

House Engrossed Senate Bill

~~advanced practice registered nurses; compact~~  
(now: health professionals; compacts)

State of Arizona  
Senate  
Fifty-sixth Legislature  
Second Regular Session  
2024

# SENATE BILL 1295

AN ACT

AMENDING TITLE 32, CHAPTER 15, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 2.2; AMENDING TITLE 32, CHAPTER 32, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 3.1; AMENDING TITLE 32, CHAPTER 33, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 5.1; RELATING TO HEALTH PROFESSIONALS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 32, chapter 15, Arizona Revised Statutes, is  
3 amended by adding article 2.2, to read:

4 ARTICLE 2.2. ADVANCED PRACTICE REGISTERED NURSE COMPACT  
5 32-1661. Advanced practice registered nurse compact

6 ARTICLE I

7 FINDINGS AND DECLARATION OF PURPOSE

8 A. THE PARTY STATES FIND THAT:

9 1. THE HEALTH AND SAFETY OF THE PUBLIC ARE AFFECTED BY THE DEGREE  
10 OF COMPLIANCE WITH APRN LICENSURE REQUIREMENTS AND THE EFFECTIVENESS OF  
11 ENFORCEMENT ACTIVITIES RELATED TO STATE APRN LICENSURE LAWS.

12 2. VIOLATIONS OF APRN LICENSURE AND OTHER LAWS REGULATING THE  
13 PRACTICE OF NURSING MAY RESULT IN INJURY OR HARM TO THE PUBLIC.

14 3. THE EXPANDED MOBILITY OF ADVANCED PRACTICE REGISTERED NURSES AND  
15 THE USE OF ADVANCED COMMUNICATION AND INTERVENTION TECHNOLOGIES AS PART OF  
16 OUR NATION'S HEALTH CARE DELIVERY SYSTEM REQUIRE GREATER COORDINATION AND  
17 COOPERATION AMONG STATES IN THE AREAS OF APRN LICENSURE AND REGULATION.

18 4. NEW PRACTICE MODALITIES AND TECHNOLOGY MAKE COMPLIANCE WITH  
19 INDIVIDUAL STATE APRN LICENSURE LAWS DIFFICULT AND COMPLEX.

20 5. THE CURRENT SYSTEM OF DUPLICATIVE APRN LICENSURE FOR ADVANCED  
21 PRACTICE REGISTERED NURSES PRACTICING IN MULTIPLE STATES IS CUMBERSOME AND  
22 REDUNDANT FOR HEALTH CARE DELIVERY SYSTEMS, PAYORS, STATE LICENSING  
23 BOARDS, REGULATORS AND ADVANCED PRACTICE REGISTERED NURSES.

24 6. UNIFORMITY OF APRN LICENSURE REQUIREMENTS THROUGHOUT THE STATES  
25 PROMOTES PUBLIC SAFETY AND PUBLIC HEALTH BENEFITS AS WELL AS PROVIDING A  
26 MECHANISM TO INCREASE ACCESS TO CARE.

27 B. THE GENERAL PURPOSES OF THIS COMPACT ARE TO:

28 1. FACILITATE THE STATES' RESPONSIBILITY TO PROTECT THE PUBLIC'S  
29 HEALTH AND SAFETY.

30 2. ENSURE AND ENCOURAGE THE COOPERATION OF PARTY STATES IN THE  
31 AREAS OF APRN LICENSURE AND REGULATION, INCLUDING PROMOTION OF UNIFORM  
32 LICENSURE REQUIREMENTS.

33 3. FACILITATE THE EXCHANGE OF INFORMATION BETWEEN PARTY STATES IN  
34 THE AREAS OF APRN REGULATION, INVESTIGATION AND ADVERSE ACTIONS.

35 4. PROMOTE COMPLIANCE WITH THE LAWS GOVERNING APRN PRACTICE IN EACH  
36 JURISDICTION.

37 5. INVEST ALL PARTY STATES WITH THE AUTHORITY TO HOLD AN APRN  
38 ACCOUNTABLE FOR MEETING ALL STATE PRACTICE LAWS IN THE STATE IN WHICH THE  
39 PATIENT IS LOCATED AT THE TIME CARE IS RENDERED THROUGH THE MUTUAL  
40 RECOGNITION OF PARTY STATE PRIVILEGES TO PRACTICE.

41 6. DECREASE REDUNDANCIES IN THE CONSIDERATION AND ISSUANCE OF APRN  
42 LICENSES.

43 7. PROVIDE OPPORTUNITIES FOR INTERSTATE PRACTICE BY ADVANCED  
44 PRACTICE REGISTERED NURSES WHO MEET UNIFORM LICENSURE REQUIREMENTS.

ARTICLE II  
DEFINITIONS

AS USED IN THIS COMPACT:

1. "ADVANCED PRACTICE REGISTERED NURSE" OR "APRN" MEANS A REGISTERED NURSE WHO HAS GAINED ADDITIONAL SPECIALIZED KNOWLEDGE, SKILLS AND EXPERIENCE THROUGH A PROGRAM OF STUDY RECOGNIZED OR DEFINED BY THE COMMISSION AND WHO IS LICENSED TO PERFORM ADVANCED NURSING PRACTICE. AN ADVANCED PRACTICE REGISTERED NURSE IS LICENSED IN AN APRN ROLE THAT IS CONGRUENT WITH AN APRN EDUCATIONAL PROGRAM, CERTIFICATION AND COMMISSION RULES.

2. "ADVERSE ACTION" MEANS ANY ADMINISTRATIVE, CIVIL, EQUITABLE OR CRIMINAL ACTION ALLOWED BY A STATE'S LAWS THAT IS IMPOSED BY A LICENSING BOARD OR OTHER AUTHORITY AGAINST AN APRN, INCLUDING ACTIONS AGAINST AN INDIVIDUAL'S LICENSE OR MULTISTATE LICENSURE PRIVILEGE SUCH AS REVOCATION, SUSPENSION, PROBATION, MONITORING OF THE LICENSEE, LIMIT ON THE LICENSEE'S PRACTICE, OR ANY OTHER ENCUMBRANCE ON LICENSURE AFFECTING AN APRN'S AUTHORIZATION TO PRACTICE, INCLUDING THE ISSUANCE OF A CEASE AND DESIST ACTION.

3. "ALTERNATIVE PROGRAM" MEANS A NONDISCIPLINARY MONITORING PROGRAM APPROVED BY A LICENSING BOARD.

4. "APRN LICENSURE" MEANS THE REGULATORY MECHANISM USED BY A PARTY STATE TO GRANT LEGAL AUTHORITY TO PRACTICE AS AN APRN.

5. "APRN UNIFORM LICENSURE REQUIREMENTS" MEANS THE MINIMUM UNIFORM LICENSURE, EDUCATION AND EXAMINATION REQUIREMENTS SET FORTH IN ARTICLE III, SUBSECTION B OF THIS COMPACT.

6. "COMMISSION" MEANS THE INTERSTATE COMMISSION OF APRN COMPACT ADMINISTRATORS.

7. "COORDINATED LICENSURE INFORMATION SYSTEM" MEANS AN INTEGRATED PROCESS FOR COLLECTING, STORING AND SHARING INFORMATION ON APRN LICENSURE AND ENFORCEMENT ACTIVITIES RELATED TO APRN LICENSURE LAWS THAT IS ADMINISTERED BY A NONPROFIT ORGANIZATION COMPOSED OF AND CONTROLLED BY LICENSING BOARDS.

8. "CURRENT SIGNIFICANT INVESTIGATORY INFORMATION" MEANS EITHER:

(a) INVESTIGATIVE INFORMATION THAT A LICENSING BOARD, AFTER A PRELIMINARY INQUIRY THAT INCLUDES NOTIFICATION AND AN OPPORTUNITY FOR THE APRN TO RESPOND, IF REQUIRED BY STATE LAW, HAS REASON TO BELIEVE IS NOT GROUNDLESS AND THAT, IF PROVED TRUE, WOULD INDICATE MORE THAN A MINOR INFRACTION.

(b) INVESTIGATIVE INFORMATION THAT INDICATES THAT THE APRN REPRESENTS AN IMMEDIATE THREAT TO PUBLIC HEALTH AND SAFETY REGARDLESS OF WHETHER THE APRN HAS BEEN NOTIFIED AND HAD AN OPPORTUNITY TO RESPOND.

9. "ENCUMBRANCE" MEANS A REVOCATION OR SUSPENSION OF, OR ANY LIMIT ON, THE FULL AND UNRESTRICTED PRACTICE OF NURSING IMPOSED BY A LICENSING BOARD IN CONNECTION WITH A DISCIPLINARY PROCEEDING.

- 1           10. "HOME STATE" MEANS THE PARTY STATE THAT IS THE APRN'S PRIMARY  
2 STATE OF RESIDENCE.
- 3           11. "LICENSING BOARD" MEANS A PARTY STATE'S REGULATORY BODY THAT IS  
4 RESPONSIBLE FOR REGULATING THE PRACTICE OF ADVANCED PRACTICE REGISTERED  
5 NURSING.
- 6           12. "MULTISTATE LICENSE" MEANS AN APRN LICENSE TO PRACTICE AS AN  
7 APRN ISSUED BY A HOME STATE LICENSING BOARD THAT AUTHORIZES THE APRN TO  
8 PRACTICE AS AN APRN IN ALL PARTY STATES UNDER A MULTISTATE LICENSURE  
9 PRIVILEGE, IN THE SAME ROLE AND POPULATION FOCUS AS THE APRN IS LICENSED  
10 IN THE HOME STATE.
- 11           13. "MULTISTATE LICENSURE PRIVILEGE" MEANS A LEGAL AUTHORIZATION  
12 ASSOCIATED WITH AN APRN MULTISTATE LICENSE THAT ALLOWS AN APRN TO PRACTICE  
13 AS AN APRN IN A REMOTE STATE, IN THE SAME ROLE AND POPULATION FOCUS AS THE  
14 APRN IS LICENSED IN THE HOME STATE.
- 15           14. "NONCONTROLLED PRESCRIPTION DRUG":  
16           (a) MEANS A DEVICE OR DRUG THAT IS NOT A CONTROLLED SUBSTANCE AND  
17 THAT IS PROHIBITED UNDER STATE OR FEDERAL LAW FROM BEING DISPENSED WITHOUT  
18 A PRESCRIPTION.
- 19           (b) INCLUDES A DEVICE OR DRUG THAT BEARS OR IS REQUIRED TO BEAR THE  
20 LEGEND "CAUTION: FEDERAL LAW PROHIBITS DISPENSING WITHOUT PRESCRIPTION" OR  
21 "PRESCRIPTION ONLY" OR ANOTHER LEGEND THAT COMPLIES WITH FEDERAL LAW.
- 22           15. "PARTY STATE" MEANS ANY STATE THAT HAS ADOPTED THIS COMPACT.
- 23           16. "POPULATION FOCUS" MEANS ONE OF THE FOLLOWING SIX POPULATION  
24 FOCI:
- 25           (a) FAMILY/INDIVIDUAL ACROSS THE LIFESPAN.  
26           (b) ADULT-GERONTOLOGY.  
27           (c) PEDIATRICS.  
28           (d) NEONATAL.  
29           (e) WOMEN'S HEALTH/GENDER-RELATED.  
30           (f) PSYCH/MENTAL HEALTH.
- 31           17. "PRESCRIPTIVE AUTHORITY" MEANS THE LEGAL AUTHORITY TO PRESCRIBE  
32 MEDICATIONS AND DEVICES AS DEFINED BY PARTY STATE LAWS.
- 33           18. "REMOTE STATE" MEANS A PARTY STATE THAT IS NOT THE HOME STATE.
- 34           19. "ROLE" MEANS ONE OF THE FOLLOWING FOUR RECOGNIZED ROLES:  
35           (a) CERTIFIED REGISTERED NURSE ANESTHETISTS.  
36           (b) CERTIFIED NURSE MIDWIVES.  
37           (c) CLINICAL NURSE SPECIALISTS.  
38           (d) CERTIFIED NURSE PRACTITIONERS (CNP).
- 39           20. "SINGLE-STATE LICENSE" MEANS AN APRN LICENSE ISSUED BY A PARTY  
40 STATE THAT AUTHORIZES PRACTICE ONLY WITHIN THE ISSUING STATE AND DOES NOT  
41 INCLUDE A MULTISTATE LICENSURE PRIVILEGE TO PRACTICE IN ANY OTHER PARTY  
42 STATE.
- 43           21. "STATE" MEANS A STATE, TERRITORY OR POSSESSION OF THE UNITED  
44 STATES AND THE DISTRICT OF COLUMBIA.

1           22. "STATE PRACTICE LAWS":

2           (a) MEANS A PARTY STATE'S LAWS, RULES AND REGULATIONS THAT GOVERN  
3 APRN PRACTICE, DEFINE THE SCOPE OF ADVANCED NURSING PRACTICE AND CREATE  
4 THE METHODS AND GROUNDS FOR IMPOSING DISCIPLINE, EXCEPT THAT PRESCRIPTIVE  
5 AUTHORITY SHALL BE TREATED IN ACCORDANCE WITH ARTICLE III, SUBSECTIONS F  
6 AND G OF THIS COMPACT.

7           (b) DOES NOT INCLUDE:

8           (i) A PARTY STATE'S LAWS, RULES AND REGULATIONS REQUIRING  
9 SUPERVISION OR COLLABORATION WITH A HEALTH CARE PROFESSIONAL, EXCEPT FOR  
10 LAWS, RULES AND REGULATIONS REGARDING PRESCRIBING CONTROLLED SUBSTANCES.

11           (ii) THE REQUIREMENTS NECESSARY TO OBTAIN AND RETAIN AN APRN  
12 LICENSE, EXCEPT FOR QUALIFICATIONS OR REQUIREMENTS OF THE HOME STATE.

13                                   ARTICLE III

14                                   GENERAL PROVISIONS AND JURISDICTION

15           A. A STATE MUST IMPLEMENT PROCEDURES FOR CONSIDERING THE CRIMINAL  
16 HISTORY RECORDS OF APPLICANTS FOR INITIAL APRN LICENSURE OR APRN LICENSURE  
17 BY ENDORSEMENT. SUCH PROCEDURES SHALL INCLUDE THE SUBMISSION OF  
18 FINGERPRINTS OR OTHER BIOMETRIC-BASED INFORMATION BY APRN APPLICANTS FOR  
19 THE PURPOSE OF OBTAINING AN APPLICANT'S CRIMINAL HISTORY RECORD  
20 INFORMATION FROM THE FEDERAL BUREAU OF INVESTIGATION AND THE AGENCY  
21 RESPONSIBLE FOR RETAINING THAT STATE'S CRIMINAL RECORDS.

22           B. EACH PARTY STATE SHALL REQUIRE AN APPLICANT TO SATISFY THE  
23 FOLLOWING APRN UNIFORM LICENSURE REQUIREMENTS TO OBTAIN OR RETAIN A  
24 MULTISTATE LICENSE IN THE HOME STATE:

25           1. MEETS THE HOME STATE'S QUALIFICATIONS FOR LICENSURE OR RENEWAL  
26 OF LICENSURE, AS WELL AS ALL OTHER APPLICABLE STATE LAWS.

27           2. HAS COMPLETED EITHER:

28           (a) AN ACCREDITED GRADUATE-LEVEL EDUCATION PROGRAM THAT PREPARES  
29 THE APPLICANT FOR ONE OF THE FOUR RECOGNIZED ROLES AND ONE OF THE SIX  
30 POPULATION FOCI.

31           (b) A FOREIGN APRN EDUCATION PROGRAM FOR ONE OF THE FOUR RECOGNIZED  
32 ROLES AND ONE OF THE SIX POPULATION FOCI THAT HAS BEEN APPROVED BY THE  
33 AUTHORIZED ACCREDITING BODY IN THE APPLICABLE COUNTRY AND HAS BEEN  
34 VERIFIED BY AN INDEPENDENT CREDENTIALS REVIEW AGENCY TO BE COMPARABLE TO A  
35 LICENSING BOARD-APPROVED APRN EDUCATION PROGRAM.

36           3. IF A GRADUATE OF A FOREIGN APRN EDUCATION PROGRAM NOT TAUGHT IN  
37 ENGLISH OR IF ENGLISH IS NOT THE INDIVIDUAL'S NATIVE LANGUAGE, HAS  
38 SUCCESSFULLY PASSED AN ENGLISH PROFICIENCY EXAMINATION THAT INCLUDES THE  
39 COMPONENTS OF READING, SPEAKING, WRITING AND LISTENING.

40           4. HAS SUCCESSFULLY PASSED A NATIONAL CERTIFICATION EXAMINATION  
41 THAT MEASURES APRN, ROLE AND POPULATION-FOCUSED COMPETENCIES AND MAINTAINS  
42 CONTINUED COMPETENCE AS EVIDENCED BY RECERTIFICATION IN THE ROLE AND  
43 POPULATION FOCUS THROUGH THE NATIONAL CERTIFICATION PROGRAM.

1           5. HOLDS AN ACTIVE, UNENCUMBERED LICENSE AS A REGISTERED NURSE AND  
2 AN ACTIVE, UNENCUMBERED AUTHORIZATION TO PRACTICE AS AN APRN.

3           6. HAS SUCCESSFULLY PASSED AN NCLEX-RN® EXAMINATION OR RECOGNIZED  
4 PREDECESSOR, AS APPLICABLE.

5           7. HAS PRACTICED FOR AT LEAST TWO THOUSAND EIGHTY HOURS AS AN APRN  
6 IN A ROLE AND POPULATION FOCUS CONGRUENT WITH THE APPLICANT'S EDUCATION  
7 AND TRAINING. FOR THE PURPOSES OF THIS PARAGRAPH, PRACTICE DOES NOT  
8 INCLUDE HOURS OBTAINED AS PART OF ENROLLMENT IN AN APRN EDUCATION PROGRAM.

9           8. HAS SUBMITTED, IN CONNECTION WITH AN APPLICATION FOR INITIAL  
10 LICENSURE OR LICENSURE BY ENDORSEMENT, FINGERPRINTS OR OTHER BIOMETRIC  
11 DATA FOR THE PURPOSE OF OBTAINING CRIMINAL HISTORY RECORD INFORMATION FROM  
12 THE FEDERAL BUREAU OF INVESTIGATION AND THE AGENCY RESPONSIBLE FOR  
13 RETAINING THAT STATE OR, IF APPLICABLE, FOREIGN COUNTRY'S CRIMINAL  
14 RECORDS.

15           9. HAS NOT BEEN CONVICTED OR FOUND GUILTY, OR HAS ENTERED INTO AN  
16 AGREED DISPOSITION, OF A FELONY OFFENSE UNDER APPLICABLE STATE, FEDERAL OR  
17 FOREIGN CRIMINAL LAW.

18           10. HAS NOT BEEN CONVICTED OR FOUND GUILTY, OR HAS ENTERED INTO AN  
19 AGREED DISPOSITION, OF A MISDEMEANOR OFFENSE RELATED TO THE PRACTICE OF  
20 NURSING AS DETERMINED BY FACTORS SET FORTH IN RULES ADOPTED BY THE  
21 COMMISSION.

22           11. IS NOT CURRENTLY ENROLLED IN AN ALTERNATIVE PROGRAM.

23           12. IS SUBJECT TO SELF-DISCLOSURE REQUIREMENTS REGARDING CURRENT  
24 PARTICIPATION IN AN ALTERNATIVE PROGRAM.

25           13. HAS A VALID UNITED STATES SOCIAL SECURITY NUMBER.

26           C. AN APRN WHO IS ISSUED A MULTISTATE LICENSE SHALL BE LICENSED IN  
27 AN APPROVED ROLE AND AT LEAST ONE APPROVED POPULATION FOCUS.

28           D. AN APRN MULTISTATE LICENSE ISSUED BY A HOME STATE TO A RESIDENT  
29 IN THAT STATE SHALL BE RECOGNIZED BY EACH PARTY STATE AS AUTHORIZING THE  
30 APRN TO PRACTICE AS AN APRN IN EACH PARTY STATE, UNDER A MULTISTATE  
31 LICENSURE PRIVILEGE, IN THE SAME ROLE AND POPULATION FOCUS AS THE APRN IS  
32 LICENSED IN THE HOME STATE.

33           E. THIS COMPACT DOES NOT AFFECT THE REQUIREMENTS ESTABLISHED BY A  
34 PARTY STATE FOR THE ISSUANCE OF A SINGLE-STATE LICENSE, EXCEPT THAT AN  
35 INDIVIDUAL MAY APPLY FOR A SINGLE-STATE LICENSE, INSTEAD OF A MULTISTATE  
36 LICENSE, EVEN IF OTHERWISE QUALIFIED FOR THE MULTISTATE LICENSE. THE  
37 FAILURE OF SUCH AN INDIVIDUAL TO AFFIRMATIVELY OPT FOR A SINGLE-STATE  
38 LICENSE MAY RESULT IN THE ISSUANCE OF A MULTISTATE LICENSE.

39           F. ISSUANCE OF AN APRN MULTISTATE LICENSE SHALL INCLUDE  
40 PRESCRIPTIVE AUTHORITY FOR NONCONTROLLED PRESCRIPTION DRUGS.

41           G. FOR EACH STATE IN WHICH AN APRN SEEKS AUTHORITY TO PRESCRIBE  
42 CONTROLLED SUBSTANCES, THE APRN SHALL SATISFY ALL REQUIREMENTS IMPOSED BY  
43 THAT STATE IN GRANTING OR RENEWING SUCH AUTHORITY.

1 H. AN APRN WHO IS ISSUED A MULTISTATE LICENSE IS AUTHORIZED TO  
2 ASSUME RESPONSIBILITY AND ACCOUNTABILITY FOR PATIENT CARE INDEPENDENT OF  
3 ANY SUPERVISORY OR COLLABORATIVE RELATIONSHIP. THIS AUTHORITY MAY BE  
4 EXERCISED IN THE HOME STATE AND IN ANY REMOTE STATE IN WHICH THE APRN  
5 EXERCISES A MULTISTATE LICENSURE PRIVILEGE.

