

**First Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

BILLPAPER

LLS NO. 21-0460.01 Thomas Morris x4218

SENATE BILL

SENATE SPONSORSHIP

Buckner and Hisey, Cooke, Danielson, Liston, Pettersen, Rankin, Story, Woodward

HOUSE SPONSORSHIP

Young and Carver, Arndt, Bacon, Duran, Gray, Jodeh, Kipp, Ortiz, Titone, Valdez D.,
Van Beber, Woodrow

Senate Committees

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE ENACTMENT OF THE "AUDIOLOGY AND**
102 **SPEECH-LANGUAGE PATHOLOGY INTERSTATE COMPACT".**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill enacts the "Audiology and Speech-language Pathology Interstate Compact" allowing audiologists and speech-language pathologists licensed in any compact state to provide:

- Audiology or speech-language pathology services in each member state under a privilege to practice; and
- Telehealth services in each member state under a privilege

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

1 REGULATORY AUTHORITY OF STATES TO PROTECT PUBLIC HEALTH AND
2 SAFETY THROUGH THE CURRENT SYSTEM OF STATE LICENSURE. THIS
3 COMPACT IS DESIGNED TO ACHIEVE THE FOLLOWING OBJECTIVES:

4 1. INCREASE PUBLIC ACCESS TO AUDIOLOGY AND
5 SPEECH-LANGUAGE PATHOLOGY SERVICES BY PROVIDING FOR THE MUTUAL
6 RECOGNITION OF OTHER MEMBER STATE LICENSES;

7 2. ENHANCE THE STATES' ABILITY TO PROTECT THE PUBLIC'S
8 HEALTH AND SAFETY;

9 3. ENCOURAGE THE COOPERATION OF MEMBER STATES IN
10 REGULATING MULTISTATE AUDIOLOGY AND SPEECH-LANGUAGE
11 PATHOLOGY PRACTICE;

12 4. SUPPORT SPOUSES OF RELOCATING ACTIVE DUTY MILITARY
13 PERSONNEL;

14 5. ENHANCE THE EXCHANGE OF LICENSURE, INVESTIGATIVE, AND
15 DISCIPLINARY INFORMATION BETWEEN MEMBER STATES;

16 6. ALLOW A REMOTE STATE TO HOLD A PROVIDER OF SERVICES
17 WITH A COMPACT PRIVILEGE IN THAT STATE ACCOUNTABLE TO THAT
18 STATE'S PRACTICE STANDARDS; AND

19 7. ALLOW FOR USE OF TELEHEALTH TECHNOLOGY TO FACILITATE
20 INCREASED ACCESS TO AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY
21 SERVICES.

22 **SECTION 2**

23 **DEFINITIONS**

24 AS USED IN THIS COMPACT, AND EXCEPT AS OTHERWISE PROVIDED,
25 THE FOLLOWING DEFINITIONS SHALL APPLY:

26 A. "ACTIVE DUTY MILITARY" MEANS FULL-TIME DUTY STATUS IN
27 THE ACTIVE UNIFORMED SERVICES OF THE UNITED STATES, INCLUDING

1 MEMBERS OF THE NATIONAL GUARD AND RESERVE ON ACTIVE DUTY
2 ORDERS PURSUANT TO 10 U.S.C. CHAPTERS 1209 AND 1211.

3 B. "ADVERSE ACTION" MEANS ANY ADMINISTRATIVE, CIVIL,
4 EQUITABLE, OR CRIMINAL ACTION PERMITTED BY A STATE'S LAWS WHICH
5 IS IMPOSED BY A LICENSING BOARD OR OTHER AUTHORITY AGAINST AN
6 AUDIOLOGIST OR SPEECH-LANGUAGE PATHOLOGIST, INCLUDING ACTIONS
7 AGAINST AN INDIVIDUAL'S LICENSE OR PRIVILEGE TO PRACTICE SUCH AS
8 REVOCATION, SUSPENSION, PROBATION, MONITORING OF THE LICENSEE, OR
9 RESTRICTION ON THE LICENSEE'S PRACTICE.

10 C. "ALTERNATIVE PROGRAM" MEANS A NON-DISCIPLINARY
11 MONITORING PROCESS APPROVED BY AN AUDIOLOGY OR
12 SPEECH-LANGUAGE PATHOLOGY LICENSING BOARD TO ADDRESS IMPAIRED
13 PRACTITIONERS.

14 D. "AUDIOLOGIST" MEANS AN INDIVIDUAL WHO IS LICENSED BY A
15 STATE TO PRACTICE AUDIOLOGY.

16 E. "AUDIOLOGY" MEANS THE CARE AND SERVICES PROVIDED BY A
17 LICENSED AUDIOLOGIST AS SET FORTH IN THE MEMBER STATE'S STATUTES
18 AND RULES.

19 F. "AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY COMPACT
20 COMMISSION" OR "COMMISSION" MEANS THE NATIONAL ADMINISTRATIVE
21 BODY WHOSE MEMBERSHIP CONSISTS OF ALL STATES THAT HAVE ENACTED
22 THE COMPACT.

23 G. "AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY LICENSING
24 BOARD," "AUDIOLOGY LICENSING BOARD," "SPEECH-LANGUAGE
25 PATHOLOGY LICENSING BOARD," OR "LICENSING BOARD" MEANS THE
26 AGENCY OF A STATE THAT IS RESPONSIBLE FOR THE LICENSING AND
27 REGULATION OF AUDIOLOGISTS OR SPEECH-LANGUAGE PATHOLOGISTS.

1 H. "COMPACT PRIVILEGE" MEANS THE AUTHORIZATION GRANTED
2 BY A REMOTE STATE TO ALLOW A LICENSEE FROM ANOTHER MEMBER
3 STATE TO PRACTICE AS AN AUDIOLOGIST OR SPEECH-LANGUAGE
4 PATHOLOGIST IN THE REMOTE STATE UNDER ITS LAWS AND RULES. THE
5 PRACTICE OF AUDIOLOGY OR SPEECH-LANGUAGE PATHOLOGY OCCURS IN
6 THE MEMBER STATE WHERE THE PATIENT/CLIENT/STUDENT IS LOCATED AT
7 THE TIME OF THE 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 NOT
13 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
21 SPEECH-LANGUAGE PATHOLOGY BY THE LICENSEE AND SAID ADVERSE
22 ACTION HAS BEEN REPORTED TO THE NATIONAL PRACTITIONERS DATA
23 BANK (NPDB).

24 L. "EXECUTIVE COMMITTEE" MEANS A GROUP OF DIRECTORS
25 ELECTED OR APPOINTED TO ACT ON BEHALF OF, AND WITHIN THE POWERS
26 GRANTED TO THEM BY, THE COMMISSION.

27 M. "HOME STATE" MEANS THE MEMBER STATE THAT IS THE

1 LICENSEE'S PRIMARY STATE OF RESIDENCE.

2 N. "IMPAIRED PRACTITIONER" MEANS INDIVIDUALS WHOSE
3 PROFESSIONAL PRACTICE IS ADVERSELY AFFECTED BY SUBSTANCE ABUSE,
4 ADDICTION, OR OTHER HEALTH-RELATED CONDITIONS.

5 O. "LICENSEE" MEANS AN INDIVIDUAL WHO CURRENTLY HOLDS AN
6 AUTHORIZATION FROM THE STATE LICENSING BOARD TO PRACTICE AS AN
7 AUDIOLOGIST OR SPEECH-LANGUAGE PATHOLOGIST.

8 P. "MEMBER STATE" MEANS A STATE THAT HAS ENACTED THE
9 COMPACT.

10 Q. "PRIVILEGE TO PRACTICE" MEANS A LEGAL AUTHORIZATION
11 PERMITTING THE PRACTICE OF AUDIOLOGY OR SPEECH-LANGUAGE
12 PATHOLOGY IN A REMOTE STATE.

13 R. "REMOTE STATE" MEANS A MEMBER STATE OTHER THAN THE
14 HOME STATE WHERE A LICENSEE IS EXERCISING OR SEEKING TO EXERCISE
15 THE COMPACT PRIVILEGE.

16 S. "RULE" MEANS A REGULATION, PRINCIPLE, OR DIRECTIVE
17 PROMULGATED BY THE COMMISSION THAT HAS THE FORCE OF LAW.

18 T. "SINGLE-STATE LICENSE" MEANS AN AUDIOLOGY OR
19 SPEECH-LANGUAGE PATHOLOGY LICENSE ISSUED BY A MEMBER STATE
20 THAT AUTHORIZES PRACTICE ONLY WITHIN THE ISSUING STATE AND DOES
21 NOT INCLUDE A PRIVILEGE TO PRACTICE IN ANY OTHER MEMBER STATE.

22 U. "SPEECH-LANGUAGE PATHOLOGIST" MEANS AN INDIVIDUAL
23 WHO IS LICENSED BY A STATE TO PRACTICE SPEECH-LANGUAGE
24 PATHOLOGY.

25 V. "SPEECH-LANGUAGE PATHOLOGY" MEANS THE CARE AND
26 SERVICES PROVIDED BY A LICENSED SPEECH-LANGUAGE PATHOLOGIST AS
27 SET FORTH IN THE MEMBER STATE'S STATUTES AND RULES.

1 STATE'S CRIMINAL RECORDS.

2 1. A MEMBER STATE MUST FULLY IMPLEMENT A CRIMINAL
3 BACKGROUND CHECK REQUIREMENT, WITHIN A TIME FRAME ESTABLISHED
4 BY RULE, BY RECEIVING THE RESULTS OF THE FEDERAL BUREAU OF
5 INVESTIGATION RECORD SEARCH ON CRIMINAL BACKGROUND CHECKS AND
6 USE THE RESULTS IN MAKING LICENSURE DECISIONS.

