

House _____ Amendment NO. _____

Offered By

1 AMEND House Bill No. 1419, Page 3, Section 337.020, Line 74, by inserting after all of said line
2 the following:

3
4 "337.025. 1. The provisions of this section shall govern the education and experience
5 requirements for initial licensure as a psychologist for the following persons:

6 (1) A person who has not matriculated in a graduate degree program which is primarily
7 psychological in nature on or before August 28, 1990; and

8 (2) A person who is matriculated after August 28, 1990, in a graduate degree program
9 designed to train professional psychologists.

10 2. Each applicant shall submit satisfactory evidence to the committee that the applicant has
11 received a doctoral degree in psychology from a recognized educational institution, and has had at
12 least one year of satisfactory supervised professional experience in the field of psychology.

13 3. A doctoral degree in psychology is defined as:

14 (1) A program accredited, or provisionally accredited, by the American Psychological
15 Association (APA), [øf] the Canadian Psychological Association (CPA), or the Psychological
16 Clinical Science Accreditation System (PCSAS); provided that, such program includes a supervised
17 practicum, internship, field, or laboratory training appropriate to the practice of psychology; or

18 (2) A program designated or approved, including provisional approval, by the Association
19 of State and Provincial Psychology Boards or the Council for the National Register of Health
20 Service Providers in Psychology, or both; or

21 (3) A graduate program that meets all of the following criteria:

22 (a) The program, wherever it may be administratively housed, shall be clearly identified and
23 labeled as a psychology program. Such a program shall specify in pertinent institutional catalogues
24 and brochures its intent to educate and train professional psychologists;

25 (b) The psychology program shall stand as a recognizable, coherent organizational entity
26 within the institution of higher education;

27 (c) There shall be a clear authority and primary responsibility for the core and specialty
28 areas whether or not the program cuts across administrative lines;

29 (d) The program shall be an integrated, organized, sequence of study;

30 (e) There shall be an identifiable psychology faculty and a psychologist responsible for the
31 program;

32 (f) The program shall have an identifiable body of students who are matriculated in that
33 program for a degree;

34 (g) The program shall include a supervised practicum, internship, field, or laboratory
35 training appropriate to the practice of psychology;

36 (h) The curriculum shall encompass a minimum of three academic years of full-time

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1 graduate study, with a minimum of one year's residency at the educational institution granting the
2 doctoral degree; and

3 (i) Require the completion by the applicant of a core program in psychology which shall be
4 met by the completion and award of at least one three-semester-hour graduate credit course or a
5 combination of graduate credit courses totaling three semester hours or five quarter hours in each of
6 the following areas:

7 a. The biological bases of behavior such as courses in: physiological psychology,
8 comparative psychology, neuropsychology, sensation and perception, psychopharmacology;

9 b. The cognitive-affective bases of behavior such as courses in: learning, thinking,
10 motivation, emotion, and cognitive psychology;

11 c. The social bases of behavior such as courses in: social psychology, group
12 processes/dynamics, interpersonal relationships, and organizational and systems theory;

13 d. Individual differences such as courses in: personality theory, human development,
14 abnormal psychology, developmental psychology, child psychology, adolescent psychology,
15 psychology of aging, and theories of personality;

16 e. The scientific methods and procedures of understanding, predicting and influencing
17 human behavior such as courses in: statistics, experimental design, psychometrics, individual
18 testing, group testing, and research design and methodology.

19 4. Acceptable supervised professional experience may be accrued through preinternship,
20 internship, predoctoral postinternship, or postdoctoral experiences. The academic training director
21 or the postdoctoral training supervisor shall attest to the hours accrued to meet the requirements of
22 this section. Such hours shall consist of:

23 (1) A minimum of fifteen hundred hours of experience in a successfully completed
24 internship to be completed in not less than twelve nor more than twenty-four months; and

25 (2) A minimum of two thousand hours of experience consisting of any combination of the
26 following:

27 (a) Preinternship and predoctoral postinternship professional experience that occurs
28 following the completion of the first year of the doctoral program or at any time while in a doctoral
29 program after completion of a master's degree in psychology or equivalent as defined by rule by the
30 committee;

31 (b) Up to seven hundred fifty hours obtained while on the internship under subdivision (1)
32 of this subsection but beyond the fifteen hundred hours identified in subdivision (1) of this
33 subsection; or

34 (c) Postdoctoral professional experience obtained in no more than twenty-four consecutive
35 calendar months. In no case shall this experience be accumulated at a rate of more than fifty hours
36 per week. Postdoctoral supervised professional experience for prospective health service providers
37 and other applicants shall involve and relate to the delivery of psychological services in accordance
38 with professional requirements and relevant to the applicant's intended area of practice.

39 5. Experience for those applicants who intend to seek health service provider certification
40 and who have completed a program in one or more of the American Psychological Association
41 designated health service provider delivery areas shall be obtained under the primary supervision of
42 a licensed psychologist who is also a health service provider or who otherwise meets the
43 requirements for health service provider certification. Experience for those applicants who do not
44 intend to seek health service provider certification shall be obtained under the primary supervision
45 of a licensed psychologist or such other qualified mental health professional approved by the
46 committee.

47 6. For postinternship and postdoctoral hours, the psychological activities of the applicant
48 shall be performed pursuant to the primary supervisor's order, control, and full professional

responsibility. The primary supervisor shall maintain a continuing relationship with the applicant and shall meet with the applicant a minimum of one hour per month in face-to-face individual supervision. Clinical supervision may be delegated by the primary supervisor to one or more secondary supervisors who are qualified psychologists. The secondary supervisors shall retain order, control, and full professional responsibility for the applicant's clinical work under their supervision and shall meet with the applicant a minimum of one hour per week in face-to-face individual supervision. If the primary supervisor is also the clinical supervisor, meetings shall be a minimum of one hour per week. Group supervision shall not be acceptable for supervised professional experience. The primary supervisor shall certify to the committee that the applicant has complied with these requirements and that the applicant has demonstrated ethical and competent practice of psychology. The changing by an agency of the primary supervisor during the course of the supervised experience shall not invalidate the supervised experience.

7. The committee by rule shall provide procedures for exceptions and variances from the requirements for once a week face-to-face supervision due to vacations, illness, pregnancy, and other good causes.

337.029. 1. A psychologist licensed in another jurisdiction who has had no violations and no suspensions and no revocation of a license to practice psychology in any jurisdiction may receive a license in Missouri, provided the psychologist passes a written examination on Missouri laws and regulations governing the practice of psychology and meets one of the following criteria:

- (1) Is a diplomate of the American Board of Professional Psychology;
- (2) Is a member of the National Register of Health Service Providers in Psychology;
- (3) Is currently licensed or certified as a psychologist in another jurisdiction who is then a signatory to the Association of State and Provincial Psychology Board's reciprocity agreement;
- (4) Is currently licensed or certified as a psychologist in another state, territory of the United States, or the District of Columbia and:
 - (a) Has a doctoral degree in psychology from a program accredited, or provisionally accredited, either by the American Psychological Association or the Psychological Clinical Science Accreditation System, or that meets the requirements as set forth in subdivision (3) of subsection 3 of section 337.025;
 - (b) Has been licensed for the preceding five years; and
 - (c) Has had no disciplinary action taken against the license for the preceding five years; or
 - (5) Holds a current certificate of professional qualification (CPQ) issued by the Association of State and Provincial Psychology Boards (ASPPB).

