

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 18-0327.01 Kip Kolkmeier x4510

HOUSE BILL 18-1017

HOUSE SPONSORSHIP

Michaelson Jenet, Landgraf

SENATE SPONSORSHIP

Gardner and Fenberg,

House Committees

Health, Insurance, & Environment

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE ADOPTION OF AN INTERSTATE COMPACT TO ALLOW
102 A PERSON AUTHORIZED TO PRACTICE PSYCHOLOGY IN A
103 COMPACT STATE IN WHICH THE PERSON IS NOT LICENSED.

Bill Summary

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

The bill enacts the "Psychology Interjurisdictional Compact Act" allowing psychologists licensed in any compact state to provide:

- ! Telepsychology services to clients in any other compact state; or
- ! Temporary in-person client services in any compact state

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

not exceeding 30 days in a calendar year.

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

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

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

PART 38

PSYCHOLOGY INTERJURISDICTIONAL COMPACT

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

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

PSYCHOLOGY INTERJURISDICTIONAL COMPACT

ARTICLE I

PURPOSE

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

WHEREAS, THIS COMPACT IS INTENDED TO REGULATE THE DAY TO DAY PRACTICE OF TELEPSYCHOLOGY (I.E. THE PROVISION OF PSYCHOLOGICAL SERVICES USING TELECOMMUNICATION TECHNOLOGIES) BY PSYCHOLOGISTS ACROSS STATE BOUNDARIES IN THE PERFORMANCE OF

1 THEIR PSYCHOLOGICAL PRACTICE AS ASSIGNED BY AN APPROPRIATE
2 AUTHORITY; AND

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

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

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

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

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

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

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

- 1 2. ENHANCE THE STATES' ABILITY TO PROTECT THE PUBLIC'S HEALTH AND
- 2 SAFETY, ESPECIALLY CLIENT/PATIENT SAFETY;
- 3 3. ENCOURAGE THE COOPERATION OF COMPACT STATES IN THE AREAS OF
- 4 PSYCHOLOGY LICENSURE AND REGULATION;
- 5 4. FACILITATE THE EXCHANGE OF INFORMATION BETWEEN COMPACT
- 6 STATES REGARDING PSYCHOLOGIST LICENSURE, ADVERSE ACTIONS AND
- 7 DISCIPLINARY HISTORY;
- 8 5. PROMOTE COMPLIANCE WITH THE LAWS GOVERNING PSYCHOLOGICAL
- 9 PRACTICE IN EACH COMPACT STATE; AND
- 10 6. INVEST ALL COMPACT STATES WITH THE AUTHORITY TO HOLD
- 11 LICENSED PSYCHOLOGISTS ACCOUNTABLE THROUGH THE MUTUAL
- 12 RECOGNITION OF COMPACT STATE LICENSES.

13 **ARTICLE II**

14 **DEFINITIONS**

- 15 A. "ADVERSE ACTION" MEANS: ANY ACTION TAKEN BY A STATE
- 16 PSYCHOLOGY REGULATORY AUTHORITY WHICH FINDS A VIOLATION OF A
- 17 STATUTE OR REGULATION THAT IS IDENTIFIED BY THE STATE PSYCHOLOGY
- 18 REGULATORY AUTHORITY AS DISCIPLINE AND IS A MATTER OF PUBLIC
- 19 RECORD.
- 20 B. "ASSOCIATION OF STATE AND PROVINCIAL PSYCHOLOGY BOARDS
- 21 (ASPPB)" MEANS: THE RECOGNIZED MEMBERSHIP ORGANIZATION
- 22 COMPOSED OF STATE AND PROVINCIAL PSYCHOLOGY REGULATORY
- 23 AUTHORITIES RESPONSIBLE FOR THE LICENSURE AND REGISTRATION OF
- 24 PSYCHOLOGISTS THROUGHOUT THE UNITED STATES AND CANADA.
- 25 C. "AUTHORITY TO PRACTICE INTERJURISDICTIONAL TELEPSYCHOLOGY"
- 26 MEANS: A LICENSED PSYCHOLOGIST'S AUTHORITY TO PRACTICE
- 27 TELEPSYCHOLOGY, WITHIN THE LIMITS AUTHORIZED UNDER THIS

1 COMPACT, IN ANOTHER COMPACT STATE.

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

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

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

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

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

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

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

3 K. "DISTANT STATE" MEANS: THE COMPACT STATE WHERE A
4 PSYCHOLOGIST IS PHYSICALLY PRESENT (NOT THROUGH THE USE OF
5 TELECOMMUNICATIONS TECHNOLOGIES), TO PROVIDE TEMPORARY
6 IN-PERSON, FACE-TO-FACE PSYCHOLOGICAL SERVICES.

