

Second Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

**REENGROSSED**

This Version Includes All Amendments  
Adopted in the House of Introduction

LLS NO. 18-0327.01 Kip Kolkmeier x4510

**HOUSE BILL 18-1017**

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**HOUSE SPONSORSHIP**

**Michaelson Jenet, Landgraf**

**SENATE SPONSORSHIP**

**Gardner and Fenberg,**

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**House Committees**  
Health, Insurance, & Environment  
Finance  
Appropriations

**Senate Committees**  
Finance

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**A BILL FOR AN ACT**

101     **CONCERNING THE ADOPTION OF AN INTERSTATE COMPACT TO ALLOW**  
102         **A PERSON AUTHORIZED TO PRACTICE PSYCHOLOGY IN A**  
103         **COMPACT STATE IN WHICH THE PERSON IS NOT LICENSED, AND,**  
104         **IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

HOUSE  
3rd Reading Unamended  
March 5, 2018

The bill enacts the "Psychology Interjurisdictional Compact Act" allowing psychologists licensed in any compact state to provide:  
!     Telepsychology services to clients in any other compact

HOUSE  
Amended 2nd Reading  
February 26, 2018

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters or bold & italic numbers indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

- ! state; or
- ! Temporary in-person client services in any compact state not exceeding 30 days in a calendar year.

The bill authorizes the state board of psychologist examiners to promulgate rules and to facilitate Colorado's participation in the compact including notifying the compact commission of any adverse action taken by the board against a Colorado licensed psychologist.

1     *Be it enacted by the General Assembly of the State of Colorado:*

2                   **SECTION 1.** In Colorado Revised Statutes, **add** part 38 to article  
3       60 of title 24 as follows:

## PART 38

## PSYCHOLOGY INTERJURISDICTIONAL COMPACT

**24-60-3801. Short title.** THE SHORT TITLE OF THIS PART 38 IS THE "PSYCHOLOGY INTERJURISDICTIONAL COMPACT ACT".

8                   **24-60-3802. Compact approved and ratified.** THE GENERAL  
9                   ASSEMBLY HEREBY APPROVES AND RATIFIES, AND THE GOVERNOR SHALL  
10                  ENTER INTO, A COMPACT ON BEHALF OF THE STATE OF COLORADO WITH  
11                  ANY OF THE UNITED STATES OR OTHER JURISDICTIONS LEGALLY JOINING  
12                  THEREIN IN THE FORM SUBSTANTIALLY AS FOLLOWS:

## PSYCHOLOGY INTERJURISDICTIONAL COMPACT

## ARTICLE I

## PURPOSE

16 WHEREAS, STATES LICENSE PSYCHOLOGISTS, IN ORDER TO PROTECT THE  
17 PUBLIC THROUGH VERIFICATION OF EDUCATION, TRAINING AND  
18 EXPERIENCE AND ENSURE ACCOUNTABILITY FOR PROFESSIONAL PRACTICE;  
19 AND

20 WHEREAS, THIS COMPACT IS INTENDED TO REGULATE THE DAY TO DAY  
21 PRACTICE OF TELEPSYCHOLOGY (I.E. THE PROVISION OF PSYCHOLOGICAL  
22 SERVICES USING TELECOMMUNICATION TECHNOLOGIES) BY

1 PSYCHOLOGISTS ACROSS STATE BOUNDARIES IN THE PERFORMANCE OF  
2 THEIR PSYCHOLOGICAL PRACTICE AS ASSIGNED BY AN APPROPRIATE  
3 AUTHORITY; AND

4 WHEREAS, THIS COMPACT IS INTENDED TO REGULATE THE TEMPORARY  
5 IN-PERSON, FACE-TO-FACE PRACTICE OF PSYCHOLOGY BY PSYCHOLOGISTS  
6 ACROSS STATE BOUNDARIES FOR 30 DAYS WITHIN A CALENDAR YEAR IN  
7 THE PERFORMANCE OF THEIR PSYCHOLOGICAL PRACTICE AS ASSIGNED BY  
8 AN APPROPRIATE AUTHORITY;

9 WHEREAS, THIS COMPACT IS INTENDED TO AUTHORIZE STATE  
10 PSYCHOLOGY REGULATORY AUTHORITIES TO AFFORD LEGAL  
11 RECOGNITION, IN A MANNER CONSISTENT WITH THE TERMS OF THE  
12 COMPACT, TO PSYCHOLOGISTS LICENSED IN ANOTHER STATE;

13 WHEREAS, THIS COMPACT RECOGNIZES THAT STATES HAVE A VESTED  
14 INTEREST IN PROTECTING THE PUBLIC'S HEALTH AND SAFETY THROUGH  
15 THEIR LICENSING AND REGULATION OF PSYCHOLOGISTS AND THAT SUCH  
16 STATE REGULATION WILL BEST PROTECT PUBLIC HEALTH AND SAFETY;

17 WHEREAS, THIS COMPACT DOES NOT APPLY WHEN A PSYCHOLOGIST IS  
18 LICENSED IN BOTH THE HOME AND RECEIVING STATES; AND

19 WHEREAS, THIS COMPACT DOES NOT APPLY TO PERMANENT IN-PERSON,  
20 FACE-TO-FACE PRACTICE, IT DOES ALLOW FOR AUTHORIZATION OF  
21 TEMPORARY PSYCHOLOGICAL PRACTICE.

22 CONSISTENT WITH THESE PRINCIPLES, THIS COMPACT IS DESIGNED TO  
23 ACHIEVE THE FOLLOWING PURPOSES AND OBJECTIVES:

24 1. INCREASE PUBLIC ACCESS TO PROFESSIONAL PSYCHOLOGICAL SERVICES  
25 BY ALLOWING FOR TELEPSYCHOLOGICAL PRACTICE ACROSS STATE LINES  
26 AS WELL AS TEMPORARY IN-PERSON, FACE-TO-FACE SERVICES INTO A  
27 STATE WHICH THE PSYCHOLOGIST IS NOT LICENSED TO PRACTICE

1 PSYCHOLOGY;

2 2. ENHANCE THE STATES' ABILITY TO PROTECT THE PUBLIC'S HEALTH AND

3 SAFETY, ESPECIALLY CLIENT/PATIENT SAFETY;

4 3. ENCOURAGE THE COOPERATION OF COMPACT STATES IN THE AREAS OF

5 PSYCHOLOGY LICENSURE AND REGULATION;

6 4. FACILITATE THE EXCHANGE OF INFORMATION BETWEEN COMPACT

7 STATES REGARDING PSYCHOLOGIST LICENSURE, ADVERSE ACTIONS AND

8 DISCIPLINARY HISTORY;

9 5. PROMOTE COMPLIANCE WITH THE LAWS GOVERNING PSYCHOLOGICAL

10 PRACTICE IN EACH COMPACT STATE; AND

11 6. INVEST ALL COMPACT STATES WITH THE AUTHORITY TO HOLD

12 LICENSED PSYCHOLOGISTS ACCOUNTABLE THROUGH THE MUTUAL

13 RECOGNITION OF COMPACT STATE LICENSES.

## 14 **ARTICLE II**

### 15 **DEFINITIONS**

16 A. "ADVERSE ACTION" MEANS: ANY ACTION TAKEN BY A STATE

17 PSYCHOLOGY REGULATORY AUTHORITY WHICH FINDS A VIOLATION OF A

18 STATUTE OR REGULATION THAT IS IDENTIFIED BY THE STATE PSYCHOLOGY

19 REGULATORY AUTHORITY AS DISCIPLINE AND IS A MATTER OF PUBLIC

20 RECORD.

21 B. "ASSOCIATION OF STATE AND PROVINCIAL PSYCHOLOGY BOARDS

22 (ASPPB)" MEANS: THE RECOGNIZED MEMBERSHIP ORGANIZATION

23 COMPOSED OF STATE AND PROVINCIAL PSYCHOLOGY REGULATORY

24 AUTHORITIES RESPONSIBLE FOR THE LICENSURE AND REGISTRATION OF

25 PSYCHOLOGISTS THROUGHOUT THE UNITED STATES AND CANADA.

26 C. "AUTHORITY TO PRACTICE INTERJURISDICTIONAL TELEPSYCHOLOGY"

27 MEANS: A LICENSED PSYCHOLOGIST'S AUTHORITY TO PRACTICE

1 TELEPSYCHOLOGY, WITHIN THE LIMITS AUTHORIZED UNDER THIS  
2 COMPACT, IN ANOTHER COMPACT STATE.

3 D. "BYLAWS" MEANS: THOSE BYLAWS ESTABLISHED BY THE  
4 PSYCHOLOGY INTERJURISDICTIONAL COMPACT COMMISSION PURSUANT  
5 TO ARTICLE X FOR ITS GOVERNANCE, OR FOR DIRECTING AND  
6 CONTROLLING ITS ACTIONS AND CONDUCT.

7 E. "CLIENT/PATIENT" MEANS: THE RECIPIENT OF PSYCHOLOGICAL  
8 SERVICES, WHETHER PSYCHOLOGICAL SERVICES ARE DELIVERED IN THE  
9 CONTEXT OF HEALTHCARE, CORPORATE, SUPERVISION, AND/OR  
10 CONSULTING SERVICES.

11 F. "COMMISSIONER" MEANS: THE VOTING REPRESENTATIVE APPOINTED BY  
12 EACH STATE PSYCHOLOGY REGULATORY AUTHORITY PURSUANT TO  
13 ARTICLE X.

14 G. "COMPACT STATE" MEANS: A STATE, THE DISTRICT OF COLUMBIA, OR  
15 UNITED STATES TERRITORY THAT HAS ENACTED THIS COMPACT  
16 LEGISLATION AND WHICH HAS NOT WITHDRAWN PURSUANT TO ARTICLE  
17 XIII, SECTION C OR BEEN TERMINATED PURSUANT TO ARTICLE XII,  
18 SECTION B.

19 H. "COORDINATED LICENSURE INFORMATION SYSTEM" ALSO REFERRED  
20 TO AS "COORDINATED DATABASE" MEANS: AN INTEGRATED PROCESS FOR  
21 COLLECTING, STORING, AND SHARING INFORMATION ON PSYCHOLOGISTS'  
22 LICENSURE AND ENFORCEMENT ACTIVITIES RELATED TO PSYCHOLOGY  
23 LICENSURE LAWS, WHICH IS ADMINISTERED BY THE RECOGNIZED  
24 MEMBERSHIP ORGANIZATION COMPOSED OF STATE AND PROVINCIAL  
25 PSYCHOLOGY REGULATORY AUTHORITIES.

26 I. "CONFIDENTIALITY" MEANS: THE PRINCIPLE THAT DATA OR  
27 INFORMATION IS NOT MADE AVAILABLE OR DISCLOSED TO UNAUTHORIZED

1 PERSONS AND/OR PROCESSES.

2 J. "DAY" MEANS: ANY PART OF A DAY IN WHICH PSYCHOLOGICAL WORK  
3 IS PERFORMED.

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 L. "E.PASSPORT" MEANS: A CERTIFICATE ISSUED BY THE ASSOCIATION OF  
9 STATE AND PROVINCIAL PSYCHOLOGY BOARDS (ASPPB) THAT PROMOTES  
10 THE STANDARDIZATION IN THE CRITERIA OF INTERJURISDICTIONAL  
11 TELEPSYCHOLOGY PRACTICE AND FACILITATES THE PROCESS FOR LICENSED  
12 PSYCHOLOGISTS TO PROVIDE TELEPSYCHOLOGICAL SERVICES ACROSS  
13 STATE LINES.

14 M. "EXECUTIVE BOARD" MEANS: A GROUP OF DIRECTORS ELECTED OR  
15 APPOINTED TO ACT ON BEHALF OF, AND WITHIN THE POWERS GRANTED TO  
16 THEM BY, THE COMMISSION.

17 N. "HOME STATE" MEANS: A COMPACT STATE WHERE A PSYCHOLOGIST  
18 IS LICENSED TO PRACTICE PSYCHOLOGY. IF THE PSYCHOLOGIST IS LICENSED  
19 IN MORE THAN ONE COMPACT STATE AND IS PRACTICING UNDER THE  
20 AUTHORIZATION TO PRACTICE INTERJURISDICTIONAL TELEPSYCHOLOGY,  
21 THE HOME STATE IS THE COMPACT STATE WHERE THE PSYCHOLOGIST IS  
22 PHYSICALLY PRESENT WHEN THE TELEPSYCHOLOGICAL SERVICES ARE  
23 DELIVERED. IF THE PSYCHOLOGIST IS LICENSED IN MORE THAN ONE  
24 COMPACT STATE AND IS PRACTICING UNDER THE TEMPORARY  
25 AUTHORIZATION TO PRACTICE, THE HOME STATE IS ANY COMPACT STATE  
26 WHERE THE PSYCHOLOGIST IS LICENSED.

