

[First Reprint]

**SENATE, No. 2506**

---

**STATE OF NEW JERSEY**  
**219th LEGISLATURE**

---

INTRODUCED JUNE 4, 2020

**Sponsored by:**

**Senator VIN GOPAL**

**District 11 (Monmouth)**

**Senator SHIRLEY K. TURNER**

**District 15 (Hunterdon and Mercer)**

**Co-Sponsored by:**

**Senator O'Scanlon**

**SYNOPSIS**

Enters New Jersey into Psychology Interjurisdictional Compact.

**CURRENT VERSION OF TEXT**

As reported by the Senate Health, Human Services and Senior Citizens Committee on January 14, 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

**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>Senate SHH committee amendments adopted January 14, 2021.

1 is not licensed to practice psychology; enhance the states' ability to  
2 protect the public's health and safety, especially client and patient  
3 safety; encourage the cooperation of compact states in the areas of  
4 psychology licensure and regulation; facilitate the exchange of  
5 information between compact states regarding psychologist  
6 licensure, adverse actions, and disciplinary history; promote  
7 compliance with the laws governing psychological practice in each  
8 compact state; and invest all compact states with the authority to  
9 hold licensed psychologists accountable through the mutual  
10 recognition of compact state licenses.

11  
12 II. Definitions.

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

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

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

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

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

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

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

42 "Coordinated licensure information system" or "coordinated  
43 database" means an integrated process for collecting, storing, and  
44 sharing information on psychologists' licensure and enforcement  
45 activities related to psychology licensure laws, which is  
46 administered by the recognized membership organization composed  
47 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' " 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' 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.

1       III. Home State Licensure.

2  
3       a. The home state shall be a compact state where a psychologist  
4 is licensed to practice psychology.

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

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

16       d. Any compact state may require a psychologist to obtain and  
17 retain a license to be authorized to practice in a compact state under  
18 circumstances not authorized by temporary authorization to practice  
19 under the terms of this compact.

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

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

IV. Compact Privilege to Practice Telepsychology.

a. Compact states shall recognize the right of a psychologist, licensed in a compact state in conformance with Article III, to practice telepsychology in other compact states in which the psychologist is not licensed, under the authority to practice interjurisdictional telepsychology as provided in the compact.

b. To exercise the authority to practice interjurisdictional telepsychology under the terms and provisions of this compact, a psychologist licensed to practice in a compact state <sup>1</sup>**['must'] shall<sup>1</sup>** :

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

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

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

(2) Hold a graduate degree in psychology that meets the following criteria: the program, wherever it may be administratively housed, <sup>1</sup>**['must'] shall<sup>1</sup>** be clearly identified and labeled as a psychology program. Such a program <sup>1</sup>**['must'] shall<sup>1</sup>** specify in pertinent institutional catalogues and brochures its intent to educate and train professional psychologists; the psychology program <sup>1</sup>**['must'] shall<sup>1</sup>** stand as a recognizable, coherent, organizational entity within the institution; there <sup>1</sup>**['must'] shall<sup>1</sup>** be a clear authority and primary responsibility for the core and specialty areas whether or not the program cuts across administrative lines; the program <sup>1</sup>**['must'] shall<sup>1</sup>** consist of an integrated, organized sequence of study; there <sup>1</sup>**['must'] shall<sup>1</sup>** be an identifiable psychology faculty sufficient in size and breadth to carry out its responsibilities; the designated director of the program <sup>1</sup>**['must'] shall<sup>1</sup>** be a psychologist and a member of the core faculty; the program <sup>1</sup>**['must'] shall<sup>1</sup>** have an identifiable body of students who are matriculated in that program for a degree; the program <sup>1</sup>**['must'] shall<sup>1</sup>** include supervised practicum, internship, or field training appropriate to the practice of psychology; the curriculum shall encompass a minimum of three academic years of full-time graduate study for a doctoral degree and a minimum of one academic year of full-time graduate study for a master's degree; the program includes an acceptable residency as defined by the rules of the commission;

(3) Possess a current, full and unrestricted license to practice psychology in a home state <sup>1</sup>**['which'] that<sup>1</sup>** is a compact state; have

1 no history of adverse action that violate the rules of the  
2 commission; have no criminal record history reported on an identity  
3 history summary that violates the rules of the commission; possess  
4 a current, active e.passport;

5 (4) Provide attestations in regard to areas of intended practice,  
6 conformity with standards of practice, competence in  
7 telepsychology technology; criminal background; and knowledge  
8 and adherence to legal requirements in the home and receiving  
9 states, and

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

13 c. The home state maintains authority over the license of any  
14 psychologist practicing into a receiving state under the authority to  
15 practice interjurisdictional telepsychology.

