

1 ENGROSSED HOUSE  
2 BILL NO. 1057

By: Kiger and McEntire of the  
House

3 and

4 Standridge of the Senate  
5  
6  
7

8 An Act relating to professions and occupations;  
9 creating the Psychology Interjurisdictional Compact;  
10 declaring purpose; defining terms; providing for home  
11 state licensure; allowing compact privilege to  
12 practice telepsychology; providing for temporary  
13 authority to practice; listing conditions of  
14 telepsychology practice in a receiving state;  
15 providing for power to impose adverse actions;  
16 providing for regulatory authority; providing for  
17 coordinated licensure information system;  
18 establishing the Psychology Interjurisdictional  
19 Compact Commission; providing for membership, voting  
20 and meetings; declaring powers of the Commission;  
21 providing for financing of Commission; providing for  
22 qualified immunity, defense and indemnification in  
23 certain circumstances; directing the Commission to  
24 promulgate rules; providing for oversight, dispute  
resolution and enforcement; providing for  
implementation of Compact; providing for injunctions  
in certain circumstances; providing exceptions;  
declaring Compact to be severable from other state  
actions; providing for codification; and providing an  
effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

1 SECTION 1. NEW LAW A new section of law to be codified  
2 in the Oklahoma Statutes as Section 1377 of Title 59, unless there  
3 is created a duplication in numbering, reads as follows:

4 This act shall be known and may be cited as the "Psychology  
5 Interjurisdictional Compact".

6 SECTION 2. NEW LAW A new section of law to be codified  
7 in the Oklahoma Statutes as Section 1378 of Title 59, unless there  
8 is created a duplication in numbering, reads as follows:

9 The Oklahoma Legislature makes the following findings:

10 States license psychologists in order to protect the public  
11 through verification of education, training and experience and  
12 ensure accountability for professional practice.

13 This Compact is intended to regulate the day-to-day practice of  
14 telepsychology, which is the provision of psychological services  
15 using telecommunication technologies, by psychologists across state  
16 boundaries in the performance of their psychological practice as  
17 assigned by an appropriate authority.

18 This Compact is intended to regulate the temporary in-person,  
19 face-to-face practice of psychology by psychologists across state  
20 boundaries for thirty (30) days within a calendar year in the  
21 performance of their psychological practice as assigned by an  
22 appropriate authority.

23 This Compact is intended to authorize state psychology  
24 regulatory authorities to afford legal recognition, in a manner

1 consistent with the terms of the Compact, to psychologists licensed  
2 in another state.

3 This Compact recognizes that states have a vested interest in  
4 protecting the public's health and safety through their licensing  
5 and regulation of psychologists and that such state regulation will  
6 best protect the public health and safety.

7 This Compact does not apply when a psychologist is licensed in  
8 both the home and receiving states.

9 This Compact does not apply to permanent in-person, face-to-face  
10 practice, but it does allow for the authorization of temporary  
11 psychological practice.

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

14 1. Increase public access to professional psychological  
15 services by allowing for telepsychological practice across state  
16 lines, as well as temporary in-person, face-to-face services, into a  
17 state in which the psychologist is not licensed to practice  
18 psychology;

19 2. Enhance the states' ability to protect the public's health  
20 and safety, especially client/patient safety;

21 3. Encourage the cooperation of the compact states in the areas  
22 of psychology licensure and regulation;

23

24

1 4. Facilitate the exchange of information between the compact  
2 states regarding psychologist licensure, adverse actions and  
3 disciplinary history;

4 5. Promote compliance with the laws governing psychological  
5 practice in each compact state; and

6 6. Invest all compact states with the authority to hold  
7 licensed psychologists accountable through the mutual recognition of  
8 compact state licenses.

9 SECTION 3. NEW LAW A new section of law to be codified  
10 in the Oklahoma Statutes as Section 1379 of Title 59, unless there  
11 is created a duplication in numbering, reads as follows:

12 As used in this act:

13 1. "Adverse action" means any action taken by a state  
14 psychology regulatory authority, which is identified by that  
15 authority as discipline, which action is taken upon the finding of a  
16 violation and is a matter of public record;

17 2. "Association of State and Provincial Psychology Boards  
18 (ASPPB)" means the recognized membership organization composed of  
19 state and provincial psychology regulatory authorities responsible  
20 for the licensure and registration of psychologists throughout the  
21 United States and Canada;

22 3. "Authority to practice interjurisdictional telepsychology"  
23 means a licensed psychologist's authority to practice  
24

1 telepsychology, within the limits authorized under this Compact, in  
2 another compact state;

3 4. "Bylaws" means those bylaws established by the Psychology  
4 Interjurisdictional Compact Commission pursuant to Section 11 of  
5 this act for its governance, or for directing and controlling its  
6 actions and conduct;

7 5. "Client/patient" means the recipient of psychological  
8 services, whether psychological services are delivered in the  
9 context of healthcare, corporate, supervision and/or consulting  
10 services;

11 6. "Commissioner" means the voting representative appointed by  
12 each state psychology regulatory authority pursuant to Section 11 of  
13 this act;

14 7. "Compact state" means a state, the District of Columbia or  
15 United States territory that has enacted this Compact and which has  
16 not withdrawn pursuant to Section 14 of this act or been terminated  
17 pursuant to Section 13 of this act;

18 8. "Coordinated Licensure Information System" or "Coordinated  
19 Database" means an integrated process for collecting, storing and  
20 sharing information on psychologists' licensure and enforcement  
21 activities related to psychology licensure laws, which is  
22 administered by the recognized membership organization composed of  
23 the state psychology regulatory authorities;

24

1       9. "Confidentiality" means the principle that data or  
2 information is not made available or disclosed to unauthorized  
3 persons or processes;

4       10. "Day" means any part of a day in which psychological work  
5 is performed;

