

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 583 Session of
2025

INTRODUCED BY PENNYCUICK, FONTANA, SAVAL, ARGALL, VOGEL,
PISCIOTTANO, COLEMAN, KIM, ROTHMAN, SCHWANK, COMITTA AND
MILLER, APRIL 9, 2025

REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,
APRIL 9, 2025

AN ACT

1 Authorizing the Commonwealth of Pennsylvania to join the Social
2 Work Licensure Compact; and providing for the form of the
3 compact.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Social Work
8 Licensure Compact Act.

9 Section 2. Authority to execute compact.

10 The Governor, on behalf of the Commonwealth, is hereby
11 authorized to execute a compact in substantially the following
12 form with any one or more of the states of the United States,
13 and the General Assembly hereby signifies in advance its
14 approval and ratification of the compact:

15 SOCIAL WORK LICENSURE COMPACT

16 SECTION 1. PURPOSE

17 The purpose of this Compact is to facilitate interstate

1 practice of Regulated Social Workers by improving public access
2 to competent Social Work Services. The Compact preserves the
3 regulatory authority of States to protect public health and
4 safety through the current system of State licensure.

5 This Compact is designed to achieve the following objectives:

6 A. Increase public access to Social Work Services;

7 B. Reduce overly burdensome and duplicative requirements
8 associated with holding multiple licenses;

9 C. Enhance the Member States' ability to protect the
10 public's health and safety;

11 D. Encourage the cooperation of Member States in
12 regulating multistate practice;

13 E. Promote mobility and address workforce shortages by
14 eliminating the necessity for licenses in multiple States by
15 providing for the mutual recognition of other Member State
16 licenses;

17 F. Support military families;

18 G. Facilitate the exchange of licensure and disciplinary
19 information among Member States;

20 H. Authorize all Member States to hold a Regulated
21 Social Worker accountable for abiding by a Member State's
22 laws, regulations, and applicable professional standards in
23 the Member State in which the client is located at the time
24 care is rendered; and

25 I. Allow for the use of telehealth to facilitate
26 increased access to regulated Social Work Services.

27 SECTION 2. DEFINITIONS

28 As used in this Compact, and except as otherwise provided,
29 the following definitions shall apply:

30 A. "Active Military Member" means any individual with full-

1 time duty status in the active armed forces of the United States
2 including members of the National Guard and Reserve.

3 B. "Adverse Action" means any administrative, civil,
4 equitable or criminal action permitted by a State's laws which
5 is imposed by a Licensing Authority or other authority against a
6 Regulated Social Worker, including actions against an
7 individual's license or Multistate Authorization to Practice
8 such as revocation, suspension, probation, monitoring of the
9 Licensee, limitation on the Licensee's practice, or any other
10 Encumbrance on licensure affecting a Regulated Social Worker's
11 authorization to practice, including issuance of a cease and
12 desist action.

13 C. "Alternative Program" means a non-disciplinary monitoring
14 or practice remediation process approved by a Licensing
15 Authority to address practitioners with an Impairment.

16 D. "Charter Member States" - Member States who have enacted
17 legislation to adopt this Compact where such legislation
18 predates the effective date of this Compact as described in
19 Section 14.

20 E. "Compact Commission" or "Commission" means the government
21 agency whose membership consists of all States that have enacted
22 this Compact, which is known as the Social Work Licensure
23 Compact Commission, as described in Section 10, and which shall
24 operate as an instrumentality of the Member States.

25 F. "Current Significant Investigative Information" means:

26 1. Investigative information that a Licensing Authority,
27 after a preliminary inquiry that includes notification and an
28 opportunity for the Regulated Social Worker to respond has
29 reason to believe is not groundless and, if proved true,
30 would indicate more than a minor infraction as may be defined

by the Commission; or

2. Investigative information that indicates that the Regulated Social Worker represents an immediate threat to public health and safety, as may be defined by the Commission, regardless of whether the Regulated Social Worker has been notified and has had an opportunity to respond.

G. "Data System" means a repository of information about Licensees, including, continuing education, examination, licensure, Current Significant Investigative Information, Disqualifying Event, Multistate License(s) and Adverse Action information or other information as required by the Commission.

H. "Disqualifying Event" means any Adverse Action or incident which results in an Encumbrance that disqualifies or makes the Licensee ineligible to either obtain, retain or renew a Multistate License.

I. "Domicile" means the jurisdiction in which the Licensee resides and intends to remain indefinitely.

J. "Encumbrance" means a revocation or suspension of, or any limitation on, the full and unrestricted practice of Social Work licensed and regulated by a Licensing Authority.

K. "Executive Committee" means a group of delegates elected or appointed to act on behalf of, and within the powers granted to them by, the compact and Commission.

L. "Home State" means the Member State that is the Licensee's primary Domicile.

M. "Impairment" means a condition(s) that may impair a practitioner's ability to engage in full and unrestricted practice as a Regulated Social Worker without some type of intervention and may include alcohol and drug dependence, mental health impairment, and neurological or physical impairments.

1 N. "Licensee(s)" means an individual who currently holds a
2 license from a State to practice as a Regulated Social Worker.

3 O. "Licensing Authority" means the board or agency of a
4 Member State, or equivalent, that is responsible for the
5 licensing and regulation of Regulated Social Workers.

6 P. "Member State" means a state, commonwealth, district, or
7 territory of the United States of America that has enacted this
8 Compact.

9 Q. "Multistate Authorization to Practice" means a legally
10 authorized privilege to practice, which is equivalent to a
11 license, associated with a Multistate License permitting the
12 practice of Social Work in a Remote State.

13 R. "Multistate License" means a license to practice as a
14 Regulated Social Worker issued by a Home State Licensing
15 Authority that authorizes the Regulated Social Worker to
16 practice in all Member States under Multistate Authorization to
17 Practice.

18 S. "Qualifying National Exam" means a national licensing
19 examination approved by the Commission.

20 T. "Regulated Social Worker" means any clinical, master's or
21 bachelor's Social Worker licensed by a Member State regardless
22 of the title used by that Member State.

23 U. "Remote State" means a Member State other than the
24 Licensee's Home State.

25 V. "Rule(s)" or "Rule(s) of the Commission" means a
26 regulation or regulations duly promulgated by the Commission, as
27 authorized by the Compact, that has the force of law.

28 W. "Single State License" means a Social Work license issued
29 by any State that authorizes practice only within the issuing
30 State and does not include Multistate Authorization to Practice

1 in any Member State.

2 X. "Social Work" or "Social Work Services" means the
3 application of social work theory, knowledge, methods, ethics,
4 and the professional use of self to restore or enhance social,
5 psychosocial, or biopsychosocial functioning of individuals,
6 couples, families, groups, organizations, and communities
7 through the care and services provided by a Regulated Social
8 Worker as set forth in the Member State's statutes and
9 regulations in the State where the services are being provided.