27 O. "IDENTITY HISTORY SUMMARY" MEANS: A SUMMARY OF INFORMATION

1       RETAINED BY THE FBI, OR OTHER DESIGNEE WITH SIMILAR AUTHORITY, IN  
2       CONNECTION WITH ARRESTS AND, IN SOME INSTANCES, FEDERAL  
3       EMPLOYMENT, NATURALIZATION, OR MILITARY SERVICE.

4       P. "IN-PERSON, FACE-TO-FACE" MEANS: INTERACTIONS IN WHICH THE  
5       PSYCHOLOGIST AND THE CLIENT/PATIENT ARE IN THE SAME PHYSICAL  
6       SPACE AND WHICH DOES NOT INCLUDE INTERACTIONS THAT MAY OCCUR  
7       THROUGH THE USE OF TELECOMMUNICATION TECHNOLOGIES.

8       Q. "INTERJURISDICTIONAL PRACTICE CERTIFICATE (IPC)" MEANS: A  
9       CERTIFICATE ISSUED BY THE ASSOCIATION OF STATE AND PROVINCIAL  
10      PSYCHOLOGY BOARDS (ASPPB) THAT GRANTS TEMPORARY AUTHORITY  
11      TO PRACTICE BASED ON NOTIFICATION TO THE STATE PSYCHOLOGY  
12      REGULATORY AUTHORITY OF INTENTION TO PRACTICE TEMPORARILY, AND  
13      VERIFICATION OF ONE'S QUALIFICATIONS FOR SUCH PRACTICE.

14      R. "LICENSE" MEANS: AUTHORIZATION BY A STATE PSYCHOLOGY  
15      REGULATORY AUTHORITY TO ENGAGE IN THE INDEPENDENT PRACTICE OF  
16      PSYCHOLOGY, WHICH WOULD BE UNLAWFUL WITHOUT THE  
17      AUTHORIZATION.

18      S. "NON-COMPACT STATE" MEANS: ANY STATE WHICH IS NOT AT THE  
19      TIME A COMPACT STATE.

20      T. "PSYCHOLOGIST" MEANS: AN INDIVIDUAL LICENSED FOR THE  
21      INDEPENDENT PRACTICE OF PSYCHOLOGY.

22      U. "PSYCHOLOGY INTERJURISDICTIONAL COMPACT COMMISSION" ALSO  
23      REFERRED TO AS "COMMISSION" MEANS: THE NATIONAL ADMINISTRATION  
24      OF WHICH ALL COMPACT STATES ARE MEMBERS.

25      V. "RECEIVING STATE" MEANS: A COMPACT STATE WHERE THE  
26      CLIENT/PATIENT IS PHYSICALLY LOCATED WHEN THE TELEPSYCHOLOGICAL  
27      SERVICES ARE DELIVERED.

1       W. "RULE" MEANS: A WRITTEN STATEMENT BY THE PSYCHOLOGY  
2       INTERJURISDICTIONAL COMPACT COMMISSION PROMULGATED PURSUANT  
3       TO ARTICLE XI OF THE COMPACT THAT IS OF GENERAL APPLICABILITY,  
4       IMPLEMENTS, INTERPRETS, OR PRESCRIBES A POLICY OR PROVISION OF THE  
5       COMPACT, OR AN ORGANIZATIONAL, PROCEDURAL, OR PRACTICE  
6       REQUIREMENT OF THE COMMISSION AND HAS THE FORCE AND EFFECT OF  
7       STATUTORY LAW IN A COMPACT STATE, AND INCLUDES THE AMENDMENT,  
8       REPEAL OR SUSPENSION OF AN EXISTING RULE.

9       X. "SIGNIFICANT INVESTIGATORY INFORMATION" MEANS:  
10       1. INVESTIGATIVE INFORMATION THAT A STATE PSYCHOLOGY  
11       REGULATORY AUTHORITY, AFTER A PRELIMINARY INQUIRY THAT  
12       INCLUDES NOTIFICATION AND AN OPPORTUNITY TO RESPOND IF REQUIRED  
13       BY STATE LAW, HAS REASON TO BELIEVE, IF PROVEN TRUE, WOULD  
14       INDICATE MORE THAN A VIOLATION OF STATE STATUTE OR ETHICS CODE  
15       THAT WOULD BE CONSIDERED MORE SUBSTANTIAL THAN MINOR  
16       INFRACTION; OR

17       2. INVESTIGATIVE INFORMATION THAT INDICATES THAT THE  
18       PSYCHOLOGIST REPRESENTS AN IMMEDIATE THREAT TO PUBLIC HEALTH  
19       AND SAFETY REGARDLESS OF WHETHER THE PSYCHOLOGIST HAS BEEN  
20       NOTIFIED AND/OR HAD AN OPPORTUNITY TO RESPOND.

21       Y. "STATE" MEANS: A STATE, COMMONWEALTH, TERRITORY, OR  
22       POSSESSION OF THE UNITED STATES, OR THE DISTRICT OF COLUMBIA.

23       Z. "STATE PSYCHOLOGY REGULATORY AUTHORITY" MEANS: THE BOARD,  
24       OFFICE OR OTHER AGENCY WITH THE LEGISLATIVE MANDATE TO LICENSE  
25       AND REGULATE THE PRACTICE OF PSYCHOLOGY.

26       AA. "TELEPSYCHOLOGY" MEANS: THE PROVISION OF PSYCHOLOGICAL  
27       SERVICES USING TELECOMMUNICATION TECHNOLOGIES.

1       BB. "TEMPORARY AUTHORIZATION TO PRACTICE" MEANS: A LICENSED  
2       PSYCHOLOGIST'S AUTHORITY TO CONDUCT TEMPORARY IN-PERSON,  
3       FACE-TO-FACE PRACTICE, WITHIN THE LIMITS AUTHORIZED UNDER THIS  
4       COMPACT, IN ANOTHER COMPACT STATE.

5 CC. "TEMPORARY IN-PERSON, FACE-TO-FACE PRACTICE" MEANS: WHERE  
6 A PSYCHOLOGIST IS PHYSICALLY PRESENT (NOT THROUGH THE USE OF  
7 TELECOMMUNICATIONS TECHNOLOGIES), IN THE DISTANT STATE TO  
8 PROVIDE FOR THE PRACTICE OF PSYCHOLOGY FOR 30 DAYS WITHIN A  
9 CALENDAR YEAR AND BASED ON NOTIFICATION TO THE DISTANT STATE.

### ARTICLE III

## HOME STATE LICENSURE

12 A. THE HOME STATE SHALL BE A COMPACT STATE WHERE A  
13 PSYCHOLOGIST IS LICENSED TO PRACTICE PSYCHOLOGY.

14 B. A PSYCHOLOGIST MAY HOLD ONE OR MORE COMPACT STATE LICENSES  
15 AT A TIME. IF THE PSYCHOLOGIST IS LICENSED IN MORE THAN ONE  
16 COMPACT STATE, THE HOME STATE IS THE COMPACT STATE WHERE THE  
17 PSYCHOLOGIST IS PHYSICALLY PRESENT WHEN THE SERVICES ARE  
18 DELIVERED AS AUTHORIZED BY THE AUTHORITY TO PRACTICE  
19 INTERJURISDICTIONAL TELEPSYCHOLOGY UNDER THE TERMS OF THIS  
20 COMPACT.

21 C. ANY COMPACT STATE MAY REQUIRE A PSYCHOLOGIST NOT  
22 PREVIOUSLY LICENSED IN A COMPACT STATE TO OBTAIN AND RETAIN A  
23 LICENSE TO BE AUTHORIZED TO PRACTICE IN THE COMPACT STATE UNDER  
24 CIRCUMSTANCES NOT AUTHORIZED BY THE AUTHORITY TO PRACTICE  
25 INTERJURISDICTIONAL TELEPSYCHOLOGY UNDER THE TERMS OF THIS  
26 COMPACT

27 D. ANY COMPACT STATE MAY REQUIRE A PSYCHOLOGIST TO OBTAIN AND

1       RETAIN A LICENSE TO BE AUTHORIZED TO PRACTICE IN A COMPACT STATE  
2       UNDER CIRCUMSTANCES NOT AUTHORIZED BY TEMPORARY  
3       AUTHORIZATION TO PRACTICE UNDER THE TERMS OF THIS COMPACT.

4       E. A HOME STATE'S LICENSE AUTHORIZES A PSYCHOLOGIST TO PRACTICE  
5       IN A RECEIVING STATE UNDER THE AUTHORITY TO PRACTICE  
6       INTERJURISDICTIONAL TELEPSYCHOLOGY ONLY IF THE COMPACT STATE:

7       1. CURRENTLY REQUIRES THE PSYCHOLOGIST TO HOLD AN ACTIVE  
8       E.PASSPORT;

9       2. HAS A MECHANISM IN PLACE FOR RECEIVING AND INVESTIGATING  
10      COMPLAINTS ABOUT LICENSED INDIVIDUALS;

11      3. NOTIFIES THE COMMISSION, IN COMPLIANCE WITH THE TERMS HEREIN,  
12      OF ANY ADVERSE ACTION OR SIGNIFICANT INVESTIGATORY INFORMATION  
13      REGARDING A LICENSED INDIVIDUAL;

14      4. REQUIRES AN IDENTITY HISTORY SUMMARY OF ALL APPLICANTS AT  
15      INITIAL LICENSURE, INCLUDING THE USE OF THE RESULTS OF FINGERPRINTS  
16      OR OTHER BIOMETRIC DATA CHECKS COMPLIANT WITH THE REQUIREMENTS  
17      OF THE FEDERAL BUREAU OF INVESTIGATION FBI, OR OTHER DESIGNEE  
18      WITH SIMILAR AUTHORITY, NO LATER THAN TEN YEARS AFTER ACTIVATION  
19      OF THE COMPACT; AND

20      5. COMPLIES WITH THE BYLAWS AND RULES OF THE COMMISSION.

21       F. A HOME STATE'S LICENSE GRANTS TEMPORARY AUTHORIZATION TO  
22       PRACTICE TO A PSYCHOLOGIST IN A DISTANT STATE ONLY IF THE  
23       COMPACT STATE:

24       1. CURRENTLY REQUIRES THE PSYCHOLOGIST TO HOLD AN ACTIVE IPC;

25       2. HAS A MECHANISM IN PLACE FOR RECEIVING AND INVESTIGATING  
26       COMPLAINTS ABOUT LICENSED INDIVIDUALS;

27       3. NOTIFIES THE COMMISSION, IN COMPLIANCE WITH THE TERMS HEREIN,

1       OF ANY ADVERSE ACTION OR SIGNIFICANT INVESTIGATORY INFORMATION  
2       REGARDING A LICENSED INDIVIDUAL;  
3       4. REQUIRES AN IDENTITY HISTORY SUMMARY OF ALL APPLICANTS AT  
4       INITIAL LICENSURE, INCLUDING THE USE OF THE RESULTS OF FINGERPRINTS  
5       OR OTHER BIOMETRIC DATA CHECKS COMPLIANT WITH THE REQUIREMENTS  
6       OF THE FEDERAL BUREAU OF INVESTIGATION FBI, OR OTHER DESIGNEE  
7       WITH SIMILAR AUTHORITY, NO LATER THAN TEN YEARS AFTER ACTIVATION  
8       OF THE COMPACT; AND  
9       5. COMPLIES WITH THE BYLAWS AND RULES OF THE COMMISSION.

## 10                   ARTICLE IV

### 11                   **COMPACT PRIVILEGE TO PRACTICE TELEPSYCHOLOGY**

12       A. COMPACT STATES SHALL RECOGNIZE THE RIGHT OF A PSYCHOLOGIST,  
13       LICENSED IN A COMPACT STATE IN CONFORMANCE WITH ARTICLE III, TO  
14       PRACTICE TELEPSYCHOLOGY IN OTHER COMPACT STATES (RECEIVING  
15       STATES) IN WHICH THE PSYCHOLOGIST IS NOT LICENSED, UNDER THE  
16       AUTHORITY TO PRACTICE INTERJURISDICTIONAL TELEPSYCHOLOGY AS  
17       PROVIDED IN THE COMPACT.

