

[First Reprint]

**ASSEMBLY, No. 4205**

**STATE OF NEW JERSEY**

**219th LEGISLATURE**

INTRODUCED JUNE 1, 2020

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**District 6 (Burlington and Camden)**

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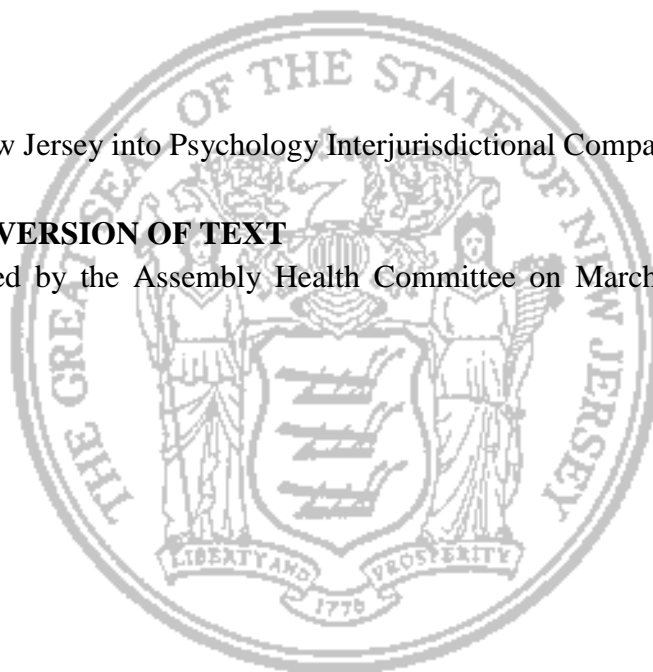
**Assemblyman Benson, Assemblywomen Downey, Vainieri Huttle, Murphy  
and Senator O'Scanlon**

**SYNOPSIS**

Enters New Jersey into Psychology Interjurisdictional Compact.

**CURRENT VERSION OF TEXT**

As reported by the Assembly Health Committee on March 8, 2021, with  
amendments.



**(Sponsorship Updated As Of: 6/3/2021)**

1 AN ACT concerning psychological services and supplementing Title  
2 45 of the Revised Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. The State of New Jersey enacts and enters into the  
8 “Psychology Interjurisdictional Compact Act” with all other  
9 jurisdictions that legally join in the compact in the form  
10 substantially as follows:

11

12 I. Purpose.

13

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

17 Whereas, this compact is intended to regulate the day to day  
18 practice of telepsychology, which is the provision of psychological  
19 services using telecommunication technologies, by psychologists  
20 across state boundaries in the performance of their psychological  
21 practice as assigned by an appropriate authority; and

22 Whereas, this compact is intended to regulate the temporary in-  
23 person, face-to-face practice of psychology by psychologists across  
24 state boundaries for 30 days within a calendar year in the  
25 performance of their psychological practice as assigned by an  
26 appropriate authority;

27 Whereas, this compact is intended to authorize state psychology  
28 regulatory authorities to afford legal recognition, in a manner  
29 consistent with the terms of the compact, to psychologists licensed  
30 in another state;

31 Whereas, this compact recognizes that states have a vested  
32 interest in protecting the public's health and safety through their  
33 licensing and regulation of psychologists and that such state  
34 regulation will best protect public health and safety;

35 Whereas, this compact does not apply when a psychologist is  
36 licensed in both the home and receiving states; and

37 Whereas, this compact does not apply to permanent in-person,  
38 face-to-face practice, it does allow for authorization of temporary  
39 psychological practice.

40 Consistent with these principles, this compact is designed to  
41 achieve the following purposes and objectives: increase public  
42 access to professional psychological services by allowing for  
43 telepsychological practice across state lines as well as temporary in-  
44 person, face-to-face services into a state in which the psychologist  
45 is not licensed to practice psychology; enhance the states' ability to

**EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.**

**Matter underlined thus is new matter.**

**Matter enclosed in superscript numerals has been adopted as follows:**

**<sup>1</sup>Assembly AHE committee amendments adopted March 8, 2021.**

1 protect the public's health and safety, especially client and patient  
2 safety; encourage the cooperation of compact states in the areas of  
3 psychology licensure and regulation; facilitate the exchange of  
4 information between compact states regarding psychologist  
5 licensure, adverse actions, and disciplinary history; promote  
6 compliance with the laws governing psychological practice in each  
7 compact state; and invest all compact states with the authority to  
8 hold licensed psychologists accountable through the mutual  
9 recognition of compact state licenses.

10  
11 II. Definitions.

12  
13 "Adverse action" means any action taken by a state psychology  
14 regulatory authority <sup>1</sup>**【which】** that<sup>1</sup> finds a violation of a statute or  
15 regulation that is identified by the state psychology regulatory  
16 authority as discipline and is a matter of public record.

17 "Association of State and Provincial Psychology Boards  
18 (ASPPB)" means the recognized membership organization  
19 composed of state and provincial psychology regulatory authorities  
20 responsible for the licensure and registration of psychologists  
21 throughout the United States and Canada.

22 "Authority to <sup>1</sup>**【Practice Interjurisdictional Telepsychology】**  
23 practice interjurisdictional telepsychology<sup>1</sup> " means a licensed  
24 psychologist's authority to practice telepsychology, within the limits  
25 authorized under this compact, in another compact state.

26 "Bylaws" means those bylaws established by the psychology  
27 interjurisdictional compact commission pursuant to Article X for its  
28 governance, or for directing and controlling its actions and conduct.

29 "Client or patient" means the recipient of psychological services,  
30 whether psychological services are delivered in the context of  
31 healthcare, corporate, supervision, or consulting services <sup>1</sup>**【, or  
32 both】**<sup>1</sup> .

33 "Commissioner" means the voting representative appointed by  
34 each <sup>1</sup>**【State Psychology Regulatory Authority】** state psychology  
35 regulatory authority<sup>1</sup> pursuant to Article X.

36 "Compact <sup>1</sup>**【State】** state<sup>1</sup> " means a state, the District of  
37 Columbia, or United States territory that has enacted this compact  
38 legislation and <sup>1</sup>**【which】** that<sup>1</sup> has not withdrawn pursuant to  
39 <sup>1</sup>**【section】** subsection<sup>1</sup> c. of Article XIII or been terminated  
40 pursuant to <sup>1</sup>**【section】** subsection<sup>1</sup> b. of Article XII.

41 "Coordinated licensure information system" or "coordinated  
42 database" means an integrated process for collecting, storing, and  
43 sharing information on psychologists' licensure and enforcement  
44 activities related to psychology licensure laws, which is  
45 administered by the recognized membership organization composed  
46 of state and provincial psychology regulatory authorities.