10 Y. "State" means any state, commonwealth, district, or
11 territory of the United States of America that regulates the
12 practice of Social Work.

13 Z. "Unencumbered License" means a license that authorizes a
14 Regulated Social Worker to engage in the full and unrestricted
15 practice of Social Work.

16 SECTION 3. STATE PARTICIPATION IN THE COMPACT

17 A. To be eligible to participate in the compact, a potential
18 Member State must currently meet all of the following criteria:

19 1. License and regulate the practice of Social Work at
20 either the clinical, master's, or bachelor's category.

21 2. Require applicants for licensure to graduate from a
22 program that is:

23 a. Operated by a college or university recognized by
24 the Licensing Authority;

25 b. Accredited, or in candidacy by an institution
26 that subsequently becomes accredited, by an accrediting
27 agency recognized by either:

28 i. the Council for Higher Education

29 Accreditation, or its successor; or

30 ii. the United States Department of Education;

1 and

2 c. Corresponds to the licensure sought as outlined
3 in Section 4.

4 3. Require applicants for clinical licensure to complete
5 a period of supervised practice.

6 4. Have a mechanism in place for receiving,
7 investigating, and adjudicating complaints about Licensees.

8 B. To maintain membership in the Compact a Member State
9 shall:

10 1. Require that applicants for a Multistate License pass
11 a Qualifying National Exam for the corresponding category of
12 Multistate License sought as outlined in Section 4.

13 2. Participate fully in the Commission's Data System,
14 including using the Commission's unique identifier as defined
15 in Rules.

16 3. Notify the Commission, in compliance with the terms
17 of the Compact and Rules, of any Adverse Action or the
18 availability of Current Significant Investigative Information
19 regarding a Licensee.

20 4. Implement procedures for considering the criminal
21 history records of applicants for a Multistate License. Such
22 procedures shall include the submission of fingerprints or
23 other biometric-based information by applicants for the
24 purpose of obtaining an applicant's criminal history record
25 information from the Federal Bureau of Investigation and the
26 agency responsible for retaining that State's criminal
27 records.

28 5. Comply with the Rules of the Commission.

29 6. Require an applicant to obtain or retain a license in
30 the Home State and meet the Home State's qualifications for

1 licensure or renewal of licensure, as well as all other
2 applicable Home State laws.

3 7. Authorize a Licensee holding a Multistate License in
4 any Member State to practice in accordance with the terms of
5 the Compact and Rules of the Commission.

6 8. Designate a delegate to participate in the Commission
7 meetings.

8 C. A Member State meeting the requirements of Section 3.A.
9 and 3.B of this Compact shall designate the categories of Social
10 Work licensure that are eligible for issuance of a Multistate
11 License for applicants in such Member State. To the extent that
12 any Member State does not meet the requirements for
13 participation in the Compact at any particular category of
14 Social Work licensure, such Member State may choose, but is not
15 obligated to, issue a Multistate License to applicants that
16 otherwise meet the requirements of Section 4 for issuance of a
17 Multistate License in such category or categories of licensure.

18 D. The Home State may charge a fee for granting the
19 Multistate License.

20 SECTION 4. SOCIAL WORKER PARTICIPATION IN THE COMPACT

21 A. To be eligible for a Multistate License under the terms
22 and provisions of the Compact, an applicant, regardless of
23 category must:

24 1. Hold or be eligible for an active, Unencumbered
25 License in the Home State.

26 2. Pay any applicable fees, including any State fee, for
27 the Multistate License.

28 3. Submit, in connection with an application for a
29 Multistate License, fingerprints or other biometric data for
30 the purpose of obtaining criminal history record information

1 from the Federal Bureau of Investigation and the agency
2 responsible for retaining that State's criminal records.

3 4. Notify the Home State of any Adverse Action,
4 Encumbrance, or restriction on any professional license taken
5 by any Member State or non-Member State within 30 days from
6 the date the action is taken.

7 5. Meet any continuing competence requirements
8 established by the Home State.

9 6. Abide by the laws, regulations, and applicable
10 standards in the Member State where the client is located at
11 the time care is rendered.

12 B. An applicant for a clinical-category Multistate License
13 must meet all of the following requirements:

14 1. Fulfill a competency requirement, which shall be
15 satisfied by either:

16 a. Passage of a clinical-category Qualifying
17 National Exam; or

18 b. Licensure of the applicant in their Home State at
19 the clinical category, beginning prior to such time as a
20 Qualifying National Exam was required by the Home State
21 and accompanied by a period of continuous Social Work
22 licensure thereafter, all of which may be further
23 governed by the Rules of the Commission; or

24 c. The substantial equivalency of the foregoing
25 competency requirements which the Commission may
26 determine by Rule.

27 2. Attain at least a master's degree in Social Work from
28 a program that is:

29 a. Operated by a college or university recognized by
30 the Licensing Authority; and

1 b. Accredited, or in candidacy that subsequently
2 becomes accredited, by an accrediting agency recognized
3 by either:

4 i. the Council for Higher Education
5 Accreditation or its successor; or

6 ii. the United States Department of Education.

7 3. Fulfill a practice requirement, which shall be
8 satisfied by demonstrating completion of either:

9 a. A period of postgraduate supervised clinical
10 practice equal to a minimum of three thousand hours; or

11 b. A minimum of two years of full-time postgraduate
12 supervised clinical practice; or

13 c. The substantial equivalency of the foregoing
14 practice requirements which the Commission may determine
15 by Rule.

16 C. An applicant for a master's-category Multistate License
17 must meet all of the following requirements:

18 1. Fulfill a competency requirement, which shall be
19 satisfied by either:

20 a. Passage of a masters-category Qualifying National
21 Exam;

22 b. Licensure of the applicant in their Home State at
23 the master's category, beginning prior to such time as a
24 Qualifying National Exam was required by the Home State
25 at the master's category and accompanied by a continuous
26 period of Social Work licensure thereafter, all of which
27 may be further governed by the Rules of the Commission;
28 or

29 c. The substantial equivalency of the foregoing
30 competency requirements which the Commission may

determine by Rule.

2. Attain at least a master's degree in Social Work from a program that is:

a. Operated by a college or university recognized by the Licensing Authority; and

b. Accredited, or in candidacy that subsequently becomes accredited, by an accrediting agency recognized by either:

i. the Council for Higher Education Accreditation or its successor; or

ii. the United States Department of Education.