7 2. COMMUNICATION BETWEEN A MEMBER STATE, THE
8 COMMISSION, AND AMONG MEMBER STATES REGARDING VERIFICATION OF
9 ELIGIBILITY FOR LICENSURE THROUGH THE COMPACT SHALL NOT INCLUDE
10 ANY INFORMATION RECEIVED FROM THE FEDERAL BUREAU OF
11 INVESTIGATION RELATING TO A FEDERAL CRIMINAL RECORDS CHECK
12 PERFORMED BY A MEMBER STATE UNDER PUBLIC LAW 92-544.

13 C. UPON APPLICATION FOR A PRIVILEGE TO PRACTICE, THE
14 LICENSING BOARD IN THE ISSUING REMOTE STATE SHALL ASCERTAIN,
15 THROUGH THE DATA SYSTEM, WHETHER THE APPLICANT HAS EVER HELD,
16 OR IS THE HOLDER OF, A LICENSE ISSUED BY ANY OTHER STATE, WHETHER
17 THERE ARE ANY ENCUMBRANCES ON ANY LICENSE OR PRIVILEGE TO
18 PRACTICE HELD BY THE APPLICANT, WHETHER ANY ADVERSE ACTION HAS
19 BEEN TAKEN AGAINST ANY LICENSE OR PRIVILEGE TO PRACTICE HELD BY
20 THE APPLICANT.

21 D. EACH MEMBER STATE SHALL REQUIRE AN APPLICANT TO OBTAIN
22 OR RETAIN A LICENSE IN THE HOME STATE AND MEET THE HOME STATE'S
23 QUALIFICATIONS FOR LICENSURE OR RENEWAL OF LICENSURE, AS WELL AS,
24 ALL OTHER APPLICABLE STATE LAWS.

25 E. FOR AN AUDIOLOGIST:

26 1. MUST MEET ONE OF THE FOLLOWING EDUCATIONAL
27 REQUIREMENTS:

1 a. ON OR BEFORE, DECEMBER 31, 2007, HAS GRADUATED WITH A
2 MASTER'S DEGREE OR DOCTORATE IN AUDIOLOGY, OR EQUIVALENT DEGREE
3 REGARDLESS OF DEGREE NAME, FROM A PROGRAM THAT IS ACCREDITED BY
4 AN ACCREDITING AGENCY RECOGNIZED BY THE COUNCIL FOR HIGHER
5 EDUCATION ACCREDITATION, OR ITS SUCCESSOR, OR BY THE UNITED
6 STATES DEPARTMENT OF EDUCATION AND OPERATED BY A COLLEGE OR
7 UNIVERSITY ACCREDITED BY A REGIONAL OR NATIONAL ACCREDITING
8 ORGANIZATION RECOGNIZED BY THE BOARD; OR

9 b. ON OR AFTER, JANUARY 1, 2008, HAS GRADUATED WITH A
10 DOCTORAL DEGREE IN AUDIOLOGY, OR EQUIVALENT DEGREE, REGARDLESS
11 OF DEGREE NAME, FROM A PROGRAM THAT IS ACCREDITED BY AN
12 ACCREDITING AGENCY RECOGNIZED BY THE COUNCIL FOR HIGHER
13 EDUCATION ACCREDITATION, OR ITS SUCCESSOR, OR BY THE UNITED
14 STATES DEPARTMENT OF EDUCATION AND OPERATED BY A COLLEGE OR
15 UNIVERSITY ACCREDITED BY A REGIONAL OR NATIONAL ACCREDITING
16 ORGANIZATION RECOGNIZED BY THE BOARD; OR

17 c. HAS GRADUATED FROM AN AUDIOLOGY PROGRAM THAT IS
18 HOUSED IN AN INSTITUTION OF HIGHER EDUCATION OUTSIDE OF THE
19 UNITED STATES (a) FOR WHICH THE PROGRAM AND INSTITUTION HAVE
20 BEEN APPROVED BY THE AUTHORIZED ACCREDITING BODY IN THE
21 APPLICABLE COUNTRY AND (b) THE DEGREE PROGRAM HAS BEEN VERIFIED
22 BY AN INDEPENDENT CREDENTIALS REVIEW AGENCY TO BE COMPARABLE
23 TO A STATE LICENSING BOARD-APPROVED PROGRAM.

24 2. HAS COMPLETED A SUPERVISED CLINICAL PRACTICUM
25 EXPERIENCE FROM AN ACCREDITED EDUCATIONAL INSTITUTION OR ITS
26 COOPERATING PROGRAMS AS REQUIRED BY THE COMMISSION;

27 3. HAS SUCCESSFULLY PASSED A NATIONAL EXAMINATION

1 APPROVED BY THE COMMISSION;

2 4. HOLDS AN ACTIVE, UNENCUMBERED LICENSE;

3 5. HAS NOT BEEN CONVICTED OR FOUND GUILTY, AND HAS NOT
4 ENTERED INTO AN AGREED DISPOSITION, OF A FELONY RELATED TO THE
5 PRACTICE OF AUDIOLOGY, UNDER APPLICABLE STATE OR FEDERAL
6 CRIMINAL LAW;

7 6. HAS A VALID UNITED STATES SOCIAL SECURITY NUMBER OR A
8 NATIONAL PRACTITIONER IDENTIFICATION NUMBER.

9 F. FOR A SPEECH-LANGUAGE PATHOLOGIST:

10 1. MUST MEET ONE OF THE FOLLOWING EDUCATIONAL
11 REQUIREMENTS:

12 a. HAS GRADUATED WITH A MASTER'S DEGREE FROM A
13 SPEECH-LANGUAGE PATHOLOGY PROGRAM THAT IS ACCREDITED BY AN
14 ORGANIZATION RECOGNIZED BY THE UNITED STATES DEPARTMENT OF
15 EDUCATION AND OPERATED BY A COLLEGE OR UNIVERSITY ACCREDITED
16 BY A REGIONAL OR NATIONAL ACCREDITING ORGANIZATION RECOGNIZED
17 BY THE BOARD; OR

18 b. HAS GRADUATED FROM A SPEECH-LANGUAGE PATHOLOGY
19 PROGRAM THAT IS HOUSED IN AN INSTITUTION OF HIGHER EDUCATION
20 OUTSIDE OF THE UNITED STATES (a) FOR WHICH THE PROGRAM AND
21 INSTITUTION HAVE BEEN APPROVED BY THE AUTHORIZED ACCREDITING
22 BODY IN THE APPLICABLE COUNTRY AND (b) THE DEGREE PROGRAM HAS
23 BEEN VERIFIED BY AN INDEPENDENT CREDENTIALS REVIEW AGENCY TO BE
24 COMPARABLE TO A STATE LICENSING BOARD-APPROVED PROGRAM.

25 2. HAS COMPLETED A SUPERVISED CLINICAL PRACTICUM
26 EXPERIENCE FROM AN EDUCATIONAL INSTITUTION OR ITS COOPERATING
27 PROGRAMS AS REQUIRED BY THE COMMISSION;

1 3. HAS COMPLETED A SUPERVISED POSTGRADUATE PROFESSIONAL
2 EXPERIENCE AS REQUIRED BY THE COMMISSION.

3 4. HAS SUCCESSFULLY PASSED A NATIONAL EXAMINATION
4 APPROVED BY THE COMMISSION;

5 5. HOLDS AN ACTIVE, UNENCUMBERED LICENSE;

6 6. HAS NOT BEEN CONVICTED OR FOUND GUILTY, AND HAS NOT
7 ENTERED INTO AN AGREED DISPOSITION, OF A FELONY RELATED TO THE
8 PRACTICE OF SPEECH-LANGUAGE PATHOLOGY, UNDER APPLICABLE STATE
9 OR FEDERAL CRIMINAL LAW;

10 7. HAS A VALID UNITED STATES SOCIAL SECURITY OR A NATIONAL
11 PRACTITIONER IDENTIFICATION NUMBER.

12 G. THE PRIVILEGE TO PRACTICE IS DERIVED FROM THE HOME STATE
13 LICENSE.

14 H. AN AUDIOLOGIST OR A SPEECH-LANGUAGE PATHOLOGIST
15 PRACTICING IN A MEMBER STATE MUST COMPLY WITH THE STATE PRACTICE
16 LAWS OF THE STATE IN WHICH THE CLIENT IS LOCATED AT THE TIME
17 SERVICE IS PROVIDED. THE PRACTICE OF AUDIOLOGY AND
18 SPEECH-LANGUAGE PATHOLOGY SHALL INCLUDE ALL AUDIOLOGY AND
19 SPEECH-LANGUAGE PATHOLOGY PRACTICE AS DEFINED BY THE STATE
20 PRACTICE LAWS OF THE MEMBER STATE IN WHICH THE CLIENT IS LOCATED.
21 THE PRACTICE OF AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY IN A
22 MEMBER STATE UNDER A PRIVILEGE TO PRACTICE SHALL SUBJECT AN
23 AUDIOLOGIST OR SPEECH-LANGUAGE PATHOLOGIST TO THE JURISDICTION
24 OF THE LICENSING BOARD, THE COURTS, AND THE LAWS OF THE MEMBER
25 STATE IN WHICH THE CLIENT IS LOCATED AT THE TIME SERVICE IS
26 PROVIDED.

27 I. INDIVIDUALS NOT RESIDING IN A MEMBER STATE SHALL

1 CONTINUE TO BE ABLE TO APPLY FOR A MEMBER STATE'S SINGLE-STATE
2 LICENSE AS PROVIDED UNDER THE LAWS OF EACH MEMBER STATE.
3 HOWEVER, THE SINGLE-STATE LICENSE GRANTED TO THESE INDIVIDUALS
4 SHALL NOT BE RECOGNIZED AS GRANTING THE PRIVILEGE TO PRACTICE
5 AUDIOLOGY OR SPEECH-LANGUAGE PATHOLOGY IN ANY OTHER MEMBER
6 STATE. NOTHING IN THIS COMPACT SHALL AFFECT THE REQUIREMENTS
7 ESTABLISHED BY A MEMBER STATE FOR THE ISSUANCE OF A SINGLE-STATE
8 LICENSE.