2. Notwithstanding the provisions of subsection 1 of this section, applicants may be required to pass an oral examination as adopted by the committee.

3. A psychologist who receives a license for the practice of psychology in the state of Missouri on the basis of reciprocity as listed in subsection 1 of this section or by endorsement of the score from the examination of professional practice in psychology score will also be eligible for and shall receive certification from the committee as a health service provider if the psychologist meets one or more of the following criteria:

- (1) Is a diplomate of the American Board of Professional Psychology in one or more of the specialties recognized by the American Board of Professional Psychology as pertaining to health service delivery;
- (2) Is a member of the National Register of Health Service Providers in Psychology; or
- (3) Has completed or obtained through education, training, or experience the requisite knowledge comparable to that which is required pursuant to section 337.033.

337.033. 1. A licensed psychologist shall limit his or her practice to demonstrated areas of competence as documented by relevant professional education, training, and experience. A

1 psychologist trained in one area shall not practice in another area without obtaining additional
2 relevant professional education, training, and experience through an acceptable program of
3 respecialization.

4 2. A psychologist may not represent or hold himself or herself out as a state certified or
5 registered psychological health service provider unless the psychologist has first received the
6 psychologist health service provider certification from the committee; provided, however, nothing
7 in this section shall be construed to limit or prevent a licensed, whether temporary, provisional or
8 permanent, psychologist who does not hold a health service provider certificate from providing
9 psychological services so long as such services are consistent with subsection 1 of this section.

10 3. "Relevant professional education and training" for health service provider certification,
11 except those entitled to certification pursuant to subsection 5 or 6 of this section, shall be defined as
12 a licensed psychologist whose graduate psychology degree from a recognized educational institution
13 is in an area designated by the American Psychological Association as pertaining to health service
14 delivery or a psychologist who subsequent to receipt of his or her graduate degree in psychology has
15 either completed a respecialization program from a recognized educational institution in one or
16 more of the American Psychological Association recognized clinical health service provider areas
17 and who in addition has completed at least one year of postdegree supervised experience in such
18 clinical area or a psychologist who has obtained comparable education and training acceptable to the
19 committee through completion of postdoctoral fellowships or otherwise.

20 4. The degree or respecialization program certificate shall be obtained from a recognized
21 program of graduate study in one or more of the health service delivery areas designated by the
22 American Psychological Association as pertaining to health service delivery, which shall meet one
23 of the criteria established by subdivisions (1) to (3) of this subsection:

24 (1) A doctoral degree or completion of a recognized respecialization program in one or
25 more of the American Psychological Association designated health service provider delivery areas
26 which is accredited, or provisionally accredited, either by the American Psychological Association
27 or the Psychological Clinical Science Accreditation System; or

28 (2) A clinical or counseling psychology doctoral degree program or respecialization
29 program designated, or provisionally approved, by the Association of State and Provincial
30 Psychology Boards or the Council for the National Register of Health Service Providers in
31 Psychology, or both; or

32 (3) A doctoral degree or completion of a respecialization program in one or more of the
33 American Psychological Association designated health service provider delivery areas that meets the
34 following criteria:

35 (a) The program, wherever it may be administratively housed, shall be clearly identified and
36 labeled as being in one or more of the American Psychological Association designated health
37 service provider delivery areas;

38 (b) Such a program shall specify in pertinent institutional catalogues and brochures its intent
39 to educate and train professional psychologists in one or more of the American Psychological
40 Association designated health service provider delivery areas.

41 5. A person who is lawfully licensed as a psychologist pursuant to the provisions of this
42 chapter on August 28, 1989, or who has been approved to sit for examination prior to August 28,
43 1989, and who subsequently passes the examination shall be deemed to have met all requirements
44 for health service provider certification; provided, however, that such person shall be governed by
45 the provisions of subsection 1 of this section with respect to limitation of practice.

46 6. Any person who is lawfully licensed as a psychologist in this state and who meets one or
47 more of the following criteria shall automatically, upon payment of the requisite fee, be entitled to
48 receive a health service provider certification from the committee:

1 (1) Is a diplomate of the American Board of Professional Psychology in one or more of the
2 specialties recognized by the American Board of Professional Psychology as pertaining to health
3 service delivery; or

4 (2) Is a member of the National Register of Health Service Providers in Psychology.

5 337.100. 1. Sections 337.100 to 337.165 shall be known as the "Psychology
6 Interjurisdictional Compact". The party states find that:

7 (1) States license psychologists, in order to protect the public through verification of
8 education, training and experience and ensure accountability for professional practice;

9 (2) This compact is intended to regulate the day to day practice of telepsychology, the
10 provision of psychological services using telecommunication technologies, by psychologists across
11 state boundaries in the performance of their psychological practice as assigned by an appropriate
12 authority;

13 (3) This compact is intended to regulate the temporary in-person, face-to-face practice of
14 psychology by psychologists across state boundaries for thirty days within a calendar year in the
15 performance of their psychological practice as assigned by an appropriate authority;

16 (4) This compact is intended to authorize state psychology regulatory authorities to afford
17 legal recognition, in a manner consistent with the terms of the compact, to psychologists licensed in
18 another state;

19 (5) This compact recognizes that states have a vested interest in protecting the public's
20 health and safety through their licensing and regulation of psychologists and that such state
21 regulation will best protect public health and safety;

22 (6) This compact does not apply when a psychologist is licensed in both the home and
23 receiving states; and

24 (7) This compact does not apply to permanent in-person, face-to-face practice, it does allow
25 for authorization of temporary psychological practice.

26 2. The general purposes of this compact are to:

27 (1) Increase public access to professional psychological services by allowing for
28 telepsychological practice across state lines as well as temporary in-person, face-to-face services
29 into a state which the psychologist is not licensed to practice psychology;

30 (2) Enhance the states' ability to protect the public's health and safety, especially
31 client/patient safety;

32 (3) Encourage the cooperation of compact states in the areas of psychology licensure and
33 regulation;

34 (4) Facilitate the exchange of information between compact states regarding psychologist
35 licensure, adverse actions and disciplinary history;

36 (5) Promote compliance with the laws governing psychological practice in each compact
37 state; and

38 (6) Invest all compact states with the authority to hold licensed psychologists accountable
39 through the mutual recognition of compact state licenses.

