
A BILL FOR AN ACT

RELATING TO THE PSYCHOLOGY INTERJURISDICTIONAL COMPACT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that safeguarding,
2 enhancing, and prioritizing the mental health of the people is
3 essential not only for the well-being of individuals but also
4 for the broader public interest. Protection of mental health
5 contributes to a healthier, more resilient society, benefiting
6 all members of the community.

7 The legislature recognizes that there is a growing demand
8 for mental health care services, particularly on the neighbor
9 islands and in rural and underserved areas. Despite this need,
10 the current shortage of mental health professionals and services
11 fails to meet the increasing demand, leaving countless
12 individuals without the critical care they deserve. This lack
13 of access disproportionately affects vulnerable populations,
14 such as the elderly, those with mobility challenges, and youth
15 who face identity-based harassment or rejection.

16 The legislature also finds reports of neighbor island
17 communities experiencing a critical lack of access to care for



1 the mental and physical well-being of vulnerable members of the
2 LGBTQ+ community, particularly youth, who face alarmingly high
3 rates of suicide attempts. Accessing mental health care
4 services provided by licensed psychologists is crucial to
5 providing essential care and ultimately lowering the suicide
6 rates within this vulnerable population.

7 The legislature further finds that over forty states have
8 already joined the psychology interjurisdictional compact to
9 address similar issues of access. Participating in this compact
10 will enable vulnerable kamaaina to return home without risking
11 the loss of critical relationships with long time therapists and
12 counselors and help Hawaii meet the growing demand for mental
13 health care needs by reducing barriers for mental health
14 professionals to practice and providing residents with access to
15 a broader pool of qualified mental health professionals through
16 telepsychology and temporary in-person services.

17 Accordingly, the purpose of this Act is to adopt the
18 Psychology Interjurisdictional Compact to:
19 (1) Regulate the day-to-day practice of telepsychology by
20 psychologists across state boundaries in the



performance of their psychological practice as assigned by an appropriate authority; Regulate the temporary in-person, face-to-face practice of psychology by psychologists across state boundaries for thirty days within a calendar year in the performance of their psychological practice as assigned by an appropriate authority; and Require the department of commerce and consumer affairs to adopt rules to implement and administer the compact.

11 SECTION 2. The Hawaii Revised Statutes is amended by
12 adding a new chapter to be appropriately designated and to read
13 as follows:

"CHAPTER

PSYCHOLOGY INTERJURISDICTIONAL COMPACT

16 § -1. **Short title.** This chapter may be cited as the
17 Psychology Interjurisdictional Compact.

18 § -2. Terms and provisions of compact; authorization;
19 governor. The legislature hereby authorizes the governor to
20 enter into a compact on behalf of the State of Hawaii with any



1 other state legally joining therein, in the form substantially
2 as follows:

3 **PSYCHOLOGY INTERJURISDICTIONAL COMPACT (PSYPACT)**

4 **ARTICLE I**

5 **PURPOSE**

6 Whereas, states license psychologists, in order to protect
7 the public through verification of education, training and
8 experience and ensure accountability for professional practice;
9 and

10 Whereas, this Compact is intended to regulate the day to
11 day practice of telepsychology (i.e., the provision of
12 psychological services using telecommunication technologies) by
13 psychologists across state boundaries in the performance of
14 their psychological practice as assigned by an appropriate
15 authority; and

16 Whereas, this Compact is intended to regulate the temporary
17 in-person, face-to-face practice of psychology by psychologists
18 across state boundaries for 30 days within a calendar year in
19 the performance of their psychological practice as assigned by
20 an appropriate authority; and



1 Whereas, this Compact is intended to authorize State
2 Psychology Regulatory Authorities to afford legal recognition,
3 in a manner consistent with the terms of the Compact, to
4 psychologists licensed in another state; and

5 Whereas, this Compact recognizes that states have a vested
6 interest in protecting the public's health and safety through
7 their licensing and regulation of psychologists and that such
8 state regulation will best protect public health and safety; and

9 Whereas, this Compact does not apply when a psychologist is
10 licensed in both the Home and Receiving States; and

11 Whereas, this Compact does not apply to permanent
12 in-person, face-to-face practice, it does allow for
13 authorization of temporary psychological practice.

14 Consistent with these principles, this Compact is designed
15 to achieve the following purposes and objectives:

16 1. Increase public access to professional psychological
17 services by allowing for telepsychological practice
18 across state lines as well as temporary in-person,
19 face-to-face services into a state which the
20 psychologist is not licensed to practice psychology;



ARTICLE II

DEFINITIONS

- 15 A. "Adverse Action" means: Any action taken by a State
16 Psychology Regulatory Authority which finds a violation of a
17 statute or regulation that is identified by the State Psychology
18 Regulatory Authority as discipline and is a matter of public
19 record.

- 20** B. "Association of State and Provincial Psychology Boards
21 (ASPPB)" means: the recognized membership organization composed



1 of State and Provincial Psychology Regulatory Authorities
2 responsible for the licensure and registration of psychologists
3 throughout the United States and Canada.

4 C. "Authority to Practice Interjurisdictional
5 Telepsychology" means: a licensed psychologist's authority to
6 practice telepsychology, within the limits authorized under this
7 Compact, in another Compact State.

8 D. "Bylaws" means: those Bylaws established by the
9 Psychology Interjurisdictional Compact Commission pursuant to
10 Article X for its governance, or for directing and controlling
11 its actions and conduct.

12 E. "Client/Patient" means: the recipient of psychological
13 services, whether psychological services are delivered in the
14 context of healthcare, corporate, supervision, and/or consulting
15 services.

16 F. "Commissioner" means: the voting representative
17 appointed by each State Psychology Regulatory Authority pursuant
18 to Article X.

19 G. "Compact State" means: a state, the District of
20 Columbia, or United States territory that has enacted this
21 Compact legislation and which has not withdrawn pursuant to



- 1 Article XIII, Section C or been terminated pursuant to
2 Article XII, Section B.

