



ARIZONA HOUSE OF REPRESENTATIVES

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Senate: HHS DP 5-2-0-0 | 3rd Read 17-11-2-0

House: HHS DP 5-4-1-0

SB 1295: advanced practice registered nurses; compact

NOW: health professionals; compacts

Sponsor: Senator Shamp, LD 29

House Engrossed

Overview

Adopts the Advanced Practice Registered Nurse Compact (APRN Compact) and the Social Work Licensure Compact (SW Compact).

History

APRN

An *APRN* is a registered nurse who meets all prescribed licensure or certification requirements and who has undergone graduate-level education to practice advanced practice nursing ([American Nurses Association](#)). Currently, Arizona provides for licensure for four types of APRNs: 1) registered nurse practitioner; 2) certified nurse midwife; 3) clinical nurse specialist; and 4) certified registered nurse anesthetist ([A.R.S. Title 32, Chapter 15, Articles 1 and 2](#)). The Arizona State Board of Nursing (AZBN) is tasked with certifying APRN applicants in accordance with statutory requirements and AZBN rules ([AZBN](#)).

The APRN Compact, a mutual recognition model of licensure for APRNs that allows an APRN to hold one multistate license with a privilege to practice in other Compact states, was adopted by the National Council of State Boards of Nursing (NCSBN) in 2002. The APRN Compact went through several revisions. In 2020, NCSBN introduced the newly revised APRN Compact. This revised APRN Compact, including mandatory 2,080 practice hours among other uniform licensure requirements, was adopted at the 2020 NCSBN Delegate Assembly ([AZBN APRN Compact Survey](#)).

[Laws 1988, Chapter 313](#) created the [Arizona Board of Behavioral Health Examiners](#) (AzBBHE) to regulate professionals in the fields of Social Work, Professional Counseling and Marriage and Family Therapy. There are three types of social workers licensed by AzBBHE: 1) baccalaureate social workers (BSW); 2) master social workers (MSW); and 3) clinical social workers (CSW) (A.R.S. §§ [32-3251](#) and [32-3253](#)).

Social Work

BSW licensees must obtain a baccalaureate degree in social work from a regionally accredited college or university in a program accredited by the Council on Social Work Education (CSWE) or an equivalent foreign degree as determined by the Foreign Equivalency Determination Service of the CSWE to be licensed. MSW and CSW licensees must have a master's or higher degree in social work from a regionally accredited college or university in a program accredited by the CSWE or an equivalent foreign degree as determined by the Foreign Equivalency Determination Service of the CSWE. All social work licensees must receive a passing score on an approved examination for the level of licensure requested within

12 months after receiving written examination authorization from the AzBBHE (A.R.S. §§ [32-3291](#), [32-3292](#) and [32-3293](#)).

AzBBHE administrative rules outline the supervised work experience requirements for CSWs. Specifically, CSWs must demonstrate completion of at least 3200 hours of supervised work experience in the practice of clinical social work in no less than 24 months. Supervised work experience in the practice of clinical social work includes: 1) at least 1600 hours of direct client contact involving the use of psychotherapy; 2) no more than 400 of the 1600 hours of direct client contact are in psychoeducation; 3) at least 100 hours of clinical supervision; and 4) no more than 1600 hours of indirect client contact related to psychotherapy services. There is no supervised work experience requirement for licensure as a BSW or MSW. These professionals can only engage in clinical practice under direct supervision as prescribed by AzBBHE ([4 A.A.C. 6](#)).

According to the Council of State Governments, Missouri and South Dakota are the only states that have adopted the Compact though legislation is currently pending in 25 states ([Council of State Governments](#)).

Provisions

General Provisions and Jurisdiction

1. Requires a party state to implement procedures for considering the criminal history records of applicants for initial APRN licensure or APRN licensure by endorsement, which must include submitting fingerprints or other biometric-based information to obtain such records from the Federal Bureau of Investigation (FBI) and the agency responsible for retaining that state's criminal records. (Sec. 1)
2. Outlines the APRN uniform licensure requirements for an applicant to obtain or retain a multistate license in the home state as follows:
 - a) meets the home state's qualifications for licensure or renewal and all applicable state laws;
 - b) completed either an accredited graduate-level education program that prepares the applicant for one of the four recognized roles and one of the six population foci or a foreign APRN education program as outlined;
 - c) passed an English proficiency examination, if applicable;
 - d) passed a national certification exam that measures APRN, role and population-focused competencies;
 - e) maintains continued competence as evidenced by recertification in the role and population focus through the national certification program;
 - f) holds an active, unencumbered license as a registered nurse and an active, unencumbered authorization to practice as an APRN;
 - g) passed an NCLEX-RN exam or recognized predecessor, as applicable;
 - h) practiced for at least 2,080 hours as an APRN, not including hours obtained as part of enrollment in an APRN education program, as outlined;
 - i) submitted fingerprints or other biometric data to obtain criminal history records from the FBI and agency responsible for retaining the state or, if applicable, foreign country's criminal records;
 - j) has not been convicted or found guilty, or entered into an agreed disposition of a felony offense under applicable state, federal or foreign criminal law, or a misdemeanor offense related to the practice of nursing as determined by rules adopted by the Commission of APRN Compact Administrators (Commission);

- k) is not currently enrolled in an alternative program;
 - l) is subject to self-disclosure requirements regarding current participation in an alternative program; and
 - m) has a valid U.S. social security number. (Sec. 1)
3. Requires an APRN multistate licensee to:
 - a) be licensed in an approved role and at least one approved population focus; and
 - b) be recognized by each party state as authorizing the APRN to practice in each party state, under a multistate licensure privilege, in the same role and population focus as the APRN is licensed in the home state. (Sec. 1)
 4. Asserts that the APRN Compact does not affect the requirements established by a party state for the issuance of a single-state license, except that an individual may apply for a single-state license, instead of a multistate license, even if the individual is otherwise qualified for the multistate license. (Sec. 1)
 5. Requires the issuance of a multistate license to include prescriptive authority for noncontrolled prescription drugs. (Sec. 1)
 6. Stipulates that an APRN seeking authority to prescribe controlled substances must satisfy all requirements imposed by the state in which the APRN seeks such authority. (Sec. 1)
 7. Authorizes an APRN who is issued a multistate license to assume responsibility and accountability for patient care independent of any supervisory or collaborative relationship. (Sec. 1)
 8. Specifies that the authority may be exercised in the home state and in any remote state in which the APRN exercises a multistate licensure privilege. (Sec. 1)
 9. Authorizes all party states, in accordance with state due process laws, to take adverse action against an APRN's multistate licensure privileges, including revocation, suspension, probation, cease and desist orders, or any other action that affects the multistate licensure privilege. (Sec. 1)
 10. Requires a party state that takes an adverse action to promptly notify the Administrator of the Coordinated License Information System (CLIS Administrator), who must promptly notify the home state. (Sec. 1)
 11. Requires an APRN practicing in a party state to comply with the state practice laws of the state in which the client is located at the time service is provided, except as otherwise expressly provided. (Sec. 1)
 12. Specifies that APRN practice includes all advanced nursing practice as defined by the state practice laws of the party state. (Sec. 1)
 13. Mandates that an APRN's practice in a party state under a multistate licensure privilege will subject the APRN to the jurisdiction of the licensing board, courts and laws of the party state in which the client is located at the time service is provided. (Sec. 1)
 14. Stipulates that the APRN Compact does not affect additional requirements imposed by states for advanced practice registered nursing, except as otherwise specified, but requires party states to recognize multistate licensure as satisfying any state law requirement for registered nurse (RN) licensure as a precondition for authorization to practice as an APRN in that state. (Sec. 1)