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

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

33  
34 V. Compact Temporary Authorization to Practice.

35  
36 a. Compact States shall also recognize the right of a  
37 psychologist, licensed in a compact state in conformance with  
38 Article <sup>1</sup>~~['iii]~~ III<sup>1</sup>, to practice temporarily in other distant states in  
39 which the psychologist is not licensed, as provided in the compact.

40 b. To exercise the temporary authorization to practice under the  
41 terms and provisions of this compact, a psychologist licensed to  
42 practice in a compact state <sup>1</sup>~~['must']~~ shall<sup>1</sup> :

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

45 (a) Regionally accredited by an accrediting body recognized by  
46 the federal Department of Education to grant graduate degrees, or



1 authorized by Provincial Statute or Royal Charter to grant doctoral  
2 degrees; or

3 (b) a foreign college or university deemed to be equivalent by a  
4 foreign credential evaluation service that is a member of the  
5 National Association of Credential Evaluation Services or by a  
6 recognized foreign credential evaluation service;

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

30 (3) Possess a current, full and unrestricted license to practice  
31 psychology in a home state **'[which] that'** is a compact state; no  
32 history of adverse action that violate the rules of the commission;  
33 and have no criminal record history that violates the rules of the  
34 commission;

35 (4) Possess a current, active IPC;

36 (5) Provide attestations in regard to areas of intended practice  
37 and work experience and provide a release of information to allow  
38 for primary source verification in a manner specified by the  
39 commission; and

40 (6) Meet other criteria as defined by the rules of the  
41 commission.

42 c. A psychologist practicing into a distant state under the  
43 temporary authorization to practice shall practice within the scope  
44 of practice authorized by the distant state.

45 d. A psychologist practicing into a distant state under the  
46 temporary authorization to practice will be subject to the distant  
47 state's authority and law. A distant state may, in accordance with

1 that state's due process law, limit or revoke a psychologist's  
2 temporary authorization to practice in the distant state and may take  
3 any other necessary actions under the distant state's applicable law  
4 to protect the health and safety of the distant state's citizens. If a  
5 distant state takes action, the state shall promptly notify the home  
6 state and the commission.

7 e. If a psychologist's license in any home state, another  
8 compact state, or any temporary authorization to practice in any  
9 distant state, is restricted, suspended or otherwise limited, the IPC  
10 shall be revoked and therefore the psychologist shall not be eligible  
11 to practice in a compact state under the temporary authorization to  
12 practice.

#### 13 14 VI. Conditions of Telepsychology Practice in a Receiving State.

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

#### 26 27 VII. Adverse Actions

28  
29 a. A home state shall have the power to impose adverse action  
30 against a psychologist's license issued by the home state. A distant  
31 state shall have the power to take adverse action on a psychologist's  
32 temporary authorization to practice within that distant State.

33 b. A receiving state may take adverse action on a psychologist's  
34 authority to practice interjurisdictional telepsychology within that  
35 receiving state. A home state may take adverse action against a  
36 psychologist based on an adverse action taken by a distant state  
37 regarding temporary in-person, face-to-face practice.

38 c. If a home state takes adverse action against a psychologist's  
39 license, that psychologist's authority to practice interjurisdictional  
40 telepsychology is terminated and the e.passport is revoked.  
41 Furthermore, that psychologist's temporary authorization to practice  
42 is terminated and the IPC is revoked. All home state disciplinary  
43 orders <sup>1</sup>['[which] that']<sup>1</sup> impose adverse action shall be reported to the  
44 commission in accordance with the rules promulgated by the  
45 commission. A compact state shall report adverse actions in  
46 accordance with the rules of the commission. In the event  
47 discipline is reported on a psychologist, the psychologist will not be

1 eligible for telepsychology or temporary in-person, face-to-face  
2 practice in accordance with the rules of the commission. Other  
3 actions may be imposed as determined by the rules promulgated by  
4 the commission.

5 d. A home state's psychology regulatory authority shall  
6 investigate and take appropriate action with respect to reported  
7 inappropriate conduct engaged in by a licensee <sup>1</sup>~~which~~ that<sup>1</sup>  
8 occurred in a receiving state as it would if such conduct had  
9 occurred by a licensee within the home state. In such cases, the  
10 home state's law shall control in determining any adverse action  
11 against a psychologist's license.