6       11. "Distant state" means the compact state where a  
7 psychologist is physically present, not through using  
8 telecommunications technologies, to provide temporary in-person,  
9 face-to-face psychological services;

10       12. "E-Passport" means a certificate issued by the Association  
11 of State and Provincial Psychology Boards (ASPPB) that promotes the  
12 standardization in the criteria of interjurisdictional  
13 telepsychology practice and facilitates the process for licensed  
14 psychologists to provide telepsychological services across state  
15 lines;

16       13. "Executive Board" means a group of directors elected or  
17 appointed to act on behalf of, and within the powers granted to them  
18 by, the Commission;

19       14. "Home state" means a compact state where a psychologist is  
20 licensed to practice psychology. If the psychologist is licensed in  
21 more than one compact state and is practicing under the  
22 authorization to practice interjurisdictional telepsychology, the  
23 home state is the compact state where the psychologist was  
24 physically present when the telepsychological services were

1 delivered. If the psychologist is licensed in more than one compact  
2 state and is practicing under the temporary authorization to  
3 practice, the home state is any compact state where the psychologist  
4 is licensed;

5 15. "Identity history summary" means a summary of information  
6 retained by the Federal Bureau of Investigation, or other designee  
7 with similar authority, in connection with arrests and, in some  
8 instances, federal employment, naturalization or military service;

9 16. "In-person, face-to-face" means interactions in which the  
10 psychologist and the client/patient are in the same physical space  
11 and which does not include interactions that may occur through the  
12 use of telecommunication technologies;

13 17. "Interjurisdictional practice certificate (IPC)" means a  
14 certificate issued by the Association of State and Provincial  
15 Psychology Boards (ASPPB) that grants temporary authority to  
16 practice based on notification to the state psychology regulatory  
17 authority of the intention to practice temporarily, and verification  
18 of one's qualifications for such practice;

19 18. "License" means authorization by a state psychology  
20 regulatory authority to engage in the independent practice of  
21 psychology, which would be unlawful without the authorization;

22 19. "Noncompact state" means any state which is not at the time  
23 a compact state;

24

1       20. "Psychologist" means an individual licensed for the  
2 independent practice of psychology;

3       21. "Psychology Interjurisdictional Compact Commission" or  
4 "Commission" means the national administration of which all compact  
5 states are members;

6       22. "Receiving state" means a compact state where the  
7 client/patient is physically located when the telepsychological  
8 services are delivered;

9       23. "Rule" means a written statement by the Psychology  
10 Interjurisdictional Compact Commission promulgated pursuant to  
11 Section 12 of this act that is of general applicability, implements,  
12 interprets or prescribes a policy or provision of the Compact, or an  
13 organizational, procedural or practice requirement of the Commission  
14 and has the force and effect of statutory law in a compact state,  
15 and includes the amendment, repeal or suspension of an existing  
16 rule;

17       24. "Significant investigatory information" means:

18       a. investigative information that a state psychology  
19 regulatory authority, after a preliminary inquiry that  
20 includes notification and an opportunity to respond if  
21 required by state law, has reason to believe, if  
22 proven true, would indicate more than a violation of  
23 state statute or ethics code that would be considered  
24 more substantial than a minor infraction, or

1           b.    investigative information that indicates that the  
2                    psychologist represents an immediate threat to the  
3                    public health and safety, regardless of whether the  
4                    psychologist has been notified or had an opportunity  
5                    to respond;

6           25.   "State" means a state, commonwealth, territory or  
7 possession of the United States or the District of Columbia;

8           26.   "State psychology regulatory authority" means the board,  
9 office or other agency with the legislative mandate to license and  
10 regulate the practice of psychology;

11          27.   "Telepsychology" means the provision of psychological  
12 services using telecommunication technologies;

13          28.   "Temporary authorization to practice" means a licensed  
14 psychologist's authority to conduct temporary in-person, face-to  
15 face practice, within the limits authorized under this Compact, in  
16 another compact state; and

17          29.   "Temporary in-person, face-to-face practice" means where a  
18 psychologist is physically present, not through using  
19 telecommunications technologies, in the distant state to provide for  
20 the practice of psychology for thirty (30) days within a calendar  
21 year and based on notification to the distant state.

22          SECTION 4.       NEW LAW        A new section of law to be codified  
23 in the Oklahoma Statutes as Section 1380 of Title 59, unless there  
24 is created a duplication in numbering, reads as follows:

1 A. The home state shall be a compact state where a psychologist  
2 is licensed to practice psychology.

3 B. A psychologist may hold one or more compact state licenses  
4 at a time. If the psychologist is licensed in more than one compact  
5 state, the home state is the compact state where the psychologist  
6 was physically present when the services were delivered, as  
7 authorized by the authority to practice interjurisdictional  
8 telepsychology under the terms of this Compact.

9 C. Any compact state may require a psychologist not previously  
10 licensed in a compact state to obtain and retain a license to be  
11 authorized to practice in the compact state under circumstances not  
12 authorized by the authority to practice interjurisdictional  
13 telepsychology under the terms of this Compact.

14 D. Any compact state may require a psychologist to obtain and  
15 retain a license to be authorized to practice in a compact state  
16 under circumstances not authorized by the temporary authorization to  
17 practice under the terms of this Compact.

18 E. A home state's license authorizes a psychologist to practice  
19 in a receiving state under the authority to practice  
20 interjurisdictional telepsychology only if the compact state:

21 1. Currently requires the psychologist to hold an active E-  
22 Passport;

23 2. Has a mechanism in place for receiving and investigating  
24 complaints about licensed individuals;

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

4 4. Requires an identity history summary of all applicants at  
5 initial licensure, including the use of the results of fingerprints  
6 or other biometric data checks compliant with the requirements of  
7 the Federal Bureau of Investigation, or other designee with similar  
8 authority, not later than ten (10) years after activation of the  
9 Compact; and

10 5. Complies with the bylaws and rules of the Commission.

