

JAN 17 2020

A BILL FOR AN ACT

RELATING TO THE PSYCHOLOGY INTERJURISDICTIONAL COMPACT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The Hawaii Revised Statutes is amended by
2 adding a new chapter to be appropriately designated and to read
3 as follows:

4 **"CHAPTER**

5 **PSYCHOLOGY INTERJURISDICTIONAL COMPACT**

6 § -1 **Enactment of compact.** The Psychology
7 Interjurisdictional Compact is hereby enacted into law and
8 entered into by the State of Hawaii as a party, and is in full
9 force and effect between the State and other states joining
10 therein in accordance with the terms of the Compact, which
11 Compact is substantially as follows:

12 **ARTICLE I. PURPOSE**

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



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

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

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

16 Whereas, this Compact recognizes that states have a vested
17 interest in protecting the public's health and safety through
18 their licensing and regulation of psychologists and that such
19 state regulation will best protect public health and safety; and

20 Whereas, this Compact does not apply when a psychologist is
21 licensed in the Home and Receiving States; and



1 Whereas, this Compact does not apply to permanent in-
2 person, face-to-face practice, it does allow for authorization
3 of temporary psychological practice.

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

- 6 1. Increase public access to professional psychological
7 services by allowing for telepsychological practice
8 across state lines as well as temporary in-person,
9 face-to-face services into a state which the
10 psychologist is not licensed to practice psychology;
- 11 2. Enhance the states' ability to protect the public's
12 health and safety, especially client/patient safety;
- 13 3. Encourage the cooperation of Compact States in the
14 areas of psychology licensure and regulation;
- 15 4. Facilitate the exchange of information between Compact
16 States regarding psychologist licensure, adverse
17 actions, and disciplinary history;
- 18 5. Promote compliance with the laws governing
19 psychological practice in each Compact State; and



1 6. Invest all Compact States with the authority to hold
2 licensed psychologists accountable through the mutual
3 recognition of Compact State licenses.

4 **ARTICLE II. DEFINITIONS**

5 A. "Adverse Action" means any action taken by a State
6 Psychology Regulatory Authority which finds a violation of a
7 statute or regulation that is identified by the State Psychology
8 Regulatory Authority as discipline and is a matter of public
9 record.

10 B. "Association of State and Provincial Psychology Boards
11 (ASPPB)" means the recognized membership organization composed
12 of State and Provincial Psychology Regulatory Authorities
13 responsible for the licensure and registration of psychologists
14 throughout the United States and Canada.

15 C. "Authority to Practice Interjurisdictional
16 Telepsychology" means a licensed psychologist's authority to
17 practice telepsychology, within the limits authorized under
18 this Compact, in another Compact State.

19 D. "Bylaws" means those Bylaws established by the
20 Psychology Interjurisdictional Compact Commission pursuant to



1 Article X for its governance, or for directing and controlling
2 its actions and conduct.

3 E. "Client/Patient" means the recipient of psychological
4 services, whether psychological services are delivered in the
5 context of healthcare, corporate, supervision, and/or
6 consulting services.

7 F. "Commissioner" means the voting representative
8 appointed by each State Psychology Regulatory Authority pursuant
9 to Article X.

10 G. "Compact State" means a state, the District of
11 Columbia, or United States territory that has enacted this
12 Compact legislation and which has not withdrawn pursuant to
13 Article XIII, Section C or been terminated pursuant to Article
14 XII, Section B.

15 H. "Confidentiality" means the principle that data or
16 information is not made available or disclosed to unauthorized
17 persons and/or processes.

18 I. "Coordinated Licensure Information System" also
19 referred to as "Coordinated Database" means an integrated
20 process for collecting, storing, and sharing information on
21 psychologists' licensure and enforcement activities related to



1 psychology licensure laws, which is administered by the
2 recognized membership organization composed of State and
3 Provincial Psychology Regulatory Authorities.

4 J. "Day" means any part of a day in which psychological
5 work is performed.

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

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

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

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



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

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

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

17 Q. "Interjurisdictional Practice Certificate (IPC)" means
18 a certificate issued by the Association of State and Provincial
19 Psychology Boards (ASPPB) that grants temporary authority to
20 practice based on notification to the State Psychology



1 Regulatory Authority of intention to practice temporarily, and
2 verification of one's qualifications for such practice.

3 R. "License" means authorization by a State Psychology
4 Regulatory Authority to engage in the independent practice of
5 psychology, which would be unlawful without the authorization.

6 S. "Non-Compact State" means any State which is not at the
7 time a Compact State.

8 T. "Psychologist" means an individual licensed for the
9 independent practice of psychology.

10 U. "Psychology Interjurisdictional Compact Commission"
11 also referred to as "Commission" means the national
12 administration of which all Compact States are members.

13 V. "Receiving State" means a Compact State where the
14 client/patient is physically located when the telepsychology
15 services are delivered.

16 W. "Rule" means a written statement by the Psychology
17 Interjurisdictional Compact Commission promulgated pursuant to
18 Article XI of the Compact that is of general applicability,
19 implements, interprets, or prescribes a policy or provision of
20 the Compact, or an organizational, procedural, or practice
21 requirement of the Commission and has the force and effect of



1 statutory law in a Compact State, and includes the amendment,
2 repeal, or suspension of an existing rule.

