

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 554 Session of
2025

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SAMUELSON, INGLIS, MADSEN, SALISBURY, RIVERA AND BOYD,
FEBRUARY 11, 2025

SENATOR STEFANO, CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,
IN SENATE, AS AMENDED, FEBRUARY 4, 2026

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

1 SECTION 1. PURPOSE

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

7 This Compact is designed to achieve the following objectives:

8 A. Increase public access to Social Work Services;

9 B. Reduce overly burdensome and duplicative requirements
10 associated with holding multiple licenses;

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

13 D. Encourage the cooperation of Member States in
14 regulating multistate practice;

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

19 F. Support military families;

20 G. Facilitate the exchange of licensure and disciplinary
21 information among Member States;

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

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

29 SECTION 2. DEFINITIONS

30 As used in this Compact, and except as otherwise provided,

1 the following definitions shall apply:

2 A. "Active Military Member" means any individual with full-
3 time duty status in the active armed forces of the United States
4 including members of the National Guard and Reserve.

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

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

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

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

27 F. "Current Significant Investigative Information" means:

28 1. Investigative information that a Licensing Authority,
29 after a preliminary inquiry that includes notification and an
30 opportunity for the Regulated Social Worker to respond has

1 reason to believe is not groundless and, if proved true,
2 would indicate more than a minor infraction as may be defined
3 by the Commission; or

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

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

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

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

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

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

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

28 M. "Impairment" means a condition(s) that may impair a
29 practitioner's ability to engage in full and unrestricted
30 practice as a Regulated Social Worker without some type of

1 intervention and may include alcohol and drug dependence, mental
2 health impairment, and neurological or physical impairments.

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

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

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

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

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

20 S. "Qualifying National Exam" means a national licensing
21 examination approved by the Commission.

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

25 U. "Remote State" means a Member State other than the
26 Licensee's Home State.

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

30 W. "Single State License" means a Social Work license issued

1 by any State that authorizes practice only within the issuing
2 State and does not include Multistate Authorization to Practice
3 in any Member State.

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

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

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

18 SECTION 3. STATE PARTICIPATION IN THE COMPACT

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

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

23 2. Require applicants for licensure to graduate from a
24 program that is:

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

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

30 i. the Council for Higher Education

1 Accreditation, or its successor; or

2 ii. the United States Department of Education;

3 and

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

6 3. Require applicants for clinical licensure to complete
7 a period of supervised practice.

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

10 B. To maintain membership in the Compact a Member State
11 shall:

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

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

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

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

30 5. Comply with the Rules of the Commission.

1 6. Require an applicant to obtain or retain a license in
2 the Home State and meet the Home State's qualifications for
3 licensure or renewal of licensure, as well as all other
4 applicable Home State laws.

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

8 8. Designate a delegate to participate in the Commission
9 meetings.

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

20 D. The Home State may charge a fee for granting the
21 Multistate License.

22 SECTION 4. SOCIAL WORKER PARTICIPATION IN THE COMPACT

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

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

28 2. Pay any applicable fees, including any State fee, for
29 the Multistate License.

30 3. Submit, in connection with an application for a

1 Multistate License, fingerprints or other biometric data for
2 the purpose of obtaining criminal history record information
3 from the Federal Bureau of Investigation and the agency
4 responsible for retaining that State's criminal records.

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

9 5. Meet any continuing competence requirements
10 established by the Home State.

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

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

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

18 a. Passage of a clinical-category Qualifying
19 National Exam; or

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

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

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

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

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

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

8 ii. the United States Department of Education.

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

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

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

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

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

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

22 a. Passage of a masters-category Qualifying National
23 Exam;

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

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

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

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

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

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

13 ii. the United States Department of Education.

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

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

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

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

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

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

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

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

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

8 ii. the United States Department of Education.

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

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

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

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

30 SECTION 5. ISSUANCE OF A MULTISTATE LICENSE

1 A. Upon receipt of an application for Multistate License,
2 the Home State Licensing Authority shall determine the
3 applicant's eligibility for a Multistate License in accordance
4 with Section 4 of this Compact.

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

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

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

19 SECTION 6. AUTHORITY OF INTERSTATE COMPACT COMMISSION AND
20 MEMBER STATE LICENSING AUTHORITIES

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

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

30 C. Nothing in this Compact, nor any Rule of the Commission,

1 shall be construed to limit, restrict, or in any way reduce the
2 ability of a Member State to take Adverse Action against a
3 Licensee's Single State License to practice Social Work in that
4 State.

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

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

14 SECTION 7. REISSUANCE OF A MULTISTATE LICENSE BY A NEW HOME
15 STATE

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

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

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

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

1 in accordance with the applicable Rules adopted by the
2 Commission.