11 F. A home state's license grants temporary authorization to  
12 practice to a psychologist in a distant state only if the compact  
13 state:

14 1. Currently requires the psychologist to hold an active  
15 interjurisdictional practice certificate (IPC);

16 2. Has a mechanism in place for receiving and investigating  
17 complaints about licensed individuals;

18 3. Notifies the Commission, in compliance with the terms  
19 herein, of any adverse action or significant investigatory  
20 information regarding a licensed individual;

21 4. Requires an identity history summary of all applicants at  
22 initial licensure, including the use of the results of fingerprints  
23 or other biometric data checks compliant with the requirements of  
24 the Federal Bureau of Investigation, or other designee with similar

1 authority, no later than ten (10) years after activation of the  
2 Compact; and

3 5. Complies with the bylaws and rules of the Commission.

4 SECTION 5. NEW LAW A new section of law to be codified  
5 in the Oklahoma Statutes as Section 1381 of Title 59, unless there  
6 is created a duplication in numbering, reads as follows:

7 A. Compact states shall recognize the right of a psychologist  
8 licensed in a compact state in conformance with Section 4 of this  
9 act to practice telepsychology in other compact states, in which the  
10 psychologist is not licensed, under the authority to practice  
11 interjurisdictional telepsychology as provided in the Compact.

12 B. To exercise the authority to practice interjurisdictional  
13 telepsychology under the terms and provisions of this Compact, a  
14 psychologist licensed to practice in a compact state must:

15 1. Hold a graduate degree in psychology from an institute of  
16 higher education that was, at the time the degree was awarded:

17 a. regionally accredited by an accrediting body  
18 recognized by the United States Department of  
19 Education to grant graduate degrees or authorized by  
20 provincial statute or royal charter to grant doctoral  
21 degrees, or

22 b. a foreign college or university deemed to be  
23 equivalent to subparagraph a of this paragraph by a  
24 foreign credential evaluation service that is a member

1 of the National Association of Credential Evaluation  
2 Services (NACES) or by a recognized foreign credential  
3 evaluation service;

4 2. Hold a graduate degree in psychology that meets the  
5 following criteria:

- 6 a. the program, wherever it may be administratively  
7 housed, must be clearly identified and labeled as a  
8 psychology program and such a program must specify in  
9 pertinent institutional catalogues and brochures its  
10 intent to educate and train professional  
11 psychologists,
- 12 b. the psychology program must stand as a recognizable,  
13 coherent organizational entity within the institution,
- 14 c. there must be a clear authority and primary  
15 responsibility for the core and specialty areas  
16 whether or not the program cuts across administrative  
17 lines,
- 18 d. the program must consist of an integrated, organized  
19 sequence of study,
- 20 e. there must be an identifiable psychology faculty  
21 sufficient in size and breadth to carry out its  
22 responsibilities,
- 23 f. the designated director of the program must be a  
24 psychologist and a member of the core faculty,

- 1           g. the program must have an identifiable body of students
- 2           who are matriculated in that program for a degree,
- 3           h. the program must include supervised practicum,
- 4           internship or field training appropriate to the
- 5           practice of psychology,
- 6           i. the curriculum shall encompass a minimum of three (3)
- 7           academic years of full-time graduate study for
- 8           doctoral degrees and a minimum of one (1) academic
- 9           year of full-time graduate study for a master's
- 10          degree, and
- 11          j. the program must include an acceptable residency as
- 12          defined by the rules of the Commission;

13          3. Possess a current, full and unrestricted license to practice  
14 psychology in a home state which is a compact state;

15          4. Have no history of adverse action that violates the rules of  
16 the Commission;

17          5. Have no criminal record history reported on an identity  
18 history summary that violates the rules of the Commission;

19          6. Possess a current, active E-Passport;

20          7. Provide attestations in regard to areas of intended  
21 practice, conformity with standards of practice, competence in  
22 telepsychology technology, criminal background and knowledge and  
23 adherence to legal requirements in the home and receiving states,  
24

1 and provide a release of information to allow for primary source  
2 verification in a manner specified by the Commission; and

3 8. Meet other criteria as defined by the rules of the  
4 Commission.

5 C. The home state maintains authority over the license of any  
6 psychologist practicing in a receiving state under the authority to  
7 practice interjurisdictional telepsychology.

8 D. A psychologist practicing into a receiving state under the  
9 authority to practice interjurisdictional telepsychology will be  
10 subject to the receiving state's scope of practice. A receiving  
11 state may, in accordance with that state's due process law, limit or  
12 revoke a psychologist's authority to practice interjurisdictional  
13 telepsychology in the receiving state and may take any other  
14 necessary actions under the receiving state's applicable law to  
15 protect the health and safety of the receiving state's citizens. If  
16 a receiving state takes action, the state shall promptly notify the  
17 home state and the Commission.

18 E. If a psychologist's license in any home state or another  
19 compact state or any authority to practice interjurisdictional  
20 telepsychology in any receiving state is restricted, suspended or  
21 otherwise limited, the E-Passport shall be revoked and therefore the  
22 psychologist shall not be eligible to practice telepsychology in a  
23 compact state under the authority to practice interjurisdictional  
24 telepsychology.

1           SECTION 6.           NEW LAW           A new section of law to be codified  
2 in the Oklahoma Statutes as Section 1382 of Title 59, unless there  
3 is created a duplication in numbering, reads as follows:

4           A. Compact states shall also recognize the right of a  
5 psychologist, licensed in a compact state in conformance with  
6 Section 4 of this act, to practice temporarily in other compact  
7 states, or distant states, in which the psychologist is not  
8 licensed, as provided in the Compact.

