
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 80 Session of
2025

INTRODUCED BY VENKAT, MARCELL, HOWARD, SANCHEZ, BOROWSKI,
PIELLI, HILL-EVANS, HANBIDGE, HADDOCK, SCHLOSSBERG, FRANKEL,
HOHENSTEIN, FREEMAN, HARKINS, SHUSTERMAN, CEPEDA-FREYTIZ,
KENYATTA, SAPPEY, PROBST, DONAHUE AND OTTEN, JANUARY 10, 2025

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE,
JANUARY 10, 2025

AN ACT

1 Authorizing the Commonwealth of Pennsylvania to join the
2 Audiology and Speech-Language Pathology Interstate Compact;
3 and providing for the form of the compact.

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

6 Section 1. Short title.

7 This act shall be known and may be cited as the Audiology and
8 Speech-Language Pathology Interstate Compact Act.

9 Section 2. Authority to execute compact.

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

15 SECTION 1. PURPOSE

16 The purpose of this Compact is to facilitate interstate
17 practice of audiology and speech-language pathology with the

1 goal of improving public access to audiology and speech-language
2 pathology services. The practice of audiology and speech-
3 language pathology occurs in the state where the
4 patient/client/student is located at the time of the
5 patient/client/student encounter. This Compact preserves the
6 regulatory authority of states to protect public health and
7 safety through the current system of state licensure. This
8 Compact is designed to achieve the following purposes and
9 objectives:

10 1. Increase public access to audiology and speech-
11 language pathology services by providing for the mutual
12 recognition of other member state licenses;

13 2. Enhance the states' ability to protect the public's
14 health and safety;

15 3. Encourage the cooperation of member states in
16 regulating multistate audiology and speech-language pathology
17 practice;

18 4. Support spouses of relocating active duty military
19 personnel;

20 5. Enhance the exchange of licensure, investigative and
21 disciplinary information between member states;

22 6. Allow a remote state to hold a provider of services
23 with a compact privilege in that state accountable to that
24 state's practice standards; and

25 7. Allow for the use of telehealth technology to
26 facilitate increased access to audiology and speech-language
27 pathology services.

28 SECTION 2. DEFINITIONS

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

1 A. "Active Duty Military" means: full-time duty status in
2 the active uniformed service of the United States, including
3 members of the National Guard and Reserve on active duty orders
4 pursuant to 10 U.S.C. Chapters 1209 (relating to active duty)
5 and 1211 (relating to national guard members in federal
6 service).

7 B. "Adverse Action" means: any administrative, civil,
8 equitable or criminal action permitted by a state's laws which
9 is imposed by a licensing board or other authority against an
10 audiologist or speech-language pathologist, including actions
11 against an individual's license or privilege to practice such as
12 revocation, suspension, probation, monitoring of the licensee,
13 or restriction on the licensee's practice.

14 C. "Alternative Program" means: a non-disciplinary
15 monitoring process approved by an audiology or speech-language
16 pathology licensing board to address impaired practitioners.

17 D. "Audiologist" means: an individual who is licensed by a
18 state to practice audiology.

19 E. "Audiology" means: the care and services provided by a
20 licensed audiologist as set forth in the member state's statutes
21 and rules.

22 F. "Audiology and Speech-Language Pathology Compact
23 Commission" or "Commission" means: the national administrative
24 body whose membership consists of all states that have enacted
25 the Compact.

26 G. "Audiology and Speech-Language Pathology Licensing
27 Board," "Audiology Licensing Board," "Speech-Language Pathology
28 Licensing Board," or "Licensing Board" means: the agency of a
29 state that is responsible for the licensing and regulation of
30 audiologists and/or speech-language pathologists.

1 H. "Compact Privilege" means: the authorization granted by
2 a remote state to allow a licensee from another member state to
3 practice as an audiologist or speech-language pathologist in the
4 remote state under its laws and rules. The practice of audiology
5 or speech-language pathology occurs in the member state where
6 the patient/client/student is located at the time of the
7 patient/client/student encounter.

8 I. "Current Significant Investigative Information" means:
9 investigative information that a licensing board, after an
10 inquiry or investigation that includes notification and an
11 opportunity for the audiologist or speech-language pathologist
12 to respond, if required by state law, has reason to believe is
13 not groundless and, if proved true, would indicate more than a
14 minor infraction.

15 J. "Data System" means: a repository of information about
16 licensees, including, but not limited to, continuing education,
17 examination, licensure, investigative, compact privilege and
18 adverse action.

19 K. "Encumbered License" means: a license in which an
20 adverse action restricts the practice of audiology or speech-
21 language pathology by the licensee and said adverse action has
22 been reported to the National Practitioner Data Bank (NPDB).

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

26 M. "Home State" means: the member state that is the
27 licensee's primary state of residence.

28 N. "Impaired Practitioner" means: individuals whose
29 professional practice is adversely affected by substance abuse,
30 addiction, or other health-related conditions.