18       B. TO EXERCISE THE AUTHORITY TO PRACTICE INTERJURISDICTIONAL  
19       TELEPSYCHOLOGY UNDER THE TERMS AND PROVISIONS OF THIS COMPACT,  
20       A PSYCHOLOGIST LICENSED TO PRACTICE IN A COMPACT STATE MUST:

- 21       1. HOLD A GRADUATE DEGREE IN PSYCHOLOGY FROM AN INSTITUTE OF  
22       HIGHER EDUCATION THAT WAS, AT THE TIME THE DEGREE WAS AWARDED:
  - 23       a. REGIONALLY ACCREDITED BY AN ACCREDITING BODY RECOGNIZED BY  
24       THE U.S. DEPARTMENT OF EDUCATION TO GRANT GRADUATE DEGREES,  
25       OR AUTHORIZED BY PROVINCIAL STATUTE OR ROYAL CHARTER TO GRANT  
26       DOCTORAL DEGREES; OR
  - 27       b. A FOREIGN COLLEGE OR UNIVERSITY DEEMED TO BE EQUIVALENT TO

1 (a) ABOVE BY A FOREIGN CREDENTIAL EVALUATION SERVICE THAT IS A  
2 MEMBER OF THE NATIONAL ASSOCIATION OF CREDENTIAL EVALUATION  
3 SERVICES (NACES) OR BY A RECOGNIZED FOREIGN CREDENTIAL  
4 EVALUATION SERVICE; AND

5 2. HOLD A GRADUATE DEGREE IN PSYCHOLOGY THAT MEETS THE  
6 FOLLOWING CRITERIA:

7 a. THE PROGRAM, WHEREVER IT MAY BE ADMINISTRATIVELY HOUSED,  
8 MUST BE CLEARLY IDENTIFIED AND LABELED AS A PSYCHOLOGY PROGRAM.  
9 SUCH A PROGRAM MUST SPECIFY IN PERTINENT INSTITUTIONAL  
10 CATALOGUES AND BROCHURES ITS INTENT TO EDUCATE AND TRAIN  
11 PROFESSIONAL PSYCHOLOGISTS;

12 b. THE PSYCHOLOGY PROGRAM MUST STAND AS A RECOGNIZABLE,  
13 COHERENT, ORGANIZATIONAL ENTITY WITHIN THE INSTITUTION;

14 c. THERE MUST BE A CLEAR AUTHORITY AND PRIMARY RESPONSIBILITY  
15 FOR THE CORE AND SPECIALTY AREAS WHETHER OR NOT THE PROGRAM  
16 CUTS ACROSS ADMINISTRATIVE LINES;

17 d. THE PROGRAM MUST CONSIST OF AN INTEGRATED, ORGANIZED  
18 SEQUENCE OF STUDY;

19 e. THERE MUST BE AN IDENTIFIABLE PSYCHOLOGY FACULTY SUFFICIENT  
20 IN SIZE AND BREADTH TO CARRY OUT ITS RESPONSIBILITIES;

21 f. THE DESIGNATED DIRECTOR OF THE PROGRAM MUST BE A  
22 PSYCHOLOGIST AND A MEMBER OF THE CORE FACULTY;

23 g. THE PROGRAM MUST HAVE AN IDENTIFIABLE BODY OF STUDENTS WHO  
24 ARE MATRICULATED IN THAT PROGRAM FOR A DEGREE;

25 h. THE PROGRAM MUST INCLUDE SUPERVISED PRACTICUM, INTERNSHIP, OR  
26 FIELD TRAINING APPROPRIATE TO THE PRACTICE OF PSYCHOLOGY;

27 i. THE CURRICULUM SHALL ENCOMPASS A MINIMUM OF THREE ACADEMIC

1       YEARS OF FULL-TIME GRADUATE STUDY FOR DOCTORAL DEGREE AND A  
2       MINIMUM OF ONE ACADEMIC YEAR OF FULL-TIME GRADUATE STUDY FOR  
3       MASTER'S DEGREE; AND

4       j. THE PROGRAM INCLUDES AN ACCEPTABLE RESIDENCY AS DEFINED BY  
5       THE RULES OF THE COMMISSION.

6       3. POSSESS A CURRENT, FULL AND UNRESTRICTED LICENSE TO PRACTICE  
7       PSYCHOLOGY IN A HOME STATE WHICH IS A COMPACT STATE;  
8       4. HAVE NO HISTORY OF ADVERSE ACTION THAT VIOLATE THE RULES OF  
9       THE COMMISSION;

10      5. HAVE NO CRIMINAL RECORD HISTORY REPORTED ON AN IDENTITY  
11      HISTORY SUMMARY THAT VIOLATES THE RULES OF THE COMMISSION;

12      6. POSSESS A CURRENT, ACTIVE E.PASSPORT;

13      7. PROVIDE ATTESTATIONS IN REGARD TO AREAS OF INTENDED PRACTICE,  
14      CONFORMITY WITH STANDARDS OF PRACTICE, COMPETENCE IN  
15      TELEPSYCHOLOGY TECHNOLOGY; CRIMINAL BACKGROUND; AND  
16      KNOWLEDGE AND ADHERENCE TO LEGAL REQUIREMENTS IN THE HOME AND  
17      RECEIVING STATES, AND PROVIDE A RELEASE OF INFORMATION TO ALLOW  
18      FOR PRIMARY SOURCE VERIFICATION IN A MANNER SPECIFIED BY THE  
19      COMMISSION; AND

20      8. MEET OTHER CRITERIA AS DEFINED BY THE RULES OF THE COMMISSION.

21      C. THE HOME STATE MAINTAINS AUTHORITY OVER THE LICENSE OF ANY  
22      PSYCHOLOGIST PRACTICING INTO A RECEIVING STATE UNDER THE  
23      AUTHORITY TO PRACTICE INTERJURISDICTIONAL TELEPSYCHOLOGY.

24      D. A PSYCHOLOGIST PRACTICING INTO A RECEIVING STATE UNDER THE  
25      AUTHORITY TO PRACTICE INTERJURISDICTIONAL TELEPSYCHOLOGY WILL  
26      BE SUBJECT TO THE RECEIVING STATE'S SCOPE OF PRACTICE. A RECEIVING  
27      STATE MAY, IN ACCORDANCE WITH THAT STATE'S DUE PROCESS LAW, LIMIT

1 OR REVOKE A PSYCHOLOGIST'S AUTHORITY TO PRACTICE  
2 INTERJURISDICTIONAL TELEPSYCHOLOGY IN THE RECEIVING STATE AND  
3 MAY TAKE ANY OTHER NECESSARY ACTIONS UNDER THE RECEIVING  
4 STATE'S APPLICABLE LAW TO PROTECT THE HEALTH AND SAFETY OF THE  
5 RECEIVING STATE'S CITIZENS. IF A RECEIVING STATE TAKES ACTION, THE  
6 STATE SHALL PROMPTLY NOTIFY THE HOME STATE AND THE COMMISSION.

7 E. IF A PSYCHOLOGIST'S LICENSE IN ANY HOME STATE, ANOTHER  
8 COMPACT STATE, OR ANY AUTHORITY TO PRACTICE  
9 INTERJURISDICTIONAL TELEPSYCHOLOGY IN ANY RECEIVING STATE, IS  
10 RESTRICTED, SUSPENDED OR OTHERWISE LIMITED, THE E.PASSPORT SHALL  
11 BE REVOKED AND THEREFORE THE PSYCHOLOGIST SHALL NOT BE ELIGIBLE  
12 TO PRACTICE TELEPSYCHOLOGY IN A COMPACT STATE UNDER THE  
13 AUTHORITY TO PRACTICE INTERJURISDICTIONAL TELEPSYCHOLOGY.

## 14 **ARTICLE V**

### 15 **COMPACT TEMPORARY AUTHORIZATION TO PRACTICE**

16 A. COMPACT STATES SHALL ALSO RECOGNIZE THE RIGHT OF A  
17 PSYCHOLOGIST, LICENSED IN A COMPACT STATE IN CONFORMANCE WITH  
18 ARTICLE III, TO PRACTICE TEMPORARILY IN OTHER COMPACT STATES  
19 (DISTANT STATES) IN WHICH THE PSYCHOLOGIST IS NOT LICENSED, AS  
20 PROVIDED IN THE COMPACT.

21 B. TO EXERCISE THE TEMPORARY AUTHORIZATION TO PRACTICE UNDER  
22 THE TERMS AND PROVISIONS OF THIS COMPACT, A PSYCHOLOGIST  
23 LICENSED TO PRACTICE IN A COMPACT STATE MUST:

24 1. HOLD A GRADUATE DEGREE IN PSYCHOLOGY FROM AN INSTITUTE OF  
25 HIGHER EDUCATION THAT WAS, AT THE TIME THE DEGREE WAS AWARDED:  
26 a. REGIONALLY ACCREDITED BY AN ACCREDITING BODY RECOGNIZED BY  
27 THE U.S. DEPARTMENT OF EDUCATION TO GRANT GRADUATE DEGREES,

1     OR AUTHORIZED BY PROVINCIAL STATUTE OR ROYAL CHARTER TO GRANT  
2     DOCTORAL DEGREES; OR  
3     b. A FOREIGN COLLEGE OR UNIVERSITY DEEMED TO BE EQUIVALENT TO  
4     1 (a) ABOVE BY A FOREIGN CREDENTIAL EVALUATION SERVICE THAT IS A  
5     MEMBER OF THE NATIONAL ASSOCIATION OF CREDENTIAL EVALUATION  
6     SERVICES (NACES) OR BY A RECOGNIZED FOREIGN CREDENTIAL  
7     EVALUATION SERVICE; AND  
8     2. HOLD A GRADUATE DEGREE IN PSYCHOLOGY THAT MEETS THE  
9     FOLLOWING CRITERIA:  
10    a. THE PROGRAM, WHEREVER IT MAY BE ADMINISTRATIVELY HOUSED,  
11    MUST BE CLEARLY IDENTIFIED AND LABELED AS A PSYCHOLOGY PROGRAM.  
12    SUCH A PROGRAM MUST SPECIFY IN PERTINENT INSTITUTIONAL  
13    CATALOGUES AND BROCHURES ITS INTENT TO EDUCATE AND TRAIN  
14    PROFESSIONAL PSYCHOLOGISTS;  
15    b. THE PSYCHOLOGY PROGRAM MUST STAND AS A RECOGNIZABLE,  
16    COHERENT, ORGANIZATIONAL ENTITY WITHIN THE INSTITUTION;  
17    c. THERE MUST BE A CLEAR AUTHORITY AND PRIMARY RESPONSIBILITY  
18    FOR THE CORE AND SPECIALTY AREAS WHETHER OR NOT THE PROGRAM  
19    CUTS ACROSS ADMINISTRATIVE LINES;  
20    d. THE PROGRAM MUST CONSIST OF AN INTEGRATED, ORGANIZED  
21    SEQUENCE OF STUDY;  
22    e. THERE MUST BE AN IDENTIFIABLE PSYCHOLOGY FACULTY SUFFICIENT  
23    IN SIZE AND BREADTH TO CARRY OUT ITS RESPONSIBILITIES;  
24    f. THE DESIGNATED DIRECTOR OF THE PROGRAM MUST BE A  
25    PSYCHOLOGIST AND A MEMBER OF THE CORE FACULTY;  
26    g. THE PROGRAM MUST HAVE AN IDENTIFIABLE BODY OF STUDENTS WHO  
27    ARE MATRICULATED IN THAT PROGRAM FOR A DEGREE;

1       h. THE PROGRAM MUST INCLUDE SUPERVISED PRACTICUM, INTERNSHIP, OR  
2       FIELD TRAINING APPROPRIATE TO THE PRACTICE OF PSYCHOLOGY;

3       i. THE CURRICULUM SHALL ENCOMPASS A MINIMUM OF THREE ACADEMIC  
4       YEARS OF FULL-TIME GRADUATE STUDY FOR DOCTORAL DEGREES AND A  
5       MINIMUM OF ONE ACADEMIC YEAR OF FULL-TIME GRADUATE STUDY FOR  
6       MASTER'S DEGREE; AND

7       j. THE PROGRAM INCLUDES AN ACCEPTABLE RESIDENCY AS DEFINED BY  
8       THE RULES OF THE COMMISSION.

9       3. POSSESS A CURRENT, FULL AND UNRESTRICTED LICENSE TO PRACTICE  
10      PSYCHOLOGY IN A HOME STATE WHICH IS A COMPACT STATE;

11      4. NO HISTORY OF ADVERSE ACTION THAT VIOLATE THE RULES OF THE  
12      COMMISSION;

13      5. NO CRIMINAL RECORD HISTORY THAT VIOLATES THE RULES OF THE  
14      COMMISSION;

15      6. POSSESS A CURRENT, ACTIVE IPC;

16      7. PROVIDE ATTESTATIONS IN REGARD TO AREAS OF INTENDED PRACTICE  
17      AND WORK EXPERIENCE AND PROVIDE A RELEASE OF INFORMATION TO  
18      ALLOW FOR PRIMARY SOURCE VERIFICATION IN A MANNER SPECIFIED BY  
19      THE COMMISSION; AND

20      8. MEET OTHER CRITERIA AS DEFINED BY THE RULES OF THE COMMISSION.

