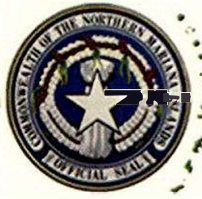


**RALPH DLG. TORRES**  
Governor



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS  
**OFFICE OF THE GOVERNOR**

October 25, 2022

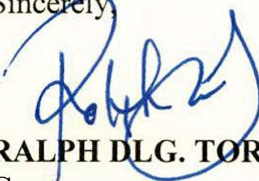
The Honorable Edmund S. Villagomez  
Speaker, House of Representatives  
Twenty-Second Northern Marianas  
Commonwealth Legislature  
Saipan, MP 96950

The Honorable Jude U. Hofschneider  
President of the Senate  
Twenty-Second Northern Marianas  
Commonwealth Legislature  
Saipan, MP 96950

Dear Mr. Speaker and Mr. President:

This is to inform you that pursuant to override action of the of the House of Representatives and the Senate of the Twenty-Second Northern Marianas Commonwealth Legislature on October 18, 2022 and October 24, 2022, House Bill No. 22-80, entitled, "To have the Commonwealth of the Northern Mariana Islands (CNMI) join the Psychology Interjurisdictional Compact (PSYPACT) to improve and expand access to mental health care in the CNMI; and for other purposes," the bill became **Public Law No. 22-23**. Copies of this law are forwarded for your reference.

Sincerely,



**RALPH DLG. TORRES**  
Governor

cc: Acting Press Secretary; Attorney General's Office; Commonwealth Law Revision; Public School System; CHCC; Health Care Professions Licensing; Public Auditor; Special Assistant for Administration; Special Assistant for Programs and Legislative Review



# *House of Representatives*

NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

P.O. BOX 500586  
SAIPAN, MP 96950

October 24, 2022


The Honorable Ralph DLG. Torres  
Governor  
Commonwealth of the Northern  
Mariana Islands  
Capitol Hill  
Saipan, MP 96950

Dear Governor Torres:

This is to inform you that the Twenty-Second Northern Marianas Commonwealth Legislature repassed House Bill No. 22-80, entitled, "An Act to have the Commonwealth of the Northern Mariana Islands (CNMI) join the Psychology Interjurisdictional Compact (PSYPACT) to improve and expand access to mental health care in the CNMI; and for other purposes.", by an affirmative vote of two-thirds (2/3) in each house.

House Bill No. 22-80, is now law. Please inform us of the Public Law number assigned to this Act.

Sincerely yours,

  
Linda B. Muña  
House Clerk

Attachment



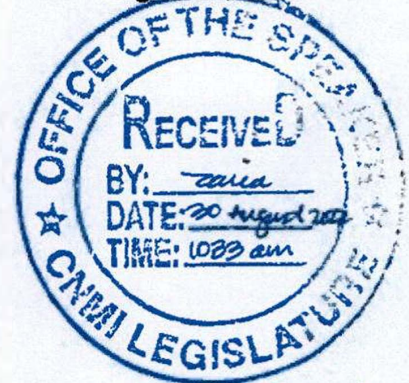
**RALPH DLG. TORRES**  
Governor

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS  
**OFFICE OF THE GOVERNOR**

The Honorable Edmund P. Villagomez  
Speaker  
House of Representatives  
Twenty-Second Northern Marianas  
Commonwealth Legislature  
Saipan, MP 96950

The Honorable Justo S. Quitugua  
Acting Senate President  
Twenty-Second Northern Marianas  
Commonwealth Legislature  
Saipan, MP 96950

August 29, 2022



8/30/22

Dear Mr. Speaker and Acting President:

This is to inform you that I have vetoed **House Bill 22-80** entitled, "To have the Commonwealth of the Northern Mariana Islands (CNMI) join the Psychology Interjurisdictional Compact (PSYPACT) to improve and expand access to mental health care in the CNMI; and for other purposes.", which was passed by the House of Representatives and the Senate of the Twenty-Second Northern Marianas Commonwealth Legislature.

Although I support the Legislature's initiative to improve and expand mental health care within our Commonwealth, there is a financial commitment to joining the Psychology Interjurisdictional Compact Commission which will coordinate the efforts of the participating jurisdictions to provide and regulate psychology services within the jurisdictions. Because the authors of the bill did not include any information detailing what the estimated annual costs will be to administer PSYPACT nor any funding support via appropriation to support this annual financial commitment for the Commonwealth, I must respectfully exercise my constitutional authority to veto this bill. I ask the Legislature to ensure that accountability exists before financial commitments are made on behalf of the Commonwealth by way of Legislative action.

Sincerely,

**RALPH DLG. TORRES**  
Governor

HOUSE CLERK'S OFC  
RECEIVED BY [signature]  
8/30/2022  
DATE TIME 4:18pm

cc: Press Secretary; Special Assistant for Programs and Legislative Review; Special Assistant for Administration; Attorney General; Office of Public Auditor





# *House of Representatives*

NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

P.O. BOX 500586  
SAIPAN, MP 96950

July 26, 2022

The Honorable Ralph DLG. Torres  
Governor  
Commonwealth of the Northern  
Mariana Islands  
Capitol Hill  
Saipan, MP 96950

Dear Governor Torres:

I have the honor of transmitting herewith for your action **H. B. No. 22-80**, entitled: "To have the Commonwealth of the Northern Mariana Islands (CNMI) join the Psychology Interjurisdictional Compact (PSYPACT) to improve and expand access to mental health care in the CNMI; and for other purposes.", which was passed by the House of Representatives and the Senate of the Twenty-Second Northern Marianas Commonwealth Legislature.

Sincerely yours,

  
Linda B. Muña  
House Clerk

Attachment



*Twenty-Second Legislature*  
*of the*  
*Commonwealth of the Northern Mariana Islands*  
**IN THE HOUSE OF REPRESENTATIVES**

**FIRST REGULAR SESSION**

**OCTOBER 1, 2021**

REPRESENTATIVE CHRISTINA M.E. SABLAN OF SAIPAN, PRECINCT 1 (*for herself*, Representative Edwin K. Propst,) in an open and public meeting with an opportunity for the public to comment, introduced the following Bill:

**H. B. No. 22-80**

**AN ACT**

**TO HAVE THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS (CNMI) JOIN THE PSYCHOLOGY INTERJURISDICTIONAL COMPACT (PSYPACT) TO IMPROVE AND EXPAND ACCESS TO MENTAL HEALTH CARE IN THE CNMI; AND FOR OTHER PURPOSES.**

**IN THE HOUSE OF REPRESENTATIVES**

The Bill was referred to the House Committee on Health and Welfare, which submitted Standing Committee Report 22-44; adopted 4/27/2022.

