

Amendment No.1

COMMITTEE/SUBCOMMITTEE ACTION

|                       |               |       |
|-----------------------|---------------|-------|
| ADOPTED               | <u>    </u>   | (Y/N) |
| ADOPTED AS AMENDED    | <u>    </u>   | (Y/N) |
| ADOPTED W/O OBJECTION | <u>    </u>   | (Y/N) |
| FAILED TO ADOPT       | <u>    </u>   | (Y/N) |
| WITHDRAWN             | <u>    </u>   | (Y/N) |
| OTHER                 | <u>      </u> |       |

1 Committee/Subcommittee hearing bill: Health & Human Services  
 2 Committee

3 Representative Redondo offered the following:

4  
 5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 **Section 1.** This act may be cited as the "Big Beautiful  
 8 Healthcare Frontier Act."

9 **Section 2. Subsections (12) through (19) of section**  
 10 **395.1055, Florida Statutes, are renumbered as subsections (11)**  
 11 **through (18), respectively, and subsection (11) and paragraph**  
 12 **(a) of present subsection (14) of that section are amended to**  
 13 **read:**

14 395.1055 Rules and enforcement.-

15 ~~(11) The Secretary of Health Care Administration shall~~  
 16 ~~consult the pediatric cardiac technical advisory panel for an~~

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17 ~~advisory recommendation on any certificate of need applications~~  
18 ~~to establish pediatric cardiac surgical centers.~~

19 (13) (a) ~~(14) (a)~~ The Secretary of Health Care Administration  
20 may request announced or unannounced site visits to any existing  
21 pediatric cardiac surgical center or facility seeking licensure  
22 as a pediatric cardiac surgical center ~~through the certificate~~  
23 ~~of need process~~, to ensure compliance with this section and  
24 rules adopted hereunder.

25 **Section 3. Subsection (1) of section 401.411, Florida**  
26 **Statutes, is amended, and subsection (9) is added to that**  
27 **section, to read:**

28 401.411 Disciplinary action; penalties.—

29 (1) The department may deny, suspend, or revoke a license,  
30 certificate, or permit or may reprimand or fine any licensee,  
31 certificateholder, or other person operating under this part or  
32 s. 401.466, for any of the following grounds:

33 (a) The violation of any rule of the department or any  
34 provision of this part.

35 (b) Being found guilty of, or pleading nolo contendere to,  
36 regardless of adjudication in any jurisdiction, a crime that  
37 relates to practice as an emergency medical technician or  
38 paramedic, or to practice in any other occupation, when  
39 operating under this part.

40 (c) Addiction to alcohol or any controlled substance.

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41 (d) Engaging in or attempting to engage in the possession,  
42 except in legitimate duties under the supervision of a licensed  
43 physician, or the sale or distribution of any controlled  
44 substance as set forth in chapter 893.

45 (e) The conviction in any court in any state or in any  
46 federal court of a felony, unless the person's civil rights have  
47 been restored.

48 (f) Knowingly making false or fraudulent claims;  
49 procuring, attempting to procure, or renewing a certificate,  
50 license, or permit by fakery, fraudulent action, or  
51 misrepresentation.

52 (g) Unprofessional conduct, including, but not limited to,  
53 any departure from or failure to conform to the minimal  
54 prevailing standards of acceptable practice under this part,  
55 including undertaking activities that the emergency medical  
56 technician, paramedic, health care professional, or other  
57 professional is not qualified by training or experience to  
58 perform.

59 (h) Sexual misconduct with a patient, including inducing  
60 or attempting to induce the patient to engage, or engaging or  
61 attempting to engage the patient, in sexual activity.

62 (i) The failure to give to the department, or its  
63 authorized representative, true information upon request  
64 regarding an alleged or confirmed violation of this part or rule  
65 of the department.

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66 (j) Fraudulent or misleading advertising or advertising in  
67 an unauthorized category.

68 (k) Practicing as an emergency medical technician,  
69 paramedic, health care professional, or other professional  
70 operating under this part without reasonable skill and without  
71 regard for the safety of the public by reason of illness,  
72 drunkenness, or the use of drugs, narcotics, or chemicals or any  
73 other substance or as a result of any mental or physical  
74 condition.

75 (l) The failure to report to the department any person  
76 known to be in violation of this part. However, a professional  
77 known to be operating under this part without reasonable skill  
78 and without regard for the safety of the public by reason of  
79 illness, drunkenness, or the use of drugs, narcotics, chemicals,  
80 or any other type of material, or as a result of a mental or  
81 physical condition, may be reported to a consultant operating an  
82 impaired practitioner program as described in s. 456.076 rather  
83 than to the department.

84 (9) The department may take adverse action against an  
85 emergency medical technician's or paramedic's privilege to  
86 practice under the Emergency Medical Services Personnel  
87 Licensure Interstate Compact pursuant to s. 401.466 and may  
88 impose any of the penalties in s. 456.072(2) if the emergency  
89 medical technician or paramedic commits an act specified in  
90 subsection (1) or s. 456.072(1).



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115       The purpose of this compact is to protect the public  
116 through verification of competency and ensure accountability for  
117 patient care-related activities of all states' licensed  
118 emergency medical services (EMS) personnel, such as emergency  
119 medical technicians (EMTs), advanced EMTs, and paramedics. This  
120 compact is intended to facilitate the day-to-day movement of EMS  
121 personnel across state boundaries in the performance of their  
122 EMS duties as assigned by an appropriate authority and authorize  
123 state EMS offices to afford immediate legal recognition to EMS  
124 personnel licensed in a member state. This compact recognizes  
125 that states have a vested interest in protecting the public's  
126 health and safety through their licensing and regulation of EMS  
127 personnel and that such state regulation shared among the member  
128 states will best protect public health and safety. This compact  
129 is designed to achieve the following purposes and objectives:  
130       (1) Increase public access to EMS personnel.  
131       (2) Enhance the states' ability to protect the public's  
132 health and safety, especially patient safety.  
133       (3) Encourage the cooperation of member states in the  
134 areas of EMS personnel licensure and regulation.  
135       (4) Support licensing of military members who are  
136 separating from active-duty tours and their spouses.  
137       (5) Facilitate the exchange of information between member  
138 states regarding EMS personnel licensure, adverse action, and  
139 significant investigatory information.

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140 (6) Promote compliance with the laws governing EMS  
141 personnel practice in each member state.

142 (7) Invest all member states with the authority to hold  
143 EMS personnel accountable through the mutual recognition of  
144 member state licenses.

145  
146 ARTICLE II

147 DEFINITIONS

148  
149 As used in this compact, the term:

150 (1) "Advanced emergency medical technician" or "AEMT"  
151 means an individual licensed with cognitive knowledge and a  
152 scope of practice that corresponds to that level in the National  
153 EMS Education Standards and National EMS Scope of Practice  
154 Model.

155 (2) "Adverse action" means any administrative, civil,  
156 equitable, or criminal action permitted by a state's laws which  
157 may be imposed against licensed EMS personnel by a state EMS  
158 authority or state court, including, but not limited to, actions  
159 against an individual's license such as revocation, suspension,  
160 probation, consent agreement, monitoring, or other limitation or  
161 encumbrance on the individual's practice, letters of reprimand  
162 or admonition, fines, criminal convictions, and state court  
163 judgments enforcing adverse actions by the state EMS authority.

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164       (3) "Alternative program" means a voluntary,  
165 nondisciplinary substance abuse recovery program approved by a  
166 state EMS authority.

167       (4) "Certification" means the successful verification of  
168 entry-level cognitive and psychomotor competency using a  
169 reliable, validated, and legally defensible examination.

170       (5) "Commission" means the national administrative body of  
171 which all states that have enacted the compact are members.

172       (6) "Emergency medical technician" or "EMT" means an  
173 individual licensed with cognitive knowledge and a scope of  
174 practice that corresponds to that level in the National EMS  
175 Education Standards and National EMS Scope of Practice Model.

176       (7) "Home state" means a member state where an individual  
177 is licensed to practice emergency medical services.

178       (8) "License" means the authorization by a state for an  
179 individual to practice as an EMT, AEMT, paramedic, or a level in  
180 between EMT and paramedic.

181       (9) "Medical director" means a physician licensed in a  
182 member state who is accountable for the care delivered by EMS  
183 personnel.

184       (10) "Member state" means a state that has enacted this  
185 compact.

186       (11) "Paramedic" means an individual licensed with  
187 cognitive knowledge and a scope of practice that corresponds to

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188 that level in the National EMS Education Standards and National  
189 EMS Scope of Practice Model.

190 (12) "Privilege to practice" means an individual's  
191 authority to deliver emergency medical services in remote states  
192 as authorized under this compact.

193 (13) "Remote state" means a member state in which an  
194 individual is not licensed.

195 (14) "Restricted" means the outcome of an adverse action  
196 that limits a license or the privilege to practice.

197 (15) "Rule" means a written statement by the interstate  
198 Commission adopted pursuant to Article XII of this compact that  
199 is of general applicability; implements, interprets, or  
200 prescribes a policy or provision of the compact; or is an  
201 organizational, procedural, or practice requirement of the  
202 commission and has the force and effect of statutory law in a  
203 member state and includes the amendment, repeal, or suspension  
204 of an existing rule.

205 (16) "Scope of practice" means defined parameters of  
206 various duties or services that may be provided by an individual  
207 with specific credentials. Whether regulated by rule, statute,  
208 or court decision, it tends to represent the limits of services  
209 an individual may perform.

210 (17) "Significant investigatory information" means:

211 (a) Investigative information that a state EMS authority,  
212 after a preliminary inquiry that includes notification and an

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213 opportunity to respond if required by state law, has reason to  
214 believe, if proved true, would result in the imposition of an  
215 adverse action on a license or privilege to practice; or

216 (b) Investigative information that indicates that the  
217 individual represents an immediate threat to public health and  
218 safety regardless of whether the individual has been notified  
219 and had an opportunity to respond.

220 (18) "State" means any state, commonwealth, district, or  
221 territory of the United States.

222 (19) "State EMS authority" means the board, office, or  
223 other agency with the legislative mandate to license EMS  
224 personnel.

225  
226 ARTICLE III

227 HOME STATE LICENSURE

228  
229 (1) Any member state in which an individual holds a  
230 current license shall be deemed a home state for purposes of  
231 this compact.

232 (2) Any member state may require an individual to obtain  
233 and retain a license to be authorized to practice in the member  
234 state under circumstances not authorized by the privilege to  
235 practice under the terms of this compact.

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236 (3) A home state's license authorizes an individual to  
237 practice in a remote state under the privilege to practice only  
238 if the home state:

239 (a) Currently requires the use of the National Registry of  
240 Emergency Medical Technicians (NREMT) examination as a condition  
241 of issuing initial licenses at the EMT and paramedic levels.

242 (b) Has a mechanism in place for receiving and  
243 investigating complaints about individuals.

244 (c) Notifies the commission, in compliance with the terms  
245 herein, of any adverse action or significant investigatory  
246 information regarding an individual.

247 (d) No later than 5 years after activation of the compact,  
248 requires a criminal background check of all applicants for  
249 initial licensure, including the use of the results of  
250 fingerprint or other biometric data checks compliant with the  
251 requirements of the Federal Bureau of Investigation, with the  
252 exception of federal employees who have suitability  
253 determination in accordance with 5 C.F.R. s. 731.202 and submit  
254 documentation of such as adopted in the rules of the commission.

255 (e) Complies with the rules of the commission.

256  
257 ARTICLE IV

258 COMPACT PRIVILEGE TO PRACTICE

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260           (1) Member states shall recognize the privilege to  
261 practice of an individual licensed in another member state that  
262 is in conformance with Article III.

263           (2) To exercise the privilege to practice under the terms  
264 and provisions of this compact, an individual must:

265           (a) Be at least 18 years of age.

266           (b) Possess a current unrestricted license in a member  
267 state as an EMT, AEMT, paramedic, or state recognized and  
268 licensed level with a scope of practice and authority between  
269 EMT and paramedic.

270           (c) Practice under the supervision of a medical director.

271           (3) An individual providing patient care in a remote state  
272 under the privilege to practice shall function within the scope  
273 of practice authorized by the home state unless and until  
274 modified by an appropriate authority in the remote state as may  
275 be defined in the rules of the commission.

276           (4) Except as provided in subsection (3) of this Article,  
277 an individual practicing in a remote state will be subject to  
278 the remote state's authority and laws. A remote state may, in  
279 accordance with due process and that state's laws, restrict,  
280 suspend, or revoke an individual's privilege to practice in the  
281 remote state and may take any other necessary actions to protect  
282 the health and safety of its citizens. If a remote state takes  
283 action it shall promptly notify the home state and the  
284 commission.

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285 (5) If an individual's license in any home state is  
286 restricted or suspended, the individual is not eligible to  
287 practice in a remote state under the privilege to practice until  
288 the individual's home state license is restored.

289 (6) If an individual's privilege to practice in any remote  
290 state is restricted, suspended, or revoked, the individual is  
291 not eligible to practice in any remote state until the  
292 individual's privilege to practice is restored.

293  
294 ARTICLE V

295 CONDITIONS OF PRACTICE IN A REMOTE STATE

296  
297 An individual may practice in a remote state under a  
298 privilege to practice only in the performance of the  
299 individual's EMS duties as assigned by an appropriate authority,  
300 as defined in the rules of the commission, and under the  
301 following circumstances:

302 (1) The individual originates a patient transport in a  
303 home state and transports the patient to a remote state;

304 (2) The individual originates in the home state and enters  
305 a remote state to pick up a patient and provide care and  
306 transport of the patient to the home state;

307 (3) The individual enters a remote state to provide  
308 patient care or transport within that remote state;

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309 (4) The individual enters a remote state to pick up a  
310 patient and provide care and transport to a third member state;  
311 or

312 (5) Other conditions as determined by rules adopted by the  
313 commission.

314  
315 ARTICLE VI

316 RELATIONSHIP TO EMERGENCY MANAGEMENT ASSISTANCE COMPACT

317  
318 Upon a member state's Governor's declaration of a state of  
319 emergency or disaster that activates the Emergency Management  
320 Assistance Compact (EMAC), all relevant terms and provisions of  
321 EMAC shall apply and to the extent any terms or provisions of  
322 this compact conflicts with EMAC, the terms of EMAC shall  
323 prevail with respect to any individual practicing in the remote  
324 state in response to such declaration.

325  
326 ARTICLE VII

327 VETERANS, SERVICE MEMBERS SEPARATING FROM ACTIVE-DUTY MILITARY,  
328 AND THEIR SPOUSES

329  
330 (1) Member states shall consider a veteran, an active  
331 military service member, and a member of the National Guard and  
332 Reserves separating from an active-duty tour, and a spouse  
333 thereof, who holds a current valid and unrestricted NREMT

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334 certification at or above the level of the state license being  
335 sought as satisfying the minimum training and examination  
336 requirements for such licensure.

337 (2) Member states shall expedite the processing of  
338 licensure applications submitted by veterans, active military  
339 service members, and members of the National Guard and Reserves  
340 separating from an active-duty tour, and spouses thereof.

341 (3) All individuals functioning with a privilege to  
342 practice under this article remain subject to the adverse  
343 actions provisions of Article VIII.

344  
345 ARTICLE VIII

346 ADVERSE ACTIONS

347  
348 (1) A home state shall have exclusive power to impose  
349 adverse action against an individual's license issued by the  
350 home state.

351 (2) If an individual's license in any home state is  
352 restricted or suspended, the individual is not eligible to  
353 practice in a remote state under the privilege to practice until  
354 the individual's home state license is restored.

355 (a) All home state adverse action orders shall include a  
356 statement that the individual's compact privileges are inactive.  
357 The order may allow the individual to practice in remote states

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358 with prior written authorization from both the home state and  
359 remote state's EMS authority.

360 (b) An individual currently subject to adverse action in  
361 the home state may not practice in any remote state without  
362 prior written authorization from both the home state and remote  
363 state's EMS authority.

364 (3) A member state shall report adverse actions and any  
365 occurrences that the individual's compact privileges are  
366 restricted, suspended, or revoked to the commission in  
367 accordance with the rules of the commission.

368 (4) A remote state may take adverse action on an  
369 individual's privilege to practice within that state.

370 (5) Any member state may take adverse action against an  
371 individual's privilege to practice in that state based on the  
372 factual findings of another member state, so long as each state  
373 follows its own procedures for imposing such adverse action.

374 (6) A home state's EMS authority shall investigate and  
375 take appropriate action with respect to reported conduct in a  
376 remote state as it would if such conduct had occurred within the  
377 home state. In such cases, the home state's law shall control in  
378 determining the appropriate adverse action.

379 (7) Nothing in this compact shall override a member  
380 state's decision that participation in an alternative program  
381 may be used in lieu of adverse action and that such  
382 participation shall remain nonpublic if required by the member

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383 state's laws. Member states must require individuals who enter  
384 any alternative programs to agree not to practice in any other  
385 member state during the term of the alternative program without  
386 prior authorization from such other member state.

387  
388 ARTICLE IX

389 ADDITIONAL POWERS INVESTED IN A MEMBER STATE'S EMS AUTHORITY  
390

391 A member state's EMS authority, in addition to any other  
392 powers granted under state law, is authorized under this compact  
393 to:

394 (1) Issue subpoenas for both hearings and investigations  
395 that require the attendance and testimony of witnesses and the  
396 production of evidence. Subpoenas issued by a member state's EMS  
397 authority for the attendance and testimony of witnesses, or the  
398 production of evidence from another member state, shall be  
399 enforced in the remote state by any court of competent  
400 jurisdiction, according to that court's practice and procedure  
401 in considering subpoenas issued in its own proceedings. The  
402 issuing state EMS authority shall pay any witness fees, travel  
403 expenses, mileage, and other fees required by the service  
404 statutes of the state where the witnesses or evidence are  
405 located.

406 (2) Issue cease and desist orders to restrict, suspend, or  
407 revoke an individual's privilege to practice in the state.

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409 ARTICLE X

410 ESTABLISHMENT OF THE INTERSTATE COMMISSION FOR EMS PERSONNEL

411 PRACTICE

412  
413 (1) (a) The compact states create and establish a joint  
414 public agency known as the Interstate Commission for EMS  
415 Personnel Practice.

416 (b) The commission is a body politic and an  
417 instrumentality of the compact states.

418 (c) Venue is proper and judicial proceedings by or against  
419 the commission shall be brought solely and exclusively in a  
420 court of competent jurisdiction where the principal office of  
421 the commission is located. The commission may waive venue and  
422 jurisdictional defenses to the extent it adopts or consents to  
423 participate in alternative dispute resolution proceedings.

424 (d) Nothing in this compact shall be construed to be a  
425 waiver of sovereign immunity.

426 (2) (a) Each member state shall have and be limited to one  
427 delegate. The responsible official of the state EMS authority or  
428 his or her designee shall be the delegate to this compact for  
429 each member state. Any delegate may be removed or suspended from  
430 office as provided by the law of the state from which the  
431 delegate is appointed. Any vacancy occurring in the commission  
432 shall be filled in accordance with the laws of the member state

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433 in which the vacancy exists. In the event that more than one  
434 board, office, or other agency with the legislative mandate to  
435 license EMS personnel at and above the level of EMT exists, the  
436 Governor of the state will determine which entity will be  
437 responsible for assigning the delegate.

438 (b) Each delegate shall be entitled to one vote with  
439 regard to the adoption of rules and creation of bylaws and shall  
440 otherwise have an opportunity to participate in the business and  
441 affairs of the commission. A delegate shall vote in person or by  
442 such other means as provided in the bylaws. The bylaws may  
443 provide for delegates' participation in meetings by telephone or  
444 other means of communication.

445 (c) The commission shall meet at least once during each  
446 calendar year. Additional meetings shall be held as set forth in  
447 the bylaws.

448 (d) All meetings shall be open to the public, and public  
449 notice of meetings shall be given in the same manner as required  
450 under the rulemaking provisions in Article XII.

451 (e) The commission may convene in a closed, nonpublic  
452 meeting or nonpublic part of a public meeting to receive legal  
453 advice or to discuss the following:

454 1. Noncompliance of a member state with its obligations  
455 under the compact;

456 2. The employment, compensation, discipline or other  
457 personnel matters, practices, or procedures related to specific

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458 employees or other matters related to the commission's internal  
459 personnel practices and procedures;

460 3. Current, threatened, or reasonably anticipated  
461 litigation;

462 4. Negotiation of contracts for the purchase or sale of  
463 goods, services, or real estate;

464 5. Accusing any person of a crime or formally censuring  
465 any person;

466 6. Disclosure of trade secrets or commercial or financial  
467 information that is privileged or confidential;

468 7. Disclosure of information of a personal nature where  
469 disclosure would constitute a clearly unwarranted invasion of  
470 personal privacy;

471 8. Disclosure of investigatory records compiled for law  
472 enforcement purposes;

473 9. Disclosure of information related to any investigatory  
474 reports prepared by or on behalf of or for use of the commission  
475 or other committee charged with responsibility of investigation  
476 or determination of compliance issues pursuant to the compact;

477 10. Legal advice; or

478 11. Matters specifically exempted from disclosure by  
479 federal or state statute.

480 (f) If a meeting, or portion of a meeting, is closed  
481 pursuant to this provision, the commission's legal counsel or  
482 designee shall certify that the meeting may be closed and shall

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483 reference each relevant exempting provision. The commission  
484 shall keep minutes that fully and clearly describe all matters  
485 discussed in a meeting and shall provide a full and accurate  
486 summary of actions taken, and the reasons therefor, including a  
487 description of the views expressed. All documents considered in  
488 connection with an action shall be identified in such minutes.  
489 All minutes and documents of a closed meeting shall remain under  
490 seal, subject to release by a majority vote of the commission or  
491 order of a court of competent jurisdiction.

492 (3) The commission shall, by a majority vote of the  
493 delegates, prescribe bylaws or rules to govern its conduct as  
494 may be necessary or appropriate to carry out the purposes and  
495 exercise the powers of the compact, including, but not limited  
496 to:

497 (a) Establishing the fiscal year of the commission.

498 (b) Providing reasonable standards and procedures:

499 1. Establishing and the meetings of other committees.

500 2. Governing any general or specific delegation of any  
501 authority or function of the commission.

502 (c) Providing reasonable procedures for calling and  
503 conducting meetings of the commission, ensuring reasonable  
504 advance notice of all meetings, and providing an opportunity for  
505 attendance of such meetings by interested parties, with  
506 enumerated exceptions designed to protect the public's interest,  
507 the privacy of individuals, and proprietary information,

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508 including trade secrets. The commission may meet in closed  
509 session only after a majority of the membership votes to close a  
510 meeting in whole or in part. As soon as practicable, the  
511 commission must make public a copy of the vote to close the  
512 meeting revealing the vote of each member with no proxy votes  
513 allowed.

514 (d) Establishing the titles, duties and authority, and  
515 reasonable procedures for the election of the officers of the  
516 commission.

517 (e) Providing reasonable standards and procedures for the  
518 establishment of the personnel policies and programs of the  
519 commission. Notwithstanding any civil service or other similar  
520 laws of any member state, the bylaws shall exclusively govern  
521 the personnel policies and programs of the commission.

522 (f) Adopting a code of ethics to address permissible and  
523 prohibited activities of commission members and employees.

524 (g) Providing a mechanism for winding up the operations of  
525 the commission and the equitable disposition of any surplus  
526 funds that may exist after the termination of the compact after  
527 the payment or reserving of all of its debts and obligations.

528 (h) The commission shall publish its bylaws and file a  
529 copy thereof, and a copy of any amendment thereto, with the  
530 appropriate agency or officer in each of the member states, if  
531 any.

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532 (i) The commission shall maintain its financial records in  
533 accordance with the bylaws.

534 (j) The commission shall meet and take such actions as are  
535 consistent with the provisions of this compact and the bylaws.

536 (4) The commission shall have the following powers:

537 (a) The authority to adopt uniform rules to facilitate and  
538 coordinate implementation and administration of this compact.  
539 The rules shall have the force and effect of law and shall be  
540 binding in all member states.

541 (b) To bring and prosecute legal proceedings or actions in  
542 the name of the commission, provided that the standing of any  
543 state EMS authority or other regulatory body responsible for EMS  
544 personnel licensure to sue or be sued under applicable law may  
545 not be affected.

546 (c) To purchase and maintain insurance and bonds.

547 (d) To borrow, accept, or contract for services of  
548 personnel, including, but not limited to, employees of a member  
549 state.

550 (e) To hire employees, elect or appoint officers, fix  
551 compensation, define duties, grant such individuals appropriate  
552 authority to carry out the purposes of the compact, and  
553 establish the commission's personnel policies and programs  
554 relating to conflicts of interest, qualifications of personnel,  
555 and other related personnel matters.

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556 (f) To accept any and all appropriate donations and grants  
557 of money, equipment, supplies, materials, and services; and  
558 receive, use, and dispose of the same; provided that at all  
559 times the commission shall strive to avoid any appearance of  
560 impropriety or conflict of interest.

561 (g) To lease, purchase, accept appropriate gifts or  
562 donations of, or otherwise to own, hold, improve, or use any  
563 property, real, personal, or mixed; provided that at all times  
564 the commission shall strive to avoid any appearance of  
565 impropriety.

566 (h) To sell convey, mortgage, pledge, lease, exchange,  
567 abandon, or otherwise dispose of any property real, personal, or  
568 mixed.