15. Asserts that individuals who do not reside in a party state can continue to be able to apply for a party state's single-state APRN license, however, the single-state license granted to these individuals will not be recognized as granting the privilege to practice as an APRN in any other party state. (Sec. 1)

Application for APRN Licensure in a Party State

16. Requires the licensing board in the issuing party state, on application for a license, to ascertain through the CLIS whether:
 - a) the applicant has ever held or is the holder of a licensed practical or vocational nursing, RN or APRN license issued by another state;
 - b) there are any encumbrances on any license or multistate licensure privilege held by the applicant;
 - c) any adverse action has been taken against any license or multistate licensure privilege held by the applicant; and
 - d) the applicant is currently participating in an alternative program. (Sec. 1)
17. Permits an APRN to hold a multistate APRN license issued by the home state in only one-party state at a time. (Sec. 1)
18. Requires an APRN who moves between two party states to apply for APRN licensure in the new home state and the license issued by the prior home state must be deactivated in accordance with applicable rules of the Commission, as follows:
 - a) a multistate APRN license must not be issued by the new home state until the APRN provides satisfactory evidence of a change in primary state of residence to the new home state and satisfies all applicable requirements to obtain the APRN license in the new home state; and
 - b) the APRN may apply for licensure in advance of a change in primary state of residence. (Sec. 1)
19. Specifies that if an APRN moves from a party state to a nonparty state, the APRN multistate license converts to a single-state license valid only in the former home state. (Sec. 1)

Additional Authorities Invested in Party State Licensing Boards

20. Authorizes a licensing board, in addition to the other powers conferred by state law, to:
 - a) take adverse action against an APRN's multistate licensure privilege to practice in that party state, subject to the outlined limitations;
 - b) issue cease and desist orders or impose an encumbrance on an APRN's authority to practice within that party state;
 - c) complete any pending investigations of an APRN who changes primary state of residence during an investigation and take action, then promptly report the conclusions of the investigation to the CLIS Administrator, who must promptly notify the new home state of any such actions;
 - d) issue subpoenas for both hearings and investigations that require the attendance and testimony of witnesses and production of evidence;
 - e) obtain and submit applicant fingerprints or other biometric-based information to the FBI for criminal background checks, receive the results and use them in making licensure decisions;
 - f) recover from the affected APRN, if allowed by state law, the costs of investigations and disposition of cases resulting from any adverse action taken against that APRN; and

- g) take adverse action based on the factual findings of another party state if the licensing board follows its own procedures for taking such adverse action. (Sec. 1)
21. Subjects adverse actions against an APRN's multistate licensure privilege to the following:
 - a) only the home state must have power to take adverse action against an APRN's license issued by the home state; and
 - b) for purposes of taking adverse action, the home state licensing board must give the same priority and effect to reported conduct that occurred outside of the home state as it would if such conduct has occurred within the home state and apply its own state laws to determine appropriate action. (Sec. 1)
 22. Mandates that subpoenas issued by a party state licensing board for the attendance and testimony of witnesses and production of evidence from another party state must be enforced in the latter state by any court of competent jurisdiction, according to that court's practice and procedure in considering subpoenas issued in its own proceedings. (Sec. 1)
 23. Directs the issuing licensing board to pay any witness fees, travel expenses, mileage and other fees required by the service statutes of the state in which the witnesses and evidence are located. (Sec. 1)
 24. Requires multistate licensure privilege to be deactivated if adverse action is taken by a home state against an APRN's license until all encumbrances have been removed. (Sec. 1)
 25. States that all home state disciplinary orders that impose adverse action against a license to include a statement that the APRN's licensure privilege is deactivated in all party states during the pendency of the order. (Sec. 1)
 26. Specifies that the APRN Compact does not override a party state's decision that participation in an alternative program may be used in lieu of adverse action. (Sec. 1)
 27. Requires the home state licensing board to deactivate the multistate licensure privilege of any APRN for the duration of the APRN's participation in an alternative program. (Sec. 1)

CLIS and Information Exchange

28. Requires party states to participate in CLIS of all APRNs, licensed RNs and practical or vocational nurses, including information on the licensure and disciplinary history of each APRN submitted by party states, to assist in the coordinated administration of APRN licensure and enforcement efforts.
29. Requires the Commission, in coordination with the CLIS Administrator, to formulate procedures to identify, collect and exchange information under the APRN Compact. (Sec. 1)
30. Specifies that all licensing boards must promptly report the following to the CLIS:
 - a) any adverse action and current significant investigative information;
 - b) denials of applications with the reasons for the denial; and
 - c) APRN participation in alternative programs known to the board, regardless of whether such participation is deemed nonpublic or confidential under state law. (Sec. 1)

31. Allows all party state licensing boards contributing information to the CLIS to designate information that may not be shared with nonparty states or disclosed to others without the express permission of the contributing state. (Sec. 1)
32. Prohibits any personally identifiable information obtained from the CLIS by a party state licensing board from being shared with nonparty states or disclosed to other entities or individuals except to the extent allowed by the laws of the party state contributing the information. (Sec. 1)
33. Requires any information contributed to CLIS that is subsequently required to be expunged by the laws of the party state contributing the information to be removed from the CLIS. (Sec. 1)
34. Requires the APRN Compact administrator of each party state to furnish a uniform data set to the administrator of each party state that includes at least the following:
 - a) identifying information;
 - b) licensure data;
 - c) information related to alternative program participation; and
 - d) other information that may facilitate the administration of the Compact, as determined by Commission rules. (Sec. 1)
35. Requires the APRN Compact administrator of a party state to provide all investigative documents and information requested by another party state. (Sec. 1)