12 e. A distant state's psychology regulatory authority shall  
13 investigate and take appropriate action with respect to reported  
14 inappropriate conduct engaged in by a psychologist practicing under  
15 temporary authorization practice <sup>1</sup>~~which~~ that<sup>1</sup> occurred in that  
16 distant state as it would if such conduct had occurred by a licensee  
17 within the home state. In such cases, distant state's law shall  
18 control in determining any adverse action against a psychologist's  
19 temporary authorization to practice.

20 f. Nothing in this compact shall override a compact state's  
21 decision that a psychologist's participation in an alternative program  
22 may be used in lieu of adverse action and that such participation  
23 shall remain non-public if required by the compact state's law.  
24 <sup>1</sup>~~compact~~ Compact<sup>1</sup> states <sup>1</sup>~~must~~ shall<sup>1</sup> require psychologists  
25 who enter any alternative programs to not provide telepsychology  
26 services under the authority to practice interjurisdictional  
27 telepsychology or provide temporary psychological services under  
28 the temporary authorization to practice in any other compact state  
29 during the term of the alternative program.

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

#### 33 34 VIII. Additional Authorities Invested in a Compact State's 35 Psychology.

36  
37 In addition to any other powers granted under state law, a  
38 compact state's psychology regulatory authority shall have the  
39 authority under this compact to: issue subpoenas, for both hearings  
40 and investigations, which require the attendance and testimony of  
41 witnesses and the production of evidence. <sup>1</sup>~~subpoenas~~  
42 Subpoenas<sup>1</sup> issued by a compact state's psychology regulatory  
43 authority for the attendance and testimony of witnesses, or the  
44 production of evidence from another compact state, shall be  
45 enforced in the latter state by any court of competent jurisdiction,  
46 according to that court's practice and procedure in considering  
47 subpoenas issued in its own proceedings. The issuing state

1 psychology regulatory authority shall pay any witness fees, travel  
2 expenses, mileage, and other fees required by the service statutes of  
3 the state where the witnesses, evidence, or both are located; and  
4 issue cease and desist <sup>1</sup>【and/or】 orders and<sup>1</sup> injunctive relief orders  
5 to revoke a psychologist's authority to practice interjurisdictional  
6 telepsychology, temporary authorization to practice, or both.  
7 During the course of any investigation, a psychologist may not  
8 change his or her home state licensure. A home state psychology  
9 regulatory authority is authorized to complete any pending  
10 investigations of a psychologist and to take any actions appropriate  
11 under its law. The home state psychology regulatory authority shall  
12 promptly report the conclusions of such investigations to the  
13 commission. Once an investigation has been completed, and  
14 pending the outcome of said investigation, the psychologist may  
15 change his or her home state licensure. The commission shall  
16 promptly notify the new home state of any such decisions as  
17 provided in the rules of the commission. All information provided  
18 to the commission or distributed by compact states pursuant to the  
19 psychologist shall be confidential, filed under seal, and used for  
20 investigatory or disciplinary matters. The commission may create  
21 additional rules for mandated or discretionary sharing of  
22 information by compact states.

23  
24 IX. Coordinated Licensure Information System.

25  
26 a. The <sup>1</sup>【Commission】 commission<sup>1</sup> shall provide for the  
27 development and maintenance of a coordinated licensure  
28 <sup>1</sup>【information system (coordinated database)】 database<sup>1</sup> and  
29 reporting system containing licensure and disciplinary action  
30 information on all psychologists <sup>1</sup>【individuals】<sup>1</sup> to whom this  
31 compact is applicable in all compact states as defined by the rules  
32 of the commission.

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

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

1 d. Compact states reporting information to the coordinated  
2 database may designate information that may not be shared with the  
3 public without the express permission of the compact state reporting  
4 the information.

5 e. Any information submitted to the coordinated database that  
6 is subsequently required to be expunged by the law of the compact  
7 state reporting the information shall be removed from the  
8 coordinated database.

9  
10 X. Establishment of the Psychology Interjurisdictional Compact  
11 Commission.

12  
13 a. The compact states hereby create and establish a joint public  
14 agency known as the <sup>1</sup>["psychology interjurisdictional compact  
15 commission"] Psychology Interjurisdictional Compact Commission<sup>1</sup>  
16 The commission is a body politic and an instrumentality of the  
17 compact States. Venue is proper and judicial proceedings by or  
18 against the commission shall be brought solely and exclusively in a  
19 court of competent jurisdiction where the principal office of the  
20 commission is located. The commission may waive venue and  
21 jurisdictional defenses to the extent it adopts or consents to  
22 participate in alternative dispute resolution proceedings. Nothing in  
23 this compact shall be construed to be a waiver of sovereign  
24 immunity.