**THE BILL WAS PASSED BY THE HOUSE OF REPRESENTATIVES ON  
FIRST AND FINAL READING, APRIL 27, 2022;**

*without amendments* and transmitted to **THE SENATE.**

**THE HOUSE OVERRODE THE GOVERNOR'S VETO ON OCTOBER 18, 2022.**


**IN THE SENATE**

The Bill was referred to the Senate Committee on Health, Education, and Welfare, which submitted Standing Committee Report 22-77; adopted 7/22/2022.

**THE BILL WAS PASSED BY THE SENATE ON JULY 22, 2022, FIRST AND FINAL READING;**  
*without amendments* and returned to **THE HOUSE OF REPRESENTATIVES.**

**THE SENATE OVERRODE THE GOVERNOR'S VETO ON OCTOBER 24, 2022.**

**H. B. NO. 22-80 IS DULY PASSED BY THE TWENTY-SECOND NORTHERN MARIANAS  
COMMONWEALTH LEGISLATURE.**

  
Linda B. Muña, House Clerk



*Twenty-Second Legislature*  
*of the*  
*Commonwealth of the Northern Mariana Islands*  
**IN THE HOUSE OF REPRESENTATIVES**

SECOND DAY, FIRST SPECIAL SESSION

APRIL 27, 2022

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**H. B. No. 22-80**

**AN ACT**

TO HAVE THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS (CNMI) JOIN THE PSYCHOLOGY INTERJURISDICTIONAL COMPACT (PSYPACT) TO IMPROVE AND EXPAND ACCESS TO MENTAL HEALTH CARE IN THE CNMI; AND FOR OTHER PURPOSES.

**BE IT ENACTED BY THE TWENTY-SECOND NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:**

1           **SECTION 1. FINDINGS AND PURPOSES.**

2           The Legislature finds that states license psychologists, in order to protect the public  
3           through verification of education, training and experience and ensure accountability for  
4           professional practice. This Compact is intended to regulate the day to day practice of  
5           telepsychology (i.e. the provision of psychological services using telecommunication  
6           technologies) by psychologists across state boundaries in the performance of their  
7           psychological practice as assigned by an appropriate authority; to regulate the temporary in-



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**HOUSE BILL 22-80**

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1 person, face-to-face practice of psychology by psychologists across state boundaries for 30  
2 days within a calendar year in the performance of their psychological practice as assigned by  
3 an appropriate authority; and to authorize State Psychology Regulatory Authorities to afford  
4 legal recognition, in a manner consistent with the terms of the Compact, to psychologists  
5 licensed in another state.

6 The Legislature further finds that this Compact recognizes that states have a vested  
7 interest in protecting the public's health and safety through their licensing and regulation of  
8 psychologists and that such state regulation will best protect public health and safety and that  
9 this Compact does not apply when a psychologist is licensed in both the Home and Receiving  
10 States and does not apply to permanent in-person, face-to-face practice, it does allow for  
11 authorization of temporary psychological practice.

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

14 1) Increase public access to professional psychological services by allowing for  
15 telepsychological practice across state lines as well as temporary in-person, face-to-face  
16 services into a state which the psychologist is not licensed to practice psychology; 2) Enhance  
17 the states' ability to protect the public's health and safety, especially client/patient safety; 3)  
18 Encourage the cooperation of Compact States in the areas of psychology licensure and  
19 regulation; 4) Facilitate the exchange of information between Compact States regarding  
20 psychologist licensure, adverse actions and disciplinary history; 5) Promote compliance with  
21 the laws governing psychological practice in each Compact State; and 6. Invest all Compact

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**HOUSE BILL 22-80**

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1 States with the authority to hold licensed psychologists accountable through the mutual  
2 recognition of Compact State licenses.

3 **SECTION 2. ENACTMENT.**

4 The following is hereby enacted subject to codification by the CNMI Law Revision  
5 Commission:

6 “Psychology Interjurisdictional Compact.

7 101. Definitions. For the purposes of this Act, the following terms are defined  
8 as follows:

9 (a) “Adverse Action” means: Any action taken by a State Psychology  
10 Regulatory Authority which finds a violation of a statute or regulation that is identified  
11 by the State Psychology Regulatory Authority as discipline and is a matter of public  
12 record.

13 (b) “Association of State and Provincial Psychology Boards (ASPPB)” means:  
14 the recognized membership organization composed of State and Provincial Psychology  
15 Regulatory Authorities responsible for the licensure and registration of psychologists  
16 throughout the United States and Canada.

17 (c) “Authority to Practice Interjurisdictional Telepsychology” means: a licensed  
18 psychologist’s authority to practice telepsychology, within the limits authorized under  
19 this Compact, in another Compact State.

20 (d) “Bylaws” means: those Bylaws established by the Psychology  
21 Interjurisdictional Compact Commission pursuant to Section X for its governance, or  
22 for directing and controlling its actions and conduct.



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**HOUSE BILL 22-80**

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1 (e) "Client/Patient" means: the recipient of psychological services, whether  
2 psychological services are delivered in the context of healthcare, corporate,  
3 supervision, and/or consulting services.

4 (f) "Commissioner" means: the voting representative appointed by each State  
5 Psychology Regulatory Authority pursuant to Section X.

6 (g) "Compact State" means: a state, the District of Columbia, or United States  
7 territory that has enacted this Compact legislation and which has not withdrawn  
8 pursuant to Article XIII, Section C or been terminated pursuant to Article XII, Section  
9 B.

10 (h) "Coordinated Licensure Information System" also referred to as  
11 "Coordinated Database" means: an integrated process for collecting, storing, and  
12 sharing information on psychologists' licensure and enforcement activities related to  
13 psychology licensure laws, which is administered by the recognized membership  
14 organization composed of State and Provincial Psychology Regulatory Authorities.

15 (i) "Confidentiality" means: the principle that data or information is not made  
16 available or disclosed to unauthorized persons and/or processes.

17 (j) "Day" means: any part of a day in which psychological work is performed.

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

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

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**HOUSE BILL 22-80**

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

3 (m) “Executive Board” means: a group of directors elected or appointed to act  
4 on behalf of, and within the powers granted to them by, the Commission.