9 J. MEMBER STATES MAY CHARGE A FEE FOR GRANTING A COMPACT
10 PRIVILEGE.

11 K. MEMBER STATES MUST COMPLY WITH THE BYLAWS AND RULES
12 AND REGULATIONS OF THE COMMISSION.

13 SECTION 4

14 COMPACT PRIVILEGE

15 A. TO EXERCISE THE COMPACT PRIVILEGE UNDER THE TERMS AND
16 PROVISIONS OF THE COMPACT, THE AUDIOLOGIST OR SPEECH-LANGUAGE
17 PATHOLOGIST SHALL:

- 18 1. HOLD AN ACTIVE LICENSE IN THE HOME STATE;
- 19 2. HAVE NO ENCUMBRANCE ON ANY STATE LICENSE;
- 20 3. BE ELIGIBLE FOR A COMPACT PRIVILEGE IN ANY MEMBER STATE
21 IN ACCORDANCE WITH SECTION 3;
- 22 4. HAVE NOT HAD ANY ADVERSE ACTION AGAINST ANY LICENSE OR
23 COMPACT PRIVILEGE WITHIN THE PREVIOUS TWO (2) YEARS FROM DATE OF
24 APPLICATION;
- 25 5. NOTIFY THE COMMISSION THAT THE LICENSEE IS SEEKING THE
26 COMPACT PRIVILEGE WITHIN A REMOTE STATE(S);
- 27 6. PAY ANY APPLICABLE FEES, INCLUDING ANY STATE FEE, FOR THE

1 COMPACT PRIVILEGE;

2 7. REPORT TO THE COMMISSION ADVERSE ACTION TAKEN BY ANY
3 NON-MEMBER STATE WITHIN THIRTY (30) DAYS FROM THE DATE THE
4 ADVERSE ACTION IS TAKEN.

5 B. FOR THE PURPOSES OF THE COMPACT PRIVILEGE, AN
6 AUDIOLOGIST OR SPEECH-LANGUAGE PATHOLOGIST SHALL ONLY HOLD ONE
7 HOME STATE LICENSE AT A TIME.

8 C. EXCEPT AS PROVIDED IN SECTION 6, IF AN AUDIOLOGIST OR
9 SPEECH-LANGUAGE PATHOLOGIST CHANGES PRIMARY STATE OF RESIDENCE
10 BY MOVING BETWEEN TWO-MEMBER STATES, THE AUDIOLOGIST OR
11 SPEECH-LANGUAGE PATHOLOGIST MUST APPLY FOR LICENSURE IN THE NEW
12 HOME STATE, AND THE LICENSE ISSUED BY THE PRIOR HOME STATE SHALL
13 BE DEACTIVATED IN ACCORDANCE WITH APPLICABLE RULES ADOPTED BY
14 THE COMMISSION.

15 D. THE AUDIOLOGIST OR SPEECH-LANGUAGE PATHOLOGIST MAY
16 APPLY FOR LICENSURE IN ADVANCE OF A CHANGE IN PRIMARY STATE OF
17 RESIDENCE.

18 E. A LICENSE SHALL NOT BE ISSUED BY THE NEW HOME STATE
19 UNTIL THE AUDIOLOGIST OR SPEECH-LANGUAGE PATHOLOGIST PROVIDES
20 SATISFACTORY EVIDENCE OF A CHANGE IN PRIMARY STATE OF RESIDENCE
21 TO THE NEW HOME STATE AND SATISFIES ALL APPLICABLE REQUIREMENTS
22 TO OBTAIN A LICENSE FROM THE NEW HOME STATE.

23 F. IF AN AUDIOLOGIST OR SPEECH-LANGUAGE PATHOLOGIST
24 CHANGES PRIMARY STATE OF RESIDENCE BY MOVING FROM A MEMBER
25 STATE TO A NON-MEMBER STATE, THE LICENSE ISSUED BY THE PRIOR HOME
26 STATE SHALL CONVERT TO A SINGLE-STATE LICENSE, VALID ONLY IN THE
27 FORMER HOME STATE.

1 G. THE COMPACT PRIVILEGE IS VALID UNTIL THE EXPIRATION DATE
2 OF THE HOME STATE LICENSE. THE LICENSEE MUST COMPLY WITH THE
3 REQUIREMENTS OF SECTION 4A TO MAINTAIN THE COMPACT PRIVILEGE IN
4 THE REMOTE STATE.

5 H. A LICENSEE PROVIDING AUDIOLOGY OR SPEECH-LANGUAGE
6 PATHOLOGY SERVICES IN A REMOTE STATE UNDER THE COMPACT
7 PRIVILEGE SHALL FUNCTION WITHIN THE LAWS AND REGULATIONS OF THE
8 REMOTE STATE.

9 I. A LICENSEE PROVIDING AUDIOLOGY OR SPEECH-LANGUAGE
10 PATHOLOGY SERVICES IN A REMOTE STATE IS SUBJECT TO THAT STATE'S
11 REGULATORY AUTHORITY. A REMOTE STATE MAY, IN ACCORDANCE WITH
12 DUE PROCESS AND THAT STATE'S LAWS, REMOVE A LICENSEE'S COMPACT
13 PRIVILEGE IN THE REMOTE STATE FOR A SPECIFIC PERIOD OF TIME, IMPOSE
14 FINES, AND/OR TAKE ANY OTHER NECESSARY ACTIONS TO PROTECT THE
15 HEALTH AND SAFETY OF ITS CITIZENS.

16 J. IF A HOME STATE LICENSE IS ENCUMBERED, THE LICENSEE SHALL
17 LOSE THE COMPACT PRIVILEGE IN ANY REMOTE STATE UNTIL THE
18 FOLLOWING OCCURS:

- 19 1. THE HOME STATE LICENSE IS NO LONGER ENCUMBERED; AND
- 20 2. TWO YEARS HAVE ELAPSED FROM THE DATE OF THE ADVERSE
21 ACTION.

22 K. ONCE AN ENCUMBERED LICENSE IN THE HOME STATE IS
23 RESTORED TO GOOD STANDING, THE LICENSEE MUST MEET THE
24 REQUIREMENTS OF SECTION 4A TO OBTAIN A COMPACT PRIVILEGE IN ANY
25 REMOTE STATE.

26 L. ONCE THE REQUIREMENTS OF SECTION 4J HAVE BEEN MET, THE
27 LICENSEE MUST MEET THE REQUIREMENTS IN SECTION 4A TO OBTAIN A

1 COMPACT PRIVILEGE IN A REMOTE STATE.

2 **SECTION 5**

3 **COMPACT PRIVILEGE TO PRACTICE TELEHEALTH**

4 MEMBER STATES SHALL RECOGNIZE THE RIGHT OF AN AUDIOLOGIST
5 OR SPEECH-LANGUAGE PATHOLOGIST, LICENSED BY A HOME STATE IN
6 ACCORDANCE WITH SECTION 3 AND UNDER RULES PROMULGATED BY THE
7 COMMISSION, TO PRACTICE AUDIOLOGY OR SPEECH-LANGUAGE
8 PATHOLOGY IN ANY MEMBER STATE VIA TELEHEALTH UNDER A PRIVILEGE
9 TO PRACTICE AS PROVIDED IN THE COMPACT AND RULES PROMULGATED BY
10 THE COMMISSION.

11 **SECTION 6**

12 **ACTIVE DUTY MILITARY PERSONNEL**
13 **OR THEIR SPOUSES**

14 ACTIVE DUTY MILITARY PERSONNEL, OR THEIR SPOUSE, SHALL
15 DESIGNATE A HOME STATE WHERE THE INDIVIDUAL HAS A CURRENT
16 LICENSE IN GOOD STANDING. THE INDIVIDUAL MAY RETAIN THE HOME
17 STATE DESIGNATION DURING THE PERIOD THE SERVICE MEMBER IS ON
18 ACTIVE DUTY. SUBSEQUENT TO DESIGNATING A HOME STATE, THE
19 INDIVIDUAL SHALL ONLY CHANGE THEIR HOME STATE THROUGH
20 APPLICATION FOR LICENSURE IN THE NEW STATE.

21 **SECTION 7**

22 **ADVERSE ACTIONS**

23 A. IN ADDITION TO THE OTHER POWERS CONFERRED BY STATE LAW,
24 A REMOTE STATE SHALL HAVE THE AUTHORITY, IN ACCORDANCE WITH
25 EXISTING STATE DUE PROCESS LAW, TO:

26 1. TAKE ADVERSE ACTION AGAINST AN AUDIOLOGIST'S OR
27 SPEECH-LANGUAGE PATHOLOGIST'S PRIVILEGE TO PRACTICE WITHIN THAT

1 MEMBER STATE.

2 2. ISSUE SUBPOENAS FOR BOTH HEARINGS AND INVESTIGATIONS
3 THAT REQUIRE THE ATTENDANCE AND TESTIMONY OF WITNESSES AS WELL
4 AS THE PRODUCTION OF EVIDENCE. SUBPOENAS ISSUED BY A LICENSING
5 BOARD IN A MEMBER STATE FOR THE ATTENDANCE AND TESTIMONY OF
6 WITNESSES OR THE PRODUCTION OF EVIDENCE FROM ANOTHER MEMBER
7 STATE SHALL BE ENFORCED IN THE LATTER STATE BY ANY COURT OF
8 COMPETENT JURISDICTION, ACCORDING TO THE PRACTICE AND PROCEDURE
9 OF THAT COURT APPLICABLE TO SUBPOENAS ISSUED IN PROCEEDINGS
10 PENDING BEFORE IT. THE ISSUING AUTHORITY SHALL PAY ANY WITNESS
11 FEES, TRAVEL EXPENSES, MILEAGE, AND OTHER FEES REQUIRED BY THE
12 SERVICE STATUTES OF THE STATE IN WHICH THE WITNESSES OR EVIDENCE
13 ARE LOCATED.