25 b. (1) The commission shall consist of one voting  
26 representative appointed by each compact state who shall serve as  
27 that state's commissioner. The state psychology regulatory  
28 authority shall appoint its delegate. The delegate shall be  
29 empowered to act on behalf of the compact state. The delegate  
30 shall be either the executive director, executive secretary or similar  
31 executive; current member of the state psychology regulatory  
32 authority of a compact state; or designee empowered with the  
33 appropriate delegate authority to act on behalf of the compact state.  
34 Any commissioner may be removed or suspended from office as  
35 provided by the law of the state from which the commissioner is  
36 appointed. Any vacancy occurring in the commission shall be filled  
37 in accordance with the laws of the compact state in which the  
38 vacancy exists. Each commissioner shall be entitled to one vote  
39 with regard to the promulgation of rules and creation of bylaws and  
40 shall otherwise have an opportunity to participate in the business  
41 and affairs of the commission. A commissioner shall vote in person  
42 or by such other means as provided in the bylaws. The bylaws may  
43 provide for commissioners' participation in meetings by telephone  
44 or other means of communication. The commission shall meet at  
45 least once during each calendar year. Additional meetings shall be  
46 held as set forth in the bylaws. All meetings shall be open to the  
47 public, and public notice of meetings shall be given in the same

1 manner as required under the rulemaking provisions in Article XI.  
2 The commission may convene in a closed, non-public meeting if the  
3 commission <sup>1</sup>~~["must"]~~ shall<sup>1</sup> discuss: non-compliance of a compact  
4 state with its obligations under the compact; the employment,  
5 compensation, discipline or other personnel matters, practices or  
6 procedures related to specific employees or other matters related to  
7 the commission's internal personnel practices and procedures;  
8 current, threatened, or reasonably anticipated litigation against the  
9 commission; negotiation of contracts for the purchase or sale of  
10 goods, services or real estate; accusation against any person of a  
11 crime or formally censuring any person; disclosure of trade secrets  
12 or commercial or financial information <sup>1</sup>~~["which"]~~ that<sup>1</sup> is privileged  
13 or confidential; disclosure of information of a personal nature  
14 where disclosure would constitute a clearly unwarranted invasion of  
15 personal privacy; disclosure of investigatory records compiled for  
16 law enforcement purposes; disclosure of information related to any  
17 investigatory reports prepared by or on behalf of or for use of the  
18 commission or other committee charged with responsibility for  
19 investigation or determination of compliance issues pursuant to the  
20 compact; or matters specifically exempted from disclosure by  
21 federal and state statute.

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

35 c. The commission shall, by a majority vote of the  
36 commissioners, prescribe bylaws, rules, or both to govern its  
37 conduct as may be necessary or appropriate to carry out the  
38 purposes and exercise the powers of the compact, including but not  
39 limited to: establishing the fiscal year of the commission; providing  
40 reasonable standards and procedures <sup>1</sup>~~[":"]~~<sup>1</sup> for the establishment and  
41 meetings of other committees <sup>1</sup>~~[":"]~~<sup>1</sup> and for governing any general  
42 or specific delegation of any authority or function of the  
43 commission; providing reasonable procedures for calling and  
44 conducting meetings of the commission; establishing the titles,  
45 duties and authority and reasonable procedures for the election of  
46 the officers of the commission; providing reasonable standards and  
47 procedures for the establishment of the personnel policies and

1 programs of the commission; promulgating a code of ethics to  
2 address permissible and prohibited activities of commission  
3 members and employees; providing a mechanism for concluding the  
4 operations of the commission and the equitable disposition of any  
5 surplus funds that may exist after the termination of the compact  
6 after the payment and reserving of all of its debts and obligations;<sup>1</sup>  
7 and ensuring reasonable advance notice of all meetings and  
8 providing an opportunity for attendance of such meetings by  
9 interested parties, with enumerated exceptions designed to protect  
10 the public's interest, the privacy of individuals of such proceedings,  
11 and proprietary information, including trade secrets.

12 The commission may meet in closed session only after a majority  
13 of the commissioners vote to close a meeting to the public in whole  
14 or in part. As soon as practicable, the commission shall make  
15 public a copy of the vote to close the meeting revealing the vote of  
16 each commissioner with no proxy votes allowed <sup>1</sup>]; establishing the  
17 titles, duties and authority and reasonable procedures for the  
18 election of the officers of the commission; providing reasonable  
19 standards and procedures for the establishment of the personnel  
20 policies and programs of the commission<sup>1</sup> .