5 (n) “Home State” means: a Compact State where a psychologist is licensed to  
6 practice psychology. If the psychologist is licensed in more than one Compact State  
7 and is practicing under the Authorization to Practice Interjurisdictional  
8 Telepsychology, the Home State is the Compact State where the psychologist is  
9 physically present when the telepsychological services are delivered. If the  
10 psychologist is licensed in more than one Compact State and is practicing under the  
11 Temporary Authorization to Practice, the Home State is any Compact State where the  
12 psychologist is licensed.

13 (o) “Identity History Summary” means: a summary of information retained by  
14 the FBI, or other designee with similar authority, in connection with arrests and, in  
15 some instances, federal employment, naturalization, or military service.

16 (p) “In-Person, Face-to-Face” means: interactions in which the psychologist and  
17 the client/patient are in the same physical space and which does not include interactions  
18 that may occur through the use of telecommunication technologies.

19 (q) “Interjurisdictional Practice Certificate (IPC)” means: a certificate issued by  
20 the Association of State and Provincial Psychology Boards (ASPPB) that grants  
21 temporary authority to practice based on notification to the State Psychology

## HOUSE BILL 22-80

1 Regulatory Authority of intention to practice temporarily, and verification of one's  
2 qualifications for such practice.

3 (r) "License" means: authorization by a State Psychology Regulatory Authority  
4 to engage in the independent practice of psychology, which would be unlawful without  
5 the authorization.

6 (s) "Non-Compact State" means: any State which is not at the time a Compact  
7 State.

8 (t) "Psychologist" means: an individual licensed for the independent practice of  
9 psychology.

10 (u) "Psychology Interjurisdictional Compact Commission" also referred to as  
11 "Commission" means: the national administration of which all Compact States are  
12 members.

13 (v) "Receiving State" means: a Compact State where the client/patient is  
14 physically located when the telepsychological services are delivered.

15 (w) "Rule" means: a written statement by the Psychology Interjurisdictional  
16 Compact Commission promulgated pursuant to Section XI of the Compact that is of  
17 general applicability, implements, interprets, or prescribes a policy or provision of the  
18 Compact, or an organizational, procedural, or practice requirement of the Commission  
19 and has the force and effect of statutory law in a Compact State, and includes the  
20 amendment, repeal or suspension of an existing rule.

21 (x) "Significant Investigatory Information" means:



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**HOUSE BILL 22-80**

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1                   (1) investigative information that a State Psychology Regulatory  
2 Authority, after a preliminary inquiry that includes notification and an  
3 opportunity to respond if required by state law, has reason to believe, if proven  
4 true, would indicate more than a violation of state statute or ethics code that  
5 would be considered more substantial than minor infraction; or

6                   (2) investigative information that indicates that the psychologist  
7 represents an immediate threat to public health and safety regardless of whether  
8 the psychologist has been notified and/or had an opportunity to respond.

9                   (y) “State” means: a state, commonwealth, territory, or possession of the United  
10 States, including the District of Columbia.

11                   (z) “State Psychology Regulatory Authority” means: the Board, office or other  
12 agency with the legislative mandate to license and regulate the practice of psychology.

13                   (aa) “Telepsychology” means: the provision of psychological services using  
14 telecommunication technologies.

15                   (bb) “Temporary Authorization to Practice” means: a licensed psychologist’s  
16 authority to conduct temporary in-person, face-to-face practice, within the limits  
17 authorized under this Compact, in another Compact State.

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

## HOUSE BILL 22-80

## 102. Home State Licensure.

(a) The Home State shall be a Compact State where a psychologist is licensed to practice psychology.

(b) A psychologist may hold one or more Compact State licenses at a time. If the psychologist is licensed in more than one Compact State, the Home State is the Compact State where the psychologist is physically present when the services are delivered as authorized by the Authority to Practice Interjurisdictional Telepsychology under the terms of this Compact.

(c) Any Compact State may require a psychologist not previously licensed in a Compact State to obtain and retain a license to be authorized to practice in the Compact State under circumstances not authorized by the Authority to Practice Interjurisdictional Telepsychology under the terms of this Compact.

(d) Any Compact State may require a psychologist to obtain and retain a license to be authorized to practice in a Compact State under circumstances not authorized by Temporary Authorization to Practice under the terms of this Compact.

(e) A Home State's license authorizes a psychologist to practice in a Receiving State under the Authority to Practice Interjurisdictional Telepsychology only if the Compact State:

(1) Currently requires the psychologist to hold an active E.Passport;

(2) Has a mechanism in place for receiving and investigating complaints about licensed individuals;

## HOUSE BILL 22-80

1 (3) Notifies the Commission, in compliance with the terms herein, of  
2 any adverse action or significant investigatory information regarding a licensed  
3 individual;

4 (4) Requires an Identity History Summary of all applicants at initial  
5 licensure, including the use of the results of fingerprints or other biometric data  
6 checks compliant with the requirements of the Federal Bureau of Investigation  
7 (FBI), or other designee with similar authority, no later than ten years after  
8 activation of the Compact; and

9 (5) Complies with the Bylaws and Rules of the Commission.

10 (f) A Home State's license grants Temporary Authorization to Practice to a  
11 psychologist in a Distant State only if the Compact State:

12 (1) Currently requires the psychologist to hold an active IPC;

13 (2) Has a mechanism in place for receiving and investigating complaints  
14 about licensed individuals;

15 (3) Notifies the Commission, in compliance with the terms herein, of  
16 any adverse action or significant investigatory information regarding a licensed  
17 individual;

18 (4) Requires an Identity History Summary of all applicants at initial  
19 licensure, including the use of the results of fingerprints or other biometric data  
20 checks compliant with the requirements of the Federal Bureau of Investigation  
21 FBI, or other designee with similar authority, no later than ten years after  
22 activation of the Compact; and



## HOUSE BILL 22-80

1 (5) Complies with the Bylaws and Rules of the Commission.