3 X. "Significant Investigatory Information" means:

4 1. Investigative information that a State Psychology
5 Regulatory Authority, after a preliminary inquiry that
6 includes notification and an opportunity to respond if
7 required by state law, has reason to believe, if
8 proven true, would indicate more than a violation of
9 state statute or ethics code that would be considered
10 more substantial than minor infraction; or

11 2. Investigative information that indicates that the
12 psychologist represents an immediate threat to public
13 health and safety regardless of whether the
14 psychologist has been notified and/or had an
15 opportunity to respond.

16 Y. "State" means a state, commonwealth, territory, or
17 possession of the United States, or the District of Columbia.

18 Z. "State Psychology Regulatory Authority" means the
19 board, office, or other agency with the legislative mandate to
20 license and regulate the practice of psychology.



1 AA. "Telepsychology" means the provision of psychological
2 services using telecommunication technologies.

3 BB. "Temporary Authorization to Practice" means a licensed
4 psychologist's authority to conduct temporary in-person, face-
5 to-face practice, within the limits authorized under this
6 Compact, in another Compact State.

7 CC. "Temporary In-Person, Face-to-Face Practice" means
8 where a psychologist is physically present (not through the use
9 of telecommunications technologies), in the Distant State to
10 provide for the practice of psychology for thirty days within a
11 calendar year and based on notification to the Distant State.

12 **ARTICLE III. HOME STATE LICENSURE**

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

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



1 C. Any Compact State may require a psychologist not
2 previously licensed in a Compact State to obtain and retain a
3 license to be authorized to practice in the Compact State under
4 circumstances not authorized by the Authority to Practice
5 Interjurisdictional Telepsychology under the terms of this
6 Compact.

7 D. Any Compact State may require a psychologist to obtain
8 and retain a license to be authorized to practice in a Compact
9 State under circumstances not authorized by Temporary
10 Authorization to Practice under the terms of this Compact.

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

- 14 1. Currently requires the psychologist to hold an active
15 E.Passport;
- 16 2. Has a mechanism in place for receiving and
17 investigating complaints about licensed individuals;
- 18 3. Notifies the Commission, in compliance with the terms
19 herein, of any adverse action or significant
20 investigatory information regarding a licensed
21 individual;



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

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

9 F. A Home State's license grants Temporary Authorization
10 to Practice to a psychologist in a Distant State only if the
11 Compact State:

12 1. Currently requires the psychologist to hold an active
13 IPC;

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

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

20 4. Requires an Identity History Summary of all applicants
21 at initial licensure, including the use of the results



1 of fingerprints or other biometric data checks
2 compliant with the requirements of the Federal Bureau
3 of Investigation, or other designee with similar
4 authority, no later than ten years after activation of
5 the compact; and

6 5. Complies with the Bylaws and Rules of the Commission.

7 **ARTICLE IV. COMPACT PRIVILEGE TO PRACTICE TELEPSYCHOLOGY**

8 A. Compact States shall recognize the right of a
9 psychologist, licensed in a Compact State in conformance with
10 Article III, to practice telepsychology in other Compact States
11 (Receiving States) in which the psychologist is not licensed,
12 under the Authority to Practice Interjurisdictional
13 Telepsychology as provided in the Compact.

14 B. To exercise the Authority to Practice
15 Interjurisdictional Telepsychology under the terms and
16 provisions of this Compact, a psychologist licensed to practice
17 in a Compact State must:

18 1. Hold a graduate degree in psychology from an institute
19 of higher education that was, at the time the degree
20 was awarded:



- 1 a. Regionally accredited by an accrediting body
- 2 recognized by the United States Department of
- 3 Education to grant graduate degrees, or
- 4 authorized by Provincial Statute or Royal Charter
- 5 to grant doctoral degrees; or
- 6 b. A foreign college or university deemed to be
- 7 equivalent to subsection 1(a) by a foreign
- 8 credential evaluation service that is a member of
- 9 the National Association of Credential Evaluation
- 10 Services (NACES) or by a recognized foreign
- 11 credential evaluation service; and
- 12 2. Hold a graduate degree in psychology that meets the
- 13 following criteria:
- 14 a. The program, wherever it may be administratively
- 15 housed, must be clearly identified and labeled as
- 16 a psychology program. Such a program must
- 17 specify in pertinent institutional catalogues and
- 18 brochures its intent to educate and train
- 19 professional psychologists;



- 1 b. The psychology program must stand as a
- 2 recognizable, coherent, organizational entity
- 3 within the institution;
- 4 c. There must be a clear authority and primary
- 5 responsibility for the core and specialty areas
- 6 whether or not the program cuts across
- 7 administrative lines;
- 8 d. The program must consist of an integrated,
- 9 organized sequence of study;
- 10 e. There must be an identifiable psychology faculty
- 11 sufficient in size and breadth to carry out its
- 12 responsibilities;
- 13 f. The designated director of the program must be a
- 14 psychologist and a member of the core faculty;
- 15 g. The program must have an identifiable body of
- 16 students who are matriculated in that program for
- 17 a degree;
- 18 h. The program must include supervised practicum,
- 19 internship, or field training appropriate to the
- 20 practice of psychology;



- 1 i. The curriculum shall encompass a minimum of three
- 2 academic years of full-time graduate study for
- 3 doctoral degrees and a minimum of one academic
- 4 year of full-time graduate study for master's
- 5 degrees; and
- 6 j. The program includes an acceptable residency as
- 7 defined by the Rules of the Commission.
- 8 3. Possess a current, full, and unrestricted license to
- 9 practice psychology in a Home State which is a Compact
- 10 State;
- 11 4. Have no history of adverse action that violates the
- 12 Rules of the Commission;
- 13 5. Have no criminal record history reported on an
- 14 Identity History Summary that violates the Rules of
- 15 the Commission;
- 16 6. Possess a current, active E.Passport;
- 17 7. Provide attestations in regard to areas of intended
- 18 practice, conformity with standards of practice,
- 19 competence in telepsychology technology, criminal
- 20 background, and knowledge and adherence to legal
- 21 requirements in the Home and Receiving States, and



1 provide a release of information to allow for primary
2 source verification in a manner specified by the
3 Commission; and

4 8. Meet other criteria defined by the Rules of the
5 Commission.