40 337.105. As used in this compact, the following terms shall mean:

41 (1) "Adverse action", any action taken by a state psychology regulatory authority which
42 finds a violation of a statute or regulation that is identified by the state psychology regulatory
43 authority as discipline and is a matter of public record;

44 (2) "Association of State and Provincial Psychology Boards (ASPPB)", the recognized
45 membership organization composed of state and provincial psychology regulatory authorities
46 responsible for the licensure and registration of psychologists throughout the United States and
47 Canada;

48 (3) "Authority to practice interjurisdictional telepsychology", a licensed psychologist's

1 authority to practice telepsychology, within the limits authorized under this compact, in another
2 compact state;

3 (4) "Bylaws", those bylaws established by the psychology interjurisdictional compact
4 commission pursuant to section 337.145 for its governance, or for directing and controlling its
5 actions and conduct;

6 (5) "Client/patient", the recipient of psychological services, whether psychological services
7 are delivered in the context of healthcare, corporate, supervision, or consulting services;

8 (6) "Commissioner", the voting representative appointed by each state psychology
9 regulatory authority pursuant to section 337.145;

10 (7) "Compact state", a state, the District of Columbia, or United States territory that has
11 enacted this compact legislation and which has not withdrawn pursuant to subsection 3 of section
12 337.160 or been terminated pursuant to subsection 2 of section 337.155;

13 (8) "Coordinated licensure information system" also referred to as "coordinated database",
14 an integrated process for collecting, storing, and sharing information on psychologists' licensure and
15 enforcement activities related to psychology licensure laws, which is administered by the recognized
16 membership organization composed of state and provincial psychology regulatory authorities;

17 (9) "Confidentiality", the principle that data or information is not made available or
18 disclosed to unauthorized persons or processes;

19 (10) "Day", any part of a day in which psychological work is performed;

20 (11) "Distant state", the compact state where a psychologist is physically present, not
21 through the use of telecommunications technologies, to provide temporary in-person, face-to-face
22 psychological services;

23 (12) "E.Passport", a certificate issued by the Association of State and Provincial Psychology
24 Boards (ASPPB) that promotes the standardization in the criteria of interjurisdictional
25 telepsychology practice and facilitates the process for licensed psychologists to provide
26 telepsychological services across state lines;

27 (13) "Executive board", a group of directors elected or appointed to act on behalf of, and
28 within the powers granted to them by, the commission;

29 (14) "Home state", a compact state where a psychologist is licensed to practice psychology.
30 If the psychologist is licensed in more than one compact state and is practicing under the
31 authorization to practice interjurisdictional telepsychology, the home state is the compact state
32 where the psychologist is physically present when the telepsychological services are delivered. If
33 the psychologist is licensed in more than one compact state and is practicing under the temporary
34 authorization to practice, the home state is any compact state where the psychologist is licensed;

35 (15) "Identity history summary", a summary of information retained by the Federal Bureau
36 of Investigation, or other designee with similar authority, in connection with arrests and, in some
37 instances, federal employment, naturalization, or military service;

38 (16) "In-person, face-to-face", interactions in which the psychologist and the client/patient
39 are in the same physical space and which does not include interactions that may occur through the
40 use of telecommunication technologies;

41 (17) "Interjurisdictional practice certificate (IPC)", a certificate issued by the Association of
42 State and Provincial Psychology Boards (ASPPB) that grants temporary authority to practice based
43 on notification to the state psychology regulatory authority of intention to practice temporarily, and
44 verification of one's qualifications for such practice;

45 (18) "License", authorization by a state psychology regulatory authority to engage in the
46 independent practice of psychology, which would be unlawful without the authorization;

47 (19) "Noncompact state", any state which is not at the time a compact state;

48 (20) "Psychologist", an individual licensed for the independent practice of psychology;

1 (21) "Psychology interjurisdictional compact commission" also referred to as "commission",
2 the national administration of which all compact states are members;

3 (22) "Receiving state", a compact state where the client/patient is physically located when
4 the telepsychological services are delivered;

5 (23) "Rule", a written statement by the psychology interjurisdictional compact commission
6 promulgated pursuant to section 337.150 of the compact that is of general applicability, implements,
7 interprets, or prescribes a policy or provision of the compact, or an organizational, procedural, or
8 practice requirement of the commission and has the force and effect of statutory law in a compact
9 state, and includes the amendment, repeal or suspension of an existing rule;

10 (24) "Significant investigatory information":

11 (a) Investigative information that a state psychology regulatory authority, after a
12 preliminary inquiry that includes notification and an opportunity to respond if required by state law,
13 has reason to believe, if proven true, would indicate more than a violation of state statute or ethics
14 code that would be considered more substantial than minor infraction; or

15 (b) Investigative information that indicates that the psychologist represents an immediate
16 threat to public health and safety regardless of whether the psychologist has been notified and had
17 an opportunity to respond;

18 (25) "State", a state, commonwealth, territory, or possession of the United States, the
19 District of Columbia;

20 (26) "State psychology regulatory authority", the board, office or other agency with the
21 legislative mandate to license and regulate the practice of psychology;

22 (27) "Telepsychology", the provision of psychological services using telecommunication
23 technologies;

24 (28) "Temporary authorization to practice", a licensed psychologist's authority to conduct
25 temporary in-person, face-to-face practice, within the limits authorized under this compact, in
26 another compact state;

27 (29) "Temporary in-person, face-to-face practice", where a psychologist is physically
28 present, not through the use of telecommunications technologies, in the distant state to provide for
29 the practice of psychology for thirty days within a calendar year and based on notification to the
30 distant state.

31 337.110. 1. The home state shall be a compact state where a psychologist is licensed to
32 practice psychology.

33 2. A psychologist may hold one or more compact state licenses at a time. If the
34 psychologist is licensed in more than one compact state, the home state is the compact state where
35 the psychologist is physically present when the services are delivered as authorized by the authority
36 to practice interjurisdictional telepsychology under the terms of this compact.

37 3. Any compact state may require a psychologist not previously licensed in a compact state
38 to obtain and retain a license to be authorized to practice in the compact state under circumstances
39 not authorized by the authority to practice interjurisdictional telepsychology under the terms of this
40 compact.

41 4. Any compact state may require a psychologist to obtain and retain a license to be
42 authorized to practice in a compact state under circumstances not authorized by temporary
43 authorization to practice under the terms of this compact.

44 5. A home state's license authorizes a psychologist to practice in a receiving state under the
45 authority to practice interjurisdictional telepsychology only if the compact state:

46 (1) Currently requires the psychologist to hold an active E.Passport;

47 (2) Has a mechanism in place for receiving and investigating complaints about licensed
48 individuals;

1 (3) Notifies the commission, in compliance with the terms herein, of any adverse action or
2 significant investigatory information regarding a licensed individual;

3 (4) Requires an identity history summary of all applicants at initial licensure, including the
4 use of the results of fingerprints or other biometric data checks compliant with the requirements of
5 the Federal Bureau of Investigation, or other designee with similar authority, no later than ten years
6 after activation of the compact; and

7 (5) Complies with the bylaws and rules of the commission.

8 6. A home state's license grants temporary authorization to practice to a psychologist in a
9 distant state only if the compact state:

10 (1) Currently requires the psychologist to hold an active IPC;

11 (2) Has a mechanism in place for receiving and investigating complaints about licensed
12 individuals;

13 (3) Notifies the commission, in compliance with the terms herein, of any adverse action or
14 significant investigatory information regarding a licensed individual;

15 (4) Requires an identity history summary of all applicants at initial licensure, including the
16 use of the results of fingerprints or other biometric data checks compliant with the requirements of
17 the Federal Bureau of Investigation, or other designee with similar authority, no later than ten years
18 after activation of the compact; and

19 (5) Complies with the bylaws and rules of the commission.