21      C. A PSYCHOLOGIST PRACTICING INTO A DISTANT STATE UNDER THE  
22      TEMPORARY AUTHORIZATION TO PRACTICE SHALL PRACTICE WITHIN THE  
23      SCOPE OF PRACTICE AUTHORIZED BY THE DISTANT STATE.

24      D. A PSYCHOLOGIST PRACTICING INTO A DISTANT STATE UNDER THE  
25      TEMPORARY AUTHORIZATION TO PRACTICE WILL BE SUBJECT TO THE  
26      DISTANT STATE'S AUTHORITY AND LAW. A DISTANT STATE MAY, IN  
27      ACCORDANCE WITH THAT STATE'S DUE PROCESS LAW, LIMIT OR REVOKE A

1 PSYCHOLOGIST'S TEMPORARY AUTHORIZATION TO PRACTICE IN THE  
2 DISTANT STATE AND MAY TAKE ANY OTHER NECESSARY ACTIONS UNDER  
3 THE DISTANT STATE'S APPLICABLE LAW TO PROTECT THE HEALTH AND  
4 SAFETY OF THE DISTANT STATE'S CITIZENS. IF A DISTANT STATE TAKES  
5 ACTION, THE STATE SHALL PROMPTLY NOTIFY THE HOME STATE AND THE  
6 COMMISSION.

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

## 13 **ARTICLE VI**

### 14 **CONDITIONS OF TELEPSYCHOLOGY PRACTICE IN A 15 RECEIVING STATE**

16 A. A PSYCHOLOGIST MAY PRACTICE IN A RECEIVING STATE UNDER THE  
17 AUTHORITY TO PRACTICE INTERJURISDICTIONAL TELEPSYCHOLOGY ONLY  
18 IN THE PERFORMANCE OF THE SCOPE OF PRACTICE FOR PSYCHOLOGY AS  
19 ASSIGNED BY AN APPROPRIATE STATE PSYCHOLOGY REGULATORY  
20 AUTHORITY, AS DEFINED IN THE RULES OF THE COMMISSION, AND UNDER  
21 THE FOLLOWING CIRCUMSTANCES:

- 22 1. THE PSYCHOLOGIST INITIATES A CLIENT/PATIENT CONTACT IN A HOME  
23 STATE VIA TELECOMMUNICATIONS TECHNOLOGIES WITH A CLIENT/PATIENT  
24 IN A RECEIVING STATE;
- 25 2. OTHER CONDITIONS REGARDING TELEPSYCHOLOGY AS DETERMINED BY  
26 RULES PROMULGATED BY THE COMMISSION.

## 27 **ARTICLE VII**

## ADVERSE ACTIONS

2 A. A HOME STATE SHALL HAVE THE POWER TO IMPOSE ADVERSE ACTION  
3 AGAINST A PSYCHOLOGIST'S LICENSE ISSUED BY THE HOME STATE. A  
4 DISTANT STATE SHALL HAVE THE POWER TO TAKE ADVERSE ACTION ON A  
5 PSYCHOLOGIST'S TEMPORARY AUTHORIZATION TO PRACTICE WITHIN THAT  
6 DISTANT STATE.

7 B. A RECEIVING STATE MAY TAKE ADVERSE ACTION ON A  
8 PSYCHOLOGIST'S AUTHORITY TO PRACTICE INTERJURISDICTIONAL  
9 TELEPSYCHOLOGY WITHIN THAT RECEIVING STATE. A HOME STATE MAY  
10 TAKE ADVERSE ACTION AGAINST A PSYCHOLOGIST BASED ON AN ADVERSE  
11 ACTION TAKEN BY A DISTANT STATE REGARDING TEMPORARY IN-PERSON,  
12 FACE-TO-FACE PRACTICE.

13 C. IF A HOME STATE TAKES ADVERSE ACTION AGAINST A PSYCHOLOGIST'S  
14 LICENSE, THAT PSYCHOLOGIST'S AUTHORITY TO PRACTICE  
15 INTERJURISDICTIONAL TELEPSYCHOLOGY IS TERMINATED AND THE  
16 E.PASSPORT IS REVOKED. FURTHERMORE, THAT PSYCHOLOGIST'S  
17 TEMPORARY AUTHORIZATION TO PRACTICE IS TERMINATED AND THE IPC  
18 IS REVOKED.

19       1. ALL HOME STATE DISCIPLINARY ORDERS WHICH IMPOSE ADVERSE  
20      ACTION SHALL BE REPORTED TO THE COMMISSION IN ACCORDANCE WITH  
21      THE RULES PROMULGATED BY THE COMMISSION. A COMPACT STATE  
22      SHALL REPORT ADVERSE ACTIONS IN ACCORDANCE WITH THE RULES OF  
23      THE COMMISSION.

24       2. IN THE EVENT DISCIPLINE IS REPORTED ON A PSYCHOLOGIST, THE  
25       PSYCHOLOGIST WILL NOT BE ELIGIBLE FOR TELEPSYCHOLOGY OR  
26       TEMPORARY IN-PERSON, FACE-TO-FACE PRACTICE IN ACCORDANCE WITH  
27       THE RULES OF THE COMMISSION.

1       3. OTHER ACTIONS MAY BE IMPOSED AS DETERMINED BY THE RULES  
2       PROMULGATED BY THE COMMISSION.

3       D. A HOME STATE'S PSYCHOLOGY REGULATORY AUTHORITY SHALL  
4       INVESTIGATE AND TAKE APPROPRIATE ACTION WITH RESPECT TO REPORTED  
5       INAPPROPRIATE CONDUCT ENGAGED IN BY A LICENSEE WHICH OCCURRED  
6       IN A RECEIVING STATE AS IT WOULD IF SUCH CONDUCT HAD OCCURRED BY  
7       A LICENSEE WITHIN THE HOME STATE. IN SUCH CASES, THE HOME STATE'S  
8       LAW SHALL CONTROL IN DETERMINING ANY ADVERSE ACTION AGAINST A  
9       PSYCHOLOGIST'S LICENSE.

10      E. A DISTANT STATE'S PSYCHOLOGY REGULATORY AUTHORITY SHALL  
11      INVESTIGATE AND TAKE APPROPRIATE ACTION WITH RESPECT TO REPORTED  
12      INAPPROPRIATE CONDUCT ENGAGED IN BY A PSYCHOLOGIST PRACTICING  
13      UNDER TEMPORARY AUTHORIZATION PRACTICE WHICH OCCURRED IN  
14      THAT DISTANT STATE AS IT WOULD IF SUCH CONDUCT HAD OCCURRED BY  
15      A LICENSEE WITHIN THE HOME STATE. IN SUCH CASES, DISTANT STATE'S  
16      LAW SHALL CONTROL IN DETERMINING ANY ADVERSE ACTION AGAINST A  
17      PSYCHOLOGIST'S TEMPORARY AUTHORIZATION TO PRACTICE.

18      F. NOTHING IN THIS COMPACT SHALL OVERRIDE A COMPACT STATE'S  
19      DECISION THAT A PSYCHOLOGIST'S PARTICIPATION IN AN ALTERNATIVE  
20      PROGRAM MAY BE USED IN LIEU OF ADVERSE ACTION AND THAT SUCH  
21      PARTICIPATION SHALL REMAIN NON-PUBLIC IF REQUIRED BY THE COMPACT  
22      STATE'S LAW. COMPACT STATES MUST REQUIRE PSYCHOLOGISTS WHO  
23      ENTER ANY ALTERNATIVE PROGRAMS TO NOT PROVIDE TELEPSYCHOLOGY  
24      SERVICES UNDER THE AUTHORITY TO PRACTICE INTERJURISDICTIONAL  
25      TELEPSYCHOLOGY OR PROVIDE TEMPORARY PSYCHOLOGICAL SERVICES  
26      UNDER THE TEMPORARY AUTHORIZATION TO PRACTICE IN ANY OTHER  
27      COMPACT STATE DURING THE TERM OF THE ALTERNATIVE PROGRAM.

1 G. NO OTHER JUDICIAL OR ADMINISTRATIVE REMEDIES SHALL BE  
2 AVAILABLE TO A PSYCHOLOGIST IN THE EVENT A COMPACT STATE IMPOSES  
3 AN ADVERSE ACTION PURSUANT TO SUBSECTION C, ABOVE.

## ARTICLE VIII

## 5 ADDITIONAL AUTHORITIES INVESTED IN A COMPACT 6 STATE'S PSYCHOLOGY REGULATORY AUTHORITY

7 A. IN ADDITION TO ANY OTHER POWERS GRANTED UNDER STATE LAW, A  
8 COMPACT STATE'S PSYCHOLOGY REGULATORY AUTHORITY SHALL HAVE  
9 THE AUTHORITY UNDER THIS COMPACT TO:

10       1. ISSUE SUBPOENAS, FOR BOTH HEARINGS AND INVESTIGATIONS, WHICH  
11       REQUIRE THE ATTENDANCE AND TESTIMONY OF WITNESSES AND THE  
12       PRODUCTION OF EVIDENCE. SUBPOENAS ISSUED BY A COMPACT STATE'S  
13       PSYCHOLOGY REGULATORY AUTHORITY FOR THE ATTENDANCE AND  
14       TESTIMONY OF WITNESSES, AND/OR THE PRODUCTION OF EVIDENCE FROM  
15       ANOTHER COMPACT STATE SHALL BE ENFORCED IN THE LATTER STATE BY  
16       ANY COURT OF COMPETENT JURISDICTION, ACCORDING TO THAT COURT'S  
17       PRACTICE AND PROCEDURE IN CONSIDERING SUBPOENAS ISSUED IN ITS OWN  
18       PROCEEDINGS. THE ISSUING STATE PSYCHOLOGY REGULATORY  
19       AUTHORITY SHALL PAY ANY WITNESS FEES, TRAVEL EXPENSES, MILEAGE  
20       AND OTHER FEES REQUIRED BY THE SERVICE STATUTES OF THE STATE  
21       WHERE THE WITNESSES AND/OR EVIDENCE ARE LOCATED; AND

22 2. ISSUE CEASE AND DESIST AND/OR INJUNCTIVE RELIEF ORDERS TO  
23 REVOKE A PSYCHOLOGIST'S AUTHORITY TO PRACTICE  
24 INTERJURISDICTIONAL TELEPSYCHOLOGY AND/OR TEMPORARY  
25 AUTHORIZATION TO PRACTICE.

26 3. DURING THE COURSE OF ANY INVESTIGATION, A PSYCHOLOGIST MAY  
27 NOT CHANGE HIS/HER HOME STATE LICENSURE. A HOME STATE

1 PSYCHOLOGY REGULATORY AUTHORITY IS AUTHORIZED TO COMPLETE  
2 ANY PENDING INVESTIGATIONS OF A PSYCHOLOGIST AND TO TAKE ANY  
3 ACTIONS APPROPRIATE UNDER ITS LAW. THE HOME STATE PSYCHOLOGY  
4 REGULATORY AUTHORITY SHALL PROMPTLY REPORT THE CONCLUSIONS  
5 OF SUCH INVESTIGATIONS TO THE COMMISSION. ONCE AN INVESTIGATION  
6 HAS BEEN COMPLETED, AND PENDING THE OUTCOME OF SAID  
7 INVESTIGATION, THE PSYCHOLOGIST MAY CHANGE HIS/HER HOME STATE  
8 LICENSURE. THE COMMISSION SHALL PROMPTLY NOTIFY THE NEW HOME  
9 STATE OF ANY SUCH DECISIONS AS PROVIDED IN THE RULES OF THE  
10 COMMISSION. ALL INFORMATION PROVIDED TO THE COMMISSION OR  
11 DISTRIBUTED BY COMPACT STATES PURSUANT TO THE PSYCHOLOGIST  
12 SHALL BE CONFIDENTIAL, FILED UNDER SEAL AND USED FOR  
13 INVESTIGATORY OR DISCIPLINARY MATTERS. THE COMMISSION MAY  
14 CREATE ADDITIONAL RULES FOR MANDATED OR DISCRETIONARY SHARING  
15 OF INFORMATION BY COMPACT STATES.

## 16 **ARTICLE IX**

### 17 **COORDINATED LICENSURE INFORMATION SYSTEM**

18 A. THE COMMISSION SHALL PROVIDE FOR THE DEVELOPMENT AND  
19 MAINTENANCE OF A COORDINATED LICENSURE INFORMATION SYSTEM  
20 (COORDINATED DATABASE) AND REPORTING SYSTEM CONTAINING  
21 LICENSURE AND DISCIPLINARY ACTION INFORMATION ON ALL  
22 PSYCHOLOGISTS INDIVIDUALS TO WHOM THIS COMPACT IS APPLICABLE IN  
23 ALL COMPACT STATES AS DEFINED BY THE RULES OF THE COMMISSION.

