



House Professional Licensure Committee

Meeting Agenda

June 17, 2025

9:00 a.m.

60 East Wing

Call to Order

Roll call

HOUSE BILL 80 (Venkat) – Authorizes Pennsylvania to join the Audiology & Speech-Language Pathology Interstate Compact.

- Amendment A1065 (Venkat) – Changes the effective date to 18 months.

HOUSE BILL 482 (Markosek) –Authorizes Pennsylvania to join the National Occupational Therapy Licensure Compact.

- Amendment A1067 (Burns) – Changes the effective date to 18 months.

SENATE BILL 115 (Argall) –Amends the Human Services Code to allow nursing home direct care workers to take a skills test in lieu of a high school diploma.

- Being considered for re-referral to the House Human Services Committee.

Any other business

Adjournment

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 80 Session of
2025

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

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE,
JANUARY 10, 2025

AN ACT

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

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

6 Section 1. Short title.

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

9 Section 2. Authority to execute compact.

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

15 SECTION 1. PURPOSE

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

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

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

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

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

4. Support spouses of relocating active duty military personnel;

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

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

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

SECTION 2. DEFINITIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5 SECTION 3. STATE PARTICIPATION IN THE COMPACT

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

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

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

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

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

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

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

E. For an audiologist:

1. Must meet one of the following educational
requirements:

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

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

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

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

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

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

19 4. Holds an active, unencumbered license;

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

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

26 F. For a speech-language pathologist:

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

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

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

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

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

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

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

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

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

22 5. Holds an active, unencumbered license;

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

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

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

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

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

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

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

25 SECTION 4. COMPACT PRIVILEGE

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 5. COMPACT PRIVILEGE TO PRACTICE TELEHEALTH

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

SECTION 6. ACTIVE DUTY MILITARY PERSONNEL OR THEIR SPOUSES

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

SECTION 7. ADVERSE ACTIONS

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

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

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

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

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

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

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

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

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

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

4 F. Joint Investigations

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

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

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

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

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

1 used in lieu of adverse action.

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

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

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

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

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

18 B. Membership, Voting and Meetings

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

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

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

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

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

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

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

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

16 1. Establish the fiscal year of the Commission;
17 2. Establish bylaws;
18 3. Establish a Code of Ethics;
19 4. Maintain its financial records in accordance with the
20 bylaws;

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

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

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

1 8. Purchase and maintain insurance and bonds;

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

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

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

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

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

23 14. Establish a budget and make expenditures;

24 15. Borrow money;

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

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

30 18. Establish and elect an Executive Committee; and

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

5 D. The Executive Committee

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

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

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

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

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

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

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

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

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

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

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

4. Meetings of the Commission

All meetings shall be open to the public, and public notice of meetings shall be given in the same manner as required under the rulemaking provisions in Section 10.

5. The Commission or the Executive Committee or other committees of the Commission may convene in a closed, non-public meeting if the Commission or Executive Committee or other committees of the Commission must 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 or other matters related to the Commission's internal personnel practices and procedures;
- c. Current, threatened, or reasonably anticipated litigation;
- d. Negotiation of contracts for the purchase, lease, or sale of goods, services, or real estate;
- e. Accusing any person of a crime or formally censuring any person;
- f. Disclosure of trade secrets or commercial or

1 financial information that is privileged or confidential;

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

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

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

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

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

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

27 8. Financing of the Commission

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

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

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

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

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

27 F. Qualified Immunity, Defense, and Indemnification

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

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

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

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

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

6 SECTION 9. DATA SYSTEM

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

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

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

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

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

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

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

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

12 SECTION 10. RULEMAKING

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

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

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

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

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

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

E. The Notice of Proposed Rulemaking shall include:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

27 SECTION 11. OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT

28 A. Dispute Resolution

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

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

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

5 B. Enforcement

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

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

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

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

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

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

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

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

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

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

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

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

28 SECTION 13. CONSTRUCTION AND SEVERABILITY

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

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

12 SECTION 14. BINDING EFFECT OF COMPACT AND OTHER LAWS

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

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

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

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

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

27 Section 3. Operation.

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

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

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

17 Section 4. Effective date.

18 This act shall take effect in 60 days.

LEGISLATIVE REFERENCE BUREAU

AMENDMENTS TO HOUSE BILL NO. 80

Sponsor: *Venkat*

Printer's No. 31

- 1 Amend Bill, page 32, line 18, by striking out "60 days" and
- 2 inserting
- 3 18 months

HOUSE OF REPRESENTATIVES DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	HB0080 PN0031	Prepared By:	Kari Orchard
Committee:	Professional Licensure		(717) 787-6882, ext. 6241
Sponsor:	Venkat, Arvind	Executive Director:	Kari Orchard
Date:	6/13/2025		

A. Brief Concept

Authorizes Pennsylvania to join the Audiology & Speech-Language Pathology Interstate Compact.

C. Analysis of the Bill

HB 80 creates a free-standing act allowing Pennsylvania to join the interstate licensing compact for audiologists and speech-pathologists and laying out the framework of the compact. In order to participate in the compact, states must adopt this language. Key points of the model compact language are as follows:

Key Definitions

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

"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 audiology or speech-pathology 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 compact privilege.

"Single State License" means an audiology or speech-pathology 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:

- License and regulate audiologists and speech-language pathologists
- Have a mechanism in place for receiving and investigating complaints about licensees.
- 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
- Require an applicant to obtain a license in their home state; and
- Grant the privilege to practice to a licensee holding a valid license in another member state after verifying eligibility through the data system;
- 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.

Licensee Requirements

In order to participate, an applicant under this compact must:

- Obtain or retain an active, unencumbered license in their home state
- Hold a valid U.S. Social Security or National Practitioner ID number
- Have not been convicted or found guilty, or entered into agreed disposition, for a felony related to the practice of audiology or speech-language pathology under state or federal law
- Pay any applicable fees
- Abide by the laws, regulations and standards in the member state where the client is located at the time care is rendered
- 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 and renewal requirements of the home state

An audiologist must meet the following requirements:

- Education
 - (For graduates on or before 12/31/07) Graduated with a master's degree or doctorate in audiology (or equivalent) from an accredited program at an accredited college or university;
 - (For graduates on or after 1/1/08) Graduated with a doctoral degree in audiology (or equivalent) from an accredited program at an accredited college or university; or
 - Graduated from an audiology program outside the United States that is accredited in that country and whose degree program has been verified by an independent credentials review agency.
- Completed a supervised clinical practicum experience from an accredited educational institution
- Passed a national exam approved by the commission

A speech-language pathologist must meet the follow requirements:

- Education
 - Graduated with a master's degree from an accredited speech-language pathology program at an accredited U.S. college or university; or
 - Graduated from speech-language pathology program outside the United States at an institution of higher education accredited in that country and whose degree program has be e verified by an independent credentials review agency.
- Completed a supervised clinical practicum experience from an accredited educational institution
- Completed a supervised postgraduate professional experience
- Passed a national exam approved by the commission

Privilege to Practice

To gain the privilege to practice in a remote state, an audiologist or speech-language pathologist must:

- Hold an active license in their home state
- Have a valid U.S. Social Security or National Practitioner Identifier number
- Be eligible for a compact privilege
- Have no encumbrance on any state license and no disciplinary actions within the previous two years

- Notify the compact commission the licensee is seeking compact privilege in another state
- Pay all required fees
- Report any disciplinary actions from non-member states within 30 days

Privilege to practice telehealth: Member states shall recognize the right of an audiologist or speech-language pathologist, appropriately licensed and holding practice privileges, to practice in any member state via telehealth as provided in the compact and rules promulgated by the commission.