569 (i) To establish a budget and make expenditures.

570 (j) To borrow money.

571 (k) To appoint committees, including advisory committees  
572 comprised of members, state regulators, state legislators or  
573 their representatives, consumer representatives, and such other  
574 interested persons as may be designated in this compact and the  
575 bylaws.

576 (l) To provide and receive information from, and to  
577 cooperate with, law enforcement agencies.

578 (m) To adopt and use an official seal.

579 (n) To perform such other functions as may be necessary or  
580 appropriate to achieve the purposes of this compact consistent

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581 with the state regulation of EMS personnel licensure and  
582 practice.

583 (5) (a) The commission shall pay, or provide for the  
584 payment of, the reasonable expenses of its establishment,  
585 organization, and ongoing activities.

586 (b) The commission may accept any and all appropriate  
587 revenue sources, donations, and grants of money, equipment,  
588 supplies, materials, and services.

589 (c) The commission may levy on and collect an annual  
590 assessment from each member state to cover the cost of the  
591 operations and activities of the commission and its staff, which  
592 must be in a total amount sufficient to cover its annual budget  
593 as approved each year for which revenue is not provided by other  
594 sources. The aggregate annual assessment amount shall be  
595 allocated based upon a formula to be determined by the  
596 commission, which shall adopt a rule binding upon all member  
597 states.

598 (d) The commission may not incur obligations of any kind  
599 before securing the funds adequate to meet the same; nor shall  
600 the commission pledge the credit of any of the member states,  
601 except by and with the authority of the member state.

602 (e) The commission shall keep accurate accounts of all  
603 receipts and disbursements. The receipts and disbursements of  
604 the commission shall be subject to the audit and accounting  
605 procedures established under its bylaws. However, all receipts

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606 and disbursements of funds handled by the commission shall be  
607 audited yearly by a certified or licensed public accountant, and  
608 the report of the audit shall be included in and become part of  
609 the annual report of the commission.

610 (6) (a) The members, officers, executive director,  
611 employees and representatives of the commission shall be immune  
612 from suit and liability, either personally or in their official  
613 capacities, for any claim for damage to or loss of property or  
614 personal injury or other civil liability caused by or arising  
615 out of any actual or alleged act, error, or omission that  
616 occurred, or that the person against whom the claim is made had  
617 a reasonable basis for believing occurred within the scope of  
618 commission employment, duties, or responsibilities; provided  
619 that nothing in this paragraph shall be construed to protect any  
620 such person from suit or liability for any damage, loss, injury,  
621 or liability caused by the intentional or willful or wanton  
622 misconduct of that person. The procurement of insurance of any  
623 type by the commission may not in any way compromise or limit  
624 the immunity granted hereunder.

625 (b) The commission shall defend any member, officer,  
626 executive director, employee, or representative of the  
627 commission in any civil action seeking to impose liability  
628 arising out of any actual or alleged act, error, or omission  
629 that occurred within the scope of commission employment, duties,  
630 or responsibilities, or that the person against whom the claim

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631 is made had a reasonable basis for believing occurred within the  
632 scope of commission employment, duties, or responsibilities;  
633 provided that nothing herein shall be construed to prohibit that  
634 person from retaining his or her own counsel; and provided  
635 further, that the actual or alleged act, error, or omission did  
636 not result from that person's intentional or willful or wanton  
637 misconduct.

638 (c) The commission shall indemnify and hold harmless any  
639 member, officer, executive director, employee, or representative  
640 of the commission for the amount of any settlement or judgment  
641 obtained against that person arising out of any actual or  
642 alleged act, error, or omission that occurred within the scope  
643 of commission employment, duties, or responsibilities, or that  
644 such person had a reasonable basis for believing occurred within  
645 the scope of commission employment, duties, or responsibilities,  
646 provided that the actual or alleged act, error, or omission did  
647 not result from the intentional or willful or wanton misconduct  
648 of that person.

649  
650 ARTICLE XI

651 COORDINATED DATABASE

652  
653 (1) The commission shall provide for the development and  
654 maintenance of a coordinated database and reporting system  
655 containing licensure, adverse action, and significant

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656 investigatory information on all licensed individuals in member  
657 states.

658 (2) Notwithstanding any other provision of state law to  
659 the contrary, a member state shall submit a uniform data set to  
660 the coordinated database on all individuals to whom this compact  
661 is applicable as required by the rules of the commission,  
662 including:

663 (a) Identifying information.

664 (b) Licensure data.

665 (c) Significant investigatory information.

666 (d) Adverse actions against an individual's license.

667 (e) An indicator that an individual's privilege to  
668 practice is restricted, suspended, or revoked.

669 (f) Nonconfidential information related to alternative  
670 program participation.

671 (g) Any denial of application for licensure and the  
672 reasons for such denial.

673 (h) Other information that may facilitate the  
674 administration of this compact, as determined by the rules of  
675 the commission.

676 (3) The coordinated database administrator shall promptly  
677 notify all member states of any adverse action taken against, or  
678 significant investigative information on, any individual in a  
679 member state.

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680 (4) Member states contributing information to the  
681 coordinated database may designate information that may not be  
682 shared with the public without the express permission of the  
683 contributing state.

684 (5) Any information submitted to the coordinated database  
685 that is subsequently required to be expunged by the laws of the  
686 member state contributing the information shall be removed from  
687 the coordinated database.

688  
689 ARTICLE XII

690 RULEMAKING

691  
692 (1) The commission shall exercise its rulemaking powers  
693 pursuant to the criteria set forth in this article and the rules  
694 adopted thereunder. Rules and amendments shall become binding as  
695 of the date specified in each rule or amendment.

696 (2) If a majority of the legislatures of the member states  
697 reject a rule, by enactment of a statute or resolution in the  
698 same manner used to adopt the compact, then such rule shall have  
699 no further force and effect in any member state.

700 (3) Rules or amendments to the rules shall be adopted at a  
701 regular or special meeting of the commission.

702 (4) Before the adoption of a final rule or rules by the  
703 commission, and at least 60 days in advance of the meeting at

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704 which the rule will be considered and voted upon, the commission  
705 shall file a notice of proposed rulemaking:

706 (a) On the website of the commission.

707 (b) On the website of each member state EMS authority or  
708 the publication in which each state would otherwise publish  
709 proposed rules.

710 (5) The notice of proposed rulemaking shall include:

711 (a) The proposed time, date, and location of the meeting  
712 in which the rule will be considered and voted upon.

713 (b) The text of the proposed rule or amendment and the  
714 reason for the proposed rule.

715 (c) A request for comments on the proposed rule from any  
716 interested person.

717 (d) The manner in which interested persons may submit  
718 notice to the commission of their intentions to attend the  
719 public hearing and any written comments.

720 (6) Before adoption of a proposed rule, the commission  
721 shall allow persons to submit written data, facts, opinions, and  
722 arguments, which shall be made available to the public.

723 (7) The commission shall grant an opportunity for a public  
724 hearing before it adopts a rule or amendment if a hearing is  
725 requested by:

726 (a) At least 25 persons;

727 (b) A governmental subdivision or agency; or

728 (c) An association having at least 25 members.

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729 (8) (a) If a hearing is held on the proposed rule or  
730 amendment, the commission shall publish the place, time, and  
731 date of the scheduled public hearing.

732 (b) Each person wishing to be heard at the hearing shall  
733 notify the executive director of the commission or other  
734 designated member in writing of his or her desire to appear and  
735 testify at the hearing not less than 5 business days before the  
736 scheduled date of the hearing.

737 (c) Hearings shall be conducted in a manner providing each  
738 person who wishes to comment a fair and reasonable opportunity  
739 to comment orally or in writing.

740 (d) No transcript of the hearing is required, unless a  
741 written request for a transcript is made, in which case the  
742 person requesting the transcript shall bear the cost of  
743 producing the transcript. A recording may be made in lieu of a  
744 transcript under the same terms and conditions as a transcript.  
745 This subsection does not preclude the commission from making a  
746 transcript or recording of the hearing if it so chooses.

747 (e) Nothing in this article shall be construed as  
748 requiring a separate hearing on each rule. Rules may be grouped  
749 for the convenience of the commission at hearings required by  
750 this article.

751 (9) Following the scheduled hearing date, or by the close  
752 of business on the scheduled hearing date if the hearing was not

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753 held, the commission shall consider all written and oral  
754 comments received.

755 (10) The commission shall, by majority vote of all  
756 members, take final action on the proposed rule and shall  
757 determine the effective date of the rule, if any, based on the  
758 rulemaking record and the full text of the rule.

759 (11) If no written notice of intent to attend the public  
760 hearing by interested parties is received, the commission may  
761 proceed with adoption of the proposed rule without a public  
762 hearing.

763 (12) Upon determination that an emergency exists, the  
764 commission may consider and adopt an emergency rule without  
765 prior notice, opportunity for comment, or hearing, provided that  
766 the usual rulemaking procedures provided in the compact and in  
767 this article shall be retroactively applied to the rule as soon  
768 as reasonably possible, in no event later than 90 days after the  
769 effective date of the rule. For the purposes of this provision,  
770 an emergency rule is one that must be adopted immediately in  
771 order to:

772 (a) Meet an imminent threat to public health, safety, or  
773 welfare;

774 (b) Prevent a loss of commission or member state funds;

775 (c) Meet a deadline for the adoption of an administrative  
776 rule that is established by federal law or rule; or

777 (d) Protect public health and safety.

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778       (13) The commission or an authorized committee of the  
779 commission may direct revisions to a previously adopted rule or  
780 amendment for purposes of correcting typographical errors,  
781 errors in format, errors in consistency, or grammatical errors.  
782 Public notice of any revisions shall be posted on the website of  
783 the commission. The revision shall be subject to challenge by  
784 any person for a period of 30 days after posting. The revision  
785 may be challenged only on grounds that the revision results in a  
786 material change to a rule. A challenge shall be made in writing  
787 and delivered to the chair of the commission before the end of  
788 the notice period. If no challenge is made, the revision will  
789 take effect without further action. If the revision is  
790 challenged, the revision may not take effect without the  
791 approval of the commission.

792  
793                   ARTICLE XIII

794                   OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT

795  
796       (1) (a) The executive, legislative, and judicial branches  
797 of state government in each member state shall enforce this  
798 compact and take all actions necessary and appropriate to  
799 effectuate the compact's purposes and intent. The provisions of  
800 this compact and the rules adopted hereunder shall have standing  
801 as statutory law.

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802 (b) All courts shall take judicial notice of the compact  
803 and the rules in any judicial or administrative proceeding in a  
804 member state pertaining to the subject matter of this compact  
805 which may affect the powers, responsibilities, or actions of the  
806 commission.

807 (c) The commission shall be entitled to receive service of  
808 process in any such proceeding, and shall have standing to  
809 intervene in such a proceeding for all purposes. Failure to  
810 provide service of process to the commission shall render a  
811 judgment or order void as to the commission, this compact, or  
812 adopted rules.

813 (2) (a) If the commission determines that a member state  
814 has defaulted in the performance of its obligations or  
815 responsibilities under this compact or the adopted rules, the  
816 commission shall:

817 1. Provide written notice to the defaulting state and  
818 other member states of the nature of the default, the proposed  
819 means of curing the default or any other action to be taken by  
820 the commission.

821 2. Provide remedial training and specific technical  
822 assistance regarding the default.

823 (b) If a state in default fails to cure the default, the  
824 defaulting state may be terminated from the compact upon an  
825 affirmative vote of a majority of the member states, and all  
826 rights, privileges, and benefits conferred by this compact may

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827 be terminated on the effective date of termination. A cure of  
828 the default does not relieve the offending state of obligations  
829 or liabilities incurred during the period of default.

830 (c) Termination of membership in the compact shall be  
831 imposed only after all other means of securing compliance have  
832 been exhausted. Notice of intent to suspend or terminate shall  
833 be given by the commission to the Governor, the majority and  
834 minority leaders of the defaulting state's legislature, and each  
835 of the member states.

836 (d) A state that has been terminated is responsible for  
837 all assessments, obligations, and liabilities incurred through  
838 the effective date of termination, including obligations that  
839 extend beyond the effective date of termination.

840 (e) The commission does not bear any costs related to a  
841 state that is found to be in default or that has been terminated  
842 from the compact, unless agreed upon in writing between the  
843 commission and the defaulting state.

844 (f) The defaulting state may appeal the action of the  
845 commission by petitioning the United States District Court for  
846 the District of Columbia or the federal district where the  
847 commission has its principal offices. The prevailing member  
848 shall be awarded all costs of such litigation, including  
849 reasonable attorney fees.

850 (3) (a) Upon request by a member state, the commission  
851 shall attempt to resolve disputes related to the compact that

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852 arise among member states and between member and nonmember  
853 states.

854 (b) The commission shall adopt a rule providing for both  
855 mediation and binding dispute resolution for disputes as  
856 appropriate.

857 (4) (a) The commission, in the reasonable exercise of its  
858 discretion, shall enforce the provisions and rules of this  
859 compact.

860 (b) By majority vote, the commission may initiate legal  
861 action in the United States District Court for the District of  
862 Columbia or the federal district where the commission has its  
863 principal offices against a member state in default to enforce  
864 compliance with the provisions of the compact and its adopted  
865 rules and bylaws. The relief sought may include both injunctive  
866 relief and damages. In the event judicial enforcement is  
867 necessary, the prevailing member shall be awarded all costs of  
868 such litigation, including reasonable attorney fees.

869 (c) The remedies herein may not be the exclusive remedies  
870 of the commission. The commission may pursue any other remedies  
871 available under federal or state law.

872  
873 ARTICLE XIV

874 DATE OF IMPLEMENTATION OF THE INTERSTATE COMMISSION FOR EMS

875 PERSONNEL PRACTICE AND ASSOCIATED RULES, WITHDRAWAL, AND

876 AMENDMENT

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877  
878 (1) The compact shall come into effect on the date on  
879 which the compact statute is enacted into law in the tenth  
880 member state. The provisions, which become effective at that  
881 time, shall be limited to the powers granted to the commission  
882 relating to assembly and the adoption of rules. Thereafter, the  
883 commission shall meet and exercise rulemaking powers necessary  
884 to the implementation and administration of the compact.

885 (2) Any state that joins the compact subsequent to the  
886 commission's initial adoption of the rules shall be subject to  
887 the rules as they exist on the date on which the compact becomes  
888 law in that state. Any rule that has been previously adopted by  
889 the commission shall have the full force and effect of law on  
890 the day the compact becomes law in that state.

891 (3) Any member state may withdraw from this compact by  
892 enacting a statute repealing the same.

893 (a) A member state's withdrawal does not take effect until  
894 6 months after enactment of the repealing statute.

895 (b) Withdrawal does not affect the continuing requirement  
896 of the withdrawing state's EMS authority to comply with the  
897 investigative and adverse action reporting requirements of this  
898 act before the effective date of withdrawal.

899 (4) Nothing contained in this compact shall be construed  
900 to invalidate or prevent any EMS personnel licensure agreement  
901 or other cooperative arrangement between a member state and a

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902 nonmember state that does not conflict with the provisions of  
903 this compact.

904 (5) This compact may be amended by the member states. No  
905 amendment to this compact shall become effective and binding  
906 upon any member state until it is enacted into the laws of all  
907 member states.

908  
909 ARTICLE XV

910 CONSTRUCTION AND SEVERABILITY

911  
912 This compact shall be liberally construed so as to  
913 effectuate the purposes thereof. If this compact shall be held  
914 contrary to the constitution of any state member thereto, the  
915 compact shall remain in full force and effect as to the  
916 remaining member states. This compact does not supersede state  
917 law or rules related to licensure of EMS agencies.

918 **Section 6. Effective October 1, 2026, paragraph (c) of**  
919 **subsection (5) of section 409.814, Florida Statutes, is amended**  
920 **to read:**

921 409.814 Eligibility.—A child who has not reached 19 years  
922 of age whose family income is equal to or below 300 percent of  
923 the federal poverty level is eligible for the Florida Kidcare  
924 program as provided in this section. If an enrolled individual  
925 is determined to be ineligible for coverage, he or she must be

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926 immediately disenrolled from the respective Florida Kidcare  
927 program component.

928 (5) The following children are not eligible to receive  
929 Title XXI-funded premium assistance for health benefits coverage  
930 under the Florida Kidcare program, except under Medicaid if the  
931 child would have been eligible for Medicaid under s. 409.903 or  
932 s. 409.904 as of June 1, 1997:

933 (c) A child who is an alien, unless the child:

934 1. Meets ~~but who does not meet~~ the definition of a  
935 lawfully residing child;

936 2. Is an alien lawfully admitted for permanent residence  
937 as defined by the Immigration and Nationality Act, as amended;

938 3. Is an alien who has been granted the status of Cuban  
939 and Haitian entrant as defined in the Refugee Education  
940 Assistance Act of 1980, as amended; or

941 4. Lawfully resides in the United States in accordance  
942 with a Compact of Free Association referred to in the Personal  
943 Responsibility and Work Opportunity Reconciliation Act of 1996.

944

945 This paragraph does not extend eligibility for the Florida  
946 Kidcare program to an undocumented immigrant.

947 **Section 7. Paragraph (g) is added to subsection (3) of**  
948 **section 409.818, Florida Statutes, to read:**

949 409.818 Administration.—In order to implement ss. 409.810-  
950 409.821, the following agencies shall have the following duties:

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951 (3) The Agency for Health Care Administration, under the  
952 authority granted in s. 409.914(1), shall:

953 (g) Regularly obtain from reliable data sources in  
954 accordance with applicable federal law address information for  
955 an enrollee.

956  
957 The agency is designated the lead state agency for Title XXI of  
958 the Social Security Act for purposes of receipt of federal  
959 funds, for reporting purposes, and for ensuring compliance with  
960 federal and state regulations and rules.

961 **Section 8. Subsection (2) of section 409.902, Florida**  
962 **Statutes, is amended to read:**

963 409.902 Designated single state agency; payment  
964 requirements; program title; release of medical records.—

965 (2) (a) Eligibility is restricted to United States citizens  
966 and nationals and to:

967 1. An alien lawfully admitted for permanent residence as  
968 defined by the Immigration and Nationality Act, as amended.

969 2. An alien who has been granted the status of Cuban and  
970 Haitian entrant as defined in the Refugee Education Assistance  
971 Act of 1980, as amended.

972 3. An individual who lawfully resides in the United States  
973 in accordance with a Compact of Free Association referred to in  
974 the Personal Responsibility and Work Opportunity Reconciliation

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975 ~~Act of 1996 lawfully admitted noncitizens who meet the criteria~~  
976 ~~provided in s. 414.095(3).~~

977 ~~(b)(a)~~ Citizenship or immigration status must be verified.  
978 For eligible noncitizens, this includes verification of the  
979 validity of documents with the United States Citizenship and  
980 Immigration Services using the federal SAVE verification  
981 process.

982 ~~(c)(b)~~ State funds may not be used to provide medical  
983 services to individuals who do not meet the requirements of this  
984 subsection unless the services are necessary to treat an  
985 emergency medical condition or are for pregnant women. Such  
986 services are authorized only to the extent provided under  
987 federal law and in accordance with federal regulations as  
988 provided in 42 C.F.R. s. 440.255.

989 **Section 9. Section 409.90201, Florida Statutes, is amended**  
990 **to read:**

991 409.90201 Recipient information ~~address~~ update process.—  
992 The Agency for Health Care Administration and the Department of  
993 Children and Families shall:

994 (1) Regularly obtain from reliable data sources in  
995 accordance with applicable federal law address information for a  
996 recipient., ~~in consultation with hospitals and nursing homes~~  
997 ~~that serve Medicaid recipients, shall develop a process to~~

998 (2) Update a recipient's address in the Medicaid  
999 eligibility system at the time a recipient is admitted to a

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1000 hospital or nursing home, ~~if~~ if a recipient's address information  
1001 in the Medicaid eligibility system needs to be updated, the  
1002 update shall be completed within 10 days after the recipient's  
1003 admission to a hospital or nursing home.

1004 (3) Review at least quarterly the public file of death  
1005 information compiled by the Social Security Administration and  
1006 act on matches between a recipient's information and the public  
1007 file of death information in accordance with applicable federal  
1008 law.

1009 **Section 10. Paragraph (a) of subsection (12) of section**  
1010 **409.904, Florida Statutes, is amended to read:**

1011 409.904 Optional payments for eligible persons.—The agency  
1012 may make payments for medical assistance and related services on  
1013 behalf of the following persons who are determined to be  
1014 eligible subject to the income, assets, and categorical  
1015 eligibility tests set forth in federal and state law. Payment on  
1016 behalf of these Medicaid eligible persons is subject to the  
1017 availability of moneys and any limitations established by the  
1018 General Appropriations Act or chapter 216.

1019 (12) The agency shall make payments to Medicaid-covered  
1020 services:

1021 (a) For eligible children and pregnant women, retroactive  
1022 to the first day of the second month ~~for a period of no more~~  
1023 ~~than 90 days~~ before the month in which an application for  
1024 Medicaid is submitted.

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1025           **Section 11. Subsection (13) is added to section 409.905,**  
1026 **Florida Statutes, to read:**

1027           409.905 Mandatory Medicaid services.—The agency may make  
1028 payments for the following services, which are required of the  
1029 state by Title XIX of the Social Security Act, furnished by  
1030 Medicaid providers to recipients who are determined to be  
1031 eligible on the dates on which the services were provided. Any  
1032 service under this section shall be provided only when medically  
1033 necessary and in accordance with state and federal law.

1034 Mandatory services rendered by providers in mobile units to  
1035 Medicaid recipients may be restricted by the agency. Nothing in  
1036 this section shall be construed to prevent or limit the agency  
1037 from adjusting fees, reimbursement rates, lengths of stay,  
1038 number of visits, number of services, or any other adjustments  
1039 necessary to comply with the availability of moneys and any  
1040 limitations or directions provided for in the General  
1041 Appropriations Act or chapter 216.

1042           (13) PAYMENT.—A payment may not be made by the agency  
1043 under this part to a prohibited entity as defined in s. 71113 of  
1044 Pub. L. No. 119-21.

1045           **Section 12. Section 414.321, Florida Statutes, is created**  
1046 **to read:**

1047           414.321 Food assistance eligibility.—For purposes of  
1048 eligibility determinations, the department shall:

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1049 (1) Limit eligibility to individuals who are residents of  
1050 the United States and:

1051 (a) Citizens or nationals of the United States;

1052 (b) Aliens lawfully admitted for permanent residence as  
1053 defined in the Immigration and Nationality Act, as amended;

1054 (c) Aliens who have been granted the status of Cuban and  
1055 Haitian entrant, as defined in the Refugee Education Assistance  
1056 Act of 1980, as amended; or

1057 (d) Individuals who lawfully reside in the United States  
1058 in accordance with the Compacts of Free Association referred to  
1059 in the Personal Responsibility and Work Opportunity  
1060 Reconciliation Act of 1996.

1061 (2) Require each applicant, and recipient for  
1062 redetermination purposes, to provide documentation evidencing  
1063 his or her shelter or utility expenses.

1064 (a) The department is prohibited from relying solely on an  
1065 individual's self-attestation in determining shelter or utility  
1066 expenses.

1067 (b) The department may adopt policies and procedures to  
1068 accommodate an applicant or recipient who, due to recent  
1069 residency changes, is temporarily unable to furnish adequate  
1070 documentation of shelter or utility expenses.

1071 **Section 13. Section 414.332, Florida Statutes, is created**  
1072 **to read:**

1073 414.332 Food assistance payment accuracy plan.-

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1074 (1) The department shall develop and implement a  
1075 comprehensive food assistance payment accuracy improvement plan  
1076 to reduce the state's payment error rate. The department shall  
1077 reduce the payment error rate to below 6 percent by March 30,  
1078 2026. The plan shall address the root causes of payment errors  
1079 identified through an in-depth, data-driven analysis. The plan  
1080 shall include, but is not limited to, all of the following:

1081 (a) Enhanced employee training and quality assurance.

1082 1. The department shall administer standardized training  
1083 for all economic self-sufficiency program staff at least  
1084 annually. Training must, at a minimum, review the most common  
1085 reasons for payment errors and methods for preventing such  
1086 errors, and include pre- and post-training testing to measure  
1087 staff proficiency.

1088 2. The department shall establish a robust quality  
1089 assurance review process that frequently reviews a statistically  
1090 significant sample of cases before final benefit determination.  
1091 This process must incorporate real-time, corrective feedback and  
1092 on-the-job training for program staff and must not delay benefit  
1093 determinations.

1094 (b) Improvement in data sourcing. In contracting with  
1095 entities providing data for verification of applicant and  
1096 recipient information, the department shall maximize use of high  
1097 quality automated data sources, including, but not limited to,

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1098 comparing income and asset data with state, federal, and private  
1099 sector data sources.

1100 (2) By July 1, 2026, the department shall submit the food  
1101 assistance payment accuracy improvement plan to the Governor,  
1102 the President of the Senate, and the Speaker of the House of  
1103 Representatives.

1104 (3)(a) Beginning October 1, 2026, the department shall  
1105 submit quarterly progress reports to the Governor, the President  
1106 of the Senate, and the Speaker of the House of Representatives  
1107 detailing:

1108 1. The state's most recent official and preliminary food  
1109 assistance payment error rate.