24 B. NOTWITHSTANDING ANY OTHER PROVISION OF STATE LAW TO THE  
25 CONTRARY, A COMPACT STATE SHALL SUBMIT A UNIFORM DATA SET TO  
26 THE COORDINATED DATABASE ON ALL LICENSEES AS REQUIRED BY THE  
27 RULES OF THE COMMISSION, INCLUDING:

- 1       1. IDENTIFYING INFORMATION;
- 2       2. LICENSURE DATA;
- 3       3. SIGNIFICANT INVESTIGATORY INFORMATION;
- 4       4. ADVERSE ACTIONS AGAINST A PSYCHOLOGIST'S LICENSE;
- 5       5. AN INDICATOR THAT A PSYCHOLOGIST'S AUTHORITY TO PRACTICE
- 6       INTERJURISDICTIONAL TELEPSYCHOLOGY AND/OR TEMPORARY
- 7       AUTHORIZATION TO PRACTICE IS REVOKED;
- 8       6. NON-CONFIDENTIAL INFORMATION RELATED TO ALTERNATIVE
- 9       PROGRAM PARTICIPATION INFORMATION;
- 10       7. ANY DENIAL OF APPLICATION FOR LICENSURE, AND THE REASONS FOR
- 11       SUCH DENIAL; AND
- 12       8. OTHER INFORMATION WHICH MAY FACILITATE THE ADMINISTRATION OF
- 13       THIS COMPACT, AS DETERMINED BY THE RULES OF THE COMMISSION.

14 C. THE COORDINATED DATABASE ADMINISTRATOR SHALL PROMPTLY  
15 NOTIFY ALL COMPACT STATES OF ANY ADVERSE ACTION TAKEN AGAINST,  
16 OR SIGNIFICANT INVESTIGATIVE INFORMATION ON, ANY LICENSEE IN A  
17 COMPACT STATE.

18 D. COMPACT STATES REPORTING INFORMATION TO THE COORDINATED  
19 DATABASE MAY DESIGNATE INFORMATION THAT MAY NOT BE SHARED  
20 WITH THE PUBLIC WITHOUT THE EXPRESS PERMISSION OF THE COMPACT  
21 STATE REPORTING THE INFORMATION.

22 E. ANY INFORMATION SUBMITTED TO THE COORDINATED DATABASE  
23 THAT IS SUBSEQUENTLY REQUIRED TO BE EXPUNGED BY THE LAW OF THE  
24 COMPACT STATE REPORTING THE INFORMATION SHALL BE REMOVED FROM  
25 THE COORDINATED DATABASE.

26 **ARTICLE X**

27 **ESTABLISHMENT OF THE PSYCHOLOGY**

1                   **INTERJURISDICTIONAL COMPACT COMMISSION**

2       A. THE COMPACT STATES HEREBY CREATE AND ESTABLISH A JOINT  
3       PUBLIC AGENCY KNOWN AS THE PSYCHOLOGY INTERJURISDICTIONAL  
4       COMPACT COMMISSION.

5       1. THE COMMISSION IS A BODY POLITIC AND AN INSTRUMENTALITY OF THE  
6       COMPACT STATES.

7       2. VENUE IS PROPER AND JUDICIAL PROCEEDINGS BY OR AGAINST THE  
8       COMMISSION SHALL BE BROUGHT SOLELY AND EXCLUSIVELY IN A COURT  
9       OF COMPETENT JURISDICTION WHERE THE PRINCIPAL OFFICE OF THE  
10       COMMISSION IS LOCATED. THE COMMISSION MAY WAIVE VENUE AND  
11       JURISDICTIONAL DEFENSES TO THE EXTENT IT ADOPTS OR CONSENTS TO  
12       PARTICIPATE IN ALTERNATIVE DISPUTE RESOLUTION PROCEEDINGS.

13       3. NOTHING IN THIS COMPACT SHALL BE CONSTRUED TO BE A WAIVER OF  
14       SOVEREIGN IMMUNITY.

15       B. MEMBERSHIP, VOTING, AND MEETINGS

16       1. THE COMMISSION SHALL CONSIST OF ONE VOTING REPRESENTATIVE  
17       APPOINTED BY EACH COMPACT STATE WHO SHALL SERVE AS THAT STATE'S  
18       COMMISSIONER. THE STATE PSYCHOLOGY REGULATORY AUTHORITY  
19       SHALL APPOINT ITS DELEGATE. THIS DELEGATE SHALL BE EMPOWERED TO  
20       ACT ON BEHALF OF THE COMPACT STATE. THIS DELEGATE SHALL BE  
21       LIMITED TO:

22       a. EXECUTIVE DIRECTOR, EXECUTIVE SECRETARY OR SIMILAR  
23       EXECUTIVE;

24       b. CURRENT MEMBER OF THE STATE PSYCHOLOGY REGULATORY  
25       AUTHORITY OF A COMPACT STATE; OR

26       c. DESIGNEE EMPOWERED WITH THE APPROPRIATE DELEGATE AUTHORITY  
27       TO ACT ON BEHALF OF THE COMPACT STATE.

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

6       3. EACH COMMISSIONER SHALL BE ENTITLED TO ONE (1) VOTE WITH  
7       REGARD TO THE PROMULGATION OF RULES AND CREATION OF BYLAWS  
8       AND SHALL OTHERWISE HAVE AN OPPORTUNITY TO PARTICIPATE IN THE  
9       BUSINESS AND AFFAIRS OF THE COMMISSION. A COMMISSIONER SHALL  
10      VOTE IN PERSON OR BY SUCH OTHER MEANS AS PROVIDED IN THE BYLAWS.  
11      THE BYLAWS MAY PROVIDE FOR COMMISSIONERS' PARTICIPATION IN  
12      MEETINGS BY TELEPHONE OR OTHER MEANS OF COMMUNICATION.

13      4. THE COMMISSION SHALL MEET AT LEAST ONCE DURING EACH  
14      CALENDAR YEAR. ADDITIONAL MEETINGS SHALL BE HELD AS SET FORTH IN  
15      THE BYLAWS.

16      5. ALL MEETINGS SHALL BE OPEN TO THE PUBLIC, AND PUBLIC NOTICE OF  
17      MEETINGS SHALL BE GIVEN IN THE SAME MANNER AS REQUIRED UNDER THE  
18      RULEMAKING PROVISIONS IN ARTICLE XI.

19      6. THE COMMISSION MAY CONVENE IN A CLOSED, NON-PUBLIC MEETING  
20      IF THE COMMISSION MUST DISCUSS:

21       a. NON-COMPLIANCE OF A COMPACT STATE WITH ITS OBLIGATIONS UNDER  
22       THE COMPACT;

23       b. THE EMPLOYMENT, COMPENSATION, DISCIPLINE OR OTHER PERSONNEL  
24       MATTERS, PRACTICES OR PROCEDURES RELATED TO SPECIFIC EMPLOYEES  
25       OR OTHER MATTERS RELATED TO THE COMMISSION'S INTERNAL  
26       PERSONNEL PRACTICES AND PROCEDURES;

27       c. CURRENT, THREATENED, OR REASONABLY ANTICIPATED LITIGATION

1 AGAINST THE COMMISSION;

2 d. NEGOTIATION OF CONTRACTS FOR THE PURCHASE OR SALE OF GOODS,

3 SERVICES OR REAL ESTATE;

4 e. ACCUSATION AGAINST ANY PERSON OF A CRIME OR FORMALLY

5 CENSURING ANY PERSON;

6 f. DISCLOSURE OF TRADE SECRETS OR COMMERCIAL OR FINANCIAL

7 INFORMATION WHICH IS PRIVILEGED OR CONFIDENTIAL;

8 g. DISCLOSURE OF INFORMATION OF A PERSONAL NATURE WHERE

9 DISCLOSURE WOULD CONSTITUTE A CLEARLY UNWARRANTED INVASION OF

10 PERSONAL PRIVACY;

11 h. DISCLOSURE OF INVESTIGATORY RECORDS COMPILED FOR LAW

12 ENFORCEMENT PURPOSES;

13 i. DISCLOSURE OF INFORMATION RELATED TO ANY INVESTIGATORY

14 REPORTS PREPARED BY OR ON BEHALF OF OR FOR USE OF THE COMMISSION

15 OR OTHER COMMITTEE CHARGED WITH RESPONSIBILITY FOR

16 INVESTIGATION OR DETERMINATION OF COMPLIANCE ISSUES PURSUANT TO

17 THE COMPACT; OR

18 j. MATTERS SPECIFICALLY EXEMPTED FROM DISCLOSURE BY FEDERAL AND

19 STATE STATUTE.

20 7. IF A MEETING, OR PORTION OF A MEETING, IS CLOSED PURSUANT TO THIS

21 PROVISION, THE COMMISSION'S LEGAL COUNSEL OR DESIGNEE SHALL

22 CERTIFY THAT THE MEETING MAY BE CLOSED AND SHALL REFERENCE EACH

23 RELEVANT EXEMPTING PROVISION. THE COMMISSION SHALL KEEP MINUTES

24 WHICH FULLY AND CLEARLY DESCRIBE ALL MATTERS DISCUSSED IN A

25 MEETING AND SHALL PROVIDE A FULL AND ACCURATE SUMMARY OF

26 ACTIONS TAKEN, OF ANY PERSON PARTICIPATING IN THE MEETING, AND THE

27 REASONS THEREFORE, INCLUDING A DESCRIPTION OF THE VIEWS

1 EXPRESSED. ALL DOCUMENTS CONSIDERED IN CONNECTION WITH AN  
2 ACTION SHALL BE IDENTIFIED IN SUCH MINUTES. ALL MINUTES AND  
3 DOCUMENTS OF A CLOSED MEETING SHALL REMAIN UNDER SEAL, SUBJECT  
4 TO RELEASE ONLY BY A MAJORITY VOTE OF THE COMMISSION OR ORDER OF  
5 A COURT OF COMPETENT JURISDICTION.

6 C. THE COMMISSION SHALL, BY A MAJORITY VOTE OF THE  
7 COMMISSIONERS, PRESCRIBE BYLAWS AND/OR RULES TO GOVERN ITS  
8 CONDUCT AS MAY BE NECESSARY OR APPROPRIATE TO CARRY OUT THE  
9 PURPOSES AND EXERCISE THE POWERS OF THE COMPACT, INCLUDING BUT  
10 NOT LIMITED TO:

- 11 1. ESTABLISHING THE FISCAL YEAR OF THE COMMISSION;
- 12 2. PROVIDING REASONABLE STANDARDS AND PROCEDURES:
  - 13 a. FOR THE ESTABLISHMENT AND MEETINGS OF OTHER COMMITTEES; AND
  - 14 b. GOVERNING ANY GENERAL OR SPECIFIC DELEGATION OF ANY
  - 15 AUTHORITY OR FUNCTION OF THE COMMISSION;
- 16 3. PROVIDING REASONABLE PROCEDURES FOR CALLING AND CONDUCTING
- 17 MEETINGS OF THE COMMISSION, ENSURING REASONABLE ADVANCE NOTICE
- 18 OF ALL MEETINGS AND PROVIDING AN OPPORTUNITY FOR ATTENDANCE OF
- 19 SUCH MEETINGS BY INTERESTED PARTIES, WITH ENUMERATED EXCEPTIONS
- 20 DESIGNED TO PROTECT THE PUBLIC'S INTEREST, THE PRIVACY OF
- 21 INDIVIDUALS OF SUCH PROCEEDINGS, AND PROPRIETARY INFORMATION,
- 22 INCLUDING TRADE SECRETS. THE COMMISSION MAY MEET IN CLOSED
- 23 SESSION ONLY AFTER A MAJORITY OF THE COMMISSIONERS VOTE TO CLOSE
- 24 A MEETING TO THE PUBLIC IN WHOLE OR IN PART. AS SOON AS
- 25 PRACTICABLE, THE COMMISSION MUST MAKE PUBLIC A COPY OF THE VOTE
- 26 TO CLOSE THE MEETING REVEALING THE VOTE OF EACH COMMISSIONER
- 27 WITH NO PROXY VOTES ALLOWED;

