



House Professional Licensure Committee

Meeting Agenda

May 6, 2025

9:30 a.m.

G-50 Irvis Office Building

Call to Order

Roll call

HOUSE BILL 30 (Guzman) – Allows real estate appraiser trainees to work with multiple supervisors and lowers the year of experience required to become an appraiser supervisor.

HOUSE BILL 87 (Marcell) – Expands cosmetology apprenticeship instructors to include licensed salon owners with 10 years of experience.

- Amendment A00455 (Marcell) – Clarifies references throughout the statute

HOUSE BILL 554 (Abney) – Authorizes Pennsylvania to join the Social Work Licensure Compact.

- Amendment A00239 (Burns) – Changes the effective date to 18 months

HOUSE BILL 668 (O'Mara) – Authorizes Pennsylvania to join the National Counseling Compact.

- Amendment A00240 (Burns) – Changes the effective date to 18 months

Any other business

Adjournment

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 30 Session of 2025

INTRODUCED BY GUZMAN, SHUSTERMAN, GIRAL, GUENST, SANCHEZ,
MALAGARI, KENYATTA AND DONAHUE, JANUARY 10, 2025

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE,
JANUARY 10, 2025

AN ACT

1 Amending the act of July 10, 1990 (P.L.404, No.98), entitled "An
2 act providing for the certification of real estate
3 appraisers; specifying requirements for certification;
4 providing for sanctions and penalties; and making an
5 appropriation," further providing for application and
6 qualifications.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Section 6(a.1) of the act of July 10, 1990
10 (P.L.404, No.98), known as the Real Estate Appraisers
11 Certification Act, is amended to read:

12 Section 6. Application and qualifications.

13 * * *

14 (a.1) Appraiser trainee license.--In addition to the
15 certificates authorized in subsection (a), the board shall issue
16 an appraiser trainee license, without examination, to any person
17 who meets the appraiser trainee educational requirements set by
18 the board and who does not already hold an appraiser credential
19 under subsection (a). An appraiser trainee shall operate under

1 the direct supervision of one certified residential appraiser or
2 certified general appraiser per assignment for the purpose of
3 completing the experience requirement for an appraiser
4 credential in subsection (a). An appraiser trainee shall be
5 permitted to assist in the performance of any appraisal that is
6 within the supervisory appraiser's scope of practice. The
7 supervisory appraiser shall be in good standing, have at least
8 [five] three years of experience as a certified residential
9 appraiser or certified general appraiser and shall not supervise
10 more than three appraiser trainees.

11 * * *

12 Section 2. This act shall take effect in 60 days.

HOUSE OF REPRESENTATIVES

DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	HB0030 PN0011	Prepared By:	Kari Orchard
Committee:	Professional Licensure		(717) 787-6882, ext. 6241
Sponsor:	Guzman, Manuel	Executive Director:	Kari Orchard
Date:	4/11/2025		

A. Brief Concept

Allows real estate appraiser trainees to work with multiple supervisors and lowers the years of experience required to become an appraiser supervisor.

B. Committee Votes

This bill is scheduled for consideration by the Professional Licensure Committee on May 6, 2025.

C. Analysis of the Bill

House Bill 2220 amends Act 98 of 1990, known as the **Real Estate Appraisers Certification Act**, to allow appraiser trainees to work under the direct supervision of an appraiser for each assignment during their training period, rather than only under one appraiser generally.

The bill also lowers the years of experience needed as a certified residential appraiser or certified general appraiser to become a supervisory appraiser from five years to three years. It does not change the limit on each appraiser supervising no more than three appraiser trainees.

Effective Date:

This act shall take effect in 60 days.

D. Third Party Feedback

Support: Shapiro Administration, PA Association of Realtors

Neutral: None

Oppose: None

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

This legislation was introduced as House Bill 2220 (Guzman) in the 2023-24 Legislative Session. It passed the Professional Licensure Committee 25-0 on May 7, 2024, and passed the House 202-0 on May 22, 2024. It was not considered in the Senate.

F. Key Points

This bill was a request from the Shapiro Administration as a way of trying to reduce barriers to entry into the appraisal profession.

After the issuance of the federal PAVE Task Force report, which looked at ways to improve equity in appraisals, Pennsylvania's Program Manager sent a letter to the Board of Real Estate Appraisers noting that requiring five-years' experience as a certified real estate appraiser exceeds the Appraiser Qualifications Board requirement of three years' experience. Officials

believe that could decrease the number of qualified supervisory appraisers available to appraiser trainees.

G. Relevant Existing Laws

The Real Estate Appraisers Certification Act currently allows appraiser trainees to work with just one supervising appraiser.

Additionally, appraiser supervisors are required to have a minimum of five years of experience before they may supervise trainees.

H. Messaging

Lowering barriers and improving career advancement

Pennsylvania's requirement of five-years' experience as a certified real estate appraiser in order to supervise trainees exceeds the Appraiser Qualifications Board requirement of three years' experience. By aligning our state law with the industry standard, we can enable appraisers to advance into a supervisory role more quickly. This provides advancement for appraisers and expands the number of supervisors available to train the next generation.

Improving equity in home appraisals

By allowing appraiser trainees to work with a variety of supervisors instead of just one, they gain exposure to a more diverse cohort of professionals and properties. A well-rounded real estate appraiser is more likely to provide fair and equitable appraisals for the properties they see.

This document is a summary of proposed legislation and is prepared only as general information for use by the Democratic Members and Staff of the Pennsylvania House of Representatives. The document does not represent the legislative intent of the Pennsylvania House of Representatives and may not be utilized as such.

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 87 Session of 2025

INTRODUCED BY MARCELL, KAZEEM, KHAN, NEILSON AND KENYATTA,
JANUARY 14, 2025

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE,
JANUARY 14, 2025

AN ACT

1 Amending the act of May 3, 1933 (P.L.242, No.86), entitled "An
2 act to promote the public health and safety by providing for
3 examination, licensing and granting of permits for those who
4 desire to engage in the profession of cosmetology; defining
5 cosmetology, and regulating cosmetology salons, schools,
6 students, apprentices, teachers, managers, manicurists and
7 cosmetologists; conferring powers and duties upon the
8 Commissioner of Professional and Occupational Affairs of the
9 Department of State; providing for appeals to certain courts
10 by applicants and licensees; and providing penalties,"
11 further providing for apprentices in cosmetology salons.

12 The General Assembly of the Commonwealth of Pennsylvania
13 hereby enacts as follows:

14 Section 1. Section 10 of the act of May 3, 1933 (P.L.242,
15 No.86), referred to as the Cosmetology Law, is amended to read:

16 Section 10. Apprentices in Cosmetology Salons.--Any
17 cosmetologist who is a cosmetology salon owner, at least twenty-
18 three years of age, who is a high school graduate or the
19 equivalent thereof[,] and who has had at least [five] ten years
20 experience as a licensed cosmetologist in Pennsylvania[, and] or
21 who is a holder of a teacher's license, may instruct apprentices
22 in a duly licensed cosmetology salon, provided that there shall

1 be no less than two licensed cosmetologists in addition to the
2 teacher for each apprentice in any salon and there shall be no
3 more than two apprentices in any salon, and provided such salon
4 is not held out as a school of cosmetology and provided each
5 teacher instructing an apprentice shall report quarterly hours
6 to the board on a form provided by the board. Such apprentices
7 may apply for examination at the end of their apprenticeship at
8 the next regular examination held by the board, and, if
9 successful therein, shall be licensed as cosmetologists.
10 Registered apprentices upon completion of their required term of
11 apprenticeship, may apply for, and receive from the department,
12 a temporary permit to practice in the field of cosmetology until
13 the next regular examination. Nothing in this act shall prohibit
14 an owner from hiring a cosmetology teacher to instruct
15 apprentices.
16 Section 2. This act shall take effect in 60 days.

LEGISLATIVE REFERENCE BUREAU

AMENDMENTS TO HOUSE BILL NO. 87

Sponsor: *Marcell*

Printer's No. 70

1 Amend Bill, page 1, line 11, by inserting after "for"
2 eligibility requirements for examination and for

3 Amend Bill, page 1, lines 14 and 15, by striking out all of
4 said lines and inserting

5 Section 1. Sections 4(a) and 10 of the act of May 3, 1933
6 (P.L.242, No.86), referred to as the Cosmetology Law, are
7 amended to read:

8 Section 4. Eligibility Requirements for Examination.--(a)
9 No person shall be permitted by the board to receive a license
10 as a cosmetologist unless such person (1) shall be at least
11 sixteen years of age and of good moral character at the time of
12 making application, and (2) shall have completed a tenth grade
13 education or the equivalent thereof, or in lieu of such
14 education or the equivalent thereof shall have received training
15 from or under the auspices of the Bureau of Rehabilitation in
16 the Department of Labor and Industry, and (3) shall have either
17 (i) completed not less than one thousand two hundred fifty hours
18 as a student in a duly registered school of cosmetology as
19 hereinafter provided in this act, or (ii) shall have been
20 registered and served as an apprentice at least two thousand
21 hours in a licensed cosmetology salon as hereinafter provided in
22 this act. The application shall be accompanied by a notarized
23 statement from either the licensed cosmetology school the
24 applicant attended or the licensed cosmetology teacher or
25 licensed cosmetologist who served as the instructor in the
26 licensed cosmetology salon where the applicant studied and
27 trained, stating that the applicant has completed the study and
28 training period required under this act.

29 * * *

30 Amend Bill, page 1, line 21, by inserting after "license"
31 with at least five years of experience as a licensed
32 cosmetologist in Pennsylvania

33 Amend Bill, page 2, line 2, by inserting after "teacher"
34 or a licensed cosmetologist serving as an instructor

1 Amend Bill, page 2, line 5, by inserting after "teacher"
2 or cosmetologist

HOUSE OF REPRESENTATIVES DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	HB0087 PN0070	Prepared By:	Kari Orchard
Committee:	Professional Licensure		(717) 787-6882, ext. 6241
Sponsor:	Marcell, Kristin	Executive Director:	Kari Orchard
Date:	3/19/2025		

A. Brief Concept

Adds certain salon owners to those who can train a cosmetology apprentice.

C. Analysis of the Bill

House Bill 87 amends the Cosmetology Law (Act 86 of 1933) to allow a licensed cosmetology salon owner with 10 years of experience to supervise and instruct a cosmetology apprentice without needing to hold a cosmetology teacher license.

Apprentices could also be instructed by a licensed cosmetology teacher.

Effective Date:

This act shall take effect in 60 days.

G. Relevant Existing Laws

Current law requires an individual instructing an apprentice to be:

- Age 23 or older
- A high school graduate or the equivalent
- A licensed cosmetology salon owner with at least five years of cosmetology experience; and
- A licensed cosmetology teacher

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

Identical language was introduced in the 2023-24 Legislative Session by Rep. Marcell as HB 1966. That bill was not considered by the Professional Licensure Committee.

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THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 554 Session of
2025

INTRODUCED BY ABNEY, HILL-EVANS, VENKAT, HOWARD, GIRAL, SANCHEZ,
SCHLOSSBERG, WAXMAN, BRENNAN, HOHENSTEIN, KHAN, NEILSON,
SHUSTERMAN, KENYATTA, FREEMAN, O'MARA, FRANKEL, BELLMON,
CERRATO, FLEMING, OTTEN, DEASY, GREEN AND DALEY,
FEBRUARY 11, 2025

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE,
FEBRUARY 11, 2025

AN ACT

1 Authorizing the Commonwealth of Pennsylvania to join the Social
2 Work Licensure Compact; and providing for the form of the
3 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 Social Work
8 Licensure 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 the compact:

15 SOCIAL WORK LICENSURE COMPACT

16 SECTION 1. PURPOSE

1 The purpose of this Compact is to facilitate interstate
2 practice of Regulated Social Workers by improving public access
3 to competent Social Work Services. The Compact preserves the
4 regulatory authority of States to protect public health and
5 safety through the current system of State licensure.

6 This Compact is designed to achieve the following objectives:

7 A. Increase public access to Social Work Services;

8 B. Reduce overly burdensome and duplicative requirements
9 associated with holding multiple licenses;

10 C. Enhance the Member States' ability to protect the
11 public's health and safety;

12 D. Encourage the cooperation of Member States in
13 regulating multistate practice;

14 E. Promote mobility and address workforce shortages by
15 eliminating the necessity for licenses in multiple States by
16 providing for the mutual recognition of other Member State
17 licenses;

18 F. Support military families;

19 G. Facilitate the exchange of licensure and disciplinary
20 information among Member States;

21 H. Authorize all Member States to hold a Regulated
22 Social Worker accountable for abiding by a Member State's
23 laws, regulations, and applicable professional standards in
24 the Member State in which the client is located at the time
25 care is rendered; and

26 I. Allow for the use of telehealth to facilitate
27 increased access to regulated Social Work 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 Military Member" means any individual with full-
2 time duty status in the active armed forces of the United States
3 including members of the National Guard and Reserve.

4 B. "Adverse Action" means any administrative, civil,
5 equitable or criminal action permitted by a State's laws which
6 is imposed by a Licensing Authority or other authority against a
7 Regulated Social Worker, including actions against an
8 individual's license or Multistate Authorization to Practice
9 such as revocation, suspension, probation, monitoring of the
10 Licensee, limitation on the Licensee's practice, or any other
11 Encumbrance on licensure affecting a Regulated Social Worker's
12 authorization to practice, including issuance of a cease and
13 desist action.

14 C. "Alternative Program" means a non-disciplinary monitoring
15 or practice remediation process approved by a Licensing
16 Authority to address practitioners with an Impairment.

17 D. "Charter Member States" - Member States who have enacted
18 legislation to adopt this Compact where such legislation
19 predates the effective date of this Compact as described in
20 Section 14.

21 E. "Compact Commission" or "Commission" means the government
22 agency whose membership consists of all States that have enacted
23 this Compact, which is known as the Social Work Licensure
24 Compact Commission, as described in Section 10, and which shall
25 operate as an instrumentality of the Member States.

26 F. "Current Significant Investigative Information" means:

27 1. Investigative information that a Licensing Authority,
28 after a preliminary inquiry that includes notification and an
29 opportunity for the Regulated Social Worker to respond has
30 reason to believe is not groundless and, if proved true,

would indicate more than a minor infraction as may be defined
by the Commission; or

2. Investigative information that indicates that the
Regulated Social Worker represents an immediate threat to
public health and safety, as may be defined by the
Commission, regardless of whether the Regulated Social Worker
has been notified and has had an opportunity to respond.