1110 2. A detailed breakdown of the most frequent and highest  
1111 dollar value errors, including categorization by agency or  
1112 client error and whether the error resulted in over- or under-  
1113 payment.

1114 3. Specific actions taken by the department under the food  
1115 assistance payment accuracy improvement plan during the  
1116 preceding quarter and data demonstrating the results of those  
1117 actions.

1118 4. A detailed plan to correct the most recently identified  
1119 deficiencies.

1120 (b) This subsection is repealed on October 1, 2028.

1121 **Section 14. Subsection (2) of section 414.455, Florida**  
1122 **Statutes, is amended to read:**

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1123 414.455 Supplemental Nutrition Assistance Program;  
1124 legislative authorization; mandatory participation in employment  
1125 and training programs.-

1126 (2) Unless prohibited by the Federal Government, the  
1127 department must require a person who is receiving food  
1128 assistance; who is 18 to 64 ~~59~~ years of age, inclusive; who does  
1129 not have children under the age of 14 ~~18~~ in his or her home; who  
1130 does not qualify for an exemption; and who is determined by the  
1131 department to be eligible, to participate in an employment and  
1132 training program. The department shall apply and comply with  
1133 exemptions from work requirements in accordance with applicable  
1134 federal law.

1135 **Section 15. Subsection (2) of section 456.0575, Florida**  
1136 **Statutes, is renumbered as subsection (3), and a new subsection**  
1137 **(2) is added to that section, to read:**

1138 456.0575 Duty to notify patients.-

1139 (2) A health care practitioner shall notify a patient in  
1140 writing upon referring the patient to a nonparticipating  
1141 provider for nonemergency services, as those terms are defined  
1142 in s. 627.64194(1), or to a provider, as defined in s. 641.47,  
1143 that is not under contract with the patient's health maintenance  
1144 organization. Such notice must state that the services will be  
1145 provided on an out-of-network basis, which may result in  
1146 additional cost-sharing responsibilities for the patient, and be  
1147 documented in the patient's medical record. The practitioner or

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1148 his or her employee may confirm the referral provider's  
1149 participation by contacting the referral provider or the  
1150 patient's health insurer or health maintenance organization, as  
1151 necessary, or may rely on the online provider directory of the  
1152 health insurer or health maintenance organization. Failure to  
1153 comply with this subsection, without good cause, shall result in  
1154 disciplinary action against the health care practitioner.

1155 **Section 16. Paragraph (b) of subsection (10) of section**  
1156 **456.073, Florida Statutes, is amended to read:**

1157 456.073 Disciplinary proceedings.—Disciplinary proceedings  
1158 for each board shall be within the jurisdiction of the  
1159 department.

1160 (10)

1161 (b) The department shall report any significant  
1162 investigation information relating to a nurse holding a  
1163 multistate license to the coordinated licensure information  
1164 system pursuant to s. 464.0095; any investigative information  
1165 relating to an audiologist or a speech-language pathologist  
1166 holding a compact privilege under the Audiology and Speech-  
1167 Language Pathology Interstate Compact to the data system  
1168 pursuant to s. 468.1335; any investigative information relating  
1169 to a physical therapist or physical therapist assistant holding  
1170 a compact privilege under the Physical Therapy Licensure Compact  
1171 to the data system pursuant to s. 486.112; any significant  
1172 investigatory information relating to a psychologist practicing

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1173 under the Psychology Interjurisdictional Compact to the  
1174 coordinated licensure information system pursuant to s.  
1175 490.0075; ~~and~~ any significant investigatory information relating  
1176 to a health care practitioner practicing under the Professional  
1177 Counselors Licensure Compact to the data system pursuant to s.  
1178 491.017; any significant investigatory information relating to a  
1179 physician assistant holding compact privilege under the  
1180 Physician Assistant Licensure Compact to the data system  
1181 pursuant to s. 456.66; any significant investigatory information  
1182 relating to an emergency medical technician or paramedic  
1183 practicing under the Emergency Medical Services Personnel  
1184 Licensure Interstate Compact pursuant to s. 401.466; and any  
1185 investigative information relating to a clinical social worker  
1186 practicing under the Social Work Licensure Interstate Compact to  
1187 the data system pursuant to s. 491.022.

1188 **Section 17. Subsection (5) of section 456.076, Florida**  
1189 **Statutes, is amended to read:**

1190 456.076 Impaired practitioner programs.—

1191 (5) A consultant shall enter into a participant contract  
1192 with an impaired practitioner and shall establish the terms of  
1193 monitoring and shall include the terms in a participant  
1194 contract. In establishing the terms of monitoring, the  
1195 consultant may consider the recommendations of one or more  
1196 approved evaluators, treatment programs, or treatment providers.  
1197 A consultant may modify the terms of monitoring if the

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1198 consultant concludes, through the course of monitoring, that  
1199 extended, additional, or amended terms of monitoring are  
1200 required for the protection of the health, safety, and welfare  
1201 of the public. If the impaired practitioner is an audiologist or  
1202 a speech-language pathologist practicing under the Audiology and  
1203 Speech-Language Pathology Interstate Compact pursuant to s.  
1204 468.1335, a physical therapist or physical therapist assistant  
1205 practicing under the Physical Therapy Licensure Compact pursuant  
1206 to s. 486.112, a psychologist practicing under the Psychology  
1207 Interjurisdictional Compact pursuant to s. 490.0075, ~~or~~ a health  
1208 care practitioner practicing under the Professional Counselors  
1209 Licensure Compact pursuant to s. 491.017, a physician assistant  
1210 practicing under the Physician Assistant Licensure Compact  
1211 pursuant to s. 456.66, an emergency medical technician or  
1212 paramedic practicing under the Emergency Medical Services  
1213 Personnel Licensure Interstate Compact pursuant to s. 401.466,  
1214 or a clinical social worker practicing under the Social Work  
1215 Licensure Interstate Compact pursuant to s. 491.022, the terms  
1216 of the monitoring contract must include the impaired  
1217 practitioner's withdrawal from all practice under the compact  
1218 unless authorized by a member state.

1219 **Section 18. Section 456.66, Florida Statutes, is created**  
1220 **to read:**

1221 456.66 Physician Assistant Licensure Compact.—The  
1222 Physician Assistant Licensure Compact is enacted into law and

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1223 entered into by this state with all other jurisdictions legally  
1224 joining therein in the form substantially as follows:

1225  
1226 ARTICLE I

1227 PURPOSE

1228  
1229 In order to strengthen access to medical services, and in  
1230 recognition of the advances in the delivery of medical services,  
1231 the participating states of the Physician Assistant Licensure  
1232 Compact have allied in common purpose to develop a comprehensive  
1233 process that complements the existing authority of state  
1234 licensing boards to license and discipline physician assistants  
1235 and seeks to enhance the portability of a license to practice as  
1236 a physician assistant while safeguarding the safety of patients.  
1237 This compact allows medical services to be provided by physician  
1238 assistants, via the mutual recognition of the licensee's  
1239 qualifying license by other compact participating states. This  
1240 compact also adopts the prevailing standard for physician  
1241 assistant licensure and affirms that the practice and delivery  
1242 of medical services by the physician assistant occurs where the  
1243 patient is located at the time of the patient encounter, and  
1244 therefore requires the physician assistant to be under the  
1245 jurisdiction of the state licensing board where the patient is  
1246 located. State licensing boards that participate in this compact  
1247 retain the jurisdiction to impose adverse action against a

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1248 compact privilege in that state issued to a physician assistant  
1249 through the procedures of this compact. The compact will  
1250 alleviate burdens for military families by allowing active duty  
1251 military personnel and their spouses to obtain a compact  
1252 privilege based on having an unrestricted license in good  
1253 standing from a participating state.

1254  
1255 ARTICLE II

1256 DEFINITIONS

1257  
1258 As used in this compact, the term:

1259 (1) "Adverse action" means any administrative, civil,  
1260 equitable, or criminal action permitted by a state's laws which  
1261 is imposed by a licensing board or other authority against a  
1262 physician assistant license or license application or compact  
1263 privilege such as license denial, censure, revocation,  
1264 suspension, probation, monitoring of the licensee, or  
1265 restriction on the licensee's practice.

1266 (2) "Compact privilege" means the authorization granted by  
1267 a remote state to allow a licensee from another participating  
1268 state to practice as a physician assistant to provide medical  
1269 services and other licensed activity to a patient located in the  
1270 remote state under the remote state's laws and regulations.

1271 (3) "Conviction" means a finding by a court that an  
1272 individual is guilty of a felony or misdemeanor offense through

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1273 adjudication or entry of a plea of guilty or nolo contendere to  
1274 the charge by the offender.

1275 (4) "Criminal background check" means the submission of  
1276 fingerprints or other biometric-based information for a license  
1277 applicant for the purpose of obtaining that applicant's criminal  
1278 history record information, as defined in 28 C.F.R. s. 20.3(d),  
1279 from the state's criminal history record repository, as defined  
1280 in 28 C.F.R. s. 20.3(f).

1281 (5) "Data system" means the repository of information  
1282 about licensees, including, but not limited to, license status  
1283 and adverse actions, which is created and administered under the  
1284 terms of this compact.

1285 (6) "Executive committee" means a group of directors and  
1286 ex officio individuals elected or appointed pursuant to  
1287 subsection (6) of Article VII.

1288 (7) "Impaired practitioner" means a physician assistant  
1289 whose practice is adversely affected by a health-related  
1290 condition that impacts his or her ability to practice.

1291 (8) "Investigative information" means information,  
1292 records, or documents received or generated by a licensing board  
1293 pursuant to an investigation.

1294 (9) "Jurisprudence requirement" means the assessment of an  
1295 individual's knowledge of the laws and rules governing the  
1296 practice of a physician assistant in a state.

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1297           (10) "License" means current authorization by a state,  
1298 other than authorization pursuant to a compact privilege, for a  
1299 physician assistant to provide medical services, which would be  
1300 unlawful without current authorization.

1301           (11) "Licensee" means an individual who holds a license  
1302 from a state to provide medical services as a physician  
1303 assistant.

1304           (12) "Licensing board" means any state entity authorized  
1305 to license and otherwise regulate physician assistants.

1306           (13) "Medical services" means health care services  
1307 provided for the diagnosis, prevention, treatment, cure, or  
1308 relief of a health condition, injury, or disease, as defined by  
1309 a state's laws and regulations.

1310           (14) "Model compact" means the model for the compact on  
1311 file with the Council of State Governments or other entity as  
1312 designated by the commission.

1313           (15) "Participating state" means a state that has enacted  
1314 this compact.

1315           (16) "Physician assistant" means an individual who is  
1316 licensed as a physician assistant. For purposes of this compact,  
1317 any other title or status adopted by a state to replace the term  
1318 "physician assistant" shall be deemed synonymous with "physician  
1319 assistant" and shall confer the same rights and responsibilities  
1320 to the licensee under this compact at the time of its enactment.

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1321 (17) "Physician Assistant Licensure Compact Commission,"  
1322 "compact commission," or "commission" mean the national  
1323 administrative body created pursuant to subsection (1) of  
1324 Article VII.

1325 (18) "Qualifying license" means an unrestricted license  
1326 issued by a participating state to provide medical services as a  
1327 physician assistant.

1328 (19) "Remote state" means a participating state where a  
1329 licensee who is not licensed as a physician assistant is  
1330 exercising or seeking to exercise the compact privilege.

1331 (20) "Rule" means a regulation adopted by an entity that  
1332 has the force and effect of law.

1333 (21) "Significant investigative information" means  
1334 investigative information that a licensing board, after an  
1335 inquiry or investigation that includes notification and an  
1336 opportunity for the physician assistant to respond if required  
1337 by state law, has reason to believe is not groundless and, if  
1338 proven true, would indicate more than a minor infraction.

1339 (22) "State" means any state, commonwealth, district, or  
1340 territory of the United States.

1341

1342

ARTICLE III

1343

STATE PARTICIPATION

1344

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1345 (1) To participate in this compact, a participating state  
1346 shall:

1347 (a) License physician assistants.

1348 (b) Participate in the compact commission's data system.

1349 (c) Have a mechanism in place for receiving and  
1350 investigating complaints against licensees and license  
1351 applicants.

1352 (d) Notify the commission, in compliance with the terms of  
1353 this compact and commission rules, of any adverse action against  
1354 a licensee or license applicant and the existence of significant  
1355 investigative information regarding a licensee or license  
1356 applicant.

1357 (e) Fully implement a criminal background check  
1358 requirement, within a timeframe established by commission rule,  
1359 by its licensing board receiving the results of a criminal  
1360 background check and reporting to the commission whether the  
1361 license applicant has been granted a license.

1362 (f) Comply with the rules of the compact commission.

1363 (g) Use passage of a recognized national exam such as the  
1364 NCCPA PANCE as a requirement for physician assistant licensure.

1365 (h) Grant the compact privilege to a holder of a  
1366 qualifying license in a participating state.

1367 (2) This compact does not prohibit a participating state  
1368 from charging a fee for granting the compact privilege.

1369

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1370 ARTICLE IV

1371 COMPACT PRIVILEGE

1372  
1373 (1) To exercise the compact privilege, a licensee must:

1374 (a) Have graduated from a physician assistant program  
1375 accredited by the Accreditation Review Commission on Education  
1376 for the Physician Assistant, Inc., or other programs authorized  
1377 by commission rule.

1378 (b) Hold current NCCPA certification.

1379 (c) Have no felony or misdemeanor conviction.

1380 (d) Have never had a controlled substance license, permit,  
1381 or registration suspended or revoked by a state or by the United  
1382 States Drug Enforcement Administration.

1383 (e) Have a unique identifier as determined by commission  
1384 rule.

1385 (f) Hold a qualifying license.

1386 (g) Have not had a revocation of a license or limitation  
1387 or restriction on any license currently held due to an adverse  
1388 action.

1389 (h) If a licensee has had a limitation or restriction on a  
1390 license or compact privilege due to an adverse action, 2 years  
1391 must have elapsed from the date on which the license or compact  
1392 privilege is no longer limited or restricted due to the adverse  
1393 action.

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1394 (i) If a compact privilege has been revoked or is limited  
1395 or restricted in a participating state for conduct that would  
1396 not be a basis for disciplinary action in a participating state  
1397 in which the licensee is practicing or applying to practice  
1398 under a compact privilege, that participating state shall have  
1399 the discretion not to consider such action as an adverse action  
1400 requiring the denial or removal of a compact privilege in that  
1401 state.

1402 (j) Notify the compact commission that the licensee is  
1403 seeking the compact privilege in a remote state.

1404 (k) Meet any jurisprudence requirement of a remote state  
1405 in which the licensee is seeking to practice under the compact  
1406 privilege.

1407 (1) Report to the commission any adverse action taken by a  
1408 nonparticipating state within 30 days after the action is taken.

1409 (2) The compact privilege is valid until the expiration or  
1410 revocation of the qualifying license unless terminated pursuant  
1411 to an adverse action. The licensee must comply with all of the  
1412 requirements of subsection (1) to maintain the compact privilege  
1413 in a remote state. If the participating state takes adverse  
1414 action against a qualifying license, the licensee shall lose the  
1415 compact privilege in any remote state in which the licensee has  
1416 a compact privilege until all of the following occur:

1417 (a) The license is no longer limited or restricted.

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1418 (b) Two years have elapsed from the date on which the  
1419 license is no longer limited or restricted due to the adverse  
1420 action.

1421 (3) Once a restricted or limited license satisfies the  
1422 requirements of subsection (2), the licensee must meet the  
1423 requirements of subsection (1) to obtain a compact privilege in  
1424 any remote state.

1425 (4) For each remote state in which a physician assistant  
1426 seeks authority to prescribe controlled substances, the  
1427 physician assistant shall satisfy all requirements imposed by  
1428 such state in granting or renewing such authority.

1429  
1430 ARTICLE V

1431 DESIGNATION OF THE STATE FROM WHICH LICENSEE  
1432 IS APPLYING FOR COMPACT PRIVILEGE  
1433

1434 Upon a licensee's application for a compact privilege, the  
1435 licensee shall identify to the commission the participating  
1436 state from which the licensee is applying, in accordance with  
1437 applicable rules adopted by the commission, and subject to the  
1438 following requirements:

1439 (1) When applying for a compact privilege, the licensee  
1440 shall provide the commission with the address of the licensee's  
1441 primary residence and thereafter shall immediately report to the

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1442 commission any change in the address of the licensee's primary  
1443 residence.

1444 (2) When applying for a compact privilege, the licensee is  
1445 required to consent to accept service of process by mail at the  
1446 licensee's primary residence on file with the commission with  
1447 respect to any action brought against the licensee by the  
1448 commission or a participating state, including a subpoena, with  
1449 respect to any action brought or investigation conducted by the  
1450 commission or a participating state.

1451  
1452 ARTICLE VI

1453 ADVERSE ACTIONS

1454  
1455 (1) A participating state in which a licensee is licensed  
1456 shall have exclusive power to impose adverse action against the  
1457 qualifying license issued by that participating state.

1458 (2) In addition to the other powers conferred by state  
1459 law, a remote state shall have the authority, in accordance with  
1460 existing state due process law, to do all of the following:

1461 (a) Take adverse action against a physician assistant's  
1462 compact privilege within that state to remove a licensee's  
1463 compact privilege or take other action necessary under  
1464 applicable law to protect the health and safety of its citizens.

1465 (b) Issue subpoenas for both hearings and investigations  
1466 that require the attendance and testimony of witnesses as well

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1467 as the production of evidence. Subpoenas issued by a licensing  
1468 board in a participating state for the attendance and testimony  
1469 of witnesses or the production of evidence from another  
1470 participating state shall be enforced in the latter state by any  
1471 court of competent jurisdiction according to the practice and  
1472 procedure of that court applicable to subpoenas issued in  
1473 proceedings pending before it. The issuing authority shall pay  
1474 any witness fees, travel expenses, mileage, and other fees  
1475 required by the service statutes of the state in which the  
1476 witnesses or evidence are located.

1477 (c) Notwithstanding paragraph (b), subpoenas may not be  
1478 issued by a participating state to gather evidence of conduct in  
1479 another state that is lawful in that other state for the purpose  
1480 of taking adverse action against a licensee's compact privilege  
1481 or application for a compact privilege in that participating  
1482 state.

1483 (d) This compact does not authorize a participating state  
1484 to impose discipline against a physician assistant's compact  
1485 privilege or to deny an application for a compact privilege in  
1486 that participating state for the individual's otherwise lawful  
1487 practice in another state.

1488 (3) For purposes of taking adverse action, the  
1489 participating state which issued the qualifying license shall  
1490 give the same priority and effect to reported conduct received  
1491 from any other participating state as it would if the conduct

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1492 had occurred within the participating state which issued the  
1493 qualifying license. In so doing, the participating state shall  
1494 apply its own state laws to determine appropriate action.

1495 (4) A participating state, if otherwise permitted by state  
1496 law, may recover from the affected physician assistant the costs  
1497 of investigations and disposition of cases resulting from any  
1498 adverse action taken against that physician assistant.

1499 (5) A participating state may take adverse action based on  
1500 the factual findings of a remote state, provided that the  
1501 participating state follows its own procedures for taking the  
1502 adverse action.

1503 (6) (a) In addition to the authority granted to a  
1504 participating state by its applicable laws and regulations, any  
1505 participating state may participate with other participating  
1506 states in joint investigations of licensees.

1507 (b) Participating states shall share any investigative,  
1508 litigation, or compliance materials in furtherance of any joint  
1509 or individual investigation initiated under this compact.

1510 (7) If an adverse action is taken against a physician  
1511 assistant's qualifying license, the physician assistant's  
1512 compact privilege in all remote states shall be deactivated  
1513 until 2 years after all restrictions have been removed from the  
1514 state license. All disciplinary orders by the participating  
1515 state which issued the qualifying license that imposes adverse  
1516 action against a physician assistant's license shall include a

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1517 statement that the physician assistant's compact privilege is  
1518 deactivated in all participating states during the pendency of  
1519 the order.

1520 (8) If any participating state takes adverse action, it  
1521 shall promptly notify the administrator of the data system.

1522  
1523 ARTICLE VII

1524 ESTABLISHMENT OF THE COMPACT COMMISSION

1525  
1526 (1) The participating states create and establish a joint  
1527 government agency and national administrative body known as the  
1528 Physician Assistant Licensure Compact Commission. The commission  
1529 is an instrumentality of the compact states acting jointly and  
1530 not an instrumentality of any one state. The commission shall  
1531 come into existence on or after the effective date of the  
1532 compact as provided in subsection (1) of Article XI.

1533 (2) (a) Each participating state shall have and be limited  
1534 to one delegate selected by that participating state's licensing  
1535 board or, if the state has more than one licensing board,  
1536 selected collectively by the participating state's licensing  
1537 boards.

1538 (b) The delegate shall be either:

1539 1. A current physician assistant, physician, or public  
1540 member of a licensing board or physician assistant council or  
1541 committee; or

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1542 2. An administrator of a licensing board.

1543 (c) Any delegate may be removed or suspended from office  
1544 as provided by the laws of the state from which the delegate is  
1545 appointed.

1546 (d) The participating state licensing board shall fill any  
1547 vacancy occurring in the commission within 60 days.

1548 (e) Each delegate shall be entitled to one vote on all  
1549 matters voted on by the commission and shall otherwise have an  
1550 opportunity to participate in the business and affairs of the  
1551 commission. A delegate shall vote in person or by such other  
1552 means as provided in the bylaws. The bylaws may provide for  
1553 delegates' participation in meetings by telecommunications,  
1554 video conference, or other means of communication.

1555 (f) The commission shall meet at least once during each  
1556 calendar year. Additional meetings shall be held as set forth in  
1557 this compact and the bylaws.

1558 (g) The commission shall establish by rule a term of  
1559 office for delegates.

1560 (3) The commission shall have all of the following powers  
1561 and duties:

1562 (a) Establish a code of ethics for the commission.

1563 (b) Establish the fiscal year of the commission.

1564 (c) Establish bylaws.

1565 (d) Maintain its financial records in accordance with the  
1566 bylaws.

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1567 (e) Meet and take such actions as are consistent with the  
1568 provisions of this compact and the bylaws.

1569 (f) Adopt rules to facilitate and coordinate  
1570 implementation and administration of this compact. The rules  
1571 shall have the force and effect of law and shall be binding in  
1572 all participating states.

1573 (g) Bring and prosecute legal proceedings or actions in  
1574 the name of the commission, provided that the standing of any  
1575 state licensing board to sue or be sued under applicable law may  
1576 not be affected.

1577 (h) Purchase and maintain insurance and bonds.

1578 (i) Borrow, accept, or contract for services of personnel,  
1579 including, but not limited to, employees of a participating  
1580 state.

1581 (j) Hire employees and engage contractors, elect or  
1582 appoint officers, fix compensation, define duties, grant such  
1583 individuals appropriate authority to carry out the purposes of  
1584 this compact, and establish the commission's personnel policies  
1585 and programs relating to conflicts of interest, qualifications  
1586 of personnel, and other related personnel matters.

1587 (k) Accept any and all appropriate donations and grants of  
1588 money, equipment, supplies, materials, and services, and  
1589 receive, use, and dispose of the same, provided that at all  
1590 times the commission shall avoid any appearance of impropriety  
1591 or conflict of interest.

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1592       (l) Lease, purchase, accept appropriate gifts or donations  
1593 of, or otherwise own, hold, improve, or use any property, real,  
1594 personal, or mixed, provided that at all times the commission  
1595 shall avoid any appearance of impropriety.

1596       (m) Sell, convey, mortgage, pledge, lease, exchange,  
1597 abandon, or otherwise dispose of any property, real, personal,  
1598 or mixed.

1599       (n) Establish a budget and make expenditures.

1600       (o) Borrow money.

1601       (p) Appoint committees, including standing committees  
1602 composed of members, state regulators, state legislators or  
1603 their representatives, and consumer representatives, and such  
1604 other interested persons as may be designated in this compact  
1605 and the bylaws.

1606       (q) Provide and receive information from, and cooperate  
1607 with, law enforcement agencies.

1608       (r) Elect a chair, vice chair, secretary, and treasurer  
1609 and other officers of the commission as provided in the  
1610 commission's bylaws.

1611       (s) Reserve for itself, in addition to those reserved  
1612 exclusively to the commission under the compact, powers that the  
1613 executive committee may not exercise.

1614       (t) Approve or disapprove a state's participation in the  
1615 compact based upon its determination as to whether the state's

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1616 compact legislation departs in a material manner from the model  
1617 compact language.

1618 (u) Prepare and provide to the participating states an  
1619 annual report.

1620 (v) Perform such other functions as may be necessary or  
1621 appropriate to achieve the purposes of this compact consistent  
1622 with the state regulation of physician assistant licensure and  
1623 practice.

1624 (4) (a) All meetings of the commission shall be open to the  
1625 public. Notice of public meetings shall be posted on the  
1626 commission's website at least 30 days before the public meeting.

1627 (b) Notwithstanding paragraph (a), the commission may  
1628 convene a public meeting by providing at least 24 hours' prior  
1629 notice on the commission's website, and any other means as  
1630 provided in the commission's rules, for any of the reasons it  
1631 may dispense with notice of proposed rulemaking under subsection  
1632 (20) of Article IX.