2 **103. Compact Privilege to Practice Telepsychology.**

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

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

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

12 (A) Regionally accredited by an accrediting body recognized by  
13 the U.S. Department of Education to grant graduate degrees, OR  
14 authorized by Provincial Statute or Royal Charter to grant doctoral  
15 degrees; OR

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

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

## HOUSE BILL 22-80

1 (A) The program, wherever it may be administratively housed,  
2 must be clearly identified and labeled as a psychology program. Such a  
3 program must specify in pertinent institutional catalogues and brochures  
4 its intent to educate and train professional psychologists;

5 (B) The psychology program must stand as a recognizable,  
6 coherent, organizational entity within the institution;

7 (C) There must be a clear authority and primary responsibility  
8 for the core and specialty areas whether or not the program cuts across  
9 administrative lines;

10 (D) The program must consist of an integrated, organized  
11 sequence of study;

12 (E) There must be an identifiable psychology faculty sufficient  
13 in size and breadth to carry out its responsibilities;

14 (F) The designated director of the program must be a  
15 psychologist and a member of the core faculty;

16 (G) The program must have an identifiable body of students who  
17 are matriculated in that program for a degree;

18 (H) The program must include supervised practicum, internship,  
19 or field training appropriate to the practice of psychology;

20 (I) The curriculum shall encompass a minimum of three  
21 academic years of full- time graduate study for doctoral degree and a

## HOUSE BILL 22-80

1 minimum of one academic year of full-time graduate study for master's  
2 degree;

3 (J) The program includes an acceptable residency as defined by  
4 the Rules of the Commission.

5 (3) Possess a current, full and unrestricted license to practice psychology  
6 in a Home State which is a Compact State;

7 (4) Have no history of adverse action that violate the Rules of the  
8 Commission;

9 (5) Have no criminal record history reported on an Identity History  
10 Summary that violates the Rules of the Commission;

11 (6) Possess a current, active E.Passport;

12 (7) Provide attestations in regard to areas of intended practice,  
13 conformity with standards of practice, competence in telepsychology  
14 technology; criminal background; and knowledge and adherence to legal  
15 requirements in the home and receiving states, and provide a release of  
16 information to allow for primary source verification in a manner specified by  
17 the Commission; and

18 (8) Meet other criteria as defined by the Rules of the Commission.

19 (c) The Home State maintains authority over the license of any psychologist  
20 practicing into a Receiving State under the Authority to Practice Interjurisdictional  
21 Telepsychology.



## HOUSE BILL 22-80

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

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

14 104. Compact Temporary Authorization to Practice.

15 (a) Compact States shall recognize the right of a psychologist, licensed in a  
16 Compact State in conformance with Article III, to practice temporarily in other  
17 Compact States (Distant States) in which the psychologist is not licensed, as provided  
18 in the Compact.

19 (b) To exercise the Temporary Authorization to Practice under the terms and  
20 provisions of this Compact, a psychologist licensed to practice in a Compact State must:

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

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**HOUSE BILL 22-80**

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1 (A) Regionally accredited by an accrediting body recognized by  
2 the U.S. Department of Education to grant graduate degrees, OR  
3 authorized by Provincial Statute or Royal Charter to grant doctoral  
4 degrees; OR

5 (B) A foreign college or university deemed to be equivalent to 1  
6 (A) above by a foreign credential evaluation service that is a member of  
7 the National Association of Credential Evaluation Services (NACES) or  
8 by a recognized foreign credential evaluation service; AND

9 (2) Hold a graduate degree in psychology that meets the following  
10 criteria:

11 (A) The program, wherever it may be administratively housed,  
12 must be clearly identified and labeled as a psychology program. Such a  
13 program must specify in pertinent institutional catalogues and brochures  
14 its intent to educate and train professional psychologists;

15 (B) The psychology program must stand as a recognizable,  
16 coherent, organizational entity within the institution;

17 (C) There must be a clear authority and primary responsibility  
18 for the core and specialty areas whether or not the program cuts across  
19 administrative lines;

20 (D) The program must consist of an integrated, organized  
21 sequence of study;

## HOUSE BILL 22-80

1 (E) There must be an identifiable psychology faculty sufficient  
2 in size and breadth to carry out its responsibilities;

3 (F) The designated director of the program must be a  
4 psychologist and a member of the core faculty;

5 (G) The program must have an identifiable body of students who  
6 are matriculated in that program for a degree;

7 (H) The program must include supervised practicum, internship,  
8 or field training appropriate to the practice of psychology;

9 (I) The curriculum shall encompass a minimum of three  
10 academic years of full- time graduate study for doctoral degrees and a  
11 minimum of one academic year of full-time graduate study for master's  
12 degree;

13 (J) The program includes an acceptable residency as defined by  
14 the Rules of the Commission.

15 (3) Possess a current, full and unrestricted license to practice psychology  
16 in a Home State which is a Compact State;

17 (4) No history of adverse action that violate the Rules of the  
18 Commission;

19 (5) No criminal record history that violates the Rules of the  
20 Commission;

21 (6) Possess a current, active IPC;



## HOUSE BILL 22-80

1 (7) Provide attestations in regard to areas of intended practice and work  
2 experience and provide a release of information to allow for primary source  
3 verification in a manner specified by the Commission; and

4 (8) Meet other criteria as defined by the Rules of the Commission.

5 (c) A psychologist practicing into a Distant State under the Temporary  
6 Authorization to Practice shall practice within the scope of practice authorized by the  
7 Distant State.

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

15 (e) If a psychologist's license in any Home State, another Compact State, or any  
16 Temporary Authorization to Practice in any Distant State, is restricted, suspended or  
17 otherwise limited, the IPC shall be revoked and therefore the psychologist shall not be  
18 eligible to practice in a Compact State under the Temporary Authorization to Practice.

19 105. Conditions of Telepsychology Practice in a Receiving State.

20 (a) A psychologist may practice in a Receiving State under the Authority to  
21 Practice Interjurisdictional Telepsychology only in the performance of the scope of  
22 practice for psychology as assigned by an appropriate State Psychology Regulatory

## HOUSE BILL 22-80

1 Authority, as defined in the Rules of the Commission, and under the following  
2 circumstances:

3 (1) The psychologist initiates a client/patient contact in a Home State  
4 via telecommunications technologies with a client/patient in a Receiving State;

5 (2) Other conditions regarding telepsychology as determined by Rules  
6 promulgated by the Commission.

7 106. Adverse Actions.

8 (a) A Home State shall have the power to impose adverse action against a  
9 psychologist's license issued by the Home State. A Distant State shall have the power  
10 to take adverse action on a psychologist's Temporary Authorization to Practice within  
11 that Distant State.

12 (b) A Receiving State may take adverse action on a psychologist's Authority to  
13 Practice Interjurisdictional Telepsychology within that Receiving State. A Home State  
14 may take adverse action against a psychologist based on an adverse action taken by a

15 (c) If a Home State takes adverse action against a psychologist's license, that  
16 psychologist's Authority to Practice Interjurisdictional Telepsychology is terminated  
17 and the E.Passport is revoked. Furthermore, that psychologist's Temporary  
18 Authorization to Practice is terminated and the IPC is revoked.