G. "Data System" means a repository of information about
Licensees, including, continuing education, examination,
licensure, Current Significant Investigative Information,
Disqualifying Event, Multistate License(s) and Adverse Action
information or other information as required by the Commission.

H. "Disqualifying Event" means any Adverse Action or
incident which results in an Encumbrance that disqualifies or
makes the Licensee ineligible to either obtain, retain or renew
a Multistate License.

I. "Domicile" means the jurisdiction in which the Licensee
resides and intends to remain indefinitely.

J. "Encumbrance" means a revocation or suspension of, or any
limitation on, the full and unrestricted practice of Social Work
licensed and regulated by a Licensing Authority.

K. "Executive Committee" means a group of delegates elected
or appointed to act on behalf of, and within the powers granted
to them by, the compact and Commission.

L. "Home State" means the Member State that is the
Licensee's primary Domicile.

M. "Impairment" means a condition(s) that may impair a
practitioner's ability to engage in full and unrestricted
practice as a Regulated Social Worker without some type of
intervention and may include alcohol and drug dependence, mental

1 health impairment, and neurological or physical impairments.

2 N. "Licensee(s)" means an individual who currently holds a
3 license from a State to practice as a Regulated Social Worker.

4 O. "Licensing Authority" means the board or agency of a
5 Member State, or equivalent, that is responsible for the
6 licensing and regulation of Regulated Social Workers.

7 P. "Member State" means a state, commonwealth, district, or
8 territory of the United States of America that has enacted this
9 Compact.

10 Q. "Multistate Authorization to Practice" means a legally
11 authorized privilege to practice, which is equivalent to a
12 license, associated with a Multistate License permitting the
13 practice of Social Work in a Remote State.

14 R. "Multistate License" means a license to practice as a
15 Regulated Social Worker issued by a Home State Licensing
16 Authority that authorizes the Regulated Social Worker to
17 practice in all Member States under Multistate Authorization to
18 Practice.

19 S. "Qualifying National Exam" means a national licensing
20 examination approved by the Commission.

21 T. "Regulated Social Worker" means any clinical, master's or
22 bachelor's Social Worker licensed by a Member State regardless
23 of the title used by that Member State.

24 U. "Remote State" means a Member State other than the
25 Licensee's Home State.

26 V. "Rule(s)" or "Rule(s) of the Commission" means a
27 regulation or regulations duly promulgated by the Commission, as
28 authorized by the Compact, that has the force of law.

29 W. "Single State License" means a Social Work license issued
30 by any State that authorizes practice only within the issuing

1 State and does not include Multistate Authorization to Practice
2 in any Member State.

3 X. "Social Work" or "Social Work Services" means the
4 application of social work theory, knowledge, methods, ethics,
5 and the professional use of self to restore or enhance social,
6 psychosocial, or biopsychosocial functioning of individuals,
7 couples, families, groups, organizations, and communities
8 through the care and services provided by a Regulated Social
9 Worker as set forth in the Member State's statutes and
10 regulations in the State where the services are being provided.

11 Y. "State" means any state, commonwealth, district, or
12 territory of the United States of America that regulates the
13 practice of Social Work.

14 Z. "Unencumbered License" means a license that authorizes a
15 Regulated Social Worker to engage in the full and unrestricted
16 practice of Social Work.

17 SECTION 3. STATE PARTICIPATION IN THE COMPACT

18 A. To be eligible to participate in the compact, a potential
19 Member State must currently meet all of the following criteria:

20 1. License and regulate the practice of Social Work at
21 either the clinical, master's, or bachelor's category.

22 2. Require applicants for licensure to graduate from a
23 program that is:

24 a. Operated by a college or university recognized by
25 the Licensing Authority;

26 b. Accredited, or in candidacy by an institution
27 that subsequently becomes accredited, by an accrediting
28 agency recognized by either:

29 i. the Council for Higher Education
30 Accreditation, or its successor; or

1 ii. the United States Department of Education;

2 and

3 c. Corresponds to the licensure sought as outlined
4 in Section 4.

5 3. Require applicants for clinical licensure to complete
6 a period of supervised practice.

7 4. Have a mechanism in place for receiving,
8 investigating, and adjudicating complaints about Licensees.

9 B. To maintain membership in the Compact a Member State
10 shall:

11 1. Require that applicants for a Multistate License pass
12 a Qualifying National Exam for the corresponding category of
13 Multistate License sought as outlined in Section 4.

14 2. Participate fully in the Commission's Data System,
15 including using the Commission's unique identifier as defined
16 in Rules.

17 3. Notify the Commission, in compliance with the terms
18 of the Compact and Rules, of any Adverse Action or the
19 availability of Current Significant Investigative Information
20 regarding a Licensee.

21 4. Implement procedures for considering the criminal
22 history records of applicants for a Multistate License. Such
23 procedures shall include the submission of fingerprints or
24 other biometric-based information by applicants for the
25 purpose of obtaining an applicant's criminal history record
26 information from the Federal Bureau of Investigation and the
27 agency responsible for retaining that State's criminal
28 records.

29 5. Comply with the Rules of the Commission.

30 6. Require an applicant to obtain or retain a license in

1 the Home State and meet the Home State's qualifications for
2 licensure or renewal of licensure, as well as all other
3 applicable Home State laws.

4 7. Authorize a Licensee holding a Multistate License in
5 any Member State to practice in accordance with the terms of
6 the Compact and Rules of the Commission.

7 8. Designate a delegate to participate in the Commission
8 meetings.

9 C. A Member State meeting the requirements of Section 3.A.
10 and 3.B of this Compact shall designate the categories of Social
11 Work licensure that are eligible for issuance of a Multistate
12 License for applicants in such Member State. To the extent that
13 any Member State does not meet the requirements for
14 participation in the Compact at any particular category of
15 Social Work licensure, such Member State may choose, but is not
16 obligated to, issue a Multistate License to applicants that
17 otherwise meet the requirements of Section 4 for issuance of a
18 Multistate License in such category or categories of licensure.

19 D. The Home State may charge a fee for granting the
20 Multistate License.

21 SECTION 4. SOCIAL WORKER PARTICIPATION IN THE COMPACT

22 A. To be eligible for a Multistate License under the terms
23 and provisions of the Compact, an applicant, regardless of
24 category must:

25 1. Hold or be eligible for an active, Unencumbered
26 License in the Home State.

27 2. Pay any applicable fees, including any State fee, for
28 the Multistate License.

29 3. Submit, in connection with an application for a
30 Multistate License, fingerprints or other biometric data for

1 the purpose of obtaining criminal history record information
2 from the Federal Bureau of Investigation and the agency
3 responsible for retaining that State's criminal records.

4 4. Notify the Home State of any Adverse Action,
5 Encumbrance, or restriction on any professional license taken
6 by any Member State or non-Member State within 30 days from
7 the date the action is taken.

8 5. Meet any continuing competence requirements
9 established by the Home State.

10 6. Abide by the laws, regulations, and applicable
11 standards in the Member State where the client is located at
12 the time care is rendered.

13 B. An applicant for a clinical-category Multistate License
14 must meet all of the following requirements:

15 1. Fulfill a competency requirement, which shall be
16 satisfied by either:

17 a. Passage of a clinical-category Qualifying
18 National Exam; or

19 b. Licensure of the applicant in their Home State at
20 the clinical category, beginning prior to such time as a
21 Qualifying National Exam was required by the Home State
22 and accompanied by a period of continuous Social Work
23 licensure thereafter, all of which may be further
24 governed by the Rules of the Commission; or

25 c. The substantial equivalency of the foregoing
26 competency requirements which the Commission may
27 determine by Rule.

28 2. Attain at least a master's degree in Social Work from
29 a program that is:

30 a. Operated by a college or university recognized by

1 the Licensing Authority; and

2 b. Accredited, or in candidacy that subsequently
3 becomes accredited, by an accrediting agency recognized
4 by either:

5 i. the Council for Higher Education
6 Accreditation or its successor; or

7 ii. the United States Department of Education.

8 3. Fulfill a practice requirement, which shall be
9 satisfied by demonstrating completion of either:

10 a. A period of postgraduate supervised clinical
11 practice equal to a minimum of three thousand hours; or

12 b. A minimum of two years of full-time postgraduate
13 supervised clinical practice; or

14 c. The substantial equivalency of the foregoing
15 practice requirements which the Commission may determine
16 by Rule.

17 C. An applicant for a master's-category Multistate License
18 must meet all of the following requirements:

19 1. Fulfill a competency requirement, which shall be
20 satisfied by either:

21 a. Passage of a masters-category Qualifying National
22 Exam;

23 b. Licensure of the applicant in their Home State at
24 the master's category, beginning prior to such time as a
25 Qualifying National Exam was required by the Home State
26 at the master's category and accompanied by a continuous
27 period of Social Work licensure thereafter, all of which
28 may be further governed by the Rules of the Commission;
29 or

30 c. The substantial equivalency of the foregoing

competency requirements which the Commission may
determine by Rule.

2. Attain at least a master's degree in Social Work from
a program that is:

a. Operated by a college or university recognized by
the Licensing Authority; and

b. Accredited, or in candidacy that subsequently
becomes accredited, by an accrediting agency recognized
by either:

i. the Council for Higher Education

Accreditation or its successor; or

ii. the United States Department of Education.

D. An applicant for a bachelor's-category Multistate License
must meet all of the following requirements:

1. Fulfill a competency requirement, which shall be
satisfied by either:

a. Passage of a bachelor's-category Qualifying
National Exam;

b. Licensure of the applicant in their Home State at
the bachelor's category, beginning prior to such time as
a Qualifying National Exam was required by the Home State
and accompanied by a period of continuous Social Work
licensure thereafter, all of which may be further
governed by the Rules of the Commission; or

c. The substantial equivalency of the foregoing
competency requirements which the Commission may
determine by Rule.

2. Attain at least a bachelor's degree in Social Work
from a program that is:

a. Operated by a college or university recognized by

1 the Licensing Authority; and

2 b. Accredited, or in candidacy that subsequently
3 becomes accredited, by an accrediting agency recognized
4 by either:

5 i. the Council for Higher Education

6 Accreditation or its successor; or

7 ii. the United States Department of Education.

8 E. The Multistate License for a Regulated Social Worker is
9 subject to the renewal requirements of the Home State. The
10 Regulated Social Worker must maintain compliance with the
11 requirements of Section 4(A) to be eligible to renew a
12 Multistate License.

13 F. The Regulated Social Worker's services in a Remote State
14 are subject to that Member State's regulatory authority. A
15 Remote State may, in accordance with due process and that Member
16 State's laws, remove a Regulated Social Worker's Multistate
17 Authorization to Practice in the Remote State for a specific
18 period of time, impose fines, and take any other necessary
19 actions to protect the health and safety of its citizens.

20 G. If a Multistate License is encumbered, the Regulated
21 Social Worker's Multistate Authorization to Practice shall be
22 deactivated in all Remote States until the Multistate License is
23 no longer encumbered.

24 H. If a Multistate Authorization to Practice is encumbered
25 in a Remote State, the regulated Social Worker's Multistate
26 Authorization to Practice may be deactivated in that State until
27 the Multistate Authorization to Practice is no longer
28 encumbered.

29 SECTION 5. ISSUANCE OF A MULTISTATE LICENSE

30 A. Upon receipt of an application for Multistate License,

1 the Home State Licensing Authority shall determine the
2 applicant's eligibility for a Multistate License in accordance
3 with Section 4 of this Compact.

4 B. If such applicant is eligible pursuant to Section 4 of
5 this Compact, the Home State Licensing Authority shall issue a
6 Multistate License that authorizes the applicant or Regulated
7 Social Worker to practice in all Member States under a
8 Multistate Authorization to Practice.

9 C. Upon issuance of a Multistate License, the Home State
10 Licensing Authority shall designate whether the Regulated Social
11 Worker holds a Multistate License in the Bachelors, Masters, or
12 Clinical category of Social Work.

13 D. A Multistate License issued by a Home State to a resident
14 in that State shall be recognized by all Compact Member States
15 as authorizing Social Work Practice under a Multistate
16 Authorization to Practice corresponding to each category of
17 licensure regulated in each Member State.

18 SECTION 6. AUTHORITY OF INTERSTATE COMPACT COMMISSION AND
19 MEMBER STATE LICENSING AUTHORITIES

20 A. Nothing in this Compact, nor any Rule of the Commission,
21 shall be construed to limit, restrict, or in any way reduce the
22 ability of a Member State to enact and enforce laws,
23 regulations, or other rules related to the practice of Social
24 Work in that State, where those laws, regulations, or other
25 rules are not inconsistent with the provisions of this Compact.

26 B. Nothing in this Compact shall affect the requirements
27 established by a Member State for the issuance of a Single State
28 License.

29 C. Nothing in this Compact, nor any Rule of the Commission,
30 shall be construed to limit, restrict, or in any way reduce the

1 ability of a Member State to take Adverse Action against a
2 Licensee's Single State License to practice Social Work in that
3 State.

4 D. Nothing in this Compact, nor any Rule of the Commission,
5 shall be construed to limit, restrict, or in any way reduce the
6 ability of a Remote State to take Adverse Action against a
7 Licensee's Multistate Authorization to Practice in that State.

8 E. Nothing in this Compact, nor any Rule of the Commission,
9 shall be construed to limit, restrict, or in any way reduce the
10 ability of a Licensee's Home State to take Adverse Action
11 against a Licensee's Multistate License based upon information
12 provided by a Remote State.

13 SECTION 7. REISSUANCE OF A MULTISTATE LICENSE BY A NEW HOME
14 STATE

15 A. A Licensee can hold a Multistate License, issued by their
16 Home State, in only one Member State at any given time.

17 B. If a Licensee changes their Home State by moving between
18 two Member States:

19 1. The Licensee shall immediately apply for the
20 reissuance of their Multistate License in their new Home
21 State. The Licensee shall pay all applicable fees and notify
22 the prior Home State in accordance with the Rules of the
23 Commission.

24 2. Upon receipt of an application to reissue a
25 Multistate License, the new Home State shall verify that the
26 Multistate License is active, unencumbered and eligible for
27 reissuance under the terms of the Compact and the Rules of
28 the Commission. The Multistate License issued by the prior
29 Home State will be deactivated and all Member States notified
30 in accordance with the applicable Rules adopted by the

1 Commission.

2 3. Prior to the reissuance of the Multistate License,
3 the new Home State shall conduct procedures for considering
4 the criminal history records of the Licensee. Such procedures
5 shall include the submission of fingerprints or other
6 biometric-based information by applicants for the purpose of
7 obtaining an applicant's criminal history record information
8 from the Federal Bureau of Investigation and the agency
9 responsible for retaining that State's criminal records.