1 O. "Licensee" means: an individual who currently holds an
2 authorization from the state licensing board to practice as an
3 audiologist or speech-language pathologist.

4 P. "Member State" means: a state that has enacted the
5 Compact.

6 Q. "Privilege to Practice" means: a legal authorization
7 permitting the practice of audiology or speech-language
8 pathology in a remote state.

9 R. "Remote State" means: a member state other than the home
10 state where a licensee is exercising or seeking to exercise the
11 compact privilege.

12 S. "Rule" means: a regulation, principle or directive
13 promulgated by the Commission that has the force of law.

14 T. "Single-State License" means: an audiology or speech-
15 language pathology license issued by a member state that
16 authorizes practice only within the issuing state and does not
17 include a privilege to practice in any other member state.

18 U. "Speech-Language Pathologist" means: an individual who
19 is licensed by a state to practice speech-language pathology.

20 V. "Speech-Language Pathology" means: the care and services
21 provided by a licensed speech-language pathologist as set forth
22 in the member state's statutes and rules.

23 W. "State" means: any state, commonwealth, district or
24 territory of the United States of America that regulates the
25 practice of audiology and speech-language pathology.

26 X. "State Practice Laws" means: a member state's laws,
27 rules and regulations that govern the practice of audiology or
28 speech-language pathology, define the scope of audiology or
29 speech-language pathology practice, and create the methods and
30 grounds for imposing discipline.

1 Y. "Telehealth" means: the application of telecommunication
2 technology to deliver audiology or speech-language pathology
3 services at a distance for assessment, intervention and/or
4 consultation.

5 SECTION 3. STATE PARTICIPATION IN THE COMPACT

6 A. A license issued to an audiologist or speech-language
7 pathologist by a home state to a resident in that state shall be
8 recognized by each member state as authorizing an audiologist or
9 speech-language pathologist to practice audiology or speech-
10 language pathology, under a privilege to practice, in each
11 member state.

12 B. A state must implement or utilize procedures for
13 considering the criminal history records of applicants for
14 initial privilege to practice. These procedures shall include
15 the submission of fingerprints or other biometric-based
16 information by applicants for the purpose of obtaining an
17 applicant's criminal history record information from the Federal
18 Bureau of Investigation and the agency responsible for retaining
19 that state's criminal records:

20 1. A member state must fully implement a criminal
21 background check requirement, within a time frame established
22 by rule, by receiving the results of the Federal Bureau of
23 Investigation record search on criminal background checks and
24 use the results in making licensure decisions; and

25 2. Communication between a member state, the Commission
26 and among member states regarding the verification of
27 eligibility for licensure through the Compact shall not
28 include any information received from the Federal Bureau of
29 Investigation relating to a federal criminal records check
30 performed by a member state under the Federal Bureau of

1 Investigation appropriation of Title II of Public Law 92-544,
2 86 Stat. 1115.

3 C. Upon application for a privilege to practice, the
4 licensing board in the issuing remote state shall ascertain,
5 through the data system, whether the applicant has ever held, or
6 is the holder of, a license issued by any other state, whether
7 there are any encumbrances on any license or privilege to
8 practice held by the applicant, whether any adverse action has
9 been taken against any license or privilege to practice held by
10 the applicant.

11 D. Each member state shall require an applicant to obtain or
12 retain a license in the home state and meet the home state's
13 qualifications for licensure or renewal of licensure, as well
14 as, all other applicable state laws.

15 E. For an audiologist:

16 1. Must meet one of the following educational
17 requirements:

18 a. On or before, December 31, 2007, has graduated
19 with a master's degree or doctorate in audiology, or
20 equivalent degree regardless of degree name, from a
21 program that is accredited by an accrediting agency
22 recognized by the Council for Higher Education
23 Accreditation, or its successor, or by the United States
24 Department of Education and operated by a college or
25 university accredited by a regional or national
26 accrediting organization recognized by the board; or

27 b. On or after, January 1, 2008, has graduated with
28 a Doctoral degree in audiology, or equivalent degree,
29 regardless of degree name, from a program that is
30 accredited by an accrediting agency recognized by the

1 Council for Higher Education Accreditation, or its
2 successor, or by the United States Department of
3 Education and operated by a college or university
4 accredited by a regional or national accrediting
5 organization recognized by the board; or

6 c. Has graduated from an audiology program that is
7 housed in an institution of higher education outside of
8 the United States (a) for which the program and
9 institution have been approved by the authorized
10 accrediting body in the applicable country and (b) the
11 degree program has been verified by an independent
12 credentials review agency to be comparable to a state
13 licensing board-approved program.