20 337.115. 1. Compact states shall recognize the right of a psychologist, licensed in a
21 compact state in conformance with section 337.110, to practice telepsychology in receiving states in
22 which the psychologist is not licensed, under the authority to practice interjurisdictional
23 telepsychology as provided in the compact.

24 2. To exercise the authority to practice interjurisdictional telepsychology under the terms
25 and provisions of this compact, a psychologist licensed to practice in a compact state shall:

26 (1) Hold a graduate degree in psychology from an institute of higher education that was, at
27 the time the degree was awarded:

28 (a) Regionally accredited by an accrediting body recognized by the United States
29 Department of Education to grant graduate degrees, or authorized by provincial statute or royal
30 charter to grant doctoral degrees; or

31 (b) A foreign college or university deemed to be equivalent to the requirements of
32 paragraph (a) of this subdivision by a foreign credential evaluation service that is a member of the
33 National Association of Credential Evaluation Services (NACES) or by a recognized foreign
34 credential evaluation service;

35 (2) Hold a graduate degree in psychology that meets the following criteria:

36 (a) The program, wherever it may be administratively housed, shall be clearly identified and
37 labeled as a psychology program. Such a program shall specify in pertinent institutional catalogues
38 and brochures its intent to educate and train professional psychologists;

39 (b) The psychology program shall stand as a recognizable, coherent, organizational entity
40 within the institution;

41 (c) There shall be a clear authority and primary responsibility for the core and specialty
42 areas whether or not the program cuts across administrative lines;

43 (d) The program shall consist of an integrated, organized sequence of study;

44 (e) There shall be an identifiable psychology faculty sufficient in size and breadth to carry
45 out its responsibilities;

46 (f) The designated director of the program shall be a psychologist and a member of the core
47 faculty;

48 (g) The program shall have an identifiable body of students who are matriculated in that

1 program for a degree;

2 (h) The program shall include supervised practicum, internship, or field training appropriate
3 to the practice of psychology;

4 (i) The curriculum shall encompass a minimum of three academic years of full-time
5 graduate study for doctoral degree and a minimum of one academic year of full-time graduate study
6 for master's degree;

7 (j) The program includes an acceptable residency as defined by the rules of the commission;

8 (3) Possess a current, full and unrestricted license to practice psychology in a home state
9 which is a compact state;

10 (4) Have no history of adverse action that violate the rules of the commission;

11 (5) Have no criminal record history reported on an identity history summary that violates
12 the rules of the commission;

13 (6) Possess a current, active E.Passport;

14 (7) Provide attestations in regard to areas of intended practice, conformity with standards of
15 practice, competence in telepsychology technology; criminal background; and knowledge and
16 adherence to legal requirements in the home and receiving states, and provide a release of
17 information to allow for primary source verification in a manner specified by the commission; and

18 (8) Meet other criteria as defined by the rules of the commission.

19 3. The home state maintains authority over the license of any psychologist practicing into a
20 receiving state under the authority to practice interjurisdictional telepsychology.

21 4. A psychologist practicing into a receiving state under the authority to practice
22 interjurisdictional telepsychology will be subject to the receiving state's scope of practice. A
23 receiving state may, in accordance with that state's due process law, limit or revoke a psychologist's
24 authority to practice interjurisdictional telepsychology in the receiving state and may take any other
25 necessary actions under the receiving state's applicable law to protect the health and safety of the
26 receiving state's citizens. If a receiving state takes action, the state shall promptly notify the home
27 state and the commission.

28 5. If a psychologist's license in any home state, another compact state, or any authority to
29 practice interjurisdictional telepsychology in any receiving state, is restricted, suspended or
30 otherwise limited, the E.Passport shall be revoked and therefore the psychologist shall not be
31 eligible to practice telepsychology in a compact state under the authority to practice
32 interjurisdictional telepsychology.

33 337.120. 1. Compact states shall also recognize the right of a psychologist, licensed in a
34 compact state in conformance with section 337.110, to practice temporarily in distant states in
35 which the psychologist is not licensed, as provided in the compact.

36 2. To exercise the temporary authorization to practice under the terms and provisions of this
37 compact, a psychologist licensed to practice in a compact state shall:

38 (1) Hold a graduate degree in psychology from an institute of higher education that was, at
39 the time the degree was awarded:

40 (a) Regionally accredited by an accrediting body recognized by the United States
41 Department of Education to grant graduate degrees, or authorized by provincial statute or royal
42 charter to grant doctoral degrees; or

43 (b) A foreign college or university deemed to be equivalent to the requirements of
44 paragraph (a) of this subdivision by a foreign credential evaluation service that is a member of the
45 National Association of Credential Evaluation Services (NACES) or by a recognized foreign
46 credential evaluation service;

47 (2) Hold a graduate degree in psychology that meets the following criteria:

48 (a) The program, wherever it may be administratively housed, shall be clearly identified and

1 labeled as a psychology program. Such a program shall specify in pertinent institutional catalogues
 2 and brochures its intent to educate and train professional psychologists;

3 (b) The psychology program shall stand as a recognizable, coherent, organizational entity
 4 within the institution;

5 (c) There shall be a clear authority and primary responsibility for the core and specialty
 6 areas whether or not the program cuts across administrative lines;

7 (d) The program shall consist of an integrated, organized sequence of study;

8 (e) There shall be an identifiable psychology faculty sufficient in size and breadth to carry
 9 out its responsibilities;

10 (f) The designated director of the program shall be a psychologist and a member of the core
 11 faculty;

12 (g) The program shall have an identifiable body of students who are matriculated in that
 13 program for a degree;

14 (h) The program shall include supervised practicum, internship, or field training appropriate
 15 to the practice of psychology;

16 (i) The curriculum shall encompass a minimum of three academic years of full-time
 17 graduate study for doctoral degrees and a minimum of one academic year of full-time graduate
 18 study for master's degree;

19 (j) The program includes an acceptable residency as defined by the rules of the commission;

20 (3) Possess a current, full and unrestricted license to practice psychology in a home state
 21 which is a compact state;

22 (4) No history of adverse action that violate the rules of the commission;

23 (5) No criminal record history that violates the rules of the commission;

24 (6) Possess a current, active IPC;

25 (7) Provide attestations in regard to areas of intended practice and work experience and
 26 provide a release of information to allow for primary source verification in a manner specified by
 27 the commission; and

28 (8) Meet other criteria as defined by the rules of the commission.

29 3. A psychologist practicing into a distant state under the temporary authorization to
 30 practice shall practice within the scope of practice authorized by the distant state.

31 4. A psychologist practicing into a distant state under the temporary authorization to
 32 practice will be subject to the distant state's authority and law. A distant state may, in accordance
 33 with that state's due process law, limit or revoke a psychologist's temporary authorization to practice
 34 in the distant state and may take any other necessary actions under the distant state's applicable law
 35 to protect the health and safety of the distant state's citizens. If a distant state takes action, the state
 36 shall promptly notify the home state and the commission.