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

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1 (2) In the event discipline is reported on a psychologist, the psychologist  
2 will not be eligible for telepsychology or temporary in-person, face-to-face  
3 practice in accordance with the Rules of the Commission.

4 (3) Other actions may be imposed as determined by the Rules  
5 promulgated by the Commission.

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

11 (e) A Distant State's Psychology Regulatory Authority shall investigate and  
12 take appropriate action with respect to reported inappropriate conduct engaged in by a  
13 psychologist practicing under Temporary Authorization Practice which occurred in that  
14 Distant State as it would if such conduct had occurred by a licensee within the Home  
15 State. In such cases, Distant State's law shall control in determining any adverse action  
16 against a psychologist's Temporary Authorization to Practice.

17 (f) Nothing in this Compact shall override a Compact State's decision that a  
18 psychologist's participation in an alternative program may be used in lieu of adverse  
19 action and that such participation shall remain non- public if required by the Compact  
20 State's law. Compact States must require psychologists who enter any alternative  
21 programs to not provide telepsychology services under the Authority to Practice  
22 Interjurisdictional Telepsychology or provide temporary psychological services under



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1 the Temporary Authorization to Practice in any other Compact State during the term of  
2 the alternative program.

3 (g) No other judicial or administrative remedies shall be available to a  
4 psychologist in the event a Compact State imposes an adverse action pursuant to  
5 subsection c, above.

6 107. Additional Authorities Invested in a Compact State's Psychology  
7 Regulatory Authority.

8 (a) In addition to any other powers granted under state law, a Compact State's  
9 Psychology Regulatory Authority shall have the authority under this Compact to:

10 (1) Issue subpoenas, for both hearings and investigations, which require  
11 the attendance and testimony of witnesses and the production of evidence.  
12 Subpoenas issued by a Compact State's Psychology Regulatory Authority for  
13 the attendance and testimony of witnesses, and/or the production of evidence  
14 from another Compact State shall be enforced in the latter state by any court of  
15 competent jurisdiction, according to that court's practice and procedure in  
16 considering subpoenas issued in its own proceedings. The issuing State  
17 Psychology Regulatory Authority shall pay any witness fees, travel expenses,  
18 mileage and other fees required by the service statutes of the state where the  
19 witnesses and/or evidence are located; and

20 (2) Issue cease and desist and/or injunctive relief orders to revoke a  
21 psychologist's Authority to Practice Interjurisdictional Telepsychology and/or  
22 Temporary Authorization to Practice.

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1                   (3) During the course of any investigation, a psychologist may not  
2                   change his/her Home State licensure. A Home State Psychology Regulatory  
3                   Authority is authorized to complete any pending investigations of a  
4                   psychologist and to take any actions appropriate under its law. The Home State  
5                   Psychology Regulatory Authority shall promptly report the conclusions of such  
6                   investigations to the Commission. Once an investigation has been completed,  
7                   and pending the outcome of said investigation, the psychologist may change  
8                   his/her Home State licensure. The Commission shall promptly notify the new  
9                   Home State of any such decisions as provided in the Rules of the Commission.  
10                  All information provided to the Commission or distributed by Compact States  
11                  pursuant to the psychologist shall be confidential, filed under seal and used for  
12                  investigatory or disciplinary matters. The Commission may create additional  
13                  rules for mandated or discretionary sharing of information by Compact States.

14                  108. Coordinated Licensure Information System.

15                  (a) The Commission shall provide for the development and maintenance of a  
16                  Coordinated Licensure Information System (Coordinated Database) and reporting  
17                  system containing licensure and disciplinary action information on all psychologists  
18                  individuals to whom this Compact is applicable in all Compact States as defined by the  
19                  Rules of the Commission.

20                  (b) Notwithstanding any other provision of state law to the contrary, a Compact  
21                  State shall submit a uniform data set to the Coordinated Database on all licensees as  
22                  required by the Rules of the Commission, including:

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1 (1) Identifying information;

2 (2) Licensure data;

3 (3) Significant investigatory information;

4 (4) Adverse actions against a psychologist's license;

5 (5) An indicator that a psychologist's Authority to Practice  
6 Interjurisdictional Telepsychology and/or Temporary Authorization to Practice  
7 is revoked;

8 (6) Non-confidential information related to alternative program  
9 participation information;

10 (7) Any denial of application for licensure, and the reasons for such  
11 denial; and

12 (8) Other information which may facilitate the administration of this  
13 Compact, as determined by the Rules of the Commission.

14 (c) The Coordinated Database administrator shall promptly notify all Compact  
15 States of any adverse action taken against, or significant investigative information on,  
16 any licensee in a Compact State.

17 (d) Compact States reporting information to the Coordinated Database may  
18 designate information that may not be shared with the public without the express  
19 permission of the Compact State reporting the information.

20 (e) Any information submitted to the Coordinated Database that is subsequently  
21 required to be expunged by the law of the Compact State reporting the information shall  
22 be removed from the Coordinated Database.



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109. Establishment of the Psychology Interjurisdictional Compact Commission.

(a) The Compact States hereby create and establish a joint public agency known as the Psychology Interjurisdictional Compact Commission.

(1) The Commission is a body politic and an instrumentality of the Compact States.

(2) 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.

(3) Nothing in this Compact shall be construed to be a waiver of sovereign immunity.

(b) Membership, Voting, and Meetings

(1) The Commission shall consist of one voting representative appointed by each Compact State who shall serve as that state's Commissioner. The State Psychology Regulatory Authority shall appoint its delegate. This delegate shall be empowered to act on behalf of the Compact State. This delegate shall be limited to:

(A) Executive Director, Executive Secretary or similar executive;

(B) Current member of the State Psychology Regulatory Authority of a Compact State; OR

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1 (C) Designee empowered with the appropriate delegate authority  
2 to act on behalf of the Compact State.

3 (2) Any Commissioner may be removed or suspended from office as  
4 provided by the law of the state from which the Commissioner is appointed.  
5 Any vacancy occurring in the Commission shall be filled in accordance with  
6 the laws of the Compact State in which the vacancy exists.

7 (3) Each Commissioner shall be entitled to one (1) vote with regard to  
8 the promulgation of Rules and creation of Bylaws and shall otherwise have an  
9 opportunity to participate in the business and affairs of the Commission. A  
10 Commissioner shall vote in person or by such other means as provided in the  
11 Bylaws. The Bylaws may provide for Commissioners' participation in meetings  
12 by telephone or other means of communication.

13 (4) The Commission shall meet at least once during each calendar year.  
14 Additional meetings shall be held as set forth in the Bylaws.