10 4. If required for initial licensure, the new Home State
11 may require completion of jurisprudence requirements in the
12 new Home State.

13 5. Notwithstanding any other provision of this Compact,
14 if a Licensee does not meet the requirements set forth in
15 this Compact for the reissuance of a Multistate License by
16 the new Home State, then the Licensee shall be subject to the
17 new Home State requirements for the issuance of a Single
18 State License in that State.

19 C. If a Licensee changes their primary State of residence by
20 moving from a Member State to a non-Member State, or from a non-
21 Member State to a Member State, then the Licensee shall be
22 subject to the State requirements for the issuance of a Single
23 State License in the new Home State.

24 D. Nothing in this Compact shall interfere with a Licensee's
25 ability to hold a Single State License in multiple States;
26 however, for the purposes of this Compact, a Licensee shall have
27 only one Home State, and only one Multistate License.

28 E. Nothing in this Compact shall interfere with the
29 requirements established by a Member State for the issuance of a
30 Single State License.

1 SECTION 8. MILITARY FAMILIES

2 An Active Military Member or their spouse shall designate a
3 Home State where the individual has a Multistate License. The
4 individual may retain their Home State designation during the
5 period the service member is on active duty.

6 SECTION 9. ADVERSE ACTIONS

7 A. In addition to the other powers conferred by State law, a
8 Remote State shall have the authority, in accordance with
9 existing State due process law, to:

10 1. Take Adverse Action against a Regulated Social
11 Worker's Multistate Authorization to Practice only within
12 that Member State, and issue subpoenas for both hearings and
13 investigations that require the attendance and testimony of
14 witnesses as well as the production of evidence. Subpoenas
15 issued by a Licensing Authority in a Member State for the
16 attendance and testimony of witnesses or the production of
17 evidence from another Member State shall be enforced in the
18 latter State by any court of competent jurisdiction,
19 according to the practice and procedure of that court
20 applicable to subpoenas issued in proceedings pending before
21 it. The issuing Licensing Authority shall pay any witness
22 fees, travel expenses, mileage, and other fees required by
23 the service statutes of the State in which the witnesses or
24 evidence are located.

25 2. Only the Home State shall have the power to take
26 Adverse Action against a Regulated Social Worker's Multistate
27 License.

28 B. For purposes of taking Adverse Action, the Home State
29 shall give the same priority and effect to reported conduct
30 received from a Member State as it would if the conduct had

1 occurred within the Home State. In so doing, the Home State
2 shall apply its own State laws to determine appropriate action.

3 C. The Home State shall complete any pending investigations
4 of a Regulated Social Worker who changes their Home State during
5 the course of the investigations. The Home State shall also have
6 the authority to take appropriate action(s) and shall promptly
7 report the conclusions of the investigations to the
8 administrator of the Data System. The administrator of the Data
9 System shall promptly notify the new Home State of any Adverse
10 Actions.

11 D. A Member State, if otherwise permitted by State law, may
12 recover from the affected Regulated Social Worker the costs of
13 investigations and dispositions of cases resulting from any
14 Adverse Action taken against that Regulated Social Worker.

15 E. A Member State may take Adverse Action based on the
16 factual findings of another Member State, provided that the
17 Member State follows its own procedures for taking the Adverse
18 Action.

19 F. Joint Investigations:

20 1. In addition to the authority granted to a Member
21 State by its respective Social Work practice act or other
22 applicable State law, any Member State may participate with
23 other Member States in joint investigations of Licensees.

24 2. Member States shall share any investigative,
25 litigation, or compliance materials in furtherance of any
26 joint or individual investigation initiated under the
27 Compact.

28 G. If Adverse Action is taken by the Home State against the
29 Multistate License of a Regulated Social Worker, the Regulated
30 Social Worker's Multistate Authorization to Practice in all

1 other Member States shall be deactivated until all Encumbrances
2 have been removed from the Multistate License. All Home State
3 disciplinary orders that impose Adverse Action against the
4 license of a Regulated Social Worker shall include a statement
5 that the Regulated Social Worker's Multistate Authorization to
6 Practice is deactivated in all Member States until all
7 conditions of the decision, order or agreement are satisfied.

8 H. If a Member State takes Adverse Action, it shall promptly
9 notify the administrator of the Data System. The administrator
10 of the Data System shall promptly notify the Home State and all
11 other Member State's of any Adverse Actions by Remote States.

12 I. Nothing in this Compact shall override a Member State's
13 decision that participation in an Alternative Program may be
14 used in lieu of Adverse Action.

15 J. Nothing in this Compact shall authorize a Member State to
16 demand the issuance of subpoenas for attendance and testimony of
17 witnesses or the production of evidence from another Member
18 State for lawful actions within that Member State.

19 K. Nothing in this Compact shall authorize a Member State to
20 impose discipline against a Regulated Social Worker who holds a
21 Multistate Authorization to Practice for lawful actions within
22 another Member State.

23 SECTION 10. ESTABLISHMENT OF SOCIAL WORK LICENSURE COMPACT

24 COMMISSION

25 A. The Compact Member States hereby create and establish a
26 joint government agency whose membership consists of all Member
27 States that have enacted the compact known as the Social Work
28 Licensure Compact Commission. The Commission is an
29 instrumentality of the Compact States acting jointly and not an
30 instrumentality of any one State. The Commission shall come into

1 existence on or after the effective date of the Compact as set
2 forth in Section 14.

3 B. Membership, Voting, and Meetings

4 1. Each Member State shall have and be limited to one
5 (1) delegate selected by that Member State's Licensing
6 Authority.

7 2. The delegate shall be either:

8 a. A current member of the Licensing Authority at
9 the time of appointment, who is a Regulated Social Worker
10 or public member of the State Licensing Authority; or

11 b. An administrator of the Licensing Authority or
12 their designee.

13 3. The Commission shall by Rule or bylaw establish a
14 term of office for delegates and may by Rule or bylaw
15 establish term limits.

16 4. The Commission may recommend removal or suspension of
17 any delegate from office.

18 5. A Member State's Licensing Authority shall fill any
19 vacancy of its delegate occurring on the Commission within 60
20 days of the vacancy.

21 6. Each delegate shall be entitled to one vote on all
22 matters before the Commission requiring a vote by Commission
23 delegates.

24 7. A delegate shall vote in person or by such other
25 means as provided in the bylaws. The bylaws may provide for
26 delegates to meet by telecommunication, video conference, or
27 other means of communication.

28 8. The Commission shall meet at least once during each
29 calendar year. Additional meetings may be held as set forth
30 in the bylaws. The Commission may meet by telecommunication,

1 video conference or other similar electronic means.

2 C. The Commission shall have the following powers:

3 1. Establish the fiscal year of the Commission;

4 2. Establish code of conduct and conflict of interest
5 policies;

6 3. Establish and amend Rules and bylaws;

7 4. Maintain its financial records in accordance with the
8 bylaws;

9 5. Meet and take such actions as are consistent with the
10 provisions of this Compact, the Commission's Rules, and the
11 bylaws;

12 6. Initiate and conclude legal proceedings or actions in
13 the name of the Commission, provided that the standing of any
14 Licensing Authority to sue or be sued under applicable law
15 shall not be affected;

16 7. Maintain and certify records and information provided
17 to a Member State as the authenticated business records of
18 the Commission, and designate an agent to do so on the
19 Commission's behalf;

20 8. Purchase and maintain insurance and bonds;

21 9. Borrow, accept, or contract for services of
22 personnel, including, but not limited to, employees of a
23 Member State;

24 10. Conduct an annual financial review;

25 11. Hire employees, elect or appoint officers, fix
26 compensation, define duties, grant such individuals
27 appropriate authority to carry out the purposes of the
28 Compact, and establish the Commission's personnel policies
29 and programs relating to conflicts of interest,
30 qualifications of personnel, and other related personnel

1 matters;

2 12. Assess and collect fees;

3 13. Accept any and all appropriate gifts, donations,
4 grants of money, other sources of revenue, equipment,
5 supplies, materials, and services, and receive, utilize, and
6 dispose of the same; provided that at all times the
7 Commission shall avoid any appearance of impropriety or
8 conflict of interest;

9 14. Lease, purchase, retain, own, hold, improve, or use
10 any property, real, personal, or mixed, or any undivided
11 interest therein;

12 15. Sell, convey, mortgage, pledge, lease, exchange,
13 abandon, or otherwise dispose of any property real, personal,
14 or mixed;

15 16. Establish a budget and make expenditures;

16 17. Borrow money;

17 18. Appoint committees, including standing committees,
18 composed of members, State regulators, State legislators or
19 their representatives, and consumer representatives, and such
20 other interested persons as may be designated in this Compact
21 and the bylaws;

22 19. Provide and receive information from, and cooperate
23 with, law enforcement agencies;

24 20. Establish and elect an Executive Committee,
25 including a chair and a vice chair;

26 21. Determine whether a State's adopted language is
27 materially different from the model compact language such
28 that the State would not qualify for participation in the
29 Compact; and

30 22. Perform such other functions as may be necessary or

1 appropriate to achieve the purposes of this Compact.

2 D. The Executive Committee

3 1. The Executive Committee shall have the power to act
4 on behalf of the Commission according to the terms of this
5 Compact. The powers, duties, and responsibilities of the
6 Executive Committee shall include:

7 a. Oversee the day-to-day activities of the
8 administration of the compact including enforcement and
9 compliance with the provisions of the compact, its Rules
10 and bylaws, and other such duties as deemed necessary;

11 b. Recommend to the Commission changes to the Rules
12 or bylaws, changes to this Compact legislation, fees
13 charged to Compact Member States, fees charged to
14 Licensees, and other fees;

15 c. Ensure Compact administration services are
16 appropriately provided, including by contract;

17 d. Prepare and recommend the budget;

18 e. Maintain financial records on behalf of the
19 Commission;

20 f. Monitor Compact compliance of Member States and
21 provide compliance reports to the Commission;

22 g. Establish additional committees as necessary;

23 h. Exercise the powers and duties of the Commission
24 during the interim between Commission meetings, except
25 for adopting or amending Rules, adopting or amending
26 bylaws, and exercising any other powers and duties
27 expressly reserved to the Commission by Rule or bylaw;
28 and

29 i. Other duties as provided in the Rules or bylaws
30 of the Commission.

1 2. The Executive Committee shall be composed of up to
2 eleven (11) members:

3 a. The chair and vice chair of the Commission shall
4 be voting members of the Executive Committee; and

5 b. The Commission shall elect five voting members
6 from the current membership of the Commission.

7 c. Up to four (4) ex officio, nonvoting members from
8 four (4) recognized national Social Work organizations.

9 d. The ex officio members will be selected by their
10 respective organizations.

11 3. The Commission may remove any member of the Executive
12 Committee as provided in the Commission's bylaws.

13 4. The Executive Committee shall meet at least annually.

14 a. Executive Committee meetings shall be open to the
15 public, except that the Executive Committee may meet in a
16 closed, non-public meeting as provided in subsection F.2
17 below.

18 b. The Executive Committee shall give seven (7)
19 days' notice of its meetings, posted on its website and
20 as determined to provide notice to persons with an
21 interest in the business of the Commission.

22 c. The Executive Committee may hold a special
23 meeting in accordance with subsection F.1.b. below.

24 E. The Commission shall adopt and provide to the Member
25 States an annual report.

26 F. Meetings of the Commission

27 1. All meetings shall be open to the public, except that
28 the Commission may meet in a closed, non-public meeting as
29 provided in subsection F.2 below.

30 a. Public notice for all meetings of the full

Commission of meetings shall be given in the same manner as required under the Rulemaking provisions in Section 12, except that the Commission may hold a special meeting as provided in subsection F.1.b below.

b. The Commission may hold a special meeting when it must meet to conduct emergency business by giving 48 hours' notice to all commissioners, on the Commission's website, and other means as provided in the Commission's Rules. The Commission's legal counsel shall certify that the Commission's need to meet qualifies as an emergency.

2. The Commission or the Executive Committee or other committees of the Commission may convene in a closed, non-public meeting for the Commission or Executive Committee or other committees of the Commission to receive legal advice or to discuss:

a. Non-compliance of a Member State with its obligations under the Compact;

b. The employment, compensation, discipline or other matters, practices or procedures related to specific employees;

c. Current or threatened discipline of a Licensee by the Commission or by a Member State's Licensing Authority;

d. Current, threatened, or reasonably anticipated litigation;

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

f. Accusing any person of a crime or formally censuring any person;

g. Trade secrets or commercial or financial

1 information that is privileged or confidential;

2 h. Information of a personal nature where disclosure
3 would constitute a clearly unwarranted invasion of
4 personal privacy;

5 i. Investigative records compiled for law
6 enforcement purposes;

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

12 k. Matters specifically exempted from disclosure by
13 federal or Member State law; or

14 l. Other matters as promulgated by the Commission by
15 Rule.

16 3. If a meeting, or portion of a meeting, is closed, the
17 presiding officer shall state that the meeting will be closed
18 and reference each relevant exempting provision, and such
19 reference shall be recorded in the minutes.

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

29 G. Financing of the Commission

30 1. The Commission shall pay, or provide for the payment

1 of, the reasonable xpenses of its establishment,
2 organization, and ongoing activities.

3 2. The Commission may accept any and all appropriate
4 revenue sources as provided in subsection C(13).

5 3. The Commission may levy on and collect an annual
6 assessment from each Member State and impose fees on
7 Licensees of Member States to whom it grants a Multistate
8 License to cover the cost of the operations and activities of
9 the Commission and its staff, which must be in a total amount
10 sufficient to cover its annual budget as approved each year
11 for which revenue is not provided by other sources. The
12 aggregate annual assessment amount for Member States shall be
13 allocated based upon a formula that the Commission shall
14 promulgate by Rule.

15 4. The Commission shall not incur obligations of any
16 kind prior to securing the funds adequate to meet the same;
17 nor shall the Commission pledge the credit of any of the
18 Member States, except by and with the authority of the Member
19 State.