9           B. To exercise the temporary authorization to practice under  
10 the terms and provisions of this Compact, a psychologist licensed to  
11 practice in a compact state must:

12           1. Hold a graduate degree in psychology from an institute of  
13 higher education that was, at the time the degree was awarded:

14           a. regionally accredited by an accrediting body  
15 recognized by the United States Department of  
16 Education to grant graduate degrees or authorized by  
17 provincial statute or royal charter to grant doctoral  
18 degrees, or

19           b. a foreign college or university deemed to be  
20 equivalent to subparagraph a of this paragraph by a  
21 foreign credential evaluation service that is a member  
22 of the National Association of Credential Evaluation  
23 Services (NACES) or by a recognized foreign credential  
24 evaluation service;

1           2. Hold a graduate degree in psychology that meets the  
2 following criteria:

- 3           a. the program, wherever it may be administratively  
4           housed, must be clearly identified and labeled as a  
5           psychology program and must specify in pertinent  
6           institutional catalogues and brochures its intent to  
7           educate and train professional psychologists,
- 8           b. the psychology program must stand as a recognizable,  
9           coherent organizational entity within the institution,
- 10          c. there must be a clear authority and primary  
11          responsibility for the core and specialty areas  
12          whether or not the program cuts across administrative  
13          lines,
- 14          d. the program must consist of an integrated, organized  
15          sequence of study,
- 16          e. there must be an identifiable psychology faculty  
17          sufficient in size and breadth to carry out its  
18          responsibilities,
- 19          f. the designated director of the program must be a  
20          psychologist and a member of the core faculty,
- 21          g. the program must have an identifiable body of students  
22          who are matriculated in that program for a degree,

- 1           h.    the program must include supervised practicum,  
2                    internship or field training appropriate to the  
3                    practice of psychology,  
4            i.    the curriculum shall encompass a minimum of three (3)  
5                    academic years of full-time graduate study for  
6                    doctoral degrees and a minimum of one (1) academic  
7                    year of full-time graduate study for master's degrees,  
8                    and  
9            j.    the program must include an acceptable residency as  
10                   defined by the rules of the Commission;

11           3.    Possess a current, full and unrestricted license to practice  
12           psychology in a home state which is a compact state;

13           4.    No history of adverse action that violates the rules of the  
14           Commission;

15           5.    No criminal record history that violates the rules of the  
16           Commission;

17           6.    Possess a current, active interjurisdictional practice  
18           certificate (IPC);

19           7.    Provide attestations in regard to areas of intended practice  
20           and work experience and provide a release of information to allow  
21           for primary source verification in a manner specified by the  
22           Commission; and

23           8.    Meet other criteria as defined by the rules of the  
24           Commission.

1 C. A psychologist practicing in a distant state under the  
2 temporary authorization to practice shall practice within the scope  
3 of practice authorized by the distant state.

4 D. A psychologist practicing into a distant state under the  
5 temporary authorization to practice will be subject to the distant  
6 state's authority and law. A distant state may, in accordance with  
7 that state's due process law, limit or revoke a psychologist's  
8 temporary authorization to practice in the distant state and may  
9 take any other necessary actions under the distant state's  
10 applicable law to protect the health and safety of the distant  
11 state's citizens. If a distant state takes action, the state shall  
12 promptly notify the home state and the Commission.

13 E. If a psychologist's license in any home state or another  
14 compact state or any temporary authorization to practice in any  
15 distant state is restricted, suspended or otherwise limited, the IPC  
16 shall be revoked and therefore the psychologist shall not be  
17 eligible to practice in a compact state under the temporary  
18 authorization to practice.

19 SECTION 7. NEW LAW A new section of law to be codified  
20 in the Oklahoma Statutes as Section 1383 of Title 59, unless there  
21 is created a duplication in numbering, reads as follows:

22 A psychologist may practice in a receiving state under the  
23 authority to practice interjurisdictional telepsychology only in the  
24 performance of the scope of practice for psychology as assigned by

1 an appropriate state psychology regulatory authority, as defined in  
2 the rules of the Commission, and under the following circumstances:

3 1. The psychologist initiates a client/patient contact in a  
4 home state via telecommunications technologies with a client/patient  
5 in a receiving state; or

6 2. Other conditions regarding telepsychology as determined by  
7 rules promulgated by the Commission.

8 SECTION 8. NEW LAW A new section of law to be codified  
9 in the Oklahoma Statutes as Section 1384 of Title 59, unless there  
10 is created a duplication in numbering, reads as follows:

11 A. A home state shall have the power to impose adverse action  
12 against a psychologist's license issued by the home state. A  
13 distant state shall have the power to take adverse action on a  
14 psychologist's temporary authorization to practice within that  
15 distant state.

16 B. A receiving state may take adverse action on a  
17 psychologist's authority to practice interjurisdictional  
18 telepsychology within that receiving state. A home state may take  
19 adverse action against a psychologist based on an adverse action  
20 taken by a distant state regarding temporary in-person, face-to-face  
21 practice.

22 C. If a home state takes adverse action against a  
23 psychologist's license, that psychologist's authority to practice  
24 interjurisdictional telepsychology is terminated and the E-Passport

1 is revoked. Furthermore, that psychologist's temporary  
2 authorization to practice is terminated and the interjurisdictional  
3 practice certificate (IPC) is revoked.

4 1. All home state disciplinary orders which impose adverse  
5 action shall be reported to the Commission in accordance with the  
6 rules promulgated by the Commission. A compact state shall report  
7 adverse actions in accordance with the rules of the Commission.

8 2. In the event discipline is reported on a psychologist, the  
9 psychologist will not be eligible for telepsychology or temporary  
10 in-person, face-to-face practice in accordance with the rules of the  
11 Commission.

12 3. Other actions may be imposed as determined by the rules  
13 promulgated by the Commission.

14 D. A home state's psychology regulatory authority shall  
15 investigate and take appropriate action with respect to reported  
16 inappropriate conduct engaged in by a licensee which occurred in a  
17 receiving state as it would if such conduct had occurred by a  
18 licensee within the home state. In such cases, the home state's law  
19 shall control in determining any adverse action against a  
20 psychologist's license.

