

1 **SENATE FLOOR VERSION**

2 April 8, 2019

3 ENGROSSED HOUSE
4 BILL NO. 1057

By: Kiger and McEntire of the
House

5 and

6 Standridge of the Senate

7
8
9 An Act relating to professions and occupations;
10 creating the Psychology Interjurisdictional Compact;
11 declaring purpose; defining terms; providing for home
12 state licensure; allowing compact privilege to
13 practice telepsychology; providing for temporary
14 authority to practice; listing conditions of
15 telepsychology practice in a receiving state;
16 providing for power to impose adverse actions;
17 providing for regulatory authority; providing for
18 coordinated licensure information system;
19 establishing the Psychology Interjurisdictional
20 Compact Commission; providing for membership, voting
21 and meetings; declaring powers of the Commission;
22 providing for financing of Commission; providing for
23 qualified immunity, defense and indemnification in
24 certain circumstances; directing the Commission to
promulgate rules; providing for oversight, dispute
resolution and enforcement; providing for
implementation of Compact; providing for injunctions
in certain circumstances; providing exceptions;
declaring Compact to be severable from other state
actions; providing for codification; and providing an
effective date.

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

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

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

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

9 The Oklahoma Legislature makes the following findings:

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

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

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

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

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

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

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

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

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

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

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

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

23

24

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

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

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

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

12 As used in this act:

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

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

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

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

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

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

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

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

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

24

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

17 24. "Significant investigatory information" means:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

6. Possess a current, active E-Passport;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

14 B. Membership, Voting and Meetings.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

19 1. Establishing the fiscal year of the Commission;

20 2. Providing reasonable standards and procedures:

21 a. for the establishment and meetings of other
22 committees, and

23 b. governing any general or specific delegation of any
24 authority or function of the Commission;

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

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

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

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

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

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

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

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

8 D. The Commission shall have the following powers:

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

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

18 3. To purchase and maintain insurance and bonds;

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

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

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

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

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

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

14 9. To establish a budget and make expenditures;

15 10. To borrow money;

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

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

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

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

5 E. The Executive Board.

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

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

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

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

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

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

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

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

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

- 1 fees paid by compact states, such as annual dues, and
2 any other applicable fees,
- 3 b. ensure compact administration services are
4 appropriately provided, contractual or otherwise,
- 5 c. prepare and recommend the budget,
- 6 d. maintain financial records on behalf of the
7 Commission,
- 8 e. monitor compact compliance of member states and
9 provide compliance reports to the Commission,
- 10 f. establish additional committees as necessary, and
11 g. other duties as provided in the rules or bylaws.

12 F. Financing of the Commission.

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

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

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

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

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

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

14 G. Qualified Immunity, Defense and Indemnification.

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

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

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

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

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

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.

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

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

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

1. On the website of the Commission; and

2. On the website of the compact states' psychology regulatory authority 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 will be considered and voted upon;

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

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

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

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

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

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

16 2. A government subdivision or agency; or

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

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

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

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

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

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

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

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

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

24

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

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

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

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

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

17 4. Protect the public health and safety.

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

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

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

10 A. Oversight.

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

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

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

1 B. Default, Technical Assistance and Termination.

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

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

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

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

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

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

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

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

14 C. Dispute Resolution.

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

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

21 D. Enforcement.

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

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

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

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

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

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

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

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

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

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

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

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

21 SECTION 15. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 1391 of Title 59, unless there
23 is created a duplication in numbering, reads as follows:
24

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

6 Such an injunction:

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

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

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

15 Except as authorized by the Psychology Interjurisdictional
16 Compact:

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

24

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

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

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

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

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

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

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

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

11 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES
12 April 8, 2019 - DO PASS
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