21 Notwithstanding any civil service or other similar law of any  
22 compact state, the bylaws shall exclusively govern the personnel  
23 policies and programs of the commission <sup>1</sup>]; promulgating a code  
24 of ethics to address permissible and prohibited activities of  
25 commission members and employees; providing a mechanism for  
26 concluding the operations of the commission and the equitable  
27 disposition of any surplus funds that may exist after the termination  
28 of the compact after the payment and reserving of all of its debts  
29 and obligations; the]. The<sup>1</sup> commission shall publish its  
30 bylaws in a convenient form and file a copy thereof and a copy of  
31 any amendment thereto, with the appropriate agency or officer in  
32 each of the compact states <sup>1</sup>]; the].

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

36 d. The commission shall have the following powers:

37 (1) the authority to promulgate uniform rules to facilitate and  
38 coordinate implementation and administration of this compact,  
39 which rule shall have the force and effect of law and shall be  
40 binding in all compact states;

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

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

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

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

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

14 (7) to lease, purchase, accept appropriate gifts or donations of,  
15 or otherwise to own, hold, improve, or use, any <sup>1</sup>~~["property,"]~~ real,  
16 personal, or mixed <sup>1</sup>property , provided that at all times the  
17 commission shall strive to avoid any appearance of impropriety;

18 (8) to sell, convey, mortgage, pledge, lease, exchange, abandon  
19 or otherwise dispose of any <sup>1</sup>~~["property"]~~ real, personal <sup>1</sup>, <sup>1</sup> or mixed  
20 <sup>1</sup>property ;

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

22 (10) to borrow money;

23 (11) to appoint committees, including advisory committees  
24 comprised of members, state regulators, state legislators or their  
25 representatives, and consumer representatives, and such other  
26 interested persons as may be designated in this compact and the  
27 bylaws; <sup>1</sup>~~["to provide and receive information from, and"]~~

28 (12) <sup>1</sup>to provide and receive information from, and <sup>1</sup> to  
29 cooperate with, law enforcement agencies; <sup>1</sup>~~["and"]~~

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

31 <sup>1</sup>(14) <sup>1</sup> to perform such other functions as may be necessary or  
32 appropriate to achieve the purposes of this compact consistent with  
33 the state regulation of psychology licensure, temporary in-person  
34 <sup>1</sup>~~[""]~~ face-to-face practice, and telepsychology practice.

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

38 (1) The executive board shall <sup>1</sup>~~["be comprised of"]~~ comprise <sup>1</sup> six  
39 members: five voting members who are elected from the current  
40 membership of the commission by the commission and one ex-  
41 officio, nonvoting member from the recognized membership  
42 organization composed of state and provincial psychology  
43 regulatory authorities. The ex-officio member <sup>1</sup>~~["must"]~~ shall <sup>1</sup> have  
44 served as staff or member on a state psychology regulatory  
45 authority and will be selected by its respective organization. The  
46 commission may remove any member of the executive board as



1 provided in bylaws. The executive board shall meet at least  
2 annually.

3 (2) The executive board shall have the following duties and  
4 responsibilities: recommend to the entire commission changes to the  
5 rules or bylaws, changes to this compact legislation, fees paid by  
6 compact states such as annual dues, and any other applicable fees;  
7 ensure compact administration services are appropriately provided,  
8 contractual or otherwise; prepare and recommend the budget;  
9 maintain financial records on behalf of the commission; monitor  
10 compact compliance of member states and provide compliance  
11 reports to the commission; establish additional committees as  
12 necessary; and other duties as provided in rules or bylaws.

13 f. ~~‘[the] The’~~<sup>1</sup> the commission shall pay, or provide for the  
14 payment of <sup>1,1</sup> the reasonable expenses of its establishment,  
15 organization and ongoing activities. The commission may accept  
16 any and all appropriate revenue sources, donations, and grants of  
17 money, equipment, supplies, materials and services. The  
18 commission may levy on and collect an annual assessment from  
19 each compact state or impose fees on other parties to cover the cost  
20 of the operations and activities of the commission and its staff <sup>1,1</sup>  
21 which ~~‘[must] assessment shall’~~<sup>1</sup> be in a total amount sufficient to  
22 cover its annual budget as approved each year for which revenue is  
23 not provided by other sources. The aggregate annual assessment  
24 amount shall be allocated based upon a formula to be determined by  
25 the commission <sup>1,1</sup> which shall promulgate a rule binding upon all  
26 compact states. The commission shall not incur obligations of any  
27 kind prior to securing the funds adequate to meet the same; nor  
28 shall the commission pledge the credit of any of the compact states,  
29 except by and with the authority of the compact state. ~~‘[the] The’~~<sup>1</sup>  
30 commission shall keep accurate accounts of all receipts and  
31 disbursements. The receipts and disbursements of the commission  
32 shall be subject to the audit and accounting procedures established  
33 under its bylaws. All receipts and disbursements of funds handled  
34 by the commission shall be audited yearly by a certified or licensed  
35 public accountant <sup>1,1</sup> and the report of the audit shall be included in  
36 <sup>1,1</sup> and become part of <sup>1,1</sup> the annual report of the commission.