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

29 H. Qualified Immunity, Defense, and Indemnification

30 1. The members, officers, executive director, employees

1 and representatives of the Commission shall be immune from
2 suit and liability, both personally and in their official
3 capacity, for any claim for damage to or loss of property or
4 personal injury or other civil liability caused by or arising
5 out of any actual or alleged act, error, or omission that
6 occurred, or that the person against whom the claim is made
7 had a reasonable basis for believing occurred within the
8 scope of Commission employment, duties or responsibilities;
9 provided that nothing in this paragraph shall be construed to
10 protect any such person from suit or liability for any
11 damage, loss, injury, or liability caused by the intentional
12 or willful or wanton misconduct of that person. The
13 procurement of insurance of any type by the Commission shall
14 not in any way compromise or limit the immunity granted
15 hereunder.

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

30 3. The Commission shall indemnify and hold harmless any

1 member, officer, executive director, employee, and
2 representative of the Commission for the amount of any
3 settlement or judgment obtained against that person arising
4 out of any actual or alleged act, error, or omission that
5 occurred within the scope of Commission employment, duties,
6 or responsibilities, or that such person had a reasonable
7 basis for believing occurred within the scope of Commission
8 employment, duties, or responsibilities, provided that the
9 actual or alleged act, error, or omission did not result from
10 the intentional or willful or wanton misconduct of that
11 person.

12 4. Nothing herein shall be construed as a limitation on
13 the liability of any Licensee for professional malpractice or
14 misconduct, which shall be governed solely by any other
15 applicable State laws.

16 5. Nothing in this Compact shall be interpreted to waive
17 or otherwise abrogate a Member State's state action immunity
18 or state action affirmative defense with respect to antitrust
19 claims under the Sherman Act, Clayton Act, or any other State
20 or federal antitrust or anticompetitive law or regulation.

21 6. Nothing in this Compact shall be construed to be a
22 waiver of sovereign immunity by the Member States or by the
23 Commission.

24 SECTION 11. DATA SYSTEM

25 A. The Commission shall provide for the development,
26 maintenance, operation, and utilization of a coordinated Data
27 System.

28 B. The Commission shall assign each applicant for a
29 Multistate License a unique identifier, as determined by the
30 Rules of the Commission.

1 C. Notwithstanding any other provision of State law to the
2 contrary, a Member State shall submit a uniform data set to the
3 Data System on all individuals to whom this Compact is
4 applicable as required by the Rules of the Commission,
5 including:

6 1. Identifying information;

7 2. Licensure data;

8 3. Adverse Actions against a license and information
9 related thereto;

10 4. Non-confidential information related to Alternative
11 Program participation, the beginning and ending dates of such
12 participation, and other information related to such
13 participation not made confidential under Member State law;

14 5. Any denial of application for licensure, and the
15 reason(s) for such denial;

16 6. The presence of Current Significant Investigative
17 Information; and

18 7. Other information that may facilitate the
19 administration of this Compact or the protection of the
20 public, as determined by the Rules of the Commission.

21 D. The records and information provided to a Member State
22 pursuant to this Compact or through the Data System, when
23 certified by the Commission or an agent thereof, shall
24 constitute the authenticated business records of the Commission,
25 and shall be entitled to any associated hearsay exception in any
26 relevant judicial, quasi-judicial or administrative proceedings
27 in a Member State.

28 E. Current Significant Investigative Information pertaining
29 to a Licensee in any Member State will only be available to
30 other Member States.

1 1. It is the responsibility of the Member States to
2 report any Adverse Action against a Licensee and to monitor
3 the database to determine whether Adverse Action has been
4 taken against a Licensee. Adverse Action information
5 pertaining to a Licensee in any Member State will be
6 available to any other Member State.

7 F. Member States contributing information to the Data System
8 may designate information that may not be shared with the public
9 without the express permission of the contributing State.

10 G. Any information submitted to the Data System that is
11 subsequently expunged pursuant to federal law or the laws of the
12 Member State contributing the information shall be removed from
13 the Data System.

14 SECTION 12. RULEMAKING

15 A. The Commission shall promulgate reasonable Rules in order
16 to effectively and efficiently implement and administer the
17 purposes and provisions of the Compact. A Rule shall be invalid
18 and have no force or effect only if a court of competent
19 jurisdiction holds that the Rule is invalid because the
20 Commission exercised its rulemaking authority in a manner that
21 is beyond the scope and purposes of the Compact, or the powers
22 granted hereunder, or based upon another applicable standard of
23 review.

24 B. The Rules of the Commission shall have the force of law
25 in each Member State, provided however that where the Rules of
26 the Commission conflict with the laws of the Member State that
27 establish the Member State's laws, regulations, and applicable
28 standards that govern the practice of Social Work as held by a
29 court of competent jurisdiction, the Rules of the Commission
30 shall be ineffective in that State to the extent of the

1 conflict.

2 C. The Commission shall exercise its Rulemaking powers
3 pursuant to the criteria set forth in this Section and the Rules
4 adopted thereunder. Rules shall become binding on the day
5 following adoption or the date specified in the rule or
6 amendment, whichever is later.

7 D. If a majority of the legislatures of the Member States
8 rejects a Rule or portion of a Rule, by enactment of a statute
9 or resolution in the same manner used to adopt the Compact
10 within four (4) years of the date of adoption of the Rule, then
11 such Rule shall have no further force and effect in any Member
12 State.

13 E. Rules shall be adopted at a regular or special meeting of
14 the Commission.

15 F. Prior to adoption of a proposed Rule, the Commission
16 shall hold a public hearing and allow persons to provide oral
17 and written comments, data, facts, opinions, and arguments.

18 G. Prior to adoption of a proposed Rule by the Commission,
19 and at least thirty (30) days in advance of the meeting at which
20 the Commission will hold a public hearing on the proposed Rule,
21 the Commission shall provide a Notice of Proposed Rulemaking:

22 1. On the website of the Commission or other publicly
23 accessible platform;

24 2. To persons who have requested notice of the
25 Commission's notices of proposed rulemaking; and

26 3. In such other way(s) as the Commission may by Rule
27 specify.

28 H. The Notice of Proposed Rulemaking shall include:

29 1. The time, date, and location of the public hearing at
30 which the Commission will hear public comments on the

1 proposed Rule and, if different, the time, date, and location
2 of the meeting where the Commission will consider and vote on
3 the proposed Rule;

4 2. If the hearing is held via telecommunication, video
5 conference, or other electronic means, the Commission shall
6 include the mechanism for access to the hearing in the Notice
7 of Proposed Rulemaking;

8 3. The text of the proposed Rule and the reason
9 therefor;

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

12 5. The manner in which interested persons may submit
13 written comments.

14 I. All hearings will be recorded. A copy of the recording
15 and all written comments and documents received by the
16 Commission in response to the proposed Rule shall be available
17 to the public.

18 J. Nothing in this section shall be construed as requiring a
19 separate hearing on each Rule. Rules may be grouped for the
20 convenience of the Commission at hearings required by this
21 section.

22 K. The Commission shall, by majority vote of all members,
23 take final action on the proposed Rule based on the Rulemaking
24 record and the full text of the Rule.

25 1. The Commission may adopt changes to the proposed Rule
26 provided the changes do not enlarge the original purpose of
27 the proposed Rule.

28 2. The Commission shall provide an explanation of the
29 reasons for substantive changes made to the proposed Rule as
30 well as reasons for substantive changes not made that were

recommended by commenters.

3. The Commission shall determine a reasonable effective date for the Rule. Except for an emergency as provided in Section 12.L, the effective date of the rule shall be no sooner than 30 days after issuing the notice that it adopted or amended the Rule.

L. Upon determination that an emergency exists, the Commission may consider and adopt an emergency Rule with 48 hours' notice, with opportunity to comment, provided that the usual Rulemaking procedures provided in the Compact and in this section shall be retroactively applied to the Rule as soon as reasonably possible, in no event later than ninety (90) days after the effective date of the Rule. For the purposes of this provision, an emergency Rule is one that must be adopted immediately in order to:

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

2. Prevent a loss of Commission or Member State funds;

3. Meet a deadline for the promulgation of a Rule that is established by federal law or rule; or

4. Protect public health and safety.

M. The Commission or an authorized committee of the Commission may direct revisions to a previously adopted Rule for purposes of correcting typographical errors, errors in format, errors in consistency, or grammatical errors. Public notice of any revisions shall be posted on the website of the Commission. The revision shall be subject to challenge by any person for a period of thirty (30) days after posting. The revision may be challenged only on grounds that the revision results in a material change to a Rule. A challenge shall be made in writing

1 and delivered to the Commission prior to the end of the notice
2 period. If no challenge is made, the revision will take effect
3 without further action. If the revision is challenged, the
4 revision may not take effect without the approval of the
5 Commission.

6 N. No Member State's rulemaking requirements shall apply
7 under this compact.

8 SECTION 13. OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT

9 A. Oversight

10 1. The executive and judicial branches of State
11 government in each Member State shall enforce this Compact
12 and take all actions necessary and appropriate to implement
13 the Compact.

14 2. Except as otherwise provided in this Compact, venue
15 is proper and judicial proceedings by or against the
16 Commission shall be brought solely and exclusively in a court
17 of competent jurisdiction where the principal office of the
18 Commission is located. The Commission may waive venue and
19 jurisdictional defenses to the extent it adopts or consents
20 to participate in alternative dispute resolution proceedings.
21 Nothing herein shall affect or limit the selection or
22 propriety of venue in any action against a Licensee for
23 professional malpractice, misconduct or any such similar
24 matter.

25 3. The Commission shall be entitled to receive service
26 of process in any proceeding regarding the enforcement or
27 interpretation of the Compact and shall have standing to
28 intervene in such a proceeding for all purposes. Failure to
29 provide the Commission service of process shall render a
30 judgment or order void as to the Commission, this Compact, or

promulgated Rules.

B. Default, Technical Assistance, and Termination

1. If the Commission determines that a Member State has defaulted in the performance of its obligations or responsibilities under this Compact or the promulgated Rules, the Commission shall provide written notice to the defaulting State. The notice of default shall describe the default, the proposed means of curing the default, and any other action that the Commission may take, and shall offer training and specific technical assistance regarding the default.

2. The Commission shall provide a copy of the notice of default to the other Member States.

C. If a State in default fails to cure the default, the defaulting State may be terminated from the Compact upon an affirmative vote of a majority of the delegates of the Member States, and all rights, privileges and benefits conferred on that State by this Compact may be terminated on the effective date of termination. A cure of the default does not relieve the offending State of obligations or liabilities incurred during the period of default.

D. Termination of membership in the Compact shall be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate shall be given by the Commission to the governor, the majority and minority leaders of the defaulting State's legislature, the defaulting State's State Licensing Authority and each of the Member States' Licensing Authority.

E. A State that has been terminated is responsible for all assessments, obligations, and liabilities incurred through the effective date of termination, including obligations that extend

1 beyond the effective date of termination.

2 F. Upon the termination of a State's membership from this
3 Compact, that State shall immediately provide notice to all
4 Licensees within that State of such termination. The terminated
5 State shall continue to recognize all licenses granted pursuant
6 to this Compact for a minimum of six (6) months after the date
7 of said notice of termination.

8 G. The Commission shall not bear any costs related to a
9 State that is found to be in default or that has been terminated
10 from the Compact, unless agreed upon in writing between the
11 Commission and the defaulting State.

12 H. The defaulting State may appeal the action of the
13 Commission by petitioning the U.S. District Court for the
14 District of Columbia or the federal district where the
15 Commission has its principal offices. The prevailing party shall
16 be awarded all costs of such litigation, including reasonable
17 attorney's fees.

18 I. Dispute Resolution

19 1. Upon request by a Member State, the Commission shall
20 attempt to resolve disputes related to the Compact that arise
21 among Member States and between Member and non-Member States.

22 2. The Commission shall promulgate a Rule providing for
23 both mediation and binding dispute resolution for disputes as
24 appropriate.

25 J. Enforcement

26 1. By majority vote as provided by Rule, the Commission
27 may initiate legal action against a Member State in default
28 in the United States District Court for the District of
29 Columbia or the federal district where the Commission has its
30 principal offices to enforce compliance with the provisions

1 of the Compact and its promulgated Rules. The relief sought
2 may include both injunctive relief and damages. In the event
3 judicial enforcement is necessary, the prevailing party shall
4 be awarded all costs of such litigation, including reasonable
5 attorney's fees. The remedies herein shall not be the
6 exclusive remedies of the Commission. The Commission may
7 pursue any other remedies available under federal or the
8 defaulting Member State's law.

9 2. A Member State may initiate legal action against the
10 Commission in the U.S. District Court for the District of
11 Columbia or the federal district where the Commission has its
12 principal offices to enforce compliance with the provisions
13 of the Compact and its promulgated Rules. The relief sought
14 may include both injunctive relief and damages. In the event
15 judicial enforcement is necessary, the prevailing party shall
16 be awarded all costs of such litigation, including reasonable
17 attorney's fees.

18 3. No person other than a Member State shall enforce
19 this compact against the Commission.

20 SECTION 14. EFFECTIVE DATE, WITHDRAWAL, AND AMENDMENT

21 A. The Compact shall come into effect on the date on which
22 the Compact statute is enacted into law in the seventh Member
23 State.

24 1. On or after the effective date of the Compact, the
25 Commission shall convene and review the enactment of each of
26 the first seven Member States ("Charter Member States") to
27 determine if the statute enacted by each such Charter Member
28 State is materially different than the model Compact statute.

29 a. A Charter Member State whose enactment is found
30 to be materially different from the model Compact statute

1 shall be entitled to the default process set forth in
2 Section 13.

3 b. If any Member State is later found to be in
4 default, or is terminated or withdraws from the Compact,
5 the Commission shall remain in existence and the Compact
6 shall remain in effect even if the number of Member
7 States should be less than seven.

8 2. Member States enacting the Compact subsequent to the
9 seven initial Charter Member States shall be subject to the
10 process set forth in Section 10(C)(21) to determine if their
11 enactments are materially different from the model Compact
12 statute and whether they qualify for participation in the
13 Compact.

14 3. All actions taken for the benefit of the Commission
15 or in furtherance of the purposes of the administration of
16 the Compact prior to the effective date of the Compact or the
17 Commission coming into existence shall be considered to be
18 actions of the Commission unless specifically repudiated by
19 the Commission.

20 4. Any State that joins the Compact subsequent to the
21 Commission's initial adoption of the Rules and bylaws shall
22 be subject to the Rules and bylaws as they exist on the date
23 on which the Compact becomes law in that State. Any Rule that
24 has been previously adopted by the Commission shall have the
25 full force and effect of law on the day the Compact becomes
26 law in that State.