D. An applicant for a bachelor's-category Multistate License must meet all of the following requirements:

1. Fulfill a competency requirement, which shall be satisfied by either:

a. Passage of a bachelor's-category Qualifying National Exam;

b. Licensure of the applicant in their Home State at the bachelor's category, beginning prior to such time as a Qualifying National Exam was required by the Home State and accompanied by a period of continuous Social Work licensure thereafter, all of which may be further governed by the Rules of the Commission; or

c. The substantial equivalency of the foregoing competency requirements which the Commission may determine by Rule.

2. Attain at least a bachelor's degree in Social Work from a program that is:

a. Operated by a college or university recognized by the Licensing Authority; and

1 b. Accredited, or in candidacy that subsequently
2 becomes accredited, by an accrediting agency recognized
3 by either:

4 i. the Council for Higher Education
5 Accreditation or its successor; or

6 ii. the United States Department of Education.

7 E. The Multistate License for a Regulated Social Worker is
8 subject to the renewal requirements of the Home State. The
9 Regulated Social Worker must maintain compliance with the
10 requirements of Section 4(A) to be eligible to renew a
11 Multistate License.

12 F. The Regulated Social Worker's services in a Remote State
13 are subject to that Member State's regulatory authority. A
14 Remote State may, in accordance with due process and that Member
15 State's laws, remove a Regulated Social Worker's Multistate
16 Authorization to Practice in the Remote State for a specific
17 period of time, impose fines, and take any other necessary
18 actions to protect the health and safety of its citizens.

19 G. If a Multistate License is encumbered, the Regulated
20 Social Worker's Multistate Authorization to Practice shall be
21 deactivated in all Remote States until the Multistate License is
22 no longer encumbered.

23 H. If a Multistate Authorization to Practice is encumbered
24 in a Remote State, the regulated Social Worker's Multistate
25 Authorization to Practice may be deactivated in that State until
26 the Multistate Authorization to Practice is no longer
27 encumbered.

28 SECTION 5. ISSUANCE OF A MULTISTATE LICENSE

29 A. Upon receipt of an application for Multistate License,
30 the Home State Licensing Authority shall determine the

1 applicant's eligibility for a Multistate License in accordance
2 with Section 4 of this Compact.

3 B. If such applicant is eligible pursuant to Section 4 of
4 this Compact, the Home State Licensing Authority shall issue a
5 Multistate License that authorizes the applicant or Regulated
6 Social Worker to practice in all Member States under a
7 Multistate Authorization to Practice.

8 C. Upon issuance of a Multistate License, the Home State
9 Licensing Authority shall designate whether the Regulated Social
10 Worker holds a Multistate License in the Bachelors, Masters, or
11 Clinical category of Social Work.

12 D. A Multistate License issued by a Home State to a resident
13 in that State shall be recognized by all Compact Member States
14 as authorizing Social Work Practice under a Multistate
15 Authorization to Practice corresponding to each category of
16 licensure regulated in each Member State.

17 SECTION 6. AUTHORITY OF INTERSTATE COMPACT COMMISSION AND
18 MEMBER STATE LICENSING AUTHORITIES

19 A. Nothing in this Compact, nor any Rule of the Commission,
20 shall be construed to limit, restrict, or in any way reduce the
21 ability of a Member State to enact and enforce laws,
22 regulations, or other rules related to the practice of Social
23 Work in that State, where those laws, regulations, or other
24 rules are not inconsistent with the provisions of this Compact.

25 B. Nothing in this Compact shall affect the requirements
26 established by a Member State for the issuance of a Single State
27 License.

28 C. Nothing in this Compact, nor any Rule of the Commission,
29 shall be construed to limit, restrict, or in any way reduce the
30 ability of a Member State to take Adverse Action against a

1 Licensee's Single State License to practice Social Work in that
2 State.

3 D. Nothing in this Compact, nor any Rule of the Commission,
4 shall be construed to limit, restrict, or in any way reduce the
5 ability of a Remote State to take Adverse Action against a
6 Licensee's Multistate Authorization to Practice in that State.

7 E. Nothing in this Compact, nor any Rule of the Commission,
8 shall be construed to limit, restrict, or in any way reduce the
9 ability of a Licensee's Home State to take Adverse Action
10 against a Licensee's Multistate License based upon information
11 provided by a Remote State.

12 SECTION 7. REISSUANCE OF A MULTISTATE LICENSE BY A NEW HOME
13 STATE

14 A. A Licensee can hold a Multistate License, issued by their
15 Home State, in only one Member State at any given time.

16 B. If a Licensee changes their Home State by moving between
17 two Member States:

18 1. The Licensee shall immediately apply for the
19 reissuance of their Multistate License in their new Home
20 State. The Licensee shall pay all applicable fees and notify
21 the prior Home State in accordance with the Rules of the
22 Commission.

23 2. Upon receipt of an application to reissue a
24 Multistate License, the new Home State shall verify that the
25 Multistate License is active, unencumbered and eligible for
26 reissuance under the terms of the Compact and the Rules of
27 the Commission. The Multistate License issued by the prior
28 Home State will be deactivated and all Member States notified
29 in accordance with the applicable Rules adopted by the
30 Commission.

1 3. Prior to the reissuance of the Multistate License,
2 the new Home State shall conduct procedures for considering
3 the criminal history records of the Licensee. Such procedures
4 shall include the submission of fingerprints or other
5 biometric-based information by applicants for the purpose of
6 obtaining an applicant's criminal history record information
7 from the Federal Bureau of Investigation and the agency
8 responsible for retaining that State's criminal records.

9 4. If required for initial licensure, the new Home State
10 may require completion of jurisprudence requirements in the
11 new Home State.

12 5. Notwithstanding any other provision of this Compact,
13 if a Licensee does not meet the requirements set forth in
14 this Compact for the reissuance of a Multistate License by
15 the new Home State, then the Licensee shall be subject to the
16 new Home State requirements for the issuance of a Single
17 State License in that State.

18 C. If a Licensee changes their primary State of residence by
19 moving from a Member State to a non-Member State, or from a non-
20 Member State to a Member State, then the Licensee shall be
21 subject to the State requirements for the issuance of a Single
22 State License in the new Home State.

23 D. Nothing in this Compact shall interfere with a Licensee's
24 ability to hold a Single State License in multiple States;
25 however, for the purposes of this Compact, a Licensee shall have
26 only one Home State, and only one Multistate License.

27 E. Nothing in this Compact shall interfere with the
28 requirements established by a Member State for the issuance of a
29 Single State License.

30 SECTION 8. MILITARY FAMILIES

1 An Active Military Member or their spouse shall designate a
2 Home State where the individual has a Multistate License. The
3 individual may retain their Home State designation during the
4 period the service member is on active duty.