14 2. Has completed a supervised clinical practicum
15 experience from an accredited educational institution or its
16 cooperating programs as required by the Commission;

17 3. Has successfully passed a national examination
18 approved by the Commission;

19 4. Holds an active, unencumbered license;

20 5. Has not been convicted or found guilty, and has not
21 entered into an agreed disposition, of a felony related to
22 the practice of audiology, under applicable state or federal
23 criminal law; and

24 6. Has a valid United States Social Security or National
25 Practitioner Identification number.

26 F. For a speech-language pathologist:

27 1. Must meet one of the following educational
28 requirements:

29 a. Has graduated with a master's degree from a
30 speech-language pathology program that is accredited by

1 an organization recognized by the United States
2 Department of Education and operated by a college or
3 university accredited by a regional or national
4 accrediting organization recognized by the board; or

5 b. Has graduated from a speech-language pathology
6 program that is housed in an institution of higher
7 education outside of the United States:

8 (a) for which the program and institution
9 have been approved by the authorized accrediting
10 body in the applicable country; and

11 (b) the degree program has been verified by
12 an independent credentials review agency to be
13 comparable to a state licensing board-approved
14 program.

15 2. Has completed a supervised clinical practicum
16 experience from an educational institution or its cooperating
17 programs as required by the Commission;

18 3. Has completed a supervised postgraduate professional
19 experience as required by the Commission;

20 4. Has successfully passed a national examination
21 approved by the Commission;

22 5. Holds an active, unencumbered license;

23 6. Has not been convicted or found guilty, and has not
24 entered into an agreed disposition, of a felony related to
25 the practice of speech-language pathology, under applicable
26 state or federal criminal law;

27 7. Has a valid United States Social Security or National
28 Practitioner Identification number.

29 G. The privilege to practice is derived from the home state
30 license.

1 H. An audiologist or speech-language pathologist practicing
2 in a member state must comply with the state practice laws of
3 the state in which the client is located at the time service is
4 provided. The practice of audiology and speech-language
5 pathology shall include all audiology and speech-language
6 pathology practice as defined by the state practice laws of the
7 member state in which the client is located. The practice of
8 audiology and speech-language pathology in a member state under
9 a privilege to practice shall subject an audiologist or speech-
10 language pathologist to the jurisdiction of the licensing board,
11 the courts and the laws of the member state in which the client
12 is located at the time service is provided.

13 I. Individuals not residing in a member state shall continue
14 to be able to apply for a member state's single-state license as
15 provided under the laws of each member state. However, the
16 single-state license granted to these individuals shall not be
17 recognized as granting the privilege to practice audiology or
18 speech-language pathology in any other member state. Nothing in
19 this Compact shall affect the requirements established by a
20 member state for the issuance of a single-state license.

21 J. Member states may charge a fee for granting a compact
22 privilege.

23 K. Member states must comply with the bylaws and rules and
24 regulations of the Commission.

25 SECTION 4. COMPACT PRIVILEGE

26 A. To exercise the compact privilege under the terms and
27 provisions of the Compact, the audiologist or speech-language
28 pathologist shall:

- 29 1. Hold an active license in the home state;
- 30 2. Have no encumbrance on any state license;

1 3. Be eligible for a compact privilege in any member
2 state in accordance with Section 3;

3 4. Have not had any adverse action against any license
4 or compact privilege within the previous two years from date
5 of application;

6 5. Notify the Commission that the licensee is seeking
7 the compact privilege within a remote state(s);

8 6. Pay any applicable fees, including any state fee, for
9 the compact privilege;

10 7. Report to the Commission adverse action taken by any
11 non-member state within 30 days from the date the adverse
12 action is taken.

13 B. For the purposes of the compact privilege, an audiologist
14 or speech-language pathologist shall only hold one home state
15 license at a time.

16 C. Except as provided in Section 6, if an audiologist or
17 speech-language pathologist changes primary state of residence
18 by moving between two-member states, the audiologist or speech-
19 language pathologist must apply for licensure in the new home
20 state, and the license issued by the prior home state shall be
21 deactivated in accordance with applicable rules adopted by the
22 Commission.

23 D. The audiologist or speech-language pathologist may apply
24 for licensure in advance of a change in primary state of
25 residence.

26 E. A license shall not be issued by the new home state until
27 the audiologist or speech-language pathologist provides
28 satisfactory evidence of a change in primary state of residence
29 to the new home state and satisfies all applicable requirements
30 to obtain a license from the new home state.

1 F. If an audiologist or speech-language pathologist changes
2 primary state of residence by moving from a member state to a
3 non-member state, the license issued by the prior home state
4 shall convert to a single-state license, valid only in the
5 former home state.

6 G. The compact privilege is valid until the expiration date
7 of the home state license. The licensee must comply with the
8 requirements of Section 4A to maintain the compact privilege in
9 the remote state.

10 H. A licensee providing audiology or speech-language
11 pathology services in a remote state under the compact privilege
12 shall function within the laws and regulations of the remote
13 state.