14 3. ONLY THE HOME STATE SHALL HAVE THE POWER TO TAKE
15 ADVERSE ACTION AGAINST AN AUDIOLOGIST'S OR A SPEECH-LANGUAGE
16 PATHOLOGIST'S LICENSE ISSUED BY THE HOME STATE.

17 B. FOR PURPOSES OF TAKING ADVERSE ACTION, THE HOME STATE
18 SHALL GIVE THE SAME PRIORITY AND EFFECT TO REPORTED CONDUCT
19 RECEIVED FROM A MEMBER STATE AS IT WOULD IF THE CONDUCT HAD
20 OCCURRED WITHIN THE HOME STATE. IN DOING SO, THE HOME STATE
21 SHALL APPLY ITS OWN STATE LAWS TO DETERMINE APPROPRIATE ACTION.

22 C. THE HOME STATE SHALL COMPLETE ANY PENDING
23 INVESTIGATIONS OF AN AUDIOLOGIST OR A SPEECH-LANGUAGE
24 PATHOLOGIST WHO CHANGES PRIMARY STATE OF RESIDENCE DURING THE
25 COURSE OF THE INVESTIGATIONS. THE HOME STATE SHALL ALSO HAVE THE
26 AUTHORITY TO TAKE APPROPRIATE ACTION(S) AND SHALL PROMPTLY
27 REPORT THE CONCLUSIONS OF THE INVESTIGATIONS TO THE

1 ADMINISTRATOR OF THE DATA SYSTEM. THE ADMINISTRATOR OF THE
2 COORDINATED LICENSURE INFORMATION SYSTEM SHALL PROMPTLY NOTIFY
3 THE NEW HOME STATE OF ANY ADVERSE ACTIONS.

4 D. IF OTHERWISE PERMITTED BY STATE LAW, THE MEMBER STATE
5 MAY RECOVER FROM THE AFFECTED AUDIOLOGIST OR SPEECH-LANGUAGE
6 PATHOLOGIST THE COSTS OF INVESTIGATIONS AND DISPOSITION OF CASES
7 RESULTING FROM ANY ADVERSE ACTION TAKEN AGAINST THAT
8 AUDIOLOGIST OR SPEECH-LANGUAGE PATHOLOGIST.

9 E. THE MEMBER STATE MAY TAKE ADVERSE ACTION BASED ON THE
10 FACTUAL FINDINGS OF THE REMOTE STATE, PROVIDED THAT THE MEMBER
11 STATE FOLLOWS THE MEMBER STATE'S OWN PROCEDURES FOR TAKING THE
12 ADVERSE ACTION.

13 F. JOINT INVESTIGATIONS

14 1. IN ADDITION TO THE AUTHORITY GRANTED TO A MEMBER STATE
15 BY ITS RESPECTIVE AUDIOLOGY OR SPEECH-LANGUAGE PATHOLOGY
16 PRACTICE ACT OR OTHER APPLICABLE STATE LAW, ANY MEMBER STATE
17 MAY PARTICIPATE WITH OTHER MEMBER STATES IN JOINT INVESTIGATIONS
18 OF LICENSEES.

19 2. MEMBER STATES SHALL SHARE ANY INVESTIGATIVE,
20 LITIGATION, OR COMPLIANCE MATERIALS IN FURTHERANCE OF ANY JOINT
21 OR INDIVIDUAL INVESTIGATION INITIATED UNDER THE COMPACT.

22 G. IF ADVERSE ACTION IS TAKEN BY THE HOME STATE AGAINST AN
23 AUDIOLOGIST'S OR SPEECH-LANGUAGE PATHOLOGIST'S LICENSE, THE
24 AUDIOLOGIST'S OR SPEECH-LANGUAGE PATHOLOGIST'S PRIVILEGE TO
25 PRACTICE IN ALL OTHER MEMBER STATES SHALL BE DEACTIVATED UNTIL
26 ALL ENCUMBRANCES HAVE BEEN REMOVED FROM THE STATE LICENSE. ALL
27 HOME STATE DISCIPLINARY ORDERS THAT IMPOSE ADVERSE ACTION

1 AGAINST AN AUDIOLOGIST'S OR A SPEECH LANGUAGE PATHOLOGIST'S
2 LICENSE SHALL INCLUDE A STATEMENT THAT THE AUDIOLOGIST'S OR
3 SPEECH-LANGUAGE PATHOLOGIST'S PRIVILEGE TO PRACTICE IS
4 DEACTIVATED IN ALL MEMBER STATES DURING THE PENDENCY OF THE
5 ORDER.

6 H. IF A MEMBER STATE TAKES ADVERSE ACTION, IT SHALL
7 PROMPTLY NOTIFY THE ADMINISTRATOR OF THE DATA SYSTEM. THE
8 ADMINISTRATOR OF THE DATA SYSTEM SHALL PROMPTLY NOTIFY THE
9 HOME STATE OF ANY ADVERSE ACTIONS BY REMOTE STATES.

10 I. NOTHING IN THIS COMPACT SHALL OVERRIDE A MEMBER STATE'S
11 DECISION THAT PARTICIPATION IN AN ALTERNATIVE PROGRAM MAY BE
12 USED IN LIEU OF ADVERSE ACTION.

13 **SECTION 8**
14 **ESTABLISHMENT OF AUDIOLOGY AND**
15 **SPEECH-LANGUAGE PATHOLOGY**
16 **COMPACT COMMISSION**

17 A. THE COMPACT MEMBER STATES HEREBY CREATE AND
18 ESTABLISH A JOINT PUBLIC AGENCY KNOWN AS THE AUDIOLOGY AND
19 SPEECH-LANGUAGE PATHOLOGY COMPACT COMMISSION:

20 1. THE COMMISSION IS AN INSTRUMENTALITY OF THE COMPACT
21 STATES.

22 2. VENUE IS PROPER AND JUDICIAL PROCEEDINGS BY OR AGAINST
23 THE COMMISSION SHALL BE BROUGHT SOLELY AND EXCLUSIVELY IN A
24 COURT OF COMPETENT JURISDICTION WHERE THE PRINCIPAL OFFICE OF THE
25 COMMISSION IS LOCATED. THE COMMISSION MAY WAIVE VENUE AND
26 JURISDICTIONAL DEFENSES TO THE EXTENT IT ADOPTS OR CONSENTS TO
27 PARTICIPATE IN ALTERNATIVE DISPUTE RESOLUTION PROCEEDINGS.

1 3. NOTHING IN THIS COMPACT SHALL BE CONSTRUED TO BE A
2 WAIVER OF SOVEREIGN IMMUNITY.

3 **B. MEMBERSHIP, VOTING, AND MEETINGS**

4 1. EACH MEMBER STATE SHALL HAVE TWO (2) DELEGATES
5 SELECTED BY THAT MEMBER STATE'S LICENSING BOARD. THE DELEGATES
6 SHALL BE CURRENT MEMBERS OF THE LICENSING BOARD. ONE SHALL BE AN
7 AUDIOLOGIST AND ONE SHALL BE A SPEECH-LANGUAGE PATHOLOGIST.

8 2. AN ADDITIONAL FIVE (5) DELEGATES, WHO ARE EITHER A PUBLIC
9 MEMBER OR BOARD ADMINISTRATOR FROM A STATE LICENSING BOARD,
10 SHALL BE CHOSEN BY THE EXECUTIVE COMMITTEE FROM A POOL OF
11 NOMINEES PROVIDED BY THE COMMISSION AT LARGE.

12 3. ANY DELEGATE MAY BE REMOVED OR SUSPENDED FROM OFFICE
13 AS PROVIDED BY THE LAW OF THE STATE FROM WHICH THE DELEGATE IS
14 APPOINTED.

15 4. THE MEMBER STATE BOARD SHALL FILL ANY VACANCY
16 OCCURRING ON THE COMMISSION, WITHIN NINETY (90) DAYS.

17 5. EACH DELEGATE SHALL BE ENTITLED TO ONE (1) VOTE WITH
18 REGARD TO THE PROMULGATION OF RULES AND CREATION OF BYLAWS AND
19 SHALL OTHERWISE HAVE AN OPPORTUNITY TO PARTICIPATE IN THE
20 BUSINESS AND AFFAIRS OF THE COMMISSION.

21 6. A DELEGATE SHALL VOTE IN PERSON OR BY OTHER MEANS AS
22 PROVIDED IN THE BYLAWS. THE BYLAWS MAY PROVIDE FOR DELEGATES'
23 PARTICIPATION IN MEETINGS BY TELEPHONE OR OTHER MEANS OF
24 COMMUNICATION.

25 7. THE COMMISSION SHALL MEET AT LEAST ONCE DURING EACH
26 CALENDAR YEAR. ADDITIONAL MEETINGS SHALL BE HELD AS SET FORTH IN
27 THE BYLAWS.