37 5. If a psychologist's license in any home state, another compact state, or any temporary
 38 authorization to practice in any distant state, is restricted, suspended or otherwise limited, the IPC
 39 shall be revoked and therefore the psychologist shall not be eligible to practice in a compact state
 40 under the temporary authorization to practice.

41 337.125. A psychologist may practice in a receiving state under the authority to practice
 42 interjurisdictional telepsychology only in the performance of the scope of practice for psychology as
 43 assigned by an appropriate state psychology regulatory authority, as defined in the rules of the
 44 commission, and under the following circumstances:

45 (1) The psychologist initiates a client/patient contact in a home state via telecommunications
 46 technologies with a client/patient in a receiving state;

47 (2) Other conditions regarding telepsychology as determined by rules promulgated by the
 48 commission.

1 337.130. 1. A home state shall have the power to impose adverse action against a
2 psychologist's license issued by the home state. A distant state shall have the power to take adverse
3 action on a psychologist's temporary authorization to practice within that distant state.

4 2. A receiving state may take adverse action on a psychologist's authority to practice
5 interjurisdictional telepsychology within that receiving state. A home state may take adverse action
6 against a psychologist based on an adverse action taken by a distant state regarding temporary in-
7 person, face-to-face practice.

8 3. (1) If a home state takes adverse action against a psychologist's license, that
9 psychologist's authority to practice interjurisdictional telepsychology is terminated and the
10 E.Passport is revoked. Furthermore, that psychologist's temporary authorization to practice is
11 terminated and the IPC is revoked.

12 (2) All home state disciplinary orders which impose adverse action shall be reported to the
13 commission in accordance with the rules promulgated by the commission. A compact state shall
14 report adverse actions in accordance with the rules of the commission.

15 (3) In the event discipline is reported on a psychologist, the psychologist will not be eligible
16 for telepsychology or temporary in-person, face-to-face practice in accordance with the rules of the
17 commission.

18 (4) Other actions may be imposed as determined by the rules promulgated by the
19 commission.

20 4. A home state's psychology regulatory authority shall investigate and take appropriate
21 action with respect to reported inappropriate conduct engaged in by a licensee which occurred in a
22 receiving state as it would if such conduct had occurred by a licensee within the home state. In such
23 cases, the home state's law shall control in determining any adverse action against a psychologist's
24 license.

25 5. A distant state's psychology regulatory authority shall investigate and take appropriate
26 action with respect to reported inappropriate conduct engaged in by a psychologist practicing under
27 temporary authorization practice which occurred in that distant state as it would if such conduct had
28 occurred by a licensee within the home state. In such cases, distant state's law shall control in
29 determining any adverse action against a psychologist's temporary authorization to practice.

30 6. Nothing in this compact shall override a compact state's decision that a psychologist's
31 participation in an alternative program may be used in lieu of adverse action and that such
32 participation shall remain non-public if required by the compact state's law. Compact states shall
33 require psychologists who enter any alternative programs to not provide telepsychology services
34 under the authority to practice interjurisdictional telepsychology or provide temporary psychological
35 services under the temporary authorization to practice in any other compact state during the term of
36 the alternative program.

37 7. No other judicial or administrative remedies shall be available to a psychologist in the
38 event a compact state imposes an adverse action pursuant to subsection 3 of this section.

39 337.135. 1. In addition to any other powers granted under state law, a compact state's
40 psychology regulatory authority shall have the authority under this compact to:

41 (1) Issue subpoenas, for both hearings and investigations, which require the attendance and
42 testimony of witnesses and the production of evidence. Subpoenas issued by a compact state's
43 psychology regulatory authority for the attendance and testimony of witnesses, or the production of
44 evidence from another compact state shall be enforced in the latter state by any court of competent
45 jurisdiction, according to that court's practice and procedure in considering subpoenas issued in its
46 own proceedings. The issuing state psychology regulatory authority shall pay any witness fees,
47 travel expenses, mileage and other fees required by the service statutes of the state where the
48 witnesses or evidence are located; and

1 (2) Issue cease and desist or injunctive relief orders to revoke a psychologist's authority to
2 practice interjurisdictional telepsychology or temporary authorization to practice.

3 2. During the course of any investigation, a psychologist may not change his or her home
4 state licensure. A home state psychology regulatory authority is authorized to complete any
5 pending investigations of a psychologist and to take any actions appropriate under its law. The
6 home state psychology regulatory authority shall promptly report the conclusions of such
7 investigations to the commission. Once an investigation has been completed, and pending the
8 outcome of said investigation, the psychologist may change his or her home state licensure. The
9 commission shall promptly notify the new home state of any such decisions as provided in the rules
10 of the commission. All information provided to the commission or distributed by compact states
11 pursuant to the psychologist shall be confidential, filed under seal and used for investigatory or
12 disciplinary matters. The commission may create additional rules for mandated or discretionary
13 sharing of information by compact states.

14 337.140. 1. The commission shall provide for the development and maintenance of a
15 coordinated licensure information system "coordinated database" and reporting system containing
16 licensure and disciplinary action information on all psychologist individuals to whom this compact
17 is applicable in all compact states as defined by the rules of the commission.

18 2. Notwithstanding any other provision of state law to the contrary, a compact state shall
19 submit a uniform data set to the coordinated database on all licensees as required by the rules of the
20 commission, including:

21 (1) Identifying information;

22 (2) Licensure data;

23 (3) Significant investigatory information;

24 (4) Adverse actions against a psychologist's license;

25 (5) An indicator that a psychologist's authority to practice interjurisdictional telepsychology
26 or temporary authorization to practice is revoked;

27 (6) Nonconfidential information related to alternative program participation information;

28 (7) Any denial of application for licensure, and the reasons for such denial; and

29 (8) Other information which may facilitate the administration of this compact, as
30 determined by the rules of the commission.

31 3. The coordinated database administrator shall promptly notify all compact states of any
32 adverse action taken against, or significant investigative information on, any licensee in a compact
33 state.

34 4. Compact states reporting information to the coordinated database may designate
35 information that may not be shared with the public without the express permission of the compact
36 state reporting the information.

37 5. Any information submitted to the coordinated database that is subsequently required to be
38 expunged by the law of the compact state reporting the information shall be removed from the
39 coordinated database.

40 337.145. 1. The compact states hereby create and establish a joint public agency known as
41 the psychology interjurisdictional compact commission.

42 (1) The commission is a body politic and an instrumentality of the compact states.

43 (2) Venue is proper and judicial proceedings by or against the commission shall be brought
44 solely and exclusively in a court of competent jurisdiction where the principal office of the
45 commission is located. The commission may waive venue and jurisdictional defenses to the extent
46 it adopts or consents to participate in alternative dispute resolution proceedings.

47 (3) Nothing in this compact shall be construed to be a waiver of sovereign immunity.