6 C. The Home State maintains the authority over the license
7 of any psychologist practicing into a Receiving State under the
8 Authority to Practice Interjurisdictional Telepsychology.

9 D. A psychologist practicing into a Receiving State under
10 the Authority to Practice Interjurisdictional Telepsychology
11 will be subject to the Receiving State's scope of practice. A
12 Receiving State may, in accordance with that state's due process
13 law, limit or revoke a psychologist's Authority to Practice
14 Interjurisdictional Telepsychology in the Receiving State and
15 may take any other necessary actions under the Receiving State's
16 applicable law to protect the health and safety of the Receiving
17 State's citizens. If a Receiving State takes action, the state
18 shall promptly notify the Home State and the Commission.

19 E. If a psychologist's license in any Home State, another
20 Compact State, or any Authority to Practice Interjurisdictional
21 Telepsychology in any Receiving State, is restricted, suspended



1 or otherwise limited, the E.Passport shall be revoked and
2 therefore the psychologist shall not be eligible to practice
3 telepsychology in a Compact State under the Authority to
4 Practice Interjurisdictional Telepsychology.

5 **ARTICLE V. COMPACT TEMPORARY AUTHORIZATION TO PRACTICE**

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

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

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

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



- 1 b. A foreign college or university deemed to be
- 2 equivalent to subsection 1(a) by a foreign
- 3 credential evaluation service that is a member of
- 4 the National Association of Credential Evaluation
- 5 Services (NACES) or by a recognized foreign
- 6 credential evaluation service; and .
- 7 2. Hold a graduate degree in psychology that meets the
- 8 following criteria:
- 9 a. The program, wherever it may be administratively
- 10 housed, must be clearly identified and labeled as
- 11 a psychology program. Such a program must
- 12 specify in pertinent institutional catalogues and
- 13 brochures its intent to educate and train
- 14 professional psychologists;
- 15 b. The psychology program must stand as a
- 16 recognizable, coherent, organizational entity
- 17 within the institution;
- 18 c. There must be a clear authority and primary
- 19 responsibility for the core and specialty areas
- 20 whether or not the program cuts across
- 21 administrative lines;



- 1 d. The program must consist of an integrated,
2 organized sequence of study;
- 3 e. There must be an identifiable psychology faculty
4 sufficient in size and breadth to carry out its
5 responsibilities;
- 6 f. The designated director of the program must be a
7 psychologist and a member of the core faculty;
- 8 g. The program must have an identifiable body of
9 students who are matriculated in that program for
10 a degree;
- 11 h. The program must include supervised practicum,
12 internship, or field training appropriate to the
13 practice of psychology;
- 14 i. The curriculum shall encompass a minimum of three
15 academic years of full-time graduate study for
16 doctoral degrees and a minimum of one academic
17 year of full-time graduate study for master's
18 degrees; and
- 19 j. The program includes an acceptable residency as
20 defined by the Rules of the Commission.



- 1 3. Possess a current, full, and unrestricted license to
- 2 practice psychology in a Home State which is a Compact
- 3 State;
- 4 4. Have no history of adverse action that violates the
- 5 Rules of the Commission;
- 6 5. Have no criminal record history reported on an
- 7 Identity History Summary that violates the Rules of
- 8 the Commission;
- 9 6. Possess a current, active IPC;
- 10 7. Provide attestations in regard to areas of intended
- 11 practice and work experience and provide a release of
- 12 information to allow for primary source verification
- 13 in a manner specified by the Commission; and
- 14 8. Meet other criteria defined by the Rules of the
- 15 Commission.

16 C. A psychologist practicing into a Distant State under
17 Temporary Authorization to Practice shall practice within the
18 scope of practice authorized by the Distant State.

19 D. A psychologist practicing into a Distant State under
20 the Temporary Authorization to Practice will be subject to the
21 Distant State's authority and law. A Distant State may, in



1 accordance with that state's due process law, limit or revoke a
2 psychologist's Temporary Authorization to Practice in the
3 Distant State and may take any other necessary actions under the
4 Distant State's applicable law to protect the health and safety
5 of the Distant State's citizens. If a Distant State takes
6 action, the state shall promptly notify the Home State and the
7 Commission.

8 E. If a psychologist's license in any Home State, another
9 Compact State, or any Temporary Authorization to Practice in any
10 Distant State, is restricted, suspended, or otherwise limited,
11 the IPC shall be revoked and therefore the psychologist shall
12 not be eligible to practice in a Compact State under the
13 Temporary Authorization to Practice.

14 **ARTICLE VI. CONDITIONS OF TELEPSYCHOLOGY PRACTICE IN A**
15 **RECEIVING STATE**

16 A. A psychologist may practice in a Receiving State under
17 the Authority to Practice Interjurisdictional Telepsychology
18 only in the performance of the scope of practice for psychology
19 as assigned by an appropriate State Psychology Regulatory
20 Authority, as defined in the Rules of the Commission, under the
21 following circumstances:



- 1 1. The psychologist initiates a client/patient contact in
2 a Home State via telecommunications technologies with
3 a client/patient in a Receiving State; and
4 2. Other conditions regarding telepsychology as
5 determined by Rules promulgated by the Commission.