3 H. "Coordinated Licensure Information System" also
4 referred to as "Coordinated Database" means: an integrated
5 process for collecting, storing, and sharing information on
6 psychologists' licensure and enforcement activities related to
7 psychology licensure laws, which is administered by the
8 recognized membership organization composed of State and
9 Provincial Psychology Regulatory Authorities.

10 I. "Confidentiality" means: the principle that data or
11 information is not made available or disclosed to unauthorized
12 persons and/or processes.

13 J. "Day" means: any part of a day in which psychological
14 work is performed.

15 K. "Distant State" means: the Compact State where a
16 psychologist is physically present (not through the use of
17 telecommunications technologies), to provide temporary
18 in-person, face-to-face psychological services.

19 L. "E.Passport" means: a certificate issued by the
20 Association of State and Provincial Psychology Boards (ASPPB)
21 that promotes the standardization in the criteria of



1 interjurisdictional telepsychology practice and facilitates the
2 process for licensed psychologists to provide telepsychological
3 services across state lines.

4 M. "Executive Board" means: a group of directors elected
5 or appointed to act on behalf of, and within the powers granted
6 to them by, the Commission.

7 N. "Home State" means: a Compact State where a
8 psychologist is licensed to practice psychology. If the
9 psychologist is licensed in more than one Compact State and is
10 practicing under the Authorization to Practice
11 Interjurisdictional Telepsychology, the Home State is the
12 Compact State where the psychologist is physically present when
13 the telepsychological services are delivered. If the
14 psychologist is licensed in more than one Compact State and is
15 practicing under the Temporary Authorization to Practice, the
16 Home State is any Compact State where the psychologist is
17 licensed.

18 O. "Identity History Summary" means: a summary of
19 information retained by the FBI, or other designee with similar
20 authority, in connection with arrests and, in some instances,
21 federal employment, naturalization, or military service.



1 P. "In-Person, Face-to-Face" means: interactions in which
2 the psychologist and the client/patient are in the same physical
3 space and which does not include interactions that may occur
4 through the use of telecommunication technologies.

5 Q. "Interjurisdictional Practice Certificate (IPC)" means:
6 a certificate issued by the Association of State and Provincial
7 Psychology Boards (ASPPB) that grants temporary authority to
8 practice based on notification to the State Psychology
9 Regulatory Authority of intention to practice temporarily, and
10 verification of one's qualifications for such practice.

11 R. "License" means: authorization by a State Psychology
12 Regulatory Authority to engage in the independent practice of
13 psychology, which would be unlawful without the authorization.

14 S. "Non-Compact State" means: any State which is not at
15 the time a Compact State.

16 T. "Psychologist" means: an individual licensed for the
17 independent practice of psychology.

18 U. "Psychology Interjurisdictional Compact Commission"
19 also referred to as "Commission" means: the national
20 administration of which all Compact States are members.



1 V. "Receiving State" means: a Compact State where the
2 client/patient is physically located when the telepsychological
3 services are delivered.

4 W. "Rule" means: a written statement by the Psychology
5 Interjurisdictional Compact Commission promulgated pursuant to
6 Article XI of the Compact that is of general applicability,
7 implements, interprets, or prescribes a policy or provision of
8 the Compact, or an organizational, procedural, or practice
9 requirement of the Commission and has the force and effect of
10 statutory law in a Compact State, and includes the amendment,
11 repeal or suspension of an existing rule.

12 X. "Significant Investigatory Information" means:

13 1. Investigative information that a State Psychology
14 Regulatory Authority, after a preliminary inquiry that
15 includes notification and an opportunity to respond if
16 required by state law, has reason to believe, if
17 proven true, would indicate more than a violation of
18 state statute or ethics code that would be considered
19 more substantial than minor infraction; or
20 2. Investigative information that indicates that the
21 psychologist represents an immediate threat to public



1 health and safety regardless of whether the
2 psychologist has been notified and/or had an
3 opportunity to respond.

4 Y. "State" means: a state, commonwealth, territory, or
5 possession of the United States, the District of Columbia.

6 z. "State Psychology Regulatory Authority" means: the
7 Board, office or other agency with the legislative mandate to
8 license and regulate the practice of psychology.

9 AA. "Telepsychology" means: the provision of
10 psychological services using telecommunication technologies.

11 BB. "Temporary Authorization to Practice" means: a
12 licensed psychologist's authority to conduct temporary
13 in-person, face-to-face practice, within the limits authorized
14 under this Compact, in another Compact State.

15 CC. "Temporary In-Person, Face-to-Face Practice" means:
16 where a psychologist is physically present (not through the use
17 of telecommunications technologies), in the Distant State to
18 provide for the practice of psychology for 30 days within a
19 calendar year and based on notification to the Distant State.

ARTICLE III

HOME STATE LICENSURE



1 A. The Home State shall be a Compact State where a
2 psychologist is licensed to practice psychology.

3 B. A psychologist may hold one or more Compact State
4 licenses at a time. If the psychologist is licensed in more
5 than one Compact State, the Home State is the Compact State
6 where the psychologist is physically present when the services
7 are delivered as authorized by the Authority to Practice
8 Interjurisdictional Telepsychology under the terms of this
9 Compact.

10 C. Any Compact State may require a psychologist not
11 previously licensed in a Compact State to obtain and retain a
12 license to be authorized to practice in the Compact State under
13 circumstances not authorized by the Authority to Practice
14 Interjurisdictional Telepsychology under the terms of this
15 Compact.

16 D. Any Compact State may require a psychologist to obtain
17 and retain a license to be authorized to practice in a Compact
18 State under circumstances not authorized by Temporary
19 Authorization to Practice under the terms of this Compact.



- 1 E. A Home State's license authorizes a psychologist to
2 practice in a Receiving State under the Authority to Practice
3 Interjurisdictional Telepsychology only if the Compact State:
4 1. Currently requires the psychologist to hold an active
5 E. Passport;
6 2. Has a mechanism in place for receiving and
7 investigating complaints about licensed individuals;
8 3. Notifies the Commission, in compliance with the terms
9 herein, of any adverse action or significant
10 investigatory information regarding a licensed
11 individual;
12 4. Requires an Identity History Summary of all applicants
13 at initial licensure, including the use of the results
14 of fingerprints or other biometric data checks
15 compliant with the requirements of the Federal Bureau
16 of Investigation (FBI), or other designee with similar
17 authority, no later than ten years after activation of
18 the Compact; and
19 5. Complies with the Bylaws and Rules of the Commission.