5 SECTION 9. ADVERSE ACTIONS

6 A. In addition to the other powers conferred by State law, a
7 Remote State shall have the authority, in accordance with
8 existing State due process law, to:

9 1. Take Adverse Action against a Regulated Social
10 Worker's Multistate Authorization to Practice only within
11 that Member State, and issue subpoenas for both hearings and
12 investigations that require the attendance and testimony of
13 witnesses as well as the production of evidence. Subpoenas
14 issued by a Licensing Authority in a Member State for the
15 attendance and testimony of witnesses or the production of
16 evidence from another Member State shall be enforced in the
17 latter State by any court of competent jurisdiction,
18 according to the practice and procedure of that court
19 applicable to subpoenas issued in proceedings pending before
20 it. The issuing Licensing Authority shall pay any witness
21 fees, travel expenses, mileage, and other fees required by
22 the service statutes of the State in which the witnesses or
23 evidence are located.

24 2. Only the Home State shall have the power to take
25 Adverse Action against a Regulated Social Worker's Multistate
26 License.

27 B. For purposes of taking Adverse Action, the Home State
28 shall give the same priority and effect to reported conduct
29 received from a Member State as it would if the conduct had
30 occurred within the Home State. In so doing, the Home State

1 shall apply its own State laws to determine appropriate action.

2 C. The Home State shall complete any pending investigations
3 of a Regulated Social Worker who changes their Home State during
4 the course of the investigations. The Home State shall also have
5 the authority to take appropriate action(s) and shall promptly
6 report the conclusions of the investigations to the
7 administrator of the Data System. The administrator of the Data
8 System shall promptly notify the new Home State of any Adverse
9 Actions.

10 D. A Member State, if otherwise permitted by State law, may
11 recover from the affected Regulated Social Worker the costs of
12 investigations and dispositions of cases resulting from any
13 Adverse Action taken against that Regulated Social Worker.

14 E. A Member State may take Adverse Action based on the
15 factual findings of another Member State, provided that the
16 Member State follows its own procedures for taking the Adverse
17 Action.

18 F. Joint Investigations:

19 1. In addition to the authority granted to a Member
20 State by its respective Social Work practice act or other
21 applicable State law, any Member State may participate with
22 other Member States in joint investigations of Licensees.

23 2. Member States shall share any investigative,
24 litigation, or compliance materials in furtherance of any
25 joint or individual investigation initiated under the
26 Compact.

27 G. If Adverse Action is taken by the Home State against the
28 Multistate License of a Regulated Social Worker, the Regulated
29 Social Worker's Multistate Authorization to Practice in all
30 other Member States shall be deactivated until all Encumbrances

1 have been removed from the Multistate License. All Home State
2 disciplinary orders that impose Adverse Action against the
3 license of a Regulated Social Worker shall include a statement
4 that the Regulated Social Worker's Multistate Authorization to
5 Practice is deactivated in all Member States until all
6 conditions of the decision, order or agreement are satisfied.

7 H. If a Member State takes Adverse Action, it shall promptly
8 notify the administrator of the Data System. The administrator
9 of the Data System shall promptly notify the Home State and all
10 other Member State's of any Adverse Actions by Remote States.

11 I. Nothing in this Compact shall override a Member State's
12 decision that participation in an Alternative Program may be
13 used in lieu of Adverse Action.

14 J. Nothing in this Compact shall authorize a Member State to
15 demand the issuance of subpoenas for attendance and testimony of
16 witnesses or the production of evidence from another Member
17 State for lawful actions within that Member State.

18 K. Nothing in this Compact shall authorize a Member State to
19 impose discipline against a Regulated Social Worker who holds a
20 Multistate Authorization to Practice for lawful actions within
21 another Member State.

22 SECTION 10. ESTABLISHMENT OF SOCIAL WORK LICENSURE COMPACT

23 COMMISSION

24 A. The Compact Member States hereby create and establish a
25 joint government agency whose membership consists of all Member
26 States that have enacted the compact known as the Social Work
27 Licensure Compact Commission. The Commission is an
28 instrumentality of the Compact States acting jointly and not an
29 instrumentality of any one State. The Commission shall come into
30 existence on or after the effective date of the Compact as set

1 forth in Section 14.

2 B. Membership, Voting, and Meetings

3 1. Each Member State shall have and be limited to one
4 (1) delegate selected by that Member State's Licensing
5 Authority.

6 2. The delegate shall be either:

7 a. A current member of the Licensing Authority at
8 the time of appointment, who is a Regulated Social Worker
9 or public member of the State Licensing Authority; or

10 b. An administrator of the Licensing Authority or
11 their designee.

12 3. The Commission shall by Rule or bylaw establish a
13 term of office for delegates and may by Rule or bylaw
14 establish term limits.

15 4. The Commission may recommend removal or suspension of
16 any delegate from office.

17 5. A Member State's Licensing Authority shall fill any
18 vacancy of its delegate occurring on the Commission within 60
19 days of the vacancy.

20 6. Each delegate shall be entitled to one vote on all
21 matters before the Commission requiring a vote by Commission
22 delegates.

23 7. A delegate shall vote in person or by such other
24 means as provided in the bylaws. The bylaws may provide for
25 delegates to meet by telecommunication, video conference, or
26 other means of communication.

27 8. The Commission shall meet at least once during each
28 calendar year. Additional meetings may be held as set forth
29 in the bylaws. The Commission may meet by telecommunication,
30 video conference or other similar electronic means.

1 C. The Commission shall have the following powers:

2 1. Establish the fiscal year of the Commission;

3 2. Establish code of conduct and conflict of interest
4 policies;

5 3. Establish and amend Rules and bylaws;

6 4. Maintain its financial records in accordance with the
7 bylaws;

8 5. Meet and take such actions as are consistent with the
9 provisions of this Compact, the Commission's Rules, and the
10 bylaws;

11 6. Initiate and conclude legal proceedings or actions in
12 the name of the Commission, provided that the standing of any
13 Licensing Authority to sue or be sued under applicable law
14 shall not be affected;

15 7. Maintain and certify records and information provided
16 to a Member State as the authenticated business records of
17 the Commission, and designate an agent to do so on the
18 Commission's behalf;

19 8. Purchase and maintain insurance and bonds;

20 9. Borrow, accept, or contract for services of
21 personnel, including, but not limited to, employees of a
22 Member State;

23 10. Conduct an annual financial review;

24 11. Hire employees, elect or appoint officers, fix
25 compensation, define duties, grant such individuals
26 appropriate authority to carry out the purposes of the
27 Compact, and establish the Commission's personnel policies
28 and programs relating to conflicts of interest,
29 qualifications of personnel, and other related personnel
30 matters;

1 12. Assess and collect fees;