27 B. Any Member State may withdraw from this Compact by
28 enacting a statute repealing the same.

29 1. A Member State's withdrawal shall not take effect
30 until 180 days after enactment of the repealing statute.

1 2. Withdrawal shall not affect the continuing
2 requirement of the withdrawing State's Licensing Authority to
3 comply with the investigative and Adverse Action reporting
4 requirements of this Compact prior to the effective date of
5 withdrawal.

6 3. Upon the enactment of a statute withdrawing from this
7 compact, a State shall immediately provide notice of such
8 withdrawal to all Licensees within that State.

9 Notwithstanding any subsequent statutory enactment to the
10 contrary, such withdrawing State shall continue to recognize
11 all licenses granted pursuant to this compact for a minimum
12 of 180 days after the date of such notice of withdrawal.

13 C. Nothing contained in this Compact shall be construed to
14 invalidate or prevent any licensure agreement or other
15 cooperative arrangement between a Member State and a non-Member
16 State that does not conflict with the provisions of this
17 Compact.

18 D. This Compact may be amended by the Member States. No
19 amendment to this Compact shall become effective and binding
20 upon any Member State until it is enacted into the laws of all
21 Member States.

22 SECTION 15. CONSTRUCTION AND SEVERABILITY

23 A. This Compact and the Commission's rulemaking authority
24 shall be liberally construed so as to effectuate the purposes,
25 and the implementation and administration of the Compact.
26 Provisions of the Compact expressly authorizing or requiring the
27 promulgation of Rules shall not be construed to limit the
28 Commission's rulemaking authority solely for those purposes.

29 B. The provisions of this Compact shall be severable and if
30 any phrase, clause, sentence or provision of this Compact is

1 held by a court of competent jurisdiction to be contrary to the
2 constitution of any Member State, a State seeking participation
3 in the Compact, or of the United States, or the applicability
4 thereof to any government, agency, person or circumstance is
5 held to be unconstitutional by a court of competent
6 jurisdiction, the validity of the remainder of this Compact and
7 the applicability thereof to any other government, agency,
8 person or circumstance shall not be affected thereby.

9 C. Notwithstanding subsection B of this section, the
10 Commission may deny a State's participation in the Compact or,
11 in accordance with the requirements of Section 13.B, terminate a
12 Member State's participation in the Compact, if it determines
13 that a constitutional requirement of a Member State is a
14 material departure from the Compact. Otherwise, if this Compact
15 shall be held to be contrary to the constitution of any Member
16 State, the Compact shall remain in full force and effect as to
17 the remaining Member States and in full force and effect as to
18 the Member State affected as to all severable matters.

19 SECTION 16. CONSISTENT EFFECT AND CONFLICT WITH OTHER STATE
20 LAWS

21 A. A Licensee providing services in a Remote State under a
22 Multistate Authorization to Practice shall adhere to the laws
23 and regulations, including laws, regulations, and applicable
24 standards, of the Remote State where the client is located at
25 the time care is rendered.

26 B. Nothing herein shall prevent or inhibit the enforcement
27 of any other law of a Member State that is not inconsistent with
28 the Compact.

29 C. Any laws, statutes, regulations, or other legal
30 requirements in a Member State in conflict with the Compact are

1 superseded to the extent of the conflict.

2 D. All permissible agreements between the Commission and the
3 Member States are binding in accordance with their terms.

4 Section 3. When and how compact becomes operative.

5 (a) General rule.--When the Governor executes the
6 Interstate Compact on behalf of this State and files a verified
7 copy with the Secretary of the Commonwealth and when the compact
8 is ratified by one or more other states, then the compact shall
9 become operative and effective between this State and the other
10 state or states. The Governor is authorized and directed to take
11 action as may be necessary to complete the exchange of official
12 documents between this State and any other state ratifying the
13 compact.

14 (b) Notice in Pennsylvania Bulletin.--The Secretary of the
15 Commonwealth shall transmit notice to the Legislative Reference
16 Bureau for publication in the next available issue of the
17 Pennsylvania Bulletin when the conditions specified in
18 subsection (a) are satisfied and shall include in the notice the
19 date on which the compact became effective and operative between
20 this State and any other state or states in accordance with this
21 act.

22 Section 4. Compensation and expenses of compact administrator.

23 The compact administrator who represents this State, as
24 provided for in the Interstate Compact, shall not be entitled to
25 any additional compensation for the compact administrator's
26 duties and responsibilities as compact administrator but shall
27 be entitled to reimbursement for reasonable expenses actually
28 incurred in connection with the compact administrator's duties
29 and responsibilities as compact administrator in the same manner
30 as for expenses incurred in connection with other duties and

1 responsibilities of the compact administrator's office or
2 employment.
3 Section 5. Effective date.
4 This act shall take effect in 60 days.

LEGISLATIVE REFERENCE BUREAU

AMENDMENTS TO HOUSE BILL NO. 554

Sponsor: *Burns*

Printer's No. 555

- 1 Amend Bill, page 42, line 4, by striking out "60 days" and
- 2 inserting
- 3 18 months

HOUSE OF REPRESENTATIVES DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	HB0554 PN0555	Prepared By:	Kari Orchard
Committee:	Professional Licensure		(717) 787-6882, ext. 6241
Sponsor:	Abney, Aerion	Executive Director:	Kari Orchard
Date:	4/28/2025		

A. Brief Concept

Authorizes Pennsylvania to join the interstate Social Work Licensure Compact.

C. Analysis of the Bill

HB 554 creates a free-standing act authorizing Pennsylvania to join the interstate licensing compact for social workers and laying out the framework of the compact. The approved compact must be substantially similar in form to the model compact legislation in order to participate.

Key Definitions

"Charter Member States." Member states who have enacted legislation to adopt this compact where such legislation predates the effective date of this compact.

"Home State." The Member State that is the licensee's primary domicile.

"Licensing Authority." The board or agency of a member state, or equivalent, that is responsible for the licensing and regulation of regulated social workers.

"Member State." A state, commonwealth, district, or territory.

"Multistate License." A license to practice as a regulated social worker issued by a home state licensing authority that authorizes the regulated social worker to practice in all member states under multistate authorization to practice.

"Remote State." A member state other than the licensee's home state.

"Single State License." A social work license issued by any state that authorizes practice only within the issuing state and does not include multistate authorization to practice in any member state.

Compact Rules

In order to participate in the compact, Pennsylvania must:

- License and regulate the practice of social work at the clinical, master's or bachelor's level
- Require applicants for licensure to graduate from a board-approved or accredited educational program
- Require applicants for clinical licensure to complete a period of supervised practice
- Have a mechanism for receiving, investigating and adjudicating complaints about licensees
- Require applicants for a compact license to pass a qualifying national exam
- Participate fully in the compact commission's data system
- Notify the commission of any adverse actions or investigations regarding a licensee
- Implement procedures for considering criminal history records

- Require an applicant to obtain or retain a license in the home state and meet the home state's qualification for licensure or renewal
- Authorize a compact licensee in any member state to practice in accordance with the terms of the compact and rules of the commission
- Designate a delegate to participate in the commission meetings
- Comply with the rules of the commission

Social Work Licensure Compact Commission

The Social Work Licensure Compact Commission is established and all member states have one delegate selected by that state's licensing authority to sit on the commission.

Each delegate gets one vote on all matters before the commission. The delegate shall be a current board member who is a social worker or public member of the board, or a licensing board administrator or their designee.

The compact commission must establish a term for delegates and may set term limits. It may recommend removal or suspension of delegates. Vacancies must be filled by the member state within 60 days.

Meetings: The commission shall meet at least once annually and may meet virtually. Meetings are open to the public, although the commission may meet in closed-door sessions for set reasons, including to receive legal advice or discuss certain personnel or disciplinary matters, negotiate contracts, set compensation, share investigative reports.

Powers and Rule-making: The commission shall have the power to establish bylaws and rules/policies, hire personnel, obtain property/loans/contracts, and perform other duties necessary to establish and operate the commission. It may determine whether a state's adopted language is substantially different than model language and thus does not qualify for participation in the compact.

Prior to adopting rules, the commission must hold a public hearing and allow oral or written comments, data, facts, opinions and arguments and provide at least 30 days' public notice of the hearing. A majority vote of all members is needed to take final action on a proposed rule.

The commission's rules shall have the force of law in member states unless it conflicts with the laws of the member state. If a majority of legislatures in member states reject a rule or portion of a rule by enactment of a statute or resolution, it shall have no further force.

An executive committee of the commission shall be established (11 members) and may act on behalf of the full commission.

Financing: The commission may levy and collect an annual assessment from each member state and impose fees on licensees of member states to cover operating expenses and commission activities. Accurate financial records must be kept.

Data system: The commission must develop, maintain, operate and use a coordinated data system. Member states will submit uniform data on all individuals, as required by commission rules, to the system.

Licensee Requirements

In order to obtain and retain a compact license, an applicant (regardless of category of social work) must:

- Hold or be eligible for an active, unencumbered license in their home state
- Pay any applicable fees
- Submit fingerprints for obtaining a criminal history records check
- Notify the home state of any adverse action encumbrance or restriction taken by any member state or non-member state within 30 days of the date action is taken
- Meet CE requirements of the home state

- Meet renewal requirements of the home state
- Abide by the laws, regulations and standards in the member state where the client is located at the time care is rendered.

For a clinical category compact license, an applicant must:

- Fulfill a competency requirement by either passing of a clinical category national exam or licensure in their home state at the clinical level beginning prior to when a qualifying national exam was required in the home state and working continuously thereafter, or substantial equivalency as determined by commission rules
- Attain a master's degree in social work from a board-approved, accredited college/university
- Fulfill a practice requirement that is: 3,000 hours of supervised clinical practice postgraduate; or two years of full-time postgraduate supervised clinical practice; or the substantial equivalent

For a master's category compact license, an applicant must:

- Fulfill a competency requirement by either passing a masters-category national exam or licensure in their home state at the masters-level beginning prior to when a qualifying national exam was required in the home state and working continuously thereafter, or substantial equivalency as determined by commission rules
- Attain a master's degree in social work from a board-approved, accredited college/university

For a bachelor's category compact license, an applicant must:

- Fulfill a competency requirement by either passing a bachelors-category national exam or licensure in their home state at the bachelor's level beginning prior to when a qualifying national exam was required in the home state and working continuously thereafter, or substantial equivalency as determined by commission rules
- Attain a bachelor's degree in social work from a board-approved, accredited college/university

Applicable Laws

When a Pennsylvania licensee is providing social work services in another compact state, the licensee must abide by the laws and regulations of the other state and is subject to the control of that state's regulating body. If a compact license becomes encumbered, the authorization to practice shall be deactivated in all remote states until the license is no longer encumbered.

Issuance of Multi-State License

Upon receipt of an application for a compact license, the home state determines eligibility for the license. If eligible, the home state shall issue a multistate license authorizing the applicant to practice in all compact member states.

The home state designates whether the licensee is designated as a bachelor's, master's or clinical category of social work.

A multistate license issued by a home state shall be recognized by all compact member states.

Multistate licensees who move between member states must apply for a reissuance of their multistate license in their new home state and pay any applicable fees. A new home state must verify that the applicant's license is active, unencumbered and eligible for reissuance under the compact and rules of the commission.

Multistate licensees who move from a member state to a non-member state are subject to the state requirements for obtaining a single-state license there.

Authority of Interstate Compact Commission and Member State Licensing Boards

Member state licensing boards retain control and authority over licensees. Nothing in the compact, nor rules of the commission, shall:

- Limit, restrict or reduce the ability of a member state to:
 - Enact and enforce laws/regulations/rules for the practice of social work
 - Take adverse action against a single-state license
 - Take adverse action against a multistate licensee's authorization to practice in that state
 - Take action against a multistate licensee based on information provided by a remote state
- Affect the requirements established by a member state for issuance of a single-state license.
- Prohibit a licensee from holding multiple single-state licenses, as long as they have just one home state and one multistate license.

Adverse Actions

- A remote state can take adverse action against a compact licensee to practice within that member state and issue subpoenas for hearings and investigations requiring witnesses and/or evidence.
- Only the home state can take action against the social worker's multistate license.
- Home states must treat reports of misconduct from a remote state the same as it does to internal reports.
- A joint investigation between states may take place. Member states may share investigative, litigation and compliance materials in furtherance of an investigation.

Military Families

Active-duty military members or their spouses shall designate a home state where they hold a multistate license. The individual may retain their home state designation during the service member's active duty.

Oversight and Enforcement

If the commission finds a member state has defaulted in performing its obligations or responsibilities under the compact, the commission must provide written notice describing the default and how to cure it to the affected state and all other member states. If the member state fails to cure the default, it can be terminated from the compact by a majority vote of member states' delegates. Termination may only come after exhausting all other means of securing compliance.

The defaulting state may appeal the action to U.S. District Court for the District of Columbia or the federal district where the commission has its principal office.

Withdrawal from Compact

A state may withdraw from the compact by repealing the authorizing law. Withdrawal shall not take effect for 180 days. Upon enactment of a withdrawal, states must immediately provide notice to all licensees in the state.

Effective Date:

This act shall take effect in 60 days.

The compact becomes operative when the governor executes the compact and files a verified copy with the secretary of the Commonwealth. The secretary shall transmit a notice for publication in the next available issue of the Pennsylvania Bulletin.

G. Relevant Existing Laws

Pennsylvania currently licenses social workers, clinical social workers and bachelor social workers under Act 39 of 1987, known as the Social Workers, Marriage and Family Therapists and Professional Counselors Act.

Under this practice act, licensees are regulated by the state Board of Social Workers, Marriage and Family Therapists and Professional Counselors, and may practice in Pennsylvania according to the scope of practice outlined for their specific license category.

Individuals wishing to practice in another state must become licensed in that state. Similarly, applicants from other states must apply for licensure by endorsement or reciprocity and obtain a Pennsylvania license in order to practice social work in the Commonwealth.

E. Prior Session (Previous Bill Numbers & House/Senate Votes).

This legislation was introduced during the 2023-24 Legislative Session as HB 1841 by Rep. Abney. It did not receive consideration by the Professional Licensure Committee.

This document is a summary of proposed legislation and is prepared only as general information for use by the Democratic Members and Staff of the Pennsylvania House of Representatives. The document does not represent the legislative intent of the Pennsylvania House of Representatives and may not be utilized as such.