- 1 F. A Home State's license grants Temporary Authorization
- 2 to Practice to a psychologist in a Distant State only if the
- 3 Compact State:

- 4 1. Currently requires the psychologist to hold an active
5 IPC;
- 6 2. Has a mechanism in place for receiving and
7 investigating complaints about licensed individuals;
- 8 3. Notifies the Commission, in compliance with the terms
9 herein, of any adverse action or significant
10 investigatory information regarding a licensed
11 individual;
- 12 4. Requires an Identity History Summary of all applicants
13 at initial licensure, including the use of the results
14 of fingerprints or other biometric data checks
15 compliant with the requirements of the Federal Bureau
16 of Investigation (FBI), or other designee with similar
17 authority, no later than ten years after activation of
18 the Compact; and
- 19 5. Complies with the Bylaws and Rules of the Commission.

ARTICLE IV

COMPACT PRIVILEGE TO PRACTICE TELEPSYCHOLOGY



1 A. Compact States shall recognize the right of a
2 psychologist, licensed in a Compact State in conformance with
3 Article III, to practice telepsychology in other Compact States
4 (Receiving States) in which the psychologist is not licensed,
5 under the Authority to Practice Interjurisdictional
6 Telepsychology as provided in the Compact.

7 B. To exercise the Authority to Practice
8 Interjurisdictional Telepsychology under the terms and
9 provisions of this Compact, a psychologist licensed to practice
10 in a Compact State must:

- 11 1. Hold a graduate degree in psychology from an institute
12 of higher education that was, at the time the degree
13 was awarded:
 - 14 a. Regionally accredited by an accrediting body
15 recognized by the U.S. Department of Education to
16 grant graduate degrees, or authorized by
17 Provincial Statute or Royal Charter to grant
18 doctoral degrees; or
 - 19 b. A foreign college or university deemed to be
20 equivalent to 1(a) above by a foreign credential
21 evaluation service that is a member of the



4 2. Hold a graduate degree in psychology that meets the
5 following criteria:

6 a. The program, wherever it may be administratively
7 housed, must be clearly identified and labeled as
8 a psychology program. Such a program must
9 specify in pertinent institutional catalogues and
10 brochures its intent to educate and train
11 professional psychologists;





- 1 4. Have no history of adverse action that violate the
 - 2 Rules of the Commission;
 - 3 5. Have no criminal record history reported on an
 - 4 Identity History Summary that violates the Rules of
 - 5 the Commission;
 - 6 6. Possess a current, active E.Passport;
 - 7 7. Provide attestations in regard to areas of intended
 - 8 practice, conformity with standards of practice,
 - 9 competence in telepsychology technology; criminal
 - 10 background; and knowledge and adherence to legal
 - 11 requirements in the Home and Receiving States, and
 - 12 provide a release of information to allow for primary
 - 13 source verification in a manner specified by the
 - 14 Commission; and
 - 15 8. Meet other criteria as defined by the Rules of the
 - 16 Commission.
- 17 C. The Home State maintains authority over the license of
- 18 any psychologist practicing into a Receiving State under the
- 19 Authority to Practice Interjurisdictional Telepsychology.
- 20 D. A psychologist practicing into a Receiving State under
- 21 the Authority to Practice Interjurisdictional Telepsychology



1 will be subject to the Receiving State's scope of practice. A
2 Receiving State may, in accordance with that state's due process
3 law, limit or revoke a psychologist's Authority to Practice
4 Interjurisdictional Telepsychology in the Receiving State and
5 may take any other necessary actions under the Receiving State's
6 applicable law to protect the health and safety of the Receiving
7 State's citizens. If a Receiving State takes action, the state
8 shall promptly notify the Home State and the Commission.

9 E. If a psychologist's license in any Home State, another
10 Compact State, or any Authority to Practice Interjurisdictional
11 Telepsychology in any Receiving State, is restricted, suspended
12 or otherwise limited, the E.Passport shall be revoked and
13 therefore the psychologist shall not be eligible to practice
14 telepsychology in a Compact State under the Authority to
15 Practice Interjurisdictional Telepsychology.

ARTICLE V

COMPACT TEMPORARY AUTHORIZATION TO PRACTICE

18 A. Compact States shall also recognize the right of a
19 psychologist, licensed in a Compact State in conformance with
20 Article III, to practice temporarily in other Compact States



1 (Distant States) in which the psychologist is not licensed, as
2 provided in the Compact.

3 B. To exercise the Temporary Authorization to Practice
4 under the terms and provisions of this Compact, a psychologist
5 licensed to practice in a Compact State must:

6 1. Hold a graduate degree in psychology from an institute
7 of higher education that was, at the time the degree
8 was awarded:

9 a. Regionally accredited by an accrediting body
10 recognized by the U.S. Department of Education to
11 grant graduate degrees, or authorized by
12 Provincial Statute or Royal Charter to grant
13 doctoral degrees; or

14 b. A foreign college or university deemed to be
15 equivalent to 1(a) above by a foreign credential
16 evaluation service that is a member of the
17 National Association of Credential Evaluation
18 Services (NACES) or by a recognized foreign
19 credential evaluation service; and

20 2. Hold a graduate degree in psychology that meets the
21 following criteria:



- 1 a. The program, wherever it may be administratively
- 2 housed, must be clearly identified and labeled as
- 3 a psychology program. Such a program must
- 4 specify in pertinent institutional catalogues and
- 5 brochures its intent to educate and train
- 6 professional psychologists;
- 7 b. The psychology program must stand as a
- 8 recognizable, coherent, organizational entity
- 9 within the institution;
- 10 c. There must be a clear authority and primary
- 11 responsibility for the core and specialty areas
- 12 whether or not the program cuts across
- 13 administrative lines;
- 14 d. The program must consist of an integrated,
- 15 organized sequence of study;
- 16 e. There must be an identifiable psychology faculty
- 17 sufficient in size and breadth to carry out its
- 18 responsibilities;
- 19 f. The designated director of the program must be a
- 20 psychologist and a member of the core faculty;





- 1 7. Provide attestations in regard to areas of intended
- 2 practice and work experience and provide a release of
- 3 information to allow for primary source verification
- 4 in a manner specified by the Commission; and
- 5 8. Meet other criteria as defined by the Rules of the
- 6 Commission.