37 g. The members, officers, executive director, employees and  
38 representatives of the commission shall be immune from suit and  
39 liability, either personally or in their official capacity, for any claim  
40 for damage to or loss of property or personal injury or other civil  
41 liability caused by or arising out of any actual or alleged act, error  
42 or omission that occurred, or that the person against whom the  
43 claim is made had a reasonable basis for believing occurred <sup>1,1</sup>  
44 within the scope of commission employment, duties or  
45 responsibilities; provided that nothing in this subsection shall be  
46 construed to protect any such person from suit or liability for any  
47 damage, loss, injury, or liability caused by the intentional or willful

1 or wanton misconduct of that person. The commission shall defend  
2 any member, officer, executive director, employee, or  
3 representative of the commission in any civil action seeking to  
4 impose liability arising out of any actual or alleged act, error or  
5 omission that occurred within the scope of commission  
6 employment, duties, or responsibilities, or that the person against  
7 whom the claim is made had a reasonable basis for believing  
8 occurred within the scope of commission employment, duties or  
9 responsibilities; provided that nothing herein shall be construed to  
10 prohibit that person from retaining the person's own counsel; and  
11 provided further, that the actual or alleged act, error, or omission  
12 did not result from that person's intentional or willful or wanton  
13 misconduct. The commission shall indemnify and hold harmless  
14 any member, officer, executive director, employee, or  
15 representative of the commission for the amount of any settlement  
16 or judgment obtained against that person arising out of any actual or  
17 alleged act, error or omission that occurred within the scope of  
18 commission employment, duties, or responsibilities, or that such  
19 person had a reasonable basis for believing occurred within the  
20 scope of commission employment, duties, or responsibilities,  
21 provided that the actual or alleged act, error, or omission did not  
22 result from the intentional or willful or wanton misconduct of that  
23 person.

24  
25 XI. Rulemaking.

26  
27 a. The <sup>1</sup>**【Commission】** commission<sup>1</sup> shall exercise its  
28 rulemaking powers pursuant to the criteria set forth in this article  
29 and the rules adopted thereunder. Rules and amendments shall  
30 become binding as of the date specified in each rule or amendment.

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

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

37 d. Prior to promulgation and adoption of a final rule or rules by  
38 the commission, and at least 60 days in advance of the meeting at  
39 which the rule will be considered and voted upon, the commission  
40 shall file a notice of proposed rulemaking: on the website of the  
41 commission; and on the website of each compact states' psychology  
42 regulatory authority or the publication in which each state would  
43 otherwise publish proposed rules.

44 e. The notice of proposed rulemaking shall include: the  
45 proposed time, date, and location of the meeting in which the rule  
46 will be considered and voted upon; the text of the proposed rule or  
47 amendment and the reason for the proposed rule; a request for

1 comments on the proposed rule from any interested person; and the  
2 manner in which interested persons may submit notice to the  
3 commission of their intention to attend the public hearing and any  
4 written comments.

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

9 g. The commission shall grant an opportunity for a public  
10 hearing before it adopts a rule or amendment if a hearing is  
11 requested by: at least 25 persons who submit comments  
12 independently of each other; a governmental subdivision or agency;  
13 or a duly appointed person in an association that has <sup>1</sup>**[having]**<sup>1</sup> at  
14 least 25 members.

15 h. If a hearing is held on the proposed rule or amendment, the  
16 commission shall publish the place, time, and date of the scheduled  
17 public hearing. All persons wishing to be heard at the hearing shall  
18 notify the executive director of the commission or other designated  
19 member in writing of their desire to appear and testify at the hearing  
20 not less than five business days before the scheduled date of the  
21 hearing. Hearings shall be conducted in a manner providing each  
22 person who wishes to comment a fair and reasonable opportunity to  
23 comment orally or in writing. No transcript of the hearing is  
24 required, unless a written request for a transcript is made, in which  
25 case the person requesting the transcript shall bear the cost of  
26 producing the transcript. A recording may be made in lieu of a  
27 transcript under the same terms and conditions as a transcript. This  
28 subsection shall not preclude the commission from making a  
29 transcript or recording of the hearing if it so chooses. Nothing in  
30 this section shall be construed as requiring a separate hearing on  
31 each rule. Rules may be grouped for the convenience of the  
32 commission at hearings required by this section.