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

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

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

26 O. "IDENTITY HISTORY SUMMARY" MEANS: A SUMMARY OF INFORMATION
27 RETAINED BY THE FBI, OR OTHER DESIGNEE WITH SIMILAR AUTHORITY, IN

1 CONNECTION WITH ARRESTS AND, IN SOME INSTANCES, FEDERAL
2 EMPLOYMENT, NATURALIZATION, OR MILITARY SERVICE.

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

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

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

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

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

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

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

27 W. "RULE" MEANS: A WRITTEN STATEMENT BY THE PSYCHOLOGY

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

8 X. "SIGNIFICANT INVESTIGATORY INFORMATION" MEANS:

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

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

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

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

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

27 BB. "TEMPORARY AUTHORIZATION TO PRACTICE" MEANS: A LICENSED

1 PSYCHOLOGIST'S AUTHORITY TO CONDUCT TEMPORARY IN-PERSON,
2 FACE-TO-FACE PRACTICE, WITHIN THE LIMITS AUTHORIZED UNDER THIS
3 COMPACT, IN ANOTHER COMPACT STATE.

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

9 **ARTICLE III**

10 **HOME STATE LICENSURE**

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

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

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

26 D. ANY COMPACT STATE MAY REQUIRE A PSYCHOLOGIST TO OBTAIN AND
27 RETAIN A LICENSE TO BE AUTHORIZED TO PRACTICE IN A COMPACT STATE

1 UNDER CIRCUMSTANCES NOT AUTHORIZED BY TEMPORARY
2 AUTHORIZATION TO PRACTICE UNDER THE TERMS OF THIS COMPACT.

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

- 6 1. CURRENTLY REQUIRES THE PSYCHOLOGIST TO HOLD AN ACTIVE
7 E.PASSPORT;
- 8 2. HAS A MECHANISM IN PLACE FOR RECEIVING AND INVESTIGATING
9 COMPLAINTS ABOUT LICENSED INDIVIDUALS;
- 10 3. NOTIFIES THE COMMISSION, IN COMPLIANCE WITH THE TERMS HEREIN,
11 OF ANY ADVERSE ACTION OR SIGNIFICANT INVESTIGATORY INFORMATION
12 REGARDING A LICENSED INDIVIDUAL;
- 13 4. REQUIRES AN IDENTITY HISTORY SUMMARY OF ALL APPLICANTS AT
14 INITIAL LICENSURE, INCLUDING THE USE OF THE RESULTS OF FINGERPRINTS
15 OR OTHER BIOMETRIC DATA CHECKS COMPLIANT WITH THE REQUIREMENTS
16 OF THE FEDERAL BUREAU OF INVESTIGATION FBI, OR OTHER DESIGNEE
17 WITH SIMILAR AUTHORITY, NO LATER THAN TEN YEARS AFTER ACTIVATION
18 OF THE COMPACT; AND
- 19 5. COMPLIES WITH THE BYLAWS AND RULES OF THE COMMISSION.

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

- 23 1. CURRENTLY REQUIRES THE PSYCHOLOGIST TO HOLD AN ACTIVE IPC;
- 24 2. HAS A MECHANISM IN PLACE FOR RECEIVING AND INVESTIGATING
25 COMPLAINTS ABOUT LICENSED INDIVIDUALS;
- 26 3. NOTIFIES THE COMMISSION, IN COMPLIANCE WITH THE TERMS HEREIN,
27 OF ANY ADVERSE ACTION OR SIGNIFICANT INVESTIGATORY INFORMATION