1633 (c) The commission may convene in a closed, nonpublic  
1634 meeting or nonpublic part of a public meeting to discuss any of  
1635 the following information:

1636 1. Noncompliance of a participating state with its  
1637 obligations under the compact;

1638 2. The employment, compensation, discipline, or other  
1639 matters, practices, or procedures related to specific employees

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1640 or other matters related to the commission's internal personnel  
1641 practices and procedures;

1642 3. Current, threatened, or reasonably anticipated  
1643 litigation;

1644 4. Negotiation of contracts for the purchase, lease, or  
1645 sale of goods, services, or real estate;

1646 5. Accusing any person of a crime or formally censuring  
1647 any person;

1648 6. Disclosure of trade secrets or commercial or financial  
1649 information that is privileged or confidential;

1650 7. Disclosure of information of a personal nature when  
1651 disclosure of such information would constitute a clearly  
1652 unwarranted invasion of personal privacy;

1653 8. Disclosure of investigative records compiled for law  
1654 enforcement purposes;

1655 9. Disclosure of information related to any investigative  
1656 reports prepared by or on behalf of or for use of the commission  
1657 or other committee charged with responsibility of investigation  
1658 or determination of compliance issues pursuant to the compact;

1659 10. Legal advice; or

1660 11. Matters specifically exempted from disclosure by  
1661 federal or state statute.

1662 (d) If a meeting, or portion of a meeting, is closed  
1663 pursuant to this article, the chair of the meeting or the  
1664 chair's designee shall certify that the meeting or portion of

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1665 the meeting may be closed and shall reference each relevant  
1666 exempting provision.

1667 (e) The commission shall keep minutes that fully and  
1668 clearly describe all matters discussed in a meeting and shall  
1669 provide a full and accurate summary of actions taken, including  
1670 a description of the views expressed. All documents considered  
1671 in connection with an action shall be identified in such  
1672 minutes. All minutes and documents of a closed meeting shall  
1673 remain under seal, subject to release by a majority vote of the  
1674 commission or order of a court of competent jurisdiction.

1675 (5) (a) The commission shall pay, or provide for the  
1676 payment of, the reasonable expenses of its establishment,  
1677 organization, and ongoing activities.

1678 (b) The commission may accept any and all appropriate  
1679 revenue sources, donations, and grants of money, equipment,  
1680 supplies, materials, and services.

1681 (c) The commission may levy on and collect an annual  
1682 assessment from each participating state to cover the cost of  
1683 the operations and activities of the commission and its staff,  
1684 which must be in a total amount sufficient to cover its annual  
1685 budget as approved by the commission each year for which revenue  
1686 is not provided by other sources. The aggregate annual  
1687 assessment amount levied on participating states shall be  
1688 allocated based upon a formula to be determined by commission  
1689 rule.

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1690 1. A compact privilege expires when the licensee's  
1691 qualifying license in the participating state from which the  
1692 licensee applied for the compact privilege expires.

1693 2. If the licensee terminates the qualifying license  
1694 through which the licensee applied for the compact privilege  
1695 before its scheduled expiration, and the licensee has a  
1696 qualifying license in another participating state, the licensee  
1697 shall inform the commission that it is changing to that  
1698 participating state the participating state through which it  
1699 applies for a compact privilege and pay to the commission any  
1700 compact privilege fee required by commission rule.

1701 (d) The commission may not incur obligations of any kind  
1702 prior to securing the funds adequate to meet the same, nor shall  
1703 the commission pledge the credit of any of the participating  
1704 states, except by and with the authority of the participating  
1705 state.

1706 (e) The commission shall keep accurate accounts of all  
1707 receipts and disbursements. The receipts and disbursements of  
1708 the commission shall be subject to the financial review and  
1709 accounting procedures established under its bylaws. All receipts  
1710 and disbursements of funds handled by the commission shall be  
1711 subject to an annual financial review by a certified or licensed  
1712 public accountant, and the report of the financial review shall  
1713 be included in and become part of the annual report of the  
1714 commission.

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1715 (6) (a) The executive committee shall have the power to act  
1716 on behalf of the commission according to the terms of this  
1717 compact and commission rules.

1718 (b) The executive committee shall be composed of nine  
1719 members, including:

1720 1. Seven voting members who are elected by the commission  
1721 from the current membership of the commission.

1722 2. One ex officio, nonvoting member from a recognized  
1723 national physician assistant professional association.

1724 3. One ex officio, nonvoting member from a recognized  
1725 national physician assistant certification organization.

1726 (c) The ex officio members will be selected by their  
1727 respective organizations.

1728 (d) The commission may remove any member of the executive  
1729 committee as provided in its bylaws.

1730 (e) The executive committee shall meet at least annually.

1731 (f) The executive committee shall have all of the  
1732 following duties and responsibilities:

1733 1. Recommend to the commission changes to the commission's  
1734 rules or bylaws, changes to this compact legislation, and fees  
1735 to be paid by compact participating states, such as annual dues.

1736 2. Ensure compact administration services are  
1737 appropriately provided, contractual or otherwise.

1738 3. Prepare and recommend the budget.

1739 4. Maintain financial records on behalf of the commission.

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1740 5. Monitor compact compliance of participating states and  
1741 provide compliance reports to the commission.

1742 6. Establish additional committees as necessary.

1743 7. Exercise the powers and duties of the commission during  
1744 the interim between commission meetings, except for issuing  
1745 proposed rulemaking or adopting commission rules or bylaws, or  
1746 exercising any other powers and duties exclusively reserved to  
1747 the commission by the commission's rules.

1748 8. Perform other duties as provided in the commission's  
1749 rules or bylaws.

1750 (7) (a) All meetings of the executive committee at which it  
1751 votes or plans to vote on matters in exercising the powers and  
1752 duties of the commission shall be open to the public and public  
1753 notice of such meetings shall be given as public meetings of the  
1754 commission are given.

1755 (b) The executive committee may convene in a closed,  
1756 nonpublic meeting for the same reasons that the commission may  
1757 convene in a nonpublic meeting as provided in paragraph (c) of  
1758 subsection (4) and shall announce the closed meeting as the  
1759 commission is required to under paragraph (d) of subsection (4)  
1760 of this Article and keep minutes of the closed meeting as the  
1761 commission is required to under paragraph (e) of subsection (4)  
1762 of this Article.

1763 (c) The members, officers, executive director, employees,  
1764 and representatives of the commission shall be immune from suit

## Amendment No.1

1765 and liability, both personally and in their official capacities,  
1766 for any claim for damage to or loss of property or personal  
1767 injury or other civil liability caused by or arising out of any  
1768 actual or alleged act, error, or omission that occurred, or that  
1769 the person against whom the claim is made had a reasonable basis  
1770 for believing occurred within the scope of commission  
1771 employment, duties, or responsibilities, provided that nothing  
1772 in this paragraph shall be construed to protect any such person  
1773 from suit or liability for any damage, loss, injury, or  
1774 liability caused by the intentional or willful or wanton  
1775 misconduct of that person. The procurement of insurance of any  
1776 type by the commission does not in any way compromise or limit  
1777 the immunity granted hereunder.

1778 (d) The commission shall defend any member, officer,  
1779 executive director, employee, and representative of the  
1780 commission in any civil action seeking to impose liability  
1781 arising out of any actual or alleged act, error, or omission  
1782 that occurred within the scope of commission employment, duties,  
1783 or responsibilities, or as determined by the commission that the  
1784 person against whom the claim is made had a reasonable basis for  
1785 believing occurred within the scope of commission employment,  
1786 duties, or responsibilities, provided that nothing herein shall  
1787 be construed to prohibit that person from retaining his or her  
1788 own counsel at his or her own expense, and provided further that

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1789 the actual or alleged act, error, or omission did not result  
1790 from that person's intentional or willful or wanton misconduct.

1791 (e) The commission shall indemnify and hold harmless any  
1792 member, officer, executive director, employee, and  
1793 representative of the commission for the amount of any  
1794 settlement or judgment obtained against that person arising out  
1795 of any actual or alleged act, error, or omission that occurred  
1796 within the scope of commission employment, duties, or  
1797 responsibilities, or that such person had a reasonable basis for  
1798 believing occurred within the scope of commission employment,  
1799 duties, or responsibilities, provided that the actual or alleged  
1800 act, error, or omission did not result from the intentional or  
1801 willful or wanton misconduct of that person.

1802 (f) Venue is proper and judicial proceedings by or against  
1803 the commission shall be brought solely and exclusively in a  
1804 court of competent jurisdiction where the principal office of  
1805 the commission is located. The commission may waive venue and  
1806 jurisdictional defenses in any proceedings as authorized by  
1807 commission rules.

1808 (g) This compact does not:

1809 1. Limit the liability of any licensee for professional  
1810 malpractice or misconduct, which shall be governed solely by any  
1811 other applicable state laws.

1812 2. Designate the venue or jurisdiction to bring actions  
1813 for alleged acts of malpractice, professional misconduct,

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1814 negligence, or other such civil action pertaining to the  
1815 practice of a physician assistant. All such matters shall be  
1816 determined exclusively by state law other than this compact.

1817 3. Waive or otherwise abrogate a participating state's  
1818 state action immunity or state action affirmative defense with  
1819 respect to antitrust claims under the Sherman Act, the Clayton  
1820 Act, or any other state or federal antitrust or anticompetitive  
1821 law or regulation.

1822 4. Waive sovereign immunity by the participating states or  
1823 by the commission.

1824  
1825 ARTICLE VIII

1826 DATA SYSTEM

1827  
1828 (1) The commission shall provide for the development,  
1829 maintenance, operation, and use of a coordinated data and  
1830 reporting system containing licensure, adverse action, and the  
1831 reporting of the existence of significant investigative  
1832 information on all licensed physician assistants and applicants  
1833 denied a license in participating states.

1834 (2) Notwithstanding any other state law to the contrary, a  
1835 participating state shall submit a uniform data set to the data  
1836 system on all applicable physician assistants, using a unique  
1837 identifier, as required by the rules of the commission,  
1838 including all of the following:

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- 1839        (a) Identifying information.
- 1840        (b) Licensure data.
- 1841        (c) Adverse actions against a license or compact  
1842 privilege.
- 1843        (d) Any denial of application for licensure, and the  
1844 reason for such denial. This does not include the reporting of  
1845 any criminal history record information where prohibited by law.
- 1846        (e) The existence of significant investigative  
1847 information.
- 1848        (f) Other information that may facilitate the  
1849 administration of this compact, as determined by the rules of  
1850 the commission.
- 1851        (3) Significant investigative information pertaining to a  
1852 licensee in any participating state shall only be available to  
1853 other participating states.
- 1854        (4) The commission shall promptly notify all participating  
1855 states of any reported adverse action taken against a licensee  
1856 or an individual applying for a license. The adverse action  
1857 information shall be available to all participating states.
- 1858        (5) Participating states contributing information to the  
1859 data system may, in accordance with state or federal law,  
1860 designate information that may not be shared with the public  
1861 without the express permission of the contributing state.  
1862 Notwithstanding any such designation, such information shall be  
1863 reported to the commission through the data system.

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1864 (6) Any information submitted to the data system that is  
1865 subsequently expunged pursuant to state or federal law shall be  
1866 removed from the data system upon reporting of such by the  
1867 participating state to the commission.

1868 (7) The records and information provided to a  
1869 participating state pursuant to this compact or through the data  
1870 system, when certified by the commission or an agent thereof,  
1871 shall constitute the authenticated business records of the  
1872 commission, and shall be entitled to any associated hearsay  
1873 exception in any relevant judicial, quasi-judicial, or  
1874 administrative proceedings in a participating state.

1875  
1876 ARTICLE IX

1877 RULEMAKING

1878  
1879 (1) The commission shall exercise its rulemaking powers  
1880 pursuant to the criteria provided in this article and the rules  
1881 adopted thereunder. Commission rules shall become binding as of  
1882 the date specified by the commission for each rule.

1883 (2) The commission shall adopt reasonable rules in order  
1884 to effectively and efficiently implement and administer this  
1885 compact and achieve its purposes. A commission rule is invalid  
1886 and does not have force or effect if a court of competent  
1887 jurisdiction holds that the rule is invalid because the  
1888 commission exercised its rulemaking authority in a manner that

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1889 is beyond the scope of the purposes of this compact, or the  
1890 powers granted hereunder, or based upon another applicable  
1891 standard of review.

1892 (3) The rules of the commission shall have the force of  
1893 law in each participating state, provided, however, that where  
1894 the rules of the commission conflict with the laws of the  
1895 participating state that establish the medical services a  
1896 physician assistant may perform in the participating state, as  
1897 held by a court of competent jurisdiction, the rules of the  
1898 commission shall be ineffective in that state to the extent of  
1899 the conflict.

1900 (4) If a majority of the legislatures of the participating  
1901 states rejects a commission rule, by enactment of a statute or  
1902 resolution in the same manner used to adopt this compact within  
1903 4 years after the date of adoption of the rule, then such rule  
1904 shall have no further force and effect in any participating  
1905 state or to any state applying to participate in the compact.

1906 (5) Commission rules shall be adopted at a regular or  
1907 special meeting of the commission.

1908 (6) Before adoption of a final rule or rules by the  
1909 commission, and at least 30 days before the meeting at which the  
1910 rule will be considered and voted upon, the commission shall  
1911 file a notice of proposed rulemaking:

1912 (a) On the website of the commission or other publicly  
1913 accessible platform.

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1914 (b) To persons who have requested notice of the  
1915 commission's notices of proposed rulemaking.

1916 (c) In such other ways as the commission may by rule  
1917 specify.

1918 (7) The notice of proposed rulemaking shall include all of  
1919 the following:

1920 (a) The time, date, and location of the public hearing on  
1921 the proposed rule and the proposed time, date, and location of  
1922 the meeting in which the proposed rule will be considered and  
1923 voted upon.

1924 (b) The text of the proposed rule and the reason for the  
1925 proposed rule.

1926 (c) A request for comments on the proposed rule from any  
1927 interested person and the date by which written comments must be  
1928 received.

1929 (d) The manner in which an interested person may submit  
1930 notice to the commission of his or her intention to attend the  
1931 public hearing or provide any written comments.

1932 (8) Before adoption of a proposed rule, the commission  
1933 shall allow persons to submit written data, facts, opinions, and  
1934 arguments, which shall be made available to the public.

1935 (9) If the hearing is to be held via electronic means, the  
1936 commission shall publish the mechanism for access to the  
1937 electronic hearing.

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1938 (a) Any person wishing to be heard at the hearing shall,  
1939 as directed in the notice of proposed rulemaking, at least 5  
1940 business days before the scheduled date of the hearing, notify  
1941 the commission of his or her desire to appear and testify at the  
1942 hearing.

1943 (b) Hearings shall be conducted in a manner providing each  
1944 person who wishes to comment a fair and reasonable opportunity  
1945 to comment orally or in writing.

1946 (c) All hearings shall be recorded. A copy of the  
1947 recording and the written comments, data, facts, opinions, and  
1948 arguments received in response to the proposed rulemaking shall  
1949 be made available to a person upon request.

1950 (10) This article does not require a separate hearing on  
1951 each proposed rule. Proposed rules may be grouped for the  
1952 convenience of the commission at hearings required by this  
1953 article.

1954 (11) Following the public hearing, the commission shall  
1955 consider all written and oral comments timely received.

1956 (12) The commission shall, by a majority vote of all  
1957 delegates, take final action on the proposed rule and shall  
1958 determine the effective date of the rule, if adopted, based on  
1959 the rulemaking record and the full text of the rule.

1960 (a) If adopted, the rule shall be posted on the  
1961 commission's website.

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1962           (b) The commission may adopt changes to the proposed rule  
1963 provided the changes do not enlarge the original purpose of the  
1964 proposed rule.

1965           (c) The commission shall provide on its website an  
1966 explanation of the reasons for substantive changes made to the  
1967 proposed rule as well as reasons for substantive changes not  
1968 made that were recommended by commenters.

1969           (d) The commission shall determine a reasonable effective  
1970 date for the rule. Except for an emergency as provided in  
1971 subsection (13), the effective date of the rule shall be at  
1972 least 30 days after the commission issued the notice that it  
1973 adopted the rule.

1974           (13) (a) Upon determination that an emergency exists, the  
1975 commission may consider and adopt an emergency rule with 24  
1976 hours' prior notice, without the opportunity for comment or  
1977 hearing, provided that the usual rulemaking procedures provided  
1978 in this compact and in this article shall be retroactively  
1979 applied to the rule as soon as reasonably possible, but in no  
1980 event later than 90 days after the effective date of the rule.  
1981 For the purposes of this subsection, an emergency rule is one  
1982 that must be adopted immediately by the commission in order to:

1983           1. Meet an imminent threat to public health, safety, or  
1984 welfare;

1985           2. Prevent a loss of commission or participating state  
1986 funds;

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1987 3. Meet a deadline for the adoption of a commission rule  
1988 that is established by federal law or rule; or

1989 4. Protect public health and safety.

1990 (14) The commission or an authorized committee of the  
1991 commission may direct revisions to a previously adopted  
1992 commission rule for purposes of correcting typographical errors,  
1993 errors in format, errors in consistency, or grammatical errors.  
1994 Public notice of any revisions shall be posted on the website of  
1995 the commission. The revision shall be subject to challenge by  
1996 any person for a period of 30 days after posting. The revision  
1997 may be challenged only on grounds that the revision results in a  
1998 material change to a rule. A challenge shall be made as provided  
1999 in the notice of revisions and delivered to the commission  
2000 before the end of the notice period. If the revision is not  
2001 challenged, the revision will take effect without further  
2002 action. If the revision is challenged, the revision may not take  
2003 effect without the approval of the commission.

2004 (15) A participating state's rulemaking requirements do  
2005 not apply under this compact.

2006  
2007 ARTICLE X

2008 OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT

2009  
2010 (1) The executive and judicial branches of state  
2011 government in each participating state shall enforce this

## Amendment No.1

2012 compact and take all actions necessary and appropriate to  
2013 implement the compact.

2014 (2) Venue is proper and judicial proceedings by or against  
2015 the commission shall be brought solely and exclusively in a  
2016 court of competent jurisdiction where the principal office of  
2017 the commission is located. The commission may waive venue and  
2018 jurisdictional defenses to the extent it adopts or consents to  
2019 participate in alternative dispute resolution proceedings.

2020 Nothing herein shall affect or limit the selection or propriety  
2021 of venue in any action against a licensee for professional  
2022 malpractice, misconduct, or any such similar matter.

2023 (3) The commission shall be entitled to receive service of  
2024 process in any proceeding regarding the enforcement or  
2025 interpretation of the compact or the commission's rules and  
2026 shall have standing to intervene in such a proceeding for all  
2027 purposes. Failure to provide the commission with service of  
2028 process shall render a judgment or order in such proceeding void  
2029 as to the commission, this compact, or commission rules.

2030 (4) If the commission determines that a participating  
2031 state has defaulted in the performance of its obligations or  
2032 responsibilities under this compact or the commission rules, the  
2033 commission shall provide written notice to the defaulting state  
2034 and other participating states. The notice shall describe the  
2035 default, the proposed means of curing the default, and any other  
2036 action that the commission may take and shall offer remedial

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2037 training and specific technical assistance regarding the  
2038 default.

2039 (5) If a state in default fails to cure the default, the  
2040 defaulting state may be terminated from this compact upon an  
2041 affirmative vote of a majority of the delegates of the  
2042 participating states, and all rights, privileges, and benefits  
2043 conferred by this compact upon such state may be terminated on  
2044 the effective date of termination. A cure of the default does  
2045 not relieve the offending state of obligations or liabilities  
2046 incurred during the period of default.

2047 (6) Termination of participation in this compact shall be  
2048 imposed only after all other means of securing compliance have  
2049 been exhausted. Notice of intent to suspend or terminate shall  
2050 be given by the commission to the Governor, the majority and  
2051 minority leaders of the defaulting state's legislature, and the  
2052 licensing board of each of the participating states.

2053 (7) A state that has been terminated is responsible for  
2054 all assessments, obligations, and liabilities incurred through  
2055 the effective date of termination, including obligations that  
2056 extend beyond the effective date of termination.

2057 (8) The commission may not bear any costs related to a  
2058 state that is found to be in default or that has been terminated  
2059 from this compact, unless agreed upon in writing between the  
2060 commission and the defaulting state.

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2061 (9) The defaulting state may appeal its termination from  
2062 the compact by the commission by petitioning the United States  
2063 District Court for the District of Columbia or the federal  
2064 district where the commission has its principal offices. The  
2065 prevailing member shall be awarded all costs of such litigation,  
2066 including reasonable attorney fees.

2067 (10) Upon the termination of a state's participation in  
2068 the compact, the state shall immediately provide notice to all  
2069 licensees within that state of such termination.

2070 (a) Licensees who have been granted a compact privilege in  
2071 that state shall retain the compact privilege for 180 days after  
2072 the effective date of such termination.

2073 (b) Licensees who are licensed in that state who have been  
2074 granted a compact privilege in a participating state shall  
2075 retain the compact privilege for 180 days unless the licensee  
2076 also has a qualifying license in a participating state or  
2077 obtains a qualifying license in a participating state before the  
2078 180-day period ends, in which case the compact privilege shall  
2079 continue.

2080 (11) Upon request by a participating state, the commission  
2081 shall attempt to resolve disputes related to this compact that  
2082 arise among participating states and between participating and  
2083 nonparticipating states.

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2084 (12) The commission shall adopt a rule providing for both  
2085 mediation and binding dispute resolution for disputes, as  
2086 appropriate.

2087 (13) The commission, in the reasonable exercise of its  
2088 discretion, shall enforce this compact and the rules of the  
2089 commission.

2090 (14) If compliance is not secured after all means to  
2091 secure compliance have been exhausted, by majority vote, the  
2092 commission may initiate legal action in the United States  
2093 District Court for the District of Columbia or the federal  
2094 district where the commission has its principal offices against  
2095 a participating state in default to enforce compliance with this  
2096 compact and the commission's rules and bylaws. The relief sought  
2097 may include both injunctive relief and damages. In the event  
2098 judicial enforcement is necessary, the prevailing party shall be  
2099 awarded all costs of such litigation, including reasonable  
2100 attorney fees.

2101 (15) These remedies are not the exclusive remedies of the  
2102 commission. The commission may pursue any other remedies  
2103 available under state or federal law.

2104 (16) A participating state may initiate legal action  
2105 against the commission in the United States District Court for  
2106 the District of Columbia or the federal district where the  
2107 commission has its principal offices to enforce compliance with  
2108 the provisions of the compact and its rules. The relief sought

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2109 may include both injunctive relief and damages. In the event  
2110 judicial enforcement is necessary, the prevailing party shall be  
2111 awarded all costs of such litigation, including reasonable  
2112 attorney fees.

2113 (17) No person other than a participating state may  
2114 enforce this compact against the commission.

2115

2116 ARTICLE XI

2117 DATE OF IMPLEMENTATION OF THE PHYSICIAN ASSISTANT LICENSURE

2118 COMPACT COMMISSION

2119

2120 (1) This compact shall become effective on the date on  
2121 which this compact is enacted into law in the seventh  
2122 participating state.

2123 (a) On or after the effective date of the compact, the  
2124 commission shall convene and review the enactment of each of the  
2125 states that enacted the compact before the commission convening  
2126 to determine if the statute enacted by each such charter  
2127 participating state is materially different than the model  
2128 compact.

2129 (b) A charter participating state whose enactment is found  
2130 to be materially different from the model compact shall be  
2131 entitled to the default process provided in subsection (4) of  
2132 Article X.

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2133 (c) If any participating state later withdraws from the  
2134 compact or its participation is terminated, the commission shall  
2135 remain in existence and the compact shall remain in effect even  
2136 if the number of participating states should be less than seven.

2137 (2) Participating states enacting the compact subsequent  
2138 to the commission convening shall be subject to the process set  
2139 forth in paragraph (t) of subsection (3) of Article VII to  
2140 determine if their enactments are materially different from the  
2141 model compact and whether they qualify for participation in the  
2142 compact.

2143 (3) Participating states enacting the compact subsequent  
2144 to the seven initial charter participating states shall be  
2145 subject to the process set forth in paragraph (t) of subsection  
2146 (3) of Article VII to determine if such enactments are  
2147 materially different from the model compact and whether they  
2148 qualify for participation in the compact.

2149 (4) All actions taken for the benefit of the commission or  
2150 in furtherance of the purposes of the administration of the  
2151 compact before the effective date of the compact or the  
2152 commission coming into existence shall be considered to be  
2153 actions of the commission unless specifically repudiated by the  
2154 commission.

2155 (5) Any state that joins this compact shall be subject to  
2156 the commission's rules and bylaws that exist on the date on  
2157 which this compact becomes a law in that state. Any rule that

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2158 has been previously adopted by the commission shall have the  
2159 full force and effect of law on the day this compact becomes a  
2160 law in that state.

2161 (6) Any participating state may withdraw from this compact  
2162 by enacting a statute repealing the same.

2163 (a) A participating state's withdrawal does not take  
2164 effect until 180 days after enactment of the repealing statute.  
2165 During this 180 day-period, all compact privileges that were in  
2166 effect in the withdrawing state and were granted to licensees  
2167 licensed in the withdrawing state shall remain in effect. If any  
2168 licensee licensed in the withdrawing state is also licensed in  
2169 another participating state or obtains a license in another  
2170 participating state within the 180 days, the licensee's compact  
2171 privileges in other participating states will not be affected by  
2172 the passage of the 180 days.