Establishment of the Interstate Commission of APRN Compact Administrators

36. Establishes the Commission as an instrumentality of the party states. (Sec. 1)
37. Asserts that the venue is proper and judicial proceedings by or against the Commission be brought solely and exclusively in a court of competent jurisdiction where the principal office of the Commission is located. (Sec. 1)
38. Allows the Commission to waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings. (Sec. 1)
39. States that the APRN Compact is not a waiver of sovereign immunity. (Sec. 1)
40. Limits each party state to one APRN Compact administrator who is the head of the state licensing board or that person's designee. (Sec. 1)
41. Allows the administrator to be suspended, removed from office or replaced as allowed by state law. (Sec. 1)
42. Requires any vacancy occurring in the Commission to be filled in accordance with the laws of the party state in which the vacancy exists. (Sec. 1)
43. Entitles each administrator to:
 - a) one vote related to rules and creation of bylaws; and
 - b) having an opportunity to participate in the business and affairs of the Commission. (Sec. 1)
44. Requires an administrator to vote in person or by such other means as provided in the bylaws. (Sec. 1)
45. Allows the bylaws to provide for an administrator's participation in meetings by telephone or other means of communication. (Sec. 1)

46. Requires the Commission to meet at least once during each calendar year and additional meetings to be held as set forth in the Commission's bylaws or rules. (Sec. 1)
47. Requires Commission meetings to be open to the public and with public notice. (Sec. 1)
48. Allows the Commission to discuss the following in a closed nonpublic meeting:
 - a) noncompliance of a party state with APRN Compact obligations;
 - b) personnel matters as specified;
 - c) current, threatened or reasonably anticipated litigation;
 - d) negotiation of contracts to purchase or sell goods, services or real estate;
 - e) accusing any person of a crime or formally censuring any person;
 - f) disclosure of trade secrets or commercial or financial information that is privileged or confidential;
 - g) disclosure of personal information that would constitute a clearly unwarranted invasion of personal privacy;
 - h) disclosure of information related to reports prepared by or on behalf of the Commission to investigate Compact compliance; and
 - i) matters specifically exempt from disclosure by federal or state statute. (Sec. 1)
49. Prescribes procedures for certifying closed meetings, referencing the relevant exemption and keeping of minutes. (Sec. 1)
50. Instructs the Commission, by a majority vote, to prescribe bylaws or rules, including, but not limited to:
 - a) establishing a fiscal year;
 - b) providing reasonable standards and procedures for establishing other committees and delegating Commission authority or function;
 - c) providing reasonable procedures for calling and conducting meetings, including providing notice, public participation and closed meetings;
 - d) establishing titles, duties and authority and reasonable procedures for electing officers;
 - e) providing reasonable standards and procedures for establishing personnel policies and Commission programs; and
 - f) providing a mechanism for winding up the operations and equitable disposition of surplus monies after paying and reserving all debts and obligations. (Sec. 1)
51. Requires the Commission to publish its bylaws, rules and amendments in a convenient form on its website. (Sec. 1)
52. Requires the Commission to maintain its financial records in accordance with its bylaws. (Sec. 1)
53. Authorizes the APRN Commission to:
 - a) create uniform rules for the Compact, which have the force and effect of law and are binding in all party states;
 - b) bring and prosecute legal actions provided that the standing of any licensing board to sue or be sued under applicable law is not affected;
 - c) purchase and maintain insurance and bonds;
 - d) borrow, accept or contract for personnel, including employees of a party state or nonprofit organizations;
 - e) cooperate with other organizations that administer state Compacts regarding nursing, as outlined;

- f) hire employees, elect or appoint officers, fix compensation, define duties, grant authority and establish policies regarding conflicts of interest, qualifications of personnel and other related personnel matters;
 - g) accept appropriate donations, grants and gifts of monies, equipment, supplies, materials and services, striving to avoid any appearance of impropriety or conflict of interest;
 - h) lease, purchase, accept appropriate gifts or donations of property, whether real, personal or mixed, striving to avoid any appearance of impropriety;
 - i) sell, convey or otherwise dispose of any property, whether real, personal or mixed;
 - j) establish a budget and make expenditures;
 - k) borrow monies;
 - l) appoint committees as specified;
 - m) issue advisory opinions;
 - n) provide and receive information from, and cooperate with, law enforcement agencies;
 - o) adopt and use an official seal; and
 - p) perform other functions as necessary to achieve the purposes of the Compact consistent with state regulation of APRN licensure and practice. (Sec. 1)
54. Requires the Commission to pay or provide for the payment of reasonable expenses of its establishment, organization and ongoing activities. (Sec. 1)
55. Allows the Commission to levy and collect an annual assessment from each party state to cover the cost of its operations, activities and staff in its annual budget as approved each year. (Sec. 1)
56. Requires the aggregate annual assessment amount to be allocated based on a formula to be determined by the Commission by rule. (Sec. 1)
57. Prohibits the Commission from incurring obligations before securing the monies adequate to meet those obligations or pledging the credit of any party state except by and with the authority of such party state. (Sec. 1)
58. Requires the Commission to keep accurate accounts of all receipts and disbursements, which are subject to the audit and accounting procedures under its bylaws and requires a yearly audit by a certified or licensed public accountant and the report to be included in the Commission's annual report. (Sec. 1)
59. Details immunity from claims of civil liability as outlined for specified Commission-related individuals. (Sec. 1)
60. Requires the Commission to defend specified Commission-related individuals in any civil liability action arising out of prescribed circumstances. (Sec. 1)
61. Requires the Commission to indemnify and hold harmless any specified Commission-related individual for any settlement or judgment obtained against that person as outlined if the actual or alleged act, error or omission did not result from the intentional, wilful or wanton misconduct of that person. (Sec. 1)

Rulemaking

62. Specifies that rules and amendments have the same force and effect as the Compact. (Sec. 1)
63. Requires rules or amendments to be adopted at a regular or special Commission meeting. (Sec. 1)