1 C. THE COMMISSION SHALL HAVE THE FOLLOWING POWERS AND
2 DUTIES:

- 3 1. ESTABLISH THE FISCAL YEAR OF THE COMMISSION;
- 4 2. ESTABLISH BYLAWS;
- 5 3. ESTABLISH A CODE OF ETHICS;
- 6 4. MAINTAIN ITS FINANCIAL RECORDS IN ACCORDANCE WITH THE
7 BYLAWS;

8 5. MEET AND TAKE ACTIONS AS ARE CONSISTENT WITH THE
9 PROVISIONS OF THIS COMPACT AND THE BYLAWS;

10 6. PROMULGATE UNIFORM RULES TO FACILITATE AND COORDINATE
11 IMPLEMENTATION AND ADMINISTRATION OF THIS COMPACT. THE RULES
12 SHALL HAVE THE FORCE AND EFFECT OF LAW AND SHALL BE BINDING IN
13 ALL MEMBER STATES;

14 7. BRING AND PROSECUTE LEGAL PROCEEDINGS OR ACTIONS IN THE
15 NAME OF THE COMMISSION, PROVIDED THAT THE STANDING OF ANY STATE
16 AUDIOLOGY OR SPEECH-LANGUAGE PATHOLOGY LICENSING BOARD TO SUE
17 OR BE SUED UNDER APPLICABLE LAW SHALL NOT BE AFFECTED;

18 8. PURCHASE AND MAINTAIN INSURANCE AND BONDS;

19 9. BORROW, ACCEPT, OR CONTRACT FOR SERVICES OF PERSONNEL,
20 INCLUDING, BUT NOT LIMITED TO, EMPLOYEES OF A MEMBER STATE;

21 10. HIRE EMPLOYEES, ELECT OR APPOINT OFFICERS, FIX
22 COMPENSATION, DEFINE DUTIES, GRANT INDIVIDUALS APPROPRIATE
23 AUTHORITY TO CARRY OUT THE PURPOSES OF THE COMPACT, AND TO
24 ESTABLISH THE COMMISSION'S PERSONNEL POLICIES AND PROGRAMS
25 RELATING TO CONFLICTS OF INTEREST, QUALIFICATIONS OF PERSONNEL,
26 AND OTHER RELATED PERSONNEL MATTERS;

27 11. ACCEPT ANY AND ALL APPROPRIATE DONATIONS AND GRANTS

1 OF MONEY, EQUIPMENT, SUPPLIES, MATERIALS, AND SERVICES, AND TO
2 RECEIVE, UTILIZE, AND DISPOSE OF THE SAME; PROVIDED THAT AT ALL
3 TIMES THE COMMISSION SHALL AVOID ANY APPEARANCE OF IMPROPRIETY
4 AND/OR CONFLICT OF INTEREST;

5 12. LEASE, PURCHASE, ACCEPT APPROPRIATE GIFTS OR DONATIONS
6 OF, OR OTHERWISE TO OWN, HOLD, IMPROVE, OR USE ANY REAL, PERSONAL,
7 OR MIXED PROPERTY; 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, AND OTHER INTERESTED PERSONS AS MAY BE
16 DESIGNATED IN THIS COMPACT AND THE BYLAWS;

17 17. PROVIDE AND RECEIVE INFORMATION FROM, AND COOPERATE
18 WITH, LAW ENFORCEMENT AGENCIES;

19 18. ESTABLISH AND ELECT AN EXECUTIVE COMMITTEE; AND

20 19. PERFORM OTHER FUNCTIONS AS MAY BE NECESSARY OR
21 APPROPRIATE TO ACHIEVE THE PURPOSES OF THIS COMPACT CONSISTENT
22 WITH THE STATE REGULATION OF AUDIOLOGY AND SPEECH-LANGUAGE
23 PATHOLOGY LICENSURE AND PRACTICE.

24 D. THE EXECUTIVE COMMITTEE

25 THE EXECUTIVE COMMITTEE SHALL HAVE THE POWER TO ACT ON
26 BEHALF OF THE COMMISSION ACCORDING TO THE TERMS OF THIS
27 COMPACT:

1 1. THE EXECUTIVE COMMITTEE SHALL BE COMPOSED OF TEN (10)
2 MEMBERS:

3 a. SEVEN (7) VOTING MEMBERS WHO ARE ELECTED BY THE
4 COMMISSION FROM THE CURRENT MEMBERSHIP OF THE COMMISSION;

5 b. TWO (2) EX-OFFICIOS, CONSISTING OF ONE NONVOTING MEMBER
6 FROM A RECOGNIZED NATIONAL AUDIOLOGY PROFESSIONAL ASSOCIATION
7 AND ONE NONVOTING MEMBER FROM A RECOGNIZED NATIONAL
8 SPEECH-LANGUAGE PATHOLOGY ASSOCIATION; AND

9 c. ONE (1) EX-OFFICIO, NONVOTING MEMBER FROM THE
10 RECOGNIZED MEMBERSHIP ORGANIZATION OF THE AUDIOLOGY AND
11 SPEECH-LANGUAGE PATHOLOGY LICENSING BOARDS.

12 E. THE EX-OFFICIO MEMBERS SHALL BE SELECTED BY THEIR
13 RESPECTIVE ORGANIZATIONS.

14 1. THE COMMISSION MAY REMOVE ANY MEMBER OF THE
15 EXECUTIVE COMMITTEE AS PROVIDED IN BYLAWS.

16 2. THE EXECUTIVE COMMITTEE SHALL MEET AT LEAST ANNUALLY.

17 3. THE EXECUTIVE COMMITTEE SHALL HAVE THE FOLLOWING
18 DUTIES AND RESPONSIBILITIES:

19 a. RECOMMEND TO THE ENTIRE COMMISSION CHANGES TO THE
20 RULES OR BYLAWS, CHANGES TO THIS COMPACT'S LEGISLATION, FEES PAID
21 BY COMPACT MEMBER STATES SUCH AS ANNUAL DUES, AND ANY
22 COMMISSION COMPACT FEE CHARGED TO LICENSEES FOR THE COMPACT
23 PRIVILEGE;

24 b. ENSURE COMPACT ADMINISTRATION SERVICES ARE
25 APPROPRIATELY PROVIDED, CONTRACTUAL OR OTHERWISE;

26 c. PREPARE AND RECOMMEND THE BUDGET;

27 d. MAINTAIN FINANCIAL RECORDS ON BEHALF OF THE

1 COMMISSION;

2 e. MONITOR COMPACT COMPLIANCE OF MEMBER STATES AND
3 PROVIDE COMPLIANCE REPORTS TO THE COMMISSION;

4 f. ESTABLISH ADDITIONAL COMMITTEES AS NECESSARY; AND

5 g. OTHER DUTIES AS PROVIDED IN RULES OR BYLAWS.

6 4. MEETINGS OF THE COMMISSION

7 ALL MEETINGS SHALL BE OPEN TO THE PUBLIC, AND PUBLIC NOTICE
8 OF MEETINGS SHALL BE GIVEN IN THE SAME MANNER AS REQUIRED UNDER
9 THE RULEMAKING PROVISIONS IN SECTION 10.

10 5. THE COMMISSION OR THE EXECUTIVE COMMITTEE OR OTHER
11 COMMITTEES OF THE COMMISSION MAY CONVENE IN A CLOSED,
12 NON-PUBLIC MEETING IF THE COMMISSION OR THE EXECUTIVE COMMITTEE
13 OR OTHER COMMITTEES OF THE COMMISSION MUST DISCUSS:

14 a. NONCOMPLIANCE OF A MEMBER STATE WITH ITS OBLIGATIONS
15 UNDER THE COMPACT;

16 b. THE EMPLOYMENT, COMPENSATION, DISCIPLINE, OR OTHER
17 MATTERS, PRACTICES, OR PROCEDURES RELATED TO SPECIFIC EMPLOYEES
18 OR OTHER MATTERS RELATED TO THE COMMISSION'S INTERNAL
19 PERSONNEL PRACTICES AND PROCEDURES;

20 c. CURRENT, THREATENED, OR REASONABLY ANTICIPATED
21 LITIGATION;

22 d. NEGOTIATION OF CONTRACTS FOR THE PURCHASE, LEASE, OR
23 SALE OF GOODS, SERVICES, OR REAL ESTATE;

24 e. ACCUSING ANY PERSON OF A CRIME OR FORMALLY CENSURING
25 ANY PERSON;

26 f. DISCLOSURE OF TRADE SECRETS OR COMMERCIAL OR FINANCIAL
27 INFORMATION THAT IS PRIVILEGED OR CONFIDENTIAL;

1 g. DISCLOSURE OF INFORMATION OF A PERSONAL NATURE WHERE
2 DISCLOSURE WOULD CONSTITUTE A CLEARLY UNWARRANTED INVASION OF
3 PERSONAL PRIVACY;

4 h. DISCLOSURE OF INVESTIGATIVE RECORDS COMPILED FOR LAW
5 ENFORCEMENT PURPOSES;

6 i. DISCLOSURE OF INFORMATION RELATED TO ANY INVESTIGATIVE
7 REPORTS PREPARED BY OR ON BEHALF OF OR FOR USE BY THE COMMISSION
8 OR OTHER COMMITTEE CHARGED WITH RESPONSIBILITY OF INVESTIGATION
9 OR DETERMINATION OF COMPLIANCE ISSUES PURSUANT TO THE COMPACT;
10 OR

11 j. MATTERS SPECIFICALLY EXEMPTED FROM DISCLOSURE BY
12 FEDERAL OR MEMBER STATE STATUTE.

13 6. IF A MEETING, OR PORTION OF A MEETING, IS CLOSED PURSUANT
14 TO THIS PROVISION, THE COMMISSION'S LEGAL COUNSEL OR DESIGNEE
15 SHALL CERTIFY THAT THE MEETING MAY BE CLOSED AND SHALL
16 REFERENCE EACH RELEVANT EXEMPTING PROVISION.

17 7. THE COMMISSION SHALL KEEP MINUTES THAT FULLY AND
18 CLEARLY DESCRIBE ALL MATTERS DISCUSSED IN A MEETING AND SHALL
19 PROVIDE A FULL AND ACCURATE SUMMARY OF ACTIONS TAKEN, AND THE
20 REASONS THEREFORE, INCLUDING A DESCRIPTION OF THE VIEWS
21 EXPRESSED. ALL DOCUMENTS CONSIDERED IN CONNECTION WITH AN
22 ACTION SHALL BE IDENTIFIED IN MINUTES. ALL MINUTES AND DOCUMENTS
23 OF A CLOSED MEETING SHALL REMAIN UNDER SEAL, SUBJECT TO RELEASE
24 BY A MAJORITY VOTE OF THE COMMISSION OR ORDER OF A COURT OF
25 COMPETENT JURISDICTION.