Remote states have the power to suspend or revoke privilege, issue fines, or take other actions to protect public safety. If a 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

Audiologists and speech-language pathologists can only hold one home state license at any given time under the compact. When a licensee moves from one compact state to another, they must apply for a new home state license, pay the required fees, complete required background checks, and notify both the old and new states.

Active-duty military personnel and their spouses shall designate a home state where they hold a license in good standing and may retain the home state designation during the period of active duty.

Adverse Actions

A remote state can take disciplinary action against an audiologist or speech-language pathologist's privilege 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 person'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. Member states may participate in joint investigations with other states and share investigative, litigation or compliance materials in furtherance of an investigation.

Adverse actions must be reported to the commission's data system and the administrator shall notify other states.

If a home state license is disciplined, their privilege to practice in all other states is automatically deactivated until the issue is resolved. If permitted by law, the member state may recover the costs of investigations and disposition of cases.

Establishment of the Commission

Section 8 of the bill creates the Audiology and Speech-Language Pathology Compact Commission, the administrative body responsible for managing and enforcing the compact. The commission includes two delegates from each member state's licensing board -- one audiologist and one speech-language pathologist. An additional five delegates shall be selected by the commission at large.

The commission shall meet at least once annually, and delegates may vote in person or by other means as provided in commission bylaws.

The Commission has the power to:

- Develop rules and bylaws, establish a Code of Ethics, and set the fiscal year of the commission
- Manage a data system for tracking license status, adverse actions, and eligibility.
- Bring and prosecute legal proceedings in the name of the commission

- Purchase insurance/bonds, borrow money, accept donations, contract for services
- Hire staff, establish committees, and manage its own finances.
- Levy and collect an annual assessment from each member state or impose fees on other parties to cover operational costs
- Establish an Executive Committee of 10 members to perform tasks such as preparing a budget, recommending changes to rules, fees, bylaws and this legislation to the full commission, and recommending other actions

Any amendment to the compact legislation shall become binding only when enacted into law by all member states.

The commission shall create, maintain and use a data system to gather uniform data from member states and appropriately convey practice privilege and continuing eligibility of licensees to participate in the compact.

Member states must submit the following for individuals in the compact:

- Identifying information
- Licensure data
- Adverse actions against a license or compact privilege
- Non-confidential information on alternative program participation
- Any denial of licensure and the reasons
- Other information relevant to the compact
- Investigative information pertaining to licensees. States can designate some information as non-public. The commission and data system must remove any information subsequently required by the submitting member state's laws to be expunged.

Commission rules shall be binding, but if a majority of the legislatures of member states reject a rule (by passing legislation) within four years of the rule, it shall have no force. Proposed rules must be posted publicly at least 30 days in advance of the meeting at which it will be considered to allow for comments and/or requests for a public hearing.

Commission members, officers, employees, representatives and the executive director are immune from suit and liability, personally or in their official capacity. The commission shall defend any of those people in the case of a lawsuit.

Effective Date:

This act shall take effect in 60 days.

G. Relevant Existing Laws

Audiologists and Speech-Language Pathologists are regulated by the State Board of Examiners in Speech-Language Pathology and Audiology.

Licensure requirements, scope of practice, CE and other guidelines are found in their practice act, Act 238 of 1984.

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

Identical language was introduced in the 2023-24 Legislative Session by Rep. Venkat as House Bill 1235. The bill was referred to the House Professional Licensure Committee but did not receive consideration.

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. 482 Session of
2025

INTRODUCED BY MARKOSEK, BURGOS, FREEMAN, HARKINS, SAPPEY,
DONAHUE, GIRAL, SANCHEZ, GUENST, VENKAT, HANBIDGE, HILL-
EVANS, KHAN, HOHENSTEIN, DALEY, SHUSTERMAN, DEASY, GREEN,
MADDEN AND CEPEDA-FREYTIZ, FEBRUARY 4, 2025

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE,
FEBRUARY 4, 2025

AN ACT

1 Authorizing the Commonwealth of Pennsylvania to join the
2 Interstate Compact; providing for the form of the compact;
3 and imposing additional powers and duties on the Governor,
4 the Secretary of the Commonwealth and the Compact.

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

7 Section 1. Short title.

8 This act shall be known and may be cited as the Interstate
9 Occupational Therapy Licensure Act.

10 Section 2. Authority to execute compact.

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

16 SECTION 1. PURPOSE

17 The purpose of this Compact is to facilitate interstate

1 practice of Occupational Therapy with the goal of improving
2 public access to Occupational Therapy services. The Practice of
3 Occupational Therapy occurs in the State where the
4 patient/client is located at the time of the patient/client
5 encounter. The Compact preserves the regulatory authority of
6 States to protect public health and safety through the current
7 system of State licensure.

8 This Compact is designed to achieve the following objectives:

9 A. Increase public access to Occupational Therapy services
10 by providing for the mutual recognition of other Member State
11 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 multi-State Occupational Therapy Practice;

16 D. Support spouses of relocating military members;

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

19 F. Allow a Remote State to hold a provider of services with
20 a Compact Privilege in that State accountable to that State's
21 practice standards; and

22 G. Facilitate the use of Telehealth technology in order to
23 increase access to Occupational Therapy services.

24 SECTION 2. DEFINITIONS

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

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

1 B. "Adverse Action" means any administrative, civil,
2 equitable, or criminal action permitted by a State's laws which
3 is imposed by a Licensing Board or other authority against an
4 Occupational Therapist or Occupational Therapy Assistant,
5 including actions against an individual's license or Compact
6 Privilege such as censure, revocation, suspension, probation,
7 monitoring of the Licensee, or restriction on the Licensee's
8 practice.

9 C. "Alternative Program" means a non-disciplinary monitoring
10 process approved by an Occupational Therapy Licensing Board.

11 D. "Compact Privilege" means the authorization, which is
12 equivalent to a license, granted by a Remote State to allow a
13 Licensee from another Member State to practice as an
14 Occupational Therapist or practice as an Occupational Therapy
15 Assistant in the Remote State under its laws and rules. The
16 Practice of Occupational Therapy occurs in the Member State
17 where the patient/client is located at the time of the
18 patient/client encounter.

19 E. "Continuing Competence/Education" means a requirement, as
20 a condition of license renewal, to provide evidence of
21 participation in, and/or completion of, educational and
22 professional activities relevant to practice or area of work.