64. Requires the Commission to file a notice of proposed rulemaking on the Commission's website and the website of each licensing board or as each state would otherwise publish proposed rules before promulgation and adoption of a final rule and at least 60 days before the meeting at which the rule will be considered and voted on. (Sec. 1)
65. Requires the notice of proposed rulemaking to include all of the following:
 - a) the proposed time, date and location of the meeting in which the rule will be considered and voted on;
 - b) the text of the proposed rule or amendment and the reason for the proposed rule;
 - c) a request for comments on the proposed rule from any interested person; and
 - d) the manner in which interested persons may submit notice to the Commission of their intention to attend the public hearing and any written comments. (Sec. 1)
66. Directs the Commission to grant an opportunity for a public hearing before it adopts a rule or amendment. (Sec. 1)
67. Requires the Commission to publish the place, time and date of the scheduled public hearings which must be conducted in a manner that provides each person who wishes to comment a fair and reasonable opportunity to comment orally or in writing. (Sec. 1)
68. Requires all hearings to be recorded, with a copy made available on request. (Sec. 1)
69. Allows rules to be grouped at hearings. (Sec. 1)
70. Allows the Commission to proceed with promulgation of a proposed rule if no one appears at the public hearing. (Sec. 1)
71. Instructs the Commission:
 - a) following the scheduled hearing date or by the close of business on the scheduled hearing date if the hearing was not held, to consider all written and oral comments received;
 - b) take final action on a proposed rule, but a majority vote of all Compact Administrators; and
 - c) determine the effective date of the rule, if any, based on the rulemaking record and the full text of the rule. (Sec. 1)
72. Permits the Commission, on determination that an emergency exists, to consider and adopt an emergency rule without prior notice, opportunity for comment or a hearing. (Sec. 1)
73. Requires the usual rulemaking procedures provided in the Compact to be retroactively applied to the rule as soon as reasonable possible, but not later than 90 days after the effective date of the rule. (Sec. 1)
74. Asserts that an emergency rule is one that must be adopted immediately to:
 - a) meet an imminent threat to public health, safety or welfare;
 - b) prevent a loss of Commission or party state monies; and
 - c) meet a deadline for the promulgation of an administrative rule that is established by federal law or rule. (Sec. 1)
75. Permits the Commission to direct revisions to a rule or amendment to correct typographical or formatting errors, errors in consistency or grammatical errors. (Sec. 1)
76. Requires revisions to be posted on the Commissions website and are subject to challenge by any person for a period of 30 days after posting. (Sec. 1)

77. Allows revisions to be challenged only on grounds that result in a material change to a rule. (Sec. 1)
78. Requires a challenge to be made in writing and delivered to the Commission before the end of the notice period. (Sec. 1)
79. Specifies that if no challenge is made, the revision will take effect without further action. (Sec. 1)
80. Specifies that if the revision is challenged, the revision may not take effect without the approval of the Commission. (Sec. 1)

Oversight, Dispute Resolution and Enforcement

81. Requires each party state to enforce the Compact and take actions necessary and appropriate to effectuate the Compact's purposes and intent. (Sec. 1)
82. Entitles the Commission to receive service of process in proceedings that may affect the powers, responsibilities or actions of the Commission and has standing to intervene in such proceedings. (Sec. 1)
83. States that failing to provide service of process to the Commission renders a judgment or order void as to the Commission, the Compact or rules. (Sec. 1)
84. Specifies the Commission shall provide the following if it determines that a party state has defaulted in performing its obligations or responsibilities under the Compact or rules:
 - a) written notice to the defaulting state and other party states of the nature of the default, the proposed means of curing the default and any other action to be taken by the Commission; and
 - b) remedial training and specific technical assistance regarding the default. (Sec. 1)
85. Allows the defaulting state's membership in the Compact to be terminated if the state fails to cure the default, on the affirmative vote of a majority of the administrators and all rights, privileges and benefits conferred by the Compact to be terminated on the effective date of the termination. (Sec. 1)
86. Specifies that a cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of default. (Sec. 1)
87. Allows termination of membership to be imposed only after all other means of securing compliance have been exhausted. (Sec. 1)
88. Requires the Commission to give notice of intent to suspend or terminate to the governor of the defaulting state and to the executive officers of the licensing board, the licensing board and each of the party states. (Sec. 1)
89. Specifies that a terminated state is responsible for all assessments, obligations and liabilities incurred through the effective date of termination, including obligations that extend beyond the effective date of termination. (Sec. 1)
90. Prohibits the Commission from bearing any costs related to a state found to be in default or whose membership has been terminated unless agreed in writing between the Commission and defaulting state. (Sec. 1)
91. Outlines procedures for a defaulting state to appeal. (Sec. 1)

92. Requires the Commission, on request by a party state, to attempt to resolve Compact disputes that arise among party states and between party and nonparty states. (Sec. 1)
93. Requires the Commission to adopt a rule providing for mediation and binding dispute resolution for disputes, as appropriate. (Sec. 1)
94. Outlines requirements if the Commission cannot resolve disputes, including for arbitration. (Sec. 1)
95. Requires the Commission, in the reasonable exercise of its discretion, to enforce the Compact and related rules and specifies requirements for legal action. (Sec. 1)
96. Stipulates the remedies in the Compact are not the exclusive remedies of the Commission, which may pursue other remedies available under federal or state law. (Sec. 1)

Effective Date, Withdrawal and Amendment

97. Specifies that the Compact comes into limited effect when it is enacted in seven party states for the sole purpose of establishing and convening the Commission to adopt rules relating to its operation. (Sec. 1)
98. Subjects any state that joins the Compact after the Commission's initial adoption of the APRN uniform licensure requirements to all Commission rules that were previously adopted. (Sec. 1)
99. Allows a party state to withdraw from the Compact by repealing the Compact but prohibits the withdrawal from taking effect until six months after enactment of the repealing statute. (Sec. 1)
100. Prohibits a party state's withdrawal or termination from affecting the continuing requirement of that state's licensing board to report adverse actions and significant investigations occurring before the effective date of the withdrawal or termination. (Sec. 1)
101. Specifies that the Compact does not invalidate or prevent any APRN licensure agreement or other cooperative arrangement between a party state and a nonparty state that does not conflict with the Compact. (Sec. 1)
102. Allows the Compact to be amended by the party states, which becomes effective and binding after enactment into law by all party states. (Sec. 1)
103. Permits representatives of nonparty states to be invited to participate in Commission activities on a nonvoting basis before the adoption of the Compact by all states. (Sec. 1)

Construction & Severability

104. Requires the Compact to be liberally construed to effectuate its purposes. (Sec. 1)
105. Deems the Compact provisions severable, and if any phrase, clause, sentence or provision of this Compact is declared to be contrary to the constitution of any party state or of the United States, or if the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this Compact and the Compact's applicability to any government, agency, person or circumstance. (Sec. 1)
106. Specifies that the Compact does not supersede state law related to the applicable APRN scope of practice or related rules and does not alter the scope of practice. (Sec. 1)