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

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

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

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

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

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

1 Single State License.

2 SECTION 8. MILITARY FAMILIES

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

7 SECTION 9. ADVERSE ACTIONS

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

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

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

29 B. For purposes of taking Adverse Action, the Home State
30 shall give the same priority and effect to reported conduct

received from a Member State as it would if the conduct had occurred within the Home State. In so doing, the Home State shall apply its own State laws to determine appropriate action.

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

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

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

F. Joint Investigations:

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

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

G. If Adverse Action is taken by the Home State against the Multistate License of a Regulated Social Worker, the Regulated

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

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

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

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

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

24 SECTION 10. ESTABLISHMENT OF SOCIAL WORK LICENSURE COMPACT

25 COMMISSION

26 A. The Compact Member States hereby create and establish a
27 joint government agency whose membership consists of all Member
28 States that have enacted the compact known as the Social Work
29 Licensure Compact Commission. The Commission is an
30 instrumentality of the Compact States acting jointly and not an

1 instrumentality of any one State. The Commission shall come into
2 existence on or after the effective date of the Compact as set
3 forth in Section 14.

4 B. Membership, Voting, and Meetings

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

8 2. The delegate shall be either:

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

12 b. An administrator of the Licensing Authority or
13 their designee.

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

17 4. The Commission may recommend removal or suspension of
18 any delegate from office.

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

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

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

29 8. The Commission shall meet at least once during each
30 calendar year. Additional meetings may be held as set forth

1 in the bylaws. The Commission may meet by telecommunication,
2 video conference or other similar electronic means.

3 C. The Commission shall have the following powers:

4 1. Establish the fiscal year of the Commission;

5 2. Establish code of conduct and conflict of interest
6 policies;

7 3. Establish and amend Rules and bylaws;

8 4. Maintain its financial records in accordance with the
9 bylaws;

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

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

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

21 8. Purchase and maintain insurance and bonds;

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

25 10. Conduct an annual financial review;

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

1 qualifications of personnel, and other related personnel
2 matters;

3 12. Assess and collect fees;

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

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

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

16 16. Establish a budget and make expenditures;

17 17. Borrow money;

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

23 19. Provide and receive information from, and cooperate
24 with, law enforcement agencies;

25 20. Establish and elect an Executive Committee,
26 including a chair and a vice chair;

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

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

3 D. The Executive Committee

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

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

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

16 c. Ensure Compact administration services are
17 appropriately provided, including by contract;

18 d. Prepare and recommend the budget;

19 e. Maintain financial records on behalf of the
20 Commission;

21 f. Monitor Compact compliance of Member States and
22 provide compliance reports to the Commission;

23 g. Establish additional committees as necessary;

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

30 i. Other duties as provided in the Rules or bylaws

1 of the Commission.

2 2. The Executive Committee shall be composed of up to
3 eleven (11) members:

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

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

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

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

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

14 4. The Executive Committee shall meet at least annually.

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

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

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

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

27 F. Meetings of the Commission

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

1 a. Public notice for all meetings of the full
2 Commission of meetings shall be given in the same manner
3 as required under the Rulemaking provisions in Section
4 12, except that the Commission may hold a special meeting
5 as provided in subsection F.1.b below.

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

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

17 a. Non-compliance of a Member State with its
18 obligations under the Compact;

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

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

25 d. Current, threatened, or reasonably anticipated
26 litigation;

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

29 f. Accusing any person of a crime or formally
30 censuring any person;

1 g. Trade secrets or commercial or financial
2 information that is privileged or confidential;

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

6 i. Investigative records compiled for law
7 enforcement purposes;

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

13 k. Matters specifically exempted from disclosure by
14 federal or Member State law; or

15 l. Other matters as promulgated by the Commission by
16 Rule.

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

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

30 G. Financing of the Commission

1 1. The Commission shall pay, or provide for the payment
2 of, the reasonable xpenses of its establishment,
3 organization, and ongoing activities.

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

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

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

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

30 H. Qualified Immunity, Defense, and Indemnification

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

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

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

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

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

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

25 SECTION 11. DATA SYSTEM

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

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

1 Rules of the Commission.

2 C. Notwithstanding any other provision of State law to the
3 contrary, a Member State shall submit a uniform data set to the
4 Data System on all individuals to whom this Compact is
5 applicable as required by the Rules of the Commission,
6 including:

7 1. Identifying information;

8 2. Licensure data;

9 3. Adverse Actions against a license and information
10 related thereto;

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

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

17 6. The presence of Current Significant Investigative
18 Information; and

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

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

29 E. Current Significant Investigative Information pertaining
30 to a Licensee in any Member State will only be available to

1 other Member States.

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

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

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

15 SECTION 12. RULEMAKING

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

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

1 shall be ineffective in that State to the extent of the
2 conflict.