2173 (b) Withdrawal does not affect the continuing requirement  
2174 of the state licensing board of the withdrawing state to comply  
2175 with the investigative and adverse action reporting requirements  
2176 of this compact before the effective date of withdrawal.

2177 (c) Upon the enactment of a statute withdrawing a state  
2178 from this compact, the state shall immediately provide notice of  
2179 such withdrawal to all licensees within that state. Such  
2180 withdrawing state shall continue to recognize all licenses  
2181 granted pursuant to this compact for a minimum of 180 days after  
2182 the date of such notice of withdrawal.

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2183 (7) Nothing contained in this compact shall be construed  
2184 to invalidate or prevent any physician assistant licensure  
2185 agreement or other cooperative arrangement between participating  
2186 states and between a participating state and nonparticipating  
2187 state that does not conflict with the provisions of this  
2188 compact.

2189 (8) This compact may be amended by the participating  
2190 states. An amendment to this compact is not effective and  
2191 binding upon any participating state until it is enacted  
2192 materially in the same manner into the laws of all participating  
2193 states as determined by the commission.

2194  
2195 ARTICLE XII

2196 CONSTRUCTION AND SEVERABILITY

2197  
2198 (1) This compact and the commission's rulemaking authority  
2199 shall be liberally construed so as to effectuate the purposes  
2200 and the implementation and administration of the compact.  
2201 Provisions of the compact expressly authorizing or requiring the  
2202 adoption of rules may not be construed to limit the commission's  
2203 rulemaking authority solely for those purposes.

2204 (2) The provisions of this compact are severable and if  
2205 any phrase, clause, sentence, or provision of this compact is  
2206 held by a court of competent jurisdiction to be contrary to the  
2207 constitution of any participating state, a state seeking

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2208 participation in the compact, or of the United States, or the  
2209 applicability thereof to any government, agency, person, or  
2210 circumstance is held to be unconstitutional by a court of  
2211 competent jurisdiction, the validity of the remainder of this  
2212 compact and the applicability thereof to any other government,  
2213 agency, person, or circumstance may not be affected thereby.

2214 (3) Notwithstanding subsection (2) of this article, the  
2215 commission may deny a state's participation in the compact or,  
2216 in accordance with the requirements in subsections (4)-(10) of  
2217 Article X, terminate a participating state's participation in  
2218 the compact, if it determines that a constitutional requirement  
2219 of a participating state is, or would be with respect to a state  
2220 seeking to participate in the compact, a material departure from  
2221 the compact. Otherwise, if this compact shall be held to be  
2222 contrary to the constitution of any participating state, the  
2223 compact shall remain in full force and effect as to the  
2224 remaining participating states and in full force and effect as  
2225 to the participating state affected as to all severable matters.

2226  
2227 ARTICLE XIII

2228 BINDING EFFECT OF COMPACT

2229  
2230 (1) Nothing herein prevents the enforcement of any other  
2231 law of a participating state that is not inconsistent with this  
2232 compact.

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2233 (2) Any laws in a participating state in conflict with  
2234 this compact are superseded to the extent of the conflict.

2235 (3) All agreements between the commission and the  
2236 participating states are binding in accordance with their terms.

2237 **Section 19. Subsection (5) of section 456.076, Florida**  
2238 **Statutes, is amended to read:**

2239 456.076 Impaired practitioner programs.—

2240 (5) A consultant shall enter into a participant contract  
2241 with an impaired practitioner and shall establish the terms of  
2242 monitoring and shall include the terms in a participant  
2243 contract. In establishing the terms of monitoring, the  
2244 consultant may consider the recommendations of one or more  
2245 approved evaluators, treatment programs, or treatment providers.  
2246 A consultant may modify the terms of monitoring if the  
2247 consultant concludes, through the course of monitoring, that  
2248 extended, additional, or amended terms of monitoring are  
2249 required for the protection of the health, safety, and welfare  
2250 of the public. If the impaired practitioner is an audiologist or  
2251 a speech-language pathologist practicing under the Audiology and  
2252 Speech-Language Pathology Interstate Compact pursuant to s.  
2253 468.1335, a physical therapist or physical therapist assistant  
2254 practicing under the Physical Therapy Licensure Compact pursuant  
2255 to s. 486.112, a psychologist practicing under the Psychology  
2256 Interjurisdictional Compact pursuant to s. 490.0075, ~~or~~ a health  
2257 care practitioner practicing under the Professional Counselors

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2258 Licensure Compact pursuant to s. 491.017, or a clinical social  
2259 worker practicing under the Social Work Licensure Interstate  
2260 Compact pursuant to s. 491.022, the terms of the monitoring  
2261 contract must include the impaired practitioner's withdrawal  
2262 from all practice under the compact unless authorized by a  
2263 member state.

2264 **Section 20. Subsection (6) of section 458.307, Florida**  
2265 **Statutes, is renumbered as subsection (7) and a new subsection**  
2266 **(6) is added to that section, to read:**

2267 458.307 Board of Medicine.—

2268 (6) The Board of Medicine and the Board of Osteopathic  
2269 Medicine shall jointly appoint an individual to serve as the  
2270 state's delegate on the Physician Assistant Licensure Compact  
2271 Commission, as required under s. 456.66.

2272

2273 **Section 21. Subsections (7) through (16) of section**  
2274 **458.347, Florida Statutes, are renumbered as subsections (8)**  
2275 **through (17), respectively, paragraph (f) of subsection (6) is**  
2276 **redesignated as paragraph (g), subsection (3) and present**  
2277 **subsection (11) are amended, a new paragraph (f) is added to**  
2278 **subsection (6), and a new subsection (7) is added to that**  
2279 **section, to read:**

2280 458.347 Physician assistants.—

2281 (3) PERFORMANCE OF SUPERVISING PHYSICIAN.—Each physician  
2282 or group of physicians supervising a licensed physician

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2283 assistant must be qualified in the medical areas in which the  
2284 physician assistant is to perform and shall be individually or  
2285 collectively responsible and liable for the performance and the  
2286 acts and omissions of the physician assistant. A physician may  
2287 ~~not~~ supervise as many more than 10 currently licensed physician  
2288 assistants as the physician can effectively supervise and  
2289 communicate with within the circumstances of the specific  
2290 practice setting at any one time. A physician supervising a  
2291 physician assistant pursuant to this section is ~~may not be~~  
2292 required to review and cosign charts or medical records prepared  
2293 by such physician assistant.

2294 (6) PHYSICIAN ASSISTANT LICENSURE.—

2295 (f) The board may take adverse action against a physician  
2296 assistant's privilege to practice under the Physician Assistant  
2297 Licensure Compact pursuant to s. 456.66 and may impose any  
2298 penalties in s. 456.072(2) if the physician assistant commits an  
2299 act specified in subsection (1) or s. 456.072(1).

2300 (7) EXEMPTION.—A person licensed as a physician assistant  
2301 in another state who is practicing under the Physician Assistant  
2302 Licensure Compact pursuant to s. 456.66, and only within the  
2303 scope provided therein, is exempt from the licensure  
2304 requirements of this section, as applicable.

2305 (11) DENIAL, SUSPENSION, OR REVOCATION OF LICENSURE.—The  
2306 boards may deny, suspend, or revoke a physician assistant

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2307 license if a board determines that the physician assistant has  
2308 violated this chapter or s. 456.66.

2309 **Section 22. Subsections (7) through (16) of section**  
2310 **459.022, Florida Statutes, are renumbered as subsections (8)**  
2311 **through (17), respectively, paragraph (f) of subsection (6) is**  
2312 **redesignated as paragraph (g), subsection (3) and present**  
2313 **subsection (11) are amended, a new paragraph (f) is added to**  
2314 **subsection (6), and a new subsection (7) is added to that**  
2315 **section, to read:**

2316 459.022 Physician assistants.—

2317 (3) PERFORMANCE OF SUPERVISING PHYSICIAN.—Each physician  
2318 or group of physicians supervising a licensed physician  
2319 assistant must be qualified in the medical areas in which the  
2320 physician assistant is to perform and shall be individually or  
2321 collectively responsible and liable for the performance and the  
2322 acts and omissions of the physician assistant. A physician may  
2323 ~~not supervise as many more than 10 currently licensed physician~~  
2324 ~~assistants as the physician can effectively supervise and~~  
2325 ~~communicate with within the circumstances of the specific~~  
2326 ~~practice setting at any one time.~~ A physician supervising a  
2327 physician assistant pursuant to this section ~~is may not be~~  
2328 required to review and cosign charts or medical records prepared  
2329 by such physician assistant.

2330 (6) PHYSICIAN ASSISTANT LICENSURE.—

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2331 (f) The board may take adverse action against a physician  
2332 assistant's privilege to practice under the Physician Assistant  
2333 Licensure Compact pursuant to s. 456.66 and may impose any  
2334 penalties in s. 456.072(2) if the physician assistant commits an  
2335 act specified in subsection (1) or s. 456.072(1).

2336 (7) EXEMPTION.—A person licensed as a physician assistant  
2337 in another state who is practicing under the Physician Assistant  
2338 Licensure Compact pursuant to s. 456.66, and only within the  
2339 scope provided therein, is exempt from the licensure  
2340 requirements of this section, as applicable.

2341 (11) DENIAL, SUSPENSION, OR REVOCATION OF LICENSURE.—The  
2342 boards may deny, suspend, or revoke a physician assistant  
2343 license if a board determines that the physician assistant has  
2344 violated this chapter or s. 456.66.

2345 **Section 23. Paragraph (a) of subsection (3) of section**  
2346 **464.0123, Florida Statutes, is amended to read:**

2347 464.0123 Autonomous practice by an advanced practice  
2348 registered nurse.—

2349 (3) PRACTICE REQUIREMENTS.—

2350 (a) An advanced practice registered nurse who is  
2351 registered under this section may:

2352 ~~1. Engage in autonomous practice only in primary care~~  
2353 ~~practice, including family medicine, general pediatrics, and~~  
2354 ~~general internal medicine, as defined by board rule.~~

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2355 ~~2. For certified nurse midwives, engage in autonomous~~  
2356 ~~practice in the performance of the acts listed in s.~~  
2357 ~~464.012(4)(c).~~

2358 1.3. Perform the general functions of an advanced practice  
2359 registered nurse under s. 464.012(3) and the acts within his or  
2360 her specialty under s. 464.012(4) related to primary care.

2361 ~~2.4.~~ For a patient who requires the services of a health  
2362 care facility, ~~as defined in s. 408.032(8):~~

2363 a. Admit the patient to the facility.

2364 b. Manage the care received by the patient in the  
2365 facility.

2366 c. Discharge the patient from the facility, unless  
2367 prohibited by federal law or rule.

2368  
2369 As used in this subparagraph, the term "health care facility"  
2370 means a skilled nursing facility, hospice, or intermediate care  
2371 facility for the developmentally disabled. The term does not  
2372 include a facility relying solely on spiritual means through  
2373 prayer for healing.

2374 ~~3.5.~~ Provide a signature, certification, stamp,  
2375 verification, affidavit, or endorsement that is otherwise  
2376 required by law to be provided by a physician, except an  
2377 advanced practice registered nurse registered under this section  
2378 may not issue a physician certification under s. 381.986.

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2379           **Section 24. Section 466.017, Florida Statutes, is amended**  
2380 **to read:**

2381           466.017 Prescription of drugs; anesthesia.—

2382           (1) A dentist shall have the right to prescribe drugs or  
2383 medicine, subject to limitations imposed by law; perform  
2384 surgical operations within the scope of her or his practice and  
2385 training; administer general or local anesthesia or sedation,  
2386 subject to limitations imposed by law; and use such appliances  
2387 as may be necessary to the proper practice of dentistry.

2388           (2) A dental hygienist under the general supervision of a  
2389 dentist may prescribe, administer, and dispense fluoride,  
2390 fluoride varnish, antimicrobial solutions for mouth rinsing, and  
2391 other nonsystemic antimicrobial agents. The board may establish  
2392 education and training requirements that a dental hygienist must  
2393 complete before prescribing, dispensing, or administering a drug  
2394 pursuant to this subsection. The board may adopt rules to  
2395 administer this subsection.

2396           (3)-(2) Pharmacists licensed pursuant to chapter 465 may  
2397 fill prescriptions of legally licensed dentists in this state  
2398 for any drugs necessary for the practice of dentistry or of  
2399 legally licensed dental hygienists in this state for drugs  
2400 authorized in subsection (2).

2401           (4)-(3) The board shall adopt rules which:

2402           (a) Define general anesthesia.

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2403 (b) Specify which methods of general or local anesthesia  
2404 or sedation, if any, are limited or prohibited for use by  
2405 dentists.

2406 (c) Establish minimal training, education, experience, or  
2407 certification for a dentist to use general anesthesia or  
2408 sedation, which rules may exclude, in the board's discretion,  
2409 those dentists using general anesthesia or sedation in a  
2410 competent and effective manner as of the effective date of the  
2411 rules.

2412 (d) Establish further requirements relating to the use of  
2413 general anesthesia or sedation, including, but not limited to,  
2414 office equipment and the training of dental assistants or dental  
2415 hygienists who work with dentists using general anesthesia or  
2416 sedation.

2417 (e) Establish an administrative mechanism enabling the  
2418 board to verify compliance with training, education, experience,  
2419 equipment, or certification requirements of dentists, dental  
2420 hygienists, and dental assistants adopted pursuant to this  
2421 subsection. The board may charge a fee to defray the cost of  
2422 verifying compliance with requirements adopted pursuant to this  
2423 paragraph.

2424 ~~(5)~~(4) A dentist or dental hygienist who administers or  
2425 employs the use of any form of anesthesia must possess a  
2426 certification in either basic cardiopulmonary resuscitation for  
2427 health professionals or advanced cardiac life support approved

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2428 by the American Heart Association or the American Red Cross or  
2429 an equivalent agency-sponsored course with recertification every  
2430 2 years. Each dental office that ~~which~~ uses any form of  
2431 anesthesia must have immediately available and in good working  
2432 order such resuscitative equipment, oxygen, and other  
2433 resuscitative drugs as are specified by rule of the board in  
2434 order to manage possible adverse reactions.

2435 ~~(6)-(5)~~ A dental hygienist under the direct supervision of  
2436 a dentist may administer local anesthesia, including intraoral  
2437 block anesthesia, soft tissue infiltration anesthesia, or both,  
2438 to a nonsedated patient who is 18 years of age or older, if the  
2439 following criteria are met:

2440 (a) The dental hygienist has successfully completed a  
2441 course in the administration of local anesthesia which is  
2442 offered by a dental or dental hygiene program accredited by the  
2443 Commission on Dental Accreditation of the American Dental  
2444 Association or approved by the board. The course must include a  
2445 minimum of 30 hours of didactic instruction and 30 hours of  
2446 clinical experience, and instruction in:

- 2447 1. Theory of pain control.
- 2448 2. Selection-of-pain-control modalities.
- 2449 3. Anatomy.
- 2450 4. Neurophysiology.
- 2451 5. Pharmacology of local anesthetics.
- 2452 6. Pharmacology of vasoconstrictors.

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- 2453 7. Psychological aspects of pain control.
- 2454 8. Systematic complications.
- 2455 9. Techniques of maxillary anesthesia.
- 2456 10. Techniques of mandibular anesthesia.
- 2457 11. Infection control.
- 2458 12. Medical emergencies involving local anesthesia.
- 2459 (b) The dental hygienist presents evidence of current
- 2460 certification in basic or advanced cardiac life support.
- 2461 (c) The dental hygienist possesses a valid certificate
- 2462 issued under subsection (7) ~~(6)~~.
- 2463 (7) ~~(6)~~ Any dental hygienist seeking a certificate to
- 2464 administer local anesthesia must apply to the department, remit
- 2465 an application fee, and submit proof of successful completion of
- 2466 a course in the administration of local anesthesia pursuant to
- 2467 subsection (6) ~~(5)~~. The board shall certify, and the department
- 2468 shall issue a certificate to, any dental hygienist who fulfills
- 2469 the qualifications of subsection (6) ~~(5)~~. The board shall
- 2470 establish a one-time application fee not to exceed \$35. The
- 2471 certificate is not subject to renewal but is part of the dental
- 2472 hygienist's permanent record and must be prominently displayed
- 2473 at the location at which ~~where~~ the dental hygienist is
- 2474 authorized to administer local anesthesia. The board shall adopt
- 2475 rules necessary to administer subsection (6) ~~(5)~~ and this
- 2476 subsection.

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2477            (8)-(7) A licensed dentist may operate ~~utilize~~ an X-ray  
2478 machine, expose dental X-ray films, and interpret or read such  
2479 films. Notwithstanding ~~The provisions of~~ part IV of chapter 468  
2480 ~~to the contrary notwithstanding~~, a licensed dentist may  
2481 authorize or direct a dental assistant to operate such equipment  
2482 and expose such films under her or his direction and  
2483 supervision, pursuant to rules adopted by the board in  
2484 accordance with s. 466.024 which ensure that the ~~said~~ assistant  
2485 is competent by reason of training and experience to operate the  
2486 X-ray ~~said~~ equipment in a safe and efficient manner. The board  
2487 may charge a fee not to exceed \$35 to defray the cost of  
2488 verifying compliance with requirements adopted pursuant to this  
2489 section.

2490            (9)-(8) Notwithstanding ~~The provisions of~~ s. 465.0276  
2491 ~~notwithstanding~~, a dentist need not register with the board or  
2492 comply with the continuing education requirements of that  
2493 section if the dentist confines her or his dispensing activity  
2494 to the dispensing of fluorides and chlorhexidine ~~chlorhexidine~~  
2495 rinse solutions; provided that the dentist complies with and is  
2496 subject to all laws and rules applicable to pharmacists and  
2497 pharmacies, including, but not limited to, chapters 465, 499,  
2498 and 893, and all applicable federal laws and regulations, when  
2499 dispensing such products.

2500            (10)-(9) Any adverse incident that occurs in an office  
2501 maintained by a dentist must be reported to the department. The

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2502 required notification to the department must be submitted in  
2503 writing by certified mail and postmarked within 48 hours after  
2504 the incident occurs.

2505 (11)~~(10)~~ A dentist practicing in this state must notify  
2506 the board in writing by certified mail within 48 hours after any  
2507 adverse incident that occurs in the dentist's outpatient  
2508 facility. A complete written report must be filed with the board  
2509 within 30 days after the incident occurs.

2510 (12)~~(11)~~ Any certified registered dental hygienist  
2511 administering local anesthesia must notify the board in writing  
2512 by registered mail within 48 hours after any adverse incident  
2513 that was related to or the result of the administration of local  
2514 anesthesia. A complete written report must be filed with the  
2515 board within 30 days after the mortality or other adverse  
2516 incident.

2517 (13)~~(12)~~ A failure by the dentist or dental hygienist to  
2518 timely and completely comply with all the reporting requirements  
2519 in this section is the basis for disciplinary action by the  
2520 board pursuant to s. 466.028(1).

2521 (14)~~(13)~~ The department shall review each adverse incident  
2522 and determine whether it involved conduct by a health care  
2523 professional subject to disciplinary action, in which case s.  
2524 456.073 applies. Disciplinary action, if any, shall be taken by  
2525 the board under which the health care professional is licensed.

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2526        ~~(15)-(14)~~ As used in subsections ~~(10)-(14)~~ ~~(9)-(13)~~, the  
2527 term "adverse incident" means any mortality that occurs during  
2528 or as the result of a dental procedure, or an incident that  
2529 results in a temporary or permanent physical or mental injury  
2530 that requires hospitalization or emergency room treatment of a  
2531 dental patient which occurs during or as a direct result of the  
2532 use of general anesthesia, deep sedation, moderate sedation,  
2533 pediatric moderate sedation, oral sedation, minimal sedation  
2534 (anxiolysis), nitrous oxide, or local anesthesia.

2535        ~~(16)-(15)~~ The board may adopt rules to administer this  
2536 section.

2537        **Section 25. Subsections (1), (6), and (8) of section**  
2538 **466.024, Florida Statutes, are amended to read:**

2539        466.024 Delegation of duties; expanded functions.—

2540        (1) A dentist may not delegate irremediable tasks to a  
2541 dental hygienist or dental assistant, except as provided by law.  
2542 A dentist may delegate remediable tasks to a dental hygienist or  
2543 dental assistant when such tasks pose no risk to the patient. A  
2544 dentist may only delegate remediable tasks so defined by law or  
2545 rule of the board. The board by rule shall designate which tasks  
2546 are remediable and delegable, except that the following are by  
2547 law found to be remediable and delegable:

2548        (a) Taking impressions for study casts but not for the  
2549 purpose of fabricating any intraoral restorations or orthodontic  
2550 appliance.

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- 2551 (b) Placing periodontal dressings.
- 2552 (c) Removing periodontal or surgical dressings.
- 2553 (d) Removing sutures.
- 2554 (e) Placing or removing rubber dams.
- 2555 (f) Placing or removing matrices.
- 2556 (g) Placing or removing temporary restorations.
- 2557 (h) Applying cavity liners, varnishes, or bases.
- 2558 (i) Polishing amalgam restorations.
- 2559 (j) Polishing clinical crowns of the teeth for the purpose  
2560 of removing stains but not changing the existing contour of the  
2561 tooth.
- 2562 (k) Obtaining bacteriological cytological specimens not  
2563 involving cutting of the tissue.
- 2564 (l) Administering local anesthesia pursuant to s.  
2565 466.017(6) ~~s. 466.017(5)~~.
- 2566 (m) Performing dental hygiene assessment, dental hygiene  
2567 diagnosis, and dental hygiene treatment planning for dental  
2568 hygiene services.
- 2569 (n) Prescribing, administering, or dispensing prescription  
2570 drugs pursuant to s. 466.017(2).

2571

2572 This subsection does not limit delegable tasks to those  
2573 specified herein.

2574 (6) Notwithstanding subsection (1) or subsection (2), a  
2575 dentist may delegate the tasks of gingival curettage, ~~and~~ root

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2576 planing, and the tasks listed in paragraphs (1)(m) and (1)(n) to  
2577 a dental hygienist but not to a dental assistant.

2578 (8) Notwithstanding subsection (1) or subsection (2), a  
2579 dentist may not delegate to anyone other than another licensed  
2580 dentist:

2581 (a) Any prescription of drugs or medications requiring the  
2582 written order or prescription of a licensed dentist or  
2583 physician, except as provided in paragraph (1)(n).

2584 (b) Any diagnosis for treatment or treatment planning,  
2585 except as provided in paragraph (1)(m).

2586 **Section 26. Section 491.022, Florida Statutes, is created**  
2587 **to read:**

2588 491.022 Social Work Licensure Interstate Compact.—The  
2589 Social Work Licensure Interstate Compact is hereby enacted into  
2590 law and entered into by this state with all other states legally  
2591 joining therein in the form substantially as follows:

2593 ARTICLE I

2594 PURPOSE

2596 (1) The purpose of this compact is to facilitate  
2597 interstate practice of regulated social workers by improving  
2598 public access to competent social work services.

2599 (2) The compact preserves the regulatory authority of  
2600 member states to protect public health and safety through the

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2601 current system of licensure. This compact is designed to achieve  
2602 all of the following objectives:

2603 (a) Increase public access to social work services.

2604 (b) Reduce overly burdensome and duplicative requirements  
2605 associated with holding multiple licenses.

2606 (c) Enhance member states' ability to protect the public  
2607 health and safety.

2608 (d) Encourage the cooperation of member states in  
2609 regulating multistate practice.

2610 (e) Promote mobility and address workforce shortages by  
2611 eliminating the necessity for licenses in multiple states by  
2612 providing for the mutual recognition of other member state  
2613 licenses.

2614 (f) Support military families.

2615 (g) Facilitate the exchange of licensure and disciplinary  
2616 information among member states.

2617 (h) Authorize all member states to hold a regulated social  
2618 worker accountable for abiding by a member state's laws,  
2619 regulations, and applicable professional standards in the member  
2620 state in which the client is located at the time care is  
2621 rendered.

2622 (i) Allow for the use of telehealth to facilitate  
2623 increased access to social work services.

2624  
2625 ARTICLE II

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DEFINITIONS

As used in this compact, the term:

(1) "Active military member" means any individual with full-time duty status in the active Armed Forces of the United States, including members of the National Guard and Reserve.

(2) "Adverse action" means any administrative, civil, equitable, or criminal action permitted by a state's laws which is imposed by a licensing authority or other authority against a regulated social worker, including actions against an individual's license or multistate authorization to practice such as revocation, suspension, probation, monitoring of the licensee, limitation on the licensee's practice, or any other encumbrance on licensure affecting a regulated social worker's authorization to practice, including issuance of a cease and desist action.

(3) "Alternative program" means a nondisciplinary monitoring or practice remediation process approved by a licensing authority to address practitioners with an impairment.

(4) "Charter member states" means member states that have enacted legislation to adopt this compact where such legislation predates the effective date of this compact as described in Article XIV.

(5) "Commission" means the government agency whose membership consists of all states that have enacted this

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2651 compact, which is known as the Social Work Licensure Compact  
2652 Commission, as described in Article X, and which shall operate  
2653 as an instrumentality of the member states.

