

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

HOUSE BILL 3929

By: Stark

AS INTRODUCED

An Act relating to professions and occupations;
creating an occupational therapy services compact;
describing purpose; creating pathway for out-of-state
occupational therapists to be licensed; defining
terms; describing guidelines and qualifications;
describing requirements for state participation in
compact; describing licensee requirements to
participate; providing for adverse actions; requiring
the establishment of the Occupational Therapy Compact
Commission; describing duties; requiring the creation
and use of a data system; describing rulemaking
authority; providing for oversight mechanisms;
providing for codification; and providing an
effective date.

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 888.16 of Title 59, unless there
is created a duplication in numbering, reads as follows:

The purpose of the Oklahoma Occupational Therapy Compact is to
facilitate interstate practice of occupational therapy with the goal
of improving public access to occupational therapy services. The
practice of occupational therapy occurs in the state where the
patient or client is located at the time of the patient or client

1 encounter. The compact preserves the regulatory authority of states
2 to protect public health and safety through the current system of
3 state licensure.

4 This compact is designed to achieve the following objectives:

5 1. Increase public access to occupational therapy services by
6 providing for the mutual recognition of other member state licenses;

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

9 3. Encourage the cooperation of member states in regulating
10 multi-state occupational therapy practice;

11 4. Support spouses of relocating military members;

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

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

17 7. Facilitate the use of telehealth technology in order to
18 increase access to occupational therapy services.

19 SECTION 2. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 888.17 of Title 59, unless there
21 is created a duplication in numbering, reads as follows:

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

1 1. "Active duty military" means full-time duty status in the
2 active uniformed service of the United States, including members of
3 the National Guard and Reserve on active duty orders pursuant to 10
4 U.S.C., Chapter 1209 and 10 U.S.C., Chapter 1211;

5 2. "Adverse action" means any administrative, civil, equitable,
6 or criminal action permitted by a state's laws which is imposed by a
7 licensing board or other authority against an occupational therapist
8 or occupational therapy assistant, including actions against an
9 individual's license or compact privilege such as censure,
10 revocation, suspension, probation, monitoring of the licensee, or
11 restriction on the licensee's practice;

12 3. "Alternative program" means a non-disciplinary monitoring
13 process approved by an occupational therapy licensing board;

14 4. "Compact privilege" means the authorization, which is
15 equivalent to a licensee, granted by a remote state to allow a
16 licensee from another member state to practice as an occupational
17 therapist or practice as an occupational therapy assistant in the
18 remote state under its laws and rules. The practice of occupational
19 therapy occurs in the member state where the patient or client is
20 located at the time of the patient or client encounter;

21 5. "Continuing competence/education" means a requirement, as a
22 condition of license renewal, to provide evidence of participation
23 in, or completion of, educational and professional activities
24 relevant to practice or area of work;

1 6. "Current significant investigative information" means
2 investigative information that a licensing board, after an inquiry
3 or investigation that includes notification and an opportunity for
4 the occupational therapist or occupational therapy assistant to
5 respond, if required by state law, has reason to believe is not
6 groundless and, if proved true, would indicate more than a minor
7 infraction;

8 7. "Data system" means a repository of information about
9 licensees, including, but not limited to, license status,
10 investigative information, compact privileges, and adverse actions;

11 8. "Encumbered license" means a license in which an adverse
12 action restricts the practice of occupational therapy by the
13 licensee or said adverse action has been reported to the National
14 Practitioners Data Bank (NPDB);

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

18 10. "Home state" means the member state that is the licensee's
19 primary state of residence;

20 11. "Impaired practitioner" means individuals whose
21 professional practice is adversely affected by substance abuse,
22 addiction, or other health-related conditions;

1 12. "Investigative information" means information, records, or
2 documents received or generated by an occupational therapy licensing
3 board pursuant to an investigation;

4 13. "Jurisprudence requirement" means the assessment of an
5 individual's knowledge of the laws and rules governing the practice
6 of occupational therapy in a state;

7 14. "Licensee" means an individual who currently holds an
8 authorization from the state to practice as an occupational
9 therapist or as an occupational therapy assistant;

10 15. "Member state" means a state that has enacted the compact;

11 16. "Occupational therapist" means an individual who is
12 licensed by a state to practice occupational therapy;

13 17. "Occupational therapy assistant" means an individual who is
14 licensed by a state to assist in the practice of occupational
15 therapy;