1 "Confidentiality" means the principle that data or information is  
2 not made available or disclosed to unauthorized persons or  
3 processes, or both.

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

6 "Distant <sup>1</sup>**[State]** state<sup>1</sup> " means the compact state where a  
7 psychologist is physically present, not through the use of  
8 telecommunications technologies, to provide temporary in-person,  
9 face-to-face psychological services.

10 " <sup>1</sup>**[E.Passport]** E.passport<sup>1</sup> " means a certificate issued by the  
11 ASPPB that promotes the standardization in the criteria of  
12 interjurisdictional telepsychology practice and facilitates the  
13 process for licensed psychologists to provide telepsychological  
14 services across state lines.

15 "Executive board" means a group of directors elected or  
16 appointed to act on behalf of, and within the powers granted to them  
17 by, the commission.

18 "Home <sup>1</sup>**[State]** state<sup>1</sup> " means a compact state where a  
19 psychologist is licensed to practice psychology. If the psychologist  
20 is licensed in more than one compact state and is practicing under  
21 the authorization to practice interjurisdictional telepsychology, the  
22 home state is the compact state where the psychologist is physically  
23 present when the telepsychological services are delivered. If the  
24 psychologist is licensed in more than one compact state and is  
25 practicing under the temporary authorization to practice, the home  
26 state is any compact state where the psychologist is licensed.

27 "Identity <sup>1</sup>**[History Summary]** history summary<sup>1</sup> " means a  
28 summary of information retained by the Federal Bureau of  
29 Investigation (FBI), or other designee with similar authority, in  
30 connection with arrests and, in some instances, federal employment,  
31 naturalization, or military service.

32 "In-person, face-to-face" means interactions in which the  
33 psychologist and the client <sup>1</sup>**[and]** or<sup>1</sup> patient are in the same  
34 physical space <sup>1</sup>**[and which]** . The term shall<sup>1</sup> does not include  
35 interactions that may occur through the use of telecommunication  
36 technologies.

37 "Interjurisdictional Practice Certificate <sup>1</sup>**[(IPC)]**<sup>1</sup> " <sup>1</sup>or "IPC"<sup>1</sup>  
38 means a certificate issued by the ASPPB that grants temporary  
39 authority to practice based on notification to the state psychology  
40 regulatory authority of intention to practice temporarily, and  
41 verification of one's qualifications for such practice.

42 "License" means <sup>1</sup>**[:]**<sup>1</sup> authorization by a state psychology  
43 regulatory authority to engage in the independent practice of  
44 psychology, which would be unlawful without the authorization.

45 "Non-compact state" means <sup>1</sup>**[:]**<sup>1</sup> any state <sup>1</sup>**[which]** that<sup>1</sup> is not  
46 at the time a compact state.

1 "Psychologist" means **[':]** an individual licensed for the  
2 independent practice of psychology.

3 "Psychology Interjurisdictional Compact Commission" or  
4 "Commission" means the national administration of which all  
5 compact states are members.

6 "Receiving state" means a compact state where the client **[',]'** or  
7 patient **[',** or both**']** is physically located when the  
8 telepsychological services are delivered.

9 "Rule" means a written statement by the Psychology  
10 Interjurisdictional Compact Commission promulgated pursuant to  
11 Article XI of the compact that is of general applicability,  
12 implements, interprets, or prescribes a policy or provision of the  
13 compact, or an organizational, procedural, or practice requirement  
14 of the commission and has the force and effect of statutory law in a  
15 compact state, and includes the amendment, repeal or suspension of  
16 an existing rule.

17 "Significant **['Investigatory Information]** investigatory  
18 information<sup>1</sup> " means investigative information that a state  
19 psychology regulatory authority, after a preliminary inquiry that  
20 includes notification and an opportunity to respond if required by  
21 state law, has reason to believe, if proven true, would indicate more  
22 than a violation of state statute or ethics code that would be  
23 considered more substantial than minor infraction; or investigative  
24 information that indicates that the psychologist represents an  
25 immediate threat to public health and safety regardless of whether  
26 the psychologist has been notified or had an opportunity to respond,  
27 or both.

28 "State" means a state, commonwealth, territory, or possession of  
29 the United States **[',']** and<sup>1</sup> the District of Columbia.

30 "State psychology regulatory authority" means the board, office  
31 or other agency with the legislative mandate to license and regulate  
32 the practice of psychology.

33 "Telepsychology" means the provision of psychological services  
34 using telecommunication technologies.

35 "Temporary authorization to practice" means a licensed  
36 psychologist's authority to conduct temporary in-person, face-to-  
37 face practice, within the limits authorized under this compact, in  
38 another compact state.

39 "Temporary in-person, face-to-face practice" means where a  
40 psychologist is physically present, not through the use of  
41 telecommunications technologies, in the distant state to provide for  
42 the practice of psychology for 30 days within a calendar year and  
43 based on notification to the distant state.

44

### 45 III. Home State Licensure.

46

47 a. The home state shall be a compact state where a  
48 psychologist is licensed to practice psychology.

1 b. A psychologist may hold one or more compact state licenses  
2 at a time. ~~1~~**[if]** If<sup>1</sup> the psychologist is licensed in more than one  
3 compact state, the home state is the compact state where the  
4 psychologist is physically present when the services are delivered  
5 as authorized by the authority to practice interjurisdictional  
6 telepsychology under the terms of this compact.

7 c. Any compact state may require a psychologist not previously  
8 licensed in a compact state to obtain and retain a license to be  
9 authorized to practice in the compact state under circumstances not  
10 authorized by the authority to practice interjurisdictional  
11 telepsychology under the terms of this compact.

12 d. Any compact state may require a psychologist to obtain and  
13 retain a license to be authorized to practice in a compact state under  
14 circumstances not authorized by temporary authorization to practice  
15 under the terms of this compact.

16 e. A home state's license authorizes a psychologist to practice  
17 in a receiving state under the authority to practice interjurisdictional  
18 telepsychology only if the compact state: currently requires the  
19 psychologist to hold an active e.passport; has a mechanism in place  
20 for receiving and investigating complaints about licensed  
21 individuals; notifies the commission, in compliance with the terms  
22 herein, of any adverse action or significant investigatory  
23 information regarding a licensed individual; requires an identity  
24 history summary of all applicants at initial licensure, including the  
25 use of the results of fingerprints or other biometric data checks  
26 compliant with the requirements of the FBI, or other designee with  
27 similar authority, no later than ~~1~~**[ten]** 10<sup>1</sup> years after activation of  
28 the compact; and complies with the bylaws and rules of the  
29 commission.