6 I. ALL PARTY STATES SHALL BE AUTHORIZED, IN ACCORDANCE WITH STATE  
7 DUE PROCESS LAWS, TO TAKE ADVERSE ACTION AGAINST AN APRN'S MULTISTATE  
8 LICENSURE PRIVILEGE SUCH AS REVOCATION, SUSPENSION, PROBATION OR ANY OTHER  
9 ACTION THAT AFFECTS AN APRN'S AUTHORIZATION TO PRACTICE UNDER A MULTISTATE  
10 LICENSURE PRIVILEGE, INCLUDING CEASE AND DESIST ACTIONS. IF A PARTY STATE  
11 TAKES AN ADVERSE ACTION, IT SHALL PROMPTLY NOTIFY THE ADMINISTRATOR OF THE  
12 COORDINATED LICENSURE INFORMATION SYSTEM. THE ADMINISTRATOR OF THE  
13 COORDINATED LICENSURE INFORMATION SYSTEM SHALL PROMPTLY NOTIFY THE HOME  
14 STATE OF ANY SUCH ACTIONS BY REMOTE STATES.

15 J. EXCEPT AS OTHERWISE EXPRESSLY PROVIDED IN THIS COMPACT, AN APRN  
16 WHO IS PRACTICING IN A PARTY STATE MUST COMPLY WITH THE STATE PRACTICE  
17 LAWS OF THE STATE IN WHICH THE CLIENT IS LOCATED AT THE TIME SERVICE IS  
18 PROVIDED. APRN PRACTICE IS NOT LIMITED TO PATIENT CARE, BUT SHALL INCLUDE  
19 ALL ADVANCED NURSING PRACTICE AS DEFINED BY THE STATE PRACTICE LAWS OF THE  
20 PARTY STATE IN WHICH THE CLIENT IS LOCATED. APRN PRACTICE IN A PARTY  
21 STATE UNDER A MULTISTATE LICENSURE PRIVILEGE WILL SUBJECT THE APRN TO THE  
22 JURISDICTION OF THE LICENSING BOARD, THE COURTS AND THE LAWS OF THE PARTY  
23 STATE IN WHICH THE CLIENT IS LOCATED AT THE TIME SERVICE IS PROVIDED.

24 K. EXCEPT AS OTHERWISE EXPRESSLY PROVIDED IN THIS COMPACT, THIS  
25 COMPACT DOES NOT AFFECT ADDITIONAL REQUIREMENTS IMPOSED BY STATES FOR  
26 ADVANCED PRACTICE REGISTERED NURSING. HOWEVER, A MULTISTATE LICENSURE  
27 PRIVILEGE TO PRACTICE REGISTERED NURSING GRANTED BY A PARTY STATE SHALL BE  
28 RECOGNIZED BY OTHER PARTY STATES AS SATISFYING ANY STATE LAW REQUIREMENT  
29 FOR REGISTERED NURSE LICENSURE AS A PRECONDITION FOR AUTHORIZATION TO  
30 PRACTICE AS AN APRN IN THAT STATE.

31 L. INDIVIDUALS WHO DO NOT RESIDE IN A PARTY STATE SHALL CONTINUE TO  
32 BE ABLE TO APPLY FOR A PARTY STATE'S SINGLE-STATE APRN LICENSE AS PROVIDED  
33 UNDER THE LAWS OF EACH PARTY STATE. HOWEVER, THE SINGLE-STATE LICENSE  
34 GRANTED TO THESE INDIVIDUALS WILL NOT BE RECOGNIZED AS GRANTING THE  
35 PRIVILEGE TO PRACTICE AS AN APRN IN ANY OTHER PARTY STATE.

36 ARTICLE IV

37 APPLICATIONS FOR APRN LICENSURE IN A PARTY STATE

38 A. ON APPLICATION FOR AN APRN MULTISTATE LICENSE, THE LICENSING  
39 BOARD IN THE ISSUING PARTY STATE SHALL ASCERTAIN, THROUGH THE COORDINATED  
40 LICENSURE INFORMATION SYSTEM, WHETHER THE APPLICANT HAS EVER HELD OR IS  
41 THE HOLDER OF A LICENSED PRACTICAL OR VOCATIONAL NURSING LICENSE, A  
42 REGISTERED NURSING LICENSE OR AN ADVANCED PRACTICE REGISTERED NURSE  
43 LICENSE ISSUED BY ANY OTHER STATE, WHETHER THERE ARE ANY ENCUMBRANCES ON  
44 ANY LICENSE OR MULTISTATE LICENSURE PRIVILEGE HELD BY THE APPLICANT,  
45 WHETHER ANY ADVERSE ACTION HAS BEEN TAKEN AGAINST ANY LICENSE OR

1 MULTISTATE LICENSURE PRIVILEGE HELD BY THE APPLICANT AND WHETHER THE  
2 APPLICANT IS CURRENTLY PARTICIPATING IN AN ALTERNATIVE PROGRAM.

3 B. AN APRN MAY HOLD A MULTISTATE APRN LICENSE ISSUED BY THE HOME  
4 STATE IN ONLY ONE PARTY STATE AT A TIME.

5 C. IF AN APRN CHANGES PRIMARY STATE OF RESIDENCE BY MOVING BETWEEN  
6 TWO PARTY STATES, THE APRN MUST APPLY FOR APRN LICENSURE IN THE NEW HOME  
7 STATE, AND THE MULTISTATE LICENSE ISSUED BY THE PRIOR HOME STATE SHALL BE  
8 DEACTIVATED IN ACCORDANCE WITH APPLICABLE COMMISSION RULES, AS FOLLOWS:

9 1. THE APRN MAY APPLY FOR LICENSURE IN ADVANCE OF A CHANGE IN  
10 PRIMARY STATE OF RESIDENCE.

11 2. A MULTISTATE APRN LICENSE SHALL NOT BE ISSUED BY THE NEW HOME  
12 STATE UNTIL THE APRN PROVIDES SATISFACTORY EVIDENCE OF A CHANGE IN PRIMARY  
13 STATE OF RESIDENCE TO THE NEW HOME STATE AND SATISFIES ALL APPLICABLE  
14 REQUIREMENTS TO OBTAIN A MULTISTATE APRN LICENSE FROM THE NEW HOME STATE.

15 D. IF AN APRN CHANGES PRIMARY STATE OF RESIDENCE BY MOVING FROM A  
16 PARTY STATE TO A NONPARTY STATE, THE APRN MULTISTATE LICENSE ISSUED BY THE  
17 PRIOR HOME STATE WILL CONVERT TO A SINGLE-STATE LICENSE, VALID ONLY IN THE  
18 FORMER HOME STATE.

19 ARTICLE V  
20 ADDITIONAL AUTHORITIES INVESTED IN  
21 PARTY STATE LICENSING BOARDS

22 A. IN ADDITION TO THE OTHER POWERS CONFERRED BY STATE LAW, A  
23 LICENSING BOARD SHALL HAVE THE AUTHORITY TO:

24 1. TAKE ADVERSE ACTION AGAINST AN APRN'S MULTISTATE LICENSURE  
25 PRIVILEGE TO PRACTICE WITHIN THAT PARTY STATE, SUBJECT TO THE FOLLOWING:

26 (a) ONLY THE HOME STATE SHALL HAVE POWER TO TAKE ADVERSE ACTION  
27 AGAINST AN APRN'S LICENSE ISSUED BY THE HOME STATE.

28 (b) FOR PURPOSES OF TAKING ADVERSE ACTION, THE HOME STATE LICENSING  
29 BOARD SHALL GIVE THE SAME PRIORITY AND EFFECT TO REPORTED CONDUCT THAT  
30 OCCURRED OUTSIDE OF THE HOME STATE AS IT WOULD IF SUCH CONDUCT HAD  
31 OCCURRED WITHIN THE HOME STATE. IN SO DOING, THE HOME STATE SHALL APPLY  
32 ITS OWN STATE LAWS TO DETERMINE APPROPRIATE ACTION.

33 2. ISSUE CEASE AND DESIST ORDERS OR IMPOSE AN ENCUMBRANCE ON AN  
34 APRN'S AUTHORITY TO PRACTICE WITHIN THAT PARTY STATE.

35 3. COMPLETE ANY PENDING INVESTIGATIONS OF AN APRN WHO CHANGES  
36 PRIMARY STATE OF RESIDENCE DURING THE COURSE OF SUCH INVESTIGATIONS. THE  
37 LICENSING BOARD SHALL ALSO HAVE THE AUTHORITY TO TAKE APPROPRIATE ACTION  
38 AND SHALL PROMPTLY REPORT THE CONCLUSIONS OF SUCH INVESTIGATIONS TO THE  
39 ADMINISTRATOR OF THE COORDINATED LICENSURE INFORMATION SYSTEM. THE  
40 ADMINISTRATOR OF THE COORDINATED LICENSURE INFORMATION SYSTEM SHALL  
41 PROMPTLY NOTIFY THE NEW HOME STATE OF ANY SUCH ACTIONS.

42 4. ISSUE SUBPOENAS FOR BOTH HEARINGS AND INVESTIGATIONS THAT  
43 REQUIRE THE ATTENDANCE AND TESTIMONY OF WITNESSES AND THE PRODUCTION OF  
44 EVIDENCE. SUBPOENAS ISSUED BY A PARTY STATE LICENSING BOARD FOR THE  
45 ATTENDANCE AND TESTIMONY OF WITNESSES AND THE PRODUCTION OF EVIDENCE FROM



1 ANOTHER PARTY STATE SHALL BE ENFORCED IN THE LATTER STATE BY ANY COURT OF  
2 COMPETENT JURISDICTION, ACCORDING TO THAT COURT'S PRACTICE AND PROCEDURE  
3 IN CONSIDERING SUBPOENAS ISSUED IN ITS OWN PROCEEDINGS. THE ISSUING  
4 LICENSING BOARD SHALL PAY ANY WITNESS FEES, TRAVEL EXPENSES, MILEAGE AND  
5 OTHER FEES REQUIRED BY THE SERVICE STATUTES OF THE STATE IN WHICH THE  
6 WITNESSES AND EVIDENCE ARE LOCATED.

7 5. OBTAIN AND SUBMIT, FOR AN APRN LICENSURE APPLICANT, FINGERPRINTS  
8 OR OTHER BIOMETRIC-BASED INFORMATION TO THE FEDERAL BUREAU OF  
9 INVESTIGATION FOR CRIMINAL BACKGROUND CHECKS, RECEIVE THE RESULTS OF THE  
10 FEDERAL BUREAU OF INVESTIGATION RECORD SEARCH ON CRIMINAL BACKGROUND  
11 CHECKS AND USE THE RESULTS IN MAKING LICENSURE DECISIONS.

12 6. IF OTHERWISE ALLOWED BY STATE LAW, RECOVER FROM THE AFFECTED  
13 APRN THE COSTS OF INVESTIGATIONS AND DISPOSITION OF CASES RESULTING FROM  
14 ANY ADVERSE ACTION TAKEN AGAINST THAT APRN.

15 7. TAKE ADVERSE ACTION BASED ON THE FACTUAL FINDINGS OF ANOTHER  
16 PARTY STATE, PROVIDED THAT THE LICENSING BOARD FOLLOWS ITS OWN PROCEDURES  
17 FOR TAKING SUCH ADVERSE ACTION.

18 B. IF ADVERSE ACTION IS TAKEN BY A HOME STATE AGAINST AN APRN'S  
19 MULTISTATE LICENSURE, THE PRIVILEGE TO PRACTICE IN ALL OTHER PARTY STATES  
20 UNDER A MULTISTATE LICENSURE PRIVILEGE SHALL BE DEACTIVATED UNTIL ALL  
21 ENCUMBRANCES HAVE BEEN REMOVED FROM THE APRN'S MULTISTATE LICENSE. ALL  
22 HOME STATE DISCIPLINARY ORDERS THAT IMPOSE ADVERSE ACTION AGAINST AN  
23 APRN'S MULTISTATE LICENSE SHALL INCLUDE A STATEMENT THAT THE APRN'S  
24 MULTISTATE LICENSURE PRIVILEGE IS DEACTIVATED IN ALL PARTY STATES DURING  
25 THE PENDENCY OF THE ORDER.

26 C. THIS COMPACT DOES NOT OVERRIDE A PARTY STATE'S DECISION THAT  
27 PARTICIPATION IN AN ALTERNATIVE PROGRAM MAY BE USED IN LIEU OF ADVERSE  
28 ACTION. THE HOME STATE LICENSING BOARD SHALL DEACTIVATE THE MULTISTATE  
29 LICENSURE PRIVILEGE UNDER THE MULTISTATE LICENSE OF ANY APRN FOR THE  
30 DURATION OF THE APRN'S PARTICIPATION IN AN ALTERNATIVE PROGRAM.

31 ARTICLE VI

32 COORDINATED LICENSURE INFORMATION SYSTEM  
33 AND EXCHANGE OF INFORMATION

34 A. ALL PARTY STATES SHALL PARTICIPATE IN A COORDINATED LICENSURE  
35 INFORMATION SYSTEM OF ALL APRNS, LICENSED REGISTERED NURSES AND LICENSED  
36 PRACTICAL OR VOCATIONAL NURSES. THIS SYSTEM SHALL INCLUDE INFORMATION ON  
37 THE LICENSURE AND DISCIPLINARY HISTORY OF EACH APRN, AS SUBMITTED BY PARTY  
38 STATES, TO ASSIST IN THE COORDINATED ADMINISTRATION OF APRN LICENSURE AND  
39 ENFORCEMENT EFFORTS.

40 B. THE COMMISSION, IN CONSULTATION WITH THE ADMINISTRATOR OF THE  
41 COORDINATED LICENSURE INFORMATION SYSTEM, SHALL FORMULATE NECESSARY AND  
42 PROPER PROCEDURES FOR THE IDENTIFICATION, COLLECTION AND EXCHANGE OF  
43 INFORMATION UNDER THIS COMPACT.

1 C. ALL LICENSING BOARDS SHALL PROMPTLY REPORT TO THE COORDINATED  
2 LICENSURE INFORMATION SYSTEM ANY ADVERSE ACTION, ANY CURRENT SIGNIFICANT  
3 INVESTIGATIVE INFORMATION, DENIALS OF APPLICATIONS WITH THE REASONS FOR  
4 SUCH DENIALS AND APRN PARTICIPATION IN ALTERNATIVE PROGRAMS KNOWN TO THE  
5 LICENSING BOARD REGARDLESS OF WHETHER SUCH PARTICIPATION IS DEEMED  
6 NONPUBLIC OR CONFIDENTIAL UNDER STATE LAW.

7 D. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ALL PARTY STATE  
8 LICENSING BOARDS CONTRIBUTING INFORMATION TO THE COORDINATED LICENSURE  
9 INFORMATION SYSTEM MAY DESIGNATE INFORMATION THAT MAY NOT BE SHARED WITH  
10 NONPARTY STATES OR DISCLOSED TO OTHER ENTITIES OR INDIVIDUALS WITHOUT THE  
11 EXPRESS PERMISSION OF THE CONTRIBUTING STATE.

12 E. ANY PERSONALLY IDENTIFIABLE INFORMATION OBTAINED FROM THE  
13 COORDINATED LICENSURE INFORMATION SYSTEM BY A PARTY STATE LICENSING BOARD  
14 SHALL NOT BE SHARED WITH NONPARTY STATES OR DISCLOSED TO OTHER ENTITIES OR  
15 INDIVIDUALS EXCEPT TO THE EXTENT ALLOWED BY THE LAWS OF THE PARTY STATE  
16 CONTRIBUTING THE INFORMATION.

17 F. ANY INFORMATION CONTRIBUTED TO THE COORDINATED LICENSURE  
18 INFORMATION SYSTEM THAT IS SUBSEQUENTLY REQUIRED TO BE EXPUNGED BY THE  
19 LAWS OF THE PARTY STATE CONTRIBUTING THE INFORMATION SHALL BE REMOVED FROM  
20 THE COORDINATED LICENSURE INFORMATION SYSTEM.

21 G. THE COMPACT ADMINISTRATOR OF EACH PARTY STATE SHALL FURNISH A  
22 UNIFORM DATA SET TO THE COMPACT ADMINISTRATOR OF EACH OTHER PARTY STATE  
23 THAT INCLUDES, AT A MINIMUM:

- 24 1. IDENTIFYING INFORMATION.
- 25 2. LICENSURE DATA.
- 26 3. INFORMATION RELATED TO ALTERNATIVE PROGRAM PARTICIPATION.
- 27 4. OTHER INFORMATION THAT MAY FACILITATE THE ADMINISTRATION OF THIS  
28 COMPACT, AS DETERMINED BY COMMISSION RULES.

29 H. THE COMPACT ADMINISTRATOR OF A PARTY STATE SHALL PROVIDE ALL  
30 INVESTIGATIVE DOCUMENTS AND INFORMATION REQUESTED BY ANOTHER PARTY STATE.

31 ARTICLE VII

32 ESTABLISHMENT OF THE INTERSTATE COMMISSION OF  
33 APRN COMPACT ADMINISTRATORS

34 A. THE PARTY STATES HEREBY CREATE AND ESTABLISH A JOINT PUBLIC  
35 AGENCY KNOWN AS THE INTERSTATE COMMISSION OF APRN COMPACT ADMINISTRATORS.  
36 THE COMMISSION IS AN INSTRUMENTALITY OF THE PARTY STATES. VENUE IS  
37 PROPER, AND JUDICIAL PROCEEDINGS BY OR AGAINST THE COMMISSION SHALL BE  
38 BROUGHT SOLELY AND EXCLUSIVELY, IN A COURT OF COMPETENT JURISDICTION WHERE  
39 THE PRINCIPAL OFFICE OF THE COMMISSION IS LOCATED. THE COMMISSION MAY  
40 WAIVE VENUE AND JURISDICTIONAL DEFENSES TO THE EXTENT IT ADOPTS OR  
41 CONSENTS TO PARTICIPATE IN ALTERNATIVE DISPUTE RESOLUTION PROCEEDINGS.  
42 THIS COMPACT IS NOT A WAIVER OF SOVEREIGN IMMUNITY.

43 B. MEMBERSHIP, VOTING AND MEETINGS ARE AS FOLLOWS:

- 44 1. EACH PARTY STATE SHALL HAVE AND BE LIMITED TO ONE ADMINISTRATOR.  
45 THE HEAD OF THE STATE LICENSING BOARD OR THAT PERSON'S DESIGNEE SHALL BE

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

6 2. EACH ADMINISTRATOR IS ENTITLED TO ONE VOTE WITH REGARD TO THE  
7 PROMULGATION OF RULES AND CREATION OF BYLAWS AND SHALL OTHERWISE HAVE AN  
8 OPPORTUNITY TO PARTICIPATE IN THE BUSINESS AND AFFAIRS OF THE COMMISSION.  
9 AN ADMINISTRATOR SHALL VOTE IN PERSON OR BY SUCH OTHER MEANS AS PROVIDED  
10 IN THE BYLAWS. THE BYLAWS MAY PROVIDE FOR AN ADMINISTRATOR'S  
11 PARTICIPATION IN MEETINGS BY TELEPHONE OR OTHER MEANS OF COMMUNICATION.

12 3. THE COMMISSION SHALL MEET AT LEAST ONCE DURING EACH CALENDAR  
13 YEAR. ADDITIONAL MEETINGS SHALL BE HELD AS SET FORTH IN THE BYLAWS OR  
14 RULES OF THE COMMISSION.

15 4. ALL MEETINGS SHALL BE OPEN TO THE PUBLIC, AND PUBLIC NOTICE OF  
16 MEETINGS SHALL BE GIVEN IN THE SAME MANNER AS REQUIRED UNDER THE  
17 RULEMAKING PROVISIONS IN ARTICLE VIII OF THIS COMPACT.

18 5. THE COMMISSION MAY CONVENE IN A CLOSED, NONPUBLIC MEETING IF THE  
19 COMMISSION MUST DISCUSS ANY OF THE FOLLOWING:

20 (a) NONCOMPLIANCE OF A PARTY STATE WITH ITS OBLIGATIONS UNDER THIS  
21 COMPACT.

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

26 (c) CURRENT, THREATENED OR REASONABLY ANTICIPATED LITIGATION.

27 (d) NEGOTIATION OF CONTRACTS FOR THE PURCHASE OR SALE OF GOODS,  
28 SERVICES OR REAL ESTATE.

29 (e) ACCUSING ANY PERSON OF A CRIME OR FORMALLY CENSURING ANY  
30 PERSON.

31 (f) DISCLOSURE OF TRADE SECRETS OR COMMERCIAL OR FINANCIAL  
32 INFORMATION THAT IS PRIVILEGED OR CONFIDENTIAL.

33 (g) DISCLOSURE OF INFORMATION OF A PERSONAL NATURE WHERE DISCLOSURE  
34 WOULD CONSTITUTE A CLEARLY UNWARRANTED INVASION OF PERSONAL PRIVACY.

35 (h) DISCLOSURE OF INVESTIGATORY RECORDS COMPILED FOR LAW  
36 ENFORCEMENT PURPOSES.

37 (i) DISCLOSURE OF INFORMATION RELATED TO ANY REPORTS PREPARED BY OR  
38 ON BEHALF OF THE COMMISSION FOR THE PURPOSE OF INVESTIGATING COMPLIANCE  
39 WITH THIS COMPACT.

40 (j) MATTERS SPECIFICALLY EXEMPTED FROM DISCLOSURE BY FEDERAL OR  
41 STATE STATUTE.

42 6. IF A MEETING, OR PORTION OF A MEETING, IS CLOSED PURSUANT TO  
43 PARAGRAPH 5 OF THIS SUBSECTION, THE COMMISSION'S LEGAL COUNSEL OR DESIGNEE  
44 SHALL CERTIFY THAT THE MEETING MAY BE CLOSED AND SHALL REFERENCE EACH  
45 RELEVANT EXEMPTING PROVISION. THE COMMISSION SHALL KEEP MINUTES THAT

1 FULLY AND CLEARLY DESCRIBE ALL MATTERS DISCUSSED IN A MEETING AND SHALL  
2 PROVIDE A FULL AND ACCURATE SUMMARY OF ACTIONS TAKEN, AND THE REASONS  
3 THEREFOR, INCLUDING A DESCRIPTION OF THE VIEWS EXPRESSED. ALL DOCUMENTS  
4 CONSIDERED IN CONNECTION WITH AN ACTION SHALL BE IDENTIFIED IN THE  
5 MINUTES. ALL MINUTES AND DOCUMENTS OF A CLOSED MEETING SHALL REMAIN UNDER  
6 SEAL, SUBJECT TO RELEASE BY A MAJORITY VOTE OF THE COMMISSION OR ORDER OF  
7 A COURT OF COMPETENT JURISDICTION.