21 E. A distant state's psychology regulatory authority shall  
22 investigate and take appropriate action with respect to reported  
23 inappropriate conduct engaged in by a psychologist practicing under  
24 the temporary authorization to practice which occurred in that

1 distant state as it would if such conduct had occurred by a licensee  
2 within the home state. In such cases, the distant state's law shall  
3 control in determining any adverse action against a psychologist's  
4 temporary authorization to practice.

5 F. Nothing in this Compact shall override a compact state's  
6 decision that a psychologist's participation in an alternative  
7 program may be used in lieu of adverse action and that such  
8 participation shall remain nonpublic if required by the compact  
9 state's law. Compact states must require psychologists who enter  
10 any alternative programs to not provide telepsychology services  
11 under the authority to practice interjurisdictional telepsychology  
12 or provide temporary psychological services under the temporary  
13 authorization to practice in any other compact state during the term  
14 of the alternative program.

15 G. No other judicial or administrative remedies shall be  
16 available to a psychologist in the event a compact state imposes an  
17 adverse action pursuant to subsection C of this section.

18 SECTION 9. NEW LAW A new section of law to be codified  
19 in the Oklahoma Statutes as Section 1385 of Title 59, unless there  
20 is created a duplication in numbering, reads as follows:

21 A. In addition to any other powers granted under state law, a  
22 compact state's psychology regulatory authority shall have the  
23 authority under this Compact to:

24

1           1. Issue subpoenas, for both hearings and investigations, which  
2 require the attendance and testimony of witnesses and the production  
3 of evidence. Subpoenas issued by a compact state's psychology  
4 regulatory authority for the attendance and testimony of witnesses  
5 and/or the production of evidence from another compact state shall  
6 be enforced in the latter state by any court of competent  
7 jurisdiction, according to that court's practice and procedure in  
8 considering subpoenas issued in its own proceedings. The issuing  
9 state psychology regulatory authority shall pay any witness fees,  
10 travel expenses, mileage and other fees required by the service  
11 statutes of the state where the witnesses or evidence is located;  
12 and

13           2. Issue cease and desist and/or injunctive relief orders to  
14 revoke a psychologist's authority to practice interjurisdictional  
15 telepsychology and/or temporary authorization to practice.

16           B. During the course of any investigation, a psychologist may  
17 not change his or her home state licensure. A home state psychology  
18 regulatory authority is authorized to complete any pending  
19 investigations of a psychologist and to take any actions appropriate  
20 under its law. The home state psychology regulatory authority shall  
21 promptly report the conclusions of such investigations to the  
22 Commission. Once an investigation has been completed, and pending  
23 the outcome of said investigation, the psychologist may change his  
24 or her home state licensure. The Commission shall promptly notify

1 the new home state of any such decisions as provided in the rules of  
2 the Commission. All information provided to the Commission or  
3 distributed by compact states pursuant to the psychologist shall be  
4 confidential, filed under seal and used for investigatory or  
5 disciplinary matters. The Commission may create additional rules  
6 for mandated or discretionary sharing of information by compact  
7 states.

8 SECTION 10. NEW LAW A new section of law to be codified  
9 in the Oklahoma Statutes as Section 1386 of Title 59, unless there  
10 is created a duplication in numbering, reads as follows:

11 A. The Commission shall provide for the development and  
12 maintenance of a Coordinated Licensure Information  
13 System/Coordinated Database and reporting system containing  
14 licensure and disciplinary action information on all psychologist  
15 individuals to whom this Compact is applicable in all compact states  
16 as defined by the rules of the Commission.

17 B. Notwithstanding any other provision of state law to the  
18 contrary, a compact state shall submit a uniform data set to the  
19 Coordinated Database on all licensees as required by the rules of  
20 the Commission, including:

- 21 1. Identifying information;
- 22 2. Licensure data;
- 23 3. Significant investigatory information;
- 24 4. Adverse actions against a psychologist's license;

1           5. An indicator that a psychologist's authority to practice  
2 interjurisdictional telepsychology or temporary authorization to  
3 practice is revoked;

4           6. Nonconfidential information related to alternative program  
5 participation information;

6           7. Any denial of application for licensure, and the reasons for  
7 such denial; and

8           8. Other information which may facilitate the administration of  
9 this Compact, as determined by the rules of the Commission.

10          C. The Coordinated Database administrator shall promptly notify  
11 all compact states of any adverse action taken against, or  
12 significant investigative information on, any licensee in a compact  
13 state.

14          D. Compact states reporting information to the Coordinated  
15 Database may designate information that may not be shared with the  
16 public without the express permission of the compact state reporting  
17 the information.

18          E. Any information submitted to the Coordinated Database that  
19 is subsequently required to be expunged by the law of the compact  
20 state reporting the information shall be removed from the  
21 Coordinated Database.

22          SECTION 11.        NEW LAW        A new section of law to be codified  
23 in the Oklahoma Statutes as Section 1387 of Title 59, unless there  
24 is created a duplication in numbering, reads as follows:

1       A. The compact states hereby create and establish a joint  
2 public agency known as the Psychology Interjurisdictional Compact  
3 Commission as follows:

4       1. The Commission is a body politic and an instrumentality of  
5 the compact states;

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

12       3. Nothing in this Compact shall be construed to be a waiver of  
13 sovereign immunity.

14       B. Membership, Voting and Meetings.

15       1. The Commission shall consist of one voting representative  
16 appointed by each compact state who shall serve as that state's  
17 Commissioner. The state psychology regulatory authority shall  
18 appoint its delegate. This delegate shall be empowered to act on  
19 behalf of the compact state. This delegate shall be limited to:

20           a. an executive director, executive secretary or similar  
21           executive,

22           b. a current member of the state psychology regulatory  
23           authority of a compact state, or  
24

1           c.    a designee empowered with the appropriate delegate  
2                    authority to act on behalf of the compact state.