26 8. FINANCING OF THE COMMISSION

27 a. THE COMMISSION SHALL PAY, OR PROVIDE FOR THE PAYMENT

1 OF, THE REASONABLE EXPENSES OF ITS ESTABLISHMENT, ORGANIZATION,
2 AND ONGOING ACTIVITIES.

3 b. THE COMMISSION MAY ACCEPT ANY AND ALL APPROPRIATE
4 REVENUE SOURCES, DONATIONS, AND GRANTS OF MONEY, EQUIPMENT,
5 SUPPLIES, MATERIALS, AND SERVICES.

6 c. THE COMMISSION MAY LEVY ON AND COLLECT AN ANNUAL
7 ASSESSMENT FROM EACH MEMBER STATE OR IMPOSE FEES ON OTHER
8 PARTIES TO COVER THE COSTS OF THE OPERATIONS AND ACTIVITIES OF THE
9 COMMISSION AND ITS STAFF, WHICH MUST BE IN A TOTAL AMOUNT
10 SUFFICIENT TO COVER ITS ANNUAL BUDGET AS APPROVED EACH YEAR FOR
11 WHICH REVENUE IS NOT PROVIDED BY OTHER SOURCES. THE AGGREGATE
12 ANNUAL ASSESSMENT AMOUNT SHALL BE ALLOCATED BASED UPON A
13 FORMULA TO BE DETERMINED BY THE COMMISSION, WHICH SHALL
14 PROMULGATE A RULE BINDING UPON ALL MEMBER STATES.

15 9. THE COMMISSION SHALL NOT INCUR OBLIGATIONS OF ANY KIND
16 PRIOR TO SECURING THE FUNDS ADEQUATE TO MEET THE SAME; NOR SHALL
17 THE COMMISSION PLEDGE THE CREDIT OF ANY OF THE MEMBER STATES,
18 EXCEPT BY AND WITH THE AUTHORITY OF THE MEMBER 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 RECEIPTS
23 AND DISBURSEMENTS OF FUNDS HANDLED BY THE COMMISSION SHALL BE
24 AUDITED YEARLY BY A CERTIFIED OR LICENSED PUBLIC ACCOUNTANT, AND
25 THE REPORT OF THE AUDIT SHALL BE INCLUDED IN AND BECOME PART OF
26 THE ANNUAL REPORT OF THE COMMISSION.

27 F. QUALIFIED IMMUNITY, DEFENSE, AND INDEMNIFICATION

1 1. THE MEMBERS, OFFICERS, EXECUTIVE DIRECTOR, EMPLOYEES,
2 AND REPRESENTATIVES OF THE COMMISSION SHALL BE IMMUNE FROM SUIT
3 AND LIABILITY, EITHER PERSONALLY OR IN THEIR OFFICIAL CAPACITY, FOR
4 ANY CLAIM FOR DAMAGE TO OR LOSS OF PROPERTY OR PERSONAL INJURY
5 OR OTHER CIVIL LIABILITY CAUSED BY OR ARISING OUT OF ANY ACTUAL OR
6 ALLEGED ACT, ERROR OR OMISSION THAT OCCURRED, OR THAT THE PERSON
7 AGAINST WHOM THE CLAIM IS MADE HAD A REASONABLE BASIS FOR
8 BELIEVING OCCURRED WITHIN THE SCOPE OF COMMISSION EMPLOYMENT,
9 DUTIES, OR RESPONSIBILITIES; PROVIDED THAT NOTHING IN THIS
10 PARAGRAPH SHALL BE CONSTRUED TO PROTECT ANY PERSON FROM SUIT
11 AND/OR LIABILITY FOR ANY DAMAGE, LOSS, INJURY, OR LIABILITY CAUSED
12 BY THE INTENTIONAL OR WILLFUL OR WANTON MISCONDUCT OF THAT
13 PERSON.

14 2. THE COMMISSION SHALL DEFEND ANY MEMBER, OFFICER,
15 EXECUTIVE DIRECTOR, EMPLOYEE, OR REPRESENTATIVE OF THE
16 COMMISSION IN ANY CIVIL ACTION SEEKING TO IMPOSE LIABILITY ARISING
17 OUT OF ANY ACTUAL OR ALLEGED ACT, ERROR, OR OMISSION THAT
18 OCCURRED WITHIN THE SCOPE OF COMMISSION EMPLOYMENT, DUTIES, OR
19 RESPONSIBILITIES, OR THAT THE PERSON AGAINST WHOM THE CLAIM IS
20 MADE HAD A REASONABLE BASIS FOR BELIEVING OCCURRED WITHIN THE
21 SCOPE OF COMMISSION EMPLOYMENT, DUTIES, OR RESPONSIBILITIES;
22 PROVIDED THAT NOTHING HEREIN SHALL BE CONSTRUED TO PROHIBIT THAT
23 PERSON FROM RETAINING HIS OR HER OWN COUNSEL; AND PROVIDED
24 FURTHER, THAT THE ACTUAL OR ALLEGED ACT, ERROR, OR OMISSION DID
25 NOT RESULT FROM THAT PERSON'S INTENTIONAL OR WILLFUL OR WANTON
26 MISCONDUCT.

27 3. THE COMMISSION SHALL INDEMNIFY AND HOLD HARMLESS ANY

1 MEMBER, OFFICER, EXECUTIVE DIRECTOR, EMPLOYEE, OR REPRESENTATIVE
2 OF THE COMMISSION FOR THE AMOUNT OF ANY SETTLEMENT OR
3 JUDGEMENT OBTAINED AGAINST THAT PERSON ARISING OUT OF ANY
4 ACTUAL OR ALLEGED ACT, ERROR, OR OMISSION THAT OCCURRED WITHIN
5 THE SCOPE OF COMMISSION EMPLOYMENT, DUTIES, OR RESPONSIBILITIES,
6 OR THAT THE PERSON HAD A REASONABLE BASIS FOR BELIEVING
7 OCCURRED WITHIN THE SCOPE OF COMMISSION EMPLOYMENT, DUTIES, OR
8 RESPONSIBILITIES, PROVIDED THAT THE ACTUAL OR ALLEGED ACT, ERROR,
9 OR OMISSION DID NOT RESULT FROM THE INTENTIONAL OR WILLFUL OR
10 WANTON MISCONDUCT OF THAT PERSON.

11 SECTION 9

12 DATA SYSTEM

13 A. THE COMMISSION SHALL PROVIDE FOR THE DEVELOPMENT,
14 MAINTENANCE, AND UTILIZATION OF A COORDINATED DATABASE AND
15 REPORTING SYSTEM CONTAINING LICENSURE, ADVERSE ACTION, AND
16 INVESTIGATIVE INFORMATION ON ALL LICENSED INDIVIDUALS IN MEMBER
17 STATES.

18 B. NOTWITHSTANDING ANY OTHER PROVISION OF STATE LAW TO
19 THE CONTRARY, A MEMBER STATE SHALL SUBMIT A UNIFORM DATA SET TO
20 THE DATA SYSTEM ON ALL INDIVIDUALS TO WHOM THIS COMPACT IS
21 APPLICABLE AS REQUIRED BY THE RULES OF THE COMMISSION, INCLUDING:

- 22 1. IDENTIFYING INFORMATION;
- 23 2. LICENSURE DATA;
- 24 3. ADVERSE ACTIONS AGAINST A LICENSE OR COMPACT PRIVILEGE;
- 25 4. NON-CONFIDENTIAL INFORMATION RELATED TO ALTERNATIVE
26 PROGRAM PARTICIPATION;
- 27 5. ANY DENIAL OF APPLICATION FOR LICENSURE, AND THE

1 REASON(S) FOR DENIAL; AND

2 6. OTHER INFORMATION THAT MAY FACILITATE THE
3 ADMINISTRATION OF THIS COMPACT, AS DETERMINED BY THE RULES OF
4 THE COMMISSION.

5 C. INVESTIGATIVE INFORMATION PERTAINING TO A LICENSEE IN
6 ANY MEMBER STATE SHALL ONLY BE AVAILABLE TO OTHER MEMBER
7 STATES.

8 D. THE COMMISSION SHALL PROMPTLY NOTIFY ALL MEMBER
9 STATES OF ANY ADVERSE ACTION TAKEN AGAINST A LICENSEE OR AN
10 INDIVIDUAL APPLYING FOR A LICENSE. ADVERSE ACTION INFORMATION
11 PERTAINING TO A LICENSEE IN ANY MEMBER STATE SHALL BE AVAILABLE
12 TO ANY OTHER MEMBER STATE.

13 E. MEMBER STATES CONTRIBUTING INFORMATION TO THE DATA
14 SYSTEM MAY DESIGNATE INFORMATION THAT MAY NOT BE SHARED WITH
15 THE PUBLIC WITHOUT THE EXPRESS PERMISSION OF THE CONTRIBUTING
16 STATE.

17 F. ANY INFORMATION SUBMITTED TO THE DATA SYSTEM THAT IS
18 SUBSEQUENTLY REQUIRED TO BE EXPUNGED BY THE LAWS OF THE MEMBER
19 STATE CONTRIBUTING THE INFORMATION SHALL BE REMOVED FROM THE
20 DATA SYSTEM.

21 **SECTION 10**
22 **RULEMAKING**

23 A. THE COMMISSION SHALL EXERCISE ITS RULEMAKING POWERS
24 PURSUANT TO THE CRITERIA SET FORTH IN THIS SECTION AND THE RULES
25 ADOPTED THEREUNDER. RULES AND AMENDMENTS SHALL BECOME
26 BINDING AS OF THE DATE SPECIFIED IN EACH RULE OR AMENDMENT.