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

12 1. ESTABLISHING THE FISCAL YEAR OF THE COMMISSION.

13 2. PROVIDING REASONABLE STANDARDS AND PROCEDURES FOR BOTH:

14 (a) THE ESTABLISHMENT AND MEETINGS OF OTHER COMMITTEES.

15 (b) GOVERNING ANY GENERAL OR SPECIFIC DELEGATION OF ANY AUTHORITY  
16 OR FUNCTION OF THE COMMISSION.

17 3. PROVIDING REASONABLE PROCEDURES FOR CALLING AND CONDUCTING  
18 MEETINGS OF THE COMMISSION, ENSURING REASONABLE ADVANCE NOTICE OF ALL  
19 MEETINGS AND PROVIDING AN OPPORTUNITY FOR ATTENDANCE OF SUCH MEETINGS BY  
20 INTERESTED PARTIES, WITH ENUMERATED EXCEPTIONS DESIGNED TO PROTECT THE  
21 PUBLIC'S INTEREST, THE PRIVACY OF INDIVIDUALS AND PROPRIETARY INFORMATION,  
22 INCLUDING TRADE SECRETS. THE COMMISSION MAY MEET IN CLOSED SESSION ONLY  
23 AFTER A MAJORITY OF THE ADMINISTRATORS VOTE TO CLOSE A MEETING IN WHOLE OR  
24 IN PART. AS SOON AS PRACTICABLE, THE COMMISSION MUST MAKE PUBLIC A COPY  
25 OF THE VOTE TO CLOSE THE MEETING REVEALING THE VOTE OF EACH ADMINISTRATOR,  
26 WITH NO PROXY VOTES ALLOWED.

27 4. ESTABLISHING THE TITLES, DUTIES AND AUTHORITY AND REASONABLE  
28 PROCEDURES FOR ELECTING THE OFFICERS OF THE COMMISSION.

29 5. PROVIDING REASONABLE STANDARDS AND PROCEDURES FOR ESTABLISHING  
30 THE PERSONNEL POLICIES AND PROGRAMS OF THE COMMISSION. NOTWITHSTANDING  
31 ANY CIVIL SERVICE OR OTHER SIMILAR LAWS OF ANY PARTY STATE, THE BYLAWS  
32 SHALL EXCLUSIVELY GOVERN THE PERSONNEL POLICIES AND PROGRAMS OF THE  
33 COMMISSION.

34 6. PROVIDING A MECHANISM FOR WINDING UP THE OPERATIONS OF THE  
35 COMMISSION AND THE EQUITABLE DISPOSITION OF ANY SURPLUS MONIES THAT MAY  
36 EXIST AFTER THE TERMINATION OF THIS COMPACT AFTER THE PAYMENT AND  
37 RESERVING OF ALL OF ITS DEBTS AND OBLIGATIONS.

38 D. THE COMMISSION SHALL PUBLISH ITS BYLAWS AND RULES, AND ANY  
39 AMENDMENTS THERETO, IN A CONVENIENT FORM ON THE WEBSITE OF THE COMMISSION.

40 E. THE COMMISSION SHALL MAINTAIN ITS FINANCIAL RECORDS IN  
41 ACCORDANCE WITH THE BYLAWS.

42 F. THE COMMISSION SHALL MEET AND TAKE SUCH ACTIONS AS ARE  
43 CONSISTENT WITH THIS COMPACT AND THE BYLAWS.

1 G. THE COMMISSION SHALL HAVE THE FOLLOWING POWERS:

2 1. TO PROMULGATE UNIFORM RULES TO FACILITATE AND COORDINATE  
3 IMPLEMENTATION AND ADMINISTRATION OF THIS COMPACT. THE RULES SHALL HAVE  
4 THE FORCE AND EFFECT OF LAW AND SHALL BE BINDING IN ALL PARTY STATES.

5 2. TO BRING AND PROSECUTE LEGAL PROCEEDINGS OR ACTIONS IN THE NAME  
6 OF THE COMMISSION, PROVIDED THAT THE STANDING OF ANY LICENSING BOARD TO  
7 SUE OR BE SUED UNDER APPLICABLE LAW SHALL NOT BE AFFECTED.

8 3. TO PURCHASE AND MAINTAIN INSURANCE AND BONDS.

9 4. TO BORROW, ACCEPT OR CONTRACT FOR SERVICES OF PERSONNEL,  
10 INCLUDING EMPLOYEES OF A PARTY STATE OR NONPROFIT ORGANIZATIONS.

11 5. TO COOPERATE WITH OTHER ORGANIZATIONS THAT ADMINISTER STATE  
12 COMPACTS RELATED TO THE REGULATION OF NURSING, INCLUDING SHARING  
13 ADMINISTRATIVE OR STAFF EXPENSES, OFFICE SPACE OR OTHER RESOURCES.

14 6. TO HIRE EMPLOYEES, ELECT OR APPOINT OFFICERS, FIX COMPENSATION,  
15 DEFINE DUTIES, GRANT SUCH INDIVIDUALS APPROPRIATE AUTHORITY TO CARRY OUT  
16 THE PURPOSES OF THIS COMPACT, AND ESTABLISH THE COMMISSION'S PERSONNEL  
17 POLICIES AND PROGRAMS RELATING TO CONFLICTS OF INTEREST, QUALIFICATIONS OF  
18 PERSONNEL AND OTHER RELATED PERSONNEL MATTERS.

19 7. TO ACCEPT ANY AND ALL APPROPRIATE DONATIONS, GRANTS AND GIFTS OF  
20 MONIES, EQUIPMENT, SUPPLIES, MATERIALS AND SERVICES, AND RECEIVE, USE AND  
21 DISPOSE OF THE SAME. AT ALL TIMES THE COMMISSION SHALL STRIVE TO AVOID  
22 ANY APPEARANCE OF IMPROPRIETY OR CONFLICT OF INTEREST.

23 8. TO LEASE, PURCHASE, ACCEPT APPROPRIATE GIFTS OR DONATIONS OF, OR  
24 OTHERWISE OWN, HOLD, IMPROVE OR USE, ANY PROPERTY, WHETHER REAL, PERSONAL  
25 OR MIXED. AT ALL TIMES THE COMMISSION SHALL STRIVE TO AVOID ANY  
26 APPEARANCE OF IMPROPRIETY.

27 9. TO SELL CONVEY, MORTGAGE, PLEDGE, LEASE, EXCHANGE, ABANDON OR  
28 OTHERWISE DISPOSE OF ANY PROPERTY, WHETHER REAL, PERSONAL OR MIXED.

29 10. TO ESTABLISH A BUDGET AND MAKE EXPENDITURES.

30 11. TO BORROW MONIES.

31 12. TO APPOINT COMMITTEES, INCLUDING ADVISORY COMMITTEES COMPOSED  
32 OF ADMINISTRATORS, STATE NURSING REGULATORS, STATE LEGISLATORS OR THEIR  
33 REPRESENTATIVES, CONSUMER REPRESENTATIVES, AND OTHER SUCH INTERESTED  
34 PERSONS.

35 13. TO ISSUE ADVISORY OPINIONS.

36 14. TO PROVIDE AND RECEIVE INFORMATION FROM, AND TO COOPERATE WITH,  
37 LAW ENFORCEMENT AGENCIES.

38 15. TO ADOPT AND USE AN OFFICIAL SEAL.

39 16. TO PERFORM SUCH OTHER FUNCTIONS AS MAY BE NECESSARY OR  
40 APPROPRIATE TO ACHIEVE THE PURPOSES OF THIS COMPACT CONSISTENT WITH THE  
41 STATE REGULATION OF APRN LICENSURE AND PRACTICE.

42 H. FINANCING OF THE COMMISSION IS AS FOLLOWS:

43 1. THE COMMISSION SHALL PAY, OR PROVIDE FOR THE PAYMENT OF, THE  
44 REASONABLE EXPENSES OF ITS ESTABLISHMENT, ORGANIZATION AND ONGOING  
45 ACTIVITIES.

1           2. THE COMMISSION MAY LEVY ON AND COLLECT AN ANNUAL ASSESSMENT FROM  
2 EACH PARTY STATE TO COVER THE COST OF ITS OPERATIONS, ACTIVITIES AND STAFF  
3 IN ITS ANNUAL BUDGET AS APPROVED EACH YEAR. THE AGGREGATE ANNUAL  
4 ASSESSMENT AMOUNT, IF ANY, SHALL BE ALLOCATED BASED ON A FORMULA TO BE  
5 DETERMINED BY THE COMMISSION, WHICH SHALL PROMULGATE A RULE THAT IS  
6 BINDING ON ALL PARTY STATES.

7           3. THE COMMISSION SHALL NOT INCUR OBLIGATIONS OF ANY KIND BEFORE  
8 SECURING THE MONIES ADEQUATE TO MEET THE OBLIGATIONS AND SHALL NOT PLEDGE  
9 THE CREDIT OF ANY PARTY STATE, EXCEPT BY, AND WITH THE AUTHORITY OF, SUCH  
10 PARTY STATE.

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

18           I. QUALIFIED IMMUNITY, DEFENSE AND INDEMNIFICATION ARE AS FOLLOWS:

19           1. THE ADMINISTRATORS, OFFICERS, EXECUTIVE DIRECTOR, EMPLOYEES AND  
20 REPRESENTATIVES OF THE COMMISSION ARE IMMUNE FROM SUIT AND LIABILITY,  
21 EITHER PERSONALLY OR IN THEIR OFFICIAL CAPACITY, FOR ANY CLAIM FOR DAMAGE  
22 TO OR LOSS OF PROPERTY OR PERSONAL INJURY OR OTHER CIVIL LIABILITY CAUSED  
23 BY OR ARISING OUT OF ANY ACTUAL OR ALLEGED ACT, ERROR OR OMISSION THAT  
24 OCCURRED, OR THAT THE PERSON AGAINST WHOM THE CLAIM IS MADE HAD A  
25 REASONABLE BASIS FOR BELIEVING OCCURRED, WITHIN THE SCOPE OF COMMISSION  
26 EMPLOYMENT, DUTIES OR RESPONSIBILITIES. THIS PARAGRAPH DOES NOT PROTECT  
27 ANY SUCH PERSON FROM SUIT OR LIABILITY FOR ANY DAMAGE, LOSS, INJURY OR  
28 LIABILITY CAUSED BY THAT PERSON'S INTENTIONAL, WILFUL OR WANTON  
29 MISCONDUCT.

30           2. THE COMMISSION SHALL DEFEND ANY ADMINISTRATOR, OFFICER,  
31 EXECUTIVE DIRECTOR, EMPLOYEE OR REPRESENTATIVE OF THE COMMISSION IN ANY  
32 CIVIL ACTION SEEKING TO IMPOSE LIABILITY ARISING OUT OF ANY ACTUAL OR  
33 ALLEGED ACT, ERROR OR OMISSION THAT OCCURRED WITHIN THE SCOPE OF  
34 COMMISSION EMPLOYMENT, DUTIES OR RESPONSIBILITIES, OR THAT THE PERSON  
35 AGAINST WHOM THE CLAIM IS MADE HAD A REASONABLE BASIS FOR BELIEVING  
36 OCCURRED WITHIN THE SCOPE OF COMMISSION EMPLOYMENT, DUTIES OR  
37 RESPONSIBILITIES. THIS PARAGRAPH DOES NOT PROHIBIT THAT PERSON FROM  
38 RETAINING HIS OR HER OWN COUNSEL; AND PROVIDED FURTHER THAT THE ACTUAL OR  
39 ALLEGED ACT, ERROR OR OMISSION DID NOT RESULT FROM THAT PERSON'S  
40 INTENTIONAL, WILFUL OR WANTON MISCONDUCT.

41           3. THE COMMISSION SHALL INDEMNIFY AND HOLD HARMLESS ANY  
42 ADMINISTRATOR, OFFICER, EXECUTIVE DIRECTOR, EMPLOYEE OR REPRESENTATIVE OF  
43 THE COMMISSION FOR THE AMOUNT OF ANY SETTLEMENT OR JUDGMENT OBTAINED  
44 AGAINST THAT PERSON ARISING OUT OF ANY ACTUAL OR ALLEGED ACT, ERROR OR  
45 OMISSION THAT OCCURRED WITHIN THE SCOPE OF COMMISSION EMPLOYMENT, DUTIES

1 OR RESPONSIBILITIES, OR THAT SUCH PERSON HAD A REASONABLE BASIS FOR  
2 BELIEVING OCCURRED WITHIN THE SCOPE OF COMMISSION EMPLOYMENT, DUTIES OR  
3 RESPONSIBILITIES IF THE ACTUAL OR ALLEGED ACT, ERROR OR OMISSION DID NOT  
4 RESULT FROM THE INTENTIONAL, WILFUL OR WANTON MISCONDUCT OF THAT PERSON.

5 ARTICLE VIII

6 RULEMAKING

7 A. THE COMMISSION SHALL EXERCISE ITS RULEMAKING POWERS PURSUANT TO  
8 THE CRITERIA SET FORTH IN THIS ARTICLE AND THE RULES ADOPTED THEREUNDER.  
9 RULES AND AMENDMENTS BECOME BINDING AS OF THE DATE SPECIFIED IN EACH RULE  
10 OR AMENDMENT AND HAVE THE SAME FORCE AND EFFECT AS PROVISIONS OF THIS  
11 COMPACT.

12 B. RULES OR AMENDMENTS TO THE RULES SHALL BE ADOPTED AT A REGULAR  
13 OR SPECIAL MEETING OF THE COMMISSION.

14 C. BEFORE PROMULGATION AND ADOPTION OF A FINAL RULE OR RULES BY THE  
15 COMMISSION, AND AT LEAST SIXTY DAYS BEFORE THE MEETING AT WHICH THE RULE  
16 WILL BE CONSIDERED AND VOTED ON, THE COMMISSION SHALL FILE A NOTICE OF  
17 PROPOSED RULEMAKING BOTH:

18 1. ON THE WEBSITE OF THE COMMISSION.

19 2. ON THE WEBSITE OF EACH LICENSING BOARD OR THE PUBLICATION IN  
20 WHICH EACH STATE WOULD OTHERWISE PUBLISH PROPOSED RULES.

21 D. THE NOTICE OF PROPOSED RULEMAKING SHALL INCLUDE ALL OF THE  
22 FOLLOWING:

23 1. THE PROPOSED TIME, DATE AND LOCATION OF THE MEETING IN WHICH THE  
24 RULE WILL BE CONSIDERED AND VOTED ON.

25 2. THE TEXT OF THE PROPOSED RULE OR AMENDMENT AND THE REASON FOR  
26 THE PROPOSED RULE.

27 3. A REQUEST FOR COMMENTS ON THE PROPOSED RULE FROM ANY INTERESTED  
28 PERSON.

29 4. THE MANNER IN WHICH INTERESTED PERSONS MAY SUBMIT NOTICE TO THE  
30 COMMISSION OF THEIR INTENTION TO ATTEND THE PUBLIC HEARING AND ANY WRITTEN  
31 COMMENTS.

32 E. BEFORE ADOPTION OF A PROPOSED RULE, THE COMMISSION SHALL ALLOW  
33 PERSONS TO SUBMIT WRITTEN DATA, FACTS, OPINIONS AND ARGUMENTS, WHICH SHALL  
34 BE MADE AVAILABLE TO THE PUBLIC.

35 F. THE COMMISSION SHALL GRANT AN OPPORTUNITY FOR A PUBLIC HEARING  
36 BEFORE IT ADOPTS A RULE OR AMENDMENT.

37 G. THE COMMISSION SHALL PUBLISH THE PLACE, TIME AND DATE OF THE  
38 SCHEDULED PUBLIC HEARING. HEARINGS SHALL BE CONDUCTED IN A MANNER  
39 PROVIDING EACH PERSON WHO WISHES TO COMMENT A FAIR AND REASONABLE  
40 OPPORTUNITY TO COMMENT ORALLY OR IN WRITING. ALL HEARINGS SHALL BE  
41 RECORDED, AND A COPY MUST BE MADE AVAILABLE ON REQUEST.

42 H. THIS SECTION DOES NOT REQUIRE A SEPARATE HEARING ON EACH RULE.  
43 RULES MAY BE GROUPED FOR THE CONVENIENCE OF THE COMMISSION AT HEARINGS  
44 REQUIRED BY THIS SECTION.

1 I. IF NO ONE APPEARS AT THE PUBLIC HEARING, THE COMMISSION MAY  
2 PROCEED WITH PROMULGATION OF THE PROPOSED RULE.

3 J. FOLLOWING THE SCHEDULED HEARING DATE, OR BY THE CLOSE OF  
4 BUSINESS ON THE SCHEDULED HEARING DATE IF THE HEARING WAS NOT HELD, THE  
5 COMMISSION SHALL CONSIDER ALL WRITTEN AND ORAL COMMENTS RECEIVED.

6 K. THE COMMISSION, BY MAJORITY VOTE OF ALL ADMINISTRATORS, SHALL  
7 TAKE FINAL ACTION ON THE PROPOSED RULE AND SHALL DETERMINE THE EFFECTIVE  
8 DATE OF THE RULE, IF ANY, BASED ON THE RULEMAKING RECORD AND THE FULL TEXT  
9 OF THE RULE.

10 L. ON A DETERMINATION THAT AN EMERGENCY EXISTS, THE COMMISSION MAY  
11 CONSIDER AND ADOPT AN EMERGENCY RULE WITHOUT PRIOR NOTICE, OPPORTUNITY FOR  
12 COMMENT OR A HEARING. THE USUAL RULEMAKING PROCEDURES PROVIDED IN THIS  
13 COMPACT AND IN THIS SECTION SHALL BE RETROACTIVELY APPLIED TO THE RULE AS  
14 SOON AS REASONABLY POSSIBLE, BUT NOT LATER THAN NINETY DAYS AFTER THE  
15 EFFECTIVE DATE OF THE RULE. FOR THE PURPOSES OF THIS SUBSECTION, AN  
16 EMERGENCY RULE IS ONE THAT MUST BE ADOPTED IMMEDIATELY IN ORDER TO DO ANY  
17 OF THE FOLLOWING:

18 1. MEET AN IMMINENT THREAT TO PUBLIC HEALTH, SAFETY OR WELFARE.

19 2. PREVENT A LOSS OF COMMISSION OR PARTY STATE MONIES.

20 3. MEET A DEADLINE FOR THE PROMULGATION OF AN ADMINISTRATIVE RULE  
21 THAT IS ESTABLISHED BY FEDERAL LAW OR RULE.

22 M. THE COMMISSION MAY DIRECT REVISIONS TO A PREVIOUSLY ADOPTED RULE  
23 OR AMENDMENT FOR PURPOSES OF CORRECTING TYPOGRAPHICAL ERRORS, ERRORS IN  
24 FORMAT, ERRORS IN CONSISTENCY OR GRAMMATICAL ERRORS. PUBLIC NOTICE OF ANY  
25 REVISIONS SHALL BE POSTED ON THE WEBSITE OF THE COMMISSION. THE REVISION  
26 IS SUBJECT TO CHALLENGE BY ANY PERSON FOR A PERIOD OF THIRTY DAYS AFTER  
27 POSTING. THE REVISION MAY BE CHALLENGED ONLY ON GROUNDS THAT THE REVISION  
28 RESULTS IN A MATERIAL CHANGE TO A RULE. A CHALLENGE SHALL BE MADE IN  
29 WRITING AND DELIVERED TO THE COMMISSION BEFORE THE END OF THE NOTICE  
30 PERIOD. IF NO CHALLENGE IS MADE, THE REVISION WILL TAKE EFFECT WITHOUT  
31 FURTHER ACTION. IF THE REVISION IS CHALLENGED, THE REVISION MAY NOT TAKE  
32 EFFECT WITHOUT THE APPROVAL OF THE COMMISSION.

33 ARTICLE IX

34 OVERSIGHT, DISPUTE RESOLUTION AND ENFORCEMENT

35 A. OVERSIGHT IS AS FOLLOWS:

36 1. EACH PARTY STATE SHALL ENFORCE THIS COMPACT AND TAKE ALL ACTIONS  
37 NECESSARY AND APPROPRIATE TO EFFECTUATE THIS COMPACT'S PURPOSES AND  
38 INTENT.

39 2. THE COMMISSION IS ENTITLED TO RECEIVE SERVICE OF PROCESS IN ANY  
40 PROCEEDING THAT MAY AFFECT THE POWERS, RESPONSIBILITIES OR ACTIONS OF THE  
41 COMMISSION AND HAS STANDING TO INTERVENE IN SUCH A PROCEEDING FOR ALL  
42 PURPOSES. FAILURE TO PROVIDE SERVICE OF PROCESS TO THE COMMISSION RENDERS  
43 A JUDGMENT OR ORDER VOID AS TO THE COMMISSION, THIS COMPACT OR PROMULGATED  
44 RULES.