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

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

15           4.   The Commission shall meet at least once during each calendar  
16 year. Additional meetings shall be held as set forth in the bylaws.

17           5.   All meetings shall be open to the public, and public notice  
18 of meetings shall be given in the same manner as required under the  
19 rulemaking provisions in Section 12 of this act.

20           6.   The Commission may convene in a closed, nonpublic meeting if  
21 the Commission must discuss:

22                a.   noncompliance of a compact state with its obligations  
23                    under the Compact,  
24

- 1           b.    the employment, compensation, discipline or other  
2                    personnel matters, practices or procedures related to  
3                    specific employees or other matters related to the  
4                    Commission's internal personnel practices and  
5                    procedures,
- 6           c.    current, threatened or reasonably anticipated  
7                    litigation against the Commission,
- 8           d.    negotiation of contracts for the purchase or sale of  
9                    goods, services or real estate,
- 10          e.    accusation against any person of a crime or formally  
11                    censuring any person,
- 12          f.    disclosure of trade secrets or commercial or financial  
13                    information which is privileged or confidential,
- 14          g.    disclosure of information of a personal nature where  
15                    disclosure would constitute a clearly unwarranted  
16                    invasion of personal privacy,
- 17          h.    disclosure of investigatory records compiled for law  
18                    enforcement purposes,
- 19          i.    disclosure of information related to any investigatory  
20                    reports prepared by or on behalf of or for use of the  
21                    Commission or other committee charged with  
22                    responsibility for investigation or determination of  
23                    compliance issues pursuant to the Compact, or  
24

1           j.    matters specifically exempted from disclosure by  
2                    federal and state statute.

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

15           C.  The Commission shall, by a majority vote of the  
16 Commissioners, prescribe bylaws and/or rules to govern its conduct  
17 as may be necessary or appropriate to carry out the purposes and  
18 exercise the powers of the Compact, including, but not limited to:

- 19           1.  Establishing the fiscal year of the Commission;
- 20           2.  Providing reasonable standards and procedures:
  - 21           a.  for the establishment and meetings of other  
22                    committees, and
  - 23           b.  governing any general or specific delegation of any  
24                    authority or function of the Commission;

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

12           4. Establishing the titles, duties and authority and reasonable  
13 procedures for the election of the officers of the Commission;

14           5. Providing reasonable standards and procedures for the  
15 establishment of the personnel policies and programs of the  
16 Commission. Notwithstanding any civil service or other similar law  
17 of any compact state, the bylaws shall exclusively govern the  
18 personnel policies and programs of the Commission;

19           6. Promulgating a code of ethics to address permissible and  
20 prohibited activities of Commission members and employees;

21           7. Providing a mechanism for concluding the operations of the  
22 Commission and the equitable disposition of any surplus funds that  
23 may exist after the termination of the Compact after the payment and  
24 reserving of all of its debts and obligations;

1 8. The Commission shall publish its bylaws in a convenient form  
2 and file a copy thereof and a copy of any amendment thereto with the  
3 appropriate agency or officer in each of the compact states;

4 9. The Commission shall maintain its financial records in  
5 accordance with the bylaws; and

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

8 D. The Commission shall have the following powers:

9 1. The authority to promulgate uniform rules to facilitate and  
10 coordinate implementation and administration of this Compact which  
11 shall have the force and effect of law and shall be binding in all  
12 compact states;

13 2. To bring and prosecute legal proceedings or actions in the  
14 name of the Commission; provided, that the standing of any state  
15 psychology regulatory authority or other regulatory body responsible  
16 for psychology licensure to sue or be sued under applicable law  
17 shall not be affected;

18 3. To purchase and maintain insurance and bonds;

19 4. To borrow, accept or contract for services of personnel,  
20 including, but not limited to, employees of a compact state;

21 5. To hire employees, elect or appoint officers, fix  
22 compensation, define duties, grant such individuals appropriate  
23 authority to carry out the purposes of the Compact and to establish  
24 the Commission's personnel policies and programs relating to

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

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

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

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

14 9. To establish a budget and make expenditures;

15 10. To borrow money;

16 11. To appoint committees, including advisory committees  
17 comprised of members, state regulators, state legislators or their  
18 representatives, and consumer representatives, and such other  
19 interested persons as may be designated in this Compact and the  
20 bylaws;

21 12. To provide and receive information from, and to cooperate  
22 with, law enforcement agencies;

23 13. To adopt and use an official seal; and  
24

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

5       E. The Executive Board.

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

9       1. The Executive Board shall be comprised of six (6) members:

10       a. five voting members who are elected from the current  
11 membership of the Commission by the Commission, and

12       b. one ex officio, nonvoting member from the recognized  
13 membership organization composed of state and  
14 provincial psychology regulatory authorities.

15       2. The ex officio member must have served as staff or member on  
16 a state psychology regulatory authority and will be selected by its  
17 respective organization.

18       3. The Commission may remove any member of the Executive Board  
19 as provided in the bylaws.

20       4. The Executive Board shall meet at least annually.

21       5. The Executive Board shall have the following duties and  
22 responsibilities:

23       a. recommend to the entire Commission changes to the  
24 rules or bylaws, changes to this Compact legislation,

1 fees paid by compact states, such as annual dues, and  
2 any other applicable fees,

3 b. ensure compact administration services are  
4 appropriately provided, contractual or otherwise,

5 c. prepare and recommend the budget,

6 d. maintain financial records on behalf of the  
7 Commission,

8 e. monitor compact compliance of member states and  
9 provide compliance reports to the Commission,

10 f. establish additional committees as necessary, and

11 g. other duties as provided in the rules or bylaws.

12 F. Financing of the Commission.

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

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

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

1 allocated based upon a formula to be determined by the Commission  
2 which shall promulgate a rule binding upon all compact states.