2 13. Accept any and all appropriate gifts, donations,
3 grants of money, other sources of revenue, equipment,
4 supplies, materials, and services, and receive, utilize, and
5 dispose of the same; provided that at all times the
6 Commission shall avoid any appearance of impropriety or
7 conflict of interest;

8 14. Lease, purchase, retain, own, hold, improve, or use
9 any property, real, personal, or mixed, or any undivided
10 interest therein;

11 15. Sell, convey, mortgage, pledge, lease, exchange,
12 abandon, or otherwise dispose of any property real, personal,
13 or mixed;

14 16. Establish a budget and make expenditures;

15 17. Borrow money;

16 18. Appoint committees, including standing committees,
17 composed of members, State regulators, State legislators or
18 their representatives, and consumer representatives, and such
19 other interested persons as may be designated in this Compact
20 and the bylaws;

21 19. Provide and receive information from, and cooperate
22 with, law enforcement agencies;

23 20. Establish and elect an Executive Committee,
24 including a chair and a vice chair;

25 21. Determine whether a State's adopted language is
26 materially different from the model compact language such
27 that the State would not qualify for participation in the
28 Compact; and

29 22. Perform such other functions as may be necessary or
30 appropriate to achieve the purposes of this Compact.

1 D. The Executive Committee

2 1. The Executive Committee shall have the power to act
3 on behalf of the Commission according to the terms of this
4 Compact. The powers, duties, and responsibilities of the
5 Executive Committee shall include:

6 a. Oversee the day-to-day activities of the
7 administration of the compact including enforcement and
8 compliance with the provisions of the compact, its Rules
9 and bylaws, and other such duties as deemed necessary;

10 b. Recommend to the Commission changes to the Rules
11 or bylaws, changes to this Compact legislation, fees
12 charged to Compact Member States, fees charged to
13 Licensees, and other fees;

14 c. Ensure Compact administration services are
15 appropriately provided, including by contract;

16 d. Prepare and recommend the budget;

17 e. Maintain financial records on behalf of the
18 Commission;

19 f. Monitor Compact compliance of Member States and
20 provide compliance reports to the Commission;

21 g. Establish additional committees as necessary;

22 h. Exercise the powers and duties of the Commission
23 during the interim between Commission meetings, except
24 for adopting or amending Rules, adopting or amending
25 bylaws, and exercising any other powers and duties
26 expressly reserved to the Commission by Rule or bylaw;
27 and

28 i. Other duties as provided in the Rules or bylaws
29 of the Commission.

30 2. The Executive Committee shall be composed of up to

eleven (11) members:

a. The chair and vice chair of the Commission shall be voting members of the Executive Committee; and

b. The Commission shall elect five voting members from the current membership of the Commission.

c. Up to four (4) ex officio, nonvoting members from four (4) recognized national Social Work organizations.

d. The ex officio members will be selected by their respective organizations.

3. The Commission may remove any member of the Executive Committee as provided in the Commission's bylaws.

4. The Executive Committee shall meet at least annually.

a. Executive Committee meetings shall be open to the public, except that the Executive Committee may meet in a closed, non-public meeting as provided in subsection F.2 below.

b. The Executive Committee shall give seven (7) days' notice of its meetings, posted on its website and as determined to provide notice to persons with an interest in the business of the Commission.

c. The Executive Committee may hold a special meeting in accordance with subsection F.1.b. below.

E. The Commission shall adopt and provide to the Member States an annual report.

F. Meetings of the Commission

1. All meetings shall be open to the public, except that the Commission may meet in a closed, non-public meeting as provided in subsection F.2 below.

a. Public notice for all meetings of the full Commission of meetings shall be given in the same manner

1 as required under the Rulemaking provisions in Section
2 12, except that the Commission may hold a special meeting
3 as provided in subsection F.1.b below.

4 b. The Commission may hold a special meeting when it
5 must meet to conduct emergency business by giving 48
6 hours' notice to all commissioners, on the Commission's
7 website, and other means as provided in the Commission's
8 Rules. The Commission's legal counsel shall certify that
9 the Commission's need to meet qualifies as an emergency.

10 2. The Commission or the Executive Committee or other
11 committees of the Commission may convene in a closed, non-
12 public meeting for the Commission or Executive Committee or
13 other committees of the Commission to receive legal advice or
14 to discuss:

15 a. Non-compliance of a Member State with its
16 obligations under the Compact;

17 b. The employment, compensation, discipline or other
18 matters, practices or procedures related to specific
19 employees;

20 c. Current or threatened discipline of a Licensee by
21 the Commission or by a Member State's Licensing
22 Authority;

23 d. Current, threatened, or reasonably anticipated
24 litigation;

25 e. Negotiation of contracts for the purchase, lease,
26 or sale of goods, services, or real estate;

27 f. Accusing any person of a crime or formally
28 censuring any person;

29 g. Trade secrets or commercial or financial
30 information that is privileged or confidential;

1 h. Information of a personal nature where disclosure
2 would constitute a clearly unwarranted invasion of
3 personal privacy;

4 i. Investigative records compiled for law
5 enforcement purposes;

6 j. Information related to any investigative reports
7 prepared by or on behalf of or for use of the Commission
8 or other committee charged with responsibility of
9 investigation or determination of compliance issues
10 pursuant to the Compact;

11 k. Matters specifically exempted from disclosure by
12 federal or Member State law; or

13 l. Other matters as promulgated by the Commission by
14 Rule.

15 3. If a meeting, or portion of a meeting, is closed, the
16 presiding officer shall state that the meeting will be closed
17 and reference each relevant exempting provision, and such
18 reference shall be recorded in the minutes.

19 4. The Commission shall keep minutes that fully and
20 clearly describe all matters discussed in a meeting and shall
21 provide a full and accurate summary of actions taken, and the
22 reasons therefore, including a description of the views
23 expressed. All documents considered in connection with an
24 action shall be identified in such minutes. All minutes and
25 documents of a closed meeting shall remain under seal,
26 subject to release only by a majority vote of the Commission
27 or order of a court of competent jurisdiction.

28 G. Financing of the Commission

29 1. The Commission shall pay, or provide for the payment
30 of, the reasonable expenses of its establishment,

1 organization, and ongoing activities.

2 2. The Commission may accept any and all appropriate
3 revenue sources as provided in subsection C(13).

4 3. The Commission may levy on and collect an annual
5 assessment from each Member State and impose fees on
6 Licensees of Member States to whom it grants a Multistate
7 License to cover the cost of the operations and activities of
8 the Commission and its staff, which must be in a total amount
9 sufficient to cover its annual budget as approved each year
10 for which revenue is not provided by other sources. The
11 aggregate annual assessment amount for Member States shall be
12 allocated based upon a formula that the Commission shall
13 promulgate by Rule.