1           B. DEFAULT, TECHNICAL ASSISTANCE AND TERMINATION ARE AS FOLLOWS:  
2           1. IF THE COMMISSION DETERMINES THAT A PARTY STATE HAS DEFAULTED IN  
3 THE PERFORMANCE OF ITS OBLIGATIONS OR RESPONSIBILITIES UNDER THIS COMPACT  
4 OR THE PROMULGATED RULES, THE COMMISSION SHALL PROVIDE BOTH:  
5           (a) WRITTEN NOTICE TO THE DEFAULTING STATE AND OTHER PARTY STATES  
6 OF THE NATURE OF THE DEFAULT, THE PROPOSED MEANS OF CURING THE DEFAULT AND  
7 ANY OTHER ACTION TO BE TAKEN BY THE COMMISSION.  
8           (b) REMEDIAL TRAINING AND SPECIFIC TECHNICAL ASSISTANCE REGARDING  
9 THE DEFAULT.  
10          2. IF A STATE IN DEFAULT FAILS TO CURE THE DEFAULT, THE DEFAULTING  
11 STATE'S MEMBERSHIP IN THIS COMPACT MAY BE TERMINATED ON AN AFFIRMATIVE  
12 VOTE OF A MAJORITY OF THE ADMINISTRATORS, AND ALL RIGHTS, PRIVILEGES AND  
13 BENEFITS CONFERRED BY THIS COMPACT MAY BE TERMINATED ON THE EFFECTIVE DATE  
14 OF TERMINATION. A CURE OF THE DEFAULT DOES NOT RELIEVE THE OFFENDING  
15 STATE OF OBLIGATIONS OR LIABILITIES INCURRED DURING THE PERIOD OF DEFAULT.  
16          3. TERMINATION OF MEMBERSHIP IN THIS COMPACT SHALL BE IMPOSED ONLY  
17 AFTER ALL OTHER MEANS OF SECURING COMPLIANCE HAVE BEEN EXHAUSTED. NOTICE  
18 OF INTENT TO SUSPEND OR TERMINATE SHALL BE GIVEN BY THE COMMISSION TO THE  
19 GOVERNOR OF THE DEFAULTING STATE AND TO THE EXECUTIVE OFFICER OF THE  
20 DEFAULTING STATE'S LICENSING BOARD, THE DEFAULTING STATE'S LICENSING BOARD  
21 AND EACH OF THE PARTY STATES.  
22          4. A STATE WHOSE MEMBERSHIP IN THIS COMPACT HAS BEEN TERMINATED IS  
23 RESPONSIBLE FOR ALL ASSESSMENTS, OBLIGATIONS AND LIABILITIES INCURRED  
24 THROUGH THE EFFECTIVE DATE OF TERMINATION, INCLUDING OBLIGATIONS THAT  
25 EXTEND BEYOND THE EFFECTIVE DATE OF TERMINATION.  
26          5. THE COMMISSION SHALL NOT BEAR ANY COSTS RELATED TO A STATE THAT  
27 IS FOUND TO BE IN DEFAULT OR WHOSE MEMBERSHIP IN THIS COMPACT HAS BEEN  
28 TERMINATED, UNLESS AGREED ON IN WRITING BETWEEN THE COMMISSION AND THE  
29 DEFAULTING STATE.  
30          6. THE DEFAULTING STATE MAY APPEAL THE ACTION OF THE COMMISSION BY  
31 PETITIONING THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA  
32 OR THE FEDERAL DISTRICT IN WHICH THE COMMISSION HAS ITS PRINCIPAL OFFICES.  
33 THE PREVAILING PARTY SHALL BE AWARDED ALL COSTS OF SUCH LITIGATION,  
34 INCLUDING REASONABLE ATTORNEY FEES.  
35          C. DISPUTE RESOLUTION IS AS FOLLOWS:  
36          1. ON REQUEST BY A PARTY STATE, THE COMMISSION SHALL ATTEMPT TO  
37 RESOLVE DISPUTES RELATED TO THE COMPACT THAT ARISE AMONG PARTY STATES AND  
38 BETWEEN PARTY AND NONPARTY STATES.  
39          2. THE COMMISSION SHALL PROMULGATE A RULE PROVIDING FOR BOTH  
40 MEDIATION AND BINDING DISPUTE RESOLUTION FOR DISPUTES, AS APPROPRIATE.  
41          3. IF THE COMMISSION CANNOT RESOLVE DISPUTES AMONG PARTY STATES  
42 ARISING UNDER THIS COMPACT:  
43           (a) THE PARTY STATES MAY SUBMIT THE ISSUES IN DISPUTE TO AN  
44 ARBITRATION PANEL, WHICH WILL BE COMPOSED OF INDIVIDUALS APPOINTED BY THE  
45 COMPACT ADMINISTRATOR IN EACH OF THE AFFECTED PARTY STATES AND AN

1 INDIVIDUAL MUTUALLY AGREED ON BY THE COMPACT ADMINISTRATORS OF ALL THE  
2 PARTY STATES INVOLVED IN THE DISPUTE.

3 (b) THE DECISION OF A MAJORITY OF THE ARBITRATORS IS FINAL AND  
4 BINDING.

5 D. ENFORCEMENT IS AS FOLLOWS:

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

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

16 3. THE REMEDIES IN THIS COMPACT ARE NOT THE EXCLUSIVE REMEDIES OF  
17 THE COMMISSION. THE COMMISSION MAY PURSUE ANY OTHER REMEDIES AVAILABLE  
18 UNDER FEDERAL OR STATE LAW.

19 ARTICLE X

20 EFFECTIVE DATE, WITHDRAWAL AND AMENDMENT

21 A. THIS COMPACT SHALL COME INTO LIMITED EFFECT AT SUCH TIME AS THIS  
22 COMPACT HAS BEEN ENACTED INTO LAW IN SEVEN PARTY STATES FOR THE SOLE  
23 PURPOSE OF ESTABLISHING AND CONVENING THE COMMISSION TO ADOPT RULES  
24 RELATING TO ITS OPERATION.

25 B. ANY STATE THAT JOINS THIS COMPACT AFTER THE COMMISSION'S INITIAL  
26 ADOPTION OF THE APRN UNIFORM LICENSURE REQUIREMENTS SHALL BE SUBJECT TO  
27 ALL RULES THAT HAVE BEEN PREVIOUSLY ADOPTED BY THE COMMISSION.

28 C. ANY PARTY STATE MAY WITHDRAW FROM THIS COMPACT BY ENACTING A  
29 STATUTE REPEALING THE SAME. A PARTY STATE'S WITHDRAWAL SHALL NOT TAKE  
30 EFFECT UNTIL SIX MONTHS AFTER ENACTMENT OF THE REPEALING STATUTE.

31 D. A PARTY STATE'S WITHDRAWAL OR TERMINATION SHALL NOT AFFECT THE  
32 CONTINUING REQUIREMENT OF THE WITHDRAWING OR TERMINATED STATE'S LICENSING  
33 BOARD TO REPORT ADVERSE ACTIONS AND SIGNIFICANT INVESTIGATIONS OCCURRING  
34 BEFORE THE EFFECTIVE DATE OF SUCH WITHDRAWAL OR TERMINATION.

35 E. THIS COMPACT DOES NOT INVALIDATE OR PREVENT ANY APRN LICENSURE  
36 AGREEMENT OR OTHER COOPERATIVE ARRANGEMENT BETWEEN A PARTY STATE AND A  
37 NONPARTY STATE THAT DOES NOT CONFLICT WITH THIS COMPACT.

38 F. THIS COMPACT MAY BE AMENDED BY THE PARTY STATES. AN AMENDMENT  
39 TO THIS COMPACT DOES NOT BECOME EFFECTIVE AND BINDING ON ANY PARTY STATE  
40 UNTIL IT IS ENACTED INTO THE LAWS OF ALL PARTY STATES.

41 G. REPRESENTATIVES OF NONPARTY STATES TO THIS COMPACT SHALL BE  
42 INVITED TO PARTICIPATE IN THE ACTIVITIES OF THE COMMISSION, ON A NONVOTING  
43 BASIS, BEFORE THE ADOPTION OF THIS COMPACT BY ALL STATES.

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ARTICLE XI

CONSTRUCTION AND SEVERABILITY

THIS COMPACT SHALL BE LIBERALLY CONSTRUED SO AS TO EFFECTUATE THE PURPOSES THEREOF. THE PROVISIONS OF THIS COMPACT SHALL BE SEVERABLE, AND IF ANY PHRASE, CLAUSE, SENTENCE OR PROVISION OF THIS COMPACT IS DECLARED TO BE CONTRARY TO THE CONSTITUTION OF ANY PARTY STATE OR OF THE UNITED STATES, OR IF THE APPLICABILITY THEREOF TO ANY GOVERNMENT, AGENCY, PERSON OR CIRCUMSTANCE IS HELD INVALID, THE VALIDITY OF THE REMAINDER OF THIS COMPACT AND THE APPLICABILITY THEREOF TO ANY GOVERNMENT, AGENCY, PERSON OR CIRCUMSTANCE SHALL NOT BE AFFECTED THEREBY. IF THIS COMPACT SHALL BE HELD TO BE CONTRARY TO THE CONSTITUTION OF ANY PARTY STATE, THIS COMPACT SHALL REMAIN IN FULL FORCE AND EFFECT AS TO THE REMAINING PARTY STATES AND IN FULL FORCE AND EFFECT AS TO THE PARTY STATE AFFECTED AS TO ALL SEVERABLE MATTERS.

32-1661.01. Applicability of compact; scope of practice; notification; withdrawal from compact

A. NOTWITHSTANDING SECTION 32-1661, SECTION 32-1661 DOES NOT SUPERSEDE STATE LAW RELATED TO THE APPLICABLE ADVANCED PRACTICE REGISTERED NURSE SCOPE OF PRACTICE PRESCRIBED IN SECTION 32-1601, PARAGRAPHS 5, 8, 9 AND 23 OR THE RULES ADOPTED PURSUANT TO THIS CHAPTER.

B. THE COMPACT ADOPTED BY SECTION 32-1661 DOES NOT ALTER THE SCOPE OF PRACTICE OF AN ADVANCED PRACTICE REGISTERED NURSE PRACTICING IN THIS STATE. AN ADVANCED PRACTICE REGISTERED NURSE PRACTICING IN THIS STATE SHALL COMPLY WITH THE APPLICABLE SCOPE OF PRACTICE PRESCRIBED IN SECTION 32-1601, PARAGRAPHS 5, 8, 9 AND 23 AND THE RULES ADOPTED PURSUANT TO THIS CHAPTER.

C. THE COMMISSION ESTABLISHED BY THE COMPACT ADOPTED BY SECTION 32-1661 DOES NOT HAVE THE AUTHORITY TO ALTER THE SCOPE OF PRACTICE FOR ADVANCED PRACTICE REGISTERED NURSES PRACTICING IN THIS STATE. THE GOVERNOR MAY WITHDRAW THIS STATE FROM THE COMPACT ADOPTED BY SECTION 32-1661 IF THE COMMISSION ADOPTS A RULE TO CHANGE THE SCOPE OF PRACTICE FOR ADVANCED PRACTICE REGISTERED NURSES IN THIS STATE AND A LAW IS ENACTED THAT REPEALS THE COMPACT.

Sec. 2. Title 32, chapter 32, Arizona Revised Statutes, is amended by adding article 3.1, to read:

ARTICLE 3.1. HEALTH PROFESSIONAL LICENSURE COMPACTS

32-3247. Health professional licensure compacts; reporting requirement

ON OR BEFORE JANUARY 1 EACH YEAR, THE EXECUTIVE DIRECTOR OF A HEALTH PROFESSION REGULATORY BOARD THAT ISSUES COMPACT LICENSES PURSUANT TO THE FOLLOWING SECTIONS SHALL ISSUE A REPORT ON THE NUMBER OF COMPACT LICENSES ISSUED IN THE PRECEDING YEAR TO THE GOVERNOR, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT OF THE SENATE AND SHALL PROVIDE A COPY OF THE REPORT TO THE SECRETARY OF STATE:

- 1. SECTION 32-1660.

- 1           2. SECTION 32-1661.
- 2           3. SECTION 32-2053.
- 3           4. SECTION 32-2087.
- 4           5. SECTION 32-3241.
- 5           6. SECTION 32-3295.
- 6           7. SECTION 32-3306.
- 7           8. SECTION 32-3431.

8           Sec. 3. Title 32, chapter 33, Arizona Revised Statutes, is amended  
9 by adding article 5.1, to read:

10                           ARTICLE 5.1. SOCIAL WORK LICENSURE COMPACT

11           32-3295. Social work licensure compact

12   SECTION 1. PURPOSE

13           A. THE PURPOSE OF THIS COMPACT IS TO FACILITATE INTERSTATE PRACTICE  
14 OF REGULATED SOCIAL WORKERS BY IMPROVING PUBLIC ACCESS TO COMPETENT SOCIAL  
15 WORK SERVICES. THE COMPACT PRESERVES THE REGULATORY AUTHORITY OF STATES  
16 TO PROTECT PUBLIC HEALTH AND SAFETY THROUGH THE CURRENT SYSTEM OF STATE  
17 LICENSURE.

18           B. THIS COMPACT IS DESIGNED TO ACHIEVE THE FOLLOWING OBJECTIVES:

- 19           1. INCREASE PUBLIC ACCESS TO SOCIAL WORK SERVICES.
- 20           2. REDUCE OVERLY BURDENSOME AND DUPLICATIVE REQUIREMENTS ASSOCIATED  
21 WITH HOLDING MULTIPLE LICENSES.
- 22           3. ENHANCE THE MEMBER STATES' ABILITY TO PROTECT THE PUBLIC'S  
23 HEALTH AND SAFETY.
- 24           4. ENCOURAGE THE COOPERATION OF MEMBER STATES IN REGULATING  
25 MULTISTATE PRACTICE.
- 26           5. PROMOTE MOBILITY AND ADDRESS WORKFORCE SHORTAGES BY ELIMINATING  
27 THE NECESSITY FOR LICENSES IN MULTIPLE STATES BY PROVIDING FOR THE MUTUAL  
28 RECOGNITION OF OTHER MEMBER STATE LICENSES.
- 29           6. SUPPORT MILITARY FAMILIES.
- 30           7. FACILITATE THE EXCHANGE OF LICENSURE AND DISCIPLINARY  
31 INFORMATION AMONG MEMBER STATES.
- 32           8. AUTHORIZE ALL MEMBER STATES TO HOLD A REGULATED SOCIAL WORKER  
33 ACCOUNTABLE FOR ABIDING BY A MEMBER STATE'S LAWS, REGULATIONS AND  
34 APPLICABLE PROFESSIONAL STANDARDS IN THE MEMBER STATE IN WHICH THE CLIENT  
35 IS LOCATED AT THE TIME CARE IS RENDERED.
- 36           9. ALLOW FOR THE USE OF TELEHEALTH TO FACILITATE INCREASED ACCESS  
37 TO REGULATED SOCIAL WORK SERVICES.

38   SECTION 2. DEFINITIONS

39           IN THIS COMPACT, UNLESS THE CONTEXT OTHERWISE REQUIRES:

- 40           1. "ACTIVE MILITARY MEMBER" MEANS ANY INDIVIDUAL WITH FULL-TIME  
41 DUTY STATUS IN THE ACTIVE ARMED FORCES OF THE UNITED STATES, INCLUDING  
42 MEMBERS OF THE NATIONAL GUARD AND RESERVE.
- 43           2. "ADVERSE ACTION" MEANS ANY ADMINISTRATIVE, CIVIL, EQUITABLE OR  
44 CRIMINAL ACTION ALLOWED BY A STATE'S LAWS THAT IS IMPOSED BY A LICENSING  
45 AUTHORITY OR OTHER AUTHORITY AGAINST A REGULATED SOCIAL WORKER, INCLUDING

1 ACTIONS AGAINST AN INDIVIDUAL'S LICENSE OR MULTISTATE AUTHORIZATION TO  
2 PRACTICE, SUCH AS REVOCATION, SUSPENSION, PROBATION, MONITORING OF THE  
3 LICENSEE, LIMITATION ON THE LICENSEE'S PRACTICE OR ANY OTHER ENCUMBRANCE  
4 ON LICENSURE AFFECTING A REGULATED SOCIAL WORKER'S AUTHORIZATION TO  
5 PRACTICE, INCLUDING ISSUANCE OF A CEASE AND DESIST ACTION.

6 3. "ALTERNATIVE PROGRAM" MEANS A NONDISCIPLINARY MONITORING OR  
7 PRACTICE REMEDIATION PROCESS APPROVED BY A LICENSING AUTHORITY TO ADDRESS  
8 PRACTITIONERS WITH AN IMPAIRMENT.

9 4. "CHARTER MEMBER STATES" MEANS MEMBER STATES THAT HAVE ENACTED  
10 LEGISLATION TO ADOPT THIS COMPACT IF THE LEGISLATION PREDATES THE  
11 EFFECTIVE DATE OF THIS COMPACT AS DESCRIBED IN SECTION 14 OF THIS COMPACT.

12 5. "COMPACT COMMISSION" OR "COMMISSION" MEANS THE GOVERNMENT AGENCY  
13 WHOSE MEMBERSHIP CONSISTS OF ALL STATES THAT HAVE ENACTED THIS COMPACT,  
14 THAT IS KNOWN AS THE SOCIAL WORK LICENSURE COMPACT COMMISSION AS DESCRIBED  
15 IN SECTION 10 OF THIS COMPACT AND THAT OPERATES AS AN INSTRUMENTALITY OF  
16 THE MEMBER STATES.

17 6. "CURRENT SIGNIFICANT INVESTIGATIVE INFORMATION" MEANS EITHER:

18 (a) INVESTIGATIVE INFORMATION THAT A LICENSING AUTHORITY, AFTER A  
19 PRELIMINARY INQUIRY THAT INCLUDES NOTIFICATION AND AN OPPORTUNITY FOR THE  
20 REGULATED SOCIAL WORKER TO RESPOND, HAS REASON TO BELIEVE IS NOT  
21 GROUNDLESS AND, IF PROVED TRUE, WOULD INDICATE MORE THAN A MINOR  
22 INFRACTION AS MAY BE DEFINED BY THE COMMISSION.

23 (b) INVESTIGATIVE INFORMATION THAT INDICATES THAT THE REGULATED  
24 SOCIAL WORKER REPRESENTS AN IMMEDIATE THREAT TO PUBLIC HEALTH AND SAFETY,  
25 AS DEFINED BY THE COMMISSION, REGARDLESS OF WHETHER THE REGULATED SOCIAL  
26 WORKER HAS BEEN NOTIFIED AND HAS HAD AN OPPORTUNITY TO RESPOND.

27 7. "DATA SYSTEM" MEANS A REPOSITORY OF INFORMATION ABOUT LICENSEES,  
28 INCLUDING CONTINUING EDUCATION, EXAMINATION, LICENSURE, CURRENT  
29 SIGNIFICANT INVESTIGATIVE INFORMATION, DISQUALIFYING EVENTS, MULTISTATE  
30 LICENSES AND ADVERSE ACTION INFORMATION OR OTHER INFORMATION AS REQUIRED  
31 BY THE COMMISSION.

32 8. "DOMICILE" MEANS THE JURISDICTION IN WHICH THE LICENSEE RESIDES  
33 AND INTENDS TO REMAIN INDEFINITELY.

34 9. "DISQUALIFYING EVENT" MEANS ANY ADVERSE ACTION OR INCIDENT THAT  
35 RESULTS IN AN ENCUMBRANCE THAT DISQUALIFIES OR MAKES THE LICENSEE  
36 INELIGIBLE TO EITHER OBTAIN, RETAIN OR RENEW A MULTISTATE LICENSE.

37 10. "ENCUMBRANCE" MEANS A REVOCATION OR SUSPENSION OF, OR ANY  
38 LIMITATION ON, THE FULL AND UNRESTRICTED PRACTICE OF SOCIAL WORK LICENSED  
39 AND REGULATED BY A LICENSING AUTHORITY.

40 11. "EXECUTIVE COMMITTEE" MEANS A GROUP OF DELEGATES ELECTED OR  
41 APPOINTED TO ACT ON BEHALF OF, AND WITHIN THE POWERS GRANTED TO THEM BY,  
42 THE COMPACT AND COMMISSION.

43 12. "HOME STATE" MEANS THE MEMBER STATE THAT IS THE LICENSEE'S  
44 PRIMARY DOMICILE.

- 1           13. "IMPAIRMENT":  
2           (a) MEANS A CONDITION OR CONDITIONS THAT MAY IMPAIR A  
3 PRACTITIONER'S ABILITY TO ENGAGE IN FULL AND UNRESTRICTED PRACTICE AS A  
4 REGULATED SOCIAL WORKER WITHOUT SOME TYPE OF INTERVENTION.  
5           (b) MAY INCLUDE ALCOHOL AND DRUG DEPENDENCE, MENTAL HEALTH  
6 IMPAIRMENT AND NEUROLOGICAL OR PHYSICAL IMPAIRMENTS.  
7           14. "LICENSEES" MEANS AN INDIVIDUAL WHO CURRENTLY HOLDS A LICENSE  
8 FROM A STATE TO PRACTICE AS A REGULATED SOCIAL WORKER.  
9           15. "LICENSING AUTHORITY" MEANS THE BOARD OR AGENCY OF A MEMBER  
10 STATE, OR EQUIVALENT, THAT IS RESPONSIBLE FOR LICENSING AND REGULATING  
11 REGULATED SOCIAL WORKERS.  
12           16. "MEMBER STATE" MEANS A STATE, COMMONWEALTH, DISTRICT OR  
13 TERRITORY OF THE UNITED STATES OF AMERICA THAT HAS ENACTED THIS COMPACT.  
14           17. "MULTISTATE AUTHORIZATION TO PRACTICE" MEANS A LEGALLY  
15 AUTHORIZED PRIVILEGE TO PRACTICE THAT IS EQUIVALENT TO A LICENSE AND THAT  
16 IS ASSOCIATED WITH A MULTISTATE LICENSE PERMITTING THE PRACTICE OF SOCIAL  
17 WORK IN A REMOTE STATE.  
18           18. "MULTISTATE LICENSE" MEANS A LICENSE TO PRACTICE AS A REGULATED  
19 SOCIAL WORKER ISSUED BY A HOME STATE LICENSING AUTHORITY THAT AUTHORIZES  
20 THE REGULATED SOCIAL WORKER TO PRACTICE IN ALL MEMBER STATES UNDER  
21 MULTISTATE AUTHORIZATION TO PRACTICE.  
22           19. "QUALIFYING NATIONAL EXAM" MEANS A NATIONAL LICENSING  
23 EXAMINATION APPROVED BY THE COMMISSION.  
24           20. "REGULATED SOCIAL WORKER" MEANS ANY CLINICAL, MASTER'S OR  
25 BACHELOR'S SOCIAL WORKER WHO IS LICENSED BY A MEMBER STATE REGARDLESS OF  
26 THE TITLE USED BY THAT MEMBER STATE.  
27           21. "REMOTE STATE" MEANS A MEMBER STATE OTHER THAN THE LICENSEE'S  
28 HOME STATE.  
29           22. "RULE" OR "RULE OF THE COMMISSION" MEANS A REGULATION DULY  
30 PROMULGATED BY THE COMMISSION, AS AUTHORIZED BY THE COMPACT, THAT HAS THE  
31 FORCE OF LAW.  
32           23. "SINGLE STATE LICENSE":  
33           (a) MEANS A SOCIAL WORK LICENSE ISSUED BY ANY STATE THAT AUTHORIZES  
34 PRACTICE ONLY WITHIN THE ISSUING STATE.  
35           (b) DOES NOT INCLUDE MULTISTATE AUTHORIZATION TO PRACTICE IN ANY  
36 MEMBER STATE.  
37           24. "SOCIAL WORK" OR "SOCIAL WORK SERVICES" MEANS THE APPLICATION  
38 OF SOCIAL WORK THEORY, KNOWLEDGE, METHODS, ETHICS AND THE PROFESSIONAL USE  
39 OF SELF TO RESTORE OR ENHANCE SOCIAL, PSYCHOSOCIAL OR BIOPSYCHOSOCIAL  
40 FUNCTIONING OF INDIVIDUALS, COUPLES, FAMILIES, GROUPS, ORGANIZATIONS AND  
41 COMMUNITIES THROUGH THE CARE AND SERVICES PROVIDED BY A REGULATED SOCIAL  
42 WORKER AS SET FORTH IN THE MEMBER STATE'S STATUTES AND REGULATIONS IN THE  
43 STATE WHERE THE SERVICES ARE BEING PROVIDED.  
44           25. "STATE" MEANS ANY STATE, COMMONWEALTH, DISTRICT OR TERRITORY OF  
45 THE UNITED STATES OF AMERICA THAT REGULATES THE PRACTICE OF SOCIAL WORK.