23 F. "Current Significant Investigative Information" means
24 Investigative Information that a Licensing Board, after an
25 inquiry or investigation that includes notification and an
26 opportunity for the Occupational Therapist or Occupational
27 Therapy Assistant to respond, if required by State law, has
28 reason to believe is not groundless and, if proved true, would
29 indicate more than a minor infraction.

30 G. "Data System" means a repository of information about

1 Licensees, including but not limited to license status,
2 Investigative Information, Compact Privileges, and Adverse
3 Actions.

4 H. "Encumbered License" means a license in which an Adverse
5 Action restricts the Practice of Occupational Therapy by the
6 Licensee or said Adverse Action has been reported to the
7 National Practitioners Data Bank (NPDB).

8 I. "Executive Committee" means a group of directors elected
9 or appointed to act on behalf of, and within the powers granted
10 to them by, the Commission.

11 J. "Home State" means the Member State that is the
12 Licensee's Primary State of Residence.

13 K. "Impaired Practitioner" means individuals whose
14 professional practice is adversely affected by substance abuse,
15 addiction, or other health-related conditions.

16 L. "Investigative Information" means information, records,
17 and/or documents received or generated by an Occupational
18 Therapy Licensing Board pursuant to an investigation.

19 M. "Jurisprudence Requirement" means the assessment of an
20 individual's knowledge of the laws and rules governing the
21 Practice of Occupational Therapy in a State.

22 N. "Licensee" means an individual who currently holds an
23 authorization from the State to practice as an Occupational
24 Therapist or as an Occupational Therapy Assistant.

25 O. "Member State" means a State that has enacted the
26 Compact.

27 P. "Occupational Therapist" means an individual who is
28 licensed by a State to practice Occupational Therapy.

29 Q. "Occupational Therapy Assistant" means an individual who
30 is licensed by a State to assist in the Practice of Occupational

1 Therapy.

2 R. "Occupational Therapy," "Occupational Therapy Practice,"
3 and the "Practice of Occupational Therapy" mean the care and
4 services provided by an Occupational Therapist or an
5 Occupational Therapy Assistant as set forth in the Member
6 State's statutes and regulations.

7 S. "Occupational Therapy Compact Commission" or "Commission"
8 means the national administrative body whose membership consists
9 of all States that have enacted the Compact.

10 T. "Occupational Therapy Licensing Board" or "Licensing
11 Board" means the agency of a State that is authorized to license
12 and regulate Occupational Therapists and Occupational Therapy
13 Assistants.

14 U. "Primary State of Residence" means the state (also known
15 as the Home State) in which an Occupational Therapist or
16 Occupational Therapy Assistant who is not Active Duty Military
17 declares a primary residence for legal purposes as verified by:
18 driver's license, federal income tax return, lease, deed,
19 mortgage or voter registration or other verifying documentation
20 as further defined by Commission Rules.

21 V. "Remote State" means a Member State other than the Home
22 State, where a Licensee is exercising or seeking to exercise the
23 Compact Privilege.

24 W. "Rule" means a regulation promulgated by the Commission
25 that has the force of law.

26 X. "State" means any state, commonwealth, district, or
27 territory of the United States of America that regulates the
28 Practice of Occupational Therapy.

29 Y. "Single-State License" means an Occupational Therapist or
30 Occupational Therapy Assistant license issued by a Member State

1 that authorizes practice only within the issuing State and does
2 not include a Compact Privilege in any other Member State.

3 Z. "Telehealth" means the application of telecommunication
4 technology to deliver Occupational Therapy services for
5 assessment, intervention and/or consultation.

6 SECTION 3. STATE PARTICIPATION IN THE COMPACT

7 A. To participate in the Compact, a Member State shall:

8 1. License Occupational Therapists and Occupational Therapy
9 Assistants

10 2. Participate fully in the Commission's Data System,
11 including but not limited to using the Commission's unique
12 identifier as defined in Rules of the Commission;

13 3. Have a mechanism in place for receiving and investigating
14 complaints about Licensees;

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

18 5. Implement or utilize procedures for considering the
19 criminal history records of applicants for an initial Compact
20 Privilege. These procedures shall include the submission of
21 fingerprints or other biometric-based information by applicants
22 for the purpose of obtaining an applicant's criminal history
23 record information from the Federal Bureau of Investigation and
24 the agency responsible for retaining that State's criminal
25 records;

26 a. A Member State shall, within a time frame established by
27 the Commission, require a criminal background check for a
28 Licensee seeking/applying for a Compact Privilege whose Primary
29 State of Residence is that Member State, by receiving the
30 results of the Federal Bureau of Investigation criminal record

1 search, and shall use the results in making licensure decisions.

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

8 6. Comply with the Rules of the Commission;

9 7. Utilize only a recognized national examination as a
10 requirement for licensure pursuant to the Rules of the
11 Commission; and

12 8. Have Continuing Competence/Education requirements as a
13 condition for license renewal.

14 B. A Member State shall grant the Compact Privilege to a
15 Licensee holding a valid unencumbered license in another Member
16 State in accordance with the terms of the Compact and Rules.

17 C. Member States may charge a fee for granting a Compact
18 Privilege.

19 D. A Member State shall provide for the State's delegate to
20 attend all Occupational Therapy Compact Commission meetings.

21 E. Individuals not residing in a Member State shall continue
22 to be able to apply for a Member State's Single-State License as
23 provided under the laws of each Member State. However, the
24 Single-State License granted to these individuals shall not be
25 recognized as granting the Compact Privilege in any other Member
26 State.

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

30 SECTION 4. COMPACT PRIVILEGE

1 A. To exercise the Compact Privilege under the terms and
2 provisions of the Compact, the Licensee shall:

3 1. Hold a license in the Home State;

4 2. Have a valid United States Social Security Number or
5 National Practitioner Identification number;

6 3. Have no encumbrance on any State license;

7 4. Be eligible for a Compact Privilege in any Member State
8 in accordance with Section 4D, F, G, and H;

9 5. Have paid all fines and completed all requirements
10 resulting from any Adverse Action against any license or Compact
11 Privilege, and two years have elapsed from the date of such
12 completion;

13 6. Notify the Commission that the Licensee is seeking the
14 Compact Privilege within a Remote State(s);

15 7. Pay any applicable fees, including any State fee, for the
16 Compact Privilege;

17 8. Complete a criminal background check in accordance with
18 Section 3A(5);

19 a. The Licensee shall be responsible for the payment of any
20 fee associated with the completion of a criminal background
21 check.

22 9. Meet any Jurisprudence Requirements established by the
23 Remote State(s) in which the Licensee is seeking a Compact
24 Privilege; and

25 10. Report to the Commission Adverse Action taken by any
26 non-Member State within 30 days from the date the Adverse Action
27 is taken.

28 B. The Compact Privilege is valid until the expiration date
29 of the Home State license. The Licensee must comply with the
30 requirements of Section 4A to maintain the Compact Privilege in

1 the Remote State.