16 18. "Occupational therapy," "occupational therapy practice,"
17 and the "practice of occupational therapy" means the care and
18 services provided by an occupational therapist or an occupational
19 therapy assistant as set forth in the member state's statutes and
20 regulations;

21 19. "Occupational Therapy Compact Commission" or "commission"
22 means the national administrative body whose membership consists of
23 all states that have enacted the compact;

1 20. "Occupational Therapy Licensing Board" or "licensing board"
2 means the agency of a state that is authorized to license and
3 regulate occupational therapists and occupational therapy
4 assistants;

5 21. "Primary state of residence" means the state, also known as
6 the "home state," in which an occupational therapist or occupational
7 therapy assistant who is not active duty military declares a primary
8 residence for legal purposes as verified by either a driver's
9 license, federal income tax return, lease, deed, mortgage, or voter
10 registration or other verifying documentation as further defined by
11 Commission rules;

12 22. "Remote state" means a member state other than the home
13 state, where a licensee is exercising or seeking to exercise the
14 compact privilege;

15 23. "Rule" means a regulation promulgated by the Commission
16 that has the force of law;

17 24. "State" means any state, commonwealth, district, or
18 territory of the United States of America that regulates the
19 practice of occupational therapy;

20 25. "Single-state license" means an occupational therapist or
21 occupational therapy assistant license issued by a member state that
22 authorizes practice only within the issuing state and does not
23 include a compact privilege in any other member state;

1 26. "Telehealth" means the application of telecommunication
2 technology to deliver occupational therapy services for assessment,
3 intervention, or consultation.

4 SECTION 3. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 888.17 of Title 59, unless there
6 is created a duplication in numbering, reads as follows:

7 A. To participate in the compact, a member state shall:

8 1. Licensed occupational therapists and occupational therapy
9 assistants;

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

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

15 4. Notify the Commission, in compliance with the terms of the
16 compact and rules, of any adverse action or availability of
17 investigative information regarding a licensee;

18 5. Implement or utilize procedures for considering the criminal
19 history records of applicants for an initial compact privilege.

20 These procedures shall include the submission of fingerprints or
21 other biometric-based information by applicants for the purpose of
22 obtaining an applicant's criminal history record information from
23 the Federal Bureau of Investigation and the agency responsible for
24 retaining that state's criminal records:

- 1 a. a member state shall, within a time frame established
2 by the Commission, require a criminal background check
3 for a licensee seeking/applying for a compact
4 privilege whose primary state of residence is that
5 member state, by receiving the results of the Federal
6 Bureau of Investigation criminal record search and
7 shall use the results in making licensure decisions,
8 b. communication between a member state, the Commission
9 and among member states regarding the verification of
10 eligibility for licensure through the compact shall
11 not include any information received from the Federal
12 Bureau of Investigation relating to a federal criminal
13 records check performed by a member state;

14 6. Comply with the rules of the Commission;

15 7. Utilize only a recognized national examination as a
16 requirement for licensure pursuant to the rules of the Commission;
17 and

18 8. Have continuing competence/education requirements as a
19 condition for license renewal.

20 B. A member state shall grant the compact privilege to a
21 licensee holding a valid unencumbered license in another member
22 state in accordance with the terms of the compact and rules;

23 C. Member states may charge a fee for granting a compact
24 privilege;

1 D. A member state shall provide for the state's delegate to
2 attend all Occupational Therapy Compact Commission meetings;

3 E. Individuals not residing in a member state shall continue to
4 be able to apply for a member state's single-state license as
5 provided under the laws of each member state. However, the single-
6 state license granted to these individuals shall not be recognized
7 as granting the compact privilege in any other member state;

8 F. Nothing in this compact shall affect the requirements
9 established by a member state for the issuance of a single-state
10 license.

11 SECTION 4. NEW LAW A new section of law to be codified
12 in the Oklahoma Statutes as Section 888.18 of Title 59, unless there
13 is created a duplication in numbering, reads as follows:

14 A. To exercise the compact privilege under the terms and
15 provisions of the compact, the licensee shall:

16 1. Hold a license in the home state;

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

19 3. Have no encumbrance on any state license;

20 4. Be eligible for a compact privilege in any member state in
21 accordance with Sections 4D, F, G, and H;

22 5. Have paid all fines and completed all requirements resulting
23 from any adverse action against any license or compact privilege,
24 and two (2) years have elapsed from the date of such completion;

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

3 7. Pay any applicable fees, including any state fee for the
4 compact privilege;

5 8. Complete and pay applicable fees associated with a criminal
6 background check in accordance with Section 3;

7 9. Meet any jurisprudence requirements established by the
8 remote state(s) in which the licensee is seeking a compact
9 privilege; and

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

13 B. The compact privilege is valid until the expiration date of
14 the home state license. The licensee shall comply with the
15 requirements of Section 4 to maintain the compact privilege in the
16 remote state.