1           26. "UNENCUMBERED LICENSE" MEANS A LICENSE THAT AUTHORIZES A  
2 REGULATED SOCIAL WORKER TO ENGAGE IN THE FULL AND UNRESTRICTED PRACTICE OF  
3 SOCIAL WORK.

4                               SECTION 3. STATE PARTICIPATION IN THE COMPACT

5           A. TO BE ELIGIBLE TO PARTICIPATE IN THE COMPACT, A POTENTIAL MEMBER  
6 STATE MUST CURRENTLY MEET ALL OF THE FOLLOWING CRITERIA:

7           1. LICENSE AND REGULATE THE PRACTICE OF SOCIAL WORK AT EITHER THE  
8 CLINICAL, MASTER'S OR BACHELOR'S CATEGORY.

9           2. REQUIRE APPLICANTS FOR LICENSURE TO GRADUATE FROM A PROGRAM  
10 THAT:

11           (a) IS OPERATED BY A COLLEGE OR UNIVERSITY RECOGNIZED BY THE  
12 LICENSING AUTHORITY.

13           (b) IS ACCREDITED, OR IN CANDIDACY BY AN INSTITUTION THAT  
14 SUBSEQUENTLY BECOMES ACCREDITED, BY AN ACCREDITING AGENCY RECOGNIZED BY  
15 EITHER:

16           (i) THE COUNCIL FOR HIGHER EDUCATION ACCREDITATION, OR ITS  
17 SUCCESSOR.

18           (ii) THE UNITED STATES DEPARTMENT OF EDUCATION; AND

19           (c) CORRESPONDS TO THE LICENSURE SOUGHT AS OUTLINED IN SECTION 4 OF  
20 THIS COMPACT.

21           3. REQUIRE APPLICANTS FOR CLINICAL LICENSURE TO COMPLETE A PERIOD  
22 OF SUPERVISED PRACTICE.

23           4. HAVE A MECHANISM IN PLACE FOR RECEIVING, INVESTIGATING AND  
24 ADJUDICATING COMPLAINTS ABOUT LICENSEES.

25           B. TO MAINTAIN MEMBERSHIP IN THE COMPACT, A MEMBER STATE SHALL DO  
26 ALL OF THE FOLLOWING:

27           1. REQUIRE THAT APPLICANTS FOR A MULTISTATE LICENSE PASS A  
28 QUALIFYING NATIONAL EXAM FOR THE CORRESPONDING CATEGORY OF MULTISTATE  
29 LICENSE SOUGHT AS OUTLINED IN SECTION 4 OF THIS COMPACT.

30           2. PARTICIPATE FULLY IN THE COMMISSION'S DATA SYSTEM, INCLUDING  
31 USING THE COMMISSION'S UNIQUE IDENTIFIER AS DEFINED IN RULES.

32           3. NOTIFY THE COMMISSION, IN COMPLIANCE WITH THE TERMS OF THE  
33 COMPACT AND RULES, OF ANY ADVERSE ACTION OR THE AVAILABILITY OF CURRENT  
34 SIGNIFICANT INVESTIGATIVE INFORMATION REGARDING A LICENSEE.

35           4. IMPLEMENT PROCEDURES FOR CONSIDERING THE CRIMINAL HISTORY  
36 RECORDS OF APPLICANTS FOR A MULTISTATE LICENSE. SUCH PROCEDURES SHALL  
37 INCLUDE THE SUBMISSION OF FINGERPRINTS OR OTHER BIOMETRIC-BASED  
38 INFORMATION BY APPLICANTS FOR THE PURPOSE OF OBTAINING AN APPLICANT'S  
39 CRIMINAL HISTORY RECORD INFORMATION FROM THE FEDERAL BUREAU OF  
40 INVESTIGATION AND THE AGENCY RESPONSIBLE FOR RETAINING THAT STATE'S  
41 CRIMINAL RECORDS.

42           5. COMPLY WITH THE RULES OF THE COMMISSION.

43           6. REQUIRE AN APPLICANT TO OBTAIN OR RETAIN A LICENSE IN THE HOME  
44 STATE AND MEET THE HOME STATE'S QUALIFICATIONS FOR LICENSURE OR RENEWAL OF  
45 LICENSURE, AS WELL AS ALL OTHER APPLICABLE HOME STATE LAWS.

1           7. AUTHORIZE A LICENSEE HOLDING A MULTISTATE LICENSE IN ANY MEMBER  
2 STATE TO PRACTICE IN ACCORDANCE WITH THE TERMS OF THE COMPACT AND RULES OF  
3 THE COMMISSION.

4           8. DESIGNATE A DELEGATE TO PARTICIPATE IN THE COMMISSION MEETINGS.

5           C. A MEMBER STATE THAT MEETS THE REQUIREMENTS OF SUBSECTIONS A AND  
6 B OF THIS SECTION SHALL DESIGNATE THE CATEGORIES OF SOCIAL WORK LICENSURE  
7 THAT ARE ELIGIBLE FOR ISSUANCE OF A MULTISTATE LICENSE FOR APPLICANTS IN  
8 SUCH MEMBER STATE. TO THE EXTENT THAT ANY MEMBER STATE DOES NOT MEET THE  
9 REQUIREMENTS FOR PARTICIPATION IN THE COMPACT AT ANY PARTICULAR CATEGORY  
10 OF SOCIAL WORK LICENSURE, SUCH MEMBER STATE MAY CHOOSE, BUT IS NOT  
11 OBLIGATED, TO ISSUE A MULTISTATE LICENSE TO APPLICANTS WHO OTHERWISE MEET  
12 THE REQUIREMENTS OF SECTION 4 OF THIS COMPACT FOR ISSUANCE OF A MULTISTATE  
13 LICENSE IN SUCH CATEGORY OR CATEGORIES OF LICENSURE.

14           D. THE HOME STATE MAY CHARGE A FEE FOR GRANTING THE MULTISTATE  
15 LICENSE.

16                           SECTION 4. SOCIAL WORKER PARTICIPATION IN THE COMPACT

17           A. TO BE ELIGIBLE FOR A MULTISTATE LICENSE UNDER THE TERMS AND  
18 PROVISIONS OF THIS COMPACT, AN APPLICANT, REGARDLESS OF CATEGORY MUST:

19           1. HOLD OR BE ELIGIBLE FOR AN ACTIVE, UNENCUMBERED LICENSE IN THE  
20 HOME STATE.

21           2. PAY ANY APPLICABLE FEES, INCLUDING ANY STATE FEE, FOR THE  
22 MULTISTATE LICENSE.

23           3. SUBMIT, IN CONNECTION WITH AN APPLICATION FOR A MULTISTATE  
24 LICENSE, FINGERPRINTS OR OTHER BIOMETRIC DATA FOR THE PURPOSE OF OBTAINING  
25 CRIMINAL HISTORY RECORD INFORMATION FROM THE FEDERAL BUREAU OF  
26 INVESTIGATION AND THE AGENCY RESPONSIBLE FOR RETAINING THAT STATE'S  
27 CRIMINAL RECORDS.

28           4. NOTIFY THE HOME STATE OF ANY ADVERSE ACTION, ENCUMBRANCE OR  
29 RESTRICTION ON ANY PROFESSIONAL LICENSE TAKEN BY ANY MEMBER STATE OR  
30 NONMEMBER STATE WITHIN THIRTY DAYS AFTER THE DATE THE ACTION IS TAKEN.

31           5. MEET ANY CONTINUING COMPETENCE REQUIREMENTS ESTABLISHED BY THE  
32 HOME STATE.

33           6. ABIDE BY THE LAWS, REGULATIONS AND APPLICABLE STANDARDS IN THE  
34 MEMBER STATE WHERE THE CLIENT IS LOCATED AT THE TIME CARE IS RENDERED.

35           B. AN APPLICANT FOR A CLINICAL-CATEGORY MULTISTATE LICENSE MUST  
36 MEET ALL OF THE FOLLOWING REQUIREMENTS:

37           1. FULFILL A COMPETENCY REQUIREMENT, WHICH SHALL BE SATISFIED BY  
38 EITHER:

39           (a) PASSAGE OF A CLINICAL-CATEGORY QUALIFYING NATIONAL EXAM.

40           (b) LICENSURE OF THE APPLICANT IN THE APPLICANT'S HOME STATE AT THE  
41 CLINICAL CATEGORY, BEGINNING PRIOR TO SUCH TIME AS A QUALIFYING NATIONAL  
42 EXAM WAS REQUIRED BY THE HOME STATE AND ACCOMPANIED BY A PERIOD OF  
43 CONTINUOUS SOCIAL WORK LICENSURE THEREAFTER, ALL OF WHICH MAY BE FURTHER  
44 GOVERNED BY THE RULES OF THE COMMISSION.



1 (c) THE SUBSTANTIAL EQUIVALENCY OF THE FOREGOING COMPETENCY  
2 REQUIREMENTS, WHICH THE COMMISSION MAY DETERMINE BY RULE.

3 2. ATTAIN AT LEAST A MASTER'S DEGREE IN SOCIAL WORK FROM A PROGRAM  
4 THAT IS BOTH:

5 (a) OPERATED BY A COLLEGE OR UNIVERSITY RECOGNIZED BY THE LICENSING  
6 AUTHORITY.

7 (b) ACCREDITED, OR IN CANDIDACY THAT SUBSEQUENTLY BECOMES  
8 ACCREDITED, BY AN ACCREDITING AGENCY RECOGNIZED BY EITHER:

9 (i) THE COUNCIL FOR HIGHER EDUCATION ACCREDITATION, OR ITS  
10 SUCCESSOR.

11 (ii) THE UNITED STATES DEPARTMENT OF EDUCATION.

12 3. FULFILL A PRACTICE REQUIREMENT, WHICH SHALL BE SATISFIED BY  
13 DEMONSTRATING COMPLETION OF EITHER:

14 (a) A PERIOD OF POSTGRADUATE SUPERVISED CLINICAL PRACTICE EQUAL TO  
15 A MINIMUM OF THREE THOUSAND HOURS.

16 (b) A MINIMUM OF TWO YEARS OF FULL-TIME POSTGRADUATE SUPERVISED  
17 CLINICAL PRACTICE.

18 (c) THE SUBSTANTIAL EQUIVALENCY OF THE FOREGOING PRACTICE  
19 REQUIREMENTS, WHICH THE COMMISSION MAY DETERMINE BY RULE.

20 C. AN APPLICANT FOR A MASTER'S-CATEGORY MULTISTATE LICENSE MUST  
21 MEET ALL OF THE FOLLOWING REQUIREMENTS:

22 1. FULFILL A COMPETENCY REQUIREMENT, WHICH SHALL BE SATISFIED BY  
23 EITHER:

24 (a) PASSAGE OF A MASTERS-CATEGORY QUALIFYING NATIONAL EXAM.

25 (b) LICENSURE OF THE APPLICANT IN THE APPLICANT'S HOME STATE AT THE  
26 MASTER'S CATEGORY, BEGINNING PRIOR TO SUCH TIME AS A QUALIFYING NATIONAL  
27 EXAM WAS REQUIRED BY THE HOME STATE AT THE MASTER'S CATEGORY AND  
28 ACCOMPANIED BY A CONTINUOUS PERIOD OF SOCIAL WORK LICENSURE THEREAFTER,  
29 ALL OF WHICH MAY BE FURTHER GOVERNED BY THE RULES OF THE COMMISSION.

30 (c) THE SUBSTANTIAL EQUIVALENCY OF THE FOREGOING COMPETENCY  
31 REQUIREMENTS, WHICH THE COMMISSION MAY DETERMINE BY RULE.

32 2. ATTAIN AT LEAST A MASTER'S DEGREE IN SOCIAL WORK FROM A PROGRAM  
33 THAT IS BOTH:

34 (a) OPERATED BY A COLLEGE OR UNIVERSITY RECOGNIZED BY THE LICENSING  
35 AUTHORITY.

36 (b) ACCREDITED, OR IN CANDIDACY THAT SUBSEQUENTLY BECOMES  
37 ACCREDITED, BY AN ACCREDITING AGENCY RECOGNIZED BY EITHER:

38 (i) THE COUNCIL FOR HIGHER EDUCATION ACCREDITATION, OR ITS  
39 SUCCESSOR.

40 (ii) THE UNITED STATES DEPARTMENT OF EDUCATION.

41 D. AN APPLICANT FOR A BACHELOR'S-CATEGORY MULTISTATE LICENSE MUST  
42 MEET ALL OF THE FOLLOWING REQUIREMENTS:

43 1. FULFILL A COMPETENCY REQUIREMENT, WHICH SHALL BE SATISFIED BY  
44 EITHER:

45 (a) PASSAGE OF A BACHELOR'S-CATEGORY QUALIFYING NATIONAL EXAM.

1 (b) LICENSURE OF THE APPLICANT IN THE APPLICANT'S HOME STATE AT THE  
2 BACHELOR'S CATEGORY, BEGINNING PRIOR TO SUCH TIME AS A QUALIFYING NATIONAL  
3 EXAM WAS REQUIRED BY THE HOME STATE AND ACCOMPANIED BY A PERIOD OF  
4 CONTINUOUS SOCIAL WORK LICENSURE THEREAFTER, ALL OF WHICH MAY BE FURTHER  
5 GOVERNED BY THE RULES OF THE COMMISSION.

6 (c) THE SUBSTANTIAL EQUIVALENCY OF THE FOREGOING COMPETENCY  
7 REQUIREMENTS, WHICH THE COMMISSION MAY DETERMINE BY RULE.

8 2. ATTAIN AT LEAST A BACHELOR'S DEGREE IN SOCIAL WORK FROM A  
9 PROGRAM THAT IS BOTH:

10 (a) OPERATED BY A COLLEGE OR UNIVERSITY RECOGNIZED BY THE LICENSING  
11 AUTHORITY.

12 (b) ACCREDITED, OR IN CANDIDACY THAT SUBSEQUENTLY BECOMES  
13 ACCREDITED, BY AN ACCREDITING AGENCY RECOGNIZED BY EITHER:

14 (i) THE COUNCIL FOR HIGHER EDUCATION ACCREDITATION, OR ITS  
15 SUCCESSOR.

16 (ii) THE UNITED STATES DEPARTMENT OF EDUCATION.

17 E. THE MULTISTATE LICENSE FOR A REGULATED SOCIAL WORKER IS SUBJECT  
18 TO THE RENEWAL REQUIREMENTS OF THE HOME STATE. THE REGULATED SOCIAL  
19 WORKER MUST MAINTAIN COMPLIANCE WITH THE REQUIREMENTS OF SUBSECTION A OF  
20 THIS SECTION TO BE ELIGIBLE TO RENEW A MULTISTATE LICENSE.

21 F. THE REGULATED SOCIAL WORKER'S SERVICES IN A REMOTE STATE ARE  
22 SUBJECT TO THAT MEMBER STATE'S REGULATORY AUTHORITY. A REMOTE STATE MAY,  
23 IN ACCORDANCE WITH DUE PROCESS AND THAT MEMBER STATE'S LAWS, REMOVE A  
24 REGULATED SOCIAL WORKER'S MULTISTATE AUTHORIZATION TO PRACTICE IN THE  
25 REMOTE STATE FOR A SPECIFIC PERIOD OF TIME, IMPOSE FINES AND TAKE ANY  
26 OTHER NECESSARY ACTIONS TO PROTECT THE HEALTH AND SAFETY OF ITS CITIZENS.

27 G. IF A MULTISTATE LICENSE IS ENCUMBERED, THE REGULATED SOCIAL  
28 WORKER'S MULTISTATE AUTHORIZATION TO PRACTICE SHALL BE DEACTIVATED IN ALL  
29 REMOTE STATES UNTIL THE MULTISTATE LICENSE IS NO LONGER ENCUMBERED.

30 H. IF A MULTISTATE AUTHORIZATION TO PRACTICE IS ENCUMBERED IN A  
31 REMOTE STATE, THE REGULATED SOCIAL WORKER'S MULTISTATE AUTHORIZATION TO  
32 PRACTICE MAY BE DEACTIVATED IN THAT STATE UNTIL THE MULTISTATE  
33 AUTHORIZATION TO PRACTICE IS NO LONGER ENCUMBERED.

34 SECTION 5. ISSUANCE OF A MULTISTATE LICENSE

35 A. ON RECEIPT OF AN APPLICATION FOR MULTISTATE LICENSE, THE HOME  
36 STATE LICENSING AUTHORITY SHALL DETERMINE THE APPLICANT'S ELIGIBILITY FOR  
37 A MULTISTATE LICENSE IN ACCORDANCE WITH SECTION 4 OF THIS COMPACT.

38 B. IF SUCH APPLICANT IS ELIGIBLE PURSUANT TO SECTION 4 OF THIS  
39 COMPACT, THE HOME STATE LICENSING AUTHORITY SHALL ISSUE A MULTISTATE  
40 LICENSE THAT AUTHORIZES THE APPLICANT OR REGULATED SOCIAL WORKER TO  
41 PRACTICE IN ALL MEMBER STATES UNDER A MULTISTATE AUTHORIZATION TO  
42 PRACTICE.

43 C. ON ISSUANCE OF A MULTISTATE LICENSE, THE HOME STATE LICENSING  
44 AUTHORITY SHALL DESIGNATE WHETHER THE REGULATED SOCIAL WORKER HOLDS A

1 MULTISTATE LICENSE IN THE BACHELOR'S, MASTER'S OR CLINICAL CATEGORY OF  
2 SOCIAL WORK.

3 D. A MULTISTATE LICENSE ISSUED BY A HOME STATE TO A RESIDENT IN  
4 THAT STATE SHALL BE RECOGNIZED BY ALL COMPACT MEMBER STATES AS AUTHORIZING  
5 SOCIAL WORK PRACTICE UNDER A MULTISTATE AUTHORIZATION TO PRACTICE  
6 CORRESPONDING TO EACH CATEGORY OF LICENSURE REGULATED IN EACH MEMBER  
7 STATE.

8 SECTION 6. AUTHORITY OF INTERSTATE COMPACT COMMISSION  
9 AND MEMBER STATE LICENSING AUTHORITIES

10 A. THIS COMPACT AND ANY RULE OF THE COMMISSION DOES NOT LIMIT,  
11 RESTRICT OR IN ANY WAY REDUCE THE ABILITY OF A MEMBER STATE TO ENACT AND  
12 ENFORCE LAWS, REGULATIONS OR OTHER RULES RELATED TO THE PRACTICE OF SOCIAL  
13 WORK IN THAT STATE IF THOSE LAWS, REGULATIONS OR OTHER RULES ARE NOT  
14 INCONSISTENT WITH THE PROVISIONS OF THIS COMPACT.

15 B. THIS COMPACT DOES NOT AFFECT THE REQUIREMENTS ESTABLISHED BY A  
16 MEMBER STATE FOR THE ISSUANCE OF A SINGLE STATE LICENSE.

17 C. THIS COMPACT AND ANY RULE OF THE COMMISSION DOES NOT LIMIT,  
18 RESTRICT OR IN ANY WAY REDUCE THE ABILITY OF A MEMBER STATE TO TAKE  
19 ADVERSE ACTION AGAINST A LICENSEE'S SINGLE STATE LICENSE TO PRACTICE  
20 SOCIAL WORK IN THAT STATE.

21 D. THIS COMPACT AND ANY RULE OF THE COMMISSION DOES NOT LIMIT,  
22 RESTRICT OR IN ANY WAY REDUCE THE ABILITY OF A REMOTE STATE TO TAKE  
23 ADVERSE ACTION AGAINST A LICENSEE'S MULTISTATE AUTHORIZATION TO PRACTICE  
24 IN THAT STATE.

25 E. THIS COMPACT AND ANY RULE OF THE COMMISSION DOES NOT LIMIT,  
26 RESTRICT OR IN ANY WAY REDUCE THE ABILITY OF A LICENSEE'S HOME STATE TO  
27 TAKE ADVERSE ACTION AGAINST A LICENSEE'S MULTISTATE LICENSE BASED ON  
28 INFORMATION PROVIDED BY A REMOTE STATE.

29 SECTION 7. REISSUANCE OF A MULTISTATE LICENSE  
30 BY A NEW HOME STATE

31 A. A LICENSEE CAN HOLD A MULTISTATE LICENSE ISSUED BY THE  
32 LICENSEE'S HOME STATE IN ONLY ONE MEMBER STATE AT ANY GIVEN TIME.

33 B. IF A LICENSEE CHANGES THE LICENSEE'S HOME STATE BY MOVING  
34 BETWEEN TWO MEMBER STATES:

35 1. THE LICENSEE SHALL IMMEDIATELY APPLY FOR THE REISSUANCE OF THE  
36 LICENSEE'S MULTISTATE LICENSE IN THE NEW HOME STATE. THE LICENSEE SHALL  
37 PAY ALL APPLICABLE FEES AND NOTIFY THE PRIOR HOME STATE IN ACCORDANCE WITH  
38 THE RULES OF THE COMMISSION.

39 2. ON RECEIPT OF AN APPLICATION TO REISSUE A MULTISTATE LICENSE,  
40 THE NEW HOME STATE SHALL VERIFY THAT THE MULTISTATE LICENSE IS ACTIVE,  
41 UNENCUMBERED AND ELIGIBLE FOR REISSUANCE UNDER THE TERMS OF THE COMPACT  
42 AND THE RULES OF THE COMMISSION. THE MULTISTATE LICENSE ISSUED BY THE  
43 PRIOR HOME STATE WILL BE DEACTIVATED AND ALL MEMBER STATES NOTIFIED IN  
44 ACCORDANCE WITH THE APPLICABLE RULES ADOPTED BY THE COMMISSION.