2 C. A Licensee providing Occupational Therapy in a Remote
3 State under the Compact Privilege shall function within the laws
4 and regulations of the Remote State.

5 D. Occupational Therapy Assistants practicing in a Remote
6 State shall be supervised by an Occupational Therapist licensed
7 or holding a Compact Privilege in that Remote State.

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

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

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

21 2. Two years have elapsed from the date on which the Home
22 State license is no longer encumbered in accordance with Section
23 4(F)(1).

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

27 H. If a Licensee's Compact Privilege in any Remote State is
28 removed, the individual may lose the Compact Privilege in any
29 other Remote State until the following occur:

30 1. The specific period of time for which the Compact

1 Privilege was removed has ended;

2 2. All fines have been paid and all conditions have been
3 met;

4 3. Two years have elapsed from the date of completing
5 requirements for 4(H)(1) and (2); and

6 4. The Compact Privileges are reinstated by the Commission,
7 and the compact Data System is updated to reflect reinstatement.

8 I. If a Licensee's Compact Privilege in any Remote State is
9 removed due to an erroneous charge, privileges shall be restored
10 through the compact Data System.

11 J. Once the requirements of Section 4H have been met, the
12 Licensee must meet the requirements in Section 4A to obtain a
13 Compact Privilege in a Remote State.

14 SECTION 5. OBTAINING A NEW HOME STATE LICENSE BY VIRTUE OF
15 COMPACT PRIVILEGE

16 A. An Occupational Therapist or Occupational Therapy
17 Assistant may hold a Home State license, which allows for
18 Compact Privileges in Member States, in only one Member State at
19 a time.

20 B. If an Occupational Therapist or Occupational Therapy
21 Assistant changes Primary State of Residence by moving between
22 two Member States:

23 1. The Occupational Therapist or Occupational Therapy
24 Assistant shall file an application for obtaining a new Home
25 State license by virtue of a Compact Privilege, pay all
26 applicable fees, and notify the current and new Home State in
27 accordance with applicable Rules adopted by the Commission.

28 2. Upon receipt of an application for obtaining a new Home
29 State license by virtue of compact privilege, the new Home State
30 shall verify that the Occupational Therapist or Occupational

Therapy Assistant meets the pertinent criteria outlined in Section 4 via the Data System, without need for primary source verification except for:

a. an FBI fingerprint based criminal background check if not previously performed or updated pursuant to applicable Rules adopted by the Commission in accordance with Public Law 92-544;

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

c. submission of any requisite Jurisprudence Requirements of the new Home State.

3. The former Home State shall convert the former Home State license into a Compact Privilege once the new Home State has activated the new Home State license in accordance with applicable Rules adopted by the Commission.

4. Notwithstanding any other provision of this Compact, if the Occupational Therapist or Occupational Therapy Assistant cannot meet the criteria in Section 4, the new Home State shall apply its requirements for issuing a new Single-State License.

5. The Occupational Therapist or the Occupational Therapy Assistant shall pay all applicable fees to the new Home State in order to be issued a new Home State license.

C. If an Occupational Therapist or Occupational Therapy Assistant changes Primary State of Residence by moving from a Member State to a non-Member State, or from a non-Member State to a Member State, the State criteria shall apply for issuance of a Single-State License in the new State.

D. Nothing in this compact shall interfere with a Licensee's ability to hold a Single-State License in multiple States; however, for the purposes of this compact, a Licensee shall have only one Home State license.

1 E. Nothing in this Compact shall affect the requirements
2 established by a Member State for the issuance of a Single-State
3 License.

4 SECTION 6. ACTIVE DUTY MILITARY PERSONNEL OR THEIR SPOUSES

5 A. Active Duty Military personnel, or their spouses, shall
6 designate a Home State where the individual has a current
7 license in good standing. The individual may retain the Home
8 State designation during the period the service member is on
9 active duty. Subsequent to designating a Home State, the
10 individual shall only change their Home State through
11 application for licensure in the new State or through the
12 process described in Section 5.

13 SECTION 7. ADVERSE ACTIONS

14 A. A Home State shall have exclusive power to impose Adverse
15 Action against an Occupational Therapist's or Occupational
16 Therapy Assistant's license issued by the Home State.

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

20 1. Take Adverse Action against an Occupational Therapist's
21 or Occupational Therapy Assistant's Compact Privilege within
22 that Member State.

23 2. Issue subpoenas for both hearings and investigations that
24 require the attendance and testimony of witnesses as well as the
25 production of evidence. Subpoenas issued by a Licensing Board in
26 a Member State for the attendance and testimony of witnesses or
27 the production of evidence from another Member State shall be
28 enforced in the latter State by any court of competent
29 jurisdiction, according to the practice and procedure of that
30 court applicable to subpoenas issued in proceedings pending

1 before it. The issuing authority shall pay any witness fees,
2 travel expenses, mileage and other fees required by the service
3 statutes of the State in which the witnesses or evidence are
4 located.

5 C. For purposes of taking Adverse Action, the Home State
6 shall give the same priority and effect to reported conduct
7 received from a Member State as it would if the conduct had
8 occurred within the Home State. In so doing, the Home State
9 shall apply its own State laws to determine appropriate action.

10 D. The Home State shall complete any pending investigations
11 of an Occupational Therapist or Occupational Therapy Assistant
12 who changes Primary State of Residence during the course of the
13 investigations. The Home State, where the investigations were
14 initiated, shall also have the authority to take appropriate
15 action(s) and shall promptly report the conclusions of the
16 investigations to the OT Compact Commission Data System. The
17 Occupational Therapy Compact Commission Data System
18 administrator shall promptly notify the new Home State of any
19 Adverse Actions.

20 E. A Member State, if otherwise permitted by State law, may
21 recover from the affected Occupational Therapist or Occupational
22 Therapy Assistant the costs of investigations and disposition of
23 cases resulting from any Adverse Action taken against that
24 Occupational Therapist or Occupational Therapy Assistant.

25 F. A Member State may take Adverse Action based on the
26 factual findings of the Remote State, provided that the Member
27 State follows its own procedures for taking the Adverse Action.

28 G. Joint Investigations.

29 1. In addition to the authority granted to a Member State by
30 its respective State Occupational Therapy laws and regulations

or other applicable State law, any Member State may participate with other Member States in joint investigations of Licensees.

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

H. If an Adverse Action is taken by the Home State against an Occupational Therapist's or Occupational Therapy Assistant's license, the Occupational Therapist's or Occupational Therapy Assistant's Compact Privilege in all other Member States shall be deactivated until all encumbrances have been removed from the State license. All Home State disciplinary orders that impose Adverse Action against an Occupational Therapist's or Occupational Therapy Assistant's license shall include a Statement that the Occupational Therapist's or Occupational Therapy Assistant's Compact Privilege is deactivated in all Member States during the pendency of the order.

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

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

SECTION 8. ESTABLISHMENT OF THE OCCUPATIONAL THERAPY COMPACT COMMISSION.