30 f. A home state's license grants temporary authorization to  
31 practice to a psychologist in a distant state only if the compact state:  
32 currently requires the psychologist to hold an active ~~1~~**[ipc]** IPC<sup>1</sup> ;  
33 has a mechanism in place for receiving and investigating complaints  
34 about licensed individuals; notifies the commission, in compliance  
35 with the terms herein, of any adverse action or significant  
36 investigatory information regarding a licensed individual; requires  
37 an identity history summary of all applicants at initial licensure,  
38 including the use of the results of fingerprints or other biometric  
39 data checks compliant with the requirements of the federal bureau  
40 of investigation, or other designee with similar authority, no later  
41 than ten years after activation of the compact; and complies with  
42 the bylaws and rules of the commission.

43  
44 IV. Compact Privilege to Practice Telepsychology.

45  
46 a. Compact states shall recognize the right of a psychologist,  
47 licensed in a compact state in conformance with Article III, to  
48 practice telepsychology in other compact states in which the

- 1 psychologist is not licensed, under the authority to practice  
2 interjurisdictional telepsychology as provided in the compact.
- 3 b. To exercise the authority to practice interjurisdictional  
4 telepsychology under the terms and provisions of this compact, a  
5 psychologist licensed to practice in a compact state **'[must] shall'** :
- 6 (1) Hold a graduate degree in psychology from an institute of  
7 higher education that was, at the time the degree was awarded:
- 8 (a) regionally accredited by an accrediting body recognized by  
9 the federal Department of Education to grant graduate degrees, or  
10 authorized by Provincial Statute or Royal Charter to grant doctoral  
11 degrees; or
- 12 (b) a foreign college or university deemed to be equivalent to by  
13 a foreign credential evaluation service that is a member of the  
14 National Association of Credential Evaluation Services or by a  
15 recognized foreign credential evaluation service;
- 16 (2) Hold a graduate degree in psychology that meets the  
17 following criteria: the program, wherever it may be administratively  
18 housed, **'[must] shall'** be clearly identified and labeled as a  
19 psychology program. Such a program **'[must] shall'** specify in  
20 pertinent institutional catalogues and brochures its intent to educate  
21 and train professional psychologists; the psychology program  
22 **'[must] shall'** stand as a recognizable, coherent, organizational  
23 entity within the institution; there **'[must] shall'** be a clear  
24 authority and primary responsibility for the core and specialty areas  
25 whether or not the program cuts across administrative lines; the  
26 program **'[must] shall'** consist of an integrated, organized  
27 sequence of study; there **'[must] shall'** be an identifiable  
28 psychology faculty sufficient in size and breadth to carry out its  
29 responsibilities; the designated director of the program **'[must]**  
30 **shall'** be a psychologist and a member of the core faculty; the  
31 program **'[must] shall'** have an identifiable body of students who  
32 are matriculated in that program for a degree; the program **'[must]**  
33 **shall'** include supervised practicum, internship, or field training  
34 appropriate to the practice of psychology; the curriculum shall  
35 encompass a minimum of three academic years of full-time  
36 graduate study for a doctoral degree and a minimum of one  
37 academic year of full-time graduate study for a master's degree; the  
38 program includes an acceptable residency as defined by the rules of  
39 the commission;
- 40 (3) Possess a current, full and unrestricted license to practice  
41 psychology in a home state **'[which] that'** is a compact state; have  
42 no history of adverse action that violate the rules of the  
43 commission; have no criminal record history reported on an identity  
44 history summary that violates the rules of the commission; possess  
45 a current, active e.passport;
- 46 (4) Provide attestations in regard to areas of intended practice,  
47 conformity with standards of practice, competence in

1 telepsychology technology; criminal background; and knowledge  
2 and adherence to legal requirements in the home and receiving  
3 states, and

4 (5) Provide a release of information to allow for primary source  
5 verification in a manner specified by the commission; and meet  
6 other criteria as defined by the rules of the commission.

7 c. The home state maintains authority over the license of any  
8 psychologist practicing into a receiving state under the authority to  
9 practice interjurisdictional telepsychology.

10 d. A psychologist practicing into a receiving state under the  
11 authority to practice interjurisdictional telepsychology will be  
12 subject to the receiving state's scope of practice. A receiving state  
13 may, in accordance with that state's due process law, limit or revoke  
14 a psychologist's authority to practice interjurisdictional  
15 telepsychology in the receiving state and may take any other  
16 necessary actions under the receiving state's applicable law to  
17 protect the health and safety of the receiving state's citizens. If a  
18 receiving state takes action, the state shall promptly notify the home  
19 state and the commission.

20 e. If a psychologist's license in any home state, another  
21 compact state, or any authority to practice interjurisdictional  
22 telepsychology in any receiving state, is restricted, suspended or  
23 otherwise limited, the e.passport shall be revoked and therefore the  
24 psychologist shall not be eligible to practice telepsychology in a  
25 compact state under the authority to practice interjurisdictional  
26 telepsychology.

27

28 V. Compact Temporary Authorization to Practice.

29

30 a. Compact States shall also recognize the right of a  
31 psychologist, licensed in a compact state in conformance with  
32 Article <sup>1</sup>~~iii~~ III<sup>1</sup>, to practice temporarily in other distant states in  
33 which the psychologist is not licensed, as provided in the compact.

34 b. To exercise the temporary authorization to practice under the  
35 terms and provisions of this compact, a psychologist licensed to  
36 practice in a compact state <sup>1</sup>~~must~~ shall<sup>1</sup> :

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

39 (a) Regionally accredited by an accrediting body recognized by  
40 the federal Department of Education to grant graduate degrees, or  
41 authorized by Provincial Statute or Royal Charter to grant doctoral  
42 degrees; or

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

47 (2) Hold a graduate degree in psychology that meets the  
48 following criteria: the program, wherever it may be administratively



1 housed, **‘[must] shall’** be clearly identified and labeled as a  
2 psychology program and **‘[must] shall’** specify in pertinent  
3 institutional catalogues and brochures its intent to educate and train  
4 professional psychologists; the psychology program **‘[must] shall’**  
5 stand as a recognizable, coherent, organizational entity within the  
6 institution; there **‘[must] shall’** be a clear authority and primary  
7 responsibility for the core and specialty areas whether or not the  
8 program cuts across administrative lines; the program **‘[must]**  
9 **shall’** consist of an integrated, organized sequence of study; there  
10 **‘[must] shall’** be an identifiable psychology faculty sufficient in  
11 size and breadth to carry out its responsibilities; the designated  
12 director of the program **‘[must] shall’** be a psychologist and a  
13 member of the core faculty; the program **‘[must] shall’** have an  
14 identifiable body of students who are matriculated in that program  
15 for a degree; the program **‘[must] shall’** include supervised  
16 practicum, internship, or field training appropriate to the practice of  
17 psychology; the curriculum shall encompass a minimum of three  
18 academic years of full-time graduate study for doctoral degrees and  
19 a minimum of one academic year of full-time graduate study for  
20 master's degree; and the program includes an acceptable residency  
21 as defined by the rules of the commission;