1           3. PRIOR TO THE REISSUANCE OF THE MULTISTATE LICENSE, THE NEW HOME  
2 STATE SHALL CONDUCT PROCEDURES FOR CONSIDERING THE CRIMINAL HISTORY  
3 RECORDS OF THE LICENSEE. SUCH PROCEDURES SHALL INCLUDE THE SUBMISSION OF  
4 FINGERPRINTS OR OTHER BIOMETRIC-BASED INFORMATION BY APPLICANTS FOR THE  
5 PURPOSE OF OBTAINING AN APPLICANT'S CRIMINAL HISTORY RECORD INFORMATION  
6 FROM THE FEDERAL BUREAU OF INVESTIGATION AND THE AGENCY RESPONSIBLE FOR  
7 RETAINING THAT STATE'S CRIMINAL RECORDS.

8           4. IF REQUIRED FOR INITIAL LICENSURE, THE NEW HOME STATE MAY  
9 REQUIRE COMPLETION OF JURISPRUDENCE REQUIREMENTS IN THE NEW HOME STATE.

10          5. NOTWITHSTANDING ANY OTHER PROVISION OF THIS COMPACT, IF A  
11 LICENSEE DOES NOT MEET THE REQUIREMENTS SET FORTH IN THIS COMPACT FOR THE  
12 REISSUANCE OF A MULTISTATE LICENSE BY THE NEW HOME STATE, THE LICENSEE  
13 SHALL BE SUBJECT TO THE NEW HOME STATE REQUIREMENTS FOR THE ISSUANCE OF A  
14 SINGLE STATE LICENSE IN THAT STATE.

15          C. IF A LICENSEE CHANGES THE LICENSEE'S PRIMARY STATE OF RESIDENCE  
16 BY MOVING FROM A MEMBER STATE TO A NONMEMBER STATE, OR FROM A NONMEMBER  
17 STATE TO A MEMBER STATE, THE LICENSEE SHALL BE SUBJECT TO THE STATE  
18 REQUIREMENTS FOR THE ISSUANCE OF A SINGLE STATE LICENSE IN THE NEW HOME  
19 STATE.

20          D. THIS COMPACT DOES NOT INTERFERE WITH A LICENSEE'S ABILITY TO  
21 HOLD A SINGLE STATE LICENSE IN MULTIPLE STATES; HOWEVER, FOR THE PURPOSES  
22 OF THIS COMPACT, A LICENSEE SHALL HAVE ONLY ONE HOME STATE AND ONLY ONE  
23 MULTISTATE LICENSE.

24          E. THIS COMPACT DOES NOT INTERFERE WITH THE REQUIREMENTS  
25 ESTABLISHED BY A MEMBER STATE FOR THE ISSUANCE OF A SINGLE STATE LICENSE.

26                                 SECTION 8. MILITARY FAMILIES

27          AN ACTIVE MILITARY MEMBER OR THE ACTIVE MILITARY MEMBER'S SPOUSE  
28 SHALL DESIGNATE A HOME STATE WHERE THE INDIVIDUAL HAS A MULTISTATE  
29 LICENSE. THE INDIVIDUAL MAY RETAIN THE INDIVIDUAL'S HOME STATE  
30 DESIGNATION DURING THE PERIOD THE ACTIVE MILITARY MEMBER IS ON ACTIVE  
31 DUTY.

32                                 SECTION 9. ADVERSE ACTIONS

33          A. IN ADDITION TO THE OTHER POWERS CONFERRED BY STATE LAW, A REMOTE  
34 STATE SHALL HAVE THE AUTHORITY, IN ACCORDANCE WITH EXISTING STATE DUE  
35 PROCESS LAW, TO TAKE ADVERSE ACTION AGAINST A REGULATED SOCIAL WORKER'S  
36 MULTISTATE AUTHORIZATION TO PRACTICE ONLY WITHIN THAT MEMBER STATE AND  
37 ISSUE SUBPOENAS FOR BOTH HEARINGS AND INVESTIGATIONS THAT REQUIRE THE  
38 ATTENDANCE AND TESTIMONY OF WITNESSES AS WELL AS THE PRODUCTION OF  
39 EVIDENCE. SUBPOENAS ISSUED BY A LICENSING AUTHORITY IN A MEMBER STATE FOR  
40 THE ATTENDANCE AND TESTIMONY OF WITNESSES OR THE PRODUCTION OF EVIDENCE  
41 FROM ANOTHER MEMBER STATE SHALL BE ENFORCED IN THE LATTER STATE BY ANY  
42 COURT OF COMPETENT JURISDICTION, ACCORDING TO THE PRACTICE AND PROCEDURE  
43 OF THAT COURT APPLICABLE TO SUBPOENAS ISSUED IN PROCEEDINGS PENDING BEFORE  
44 IT. THE ISSUING LICENSING AUTHORITY SHALL PAY ANY WITNESS FEES, TRAVEL

1 EXPENSES, MILEAGE AND OTHER FEES REQUIRED BY THE SERVICE STATUTES OF THE  
2 STATE IN WHICH THE WITNESSES OR EVIDENCE IS LOCATED.

3 B. ONLY THE HOME STATE SHALL HAVE THE POWER TO TAKE ADVERSE ACTION  
4 AGAINST A REGULATED SOCIAL WORKER'S MULTISTATE LICENSE.

5 C. FOR THE PURPOSES OF TAKING ADVERSE ACTION, THE HOME STATE SHALL  
6 GIVE THE SAME PRIORITY AND EFFECT TO REPORTED CONDUCT RECEIVED FROM A  
7 MEMBER STATE AS IT WOULD IF THE CONDUCT HAD OCCURRED WITHIN THE HOME  
8 STATE. IN SO DOING, THE HOME STATE SHALL APPLY ITS OWN STATE LAWS TO  
9 DETERMINE APPROPRIATE ACTION.

10 D. THE HOME STATE SHALL COMPLETE ANY PENDING INVESTIGATIONS OF A  
11 REGULATED SOCIAL WORKER WHO CHANGES THE REGULATED SOCIAL WORKER'S HOME  
12 STATE DURING THE COURSE OF THE INVESTIGATIONS. THE HOME STATE SHALL ALSO  
13 HAVE THE AUTHORITY TO TAKE APPROPRIATE ACTION AND SHALL PROMPTLY REPORT  
14 THE CONCLUSIONS OF THE INVESTIGATIONS TO THE ADMINISTRATOR OF THE DATA  
15 SYSTEM. THE ADMINISTRATOR OF THE DATA SYSTEM SHALL PROMPTLY NOTIFY THE  
16 NEW HOME STATE OF ANY ADVERSE ACTION.

17 E. A MEMBER STATE, IF OTHERWISE ALLOWED BY STATE LAW, MAY RECOVER  
18 FROM THE AFFECTED REGULATED SOCIAL WORKER THE COSTS OF INVESTIGATIONS AND  
19 DISPOSITIONS OF CASES RESULTING FROM ANY ADVERSE ACTION TAKEN AGAINST THAT  
20 REGULATED SOCIAL WORKER.

21 F. A MEMBER STATE MAY TAKE ADVERSE ACTION BASED ON THE FACTUAL  
22 FINDINGS OF ANOTHER MEMBER STATE IF THE MEMBER STATE FOLLOWS ITS OWN  
23 PROCEDURES FOR TAKING THE ADVERSE ACTION.

24 G. THE FOLLOWING APPLY TO JOINT INVESTIGATIONS:

25 1. IN ADDITION TO THE AUTHORITY GRANTED TO A MEMBER STATE BY ITS  
26 RESPECTIVE SOCIAL WORK PRACTICE ACT OR OTHER APPLICABLE STATE LAW, ANY  
27 MEMBER STATE MAY PARTICIPATE WITH OTHER MEMBER STATES IN JOINT  
28 INVESTIGATIONS OF LICENSEES.

29 2. MEMBER STATES SHALL SHARE ANY INVESTIGATIVE, LITIGATION OR  
30 COMPLIANCE MATERIALS IN FURTHERANCE OF ANY JOINT OR INDIVIDUAL  
31 INVESTIGATION INITIATED UNDER THE COMPACT.

32 H. IF ADVERSE ACTION IS TAKEN BY THE HOME STATE AGAINST THE  
33 MULTISTATE LICENSE OF A REGULATED SOCIAL WORKER, THE REGULATED SOCIAL  
34 WORKER'S MULTISTATE AUTHORIZATION TO PRACTICE IN ALL OTHER MEMBER STATES  
35 SHALL BE DEACTIVATED UNTIL ALL ENCUMBRANCES HAVE BEEN REMOVED FROM THE  
36 MULTISTATE LICENSE. ALL HOME STATE DISCIPLINARY ORDERS THAT IMPOSE  
37 ADVERSE ACTION AGAINST THE LICENSE OF A REGULATED SOCIAL WORKER SHALL  
38 INCLUDE A STATEMENT THAT THE REGULATED SOCIAL WORKER'S MULTISTATE  
39 AUTHORIZATION TO PRACTICE IS DEACTIVATED IN ALL MEMBER STATES UNTIL ALL  
40 CONDITIONS OF THE DECISION, ORDER OR AGREEMENT ARE SATISFIED.

41 I. IF A MEMBER STATE TAKES ADVERSE ACTION, IT SHALL PROMPTLY NOTIFY  
42 THE ADMINISTRATOR OF THE DATA SYSTEM. THE ADMINISTRATOR OF THE DATA  
43 SYSTEM SHALL PROMPTLY NOTIFY THE HOME STATE AND ALL OTHER MEMBER STATES OF  
44 ANY ADVERSE ACTIONS BY REMOTE STATES.

1 J. THIS COMPACT DOES NOT OVERRIDE A MEMBER STATE'S DECISION THAT  
2 PARTICIPATION IN AN ALTERNATIVE PROGRAM MAY BE USED IN LIEU OF ADVERSE  
3 ACTION.

4 K. THIS COMPACT DOES NOT AUTHORIZE A MEMBER STATE TO DEMAND THE  
5 ISSUANCE OF SUBPOENAS FOR ATTENDANCE AND TESTIMONY OF WITNESSES OR THE  
6 PRODUCTION OF EVIDENCE FROM ANOTHER MEMBER STATE FOR LAWFUL ACTIONS WITHIN  
7 THAT MEMBER STATE.

8 L. THIS COMPACT DOES NOT AUTHORIZE A MEMBER STATE TO IMPOSE  
9 DISCIPLINE AGAINST A REGULATED SOCIAL WORKER WHO HOLDS A MULTISTATE  
10 AUTHORIZATION TO PRACTICE FOR LAWFUL ACTIONS WITHIN ANOTHER MEMBER STATE.

11 SECTION 10. ESTABLISHMENT OF SOCIAL WORK LICENSURE  
12 COMPACT COMMISSION

13 A. THE COMPACT MEMBER STATES HEREBY CREATE AND ESTABLISH A JOINT  
14 GOVERNMENT AGENCY WHOSE MEMBERSHIP CONSISTS OF ALL MEMBER STATES THAT HAVE  
15 ENACTED THE COMPACT KNOWN AS THE SOCIAL WORK LICENSURE COMPACT COMMISSION.  
16 THE COMMISSION IS AN INSTRUMENTALITY OF THE COMPACT STATES ACTING JOINTLY  
17 AND NOT AN INSTRUMENTALITY OF ANY ONE STATE. THE COMMISSION SHALL COME  
18 INTO EXISTENCE ON OR AFTER THE EFFECTIVE DATE OF THE COMPACT AS SET FORTH  
19 IN SECTION 14 OF THIS COMPACT.

20 B. THE MEMBERSHIP, VOTING AND MEETINGS OF THE COMMISSION ARE AS  
21 FOLLOWS:

22 1. EACH MEMBER STATE SHALL HAVE AND BE LIMITED TO ONE DELEGATE  
23 SELECTED BY THAT MEMBER STATE'S LICENSING AUTHORITY.

24 2. THE DELEGATE SHALL BE EITHER:

25 (a) A CURRENT MEMBER OF THE LICENSING AUTHORITY AT THE TIME OF  
26 APPOINTMENT WHO IS A REGULATED SOCIAL WORKER OR PUBLIC MEMBER OF THE STATE  
27 LICENSING AUTHORITY.

28 (b) AN ADMINISTRATOR OF THE LICENSING AUTHORITY OR THE  
29 ADMINISTRATOR'S DESIGNEE.

30 3. THE COMMISSION SHALL BY RULE OR BYLAW ESTABLISH A TERM OF OFFICE  
31 FOR DELEGATES AND MAY BY RULE OR BYLAW ESTABLISH TERM LIMITS.

32 4. THE COMMISSION MAY RECOMMEND THE REMOVAL OR SUSPENSION OF ANY  
33 DELEGATE FROM OFFICE.

34 5. A MEMBER STATE'S LICENSING AUTHORITY SHALL FILL ANY VACANCY OF  
35 ITS DELEGATE OCCURRING ON THE COMMISSION WITHIN SIXTY DAYS AFTER THE  
36 VACANCY.

37 6. EACH DELEGATE SHALL BE ENTITLED TO ONE VOTE ON ALL MATTERS  
38 BEFORE THE COMMISSION REQUIRING A VOTE BY COMMISSION DELEGATES.

39 7. A DELEGATE SHALL VOTE IN PERSON OR BY SUCH OTHER MEANS AS  
40 PROVIDED IN THE BYLAWS. THE BYLAWS MAY PROVIDE FOR DELEGATES TO MEET BY  
41 TELECOMMUNICATION, VIDEOCONFERENCE OR OTHER MEANS OF COMMUNICATION.

42 8. THE COMMISSION SHALL MEET AT LEAST ONCE DURING EACH CALENDAR  
43 YEAR. ADDITIONAL MEETINGS MAY BE HELD AS SET FORTH IN THE BYLAWS. THE  
44 COMMISSION MAY MEET BY TELECOMMUNICATION, VIDEO CONFERENCE OR OTHER  
45 SIMILAR ELECTRONIC MEANS.

- 1 C. THE COMMISSION SHALL HAVE THE FOLLOWING POWERS:
- 2 1. ESTABLISH THE FISCAL YEAR OF THE COMMISSION.
- 3 2. ESTABLISH CODE OF CONDUCT AND CONFLICT OF INTEREST POLICIES.
- 4 3. ESTABLISH AND AMEND RULES AND BYLAWS.
- 5 4. MAINTAIN ITS FINANCIAL RECORDS IN ACCORDANCE WITH THE BYLAWS.
- 6 5. MEET AND TAKE SUCH ACTIONS AS ARE CONSISTENT WITH THIS COMPACT,
- 7 THE COMMISSION'S RULES AND THE BYLAWS.
- 8 6. INITIATE AND CONCLUDE LEGAL PROCEEDINGS OR ACTIONS IN THE NAME
- 9 OF THE COMMISSION IF THE STANDING OF ANY LICENSING AUTHORITY TO SUE OR BE
- 10 SUED UNDER APPLICABLE LAW IS NOT AFFECTED.
- 11 7. MAINTAIN AND CERTIFY RECORDS AND INFORMATION PROVIDED TO A
- 12 MEMBER STATE AS THE AUTHENTICATED BUSINESS RECORDS OF THE COMMISSION, AND
- 13 DESIGNATE AN AGENT TO DO SO ON THE COMMISSION'S BEHALF.
- 14 8. PURCHASE AND MAINTAIN INSURANCE AND BONDS.
- 15 9. BORROW, ACCEPT OR CONTRACT FOR SERVICES OF PERSONNEL, INCLUDING
- 16 EMPLOYEES OF A MEMBER STATE.
- 17 10. CONDUCT AN ANNUAL FINANCIAL REVIEW.
- 18 11. HIRE EMPLOYEES, ELECT OR APPOINT OFFICERS, FIX COMPENSATION,
- 19 DEFINE DUTIES, GRANT SUCH INDIVIDUALS APPROPRIATE AUTHORITY TO CARRY OUT
- 20 THE PURPOSES OF THE COMPACT AND ESTABLISH THE COMMISSION'S PERSONNEL
- 21 POLICIES AND PROGRAMS RELATING TO CONFLICTS OF INTEREST, QUALIFICATIONS OF
- 22 PERSONNEL AND OTHER RELATED PERSONNEL MATTERS.
- 23 12. ASSESS AND COLLECT FEES.
- 24 13. ACCEPT ANY APPROPRIATE GIFTS, DONATIONS, GRANTS OF MONIES,
- 25 OTHER SOURCES OF REVENUE, EQUIPMENT, SUPPLIES, MATERIALS AND SERVICES AND
- 26 RECEIVE, USE AND DISPOSE OF THE SAME. AT ALL TIMES THE COMMISSION SHALL
- 27 AVOID ANY APPEARANCE OF IMPROPRIETY OR CONFLICT OF INTEREST.
- 28 14. LEASE, PURCHASE, RETAIN, OWN, HOLD, IMPROVE OR USE ANY
- 29 PROPERTY, REAL, PERSONAL, OR MIXED, OR ANY UNDIVIDED INTEREST IN THE
- 30 PROPERTY.
- 31 15. SELL, CONVEY, MORTGAGE, PLEDGE, LEASE, EXCHANGE, ABANDON OR
- 32 OTHERWISE DISPOSE OF ANY PROPERTY, REAL, PERSONAL, OR MIXED.
- 33 16. ESTABLISH A BUDGET AND MAKE EXPENDITURES.
- 34 17. BORROW MONIES.
- 35 18. APPOINT COMMITTEES, INCLUDING STANDING COMMITTEES, COMPOSED OF
- 36 MEMBERS, STATE REGULATORS, STATE LEGISLATORS OR THEIR REPRESENTATIVES,
- 37 CONSUMER REPRESENTATIVES AND SUCH OTHER INTERESTED PERSONS AS MAY BE
- 38 DESIGNATED IN THIS COMPACT AND THE BYLAWS.
- 39 19. PROVIDE AND RECEIVE INFORMATION FROM, AND COOPERATE WITH, LAW
- 40 ENFORCEMENT AGENCIES.
- 41 20. ESTABLISH AND ELECT AN EXECUTIVE COMMITTEE, INCLUDING A
- 42 CHAIRPERSON AND A VICE CHAIRPERSON.
- 43 21. DETERMINE WHETHER A STATE'S ADOPTED LANGUAGE IS MATERIALLY
- 44 DIFFERENT FROM THE MODEL COMPACT LANGUAGE SUCH THAT THE STATE WOULD NOT
- 45 QUALIFY FOR PARTICIPATION IN THE COMPACT.

1           22. PERFORM SUCH OTHER FUNCTIONS AS MAY BE NECESSARY OR APPROPRIATE  
2 TO ACHIEVE THE PURPOSES OF THIS COMPACT.

3           D. THE EXECUTIVE COMMITTEE SHALL HAVE THE POWER TO ACT ON BEHALF OF  
4 THE COMMISSION ACCORDING TO THE TERMS OF THIS COMPACT. THE POWERS, DUTIES  
5 AND RESPONSIBILITIES OF THE EXECUTIVE COMMITTEE INCLUDE:

6           1. OVERSEEING THE DAY-TO-DAY ACTIVITIES OF THE ADMINISTRATION OF  
7 THE COMPACT, INCLUDING ENFORCEMENT AND COMPLIANCE WITH THE COMPACT, ITS  
8 RULES AND BYLAWS, AND OTHER SUCH DUTIES AS DEEMED NECESSARY.

9           2. RECOMMENDING TO THE COMMISSION CHANGES TO THE RULES OR BYLAWS,  
10 CHANGES TO THIS COMPACT LEGISLATION, FEES CHARGED TO MEMBER STATES, FEES  
11 CHARGED TO LICENSEES AND OTHER FEES.

12           3. ENSURING THE COMPACT ADMINISTRATION SERVICES ARE APPROPRIATELY  
13 PROVIDED, INCLUDING BY CONTRACT.

14           4. PREPARING AND RECOMMENDING THE BUDGET.

15           5. MAINTAINING FINANCIAL RECORDS ON BEHALF OF THE COMMISSION.

16           6. MONITORING COMPACT COMPLIANCE OF MEMBER STATES AND PROVIDING  
17 COMPLIANCE REPORTS TO THE COMMISSION.

18           7. ESTABLISHING ADDITIONAL COMMITTEES AS NECESSARY.

19           8. EXERCISING THE POWERS AND DUTIES OF THE COMMISSION DURING THE  
20 INTERIM BETWEEN COMMISSION MEETINGS, EXCEPT FOR ADOPTING OR AMENDING  
21 RULES, ADOPTING OR AMENDING BYLAWS, AND EXERCISING ANY OTHER POWERS AND  
22 DUTIES EXPRESSLY RESERVED TO THE COMMISSION BY RULE OR BYLAW.

23           9. PERFORMING OTHER DUTIES AS PROVIDED IN THE RULES OR BYLAWS OF  
24 THE COMMISSION.

25           E. THE EXECUTIVE COMMITTEE SHALL BE COMPOSED OF UP TO ELEVEN  
26 MEMBERS AS FOLLOWS:

27           1. THE CHAIRPERSON AND VICE CHAIRPERSON OF THE COMMISSION SHALL BE  
28 VOTING MEMBERS OF THE EXECUTIVE COMMITTEE.

29           2. THE COMMISSION SHALL ELECT FIVE VOTING MEMBERS FROM THE CURRENT  
30 MEMBERSHIP OF THE COMMISSION.

31           3. UP TO FOUR EX OFFICIO, NONVOTING MEMBERS FROM FOUR RECOGNIZED  
32 NATIONAL SOCIAL WORK ORGANIZATIONS SHALL BE SELECTED BY THEIR RESPECTIVE  
33 ORGANIZATIONS.

34           F. THE COMMISSION MAY REMOVE ANY MEMBER OF THE EXECUTIVE COMMITTEE  
35 AS PROVIDED IN THE COMMISSION'S BYLAWS.