33 i. Following the scheduled hearing date, or by the close of  
34 business on the scheduled hearing date if the hearing was not held,  
35 the commission shall consider all written and oral comments  
36 received.

37 j. The commission shall, by majority vote of all members, take  
38 final action on the proposed rule and shall determine the effective  
39 date of the rule, if any, based on the rulemaking record and the full  
40 text of the rule.

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

44 l. Upon determination that an emergency exists, the  
45 commission may consider and adopt an emergency rule without  
46 prior notice, opportunity for comment, or hearing, provided that the  
47 usual rulemaking procedures provided in the compact and in this

1 section shall be retroactively applied to the rule as soon as  
2 reasonably possible, in no event later than 90 days after the  
3 effective date of the rule. For the purposes of this provision, an  
4 emergency rule is one that **'[must] shall'** be adopted immediately  
5 in order to: meet an imminent threat to public health, safety, or  
6 welfare; prevent a loss of commission or compact state funds; meet  
7 a deadline for the promulgation of an administrative rule that is  
8 established by federal law or rule; or protect public health and  
9 safety.

10 m. The commission or an authorized committee of the  
11 commission may direct revisions to a previously adopted rule or  
12 amendment for purposes of correcting typographical errors, errors  
13 in format, errors in consistency, or grammatical errors. Public  
14 notice of any revisions shall be posted on the website of the  
15 commission. The revision shall be subject to challenge by any  
16 person for a period of 30 days after posting. The revision may be  
17 challenged only on grounds that the revision results in a material  
18 change to a rule. A challenge shall be made in writing **'[.]'** and  
19 delivered to the chair of the commission prior to the end of the  
20 notice period. If no challenge is made, the revision will take effect  
21 without further action. If the revision is challenged, the revision  
22 may not take effect without the approval of the commission.

## 23 XII. Oversight, Dispute Resolution, and Enforcement

24 a. The executive, legislative, and judicial branches of state  
25 government in each compact state shall enforce this compact and  
26 take all actions necessary and appropriate to effectuate the  
27 compact's purposes and intent. The provisions of this **'[Compact]**  
28 **compact'** and the rules promulgated hereunder shall have standing  
29 as statutory law. All courts shall take judicial notice of the compact  
30 and the rules in any judicial or administrative proceeding in a  
31 compact state pertaining to the subject matter of this compact that  
32 may affect the powers, responsibilities or actions of the  
33 commission. The commission shall be entitled to receive service of  
34 process in any such proceeding, and shall have standing to intervene  
35 in such a proceeding for all purposes. Failure to provide service of  
36 process to the commission shall render a judgment or order void as  
37 to the commission, this compact or promulgated rules.

38 b. If the commission determines that a compact state has  
39 defaulted in the performance of its obligations or responsibilities  
40 under this compact or the promulgated rules, the commission shall:  
41 provide written notice to the defaulting state and other compact  
42 states of the nature of the default, the proposed means of remedying  
43 the default, and any other action to be taken by the commission; and  
44 provide remedial training and specific technical assistance  
45 regarding the default. If a state in default fails to remedy the  
46

1 default, the defaulting state may be terminated from the compact  
2 upon an affirmative vote of a majority of the compact states, and all  
3 rights, privileges, and benefits conferred by this compact shall be  
4 terminated on the effective date of termination. A remedy of the  
5 default shall not relieve the offending state of obligations or  
6 liabilities incurred during the period of default. Termination of  
7 membership in the compact shall be imposed only after all other  
8 means of securing compliance have been exhausted. Notice of  
9 intent to suspend or terminate shall be submitted by the commission  
10 to the governor, the majority and minority leaders of the defaulting  
11 state's legislature, and each of the compact states. A compact state  
12 <sup>1</sup>~~['which]~~ that<sup>1</sup> has been terminated is responsible for all  
13 assessments, obligations, and liabilities incurred through the  
14 effective date of termination, including obligations <sup>1</sup>~~['which]~~ that<sup>1</sup>  
15 extend beyond the effective date of termination. The commission  
16 shall not bear any costs incurred by the state <sup>1</sup>~~['which]~~ that<sup>1</sup> is  
17 found to be in default or <sup>1</sup>~~['which]~~ that<sup>1</sup> has been terminated from  
18 the compact, unless agreed upon in writing between the commission  
19 and the defaulting state. The defaulting state may appeal the action  
20 of the commission by petitioning the United States District Court  
21 for the state of Georgia or the federal district where the compact has  
22 its principal offices. The prevailing member shall be awarded all  
23 costs of such litigation, including reasonable attorney's fees.