22 (3) Possess a current, full and unrestricted license to practice  
23 psychology in a home state **‘[which] that’** is a compact state; no  
24 history of adverse action that violate the rules of the commission;  
25 and have no criminal record history that violates the rules of the  
26 commission;

27 (4) Possess a current, active IPC;

28 (5) Provide attestations in regard to areas of intended practice  
29 and work experience and provide a release of information to allow  
30 for primary source verification in a manner specified by the  
31 commission; and

32 (6) Meet other criteria as defined by the rules of the  
33 commission.

34 c. A psychologist practicing into a distant state under the  
35 temporary authorization to practice shall practice within the scope  
36 of practice authorized by the distant state.

37 d. A psychologist practicing into a distant state under the  
38 temporary authorization to practice will be subject to the distant  
39 state's authority and law. A distant state may, in accordance with  
40 that state's due process law, limit or revoke a psychologist's  
41 temporary authorization to practice in the distant state and may take  
42 any other necessary actions under the distant state's applicable law  
43 to protect the health and safety of the distant state's citizens. If a  
44 distant state takes action, the state shall promptly notify the home  
45 state and the commission.

46 e. If a psychologist's license in any home state, another  
47 compact state, or any temporary authorization to practice in any

1 distant state, is restricted, suspended or otherwise limited, the IPC  
2 shall be revoked and therefore the psychologist shall not be eligible  
3 to practice in a compact state under the temporary authorization to  
4 practice.

5

6 VI. Conditions of Telepsychology Practice in a Receiving State.

7

8 A psychologist may practice in a receiving state under the  
9 authority to practice interjurisdictional telepsychology only in the  
10 performance of the scope of practice for psychology as assigned by  
11 an appropriate state psychology regulatory authority, as defined in  
12 the rules of the commission, and under the following circumstances:  
13 the psychologist initiates a client or patient <sup>1</sup>['[, or both,]']<sup>1</sup> contact in  
14 a home state via telecommunications technologies with a client or  
15 patient <sup>1</sup>['[, or both,]']<sup>1</sup> in a receiving state; and other conditions  
16 regarding telepsychology as determined by rules promulgated by  
17 the commission.

18

19 VII. Adverse Actions

20

21 a. A home state shall have the power to impose adverse action  
22 against a psychologist's license issued by the home state. A distant  
23 state shall have the power to take adverse action on a psychologist's  
24 temporary authorization to practice within that distant State.

25 b. A receiving state may take adverse action on a psychologist's  
26 authority to practice interjurisdictional telepsychology within that  
27 receiving state. A home state may take adverse action against a  
28 psychologist based on an adverse action taken by a distant state  
29 regarding temporary in-person, face-to-face practice.

30 c. If a home state takes adverse action against a psychologist's  
31 license, that psychologist's authority to practice interjurisdictional  
32 telepsychology is terminated and the e.passport is revoked.  
33 Furthermore, that psychologist's temporary authorization to practice  
34 is terminated and the IPC is revoked. All home state disciplinary  
35 orders <sup>1</sup>['[which] that']<sup>1</sup> impose adverse action shall be reported to the  
36 commission in accordance with the rules promulgated by the  
37 commission. A compact state shall report adverse actions in  
38 accordance with the rules of the commission. In the event  
39 discipline is reported on a psychologist, the psychologist will not be  
40 eligible for telepsychology or temporary in-person, face-to-face  
41 practice in accordance with the rules of the commission. Other  
42 actions may be imposed as determined by the rules promulgated by  
43 the commission.

44 d. A home state's psychology regulatory authority shall  
45 investigate and take appropriate action with respect to reported  
46 inappropriate conduct engaged in by a licensee <sup>1</sup>['[which] that']<sup>1</sup>  
47 occurred in a receiving state as it would if such conduct had  
48 occurred by a licensee within the home state. In such cases, the

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

3 e. A distant state's psychology regulatory authority shall  
4 investigate and take appropriate action with respect to reported  
5 inappropriate conduct engaged in by a psychologist practicing under  
6 temporary authorization practice <sup>1</sup>~~【which】~~ that<sup>1</sup> occurred in that  
7 distant state as it would if such conduct had occurred by a licensee  
8 within the home state. In such cases, distant state's law shall  
9 control in determining any adverse action against a psychologist's  
10 temporary authorization to practice.

11 f. Nothing in this compact shall override a compact state's  
12 decision that a psychologist's participation in an alternative program  
13 may be used in lieu of adverse action and that such participation  
14 shall remain non-public if required by the compact state's law.  
15 <sup>1</sup>~~【compact】~~ Compact<sup>1</sup> states <sup>1</sup>~~【must】~~ shall<sup>1</sup> require psychologists  
16 who enter any alternative programs to not provide telepsychology  
17 services under the authority to practice interjurisdictional  
18 telepsychology or provide temporary psychological services under  
19 the temporary authorization to practice in any other compact state  
20 during the term of the alternative program.

21 g. No other judicial or administrative remedies shall be  
22 available to a psychologist in the event a compact state imposes an  
23 adverse action pursuant to subsection c. of this section.

24

25 VIII. Additional Authorities Invested in a Compact State's  
26 Psychology.

27

28 In addition to any other powers granted under state law, a  
29 compact state's psychology regulatory authority shall have the  
30 authority under this compact to: issue subpoenas, for both hearings  
31 and investigations, which require the attendance and testimony of  
32 witnesses and the production of evidence. <sup>1</sup>~~【subpoenas】~~  
33 Subpoenas<sup>1</sup> issued by a compact state's psychology regulatory  
34 authority for the attendance and testimony of witnesses, or the  
35 production of evidence from another compact state, shall be  
36 enforced in the latter state by any court of competent jurisdiction,  
37 according to that court's practice and procedure in considering  
38 subpoenas issued in its own proceedings. The issuing state  
39 psychology regulatory authority shall pay any witness fees, travel  
40 expenses, mileage, and other fees required by the service statutes of  
41 the state where the witnesses, evidence, or both are located; and  
42 issue cease and desist <sup>1</sup>~~【and/or】~~ orders and<sup>1</sup> injunctive relief orders  
43 to revoke a psychologist's authority to practice interjurisdictional  
44 telepsychology, temporary authorization to practice, or both.  
45 During the course of any investigation, a psychologist may not  
46 change his or her home state licensure. A home state psychology  
47 regulatory authority is authorized to complete any pending  
48 investigations of a psychologist and to take any actions appropriate

1 under its law. The home state psychology regulatory authority shall  
2 promptly report the conclusions of such investigations to the  
3 commission. Once an investigation has been completed, and  
4 pending the outcome of said investigation, the psychologist may  
5 change his or her home state licensure. The commission shall  
6 promptly notify the new home state of any such decisions as  
7 provided in the rules of the commission. All information provided  
8 to the commission or distributed by compact states pursuant to the  
9 psychologist shall be confidential, filed under seal, and used for  
10 investigatory or disciplinary matters. The commission may create  
11 additional rules for mandated or discretionary sharing of  
12 information by compact states.