48 2. The commission shall consist of one voting representative appointed by each compact

1 state who shall serve as that state's commissioner. The state psychology regulatory authority shall
2 appoint its delegate. This delegate shall be empowered to act on behalf of the compact state. This
3 delegate shall be limited to:

4 (1) Executive director, executive secretary or similar executive;

5 (2) Current member of the state psychology regulatory authority of a compact state; or

6 (3) Designee empowered with the appropriate delegate authority to act on behalf of the
7 compact state.

8 3. (1) Any commissioner may be removed or suspended from office as provided by the law
9 of the state from which the commissioner is appointed. Any vacancy occurring in the commission
10 shall be filled in accordance with the laws of the compact state in which the vacancy exists.

11 (2) Each commissioner shall be entitled to one vote with regard to the promulgation of rules
12 and creation of bylaws and shall otherwise have an opportunity to participate in the business and
13 affairs of the commission. A commissioner shall vote in person or by such other means as provided
14 in the bylaws. The bylaws may provide for commissioners' participation in meetings by telephone or
15 other means of communication.

16 (3) The commission shall meet at least once during each calendar year. Additional meetings
17 shall be held as set forth in the bylaws.

18 (4) All meetings shall be open to the public, and public notice of meetings shall be given in
19 the same manner as required under the rulemaking provisions in section 337.150.

20 (5) The commission may convene in a closed, nonpublic meeting if the commission shall
21 discuss:

22 (a) Noncompliance of a compact state with its obligations under the compact;

23 (b) The employment, compensation, discipline or other personnel matters, practices or
24 procedures related to specific employees or other matters related to the commission's internal
25 personnel practices and procedures;

26 (c) Current, threatened, or reasonably anticipated litigation against the commission;

27 (d) Negotiation of contracts for the purchase or sale of goods, services or real estate;

28 (e) Accusation against any person of a crime or formally censuring any person;

29 (f) Disclosure of trade secrets or commercial or financial information which is privileged or
30 confidential;

31 (g) Disclosure of information of a personal nature where disclosure would constitute a
32 clearly unwarranted invasion of personal privacy;

33 (h) Disclosure of investigatory records compiled for law enforcement purposes;

34 (i) Disclosure of information related to any investigatory reports prepared by or on behalf of
35 or for use of the commission or other committee charged with responsibility for investigation or
36 determination of compliance issues pursuant to the compact;

37 (j) Matters specifically exempted from disclosure by federal and state statute.

38 (6) If a meeting, or portion of a meeting, is closed pursuant to subdivision (5) of subsection
39 3 of this section, the commission's legal counsel or designee shall certify that the meeting may be
40 closed and shall reference each relevant exempting provision. The commission shall keep minutes
41 which fully and clearly describe all matters discussed in a meeting and shall provide a full and
42 accurate summary of actions taken, of any person participating in the meeting, and the reasons
43 therefore, including a description of the views expressed. All documents considered in connection
44 with an action shall be identified in such minutes. All minutes and documents of a closed meeting
45 shall remain under seal, subject to release only by a majority vote of the commission or order of a
46 court of competent jurisdiction.

47 4. The commission shall, by a majority vote of the commissioners, prescribe bylaws or rules
48 to govern its conduct as may be necessary or appropriate to carry out the purposes and exercise the

1 powers of the compact, including but not limited to:

2 (1) Establishing the fiscal year of the commission;

3 (2) Providing reasonable standards and procedures:

4 (a) For the establishment and meetings of other committees; and

5 (b) Governing any general or specific delegation of any authority or function of the
6 commission;

7 (3) Providing reasonable procedures for calling and conducting meetings of the
8 commission, ensuring reasonable advance notice of all meetings and providing an opportunity for
9 attendance of such meetings by interested parties, with enumerated exceptions designed to protect
10 the public's interest, the privacy of individuals of such proceedings, and proprietary information,
11 including trade secrets. The commission may meet in closed session only after a majority of the
12 commissioners vote to close a meeting to the public in whole or in part. As soon as practicable, the
13 commission shall make public a copy of the vote to close the meeting revealing the vote of each
14 commissioner with no proxy votes allowed;

15 (4) Establishing the titles, duties and authority and reasonable procedures for the election of
16 the officers of the commission;

17 (5) Providing reasonable standards and procedures for the establishment of the personnel
18 policies and programs of the commission. Notwithstanding any civil service or other similar law of
19 any compact state, the bylaws shall exclusively govern the personnel policies and programs of the
20 commission;

21 (6) Promulgating a code of ethics to address permissible and prohibited activities of
22 commission members and employees;

23 (7) Providing a mechanism for concluding the operations of the commission and the
24 equitable disposition of any surplus funds that may exist after the termination of the compact after
25 the payment or reserving of all of its debts and obligations.

26 5. (1) The commission shall publish its bylaws in a convenient form and file a copy thereof
27 and a copy of any amendment thereto, with the appropriate agency or officer in each of the compact
28 states;

29 (2) The commission shall maintain its financial records in accordance with the bylaws; and

30 (3) The commission shall meet and take such actions as are consistent with the provisions of
31 this compact and the bylaws.

32 6. The commission shall have the following powers:

33 (1) The authority to promulgate uniform rules to facilitate and coordinate implementation
34 and administration of this compact. The rule shall have the force and effect of law and shall be
35 binding in all compact states;

36 (2) To bring and prosecute legal proceedings or actions in the name of the commission,
37 provided that the standing of any state psychology regulatory authority or other regulatory body
38 responsible for psychology licensure to sue or be sued under applicable law shall not be affected;

39 (3) To purchase and maintain insurance and bonds;

40 (4) To borrow, accept or contract for services of personnel, including, but not limited to,
41 employees of a compact state;

42 (5) To hire employees, elect or appoint officers, fix compensation, define duties, grant such
43 individuals appropriate authority to carry out the purposes of the compact, and to establish the
44 commission's personnel policies and programs relating to conflicts of interest, qualifications of
45 personnel, and other related personnel matters;

46 (6) To accept any and all appropriate donations and grants of money, equipment, supplies,
47 materials and services, and to receive, utilize and dispose of the same; provided that at all times the
48 commission shall strive to avoid any appearance of impropriety or conflict of interest;

1 (7) To lease, purchase, accept appropriate gifts or donations of, or otherwise to own, hold,
2 improve or use, any property, real, personal or mixed; provided that at all times the commission
3 shall strive to avoid any appearance of impropriety;

4 (8) To lease, purchase, accept appropriate gifts or donations of, or otherwise to own, hold,
5 improve or use, any property, real, personal or mixed; provided that at all times the commission
6 shall strive to avoid any appearance of impropriety;

7 (9) To establish a budget and make expenditures;

8 (10) To borrow money;

9 (11) To appoint committees, including advisory committees comprised of members, state
10 regulators, state legislators or their representatives, and consumer representatives, and such other
11 interested persons as may be designated in this compact and the bylaws;

12 (12) To provide and receive information from, and to cooperate with, law enforcement
13 agencies;

14 (13) To adopt and use an official seal; and

15 (14) To perform such other functions as may be necessary or appropriate to achieve the
16 purposes of this compact consistent with the state regulation of psychology licensure, temporary in-
17 person, face-to-face practice and telepsychology practice.