24 c. Upon request by a compact state, the commission shall  
25 attempt to resolve disputes related to the compact <sup>1</sup>~~['which]~~ that<sup>1</sup>  
26 arise among compact states and between compact and non-compact  
27 states. The commission shall promulgate a rule providing for both  
28 mediation and binding dispute resolution for disputes that arise  
29 before the commission.

30 d. The commission, in the reasonable exercise of its discretion,  
31 shall enforce the provisions and rules of this compact. By majority  
32 vote, the commission may initiate legal action in the United States  
33 District Court for the state of Georgia or the federal district where  
34 the compact has its principal offices against a compact state in  
35 default to enforce compliance with the provisions of the compact  
36 and its promulgated rules and bylaws. The relief sought may  
37 include both injunctive relief and damages. In the event judicial  
38 enforcement is necessary, the prevailing member shall be awarded  
39 all costs of such litigation, including reasonable attorney's fees.  
40 The remedies herein shall not be the exclusive remedies of the  
41 commission. The commission may pursue any other remedies  
42 available under federal or state law.

43  
44 XIII. Date of Implementation of the Psychology  
45 Interjurisdictional Compact Commission and Associated Rules,  
46 Withdrawal, and Amendments.

1       a. The compact shall come into effect on the date on which the  
2 compact is enacted into law in the seventh compact state. The  
3 provisions <sup>1</sup>~~['which']~~ that<sup>1</sup> become effective at that time shall be  
4 limited to the powers granted to the commission relating to  
5 assembly and the promulgation of rules. Thereafter, the  
6 commission shall meet and exercise rulemaking powers necessary  
7 to the implementation and administration of the compact.

8       b. Any state <sup>1</sup>~~['which']~~ that<sup>1</sup> joins the compact subsequent to  
9 the commission's initial adoption of the rules shall be subject to the  
10 rules as they exist on the date on which the compact becomes law in  
11 that state. Any rule <sup>1</sup>~~['which']~~ that<sup>1</sup> has been previously adopted by  
12 the commission shall have the full force and effect of law on the  
13 day the compact becomes law in that state.

14       c. Any compact state may withdraw from this compact by  
15 enacting a statute repealing the same. A compact state's withdrawal  
16 shall not take effect until six months after enactment of the  
17 repealing statute. Withdrawal shall not affect the continuing  
18 requirement of the withdrawing state's psychology regulatory  
19 authority to comply with the investigative and adverse action  
20 reporting requirements of this act prior to the effective date of  
21 withdrawal.

22       d. Nothing contained in this compact shall be construed to  
23 invalidate or prevent any psychology licensure agreement or other  
24 cooperative arrangement between a compact state and a non-  
25 compact state <sup>1</sup>~~['which']~~ that<sup>1</sup> does not conflict with the provisions  
26 of this compact.

27       e. This compact may be amended by the compact states. No  
28 amendment to this compact shall become effective and binding  
29 upon any compact state until it is enacted into the law of all  
30 compact states.

31

#### 32       XIV. Construction and Severability.

33

34       a. This compact shall be liberally construed so as to effectuate  
35 the purposes thereof. If this compact shall be held contrary to the  
36 constitution of any state member thereto, the compact shall remain  
37 in full force and effect as to the remaining compact states. When  
38 the Governor executes the compact on behalf of this State and when  
39 the compact is ratified by one or more other states, then the  
40 compact shall become operative and effective between this State  
41 and such other state or states. The Governor is hereby authorized  
42 and directed to take such action as may be necessary to complete  
43 the exchange of official documents between this State and any other  
44 state ratifying the compact.

45       b. The compact administrator who represents this State, as  
46 provided in the compact, shall not be entitled to any additional  
47 compensation for the administrator's duties and responsibilities as

1 compact administrator but shall be entitled to reimbursement for  
2 reasonable expenses actually incurred in connection with the  
3 administrator's duties and responsibilities as compact administrator  
4 in the same manner as for expenses incurred in connection with  
5 other duties and responsibilities of office or employment.

6

7 2. This act shall take effect on the '【60】 60th' day after the  
8 date of enactment.