A. The Compact Member States hereby create and establish a joint public agency known as the Occupational Therapy Compact Commission:

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

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

7 3. Nothing in this Compact shall be construed to be a waiver
8 of sovereign immunity.

9 B. Membership, Voting, and Meetings

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

12 2. The delegate shall be either:

13 a. A current member of the Licensing Board, who is an
14 Occupational Therapist, Occupational Therapy Assistant, or
15 public member; or

16 b. An administrator of the Licensing Board.

17 3. Any delegate may be removed or suspended from office as
18 provided by the law of the State from which the delegate is
19 appointed.

20 4. The Member State board shall fill any vacancy occurring
21 in the Commission within 90 days.

22 5. Each delegate shall be entitled to one (1) vote with
23 regard to the promulgation of Rules and creation of bylaws and
24 shall otherwise have an opportunity to participate in the
25 business and affairs of the Commission. A delegate shall vote in
26 person or by such other means as provided in the bylaws. The
27 bylaws may provide for delegates' participation in meetings by
28 telephone or other means of communication.

29 6. The Commission shall meet at least once during each
30 calendar year. Additional meetings shall be held as set forth in

1 the bylaws.

2 7. The Commission shall establish by Rule a term of office
3 for delegates.

4 C. The Commission shall have the following powers and
5 duties:

6 1. Establish a Code of Ethics for the Commission;

7 2. Establish the fiscal year of the Commission;

8 3. Establish bylaws;

9 4. Maintain its financial records in accordance with the
10 bylaws;

11 5. Meet and take such actions as are consistent with the
12 provisions of this Compact and the bylaws;

13 6. Promulgate uniform Rules to facilitate and coordinate
14 implementation and administration of this Compact. The Rules
15 shall have the force and effect of law and shall be binding in
16 all Member States;

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

21 8. Purchase and maintain insurance and bonds;

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

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

30 11. Accept any and all appropriate donations and grants of

1 money, equipment, supplies, materials and services, and receive,
2 utilize and dispose of the same; provided that at all times the
3 Commission shall avoid any appearance of impropriety and/or
4 conflict of interest;

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

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

12 14. Establish a budget and make expenditures;

13 15. Borrow money;

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

19 17. Provide and receive information from, and cooperate
20 with, law enforcement agencies;

21 18. Establish and elect an Executive Committee; and

22 19. Perform such other functions as may be necessary or
23 appropriate to achieve the purposes of this Compact consistent
24 with the State regulation of Occupational Therapy licensure and
25 practice.

26 D. The Executive Committee

27 The Executive Committee shall have the power to act on behalf
28 of the Commission according to the terms of this Compact.

29 1. The Executive Committee shall be composed of nine
30 members:

1 a. Seven voting members who are elected by the Commission
2 from the current membership of the Commission;

3 b. One ex-officio, nonvoting member from a recognized
4 national Occupational Therapy professional association; and

5 c. One ex-officio, nonvoting member from a recognized
6 national Occupational Therapy certification organization.

7 2. The ex-officio members will be selected by their
8 respective organizations.

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

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

12 5. The Executive Committee shall have the following Duties
13 and responsibilities:

14 a. Recommend to the entire Commission changes to the Rules
15 or bylaws, changes to this Compact legislation, fees paid by
16 Compact Member States such as annual dues, and any Commission
17 Compact fee charged to Licensees for the Compact Privilege;

18 b. Ensure Compact administration services are appropriately
19 provided, contractual or otherwise;

20 c. Prepare and recommend the budget;

21 d. Maintain financial records on behalf of the Commission;

22 e. Monitor Compact compliance of Member States and provide
23 compliance reports to the Commission;

24 f. Establish additional committees as necessary; and

25 g. Perform other duties as provided in Rules or bylaws.

26 E. Meetings of the Commission

27 1. All meetings shall be open to the public, and public
28 notice of meetings shall be given in the same manner as required
29 under the Rulemaking provisions in Section 10.

30 2. The Commission or the Executive Committee or other

committees of the Commission may convene in a closed, non-public meeting if the Commission or Executive Committee or other committees of the Commission must 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 or other matters related to the Commission's internal personnel practices and procedures;

c. Current, threatened, or reasonably anticipated litigation;

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

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

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

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

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

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

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

3. If a meeting, or portion of a meeting, is closed pursuant

1 to this provision, the Commission's legal counsel or designee
2 shall certify that the meeting may be closed and shall reference
3 each relevant exempting provision.

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

13 F. Financing of the Commission

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

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

20 3. The Commission may levy on and collect an annual
21 assessment from each Member State or impose fees on other
22 parties to cover the cost of the operations and activities of
23 the Commission and its staff, which must be in a total amount
24 sufficient to cover its annual budget as approved by the
25 Commission each year for which revenue is not provided by other
26 sources. The aggregate annual assessment amount shall be
27 allocated based upon a formula to be determined by the
28 Commission, which shall promulgate a Rule binding upon all
29 Member States.

30 4. The Commission shall not incur obligations of any kind

1 prior to securing the funds adequate to meet the same; nor shall
2 the Commission pledge the credit of any of the Member States,
3 except by and with the authority of the Member State.

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

12 G. Qualified Immunity, Defense, and Indemnification

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

26 2. The Commission shall defend any member, officer,
27 executive director, employee, or representative of the
28 Commission in any civil action seeking to impose liability
29 arising out of any actual or alleged act, error, or omission
30 that occurred within the scope of Commission employment, duties,

1 or responsibilities, or that the person against whom the claim
2 is made had a reasonable basis for believing occurred within the
3 scope of Commission employment, duties, or responsibilities;
4 provided that nothing herein shall be construed to prohibit that
5 person from retaining his or her own counsel; and provided
6 further, that the actual or alleged act, error, or omission did
7 not result from that person's intentional or willful or wanton
8 misconduct.

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

20 SECTION 9. DATA SYSTEM

21 A. The Commission shall provide for the development,
22 maintenance, and utilization of a coordinated database and
23 reporting system containing licensure, Adverse Action, and
24 Investigative Information on all licensed individuals in Member
25 States.

26 B. A Member State shall submit a uniform data set to the
27 Data System on all individuals to whom this Compact is
28 applicable (utilizing a unique identifier) as required by the
29 Rules of the Commission, including:

30 1. Identifying information;

2. Licensure data;
3. Adverse Actions against a license or Compact Privilege;
4. Non-confidential information related to Alternative Program participation;
5. Any denial of application for licensure, and the reason(s) for such denial;
6. Other information that may facilitate the administration of this Compact, as determined by the Rules of the Commission;
- and

7. Current Significant Investigative Information.

C. Current Significant Investigative Information and other Investigative Information pertaining to a Licensee in any Member State will only be available to other Member States.

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

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

F. Any information submitted to the Data System that is subsequently required to be expunged by the laws of the Member State contributing the information shall be removed from the Data System.

