

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

REVISED

This Version Includes All Amendments Adopted
on Second Reading in the Second House

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
Finance
Appropriations

Senate Committees

Finance
Appropriations

A BILL FOR AN ACT

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

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

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.

SENATE
2nd Reading Unamended
April 2, 2018

HOUSE
3rd Reading Unamended
March 5, 2018

HOUSE
Amended 2nd Reading
February 26, 2018

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

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

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

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

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

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

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

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

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

14 **ARTICLE II**

15 **DEFINITIONS**

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

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

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

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

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

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

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

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

- 1 PERSONS AND/OR PROCESSES.
- 2 J. "DAY" MEANS: ANY PART OF A DAY IN WHICH PSYCHOLOGICAL WORK
3 IS PERFORMED.
- 4 K. "DISTANT STATE" MEANS: THE COMPACT STATE WHERE A
5 PSYCHOLOGIST IS PHYSICALLY PRESENT (NOT THROUGH THE USE OF
6 TELECOMMUNICATIONS TECHNOLOGIES), TO PROVIDE TEMPORARY
7 IN-PERSON, FACE-TO-FACE PSYCHOLOGICAL SERVICES.
- 8 L. "E.PASSPORT" MEANS: A CERTIFICATE ISSUED BY THE ASSOCIATION OF
9 STATE AND PROVINCIAL PSYCHOLOGY BOARDS (ASPPB) THAT PROMOTES
10 THE STANDARDIZATION IN THE CRITERIA OF INTERJURISDICTIONAL
11 TELEPSYCHOLOGY PRACTICE AND FACILITATES THE PROCESS FOR LICENSED
12 PSYCHOLOGISTS TO PROVIDE TELEPSYCHOLOGICAL SERVICES ACROSS
13 STATE LINES.
- 14 M. "EXECUTIVE BOARD" MEANS: A GROUP OF DIRECTORS ELECTED OR
15 APPOINTED TO ACT ON BEHALF OF, AND WITHIN THE POWERS GRANTED TO
16 THEM BY, THE COMMISSION.
- 17 N. "HOME STATE" MEANS: A COMPACT STATE WHERE A PSYCHOLOGIST
18 IS LICENSED TO PRACTICE PSYCHOLOGY. IF THE PSYCHOLOGIST IS LICENSED
19 IN MORE THAN ONE COMPACT STATE AND IS PRACTICING UNDER THE
20 AUTHORIZATION TO PRACTICE INTERJURISDICTIONAL TELEPSYCHOLOGY,
21 THE HOME STATE IS THE COMPACT STATE WHERE THE PSYCHOLOGIST IS
22 PHYSICALLY PRESENT WHEN THE TELEPSYCHOLOGICAL SERVICES ARE
23 DELIVERED. IF THE PSYCHOLOGIST IS LICENSED IN MORE THAN ONE
24 COMPACT STATE AND IS PRACTICING UNDER THE TEMPORARY
25 AUTHORIZATION TO PRACTICE, THE HOME STATE IS ANY COMPACT STATE
26 WHERE THE PSYCHOLOGIST IS LICENSED.
- 27 O. "IDENTITY HISTORY SUMMARY" MEANS: A SUMMARY OF INFORMATION

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

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

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

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

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

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

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

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

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

9 X. "SIGNIFICANT INVESTIGATORY INFORMATION" MEANS:

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

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

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

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

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

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

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

10 **ARTICLE III**

11 **HOME STATE LICENSURE**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10 **ARTICLE IV**