6 **ARTICLE VII. ADVERSE ACTIONS**

7 A. A Home State shall have the power to impose adverse
8 action against a psychologist's license issued by the Home
9 State. A Distant State shall have the power to take adverse
10 action on a psychologist's Temporary Authorization to Practice
11 within that Distant State.

12 B. A Receiving State may take adverse action on a
13 psychologist's Authority to Practice Interjurisdictional
14 Telepsychology within that Receiving State. A Home State may
15 take adverse action against a psychologist based on an adverse
16 action taken by a Distant State regarding temporary in-person,
17 face-to-face practice.

18 C. If a Home State takes adverse action against a
19 psychologist's license, that psychologist's Authority to
20 Practice Interjurisdictional Telepsychology is terminated and
21 the E.Passport is revoked. Furthermore, that psychologist's



1 temporary authorization to practice is terminated and the IPC is
2 revoked.

3 1. All Home State disciplinary orders which impose
4 adverse action shall be reported to the Commission in
5 accordance with the Rules promulgated by the
6 Commission. A Compact State shall report adverse
7 actions in accordance with the Rules of the
8 Commission.

9 2. In the event discipline is reported on a psychologist,
10 the psychologist will not be eligible for
11 telepsychology or temporary in-person, face-to-face
12 practice in accordance with the Rules of the
13 Commission.

14 3. Other actions may be imposed as determined by the
15 Rules promulgated by the Commission.

16 D. A Home State's Psychology Regulatory Authority shall
17 investigate and take appropriate action with respect to reported
18 inappropriate conduct engaged in by a licensee which occurred in
19 a Receiving State as it would if such conduct had occurred by a
20 licensee within the Home State. In such cases, the Home State's



1 law shall control in determining any adverse action against a
2 psychologist's license.

3 E. A Distant State's Psychology Regulatory Authority shall
4 investigate and take appropriate action with respect to reported
5 inappropriate conduct engaged in by a psychologist practicing
6 under Temporary Authorization Practice which occurred in that
7 Distant State as it would if such conduct had occurred by a
8 licensee within the Home State. In such cases, the Distant
9 State's law shall control in determining any adverse action
10 against a psychologist's Temporary Authorization to Practice.

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



1 G. No other judicial or administrative remedies shall be
2 available to a psychologist in the event a Compact State imposes
3 an adverse action pursuant to Section C, above.

4 **ARTICLE VIII. ADDITIONAL AUTHORITIES INVESTED IN A COMPACT**
5 **STATE'S PSYCHOLOGY REGULATORY AUTHORITY**

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

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



1 state where the witnesses and/or evidence is located;
2 and

3 2. Issue cease and desist orders and/or injunctive relief
4 orders to revoke a psychologist's Authority to
5 Practice Interjurisdictional Telepsychology and/or
6 Temporary Authorization to Practice.

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



1 The Commission may create additional rules for mandated or
2 discretionary sharing of information by Compact States.

3 **ARTICLE IX. COORDINATED LICENSURE INFORMATION SYSTEM**

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

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

- 14 1. Identifying information;
- 15 2. Licensure data;
- 16 3. Significant investigatory information;
- 17 4. Adverse actions against a psychologist's license;
- 18 5. An indicator that a psychologist's Authority to
19 Practice Interjurisdictional Telepsychology and/or
20 Temporary Authorization to Practice is revoked;



- 1 6. Non-confidential information related to alternative
- 2 program participation information;
- 3 7. Any denial of application for licensure, and the
- 4 reasons for such denial; and
- 5 8. Other information which may facilitate the
- 6 administration of this Compact, as determined by the
- 7 Rules of the Commission.

8 C. The Coordinated Database administrator shall promptly
9 notify all compact states of any adverse action taken against,
10 or significant investigative information on, any licensee in a
11 Compact State.

12 D. Compact States reporting information to the Coordinated
13 Database may designate information that may not be shared with
14 the public without the express permission of the Compact State
15 reporting the information.

16 E. Any information submitted to the Coordinated Database
17 that is subsequently required to be expunged by the law of the
18 Compact State reporting the information shall be removed from
19 the Coordinated Database.

20 **ARTICLE X. ESTABLISHMENT OF THE PSYCHOLOGY INTERJURISDICTIONAL**
21 **COMPACT COMMISSION**



1 A. The Compact States hereby create and establish a joint
2 public agency known as the Psychology Interjurisdictional
3 Compact Commission.

4 1. The Commission is a body politic and an
5 instrumentality of the Compact States.

6 2. Venue is proper and judicial proceedings by or against
7 the Commission shall be brought solely and exclusively
8 in a court of competent jurisdiction where the
9 principal office of the Commission is located. The
10 Commission may waive venue and jurisdictional defenses
11 to the extent it adopts or consents to participate in
12 alternative dispute resolution proceedings.

13 3. Nothing in this Compact shall be construed to be a
14 waiver of sovereign immunity.

15 B. Membership, Voting, and Meetings.

16 1. The Commission shall consist of one voting
17 representative appointed by each Compact State who
18 shall serve as that state's commissioner. The State
19 Psychology Regulatory Authority shall appoint its
20 delegate. This delegate shall be empowered to act on



1 behalf of the Compact State. This delegate shall be
2 limited to:

- 3 a. Executive Director, Executive Secretary, or
- 4 similar executive;
- 5 b. Current member of the State Psychology Regulatory
- 6 Authority of a Compact State; or
- 7 c. Designee empowered with the appropriate delegate
- 8 authority to act on behalf of the Compact State.