7 C. A psychologist practicing into a Distant State under
8 the Temporary Authorization to Practice shall practice within
9 the scope of practice authorized by the Distant State.

10 D. A psychologist practicing into a Distant State under
11 the Temporary Authorization to Practice will be subject to the
12 Distant State's authority and law. A Distant State may, in
13 accordance with that state's due process law, limit or revoke a
14 psychologist's Temporary Authorization to Practice in the
15 Distant State and may take any other necessary actions under the
16 Distant State's applicable law to protect the health and safety
17 of the Distant State's citizens. If a Distant State takes
18 action, the state shall promptly notify the Home State and the
19 Commission.

20 E. If a psychologist's license in any Home State, another
21 Compact State, or any Temporary Authorization to Practice in any



1 Distant State, is restricted, suspended or otherwise limited,
2 the IPC shall be revoked and therefore the psychologist shall
3 not be eligible to practice in a Compact State under the
4 Temporary Authorization to Practice.

5 **ARTICLE VI**

6 **CONDITIONS OF TELEPSYCHOLOGY PRACTICE IN A RECEIVING STATE**

7 A. A psychologist may practice in a Receiving State under
8 the Authority to Practice Interjurisdictional Telepsychology
9 only in the performance of the scope of practice for psychology
10 as assigned by an appropriate State Psychology Regulatory
11 Authority, as defined in the Rules of the Commission, and under
12 the following circumstances:

- 13 1. The psychologist initiates a client/patient contact in
14 a Home State via telecommunications technologies with
15 a client/patient in a Receiving State; and
16 2. Other conditions regarding telepsychology as
17 determined by Rules promulgated by the Commission.

18 **ARTICLE VII**

19 **ADVERSE ACTIONS**

20 A. A Home State shall have the power to impose adverse
21 action against a psychologist's license issued by the Home



1 State. A Distant State shall have the power to take adverse
2 action on a psychologist's Temporary Authorization to Practice
3 within that Distant State.

4 B. A Receiving State may take adverse action on a
5 psychologist's Authority to Practice Interjurisdictional
6 Telepsychology within that Receiving State. A Home State may
7 take adverse action against a psychologist based on an adverse
8 action taken by a Distant State regarding temporary in-person,
9 face-to-face practice.

10 C. If a Home State takes adverse action against a
11 psychologist's license, that psychologist's Authority to
12 Practice Interjurisdictional Telepsychology is terminated and
13 the E.Passport is revoked. Furthermore, that psychologist's
14 Temporary Authorization to Practice is terminated and the IPC is
15 revoked.

16 1. All Home State disciplinary orders which impose
17 adverse action shall be reported to the Commission in
18 accordance with the Rules promulgated by the
19 Commission. A Compact State shall report adverse
20 actions in accordance with the Rules of the
21 Commission.



6 3. Other actions may be imposed as determined by the
7 Rules promulgated by the Commission.

8 D. A Home State's Psychology Regulatory Authority shall
9 investigate and take appropriate action with respect to reported
10 inappropriate conduct engaged in by a licensee which occurred in
11 a Receiving State as it would if such conduct had been engaged
12 in by a licensee within the Home State. In such cases, the Home
13 State's law shall control in determining any adverse action
14 against a psychologist's license.

15 E. A Distant State's Psychology Regulatory Authority shall
16 investigate and take appropriate action with respect to reported
17 inappropriate conduct engaged in by a psychologist practicing
18 under Temporary Authorization to Practice which occurred in that
19 Distant State as it would if such conduct had been engaged in by
20 a licensee within the Home State. In such cases, the Distant



1 State's law shall control in determining any adverse action
2 against a psychologist's Temporary Authorization to Practice.

3 F. Nothing in this Compact shall override a Compact
4 State's decision that a psychologist's participation in an
5 alternative program may be used in lieu of adverse action and
6 that such participation shall remain non-public if required by
7 the Compact State's law. Compact States must require
8 psychologists who enter any alternative programs to not provide
9 telepsychology services under the Authority to Practice
10 Interjurisdictional Telepsychology or provide temporary
11 psychological services under the Temporary Authorization to
12 Practice in any other Compact State during the term of the
13 alternative program.

14 G. No other judicial or administrative remedies shall be
15 available to a psychologist in the event a Compact State imposes
16 an adverse action pursuant to subsection C, above.

17 **ARTICLE VIII**

18 **ADDITIONAL AUTHORITIES INVESTED IN A COMPACT STATE'S PSYCHOLOGY**

19 **REGULATORY AUTHORITY**



1 A. In addition to any other powers granted under state
2 law, a Compact State's Psychology Regulatory Authority shall
3 have the authority under this Compact to:

4 1. Issue subpoenas, for both hearings and investigations,
5 which require the attendance and testimony of
6 witnesses and the production of evidence. Subpoenas
7 issued by a Compact State's Psychology Regulatory
8 Authority for the attendance and testimony of
9 witnesses, and/or the production of evidence from
10 another Compact State shall be enforced in the latter
11 state by any court of competent jurisdiction,
12 according to that court's practice and procedure in
13 considering subpoenas issued in its own proceedings.

14 The issuing State Psychology Regulatory Authority
15 shall pay any witness fees, travel expenses, mileage
16 and other fees required by the service statutes of the
17 state where the witnesses and/or evidence are located;
18 and

19 2. Issue cease and desist and/or injunctive relief orders
20 to revoke a psychologist's Authority to Practice



Interjurisdictional Telepsychology and/or Temporary Authorization to Practice.