11 **COMPACT PRIVILEGE TO PRACTICE TELEPSYCHOLOGY**

- 12 A. COMPACT STATES SHALL RECOGNIZE THE RIGHT OF A PSYCHOLOGIST,
13 LICENSED IN A COMPACT STATE IN CONFORMANCE WITH ARTICLE III, TO
14 PRACTICE TELEPSYCHOLOGY IN OTHER COMPACT STATES (RECEIVING
15 STATES) IN WHICH THE PSYCHOLOGIST IS NOT LICENSED, UNDER THE
16 AUTHORITY TO PRACTICE INTERJURISDICTIONAL TELEPSYCHOLOGY AS
17 PROVIDED IN THE COMPACT.
- 18 B. TO EXERCISE THE AUTHORITY TO PRACTICE INTERJURISDICTIONAL
19 TELEPSYCHOLOGY UNDER THE TERMS AND PROVISIONS OF THIS COMPACT,
20 A PSYCHOLOGIST LICENSED TO PRACTICE IN A COMPACT STATE MUST:
- 21 1. HOLD A GRADUATE DEGREE IN PSYCHOLOGY FROM AN INSTITUTE OF
22 HIGHER EDUCATION THAT WAS, AT THE TIME THE DEGREE WAS AWARDED:
- 23 a. REGIONALLY ACCREDITED BY AN ACCREDITING BODY RECOGNIZED BY
24 THE U.S. DEPARTMENT OF EDUCATION TO GRANT GRADUATE DEGREES,
25 OR AUTHORIZED BY PROVINCIAL STATUTE OR ROYAL CHARTER TO GRANT
26 DOCTORAL DEGREES; OR
- 27 b. A FOREIGN COLLEGE OR UNIVERSITY DEEMED TO BE EQUIVALENT TO

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

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

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

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

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

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

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

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

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

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

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

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

14 **ARTICLE V**

15 **COMPACT TEMPORARY AUTHORIZATION TO PRACTICE**

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

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

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

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

- 1 h. THE PROGRAM MUST INCLUDE SUPERVISED PRACTICUM, INTERNSHIP, OR
2 FIELD TRAINING APPROPRIATE TO THE PRACTICE OF PSYCHOLOGY;
- 3 i. THE CURRICULUM SHALL ENCOMPASS A MINIMUM OF THREE ACADEMIC
4 YEARS OF FULL-TIME GRADUATE STUDY FOR DOCTORAL DEGREES AND A
5 MINIMUM OF ONE ACADEMIC YEAR OF FULL-TIME GRADUATE STUDY FOR
6 MASTER'S DEGREE; AND
- 7 j. THE PROGRAM INCLUDES AN ACCEPTABLE RESIDENCY AS DEFINED BY
8 THE RULES OF THE COMMISSION.
- 9 3. POSSESS A CURRENT, FULL AND UNRESTRICTED LICENSE TO PRACTICE
10 PSYCHOLOGY IN A HOME STATE WHICH IS A COMPACT STATE;
- 11 4. NO HISTORY OF ADVERSE ACTION THAT VIOLATE THE RULES OF THE
12 COMMISSION;
- 13 5. NO CRIMINAL RECORD HISTORY THAT VIOLATES THE RULES OF THE
14 COMMISSION;
- 15 6. POSSESS A CURRENT, ACTIVE IPC;
- 16 7. PROVIDE ATTESTATIONS IN REGARD TO AREAS OF INTENDED PRACTICE
17 AND WORK EXPERIENCE AND PROVIDE A RELEASE OF INFORMATION TO
18 ALLOW FOR PRIMARY SOURCE VERIFICATION IN A MANNER SPECIFIED BY
19 THE COMMISSION; AND
- 20 8. MEET OTHER CRITERIA AS DEFINED BY THE RULES OF THE COMMISSION.
- 21 C. A PSYCHOLOGIST PRACTICING INTO A DISTANT STATE UNDER THE
22 TEMPORARY AUTHORIZATION TO PRACTICE SHALL PRACTICE WITHIN THE
23 SCOPE OF PRACTICE AUTHORIZED BY THE DISTANT STATE.
- 24 D. A PSYCHOLOGIST PRACTICING INTO A DISTANT STATE UNDER THE
25 TEMPORARY AUTHORIZATION TO PRACTICE WILL BE SUBJECT TO THE
26 DISTANT STATE'S AUTHORITY AND LAW. A DISTANT STATE MAY, IN
27 ACCORDANCE WITH THAT STATE'S DUE PROCESS LAW, LIMIT OR REVOKE A

