety to patients or clients by reason  
18 of illness, inebriation, misuse of drugs, narcotics,  
19 alcohol, chemicals or any other substance or as a result of  
20 any mental or physical condition~~;~~ or

21

22 (xviii) Providing psychology services under the  
23 Psychology Interjurisdictional Compact, W.S. 33-27-202,

1 without satisfying the standards and conditions imposed by  
2 the Compact or without complying with rules promulgated by  
3 the board related to providing psychological services under  
4 the Compact.

5  
6 (c) With respect to evidence of any conviction or the  
7 suspension or revocation of a license for the purposes of  
8 subsection (b) of this section, a certified copy of the  
9 record of conviction from the court entering the conviction,  
10 ~~or~~ from the state suspending or revoking the license, or  
11 from the coordinated licensure information system operated  
12 under the Psychology Interjurisdictional Compact, W.S.  
13 33-27-202, shall be conclusive evidence thereof.

14  
15 **33-27-122. Board hearings and investigations.**

16  
17 (a) The board may investigate or cause to be  
18 investigated any allegation or evidence that appears to show  
19 that a psychologist licensed to practice in this  
20 jurisdiction, including a person providing psychological  
21 services pursuant to the Psychology Interjurisdictional  
22 Compact, W.S. 33-27-202, and anyone under his supervision  
23 is, or may be, in violation of this act, in violation of the

1 Psychology Interjurisdictional Compact or in violation of  
2 any of the rules and regulations adopted by the board.

3  
4 (f) A psychologist may surrender his license when he  
5 is charged with any violation of this act, the Psychology  
6 Interjurisdictional Compact, W.S. 33-27-202 or board rules  
7 and regulations, and such surrender and acceptance by the  
8 board shall constitute acknowledgment by the person as an  
9 admission of guilt as charged. The circumstances of the  
10 surrender shall be reported in the same fashion as a  
11 revocation action.

12  
13 (h) Subsequent to the holding of a hearing and the  
14 taking of evidence by the board as provided for in this  
15 section, if a majority of the board finds that a  
16 psychologist is in violation of this act or the Psychology  
17 Interjurisdictional Compact, W.S. 33-27-202, or is guilty of  
18 any of the acts, offenses or conditions as enumerated by the  
19 board, the following actions may be taken:

20  
21 (j) The board shall take all necessary action against  
22 a person violating the Psychology Interjurisdictional  
23 Compact, W.S. 33-27-202, as required by the Compact.



1

2           **33-27-123. Privileged communication.**

3

4           (a) In judicial proceedings, whether civil, criminal,  
5 or juvenile, in legislative and administrative proceedings,  
6 in proceedings related to the Psychology Interjurisdictional  
7 Compact, W.S. 33-27-202, and in proceedings preliminary and  
8 ancillary thereto, a patient or client, or his guardian or  
9 personal representative, may refuse to disclose or prevent  
10 the disclosure of confidential information, including  
11 information contained in administrative records,  
12 communicated to a person licensed or otherwise authorized to  
13 practice under this act, or to persons reasonably believed  
14 by the patient or client to be so licensed, and their  
15 agents, for the purpose of diagnosis, evaluation or  
16 treatment of any mental or emotional condition or disorder.  
17 The psychologist shall not disclose any information  
18 communicated as described above in the absence of an express  
19 waiver of the privilege except in the following  
20 circumstances:

21

22           (viii) In the context of investigations and  
23 hearings brought by the patient or client and conducted by

1 the board where violations of this act or the Psychology  
2 Interjurisdictional Compact, W.S. 33-27-202, are at issue.  
3 Information that is deemed to be of sensitive nature shall  
4 be inspected by the board in camera and the board shall  
5 determine whether or not the information shall become a part  
6 of the record and subject to public disclosure.

7

8 **Section 3.** This act is effective July 1, 2020.

9

10

(END)