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

19 5. The Commission shall keep accurate accounts of all
20 receipts and disbursements. The receipts and disbursements of
21 the Commission shall be subject to the financial review and
22 accounting procedures established under its bylaws. However,
23 all receipts and disbursements of funds handled by the
24 Commission shall be subject to an annual financial review by
25 a certified or licensed public accountant, and the report of
26 the financial review shall be included in and become part of
27 the annual report of the Commission.

28 H. Qualified Immunity, Defense, and Indemnification

29 1. The members, officers, executive director, employees
30 and representatives of the Commission shall be immune from

1 suit and liability, both personally and in their official
2 capacity, for any claim for damage to or loss of property or
3 personal injury or other civil liability caused by or arising
4 out of any actual or alleged act, error, or omission that
5 occurred, or that the person against whom the claim is made
6 had a reasonable basis for believing occurred within the
7 scope of Commission employment, duties or responsibilities;
8 provided that nothing in this paragraph shall be construed to
9 protect any such person from suit or liability for any
10 damage, loss, injury, or liability caused by the intentional
11 or willful or wanton misconduct of that person. The
12 procurement of insurance of any type by the Commission shall
13 not in any way compromise or limit the immunity granted
14 hereunder.

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

29 3. The Commission shall indemnify and hold harmless any
30 member, officer, executive director, employee, and

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

11 4. Nothing herein shall be construed as a limitation on
12 the liability of any Licensee for professional malpractice or
13 misconduct, which shall be governed solely by any other
14 applicable State laws.

15 5. Nothing in this Compact shall be interpreted to waive
16 or otherwise abrogate a Member State's state action immunity
17 or state action affirmative defense with respect to antitrust
18 claims under the Sherman Act, Clayton Act, or any other State
19 or federal antitrust or anticompetitive law or regulation.

20 6. Nothing in this Compact shall be construed to be a
21 waiver of sovereign immunity by the Member States or by the
22 Commission.

23 SECTION 11. DATA SYSTEM

24 A. The Commission shall provide for the development,
25 maintenance, operation, and utilization of a coordinated Data
26 System.

27 B. The Commission shall assign each applicant for a
28 Multistate License a unique identifier, as determined by the
29 Rules of the Commission.

30 C. Notwithstanding any other provision of State law to the

1 contrary, a Member State shall submit a uniform data set to the
2 Data System on all individuals to whom this Compact is
3 applicable as required by the Rules of the Commission,
4 including:

5 1. Identifying information;

6 2. Licensure data;

7 3. Adverse Actions against a license and information
8 related thereto;

9 4. Non-confidential information related to Alternative
10 Program participation, the beginning and ending dates of such
11 participation, and other information related to such
12 participation not made confidential under Member State law;

13 5. Any denial of application for licensure, and the
14 reason(s) for such denial;

15 6. The presence of Current Significant Investigative
16 Information; and

17 7. Other information that may facilitate the
18 administration of this Compact or the protection of the
19 public, as determined by the Rules of the Commission.

20 D. The records and information provided to a Member State
21 pursuant to this Compact or through the Data System, when
22 certified by the Commission or an agent thereof, shall
23 constitute the authenticated business records of the Commission,
24 and shall be entitled to any associated hearsay exception in any
25 relevant judicial, quasi-judicial or administrative proceedings
26 in a Member State.

27 E. Current Significant Investigative Information pertaining
28 to a Licensee in any Member State will only be available to
29 other Member States.

30 1. It is the responsibility of the Member States to

1 report any Adverse Action against a Licensee and to monitor
2 the database to determine whether Adverse Action has been
3 taken against a Licensee. Adverse Action information
4 pertaining to a Licensee in any Member State will be
5 available to any other Member State.

6 F. Member States contributing information to the Data System
7 may designate information that may not be shared with the public
8 without the express permission of the contributing State.

9 G. Any information submitted to the Data System that is
10 subsequently expunged pursuant to federal law or the laws of the
11 Member State contributing the information shall be removed from
12 the Data System.

13 SECTION 12. RULEMAKING

14 A. The Commission shall promulgate reasonable Rules in order
15 to effectively and efficiently implement and administer the
16 purposes and provisions of the Compact. A Rule shall be invalid
17 and have no force or effect only if a court of competent
18 jurisdiction holds that the Rule is invalid because the
19 Commission exercised its rulemaking authority in a manner that
20 is beyond the scope and purposes of the Compact, or the powers
21 granted hereunder, or based upon another applicable standard of
22 review.

23 B. The Rules of the Commission shall have the force of law
24 in each Member State, provided however that where the Rules of
25 the Commission conflict with the laws of the Member State that
26 establish the Member State's laws, regulations, and applicable
27 standards that govern the practice of Social Work as held by a
28 court of competent jurisdiction, the Rules of the Commission
29 shall be ineffective in that State to the extent of the
30 conflict.

1 C. The Commission shall exercise its Rulemaking powers
2 pursuant to the criteria set forth in this Section and the Rules
3 adopted thereunder. Rules shall become binding on the day
4 following adoption or the date specified in the rule or
5 amendment, whichever is later.

6 D. If a majority of the legislatures of the Member States
7 rejects a Rule or portion of a Rule, by enactment of a statute
8 or resolution in the same manner used to adopt the Compact
9 within four (4) years of the date of adoption of the Rule, then
10 such Rule shall have no further force and effect in any Member
11 State.

12 E. Rules shall be adopted at a regular or special meeting of
13 the Commission.

14 F. Prior to adoption of a proposed Rule, the Commission
15 shall hold a public hearing and allow persons to provide oral
16 and written comments, data, facts, opinions, and arguments.

17 G. Prior to adoption of a proposed Rule by the Commission,
18 and at least thirty (30) days in advance of the meeting at which
19 the Commission will hold a public hearing on the proposed Rule,
20 the Commission shall provide a Notice of Proposed Rulemaking:

21 1. On the website of the Commission or other publicly
22 accessible platform;

23 2. To persons who have requested notice of the
24 Commission's notices of proposed rulemaking; and

25 3. In such other way(s) as the Commission may by Rule
26 specify.

27 H. The Notice of Proposed Rulemaking shall include:

28 1. The time, date, and location of the public hearing at
29 which the Commission will hear public comments on the
30 proposed Rule and, if different, the time, date, and location

1 of the meeting where the Commission will consider and vote on
2 the proposed Rule;

3 2. If the hearing is held via telecommunication, video
4 conference, or other electronic means, the Commission shall
5 include the mechanism for access to the hearing in the Notice
6 of Proposed Rulemaking;

7 3. The text of the proposed Rule and the reason
8 therefor;

9 4. A request for comments on the proposed Rule from any
10 interested person; and

11 5. The manner in which interested persons may submit
12 written comments.