3 4. The Commission shall not incur obligations of any kind  
4 before securing the funds adequate to meet the same, nor shall the  
5 Commission pledge the credit of any of the compact states, except by  
6 and with the authority of the compact state.

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

14 G. Qualified Immunity, Defense and Indemnification.

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

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

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

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

1           SECTION 12.           NEW LAW           A new section of law to be codified  
2 in the Oklahoma Statutes as Section 1388 of Title 59, unless there  
3 is created a duplication in numbering, reads as follows:

4           A. The Commission shall exercise its rulemaking powers pursuant  
5 to the criteria set forth in this section and the rules adopted  
6 thereunder. Rules and amendments shall become binding as of the  
7 date specified in each rule or amendment.

8           B. If a majority of the legislatures of the compact states  
9 rejects a rule, by enactment of a statute or resolution in the same  
10 manner used to adopt the Compact, then such rule shall have no  
11 further force and effect in any compact state.

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

14           D. Prior to promulgation and adoption of a final rule or rules  
15 by the Commission, and at least sixty (60) days in advance of the  
16 meeting at which the rule will be considered and voted upon, the  
17 Commission shall file a notice of proposed rulemaking:

- 18           1. On the website of the Commission; and  
19           2. On the website of the compact states' psychology regulatory  
20 authority or the publication in which each state would otherwise  
21 publish proposed rules.

22           E. The notice of proposed rulemaking shall include:

- 23           1. The proposed time, date and location of the meeting in which  
24 the rule will be considered and voted upon;

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

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

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

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

11           G. The Commission shall grant an opportunity for a public  
12 hearing before it adopts a rule or amendment if a hearing is  
13 requested by:

14           1. At least twenty-five persons who submit comments  
15 independently of each other;

16           2. A government subdivision or agency; or

17           3. A duly appointed person in an association that has at least  
18 twenty-five members.

19           H. If a hearing is held on the proposed rule or amendment, the  
20 Commission shall publish the place, time and date of the scheduled  
21 public hearing and:

22           1. All persons wishing to be heard at the hearing shall notify  
23 the Executive Director of the Commission or other designated member  
24 in writing of their desire to appear and testify at the hearing not

1 less than five (5) business days before the scheduled date of the  
2 hearing;

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

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

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

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

20 J. The Commission shall, by majority vote of all members, take  
21 final action on the proposed rule and shall determine the effective  
22 date of the rule, if any, based on the rulemaking record and the  
23 full text of the rule.

24

1 K. If no written notice of intent to attend the public hearing  
2 by interested parties is received, the Commission may proceed with  
3 promulgation of the proposed rule without a public hearing.

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

12 1. Meet an imminent threat to the public health, safety, or  
13 welfare;

14 2. Prevent a loss of Commission or compact state funds;

15 3. Meet a deadline for the promulgation of an administrative  
16 rule that is established by federal law or rule; or

17 4. Protect the public health and safety.

18 M. The Commission or an authorized committee of the Commission  
19 may direct revisions to a previously adopted rule or amendment for  
20 purposes of correcting typographical errors, errors in format,  
21 errors in consistency, or grammatical errors. Public notice of any  
22 revisions shall be posted on the Internet website of the Commission.  
23 The revision shall be subject to challenge by any person for a  
24 period of thirty (30) days after posting. The revision may be

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

7 SECTION 13. NEW LAW A new section of law to be codified  
8 in the Oklahoma Statutes as Section 1389 of Title 59, unless there  
9 is created a duplication in numbering, reads as follows:

10 A. Oversight.

11 1. The executive, legislative and judicial branches of state  
12 government in each compact state shall enforce this Compact and take  
13 all actions necessary and appropriate to effectuate the Compact's  
14 purposes and intent. The provisions of this Compact and the rules  
15 promulgated hereunder shall have standing as statutory law.

16 2. All courts shall take judicial notice of the Compact and the  
17 rules in any judicial or administrative proceeding in a compact  
18 state pertaining to the subject matter of this Compact which may  
19 affect the powers, responsibilities or actions of the Commission.

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

1 B. Default, Technical Assistance and Termination.

2 1. If the Commission determines that a compact state has  
3 defaulted in the performance of its obligations or responsibilities  
4 under this Compact or the promulgated rules, the Commission shall:

5 a. provide written notice to the defaulting state and  
6 other compact states of the nature of the default, the  
7 proposed means of remedying the default and any other  
8 action to be taken by the Commission, and

9 b. provide remedial training and specific technical  
10 assistance regarding the default.

11 2. If a state in default fails to remedy the default, the  
12 defaulting state may be terminated from the Compact upon an  
13 affirmative vote of the majority of the compact states, and all  
14 rights, privileges and benefits conferred by this Compact shall be  
15 terminated on the effective date of termination. A remedy of the  
16 default does not relieve the offending state of obligations or  
17 liabilities incurred during the period of default.

18 3. Termination of membership in the Compact shall be imposed  
19 only after all other means of securing compliance have been  
20 exhausted. Notice of intent to suspend or terminate shall be  
21 submitted by the Commission to the Governor, the majority and  
22 minority leaders of the defaulting state's legislature, and each of  
23 the compact states.

1 4. A compact state which has been terminated is responsible for  
2 all assessments, obligations and liabilities incurred through the  
3 effective date of termination, including obligations which extend  
4 beyond the effective date of termination.

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

9 6. The defaulting state may appeal the action of the Commission  
10 by petitioning the United States District Court for the State of  
11 Oklahoma or the federal district where the Compact has its principal  
12 offices. The prevailing member shall be awarded all costs of such  
13 litigation, including reasonable attorney fees.

14 C. Dispute Resolution.

15 1. Upon request by a compact state, the Commission shall  
16 attempt to resolve disputes related to the Compact which arise among  
17 compact states and between compact and noncompact states.

18 2. The Commission shall promulgate a rule providing for both  
19 mediation and binding dispute resolution for disputes that arise  
20 before the Commission.