27 B. IF A MAJORITY OF THE LEGISLATURES OF THE MEMBER STATES

1 REJECTS A RULE, BY ENACTMENT OF A STATUTE OR RESOLUTION IN THE
2 SAME MANNER USED TO ADOPT THE COMPACT WITHIN FOUR (4) YEARS OF
3 THE DATE OF ADOPTION OF THE RULE, THE RULE SHALL HAVE NO FURTHER
4 FORCE AND EFFECT IN ANY MEMBER STATE.

5 C. RULES OR AMENDMENTS TO THE RULES SHALL BE ADOPTED AT
6 A REGULAR OR SPECIAL MEETING OF THE COMMISSION.

7 D. PRIOR TO PROMULGATION AND ADOPTION OF A FINAL RULE OR
8 RULES BY THE COMMISSION, AND AT LEAST THIRTY (30) DAYS IN ADVANCE
9 OF THE MEETING AT WHICH THE RULE SHALL BE CONSIDERED AND VOTED
10 UPON, THE COMMISSION SHALL FILE A NOTICE OF PROPOSED
11 RULEMAKING:

12 1. ON THE WEBSITE OF THE COMMISSION OR OTHER PUBLICLY
13 ACCESSIBLE PLATFORM; AND

14 2. ON THE WEBSITE OF EACH MEMBER STATE AUDIOLOGY OR
15 SPEECH-LANGUAGE PATHOLOGY LICENSING BOARD OR OTHER PUBLICLY
16 ACCESSIBLE PLATFORM OR THE PUBLICATION IN WHICH EACH STATE
17 WOULD OTHERWISE PUBLISH PROPOSED RULES.

18 E. THE NOTICE OF PROPOSED RULEMAKING SHALL INCLUDE:

19 1. THE PROPOSED TIME, DATE, AND LOCATION OF THE MEETING IN
20 WHICH THE RULE SHALL BE CONSIDERED AND VOTED UPON;

21 2. THE TEXT OF THE PROPOSED RULE OR AMENDMENT AND THE
22 REASON FOR THE PROPOSED RULE;

23 3. A REQUEST FOR COMMENTS ON THE PROPOSED RULE FROM ANY
24 INTERESTED PERSON; AND

25 4. THE MANNER IN WHICH INTERESTED PERSONS MAY SUBMIT
26 NOTICE TO THE COMMISSION OF THEIR INTENTION TO ATTEND THE PUBLIC
27 HEARING AND ANY WRITTEN COMMENTS.

1 F. PRIOR TO THE ADOPTION OF A PROPOSED RULE, THE
2 COMMISSION SHALL ALLOW PERSONS TO SUBMIT WRITTEN DATA, FACTS,
3 OPINIONS, AND ARGUMENTS, WHICH SHALL BE MADE AVAILABLE TO THE
4 PUBLIC.

5 G. THE COMMISSION SHALL GRANT AN OPPORTUNITY FOR A PUBLIC
6 HEARING BEFORE IT ADOPTS A RULE OR AMENDMENT IF A HEARING IS
7 REQUESTED BY:

- 8 1. AT LEAST TWENTY-FIVE (25) PERSONS;
- 9 2. A STATE OR FEDERAL GOVERNMENTAL SUBDIVISION OR AGENCY;
- 10 OR
- 11 3. AN ASSOCIATION HAVING AT LEAST TWENTY-FIVE (25)
12 MEMBERS.

13 H. IF A HEARING IS HELD ON THE PROPOSED RULE OR AMENDMENT,
14 THE COMMISSION SHALL PUBLISH THE PLACE, TIME, AND DATE OF THE
15 SCHEDULED PUBLIC HEARING. IF THE HEARING IS HELD VIA ELECTRONIC
16 MEANS, THE COMMISSION SHALL PUBLISH THE MECHANISM FOR ACCESS TO
17 THE ELECTRONIC HEARING.

18 1. ALL PERSONS WISHING TO BE HEARD AT THE HEARING SHALL
19 NOTIFY THE EXECUTIVE DIRECTOR OF THE COMMISSION OR OTHER
20 DESIGNATED MEMBER IN WRITING OF THEIR DESIRE TO APPEAR AND
21 TESTIFY AT THE HEARING NOT LESS THAN FIVE (5) BUSINESS DAYS BEFORE
22 THE SCHEDULED DATE OF THE HEARING.

23 2. HEARINGS SHALL BE CONDUCTED IN A MANNER PROVIDING EACH
24 PERSON WHO WISHES TO COMMENT A FAIR AND REASONABLE
25 OPPORTUNITY TO COMMENT ORALLY OR IN WRITING.

26 3. ALL HEARINGS SHALL BE RECORDED. A COPY OF THE RECORDING
27 SHALL BE MADE AVAILABLE ON REQUEST.

1 4. NOTHING IN THIS SECTION SHALL BE CONSTRUED AS REQUIRING
2 A SEPARATE HEARING ON EACH RULE. RULES MAY BE GROUPED FOR THE
3 CONVENIENCE OF THE COMMISSION AT HEARINGS REQUIRED BY THIS
4 SECTION.

5 I. FOLLOWING THE SCHEDULED HEARING DATE, OR BY 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 J. 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 K. 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 L. 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
21 IN 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;

1 B. ENFORCEMENT

2 1. THE COMMISSION, IN THE REASONABLE EXERCISE OF ITS
3 DISCRETION, SHALL ENFORCE THE PROVISIONS AND RULES OF THIS
4 COMPACT.

5 2. BY MAJORITY VOTE, THE COMMISSION MAY INITIATE LEGAL
6 ACTION IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF
7 COLUMBIA OR THE FEDERAL DISTRICT WHERE THE COMMISSION HAS ITS
8 PRINCIPAL OFFICES AGAINST A MEMBER STATE IN DEFAULT TO ENFORCE
9 COMPLIANCE WITH THE PROVISIONS OF THE COMPACT AND ITS
10 PROMULGATED RULES AND BYLAWS. THE RELIEF SOUGHT MAY INCLUDE
11 BOTH INJUNCTIVE RELIEF AND DAMAGES. IN THE EVENT JUDICIAL
12 ENFORCEMENT IS NECESSARY, THE PREVAILING MEMBER SHALL BE
13 AWARDED ALL COSTS OF LITIGATION, INCLUDING REASONABLE
14 ATTORNEY'S FEES.

15 3. THE REMEDIES HEREIN SHALL NOT BE THE EXCLUSIVE REMEDIES
16 OF THE COMMISSION. THE COMMISSION MAY PURSUE ANY OTHER
17 REMEDIES AVAILABLE UNDER FEDERAL OR STATE LAW.

18 **SECTION 12**

19 **DATE OF IMPLEMENTATION OF THE INTERSTATE**
20 **COMMISSION FOR AUDIOLOGY AND SPEECH-LANGUAGE**
21 **PATHOLOGY PRACTICE AND ASSOCIATED RULES,**
22 **WITHDRAWAL, AND AMENDMENT**

23 A. THE COMPACT SHALL COME INTO EFFECT ON THE DATE ON
24 WHICH THE COMPACT STATUTE IS ENACTED INTO LAW IN THE TENTH
25 (10TH) MEMBER STATE. THE PROVISIONS, WHICH BECOME EFFECTIVE AT
26 THAT TIME, SHALL BE LIMITED TO THE POWERS GRANTED TO THE
27 COMMISSION RELATING TO ASSEMBLY AND THE PROMULGATION OF RULES.

1 THEREAFTER, THE COMMISSION SHALL MEET AND EXERCISE RULEMAKING
2 POWERS NECESSARY TO THE IMPLEMENTATION AND ADMINISTRATION OF
3 THE COMPACT.

4 B. ANY STATE THAT JOINS THE COMPACT SUBSEQUENT TO THE
5 COMMISSION'S INITIAL ADOPTION OF THE RULES SHALL BE SUBJECT TO THE
6 RULES AS THEY EXIST ON THE DATE ON WHICH THE COMPACT BECOMES
7 LAW IN THAT STATE. ANY RULE THAT HAS BEEN PREVIOUSLY ADOPTED BY
8 THE COMMISSION SHALL HAVE THE FULL FORCE AND EFFECT OF LAW ON
9 THE DAY THE COMPACT BECOMES LAW IN THAT STATE.

10 C. ANY MEMBER STATE MAY WITHDRAW FROM THIS COMPACT BY
11 ENACTING A STATUTE REPEALING THE SAME.

12 1. A MEMBER STATE'S WITHDRAWAL SHALL NOT TAKE EFFECT
13 UNTIL SIX (6) MONTHS AFTER ENACTMENT OF THE REPEALING STATUTE.

14 2. WITHDRAWAL SHALL NOT AFFECT THE CONTINUING
15 REQUIREMENT OF THE WITHDRAWING STATE'S AUDIOLOGY OR
16 SPEECH-LANGUAGE PATHOLOGY LICENSING BOARD TO COMPLY WITH THE
17 INVESTIGATIVE AND ADVERSE ACTION REPORTING REQUIREMENTS OF THIS
18 ACT PRIOR TO THE EFFECTIVE DATE OF WITHDRAWAL.

19 D. NOTHING CONTAINED IN THIS COMPACT SHALL BE CONSTRUED
20 TO INVALIDATE OR PREVENT ANY AUDIOLOGY OR SPEECH-LANGUAGE
21 PATHOLOGY LICENSURE AGREEMENT OR OTHER COOPERATIVE
22 ARRANGEMENT BETWEEN A MEMBER STATE AND A NON-MEMBER STATE
23 THAT DOES NOT CONFLICT WITH 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.