14 I. A licensee providing audiology or speech-language
15 pathology services in a remote state is subject to that state's
16 regulatory authority. A remote state may, in accordance with due
17 process and that state's laws, remove a licensee's compact
18 privilege in the remote state for a specific period of time,
19 impose fines, and/or take any other necessary actions to protect
20 the health and safety of its citizens.

21 J. If a home state license is encumbered, the licensee shall
22 lose the compact privilege in any remote state until the
23 following occur:

- 24 1. The home state license is no longer encumbered; and
- 25 2. Two years have elapsed from the date of the adverse
26 action.

27 K. Once an encumbered license in the home state is restored
28 to good standing, the licensee must meet the requirements of
29 Section 4A to obtain a compact privilege in any remote state.

30 L. Once the requirements of Section 4J have been met, the

1 licensee must meet the requirements in Section 4A to obtain a
2 compact privilege in a remote state.

3 SECTION 5. COMPACT PRIVILEGE TO PRACTICE TELEHEALTH

4 Member states shall recognize the right of an audiologist or
5 speech-language pathologist, licensed by a home state in
6 accordance with Section 3 and under rules promulgated by the
7 Commission, to practice audiology or speech-language pathology
8 in any member state via telehealth under a privilege to practice
9 as provided in the Compact and rules promulgated by the
10 Commission.

11 SECTION 6. ACTIVE DUTY MILITARY PERSONNEL OR THEIR SPOUSES

12 Active duty military personnel, or their spouse, shall
13 designate a home state where the individual has a current
14 license in good standing. The individual may retain the home
15 state designation during the period the service member is on
16 active duty. Subsequent to designating a home state, the
17 individual shall only change their home state through
18 application for licensure in the new state.

19 SECTION 7. ADVERSE ACTIONS

20 A. In addition to the other powers conferred by state law, a
21 remote state shall have the authority, in accordance with
22 existing state due process law, to:

23 1. Take adverse action against an audiologist's or
24 speech-language pathologist's privilege to practice within
25 that member state.

26 2. Issue subpoenas for both hearings and investigations
27 that require the attendance and testimony of witnesses as
28 well as the production of evidence. Subpoenas issued by a
29 licensing board in a member state for the attendance and
30 testimony of witnesses or the production of evidence from

1 another member state shall be enforced in the latter state by
2 any court of competent jurisdiction, according to the
3 practice and procedure of that court applicable to subpoenas
4 issued in proceedings pending before it. The issuing
5 authority shall pay any witness fees, travel expenses,
6 mileage and other fees required by the service statutes of
7 the state in which the witnesses or evidence are located.

8 3. Only the home state shall have the power to take
9 adverse action against a audiologist's or speech-language
10 pathologist's license issued by the home state.

11 B. For purposes of taking adverse action, the home state
12 shall give the same priority and effect to reported conduct
13 received from a member state as it would if the conduct had
14 occurred within the home state. In so doing, the home state
15 shall apply its own state laws to determine appropriate action.

16 C. The home state shall complete any pending investigations
17 of an audiologist or speech-language pathologist who changes
18 primary state of residence during the course of the
19 investigations. The home state shall also have the authority to
20 take appropriate action(s) and shall promptly report the
21 conclusions of the investigations to the administrator of the
22 data system. The administrator of the coordinated licensure
23 information system shall promptly notify the new home state of
24 any adverse actions.

25 D. If otherwise permitted by state law, the member state may
26 recover from the affected audiologist or speech-language
27 pathologist the costs of investigations and disposition of cases
28 resulting from any adverse action taken against that audiologist
29 or speech-language pathologist.

30 E. The member state may take adverse action based on the

1 factual findings of the remote state, provided that the member
2 state follows the member state's own procedures for taking the
3 adverse action.

4 F. Joint Investigations

5 1. In addition to the authority granted to a member
6 state by its respective audiology or speech-language
7 pathology practice act or other applicable state law, any
8 member state may participate with other member states in
9 joint investigations of licensees.

10 2. Member states shall share any investigative,
11 litigation, or compliance materials in furtherance of any
12 joint or individual investigation initiated under the
13 Compact.

14 G. If adverse action is taken by the home state against an
15 audiologist's or speech-language pathologist's license, the
16 audiologist's or speech-language pathologist's privilege to
17 practice in all other member states shall be deactivated until
18 all encumbrances have been removed from the state license. All
19 home state disciplinary orders that impose adverse action
20 against an audiologist's or speech-language pathologist's
21 license shall include a statement that the audiologist's or
22 speech-language pathologist's privilege to practice is
23 deactivated in all member states during the pendency of the
24 order.

25 H. If a member state takes adverse action, it shall promptly
26 notify the administrator of the data system. The administrator
27 of the data system shall promptly notify the home state of any
28 adverse actions by remote states.