21 D. Enforcement.

22 1. The Commission, in the reasonable exercise of its  
23 discretion, shall enforce the provisions and rules of this Compact.  
24

1           2. By majority vote, the Commission may initiate legal action  
2 in the United States District Court for the State of Oklahoma or the  
3 federal district where the Compact has its principal offices against  
4 a compact state in default to enforce compliance with the provisions  
5 of the Compact and its promulgated rules and bylaws. The relief  
6 sought may include both injunctive relief and damages. In the event  
7 judicial enforcement is necessary, the prevailing member shall be  
8 awarded all costs of such litigation, including reasonable attorney  
9 fees.

10           3. The remedies herein shall not be the exclusive remedies of  
11 the Commission. The Commission may pursue any other remedies  
12 available under federal or state law.

13           SECTION 14.           NEW LAW           A new section of law to be codified  
14 in the Oklahoma Statutes as Section 1390 of Title 59, unless there  
15 is created a duplication in numbering, reads as follows:

16           A. The Compact shall come into effect on the date on which the  
17 Compact is enacted into law in the seventh compact state. The  
18 provisions which become effective at that time shall be limited to  
19 the powers granted to the Commission relating to assembly and the  
20 promulgation of rules. Thereafter, the Commission shall meet and  
21 exercise rulemaking powers necessary to the implementation and  
22 administration of the Compact.

23           B. Any state which joins the Compact subsequent to the  
24 Commission's initial adoption of the rules shall be subject to the

1 rules as they exist on the date on which the Compact becomes law in  
2 that state. Any rule which has been previously adopted by the  
3 Commission shall have the full force and effect of law on the day  
4 the Compact becomes law in that state.

5 C. Any compact state may withdraw from this Compact by enacting  
6 a statute repealing the same:

7 1. A compact state's withdrawal shall not take effect until six  
8 (6) months after enactment of the repealing statute; and

9 2. Withdrawal shall not affect the continuing requirement of  
10 the withdrawing state's psychology regulatory authority to comply  
11 with the investigative and adverse action reporting requirements of  
12 this act prior to the effective date of withdrawal.

13 D. Nothing contained in this Compact shall be construed to  
14 invalidate or prevent any psychology licensure agreement or other  
15 cooperative arrangement between a compact state and a noncompact  
16 state which does not conflict with the provisions of this Compact.

17 E. This Compact may be amended by the compact states. No  
18 amendment to this Compact shall become effective and binding upon  
19 any compact state until it is enacted into the law of all compact  
20 states.

21 SECTION 15. NEW LAW A new section of law to be codified  
22 in the Oklahoma Statutes as Section 1391 of Title 59, unless there  
23 is created a duplication in numbering, reads as follows:

24

1       The Oklahoma State Board of Examiners of Psychologists (OSBEP)  
2 through the Attorney General may maintain in any court of competent  
3 jurisdiction a suit for an injunction against any person practicing  
4 psychology without a license or authorization to practice psychology  
5 in this state.

6       Such an injunction:

7       1. May be issued without proof of actual damage sustained by  
8 any person, this provision being a preventive as well as a punitive  
9 measure; and

10       2. Does not relieve any person from criminal prosecution for  
11 practicing without a license.

12       SECTION 16.       NEW LAW       A new section of law to be codified  
13 in the Oklahoma Statutes as Section 1392 of Title 59, unless there  
14 is created a duplication in numbering, reads as follows:

15       Except as authorized by the Psychology Interjurisdictional  
16 Compact:

17       1. A person shall not represent himself or herself as a  
18 psychologist within the meaning of this chapter or engage in the  
19 practice of psychology unless he or she is licensed under the  
20 provisions of this chapter, except that any psychological scientist  
21 employed by an accredited educational institution or public agency  
22 that has set explicit standards may represent himself or herself by  
23 the title conferred upon him or her by such institution or agency;

24

1       2. This Compact does not grant approval for any person to offer  
2 services as a psychologist to any other person as a consultant, and  
3 to accept remuneration for such psychological services, other than  
4 that of an institutional salary, unless the psychologist has been  
5 licensed under the provisions of this chapter;

6       3. This Compact does not prevent the teaching of psychology or  
7 psychological research, unless the teaching or research involves the  
8 delivery or supervision of direct psychological services to a  
9 person. Persons who have earned a doctoral degree in psychology  
10 from an accredited educational institution may use the title  
11 "psychologist" in conjunction with the activities permitted by this  
12 section;

13       4. A graduate student in psychology whose activities are part  
14 of the course of study for a graduate degree in psychology at an  
15 accredited educational institution or a person pursuing postdoctoral  
16 training or experience in psychology to fulfill the requirements for  
17 licensure under the provisions of this chapter may use the terms  
18 "psychological trainee", "psychological intern", "psychological  
19 resident" or "psychological assistant" if the activities are  
20 performed under the supervision of a licensed psychologist in  
21 accordance with the regulations adopted by the Oklahoma State Board  
22 of Examiners of Psychologists; and

23       5. A person who is certified as a school psychologist licensed  
24 under the statutes of the State of Oklahoma may use the title

1 "school psychologist" in connection with activities relating to  
2 school psychologists.

3 SECTION 17. NEW LAW A new section of law to be codified  
4 in the Oklahoma Statutes as Section 1393 of Title 59, unless there  
5 is created a duplication in numbering, reads as follows:

6 This Compact shall be liberally construed so as to effectuate  
7 the purposes thereof. If this Compact shall be held contrary to the  
8 constitution of any state member thereto, the Compact shall remain  
9 in full force and effect as to the remaining compact states.

10 SECTION 18. This act shall become effective November 1, 2019.

11 Passed the House of Representatives the 12th day of March, 2019.

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\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

Passed the Senate the \_\_\_ day of \_\_\_\_\_, 2019.

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Presiding Officer of the Senate