13 I. All hearings will be recorded. A copy of the recording
14 and all written comments and documents received by the
15 Commission in response to the proposed Rule shall be available
16 to the public.

17 J. Nothing in this section shall be construed as requiring a
18 separate hearing on each Rule. Rules may be grouped for the
19 convenience of the Commission at hearings required by this
20 section.

21 K. The Commission shall, by majority vote of all members,
22 take final action on the proposed Rule based on the Rulemaking
23 record and the full text of the Rule.

24 1. The Commission may adopt changes to the proposed Rule
25 provided the changes do not enlarge the original purpose of
26 the proposed Rule.

27 2. The Commission shall provide an explanation of the
28 reasons for substantive changes made to the proposed Rule as
29 well as reasons for substantive changes not made that were
30 recommended by commenters.

1 3. The Commission shall determine a reasonable effective
2 date for the Rule. Except for an emergency as provided in
3 Section 12.L, the effective date of the rule shall be no
4 sooner than 30 days after issuing the notice that it adopted
5 or amended the Rule.

6 L. Upon determination that an emergency exists, the
7 Commission may consider and adopt an emergency Rule with 48
8 hours' notice, with opportunity to comment, provided that the
9 usual Rulemaking procedures provided in the Compact and in this
10 section shall be retroactively applied to the Rule as soon as
11 reasonably possible, in no event later than ninety (90) days
12 after the effective date of the Rule. For the purposes of this
13 provision, an emergency Rule is one that must be adopted
14 immediately in order to:

15 1. Meet an imminent threat to public health, safety, or
16 welfare;

17 2. Prevent a loss of Commission or Member State funds;

18 3. Meet a deadline for the promulgation of a Rule that
19 is established by federal law or rule; or

20 4. Protect public health and safety.

21 M. The Commission or an authorized committee of the
22 Commission may direct revisions to a previously adopted Rule for
23 purposes of correcting typographical errors, errors in format,
24 errors in consistency, or grammatical errors. Public notice of
25 any revisions shall be posted on the website of the Commission.
26 The revision shall be subject to challenge by any person for a
27 period of thirty (30) days after posting. The revision may be
28 challenged only on grounds that the revision results in a
29 material change to a Rule. A challenge shall be made in writing
30 and delivered to the Commission prior to the end of the notice

1 period. If no challenge is made, the revision will take effect
2 without further action. If the revision is challenged, the
3 revision may not take effect without the approval of the
4 Commission.

5 N. No Member State's rulemaking requirements shall apply
6 under this compact.

7 SECTION 13. OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT

8 A. Oversight

9 1. The executive and judicial branches of State
10 government in each Member State shall enforce this Compact
11 and take all actions necessary and appropriate to implement
12 the Compact.

13 2. Except as otherwise provided in this Compact, venue
14 is proper and judicial proceedings by or against the
15 Commission shall be brought solely and exclusively in a court
16 of competent jurisdiction where the principal office of the
17 Commission is located. The Commission may waive venue and
18 jurisdictional defenses to the extent it adopts or consents
19 to participate in alternative dispute resolution proceedings.
20 Nothing herein shall affect or limit the selection or
21 propriety of venue in any action against a Licensee for
22 professional malpractice, misconduct or any such similar
23 matter.

24 3. The Commission shall be entitled to receive service
25 of process in any proceeding regarding the enforcement or
26 interpretation of the Compact and shall have standing to
27 intervene in such a proceeding for all purposes. Failure to
28 provide the Commission service of process shall render a
29 judgment or order void as to the Commission, this Compact, or
30 promulgated Rules.

1 B. Default, Technical Assistance, and Termination

2 1. If the Commission determines that a Member State has
3 defaulted in the performance of its obligations or
4 responsibilities under this Compact or the promulgated Rules,
5 the Commission shall provide written notice to the defaulting
6 State. The notice of default shall describe the default, the
7 proposed means of curing the default, and any other action
8 that the Commission may take, and shall offer training and
9 specific technical assistance regarding the default.

10 2. The Commission shall provide a copy of the notice of
11 default to the other Member States.

12 C. If a State in default fails to cure the default, the
13 defaulting State may be terminated from the Compact upon an
14 affirmative vote of a majority of the delegates of the Member
15 States, and all rights, privileges and benefits conferred on
16 that State by this Compact may be terminated on the effective
17 date of termination. A cure of the default does not relieve the
18 offending State of obligations or liabilities incurred during
19 the period of default.

20 D. Termination of membership in the Compact shall be imposed
21 only after all other means of securing compliance have been
22 exhausted. Notice of intent to suspend or terminate shall be
23 given by the Commission to the governor, the majority and
24 minority leaders of the defaulting State's legislature, the
25 defaulting State's State Licensing Authority and each of the
26 Member States' Licensing Authority.

27 E. A State that has been terminated is responsible for all
28 assessments, obligations, and liabilities incurred through the
29 effective date of termination, including obligations that extend
30 beyond the effective date of termination.

1 F. Upon the termination of a State's membership from this
2 Compact, that State shall immediately provide notice to all
3 Licensees within that State of such termination. The terminated
4 State shall continue to recognize all licenses granted pursuant
5 to this Compact for a minimum of six (6) months after the date
6 of said notice of termination.

7 G. The Commission shall not bear any costs related to a
8 State that is found to be in default or that has been terminated
9 from the Compact, unless agreed upon in writing between the
10 Commission and the defaulting State.

11 H. The defaulting State may appeal the action of the
12 Commission by petitioning the U.S. District Court for the
13 District of Columbia or the federal district where the
14 Commission has its principal offices. The prevailing party shall
15 be awarded all costs of such litigation, including reasonable
16 attorney's fees.

17 I. Dispute Resolution

18 1. Upon request by a Member State, the Commission shall
19 attempt to resolve disputes related to the Compact that arise
20 among Member States and between Member and non-Member States.

21 2. The Commission shall promulgate a Rule providing for
22 both mediation and binding dispute resolution for disputes as
23 appropriate.

24 J. Enforcement

25 1. By majority vote as provided by Rule, the Commission
26 may initiate legal action against a Member State in default
27 in the United States District Court for the District of
28 Columbia or the federal district where the Commission has its
29 principal offices to enforce compliance with the provisions
30 of the Compact and its promulgated Rules. The relief sought

1 may include both injunctive relief and damages. In the event
2 judicial enforcement is necessary, the prevailing party shall
3 be awarded all costs of such litigation, including reasonable
4 attorney's fees. The remedies herein shall not be the
5 exclusive remedies of the Commission. The Commission may
6 pursue any other remedies available under federal or the
7 defaulting Member State's law.