15 (5) All meetings shall be open to the public, and public notice of  
16 meetings shall be given in the same manner as required under the rulemaking  
17 provisions in Article XI.

18 (6) The Commission may convene in a closed, non-public meeting if the  
19 Commission must discuss:

20 (A) Non-compliance of a Compact State with its obligations  
21 under the Compact;

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1 (B) The employment, compensation, discipline or other  
2 personnel matters, practices or procedures related to specific employees  
3 or other matters related to the Commission's internal personnel practices  
4 and procedures;

5 (C) Current, threatened, or reasonably anticipated litigation  
6 against the Commission;

7 (D) Negotiation of contracts for the purchase or sale of goods,  
8 services or real estate;

9 (E) Accusation against any person of a crime or formally  
10 censuring any person;

11 (F) Disclosure of trade secrets or commercial or financial  
12 information which is privileged or confidential;

13 (G) Disclosure of information of a personal nature where  
14 disclosure would constitute a clearly unwarranted invasion of personal  
15 privacy;

16 (H) Disclosure of investigatory records compiled for law  
17 enforcement purposes;

18 (I) Disclosure of information related to any investigatory reports  
19 prepared by or on behalf of or for use of the Commission or other  
20 committee charged with responsibility for investigation or  
21 determination of compliance issues pursuant to the Compact; or



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1 (J) Matters specifically exempted from disclosure by federal and  
2 state statute.

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

14 (c) The Commission shall, by a majority vote of the Commissioners, prescribe  
15 Bylaws and/or Rules to govern its conduct as may be necessary or appropriate to carry  
16 out the purposes and exercise the powers of the Compact, including but not limited to:

17 (1) Establishing the fiscal year of the Commission;

18 (2) Providing reasonable standards and procedures:

19 (A) for the establishment and meetings of other committees; and

20 (B) governing any general or specific delegation of any authority  
21 or function of the Commission;

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1                   (3) Providing reasonable procedures for calling and conducting  
2 meetings of the Commission, ensuring reasonable advance notice of all  
3 meetings and providing an opportunity for attendance of such meetings by  
4 interested parties, with enumerated exceptions designed to protect the public's  
5 interest, the privacy of individuals of such proceedings, and proprietary  
6 information, including trade secrets. The Commission may meet in closed  
7 session only after a majority of the Commissioners vote to close a meeting to  
8 the public in whole or in part. As soon as practicable, the Commission must  
9 make public a copy of the vote to close the meeting revealing the vote of each  
10 Commissioner with no proxy votes allowed;

11                   (4) Establishing the titles, duties and authority and reasonable  
12 procedures for the election of the officers of the Commission;

13                   (5) Providing reasonable standards and procedures for the establishment  
14 of the personnel policies and programs of the Commission. Notwithstanding  
15 any civil service or other similar law of any Compact State, the Bylaws shall  
16 exclusively govern the personnel policies and programs of the Commission;

17                   (6) Promulgating a Code of Ethics to address permissible and prohibited  
18 activities of Commission members and employees;

19                   (7) Providing a mechanism for concluding the operations of the  
20 Commission and the equitable disposition of any surplus funds that may exist  
21 after the termination of the Compact after the payment and/or reserving of all  
22 of its debts and obligations;

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1 (8) The Commission shall publish its Bylaws in a convenient form and  
2 file a copy thereof and a copy of any amendment thereto, with the appropriate  
3 agency or officer in each of the Compact States;

4 (9) The Commission shall maintain its financial records in accordance  
5 with the Bylaws; and

6 (10) The Commission shall meet and take such actions as are consistent  
7 with the provisions of this Compact and the Bylaws.

8 (d) The Commission shall have the following powers:

9 (1) The authority to promulgate uniform rules to facilitate and  
10 coordinate implementation and administration of this Compact. The rule shall  
11 have the force and effect of law and shall be binding in all Compact States;

12 (2) To bring and prosecute legal proceedings or actions in the name of  
13 the Commission, provided that the standing of any State Psychology Regulatory  
14 Authority or other regulatory body responsible for psychology licensure to sue  
15 or be sued under applicable law shall not be affected;

16 (3) To purchase and maintain insurance and bonds;

17 (4) To borrow, accept or contract for services of personnel, including,  
18 but not limited to, employees of a Compact State;

19 (5) To hire employees, elect or appoint officers, fix compensation,  
20 define duties, grant such individuals appropriate authority to carry out the  
21 purposes of the Compact, and to establish the Commission's personnel policies



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1 and programs relating to conflicts of interest, qualifications of personnel, and  
2 other related personnel matters;

3 (6) To accept any and all appropriate donations and grants of money,  
4 equipment, supplies, materials and services, and to receive, utilize and dispose  
5 of the same; provided that at all times the Commission shall strive to avoid any  
6 appearance of impropriety and/or conflict of interest;

7 (7) To lease, purchase, accept appropriate gifts or donations of, or  
8 otherwise to own, hold, improve or use, any property, real, personal or mixed;  
9 provided that at all times the Commission shall strive to avoid any appearance  
10 of impropriety;

11 (8) To sell, convey, mortgage, pledge, lease, exchange, abandon or  
12 otherwise dispose of any property real, personal or mixed;

13 (9) To establish a budget and make expenditures;

14 (10). To borrow money;

15 (11) To appoint committees, including advisory committees comprised  
16 of Members, State regulators, State legislators or their representatives, and  
17 consumer representatives, and such other interested persons as may be  
18 designated in this Compact and the Bylaws;

19 (12) To provide and receive information from, and to cooperate with,  
20 law enforcement agencies;

21 (13) To adopt and use an official seal; and

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1 (14) To perform such other functions as may be necessary or appropriate  
2 to achieve the purposes of this Compact consistent with the state regulation of  
3 psychology licensure, temporary in-person, face-to- face practice and  
4 telepsychology practice.

5 (e) The Executive Board

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

8 (1) The Executive Board shall be comprised of six members:

9 (A) Five voting members who are elected from the current  
10 membership of the Commission by the Commission;

11 (B) One ex-officio, nonvoting member from the recognized  
12 membership organization composed of State and Provincial Psychology  
13 Regulatory Authorities.

14 (2) The ex-officio member must have served as staff or member on a  
15 State Psychology Regulatory Authority and will be selected by its respective  
16 organization.

17 (3) The Commission may remove any member of the Executive Board  
18 as provided in Bylaws.

19 (4) The Executive Board shall meet at least annually.