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

9 **ARTICLE IV**

10 **COMPACT PRIVILEGE TO PRACTICE TELEPSYCHOLOGY**

11 A. COMPACT STATES SHALL RECOGNIZE THE RIGHT OF A PSYCHOLOGIST,

12 LICENSED IN A COMPACT STATE IN CONFORMANCE WITH ARTICLE III, TO

13 PRACTICE TELEPSYCHOLOGY IN OTHER COMPACT STATES (RECEIVING

14 STATES) IN WHICH THE PSYCHOLOGIST IS NOT LICENSED, UNDER THE

15 AUTHORITY TO PRACTICE INTERJURISDICTIONAL TELEPSYCHOLOGY AS

16 PROVIDED IN THE COMPACT.

17 B. TO EXERCISE THE AUTHORITY TO PRACTICE INTERJURISDICTIONAL

18 TELEPSYCHOLOGY UNDER THE TERMS AND PROVISIONS OF THIS COMPACT,

19 A PSYCHOLOGIST LICENSED TO PRACTICE IN A COMPACT STATE MUST:

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

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

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

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

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

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

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

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

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

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

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

26 i. THE CURRICULUM SHALL ENCOMPASS A MINIMUM OF THREE ACADEMIC
27 YEARS OF FULL-TIME GRADUATE STUDY FOR DOCTORAL DEGREE AND A

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

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

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

7 4. HAVE NO HISTORY OF ADVERSE ACTION THAT VIOLATE THE RULES OF
8 THE COMMISSION;

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

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

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

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

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

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

1 INTERJURISDICTIONAL TELEPSYCHOLOGY IN THE RECEIVING STATE AND
2 MAY TAKE ANY OTHER NECESSARY ACTIONS UNDER THE RECEIVING
3 STATE'S APPLICABLE LAW TO PROTECT THE HEALTH AND SAFETY OF THE
4 RECEIVING STATE'S CITIZENS. IF A RECEIVING STATE TAKES ACTION, THE
5 STATE SHALL PROMPTLY NOTIFY THE HOME STATE AND THE COMMISSION.
6 E. IF A PSYCHOLOGIST'S LICENSE IN ANY HOME STATE, ANOTHER
7 COMPACT STATE, OR ANY AUTHORITY TO PRACTICE
8 INTERJURISDICTIONAL TELEPSYCHOLOGY IN ANY RECEIVING STATE, IS
9 RESTRICTED, SUSPENDED OR OTHERWISE LIMITED, THE E.PASSPORT SHALL
10 BE REVOKED AND THEREFORE THE PSYCHOLOGIST SHALL NOT BE ELIGIBLE
11 TO PRACTICE TELEPSYCHOLOGY IN A COMPACT STATE UNDER THE
12 AUTHORITY TO PRACTICE INTERJURISDICTIONAL TELEPSYCHOLOGY.

13 **ARTICLE V**

14 **COMPACT TEMPORARY AUTHORIZATION TO PRACTICE**

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

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

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

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

1 FIELD TRAINING APPROPRIATE TO THE PRACTICE OF PSYCHOLOGY;

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

3 YEARS OF FULL-TIME GRADUATE STUDY FOR DOCTORAL DEGREES AND A

4 MINIMUM OF ONE ACADEMIC YEAR OF FULL-TIME GRADUATE STUDY FOR

5 MASTER'S DEGREE; AND

6 j. THE PROGRAM INCLUDES AN ACCEPTABLE RESIDENCY AS DEFINED BY

7 THE RULES OF THE COMMISSION.

8 3. POSSESS A CURRENT, FULL AND UNRESTRICTED LICENSE TO PRACTICE

9 PSYCHOLOGY IN A HOME STATE WHICH IS A COMPACT STATE;

10 4. NO HISTORY OF ADVERSE ACTION THAT VIOLATE THE RULES OF THE

11 COMMISSION;

12 5. NO CRIMINAL RECORD HISTORY THAT VIOLATES THE RULES OF THE

13 COMMISSION;

14 6. POSSESS A CURRENT, ACTIVE IPC;