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 668 Session of
2025

INTRODUCED BY O'MARA, BRENNAN, PIELLI, SANCHEZ, HANBIDGE, HILL-
EVANS, CIRESI, GUENST, HOWARD, DONAHUE, SCHLOSSBERG,
HOHENSTEIN, KHAN, FIEDLER, SHUSTERMAN, FREEMAN, CEPEDA-
FREYTIZ, CERRATO, OTTEN, SMITH-WADE-EL, GREEN, STEELE, CURRY,
MADDEN, BOROWSKI, SAPPEY AND MATZIE, FEBRUARY 20, 2025

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE,
FEBRUARY 20, 2025

AN ACT

1 Authorizing the Commonwealth of Pennsylvania to join the
2 Counseling Compact; and providing for the form of the
3 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 Counseling
8 Compact Legislation 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 COUNSELING COMPACT MODEL LEGISLATION

16 SECTION 1. PURPOSE

1 The purpose of this Compact is to facilitate interstate practice
2 of Licensed Professional Counselors with the goal of improving
3 public access to Professional Counseling services. The practice
4 of Professional Counseling occurs in the State where the client
5 is located at the time of the counseling services. The Compact
6 preserves the regulatory authority of States to protect public
7 health and safety through the current system of State licensure.
8 This Compact is designed to achieve the following objectives:

9 A. Increase public access to Professional Counseling
10 services by providing for the mutual recognition of other Member
11 State licenses;

12 B. Enhance the States' ability to protect the public's
13 health and safety;

14 C. Encourage the cooperation of Member States in regulating
15 multistate practice for Licensed Professional Counselors;

16 D. Support spouses of relocating Active Duty Military
17 personnel;

18 E. Enhance the exchange of licensure, investigative, and
19 disciplinary information among Member States;

20 F. Allow for the use of Telehealth technology to facilitate
21 increased access to Professional Counseling services;

22 G. Support the uniformity of Professional Counseling
23 licensure requirements throughout the States to promote public
24 safety and public health benefits;

25 H. Invest all Member States with the authority to hold a
26 Licensed Professional Counselor accountable for meeting all
27 State practice laws in the State in which the client is located
28 at the time care is rendered through the mutual recognition of
29 Member State licenses;

30 I. Eliminate the necessity for licenses in multiple States;

1 and

2 J. Provide opportunities for interstate practice by Licensed
3 Professional Counselors who meet uniform licensure requirements.

4 SECTION 2. DEFINITIONS

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

7 A. "Active Duty Military" means full-time duty status in the
8 active uniformed service of the United States, including members
9 of the National Guard and Reserve on active duty orders pursuant
10 to 10 U.S.C. Chapters 1209 and 1211.

11 B. "Adverse Action" means any administrative, civil,
12 equitable or criminal action permitted by a State's laws which
13 is imposed by a licensing board or other authority against a
14 Licensed Professional Counselor, including actions against an
15 individual's license or Privilege to Practice such as
16 revocation, suspension, probation, monitoring of the licensee,
17 limitation on the licensee's practice, or any other Encumbrance
18 on licensure affecting a Licensed Professional Counselor's
19 authorization to practice, including issuance of a cease and
20 desist action.

21 C. "Alternative Program" means a non-disciplinary monitoring
22 or practice remediation process approved by a Professional
23 Counseling Licensing Board to address Impaired Practitioners.

24 D. "Continuing Competence/Education" means a requirement, as
25 a condition of license renewal, to provide evidence of
26 participation in, and/or completion of, educational and
27 professional activities relevant to practice or area of work.

28 E. "Counseling Compact Commission" or "Commission" means the
29 national administrative body whose membership consists of all
30 States that have enacted the Compact.

1 F. "Current Significant Investigative Information" means:

2 1. Investigative Information that a Licensing Board,
3 after a preliminary inquiry that includes notification and an
4 opportunity for the Licensed Professional Counselor to
5 respond, if required by State law, has reason to believe is
6 not groundless and, if proved true, would indicate more than
7 a minor infraction; or

8 2. Investigative Information that indicates that the
9 Licensed Professional Counselor represents an immediate
10 threat to public health and safety regardless of whether the
11 Licensed Professional Counselor has been notified and had an
12 opportunity to respond.

13 G. "Data System" means a repository of information about
14 Licensees, including, but not limited to, continuing education,
15 examination, licensure, investigative, Privilege to Practice and
16 Adverse Action information.

17 H. "Encumbered License" means a license in which an Adverse
18 Action restricts the practice of licensed Professional
19 Counseling by the Licensee and said Adverse Action has been
20 reported to the National Practitioners Data Bank (NPDB).

21 I. "Encumbrance" means a revocation or suspension of, or any
22 limitation on, the full and unrestricted practice of Licensed
23 Professional Counseling by a Licensing Board.

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

27 K. "Home State" means the Member State that is the
28 Licensee's primary State of residence.

29 L. "Impaired Practitioner" means an individual who has a
30 condition(s) that may impair their ability to practice as a

1 Licensed Professional Counselor without some type of
2 intervention and may include, but are not limited to, alcohol
3 and drug dependence, mental health impairment, and neurological
4 or physical impairments.

5 M. "Investigative Information" means information, records,
6 and documents received or generated by a Professional Counseling
7 Licensing Board pursuant to an investigation.

8 N. "Jurisprudence Requirement" if required by a Member
9 State, means the assessment of an individual's knowledge of the
10 laws and Rules governing the practice of Professional Counseling
11 in a State.

12 O. "Licensed Professional Counselor" means a counselor
13 licensed by a Member State, regardless of the title used by that
14 State, to independently assess, diagnose, and treat behavioral
15 health conditions.

16 P. "Licensee" means an individual who currently holds an
17 authorization from the State to practice as a Licensed
18 Professional Counselor.

19 Q. "Licensing Board" means the agency of a State, or
20 equivalent, that is responsible for the licensing and regulation
21 of Licensed Professional Counselors.

22 R. "Member State" means a State that has enacted the
23 Compact.

24 S. "Privilege to Practice" means a legal authorization,
25 which is equivalent to a license, permitting the practice of
26 Professional Counseling in a Remote State.

27 T. "Professional Counseling" means the assessment,
28 diagnosis, and treatment of behavioral health conditions by a
29 Licensed Professional Counselor.

30 U. "Remote State" means a Member State other than the Home

1 State, where a Licensee is exercising or seeking to exercise the
2 Privilege to Practice.

3 V. "Rule" means a regulation promulgated by the Commission
4 that has the force of law.

5 W. "Single State License" means a Licensed Professional
6 Counselor license issued by a Member State that authorizes
7 practice only within the issuing State and does not include a
8 Privilege to Practice in any other Member State.

9 X. "State" means any state, commonwealth, district, or
10 territory of the United States of America that regulates the
11 practice of Professional Counseling.

12 Y. "Telehealth" means the application of telecommunication
13 technology to deliver Professional Counseling services remotely
14 to assess, diagnose, and treat behavioral health conditions.

15 Z. "Unencumbered License" means a license that authorizes a
16 Licensed Professional Counselor to engage in the full and
17 unrestricted practice of Professional Counseling.

18 SECTION 3. STATE PARTICIPATION IN THE COMPACT

19 A. To Participate in the Compact, a State must currently:

20 1. License and regulate Licensed Professional
21 Counselors;

22 2. Require Licensees to pass a nationally recognized
23 exam approved by the Commission;

24 3. Require Licensees to have a 60 semester-hour (or 90
25 quarter-hour) master's degree in counseling or 60 semester-
26 hours (or 90 quarter-hours) of graduate course work including
27 the following topic areas:

28 a. Professional Counseling Orientation and Ethical
29 Practice;

30 b. Social and Cultural Diversity;

- c. Human Growth and Development;
- d. Career Development;
- e. Counseling and Helping Relationships;
- f. Group Counseling and Group Work;
- g. Diagnosis and Treatment; Assessment and Testing;
- h. Research and Program Evaluation; and
- i. Other areas as determined by the Commission.

4. Require Licensees to complete a supervised postgraduate professional experience as defined by the Commission;

5. Have a mechanism in place for receiving and investigating complaints about Licensees.

B. A Member State shall:

1. Participate fully in the Commission's Data System, including using the Commission's unique identifier as defined in Rules;

2. Notify the Commission, in compliance with the terms of the Compact and Rules, of any Adverse Action or the availability of Investigative Information regarding a Licensee;

3. Implement or utilize procedures for considering the criminal history records of applicants for an initial Privilege to Practice. These procedures shall include the submission of fingerprints or other biometric-based information by applicants for the purpose of obtaining an applicant's criminal history record information from the Federal Bureau of Investigation and the agency responsible for retaining that State's criminal records;

a. A member state must fully implement a criminal background check requirement, within a time frame

1 established by rule, by receiving the results of the
2 Federal Bureau of Investigation record search and shall
3 use the results in making licensure decisions.

4 b. Communication between a Member State, the
5 Commission and among Member States regarding the
6 verification of eligibility for licensure through the
7 Compact shall not include any information received from
8 the Federal Bureau of Investigation relating to a federal
9 criminal records check performed by a Member State under
10 Public Law 92-544.

11 4. Comply with the Rules of the Commission;

12 5. Require an applicant to obtain or retain a license in
13 the Home State and meet the Home State's qualifications for
14 licensure or renewal of licensure, as well as all other
15 applicable State laws;

16 6. Grant the Privilege to Practice to a Licensee holding
17 a valid Unencumbered License in another Member State in
18 accordance with the terms of the Compact and Rules; and

19 7. Provide for the attendance of the State's
20 commissioner to the Counseling Compact Commission meetings.

21 C. Member States may charge a fee for granting the Privilege
22 to Practice.

23 D. Individuals not residing in a Member State shall continue
24 to be able to apply for a Member State's Single State License as
25 provided under the laws of each Member State. However, the
26 Single State License granted to these individuals shall not be
27 recognized as granting a Privilege to Practice Professional
28 Counseling in any other Member State.

29 E. Nothing in this Compact shall affect the requirements
30 established by a Member State for the issuance of a Single State

1 License.

2 F. A license issued to a Licensed Professional Counselor by
3 a Home State to a resident in that State shall be recognized by
4 each Member State as authorizing a Licensed Professional
5 Counselor to practice Professional Counseling, under a Privilege
6 to Practice, in each Member State.

7 SECTION 4. PRIVILEGE TO PRACTICE

8 A. To exercise the Privilege to Practice under the terms and
9 provisions of the Compact, the Licensee shall:

- 10 1. Hold a license in the Home State;
- 11 2. Have a valid United States Social Security Number or
12 National Practitioner Identifier;
- 13 3. Be eligible for a Privilege to Practice in any Member
14 State in accordance with Section 4(D), (G) and (H);
- 15 4. Have not had any Encumbrance or restriction against
16 any license or Privilege to Practice within the previous two
17 (2) years;
- 18 5. Notify the Commission that the Licensee is seeking
19 the Privilege to Practice within a Remote State(s);
- 20 6. Pay any applicable fees, including any State fee, for
21 the Privilege to Practice;
- 22 7. Meet any Continuing Competence/Education requirements
23 established by the Home State;
- 24 8. Meet any Jurisprudence Requirements established by
25 the Remote State(s) in which the Licensee is seeking a
26 Privilege to Practice; and
- 27 9. Report to the Commission any Adverse Action,
28 Encumbrance, or restriction on license taken by any non-
29 Member State within 30 days from the date the action is
30 taken.

1 B. The Privilege to Practice is valid until the expiration
2 date of the Home State license. The Licensee must comply with
3 the requirements of Section 4(A) to maintain the Privilege to
4 Practice in the Remote State.

5 C. A Licensee providing Professional Counseling in a Remote
6 State under the Privilege to Practice shall adhere to the laws
7 and regulations of the Remote State.

8 D. A Licensee providing Professional Counseling services in
9 a Remote State is subject to that State's regulatory authority.
10 A Remote State may, in accordance with due process and that
11 State's laws, remove a Licensee's Privilege to Practice in the
12 Remote State for a specific period of time, impose fines, and/or
13 take any other necessary actions to protect the health and
14 safety of its citizens. The Licensee may be ineligible for a
15 Privilege to Practice in any Member State until the specific
16 time for removal has passed and all fines are paid.

17 E. If a Home State license is encumbered, the Licensee shall
18 lose the Privilege to Practice in any Remote State until the
19 following occur:

20 1. The Home State license is no longer encumbered; and

21 2. Have not had any Encumbrance or restriction against
22 any license or Privilege to Practice within the previous two
23 (2) years.

24 F. Once an Encumbered License in the Home State is restored
25 to good standing, the Licensee must meet the requirements of
26 Section 4(A) to obtain a Privilege to Practice in any Remote
27 State.

28 G. If a Licensee's Privilege to Practice in any Remote State
29 is removed, the individual may lose the Privilege to Practice in
30 all other Remote States until the following occur:

1 1. The specific period of time for which the Privilege
2 to Practice was removed has ended;

3 2. All fines have been paid; and

4 3. Have not had any Encumbrance or restriction against
5 any license or Privilege to Practice within the previous two
6 (2) years.

7 H. Once the requirements of Section 4(G) have been met, the
8 Licensee must meet the requirements in Section 4(A) to obtain a
9 Privilege to Practice in a Remote State.

10 SECTION 5. OBTAINING A NEW HOME STATE LICENSE BASED ON A
11 PRIVILEGE TO PRACTICE

12 A. A Licensed Professional Counselor may hold a Home State
13 license, which allows for a Privilege to Practice in other
14 Member States, in only one Member State at a time.

15 B. If a Licensed Professional Counselor changes primary
16 State of residence by moving between two Member States:

17 1. The Licensed Professional Counselor shall file an
18 application for obtaining a new Home State license based on a
19 Privilege to Practice, pay all applicable fees, and notify
20 the current and new Home State in accordance with applicable
21 Rules adopted by the Commission.

22 2. Upon receipt of an application for obtaining a new
23 Home State license by virtue of a Privilege to Practice, the
24 new Home State shall verify that the Licensed Professional
25 Counselor meets the pertinent criteria outlined in Section 4
26 via the Data System, without need for primary source
27 verification except for:

28 a. a Federal Bureau of Investigation fingerprint
29 based criminal background check if not previously
30 performed or updated pursuant to applicable rules adopted

1 by the Commission in accordance with Public Law 92-544;

2 b. other criminal background check as required by
3 the new Home State; and

4 c. completion of any requisite Jurisprudence
5 Requirements of the new Home State.