9 2. Any Commissioner may be removed or suspended from
10 office as provided by the law of the state from which
11 the Commissioner is appointed. Any vacancy occurring
12 in the Commission shall be filled in accordance with
13 the laws of the Compact State in which the vacancy
14 exists.

15 3. Each Commissioner shall be entitled to one vote with
16 regard to the promulgation of Rules and creation of
17 Bylaws and shall otherwise have an opportunity to
18 participate in the business and affairs of the
19 Commission. A Commissioner shall vote in person or by
20 such other means as provided in the Bylaws. The



1 Bylaws may provide for Commissioners' participation in
2 meetings by telephone or other means of communication.

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

6 5. All meetings shall be open to the public, and public
7 notice of meetings shall be given in the same manner
8 as required under the rulemaking provisions in Article
9 XI.

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

12 a. Non-compliance of a Compact State with its
13 obligations under the Compact;

14 b. The employment, compensation, discipline, or
15 other personnel matters; practices or procedures
16 related to specific employees; or other matters
17 related to the Commission's internal personnel
18 practices and procedures;

19 c. Current, threatened, or reasonably anticipated
20 litigation against the Commission;



- 1 d. Negotiation of contracts for the purchase or sale
- 2 of goods, services, or real estate;
- 3 e. Accusation against any person of a crime or
- 4 formally censuring any person;
- 5 f. Disclosure of trade secrets or commercial or
- 6 financial information which is privileged or
- 7 confidential;
- 8 g. Disclosure of information of a personal nature
- 9 where disclosure would constitute a clearly
- 10 unwarranted invasion of personal privacy;
- 11 h. Disclosure of investigatory records compiled for
- 12 law enforcement purposes;
- 13 i. Disclosure of information related to any
- 14 investigatory reports prepared by or on behalf of
- 15 or for use of the Commission or other committee
- 16 charged with responsibility for investigation or
- 17 determination of compliance issues pursuant to
- 18 the Compact; or
- 19 j. Matters specifically exempted from disclosure by
- 20 federal and state statute.



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

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



- 1 1. Establishing the fiscal year of the Commission;
- 2 2. Providing reasonable standards and procedures:
 - 3 a. For the establishment and meetings of other
 - 4 committees; and
 - 5 b. Governing any general or specific delegation of
 - 6 any authority or function of the Commission;
- 7 3. Providing reasonable procedures for calling and
- 8 conducting meetings of the Commission, ensuring
- 9 reasonable advance notice of all meetings, and
- 10 providing an opportunity for attendance of such
- 11 meetings by interested parties, with enumerated
- 12 exceptions designed to protect the public's interest,
- 13 the privacy of individuals of such proceedings, and
- 14 proprietary information, including trade secrets. The
- 15 Commission may meet in closed session only after a
- 16 majority of Commissioners vote to close a meeting to
- 17 the public in whole or in part. As soon as
- 18 practicable, the Commission must make public a copy of
- 19 the vote to close the meeting revealing the vote of
- 20 each Commissioner with no proxy votes allowed;



- 1 4. Establishing the titles, duties and authority, and
2 reasonable procedures for the election of the officers
3 of the Commission;
- 4 5. Providing reasonable standards and procedures for the
5 establishment of the personnel policies and programs
6 of the Commission. Notwithstanding any civil service
7 or other similar law of any Compact State, the Bylaws
8 shall exclusively govern the personnel policies and
9 programs of the Commission;
- 10 6. Promulgating a Code of Ethics to address permissible
11 and prohibited activities of Commission members and
12 employees;
- 13 7. Providing a mechanism for concluding the operations of
14 the Commission and the equitable disposition of any
15 surplus funds that may exist after the termination of
16 the Compact after the payment and/or reserving of all
17 of its debts and obligations;
- 18 8. Publishing its Bylaws in a convenient form and filing
19 a copy thereof and a copy of any amendment thereto,
20 with the appropriate agency or officer in each of the
21 Compact States;



- 1 9. Maintaining its financial records in accordance with
- 2 the Bylaws; and
- 3 10. Meeting and taking such actions as are consistent with
- 4 the provisions of this Compact and the Bylaws.
- 5 D. The Commission shall have the following powers:
- 6 1. The authority to promulgate uniform rules to
- 7 facilitate and coordinate implementation and
- 8 administration of this Compact. The rule shall have
- 9 the force and effect of law and shall be binding in
- 10 all Compact States;
- 11 2. To bring and prosecute legal proceedings or actions in
- 12 the name of the Commission; provided that the standing
- 13 of any State Psychology Regulatory Authority or other
- 14 regulatory body responsible for psychology licensure
- 15 to sue or be sued under applicable law shall not be
- 16 affected;
- 17 3. To purchase and maintain insurance and bonds;
- 18 4. To borrow, accept, or contract for services of
- 19 personnel, including but not limited to employees of a
- 20 Compact State;