13

14 IX. Coordinated Licensure Information System.

15

16 a. The <sup>1</sup>~~【Commission】~~ commission<sup>1</sup> shall provide for the  
17 development and maintenance of a coordinated licensure  
18 <sup>1</sup>~~【information system (coordinated database)】~~ database<sup>1</sup> and  
19 reporting system containing licensure and disciplinary action  
20 information on all psychologists <sup>1</sup>~~【individuals】~~<sup>1</sup> to whom this  
21 compact is applicable in all compact states as defined by the rules  
22 of the commission.

23 b. Notwithstanding any other provision of state law to the  
24 contrary, a compact state shall submit a uniform data set to the  
25 coordinated database on all licensees as required by the rules of the  
26 commission, including: identifying information; licensure data;  
27 significant investigatory information; adverse actions against a  
28 psychologist's license; an indicator that a psychologist's authority to  
29 practice interjurisdictional telepsychology or temporary  
30 authorization to practice is revoked; non-confidential information  
31 related to alternative program participation information; any denial  
32 of application for licensure, and the reasons for such denial; and  
33 other information <sup>1</sup>~~【which】~~ that<sup>1</sup> may facilitate the administration  
34 of this compact, as determined by the rules of the commission.

35 c. The coordinated database administrator shall promptly notify  
36 all compact states of any adverse action taken against, or significant  
37 investigative information on, any licensee in a compact state.

38 d. Compact states reporting information to the coordinated  
39 database may designate information that may not be shared with the  
40 public without the express permission of the compact state reporting  
41 the information.

42 e. Any information submitted to the coordinated database that  
43 is subsequently required to be expunged by the law of the compact  
44 state reporting the information shall be removed from the  
45 coordinated database.

1 X. Establishment of the Psychology Interjurisdictional Compact  
2 Commission.

3  
4 a. The compact states hereby create and establish a joint public  
5 agency known as the <sup>1</sup>~~psychology interjurisdictional compact~~  
6 ~~commission~~ Psychology Interjurisdictional Compact Commission<sup>1</sup>  
7 The commission is a body politic and an instrumentality of the  
8 compact States. Venue is proper and judicial proceedings by or  
9 against the commission shall be brought solely and exclusively in a  
10 court of competent jurisdiction where the principal office of the  
11 commission is located. The commission may waive venue and  
12 jurisdictional defenses to the extent it adopts or consents to  
13 participate in alternative dispute resolution proceedings. Nothing in  
14 this compact shall be construed to be a waiver of sovereign  
15 immunity.

16 b. (1) The commission shall consist of one voting  
17 representative appointed by each compact state who shall serve as  
18 that state's commissioner. The state psychology regulatory  
19 authority shall appoint its delegate. The delegate shall be  
20 empowered to act on behalf of the compact state. The delegate  
21 shall be either the executive director, executive secretary or similar  
22 executive; current member of the state psychology regulatory  
23 authority of a compact state; or designee empowered with the  
24 appropriate delegate authority to act on behalf of the compact state.  
25 Any commissioner may be removed or suspended from office as  
26 provided by the law of the state from which the commissioner is  
27 appointed. Any vacancy occurring in the commission shall be filled  
28 in accordance with the laws of the compact state in which the  
29 vacancy exists. Each commissioner shall be entitled to one vote  
30 with regard to the promulgation of rules and creation of bylaws and  
31 shall otherwise have an opportunity to participate in the business  
32 and affairs of the commission. A commissioner shall vote in person  
33 or by such other means as provided in the bylaws. The bylaws may  
34 provide for commissioners' participation in meetings by telephone  
35 or other means of communication. The commission shall meet at  
36 least once during each calendar year. Additional meetings shall be  
37 held as set forth in the bylaws. All meetings shall be open to the  
38 public, and public notice of meetings shall be given in the same  
39 manner as required under the rulemaking provisions in Article XI.  
40 The commission may convene in a closed, non-public meeting if the  
41 commission <sup>1</sup>~~must~~ shall<sup>1</sup> discuss: non-compliance of a compact  
42 state with its obligations under the compact; the employment,  
43 compensation, discipline or other personnel matters, practices or  
44 procedures related to specific employees or other matters related to  
45 the commission's internal personnel practices and procedures;  
46 current, threatened, or reasonably anticipated litigation against the  
47 commission; negotiation of contracts for the purchase or sale of  
48 goods, services or real estate; accusation against any person of a

1 crime or formally censuring any person; disclosure of trade secrets  
2 or commercial or financial information <sup>1</sup>~~which~~ that<sup>1</sup> is privileged  
3 or confidential; disclosure of information of a personal nature  
4 where disclosure would constitute a clearly unwarranted invasion of  
5 personal privacy; disclosure of investigatory records compiled for  
6 law enforcement purposes; disclosure of information related to any  
7 investigatory reports prepared by or on behalf of or for use of the  
8 commission or other committee charged with responsibility for  
9 investigation or determination of compliance issues pursuant to the  
10 compact; or matters specifically exempted from disclosure by  
11 federal and state statute.

12 (2) If a meeting, or portion of a meeting, is closed pursuant to  
13 paragraph (1) of this subsection, the commission's legal counsel or  
14 designee shall certify that the meeting may be closed and shall  
15 reference each relevant exempting provision. The commission shall  
16 keep minutes <sup>1</sup>~~which~~ that<sup>1</sup> fully and clearly describe all matters  
17 discussed in a meeting and shall provide a full and accurate  
18 summary of actions taken, of any person participating in the  
19 meeting, and the reasons therefore, including a description of the  
20 views expressed. All documents considered in connection with an  
21 action shall be identified in such minutes. All minutes and  
22 documents of a closed meeting shall remain under seal, subject to  
23 release only by a majority vote of the commission or order of a  
24 court of competent jurisdiction.