36           G. THE EXECUTIVE COMMITTEE SHALL MEET AT LEAST ANNUALLY. EXECUTIVE  
37 COMMITTEE MEETINGS SHALL BE OPEN TO THE PUBLIC, EXCEPT THAT THE EXECUTIVE  
38 COMMITTEE MAY MEET IN A CLOSED, NONPUBLIC MEETING AS PROVIDED IN  
39 SUBSECTION I, PARAGRAPH 2 OF THIS SECTION. THE EXECUTIVE COMMITTEE SHALL  
40 GIVE SEVEN DAYS' NOTICE OF ITS MEETINGS, POSTED ON ITS WEBSITE AND AS  
41 DETERMINED TO PROVIDE NOTICE TO PERSONS WITH AN INTEREST IN THE BUSINESS  
42 OF THE COMMISSION. THE EXECUTIVE COMMITTEE MAY HOLD A SPECIAL MEETING IN  
43 ACCORDANCE WITH SUBSECTION I, PARAGRAPH 1 OF THIS SECTION.

44           H. THE COMMISSION SHALL ADOPT AND PROVIDE TO THE MEMBER STATES AN  
45 ANNUAL REPORT.



1 I. MEETINGS OF THE COMMISSION ARE AS FOLLOWS:  
2 1. ALL MEETINGS SHALL BE OPEN TO THE PUBLIC, EXCEPT THAT THE  
3 COMMISSION MAY MEET IN A CLOSED, NONPUBLIC MEETING AS PROVIDED IN  
4 PARAGRAPH 2 OF THIS SUBSECTION. PUBLIC NOTICE FOR ALL MEETINGS OF THE  
5 FULL COMMISSION SHALL BE GIVEN IN THE SAME MANNER AS REQUIRED UNDER THE  
6 RULEMAKING PROVISIONS IN SECTION 12 OF THIS COMPACT, EXCEPT THAT THE  
7 COMMISSION MAY HOLD A SPECIAL MEETING WHEN IT MUST MEET TO CONDUCT  
8 EMERGENCY BUSINESS BY GIVING FORTY-EIGHT HOURS' NOTICE TO ALL  
9 COMMISSIONERS, ON THE COMMISSION'S WEBSITE, AND BY OTHER MEANS AS PROVIDED  
10 IN THE COMMISSION'S RULES. THE COMMISSION'S LEGAL COUNSEL SHALL CERTIFY  
11 THAT THE COMMISSION'S NEED TO MEET QUALIFIES AS AN EMERGENCY.  
12 2. THE COMMISSION OR THE EXECUTIVE COMMITTEE OR OTHER COMMITTEES OF  
13 THE COMMISSION MAY CONVENE IN A CLOSED, NONPUBLIC MEETING FOR THE  
14 COMMISSION OR EXECUTIVE COMMITTEE OR OTHER COMMITTEES OF THE COMMISSION TO  
15 RECEIVE LEGAL ADVICE OR TO DISCUSS:  
16 (a) NONCOMPLIANCE OF A MEMBER STATE WITH ITS OBLIGATIONS UNDER THE  
17 COMPACT.  
18 (b) THE EMPLOYMENT, COMPENSATION OR DISCIPLINE OR OTHER MATTERS,  
19 PRACTICES OR PROCEDURES RELATED TO SPECIFIC EMPLOYEES.  
20 (c) CURRENT OR THREATENED DISCIPLINE OF A LICENSEE BY THE  
21 COMMISSION OR BY A MEMBER STATE'S LICENSING AUTHORITY.  
22 (d) CURRENT, THREATENED OR REASONABLY ANTICIPATED LITIGATION.  
23 (e) NEGOTIATION OF CONTRACTS FOR THE PURCHASE, LEASE OR SALE OF  
24 GOODS, SERVICES OR REAL ESTATE.  
25 (f) ACCUSING ANY PERSON OF A CRIME OR FORMALLY CENSURING ANY  
26 PERSON.  
27 (g) TRADE SECRETS OR COMMERCIAL OR FINANCIAL INFORMATION THAT IS  
28 PRIVILEGED OR CONFIDENTIAL.  
29 (h) INFORMATION OF A PERSONAL NATURE IF DISCLOSURE WOULD CONSTITUTE  
30 A CLEARLY UNWARRANTED INVASION OF PERSONAL PRIVACY.  
31 (i) INVESTIGATIVE RECORDS COMPILED FOR LAW ENFORCEMENT PURPOSES.  
32 (j) INFORMATION RELATED TO ANY INVESTIGATIVE REPORTS PREPARED BY OR  
33 ON BEHALF OF OR FOR USE OF THE COMMISSION OR OTHER COMMITTEE CHARGED WITH  
34 RESPONSIBILITY OF INVESTIGATION OR DETERMINATION OF COMPLIANCE ISSUES  
35 PURSUANT TO THE COMPACT.  
36 (k) MATTERS SPECIFICALLY EXEMPTED FROM DISCLOSURE BY FEDERAL OR  
37 MEMBER STATE LAW.  
38 (l) OTHER MATTERS AS PROMULGATED BY THE COMMISSION BY RULE.  
39 3. IF A MEETING, OR PORTION OF A MEETING, IS CLOSED, THE PRESIDING  
40 OFFICER SHALL STATE THAT THE MEETING WILL BE CLOSED AND REFERENCE EACH  
41 RELEVANT EXEMPTING PROVISION, AND SUCH REFERENCE SHALL BE RECORDED IN THE  
42 MINUTES.  
43 4. THE COMMISSION SHALL KEEP MINUTES THAT FULLY AND CLEARLY  
44 DESCRIBE ALL MATTERS DISCUSSED IN A MEETING AND SHALL PROVIDE A FULL AND  
45 ACCURATE SUMMARY OF ACTIONS TAKEN, AND THE REASONS THEREFORE, INCLUDING A

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

6 J. FINANCING OF THE COMMISSION IS AS FOLLOWS:

7 1. THE COMMISSION SHALL PAY, OR PROVIDE FOR THE PAYMENT OF, THE  
8 REASONABLE EXPENSES OF THE COMMISSION'S ESTABLISHMENT, ORGANIZATION, AND  
9 ONGOING ACTIVITIES.

10 2. THE COMMISSION MAY ACCEPT ANY APPROPRIATE REVENUE SOURCES AS  
11 PROVIDED IN SUBSECTION C, PARAGRAPH 13 OF THIS SECTION.

12 3. THE COMMISSION MAY LEVY ON AND COLLECT AN ANNUAL ASSESSMENT FROM  
13 EACH MEMBER STATE AND IMPOSE FEES ON LICENSEES OF MEMBER STATES TO WHOM  
14 THE COMMISSION GRANTS A MULTISTATE LICENSE TO COVER THE COST OF THE  
15 OPERATIONS AND ACTIVITIES OF THE COMMISSION AND ITS STAFF, WHICH MUST BE  
16 IN A TOTAL AMOUNT SUFFICIENT TO COVER ITS ANNUAL BUDGET AS APPROVED EACH  
17 YEAR FOR WHICH REVENUE IS NOT PROVIDED BY OTHER SOURCES. THE AGGREGATE  
18 ANNUAL ASSESSMENT AMOUNT FOR MEMBER STATES SHALL BE ALLOCATED BASED ON A  
19 FORMULA THAT THE COMMISSION PROMULGATES BY RULE.

20 4. THE COMMISSION SHALL NOT INCUR OBLIGATIONS OF ANY KIND PRIOR TO  
21 SECURING THE FUNDS ADEQUATE TO MEET THE SAME, AND THE COMMISSION SHALL NOT  
22 PLEDGE THE CREDIT OF ANY OF THE MEMBER STATES, EXCEPT BY AND WITH THE  
23 AUTHORITY OF THE MEMBER STATE.

24 5. THE COMMISSION SHALL KEEP ACCURATE ACCOUNTS OF ALL RECEIPTS AND  
25 DISBURSEMENTS. THE RECEIPTS AND DISBURSEMENTS OF THE COMMISSION ARE  
26 SUBJECT TO THE FINANCIAL REVIEW AND ACCOUNTING PROCEDURES ESTABLISHED  
27 UNDER THE COMMISSION'S BYLAWS. HOWEVER, ALL RECEIPTS AND DISBURSEMENTS OF  
28 FUNDS HANDLED BY THE COMMISSION ARE SUBJECT TO AN ANNUAL FINANCIAL REVIEW  
29 BY A CERTIFIED OR LICENSED PUBLIC ACCOUNTANT, AND THE REPORT OF THE  
30 FINANCIAL REVIEW SHALL BE INCLUDED IN AND BECOME PART OF THE ANNUAL REPORT  
31 OF THE COMMISSION.

32 K. QUALIFIED IMMUNITY, DEFENSE AND INDEMNIFICATION ARE AS FOLLOWS:

33 1. THE MEMBERS, OFFICERS, EXECUTIVE DIRECTOR, EMPLOYEES AND  
34 REPRESENTATIVES OF THE COMMISSION SHALL BE IMMUNE FROM SUIT AND LIABILITY,  
35 BOTH PERSONALLY AND IN THEIR OFFICIAL CAPACITY, FOR ANY CLAIM FOR DAMAGE  
36 TO OR LOSS OF PROPERTY OR PERSONAL INJURY OR OTHER CIVIL LIABILITY CAUSED  
37 BY OR ARISING OUT OF ANY ACTUAL OR ALLEGED ACT, ERROR OR OMISSION THAT  
38 OCCURRED, OR THAT THE PERSON AGAINST WHOM THE CLAIM IS MADE HAD A  
39 REASONABLE BASIS FOR BELIEVING OCCURRED WITHIN THE SCOPE OF COMMISSION  
40 EMPLOYMENT, DUTIES OR RESPONSIBILITIES. THIS PARAGRAPH DOES NOT PROTECT  
41 ANY SUCH PERSON FROM SUIT OR LIABILITY FOR ANY DAMAGE, LOSS, INJURY OR  
42 LIABILITY CAUSED BY THE INTENTIONAL OR WILFUL OR WANTON MISCONDUCT OF THAT  
43 PERSON. THE PROCUREMENT OF INSURANCE OF ANY TYPE BY THE COMMISSION SHALL  
44 NOT IN ANY WAY COMPROMISE OR LIMIT THE IMMUNITY GRANTED HEREUNDER.

1           2. THE COMMISSION SHALL DEFEND ANY MEMBER, OFFICER, EXECUTIVE  
2 DIRECTOR, EMPLOYEE AND REPRESENTATIVE OF THE COMMISSION IN ANY CIVIL  
3 ACTION SEEKING TO IMPOSE LIABILITY ARISING OUT OF ANY ACTUAL OR ALLEGED  
4 ACT, ERROR OR OMISSION THAT OCCURRED WITHIN THE SCOPE OF COMMISSION  
5 EMPLOYMENT, DUTIES OR RESPONSIBILITIES, OR AS DETERMINED BY THE COMMISSION  
6 THAT THE PERSON AGAINST WHOM THE CLAIM IS MADE HAD A REASONABLE BASIS FOR  
7 BELIEVING OCCURRED WITHIN THE SCOPE OF COMMISSION EMPLOYMENT, DUTIES OR  
8 RESPONSIBILITIES. THIS PARAGRAPH DOES NOT PROHIBIT THAT PERSON FROM  
9 RETAINING THE PERSON'S OWN COUNSEL AT THE PERSON'S OWN EXPENSE, AND IF THE  
10 ACTUAL OR ALLEGED ACT, ERROR, OR OMISSION DID NOT RESULT FROM THAT  
11 PERSON'S INTENTIONAL OR WILFUL OR WANTON MISCONDUCT.

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

21           4. THIS COMPACT DOES NOT LIMIT THE LIABILITY OF ANY LICENSEE FOR  
22 PROFESSIONAL MALPRACTICE OR MISCONDUCT, WHICH SHALL BE GOVERNED SOLELY BY  
23 ANY OTHER APPLICABLE STATE LAWS.

24           5. THIS COMPACT DOES NOT WAIVE OR OTHERWISE ABROGATE A MEMBER  
25 STATE'S STATE ACTION IMMUNITY OR STATE ACTION AFFIRMATIVE DEFENSE WITH  
26 RESPECT TO ANTITRUST CLAIMS UNDER THE SHERMAN ACT, THE CLAYTON ACT OR ANY  
27 OTHER STATE OR FEDERAL ANTITRUST OR ANTICOMPETITIVE LAW OR REGULATION.

28           6. THIS COMPACT IS NOT A WAIVER OF SOVEREIGN IMMUNITY BY THE MEMBER  
29 STATES OR BY THE COMMISSION.

30                                   SECTION 11. DATA SYSTEM

31           A. THE COMMISSION SHALL PROVIDE FOR THE DEVELOPMENT, MAINTENANCE,  
32 OPERATION AND UTILIZATION OF A COORDINATED DATA SYSTEM.

33           B. THE COMMISSION SHALL ASSIGN EACH APPLICANT FOR A MULTISTATE  
34 LICENSE A UNIQUE IDENTIFIER AS DETERMINED BY THE RULES OF THE COMMISSION.

35           C. NOTWITHSTANDING ANY OTHER PROVISION OF STATE LAW TO THE  
36 CONTRARY, A MEMBER STATE SHALL SUBMIT A UNIFORM DATA SET TO THE DATA  
37 SYSTEM ON ALL INDIVIDUALS TO WHOM THIS COMPACT APPLIES AS REQUIRED BY THE  
38 RULES OF THE COMMISSION, INCLUDING:

39                   1. IDENTIFYING INFORMATION.

40                   2. LICENSURE DATA.

41                   3. ADVERSE ACTIONS AGAINST A LICENSE AND INFORMATION RELATED TO THE  
42 ADVERSE ACTION.

1 4. NONCONFIDENTIAL INFORMATION RELATED TO ALTERNATIVE PROGRAM  
2 PARTICIPATION, THE BEGINNING AND ENDING DATES OF SUCH PARTICIPATION, AND  
3 OTHER INFORMATION RELATED TO SUCH PARTICIPATION THAT IS NOT MADE  
4 CONFIDENTIAL UNDER MEMBER STATE LAW.

5 5. ANY DENIAL OF APPLICATION FOR LICENSURE, AND THE REASON OR  
6 REASONS FOR SUCH DENIAL.

7 6. THE PRESENCE OF CURRENT SIGNIFICANT INVESTIGATIVE INFORMATION.

8 7. OTHER INFORMATION THAT MAY FACILITATE THE ADMINISTRATION OF THIS  
9 COMPACT OR THE PROTECTION OF THE PUBLIC AS DETERMINED BY THE RULES OF THE  
10 COMMISSION.

11 D. THE RECORDS AND INFORMATION PROVIDED TO A MEMBER STATE PURSUANT  
12 TO THIS COMPACT OR THROUGH THE DATA SYSTEM, WHEN CERTIFIED BY THE  
13 COMMISSION OR AN AGENT OF THE COMMISSION, SHALL CONSTITUTE THE  
14 AUTHENTICATED BUSINESS RECORDS OF THE COMMISSION AND SHALL BE ENTITLED TO  
15 ANY ASSOCIATED HEARSAY EXCEPTION IN ANY RELEVANT JUDICIAL, QUASI-JUDICIAL  
16 OR ADMINISTRATIVE PROCEEDINGS IN A MEMBER STATE.

17 E. CURRENT SIGNIFICANT INVESTIGATIVE INFORMATION PERTAINING TO A  
18 LICENSEE IN ANY MEMBER STATE WILL ONLY BE AVAILABLE TO OTHER MEMBER  
19 STATES.

20 F. IT IS THE RESPONSIBILITY OF THE MEMBER STATES TO REPORT ANY  
21 ADVERSE ACTION AGAINST A LICENSEE AND TO MONITOR THE DATABASE TO DETERMINE  
22 WHETHER ADVERSE ACTION HAS BEEN TAKEN AGAINST A LICENSEE. ADVERSE ACTION  
23 INFORMATION PERTAINING TO A LICENSEE IN ANY MEMBER STATE WILL BE AVAILABLE  
24 TO ANY OTHER MEMBER STATE.

25 G. MEMBER STATES CONTRIBUTING INFORMATION TO THE DATA SYSTEM MAY  
26 DESIGNATE INFORMATION THAT MAY NOT BE SHARED WITH THE PUBLIC WITHOUT THE  
27 EXPRESS PERMISSION OF THE CONTRIBUTING STATE.

28 H. ANY INFORMATION SUBMITTED TO THE DATA SYSTEM THAT IS  
29 SUBSEQUENTLY EXPUNGED PURSUANT TO FEDERAL LAW OR THE LAWS OF THE MEMBER  
30 STATE CONTRIBUTING THE INFORMATION SHALL BE REMOVED FROM THE DATA SYSTEM.

31 SECTION 12. RULEMAKING

32 A. THE COMMISSION SHALL PROMULGATE REASONABLE RULES IN ORDER TO  
33 EFFECTIVELY AND EFFICIENTLY IMPLEMENT AND ADMINISTER THE PURPOSES AND  
34 PROVISIONS OF THE COMPACT. A RULE IS INVALID AND HAS NO FORCE OR EFFECT  
35 ONLY IF A COURT OF COMPETENT JURISDICTION HOLDS THAT THE RULE IS INVALID  
36 BECAUSE THE COMMISSION EXERCISED ITS RULEMAKING AUTHORITY IN A MANNER THAT  
37 IS BEYOND THE SCOPE AND PURPOSES OF THE COMPACT, OR THE POWERS GRANTED  
38 HEREUNDER, OR BASED ON ANOTHER APPLICABLE STANDARD OF REVIEW.

39 B. THE RULES OF THE COMMISSION SHALL HAVE THE FORCE OF LAW IN EACH  
40 MEMBER STATE, PROVIDED THAT IF THE RULES OF THE COMMISSION CONFLICT WITH  
41 THE LAWS OF THE MEMBER STATE THAT ESTABLISH THE MEMBER STATE'S LAWS,  
42 REGULATIONS AND APPLICABLE STANDARDS THAT GOVERN THE PRACTICE OF SOCIAL  
43 WORK AS HELD BY A COURT OF COMPETENT JURISDICTION, THE RULES OF THE  
44 COMMISSION SHALL BE INEFFECTIVE IN THAT STATE TO THE EXTENT OF THE  
45 CONFLICT.

1 C. THE COMMISSION SHALL EXERCISE ITS RULEMAKING POWERS PURSUANT TO  
2 THE CRITERIA SET FORTH IN THIS SECTION AND THE RULES ADOPTED THEREUNDER.  
3 RULES SHALL BECOME BINDING ON THE DAY FOLLOWING ADOPTION OR THE DATE  
4 SPECIFIED IN THE RULE OR AMENDMENT, WHICHEVER IS LATER.

5 D. IF A MAJORITY OF THE LEGISLATURES OF THE MEMBER STATES REJECTS A  
6 RULE OR PORTION OF A RULE BY ENACTMENT OF A STATUTE OR RESOLUTION IN THE  
7 SAME MANNER USED TO ADOPT THE COMPACT WITHIN FOUR YEARS AFTER THE DATE OF  
8 ADOPTION OF THE RULE, SUCH RULE SHALL HAVE NO FURTHER FORCE AND EFFECT IN  
9 ANY MEMBER STATE.

10 E. RULES SHALL BE ADOPTED AT A REGULAR OR SPECIAL MEETING OF THE  
11 COMMISSION.

12 F. PRIOR TO ADOPTION OF A PROPOSED RULE, THE COMMISSION SHALL HOLD  
13 A PUBLIC HEARING AND ALLOW PERSONS TO PROVIDE ORAL AND WRITTEN COMMENTS,  
14 DATA, FACTS, OPINIONS AND ARGUMENTS.

15 G. PRIOR TO ADOPTION OF A PROPOSED RULE BY THE COMMISSION, AND AT  
16 LEAST THIRTY DAYS BEFORE THE MEETING AT WHICH THE COMMISSION WILL HOLD A  
17 PUBLIC HEARING ON THE PROPOSED RULE, THE COMMISSION SHALL PROVIDE A NOTICE  
18 OF PROPOSED RULEMAKING:

19 1. ON THE WEBSITE OF THE COMMISSION OR OTHER PUBLICLY ACCESSIBLE  
20 PLATFORM.

21 2. TO PERSONS WHO HAVE REQUESTED NOTICE OF THE COMMISSION'S NOTICES  
22 OF PROPOSED RULEMAKING.

23 3. IN SUCH OTHER WAY AS THE COMMISSION MAY BY RULE SPECIFY.

24 H. THE NOTICE OF PROPOSED RULEMAKING SHALL INCLUDE:

25 1. THE TIME, DATE AND LOCATION OF THE PUBLIC HEARING AT WHICH THE  
26 COMMISSION WILL HEAR PUBLIC COMMENTS ON THE PROPOSED RULE AND, IF  
27 DIFFERENT, THE TIME, DATE AND LOCATION OF THE MEETING WHERE THE COMMISSION  
28 WILL CONSIDER AND VOTE ON THE PROPOSED RULE.

29 2. IF THE HEARING IS HELD VIA TELECOMMUNICATION, VIDEO CONFERENCE  
30 OR OTHER ELECTRONIC MEANS, THE COMMISSION SHALL INCLUDE THE MECHANISM FOR  
31 ACCESS TO THE HEARING IN THE NOTICE OF PROPOSED RULEMAKING.

32 3. THE TEXT OF THE PROPOSED RULE AND THE REASON FOR THE PROPOSED  
33 RULE.

34 4. A REQUEST FOR COMMENTS ON THE PROPOSED RULE FROM ANY INTERESTED  
35 PERSON.

36 5. THE MANNER IN WHICH INTERESTED PERSONS MAY SUBMIT WRITTEN  
37 COMMENTS.

38 I. ALL HEARINGS SHALL BE RECORDED. A COPY OF THE RECORDING AND ALL  
39 WRITTEN COMMENTS AND DOCUMENTS RECEIVED BY THE COMMISSION IN RESPONSE TO  
40 THE PROPOSED RULE SHALL BE AVAILABLE TO THE PUBLIC.

41 J. THIS SECTION DOES NOT REQUIRE A SEPARATE HEARING ON EACH RULE.  
42 RULES MAY BE GROUPED FOR THE CONVENIENCE OF THE COMMISSION AT HEARINGS  
43 REQUIRED BY THIS SECTION.