SECTION 10. RULEMAKING

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

1 B. The Commission shall promulgate reasonable rules in order
2 to effectively and efficiently achieve the purposes of the
3 Compact. Notwithstanding the foregoing, in the event the
4 Commission exercises its rulemaking authority in a manner that
5 is beyond the scope of the purposes of the Compact, or the
6 powers granted hereunder, then such an action by the Commission
7 shall be invalid and have no force and effect.

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

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

15 E. Prior to promulgation and adoption of a final Rule or
16 Rules by the Commission, and at least thirty (30) days in
17 advance of the meeting at which the Rule will be considered and
18 voted upon, the Commission shall file a Notice of Proposed
19 Rulemaking:

20 1. On the website of the Commission or other publicly
21 accessible platform; and

22 2. On the website of each Member State Occupational Therapy
23 Licensing Board or other publicly accessible platform or the
24 publication in which each State would otherwise publish proposed
25 Rules.

26 F. The Notice of Proposed Rulemaking shall include:

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

29 2. The text of the proposed Rule or amendment and the reason
30 for the proposed Rule;

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

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

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

9 H. The Commission shall grant an opportunity for a public
10 hearing before it adopts a Rule or amendment if a hearing is
11 requested by:

12 1. At least twenty five (25) persons;

13 2. A State or federal governmental subdivision or agency; or

14 3. An association or organization having at least twenty
15 five (25) members.

16 I. If a hearing is held on the proposed Rule or amendment,
17 the Commission shall publish the place, time, and date of the
18 scheduled public hearing. If the hearing is held via electronic
19 means, the Commission shall publish the mechanism for access to
20 the electronic hearing.

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

26 2. Hearings shall be conducted in a manner providing each
27 person who wishes to comment a fair and reasonable opportunity
28 to comment orally or in writing.

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

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

5 J. Following the scheduled hearing date, or by the close of
6 business on the scheduled hearing date if the hearing was not
7 held, the Commission shall consider all written and oral
8 comments received.

9 K. If no written notice of intent to attend the public
10 hearing by interested parties is received, the Commission may
11 proceed with promulgation of the proposed Rule without a public
12 hearing.

13 L. The Commission shall, by majority vote of all members,
14 take final action on the proposed Rule and shall determine the
15 effective date of the Rule, if any, based on the Rulemaking
16 record and the full text of the Rule.

17 M. Upon determination that an emergency exists, the
18 Commission may consider and adopt an emergency Rule without
19 prior notice, opportunity for comment, or hearing, provided that
20 the usual Rulemaking procedures provided in the Compact and in
21 this section shall be retroactively applied to the Rule as soon
22 as reasonably possible, in no event later than ninety (90) days
23 after the effective date of the Rule. For the purposes of this
24 provision, an emergency Rule is one that must be adopted
25 immediately in order to:

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

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

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

1 4. Protect public health and safety.

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

16 SECTION 11. OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT

17 A. Oversight

18 1. The executive, legislative, and judicial branches of
19 State government in each Member State shall enforce this Compact
20 and take all actions necessary and appropriate to effectuate the
21 Compact's purposes and intent. The provisions of this Compact
22 and the Rules promulgated hereunder shall have standing as
23 statutory law.

24 2. All courts shall take judicial notice of the Compact and
25 the Rules in any judicial or administrative proceeding in a
26 Member State pertaining to the subject matter of this Compact
27 which may affect the powers, responsibilities, or actions of the
28 Commission.

29 3. The Commission shall be entitled to receive service of
30 process in any such proceeding, and shall have standing to

1 intervene in such a proceeding for all purposes. Failure to
2 provide service of process to the Commission shall render a
3 judgment or order void as to the Commission, this Compact, or
4 promulgated Rules.

5 B. Default, Technical Assistance, and Termination

6 1. If the Commission determines that a Member State has
7 defaulted in the performance of its obligations or
8 responsibilities under this Compact or the promulgated Rules,
9 the Commission shall:

10 a. Provide written notice to the defaulting State and other
11 Member States of the nature of the default, the proposed means
12 of curing the default and/or any other action to be taken by the
13 Commission; and

14 b. Provide remedial training and specific technical
15 assistance regarding the default.

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

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

29 4. A State that has been terminated is responsible for all
30 assessments, obligations, and liabilities incurred through the

effective date of termination, including obligations that extend beyond the effective date of termination.

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

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

C. Dispute Resolution

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

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

D. Enforcement

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

2. By majority vote, the Commission may initiate legal action in the United States District Court for the District of Columbia or the federal district where the Commission has its principal offices against a Member State in default to enforce compliance with the provisions of the Compact and its promulgated Rules and bylaws. The relief sought may include both injunctive relief and damages. In the event judicial enforcement

1 is necessary, the prevailing member shall be awarded all costs
2 of such litigation, including reasonable attorney's fees.

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

6 SECTION 12. DATE OF IMPLEMENTATION OF THE INTERSTATE COMMISSION
7 FOR OCCUPATIONAL THERAPY PRACTICE AND ASSOCIATED
8 RULES, WITHDRAWAL, AND AMENDMENT

9 A. The Compact shall come into effect on the date on which
10 the Compact statute is enacted into law in the tenth Member
11 State. The provisions, which become effective at that time,
12 shall be limited to the powers granted to the Commission
13 relating to assembly and the promulgation of Rules. Thereafter,
14 the Commission shall meet and exercise Rulemaking powers
15 necessary to the implementation and administration of the
16 Compact.

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

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

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

27 2. Withdrawal shall not affect the continuing requirement of
28 the withdrawing State's Occupational Therapy Licensing Board to
29 comply with the investigative and Adverse Action reporting
30 requirements of this act prior to the effective date of

1 withdrawal.

2 D. Nothing contained in this Compact shall be construed to
3 invalidate or prevent any Occupational Therapy licensure
4 agreement or other cooperative arrangement between a Member
5 State and a non-Member State that does not conflict with the
6 provisions of this Compact.

7 E. This Compact may be amended by the Member States. No
8 amendment to this Compact shall become effective and binding
9 upon any Member State until it is enacted into the laws of all
10 Member States.

11 SECTION 13. CONSTRUCTION AND SEVERABILITY

12 This Compact shall be liberally construed so as to effectuate
13 the purposes thereof. The provisions of this Compact shall be
14 severable and if any phrase, clause, sentence or provision of
15 this Compact is declared to be contrary to the constitution of
16 any Member State or of the United States or the applicability
17 thereof to any government, agency, person, or circumstance is
18 held invalid, the validity of the remainder of this Compact and
19 the applicability thereof to any government, agency, person, or
20 circumstance shall not be affected thereby. If this Compact
21 shall be held contrary to the constitution of any Member State,
22 the Compact shall remain in full force and effect as to the
23 remaining Member States and in full force and effect as to the
24 Member State affected as to all severable matters.

25 SECTION 14. BINDING EFFECT OF COMPACT AND OTHER LAWS

26 A. A Licensee providing Occupational Therapy in a Remote
27 State under the Compact Privilege shall function within the laws
28 and regulations of the Remote State.

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

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

3 D. Any lawful actions of the Commission, including all Rules
4 and bylaws promulgated by the Commission, are binding upon the
5 Member States.