- 107. Requires APRNs practicing in this state to comply with the applicable scope of practice pursuant to state law. (Sec. 1)
- 108. Specifies that the Commission does not have the authority to alter the scope of practice for APRNs practicing in this state. (Sec. 1)
- 109. Allows the Governor to withdraw the state from the Compact if:
 - a) the Commission adopts a rule to change the scope of practice of APRNs in this state; and
 - b) a law is enacted that repeals the Compact. (Sec. 1)

Purpose of SW Compact

- 110. Declares that the purpose of the Compact is to facilitate the interstate practice of social workers by improving public access to competent social work services. (Sec. 3)
- 111. Declares that the Compact preserves the regulatory authority of the states to protect public health and safety through the current system of state licensure. (Sec. 3)
- 112. Outlines the objectives the Compact is designed to achieve. (Sec. 3)

State Participation in the Compact

- 113. States that in order to participate in the Compact, a potential member state must currently meet all of the following criteria:
 - a) license and regulate the practice of social work at either the clinical, master's or bachelor's category;
 - b) require license applicants to graduate from a program that is operated by a recognized college or university or accredited by a recognized accrediting agency;
 - c) require license applicants to complete a period of supervised practice; and
 - d) have a mechanism in place for receiving, investigating and adjudicating complaints about licensees. (Sec. 3)
- 114. States that in order to maintain membership in the Compact, a member state must do all of the following:
 - a) require applicants for a multistate license to pass a qualifying national exam for the corresponding category of license sought;
 - b) participate fully in the Commission's data system, including using the Commission's unique identifier;
 - c) notify the Commission of any adverse action or the availability of investigative information regarding a licensee;
 - d) implement or use procedures for considering the criminal history records of applicants for an initial privilege to practice, including the submission of fingerprints or other biometric-based information by applicants for the purpose of obtaining an applicant's criminal history record information from the federal bureau of investigation and the agency responsible for retaining that state's criminal records, as outlined;
 - e) comply with the rules of the Commission;
 - f) require an applicant to obtain or retain a license in the home state and meet the home state's qualifications for licensure or renewal of licensure, as well as all other applicable home state laws;

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input checked="" type="checkbox"/> Fiscal Note
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- g) authorize a licensee holding a multistate license in any member state to practice in accordance with the terms of the Compact and Commission rules; and
 - h) designate a delegate to participate in the Commission meetings. (Sec. 3)
115. Requires a member state to designate the categories of social work licensure that are eligible for issuance of a multistate license. (Sec. 3)
116. Permits a state that does not meet Compact requirements for participation in any particular category to choose to issue a multistate license to qualified applicants for licensure in such category. (Sec. 3)
117. Permits a home state to charge a fee for a multistate license. (Sec. 3)

Social Worker Participation in the Compact

118. Specifies that in order to be eligible for a multistate license under the Compact, regardless of category, an applicant must:
- a) hold or be eligible for an active, unencumbered license in the home state;
 - b) pay any applicable fees, including any state fee for the multistate license;
 - c) submit fingerprints or other biometric data for purposes of a criminal records check;
 - d) notify the home state of any adverse action, encumbrance or restriction on any professional license taken by any member state or nonmember state within 30 days after the date the action is taken;
 - e) meet any continuing competence requirements established by the home state; and
 - f) abide by the laws, regulations and applicable standards in the member state where the client is located at the time care is rendered. (Sec. 3)
119. Instructs applicants for a clinical-category multistate license to meet all of the following requirements:
- a) fulfill a competency requirement, satisfied by passage of a clinical-category qualifying national exam, licensure in the applicant's home state or the substantial equivalent of foregoing competency requirements as determined by the Commission;
 - b) attain at least a master's degree in social work from a program that is operated by a recognized college or university and accredited by a recognized accrediting agency as outlined;
 - c) fulfill a practice requirement by way of postgraduate supervised clinical practice or the substantial equivalent of foregoing the practice requirements as determined by the Commission. (Sec. 3)
120. Requires an applicant for a master's category multistate license to:
- a) fulfill a competency, satisfied by passage of a qualifying national exam, licensure in the applicant's home state or the substantial equivalent of foregoing competency requirements as determined by the Commission; and
 - b) attain at least a master's degree in social work from a program that is operated by a recognized college or university and accredited by a recognized accrediting agency, as outlined. (Sec. 3)
121. States that an applicant for a bachelor's-category multistate license must:
- a) fulfill a competency requirement, satisfied by passage of a qualifying national exam, licensure in the applicant's home state or the substantial equivalent of foregoing competency requirements as determined by the Commission; and

- b) attain at least a bachelor's degree in social work from a program that is operated by a recognized college or university and accredited by a recognized accrediting agency. (Sec. 3)
- 122. Subjects multistate licenses to the renewal requirements of the social worker's home state. (Sec. 3)
- 123. Directs a social worker to maintain compliance with Compact eligibility requirements to be eligible for renewal. (Sec. 3)
- 124. Subjects the social worker's services in a remote state to that state's regulatory authority. (Sec. 3)
- 125. Permits a remote state to remove a social worker's multistate authorization to practice in the state for a specified period of time, impose fines and take any other necessary actions to protect the health and safety of its citizens. (Sec. 3)
- 126. Deactivates a social worker's multistate authorization to practice upon encumbrance of the social worker's multistate license, in all states, until the license is no longer encumbered. (Sec. 3)
- 127. Specifies that, if a social worker's multistate authorization to practice is encumbered in a remote state, the social worker's multistate authorization to practice may be deactivated in that state until unencumbered. (Sec. 3)

Issuance of Multistate License

- 128. Requires the home state licensing authority to determine the applicant's eligibility for a multistate license on receipt of an application for a multistate license. (Sec. 3)
- 129. Authorizes the home state licensing authority to issue a multistate license that enables the applicant or regulated social worker to practice in all member states under a multistate authorization to practice. (Sec. 3)
- 130. States that on issuance of a multistate license the home state licensing authority must designate whether the regulated social worker holds a multistate license in the bachelor's, master's or clinical categories of social work. (Sec. 3)
- 131. Asserts that a multistate license issued by the home state to a resident must be recognized by all Compact member states as authorizing social work practice under a multistate authorization to practice corresponding to each licensure category regulated in each member state. (Sec. 3)

Authority of Interstate Compact Commission and Member State Licensing Authorities