1 K. THE COMMISSION, BY MAJORITY VOTE OF ALL MEMBERS, SHALL TAKE  
2 FINAL ACTION ON THE PROPOSED RULE BASED ON THE RULEMAKING RECORD AND THE  
3 FULL TEXT OF THE RULE. THE COMMISSION MAY ADOPT CHANGES TO THE PROPOSED  
4 RULE IF THE CHANGES DO NOT ENLARGE THE ORIGINAL PURPOSE OF THE PROPOSED  
5 RULE. THE COMMISSION SHALL PROVIDE AN EXPLANATION OF THE REASONS FOR  
6 SUBSTANTIVE CHANGES MADE TO THE PROPOSED RULE AS WELL AS REASONS FOR  
7 SUBSTANTIVE CHANGES NOT MADE THAT WERE RECOMMENDED BY COMMENTERS. THE  
8 COMMISSION SHALL DETERMINE A REASONABLE EFFECTIVE DATE FOR THE  
9 RULE. EXCEPT FOR AN EMERGENCY AS PROVIDED IN SUBSECTION L OF THIS  
10 SECTION, THE EFFECTIVE DATE OF THE RULE SHALL BE NOT SOONER THAN THIRTY  
11 DAYS AFTER ISSUING THE NOTICE THAT IT ADOPTED OR AMENDED THE RULE.

12 L. ON A DETERMINATION THAT AN EMERGENCY EXISTS, THE COMMISSION MAY  
13 CONSIDER AND ADOPT AN EMERGENCY RULE WITH FORTY-EIGHT HOURS' NOTICE, WITH  
14 OPPORTUNITY TO COMMENT, PROVIDED THAT THE USUAL RULEMAKING PROCEDURES  
15 PROVIDED IN THE COMPACT AND IN THIS SECTION SHALL BE RETROACTIVELY APPLIED  
16 TO THE RULE AS SOON AS REASONABLY POSSIBLE BUT NOT LATER THAN NINETY DAYS  
17 AFTER THE EFFECTIVE DATE OF THE RULE. FOR THE PURPOSES OF THIS  
18 SUBSECTION, AN EMERGENCY RULE IS ONE THAT MUST BE ADOPTED IMMEDIATELY IN  
19 ORDER TO:

- 20 1. MEET AN IMMINENT THREAT TO PUBLIC HEALTH, SAFETY OR WELFARE.
- 21 2. PREVENT A LOSS OF COMMISSION OR MEMBER STATE MONIES.
- 22 3. MEET A DEADLINE FOR THE PROMULGATION OF A RULE THAT IS  
23 ESTABLISHED BY FEDERAL LAW OR RULE.
- 24 4. PROTECT THE PUBLIC HEALTH AND SAFETY.

25 M. THE COMMISSION OR AN AUTHORIZED COMMITTEE OF THE COMMISSION MAY  
26 DIRECT REVISIONS TO A PREVIOUSLY ADOPTED RULE FOR PURPOSES OF CORRECTING  
27 TYPOGRAPHICAL ERRORS, ERRORS IN FORMAT, ERRORS IN CONSISTENCY OR  
28 GRAMMATICAL ERRORS. PUBLIC NOTICE OF ANY REVISIONS SHALL BE POSTED ON THE  
29 WEBSITE OF THE COMMISSION. THE REVISION SHALL BE SUBJECT TO CHALLENGE BY  
30 ANY PERSON FOR A PERIOD OF THIRTY DAYS AFTER POSTING. THE REVISION MAY BE  
31 CHALLENGED ONLY ON GROUNDS THAT THE REVISION RESULTS IN A MATERIAL CHANGE  
32 TO A RULE. A CHALLENGE SHALL BE MADE IN WRITING AND DELIVERED TO THE  
33 COMMISSION PRIOR TO THE END OF THE NOTICE PERIOD. IF NO CHALLENGE IS  
34 MADE, THE REVISION WILL TAKE EFFECT WITHOUT FURTHER ACTION. IF THE  
35 REVISION IS CHALLENGED, THE REVISION MAY NOT TAKE EFFECT WITHOUT THE  
36 APPROVAL OF THE COMMISSION.

37 N. A MEMBER STATE'S RULEMAKING REQUIREMENTS SHALL NOT APPLY UNDER  
38 THIS COMPACT.

39 SECTION 13. OVERSIGHT, DISPUTE RESOLUTION  
40 AND ENFORCEMENT

41 A. OVERSIGHT IS AS FOLLOWS:

42 1. THE EXECUTIVE AND JUDICIAL BRANCHES OF STATE GOVERNMENT IN EACH  
43 MEMBER STATE SHALL ENFORCE THIS COMPACT AND TAKE ALL ACTIONS NECESSARY AND  
44 APPROPRIATE TO IMPLEMENT THE COMPACT.

1           2. EXCEPT AS OTHERWISE PROVIDED IN THIS COMPACT, VENUE IS PROPER  
2 AND JUDICIAL PROCEEDINGS BY OR AGAINST THE COMMISSION SHALL BE BROUGHT  
3 SOLELY AND EXCLUSIVELY IN A COURT OF COMPETENT JURISDICTION WHERE THE  
4 PRINCIPAL OFFICE OF THE COMMISSION IS LOCATED. THE COMMISSION MAY WAIVE  
5 VENUE AND JURISDICTIONAL DEFENSES TO THE EXTENT IT ADOPTS OR CONSENTS TO  
6 PARTICIPATE IN ALTERNATIVE DISPUTE RESOLUTION PROCEEDINGS. THIS SECTION  
7 DOES NOT AFFECT OR LIMIT THE SELECTION OR PROPRIETY OF VENUE IN ANY ACTION  
8 AGAINST A LICENSEE FOR PROFESSIONAL MALPRACTICE, MISCONDUCT OR ANY SUCH  
9 SIMILAR MATTER.

10           3. THE COMMISSION SHALL BE ENTITLED TO RECEIVE SERVICE OF PROCESS  
11 IN ANY PROCEEDING REGARDING THE ENFORCEMENT OR INTERPRETATION OF THE  
12 COMPACT AND SHALL HAVE STANDING TO INTERVENE IN SUCH A PROCEEDING FOR ALL  
13 PURPOSES. FAILURE TO PROVIDE THE COMMISSION SERVICE OF PROCESS SHALL  
14 RENDER A JUDGMENT OR ORDER VOID AS TO THE COMMISSION, THIS COMPACT OR  
15 PROMULGATED RULES.

16           B. DEFAULT, TECHNICAL ASSISTANCE AND TERMINATION ARE AS FOLLOWS:

17           1. IF THE COMMISSION DETERMINES THAT A MEMBER STATE HAS DEFAULTED  
18 IN THE PERFORMANCE OF ITS OBLIGATIONS OR RESPONSIBILITIES UNDER THIS  
19 COMPACT OR THE PROMULGATED RULES, THE COMMISSION SHALL PROVIDE WRITTEN  
20 NOTICE TO THE DEFAULTING STATE. THE NOTICE OF DEFAULT SHALL DESCRIBE THE  
21 DEFAULT, THE PROPOSED MEANS OF CURING THE DEFAULT AND ANY OTHER ACTION  
22 THAT THE COMMISSION MAY TAKE AND SHALL OFFER TRAINING AND SPECIFIC  
23 TECHNICAL ASSISTANCE REGARDING THE DEFAULT.

24           2. THE COMMISSION SHALL PROVIDE A COPY OF THE NOTICE OF DEFAULT TO  
25 THE OTHER MEMBER STATES.

26           C. IF A STATE IN DEFAULT FAILS TO CURE THE DEFAULT, THE DEFAULTING  
27 STATE MAY BE TERMINATED FROM THE COMPACT ON AN AFFIRMATIVE VOTE OF A  
28 MAJORITY OF THE DELEGATES OF THE MEMBER STATES, AND ALL RIGHTS, PRIVILEGES  
29 AND BENEFITS CONFERRED ON THAT STATE BY THIS COMPACT MAY BE TERMINATED ON  
30 THE EFFECTIVE DATE OF TERMINATION. A CURE OF THE DEFAULT DOES NOT RELIEVE  
31 THE OFFENDING STATE OF OBLIGATIONS OR LIABILITIES INCURRED DURING THE  
32 PERIOD OF DEFAULT.

33           D. TERMINATION OF MEMBERSHIP IN THE COMPACT SHALL BE IMPOSED ONLY  
34 AFTER ALL OTHER MEANS OF SECURING COMPLIANCE HAVE BEEN EXHAUSTED. NOTICE  
35 OF INTENT TO SUSPEND OR TERMINATE SHALL BE GIVEN BY THE COMMISSION TO THE  
36 GOVERNOR, THE MAJORITY AND MINORITY LEADERS OF THE DEFAULTING STATE'S  
37 LEGISLATURE, THE DEFAULTING STATE'S STATE LICENSING AUTHORITY AND EACH OF  
38 THE MEMBER STATES' LICENSING AUTHORITY.

39           E. A STATE THAT HAS BEEN TERMINATED IS RESPONSIBLE FOR ALL  
40 ASSESSMENTS, OBLIGATIONS, AND LIABILITIES INCURRED THROUGH THE EFFECTIVE  
41 DATE OF TERMINATION, INCLUDING OBLIGATIONS THAT EXTEND BEYOND THE  
42 EFFECTIVE DATE OF TERMINATION.

43           F. ON THE TERMINATION OF A STATE'S MEMBERSHIP FROM THIS COMPACT,  
44 THAT STATE SHALL IMMEDIATELY PROVIDE NOTICE TO ALL LICENSEES WITHIN THAT  
45 STATE OF SUCH TERMINATION. THE TERMINATED STATE SHALL CONTINUE TO

1 RECOGNIZE ALL LICENSES GRANTED PURSUANT TO THIS COMPACT FOR AT LEAST SIX  
2 MONTHS AFTER THE DATE OF THE NOTICE OF TERMINATION.

3 G. THE COMMISSION SHALL NOT BEAR ANY COSTS RELATED TO A STATE THAT  
4 IS FOUND TO BE IN DEFAULT OR THAT HAS BEEN TERMINATED FROM THE COMPACT,  
5 UNLESS AGREED ON IN WRITING BETWEEN THE COMMISSION AND THE DEFAULTING  
6 STATE.

7 H. THE DEFAULTING STATE MAY APPEAL THE ACTION OF THE COMMISSION BY  
8 PETITIONING THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA  
9 OR THE FEDERAL DISTRICT WHERE THE COMMISSION HAS ITS PRINCIPAL OFFICES.  
10 THE PREVAILING PARTY SHALL BE AWARDED ALL COSTS OF SUCH LITIGATION,  
11 INCLUDING REASONABLE ATTORNEY FEES.

12 I. DISPUTE RESOLUTION IS AS FOLLOWS:

13 1. ON REQUEST BY A MEMBER STATE, THE COMMISSION SHALL ATTEMPT TO  
14 RESOLVE DISPUTES RELATED TO THE COMPACT THAT ARISE AMONG MEMBER STATES AND  
15 BETWEEN MEMBER AND NONMEMBER STATES.

16 2. THE COMMISSION SHALL PROMULGATE A RULE PROVIDING FOR BOTH  
17 MEDIATION AND BINDING DISPUTE RESOLUTION FOR DISPUTES AS APPROPRIATE.

18 J. ENFORCEMENT IS AS FOLLOWS:

19 1. BY MAJORITY VOTE AS PROVIDED BY RULE, THE COMMISSION MAY  
20 INITIATE LEGAL ACTION AGAINST A MEMBER STATE IN DEFAULT IN THE UNITED  
21 STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA OR THE FEDERAL DISTRICT  
22 WHERE THE COMMISSION HAS ITS PRINCIPAL OFFICES TO ENFORCE COMPLIANCE WITH  
23 THE COMPACT AND ITS PROMULGATED RULES. THE RELIEF SOUGHT MAY INCLUDE BOTH  
24 INJUNCTIVE RELIEF AND DAMAGES. IF JUDICIAL ENFORCEMENT IS NECESSARY, THE  
25 PREVAILING PARTY SHALL BE AWARDED ALL COSTS OF SUCH LITIGATION, INCLUDING  
26 REASONABLE ATTORNEY FEES. THE REMEDIES PRESCRIBED IN THIS SUBSECTION  
27 SHALL NOT BE THE EXCLUSIVE REMEDIES OF THE COMMISSION. THE COMMISSION MAY  
28 PURSUE ANY OTHER REMEDIES AVAILABLE UNDER FEDERAL OR THE DEFAULTING MEMBER  
29 STATE'S LAW.

30 2. A MEMBER STATE MAY INITIATE LEGAL ACTION AGAINST THE COMMISSION  
31 IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA OR THE  
32 FEDERAL DISTRICT WHERE THE COMMISSION HAS ITS PRINCIPAL OFFICES TO ENFORCE  
33 COMPLIANCE WITH THE COMPACT AND ITS PROMULGATED RULES. THE RELIEF SOUGHT  
34 MAY INCLUDE BOTH INJUNCTIVE RELIEF AND DAMAGES. IF JUDICIAL ENFORCEMENT  
35 IS NECESSARY, THE PREVAILING PARTY SHALL BE AWARDED ALL COSTS OF SUCH  
36 LITIGATION, INCLUDING REASONABLE ATTORNEY FEES.

37 3. NO PERSON OTHER THAN A MEMBER STATE SHALL ENFORCE THIS COMPACT  
38 AGAINST THE COMMISSION.

39 SECTION 14. EFFECTIVE DATE, WITHDRAWAL AND AMENDMENT

40 A. THIS COMPACT SHALL COME INTO EFFECT ON THE DATE ON WHICH THE  
41 COMPACT STATUTE IS ENACTED INTO LAW IN THE SEVENTH MEMBER STATE. ON OR  
42 AFTER THE EFFECTIVE DATE OF THE COMPACT, THE COMMISSION SHALL CONVENE AND  
43 REVIEW THE ENACTMENT OF EACH OF THE FIRST SEVEN MEMBER STATES, KNOWN AS  
44 THE CHARTER MEMBER STATES, TO DETERMINE IF THE STATUTE ENACTED BY EACH  
45 SUCH CHARTER MEMBER STATE IS MATERIALLY DIFFERENT THAN THE MODEL COMPACT



1 STATUTE. A CHARTER MEMBER STATE WHOSE ENACTMENT IS FOUND TO BE MATERIALLY  
2 DIFFERENT FROM THE MODEL COMPACT STATUTE SHALL BE ENTITLED TO THE DEFAULT  
3 PROCESS SET FORTH IN SECTION 13 OF THIS COMPACT. IF ANY MEMBER STATE IS  
4 LATER FOUND TO BE IN DEFAULT, OR IS TERMINATED OR WITHDRAWS FROM THE  
5 COMPACT, THE COMMISSION SHALL REMAIN IN EXISTENCE AND THE COMPACT SHALL  
6 REMAIN IN EFFECT EVEN IF THE NUMBER OF MEMBER STATES SHOULD BE LESS THAN  
7 SEVEN. MEMBER STATES ENACTING THE COMPACT AFTER THE SEVEN INITIAL CHARTER  
8 MEMBER STATES SHALL BE SUBJECT TO THE PROCESS SET FORTH IN SECTION 10,  
9 SUBSECTION C, PARAGRAPH 21 OF THIS COMPACT TO DETERMINE IF THEIR  
10 ENACTMENTS ARE MATERIALLY DIFFERENT FROM THE MODEL COMPACT STATUTE AND  
11 WHETHER THEY QUALIFY FOR PARTICIPATION IN THE COMPACT.

12 B. ALL ACTIONS TAKEN FOR THE BENEFIT OF THE COMMISSION OR IN  
13 FURTHERANCE OF THE PURPOSES OF THE ADMINISTRATION OF THE COMPACT PRIOR TO  
14 THE EFFECTIVE DATE OF THE COMPACT OR THE COMMISSION COMING INTO EXISTENCE  
15 SHALL BE CONSIDERED TO BE ACTIONS OF THE COMMISSION UNLESS SPECIFICALLY  
16 REPUDIATED BY THE COMMISSION.

17 C. ANY STATE THAT JOINS THE COMPACT AFTER THE COMMISSION'S INITIAL  
18 ADOPTION OF THE RULES AND BYLAWS SHALL BE SUBJECT TO THE RULES AND BYLAWS  
19 AS THEY EXIST ON THE DATE ON WHICH THE COMPACT BECOMES LAW IN THAT STATE.  
20 ANY RULE THAT HAS BEEN PREVIOUSLY ADOPTED BY THE COMMISSION HAS THE FULL  
21 FORCE AND EFFECT OF LAW ON THE DAY THE COMPACT BECOMES LAW IN THAT STATE.

22 D. ANY MEMBER STATE MAY WITHDRAW FROM THIS COMPACT BY ENACTING A  
23 STATUTE REPEALING THE SAME. A MEMBER STATE'S WITHDRAWAL SHALL NOT TAKE  
24 EFFECT UNTIL ONE HUNDRED EIGHTY DAYS AFTER ENACTMENT OF THE REPEALING  
25 STATUTE. WITHDRAWAL SHALL NOT AFFECT THE CONTINUING REQUIREMENT OF THE  
26 WITHDRAWING STATE'S LICENSING AUTHORITY TO COMPLY WITH THE INVESTIGATIVE  
27 AND ADVERSE ACTION REPORTING REQUIREMENTS OF THIS COMPACT PRIOR TO THE  
28 EFFECTIVE DATE OF WITHDRAWAL. ON THE ENACTMENT OF A STATUTE WITHDRAWING  
29 FROM THIS COMPACT, A STATE SHALL IMMEDIATELY PROVIDE NOTICE OF SUCH  
30 WITHDRAWAL TO ALL LICENSEES WITHIN THAT STATE. NOTWITHSTANDING ANY  
31 SUBSEQUENT STATUTORY ENACTMENT TO THE CONTRARY, SUCH WITHDRAWING STATE  
32 SHALL CONTINUE TO RECOGNIZE ALL LICENSES GRANTED PURSUANT TO THIS COMPACT  
33 FOR AT LEAST ONE HUNDRED EIGHTY DAYS AFTER THE DATE OF SUCH NOTICE OF  
34 WITHDRAWAL.

35 E. THIS COMPACT DOES NOT INVALIDATE OR PREVENT ANY LICENSURE  
36 AGREEMENT OR OTHER COOPERATIVE ARRANGEMENT BETWEEN A MEMBER STATE AND A  
37 NONMEMBER STATE THAT DOES NOT CONFLICT WITH THIS COMPACT.

38 F. THIS COMPACT MAY BE AMENDED BY THE MEMBER STATES. AN AMENDMENT  
39 TO THIS COMPACT DOES NOT BECOME EFFECTIVE AND BINDING ON ANY MEMBER STATE  
40 UNTIL IT IS ENACTED INTO THE LAWS OF ALL MEMBER STATES.

41 SECTION 15. CONSTRUCTION AND SEVERABILITY

42 A. THIS COMPACT AND THE COMMISSION'S RULEMAKING AUTHORITY SHALL BE  
43 LIBERALLY CONSTRUED SO AS TO EFFECTUATE THE PURPOSES, IMPLEMENTATION AND  
44 ADMINISTRATION OF THE COMPACT. PROVISIONS OF THE COMPACT EXPRESSLY

1 AUTHORIZING OR REQUIRING THE PROMULGATION OF RULES SHALL NOT BE CONSTRUED  
2 TO LIMIT THE COMMISSION'S RULEMAKING AUTHORITY SOLELY FOR THOSE PURPOSES.

3 B. THE PROVISIONS OF THIS COMPACT SHALL BE SEVERABLE AND IF ANY  
4 PHRASE, CLAUSE, SENTENCE OR PROVISION OF THIS COMPACT IS HELD BY A COURT  
5 OF COMPETENT JURISDICTION TO BE CONTRARY TO THE CONSTITUTION OF ANY MEMBER  
6 STATE, OF A STATE SEEKING PARTICIPATION IN THE COMPACT OR OF THE UNITED  
7 STATES, OR THE APPLICABILITY THEREOF TO ANY GOVERNMENT, AGENCY, PERSON OR  
8 CIRCUMSTANCE IS HELD TO BE UNCONSTITUTIONAL BY A COURT OF COMPETENT  
9 JURISDICTION, THE VALIDITY OF THE REMAINDER OF THIS COMPACT AND THE  
10 APPLICABILITY THEREOF TO ANY OTHER GOVERNMENT, AGENCY, PERSON OR  
11 CIRCUMSTANCE SHALL NOT BE AFFECTED THEREBY.

12 C. NOTWITHSTANDING SUBSECTION B OF THIS SECTION, THE COMMISSION MAY  
13 DENY A STATE'S PARTICIPATION IN THE COMPACT OR, IN ACCORDANCE WITH THE  
14 REQUIREMENTS OF SECTION 13, SUBSECTION B OF THIS COMPACT, TERMINATE A  
15 MEMBER STATE'S PARTICIPATION IN THE COMPACT, IF THE COMMISSION DETERMINES  
16 THAT A CONSTITUTIONAL REQUIREMENT OF A MEMBER STATE IS A MATERIAL  
17 DEPARTURE FROM THE COMPACT. OTHERWISE, IF THIS COMPACT IS HELD TO BE  
18 CONTRARY TO THE CONSTITUTION OF ANY MEMBER STATE, THE COMPACT SHALL REMAIN  
19 IN FULL FORCE AND EFFECT AS TO THE REMAINING MEMBER STATES AND IN FULL  
20 FORCE AND EFFECT AS TO THE MEMBER STATE AFFECTED AS TO ALL SEVERABLE  
21 MATTERS.

22 SECTION 16. CONSISTENT EFFECT AND CONFLICT  
23 WITH OTHER STATE LAWS

24 A. A LICENSEE WHO PROVIDES SERVICES IN A REMOTE STATE UNDER A  
25 MULTISTATE AUTHORIZATION TO PRACTICE SHALL ADHERE TO THE LAWS AND  
26 REGULATIONS, INCLUDING LAWS, REGULATIONS AND APPLICABLE STANDARDS, OF THE  
27 REMOTE STATE WHERE THE CLIENT IS LOCATED AT THE TIME CARE IS RENDERED.

28 B. THIS SECTION DOES NOT PREVENT OR INHIBIT THE ENFORCEMENT OF ANY  
29 OTHER LAW OF A MEMBER STATE THAT IS NOT INCONSISTENT WITH THE COMPACT.

30 C. ANY LAWS, STATUTES, REGULATIONS OR OTHER LEGAL REQUIREMENTS IN A  
31 MEMBER STATE THAT ARE IN CONFLICT WITH THE COMPACT ARE SUPERSEDED TO THE  
32 EXTENT OF THE CONFLICT.

33 D. ALL PERMISSIBLE AGREEMENTS BETWEEN THE COMMISSION AND THE MEMBER  
34 STATES ARE BINDING IN ACCORDANCE WITH THEIR TERMS.