3. During the course of any investigation, a psychologist may not change his/her Home State licensure. A Home State Psychology Regulatory Authority is authorized to complete any pending investigations of a psychologist and to take any actions appropriate under its law.

The Home State Psychology Regulatory Authority shall promptly report the conclusions of such investigations to the Commission. Once an investigation has been completed, and pending the outcome of said investigation, the psychologist may change his/her Home State licensure. The Commission shall promptly notify the new Home State of any such decisions as provided in the Rules of the Commission. All information provided to the Commission or distributed by Compact States pursuant to the psychologist shall be confidential, filed under seal and used for investigatory or disciplinary matters. The Commission may create additional rules for mandated or



1 discretionary sharing of information by Compact
2 States.

3 **ARTICLE IX**

4 **COORDINATED LICENSURE INFORMATION SYSTEM**

5 A. The Commission shall provide for the development and
6 maintenance of a Coordinated Licensure Information System
7 (Coordinated Database) and reporting system containing licensure
8 and disciplinary action information on all psychologists and
9 individuals to whom this Compact is applicable in all Compact
10 States as defined by the Rules of the Commission.

11 B. Notwithstanding any other provision of state law to the
12 contrary, a Compact State shall submit a uniform data set to the
13 Coordinated Database on all licensees as required by the Rules
14 of the Commission, including:

- 15 1. Identifying information;
- 16 2. Licensure data;
- 17 3. Significant investigatory information;
- 18 4. Adverse actions against a psychologist's license;
- 19 5. An indicator that a psychologist's Authority to
20 Practice Interjurisdictional Telepsychology and/or
21 Temporary Authorization to Practice is revoked;



6. Non-confidential information related to alternative program participation information;
7. Any denial of application for licensure, and the reasons for such denial; and
8. Other information which may facilitate the administration of this Compact, as determined by the Rules of the Commission.

8 C. The Coordinated Database administrator shall promptly
9 notify all Compact States of any adverse action taken against,
10 or significant investigative information on, any licensee in a
11 Compact State.

12 D. Compact States reporting information to the Coordinated
13 Database may designate information that may not be shared with
14 the public without the express permission of the Compact State
15 reporting the information.

16 E. Any information submitted to the Coordinated Database
17 that is subsequently required to be expunged by the law of the
18 Compact State reporting the information shall be removed from
19 the Coordinated Database.

ARTICLE X



1 **ESTABLISHMENT OF THE PSYCHOLOGY INTERJURISDICTIONAL COMPACT**2 **COMMISSION**

3 A. The Compact States hereby create and establish a joint
4 public agency known as the Psychology Interjurisdictional
5 Compact Commission.

- 6 1. The Commission is a body politic and an
7 instrumentality of the Compact States.
- 8 2. Venue is proper and judicial proceedings by or against
9 the Commission shall be brought solely and exclusively
10 in a court of competent jurisdiction where the
11 principal office of the Commission is located. The
12 Commission may waive venue and jurisdictional defenses
13 to the extent it adopts or consents to participate in
14 alternative dispute resolution proceedings.
- 15 3. Nothing in this Compact shall be construed to be a
16 waiver of sovereign immunity.

17 B. Membership, Voting, and Meetings

- 18 1. The Commission shall consist of one voting
19 representative appointed by each Compact State who
20 shall serve as that state's Commissioner. The State
21 Psychology Regulatory Authority shall appoint its



1 delegate. This delegate shall be empowered to act on
2 behalf of the Compact State. This delegate shall be
3 limited to:

- 4 a. Executive Director, Executive Secretary or
5 similar executive;
- 6 b. Current member of the State Psychology Regulatory
7 Authority of a Compact State; or
- 8 c. Designee empowered with the appropriate delegate
9 authority to act on behalf of the Compact State.

10 2. Any Commissioner may be removed or suspended from
11 office as provided by the law of the state from which
12 the Commissioner is appointed. Any vacancy occurring
13 in the Commission shall be filled in accordance with
14 the laws of the Compact State in which the vacancy
15 exists.

16 3. Each Commissioner shall be entitled to one (1) vote
17 with regard to the promulgation of Rules and creation
18 of Bylaws and shall otherwise have an opportunity to
19 participate in the business and affairs of the
20 Commission. A Commissioner shall vote in person or by
21 such other means as provided in the Bylaws. The



1 Bylaws may provide for Commissioners' participation in
2 meetings by telephone or other means of communication.

3 4. The Commission shall meet at least once during each
4 calendar year. Additional meetings shall be held as
5 set forth in the Bylaws.

6 5. All meetings shall be open to the public, and public
7 notice of meetings shall be given in the same manner
8 as required under the rulemaking provisions in Article
9 XI.

10 6. The Commission may convene in a closed, non-public
11 meeting if the Commission must discuss:

12 a. Non-compliance of a Compact State with its
13 obligations under the Compact;
14 b. The employment, compensation, discipline or other
15 personnel matters, practices or procedures
16 related to specific employees or other matters
17 related to the Commission's internal personnel
18 practices and procedures;

19 c. Current, threatened, or reasonably anticipated
20 litigation against the Commission;



- d. Negotiation of contracts for the purchase or sale of goods, services or real estate;
 - e. Accusation against any person of a crime or formally censuring any person;
 - f. Disclosure of trade secrets or commercial or financial information which is privileged or confidential;
 - g. Disclosure of information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;
 - h. Disclosure of investigatory records compiled for law enforcement purposes;
 - i. Disclosure of information related to any investigatory reports prepared by or on behalf of or for use of the Commission or other committee charged with responsibility for investigation or determination of compliance issues pursuant to the Compact; or
 - j. Matters specifically exempted from disclosure by federal and state statute.



1 7. If a meeting, or portion of a meeting, is closed
2 pursuant to this provision, the Commission's legal
3 counsel or designee shall certify that the meeting may
4 be closed and shall reference each relevant exempting
5 provision. The Commission shall keep minutes which
6 fully and clearly describe all matters discussed in a
7 meeting and shall provide a full and accurate summary
8 of actions taken, of any person participating in the
9 meeting, and the reasons therefore, including a
10 description of the views expressed. All documents
11 considered in connection with an action shall be
12 identified in such minutes. All minutes and documents
13 of a closed meeting shall remain under seal, subject
14 to release only by a majority vote of the Commission
15 or order of a court of competent jurisdiction.