29 I. Nothing in this Compact shall override a member state's
30 decision that participation in an alternative program may be

1 used in lieu of adverse action.

2 SECTION 8. ESTABLISHMENT OF THE AUDIOLOGY AND SPEECH-LANGUAGE
3 PATHOLOGY COMPACT COMMISSION

4 A. The Compact member states hereby create and establish a
5 joint public agency known as the Audiology and Speech-Language
6 Pathology Compact Commission:

7 1. The Commission is an instrumentality of the Compact
8 states.

9 2. Venue is proper and judicial proceedings by or
10 against the Commission shall be brought solely and
11 exclusively in a court of competent jurisdiction where the
12 principal office of the Commission is located. The Commission
13 may waive venue and jurisdictional defenses to the extent it
14 adopts or consents to participate in alternative dispute
15 resolution proceedings.

16 3. Nothing in this Compact shall be construed to be a
17 waiver of sovereign immunity.

18 B. Membership, Voting and Meetings

19 1. Each member state shall have two (2) delegates
20 selected by that member state's licensing board. The
21 delegates shall be current members of the licensing board.
22 One shall be an audiologist and one shall be a speech-
23 language pathologist.

24 2. An additional five (5) delegates, who are either a
25 public member or board administrator from a state licensing
26 board, shall be chosen by the Executive Committee from a pool
27 of nominees provided by the Commission at Large.

28 3. Any delegate may be removed or suspended from office
29 as provided by the law of the state from which the delegate
30 is appointed.

1 4. The member state board shall fill any vacancy
2 occurring on the Commission, within 90 days.

3 5. Each delegate shall be entitled to one (1) vote with
4 regard to the promulgation of rules and creation of bylaws
5 and shall otherwise have an opportunity to participate in the
6 business and affairs of the Commission.

7 6. A delegate shall vote in person or by other means as
8 provided in the bylaws. The bylaws may provide for delegates'
9 participation in meetings by telephone or other means of
10 communication.

11 7. The Commission shall meet at least once during each
12 calendar year. Additional meetings shall be held as set forth
13 in the bylaws.

14 C. The Commission shall have the following powers and
15 duties:

16 1. Establish the fiscal year of the Commission;

17 2. Establish bylaws;

18 3. Establish a Code of Ethics;

19 4. Maintain its financial records in accordance with the
20 bylaws;

21 5. Meet and take actions as are consistent with the
22 provisions of this Compact and the bylaws;

23 6. Promulgate uniform rules to facilitate and coordinate
24 implementation and administration of this Compact. The rules
25 shall have the force and effect of law and shall be binding
26 in all member states;

27 7. Bring and prosecute legal proceedings or actions in
28 the name of the Commission, provided that the standing of any
29 state audiology or speech-language pathology licensing board
30 to sue or be sued under applicable law shall not be affected;

1 8. Purchase and maintain insurance and bonds;

2 9. Borrow, accept, or contract for services of
3 personnel, including, but not limited to, employees of a
4 member state;

5 10. Hire employees, elect or appoint officers, fix
6 compensation, define duties, grant individuals appropriate
7 authority to carry out the purposes of the Compact, and to
8 establish the Commission's personnel policies and programs
9 relating to conflicts of interest, qualifications of
10 personnel, and other related personnel matters;

11 11. Accept any and all appropriate donations and grants
12 of money, equipment, supplies, materials and services, and to
13 receive, utilize and dispose of the same; provided that at
14 all times the Commission shall avoid any appearance of
15 impropriety and/or conflict of interest;

16 12. Lease, purchase, accept appropriate gifts or
17 donations of, or otherwise to own, hold, improve or use, any
18 property, real, personal or mixed; provided that at all times
19 the Commission shall avoid any appearance of impropriety;

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

23 14. Establish a budget and make expenditures;

24 15. Borrow money;

25 16. Appoint committees, including standing committees
26 composed of members, and other interested persons as may be
27 designated in this Compact and the bylaws;

28 17. Provide and receive information from, and cooperate
29 with, law enforcement agencies;

30 18. Establish and elect an Executive Committee; and

1 19. Perform other functions as may be necessary or
2 appropriate to achieve the purposes of this Compact
3 consistent with the state regulation of audiology and speech-
4 language pathology licensure and practice.

5 D. The Executive Committee

6 The Executive Committee shall have the power to act on behalf
7 of the Commission according to the terms of this Compact:

8 1. The Executive Committee shall be composed of ten (10)
9 members:

10 a. Seven (7) voting members who are elected by the
11 Commission from the current membership of the Commission;

12 b. Two (2) ex-officios, consisting of one nonvoting
13 member from a recognized national audiology professional
14 association and one nonvoting member from a recognized
15 national speech-language pathology association; and

16 c. One (1) ex-officio, nonvoting member from the
17 recognized membership organization of the audiology and
18 speech-language pathology licensing boards.