2654 (6) "Current significant investigative information" means:

2655 (a) Investigative information that a licensing authority,  
2656 after a preliminary inquiry that includes notification and an  
2657 opportunity for the regulated social worker to respond, has  
2658 reason to believe is not groundless and, if proved true, would  
2659 indicate more than a minor infraction as may be defined by the  
2660 commission; or

2661 (b) Investigative information that indicates that the  
2662 regulated social worker represents an immediate threat to public  
2663 health and safety, as may be defined by the commission,  
2664 regardless of whether the regulated social worker has been  
2665 notified and has had an opportunity to respond.

2666 (7) "Data system" means a repository of information about  
2667 licensees, including continuing education, examination,  
2668 licensure, current significant investigative information,  
2669 disqualifying events, multistate licenses, and adverse action  
2670 information or other information as required by the commission.

2671 (8) "Disqualifying event" means any adverse action or  
2672 incident which results in an encumbrance that disqualifies or  
2673 makes the licensee ineligible to obtain, retain, or renew a  
2674 multistate license.

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2675       (9) "Domicile" means the jurisdiction in which the  
2676 licensee resides and intends to remain indefinitely.

2677       (10) "Encumbrance" means a revocation or suspension of, or  
2678 any limitation on, the full and unrestricted practice of social  
2679 work licensed and regulated by a licensing authority.

2680       (11) "Executive committee" means a group of delegates  
2681 elected or appointed to act on behalf of, and within the powers  
2682 granted to them by, the compact and commission.

2683       (12) "Home state" means the member state that is the  
2684 licensee's primary domicile.

2685       (13) "Impairment" means a condition that may impair a  
2686 practitioner's ability to engage in full and unrestricted  
2687 practice as a regulated social worker without some type of  
2688 intervention and may include alcohol and drug dependence, mental  
2689 health impairment, and neurological or physical impairments.

2690       (14) "Licensee" means an individual who currently holds a  
2691 license from a state to practice as a regulated social worker.

2692       (15) "Licensing authority" means the board or agency of a  
2693 member state, or an equivalent, that is responsible for the  
2694 licensing and regulation of regulated social workers.

2695       (16) "Member state" means a state, commonwealth, district,  
2696 or territory of the United States that has enacted this compact.

2697       (17) "Multistate authorization to practice" means a  
2698 legally authorized privilege to practice, which is equivalent to

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2699 a license, associated with a multistate license permitting the  
2700 practice of social work in a remote state.

2701 (18) "Multistate license" means a license to practice as a  
2702 regulated social worker issued by a home state licensing  
2703 authority that authorizes the regulated social worker to  
2704 practice in all member states under multistate authorization to  
2705 practice.

2706 (19) "Qualifying National Exam" means a national licensing  
2707 examination approved by the commission.

2708 (20) "Regulated social worker" means any clinical,  
2709 master's, or bachelor's social worker licensed by a member state  
2710 regardless of the title used by that member state.

2711 (21) "Remote state" means a member state other than the  
2712 licensee's home state.

2713 (22) "Rules" or "rules of the commission" means a  
2714 regulation or regulations duly adopted by the commission, as  
2715 authorized by the compact, that has the force of law.

2716 (23) "Single state license" means a social work license  
2717 issued by any state that authorizes practice only within the  
2718 issuing state and does not include multistate authorization to  
2719 practice in any member state.

2720 (24) "Social work" or "social work services" means the  
2721 application of social work theory, knowledge, methods, ethics,  
2722 and the professional use of self to restore or enhance social,  
2723 psychosocial, or biopsychosocial functioning of individuals,

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2724 couples, families, groups, organizations, and communities  
2725 through the care and services provided by a regulated social  
2726 worker as provided in the member state's statutes and  
2727 regulations in the state where the services are being provided.

2728 (25) "State" means any state, commonwealth, district, or  
2729 territory of the United States that regulates the practice of  
2730 social work.

2731 (26) "Unencumbered license" means a license that  
2732 authorizes a regulated social worker to engage in the full and  
2733 unrestricted practice of social work.

2734

2735 ARTICLE III

2736 STATE PARTICIPATION IN THE COMPACT

2737

2738 (1) To be eligible to participate in the compact, a  
2739 potential member state must currently meet all of the following  
2740 criteria:

2741 (a) License and regulate the practice of social work at  
2742 the clinical, master's, or bachelor's level.

2743 (b) Require applicants for licensure to graduate from a  
2744 program that:

2745 1. Is operated by a college or university recognized by  
2746 the licensing authority;

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2747 2. Is accredited, or in candidacy by an institution that  
2748 subsequently becomes accredited, by an accrediting agency  
2749 recognized by either:

2750 a. The Council for Higher Education Accreditation or its  
2751 successor; or

2752 b. The United States Department of Education; and

2753 3. Corresponds to the licensure sought as outlined in  
2754 Article IV.

2755 (c) Require applicants for clinical licensure to complete  
2756 a period of supervised practice.

2757 (d) Have a mechanism in place for receiving,  
2758 investigating, and adjudicating complaints about licensees.

2759 (2) To maintain membership in the compact, a member state  
2760 shall:

2761 (a) Require that applicants for a multistate license pass  
2762 a Qualifying National Exam for the corresponding category of  
2763 multistate license sought as outlined in Article IV.

2764 (b) Participate fully in the commission's data system,  
2765 including using the commission's unique identifier as defined in  
2766 rules.

2767 (c) Notify the commission, in compliance with the terms of  
2768 the compact and rules, of any adverse action or the availability  
2769 of current significant investigative information regarding a  
2770 licensee.

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2771 (d) Implement procedures for considering the criminal  
2772 history records of applicants for a multistate license. Such  
2773 procedures shall include the submission of fingerprints or other  
2774 biometric-based information by applicants for the purpose of  
2775 obtaining an applicant's criminal history record information  
2776 from the Federal Bureau of Investigation and the agency  
2777 responsible for retaining that state's criminal records.

2778 (e) Comply with the rules of the commission.

2779 (f) Require an applicant to obtain or retain a license in  
2780 the home state and meet the home state's qualifications for  
2781 licensure or renewal of licensure, as well as all other  
2782 applicable home state laws.

2783 (g) Authorize a licensee holding a multistate license in  
2784 any member state to practice in accordance with the terms of the  
2785 compact and rules of the commission.

2786 (h) Designate a delegate to participate in the commission  
2787 meetings.

2788 (3) A member state meeting the requirements under  
2789 subsections (1) and (2) shall designate the categories of social  
2790 work licensure that are eligible for issuance of a multistate  
2791 license for applicants in such member state. To the extent that  
2792 any member state does not meet the requirements for  
2793 participation in the compact at any particular category of  
2794 social work licensure, such member state may choose, but is not  
2795 obligated, to issue a multistate license to applicants who

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2796 otherwise meet the requirements of Article IV for issuance of a  
2797 multistate license in such category or categories of licensure.

2798 (4) The home state may charge a fee for granting the  
2799 multistate license.

2801 ARTICLE IV

2802 SOCIAL WORKER PARTICIPATION IN THE COMPACT

2803  
2804 (1) To be eligible for a multistate license under this  
2805 compact, an applicant, regardless of category, must meet all of  
2806 the following requirements:

2807 (a) Hold or be eligible for an active, unencumbered  
2808 license in the home state.

2809 (b) Pay any applicable fees, including any member state  
2810 fee, for the multistate license.

2811 (c) Submit, in connection with an application for a  
2812 multistate license, fingerprints or other biometric data for the  
2813 purpose of obtaining criminal history record information from  
2814 the Federal Bureau of Investigation and the agency responsible  
2815 for retaining that state's criminal records.

2816 (d) Notify the home state of any adverse action,  
2817 encumbrance, or restriction on any professional license taken by  
2818 any member state or nonmember state within 30 days after the  
2819 date the action was taken.

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- 2820 (e) Meet any continuing competence requirements  
2821 established by the home state.
- 2822 (f) Abide by the laws, regulations, and applicable  
2823 standards in the member state where the client is located at the  
2824 time care is rendered.
- 2825 (2) An applicant for a clinical-category multistate  
2826 license must meet all of the following requirements:
- 2827 (a) Fulfill a competency requirement, which shall be  
2828 satisfied by:
- 2829 1. Passage of a clinical-category Qualifying National  
2830 Exam;
- 2831 2. Licensure of the applicant in his or her home state at  
2832 the clinical category, beginning before such time as a  
2833 Qualifying National Exam was required by the home state and  
2834 accompanied by a period of continuous social work licensure  
2835 thereafter, all of which may be further governed by the rules of  
2836 the commission; or
- 2837 3. The substantial equivalency of the foregoing competency  
2838 requirements which the commission may determine by rule.
- 2839 (b) Attain at least a master's degree in social work from  
2840 a program that is:
- 2841 1. Operated by a college or university recognized by a  
2842 licensing authority.
- 2843 2. Accredited, or in candidacy that subsequently becomes  
2844 accredited, by an accrediting agency recognized by either:

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2845 a. The Council for Higher Education Accreditation or its  
2846 successor; or

2847 b. The United States Department of Education.

2848 (c) Fulfill a practice requirement, which shall be  
2849 satisfied by demonstrating completion of:

2850 1. A period of postgraduate supervised clinical practice  
2851 equal to a minimum of 3,000 hours;

2852 2. A minimum of 2 years of full-time postgraduate  
2853 supervised clinical practice; or

2854 3. The substantial equivalency of the foregoing practice  
2855 requirements which the commission may determine by rule.

2856 (3) An applicant for a master's-category multistate  
2857 license must meet all of the following requirements:

2858 (a) Fulfill a competency requirement, which shall be  
2859 satisfied by:

2860 1. Passage of a masters-category Qualifying National Exam;

2861 2. Licensure of the applicant in his or her home state at  
2862 the master's category, beginning before such time as a  
2863 Qualifying National Exam was required by the home state at the  
2864 master's category and accompanied by a continuous period of  
2865 social work licensure thereafter, all of which may be further  
2866 governed by the rules of the commission; or

2867 3. The substantial equivalency of the foregoing competency  
2868 requirements which the commission may determine by rule.

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- 2869           (b) Attain at least a master's degree in social work from  
2870 a program that is:
- 2871           1. Operated by a college or university recognized by a  
2872 licensing authority.
- 2873           2. Accredited, or in candidacy by an institution that  
2874 subsequently becomes accredited, by an accrediting agency  
2875 recognized by either:
- 2876           a. The Council for Higher Education Accreditation or its  
2877 successor; or
- 2878           b. The United States Department of Education.
- 2879           (4) An applicant for a bachelor's-category multistate  
2880 license must meet all of the following requirements:
- 2881           (a) Fulfill a competency requirement, which shall be  
2882 satisfied by:
- 2883           1. Passage of a bachelor's-category Qualifying National  
2884 Exam;
- 2885           2. Licensure of the applicant in his or her home state at  
2886 the bachelor's category, beginning before such time as a  
2887 Qualifying National Exam was required by the home state and  
2888 accompanied by a period of continuous social work licensure  
2889 thereafter, all of which may be further governed by the rules of  
2890 the commission; or
- 2891           3. The substantial equivalency of the foregoing competency  
2892 requirements which the commission may determine by rule.

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2893           (b) Attain at least a bachelor's degree in social work  
2894 from a program that is:  
2895           1. Operated by a college or university recognized by the  
2896 licensing authority.  
2897           2. Accredited, or in candidacy that subsequently becomes  
2898 accredited, by an accrediting agency recognized by either:  
2899           a. The Council for Higher Education Accreditation or its  
2900 successor; or  
2901           b. The United States Department of Education.  
2902           (5) The multistate license for a regulated social worker  
2903 is subject to the renewal requirements of the home state. The  
2904 regulated social worker must maintain compliance with the  
2905 requirements of subsection (1) to be eligible to renew a  
2906 multistate license.  
2907           (6) The regulated social worker's services in a remote  
2908 state are subject to that member state's regulatory authority. A  
2909 remote state may, in accordance with due process and that member  
2910 state's laws, remove a regulated social worker's multistate  
2911 authorization to practice in the remote state for a specific  
2912 period of time, impose fines, and take any other necessary  
2913 actions to protect the health and safety of its citizens.  
2914           (7) If a multistate license is encumbered, the regulated  
2915 social worker's multistate authorization to practice shall be  
2916 deactivated in all remote states until the multistate license is  
2917 no longer encumbered.

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2918       (8) If a multistate authorization to practice is  
2919 encumbered in a remote state, the regulated social worker's  
2920 multistate authorization to practice may be deactivated in that  
2921 state until the multistate authorization to practice is no  
2922 longer encumbered.

2923  
2924                                   ARTICLE V

2925                                   ISSUANCE OF A MULTISTATE LICENSE

2926  
2927       (1) Upon receipt of an application for multistate license,  
2928 the home state licensing authority shall determine the  
2929 applicant's eligibility for a multistate license in accordance  
2930 with Article IV.

2931       (2) If such applicant is eligible pursuant to Article IV,  
2932 the home state licensing authority shall issue a multistate  
2933 license that authorizes the applicant or regulated social worker  
2934 to practice in all member states under a multistate  
2935 authorization to practice.

2936       (3) Upon issuance of a multistate license, the home state  
2937 licensing authority shall designate whether the regulated social  
2938 worker holds a multistate license in the bachelor's, master's,  
2939 or clinical category of social work.

2940       (4) A multistate license issued by a home state to a  
2941 resident in that state shall be recognized by all compact member  
2942 states as authorizing social work practice under a multistate

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2943 authorization to practice corresponding to each category of  
2944 licensure regulated in each member state.

2946 ARTICLE VI

2947 AUTHORITY OF SOCIAL WORK LICENSURE COMPACT COMMISSION  
2948 AND MEMBER STATE LICENSING AUTHORITIES

2949  
2950 (1) This compact, or any rule of the commission, does not  
2951 limit, restrict, or in any way reduce the ability of a member  
2952 state to:

2953 (a) Enact and enforce laws, regulations, or other rules  
2954 related to the practice of social work in that state when those  
2955 laws, regulations, or other rules are not inconsistent with the  
2956 provisions of this compact.

2957 (b) Take adverse action against a licensee's single state  
2958 license to practice social work in that state.

2959 (c) Take adverse action against a licensee's multistate  
2960 authorization to practice social work in that state.

2961 (2) This compact, or any rule of the commission, does not  
2962 limit, restrict, or in any way reduce the ability of a  
2963 licensee's home state to take adverse action against a  
2964 licensee's multistate license based upon information provided by  
2965 a remote state.

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2966 (3) This compact does not affect the requirements  
2967 established by a member state for the issuance of a single state  
2968 license.

2970 ARTICLE VII

2971 REISSUANCE OF A MULTISTATE LICENSE BY A NEW HOME STATE

2973 (1) A licensee can hold a multistate license, issued by  
2974 his or her home state, in only one member state at any given  
2975 time.

2976 (2) If a licensee changes his or her home state by moving  
2977 between two member states:

2978 (a) The licensee shall immediately apply for the  
2979 reissuance of his or her multistate license in his or her new  
2980 home state. The licensee shall pay all applicable fees and  
2981 notify the prior home state in accordance with the rules of the  
2982 commission.

2983 (b) Upon receipt of an application to reissue a multistate  
2984 license, the new home state shall verify that the multistate  
2985 license is active, unencumbered, and eligible for reissuance  
2986 under the terms of the compact and the rules of the commission.  
2987 The multistate license issued by the prior home state will be  
2988 deactivated and all member states notified in accordance with  
2989 the applicable rules adopted by the commission.

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2990 (c) Before the reissuance of the multistate license, the  
2991 new home state shall conduct procedures for considering the  
2992 criminal history records of the licensee. Such procedures shall  
2993 include the submission of fingerprints or other biometric-based  
2994 information by applicants for the purpose of obtaining an  
2995 applicant's criminal history record information from the Federal  
2996 Bureau of Investigation and the agency responsible for retaining  
2997 that state's criminal records.

2998 (d) If required for initial licensure, the new home state  
2999 may require completion of jurisprudence requirements in the new  
3000 home state.

3001 (e) Notwithstanding any other provision of this compact,  
3002 if a licensee does not meet the requirements provided in this  
3003 compact for the reissuance of a multistate license by the new  
3004 home state, then the licensee shall be subject to the new home  
3005 state requirements for the issuance of a single state license in  
3006 that state.

3007 (3) If a licensee changes his or her primary state of  
3008 residence by moving from a member state to a nonmember state, or  
3009 from a nonmember state to a member state, then the licensee  
3010 shall be subject to the state requirements for the issuance of a  
3011 single state license in the new home state.

3012 (4) This compact does not interfere with a licensee's  
3013 ability to hold a single state license in multiple states;

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3014 however, for the purposes of this compact, a licensee shall have  
3015 only one home state, and only one multistate license.

3016 (5) This compact does not interfere with the requirements  
3017 established by a member state for the issuance of a single state  
3018 license.

3019

3020 ARTICLE VIII

3021 MILITARY FAMILIES

3022

3023 An active military member or his or her spouse shall  
3024 designate a home state where the individual has a multistate  
3025 license. The individual may retain his or her home state  
3026 designation during the period the servicemember is on active  
3027 duty.

3028

3029 ARTICLE IX

3030 ADVERSE ACTIONS

3031

3032 (1) In addition to the other powers conferred by general  
3033 law, a remote state shall have the authority, in accordance with  
3034 existing state due process law, to:

3035 (a) Take adverse action against a regulated social  
3036 worker's multistate authorization to practice only within that  
3037 member state, and issue subpoenas for both hearings and  
3038 investigations that require the attendance and testimony of

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3039 witnesses as well as the production of evidence. Subpoenas  
3040 issued by a licensing authority in a member state for the  
3041 attendance and testimony of witnesses or the production of  
3042 evidence from another member state shall be enforced in the  
3043 latter state by any court of competent jurisdiction, according  
3044 to the practice and procedure of that court applicable to  
3045 subpoenas issued in proceedings pending before it. The issuing  
3046 licensing authority shall pay any witness fees, travel expenses,  
3047 mileage, and other fees required by the service statutes of the  
3048 state in which the witnesses or evidence are located.

3049 (b) Only the home state shall have the power to take  
3050 adverse action against a regulated social worker's multistate  
3051 license.

3052 (2) For purposes of taking adverse action, the home state  
3053 shall give the same priority and effect to reported conduct  
3054 received from a member state as it would if the conduct had  
3055 occurred within the home state. In so doing, the home state  
3056 shall apply its own state laws to determine appropriate action.

3057 (3) The home state shall complete any pending  
3058 investigations of a regulated social worker who changes his or  
3059 her home state during the course of the investigations. The home  
3060 state shall also have the authority to take appropriate actions  
3061 and shall promptly report the conclusions of the investigations  
3062 to the administrator of the data system. The administrator of

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3063 the data system shall promptly notify the new home state of any  
3064 adverse actions.

3065 (4) A member state, if otherwise permitted by state law,  
3066 may recover from the affected regulated social worker the costs  
3067 of investigations and dispositions of cases resulting from any  
3068 adverse action taken against that regulated social worker.

3069 (5) A member state may take adverse action based on the  
3070 factual findings of another member state, provided that the  
3071 member state follows its own procedures for taking the adverse  
3072 action.

3073 (6) (a) In addition to the authority granted to a member  
3074 state by its respective social work practice act or other  
3075 applicable state law, any member state may participate with  
3076 other member states in joint investigations of licensees.

3077 (b) Member states shall share any investigative,  
3078 litigation, or compliance materials in furtherance of any joint  
3079 or individual investigation initiated under the compact.

3080 (7) If adverse action is taken by the home state against  
3081 the multistate license of a regulated social worker, the  
3082 regulated social worker's multistate authorization to practice  
3083 in all other member states shall be deactivated until all  
3084 encumbrances have been removed from the multistate license. All  
3085 home state disciplinary orders that impose adverse action  
3086 against the license of a regulated social worker shall include a  
3087 statement that the regulated social worker's multistate

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3088 authorization to practice is deactivated in all member states  
3089 until all conditions of the decision, order, or agreement are  
3090 satisfied.

3091 (8) If a member state takes adverse action, it shall  
3092 promptly notify the administrator of the data system. The  
3093 administrator of the data system shall promptly notify the home  
3094 state and all other member states of any adverse actions by  
3095 remote states.

3096 (9) This compact does not override a member state's  
3097 decision that participation in an alternative program may be  
3098 used in lieu of adverse action.

3099 (10) This compact does not authorize a member state to  
3100 demand the issuance of subpoenas for attendance and testimony of  
3101 witnesses or the production of evidence from another member  
3102 state for lawful actions within that member state.

3103 (11) This compact does not authorize a member state to  
3104 impose discipline against a regulated social worker who holds a  
3105 multistate authorization to practice for lawful actions within  
3106 another member state.

3107

3108 ARTICLE X3109 ESTABLISHMENT OF SOCIAL WORK LICENSURE3110 COMPACT COMMISSION

3111

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3112 (1) The compact member states hereby create and establish  
3113 a joint government agency whose membership consists of all  
3114 member states that have enacted the compact known as the Social  
3115 Work Licensure Compact Commission. The commission is an  
3116 instrumentality of the compact states acting jointly and not an  
3117 instrumentality of any one state. The commission shall come into  
3118 existence on or after the effective date of the compact as  
3119 provided in Article XIV.

3120 (2) (a) Each member state shall have and be limited to one  
3121 delegate appointed by that member state's licensing authority.  
3122 The delegate shall be either:

3123 1. A current member of the state licensing authority at  
3124 the time of appointment who is a regulated social worker or  
3125 public member of the state licensing authority; or

3126 2. An administrator of the licensing authority or his or  
3127 her designee.

3128 (b) The commission shall by rule or bylaw establish a term  
3129 of office for delegates and may by rule or bylaw establish term  
3130 limits.

3131 (c) The commission may recommend removal or suspension of  
3132 any delegate from office.

3133 (d) A member state's licensing authority shall fill any  
3134 vacancy of its delegate occurring on the commission within 60  
3135 days after the vacancy.

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3136 (e) Each delegate shall be entitled to one vote on all  
3137 matters before the commission requiring a vote by commission  
3138 delegates.

3139 (f) A delegate shall vote in person or by such other means  
3140 as provided in the bylaws. The bylaws may provide for delegates  
3141 to meet by telecommunication, video conference, or other similar  
3142 electronic means.

3143 (g) The commission shall meet at least once during each  
3144 calendar year. Additional meetings may be held as provided in  
3145 the bylaws. The commission may meet by telecommunication, video  
3146 conference, or other similar electronic means.

3147 (3) The commission shall have the following powers:

3148 (a) Establish the fiscal year of the commission.

3149 (b) Establish code of conduct and conflict of interest  
3150 policies.

3151 (c) Establish and amend rules and bylaws.

3152 (d) Maintain its financial records in accordance with the  
3153 bylaws.

3154 (e) Meet and take such actions as are consistent with the  
3155 provisions of this compact, the commission's rules, and the  
3156 bylaws.

3157 (f) Initiate and conclude legal proceedings or actions in  
3158 the name of the commission, provided that the standing of any  
3159 licensing authority to sue or be sued under applicable law may  
3160 not be affected.

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3161 (g) Maintain and certify records and information provided  
3162 to a member state as the authenticated business records of the  
3163 commission, and designate an agent to do so on the commission's  
3164 behalf.

3165 (h) Purchase and maintain insurance and bonds.

3166 (i) Borrow, accept, or contract for services of personnel,  
3167 including, but not limited to, employees of a member state.

3168 (j) Conduct an annual financial review.

3169 (k) Hire employees, elect or appoint officers, fix  
3170 compensation, define duties, grant such individuals appropriate  
3171 authority to carry out the purposes of the compact, and  
3172 establish the commission's personnel policies and programs  
3173 relating to conflicts of interest, qualifications of personnel,  
3174 and other related personnel matters.

3175 (l) Assess and collect fees.

3176 (m) Accept any and all appropriate gifts, donations,  
3177 grants of money, other sources of revenue, equipment, supplies,  
3178 materials, and services, and receive, utilize, and dispose of  
3179 the same; provided that at all times the commission shall avoid  
3180 any appearance of impropriety or conflict of interest.

3181 (n) Lease, purchase, retain, own, hold, improve, or use  
3182 any property, real, personal, or mixed, or any undivided  
3183 interest therein.

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3184 (o) Sell, convey, mortgage, pledge, lease, exchange,  
3185 abandon, or otherwise dispose of any property, real, personal,  
3186 or mixed.

3187 (p) Establish a budget and make expenditures.

3188 (q) Borrow money.

3189 (r) Appoint committees, including standing committees,  
3190 composed of members, state regulators, state legislators or  
3191 their representatives, consumer representatives, and such other  
3192 interested persons as may be designated in this compact and the  
3193 bylaws.

3194 (s) Provide and receive information from, and cooperate  
3195 with, law enforcement agencies.

3196 (t) Establish and elect an executive committee, including  
3197 a chair and a vice chair.

3198 (u) Determine whether a state's adopted language is  
3199 materially different from the model compact language such that  
3200 the state would not qualify for participation in the compact.

3201 (v) Perform such other functions as may be necessary or  
3202 appropriate to achieve the purposes of this compact.

3203 (4) (a) The executive committee shall have the power to act  
3204 on behalf of the commission according to the terms of this  
3205 compact. The powers, duties, and responsibilities of the  
3206 executive committee shall include:

3207 1. Oversee the day-to-day activities of the administration  
3208 of the compact, including enforcement and compliance with the

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3209 provisions of the compact, its rules and bylaws, and other such  
3210 duties as deemed necessary.