16 C. The Commission shall, by a majority vote of the
17 Commissioners, prescribe Bylaws and/or Rules to govern its
18 conduct as may be necessary or appropriate to carry out the
19 purposes and exercise the powers of the Compact, including but
20 not limited to:

21 1. Establishing the fiscal year of the Commission;



- 1 2. Providing reasonable standards and procedures:
 - 2 a. For the establishment and meetings of other
 - 3 committees; and
 - 4 b. Governing any general or specific delegation of
 - 5 any authority or function of the Commission;
- 6 3. Providing reasonable procedures for calling and
- 7 conducting meetings of the Commission, ensuring
- 8 reasonable advance notice of all meetings and
- 9 providing an opportunity for attendance of such
- 10 meetings by interested parties, with enumerated
- 11 exceptions designed to protect the public's interest,
- 12 the privacy of individuals of such proceedings, and
- 13 proprietary information, including trade secrets. The
- 14 Commission may meet in closed session only after a
- 15 majority of the Commissioners vote to close a meeting
- 16 to the public in whole or in part. As soon as
- 17 practicable, the Commission must make public a copy of
- 18 the vote to close the meeting revealing the vote of
- 19 each Commissioner with no proxy votes allowed;



- 1 4. Establishing the titles, duties and authority and
- 2 reasonable procedures for the election of the officers
- 3 of the Commission;
- 4 5. Providing reasonable standards and procedures for the
- 5 establishment of the personnel policies and programs
- 6 of the Commission. Notwithstanding any civil service
- 7 or other similar law of any Compact State, the Bylaws
- 8 shall exclusively govern the personnel policies and
- 9 programs of the Commission;
- 10 6. Promulgating a Code of Ethics to address permissible
- 11 and prohibited activities of Commission members and
- 12 employees;
- 13 7. Providing a mechanism for concluding the operations of
- 14 the Commission and the equitable disposition of any
- 15 surplus funds that may exist after the termination of
- 16 the Compact after the payment and/or reserving of all
- 17 of its debts and obligations;
- 18 8. The Commission shall publish its Bylaws in a
- 19 convenient form and file a copy thereof and a copy of
- 20 any amendment thereto, with the appropriate agency or
- 21 officer in each of the Compact States;



- 1 9. The Commission shall maintain its financial records in
- 2 accordance with the Bylaws; and
- 3 10. The Commission shall meet and take such actions as are
- 4 consistent with the provisions of this Compact and the
- 5 Bylaws.
- 6 D. The Commission shall have the following powers:
- 7 1. The authority to promulgate uniform rules to
- 8 facilitate and coordinate implementation and
- 9 administration of this Compact. The rule shall have
- 10 the force and effect of law and shall be binding in
- 11 all Compact States;
- 12 2. To bring and prosecute legal proceedings or actions in
- 13 the name of the Commission, provided that the standing
- 14 of any State Psychology Regulatory Authority or other
- 15 regulatory body responsible for psychology licensure
- 16 to sue or be sued under applicable law shall not be
- 17 affected;
- 18 3. To purchase and maintain insurance and bonds;
- 19 4. To borrow, accept or contract for services of
- 20 personnel, including, but not limited to, employees of
- 21 a Compact State;



- 1 5. To hire employees, elect or appoint officers, fix
- 2 compensation, define duties, grant such individuals
- 3 appropriate authority to carry out the purposes of the
- 4 Compact, and to establish the Commission's personnel
- 5 policies and programs relating to conflicts of
- 6 interest, qualifications of personnel, and other
- 7 related personnel matters;
- 8 6. To accept any and all appropriate donations and grants
- 9 of money, equipment, supplies, materials and services,
- 10 and to receive, utilize and dispose of the same;
- 11 provided that at all times the Commission shall strive
- 12 to avoid any appearance of impropriety and/or conflict
- 13 of interest;
- 14 7. To lease, purchase, accept appropriate gifts or
- 15 donations of, or otherwise to own, hold, improve or
- 16 use, any property, real, personal or mixed; provided
- 17 that at all times the Commission shall strive to avoid
- 18 any appearance of impropriety;
- 19 8. To sell, convey, mortgage, pledge, lease, exchange,
- 20 abandon or otherwise dispose of any property real,
- 21 personal or mixed;



- 1 9. To establish a budget and make expenditures;
 - 2 10. To borrow money;
 - 3 11. To appoint committees, including advisory committees comprised of Members, State regulators, State legislators or their representatives, and consumer representatives, and such other interested persons as may be designated in this Compact and the Bylaws;
 - 4
 - 5
 - 6
 - 7
 - 8 12. To provide and receive information from, and to cooperate with, law enforcement agencies;
 - 9
 - 10 13. To adopt and use an official seal; and
 - 11 14. To perform such other functions as may be necessary or appropriate to achieve the purposes of this Compact
 - 12
 - 13
 - 14
 - 15 consistent with the state regulation of psychology licensure, temporary in-person, face-to-face practice and telepsychology practice.

16 E. The Executive Board

17 The elected officers shall serve as the Executive Board,
18 which shall have the power to act on behalf of the Commission
19 according to the terms of this Compact.

20 1. The Executive Board shall be comprised of six members:



- 1 a. Five voting members who are elected from the
2 current membership of the Commission by the
3 Commission; and
- 4 b. One *ex-officio*, nonvoting member from the
5 recognized membership organization composed of
6 State and Provincial Psychology Regulatory
7 Authorities.
- 8 2. The *ex-officio* member must have served as staff or
9 member on a State Psychology Regulatory Authority and
10 will be selected by its respective organization.
- 11 3. The Commission may remove any member of the Executive
12 Board as provided in Bylaws.
- 13 4. The Executive Board shall meet at least annually.
- 14 5. The Executive Board shall have the following duties
15 and responsibilities:
 - 16 a. Recommend to the entire Commission changes to the
17 Rules or Bylaws, changes to this Compact
18 legislation, fees paid by Compact States such as
19 annual dues, and any other applicable fees;
 - 20 b. Ensure Compact administration services are
21 appropriately provided, contractual or otherwise;



- c. Prepare and recommend the budget;
 - d. Maintain financial records on behalf of the Commission;
 - e. Monitor Compact compliance of member states and provide compliance reports to the Commission;
 - f. Establish additional committees as necessary; and
 - g. Other duties as provided in Rules or Bylaws.