19 E. The ex-officio members shall be selected by their
20 respective organizations.

21 1. The Commission may remove any member of the Executive
22 Committee as provided in bylaws.

23 2. The Executive Committee shall meet at least annually.

24 3. The Executive Committee shall have the following
25 duties and responsibilities:

26 a. Recommend to the entire Commission changes to the
27 rules or bylaws, changes to this Compact legislation,
28 fees paid by Compact member states such as annual dues,
29 and any commission Compact fee charged to licensees for
30 the compact privilege;

- 1 b. Ensure Compact administration services are
- 2 appropriately provided, contractual or otherwise;
- 3 c. Prepare and recommend the budget;
- 4 d. Maintain financial records on behalf of the
- 5 Commission;
- 6 e. Monitor Compact compliance of member states and
- 7 provide compliance reports to the Commission;
- 8 f. Establish additional committees as necessary; and
- 9 g. Other duties as provided in rules or bylaws.

10 4. Meetings of the Commission

11 All meetings shall be open to the public, and public

12 notice of meetings shall be given in the same manner as

13 required under the rulemaking provisions in Section 10.

14 5. The Commission or the Executive Committee or other

15 committees of the Commission may convene in a closed, non-

16 public meeting if the Commission or Executive Committee or

17 other committees of the Commission must discuss:

- 18 a. Non-compliance of a member state with its
- 19 obligations under the Compact;
- 20 b. The employment, compensation, discipline or other
- 21 matters, practices or procedures related to specific
- 22 employees or other matters related to the Commission's
- 23 internal personnel practices and procedures;
- 24 c. Current, threatened, or reasonably anticipated
- 25 litigation;
- 26 d. Negotiation of contracts for the purchase, lease,
- 27 or sale of goods, services, or real estate;
- 28 e. Accusing any person of a crime or formally
- 29 censuring any person;
- 30 f. Disclosure of trade secrets or commercial or

1 financial information that is privileged or confidential;

2 g. Disclosure of information of a personal nature
3 where disclosure would constitute a clearly unwarranted
4 invasion of personal privacy;

5 h. Disclosure of investigative records compiled for
6 law enforcement purposes;

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

12 j. Matters specifically exempted from disclosure by
13 federal or member state statute.

14 6. If a meeting, or portion of a meeting, is closed
15 pursuant to this provision, the Commission's legal counsel or
16 designee shall certify that the meeting may be closed and
17 shall reference each relevant exempting provision.

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

27 8. Financing of the Commission

28 a. The Commission shall pay, or provide for the
29 payment of, the reasonable expenses of its establishment,
30 organization, and ongoing activities.

1 b. The Commission may accept any and all appropriate
2 revenue sources, donations, and grants of money,
3 equipment, supplies, materials, and services.

4 c. The Commission may levy on and collect an annual
5 assessment from each member state or impose fees on other
6 parties to cover the cost of the operations and
7 activities of the Commission and its staff, which must be
8 in a total amount sufficient to cover its annual budget
9 as approved each year for which revenue is not provided
10 by other sources. The aggregate annual assessment amount
11 shall be allocated based upon a formula to be determined
12 by the Commission, which shall promulgate a rule binding
13 upon all member states.

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

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

27 F. Qualified Immunity, Defense, and Indemnification

28 1. The members, officers, executive director, employees
29 and representatives of the Commission shall be immune from
30 suit and liability, either personally or in their official

1 capacity, for any claim for damage to or loss of property or
2 personal injury or other civil liability caused by or arising
3 out of any actual or alleged act, error or omission that
4 occurred, or that the person against whom the claim is made
5 had a reasonable basis for believing occurred within the
6 scope of Commission employment, duties or responsibilities;
7 provided that nothing in this paragraph shall be construed to
8 protect any person from suit and/or liability for any damage,
9 loss, injury, or liability caused by the intentional or
10 willful or wanton misconduct of that person.

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

24 3. The Commission shall indemnify and hold harmless any
25 member, officer, executive director, employee, or
26 representative of the Commission for the amount of any
27 settlement or judgment obtained against that person arising
28 out of any actual or alleged act, error or omission that
29 occurred within the scope of Commission employment, duties,
30 or responsibilities, or that person had a reasonable basis

1 for believing occurred within the scope of Commission
2 employment, duties, or responsibilities, provided that the
3 actual or alleged act, error, or omission did not result from
4 the intentional or willful or wanton misconduct of that
5 person.

6 SECTION 9. DATA SYSTEM

7 A. The Commission shall provide for the development,
8 maintenance, and utilization of a coordinated database and
9 reporting system containing licensure, adverse action, and
10 investigative information on all licensed individuals in member
11 states.