6 E. All agreements between the Commission and the Member
7 States are binding in accordance with their terms.

8 F. In the event any provision of the Compact exceeds the
9 constitutional limits imposed on the legislature of any Member
10 State, the provision shall be ineffective to the extent of the
11 conflict with the constitutional provision in question in that
12 Member State.

13 Section 3. When and how compact becomes operative.

14 (a) General rule.--When the Governor executes the
15 Interstate Compact on behalf of this State and files a verified
16 copy thereof with the Secretary of the Commonwealth and when the
17 compact is ratified by one or more other states, then the
18 compact shall become operative and effective between this State
19 and such other state or states. The Governor is hereby
20 authorized and directed to take such action as may be necessary
21 to complete the exchange of official documents between this
22 State and any other state ratifying the compact.

23 (b) Notice in Pennsylvania Bulletin.--The Secretary of the
24 Commonwealth shall transmit a notice to the Legislative
25 Reference Bureau for publication in the next available issue of
26 the Pennsylvania Bulletin when the conditions set forth in
27 subsection (a) are satisfied and shall include in the notice the
28 date on which the compact became effective and operative between
29 this State and any other state or states in accordance with this
30 act.

1 Section 4. Compensation and expenses of compact administrator.

2 The compact administrator who represents this State, as
3 provided for in the Interstate Compact, shall not be entitled to
4 any additional compensation for his duties and responsibilities
5 as compact administrator but shall be entitled to reimbursement
6 for reasonable expenses actually incurred in connection with his
7 duties and responsibilities as compact administrator in the same
8 manner as for expenses incurred in connection with other duties
9 and responsibilities of his office or employment.

10 Section 5. Effective date.

11 This act shall take effect in 60 days.

LEGISLATIVE REFERENCE BUREAU

AMENDMENTS TO HOUSE BILL NO. 482

Sponsor: *Burns*

Printer's No. 465

- 1 Amend Bill, page 33, line 11, by striking out "60 days" and
- 2 inserting
- 3 18 months

HOUSE OF REPRESENTATIVES DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	HB0482 PN0465	Prepared By:	Kari Orchard
Committee:	Professional Licensure		(717) 787-6882, ext. 6241
Sponsor:	Markosek, Brandon	Executive Director:	Kari Orchard
Date:	6/13/2025		

A. Brief Concept

Authorizes Pennsylvania to join the National Occupational Therapy Licensure Compact.

C. Analysis of the Bill

HB 482 creates a free-standing act allowing Pennsylvania to join the interstate licensing compact for occupational therapists and laying out the framework of the compact. In order to participate in the compact, states must adopt this language. Key points of the model compact language are as follows:

Key Definitions

"Compact Privilege" means the authorization, which is equivalent to a license, granted by a remote state to allow a licensee from another member state to practice as an occupational therapist or occupational therapy assistant in the remote state under its laws and rules. The practice of occupational therapy occurs in the member state where the patient/client is located at the time of the patient/client encounter.

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

"Jurisprudence Requirement" means the assessment of an individual's knowledge of the laws and rules governing the practice of occupational therapy in a state.

"Member State" means a state that has enacted the compact.

"Remote State" means a member state other than the home state, where a licensee is exercising or seeking to exercise the compact privilege.

"Single State License" means an occupational therapy or occupational therapy assistant 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:

- License and regulate occupational therapists and occupational therapy assistants
- Have a mechanism in place for receiving and investigating complaints about licensees.
- 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
- Notify the commission of any adverse action or investigative information regarding a licensee
- Comply with the rules of the commission
- Utilize only a recognized national exam as a requirement for licensure pursuant to the rules of the commission
- Have CE requirements for state license renewal
- Require an applicant to obtain a license in their home state

- Grant the privilege to practice to a licensee holding a valid license in another member state after verifying eligibility through the data system
- 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.

A member state may withdraw from the compact via the same legislative process it used to enact the compact.

Compact Privilege

To exercise the compact privilege, an occupational therapist or OT assistant must:

- Hold an active license in their home state
- Have a valid U.S. Social Security or National Practitioner Identifier number
- Be eligible for a compact privilege
- Have no encumbrance on any state license and no disciplinary actions within the previous two years
- Notify the compact commission the licensee is seeking compact privilege in another state
- Pay all required fees
- Meet CE and renewal requirements of the home state
- Meet any jurisprudence requirements established by the remote state in which they are seeking compact privileges
- Report any disciplinary actions from non-member states within 30 days
- Follow the laws and regulations of the remote state
- OT Assistants must be supervised by an occupational therapist licensed or holding compact privilege in that remote state

Remote states have the power to suspend or revoke privilege, issue fines, or take other actions to protect public safety. If a home state license is encumbered, the licensee will 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

An occupational therapist or OT assistant may only hold one home state license at any given time under the compact. When a licensee moves from one compact state to another, they must apply for a new home state license, pay the required fees, complete required background checks, and notify both the old and new states.

The new home state must verify applicants meet the compact criteria, have completed their state's required background checks and jurisprudence requirements. The former home state shall convert that license into a compact privilege once the new home state license is activated.

Active-duty military personnel and their spouses shall designate a home state where they hold a license in good standing and may retain the home state designation during the period of active duty.

Adverse Actions

A remote state can take disciplinary action against an occupational therapist or OT assistant's privilege 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 person'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. Member states may participate in joint

investigations with other states and share investigative, litigation or compliance materials in furtherance of an investigation.

Adverse actions must be reported to the commission's data system and the administrator shall notify other states.

If a home state license is disciplined, the privilege to practice in all other states is automatically deactivated until the issue is resolved. If permitted by law, the member state may recover the costs of investigations and disposition of cases.

Establishment of the Commission

Section 8 of the bill creates the Occupational Therapy Compact Commission, the administrative body responsible for managing and enforcing the compact. The commission includes one delegate, which may be a licensee on the state's licensing board, a public member or an administrator of the licensing board.

The commission shall meet at least once annually, and delegates may vote in person or by other means as provided in commission bylaws.

The Commission has the power to:

- Develop rules and bylaws, establish a Code of Ethics, and set the fiscal year of the commission
- Manage a data system for tracking license status, adverse actions, and eligibility.
- Bring and prosecute legal proceedings in the name of the commission
- Purchase insurance/bonds, borrow money, accept donations, contract for services
- Hire staff, establish committees, and manage its own finances.
- Establish an Executive Committee of nine elected members to perform tasks such as preparing a budget, recommending changes to rules, fees, bylaws and this legislation to the full commission, and recommending other actions
- Levy and collect an annual assessment on each member state or impose fees on other parties to cover the cost of administering the commission
- Determine if a state has defaulted in its performance or obligations under the compact and provide assistance/training to cure the default or terminate membership in the compact.

The commission shall create, maintain and use a data system to gather uniform data from member states and appropriately convey practice privilege and continuing eligibility of licensees to participate in the compact.