1       4. ESTABLISHING THE TITLES, DUTIES AND AUTHORITY AND REASONABLE  
2       PROCEDURES FOR THE ELECTION OF THE OFFICERS OF THE COMMISSION;  
3       5. PROVIDING REASONABLE STANDARDS AND PROCEDURES FOR THE  
4       ESTABLISHMENT OF THE PERSONNEL POLICIES AND PROGRAMS OF THE  
5       COMMISSION. NOTWITHSTANDING ANY CIVIL SERVICE OR OTHER SIMILAR  
6       LAW OF ANY COMPACT STATE, THE BYLAWS SHALL EXCLUSIVELY GOVERN  
7       THE PERSONNEL POLICIES AND PROGRAMS OF THE COMMISSION;  
8       6. PROMULGATING A CODE OF ETHICS TO ADDRESS PERMISSIBLE AND  
9       PROHIBITED ACTIVITIES OF COMMISSION MEMBERS AND EMPLOYEES;  
10       7. PROVIDING A MECHANISM FOR CONCLUDING THE OPERATIONS OF THE  
11       COMMISSION AND THE EQUITABLE DISPOSITION OF ANY SURPLUS FUNDS  
12       THAT MAY EXIST AFTER THE TERMINATION OF THE COMPACT AFTER THE  
13       PAYMENT AND/OR RESERVING OF ALL OF ITS DEBTS AND OBLIGATIONS;  
14       8. THE COMMISSION SHALL PUBLISH ITS BYLAWS IN A CONVENIENT FORM  
15       AND FILE A COPY THEREOF AND A COPY OF ANY AMENDMENT THERETO,  
16       WITH THE APPROPRIATE AGENCY OR OFFICER IN EACH OF THE COMPACT  
17       STATES;  
18       9. THE COMMISSION SHALL MAINTAIN ITS FINANCIAL RECORDS IN  
19       ACCORDANCE WITH THE BYLAWS; AND  
20       10. THE COMMISSION SHALL MEET AND TAKE SUCH ACTIONS AS ARE  
21       CONSISTENT WITH THE PROVISIONS OF THIS COMPACT AND THE BYLAWS.  
22       D. THE COMMISSION SHALL HAVE THE FOLLOWING POWERS:  
23       1. THE AUTHORITY TO PROMULGATE UNIFORM RULES TO FACILITATE AND  
24       COORDINATE IMPLEMENTATION AND ADMINISTRATION OF THIS COMPACT.  
25       THE RULE SHALL HAVE THE FORCE AND EFFECT OF LAW AND SHALL BE  
26       BINDING IN ALL COMPACT STATES;  
27       2. TO BRING AND PROSECUTE LEGAL PROCEEDINGS OR ACTIONS IN THE

1 NAME OF THE COMMISSION, PROVIDED THAT THE STANDING OF ANY STATE  
2 PSYCHOLOGY REGULATORY AUTHORITY OR OTHER REGULATORY BODY  
3 RESPONSIBLE FOR PSYCHOLOGY LICENSURE TO SUE OR BE SUED UNDER  
4 APPLICABLE LAW SHALL NOT BE AFFECTED;

5 3. TO PURCHASE AND MAINTAIN INSURANCE AND BONDS;

6 4. TO BORROW, ACCEPT OR CONTRACT FOR SERVICES OF PERSONNEL,  
7 INCLUDING, BUT NOT LIMITED TO, EMPLOYEES OF A COMPACT STATE;

8 5. TO HIRE EMPLOYEES, ELECT OR APPOINT OFFICERS, FIX COMPENSATION,  
9 DEFINE DUTIES, GRANT SUCH INDIVIDUALS APPROPRIATE AUTHORITY TO  
10 CARRY OUT THE PURPOSES OF THE COMPACT, AND TO ESTABLISH THE  
11 COMMISSION'S PERSONNEL POLICIES AND PROGRAMS RELATING TO  
12 CONFLICTS OF INTEREST, QUALIFICATIONS OF PERSONNEL, AND OTHER  
13 RELATED PERSONNEL MATTERS;

14 6. TO ACCEPT ANY AND ALL APPROPRIATE DONATIONS AND GRANTS OF  
15 MONEY, EQUIPMENT, SUPPLIES, MATERIALS AND SERVICES, AND TO  
16 RECEIVE, UTILIZE AND DISPOSE OF THE SAME; PROVIDED THAT AT ALL  
17 TIMES THE COMMISSION SHALL STRIVE TO AVOID ANY APPEARANCE OF  
18 IMPROPRIETY AND/OR CONFLICT OF INTEREST;

19 7. TO LEASE, PURCHASE, ACCEPT APPROPRIATE GIFTS OR DONATIONS OF,  
20 OR OTHERWISE TO OWN, HOLD, IMPROVE OR USE, ANY PROPERTY, REAL,  
21 PERSONAL OR MIXED; PROVIDED THAT AT ALL TIMES THE COMMISSION  
22 SHALL STRIVE TO AVOID ANY APPEARANCE OF IMPROPRIETY;

23 8. TO SELL, CONVEY, MORTGAGE, PLEDGE, LEASE, EXCHANGE, ABANDON  
24 OR OTHERWISE DISPOSE OF ANY PROPERTY REAL, PERSONAL OR MIXED;

25 9. TO ESTABLISH A BUDGET AND MAKE EXPENDITURES;

26 10. TO BORROW MONEY;

27 11. TO APPOINT COMMITTEES, INCLUDING ADVISORY COMMITTEES

1      COMPRISED OF MEMBERS, STATE REGULATORS, STATE LEGISLATORS OR  
2      THEIR REPRESENTATIVES, AND CONSUMER REPRESENTATIVES, AND SUCH  
3      OTHER INTERESTED PERSONS AS MAY BE DESIGNATED IN THIS COMPACT  
4      AND THE BYLAWS;

5      12. TO PROVIDE AND RECEIVE INFORMATION FROM, AND TO COOPERATE  
6      WITH, LAW ENFORCEMENT AGENCIES;

7      13. TO ADOPT AND USE AN OFFICIAL SEAL; AND

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

12     E. THE EXECUTIVE BOARD

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

16     1. THE EXECUTIVE BOARD SHALL BE COMPRISED OF SIX MEMBERS:

17       a. FIVE VOTING MEMBERS WHO ARE ELECTED FROM THE CURRENT  
18       MEMBERSHIP OF THE COMMISSION BY THE COMMISSION;

19       b. ONE EX-OFFICIO, NONVOTING MEMBER FROM THE RECOGNIZED  
20       MEMBERSHIP ORGANIZATION COMPOSED OF STATE AND PROVINCIAL  
21       PSYCHOLOGY REGULATORY AUTHORITIES.

22     2. THE EX-OFFICIO MEMBER MUST HAVE SERVED AS STAFF OR MEMBER ON  
23     A STATE PSYCHOLOGY REGULATORY AUTHORITY AND WILL BE SELECTED  
24     BY ITS RESPECTIVE ORGANIZATION.

25     3. THE COMMISSION MAY REMOVE ANY MEMBER OF THE EXECUTIVE  
26     BOARD AS PROVIDED IN BYLAWS.

27     4. THE EXECUTIVE BOARD SHALL MEET AT LEAST ANNUALLY.

1       5. THE EXECUTIVE BOARD SHALL HAVE THE FOLLOWING DUTIES AND  
2       RESPONSIBILITIES:

3       a. RECOMMEND TO THE ENTIRE COMMISSION CHANGES TO THE RULES OR  
4       BYLAWS, CHANGES TO THIS COMPACT LEGISLATION, FEES PAID BY  
5       COMPACT STATES SUCH AS ANNUAL DUES, AND ANY OTHER APPLICABLE  
6       FEES;

7       b. ENSURE COMPACT ADMINISTRATION SERVICES ARE APPROPRIATELY  
8       PROVIDED, CONTRACTUAL OR OTHERWISE;

9       c. PREPARE AND RECOMMEND THE BUDGET;

10      d. MAINTAIN FINANCIAL RECORDS ON BEHALF OF THE COMMISSION;

11      e. MONITOR COMPACT COMPLIANCE OF MEMBER STATES AND PROVIDE  
12       COMPLIANCE REPORTS TO THE COMMISSION;

13      f. ESTABLISH ADDITIONAL COMMITTEES AS NECESSARY; AND

14      g. OTHER DUTIES AS PROVIDED IN RULES OR BYLAWS.

15      F. FINANCING OF THE COMMISSION

16      1. THE COMMISSION SHALL PAY, OR PROVIDE FOR THE PAYMENT OF THE  
17       REASONABLE EXPENSES OF ITS ESTABLISHMENT, ORGANIZATION AND  
18       ONGOING ACTIVITIES.

19      2. THE COMMISSION MAY ACCEPT ANY AND ALL APPROPRIATE REVENUE  
20       SOURCES, DONATIONS AND GRANTS OF MONEY, EQUIPMENT, SUPPLIES,  
21       MATERIALS AND SERVICES.

22      3. THE COMMISSION MAY LEVY ON AND COLLECT AN ANNUAL  
23       ASSESSMENT FROM EACH COMPACT STATE OR IMPOSE FEES ON OTHER  
24       PARTIES TO COVER THE COST OF THE OPERATIONS AND ACTIVITIES OF THE  
25       COMMISSION AND ITS STAFF WHICH MUST BE IN A TOTAL AMOUNT  
26       SUFFICIENT TO COVER ITS ANNUAL BUDGET AS APPROVED EACH YEAR FOR  
27       WHICH REVENUE IS NOT PROVIDED BY OTHER SOURCES. THE AGGREGATE

1 ANNUAL ASSESSMENT AMOUNT SHALL BE ALLOCATED BASED UPON A  
2 FORMULA TO BE DETERMINED BY THE COMMISSION WHICH SHALL  
3 PROMULGATE A RULE BINDING UPON ALL COMPACT STATES.

4 4. THE COMMISSION SHALL NOT INCUR OBLIGATIONS OF ANY KIND PRIOR  
5 TO SECURING THE FUNDS ADEQUATE TO MEET THE SAME; NOR SHALL THE  
6 COMMISSION PLEDGE THE CREDIT OF ANY OF THE COMPACT STATES,  
7 EXCEPT BY AND WITH THE AUTHORITY OF THE COMPACT STATE.

8 5. THE COMMISSION SHALL KEEP ACCURATE ACCOUNTS OF ALL RECEIPTS  
9 AND DISBURSEMENTS. THE RECEIPTS AND DISBURSEMENTS OF THE  
10 COMMISSION SHALL BE SUBJECT TO THE AUDIT AND ACCOUNTING  
11 PROCEDURES ESTABLISHED UNDER ITS BYLAWS. HOWEVER, ALL RECEIPTS  
12 AND DISBURSEMENTS OF FUNDS HANDLED BY THE COMMISSION SHALL BE  
13 AUDITED YEARLY BY A CERTIFIED OR LICENSED PUBLIC ACCOUNTANT AND  
14 THE REPORT OF THE AUDIT SHALL BE INCLUDED IN AND BECOME PART OF  
15 THE ANNUAL REPORT OF THE COMMISSION.

16 G. QUALIFIED IMMUNITY, DEFENSE, AND INDEMNIFICATION

17 1. THE MEMBERS, OFFICERS, EXECUTIVE DIRECTOR, EMPLOYEES AND  
18 REPRESENTATIVES OF THE COMMISSION SHALL BE IMMUNE FROM SUIT AND  
19 LIABILITY, EITHER PERSONALLY OR IN THEIR OFFICIAL CAPACITY, FOR ANY  
20 CLAIM FOR DAMAGE TO OR LOSS OF PROPERTY OR PERSONAL INJURY OR  
21 OTHER CIVIL LIABILITY CAUSED BY OR ARISING OUT OF ANY ACTUAL OR  
22 ALLEGED ACT, ERROR OR OMISSION THAT OCCURRED, OR THAT THE PERSON  
23 AGAINST WHOM THE CLAIM IS MADE HAD A REASONABLE BASIS FOR  
24 BELIEVING OCCURRED WITHIN THE SCOPE OF COMMISSION EMPLOYMENT,  
25 DUTIES OR RESPONSIBILITIES; PROVIDED THAT NOTHING IN THIS  
26 PARAGRAPH SHALL BE CONSTRUED TO PROTECT ANY SUCH PERSON FROM  
27 SUIT AND/OR LIABILITY FOR ANY DAMAGE, LOSS, INJURY OR LIABILITY

1 CAUSED BY THE INTENTIONAL OR WILLFUL OR WANTON MISCONDUCT OF  
2 THAT PERSON.

3       2. THE COMMISSION SHALL DEFEND ANY MEMBER, OFFICER, EXECUTIVE  
4       DIRECTOR, EMPLOYEE OR REPRESENTATIVE OF THE COMMISSION IN ANY  
5       CIVIL ACTION SEEKING TO IMPOSE LIABILITY ARISING OUT OF ANY ACTUAL  
6       OR ALLEGED ACT, ERROR OR OMISSION THAT OCCURRED WITHIN THE SCOPE  
7       OF COMMISSION EMPLOYMENT, DUTIES OR RESPONSIBILITIES, OR THAT THE  
8       PERSON AGAINST WHOM THE CLAIM IS MADE HAD A REASONABLE BASIS  
9       FOR BELIEVING OCCURRED WITHIN THE SCOPE OF COMMISSION  
10      EMPLOYMENT, DUTIES OR RESPONSIBILITIES; PROVIDED THAT NOTHING  
11      HEREIN SHALL BE CONSTRUED TO PROHIBIT THAT PERSON FROM RETAINING  
12      HIS OR HER OWN COUNSEL; AND PROVIDED FURTHER, THAT THE ACTUAL OR  
13      ALLEGED ACT, ERROR OR OMISSION DID NOT RESULT FROM THAT PERSON'S  
14      INTENTIONAL OR WILLFUL OR WANTON MISCONDUCT.