17 C. A licensee providing occupational therapy in a remote state
18 under the compact privilege shall function within the laws and
19 regulations of the remote state.

20 D. Occupational therapy assistants practicing in a remote state
21 shall be supervised by an occupational therapist licensed or holding
22 a compact privilege in that remote state.

23 E. A licensee providing occupational therapy in a remote state
24 is subject to that state's regulatory authority. A remote state

1 may, in accordance with due process and that state's laws, remove a
2 licensee's compact privilege in the remote state for a specific
3 period of time, impose fines, or take any other necessary actions to
4 protect the health and safety of its citizens. The Licensee may be
5 ineligible for a compact privilege in any state until the specific
6 time for removal has passed and all fines are paid.

7 F. If a home state license is encumbered, the licensee shall
8 lose the compact privilege in any remote state until the following:

9 1. The home state license is no longer encumbered; and

10 2. Two (2) years have elapsed from the date on which the home
11 state license is no longer encumbered in accordance with Section 4.

12 G. Once an encumbered license in the home state is restored to
13 good standing, the licensee must meet the requirements of Section 4
14 to obtain a compact privilege in any remote state.

15 H. If a licensee's compact privilege in any remote state is
16 removed, the individual may lose the compact privilege in any other
17 remote state until the following occur:

18 1. The specific period of time for which the compact privilege
19 was removed has ended;

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

21 3. Two (2) years have elapsed from the date of completing the
22 requirements; and

23 4. The compact privileges are reinstated by the Commission, and
24 the compact data system is updated to reflect reinstatement.

1 I. If a licensee's compact privilege in any remote state is
2 removed due to an erroneous charge, privileges shall be restored
3 through the compact data system.

4 J. Once the requirements of Section 4H have been met, the
5 licensee must meet the requirements in Section 4A to obtain a
6 compact privilege in a remote state.

7 SECTION 5. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 888.19 of Title 59, unless there
9 is created a duplication in numbering, reads as follows:

10 A. An occupational therapist or occupational therapy assistant
11 may hold a home state license, which allows for compact privileges
12 in member states, in only one member state at a time.

13 B. If an occupational therapist or occupational therapy
14 assistant changes primary state of residence by moving between two
15 member states:

16 1. The occupational therapist or occupational therapy assistant
17 shall file an application for obtaining a new home state license by
18 virtue of a compact privilege, pay all applicable fees, and notify
19 the current and new home state in accordance with applicable rules
20 adopted by the Commission.

21 2. Upon receipt of an application for obtaining a new home
22 state license by virtue of compact privilege, the new home state
23 shall verify that the occupational therapist or occupational therapy
24 assistant meets the pertinent criteria outlined in Section 4 via

1 data system, without need for primary source verification except for
2 the following:

- 3 a. an FBI fingerprint-based criminal background check if
4 not previously performed or updated pursuant to
5 applicable rules adopted by the Commission,
- 6 b. other criminal background check as required by the new
7 home state, and
- 8 c. submission of any requisite jurisprudence requirements
9 of the new home state.

10 3. The former home state shall convert the former home state
11 license into a compact privilege once the new home state has
12 activated the new home state license in accordance with applicable
13 rules adopted by the Commission.

14 4. Notwithstanding any other provision of this compact, if the
15 occupational therapist or occupational therapy assistant cannot meet
16 the criteria in Section 4, the new home state shall apply its
17 requirements for issuing a new single-state license.

18 5. The occupational therapist or the occupational therapy
19 assistant shall pay all applicable fees to the new home state in
20 order to be issued a new home state license.

21 C. If an occupational therapist or occupational therapy
22 assistant changes primary state of residence by moving from a member
23 state to a non-member state, or from a non-member state to a member
24

1 state, the state criteria shall apply for issuance of a single-state
2 license in the new state.

3 D. Nothing in this compact shall interfere with a licensee's
4 ability to hold a single-state license in multiple states. For
5 purposes of this compact, a licensee shall have only one home state
6 license.