25 c. The commission shall, by a majority vote of the  
26 commissioners, prescribe bylaws, rules, or both to govern its  
27 conduct as may be necessary or appropriate to carry out the  
28 purposes and exercise the powers of the compact, including but not  
29 limited to: establishing the fiscal year of the commission; providing  
30 reasonable standards and procedures <sup>1</sup>~~[:]~~<sup>1</sup> for the establishment and  
31 meetings of other committees <sup>1</sup>~~[:]~~<sup>1</sup> and for governing any general  
32 or specific delegation of any authority or function of the  
33 commission; providing reasonable procedures for calling and  
34 conducting meetings of the commission; establishing the titles,  
35 duties and authority and reasonable procedures for the election of  
36 the officers of the commission; providing reasonable standards and  
37 procedures for the establishment of the personnel policies and  
38 programs of the commission; promulgating a code of ethics to  
39 address permissible and prohibited activities of commission  
40 members and employees; providing a mechanism for concluding the  
41 operations of the commission and the equitable disposition of any  
42 surplus funds that may exist after the termination of the compact  
43 after the payment and reserving of all of its debts and obligations;<sup>1</sup>  
44 and ensuring reasonable advance notice of all meetings and  
45 providing an opportunity for attendance of such meetings by  
46 interested parties, with enumerated exceptions designed to protect  
47 the public's interest, the privacy of individuals of such proceedings,  
48 and proprietary information, including trade secrets.

1 The commission may meet in closed session only after a majority  
2 of the commissioners vote to close a meeting to the public in whole  
3 or in part. As soon as practicable, the commission shall make  
4 public a copy of the vote to close the meeting revealing the vote of  
5 each commissioner with no proxy votes allowed <sup>1</sup>]; establishing the  
6 titles, duties and authority and reasonable procedures for the  
7 election of the officers of the commission; providing reasonable  
8 standards and procedures for the establishment of the personnel  
9 policies and programs of the commission<sup>1</sup> .

10 Notwithstanding any civil service or other similar law of any  
11 compact state, the bylaws shall exclusively govern the personnel  
12 policies and programs of the commission <sup>1</sup>]; promulgating a code  
13 of ethics to address permissible and prohibited activities of  
14 commission members and employees; providing a mechanism for  
15 concluding the operations of the commission and the equitable  
16 disposition of any surplus funds that may exist after the termination  
17 of the compact after the payment and reserving of all of its debts  
18 and obligations; the<sup>1</sup> . The<sup>1</sup> commission shall publish its bylaws in  
19 a convenient form and file a copy thereof and a copy of any  
20 amendment thereto, with the appropriate agency or officer in each  
21 of the compact states <sup>1</sup>]; the<sup>1</sup> .

22 The<sup>1</sup> commission shall maintain its financial records in  
23 accordance with the bylaws, and shall meet and take such actions as  
24 are consistent with the provisions of this compact and the bylaws.

25 d. The commission shall have the following powers:

26 (1) the authority to promulgate uniform rules to facilitate and  
27 coordinate implementation and administration of this compact,  
28 which rule shall have the force and effect of law and shall be  
29 binding in all compact states;

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

35 (3) to purchase and maintain insurance and bonds;

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

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

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

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

5 (8) to sell, convey, mortgage, pledge, lease, exchange, abandon  
6 or otherwise dispose of any **1** **["property"]** **1** real, personal **1, 1** or mixed  
7 **1** property **1** ;

8 (9) to establish a budget and make expenditures;

9 (10) to borrow money;

10 (11) to appoint committees, including advisory committees  
11 comprised of members, state regulators, state legislators or their  
12 representatives, and consumer representatives, and such other  
13 interested persons as may be designated in this compact and the  
14 bylaws; **1** **["to provide and receive information from, and"]** **1**

15 (12) **1** to provide and receive information from, and **1** to  
16 cooperate with, law enforcement agencies; **1** **["and"]** **1**

17 (13) to adopt and use an official seal; and

18 **1** (14) **1** to perform such other functions as may be necessary or  
19 appropriate to achieve the purposes of this compact consistent with  
20 the state regulation of psychology licensure, temporary in-person  
21 **1** **[""]** **1** face-to-face practice, and telepsychology practice.

22 e. The elected officers shall serve as the executive board, which  
23 shall have the power to act on behalf of the commission according  
24 to the terms of this compact.

25 (1) The executive board shall **1** **["be comprised of"]** comprise **1** six  
26 members: five voting members who are elected from the current  
27 membership of the commission by the commission and one ex-  
28 officio, nonvoting member from the recognized membership  
29 organization composed of state and provincial psychology  
30 regulatory authorities. The ex-officio member **1** **["must"]** shall **1** have  
31 served as staff or member on a state psychology regulatory  
32 authority and will be selected by its respective organization. The  
33 commission may remove any member of the executive board as  
34 provided in bylaws. The executive board shall meet at least  
35 annually.

36 (2) The executive board shall have the following duties and  
37 responsibilities: recommend to the entire commission changes to the  
38 rules or bylaws, changes to this compact legislation, fees paid by  
39 compact states such as annual dues, and any other applicable fees;  
40 ensure compact administration services are appropriately provided,  
41 contractual or otherwise; prepare and recommend the budget;  
42 maintain financial records on behalf of the commission; monitor  
43 compact compliance of member states and provide compliance  
44 reports to the commission; establish additional committees as  
45 necessary; and other duties as provided in rules or bylaws.

46 f. **1** **["the"]** The **1** commission shall pay, or provide for the  
47 payment of **1, 1** the reasonable expenses of its establishment,



1 organization and ongoing activities. The commission may accept  
2 any and all appropriate revenue sources, donations, and grants of  
3 money, equipment, supplies, materials and services. The  
4 commission may levy on and collect an annual assessment from  
5 each compact state or impose fees on other parties to cover the cost  
6 of the operations and activities of the commission and its staff <sup>1,1</sup>  
7 which ~~["must"]~~ assessment shall<sup>1</sup> be in a total amount sufficient to  
8 cover its annual budget as approved each year for which revenue is  
9 not provided by other sources. The aggregate annual assessment  
10 amount shall be allocated based upon a formula to be determined by  
11 the commission <sup>1,1</sup> which shall promulgate a rule binding upon all  
12 compact states. The commission shall not incur obligations of any  
13 kind prior to securing the funds adequate to meet the same; nor  
14 shall the commission pledge the credit of any of the compact states,  
15 except by and with the authority of the compact state. ~~["the"]~~ The<sup>1</sup>  
16 commission shall keep accurate accounts of all receipts and  
17 disbursements. The receipts and disbursements of the commission  
18 shall be subject to the audit and accounting procedures established  
19 under its bylaws. All receipts and disbursements of funds handled  
20 by the commission shall be audited yearly by a certified or licensed  
21 public accountant <sup>1,1</sup> and the report of the audit shall be included in  
22 <sup>1,1</sup> and become part of <sup>1,1</sup> the annual report of the commission.