12 B. Notwithstanding any other provision of state law to the
13 contrary, a member state shall submit a uniform data set to the
14 data system on all individuals to whom this Compact is
15 applicable as required by the rules of the Commission,
16 including:

- 17 1. Identifying information;
- 18 2. Licensure data;
- 19 3. Adverse actions against a license or compact
20 privilege;
- 21 4. Non-confidential information related to alternative
22 program participation;
- 23 5. Any denial of application for licensure, and the
24 reason(s) for denial; and
- 25 6. Other information that may facilitate the
26 administration of this Compact, as determined by the rules of
27 the Commission.

28 C. Investigative information pertaining to a licensee in any
29 member state shall only be available to other member states.

30 D. The Commission shall promptly notify all member states of

1 any adverse action taken against a licensee or an individual
2 applying for a license. Adverse action information pertaining to
3 a licensee in any member state shall be available to any other
4 member state.

5 E. Member states contributing information to the data system
6 may designate information that may not be shared with the public
7 without the express permission of the contributing state.

8 F. Any information submitted to the data system that is
9 subsequently required to be expunged by the laws of the member
10 state contributing the information shall be removed from the
11 data system.

12 SECTION 10. RULEMAKING

13 A. The Commission shall exercise its rulemaking powers
14 pursuant to the criteria set forth in this Section and the rules
15 adopted thereunder. Rules and amendments shall become binding as
16 of the date specified in each rule or amendment.

17 B. If a majority of the legislatures of the member states
18 rejects a rule, by enactment of a statute or resolution in the
19 same manner used to adopt the Compact within 4 years of the date
20 of adoption of the rule, the rule shall have no further force
21 and effect in any member state.

22 C. Rules or amendments to the rules shall be adopted at a
23 regular or special meeting of the Commission.

24 D. Prior to promulgation and adoption of a final rule or
25 rules by the Commission, and at least thirty (30) days in
26 advance of the meeting at which the rule shall be considered and
27 voted upon, the Commission shall file a Notice of Proposed
28 Rulemaking:

29 1. On the website of the Commission or other publicly
30 accessible platform; and

1 2. On the website of each member state audiology or
2 speech-language pathology licensing board or other publicly
3 accessible platform or the publication in which each state
4 would otherwise publish proposed rules.

5 E. The Notice of Proposed Rulemaking shall include:

6 1. The proposed time, date, and location of the meeting
7 in which the rule shall be considered and voted upon;

8 2. The text of the proposed rule or amendment and the
9 reason for the proposed rule;

10 3. A request for comments on the proposed rule from any
11 interested person; and

12 4. The manner in which interested persons may submit
13 notice to the Commission of their intention to attend the
14 public hearing and any written comments.

15 F. Prior to the adoption of a proposed rule, the Commission
16 shall allow persons to submit written data, facts, opinions and
17 arguments, which shall be made available to the public.

18 G. The Commission shall grant an opportunity for a public
19 hearing before it adopts a rule or amendment if a hearing is
20 requested by:

21 1. At least twenty-five (25) persons;

22 2. A federal or state or governmental subdivision or
23 agency; or

24 3. An association having at least twenty-five (25)
25 members.

26 H. If a hearing is held on the proposed rule or amendment,
27 the Commission shall publish the place, time, and date of the
28 scheduled public hearing. If the hearing is held via electronic
29 means, the Commission shall publish the mechanism for access to
30 the electronic hearing.

1 1. All persons wishing to be heard at the hearing shall
2 notify the executive director of the Commission or other
3 designated member in writing of their desire to appear and
4 testify at the hearing not less than five (5) business days
5 before the scheduled date of the hearing.

6 2. Hearings shall be conducted in a manner providing
7 each person who wishes to comment a fair and reasonable
8 opportunity to comment orally or in writing.

9 3. All hearings shall be recorded. A copy of the
10 recording shall be made available on request.

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

15 I. Following the scheduled hearing date, or by the close of
16 business on the scheduled hearing date if the hearing was not
17 held, the Commission shall consider all written and oral
18 comments received.

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

23 K. The Commission shall, by majority vote of all members,
24 take final action on the proposed rule and shall determine the
25 effective date of the rule, if any, based on the rulemaking
26 record and the full text of the rule.

27 L. Upon determination that an emergency exists, the
28 Commission may consider and adopt an emergency rule without
29 prior notice, opportunity for comment, or hearing, provided that
30 the usual rulemaking procedures provided in the Compact and in

1 this section shall be retroactively applied to the rule as soon
2 as reasonably possible, in no event later than ninety (90) days
3 after the effective date of the rule. For the purposes of this
4 provision, an emergency rule is one that must be adopted
5 immediately in order to:

6 1. Meet an imminent threat to public health, safety, or
7 welfare;

8 2. Prevent a loss of Commission or member state funds;
9 or

10 3. Meet a deadline for the promulgation of an
11 administrative rule that is established by federal law or
12 rule.