7 E. Nothing in this compact shall affect the requirements
8 established by a member state for the issuance of a single-state
9 license.

10 SECTION 6. NEW LAW A new section of law to be codified
11 in the Oklahoma Statutes as Section 888.20 of Title 59, unless there
12 is created a duplication in numbering, reads as follows:

13 Active duty military personnel, or their spouses, shall
14 designate a home state where the individual has a current license in
15 good standing. The individual may retain the home state designation
16 during the period the service member is on active duty. Subsequent
17 to designating a home state, the individual shall only change their
18 home state through application for licensure in the new state or
19 through the process described in Section 5 of this act.

20 SECTION 7. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 888.21 of Title 59, unless there
22 is created a duplication in numbering, reads as follows:

1 A. Home state shall have exclusive power to impose adverse
2 action against an occupational therapist's or occupational therapy
3 assistant's license issued by the home state.

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

7 1. Take adverse action against an occupational therapist's or
8 occupational therapy assistant's compact privilege within that
9 member state.

10 2. Issue subpoenas for both hearings and investigations that
11 require the attendance and testimony of witnesses as well as the
12 production of evidence. Subpoenas issued by a licensing board in a
13 member state for the attendance and testimony of witnesses or
14 production of evidence from another member state shall be enforced
15 in the latter state by any court of competent jurisdiction,
16 according to the practice and procedure of that court applicable to
17 subpoenas issued in proceedings pending before it. The issuing
18 authority shall pay any witness fees, travel expenses, mileage and
19 other fees required by the service statutes of the state in which
20 the witnesses or evidence are located.

21 C. For purposes of taking adverse action, the home state shall
22 give the same priority and effect to reported conduct received from
23 a member state as it would if the conduct had occurred within the
24

1 home state. In so doing, the home state shall apply its own state
2 laws to determine appropriate action.

3 D. The home state shall complete any pending investigations of
4 an occupational therapist or occupational therapy assistant who
5 changes primary state of residence during the course of the
6 investigations. The home state, where the investigations were
7 initiated, shall also have the authority to take appropriate action
8 and shall promptly report the conclusions of the investigations to
9 the Occupational Therapy Compact Commission Data System. The
10 Occupational Therapy Compact Commission Data System administrator
11 shall promptly notify the new Home State of any adverse actions.

12 E. A member state, if otherwise permitted by state law, may
13 recover from the affected occupational therapist or occupational
14 therapy assistant the costs of investigations and disposition of
15 cases resulting from any adverse action taken against that
16 occupational therapist or occupational therapy assistant.

17 F. A member state may take adverse action based on the factual
18 findings of the remote state, provided that the member state follows
19 its own procedures for taking the adverse action.

20 G. Joint investigations are permitted under the following
21 provisions:

22 1. In addition to the authority granted to a member state by
23 its respective state occupational therapy laws and regulations or
24

1 other applicable state law, any member state may participate with
2 other member states in joint investigations of licensees.

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

6 H. If an adverse action is taken by the home state against an
7 occupational therapist's or occupational therapy assistant's
8 license, the occupational therapist's or occupational therapy
9 assistant's compact privilege in all other member states in all
10 other member state shall be deactivated until all encumbrances have
11 been removed from the state license. All home state disciplinary
12 orders that impose adverse action against an occupational
13 therapist's or occupational therapy assistant's license shall
14 include a statement that the occupational therapist's or
15 occupational therapy assistant's compact privilege is deactivated in
16 all member states during the pendency of the order.

17 I. If a member state takes adverse action, it shall promptly
18 notify the administrator of the data system. The administrator of
19 the data system shall promptly notify the home state of any adverse
20 actions by remote states.

21 J. Nothing in this Compact shall override a member state's
22 decision that participation in an alternative program may be used in
23 lieu of adverse action.

SECTION 8. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 888.22 of Title 59, unless there is created a duplication in numbering, reads as follows:

A. The compact member states hereby create and establish a joint public agency known as the Occupational Therapy Compact Commission:

1. The Commission is an instrumentality of the compact states.

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

3. Nothing in this compact shall be construed to be a waiver of sovereign immunity.

B. 1. Each member state shall have and be limited to one (1) delegate selected by that member state's licensing board.

2. The delegate shall be either:

- a. a current member of the licensing board, who is an occupational therapist, occupational therapy assistant, or public member, or
- b. an administrator of the licensing board.

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

4 4. The member state board shall fill any vacancy occurring in
5 the Commission within ninety (90) days.