6 3. The former Home State shall convert the former Home
7 State license into a Privilege to Practice once the new Home
8 State has activated the new Home State license in accordance
9 with applicable Rules adopted by the Commission.

10 4. Notwithstanding any other provision of this Compact,
11 if the Licensed Professional Counselor cannot meet the
12 criteria in Section 4, the new Home State may apply its
13 requirements for issuing a new Single State License.

14 5. The Licensed Professional Counselor shall pay all
15 applicable fees to the new Home State in order to be issued a
16 new Home State license.

17 C. If a Licensed Professional Counselor changes Primary
18 State of Residence by moving from a Member State to a non-Member
19 State, or from a non-Member State to a Member State, the State
20 criteria shall apply for issuance of a Single State License in
21 the new State.

22 D. Nothing in this Compact shall interfere with a Licensee's
23 ability to hold a Single State License in multiple States,
24 however for the purposes of this Compact, a Licensee shall have
25 only one Home State license.

26 E. Nothing in this Compact shall affect the requirements
27 established by a Member State for the issuance of a Single State
28 License.

29 SECTION 6. ACTIVE DUTY MILITARY PERSONNEL OR THEIR SPOUSES

30 Active Duty Military personnel, or their spouse, shall

1 designate a Home State where the individual has a current
2 license in good standing. The individual may retain the Home
3 State designation during the period the service member is on
4 active duty. Subsequent to designating a Home State, the
5 individual shall only change their Home State through
6 application for licensure in the new State, or through the
7 process outlined in Section 5.

8 SECTION 7. COMPACT PRIVILEGE TO PRACTICE TELEHEALTH

9 A. Member States shall recognize the right of a Licensed
10 Professional Counselor, licensed by a Home State in accordance
11 with Section 3 and under Rules promulgated by the Commission, to
12 practice Professional Counseling in any Member State via
13 Telehealth under a Privilege to Practice as provided in the
14 Compact and Rules promulgated by the Commission.

15 B. A Licensee providing Professional Counseling services in
16 a Remote State under the Privilege to Practice shall adhere to
17 the laws and regulations of the Remote State.

18 SECTION 8. ADVERSE ACTIONS

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

22 1. Take Adverse Action against a Licensed Professional
23 Counselor's Privilege to Practice within that Member State,
24 and

25 2. Issue subpoenas for both hearings and investigations
26 that require the attendance and testimony of witnesses as
27 well as the production of evidence. Subpoenas issued by a
28 Licensing Board in a Member State for the attendance and
29 testimony of witnesses or the production of evidence from
30 another Member State shall be enforced in the latter State by

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

7 3. Only the Home State shall have the power to take
8 Adverse Action against a Licensed Professional Counselor's
9 license issued by the Home State.

10 B. For purposes of taking Adverse Action, the Home State
11 shall give the same priority and effect to reported conduct
12 received from a Member State as it would if the conduct had
13 occurred within the Home State. In so doing, the Home State
14 shall apply its own State laws to determine appropriate action.

15 C. The Home State shall complete any pending investigations
16 of a Licensed Professional Counselor who changes primary State
17 of residence during the course of the investigations. The Home
18 State shall also have the authority to take appropriate
19 action(s) and shall promptly report the conclusions of the
20 investigations to the administrator of the Data System. The
21 administrator of the coordinated licensure information system
22 shall promptly notify the new Home State of any Adverse Actions.

23 D. A Member State, if otherwise permitted by State law, may
24 recover from the affected Licensed Professional Counselor the
25 costs of investigations and dispositions of cases resulting from
26 any Adverse Action taken against that Licensed Professional
27 Counselor.

28 E. A Member State may take Adverse Action based on the
29 factual findings of the Remote State, provided that the Member
30 State follows its own procedures for taking the Adverse Action.

1 F. Joint Investigations:

2 1. In addition to the authority granted to a Member
3 State by its respective Professional Counseling practice act
4 or other applicable State law, any Member State may
5 participate with other Member States in joint investigations
6 of Licensees.

7 2. Member States shall share any investigative,
8 litigation, or compliance materials in furtherance of any
9 joint or individual investigation initiated under the
10 Compact.

11 G. If Adverse Action is taken by the Home State against the
12 license of a Licensed Professional Counselor, the Licensed
13 Professional Counselor's Privilege to Practice in all other
14 Member States shall be deactivated until all Encumbrances have
15 been removed from the State license. All Home State disciplinary
16 orders that impose Adverse Action against the license of a
17 Licensed Professional Counselor shall include a Statement that
18 the Licensed Professional Counselor's Privilege to Practice is
19 deactivated in all Member States during the pendency of the
20 order.

21 H. If a Member State takes Adverse Action, it shall promptly
22 notify the administrator of the Data System. The administrator
23 of the Data System shall promptly notify the Home State of any
24 Adverse Actions by Remote States.

25 I. Nothing in this Compact shall override a Member State's
26 decision that participation in an Alternative Program may be
27 used in lieu of Adverse Action.

28 SECTION 9. ESTABLISHMENT OF COUNSELING COMPACT COMMISSION

29 A. The Compact Member States hereby create and establish a
30 joint public agency known as the Counseling Compact Commission:

1 1. The Commission is an instrumentality of the Compact
2 States.

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

10 3. Nothing in this Compact shall be construed to be a
11 waiver of sovereign immunity.

12 B. Membership, Voting, and Meetings

13 1. Each Member State shall have and be limited to one
14 (1) delegate selected by that Member State's Licensing Board.

15 2. The delegate shall be either:

16 a. A current member of the Licensing Board at the
17 time of appointment, who is a Licensed Professional
18 Counselor or public member; or

19 b. An administrator of the Licensing Board.

20 3. Any delegate may be removed or suspended from office
21 as provided by the law of the State from which the delegate
22 is appointed.

23 4. The Member State Licensing Board shall fill any
24 vacancy occurring on the Commission within 60 days.

25 5. Each delegate shall be entitled to one (1) vote with
26 regard to the promulgation of Rules and creation of bylaws
27 and shall otherwise have an opportunity to participate in the
28 business and affairs of the Commission.

29 6. A delegate shall vote in person or by such other
30 means as provided in the bylaws. The bylaws may provide for

1 delegates' participation in meetings by telephone or other
2 means of communication.

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

6 8. The Commission shall by Rule establish a term of
7 office for delegates and may by Rule establish term limits.

8 C. The Commission shall have the following powers and
9 duties:

10 1. Establish the fiscal year of the Commission;

11 2. Establish bylaws;

12 3. Maintain its financial records in accordance with the
13 bylaws;

14 4. Meet and take such actions as are consistent with the
15 provisions of this Compact and the bylaws;

16 5. Promulgate Rules which shall be binding to the extent
17 and in the manner provided for in the Compact;

18 6. Bring and prosecute legal proceedings or actions in
19 the name of the Commission, provided that the standing of any
20 State Licensing Board to sue or be sued under applicable law
21 shall not be affected;

22 7. Purchase and maintain insurance and bonds;

23 8. Borrow, accept, or contract for services of
24 personnel, including, but not limited to, employees of a
25 Member State;

26 9. Hire employees, elect or appoint officers, fix
27 compensation, define duties, grant such individuals
28 appropriate authority to carry out the purposes of the
29 Compact, and establish the Commission's personnel policies
30 and programs relating to conflicts of interest,

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

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

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

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

15 13. Establish a budget and make expenditures;

16 14. Borrow money;

17 15. Appoint committees, including standing committees
18 composed of members, State regulators, State legislators or
19 their representatives, and consumer representatives, and such
20 other interested persons as may be designated in this Compact
21 and the bylaws;

22 16. Provide and receive information from, and cooperate
23 with, law enforcement agencies;

24 17. Establish and elect an Executive Committee; and

25 18. Perform such other functions as may be necessary or
26 appropriate to achieve the purposes of this Compact
27 consistent with the State regulation of Professional
28 Counseling licensure and practice.

29 D. The Executive Committee

30 1. The Executive Committee shall have the power to act

1 on behalf of the Commission according to the terms of this
2 Compact.

3 2. The Executive Committee shall be composed of up to
4 eleven (11) members:

5 a. Seven voting members who are elected by the
6 Commission from the current membership of the Commission;
7 and

8 b. Up to four (4) ex-officio, nonvoting members from
9 four (4) recognized national professional counselor
10 organizations.

11 c. The ex-officio members will be selected by their
12 respective organizations.

13 3. The Commission may remove any member of the Executive
14 Committee as provided in bylaws.

15 4. The Executive Committee shall meet at least annually.

16 5. The Executive Committee shall have the following
17 duties and responsibilities:

18 a. Recommend to the entire Commission changes to the
19 Rules or bylaws, changes to this Compact legislation,
20 fees paid by Compact Member States such as annual dues,
21 and any Commission Compact fee charged to Licensees for
22 the Privilege to Practice;

23 b. Ensure Compact administration services are
24 appropriately provided, contractual or otherwise;

25 c. Prepare and recommend the budget;

26 d. Maintain financial records on behalf of the
27 Commission;

28 e. Monitor Compact compliance of Member States and
29 provide compliance reports to the Commission;

30 f. Establish additional committees as necessary; and

1 g. Other duties as provided in Rules or bylaws.

2 E. Meetings of the Commission

3 1. All meetings shall be open to the public, and public
4 notice of meetings shall be given in the same manner as
5 required under the Rulemaking provisions in Section 11.

6 2. The Commission or the Executive Committee or other
7 committees of the Commission may convene in a closed, non-
8 public meeting if the Commission or Executive Committee or
9 other committees of the Commission must discuss:

10 a. Non-compliance of a Member State with its
11 obligations under the Compact;

12 b. The employment, compensation, discipline or other
13 matters, practices or procedures related to specific
14 employees or other matters related to the Commission's
15 internal personnel practices and procedures;

16 c. Current, threatened, or reasonably anticipated
17 litigation;

18 d. Negotiation of contracts for the purchase, lease,
19 or sale of goods, services, or real estate;

20 e. Accusing any person of a crime or formally
21 censuring any person;

22 f. Disclosure of trade secrets or commercial or
23 financial information that is privileged or confidential;

24 g. Disclosure of information of a personal nature
25 where disclosure would constitute a clearly unwarranted
26 invasion of personal privacy;

27 h. Disclosure of investigative records compiled for
28 law enforcement purposes;

29 i. Disclosure of information related to any
30 investigative reports prepared by or on behalf of or for

1 use of the Commission or other committee charged with
2 responsibility of investigation or determination of
3 compliance issues pursuant to the Compact; or

4 j. Matters specifically exempted from disclosure by
5 federal or Member State statute.

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

10 4. The Commission shall keep minutes that fully and
11 clearly describe all matters discussed in a meeting and shall
12 provide a full and accurate summary of actions taken, and the
13 reasons therefore, including a description of the views
14 expressed. All documents considered in connection with an
15 action shall be identified in such minutes. All minutes and
16 documents of a closed meeting shall remain under seal,
17 subject to release by a majority vote of the Commission or
18 order of a court of competent jurisdiction.

19 F. Financing of the Commission

20 1. The Commission shall pay, or provide for the payment
21 of, the reasonable expenses of its establishment,
22 organization, and ongoing activities.

23 2. The Commission may accept any and all appropriate
24 revenue sources, donations, and grants of money, equipment,
25 supplies, materials, and services.

26 3. The Commission may levy on and collect an annual
27 assessment from each Member State or impose fees on other
28 parties to cover the cost of the operations and activities of
29 the Commission and its staff, which must be in a total amount
30 sufficient to cover its annual budget as approved each year

1 for which revenue is not provided by other sources. The
2 aggregate annual assessment amount shall be allocated based
3 upon a formula to be determined by the Commission, which
4 shall promulgate a Rule binding upon all Member States.

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

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

18 G. Qualified Immunity, Defense, and Indemnification

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

1 or willful or wanton misconduct of that person.

2 2. The Commission shall defend any member, officer,
3 executive director, employee or representative of the
4 Commission in any civil action seeking to impose liability
5 arising out of any actual or alleged act, error, or omission
6 that occurred within the scope of Commission employment,
7 duties, or responsibilities, or that the person against whom
8 the claim is made had a reasonable basis for believing
9 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
12 own counsel; and provided further, that the actual or alleged
13 act, error, or omission did not result from that person's
14 intentional or willful or wanton misconduct.

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

27 SECTION 10. DATA SYSTEM

28 A. The Commission shall provide for the development,
29 maintenance, operation, and utilization of a coordinated
30 database and reporting system containing licensure, Adverse

1 Action, and Investigative Information on all licensed
2 individuals in Member States.

3 B. Notwithstanding any other provision of State law to the
4 contrary, a Member State shall submit a uniform data set to the
5 Data System on all individuals to whom this Compact is
6 applicable as required by the Rules of the Commission,
7 including:

8 1. Identifying information;

9 2. Licensure data;

10 3. Adverse Actions against a license or Privilege to
11 Practice;

12 4. Non-confidential information related to Alternative
13 Program participation;

14 5. Any denial of application for licensure, and the
15 reason(s) for such denial;

16 6. Current Significant Investigative Information; and

17 7. Other information that may facilitate the
18 administration of this Compact, as determined by the Rules of
19 the Commission.

20 C. Investigative Information pertaining to a Licensee in any
21 Member State will only be available to other Member States.

22 D. The Commission shall promptly notify all Member States of
23 any Adverse Action taken against a Licensee or an individual
24 applying for a license. Adverse Action information pertaining to
25 a Licensee in any Member State will be available to any other
26 Member State.

27 E. Member States contributing information to the Data System
28 may designate information that may not be shared with the public
29 without the express permission of the contributing State.

30 F. Any information submitted to the Data System that is

1 subsequently required to be expunged by the laws of the Member
2 State contributing the information shall be removed from the
3 Data System.

4 SECTION 11. RULEMAKING

5 A. The Commission shall promulgate reasonable Rules in order
6 to effectively and efficiently achieve the purpose of the
7 Compact. Notwithstanding the foregoing, in the event the
8 Commission exercises its Rulemaking authority in a manner that
9 is beyond the scope of the purposes of the Compact, or the
10 powers granted hereunder, then such an action by the Commission
11 shall be invalid and have no force or effect.

12 B. The Commission shall exercise its Rulemaking powers
13 pursuant to the criteria set forth in this Section and the Rules
14 adopted thereunder. Rules and amendments shall become binding as
15 of the date specified in each Rule or amendment.