18 7. (1) The elected officers shall serve as the executive board, which shall have the power to
19 act on behalf of the commission according to the terms of this compact.

20 (2) The executive board shall be comprised of six members:

21 (a) Five voting members who are elected from the current membership of the commission
22 by the commission;

23 (b) One ex officio, nonvoting member from the recognized membership organization
24 composed of state and provincial psychology regulatory authorities.

25 (3) The ex officio member shall have served as staff or member on a state psychology
26 regulatory authority and will be selected by its respective organization.

27 (4) The commission may remove any member of the executive board as provided in bylaws.

28 (5) The executive board shall meet at least annually.

29 (6) The executive board shall have the following duties and responsibilities:

30 (a) Recommend to the entire commission changes to the rules or bylaws, changes to this
31 compact legislation, fees paid by compact states such as annual dues, and any other applicable fees;

32 (b) Ensure compact administration services are appropriately provided, contractual or
33 otherwise;

34 (c) Prepare and recommend the budget;

35 (d) Maintain financial records on behalf of the commission;

36 (e) Monitor compact compliance of member states and provide compliance reports to the
37 commission;

38 (f) Establish additional committees as necessary; and

39 (g) Other duties as provided in rules or bylaws.

40 8. (1) The commission shall pay, or provide for the payment of the reasonable expenses of
41 its establishment, organization and ongoing activities.

42 (2) The commission may accept any and all appropriate revenue sources, donations and
43 grants of money, equipment, supplies, materials and services.

44 (3) The commission may levy on and collect an annual assessment from each compact state
45 or impose fees on other parties to cover the cost of the operations and activities of the commission
46 and its staff which shall be in a total amount sufficient to cover its annual budget as approved each
47 year for which revenue is not provided by other sources. The aggregate annual assessment amount
48 shall be allocated based upon a formula to be determined by the commission which shall promulgate

1 a rule binding upon all compact states.

2 (4) The commission shall not incur obligations of any kind prior to securing the funds
3 adequate to meet the same; nor shall the commission pledge the credit of any of the compact states,
4 except by and with the authority of the compact state.

5 (5) The commission shall keep accurate accounts of all receipts and disbursements. The
6 receipts and disbursements of the commission shall be subject to the audit and accounting
7 procedures established under its bylaws. However, all receipts and disbursements of funds handled
8 by the commission shall be audited yearly by a certified or licensed public accountant and the report
9 of the audit shall be included in and become part of the annual report of the commission.

10 9. (1) The members, officers, executive director, employees and representatives of the
11 commission shall be immune from suit and liability, either personally or in their official capacity,
12 for any claim for damage to or loss of property or personal injury or other civil liability caused by
13 or arising out of any actual or alleged act, error or omission that occurred, or that the person against
14 whom the claim is made had a reasonable basis for believing occurred within the scope of
15 commission employment, duties or responsibilities; provided that nothing in this subsection shall be
16 construed to protect any such person from suit or liability for any damage, loss, injury or liability
17 caused by the intentional or willful or wanton misconduct of that person.

18 (2) The commission shall defend any member, officer, executive director, employee or
19 representative of the commission in any civil action seeking to impose liability arising out of any
20 actual or alleged act, error or omission that occurred within the scope of commission employment,
21 duties or responsibilities, or that the person against whom the claim is made had a reasonable basis
22 for believing occurred within the scope of commission employment, duties or responsibilities;
23 provided that nothing herein shall be construed to prohibit that person from retaining his or her own
24 counsel; and provided further, that the actual or alleged act, error or omission did not result from
25 that person's intentional or willful or wanton misconduct.

26 (3) The commission shall indemnify and hold harmless any member, officer, executive
27 director, employee or representative of the commission for the amount of any settlement or
28 judgment obtained against that person arising out of any actual or alleged act, error or omission that
29 occurred within the scope of commission employment, duties or responsibilities, or that such person
30 had a reasonable basis for believing occurred within the scope of commission employment, duties or
31 responsibilities, provided that the actual or alleged act, error or omission did not result from the
32 intentional or willful or wanton misconduct of that person.

33 337.150. 1. The commission shall exercise its rulemaking powers pursuant to the criteria
34 set forth in this section and the rules adopted thereunder. Rules and amendments shall become
35 binding as of the date specified in each rule or amendment.

36 2. If a majority of the legislatures of the compact states rejects a rule, by enactment of a
37 statute or resolution in the same manner used to adopt the compact, then such rule shall have no
38 further force and effect in any compact state.

39 3. Rules or amendments to the rules shall be adopted at a regular or special meeting of the
40 commission.

41 4. Prior to promulgation and adoption of a final rule or rules by the commission, and at least
42 sixty days in advance of the meeting at which the rule will be considered and voted upon, the
43 commission shall file a notice of proposed rulemaking:

44 (1) On the website of the commission; and

45 (2) On the website of each compact states' psychology regulatory authority or the
46 publication in which each state would otherwise publish proposed rules.

47 5. The notice of proposed rulemaking shall include:

48 (1) The proposed time, date, and location of the meeting in which the rule will be

1 considered and voted upon;

2 (2) The text of the proposed rule or amendment and the reason for the proposed rule;

3 (3) A request for comments on the proposed rule from any interested person;

4 (4) The manner in which interested persons may submit notice to the commission of their
5 intention to attend the public hearing and any written comments.

6 6. Prior to adoption of a proposed rule, the commission shall allow persons to submit
7 written data, facts, opinions and arguments, which shall be made available to the public.

8 7. The commission shall grant an opportunity for a public hearing before it adopts a rule or
9 amendment if a hearing is requested by:

10 (1) At least twenty-five persons who submit comments independently of each other;

11 (2) A governmental subdivision or agency; or

12 (3) A duly appointed person in an association that has at least twenty-five members.

13 8. (1) If a hearing is held on the proposed rule or amendment, the commission shall publish
14 the place, time, and date of the scheduled public hearing.

15 (2) All persons wishing to be heard at the hearing shall notify the executive director of the
16 commission or other designated member in writing of their desire to appear and testify at the
17 hearing not less than five business days before the scheduled date of the hearing.

18 (3) Hearings shall be conducted in a manner providing each person who wishes to comment
19 a fair and reasonable opportunity to comment orally or in writing.

20 (4) No transcript of the hearing is required, unless a written request for a transcript is made,
21 in which case the person requesting the transcript shall bear the cost of producing the transcript. A
22 recording may be made in lieu of a transcript under the same terms and conditions as a transcript.
23 This subdivision shall not preclude the commission from making a transcript or recording of the
24 hearing if it so chooses.

25 (5) Nothing in this section shall be construed as requiring a separate hearing on each rule.
26 Rules may be grouped for the convenience of the commission at hearings required by this section.

27 9. Following the scheduled hearing date, or by the close of business on the scheduled
28 hearing date if the hearing was not held, the commission shall consider all written and oral
29 comments received.