15 7. PROVIDE ATTESTATIONS IN REGARD TO AREAS OF INTENDED PRACTICE

16 AND WORK EXPERIENCE AND PROVIDE A RELEASE OF INFORMATION TO

17 ALLOW FOR PRIMARY SOURCE VERIFICATION IN A MANNER SPECIFIED BY

18 THE COMMISSION; AND

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

20 C. A PSYCHOLOGIST PRACTICING INTO A DISTANT STATE UNDER THE

21 TEMPORARY AUTHORIZATION TO PRACTICE SHALL PRACTICE WITHIN THE

22 SCOPE OF PRACTICE AUTHORIZED BY THE DISTANT STATE.

23 D. A PSYCHOLOGIST PRACTICING INTO A DISTANT STATE UNDER THE

24 TEMPORARY AUTHORIZATION TO PRACTICE WILL BE SUBJECT TO THE

25 DISTANT STATE'S AUTHORITY AND LAW. A DISTANT STATE MAY, IN

26 ACCORDANCE WITH THAT STATE'S DUE PROCESS LAW, LIMIT OR REVOKE A

27 PSYCHOLOGIST'S TEMPORARY AUTHORIZATION TO PRACTICE IN THE

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

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

12 **ARTICLE VI**
13 **CONDITIONS OF TELEPSYCHOLOGY PRACTICE IN A**
14 **RECEIVING STATE**

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

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

26 **ARTICLE VII**
27 **ADVERSE ACTIONS**

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

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

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

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

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

27 3. OTHER ACTIONS MAY BE IMPOSED AS DETERMINED BY THE RULES

1 PROMULGATED BY THE COMMISSION.

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

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

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

27 G. NO OTHER JUDICIAL OR ADMINISTRATIVE REMEDIES SHALL BE

1 AVAILABLE TO A PSYCHOLOGIST IN THE EVENT A COMPACT STATE IMPOSES
2 AN ADVERSE ACTION PURSUANT TO SUBSECTION C, ABOVE.

3 **ARTICLE VIII**

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

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

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

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

25 3. DURING THE COURSE OF ANY INVESTIGATION, A PSYCHOLOGIST MAY
26 NOT CHANGE HIS/HER HOME STATE LICENSURE. A HOME STATE
27 PSYCHOLOGY REGULATORY AUTHORITY IS AUTHORIZED TO COMPLETE

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

15 **ARTICLE IX**

16 **COORDINATED LICENSURE INFORMATION SYSTEM**

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

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

27 1. IDENTIFYING INFORMATION;

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 INSTRUMENTALITY OF THE
5 COMPACT STATES.

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

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

14 B. MEMBERSHIP, VOTING, AND MEETINGS

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

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

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

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

27 2. ANY COMMISSIONER MAY BE REMOVED OR SUSPENDED FROM OFFICE

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

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

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

15 5. 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 XI.

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

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

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

26 c. CURRENT, THREATENED, OR REASONABLY ANTICIPATED LITIGATION
27 AGAINST THE COMMISSION;

- 1 d. NEGOTIATION OF CONTRACTS FOR THE PURCHASE OR SALE OF GOODS,
2 SERVICES OR REAL ESTATE;
- 3 e. ACCUSATION AGAINST ANY PERSON OF A CRIME OR FORMALLY
4 CENSURING ANY PERSON;
- 5 f. DISCLOSURE OF TRADE SECRETS OR COMMERCIAL OR FINANCIAL
6 INFORMATION WHICH IS PRIVILEGED OR CONFIDENTIAL;
- 7 g. DISCLOSURE OF INFORMATION OF A PERSONAL NATURE WHERE
8 DISCLOSURE WOULD CONSTITUTE A CLEARLY UNWARRANTED INVASION OF
9 PERSONAL PRIVACY;
- 10 h. DISCLOSURE OF INVESTIGATORY RECORDS COMPILED FOR LAW
11 ENFORCEMENT PURPOSES;
- 12 i. DISCLOSURE OF INFORMATION RELATED TO ANY INVESTIGATORY
13 REPORTS PREPARED BY OR ON BEHALF OF OR FOR USE OF THE COMMISSION
14 OR OTHER COMMITTEE CHARGED WITH RESPONSIBILITY FOR
15 INVESTIGATION OR DETERMINATION OF COMPLIANCE ISSUES PURSUANT TO
16 THE COMPACT; OR
- 17 j. MATTERS SPECIFICALLY EXEMPTED FROM DISCLOSURE BY FEDERAL AND
18 STATE STATUTE.