15       3. THE COMMISSION SHALL INDEMNIFY AND HOLD HARMLESS ANY  
16       MEMBER, OFFICER, EXECUTIVE DIRECTOR, EMPLOYEE OR REPRESENTATIVE  
17       OF THE COMMISSION FOR THE AMOUNT OF ANY SETTLEMENT OR JUDGMENT  
18       OBTAINED AGAINST THAT PERSON ARISING OUT OF ANY ACTUAL OR  
19       ALLEGED ACT, ERROR OR OMISSION THAT OCCURRED WITHIN THE SCOPE OF  
20       COMMISSION EMPLOYMENT, DUTIES OR RESPONSIBILITIES, OR THAT SUCH  
21       PERSON HAD A REASONABLE BASIS FOR BELIEVING OCCURRED WITHIN THE  
22       SCOPE OF COMMISSION EMPLOYMENT, DUTIES OR RESPONSIBILITIES,  
23       PROVIDED THAT THE ACTUAL OR ALLEGED ACT, ERROR OR OMISSION DID  
24       NOT RESULT FROM THE INTENTIONAL OR WILLFUL OR WANTON  
25       MISCONDUCT OF THAT PERSON.

## ARTICLE XI

# RULEMAKING

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

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

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

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

15       1. ON THE WEBSITE OF THE COMMISSION; AND  
16       2. ON THE WEBSITE OF EACH COMPACT STATES' PSYCHOLOGY  
17 REGULATORY AUTHORITY OR THE PUBLICATION IN WHICH EACH STATE  
18 WOULD OTHERWISE PUBLISH PROPOSED RULES.

19       E. THE NOTICE OF PROPOSED RULEMAKING SHALL INCLUDE:

20       1. THE PROPOSED TIME, DATE, AND LOCATION OF THE MEETING IN WHICH  
21 THE RULE WILL BE CONSIDERED AND VOTED UPON;  
22       2. THE TEXT OF THE PROPOSED RULE OR AMENDMENT AND THE REASON  
23 FOR THE PROPOSED RULE;

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

26       4. THE MANNER IN WHICH INTERESTED PERSONS MAY SUBMIT NOTICE TO  
27 THE COMMISSION OF THEIR INTENTION TO ATTEND THE PUBLIC HEARING

1 AND ANY WRITTEN COMMENTS.

2 F. PRIOR TO ADOPTION OF A PROPOSED RULE, THE COMMISSION SHALL  
3 ALLOW PERSONS TO SUBMIT WRITTEN DATA, FACTS, OPINIONS AND  
4 ARGUMENTS, WHICH SHALL BE MADE AVAILABLE TO THE PUBLIC.

5 G. THE COMMISSION SHALL GRANT AN OPPORTUNITY FOR A PUBLIC  
6 HEARING BEFORE IT ADOPTS A RULE OR AMENDMENT IF A HEARING IS  
7 REQUESTED BY:

- 8 1. AT LEAST TWENTY-FIVE (25) PERSONS WHO SUBMIT COMMENTS  
9 INDEPENDENTLY OF EACH OTHER;
- 10 2. A GOVERNMENTAL SUBDIVISION OR AGENCY; OR
- 11 3. A DULY APPOINTED PERSON IN AN ASSOCIATION THAT HAS AT LEAST  
12 TWENTY-FIVE (25) MEMBERS.

13 H. IF A HEARING IS HELD ON THE PROPOSED RULE OR AMENDMENT, THE  
14 COMMISSION SHALL PUBLISH THE PLACE, TIME, AND DATE OF THE  
15 SCHEDULED PUBLIC HEARING.

16 1. ALL PERSONS WISHING TO BE HEARD AT THE HEARING SHALL NOTIFY  
17 THE EXECUTIVE DIRECTOR OF THE COMMISSION OR OTHER DESIGNATED  
18 MEMBER IN WRITING OF THEIR DESIRE TO APPEAR AND TESTIFY AT THE  
19 HEARING NOT LESS THAN FIVE (5) BUSINESS DAYS BEFORE THE SCHEDULED  
20 DATE OF THE HEARING.

21 2. HEARINGS SHALL BE CONDUCTED IN A MANNER PROVIDING EACH  
22 PERSON WHO WISHES TO COMMENT A FAIR AND REASONABLE  
23 OPPORTUNITY TO COMMENT ORALLY OR IN WRITING.

24 3. NO TRANSCRIPT OF THE HEARING IS REQUIRED, UNLESS A WRITTEN  
25 REQUEST FOR A TRANSCRIPT IS MADE, IN WHICH CASE THE PERSON  
26 REQUESTING THE TRANSCRIPT SHALL BEAR THE COST OF PRODUCING THE  
27 TRANSCRIPT. A RECORDING MAY BE MADE IN LIEU OF A TRANSCRIPT

1       UNDER THE SAME TERMS AND CONDITIONS AS A TRANSCRIPT. THIS  
2       SUBSECTION SHALL NOT PRECLUDE THE COMMISSION FROM MAKING A  
3       TRANSCRIPT OR RECORDING OF THE HEARING IF IT SO CHOOSES.

4       4. NOTHING IN THIS SECTION SHALL BE CONSTRUED AS REQUIRING A  
5       SEPARATE HEARING ON EACH RULE. RULES MAY BE GROUPED FOR THE  
6       CONVENIENCE OF THE COMMISSION AT HEARINGS REQUIRED BY THIS  
7       SECTION.

8       I. FOLLOWING THE SCHEDULED HEARING DATE, OR BY THE CLOSE OF  
9       BUSINESS ON THE SCHEDULED HEARING DATE IF THE HEARING WAS NOT  
10       HELD, THE COMMISSION SHALL CONSIDER ALL WRITTEN AND ORAL  
11       COMMENTS RECEIVED.

12       J. THE COMMISSION SHALL, BY MAJORITY VOTE OF ALL MEMBERS, TAKE  
13       FINAL ACTION ON THE PROPOSED RULE AND SHALL DETERMINE THE  
14       EFFECTIVE DATE OF THE RULE, IF ANY, BASED ON THE RULEMAKING  
15       RECORD AND THE FULL TEXT OF THE RULE.

16       K. IF NO WRITTEN NOTICE OF INTENT TO ATTEND THE PUBLIC HEARING BY  
17       INTERESTED PARTIES IS RECEIVED, THE COMMISSION MAY PROCEED WITH  
18       PROMULGATION OF THE PROPOSED RULE WITHOUT A PUBLIC HEARING.

19       L. UPON DETERMINATION THAT AN EMERGENCY EXISTS, THE COMMISSION  
20       MAY CONSIDER AND ADOPT AN EMERGENCY RULE WITHOUT PRIOR NOTICE,  
21       OPPORTUNITY FOR COMMENT, OR HEARING, PROVIDED THAT THE USUAL  
22       RULEMAKING PROCEDURES PROVIDED IN THE COMPACT AND IN THIS  
23       SECTION SHALL BE RETROACTIVELY APPLIED TO THE RULE AS SOON AS  
24       REASONABLY POSSIBLE, IN NO EVENT LATER THAN NINETY (90) DAYS  
25       AFTER THE EFFECTIVE DATE OF THE RULE. FOR THE PURPOSES OF THIS  
26       PROVISION, AN EMERGENCY RULE IS ONE THAT MUST BE ADOPTED  
27       IMMEDIATELY IN ORDER TO:

1. MEET AN IMMINENT THREAT TO PUBLIC HEALTH, SAFETY, OR WELFARE;
2. PREVENT A LOSS OF COMMISSION OR COMPACT STATE FUNDS;
3. MEET A DEADLINE FOR THE PROMULGATION OF AN ADMINISTRATIVE RULE THAT IS ESTABLISHED BY FEDERAL LAW OR RULE; OR
4. PROTECT PUBLIC HEALTH AND SAFETY.

6 M. THE COMMISSION OR AN AUTHORIZED COMMITTEE OF THE  
7 COMMISSION MAY DIRECT REVISIONS TO A PREVIOUSLY ADOPTED RULE OR  
8 AMENDMENT FOR PURPOSES OF CORRECTING TYPOGRAPHICAL ERRORS,  
9 ERRORS IN FORMAT, ERRORS IN CONSISTENCY, OR GRAMMATICAL ERRORS.  
10 PUBLIC NOTICE OF ANY REVISIONS SHALL BE POSTED ON THE WEBSITE OF  
11 THE COMMISSION. THE REVISION SHALL BE SUBJECT TO CHALLENGE BY  
12 ANY PERSON FOR A PERIOD OF THIRTY (30) DAYS AFTER POSTING. THE  
13 REVISION MAY BE CHALLENGED ONLY ON GROUNDS THAT THE REVISION  
14 RESULTS IN A MATERIAL CHANGE TO A RULE. A CHALLENGE SHALL BE  
15 MADE IN WRITING, AND DELIVERED TO THE CHAIR OF THE COMMISSION  
16 PRIOR TO THE END OF THE NOTICE PERIOD. IF NO CHALLENGE IS MADE, THE  
17 REVISION WILL TAKE EFFECT WITHOUT FURTHER ACTION. IF THE REVISION  
18 IS CHALLENGED, THE REVISION MAY NOT TAKE EFFECT WITHOUT THE  
19 APPROVAL OF THE COMMISSION.

## ARTICLE XII

## 21      OVERSIGHT, DISPUTE RESOLUTION AND ENFORCEMENT

22 A. OVERSIGHT

23 1. THE EXECUTIVE, LEGISLATIVE AND JUDICIAL BRANCHES OF STATE  
24 GOVERNMENT IN EACH COMPACT STATE SHALL ENFORCE THIS COMPACT  
25 AND TAKE ALL ACTIONS NECESSARY AND APPROPRIATE TO EFFECTUATE  
26 THE COMPACT'S PURPOSES AND INTENT. THE PROVISIONS OF THIS  
27 COMPACT AND THE RULES PROMULGATED HEREUNDER SHALL HAVE

1 STANDING AS STATUTORY LAW.  
2 2. ALL COURTS SHALL TAKE JUDICIAL NOTICE OF THE COMPACT AND THE  
3 RULES IN ANY JUDICIAL OR ADMINISTRATIVE PROCEEDING IN A COMPACT  
4 STATE PERTAINING TO THE SUBJECT MATTER OF THIS COMPACT WHICH  
5 MAY AFFECT THE POWERS, RESPONSIBILITIES OR ACTIONS OF THE  
6 COMMISSION.

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

12 B. DEFAULT, TECHNICAL ASSISTANCE, AND TERMINATION

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

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

21 b. PROVIDE REMEDIAL TRAINING AND SPECIFIC TECHNICAL ASSISTANCE  
22 REGARDING THE DEFAULT.

23 2. IF A STATE IN DEFAULT FAILS TO REMEDY THE DEFAULT, THE  
24 DEFAULTING STATE MAY BE TERMINATED FROM THE COMPACT UPON AN  
25 AFFIRMATIVE VOTE OF A MAJORITY OF THE COMPACT STATES, AND ALL  
26 RIGHTS, PRIVILEGES AND BENEFITS CONFERRED BY THIS COMPACT SHALL  
27 BE TERMINATED ON THE EFFECTIVE DATE OF TERMINATION. A REMEDY OF

1       THE DEFAULT DOES NOT RELIEVE THE OFFENDING STATE OF OBLIGATIONS  
2       OR LIABILITIES INCURRED DURING THE PERIOD OF DEFAULT.

3       3. 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  
6       SUBMITTED BY THE COMMISSION TO THE GOVERNOR, THE MAJORITY AND  
7       MINORITY LEADERS OF THE DEFAULTING STATE'S LEGISLATURE, AND EACH  
8       OF THE COMPACT STATES.