20 (5) The Executive Board shall have the following duties and  
21 responsibilities:

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1 (A) Recommend to the entire Commission changes to the Rules  
2 or Bylaws, changes to this Compact legislation, fees paid by Compact  
3 States such as annual dues, and any other applicable fees;

4 (B) Ensure Compact administration services are appropriately  
5 provided, contractual or otherwise;

6 (C) Prepare and recommend the budget;

7 (D) Maintain financial records on behalf of the Commission;

8 (E) Monitor Compact compliance of member states and provide  
9 compliance reports to the Commission;

10 (F) Establish additional committees as necessary; and

11 (G) Other duties as provided in Rules or Bylaws.

12 (f) Financing of the Commission

13 (1) The Commission shall pay, or provide for the payment of the  
14 reasonable expenses of its establishment, organization and ongoing activities.

15 (2) The Commission may accept any and all appropriate revenue  
16 sources, donations and grants of money, equipment, supplies, materials and  
17 services.

18 (3) The Commission may levy on and collect an annual assessment from  
19 each Compact State or impose fees on other parties to cover the cost of the  
20 operations and activities of the Commission and its staff which must be in a  
21 total amount sufficient to cover its annual budget as approved each year for  
22 which revenue is not provided by other sources. The aggregate annual



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

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

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

14          (g) Qualified Immunity, Defense, and Indemnification

15          (1) The members, officers, Executive Director, employees and  
16          representatives of the Commission shall be immune from suit and liability,  
17          either personally or in their official capacity, for any claim for damage to or loss  
18          of property or personal injury or other civil liability caused by or arising out of  
19          any actual or alleged act, error or omission that occurred, or that the person  
20          against whom the claim is made had a reasonable basis for believing occurred  
21          within the scope of Commission employment, duties or responsibilities;  
22          provided that nothing in this paragraph shall be construed to protect any such

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1 person from suit and/or liability for any damage, loss, injury or liability caused  
2 by the intentional or willful or wanton misconduct of that person.

3 (2) The Commission shall defend any member, officer, Executive  
4 Director, employee or representative of the Commission in any civil action  
5 seeking to impose liability arising out of any actual or alleged act, error or  
6 omission that occurred within the scope of Commission employment, duties or  
7 responsibilities, or that the person against whom the claim is made had a  
8 reasonable basis for believing occurred within the scope of Commission  
9 employment, duties or responsibilities; provided that nothing herein shall be  
10 construed to prohibit that person from retaining his or her own counsel; and  
11 provided further, that the actual or alleged act, error or omission did not result  
12 from that person's intentional or willful or wanton misconduct.

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

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## 1                   110. Rulemaking.

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

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

8                   (c) Rules or amendments to the rules shall be adopted at a regular or special  
9 meeting of the Commission.

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

14                         (1) On the website of the Commission; and

15                         (2) On the website of each Compact States' Psychology Regulatory  
16 Authority or the publication in which each state would otherwise publish  
17 proposed rules.

18                  (e) The Notice of Proposed Rulemaking shall include:

19                         (1) The proposed time, date, and location of the meeting in which the  
20 rule will be considered and voted upon;

21                         (2) The text of the proposed rule or amendment and the reason for the  
22 proposed rule;



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1 (3) A request for comments on the proposed rule from any interested  
2 person; and

3 (4) The manner in which interested persons may submit notice to the  
4 Commission of their intention to attend the public hearing and any written  
5 comments.

6 (f) Prior to adoption of a proposed rule, the Commission shall allow persons to  
7 submit written data, facts, opinions and arguments, which shall be made available to  
8 the public.

9 (g) The Commission shall grant an opportunity for a public hearing before it  
10 adopts a rule or amendment if a hearing is requested by:

11 (1) At least twenty-five (25) persons who submit comments  
12 independently of each other;

13 (2) A governmental subdivision or agency; or

14 (3) A duly appointed person in an association that has having at least  
15 twenty-five (25) members.

16 (h) If a hearing is held on the proposed rule or amendment, the Commission  
17 shall publish the place, time, and date of the scheduled public hearing.

18 (1) All persons wishing to be heard at the hearing shall notify the  
19 Executive Director of the Commission or other designated member in writing  
20 of their desire to appear and testify at the hearing not less than five (5) business  
21 days before the scheduled date of the hearing.

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1                   (2) Hearings shall be conducted in a manner providing each person who  
2 wishes to comment a fair and reasonable opportunity to comment orally or in  
3 writing.

4                   (3) No transcript of the hearing is required, unless a written request for  
5 a transcript is made, in which case the person requesting the transcript shall bear  
6 the cost of producing the transcript. A recording may be made in lieu of a  
7 transcript under the same terms and conditions as a transcript. This subsection  
8 shall not preclude the Commission from making a transcript or recording of the  
9 hearing if it so chooses.

10                  (4) Nothing in this section shall be construed as requiring a separate  
11 hearing on each rule. Rules may be grouped for the convenience of the  
12 Commission at hearings required by this section.

13                  (i) Following the scheduled hearing date, or by the close of business on the  
14 scheduled hearing date if the hearing was not held, the Commission shall consider all  
15 written and oral comments received.

16                  (j) The Commission shall, by majority vote of all members, take final action on  
17 the proposed rule and shall determine the effective date of the rule, if any, based on the  
18 rulemaking record and the full text of the rule.

19                  (k) If no written notice of intent to attend the public hearing by interested parties  
20 is received, the Commission may proceed with promulgation of the proposed rule  
21 without a public hearing.

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1           (l) Upon determination that an emergency exists, the Commission may consider  
2           and adopt an emergency rule without prior notice, opportunity for comment, or hearing,  
3           provided that the usual rulemaking procedures provided in the Compact and in this  
4           section shall be retroactively applied to the rule as soon as reasonably possible, in no  
5           event later than ninety (90) days after the effective date of the rule. For the purposes of  
6           this provision, an emergency rule is one that must be adopted immediately in order to:

7                       (1) Meet an imminent threat to public health, safety, or welfare;

8                       (2) Prevent a loss of Commission or Compact State funds;

9                       (3) Meet a deadline for the promulgation of an administrative rule that  
10           is established by federal law or rule; or

11                      (4) Protect public health and safety.

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



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## 111. Oversight, Dispute Resolution and Enforcement.

## (a) Oversight

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

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

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

## (b) Default, Technical Assistance, and Termination

(1) If the Commission determines that a Compact State has defaulted in the performance of its obligations or responsibilities under this Compact or the promulgated rules, the Commission shall:

(A) Provide written notice to the defaulting state and other Compact States of the nature of the default, the proposed means of

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1 remedying the default and/or any other action to be taken by the  
2 Commission; and

3 (B) Provide remedial training and specific technical assistance  
4 regarding the default.