16 C. If a majority of the legislatures of the Member States
17 rejects a Rule, by enactment of a statute or resolution in the
18 same manner used to adopt the Compact within four (4) years of
19 the date of adoption of the Rule, then such Rule shall have no
20 further force and effect in any Member State.

21 D. Rules or amendments to the Rules shall be adopted at a
22 regular or special meeting of the Commission.

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

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

30 2. On the website of each Member State Professional

1 Counseling Licensing Board or other publicly accessible
2 platform or the publication in which each State would
3 otherwise publish proposed Rules.

4 F. The Notice of Proposed Rulemaking shall include:

5 1. The proposed time, date, and location of the meeting
6 in which the Rule will be considered and voted upon;

7 2. The text of the proposed Rule or amendment and the
8 reason for the proposed Rule;

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

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

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

17 H. The Commission shall grant an opportunity for a public
18 hearing before it adopts a Rule or amendment if a hearing is
19 requested by:

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

21 2. A State or federal governmental subdivision or
22 agency; or

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

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

30 1. All persons wishing to be heard at the hearing shall

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

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

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

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

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

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

22 L. The Commission shall, by majority vote of all members,
23 take final action on the proposed Rule and shall determine the
24 effective date of the Rule, if any, based on the Rulemaking
25 record and the full text of the Rule.

26 M. Upon determination that an emergency exists, the
27 Commission may consider and adopt an emergency Rule without
28 prior notice, opportunity for comment, or hearing, provided that
29 the usual Rulemaking procedures provided in the Compact and in
30 this section shall be retroactively applied to the Rule as soon

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

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

7 2. Prevent a loss of Commission or Member State funds;

8 3. Meet a deadline for the promulgation of an
9 administrative Rule that is established by federal law or
10 Rule; or

11 4. Protect public health and safety.

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

26 SECTION 12. OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT

27 A. Oversight

28 1. The executive, legislative, and judicial branches of
29 State government in each Member State shall enforce this
30 Compact and take all actions necessary and appropriate to

1 effectuate the Compact's purposes and intent. The provisions
2 of this Compact and the Rules promulgated hereunder shall
3 have standing as statutory law.

4 2. All courts shall take judicial notice of the Compact
5 and the Rules in any judicial or administrative proceeding in
6 a Member State pertaining to the subject matter of this
7 Compact which may affect the powers, responsibilities, or
8 actions of the Commission.

9 3. The Commission shall be entitled to receive service
10 of process in any such proceeding and shall have standing to
11 intervene in such a proceeding for all purposes. Failure to
12 provide service of process to the Commission shall render a
13 judgment or order void as to the Commission, this Compact, or
14 promulgated Rules.

15 B. Default, Technical Assistance, and Termination

16 1. If the Commission determines that a Member State has
17 defaulted in the performance of its obligations or
18 responsibilities under this Compact or the promulgated Rules,
19 the Commission shall:

20 a. Provide written notice to the defaulting State
21 and other Member States of the nature of the default, the
22 proposed means of curing the default and/or any other
23 action to be taken by the Commission; and

24 b. Provide remedial training and specific technical
25 assistance regarding the default.

26 C. If a State in default fails to cure the default, the
27 defaulting State may be terminated from the Compact upon an
28 affirmative vote of a majority of the Member States, and all
29 rights, privileges and benefits conferred by this Compact may be
30 terminated on the effective date of termination. A cure of the

1 default does not relieve the offending State of obligations or
2 liabilities incurred during the period of default.

3 D. Termination of membership in the Compact shall be imposed
4 only after all other means of securing compliance have been
5 exhausted. Notice of intent to suspend or terminate shall be
6 given by the Commission to the governor, the majority and
7 minority leaders of the defaulting State's legislature, and each
8 of the Member States.

9 E. A State that has been terminated is responsible for all
10 assessments, obligations, and liabilities incurred through the
11 effective date of termination, including obligations that extend
12 beyond the effective date of termination.

13 F. The Commission shall not bear any costs related to a
14 State that is found to be in default or that has been terminated
15 from the Compact, unless agreed upon in writing between the
16 Commission and the defaulting State.

17 G. The defaulting State may appeal the action of the
18 Commission by petitioning the U.S. District Court for the
19 District of Columbia or the federal district where the
20 Commission has its principal offices. The prevailing member
21 shall be awarded all costs of such litigation, including
22 reasonable attorney's fees.

23 H. Dispute Resolution

24 1. Upon request by a Member State, the Commission shall
25 attempt to resolve disputes related to the Compact that arise
26 among Member States and between member and non-Member States.

27 2. The Commission shall promulgate a Rule providing for
28 both mediation and binding dispute resolution for disputes as
29 appropriate.

30 I. Enforcement

1 1. The Commission, in the reasonable exercise of its
2 discretion, shall enforce the provisions and Rules of this
3 Compact.

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

14 3. The remedies herein shall not be the exclusive
15 remedies of the Commission. The Commission may pursue any
16 other remedies available under federal or State law.

17 SECTION 13. DATE OF IMPLEMENTATION OF THE COUNSELING COMPACT
18 COMMISSION AND ASSOCIATED RULES, WITHDRAWAL, AND AMENDMENT

19 A. The Compact shall come into effect on the date on which
20 the Compact statute is enacted into law in the tenth Member
21 State. The provisions, which become effective at that time,
22 shall be limited to the powers granted to the Commission
23 relating to assembly and the promulgation of Rules. Thereafter,
24 the Commission shall meet and exercise Rulemaking powers
25 necessary to the implementation and administration of the
26 Compact.

27 B. Any State that joins the Compact subsequent to the
28 Commission's initial adoption of the Rules shall be subject to
29 the Rules as they exist on the date on which the Compact becomes
30 law in that State. Any Rule that has been previously adopted by

1 the Commission shall have the full force and effect of law on
2 the day the Compact becomes law in that State.

3 C. Any Member State may withdraw from this Compact by
4 enacting a statute repealing the same.

5 1. A Member State's withdrawal shall not take effect
6 until six (6) months after enactment of the repealing
7 statute.

8 2. Withdrawal shall not affect the continuing
9 requirement of the withdrawing State's Professional
10 Counseling Licensing Board to comply with the investigative
11 and Adverse Action reporting requirements of this act prior
12 to the effective date of withdrawal.

13 D. Nothing contained in this Compact shall be construed to
14 invalidate or prevent any Professional Counseling licensure
15 agreement or other cooperative arrangement between a Member
16 State and a non-Member State that does not conflict with the
17 provisions of this Compact.

18 E. This Compact may be amended by the Member States. No
19 amendment to this Compact shall become effective and binding
20 upon any Member State until it is enacted into the laws of all
21 Member States.

22 SECTION 14. CONSTRUCTION AND SEVERABILITY

23 This Compact shall be liberally construed so as to effectuate
24 the purposes thereof. The provisions of this Compact shall be
25 severable and if any phrase, clause, sentence or provision of
26 this Compact is declared to be contrary to the constitution of
27 any Member State or of the United States or the applicability
28 thereof to any government, agency, person or circumstance is
29 held invalid, the validity of the remainder of this Compact and
30 the applicability thereof to any government, agency, person or

1 circumstance shall not be affected thereby. If this Compact
2 shall be held contrary to the constitution of any Member State,
3 the Compact shall remain in full force and effect as to the
4 remaining Member States and in full force and effect as to the
5 Member State affected as to all severable matters.

6 SECTION 15. BINDING EFFECT OF COMPACT AND OTHER LAWS

7 A. A Licensee providing Professional Counseling services in
8 a Remote State under the Privilege to Practice shall adhere to
9 the laws and regulations, including scope of practice, of the
10 Remote State.

11 B. Nothing herein prevents the enforcement of any other law
12 of a Member State that is not inconsistent with the Compact.

13 C. Any laws in a Member State in conflict with the Compact
14 are superseded to the extent of the conflict.

15 D. Any lawful actions of the Commission, including all Rules
16 and bylaws properly promulgated by the Commission, are binding
17 upon the Member States.

18 E. All permissible agreements between the Commission and the
19 Member States are binding in accordance with their terms.

20 F. In the event any provision of the Compact exceeds the
21 constitutional limits imposed on the legislature of any Member
22 State, the provision shall be ineffective to the extent of the
23 conflict with the constitutional provision in question in that
24 Member State.

25 Section 3. Effective date.

26 This act shall take effect in 60 days.

LEGISLATIVE REFERENCE BUREAU

AMENDMENTS TO HOUSE BILL NO. 668

Sponsor: *Burns*

Printer's No. 675

- 1 Amend Bill, page 33, line 26, by striking out "60 days" and
- 2 inserting
- 3 18 months

HOUSE OF REPRESENTATIVES DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	HB0668 PN0675	Prepared By:	Joe Brett
Committee:	Professional Licensure		(717) 772-4031, 6931
Sponsor:	O'Mara, Jennifer	Executive Director:	Kari Orchard
Date:	4/28/2025		

A. Brief Concept

Authorizes Pennsylvania to join the National Counseling Compact.

C. Analysis of the Bill

HB 668 creates a free-standing act allowing Pennsylvania to join the interstate licensing compact for counselors and laying out the framework of the compact. The compact would have to be substantially similar in form to the model compact legislation. In order to participate in the compact, states must adopt this language. Key points of the model compact language are as follows:

Key Definitions

"Home State" means the Member State that is the Licensee's primary State of residence.

"Member State" means a State that has enacted the Compact.

"Privilege to Practice" means a legal authorization, which is equivalent to a license, permitting the practice of Professional Counseling in a Remote State.

"Remote State" means a Member State other than the Home State, where a Licensee is exercising or seeking to exercise the Privilege to Practice.

"Single State License" means a Licensed Professional Counselor license issued by a Member State that authorizes practice only within the issuing State and does not include a Privilege to Practice in any other Member State.

State Participation in the Compact

To participate in the compact, a state must currently:

1. License and regulate Licensed Professional Counselors;
2. Require Licensees to pass a nationally recognized exam approved by the Commission;
3. Require Licensees to have a 60 semester-hour (or 90 quarter-hour) master's degree in counseling or 60 semester hours (or 90 quarter-hours) of graduate course work including the relevant topic areas;
4. Require Licensees to complete a supervised postgraduate professional experience as defined by the Commission; and,
5. Have a mechanism in place for receiving and investigating complaints about Licensees.

Requirements for Member States

A member state shall:

1. Implement or utilize procedures for considering the criminal history records of applicants for an initial Privilege to Practice. This includes fully implementing a criminal background check requirement;
2. Comply with the Rules of the Commission;
3. Require an applicant to obtain a license in their home state; and

4. Grant the privilege to practice to a licensee holding a valid license in another member state;

Member states may charge a fee for granting privilege to practice.

Individuals not residing in a member state will be able to apply for a single state license but will not be recognized as having privilege to practice in any other member state. Nothing in the compact will affect the requirements established by a member state for the issuance of a single state license.

Privilege to Practice

To gain the Privilege to Practice in a Remote State, a counselor must:

1. Hold an active license in their Home State.
2. Have a valid U.S. Social Security Number or National Practitioner Identifier.
3. Be eligible according to the Compact's rules.
4. Have no license restrictions or disciplinary actions in the past 2 years.
5. Notify the Compact Commission of their intent to practice in another state.
6. Pay all required fees.
7. Meet continuing education requirements set by the Home State.
8. Complete any legal or ethical training ("jurisprudence requirements") required by the Remote State.
9. Report any disciplinary actions from non-member states within 30 days.

The Privilege to Practice remains valid as long as the counselor's Home State license is active. The counselor must follow the laws and rules of the Remote State when practicing there.

Remote States have the power to suspend or revoke a counselor's privilege, issue fines, or take other actions to protect public safety. If the counselor's Home State license is restricted or suspended, they automatically lose the Privilege to Practice in all Remote States until the Home State license is cleared, and two years have passed without new restrictions.

Obtaining a New Home State License Based on Privilege to Practice

A counselor can only hold one Home State license at any given time under the Compact. When a counselor moves from one Compact state to another:

1. They must apply for a new Home State license, pay the required fees, and notify both the old and new states.
2. The new Home State will verify their qualifications via the Compact's data system, except:
 - A federal fingerprint-based background check (if not done before).
 - Any criminal background checks required by the new state.
 - Completion of the new state's legal/ethics requirements.
3. Once the new license is activated, the old Home State license automatically converts to a Privilege to Practice.
4. If the counselor doesn't meet Compact requirements, the new state may instead issue them a Single State License.
5. The counselor must pay all required fees in the new state.

Adverse Actions

A Remote State can take disciplinary action against a counselor's right to practice in that state and issue subpoenas for investigations or hearings, including across state lines. However, only the Home State can take action against the counselor's actual license. The Home State must give the same priority and effect to reported conduct received from a Member State as it would if the conduct had occurred within the Home State.

States can rely on the facts determined by another state's investigation but must follow their own laws and procedures before taking action.

If a counselor's Home State license is disciplined, their Privilege to Practice in all other states is automatically deactivated until the issue is resolved.

Establishment of the Commission

Section 9 of the bill creates the Counseling Compact Commission, the administrative body responsible for managing and enforcing the Compact. The Commission includes one delegate from each Member State.

The Commission has the power to:

- Develop rules and bylaws.
- Manage a data system for tracking license status, adverse actions, and eligibility.
- Hire staff, establish committees, and manage its own finances.

Member States must uphold and enforce the Compact's rules once adopted. If states fail to comply, the Commission can give notice, offer guidance, or require corrective actions. Continued noncompliance can lead to termination from the Compact, subject to a majority vote by all Member States.

Effective Date:

This act shall take effect in 60 days.

G. Relevant Existing Laws

Pennsylvania currently licenses professional counselors under Act 39 of 1987, known as the Social Workers, Marriage and Family Therapists and Professional Counselors Act.

Under this practice act, licensees are regulated by the state Board of Social Workers, Marriage and Family Therapists and Professional Counselors, and may practice in Pennsylvania according to the scope of practice outlined for their specific license category.

Individuals wishing to practice in another state must become licensed in that state. Similarly, applicants from other states must apply for licensure by endorsement or reciprocity and obtain a Pennsylvania license in order to practice social work in the Commonwealth.

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

The bill was introduced as HB 2300 (O'Mara) in the 2023-2024 Session, and HB 2852 (O'Mara) in the 2021-2022 Session, but was not considered by the committee in either session.

This document is a summary of proposed legislation and is prepared only as general information for use by the Democratic Members and Staff of the Pennsylvania House of Representatives. The document does not represent the legislative intent of the Pennsylvania House of Representatives and may not be utilized as such.