3211 2. Recommend to the commission changes to the rules or  
3212 bylaws, changes to this compact legislation, fees charged to  
3213 compact member states, fees charged to licensees, and other  
3214 fees.

3215 3. Ensure compact administration services are  
3216 appropriately provided, including by contract.

3217 4. Prepare and recommend the budget.

3218 5. Maintain financial records on behalf of the commission.

3219 6. Monitor compact compliance of member states and provide  
3220 compliance reports to the commission.

3221 7. Establish additional committees as necessary.

3222 8. Exercise the powers and duties of the commission during  
3223 the interim between commission meetings, except for adopting or  
3224 amending rules, adopting or amending bylaws, and exercising any  
3225 other powers and duties reserved expressly for use by the  
3226 commission by rule or bylaw.

3227 9. Other duties as provided in the rules or bylaws of the  
3228 commission.

3229 (b) The executive committee shall be composed of up to 11  
3230 members:

3231 1. The chair and vice chair of the commission shall be  
3232 voting members of the executive committee.

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3233 2. The commission shall elect five voting members from the  
3234 current membership of the commission.

3235 3. Up to four ex-officio, nonvoting members from four  
3236 recognized national social work organizations, selected by their  
3237 respective organizations.

3238 (c) The commission may remove any member of the executive  
3239 committee as provided in the commission's bylaws.

3240 (d) The executive committee shall meet at least annually.

3241 1. Executive committee meetings shall be open to the  
3242 public, except that the executive committee may meet in a  
3243 closed, nonpublic meeting as provided in subsection (7).

3244 2. The executive committee shall give 7 days' notice of  
3245 its meetings, posted on its website and as determined to provide  
3246 notice to persons with an interest in the business of the  
3247 commission.

3248 3. The executive committee may hold a special meeting in  
3249 accordance with subsection (6).

3250 (5) The commission shall adopt and provide to the member  
3251 states an annual report.

3252 (6) All meetings shall be open to the public, except that  
3253 the commission may meet in a closed, nonpublic meeting as  
3254 provided in subsection (7).

3255 (a) Public notice for all meetings of the full commission  
3256 of meetings shall be given in the same manner as required under  
3257 the rulemaking provisions in Article XII, except that the

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3258 commission may hold a special meeting as provided in paragraph  
3259 (b).

3260 (b) The commission may hold a special meeting when it must  
3261 meet to conduct emergency business by giving 48 hours' notice to  
3262 all commissioners, on the commission's website, and by other  
3263 means as provided in the commission's rules. The commission's  
3264 legal counsel shall certify that the commission's need to meet  
3265 qualifies as an emergency.

3266 (7) (a) The commission or the executive committee or other  
3267 committee of the commission may convene in a closed, nonpublic  
3268 meeting if the commission or the committee needs to receive  
3269 legal advice or discuss any of the following:

3270 1. Noncompliance of a member state with its obligations  
3271 under the compact.

3272 2. The employment, compensation, or discipline of, or  
3273 other matters, practices, or procedures related to, specific  
3274 employees.

3275 3. Current or threatened discipline of a licensee by the  
3276 commission or by a member state's licensing authority.

3277 4. Current, threatened, or reasonably anticipated  
3278 litigation.

3279 5. Negotiation of contracts for the purchase, lease, or  
3280 sale of goods, services, or real estate.

3281 6. Accusing any person of a crime or formally censuring  
3282 any person.

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3283 7. Trade secrets or commercial or financial information  
3284 that is privileged or confidential.

3285 8. Information of a personal nature when disclosure would  
3286 constitute a clearly unwarranted invasion of personal privacy.

3287 9. Investigative records compiled for law enforcement  
3288 purposes.

3289 10. Information related to any investigative reports  
3290 prepared by, or on behalf of or for the use of, the commission  
3291 or other committee charged with responsibility of investigation  
3292 or determination of compliance issues pursuant to the compact.

3293 11. Matters specifically exempted from disclosure by  
3294 federal or member state law.

3295 12. Other matters as adopted by commission rule.

3296 (b) If a meeting, or portion of a meeting, is closed, the  
3297 presiding officer shall state that the meeting will be closed  
3298 and reference each relevant exempting provision, and such  
3299 reference shall be recorded in the minutes.

3300 (c) The commission shall keep minutes that fully and  
3301 clearly describe all matters discussed in a meeting and shall  
3302 provide a full and accurate summary of actions taken, and the  
3303 reasons therefor, including a description of the views  
3304 expressed. All documents considered in connection with an action  
3305 shall be identified in such minutes. All minutes and documents  
3306 of a closed meeting shall remain under seal, subject to release

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3307 only by a majority vote of the commission or order of a court of  
3308 competent jurisdiction.

3309 (8) (a) The commission shall pay, or provide for the  
3310 payment of, the reasonable expenses of its establishment,  
3311 organization, and ongoing activities.

3312 (b) The commission may accept any and all appropriate  
3313 revenue sources as provided in paragraph (3) (m).

3314 (c) The commission may levy on and collect an annual  
3315 assessment from each member state and impose fees on licensees  
3316 of member states to whom it grants a multistate license to cover  
3317 the cost of the operations and activities of the commission and  
3318 its staff, which must be in a total amount sufficient to cover  
3319 its annual budget as approved each year for which revenue is not  
3320 provided by other sources. The aggregate annual assessment  
3321 amount for member states shall be allocated based upon a formula  
3322 that the commission shall adopt by rule.

3323 (d) The commission may not incur obligations of any kind  
3324 prior to securing the funds adequate to meet the same; nor shall  
3325 the commission pledge the credit of any of the member states,  
3326 except by and with the authority of the member state.

3327 (e) The commission shall keep accurate accounts of all  
3328 receipts and disbursements. The receipts and disbursements of  
3329 the commission shall be subject to the financial review and  
3330 accounting procedures established under its bylaws. However, all  
3331 receipts and disbursements of funds handled by the commission

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3332 shall be subject to an annual financial review by a certified or  
3333 licensed public accountant, and the report of the financial  
3334 review shall be included in and become part of the annual report  
3335 of the commission.

3336 (9) (a) The members, officers, executive director,  
3337 employees, and representatives of the commission shall be immune  
3338 from suit and liability, both personally and in their official  
3339 capacity, for any claim for damage to or loss of property or  
3340 personal injury or other civil liability caused by or arising  
3341 out of any actual or alleged act, error, or omission that  
3342 occurred, or that the person against whom the claim is made had  
3343 a reasonable basis for believing occurred within the scope of  
3344 commission employment, duties, or responsibilities; provided  
3345 that this paragraph does not protect any such person from suit  
3346 or liability for any damage, loss, injury, or liability caused  
3347 by the intentional or willful or wanton misconduct of that  
3348 person. The procurement of insurance of any type by the  
3349 commission may not in any way compromise or limit the immunity  
3350 granted hereunder.

3351 (b) The commission shall defend any member, officer,  
3352 executive director, employee, and representative of the  
3353 commission in any civil action seeking to impose liability  
3354 arising out of any actual or alleged act, error, or omission  
3355 that occurred within the scope of commission employment, duties,  
3356 or responsibilities, or as determined by the commission that the

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3357 person against whom the claim is made had a reasonable basis for  
3358 believing occurred within the scope of commission employment,  
3359 duties, or responsibilities; provided that nothing herein shall  
3360 be construed to prohibit that person from retaining his or her  
3361 own counsel at his or her own expense; and provided further that  
3362 the actual or alleged act, error, or omission did not result  
3363 from the intentional or willful or wanton misconduct of that  
3364 person.

3365 (c) The commission shall indemnify and hold harmless any  
3366 member, officer, executive director, employee, and  
3367 representative of the commission for the amount of any  
3368 settlement or judgment obtained against that person arising out  
3369 of any actual or alleged act, error, or omission that occurred  
3370 within the scope of commission employment, duties, or  
3371 responsibilities, or, as determined by the commission, that the  
3372 person against whom the claim is made had a reasonable basis for  
3373 believing occurred within the scope of commission employment,  
3374 duties, or responsibilities, provided that the actual or alleged  
3375 act, error, or omission did not result from the intentional or  
3376 willful or wanton misconduct of that person.

3377 (d) Nothing herein shall be construed as a limitation on  
3378 the liability of any licensee for professional malpractice or  
3379 misconduct, which shall be governed solely by any other  
3380 applicable state laws.

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3381 (e) This compact may not be interpreted to waive or  
3382 otherwise abrogate a member state's state action immunity or  
3383 state action affirmative defense with respect to antitrust  
3384 claims under the Sherman Antitrust Act, Clayton Antitrust Act of  
3385 1914, or any other state or federal antitrust or anticompetitive  
3386 law or regulation.

3387 (f) This compact may not be construed to be a waiver of  
3388 sovereign immunity by the member states or by the commission.  
3389

3390 ARTICLE XI

3391 DATA SYSTEM  
3392

3393 (1) The commission shall provide for the development,  
3394 maintenance, operation, and utilization of a coordinated data  
3395 system.

3396 (2) The commission shall assign each applicant for a  
3397 multistate license a unique identifier, as determined by the  
3398 rules of the commission.

3399 (3) Notwithstanding any other provision of state law to  
3400 the contrary, a member state shall submit a uniform data set to  
3401 the data system on all individuals to whom this compact is  
3402 applicable as required by the rules of the commission,  
3403 including:

3404 (a) Identifying information.

3405 (b) Licensure data.

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3406 (c) Adverse actions against a license and information  
3407 related thereto.

3408 (d) Nonconfidential information related to alternative  
3409 program participation, the beginning and ending dates of such  
3410 participation, and other information related to such  
3411 participation not made confidential under member state law.

3412 (e) Any denial of application for licensure, and the  
3413 reason for such denial.

3414 (f) The presence of current significant investigative  
3415 information.

3416 (g) Other information that may facilitate the  
3417 administration of this compact or the protection of the public,  
3418 as determined by the rules of the commission.

3419 (4) The records and information provided to a member state  
3420 pursuant to this compact or through the data system, when  
3421 certified by the commission or an agent thereof, shall  
3422 constitute the authenticated business records of the commission,  
3423 and shall be entitled to any associated hearsay exception in any  
3424 relevant judicial, quasi-judicial, or administrative proceedings  
3425 in a member state.

3426 (5) (a) Current significant investigative information  
3427 pertaining to a licensee in any member state will only be  
3428 available to other member states.

3429 (b) It is the responsibility of the member states to  
3430 report any adverse action against a licensee and to monitor the

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3431 database to determine whether adverse action has been taken  
3432 against a licensee. Adverse action information pertaining to a  
3433 licensee in any member state will be available to any other  
3434 member state.

3435 (6) Member states contributing information to the data  
3436 system may designate information that may not be shared with the  
3437 public without the express permission of the contributing state.

3438 (7) Any information submitted to the data system that is  
3439 subsequently expunged pursuant to federal law or the laws of the  
3440 member state contributing the information shall be removed from  
3441 the data system.

3442  
3443 ARTICLE XII

3444 RULEMAKING

3445  
3446 (1) The commission shall adopt reasonable rules in order  
3447 to effectively and efficiently implement and administer the  
3448 purposes and provisions of the compact. A rule shall be invalid  
3449 and have no force or effect only if a court of competent  
3450 jurisdiction holds that the rule is invalid because the  
3451 commission exercised its rulemaking authority in a manner that  
3452 is beyond the scope and purposes of the compact, or the powers  
3453 granted hereunder, or based upon another applicable standard of  
3454 review.

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3455       (2) The rules of the commission shall have the force of  
3456 law in each member state; however, if the rules of the  
3457 commission conflict with the laws, regulations, and applicable  
3458 standards that govern the practice of social work as held by a  
3459 court of competent jurisdiction, the rules of the commission are  
3460 ineffective in that state to the extent of the conflict.

3461       (3) The commission shall exercise its rulemaking powers  
3462 pursuant to the criteria provided in this section and the rules  
3463 adopted thereunder. Rules shall become binding on the day  
3464 following adoption or the date specified in the rule or  
3465 amendment, whichever is later.

3466       (4) If a majority of the legislatures of the member states  
3467 rejects a rule or portion of a rule, by enactment of a statute  
3468 or resolution in the same manner used to adopt the compact  
3469 within 4 years after the date of adoption of the rule, then such  
3470 rule shall have no further force and effect in any member state.

3471       (5) Rules shall be adopted at a regular or special meeting  
3472 of the commission.

3473       (6) Before adoption of a proposed rule, the commission  
3474 shall hold a public hearing and allow persons to provide oral  
3475 and written comments, data, facts, opinions, and arguments.

3476       (7) Before adoption of a proposed rule by the commission,  
3477 and at least 30 days in advance of the meeting at which the  
3478 commission will hold a public hearing on the proposed rule, the  
3479 commission shall provide a notice of proposed rulemaking:

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3480 (a) On the website of the commission or other publicly  
3481 accessible platform.

3482 (b) To persons who have requested notice of the  
3483 commission's notices of proposed rulemaking.

3484 (c) In such other way as the commission may by rule  
3485 specify.

3486 (8) The notice of proposed rulemaking shall include:

3487 (a) The time, date, and location of the public hearing at  
3488 which the commission will hear public comments on the proposed  
3489 rule and, if different, the time, date, and location of the  
3490 meeting where the commission will consider and vote on the  
3491 proposed rule.

3492 (b) If the hearing is held via telecommunication, video  
3493 conference, or other similar electronic means, the commission  
3494 shall include the mechanism for access to the hearing in the  
3495 notice of proposed rulemaking.

3496 (c) The text of the proposed rule and the reason therefor.

3497 (d) A request for comments on the proposed rule from any  
3498 interested person.

3499 (e) The manner in which interested persons may submit  
3500 written comments.

3501 (9) All hearings will be recorded. A copy of the recording  
3502 and all written comments and documents received by the  
3503 commission in response to the proposed rule shall be available  
3504 to the public.

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3505 (10) This section does not require a separate hearing on  
3506 each rule. Rules may be grouped for the convenience of the  
3507 commission at hearings required by this section.

3508 (11) The commission shall, by majority vote of all  
3509 members, take final action on the proposed rule based on the  
3510 rulemaking record and the full text of the rule.

3511 (a) The commission may adopt changes to the proposed rule  
3512 provided the changes do not enlarge the original purpose of the  
3513 proposed rule.

3514 (b) The commission shall provide an explanation of the  
3515 reasons for substantive changes made to the proposed rule as  
3516 well as reasons for substantive changes not made that were  
3517 recommended by commenters.

3518 (c) The commission shall determine a reasonable effective  
3519 date for the rule. Except for an emergency as provided in  
3520 subsection (12), the effective date of the rule shall be no  
3521 sooner than 30 days after issuing the notice that the commission  
3522 adopted or amended the rule.

3523 (12) Upon determination that an emergency exists, the  
3524 commission may consider and adopt an emergency rule with 48  
3525 hours' notice, with opportunity to comment, provided that the  
3526 usual rulemaking procedures provided in the compact and in this  
3527 section shall be retroactively applied to the rule as soon as  
3528 reasonably possible, but in no event later than 90 days after  
3529 the effective date of the rule. For the purposes of this

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3530 subsection, an emergency rule is one that must be adopted  
3531 immediately in order to:  
3532 (a) Meet an imminent threat to public health, safety, or  
3533 welfare;  
3534 (b) Prevent a loss of commission or member state funds;  
3535 (c) Meet a deadline for the adoption of a rule that is  
3536 established by federal law or rule; or  
3537 (d) Protect public health and safety.  
3538 (13) The commission or an authorized committee of the  
3539 commission may direct revisions to a previously adopted rule for  
3540 purposes of correcting typographical errors, errors in format,  
3541 errors in consistency, or grammatical errors. Public notice of  
3542 any revisions shall be posted on the website of the commission.  
3543 The revision shall be subject to challenge by any person for a  
3544 period of 30 days after posting. The revision may be challenged  
3545 only on grounds that the revision results in a material change  
3546 to a rule. A challenge shall be made in writing and delivered to  
3547 the commission prior to the end of the notice period. If no  
3548 challenge is made, the revision will take effect without further  
3549 action. If the revision is challenged, the revision may not take  
3550 effect without the approval of the commission.  
3551 (14) No member state's rulemaking requirements shall apply  
3552 under this compact.

3553

3554

ARTICLE XIII

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OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT

(1) (a) The executive and judicial branches of state government in each member state shall enforce this compact and take all actions necessary and appropriate to implement the compact.

(b) Except as otherwise provided in this compact, venue is proper and judicial proceedings by or against the commission shall be brought solely and exclusively in a court of competent jurisdiction where the principal office of the commission is located. The commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings. Nothing herein shall affect or limit the selection or propriety of venue in any action against a licensee for professional malpractice, misconduct, or any such similar matter.

(c) The commission shall be entitled to receive service of process in any proceeding regarding the enforcement or interpretation of the compact and shall have standing to intervene in such a proceeding for all purposes. Failure to provide the commission service of process shall render a judgment or order void as to the commission, this compact, or adopted rules.

(2) (a) If the commission determines that a member state has defaulted in the performance of its obligations or

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3580 responsibilities under this compact or the adopted rules, the  
3581 commission shall provide written notice to the defaulting state.  
3582 The notice of default shall describe the default, the proposed  
3583 means of curing the default, and any other action that the  
3584 commission may take, and shall offer training and specific  
3585 technical assistance regarding the default.

3586 (b) The commission shall provide a copy of the notice of  
3587 default to the other member states.

3588 (3) If a state in default fails to cure the default, the  
3589 defaulting state may be terminated from the compact upon an  
3590 affirmative vote of a majority of the delegates of the member  
3591 states, and all rights, privileges, and benefits conferred on  
3592 that state by this compact may be terminated on the effective  
3593 date of termination. A cure of the default does not relieve the  
3594 offending state of obligations or liabilities incurred during  
3595 the period of default.

3596 (4) Termination of membership in the compact shall be  
3597 imposed only after all other means of securing compliance have  
3598 been exhausted. Notice of intent to suspend or terminate shall  
3599 be given by the commission to the Governor, the majority and  
3600 minority leaders of the defaulting state's legislature, the  
3601 defaulting state's state licensing authority, and the licensing  
3602 authority of each member state.

3603 (5) A state that has been terminated is responsible for  
3604 all assessments, obligations, and liabilities incurred through

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3605 the effective date of termination, including obligations that  
3606 extend beyond the effective date of termination.

3607 (6) Upon the termination of a state's membership from this  
3608 compact, that state shall immediately provide notice to all  
3609 licensees within that state of such termination. The terminated  
3610 state shall continue to recognize all licenses granted pursuant  
3611 to this compact for a minimum of 6 months after the date of said  
3612 notice of termination.

3613 (7) The commission may not bear any costs related to a  
3614 state that is found to be in default or that has been terminated  
3615 from the compact, unless agreed upon in writing between the  
3616 commission and the defaulting state.

3617 (8) The defaulting state may appeal the action of the  
3618 commission by petitioning the United States District Court for  
3619 the District of Columbia or the federal district where the  
3620 commission has its principal offices. The prevailing party shall  
3621 be awarded all costs of such litigation, including reasonable  
3622 attorney fees.

3623 (9) (a) Upon request by a member state, the commission  
3624 shall attempt to resolve disputes related to the compact that  
3625 arise among member states and between member and nonmember  
3626 states.

3627 (b) The commission shall adopt a rule providing for both  
3628 mediation and binding dispute resolution for disputes as  
3629 appropriate.

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3630 (10) (a) By majority vote as provided by rule, the  
3631 commission may initiate legal action against a member state in  
3632 default in the United States District Court for the District of  
3633 Columbia or the federal district where the commission has its  
3634 principal offices to enforce compliance with the provisions of  
3635 the compact and its adopted rules. The relief sought may include  
3636 both injunctive relief and damages. In the event judicial  
3637 enforcement is necessary, the prevailing party shall be awarded  
3638 all costs of such litigation, including reasonable attorney  
3639 fees. The remedies herein may not be the exclusive remedies of  
3640 the commission. The commission may pursue any other remedies  
3641 available under federal or the defaulting member state's law.

3642 (b) A member state may initiate legal action against the  
3643 commission in the United States District Court for the District  
3644 of Columbia or the federal district where the commission has its  
3645 principal offices to enforce compliance with the provisions of  
3646 the compact and its adopted rules. The relief sought may include  
3647 both injunctive relief and damages. In the event judicial  
3648 enforcement is necessary, the prevailing party shall be awarded  
3649 all costs of such litigation, including reasonable attorney  
3650 fees.

3651 (c) Only a member state may enforce this compact against  
3652 the commission.

3654 ARTICLE XIV

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EFFECTIVE DATE, WITHDRAWAL, AND AMENDMENT

(1) The compact shall come into effect on the date on which the compact statute is enacted into law in the seventh member state.

(2) (a) On or after the effective date of the compact, the commission shall convene and review the enactment of each of the first seven charter member states to determine if the statute enacted by each such charter member state is materially different than the model compact statute.

1. A charter member state whose enactment is found to be materially different from the model compact statute shall be entitled to the default process provided in Article XIII.

2. If any member state is later found to be in default, or is terminated or withdraws from the compact, the commission shall remain in existence and the compact shall remain in effect even if the number of member states should be less than seven.

(b) Member states enacting the compact subsequent to the seven initial charter member states shall be subject to the process provided in paragraph (3)(u) of Article X to determine if their enactments are materially different from the model compact statute and whether they qualify for participation in the compact.

(c) All actions taken for the benefit of the commission or in furtherance of the purposes of the administration of the

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3680 compact prior to the effective date of the compact or the  
3681 commission coming into existence shall be considered to be  
3682 actions of the commission unless specifically repudiated by the  
3683 commission.

3684 (d) Any state that joins the compact subsequent to the  
3685 commission's initial adoption of the rules and bylaws shall be  
3686 subject to the rules and bylaws as they exist on the date on  
3687 which the compact becomes law in that state. Any rule that has  
3688 been previously adopted by the commission shall have the full  
3689 force and effect of law on the day the compact becomes law in  
3690 that state.

3691 (3) Any member state may withdraw from this compact by  
3692 enacting a statute repealing the same.

3693 (a) A member state's withdrawal may not take effect until  
3694 180 days after enactment of the repealing statute.

3695 (b) Withdrawal may not affect the continuing requirement  
3696 of the withdrawing state's licensing authority to comply with  
3697 the investigative and adverse action reporting requirements of  
3698 this compact before the effective date of withdrawal.

3699 (c) Upon the enactment of a statute withdrawing from this  
3700 compact, a state shall immediately provide notice of such  
3701 withdrawal to all licensees within that state. Notwithstanding  
3702 any subsequent statutory enactment to the contrary, such  
3703 withdrawing state shall continue to recognize all licenses

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3704 granted pursuant to this compact for a minimum of 180 days after  
3705 the date of such notice of withdrawal.

3706 (4) This compact does not invalidate or prevent any  
3707 licensure agreement or other cooperative arrangement between a  
3708 member state and a nonmember state that does not conflict with  
3709 the provisions of this compact.

3710 (5) This compact may be amended by the member states. Any  
3711 amendment to this compact is not effective and binding upon any  
3712 member state until it is enacted into the laws of all member  
3713 states.

3714  
3715 ARTICLE XV

3716 CONSTRUCTION AND SEVERABILITY

3717  
3718 (1) This compact and the commission's rulemaking authority  
3719 shall be liberally construed so as to effectuate the purposes  
3720 and the implementation and administration of the compact.  
3721 Provisions of the compact expressly authorizing or requiring the  
3722 adoption of rules may not be construed to limit the commission's  
3723 rulemaking authority solely for those purposes.

3724 (2) The provisions of this compact shall be severable and  
3725 if any phrase, clause, sentence, or provision of this compact is  
3726 held by a court of competent jurisdiction to be contrary to the  
3727 constitution of any member state, a state seeking participation  
3728 in the compact, or of the United states, or the application

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3729 thereof to any government, agency, person, or circumstance is  
3730 held to be unconstitutional by a court of competent  
3731 jurisdiction, the validity of the remainder of this compact and  
3732 the applicability thereof to any other government, agency,  
3733 person, or circumstance may not be affected thereby.

3734 (3) Notwithstanding subsection (2), the commission may  
3735 deny a state's participation in the compact or, in accordance  
3736 with the requirements of subsection (3) of Article XIII,  
3737 terminate a member state's participation in the compact, if it  
3738 determines that a constitutional requirement of a member state  
3739 is a material departure from the compact. Otherwise, if this  
3740 compact shall be held to be contrary to the constitution of any  
3741 member state, the compact shall remain in full force and effect  
3742 as to the remaining member states and in full force and effect  
3743 as to the member state affected as to all severable matters.

3744

3745 ARTICLE XVI3746 CONSISTENT EFFECT AND CONFLICT WITH OTHER STATE LAWS

3747

3748 (1) A licensee providing services in a remote state under  
3749 a multistate authorization to practice shall adhere to the laws  
3750 and regulations, including laws, regulations, and applicable  
3751 standards, of the remote state where the client is located at  
3752 the time care is rendered.

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3753 (2) Nothing herein shall prevent or inhibit the  
3754 enforcement of any other law of a member state that is not  
3755 inconsistent with the compact.

3756 (3) Any laws, statutes, regulations, or other legal  
3757 requirements in a member state in conflict with the compact are  
3758 superseded to the extent of the conflict.