9       4. A COMPACT STATE WHICH HAS BEEN TERMINATED IS RESPONSIBLE FOR  
10      ALL ASSESSMENTS, OBLIGATIONS AND LIABILITIES INCURRED THROUGH  
11      THE EFFECTIVE DATE OF TERMINATION, INCLUDING OBLIGATIONS WHICH  
12      EXTEND BEYOND THE EFFECTIVE DATE OF TERMINATION.

13      5. THE COMMISSION SHALL NOT BEAR ANY COSTS INCURRED BY THE  
14      STATE WHICH IS FOUND TO BE IN DEFAULT OR WHICH HAS BEEN  
15      TERMINATED FROM THE COMPACT, UNLESS AGREED UPON IN WRITING  
16      BETWEEN THE COMMISSION AND THE DEFAULTING STATE.

17      6. THE DEFAULTING STATE MAY APPEAL THE ACTION OF THE COMMISSION  
18      BY PETITIONING THE U.S. DISTRICT COURT FOR THE STATE OF GEORGIA OR  
19      THE FEDERAL DISTRICT WHERE THE COMPACT HAS ITS PRINCIPAL OFFICES.  
20      THE PREVAILING MEMBER SHALL BE AWARDED ALL COSTS OF SUCH  
21      LITIGATION, INCLUDING REASONABLE ATTORNEY'S FEES.

22      C. DISPUTE RESOLUTION

23      1. UPON REQUEST BY A COMPACT STATE, THE COMMISSION SHALL  
24      ATTEMPT TO RESOLVE DISPUTES RELATED TO THE COMPACT WHICH ARISE  
25      AMONG COMPACT STATES AND BETWEEN COMPACT AND NON-COMPACT  
26      STATES.

27      2. THE COMMISSION SHALL PROMULGATE A RULE PROVIDING FOR BOTH

1 MEDIATION AND BINDING DISPUTE RESOLUTION FOR DISPUTES THAT ARISE  
2 BEFORE THE COMMISSION.

3 D. ENFORCEMENT

4 1. THE COMMISSION, IN THE REASONABLE EXERCISE OF ITS DISCRETION,  
5 SHALL ENFORCE THE PROVISIONS AND RULES OF THIS COMPACT.

6 2. BY MAJORITY VOTE, THE COMMISSION MAY INITIATE LEGAL ACTION IN  
7 THE UNITED STATES DISTRICT COURT FOR THE STATE OF GEORGIA OR THE  
8 FEDERAL DISTRICT WHERE THE COMPACT HAS ITS PRINCIPAL OFFICES  
9 AGAINST A COMPACT STATE IN DEFAULT TO ENFORCE COMPLIANCE WITH  
10 THE PROVISIONS OF THE COMPACT AND ITS PROMULGATED RULES AND  
11 BYLAWS. THE RELIEF SOUGHT MAY INCLUDE BOTH INJUNCTIVE RELIEF AND  
12 DAMAGES. IN THE EVENT JUDICIAL ENFORCEMENT IS NECESSARY, THE  
13 PREVAILING MEMBER SHALL BE AWARDED ALL COSTS OF SUCH LITIGATION,  
14 INCLUDING REASONABLE ATTORNEY'S FEES.

15 3. THE REMEDIES HEREIN SHALL NOT BE THE EXCLUSIVE REMEDIES OF THE  
16 COMMISSION. THE COMMISSION MAY PURSUE ANY OTHER REMEDIES  
17 AVAILABLE UNDER FEDERAL OR STATE LAW.

18 **ARTICLE XIII**

19 **DATE OF IMPLEMENTATION OF THE PSYCHOLOGY  
20 INTERJURISDICTIONAL COMPACT COMMISSION AND  
21 ASSOCIATED RULES, WITHDRAWAL, AND AMENDMENTS**

22 A. THE COMPACT SHALL COME INTO EFFECT ON THE DATE ON WHICH THE  
23 COMPACT IS ENACTED INTO LAW IN THE SEVENTH COMPACT STATE. THE  
24 PROVISIONS WHICH BECOME EFFECTIVE AT THAT TIME SHALL BE LIMITED  
25 TO THE POWERS GRANTED TO THE COMMISSION RELATING TO ASSEMBLY  
26 AND THE PROMULGATION OF RULES. THEREAFTER, THE COMMISSION  
27 SHALL MEET AND EXERCISE RULEMAKING POWERS NECESSARY TO THE

## 1 IMPLEMENTATION AND ADMINISTRATION OF THE COMPACT.

2 B. ANY STATE WHICH JOINS THE COMPACT SUBSEQUENT TO THE  
3 COMMISSION'S INITIAL ADOPTION OF THE RULES SHALL BE SUBJECT TO THE  
4 RULES AS THEY EXIST ON THE DATE ON WHICH THE COMPACT BECOMES  
5 LAW IN THAT STATE. ANY RULE WHICH HAS BEEN PREVIOUSLY ADOPTED  
6 BY THE COMMISSION SHALL HAVE THE FULL FORCE AND EFFECT OF LAW ON  
7 THE DAY THE COMPACT BECOMES LAW IN THAT STATE.

8 C. ANY COMPACT STATE MAY WITHDRAW FROM THIS COMPACT BY  
9 ENACTING A STATUTE REPEALING THE SAME.

10 1. A COMPACT STATE'S WITHDRAWAL SHALL NOT TAKE EFFECT UNTIL SIX  
11 (6) MONTHS AFTER ENACTMENT OF THE REPEALING STATUTE.

12 2. WITHDRAWAL SHALL NOT AFFECT THE CONTINUING REQUIREMENT OF  
13 THE WITHDRAWING STATE'S PSYCHOLOGY REGULATORY AUTHORITY TO  
14 COMPLY WITH THE INVESTIGATIVE AND ADVERSE ACTION REPORTING  
15 REQUIREMENTS OF THIS ACT PRIOR TO THE EFFECTIVE DATE OF  
16 WITHDRAWAL.

17 D. NOTHING CONTAINED IN THIS COMPACT SHALL BE CONSTRUED TO  
18 INVALIDATE OR PREVENT ANY PSYCHOLOGY LICENSURE AGREEMENT OR  
19 OTHER COOPERATIVE ARRANGEMENT BETWEEN A COMPACT STATE AND A  
20 NON-COMPACT STATE WHICH DOES NOT CONFLICT WITH THE PROVISIONS  
21 OF THIS COMPACT.

22 E. THIS COMPACT MAY BE AMENDED BY THE COMPACT STATES. NO  
23 AMENDMENT TO THIS COMPACT SHALL BECOME EFFECTIVE AND BINDING  
24 UPON ANY COMPACT STATE UNTIL IT IS ENACTED INTO THE LAW OF ALL  
25 COMPACT STATES

## ARTICLE XIV

## CONSTRUCTION AND SEVERABILITY

1     THIS COMPACT SHALL BE LIBERALLY CONSTRUED SO AS TO EFFECTUATE  
2     THE PURPOSES THEREOF. IF THIS COMPACT SHALL BE HELD CONTRARY TO  
3     THE CONSTITUTION OF ANY STATE MEMBER THERETO, THE COMPACT  
4     SHALL REMAIN IN FULL FORCE AND EFFECT AS TO THE REMAINING  
5     COMPACT STATES.

6                   **24-60-3803. Notice to revisor of statutes.** THIS PART 38 TAKES  
7     EFFECT ON THE DATE THE COMPACT IS ENACTED INTO LAW IN THE SEVENTH  
8     COMPACT STATE. THE DIRECTOR OF THE DIVISION OF PROFESSIONS AND  
9     OCCUPATIONS IN THE DEPARTMENT OF REGULATORY AGENCIES SHALL  
10    NOTIFY THE REVISOR OF STATUTES IN WRITING WHEN THE CONDITION  
11    SPECIFIED IN THIS SECTION HAS OCCURRED BY E-MAILING THE NOTICE TO  
12    REVISOROFSTATUTES.GA@STATE.CO.US. THIS PART 38 TAKES EFFECT  
13    UPON THE DATE IDENTIFIED IN THE NOTICE THAT THE COMPACT IS  
14    ENACTED INTO LAW IN THE SEVENTH COMPACT STATE OR UPON THE DATE  
15    OF THE NOTICE TO THE REVISOR OF STATUTES IF THE NOTICE DOES NOT  
16    SPECIFY A DIFFERENT DATE.

17                   **SECTION 2.** In Colorado Revised Statutes, 12-43-301, **amend**  
18    (1); and **add** (1.5) and (9) as follows:

19                   **12-43-301. Definitions.** As used in this part 3, unless the context  
20    otherwise requires:

21                   (1) ~~"Approved school" means any university or other institution~~  
22    ~~of higher education offering a full-time graduate course of study in~~  
23    ~~psychology and having programs approved by the American~~  
24    ~~psychological association or the board~~ "ADVERSE ACTION" MEANS ANY  
25    ACTION TAKEN BY THE BOARD THAT FINDS A VIOLATION OF A STATUTE OR  
26    REGULATION THAT IS IDENTIFIED BY THE BOARD AS DISCIPLINE AND IS A  
27    MATTER OF PUBLIC RECORD.

5 (9) "TELEPSYCHOLOGY" MEANS THE PROVISION OF  
6 PSYCHOLOGICAL SERVICES USING TELECOMMUNICATIONS TECHNOLOGIES.

7                   **SECTION 3.** In Colorado Revised Statutes, **add** 12-43-308 as  
8 follows:

9                   **12-43-308. Psychology interjurisdictional compact act -**  
10                   **powers and duties of the board - rules - definition.** (1) FOR PURPOSES  
11                   OF THIS SECTION, "COMPACT" MEANS THE PSYCHOLOGY  
12                   INTERJURISDICTIONAL COMPACT AUTHORIZED IN PART 38 OF ARTICLE 60  
13                   OF TITLE 24. WITH REGARD TO THE COMPACT, THE BOARD HAS THE  
14                   FOLLOWING POWERS AND DUTIES:

15 (a) TO FACILITATE COLORADO'S PARTICIPATION IN THE COMPACT;  
16 (b) TO PROMULGATE RULES NECESSARY FOR THE  
17 IMPLEMENTATION, ADMINISTRATION, AND ENFORCEMENT OF THE  
18 COMPACT. THE BOARD SHALL PROMULGATE RULES IN ACCORDANCE WITH  
19 ARTICLE 4 OF TITLE 24.

20 (c) TO APPOINT A PERSON TO SERVE AS A COMMISSIONER ON THE  
21 PSYCHOLOGY INTERJURISDICTIONAL COMPACT COMMISSION;

22 (d) TO REGULATE TELEPSYCHOLOGY IN ACCORDANCE WITH THE  
23 COMPACT;

24 (e) TO REGULATE PSYCHOLOGIST TEMPORARY AUTHORIZATION TO  
25 PRACTICE IN ACCORDANCE WITH THE COMPACT;

26 (f) TO NOTIFY THE PSYCHOLOGY INTERJURISDICTIONAL COMPACT  
27 COMMISSION OF ANY ADVERSE ACTION REGARDING A LICENSED

1 PSYCHOLOGIST;

2 (g) TO PROVIDE UNIFORM DATA TO A COORDINATED LICENSE  
3 INFORMATION SYSTEM CONSISTENT WITH THE RULES OF THE PSYCHOLOGY  
4 INTERJURISDICTIONAL COMPACT COMMISSION;

5 (h) TO APPROVE PAYMENT OF ASSESSMENTS LEVIED BY THE  
6 PSYCHOLOGY INTERJURISDICTIONAL COMPACT COMMISSION TO COVER THE  
7 COST OF THE OPERATIONS AND ACTIVITIES OF THE COMMISSION AND ITS  
8 STAFF.

9 **SECTION 4. Appropriation.** (1) For the 2018-19 state fiscal  
10 year, \$151,332 is appropriated to the department of regulatory agencies.  
11 This appropriation is from the division of professions and occupations  
12 cash fund created in section 24-34-105 (2)(b)(I), C.R.S. To implement  
13 this act, the department may use this appropriation as follows:

14 (a) \$35,120 for use by the division of professions and occupations  
15 for personal services, which amount is based on an assumption that the  
16 division will require an additional 0.5 FTE;

17 (b) \$20,228 for use by the division of professions and occupations  
18 for operating expenses;

19 (c) \$15,984 for the purchase of legal services; and  
20 (d) \$80,000 for the purchase of information technology services.

21 (2) For the 2018-19 state fiscal year, \$15,984 is appropriated to  
22 the department of law. This appropriation is from reappropriated funds  
23 received from the department of regulatory agencies under subsection  
24 (1)(c) of this section and is based on an assumption that the department  
25 of law will require an additional 0.1 FTE. To implement this act, the  
26 department of law may use this appropriation to provide legal services for  
27 the department of regulatory agencies.