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

27 SECTION 11. OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT

28 A. Dispute Resolution

29 1. Upon request by a member state, the Commission shall
30 attempt to resolve disputes related to the Compact that arise

1 among member states and between member and non-member states.

2 2. The Commission shall promulgate a rule providing for
3 both mediation and binding dispute resolution for disputes as
4 appropriate.

5 B. Enforcement

6 1. The Commission, in the reasonable exercise of its
7 discretion, shall enforce the provisions and rules of this
8 Compact.

9 2. By majority vote, the Commission may initiate legal
10 action in the United States District Court for the District
11 of Columbia or the federal district where the Commission has
12 its principal offices against a member state in default to
13 enforce compliance with the provisions of the Compact and its
14 promulgated rules and bylaws. The relief sought may include
15 both injunctive relief and damages. In the event judicial
16 enforcement is necessary, the prevailing member shall be
17 awarded all costs of litigation, including reasonable
18 attorney's fees.

19 3. The remedies herein shall not be the exclusive
20 remedies of the Commission. The Commission may pursue any
21 other remedies available under federal or state law.

22 SECTION 12. DATE OF IMPLEMENTATION OF THE INTERSTATE COMMISSION
23 FOR AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY PRACTICE
24 AND ASSOCIATED RULES, WITHDRAWAL, AND AMENDMENT

25 A. The Compact shall come into effect on the date on which
26 the Compact statute is enacted into law in the 10th member
27 state. The provisions, which become effective at that time,
28 shall be limited to the powers granted to the Commission
29 relating to assembly and the promulgation of rules. Thereafter,
30 the Commission shall meet and exercise rulemaking powers

1 necessary to the implementation and administration of the
2 Compact.

3 B. Any state that joins the Compact subsequent to the
4 Commission's initial adoption of the rules shall be subject to
5 the rules as they exist on the date on which the Compact becomes
6 law in that state. Any rule that has been previously adopted by
7 the Commission shall have the full force and effect of law on
8 the day the Compact becomes law in that state.

9 C. Any member state may withdraw from this Compact by
10 enacting a statute repealing the same.

11 1. A member state's withdrawal shall not take effect
12 until six (6) months after enactment of the repealing
13 statute.

14 2. Withdrawal shall not affect the continuing
15 requirement of the withdrawing state's audiology or speech-
16 language pathology licensing board to comply with the
17 investigative and adverse action reporting requirements of
18 this act prior to the effective date of withdrawal.

19 D. Nothing contained in this Compact shall be construed to
20 invalidate or prevent any audiology or speech-language pathology
21 licensure agreement or other cooperative arrangement between a
22 member state and a non-member state that does not conflict with
23 the provisions of this Compact.

24 E. This Compact may be amended by the member states. No
25 amendment to this Compact shall become effective and binding
26 upon any member state until it is enacted into the laws of all
27 member states.

28 SECTION 13. CONSTRUCTION AND SEVERABILITY

29 This Compact shall be liberally construed so as to effectuate
30 the purposes thereof. The provisions of this Compact shall be

1 severable and if any phrase, clause, sentence or provision of
2 this Compact is declared to be contrary to the constitution of
3 any member state or of the United States or the applicability
4 thereof to any government, agency, person or circumstance is
5 held invalid, the validity of the remainder of this Compact and
6 the applicability thereof to any government, agency, person or
7 circumstance shall not be affected thereby. If this Compact
8 shall be held contrary to the constitution of any member state,
9 the Compact shall remain in full force and effect as to the
10 remaining member states and in full force and effect as to the
11 member state affected as to all severable matters.

12 SECTION 14. BINDING EFFECT OF COMPACT AND OTHER LAWS

13 A. Nothing herein prevents the enforcement of any other law
14 of a member state that is not inconsistent with the Compact.

15 B. All laws in a member state in conflict with the Compact
16 are superseded to the extent of the conflict.

17 C. All lawful actions of the Commission, including all rules
18 and bylaws promulgated by the Commission, are binding upon the
19 member states.

20 D. All agreements between the Commission and the member
21 states are binding in accordance with their terms.

22 E. In the event any provision of the Compact exceeds the
23 constitutional limits imposed on the legislature of any member
24 state, the provision shall be ineffective to the extent of the
25 conflict with the constitutional provision in question in that
26 member state.

27 Section 3. Operation.

28 (a) General rule.--When the Governor executes the Audiology
29 and Speech-Language Pathology Interstate Compact on behalf of
30 this State and files a verified copy with the Secretary of the

1 Commonwealth and when the compact is ratified by one or more
2 other states, districts or territories of the United States, the
3 compact shall become operative and effective between this State
4 and the other states, districts or territories of the United
5 States. The Governor is authorized and directed to take action
6 as may be necessary to complete the exchange of official
7 documents between this State and any other state, district or
8 territory of the United States ratifying the compact.

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

17 Section 4. Effective date.

18 This act shall take effect in 60 days.