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

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

13 **ARTICLE VI**

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

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

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

27 **ARTICLE VII**

1 **ADVERSE ACTIONS**

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

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

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

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

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

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

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

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

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

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

4 **ARTICLE VIII**

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

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

- 10 1. ISSUE SUBPOENAS, FOR BOTH HEARINGS AND INVESTIGATIONS, WHICH
11 REQUIRE THE ATTENDANCE AND TESTIMONY OF WITNESSES AND THE
12 PRODUCTION OF EVIDENCE. SUBPOENAS ISSUED BY A COMPACT STATE'S
13 PSYCHOLOGY REGULATORY AUTHORITY FOR THE ATTENDANCE AND
14 TESTIMONY OF WITNESSES, AND/OR THE PRODUCTION OF EVIDENCE FROM
15 ANOTHER COMPACT STATE SHALL BE ENFORCED IN THE LATTER STATE BY
16 ANY COURT OF COMPETENT JURISDICTION, ACCORDING TO THAT COURT'S
17 PRACTICE AND PROCEDURE IN CONSIDERING SUBPOENAS ISSUED IN ITS OWN
18 PROCEEDINGS. THE ISSUING STATE PSYCHOLOGY REGULATORY
19 AUTHORITY SHALL PAY ANY WITNESS FEES, TRAVEL EXPENSES, MILEAGE
20 AND OTHER FEES REQUIRED BY THE SERVICE STATUTES OF THE STATE
21 WHERE THE WITNESSES AND/OR EVIDENCE ARE LOCATED; AND
- 22 2. ISSUE CEASE AND DESIST AND/OR INJUNCTIVE RELIEF ORDERS TO
23 REVOKE A PSYCHOLOGIST'S AUTHORITY TO PRACTICE
24 INTERJURISDICTIONAL TELEPSYCHOLOGY AND/OR TEMPORARY
25 AUTHORIZATION TO PRACTICE.
- 26 3. DURING THE COURSE OF ANY INVESTIGATION, A PSYCHOLOGIST MAY
27 NOT CHANGE HIS/HER HOME STATE LICENSURE. A HOME STATE

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

16 **ARTICLE IX**

17 **COORDINATED LICENSURE INFORMATION SYSTEM**

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

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

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

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

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

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

26 **ARTICLE X**
27 **ESTABLISHMENT OF THE PSYCHOLOGY**

1 **INTERJURISDICTIONAL COMPACT COMMISSION**

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

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

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

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

15 **B. MEMBERSHIP, VOTING, AND MEETINGS**

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

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

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

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

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

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

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

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

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

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

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

27 c. CURRENT, THREATENED, OR REASONABLY ANTICIPATED LITIGATION

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

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

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

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

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

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

- 1 NAME OF THE COMMISSION, PROVIDED THAT THE STANDING OF ANY STATE
2 PSYCHOLOGY REGULATORY AUTHORITY OR OTHER REGULATORY BODY
3 RESPONSIBLE FOR PSYCHOLOGY LICENSURE TO SUE OR BE SUED UNDER
4 APPLICABLE LAW SHALL NOT BE AFFECTED;
- 5 3. TO PURCHASE AND MAINTAIN INSURANCE AND BONDS;
- 6 4. TO BORROW, ACCEPT OR CONTRACT FOR SERVICES OF PERSONNEL,
7 INCLUDING, BUT NOT LIMITED TO, EMPLOYEES OF A COMPACT STATE;
- 8 5. TO HIRE EMPLOYEES, ELECT OR APPOINT OFFICERS, FIX COMPENSATION,
9 DEFINE DUTIES, GRANT SUCH INDIVIDUALS APPROPRIATE AUTHORITY TO
10 CARRY OUT THE PURPOSES OF THE COMPACT, AND TO ESTABLISH THE
11 COMMISSION'S PERSONNEL POLICIES AND PROGRAMS RELATING TO
12 CONFLICTS OF INTEREST, QUALIFICATIONS OF PERSONNEL, AND OTHER
13 RELATED PERSONNEL MATTERS;
- 14 6. TO ACCEPT ANY AND ALL APPROPRIATE DONATIONS AND GRANTS OF
15 MONEY, EQUIPMENT, SUPPLIES, MATERIALS AND SERVICES, AND TO
16 RECEIVE, UTILIZE AND DISPOSE OF THE SAME; PROVIDED THAT AT ALL
17 TIMES THE COMMISSION SHALL STRIVE TO AVOID ANY APPEARANCE OF
18 IMPROPRIETY AND/OR CONFLICT OF INTEREST;
- 19 7. TO LEASE, PURCHASE, ACCEPT APPROPRIATE GIFTS OR DONATIONS OF,
20 OR OTHERWISE TO OWN, HOLD, IMPROVE OR USE, ANY PROPERTY, REAL,
21 PERSONAL OR MIXED; PROVIDED THAT AT ALL TIMES THE COMMISSION
22 SHALL STRIVE TO AVOID ANY APPEARANCE OF IMPROPRIETY;
- 23 8. TO SELL, CONVEY, MORTGAGE, PLEDGE, LEASE, EXCHANGE, ABANDON
24 OR OTHERWISE DISPOSE OF ANY PROPERTY REAL, PERSONAL OR MIXED;
- 25 9. TO ESTABLISH A BUDGET AND MAKE EXPENDITURES;
- 26 10. TO BORROW MONEY;
- 27 11. TO APPOINT COMMITTEES, INCLUDING ADVISORY COMMITTEES