23 g. The members, officers, executive director, employees and  
24 representatives of the commission shall be immune from suit and  
25 liability, either personally or in their official capacity, for any claim  
26 for damage to or loss of property or personal injury or other civil  
27 liability caused by or arising out of any actual or alleged act, error  
28 or omission that occurred, or that the person against whom the  
29 claim is made had a reasonable basis for believing occurred <sup>1,1</sup>  
30 within the scope of commission employment, duties or  
31 responsibilities; provided that nothing in this subsection shall be  
32 construed to protect any such person from suit or liability for any  
33 damage, loss, injury, or liability caused by the intentional or willful  
34 or wanton misconduct of that person. The commission shall defend  
35 any member, officer, executive director, employee, or  
36 representative of the commission in any civil action seeking to  
37 impose liability arising out of any actual or alleged act, error or  
38 omission that occurred within the scope of commission  
39 employment, duties, or responsibilities, or that the person against  
40 whom the claim is made had a reasonable basis for believing  
41 occurred within the scope of commission employment, duties or  
42 responsibilities; provided that nothing herein shall be construed to  
43 prohibit that person from retaining the person's own counsel; and  
44 provided further, that the actual or alleged act, error, or omission  
45 did not result from that person's intentional or willful or wanton  
46 misconduct. The commission shall indemnify and hold harmless  
47 any member, officer, executive director, employee, or

1 representative of the commission for the amount of any settlement  
2 or judgment obtained against that person arising out of any actual or  
3 alleged act, error or omission that occurred within the scope of  
4 commission employment, duties, or responsibilities, or that such  
5 person had a reasonable basis for believing occurred within the  
6 scope of commission employment, duties, or responsibilities,  
7 provided that the actual or alleged act, error, or omission did not  
8 result from the intentional or willful or wanton misconduct of that  
9 person.

10  
11 XI. Rulemaking.

12  
13 a. The <sup>1</sup>**【Commission】** commission<sup>1</sup> shall exercise its  
14 rulemaking powers pursuant to the criteria set forth in this article  
15 and the rules adopted thereunder. Rules and amendments shall  
16 become binding as of the date specified in each rule or amendment.

17 b. If a majority of the legislatures of the compact states rejects a  
18 rule, by enactment of a statute or resolution in the same manner  
19 used to adopt the compact, then such rule shall have no further  
20 force and effect in any compact State.

21 c. Rules or amendments to the rules shall be adopted at a  
22 regular or special meeting of the <sup>1</sup>**【Commission】** commission<sup>1</sup> .

23 d. Prior to promulgation and adoption of a final rule or rules by  
24 the commission, and at least 60 days in advance of the meeting at  
25 which the rule will be considered and voted upon, the commission  
26 shall file a notice of proposed rulemaking: on the website of the  
27 commission; and on the website of each compact states' psychology  
28 regulatory authority or the publication in which each state would  
29 otherwise publish proposed rules.

30 e. The notice of proposed rulemaking shall include: the  
31 proposed time, date, and location of the meeting in which the rule  
32 will be considered and voted upon; the text of the proposed rule or  
33 amendment and the reason for the proposed rule; a request for  
34 comments on the proposed rule from any interested person; and the  
35 manner in which interested persons may submit notice to the  
36 commission of their intention to attend the public hearing and any  
37 written comments.

38 f. Prior to adoption of a proposed rule, the commission shall  
39 allow persons to submit written data, facts, opinions, and arguments  
40 <sup>1,1</sup> which <sup>1</sup>submitted materials<sup>1</sup> shall be made available to the  
41 public.

42 g. The commission shall grant an opportunity for a public  
43 hearing before it adopts a rule or amendment if a hearing is  
44 requested by: at least 25 persons who submit comments  
45 independently of each other; a governmental subdivision or agency;  
46 or a duly appointed person in an association that has <sup>1</sup>**【having】**<sup>1</sup> at  
47 least 25 members.

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

19 i. Following the scheduled hearing date, or by the close of  
20 business on the scheduled hearing date if the hearing was not held,  
21 the commission shall consider all written and oral comments  
22 received.

23 j. The commission shall, by majority vote of all members, take  
24 final action on the proposed rule and shall determine the effective  
25 date of the rule, if any, based on the rulemaking record and the full  
26 text of the rule.

27 k. If no written notice of intent to attend the public hearing by  
28 interested parties is received, the commission may proceed with  
29 promulgation of the proposed rule without a public hearing.

30 l. Upon determination that an emergency exists, the  
31 commission may consider and adopt an emergency rule without  
32 prior notice, opportunity for comment, or hearing, provided that the  
33 usual rulemaking procedures provided in the compact and in this  
34 section shall be retroactively applied to the rule as soon as  
35 reasonably possible, in no event later than 90 days after the  
36 effective date of the rule. For the purposes of this provision, an  
37 emergency rule is one that <sup>1</sup>~~【must】~~ shall<sup>1</sup> be adopted immediately  
38 in order to: meet an imminent threat to public health, safety, or  
39 welfare; prevent a loss of commission or compact state funds; meet  
40 a deadline for the promulgation of an administrative rule that is  
41 established by federal law or rule; or protect public health and  
42 safety.

43 m. The commission or an authorized committee of the  
44 commission may direct revisions to a previously adopted rule or  
45 amendment for purposes of correcting typographical errors, errors  
46 in format, errors in consistency, or grammatical errors. Public  
47 notice of any revisions shall be posted on the website of the  
48 commission. The revision shall be subject to challenge by any

1 person for a period of 30 days after posting. The revision may be  
2 challenged only on grounds that the revision results in a material  
3 change to a rule. A challenge shall be made in writing <sup>1</sup>['.']<sup>1</sup> and  
4 delivered to the chair of the commission prior to the end of the  
5 notice period. If no challenge is made, the revision will take effect  
6 without further action. If the revision is challenged, the revision  
7 may not take effect without the approval of the commission.