8 2. A Member State may initiate legal action against the
9 Commission in the U.S. District Court for the District of
10 Columbia or the federal district where the Commission has its
11 principal offices to enforce compliance with the provisions
12 of the Compact and its promulgated Rules. The relief sought
13 may include both injunctive relief and damages. In the event
14 judicial enforcement is necessary, the prevailing party shall
15 be awarded all costs of such litigation, including reasonable
16 attorney's fees.

17 3. No person other than a Member State shall enforce
18 this compact against the Commission.

19 SECTION 14. EFFECTIVE DATE, WITHDRAWAL, AND AMENDMENT

20 A. The Compact shall come into effect on the date on which
21 the Compact statute is enacted into law in the seventh Member
22 State.

23 1. On or after the effective date of the Compact, the
24 Commission shall convene and review the enactment of each of
25 the first seven Member States ("Charter Member States") to
26 determine if the statute enacted by each such Charter Member
27 State is materially different than the model Compact statute.

28 a. A Charter Member State whose enactment is found
29 to be materially different from the model Compact statute
30 shall be entitled to the default process set forth in

1 Section 13.

2 b. If any Member State is later found to be in
3 default, or is terminated or withdraws from the Compact,
4 the Commission shall remain in existence and the Compact
5 shall remain in effect even if the number of Member
6 States should be less than seven.

7 2. Member States enacting the Compact subsequent to the
8 seven initial Charter Member States shall be subject to the
9 process set forth in Section 10(C)(21) to determine if their
10 enactments are materially different from the model Compact
11 statute and whether they qualify for participation in the
12 Compact.

13 3. All actions taken for the benefit of the Commission
14 or in furtherance of the purposes of the administration of
15 the Compact prior to the effective date of the Compact or the
16 Commission coming into existence shall be considered to be
17 actions of the Commission unless specifically repudiated by
18 the Commission.

19 4. Any State that joins the Compact subsequent to the
20 Commission's initial adoption of the Rules and bylaws shall
21 be subject to the Rules and bylaws as they exist on the date
22 on which the Compact becomes law in that State. Any Rule that
23 has been previously adopted by the Commission shall have the
24 full force and effect of law on the day the Compact becomes
25 law in that State.

26 B. Any Member State may withdraw from this Compact by
27 enacting a statute repealing the same.

28 1. A Member State's withdrawal shall not take effect
29 until 180 days after enactment of the repealing statute.

30 2. Withdrawal shall not affect the continuing

1 requirement of the withdrawing State's Licensing Authority to
2 comply with the investigative and Adverse Action reporting
3 requirements of this Compact prior to the effective date of
4 withdrawal.

5 3. Upon the enactment of a statute withdrawing from this
6 compact, a State shall immediately provide notice of such
7 withdrawal to all Licensees within that State.

8 Notwithstanding any subsequent statutory enactment to the
9 contrary, such withdrawing State shall continue to recognize
10 all licenses granted pursuant to this compact for a minimum
11 of 180 days after the date of such notice of withdrawal.

12 C. Nothing contained in this Compact shall be construed to
13 invalidate or prevent any licensure agreement or other
14 cooperative arrangement between a Member State and a non-Member
15 State that does not conflict with the provisions of this
16 Compact.

17 D. This Compact may be amended by the Member States. No
18 amendment to this Compact shall become effective and binding
19 upon any Member State until it is enacted into the laws of all
20 Member States.

21 SECTION 15. CONSTRUCTION AND SEVERABILITY

22 A. This Compact and the Commission's rulemaking authority
23 shall be liberally construed so as to effectuate the purposes,
24 and the implementation and administration of the Compact.
25 Provisions of the Compact expressly authorizing or requiring the
26 promulgation of Rules shall not be construed to limit the
27 Commission's rulemaking authority solely for those purposes.

28 B. The provisions of this Compact shall be severable and if
29 any phrase, clause, sentence or provision of this Compact is
30 held by a court of competent jurisdiction to be contrary to the

1 constitution of any Member State, a State seeking participation
2 in the Compact, or of the United States, or the applicability
3 thereof to any government, agency, person or circumstance is
4 held to be unconstitutional by a court of competent
5 jurisdiction, the validity of the remainder of this Compact and
6 the applicability thereof to any other government, agency,
7 person or circumstance shall not be affected thereby.

8 C. Notwithstanding subsection B of this section, the
9 Commission may deny a State's participation in the Compact or,
10 in accordance with the requirements of Section 13.B, terminate a
11 Member State's participation in the Compact, if it determines
12 that a constitutional requirement of a Member State is a
13 material departure from the Compact. Otherwise, if this Compact
14 shall be held to be contrary to the constitution of any Member
15 State, the Compact shall remain in full force and effect as to
16 the remaining Member States and in full force and effect as to
17 the Member State affected as to all severable matters.

18 SECTION 16. CONSISTENT EFFECT AND CONFLICT WITH OTHER STATE
19 LAWS

20 A. A Licensee providing services in a Remote State under a
21 Multistate Authorization to Practice shall adhere to the laws
22 and regulations, including laws, regulations, and applicable
23 standards, of the Remote State where the client is located at
24 the time care is rendered.

25 B. Nothing herein shall prevent or inhibit the enforcement
26 of any other law of a Member State that is not inconsistent with
27 the Compact.

28 C. Any laws, statutes, regulations, or other legal
29 requirements in a Member State in conflict with the Compact are
30 superseded to the extent of the conflict.

D. All permissible agreements between the Commission and the Member States are binding in accordance with their terms.

Section 3. When and how compact becomes operative.

(a) General rule.--When the Governor executes the Interstate Compact on behalf of this State and files a verified copy with the Secretary of the Commonwealth and when the compact is ratified by one or more other states, then the compact shall become operative and effective between this State and the other state or states. The Governor is authorized and directed to take action as may be necessary to complete the exchange of official documents between this State and any other state ratifying the compact.

(b) Notice in Pennsylvania Bulletin.--The Secretary of the Commonwealth shall transmit notice to the Legislative Reference Bureau for publication in the next available issue of the Pennsylvania Bulletin, when the conditions specified in subsection (a) are satisfied, and shall include in the notice the date on which the compact became effective and operative between this State and any other state or states in accordance with this act.

Section 4. Compensation and expenses of compact administrator.

The compact administrator who represents this State, as provided for in the Interstate Compact, shall not be entitled to any additional compensation for the compact administrator's duties and responsibilities as compact administrator but shall be entitled to reimbursement for reasonable expenses actually incurred in connection with the compact administrator's duties and responsibilities as compact administrator in the same manner as for expenses incurred in connection with other duties and responsibilities of the compact administrator's office or

1 employment.

2 Section 5. Effective date.

3 This act shall take effect in 60 days.