- 132. States that the Compact and any rule of the Commission does not limit, restrict or reduce the ability of:
 - a) a member state to enact and enforce laws, regulations or other rules related to the practice of social work in that state if they are not inconsistent with the Compact;
 - b) a member state to take adverse action against a licensee's single state license to practice social work in that state;
 - c) a remote state to take adverse action against a licensee's multistate authorization to practice in that state; and
 - d) a licensee's home state to take adverse action against a licensee's multistate license based on information provided by a remote state. (Sec. 3)

133. Clarifies that the Compact does not affect requirements established by a member state for the issuance of a single state license. (Sec. 3)

Reissuance of a Multistate License by a New Home State

134. Permits a licensee to hold a multistate license in only one member state at a time. (Sec. 3)
135. Requires, if a licensee changes home state by moving between two member states:
- a) the licensee to immediately apply for a reissued multistate license in the new home state and pay all applicable fees as well as notify the prior home state of the move;
 - b) the new home state, on receipt of an application for reissuance, to verify that the multistate license is active, unencumbered and eligible for reissuance under the Compact; and
 - c) the new home state, prior to reissuance of a multistate license, to conduct procedures for considering the criminal history records of the licensee. (Sec. 3)
136. Permits a new home state to require completion of jurisprudence requirements for licensees who change home state. (Sec. 3)
137. States that if a licensee does not meet the Compact requirements for reissuance, the licensee must be subject to the new home state requirements for issuance of a single-state license. (Sec. 3)
138. Subjects a licensee that moves from a member state to a nonmember state to the requirements for issuance of a single state license in the new state. (Sec. 3)
139. Clarifies that the Compact does not interfere with:
- a) a licensee's ability to hold a single state license in multiple states; or
 - b) the requirements of a member state for the issuance of a single state license. (Sec. 3)
140. States that a licensee can have only one home state license and one multistate license. (Sec. 3)

Adverse Actions

141. Enables a home state the authority to:
- a) take adverse action against a social worker's multistate authorization to practice only within that member state; and
 - b) issue subpoenas for both hearings and investigations that require attendance and testimony of witnesses, as well as the production of evidence. (Sec. 3)
142. Requires subpoenas issued by a state licensing authority to be enforced by the latter state by any court of competent jurisdiction. (Sec. 3)
143. Requires a state licensing authority issuing a subpoena to pay any witness fees, travel expenses, mileage and other fees required in the state the witness or evidence is located. (Sec. 3)
144. Provides home states the power to impose adverse action against a social worker's multistate license. (Sec. 3)
145. Specifies that, for purposes of taking adverse action, a home state must give the same priority and effect to reported conduct received from a member state as it would if the conduct had occurred within the home state and apply its own laws to determine appropriate action. (Sec. 3)

146. Requires a home state to complete any pending investigations of a social worker who changes primary state of residence during the course of the investigations. (Sec. 3)
147. Provides a home state the authority to take any appropriate action and promptly report the conclusions of the investigations to the administrator of the Commission data system. (Sec. 3)
148. Requires the administrator of the Commission data system to promptly notify the new home state of any adverse actions. (Sec. 3)
149. Permits member states to recover the costs of investigations and disposition of cases from the affected social worker. (Sec. 3)
150. Authorizes a member state to take adverse action based on the factual findings of the remote state, provided that the member state follows its own procedures for taking the adverse action. (Sec. 3)
151. Permits member states to conduct joint investigations of social workers. (Sec. 3)
152. Requires member states to share any investigative, litigation or compliance materials in furtherance of any joint or individual investigation. (Sec. 3)
153. Specifies that a social worker's multistate authorization is deactivated, if any adverse action is taken by the licensee's home state, until all encumbrances on the license have been removed. (Sec. 3)
154. Directs that all home state disciplinary orders that impose adverse action against a social worker's license include a statement that the individual's multistate authorization is deactivated in all member states until all conditions of the decision, order or agreement are satisfied. (Sec. 3)
155. Requires a member state that takes adverse action to promptly notify the data system administrator. (Sec. 3)
156. Instructs the data system administrator to promptly notify the home state of any adverse actions by remote states. (Sec. 3)
157. States that the Compact does not override a member state's decision that participation in an alternative program may be used in lieu of adverse action. (Sec. 3)
158. Declares that the Compact does not authorize a member state to demand the issuance of subpoenas for attendance and testimony of witnesses or the production of evidence from another member state for lawful actions within that state. (Sec. 3)

Compact Commission

159. Creates and establishes a joint government agency whose membership consists of all member states that have enacted the Compact known as the Social Work Licensure Compact Commission. (Sec. 3)
160. Establishes the Commission on or after the effective date of the Compact, as provided in the Compact. (Sec. 3)
161. Specifies that the Commission is an instrumentality of all Compact states and not any one state. (Sec. 3)
162. Sets membership, powers, duties and requirements of the Commission. (Sec. 3)

163. Creates an executive committee with the power to act on behalf of the Commission. (Sec. 3)
164. Establishes membership, powers, duties and requirements of the executive committee. (Sec. 3)
165. Requires Commission meetings to be open to the public, with properly provided public notice. (Sec. 3)
166. Outlines hearing requirements and guidelines for meetings of the Commission and the executive committee. (Sec. 3)
167. Permits the Commission and the executive committee to convene for a closed, nonpublic meeting for legal advice or to discuss outlined topics. (Sec. 3)
168. Directs the Commission's presiding officer to state that a meeting will be closed and reference each relevant exempting provision. (Sec. 3)
169. Directs the Commission to keep minutes of meetings and provide a full and accurate summary of actions taken. (Sec. 3)
170. Outlines financial requirements and authorities of the Commission. (Sec. 3)
171. Holds harmless from liability the members, officers, executive director, employees and representatives of the Commission for any claim for damage to or loss of property, personal injury or other civil liability caused by an act, error or omission that occurred, unless the damage, loss, injury or liability was caused by the intentional, willful or wanton misconduct of that person. (Sec. 3)
172. Forbids insurance procured by the Commission from in any way compromising or limiting immunity granted under the Compact. (Sec. 3)
173. Requires the Commission to defend any member, officer, executive director, employee or representative of the Commission in any civil action seeking to impose liability for an act, error or omission that occurred within the scope of Commission employment, duties or responsibilities. (Sec. 3)
174. Permits a person to retain private counsel in any action against the person if the act was not a result of intentional, willful or wanton misconduct. (Sec. 3)
175. Directs the Commission to indemnify and hold harmless any member, officer, executive director, employee or Commission representative for the amount of any settlement or judgment obtained against that person arising out of an act, error or omission that occurred within the scope of Commission employment, duties or responsibilities if the act was not a result of intentional, willful or wanton misconduct. (Sec. 3)
176. Clarifies that the Compact:
 - a) does not limit the liability of any licensee for professional malpractice or misconduct, which is governed solely by state law;
 - b) does not waive or abrogate a member state's action immunity or state action affirmative defense with respect to antitrust claims under federal law or regulation; and
 - c) is not a waiver of sovereign immunity by the member states or the Commission.(Sec. 3)