5 (2) If a state in default fails to remedy the default, the defaulting state  
6 may be terminated from the Compact upon an affirmative vote of a majority of  
7 the Compact States, and all rights, privileges and benefits conferred by this  
8 Compact shall be terminated on the effective date of termination. A remedy of  
9 the default does not relieve the offending state of obligations or liabilities  
10 incurred during the period of default.

11 (3) Termination of membership in the Compact shall be imposed only  
12 after all other means of securing compliance have been exhausted. Notice of  
13 intent to suspend or terminate shall be submitted by the Commission to the  
14 Governor, the majority and minority leaders of the defaulting state's legislature,  
15 and each of the Compact States.

16 (4) A Compact State which has been terminated is responsible for all  
17 assessments, obligations and liabilities incurred through the effective date of  
18 termination, including obligations which extend beyond the effective date of  
19 termination.

20 (5) The Commission shall not bear any costs incurred by the state which  
21 is found to be in default or which has been terminated from the Compact, unless  
22 agreed upon in writing between the Commission and the defaulting state.

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1                   (6) The defaulting state may appeal the action of the Commission by  
2                   petitioning the U.S. District Court for the state of Georgia or the federal district  
3                   where the Compact has its principal offices. The prevailing member shall be  
4                   awarded all costs of such litigation, including reasonable attorney's fees.

5                   (c) Dispute Resolution

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

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

12                  (d) Enforcement

13                  (1) The Commission, in the reasonable exercise of its discretion, shall  
14                  enforce the provisions and Rules of this Compact.

15                  (2) By majority vote, the Commission may initiate legal action in the  
16                  United States District Court for the State of Georgia or the federal district where  
17                  the Compact has its principal offices against a Compact State in default to  
18                  enforce compliance with the provisions of the Compact and its promulgated  
19                  Rules and Bylaws. The relief sought may include both injunctive relief and  
20                  damages. In the event judicial enforcement is necessary, the prevailing member  
21                  shall be awarded all costs of such litigation, including reasonable attorney's  
22                  fees.



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1                   (3) The remedies herein shall not be the exclusive remedies of the  
2                   Commission. The Commission may pursue any other remedies available under  
3                   federal or state law.

4                   112. Date of Implementation of the Psychology Interjurisdictional Compact  
5                   Commission and Associated Rules, Withdrawal, and Amendments.

6                   (a) The Compact shall come into effect on the date on which the Compact is  
7                   enacted into law in the seventh Compact State. The provisions which become effective  
8                   at that time shall be limited to the powers granted to the Commission relating to  
9                   assembly and the promulgation of rules. Thereafter, the Commission shall meet and  
10                  exercise rulemaking powers necessary to the implementation and administration of the  
11                  Compact.

12                  (b) Any state which joins the Compact subsequent to the Commission's initial  
13                  adoption of the rules shall be subject to the rules as they exist on the date on which the  
14                  Compact becomes law in that state. Any rule which has been previously adopted by the  
15                  Commission shall have the full force and effect of law on the day the Compact becomes  
16                  law in that state.

17                  (c) Any Compact State may withdraw from this Compact by enacting a statute  
18                  repealing the same.

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

21                         (2) Withdrawal shall not affect the continuing requirement of the  
22                         withdrawing State's Psychology Regulatory Authority to comply with the

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1           investigative and adverse action reporting requirements of this act prior to the  
2           effective date of withdrawal.

3           (d) Nothing contained in this Compact shall be construed to invalidate or  
4           prevent any psychology licensure agreement or other cooperative arrangement between  
5           a Compact State and a Non-Compact State which does not conflict with the provisions  
6           of this Compact.

7           (e) This Compact may be amended by the Compact States. No amendment to  
8           this Compact shall become effective and binding upon any Compact State until it is  
9           enacted into the law of all Compact States.”

10       **SECTION 3. SEVERABILITY.**

11           If any provisions of this Act or the application of any such provision to any person or  
12           circumstance should be held invalid by a court of competent jurisdiction, the remainder of this  
13           Act or the application of its provisions to persons or circumstances other than those to which  
14           it is held invalid shall not be affected thereby.

15       **SECTION 4. SAVINGS CLAUSE.**


16           This Act and any repealer contained herein shall not be construed as affecting any  
17           existing right acquired under contract or acquired under statutes repealed or under any rule,  
18           regulation, or order adopted under the statutes. Repealers contained in this Act shall not affect  
19           any proceeding instituted under or pursuant to prior law. The enactment of the Act shall not  
20           have the effect of terminating, or in any way modifying, any liability, civil or criminal, which  
21           shall already be in existence on the date this Act becomes effective.

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1        **SECTION 5. EFFECTIVE DATE.**

2            This Act shall take effect upon its approval by the Governor, or its becoming law  
3        without such approval.

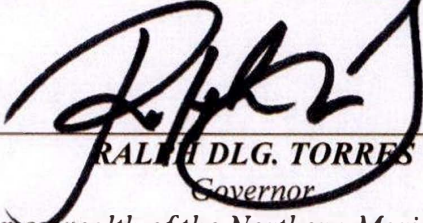
Attested to by:

  
Linda B. Muña, House Clerk

Certified by:

  
**SPEAKER EDMUND S. VILLAGOMEZ**  
House of Representatives  
22<sup>nd</sup> Northern Marianas Commonwealth Legislature

Disapproved this 29<sup>th</sup> day of August, 2022

  
RAL H DLG. TORRES  
Governor  
Commonwealth of the Northern Mariana Islands




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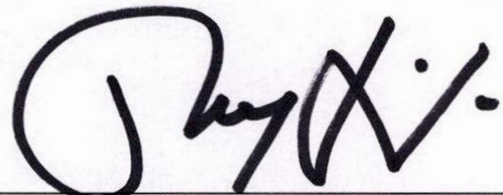
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**CERTIFICATION:**

Overridden by the House of Representatives on October 18, 2022, and by the Senate on October 24, 2022, by the affirmative vote of two-thirds of the members in each house.

  
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**EDMUND S. VILLAGOMEZ**  
SPEAKER OF THE HOUSE

10/24/22  
\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
**JUDE U. HOFSCHEIDER**  
PRESIDENT OF THE SENATE

10/24/2022  
\_\_\_\_\_  
DATE

Became Public Law No. 22-23 on 24<sup>th</sup> day of October, 2022.