19 7. IF A MEETING, OR PORTION OF A MEETING, IS CLOSED PURSUANT TO THIS
20 PROVISION, THE COMMISSION'S LEGAL COUNSEL OR DESIGNEE SHALL
21 CERTIFY THAT THE MEETING MAY BE CLOSED AND SHALL REFERENCE EACH
22 RELEVANT EXEMPTING PROVISION. THE COMMISSION SHALL KEEP MINUTES
23 WHICH FULLY AND CLEARLY DESCRIBE ALL MATTERS DISCUSSED IN A
24 MEETING AND SHALL PROVIDE A FULL AND ACCURATE SUMMARY OF
25 ACTIONS TAKEN, OF ANY PERSON PARTICIPATING IN THE MEETING, AND THE
26 REASONS THEREFORE, INCLUDING A DESCRIPTION OF THE VIEWS
27 EXPRESSED. ALL DOCUMENTS CONSIDERED IN CONNECTION WITH AN

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

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

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

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

1 PSYCHOLOGY REGULATORY AUTHORITY OR OTHER REGULATORY BODY
2 RESPONSIBLE FOR PSYCHOLOGY LICENSURE TO SUE OR BE SUED UNDER
3 APPLICABLE LAW SHALL NOT BE AFFECTED;

4 3. TO PURCHASE AND MAINTAIN INSURANCE AND BONDS;

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

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

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

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

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

24 9. TO ESTABLISH A BUDGET AND MAKE EXPENDITURES;

25 10. TO BORROW MONEY;

26 11. TO APPOINT COMMITTEES, INCLUDING ADVISORY COMMITTEES
27 COMPRISED OF MEMBERS, STATE REGULATORS, STATE LEGISLATORS OR

1 THEIR REPRESENTATIVES, AND CONSUMER REPRESENTATIVES, AND SUCH
2 OTHER INTERESTED PERSONS AS MAY BE DESIGNATED IN THIS COMPACT
3 AND THE BYLAWS;

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

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

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

11 E. THE EXECUTIVE BOARD

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

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

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

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

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

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

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

27 5. THE EXECUTIVE BOARD SHALL HAVE THE FOLLOWING DUTIES AND

- 1 RESPONSIBILITIES:
- 2 a. RECOMMEND TO THE ENTIRE COMMISSION CHANGES TO THE RULES OR
- 3 BYLAWS, CHANGES TO THIS COMPACT LEGISLATION, FEES PAID BY
- 4 COMPACT STATES SUCH AS ANNUAL DUES, AND ANY OTHER APPLICABLE
- 5 FEES;
- 6 b. ENSURE COMPACT ADMINISTRATION SERVICES ARE APPROPRIATELY
- 7 PROVIDED, CONTRACTUAL OR OTHERWISE;
- 8 c. PREPARE AND RECOMMEND THE BUDGET;
- 9 d. MAINTAIN FINANCIAL RECORDS ON BEHALF OF THE COMMISSION;
- 10 e. MONITOR COMPACT COMPLIANCE OF MEMBER STATES AND PROVIDE
- 11 COMPLIANCE REPORTS TO THE COMMISSION;
- 12 f. ESTABLISH ADDITIONAL COMMITTEES AS NECESSARY; AND
- 13 g. OTHER DUTIES AS PROVIDED IN RULES OR BYLAWS.

14 F. FINANCING OF THE COMMISSION

- 15 1. THE COMMISSION SHALL PAY, OR PROVIDE FOR THE PAYMENT OF THE
- 16 REASONABLE EXPENSES OF ITS ESTABLISHMENT, ORGANIZATION AND
- 17 ONGOING ACTIVITIES.
- 18 2. THE COMMISSION MAY ACCEPT ANY AND ALL APPROPRIATE REVENUE
- 19 SOURCES, DONATIONS AND GRANTS OF MONEY, EQUIPMENT, SUPPLIES,
- 20 MATERIALS AND SERVICES.
- 21 3. THE COMMISSION MAY LEVY ON AND COLLECT AN ANNUAL
- 22 ASSESSMENT FROM EACH COMPACT STATE OR IMPOSE FEES ON OTHER
- 23 PARTIES TO COVER THE COST OF THE OPERATIONS AND ACTIVITIES OF THE
- 24 COMMISSION AND ITS STAFF WHICH MUST BE IN A TOTAL AMOUNT
- 25 SUFFICIENT TO COVER ITS ANNUAL BUDGET AS APPROVED EACH YEAR FOR
- 26 WHICH REVENUE IS NOT PROVIDED BY OTHER SOURCES. THE AGGREGATE
- 27 ANNUAL ASSESSMENT AMOUNT SHALL BE ALLOCATED BASED UPON A