Data System

177. Directs the Commission to develop, maintain and utilize a coordinated database and reporting system containing licensure, adverse action and investigative information on all licensed individuals in member states. (Sec. 3)
178. Requires member states to submit uniform data sets to the data system on all Compact individuals using a unique identifier that includes specified information. (Sec. 3)
179. Asserts that the certified records and information provided to member states under the Compact or through the data system constitute the authenticated business records of the Commission and are entitled to any associated hearsay exception in any proceeding in a member state. (Sec. 3)
180. Restricts current significant investigative information pertaining to a licensee in any member state from being made available to nonmember states. (Sec. 3)
181. Deems it the responsibility of the member states to report any adverse action against a licensee and to monitor the database to determine whether action has been taken against a licensee. (Sec. 3)
182. Makes adverse action information for licensees available to all member states. (Sec. 3)
183. Permits member states that contribute information to the data system to designate confidential information that may not be shared without express permission. (Sec. 3)
184. Instructs any data system information that must be expunged to be removed from the data system. (Sec. 3)

Rulemaking

185. Requires the Commission to promulgate reasonable rules to implement and administer the purpose of the Compact effectively and efficiently. (Sec. 3)
186. Declares a rule invalid and without force or effect if a court of competent jurisdiction holds the rule invalid because the Commission acted beyond the scope of the Compact. (Sec. 3)
187. Stipulates that Commission rules have the force of law in each member state unless they conflict with the laws, regulations and standards of a member state. (Sec. 3)
188. States that Commission rules are ineffective to the extent of a conflict with the laws, regulations and standards of a member state. (Sec. 3)
189. Requires the Commission to exercise its rulemaking authorities pursuant to the Compact and rules established under the Compact. (Sec. 3)
190. Deems that the rules and amendments to the rules become binding on the day following adoption or the date specified in the rule or amendment, whichever is later. (Sec. 3)
191. Specifies that a rule has no further force or effect in any member state if a majority of the legislatures of the member states rejects a rule by enactment of a statute or resolution in the same manner used to adopt the Compact, within four years of the adoption of the rule. (Sec. 3)
192. Requires rules to be adopted at a regular or special meeting. (Sec. 3)

193. Directs the Commission, before adopting a proposed rule, to hold a public hearing and allows persons to provide oral and written comments, data, facts, opinions and arguments. (Sec. 3)
194. Requires the Commission, before adopting a final rule, to file a notice of proposed rulemaking at least 30 days before the meeting at which the rule will be considered and voted on, with notice provided on the website of:
 - a) the Commission or other publicly accessible platform; and
 - b) each member state's professional counseling licensing board or other publicly accessible platform in which each state would otherwise publish proposed rules. (Sec. 3)
195. Outlines requirements for notices of proposed rulemaking. (Sec. 3)
196. Requires all hearings to be recorded and made available to the public, along with all written comments and documents received by the Commission in response to the proposed rule. (Sec. 3)
197. Directs the Commission to:
 - a) take final action on a proposed rule by majority vote and determine the effective date of the rule, no longer than 30 days after noticing the adopted or amended rule; and
 - b) provide an explanation of the reasons for the substantive changes made to the proposed rule as well as an explanation of why changes recommended by commenters were not made. (Sec. 3)
198. Outlines Commission guidelines for convening hearings. (Sec. 3)
199. Permits the Commission to proceed with adopting a proposed rule without a public hearing if no written notice of intent to attend the public hearing by interested parties is received. (Sec. 3)
200. Allows the Commission to consider and adopt an emergency rule with 48-hours' notice, with an opportunity for comment, if the Commission determines that an emergency exists and usual rulemaking procedures provided in the Compact are retroactively applied as soon as reasonably possible, within 90 days. (Sec. 3)
201. Asserts that an emergency rule is one that must be adopted immediately in order to:
 - a) meet an imminent threat to public health, safety or welfare;
 - b) prevent a loss of Commission or member state funds;
 - c) meet a deadline for the adoption of an administrative rule established by federal law; or
 - d) protect public health and safety. (Sec. 3)
202. Permits the Commission or an authorized committee to direct revisions to a previously adopted rule or amendment for purposes of correcting typographical errors, errors in format, errors in consistency or grammatical errors. (Sec. 3)
203. Requires public notice of any revisions to be posted on the Commission website. (Sec. 3)
204. States that revisions are subject to challenge by any person for 30 days on the grounds that the revision results in a material change to a rule. (Sec. 3)

205. Requires any challenge to be made in writing and delivered to the Chairperson of the Commission before the end of the notice period. (Sec. 3)
206. Stipulates that the revision takes effect without further action if no challenge is made. (Sec. 3)
207. Specifies that, if the revision is challenged, the revision may not take effect without the approval of the Commission. (Sec. 3)
208. States that a member state's rulemaking requirements do not apply under the Compact. (Sec. 3)

Oversight, Dispute Resolution and Enforcement

209. Requires the executive and judicial branches of state government in each member state to enforce the Compact and take all actions necessary and appropriate to implement the Compact. (Sec. 3)
210. Requires judicial proceedings by or against the Commission to be brought exclusively in a court of competent jurisdiction where the principal office of the Commission is located. (Sec. 3)
211. Permits the Commission to waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings. (Sec. 3)
212. States that the Compact does not affect or limit the selection or propriety of venue in any action against a licensee for professional malpractice, misconduct or a similar matter. (Sec. 3)
213. Entitles the Commission to receive service of process as well as standing to intervene in a proceeding for all purposes. (Sec. 3)
214. Specifies that failure to provide service of process to the Commission renders a judgment or order void. (Sec. 3)
215. Directs the Commission, if a member state has defaulted in the performance of its obligations or responsibilities under the Compact, to:
 - a) provide written notice of default to the defaulting state and other member states, including the proposed means of curing the default and any other action to be taken by the Commission; and
 - b) provide remedial training and specific technical assistance regarding the default. (Sec. 3)
216. Allows a defaulting state that fails to cure a default to be terminated from the Compact, upon a majority vote of member states. (Sec. 3)
217. Specifies that curing a default does not relieve an offending state of obligations or liabilities incurred during the period of default. (Sec. 3)
218. Permits termination of Compact membership only after all other means of securing compliance have been exhausted. (Sec. 3)
219. Requires the Commission to provide notice of intent to suspend or terminate a state to the governor, the majority and minority leaders of the state's legislature and the licensing authorities of the defaulting state and each of the member states. (Sec. 3)