Member states must submit the following for individuals in the compact:

- Identifying information
- Licensure data
- Adverse actions against a license or compact privilege
- Non-confidential information on alternative program participation
- Any denial of licensure and the reasons
- Other information relevant to the compact
- Investigative information pertaining to licensees. States can designate some information as non-public. The commission and data system must remove any information subsequently required by the submitting member state's laws to be expunged.

Commission rules shall be binding, but if a majority of the legislatures of member states reject a rule (by passing legislation) within four years of the rule, it shall have no force. Except in emergency circumstances, proposed rules must be posted publicly at least 30 days in advance of the meeting at which it will be considered to allow for comments and/or requests for a public hearing.

Commission members, officers, employees, representatives and the executive director are immune from suit and liability, personally or in their official capacity. The commission shall defend any of those people in the case of a lawsuit.

Effective Date:

This act shall take effect in 60 days.

The compact becomes effective when the governor files a copy of the compact with the Secretary of the Commonwealth and notice is published in the Pennsylvania Bulletin.

G. Relevant Existing Laws

Occupational therapists in Pennsylvania are licensed and regulated by the State Board of Occupational Therapy Education and Licensure, which falls under the Department of State.

Their licensure requirements, educational requirements, scope of practice, CE and other aspects of the profession are governed by Act 140 of 1982, known as the Occupational Therapy Practice Act.

Section 8 of the act provides the requirements for licensure, which applicants must meet to become licensed in Pennsylvania and to qualify for the privilege to practice in this compact:

- (1) Is of good moral character.
- (2) Has completed the academic requirements of an approved educational program in occupational therapy recognized by the board with the advice and consultation of recognized national accrediting agencies and professional organizations including the American Occupational Therapy Association as follows:
 - (i) For an occupational therapist, a four-year program, or its equivalent as established by the board.
 - (ii) For an occupational therapy assistant, a two-year program, or its equivalent as established by the board.
- (3) Has successfully completed a period of supervised fieldwork experience at a recognized educational institute or a training program approved by the educational institution where the academic requirements met were as follows:
 - (i) For an occupational therapist a minimum of six months of supervised fieldwork experience.
 - (ii) For an occupational therapy assistant, a minimum of two months of supervised fieldwork.
- (4) Has passed an examination approved by the board.
- (5) Has professional liability insurance.

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

Identical language was introduced in the 2023-24 Legislative Session by Rep. Markosek as House Bill 1329. It was referred to the Professional Licensure Committee but did not receive consideration.

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

SENATE BILL

No. 115 Session of
2025

INTRODUCED BY ARGALL, BROOKS, BOSCOLA, PENNYCUICK, LAUGHLIN,
J. WARD, BROWN, MASTRIANO, GEBHARD, PHILLIPS-HILL,
HUTCHINSON, SCHWANK, ROBINSON, DUSH, FARRY AND COLLETT,
JANUARY 22, 2025

AS AMENDED ON THIRD CONSIDERATION, MAY 6, 2025

AN ACT

1 Amending the act of June 13, 1967 (P.L.31, No.21), entitled "An
2 act to consolidate, editorially revise, and codify the public
3 welfare laws of the Commonwealth," in general powers and
4 duties of the Department of Public Welfare, further providing
5 for personal care home and assisted living residence
6 administrators; and abrogating regulations.

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

9 Section 1. Section 213 of the act of June 13, 1967 (P.L.31,
10 No.21), known as the Human Services Code, is amended by adding a<--
11 ~~subsection~~ SUBSECTIONS to read: <--

12 Section 213. Personal Care Home and Assisted Living
13 Residence Administrators.--* * *

14 (f) Notwithstanding any other provision of law to the
15 contrary, the department shall provide a skills competency
16 examination to individuals seeking employment as a direct care
17 staff person in either a personal care home or an assisted
18 living residence in lieu of successfully obtaining a high school
19 diploma or GED equivalency. The following shall apply:

1 (1) In addition to the duties required of a direct care
2 staff person, the examination shall include an assessment of
3 interpersonal communication skills, basic writing and reading
4 comprehension, understanding of cultural and diverse
5 communities, awareness of mental and behavioral health needs
6 and other competencies specific to working in a personal care
7 home or an assisted living residence.

8 (2) Nothing in this subsection shall be construed to
9 permit a direct care staff person from dispensing,
10 distributing or administering medication.

11 (G) THE FOLLOWING APPLY REGARDING DIRECT CARE STAFF IN A
12 PERSONAL CARE HOME OR AN ASSISTED LIVING RESIDENCE:

13 (1) AN INDIVIDUAL SEEKING EMPLOYMENT AS A DIRECT CARE
14 STAFF PERSON IN EITHER A PERSONAL CARE HOME OR AN ASSISTED
15 LIVING RESIDENCE SHALL NOT BE REQUIRED TO SUCCESSFULLY OBTAIN
16 A HIGH SCHOOL DIPLOMA OR GED EQUIVALENCY IF THE INDIVIDUAL:

17 (I) IS A CITIZEN OF OR EDUCATED IN ANOTHER COUNTRY;

18 (II) LAWFULLY RESIDES IN THE UNITED STATES; AND

19 (III) IS OTHERWISE QUALIFIED AS THE DIRECT CARE

20 STAFF PERSON.

21 (2) IF AN INDIVIDUAL MEETS THE REQUIREMENTS UNDER
22 PARAGRAPH (1), THE PERSONAL CARE HOME OR ASSISTED LIVING
23 RESIDENCE SHALL NOT BE REQUIRED TO APPLY FOR OR OBTAIN A
24 WAIVER UNDER 55 PA. CODE § 2600.19 (RELATING TO WAIVERS) OR
25 2800.19 (RELATING TO WAIVERS).

26 Section 2. The following shall apply:

27 (1) In order to facilitate the prompt implementation of
28 section 213(f) of the act, the Department of Human Services
29 shall promulgate temporary regulations that shall expire not
30 later than two years following the publication of the

1 temporary regulations. The Department of Human Services may
2 promulgate temporary regulations not subject to:

3 (i) Section 612 of the act of April 9, 1929
4 (P.L.177, No.175), known as The Administrative Code of
5 1929.

6 (ii) Sections 201, 202, 203, 204 and 205 of the act
7 of July 31, 1968 (P.L.769, No.240), referred to as the
8 Commonwealth Documents Law.

9 (iii) Sections 204(b) and 301(10) of the act of
10 October 15, 1980 (P.L.950, No.164), known as the
11 Commonwealth Attorneys Act.

12 (iv) The act of June 25, 1982 (P.L.633, No.181),
13 known as the Regulatory Review Act.

14 (2) The authority of the Department of Human Services to
15 adopt temporary regulations under paragraph (1) shall expire
16 two years after the effective date of this paragraph.
17 Regulations adopted after this period shall be promulgated as
18 provided by law.

19 Section 3. The provisions of 55 Pa. Code §§ 2600.54 and
20 2800.54 are abrogated insofar as they are inconsistent with the
21 addition of section 213(f) AND (G) of the act. <--

22 Section 4. This act shall take effect in 60 days.