- 1 5. To hire employees, elect or appoint officers, fix
2 compensation, define duties, grant such individuals
3 appropriate authority to carry out the purposes of the
4 Compact, and to establish the Commission's personnel
5 policies and programs relating to conflicts of
6 interest, qualifications of personnel, and other
7 related personnel matters;
- 8 6. To accept any and all appropriate donations and grants
9 of money, equipment, supplies, materials, and
10 services, and to receive, utilize, and dispose of the
11 same; provided that at all times the Commission shall
12 strive to avoid any appearance of impropriety and/or
13 conflict of interest;
- 14 7. To lease, purchase, accept appropriate gifts or
15 donations of, or otherwise to own, hold, improve, or
16 use, any property, real, personal, or mixed; provided
17 that at all times the Commission shall strive to avoid
18 any appearance of impropriety;
- 19 8. To sell, convey, mortgage, pledge, lease, exchange,
20 abandon, or otherwise dispose of any property real,
21 personal, or mixed;



- 1 9. To establish a budget and make expenditures;
- 2 10. To borrow money;
- 3 11. To appoint committees, including advisory committees
- 4 comprised of Members, State regulators, State
- 5 legislators or their representatives, and consumer
- 6 representatives, and such other interested persons as
- 7 may be designated in this Compact and the Bylaws;
- 8 12. To provide and receive information from, and to
- 9 cooperate with, law enforcement agencies;
- 10 13. To adopt and use an official seal; and
- 11 14. To perform such other functions as may be necessary or
- 12 appropriate to achieve the purposes of this Compact
- 13 consistent with the state regulation of psychology
- 14 licensure, temporary in-person, face-to-face practice
- 15 and telepsychology practice.

16 E. The Executive Board.

17 The elected officers shall serve as the Executive Board, which

18 shall have the power to act on behalf of the Commission

19 according to the terms of this Compact.

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



- 1 a. Five voting members from the current membership
- 2 of the Commission who are elected by the
- 3 Commission; and
- 4 b. One ex-officio, nonvoting member from the
- 5 recognized membership organization composed of
- 6 State and Provincial Psychology Regulatory
- 7 Authorities.
- 8 2. The ex-officio member must have served as staff or
- 9 member on a State Psychology Regulatory Authority and
- 10 will be selected by its respective organization.
- 11 3. The Commission may remove any member of the Executive
- 12 Board as provided in Bylaws.
- 13 4. The Executive Board shall meet at least annually.
- 14 5. The Executive Board shall have the following duties
- 15 and responsibilities:
 - 16 a. Recommend to the entire Commission changes to the
 - 17 Rules or Bylaws, changes to this Compact
 - 18 legislation, fees paid by Compact States such as
 - 19 annual dues, and any other applicable fees;
 - 20 b. Ensure Compact administration services are
 - 21 appropriately provided, contractual or otherwise;



- 1 c. Prepare and recommend the budget;
- 2 d. Maintain financial records on behalf of the
- 3 Commission;
- 4 e. Monitor Compact compliance of member state and
- 5 provide compliance reports to the Commission;
- 6 f. Establish additional committees as necessary; and
- 7 g. Other duties as provided in Rules or Bylaws.
- 8 F. Financing of the Commission.
- 9 1. The Commission shall pay, or provide for the payment
- 10 of the reasonable expenses of its establishment,
- 11 organization, and ongoing activities.
- 12 2. The Commission may accept any and all appropriate
- 13 revenue sources, donations, and grants of money,
- 14 equipment, supplies, materials, and services.
- 15 3. The Commission may levy on and collect an annual
- 16 assessment from each Compact State or impose fees on
- 17 other parties to cover the cost of the operations and
- 18 activities of the Commission and its staff which must
- 19 be in a total amount sufficient to cover its annual
- 20 budget as approved each year for which revenue is not
- 21 provided by other sources. The aggregate annual



1 assessment amount shall be allocated based upon a
2 formula to be determined by the Commission which shall
3 promulgate a rule binding upon all Compact States.

4 4. The Commission shall not incur obligations of any kind
5 prior to securing the funds adequate to meet the same,
6 nor shall the Commission pledge the credit of any of
7 the Compact States, except by and with the authority
8 of the Compact State.

9 5. The Commission shall keep accurate accounts of all
10 receipts and disbursements. The receipts and
11 disbursements of the Commission shall be subject to
12 the audit and accounting procedures established under
13 its Bylaws. However, all receipts and disbursements
14 of funds handled by the Commission shall be audited
15 yearly by a certified public accountant and the report
16 of the audit shall be included in and become part of
17 the annual report of the Commission.

18 G. Qualified Immunity, Defense, and Indemnification.

19 1. The members, officers, Executive Director, employees,
20 and representatives of the Commission shall be immune
21 from suit and liability, either personally or in their



1 official capacity, for any claim for damage to or loss
2 of property or personal injury or other civil
3 liability caused by or arising out of any actual or
4 alleged act, error, or omission that occurred, or that
5 the person against whom the claim is made had a
6 reasonable basis for believing their act, error, or
7 omission occurred within the scope of Commission
8 employment, duties, or responsibilities; provided that
9 nothing in this subsection shall be construed to
10 protect any such person from suit and/or liability for
11 any damage, loss, injury, or liability caused by the
12 intentional or willful or wanton misconduct of that
13 person.

- 14 2. The Commission shall defend any member, officer,
15 Executive Director, employee, or representative of the
16 Commission in any civil action seeking to impose
17 liability arising out of any actual or alleged act,
18 error, or omission that occurred within the scope of
19 Commission employment, duties, or responsibilities, or
20 that the person against whom the claim is made had a
21 reasonable basis for believing their act, error, or



1 omission occurred within the scope of Commission
2 employment, duties, or responsibilities; provided that
3 nothing in this subsection shall be construed to
4 prohibit that person from retaining his or her own
5 counsel; provided further that the actual or alleged
6 act, error, or omission did not result from that
7 person's intentional or willful or wanton misconduct.