220. Specifies that a terminated state is responsible for all assessments, obligations and liabilities incurred, including obligations that extend beyond the effective date of termination. (Sec. 3)
221. Requires a state that terminates Compact membership to immediately provide notice to all licensees within the state. (Sec. 3)
222. Directs the terminated state to continue to recognize all licenses granted under the Compact for at least six months after the date of termination. (Sec. 3)
223. Prevents the Commission from bearing any costs related to a defaulting or terminated state, unless agreed to in writing between the Commission and the defaulting state. (Sec. 3)
224. Allows a defaulting state to appeal an action of the Commission by petitioning the U.S. District Court for the District of Columbia or the federal district where the Commission has its principal offices. (Sec. 3)
225. Grants all costs of litigation, including reasonable attorney fees, to the prevailing party. (Sec. 3)
226. Requires the Commission to attempt to resolve Compact disputes between member states or member states and nonmember states upon request by a member state. (Sec. 3)
227. Requires the Commission to promulgate a rule providing for both mediation and binding dispute resolution. (Sec. 3)
228. Allows the Commission, by majority vote, to initiate legal action and seek injunctive relief and damages, in the U.S. District Court for the District of Columbia or the federal district where the Commission has its principal offices, against a defaulting member state to enforce Compact compliance and rules. (Sec. 3)
229. States that Compact remedies are not the exclusive remedies of the Commission and that the Commission may pursue any other remedies available under federal or state law. (Sec. 3)
230. Authorizes a member state to initiate legal action and seek injunctive relief and damages against the Commission, in the U.S. District Court for the District of Columbia or the federal district where the Commission has its principal offices, to enforce compliance with Compact terms and adopted rules. (Sec. 3)
231. Specifies that, if judicial enforcement is necessary, the prevailing party is awarded all costs of litigation, including reasonable attorney fees. (Sec. 3)
232. Prohibits any person from enforcing the Compact against the Commission. (Sec. 3)

Effective Date, Withdrawal and Amendment

233. Declares the Compact effective on the date on which the Compact statute is enacted into law by the seventh member state. (Sec. 3)
234. Requires the Commission to convene, on or after the effective date, and review the enactment of each of the first seven member states, known as the charter member states, to determine if the statute enacted by each charter member state is materially different than the model Compact statute. (Sec. 3)

235. Entitles a charter member state whose enactment is materially different than the model Compact statute to the default process established the Compact. (Sec. 3)
236. Specifies that, if a charter member state is later found to be in default or is terminated or withdraws from the Compact, the Commission remains in existence and the Compact remains in effect. (Sec. 3)
237. Subjects' member states enacting the Compact after the seven initial charter member states to the Compact process for determining if enactments are materially different from the model Compact statute and whether a state qualifies for participation in the Compact. (Sec. 3)
238. Declares all actions taken prior to the effective date of the Compact or the Commission coming into existence, for the benefit of the Commission or in furtherance of Compact administration, to be actions of the Commission unless specifically repudiated by the Commission. (Sec. 3)
239. Specifies that any state that joins the Compact subsequent to the Commission's initial adoption of rules is subject to the rules in place on the effective date of the Compact. (Sec. 3)
240. States that any rule previously adopted by the Commission has the full force and effect of law on the effective date of the Compact. (Sec. 3)
241. Authorizes any member state to withdraw from the Compact by enacting a statute repealing the Compact. (Sec. 3)
242. Specifies that a member state's withdrawal does not:
 - a) take effect until 180 days after repealing the enacting statute; or
 - b) affect the continuing requirement of the withdrawing state's licensing authority to comply with the investigative and adverse action reporting requirements of the Compact before the date of withdrawal. (Sec. 3)
243. Requires a withdrawing state to immediately notify all licensees of withdrawal and continue to recognize all licenses granted under the Compact for at least 180 days. (Sec. 3)
244. States that the Compact does not invalidate or prevent any professional counseling licensure agreement or other cooperative arrangement between a member state and a nonmember state that does not conflict with the Compact. (Sec. 3)
245. Allows the Compact to be amended by the member states. (Sec. 3)
246. Specifies that a Compact amendment does not become effective until it is enacted by all member states. (Sec. 3)

Construction and Severability

247. Requires the Compact and the Commission's rulemaking authority to be liberally construed to effectuate the Compact's purposes, implementation and administration. (Sec. 3)
248. Requires the provisions of the Compact to be severable. (Sec. 3)
249. Asserts that, if any phrase, clause, sentence or provision of the Compact is declared to be contrary to the constitution of a member state, a state seeking Compact membership

or the United States, the validity of the remainder of the Compact and the applicability to any government, agency, person or circumstance is not affected. (Sec. 3)

- 250. Allows the Commission to deny a state's participation in the Compact or terminate a member state's participation if it determines that a state constitutional requirement is a material departure from the Compact. (Sec. 3)
- 251. Specifies that, if the Compact is held to be contrary to the constitution of a member state, the Compact remains in full force and effect in:
 - a) the remaining member states; and
 - b) the affected member state as to all severable matters. (Sec. 3)

Consistent Effect and Conflict with Other State Laws

- 252. Directs licensees practicing with Compact privileges in a remote state to adhere to the laws and regulations, including scope of practice, of the remote state where the client is located at the time of care. (Sec. 3)
- 253. Clarifies that the Compact does not prevent the enforcement of any other law of a member state that is not inconsistent with the Compact. (Sec. 3)
- 254. States that any laws, statutes, regulations or other legal requirements of a member state that are in conflict with the Compact are superseded to the extent of the conflict. (Sec. 3)
- 255. Specifies that all agreements between the Commission and member states are binding in accordance with their terms. (Sec. 3)

Miscellaneous

- 256. Outlines finding and purposes related to uniform APRN regulation and licensure. (Sec. 1)
- 257. Requires an executive director of a health regulatory board that issues compact licenses to provide a report to the Legislature on the number of compact licenses issued in the preceding year by January 1 each year. (Sec. 2)
- 258. Defines pertinent terms. (Sec. 1 and 3)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input checked="" type="checkbox"/> Fiscal Note
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