8  
9 XII. Oversight, Dispute Resolution, and Enforcement

10  
11 a. The executive, legislative, and judicial branches of state  
12 government in each compact state shall enforce this compact and  
13 take all actions necessary and appropriate to effectuate the  
14 compact's purposes and intent. The provisions of this <sup>1</sup>['Compact']  
15 compact<sup>1</sup> and the rules promulgated hereunder shall have standing  
16 as statutory law. All courts shall take judicial notice of the compact  
17 and the rules in any judicial or administrative proceeding in a  
18 compact state pertaining to the subject matter of this compact that  
19 may affect the powers, responsibilities or actions of the  
20 commission. The commission shall be entitled to receive service of  
21 process in any such proceeding, and shall have standing to intervene  
22 in such a proceeding for all purposes. Failure to provide service of  
23 process to the commission shall render a judgment or order void as  
24 to the commission, this compact or promulgated rules.

25 b. If the commission determines that a compact state has  
26 defaulted in the performance of its obligations or responsibilities  
27 under this compact or the promulgated rules, the commission shall:  
28 provide written notice to the defaulting state and other compact  
29 states of the nature of the default, the proposed means of remedying  
30 the default, and any other action to be taken by the commission; and  
31 provide remedial training and specific technical assistance  
32 regarding the default. If a state in default fails to remedy the  
33 default, the defaulting state may be terminated from the compact  
34 upon an affirmative vote of a majority of the compact states, and all  
35 rights, privileges, and benefits conferred by this compact shall be  
36 terminated on the effective date of termination. A remedy of the  
37 default shall not relieve the offending state of obligations or  
38 liabilities incurred during the period of default. Termination of  
39 membership in the compact shall be imposed only after all other  
40 means of securing compliance have been exhausted. Notice of  
41 intent to suspend or terminate shall be submitted by the commission  
42 to the governor, the majority and minority leaders of the defaulting  
43 state's legislature, and each of the compact states. A compact state  
44 <sup>1</sup>['which'] that<sup>1</sup> has been terminated is responsible for all  
45 assessments, obligations, and liabilities incurred through the  
46 effective date of termination, including obligations <sup>1</sup>['which'] that<sup>1</sup>  
47 extend beyond the effective date of termination. The commission  
48 shall not bear any costs incurred by the state <sup>1</sup>['which'] that<sup>1</sup> is

1 found to be in default or <sup>1</sup>**【which】 that**<sup>1</sup> has been terminated from  
2 the compact, unless agreed upon in writing between the commission  
3 and the defaulting state. The defaulting state may appeal the action  
4 of the commission by petitioning the United States District Court  
5 for the state of Georgia or the federal district where the compact has  
6 its principal offices. The prevailing member shall be awarded all  
7 costs of such litigation, including reasonable attorney's fees.

8 c. Upon request by a compact state, the commission shall  
9 attempt to resolve disputes related to the compact <sup>1</sup>**【which】 that**<sup>1</sup>  
10 arise among compact states and between compact and non-compact  
11 states. The commission shall promulgate a rule providing for both  
12 mediation and binding dispute resolution for disputes that arise  
13 before the commission.

14 d. The commission, in the reasonable exercise of its discretion,  
15 shall enforce the provisions and rules of this compact. By majority  
16 vote, the commission may initiate legal action in the United States  
17 District Court for the state of Georgia or the federal district where  
18 the compact has its principal offices against a compact state in  
19 default to enforce compliance with the provisions of the compact  
20 and its promulgated rules and bylaws. The relief sought may  
21 include both injunctive relief and damages. In the event judicial  
22 enforcement is necessary, the prevailing member shall be awarded  
23 all costs of such litigation, including reasonable attorney's fees.  
24 The remedies herein shall not be the exclusive remedies of the  
25 commission. The commission may pursue any other remedies  
26 available under federal or state law.

27  
28 XIII. Date of Implementation of the Psychology  
29 Interjurisdictional Compact Commission and Associated Rules,  
30 Withdrawal, and Amendments.

31  
32 a. The compact shall come into effect on the date on which the  
33 compact is enacted into law in the seventh compact state. The  
34 provisions <sup>1</sup>**【which】 that**<sup>1</sup> become effective at that time shall be  
35 limited to the powers granted to the commission relating to  
36 assembly and the promulgation of rules. Thereafter, the  
37 commission shall meet and exercise rulemaking powers necessary  
38 to the implementation and administration of the compact.

39 b. Any state <sup>1</sup>**【which】 that**<sup>1</sup> joins the compact subsequent to  
40 the commission's initial adoption of the rules shall be subject to the  
41 rules as they exist on the date on which the compact becomes law in  
42 that state. Any rule <sup>1</sup>**【which】 that**<sup>1</sup> has been previously adopted by  
43 the commission shall have the full force and effect of law on the  
44 day the compact becomes law in that state.

45 c. Any compact state may withdraw from this compact by  
46 enacting a statute repealing the same. A compact state's withdrawal  
47 shall not take effect until six months after enactment of the  
48 repealing statute. Withdrawal shall not affect the continuing

1 requirement of the withdrawing state's psychology regulatory  
2 authority to comply with the investigative and adverse action  
3 reporting requirements of this act prior to the effective date of  
4 withdrawal.

5 d. Nothing contained in this compact shall be construed to  
6 invalidate or prevent any psychology licensure agreement or other  
7 cooperative arrangement between a compact state and a non-  
8 compact state <sup>1</sup>~~which~~ that<sup>1</sup> does not conflict with the provisions  
9 of this compact.

10 e. This compact may be amended by the compact states. No  
11 amendment to this compact shall become effective and binding  
12 upon any compact state until it is enacted into the law of all  
13 compact states.

14

15 XIV. Construction and Severability.

16

17 a. This compact shall be liberally construed so as to effectuate  
18 the purposes thereof. If this compact shall be held contrary to the  
19 constitution of any state member thereto, the compact shall remain  
20 in full force and effect as to the remaining compact states. When  
21 the Governor executes the compact on behalf of this State and when  
22 the compact is ratified by one or more other states, then the  
23 compact shall become operative and effective between this State  
24 and such other state or states. The Governor is hereby authorized  
25 and directed to take such action as may be necessary to complete  
26 the exchange of official documents between this State and any other  
27 state ratifying the compact.

28 b. The compact administrator who represents this State, as  
29 provided in the compact, shall not be entitled to any additional  
30 compensation for the administrator's duties and responsibilities as  
31 compact administrator but shall be entitled to reimbursement for  
32 reasonable expenses actually incurred in connection with the  
33 administrator's duties and responsibilities as compact administrator  
34 in the same manner as for expenses incurred in connection with  
35 other duties and responsibilities of office or employment.

36

37 2. This act shall take effect on the <sup>1</sup>~~60~~ 60th<sup>1</sup> day after the  
38 date of enactment.