F. Financing of the Commission

1. The Commission shall pay, or provide for the payment of the reasonable expenses of its establishment, organization and ongoing activities.
 2. The Commission may accept any and all appropriate revenue sources, donations and grants of money, equipment, supplies, materials and services.
 3. The Commission may levy on and collect an annual assessment from each Compact State or impose fees on other parties to cover the cost of the operations and activities of the Commission and its staff which must be in a total amount sufficient to cover its annual budget as approved each year for which revenue is not provided by other sources. The aggregate annual



assessment amount shall be allocated based upon a formula to be determined by the Commission which shall promulgate a rule binding upon all Compact States.

4. The Commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same; nor shall the Commission pledge the credit of any of the Compact States, except by and with the authority of the Compact State.

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

G. Qualified Immunity, Defense, and Indemnification

1. The members, officers, Executive Director, employees and representatives of the Commission shall be immune from suit and liability, either personally or in their



1 official capacity, for any claim for damage to or loss
2 of property or personal injury or other civil
3 liability caused by or arising out of any actual or
4 alleged act, error or omission that occurred, or that
5 the person against whom the claim is made had a
6 reasonable basis for believing occurred within the
7 scope of Commission employment, duties or
8 responsibilities; provided that nothing in this
9 paragraph shall be construed to protect any such
10 person from suit and/or liability for any damage,
11 loss, injury or liability caused by the intentional or
12 willful or wanton misconduct of that person.



1 responsibilities; provided that nothing herein shall
2 be construed to prohibit that person from retaining
3 his or her own counsel; and provided further, that the
4 actual or alleged act, error or omission did not
5 result from that person's intentional or willful or
6 wanton misconduct.

7 3. The Commission shall indemnify and hold harmless any
8 member, officer, Executive Director, employee or
9 representative of the Commission for the amount of any
10 settlement or judgment obtained against that person
11 arising out of any actual or alleged act, error or
12 omission that occurred within the scope of Commission
13 employment, duties or responsibilities, or that such
14 person had a reasonable basis for believing occurred
15 within the scope of Commission employment, duties or
16 responsibilities; provided that the actual or alleged
17 act, error or omission did not result from the
18 intentional or willful or wanton misconduct of that
19 person.

20 **ARTICLE XI**
21 **RULEMAKING**



1 A. The Commission shall exercise its rulemaking powers
2 pursuant to the criteria set forth in this Article and the Rules
3 adopted thereunder. Rules and amendments shall become binding
4 as of the date specified in each rule or amendment.

5 B. If a majority of the legislatures of the Compact States
6 rejects a rule, by enactment of a statute or resolution in the
7 same manner used to adopt the Compact, then such rule shall have
8 no further force and effect in any Compact State.

9 C. Rules or amendments to the rules shall be adopted at a
10 regular or special meeting of the Commission.

11 D. Prior to promulgation and adoption of a final rule or
12 Rules by the Commission, and at least sixty (60) days in advance
13 of the meeting at which the rule will be considered and voted
14 upon, the Commission shall file a Notice of Proposed Rulemaking:

15 1. On the website of the Commission; and
16 2. On the website of each Compact State's Psychology
17 Regulatory Authority or the publication in which each
18 state would otherwise publish proposed rules.

19 E. The Notice of Proposed Rulemaking shall include:
20 1. The proposed time, date, and location of the meeting
21 in which the rule will be considered and voted upon;



8 F. Prior to adoption of a proposed rule, the Commission
9 shall allow persons to submit written data, facts, opinions and
10 arguments, which shall be made available to the public.

11 G. The Commission shall grant an opportunity for a public
12 hearing before it adopts a rule or amendment if a hearing is
13 requested by:

19 H. If a hearing is held on the proposed rule or amendment,
20 the Commission shall publish the place, time, and date of the
21 scheduled public hearing.



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



1 I. Following the scheduled hearing date, or by the close
2 of business on the scheduled hearing date if the hearing was not
3 held, the Commission shall consider all written and oral
4 comments received.

5 J. The Commission shall, by majority vote of all members,
6 take final action on the proposed rule and shall determine the
7 effective date of the rule, if any, based on the rulemaking
8 record and the full text of the rule.

9 K. If no written notice of intent to attend the public
10 hearing by interested parties is received, the Commission may
11 proceed with promulgation of the proposed rule without a public
12 hearing.

13 L. Upon determination that an emergency exists, the
14 Commission may consider and adopt an emergency rule without
15 prior notice, opportunity for comment, or hearing, provided that
16 the usual rulemaking procedures provided in the Compact and in
17 this section shall be retroactively applied to the rule as soon
18 as reasonably possible, in no event later than ninety (90) days
19 after the effective date of the rule. For the purposes of this
20 provision, an emergency rule is one that must be adopted
21 immediately in order to:



- 1 1. Meet an imminent threat to public health, safety, or
- 2 welfare;
- 3 2. Prevent a loss of Commission or Compact State funds;
- 4 3. Meet a deadline for the promulgation of an
- 5 administrative rule that is established by federal law
- 6 or rule; or
- 7 4. Protect public health and safety.

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



1

ARTICLE XII

2

OVERSIGHT, DISPUTE RESOLUTION AND ENFORCEMENT

3

A. Oversight

4

1. The Executive, Legislative and Judicial branches of state government in each Compact State shall enforce this Compact and take all actions necessary and appropriate to effectuate the Compact's purposes and intent. The provisions of this Compact and the rules promulgated hereunder shall have standing as statutory law.

11

2. All courts shall take judicial notice of the Compact and the rules in any judicial or administrative proceeding in a Compact State pertaining to the subject matter of this Compact which may affect the powers, responsibilities or actions of the Commission.