1 FORMULA TO BE DETERMINED BY THE COMMISSION WHICH SHALL
2 PROMULGATE A RULE BINDING UPON ALL COMPACT STATES.

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

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

15 G. QUALIFIED IMMUNITY, DEFENSE, AND INDEMNIFICATION

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

1 THAT PERSON.

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

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

25 **ARTICLE XI**

26 **RULEMAKING**

27 A. THE COMMISSION SHALL EXERCISE ITS RULEMAKING POWERS

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

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

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

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

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

18 E. THE NOTICE OF PROPOSED RULEMAKING SHALL INCLUDE:

- 19 1. THE PROPOSED TIME, DATE, AND LOCATION OF THE MEETING IN WHICH
20 THE RULE WILL BE CONSIDERED AND VOTED UPON;
- 21 2. THE TEXT OF THE PROPOSED RULE OR AMENDMENT AND THE REASON
22 FOR THE PROPOSED RULE;
- 23 3. A REQUEST FOR COMMENTS ON THE PROPOSED RULE FROM ANY
24 INTERESTED PERSON; AND
- 25 4. THE MANNER IN WHICH INTERESTED PERSONS MAY SUBMIT NOTICE TO
26 THE COMMISSION OF THEIR INTENTION TO ATTEND THE PUBLIC HEARING
27 AND ANY WRITTEN COMMENTS.

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

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

7 1. AT LEAST TWENTY-FIVE (25) PERSONS WHO SUBMIT COMMENTS
8 INDEPENDENTLY OF EACH OTHER;

9 2. A GOVERNMENTAL SUBDIVISION OR AGENCY; OR

10 3. A DULY APPOINTED PERSON IN AN ASSOCIATION THAT HAS AT LEAST
11 TWENTY-FIVE (25) MEMBERS.

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

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

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

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

1 SUBSECTION SHALL NOT PRECLUDE THE COMMISSION FROM MAKING A
2 TRANSCRIPT OR RECORDING OF THE HEARING IF IT SO CHOOSES.

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

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

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

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

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

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

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

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

19 **ARTICLE XII**

20 **OVERSIGHT, DISPUTE RESOLUTION AND ENFORCEMENT**

21 A. OVERSIGHT

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

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

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

11 **B. DEFAULT, TECHNICAL ASSISTANCE, AND TERMINATION**

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

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

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

22 2. IF A STATE IN DEFAULT FAILS TO REMEDY THE DEFAULT, THE
23 DEFAULTING STATE MAY BE TERMINATED FROM THE COMPACT UPON AN
24 AFFIRMATIVE VOTE OF A MAJORITY OF THE COMPACT STATES, AND ALL
25 RIGHTS, PRIVILEGES AND BENEFITS CONFERRED BY THIS COMPACT SHALL
26 BE TERMINATED ON THE EFFECTIVE DATE OF TERMINATION. A REMEDY OF
27 THE DEFAULT DOES NOT RELIEVE THE OFFENDING STATE OF OBLIGATIONS

1 OR LIABILITIES INCURRED DURING THE PERIOD OF DEFAULT.

2 3. TERMINATION OF MEMBERSHIP IN THE COMPACT SHALL BE IMPOSED
3 ONLY AFTER ALL OTHER MEANS OF SECURING COMPLIANCE HAVE BEEN
4 EXHAUSTED. NOTICE OF INTENT TO SUSPEND OR TERMINATE SHALL BE
5 SUBMITTED BY THE COMMISSION TO THE GOVERNOR, THE MAJORITY AND
6 MINORITY LEADERS OF THE DEFAULTING STATE'S LEGISLATURE, AND EACH
7 OF THE COMPACT STATES.