- 8 3. The Commission shall indemnify and hold harmless any
9 member, officer, Executive Director, employee, or
10 representative of the Commission for the amount of any
11 settlement or judgment obtained against that person
12 arising out of any actual or alleged act, error, or
13 omission that occurred within the scope of Commission
14 employment, duties, or responsibilities, or that such
15 person had a reasonable basis for believing their act,
16 error, or omission occurred within the scope of
17 Commission employment, duties, or responsibilities;
18 provided that the actual or alleged act, error, or
19 omission did not result from the intentional or
20 willful or wanton misconduct of that person.

21 **ARTICLE XI. RULEMAKING**



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

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

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

11 D. Prior to promulgation and adoption of a final rule or
12 rules by the Commission, and at least sixty days in advance of
13 the meeting at which the rule will be considered and voted upon,
14 the Commission shall file a Notice of Proposed Rulemaking:

- 15 1. On the website of the Commission; and
16 2. On the website of each Compact States' Psychology
17 Regulatory Authority or the publication in which each
18 state would otherwise publish proposed rules.

19 E. The Notice of Proposed Rulemaking shall include:

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



- 1 2. The text of the proposed rule or amendment and the
- 2 reason for the proposed rule;
- 3 3. A request for comments on the proposed rule from any
- 4 interested person; and
- 5 4. The manner in which interested persons may submit
- 6 notice to the Commission of their intention to attend
- 7 the public hearing and any written comments.

8 F. Prior to adoption of a proposed rule, the Commission

9 shall allow persons to submit written data, facts, opinions, and

10 arguments, which shall be made available to the public.

11 G. The Commission shall grant an opportunity for a public

12 hearing before it adopts a rule or amendment if a hearing is

13 requested by:

- 14 1. At least twenty-five persons who submit comments
- 15 independently of each other;
- 16 2. A governmental subdivision or agency; or
- 17 3. A duly appointed person in an association that has at
- 18 least twenty-five members.

19 H. If a hearing is held on the proposed rule or amendment,

20 the Commission shall publish the place, time, and date of the

21 scheduled public hearing.



- 1 1. All persons wishing to be heard at the hearing shall
2 notify the Executive Director of the Commission or
3 other designated member in writing of their desire to
4 appear and testify at the hearing not less than five
5 business days before the scheduled date of the hearing.
- 6 2. Hearings shall be conducted in a manner providing each
7 person who wishes to comment a fair and reasonable
8 opportunity to comment orally or in writing.
- 9 3. No transcript of the hearing is required, unless a
10 written request for a transcript is made, in which
11 case the person requesting the transcript shall bear
12 the cost of producing the transcript. A recording may
13 be made in lieu of a transcript under the same terms
14 and conditions as a transcript. This subsection shall
15 not preclude the Commission from making a transcript
16 or recording of the hearing if it so chooses.
- 17 4. Nothing in this section shall be construed as
18 requiring a separate hearing on each rule. Rules may
19 be grouped for the convenience of the Commission at
20 hearings required by this section.



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

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

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

13 L. Upon determination that an emergency exists, the
14 Commission may consider and adopt an emergency rule without
15 prior notice, opportunity for comment, or hearing; provided that
16 the usual rulemaking procedures provided in the Compact and in
17 this section shall be retroactively applied to the rule as soon
18 as reasonably possible, in no event later than ninety days after
19 the effective date of the rule. For the purposes of this
20 section, an emergency rule is one that must be adopted
21 immediately in order to:



- 1 1. Meet an imminent threat to public health, safety, or
- 2 welfare;
- 3 2. Prevent a loss of Commission or Compact State funds;
- 4 3. Meet a deadline for the promulgation of an
- 5 administrative rule that is established by federal law
- 6 or rule; or
- 7 4. Protect public health and safety.

8 M. The Commission or an authorized committee of the

9 Commission may direct revisions to a previously adopted rule or

10 amendment for purposes of correcting typographical errors,

11 errors in format, errors in consistency, or grammatical errors.

12 Public notice of any revisions shall be posted on the website of

13 the Commission. The revision shall be subject to challenge by

14 any person for a period of thirty days after posting. The

15 revision may be challenged only on grounds that the revision

16 results in a material change to a rule. A challenge shall be

17 made in writing, and delivered to the Chair of the Commission

18 prior to the end of the notice period. If no challenge is made,

19 the revision will take effect without further action. If the

20 revision is challenged, the revision may not take effect without

21 the approval of the Commission.



1 **ARTICLE XII. OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT**

2 A. Oversight.

3 1. The Executive, Legislative, and Judicial branches of
4 state government in each Compact State shall enforce
5 this Compact and take all actions necessary and
6 appropriate to effectuate the Compact's purposes and
7 intent. The provisions of this Compact and the rules
8 promulgated hereunder shall have standing as statutory
9 law.

10 2. All courts shall take judicial notice of the Compact
11 and the rules in any judicial or administrative
12 proceeding in a Compact State pertaining to the
13 subject matter of this Compact which may affect the
14 powers, responsibilities, or actions of the
15 Commission.

16 3. The Commission shall be entitled to receive service of
17 process in any such proceeding, and shall have
18 standing to intervene in such a proceeding for all
19 purposes. Failure to provide service of process to
20 the Commission shall render a judgment or order void



1 as to the Commission, this Compact, or promulgated
2 rules.