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

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

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

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

12 E. THE EXECUTIVE BOARD

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

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

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

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

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

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

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

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

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

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

9 c. PREPARE AND RECOMMEND THE BUDGET;

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

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

13 f. ESTABLISH ADDITIONAL COMMITTEES AS NECESSARY; AND

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

15 F. FINANCING OF THE COMMISSION

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

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

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

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

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

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

16 G. QUALIFIED IMMUNITY, DEFENSE, AND INDEMNIFICATION

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

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

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

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

26 **ARTICLE XI**
27 **RULEMAKING**

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

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

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

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

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

19 E. THE NOTICE OF PROPOSED RULEMAKING SHALL INCLUDE:

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

1 AND ANY WRITTEN COMMENTS.

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

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

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

10 2. A GOVERNMENTAL SUBDIVISION OR AGENCY; OR

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

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

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

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

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

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

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

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

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

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

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

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

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

20 **ARTICLE XII**

21 **OVERSIGHT, DISPUTE RESOLUTION AND ENFORCEMENT**

22 A. OVERSIGHT

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

1 STANDING AS STATUTORY LAW.

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

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

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

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

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

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

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

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

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

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

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

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

22 C. DISPUTE RESOLUTION

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

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

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

3 D. ENFORCEMENT

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

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

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

18 **ARTICLE XIII**

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

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

1 IMPLEMENTATION AND ADMINISTRATION OF THE COMPACT.

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

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

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

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

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

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

26 **ARTICLE XIV**
27 **CONSTRUCTION AND SEVERABILITY**

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

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

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

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

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

1 (1.5) "APPROVED SCHOOL" MEANS ANY UNIVERSITY OR OTHER
2 INSTITUTION OF HIGHER EDUCATION OFFERING A FULL-TIME GRADUATE
3 COURSE OF STUDY IN PSYCHOLOGY AND HAVING PROGRAMS APPROVED BY
4 THE AMERICAN PSYCHOLOGICAL ASSOCIATION OR THE BOARD.

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

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

9 **12-43-308. Psychology interjurisdictional compact act -**

10 **powers and duties of the board - rules - definition.** (1) FOR PURPOSES

11 OF THIS SECTION, "COMPACT" MEANS THE PSYCHOLOGY

12 INTERJURISDICTIONAL COMPACT AUTHORIZED IN PART 38 OF ARTICLE 60

13 OF TITLE 24. WITH REGARD TO THE COMPACT, THE BOARD HAS THE

14 FOLLOWING POWERS AND DUTIES:

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

16 (b) TO PROMULGATE RULES NECESSARY FOR THE

17 IMPLEMENTATION, ADMINISTRATION, AND ENFORCEMENT OF THE

18 COMPACT. THE BOARD SHALL PROMULGATE RULES IN ACCORDANCE WITH

19 ARTICLE 4 OF TITLE 24.

20 (c) TO APPOINT A PERSON TO SERVE AS A COMMISSIONER ON THE

21 PSYCHOLOGY INTERJURISDICTIONAL COMPACT COMMISSION;

22 (d) TO REGULATE TELEPSYCHOLOGY IN ACCORDANCE WITH THE

23 COMPACT;

24 (e) TO REGULATE PSYCHOLOGIST TEMPORARY AUTHORIZATION TO

25 PRACTICE IN ACCORDANCE WITH THE COMPACT;

26 (f) TO NOTIFY THE PSYCHOLOGY INTERJURISDICTIONAL COMPACT

27 COMMISSION OF ANY ADVERSE ACTION REGARDING A LICENSED

1 PSYCHOLOGIST;

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

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

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

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

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

19 (c) \$15,984 for the purchase of legal services; and

20 (d) \$80,000 for the purchase of information technology services.

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

1 (3) For the 2018-19 state fiscal year, \$80,000 is appropriated to
2 the office of the governor for use by the office of information technology.
3 This appropriation is from reappropriated funds received from the
4 department of regulatory agencies under subsection (1)(d) of this section.
5 To implement this act, the office may use this appropriation to provide
6 information technology services for the department of regulatory
7 agencies.

8 **SECTION 5. 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.