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

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

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

21 C. DISPUTE RESOLUTION

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

26 2. THE COMMISSION SHALL PROMULGATE A RULE PROVIDING FOR BOTH
27 MEDIATION AND BINDING DISPUTE RESOLUTION FOR DISPUTES THAT ARISE

1 BEFORE THE COMMISSION.

2 D. ENFORCEMENT

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

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

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

17 **ARTICLE XIII**

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

21 A. THE COMPACT SHALL COME INTO EFFECT ON THE DATE ON WHICH THE
22 COMPACT IS ENACTED INTO LAW IN THE SEVENTH COMPACT STATE. THE
23 PROVISIONS WHICH BECOME EFFECTIVE AT THAT TIME SHALL BE LIMITED
24 TO THE POWERS GRANTED TO THE COMMISSION RELATING TO ASSEMBLY
25 AND THE PROMULGATION OF RULES. THEREAFTER, THE COMMISSION
26 SHALL MEET AND EXERCISE RULEMAKING POWERS NECESSARY TO THE
27 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 THE
3 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 UNTIL SIX
10 (6) MONTHS AFTER ENACTMENT OF THE REPEALING STATUTE.

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

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

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

25 **ARTICLE XIV**

26 **CONSTRUCTION AND SEVERABILITY**

27 THIS COMPACT SHALL BE LIBERALLY CONSTRUED SO AS TO EFFECTUATE

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

5 **24-60-3803. Notice to revisor of statutes.** THIS PART 38 TAKES
6 EFFECT ON THE DATE THE COMPACT IS ENACTED INTO LAW IN THE SEVENTH
7 COMPACT STATE. THE DIRECTOR OF THE DIVISION OF PROFESSIONS AND
8 OCCUPATIONS IN THE DEPARTMENT OF REGULATORY AGENCIES SHALL
9 NOTIFY THE REVISOR OF STATUTES IN WRITING WHEN THE CONDITION
10 SPECIFIED IN THIS SECTION HAS OCCURRED BY E-MAILING THE NOTICE TO
11 REVISOROFSTATUTES.GA@STATE.CO.US. THIS PART 38 TAKES EFFECT
12 UPON THE DATE IDENTIFIED IN THE NOTICE THAT THE COMPACT IS
13 ENACTED INTO LAW IN THE SEVENTH COMPACT STATE OR UPON THE DATE
14 OF THE NOTICE TO THE REVISOR OF STATUTES IF THE NOTICE DOES NOT
15 SPECIFY A DIFFERENT DATE.

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

18 **12-43-301. Definitions.** As used in this part 3, unless the context
19 otherwise requires:

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

27 (1.5) "APPROVED SCHOOL" MEANS ANY UNIVERSITY OR OTHER

1 INSTITUTION OF HIGHER EDUCATION OFFERING A FULL-TIME GRADUATE
2 COURSE OF STUDY IN PSYCHOLOGY AND HAVING PROGRAMS APPROVED BY
3 THE AMERICAN PSYCHOLOGICAL ASSOCIATION OR THE BOARD.

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

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

8 **12-43-308. Psychology interjurisdictional compact act -**
9 **powers and duties of the board - rules - definition.** (1) FOR PURPOSES
10 OF THIS SECTION, "COMPACT" MEANS THE PSYCHOLOGY
11 INTERJURISDICTIONAL COMPACT AUTHORIZED IN PART 38 OF ARTICLE 60
12 OF TITLE 24. WITH REGARD TO THE COMPACT, THE BOARD HAS THE
13 FOLLOWING POWERS AND DUTIES:

14 (a) TO FACILITATE COLORADO'S PARTICIPATION IN THE COMPACT;

15 (b) TO PROMULGATE RULES NECESSARY FOR THE
16 IMPLEMENTATION, ADMINISTRATION, AND ENFORCEMENT OF THE
17 COMPACT. THE BOARD SHALL PROMULGATE RULES IN ACCORDANCE WITH
18 ARTICLE 4 OF TITLE 24.

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

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

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

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

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

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

8 **SECTION 4. Act subject to petition - effective date.** This act
9 takes effect at 12:01 a.m. on the day following the expiration of the
10 ninety-day period after final adjournment of the general assembly (August
11 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a
12 referendum petition is filed pursuant to section 1 (3) of article V of the
13 state constitution against this act or an item, section, or part of this act
14 within such period, then the act, item, section, or part will not take effect
15 unless approved by the people at the general election to be held in
16 November 2018 and, in such case, will take effect on the date of the
17 official declaration of the vote thereon by the governor.