30 10. The commission shall, by majority vote of all members, take final action on the
31 proposed rule and shall determine the effective date of the rule, if any, based on the rulemaking
32 record and the full text of the rule.

33 11. If no written notice of intent to attend the public hearing by interested parties is
34 received, the commission may proceed with promulgation of the proposed rule without a public
35 hearing.

36 12. Upon determination that an emergency exists, the commission may consider and adopt
37 an emergency rule without prior notice, opportunity for comment, or hearing, provided that the
38 usual rulemaking procedures provided in the compact and in this section shall be retroactively
39 applied to the rule as soon as reasonably possible, in no event later than ninety days after the
40 effective date of the rule. For the purposes of this provision, an emergency rule is one that shall be
41 adopted immediately in order to:

42 (1) Meet an imminent threat to public health, safety, or welfare;

43 (2) Prevent a loss of commission or compact state funds;

44 (3) Meet a deadline for the promulgation of an administrative rule that is established by
45 federal law or rule; or

46 (4) Protect public health and safety.

47 13. (1) The commission or an authorized committee of the commission may direct
48 revisions to a previously adopted rule or amendment for purposes of correcting typographical errors,

1 errors in format, errors in consistency, or grammatical errors. Public notice of any revisions shall be
2 posted on the website of the commission. The revision shall be subject to challenge by any person
3 for a period of thirty days after posting. The revision may be challenged only on grounds that the
4 revision results in a material change to a rule.

5 (2) A challenge shall be made in writing, and delivered to the chair of the commission prior
6 to the end of the notice period. If no challenge is made, the revision will take effect without further
7 action. If the revision is challenged, the revision may not take effect without the approval of the
8 commission.

9 337.155. 1. (1) The executive, legislative and judicial branches of state government in each
10 compact state shall enforce this compact and take all actions necessary and appropriate to effectuate
11 the compact's purposes and intent. The provisions of this compact and the rules promulgated
12 hereunder shall have standing as statutory law.

13 (2) All courts shall take judicial notice of the compact and the rules in any judicial or
14 administrative proceeding in a compact state pertaining to the subject matter of this compact which
15 may affect the powers, responsibilities or actions of the commission.

16 (3) The commission shall be entitled to receive service of process in any such proceeding,
17 and shall have standing to intervene in such a proceeding for all purposes. Failure to provide
18 service of process to the commission shall render a judgment or order void as to the commission,
19 this compact or promulgated rules.

20 2. (1) If the commission determines that a compact state has defaulted in the performance
21 of its obligations or responsibilities under this compact or the promulgated rules, the commission
22 shall:

23 (a) Provide written notice to the defaulting state and other compact states of the nature of
24 the default, the proposed means of remedying the default or any other action to be taken by the
25 commission; and

26 (b) Provide remedial training and specific technical assistance regarding the default.

27 (2) If a state in default fails to remedy the default, the defaulting state may be terminated
28 from the compact upon an affirmative vote of a majority of the compact states, and all rights,
29 privileges and benefits conferred by this compact shall be terminated on the effective date of
30 termination. A remedy of the default does not relieve the offending state of obligations or liabilities
31 incurred during the period of default.

32 (3) Termination of membership in the compact shall be imposed only after all other means
33 of securing compliance have been exhausted. Notice of intent to suspend or terminate shall be
34 submitted by the commission to the governor, the majority and minority leaders of the defaulting
35 state's legislature, and each of the compact states.

36 (4) A compact state which has been terminated is responsible for all assessments,
37 obligations and liabilities incurred through the effective date of termination, including obligations
38 which extend beyond the effective date of termination.

39 (5) The commission shall not bear any costs incurred by the state which is found to be in
40 default or which has been terminated from the compact, unless agreed upon in writing between the
41 commission and the defaulting state.

42 (6) The defaulting state may appeal the action of the commission by petitioning the U.S.
43 District Court for the state of Georgia or the federal district where the compact has its principal
44 offices. The prevailing member shall be awarded all costs of such litigation, including reasonable
45 attorney's fees.

46 3. (1) Upon request by a compact state, the commission shall attempt to resolve disputes
47 related to the compact which arise among compact states and between compact and noncompact
48 states.

1 (2) The commission shall promulgate a rule providing for both mediation and binding
 2 dispute resolution for disputes that arise before the commission.

3 4. (1) The commission, in the reasonable exercise of its discretion, shall enforce the
 4 provisions and rules of this compact.

5 (2) By majority vote, the commission may initiate legal action in the United States District
 6 Court for the State of Georgia or the federal district where the compact has its principal offices
 7 against a compact state in default to enforce compliance with the provisions of the compact and its
 8 promulgated rules and bylaws. The relief sought may include both injunctive relief and damages.
 9 In the event judicial enforcement is necessary, the prevailing member shall be awarded all costs of
 10 such litigation, including reasonable attorney's fees.

11 (3) The remedies herein shall not be the exclusive remedies of the commission. The
 12 commission may pursue any other remedies available under federal or state law.

13 337.160. 1. The compact shall come into effect on the date on which the compact is enacted
 14 into law in the seventh compact state. The provisions which become effective at that time shall be
 15 limited to the powers granted to the commission relating to assembly and the promulgation of rules.
 16 Thereafter, the commission shall meet and exercise rulemaking powers necessary to the
 17 implementation and administration of the compact.

18 2. Any state which joins the compact subsequent to the commission's initial adoption of the
 19 rules shall be subject to the rules as they exist on the date on which the compact becomes law in that
 20 state. Any rule which has been previously adopted by the commission shall have the full force and
 21 effect of law on the day the compact becomes law in that state.

22 3. (1) Any compact state may withdraw from this compact by enacting a statute repealing
 23 the same.

24 (2) A compact state's withdrawal shall not take effect until six months after enactment of the
 25 repealing statute.

26 (3) Withdrawal shall not affect the continuing requirement of the withdrawing state's
 27 psychology regulatory authority to comply with the investigative and adverse action reporting
 28 requirements of this act prior to the effective date of withdrawal.

29 4. Nothing contained in this compact shall be construed to invalidate or prevent any
 30 psychology licensure agreement or other cooperative arrangement between a compact state and a
 31 noncompact state which does not conflict with the provisions of this compact.

32 5. This compact may be amended by the compact states. No amendment to this compact
 33 shall become effective and binding upon any compact state until it is enacted into the law of all
 34 compact states.

35 337.165. This compact shall be liberally construed so as to effectuate the purposes thereof.
 36 If this compact shall be held contrary to the constitution of any state member thereto, the compact
 37 shall remain in full force and effect as to the remaining compact states."; and

38
 39 Further amend said bill, Page 13, Section 337.718, Line 14, by inserting after all of said line the
 40 following:

41
 42 "Section B. Sections 337.100, 337.105, 337.110, 337.115, 337.120, 337.125, 337.130,
 43 337.135, 337.140, 337.145, 337.150, 337.155, 337.160, and 337.165 shall become effective upon
 44 notification by the commission to the revisor of statutes that seven states have adopted the
 45 psychology interjurisdictional compact."; and

46
 47 Further amend said bill by amending the title, enacting clause, and intersectional references
 48 accordingly.