16

3. The Commission shall be entitled to receive service of process in any such proceeding, and shall have standing to intervene in such a proceeding for all purposes. Failure to provide service of process to the Commission shall render a judgment or order void



1 as to the Commission, this Compact or promulgated
2 rules.

3 B. Default, Technical Assistance, and Termination

4 1. If the Commission determines that a Compact State has
5 defaulted in the performance of its obligations or
6 responsibilities under this Compact or the promulgated
7 rules, the Commission shall:

8 a. Provide written notice to the defaulting state
9 and other Compact States of the nature of the
10 default, the proposed means of remedying the
11 default and/or any other action to be taken by
12 the Commission; and

13 b. Provide remedial training and specific technical
14 assistance regarding the default.

15 2. If a state in default fails to remedy the default, the
16 defaulting state may be terminated from the Compact
17 upon an affirmative vote of a majority of the Compact
18 States, and all rights, privileges and benefits
19 conferred by this Compact shall be terminated on the
20 effective date of termination. A remedy of the
21 default does not relieve the offending state of



1 obligations or liabilities incurred during the period
2 of default.

3 3. Termination of membership in the Compact shall be
4 imposed only after all other means of securing
5 compliance have been exhausted. Notice of intent to
6 suspend or terminate shall be submitted by the
7 Commission to the Governor, the majority and minority
8 leaders of the defaulting state's legislature, and
9 each of the Compact States.

10 4. A Compact State which has been terminated is
11 responsible for all assessments, obligations and
12 liabilities incurred through the effective date of
13 termination, including obligations which extend beyond
14 the effective date of termination.

15 5. The Commission shall not bear any costs incurred by
16 the state which is found to be in default or which has
17 been terminated from the Compact, unless agreed upon
18 in writing between the Commission and the defaulting
19 state.

20 6. The defaulting state may appeal the action of the
21 Commission by petitioning the U.S. District Court for



1 the state of Georgia or the federal district where the
2 Compact has its principal offices. The prevailing
3 member shall be awarded all costs of such litigation,
4 including reasonable attorney's fees.

5 C. Dispute Resolution

- 6 1. Upon request by a Compact State, the Commission shall
7 attempt to resolve disputes related to the Compact
8 which arise among Compact States and between Compact
9 and Non-Compact States.

10 2. The Commission shall promulgate a rule providing for
11 both mediation and binding dispute resolution for
12 disputes that arise before the Commission.

13 D. Enforcement

14. The Commission, in the reasonable exercise of its
15. discretion, shall enforce the provisions and Rules of
16. this Compact.

17. 2. By majority vote, the Commission may initiate legal
18. action in the United States District Court for the
19. State of Georgia or the federal district where the
20. Compact has its principal offices against a Compact
21. State in default to enforce compliance with the



1 provisions of the Compact and its promulgated Rules
2 and Bylaws. The relief sought may include both
3 injunctive relief and damages. In the event judicial
4 enforcement is necessary, the prevailing member shall
5 be awarded all costs of such litigation, including
6 reasonable attorney's fees.

7 3. The remedies herein shall not be the exclusive
8 remedies of the Commission. The Commission may pursue
9 any other remedies available under federal or state
10 law.

11 **ARTICLE XIII**

12 **DATE OF IMPLEMENTATION OF THE PSYCHOLOGY INTERJURISDICTIONAL** 13 **COMPACT COMMISSION AND ASSOCIATED RULES, WITHDRAWAL, AND** 14 **AMENDMENTS**

15 A. The Compact shall come into effect on the date on which
16 the Compact is enacted into law in the seventh Compact State.
17 The provisions which become effective at that time shall be
18 limited to the powers granted to the Commission relating to
19 assembly and the promulgation of rules. Thereafter, the
20 Commission shall meet and exercise rulemaking powers necessary
21 to the implementation and administration of the Compact.



1 B. Any state which joins the Compact subsequent to the
2 Commission's initial adoption of the rules shall be subject to
3 the rules as they exist on the date on which the Compact becomes
4 law in that state. Any rule which has been previously adopted
5 by the Commission shall have the full force and effect of law on
6 the day the Compact becomes law in that state.

7 C. Any Compact State may withdraw from this Compact by
8 enacting a statute repealing the same.

9 1. A Compact State's withdrawal shall not take effect
10 until six (6) months after enactment of the repealing
11 statute.

12 2. Withdrawal shall not affect the continuing requirement
13 of the withdrawing State's Psychology Regulatory
14 Authority to comply with the investigative and adverse
15 action reporting requirements of this act prior to the
16 effective date of withdrawal.

17 D. Nothing contained in this Compact shall be construed to
18 invalidate or prevent any psychology licensure agreement or
19 other cooperative arrangement between a Compact State and a Non-
20 Compact State which does not conflict with the provisions of
21 this Compact.



1 E. This Compact may be amended by the Compact States. No
2 amendment to this Compact shall become effective and binding
3 upon any Compact State until it is enacted into the law of all
4 Compact States.

ARTICLE XIV

CONSTRUCTION AND SEVERABILITY

7 This Compact shall be liberally construed so as to effectuate
8 the purposes thereof. If this Compact shall be held contrary to
9 the constitution of any state member thereto, the Compact shall
10 remain in full force and effect as to the remaining Compact
11 States.

12 **§ -3. Rules.** The department of commerce and consumer
13 affairs shall adopt rules pursuant to chapter 91 for the
14 purposes of implementing and administering this chapter."

15 SECTION 3. This Act shall take effect on January 1, 2027.

INTRODUCED BY:

JAN 20 2026



H.B. NO. 1704

Report Title:

DCCA; Psychology Interjurisdictional Compact (PSYPACT); Adoption; Rules

Description:

Adopts the Psychology Interjurisdictional Compact to regulate the practice of telepsychology and temporary in-person, face-to-face practice of psychology by psychologists across state boundaries in the performance of their psychological practice. Requires the Department of Commerce and Consumer Affairs to adopt rules to implement and administer the Compact. Effective 1/1/2027.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