6 5. Each delegate shall be entitled to one (1) vote with regard
7 to the promulgation of rules and creation of bylaws and shall
8 otherwise have an opportunity to participate in the business and
9 affairs of the Commission. A delegate shall vote in person or by
10 other means as provided by the bylaws. The bylaws may provide for
11 delegates' participation in meetings by telephone or other means of
12 communication.

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

15 7. The Commission shall establish by rule a term of office for
16 delegates.

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

18 1. Establish a code of ethics for the Commission;

19 2. Establish the fiscal year of the Commission;

20 3. Establish bylaws;

21 4. Maintain its financial records in accordance with the
22 bylaws;

23 5. Meet and take such actions as are consistent with the
24 provisions of this compact and the bylaws;

1 6. Promulgate uniform rules to facilitate and coordinate
2 implementation and administration of this compact. The rules shall
3 have the force and effect of law and shall be binding in all member
4 states;

5 7. Bring and prosecute legal proceedings or actions in the name
6 of the Commission, provided that the standing of any state
7 occupational therapy licensing board to sue or be sued under
8 applicable law shall not be affected;

9 8. Purchase and maintain insurance bonds;

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

12 10. Hire employees, elect or appoint officers, fix
13 compensation, define duties, grant such individuals appropriate
14 authority to carry out the purposes of the compact, and establish
15 the Commission's personnel policies and programs relating to
16 conflicts of interest, qualifications of personnel, and other
17 related matters;

18 11. Accept any and all appropriate donations and grants of
19 money, equipment, supplies, materials, and services, and receive,
20 utilize and dispose of the same; provided, that at all times the
21 Commission shall avoid any appearance of impropriety or conflict of
22 interest;

23 12. Lease, purchase, accept appropriate gifts or donations of,
24 or otherwise own, hold, improve or use, any property, real, personal

1 or mixed; provided, that at all times the Commission shall avoid any
2 appearance of impropriety;

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

5 14. Establish a budget and make expenditures;

6 15. Borrow money;

7 16. Appoint committees, including standing committees composed
8 of members, state regulators, state legislators or their
9 representatives, and consumer representatives, and such other
10 interested persons as may be designated in this compact and the
11 bylaws;

12 17. Provide and receive information from, and cooperate with,
13 law enforcement agencies;

14 18. Establish and elect as Executive Committee; and

15 19. Perform such other functions as may be necessary or
16 appropriate to achieve the purposes of this compact consistent with
17 the state regulation of occupational therapy licensure and practice.

18 D. The Executive Committee shall have the power to act on
19 behalf of the Commission according to the terms of this compact.

20 1. The Executive Committee shall be composed of nine (9)
21 members:

22 a. seven voting members who are elected by the Commission
23 from the current membership of the Commission,
24

1 b. one ex-officio, nonvoting member from a recognized
2 national occupational therapy professional
3 association, and

4 c. one ex-officio, nonvoting member from a recognized
5 national occupational therapy certification
6 organization.

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

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

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

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

14 a. recommend to the entire Commission changes to the
15 rules or bylaws, changes to this compact legislation,
16 fees paid by compact member states such as annual
17 dues, and any Commission compact fee charged to
18 licensees for the compact privilege,

19 b. ensure compact administration services are
20 appropriately provided, contractual or otherwise,

21 c. prepare and recommend the budget,

22 d. maintain financial records on behalf of the
23 Commission,
24

- e. monitor compact compliance of member states and provide compliance reports to the Commission,
- f. establish additional committees as necessary, and
- g. perform other duties as provided in rules or bylaws.

E. 1. All meetings shall be open to the public, and public notice of meetings shall be given in the same manner as required under rulemaking provisions in Section 10 of this act.

2. The Commission or the Executive Committee or other committees of the Commission may convene in a closed, nonpublic meeting if the Commission or Executive Committee or other committees of the Commission must discuss:

- a. noncompliance of a member state with its obligations under the compact,
- b. the employment, compensation, discipline or other matters, practices or procedures related to specific employees or other matters related to the Commission's internal personnel practices and procedures,
- c. current, threatened, or reasonably anticipated litigation,
- d. negotiation of contracts for the purchase, lease, or sale of goods, services, or real estate,
- e. accusing any person of a crime or formally censuring any person,

- f. disclosure of trade secrets or commercial or financial information that is privileged or confidential,
- g. disclosure of information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy,
- h. disclosure of investigative records compiled for law enforcement purposes,
- i. disclosure of information related to any investigative reports prepared by or on behalf of or for use of the Commission or other committee charged with responsibility of investigation or determination of compliance issues pursuant to the compact, or
- j. matters specifically exempted from disclosure by federal or member state statute.