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

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

14 E. Rules shall be adopted at a regular or special meeting of
15 the Commission.

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

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

23 1. On the website of the Commission or other publicly
24 accessible platform;

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

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

29 H. The Notice of Proposed Rulemaking shall include:

30 1. The time, date, and location of the public hearing at

1 which the Commission will hear public comments on the
2 proposed Rule and, if different, the time, date, and location
3 of the meeting where the Commission will consider and vote on
4 the proposed Rule;

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

9 3. The text of the proposed Rule and the reason
10 therefor;

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

13 5. The manner in which interested persons may submit
14 written comments.

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

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

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

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

29 2. The Commission shall provide an explanation of the
30 reasons for substantive changes made to the proposed Rule as

1 well as reasons for substantive changes not made that were
2 recommended by commenters.

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

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

17 1. Meet an imminent threat to public health, safety, or
18 welfare;

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

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

22 4. Protect public health and safety.

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

1 material change to a Rule. A challenge shall be made in writing
2 and delivered to the Commission prior to the end of the notice
3 period. If no challenge is made, the revision will take effect
4 without further action. If the revision is challenged, the
5 revision may not take effect without the approval of the
6 Commission.

7 N. No Member State's rulemaking requirements shall apply
8 under this compact.

9 SECTION 13. OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT

10 A. Oversight

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

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

26 3. The Commission shall be entitled to receive service
27 of process in any proceeding regarding the enforcement or
28 interpretation of the Compact and shall have standing to
29 intervene in such a proceeding for all purposes. Failure to
30 provide the Commission service of process shall render a

1 judgment or order void as to the Commission, this Compact, or
2 promulgated Rules.

3 B. Default, Technical Assistance, and Termination

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

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

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

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

29 E. A State that has been terminated is responsible for all
30 assessments, obligations, and liabilities incurred through the

1 effective date of termination, including obligations that extend
2 beyond the effective date of termination.

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

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

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

19 I. Dispute Resolution

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

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

26 J. Enforcement

27 1. By majority vote as provided by Rule, the Commission
28 may initiate legal action against a Member State in default
29 in the United States District Court for the District of
30 Columbia or the federal district where the Commission has its

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

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

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

21 SECTION 14. EFFECTIVE DATE, WITHDRAWAL, AND AMENDMENT

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

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

30 a. A Charter Member State whose enactment is found

1 to be materially different from the model Compact statute
2 shall be entitled to the default process set forth in
3 Section 13.

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

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

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

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

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

30 1. A Member State's withdrawal shall not take effect

1 until 180 days after enactment of the repealing statute.

2 2. Withdrawal shall not affect the continuing
3 requirement of the withdrawing State's Licensing Authority to
4 comply with the investigative and Adverse Action reporting
5 requirements of this Compact prior to the effective date of
6 withdrawal.

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

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

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

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

23 SECTION 15. CONSTRUCTION AND SEVERABILITY

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

30 B. The provisions of this Compact shall be severable and if

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

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

20 SECTION 16. CONSISTENT EFFECT AND CONFLICT WITH OTHER STATE
21 LAWS

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

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

30 C. Any laws, statutes, regulations, or other legal

1 requirements in a Member State in conflict with the Compact are
2 superseded to the extent of the conflict.

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

5 Section 3. When and how compact becomes operative.

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

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

23 (C) IMPLEMENTATION.--THE STATE BOARD OF SOCIAL WORKERS, <--
24 MARRIAGE AND FAMILY THERAPISTS AND PROFESSIONAL COUNSELORS SHALL
25 HAVE THE FOLLOWING DUTIES:

26 (1) PROMULGATE TEMPORARY REGULATIONS NECESSARY TO
27 IMPLEMENT THIS ACT UNDER 63 PA.C.S. § 3120 (RELATING TO
28 TEMPORARY RULEMAKING AUTHORITY) WITHIN ONE YEAR OF THE
29 EFFECTIVE DATE OF THIS PARAGRAPH.

30 (2) ACCEPT COMPACT PRIVILEGE APPLICATIONS AND ISSUE

1 COMPACT PRIVILEGES UNDER THIS ACT WITHIN ONE YEAR OF THE
2 EFFECTIVE DATE OF THIS PARAGRAPH.

3 Section 4. Compensation and expenses of compact administrator.

4 The compact administrator who represents this State, as
5 provided for in the Interstate Compact, shall not be entitled to
6 any additional compensation for the compact administrator's
7 duties and responsibilities as compact administrator but shall
8 be entitled to reimbursement for reasonable expenses actually
9 incurred in connection with the compact administrator's duties
10 and responsibilities as compact administrator in the same manner
11 as for expenses incurred in connection with other duties and
12 responsibilities of the compact administrator's office or
13 employment.

14 Section 5. Effective date.

15 This act shall take effect ~~in 18 months~~ IMMEDIATELY.

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