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SECTION 13

CONSTRUCTION AND SEVERABILITY

THIS COMPACT SHALL BE LIBERALLY CONSTRUED SO AS TO EFFECTUATE THE PURPOSES THEREOF. THE PROVISIONS OF THIS COMPACT SHALL BE SEVERABLE AND IF ANY PHRASE, CLAUSE, SENTENCE, OR PROVISION OF THIS COMPACT IS DECLARED TO BE CONTRARY TO THE CONSTITUTION OF ANY MEMBER STATE OR OF THE UNITED STATES OR THE APPLICABILITY THEREOF TO ANY GOVERNMENT, AGENCY, PERSON, OR CIRCUMSTANCE IS HELD INVALID, THE VALIDITY OF THE REMAINDER OF THIS COMPACT AND THE APPLICABILITY THEREOF TO ANY GOVERNMENT, AGENCY, PERSON, OR CIRCUMSTANCE SHALL NOT BE AFFECTED THEREBY. IF THIS COMPACT SHALL BE HELD CONTRARY TO THE CONSTITUTION OF ANY MEMBER STATE, THE COMPACT SHALL REMAIN IN FULL FORCE AND EFFECT AS TO THE REMAINING MEMBER STATES AND IN FULL FORCE AND EFFECT AS TO THE MEMBER STATE AFFECTED AS TO ALL SEVERABLE MATTERS.

SECTION 14

BINDING EFFECT OF COMPACT AND OTHER LAWS

A. NOTHING HEREIN PREVENTS THE ENFORCEMENT OF ANY OTHER LAW OF A MEMBER STATE THAT IS NOT INCONSISTENT WITH THE COMPACT.

B. ALL LAWS IN A MEMBER STATE IN CONFLICT WITH THE COMPACT ARE SUPERSEDED TO THE EXTENT OF THE CONFLICT.

C. ALL LAWFUL ACTIONS OF THE COMMISSION, INCLUDING ALL RULES AND BYLAWS PROMULGATED BY THE COMMISSION, ARE BINDING UPON THE MEMBER STATES.

D. ALL AGREEMENTS BETWEEN THE COMMISSION AND THE MEMBER STATES ARE BINDING IN ACCORDANCE WITH THEIR TERMS.

1 E. IN THE EVENT ANY PROVISION OF THE COMPACT EXCEEDS THE
2 CONSTITUTIONAL LIMITS IMPOSED ON THE LEGISLATURE OF ANY MEMBER
3 STATE, THE PROVISION SHALL BE INEFFECTIVE TO THE EXTENT OF THE
4 CONFLICT WITH THE CONSTITUTIONAL PROVISION IN QUESTION IN THAT
5 MEMBER STATE.

6 **24-60-4103. Construction of terms.** (1) AS USED IN THIS PART
7 41, UNLESS THE CONTEXT OTHERWISE REQUIRES:

8 (a) "BOARD" MEANS LICENSING BOARD.

9 (b) "LICENSE" MEANS:

10 (I) WITH RESPECT TO AN AUDIOLOGIST, A LICENSE ISSUED
11 PURSUANT TO SECTION 12-210-105; AND

12 (II) WITH RESPECT TO A SPEECH-LANGUAGE PATHOLOGIST, A
13 CERTIFICATION ISSUED PURSUANT TO SECTION 12-305-106.

14 (c) "LICENSED", "LICENSING", AND "LICENSURE" HAVE MEANINGS
15 THAT CORRESPOND TO THE DEFINITIONS ESTABLISHED IN SUBSECTION
16 (1)(b) OF THIS SECTION.

17 (d) "LICENSING BOARD" MEANS, WITH RESPECT TO COLORADO, THE
18 DIRECTOR OF THE DIVISION OF PROFESSIONS AND OCCUPATIONS CREATED
19 IN SECTION 12-20-103.

20 **24-60-4104. Notice to revisor of statutes.** THIS PART 41 WILL
21 TAKE EFFECT ON THE DATE THE COMPACT IS ENACTED INTO LAW IN THE
22 TENTH COMPACT STATE. THE DIRECTOR OF THE DIVISION OF PROFESSIONS
23 AND OCCUPATIONS IN THE DEPARTMENT OF REGULATORY AGENCIES SHALL
24 NOTIFY THE REVISOR OF STATUTES IN WRITING WHEN THE CONDITION
25 SPECIFIED IN THIS SECTION HAS OCCURRED BY E-MAILING THE NOTICE TO
26 REVISOROFSTATUTES.GA@STATE.CO.US. THIS PART 41 TAKES EFFECT
27 UPON THE DATE IDENTIFIED IN THE NOTICE THAT THE COMPACT IS

1 ENACTED INTO LAW IN THE TENTH COMPACT STATE.

2 **SECTION 2.** In Colorado Revised Statutes, **add** 12-210-109.5 as
3 follows:

4 **12-210-109.5. Interstate compact - powers and duties of the**
5 **director - rules - definitions.** (1) AS USED IN THIS SECTION:

6 (a) "ADVERSE ACTION" HAS THE MEANING ESTABLISHED IN
7 SECTION 24-60-4102.

8 (b) "COMMISSION" MEANS THE AUDIOLOGY AND
9 SPEECH-LANGUAGE PATHOLOGY COMPACT COMMISSION ESTABLISHED IN
10 SECTION 24-60-4102.

11 (c) "COMPACT" MEANS THE AUDIOLOGY AND SPEECH-LANGUAGE
12 PATHOLOGY INTERSTATE COMPACT AUTHORIZED IN PART 41 OF ARTICLE
13 60 OF TITLE 24.

14 (d) "DATA SYSTEM" HAS THE MEANING ESTABLISHED IN SECTION
15 24-60-4102.

16 (e) "TELEHEALTH" HAS THE MEANING ESTABLISHED IN SECTION
17 24-60-4102 WITH REGARD TO DELIVERING AUDIOLOGY SERVICES.

18 (2) WITH REGARD TO THE COMPACT, THE DIRECTOR HAS THE
19 FOLLOWING POWERS AND DUTIES:

20 (a) TO FACILITATE COLORADO'S PARTICIPATION IN THE COMPACT;

21 (b) TO PROMULGATE THE RULES NECESSARY FOR THE
22 IMPLEMENTATION, ADMINISTRATION, AND ENFORCEMENT OF THE
23 COMPACT. THE DIRECTOR SHALL PROMULGATE RULES IN ACCORDANCE
24 WITH ARTICLE 4 OF TITLE 24.

25 (c) TO APPOINT A PERSON TO SERVE AS A COMMISSIONER ON THE
26 COMMISSION;

27 (d) TO REGULATE TELEHEALTH IN ACCORDANCE WITH THE

1 COMPACT;

2 (e) TO NOTIFY THE COMMISSION OF ANY ADVERSE ACTION
3 REGARDING A LICENSED AUDIOLOGIST;

4 (f) TO PROVIDE UNIFORM DATA TO THE DATA SYSTEM CONSISTENT
5 WITH THE RULES OF THE COMMISSION; AND

6 (g) TO APPROVE PAYMENT OF ASSESSMENTS LEVIED BY THE
7 COMMISSION TO COVER THE COST OF OPERATIONS AND ACTIVITIES OF THE
8 COMMISSION AND ITS STAFF.

9 **SECTION 3.** In Colorado Revised Statutes, **add** 12-305-115.5 as
10 follows:

11 **12-305-115.5. Interstate compact - powers and duties of the**
12 **director - rules - definitions.** (1) AS USED IN THIS SECTION:

13 (a) "ADVERSE ACTION" HAS THE MEANING ESTABLISHED IN
14 SECTION 24-60-4102.

15 (b) "COMMISSION" MEANS THE AUDIOLOGY AND
16 SPEECH-LANGUAGE PATHOLOGY COMPACT COMMISSION ESTABLISHED IN
17 SECTION 24-60-4102.

18 (c) "COMPACT" MEANS THE AUDIOLOGY AND SPEECH-LANGUAGE
19 PATHOLOGY INTERSTATE COMPACT AUTHORIZED IN PART 41 OF ARTICLE
20 60 OF TITLE 24.

21 (d) "DATA SYSTEM" HAS THE MEANING ESTABLISHED IN SECTION
22 24-60-4102.

23 (e) "TELEHEALTH" HAS THE MEANING ESTABLISHED IN SECTION
24 24-60-4102 WITH REGARD TO DELIVERING SPEECH-LANGUAGE PATHOLOGY
25 SERVICES.

26 (2) WITH REGARD TO THE COMPACT, THE DIRECTOR HAS THE
27 FOLLOWING POWERS AND DUTIES:

- 1 (a) TO FACILITATE COLORADO'S PARTICIPATION IN THE COMPACT;
- 2 (b) TO PROMULGATE THE RULES NECESSARY FOR THE
3 IMPLEMENTATION, ADMINISTRATION, AND ENFORCEMENT OF THE
4 COMPACT. THE DIRECTOR SHALL PROMULGATE RULES IN ACCORDANCE
5 WITH ARTICLE 4 OF TITLE 24.
- 6 (c) TO APPOINT A PERSON TO SERVE AS A COMMISSIONER ON THE
7 COMMISSION;
- 8 (d) TO REGULATE TELEHEALTH IN ACCORDANCE WITH THE
9 COMPACT;
- 10 (e) TO NOTIFY THE COMMISSION OF ANY ADVERSE ACTION
11 REGARDING A SPEECH-LANGUAGE PATHOLOGIST;
- 12 (f) TO PROVIDE UNIFORM DATA TO THE DATA SYSTEM CONSISTENT
13 WITH THE RULES OF THE COMMISSION; AND
- 14 (g) TO APPROVE PAYMENT OF ASSESSMENTS LEVIED BY THE
15 COMMISSION TO COVER THE COST OF OPERATIONS AND ACTIVITIES OF THE
16 COMMISSION AND ITS STAFF.

17 **SECTION 4. Act subject to petition - effective date.** This act
18 takes effect at 12:01 a.m. on the day following the expiration of the
19 ninety-day period after final adjournment of the general assembly; except
20 that, if a referendum petition is filed pursuant to section 1 (3) of article V
21 of the state constitution against this act or an item, section, or part of this
22 act within such period, then the act, item, section, or part will not take
23 effect unless approved by the people at the general election to be held in
24 November 2022 and, in such case, will take effect on the date of the
25 official declaration of the vote thereon by the governor.