3759 (4) All permissible agreements between the commission and  
3760 the member states are binding in accordance with their terms.

3761 **Section 27. Subsection (9) is added to section 491.004,**  
3762 **Florida Statutes, to read:**

3763 491.004 Board of Clinical Social Work, Marriage and Family  
3764 Therapy, and Mental Health Counseling.—

3765 (9) The board shall appoint an individual to serve as the  
3766 state's delegate on the Social Work Licensure Compact  
3767 Commission, as required under s. 491.022.

3768 **Section 28. Subsection (6) of section 491.005, Florida**  
3769 **Statutes, is amended to read:**

3770 491.005 Licensure by examination.—

3771 (6) EXEMPTIONS ~~EXEMPTION~~.—

3772 (a) A person licensed as a clinical social worker,  
3773 marriage and family therapist, or mental health counselor in  
3774 another state who is practicing under the Professional  
3775 Counselors Licensure Compact pursuant to s. 491.017, and only  
3776 within the scope provided therein, is exempt from the licensure  
3777 requirements of this section, as applicable.

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3778 (b) A person licensed as a clinical social worker in  
3779 another state who is practicing under the Social Work Licensure  
3780 Interstate Compact pursuant to s. 491.022, and only within the  
3781 scope provided therein, is exempt from the licensure  
3782 requirements of this section, as applicable.

3783 **Section 29. Subsection (4) is added to section 491.006,**  
3784 **Florida Statutes, to read:**

3785 491.006 Licensure or certification by endorsement.—

3786 (4) A person licensed as a clinical social worker in  
3787 another state who is practicing under the Social Work Licensure  
3788 Interstate Compact pursuant to s. 491.022, and only within the  
3789 scope provided therein, is exempt from the licensure  
3790 requirements of this section, as applicable.

3791 **Section 30. Subsection (1) of section 491.009, Florida**  
3792 **Statutes, is amended, and paragraph (c) is added to subsection**  
3793 **(2) of that section, to read:**

3794 491.009 Discipline.—

3795 (1) The following acts constitute grounds for denial of a  
3796 license or disciplinary action, as specified in s. 456.072(2),  
3797 ~~or~~ s. 491.017, or s. 491.022:

3798 (a) Attempting to obtain, obtaining, or renewing a  
3799 license, registration, or certificate under this chapter by  
3800 bribery or fraudulent misrepresentation or through an error of  
3801 the board or the department.

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3802 (b) Having a license, registration, or certificate to  
3803 practice a comparable profession revoked, suspended, or  
3804 otherwise acted against, including the denial of certification  
3805 or licensure by another state, territory, or country.

3806 (c) Being convicted or found guilty of, regardless of  
3807 adjudication, or having entered a plea of nolo contendere to, a  
3808 crime in any jurisdiction which directly relates to the practice  
3809 of his or her profession or the ability to practice his or her  
3810 profession. However, in the case of a plea of nolo contendere,  
3811 the board shall allow the person who is the subject of the  
3812 disciplinary proceeding to present evidence in mitigation  
3813 relevant to the underlying charges and circumstances surrounding  
3814 the plea.

3815 (d) False, deceptive, or misleading advertising or  
3816 obtaining a fee or other thing of value on the representation  
3817 that beneficial results from any treatment will be guaranteed.

3818 (e) Advertising, practicing, or attempting to practice  
3819 under a name other than one's own.

3820 (f) Maintaining a professional association with any person  
3821 who the applicant, licensee, registered intern, or  
3822 certificateholder knows, or has reason to believe, is in  
3823 violation of this chapter or of a rule of the department or the  
3824 board.

3825 (g) Knowingly aiding, assisting, procuring, or advising  
3826 any nonlicensed, nonregistered, or noncertified person to hold

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3827 himself or herself out as licensed, registered, or certified  
3828 under this chapter.

3829 (h) Failing to perform any statutory or legal obligation  
3830 placed upon a person licensed, registered, or certified under  
3831 this chapter.

3832 (i) Willfully making or filing a false report or record;  
3833 failing to file a report or record required by state or federal  
3834 law; willfully impeding or obstructing the filing of a report or  
3835 record; or inducing another person to make or file a false  
3836 report or record or to impede or obstruct the filing of a report  
3837 or record. Such report or record includes only a report or  
3838 record which requires the signature of a person licensed,  
3839 registered, or certified under this chapter.

3840 (j) Paying a kickback, rebate, bonus, or other  
3841 remuneration for receiving a patient or client, or receiving a  
3842 kickback, rebate, bonus, or other remuneration for referring a  
3843 patient or client to another provider of mental health care  
3844 services or to a provider of health care services or goods;  
3845 referring a patient or client to oneself for services on a fee-  
3846 paid basis when those services are already being paid for by  
3847 some other public or private entity; or entering into a  
3848 reciprocal referral agreement.

3849 (k) Committing any act upon a patient or client which  
3850 would constitute sexual battery or which would constitute sexual  
3851 misconduct as defined pursuant to s. 491.0111.

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3852 (l) Making misleading, deceptive, untrue, or fraudulent  
3853 representations in the practice of any profession licensed,  
3854 registered, or certified under this chapter.

3855 (m) Soliciting patients or clients personally, or through  
3856 an agent, through the use of fraud, intimidation, undue  
3857 influence, or a form of overreaching or vexatious conduct.

3858 (n) Failing to make available to a patient or client, upon  
3859 written request, copies of tests, reports, or documents in the  
3860 possession or under the control of the licensee, registered  
3861 intern, or certificateholder which have been prepared for and  
3862 paid for by the patient or client.

3863 (o) Failing to respond within 30 days to a written  
3864 communication from the department or the board concerning any  
3865 investigation by the department or the board, or failing to make  
3866 available any relevant records with respect to any investigation  
3867 about the licensee's, registered intern's, or  
3868 certificateholder's conduct or background.

3869 (p) Being unable to practice the profession for which he  
3870 or she is licensed, registered, or certified under this chapter  
3871 with reasonable skill or competence as a result of any mental or  
3872 physical condition or by reason of illness; drunkenness; or  
3873 excessive use of drugs, narcotics, chemicals, or any other  
3874 substance. In enforcing this paragraph, upon a finding by the  
3875 State Surgeon General, the State Surgeon General's designee, or  
3876 the board that probable cause exists to believe that the

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3877 licensee, registered intern, or certificateholder is unable to  
3878 practice the profession because of the reasons stated in this  
3879 paragraph, the department shall have the authority to compel a  
3880 licensee, registered intern, or certificateholder to submit to a  
3881 mental or physical examination by psychologists, physicians, or  
3882 other licensees under this chapter, designated by the department  
3883 or board. If the licensee, registered intern, or  
3884 certificateholder refuses to comply with such order, the  
3885 department's order directing the examination may be enforced by  
3886 filing a petition for enforcement in the circuit court in the  
3887 circuit in which the licensee, registered intern, or  
3888 certificateholder resides or does business. The licensee,  
3889 registered intern, or certificateholder against whom the  
3890 petition is filed may not be named or identified by initials in  
3891 any public court records or documents, and the proceedings shall  
3892 be closed to the public. The department shall be entitled to the  
3893 summary procedure provided in s. 51.011. A licensee, registered  
3894 intern, or certificateholder affected under this paragraph shall  
3895 at reasonable intervals be afforded an opportunity to  
3896 demonstrate that he or she can resume the competent practice for  
3897 which he or she is licensed, registered, or certified with  
3898 reasonable skill and safety to patients.

3899 (q) Performing any treatment or prescribing any therapy  
3900 which, by the prevailing standards of the mental health  
3901 professions in the community, would constitute experimentation

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3902 on human subjects, without first obtaining full, informed, and  
3903 written consent.

3904 (r) Failing to meet the minimum standards of performance  
3905 in professional activities when measured against generally  
3906 prevailing peer performance, including the undertaking of  
3907 activities for which the licensee, registered intern, or  
3908 certificateholder is not qualified by training or experience.

3909 (s) Delegating professional responsibilities to a person  
3910 who the licensee, registered intern, or certificateholder knows  
3911 or has reason to know is not qualified by training or experience  
3912 to perform such responsibilities.

3913 (t) Violating a rule relating to the regulation of the  
3914 profession or a lawful order of the department or the board  
3915 previously entered in a disciplinary hearing.

3916 (u) Failure of the licensee, registered intern, or  
3917 certificateholder to maintain in confidence a communication made  
3918 by a patient or client in the context of such services, except  
3919 as provided in s. 491.0147.

3920 (v) Making public statements which are derived from test  
3921 data, client contacts, or behavioral research and which identify  
3922 or damage research subjects or clients.

3923 (w) Violating any provision of this chapter or chapter  
3924 456, or any rules adopted pursuant thereto.

3925 (2)

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3926 (c) The board may take adverse action against a clinical  
3927 social worker's privilege to practice under the Social Work  
3928 Licensure Interstate Compact pursuant to s. 491.022 and may  
3929 impose any of the penalties in s. 456.072(2) if the clinical  
3930 social worker commits an act specified in subsection (1) or s.  
3931 456.072(1).

3932 **Section 31. Subsection (7) of section 627.6471, Florida**  
3933 **Statutes, is renumbered as subsection (8), and a new subsection**  
3934 **(7) is added to that section, to read:**

3935 627.6471 Contracts for reduced rates of payment;  
3936 limitations; coinsurance and deductibles.-

3937 (7) Any insurer issuing a policy of health insurance in  
3938 this state shall apply the payment for a service provided to an  
3939 insured by a nonpreferred provider toward the insured's  
3940 deductible and out-of-pocket maximum as if the service had been  
3941 provided by a preferred provider if all of the following apply:

3942 (a) The insured requests that the insurer apply the  
3943 payment for the service provided to the insured by the  
3944 nonpreferred provider toward the insured's deductible and out-  
3945 of-pocket maximum.

3946 (b) The service provided to the insured by the  
3947 nonpreferred provider is within the scope of services covered  
3948 under the insured's policy.

3949 (c) The amount that the nonpreferred provider charged the  
3950 insured for the service is the same as or less than:

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3951 1. The average amount that the insured's preferred  
3952 provider network charges for the service; or

3953 2. The statewide average amount for the service based on  
3954 data reported on the Florida Health Price Finder website.

3955 **Section 32. Paragraphs (m), (n), and (o) are added to**  
3956 **subsection (10) of section 768.28, Florida Statutes, to read:**

3957 768.28 Waiver of sovereign immunity in tort actions;  
3958 recovery limits; civil liability for damages caused during a  
3959 riot; limitation on attorney fees; statute of limitations;  
3960 exclusions; indemnification; risk management programs.—

3961 (10)

3962 (m) For purposes of this section, the individual appointed  
3963 under s. 456.66 as the state's delegate for the Physician  
3964 Assistant Licensure Compact Commission, when serving in that  
3965 capacity, and any administrator, officer, executive director,  
3966 employee, or representative of the Physician Assistant Licensure  
3967 Compact Commission, when acting within the scope of his or her  
3968 employment, duties, or responsibilities in this state, is  
3969 considered an agent of the state. The commission shall pay any  
3970 claims or judgments pursuant to this section and may maintain  
3971 insurance coverage to pay any such claims or judgments.

3972 (n) For purposes of this section, the individual appointed  
3973 under s. 401.466 as the state's delegate for the Interstate  
3974 Commission for EMS Personnel Practice, when serving in that  
3975 capacity, and any administrator, officer, executive director,

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3976 employee, or representative of the Emergency Medical Services  
3977 Personnel Licensure Interstate Compact Commission, when acting  
3978 within the scope of his or her employment, duties, or  
3979 responsibilities in this state, is considered an agent of the  
3980 state. The commission shall pay any claims or judgments pursuant  
3981 to this section and may maintain insurance coverage to pay any  
3982 such claims or judgments.

3983 (o) For purposes of this section, the individual appointed  
3984 under s. 491.004(9) as the state's delegate on the Social Work  
3985 Licensure Compact Commission, pursuant to s. 491.022, and any  
3986 administrator, officer, executive director, employee, or  
3987 representative of the commission, when acting within the scope  
3988 of his or her employment, duties, or responsibilities in this  
3989 state, is considered an agent of the state. The commission shall  
3990 pay any claims or judgments pursuant to this section and may  
3991 maintain insurance coverage to pay any such claims or judgments.

3992 **Section 33.** Except as otherwise expressly provided in this  
3993 act, this act shall take effect July 1, 2026.

3994  
3995 -----

3996 **T I T L E A M E N D M E N T**

3997 Remove everything before the enacting clause and insert:

3998 A bill to be entitled

3999 An act relating to health and human services;

4000 providing a short title; amending 395.1055, F.S.;

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4001 removing an obsolete provision; amending s. 401.411,  
4002 F.S.; authorizing the Department of Health to deny,  
4003 suspend, or revoke a license, certificate, or permit  
4004 or reprimand, fine, or take adverse action against an  
4005 emergency medical technician or paramedic under  
4006 certain circumstances; amending s. 401.25, F.S.;  
4007 providing exemption from licensure for emergency  
4008 medical technicians or paramedics under certain  
4009 circumstances; requiring the Department of Health to  
4010 appoint a state delegate for the Interstate Compact  
4011 Commission for EMS Personnel Practice; creating s.  
4012 401.466, F.S.; enacting the Emergency Medical Services  
4013 Personnel Licensure Interstate Compact; providing  
4014 purpose; providing definitions; providing requirements  
4015 for home state licensure and practice of EMS  
4016 personnel; requiring compact states meet certain  
4017 criteria to participate in the compact; authorizing  
4018 EMS personnel to practice in other member states under  
4019 certain circumstances; providing that authority over  
4020 EMS personnel licenses remains with the home state;  
4021 providing guidelines and requirements for EMS  
4022 personnel to practice in a remote state; providing  
4023 that certain terms and provisions of the Emergency  
4024 Management Assistance Compact apply in specified  
4025 circumstances; requiring member states to take

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4026 specified actions related to veterans, active duty  
4027 servicemembers, and their spouses; providing  
4028 requirements for adverse actions against EMS  
4029 personnel; providing requirements and limitations on  
4030 EMS personnel who have an adverse action; requiring  
4031 member states report adverse actions and specified  
4032 occurrences to the Interstate Commission for EMS  
4033 Personnel Practice; providing additional powers  
4034 invested in a member state's EMS authority;  
4035 establishing the Interstate Commission for EMS  
4036 Personnel Practice; providing for the jurisdiction and  
4037 venue for court proceedings; providing membership,  
4038 duties, and powers of the commission; authorizing the  
4039 commission to adopt rules; providing immunity to  
4040 specified individuals; providing requirements relating  
4041 to delegates; requiring compact states to participate  
4042 in a coordinated data and reporting system; providing  
4043 for the development of a database, reporting  
4044 procedures, and the exchange of certain information  
4045 between compact states; providing rulemaking  
4046 procedures; providing for state enforcement of the  
4047 compact; providing for the termination of compact  
4048 membership; providing procedures for the resolution of  
4049 certain disputes; providing for the implementation of  
4050 the compact; providing requirements to withdraw from

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4051 the compact; providing compact amendment procedures;  
4052 providing construction and severability; amending s.  
4053 409.814, F.S.; revising eligibility requirements for  
4054 the Florida Kidcare program; amending s. 409.818,  
4055 F.S.; revising administrative duties of the agency;  
4056 amending s. 409.902, F.S.; revising eligibility  
4057 requirements for certain medical assistance payments;  
4058 amending s. 409.90201, F.S.; revising recipient  
4059 information required for Medicaid eligibility;  
4060 amending s. 409.904, F.S.; revising the time period  
4061 the agency will retroactively make payments to  
4062 Medicaid-covered services for certain persons;  
4063 amending s. 409.905, F.S.; prohibiting the agency from  
4064 making a payment to a prohibited entity; creating s.  
4065 414.321, F.S.; providing eligibility requirements for  
4066 food assistance; creating s. 414.332, F.S.; requiring  
4067 the Department of Children and Families develop and  
4068 implement a food assistance payment accuracy  
4069 improvement plan; providing requirements for the plan;  
4070 requiring the department to submit the plan to the  
4071 Governor and the Legislature by a specified date;  
4072 requiring the department, by a specified date, to  
4073 submit certain quarterly progress reports to the  
4074 Governor and the Legislature; providing for future  
4075 repeal; amending s. 414.455, F.S.; revising

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## Amendment No.1

4076 requirements for participation in an employment and  
4077 training program to receive food assistance from the  
4078 Supplemental Nutrition Assistance Program; requiring  
4079 the Department of Children and Families to apply for  
4080 and comply with certain work requirements in  
4081 accordance with federal law for food assistance;  
4082 amending s. 456.0575, F.S.; requiring a health care  
4083 practitioner to provide a patient with a certain  
4084 notification in writing upon referring the patient to  
4085 certain providers; authorizing a practitioner to  
4086 confirm network status; requiring disciplinary action  
4087 against a health care practitioner under certain  
4088 conditions; amending s. 456.073, F.S.; revising the  
4089 significant investigation information the Department  
4090 of Health is required to report relating to certain  
4091 physician assistants, emergency medical technicians,  
4092 and paramedics; amending s. 456.076, F.S.; requiring  
4093 the terms of the monitoring contracts for certain  
4094 physician assistants and emergency medical technicians  
4095 or paramedics to include withdrawal from all practice  
4096 under certain circumstances; creating s. 456.66, F.S.;  
4097 enacting the Physician Assistant Licensure Compact;  
4098 providing purpose; providing definitions; providing  
4099 requirements for compact states to participate in the  
4100 compact; providing criteria that a physician assistant

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4101 must satisfy to practice under the compact;  
4102 maintaining that authority over a physician  
4103 assistant's license remains with the home state but  
4104 authorizing remote states to define the scope of and  
4105 act on a physician assistant's authority to practice  
4106 in the compact state under the compact; prohibiting a  
4107 physician assistant from practicing under the compact  
4108 if his or her authority to do so has been acted on by  
4109 any compact state; requiring compact states to report  
4110 to the Physician Assistant Licensure Compact  
4111 Commission adverse actions taken against a physician  
4112 assistant; establishing the Physician Assistant  
4113 Licensure Compact Commission; providing jurisdiction  
4114 and venue for court proceedings; providing membership,  
4115 duties, and powers; authorizing the commission to  
4116 adopt rules; providing immunity to specified  
4117 individuals; requiring compact states to participate  
4118 in a coordinated data and reporting system; providing  
4119 for the development of a data system, reporting  
4120 procedures, and exchange of certain information  
4121 between compact states; providing rulemaking  
4122 procedures; providing for state enforcement of the  
4123 compact; providing for the termination of compact  
4124 membership; providing procedures for the resolution of  
4125 certain disputes; providing compact amendment

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4126 | procedures; authorizing nonparty states to participate  
4127 | in commission activities before adoption of the  
4128 | compact; providing construction and severability;  
4129 | amending s. 458.307, F.S.; requiring the Board of  
4130 | Medicine and the Board of Osteopathic Medicine to  
4131 | jointly appoint an individual to serve as the state's  
4132 | delegate on the Physician Assistant Licensure Compact  
4133 | Commission; amending ss. 458.347 and 459.022, F.S.;  
4134 | revising the number of physician assistants a  
4135 | physician may supervise; authorizing the Board of  
4136 | Medicine and the Board of Osteopathic Medicine to take  
4137 | adverse action against a physician assistant's  
4138 | privilege to practice under the Physician Assistant  
4139 | Licensure Compact and to deny, suspend, or revoke the  
4140 | licensure of a physician assistant who violates the  
4141 | compact; providing an exemption from licensure for  
4142 | certain physician assistants; amending s. 464.0123,  
4143 | F.S.; revising practice requirements for an autonomous  
4144 | advanced practice registered nurse; authorizing an  
4145 | autonomous advanced practice registered nurse to  
4146 | perform certain acts; amending s. 466.017, F.S.;  
4147 | authorizing a dental hygienist to prescribe,  
4148 | administer, and dispense certain agents and administer  
4149 | local anesthesia under certain circumstances; amending  
4150 | s. 466.024, F.S.; revising the remediable and

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4151 delegable duties of a dentist; amending s. 627.6471,  
4152 F.S.; requiring certain health insurers to apply  
4153 payments for services provided by nonpreferred  
4154 providers toward insureds' deductibles and out-of-  
4155 pocket maximums if specified conditions are met;  
4156 amending s. 768.28, F.S.; designating state delegates  
4157 of the Physician Assistant Licensure Compact  
4158 Commission and the Interstate Commission for EMS  
4159 Personnel Practice and other members or employees of  
4160 the commissions as state agents for the purpose of  
4161 applying sovereign immunity and waivers of sovereign  
4162 immunity; requiring the commissions to pay certain  
4163 judgments or claims; authorizing the commissions to  
4164 maintain insurance coverage to pay such judgments or  
4165 claims; designating the state's delegate and other  
4166 members or employees of the commission as state agents  
4167 for the purpose of applying waivers of sovereign  
4168 immunity; requiring the commission to pay certain  
4169 claims or judgments; authorizing the commission to  
4170 maintain insurance coverage to pay such claims or  
4171 judgments; creating s. 491.022, F.S.; creating the  
4172 Social Work Licensure Interstate Compact; providing  
4173 purposes, objectives, and definitions; specifying  
4174 requirements for state participation in the compact  
4175 and duties of member states; specifying that the

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4176 compact does not affect an individual's ability to  
4177 apply for, and a member state's ability to grant, a  
4178 single state license pursuant to the laws of that  
4179 state; providing for recognition of compact privilege  
4180 in member states; specifying criteria a licensee must  
4181 meet for compact privilege; providing for the  
4182 expiration and renewal of compact privilege;  
4183 specifying that a licensee with compact privilege in a  
4184 remote state must adhere to the laws and rules of that  
4185 state; authorizing member states to act on a  
4186 licensee's compact privilege under certain  
4187 circumstances; specifying the consequences and  
4188 parameters of practice for a licensee whose compact  
4189 privilege has been acted upon or whose home state  
4190 license is encumbered; specifying that a licensee may  
4191 hold a home state license in only one member state at  
4192 a time; specifying requirements and procedures for  
4193 changing a home state license designation; authorizing  
4194 active duty military personnel or their spouses to  
4195 keep their home state designation during active duty;  
4196 authorizing member states to take adverse actions  
4197 against licensees and issue subpoenas for hearings and  
4198 investigations under certain circumstances; providing  
4199 requirements and procedures for such adverse action;  
4200 authorizing member states to engage in joint

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4201 investigations under certain circumstances; providing  
4202 that a licensee's compact privilege must be  
4203 deactivated in all member states for the duration of  
4204 an encumbrance imposed by the licensee's home state;  
4205 providing for notice to the data system and the  
4206 licensee's home state of any adverse action taken  
4207 against a licensee; establishing the Social Work  
4208 Licensure Compact Commission; providing for  
4209 jurisdiction and venue for court proceedings;  
4210 providing for membership and powers of the commission;  
4211 specifying powers and duties of the commission's  
4212 executive committee; authorizing the commission to  
4213 convene in closed, nonpublic meetings under certain  
4214 circumstances; providing for the financing of the  
4215 commission; providing specified individuals immunity  
4216 from civil liability under certain circumstances;  
4217 providing exceptions; requiring the commission to  
4218 defend the specified individuals in civil actions  
4219 under certain circumstances; requiring the commission  
4220 to indemnify and hold harmless specified individuals  
4221 for any settlement or judgment obtained in such  
4222 actions under certain circumstances; providing for the  
4223 development of the data system, reporting procedures,  
4224 and the exchange of specified information between  
4225 member states; requiring the commission to notify

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4226 member states of any adverse action taken against a  
4227 licensee or applicant for licensure; authorizing  
4228 member states to designate as confidential information  
4229 provided to the data system; requiring the commission  
4230 to remove information from the data system under  
4231 certain circumstances; providing rulemaking procedures  
4232 for the commission; providing for member state  
4233 enforcement of the compact; authorizing the commission  
4234 to receive notice of process, and have standing to  
4235 intervene, in certain proceedings; rendering certain  
4236 judgments and orders void as to the commission, the  
4237 compact, or commission rules under certain  
4238 circumstances; providing for defaults and termination  
4239 of compact membership; providing procedures for the  
4240 resolution of certain disputes; providing for  
4241 commission enforcement of the compact; providing for  
4242 remedies; providing for implementation of, withdrawal  
4243 from, and amendment to the compact; specifying that  
4244 licensees practicing in a remote state under the  
4245 compact must adhere to the laws and rules of that  
4246 state; specifying that the compact, commission rules,  
4247 and commission actions are binding on member states;  
4248 providing construction; providing for severability;  
4249 amending s. 456.073, F.S.; requiring the Department of  
4250 Health to report certain investigative information to

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4251 the data system; amending s. 456.076, F.S.; requiring  
4252 monitoring contracts for certain impaired  
4253 practitioners to contain certain terms; amending s.  
4254 491.004, F.S.; requiring the Board of Clinical Social  
4255 Work, Marriage and Family Therapy, and Mental Health  
4256 Counseling to appoint an individual to serve as the  
4257 state's delegate on the commission; amending ss.  
4258 491.005 and 491.006, F.S.; exempting certain persons  
4259 from licensure requirements; amending s. 491.009,  
4260 F.S.; authorizing certain disciplinary action under  
4261 the compact for specified prohibited acts; amending s.  
4262 768.28, F.S.; providing effective dates.