3 B. Default, Technical Assistance, and Termination.

4 1. If the Commission determines that a Compact State has
5 defaulted in the performance of its obligations or
6 responsibilities under this Compact or the promulgated
7 rules, the Commission shall:

8 a. Provide written notice to the defaulting state
9 and other Compact States of the nature of the
10 default, the proposed means of remedying the
11 default, and/or any other action to be taken by
12 the Commission; and

13 b. Provide remedial training and specific technical
14 assistance regarding the default.

15 2. If a state in default fails to remedy the default, the
16 defaulting state may be terminated from the Compact
17 upon an affirmative vote of a majority of the Compact
18 States, and all rights, privileges, and benefits
19 conferred by this Compact shall be terminated on the
20 effective date of termination. A remedy of the
21 default does not relieve the offending state of



1 obligations or liabilities incurred during the period
2 of default.

3 3. Termination of membership in the Compact shall be
4 imposed only after all other means of securing
5 compliance have been exhausted. Notice of intent to
6 suspend or terminate shall be submitted by the
7 Commission to the Governor, the majority and minority
8 leaders of the defaulting state's legislature, and
9 each of the Compact States.

10 4. A Compact State which has been terminated is
11 responsible for all assessments, obligations, and
12 liabilities incurred through the effective date of
13 termination, including obligations which extend beyond
14 the effective date of termination.

15 5. The Commission shall not bear any costs incurred by
16 the state which is found to be in default or which has
17 been terminated from the Compact, unless agreed upon
18 in writing between the Commission and the defaulting
19 state.

20 6. The defaulting state may appeal the action of the
21 Commission by petitioning the United States District



1 Court for the State of Georgia or the federal district
2 where the Compact has its principal offices. The
3 prevailing member shall be awarded all costs of such
4 litigation, including reasonable attorney's fees.

5 C. Dispute Resolution.

- 6 1. Upon request by a Compact State, the Commission shall
7 attempt to resolve disputes related to the Compact
8 state which arise among Compact States and between
9 Compact and Non-Compact States.
- 10 2. The Commission shall promulgate a rule providing for
11 mediation and binding dispute resolution for disputes
12 that arise before the commission.

13 D. Enforcement.

- 14 1. The Commission, in the reasonable exercise of its
15 discretion, shall enforce the provisions and Rules of
16 this Compact.
- 17 2. By majority vote, the Commission may initiate legal
18 action in the United States District Court for the
19 State of Georgia or the federal district where the
20 Compact has its principal offices against a Compact
21 State in default to enforce compliance with the



1 provisions of the Compact and its promulgated Rules
2 and Bylaws. The relief sought may include injunctive
3 relief and damages. In the event judicial enforcement
4 is necessary, the prevailing member shall be awarded
5 all costs of such litigation, including reasonable
6 attorney's fees.

7 3. The remedies herein shall not be the exclusive
8 remedies of the Commission. The Commission may pursue
9 any other remedies available under federal or state
10 law.

11 **ARTICLE XIII. DATE OF IMPLEMENTATION OF THE PSYCHOLOGY**
12 **INTERJURISDICTIONAL COMPACT COMMISSION AND ASSOCIATED RULES,**
13 **WITHDRAWAL, AND AMENDMENTS**

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



1 B. Any state which joins the Compact subsequent to the
2 Commission's initial adoption of the rules shall be subject to
3 the rules as they exist on the date on which the Compact becomes
4 law in that state. Any rule which has been previously adopted
5 by the Commission shall have the full force and effect of law on
6 the day the Compact becomes law in that state.

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

9 1. A Compact State's withdrawal shall not take effect
10 until six months after enactment of the repealing
11 statute.

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

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



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

5 **ARTICLE XIV. CONSTRUCTION AND SEVERABILITY**

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

11 SECTION 2. Section 465-6, Hawaii Revised Statutes, is
12 amended to read as follows:

13 "**§465-6 Powers and duties.** In addition to any other
14 powers and duties authorized by law, the board shall:

- 15 (1) Examine the qualifications of applicants for licensing
16 under this chapter to determine their eligibility for
17 licensing as psychologists;
- 18 (2) Administer and grade examinations for applicants as
19 may be required for the purposes of this chapter. The
20 board shall determine the examinations and the score



1 that shall be deemed a passing score. Examinations
 2 shall be scheduled at least once annually;

3 (3) Keep a record of action taken on all applicants for
 4 licensing; the names of all persons licensed;
 5 petitions for temporary permits; actions involving
 6 suspension, revocation, or denial of licenses;
 7 decisions on waiver of examination in whole or in part
 8 and receipt and disbursal of any moneys; [and]

9 (4) Serve as the State's psychology regulatory authority
 10 under the psychology interjurisdictional compact and
 11 carry out all obligations and provisions of the
 12 compact as required pursuant to chapter _____; and

13 [~~4~~] (5) Adopt, amend, and repeal pursuant to chapter 91,
 14 rules as it deems proper for the purposes of this
 15 chapter."

16 SECTION 3. Statutory material to be repealed is bracketed
 17 and stricken. New statutory material is underscored.

18 SECTION 4. This Act shall take effect upon its approval.

19

INTRODUCED BY:

Alhina *Mike Gabbard*
Spencer



S.B. NO. 2771

Handwritten signature or initials.



S.B. NO. 2771

Report Title:

Psychology Interjurisdictional Compact; Psychologists;
Telepsychology; PSYPACT

Description:

Enacts and enters into the Psychology Interjurisdictional Compact to facilitate telehealth and temporary in-person, face-to-face practice of psychology across jurisdictional boundaries.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