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

4. The Commission shall keep minutes that fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken, and the reasons therefore, including a description of the views expressed. All documents considered in a connection with an action shall be identified in such minutes. All minutes and documents of a closed meeting shall

1 remain under seal, subject to release by a majority vote of the
2 Commission or order of a court of competent jurisdiction.

3 F. 1. The Commission shall pay, or provide for the payment of,
4 the reasonable expenses of its establishment, organization, and
5 ongoing activities.

6 2. The Commission may accept any and all appropriate revenue
7 sources, donations, and grants of money, equipment, supplies,
8 materials, and services.

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

18 4. The Commission shall not incur obligations of any kind prior
19 to securing the funds adequate to meet the same; nor shall the
20 Commission pledge the credit of any of the member states, except by
21 and with the authority of the member state.

22 5. The Commission shall keep accurate accounts of all receipts
23 and disbursements. The receipts and disbursements of the Commission
24 shall be subject to the audit and accounting procedures established

1 under its bylaws. However, all receipts and disbursements of funds
2 handled by the Commission shall be audited yearly by a certified or
3 licensed public accountant, and the report of the audit shall be
4 included in and become part of the annual report of the Commission.

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

17 2. The Commission shall defend any member, officer, executive
18 director, employee, or representative of the Commission in any civil
19 action seeking to impose liability arising out of any actual or
20 alleged act, error, or omission that occurred within the scope of
21 Commission employment, duties, or responsibilities, or that the
22 person against whom the claim is made had a reasonable basis for
23 believing occurred within the scope of Commission employment,
24 duties, or responsibilities; provided, that nothing herein shall be

1 construed to prohibit that person from retaining his or her own
2 counsel; and provided further, that the actual or alleged act,
3 error, or omission did not result from that person's intentional or
4 willful or wanton misconduct.

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

15 SECTION 9. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 888.23 of Title 59, unless there
17 is created a duplication in numbering, reads as follows:

18 A. The Commission shall provide for the development,
19 maintenance, and utilization of a coordinated database and reporting
20 system containing licensure, adverse action, and investigative
21 information on all licensed individuals in member states.

22 B. A member state shall submit a uniform data set to the data
23 system on all individuals to whom this compact is applicable
24

(utilizing a unique identifier) as required by the rules of the Commission, including:

1. Identifying information;
2. Licensure data;
3. Adverse actions against a license or compact privilege;
4. Nonconfidential information related to alternative program participation;
5. Any denial of application for licensure, and the reason(s) for such denial;
6. Other information that may facilitate the administration of this compact, as determined by the rules of the Commission; and
7. Current significant investigative information.

C. Current significant investigative information and other investigative information pertaining to a licensee in any member state will only be available to other member states.

D. The Commission shall promptly notify all member states of any adverse action taken against a licensee or an individual applying for a license. Adverse action information pertaining to a licensee in any member state will be available to any other member state.

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

1 F. Any information submitted to the data system that is
2 subsequently required to be expunged by the laws of the member state
3 contributing the information shall be removed from the data system.

4 SECTION 10. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 888.24 of Title 59, unless there
6 is created a duplication in numbering, reads as follows:

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

11 B. The Commission shall promulgate reasonable rules in order to
12 effectively and efficiently achieve the purpose of the Compact.
13 Notwithstanding the foregoing, in the event the Commission exercises
14 its rulemaking authority in a manner that is beyond the scope of the
15 purposes of the Compact, or the powers granted hereunder, then such
16 an action by the Commission shall be invalid and have no force and
17 effect.

18 C. If a majority of the legislatures of the member states
19 rejects a rule, by enactment of a statute or resolution in the same
20 manner used to adopt the compact within four (4) years of the date
21 of adoption of the rule, then such rule shall have no further force
22 and effect in any member state.

23 D. Rules or amendments to the rules shall be adopted at the
24 regular or special meeting of the Commission.

1 E. Prior to promulgation and adoption of a final rule or rules
2 by the Commission, and at least thirty (30) days in advance of the
3 meeting at which the rule will be considered and voted upon, the
4 Commission shall file a notice of proposed rulemaking:

5 1. On the website of the Commission or other publicly
6 accessible platform; and

7 2. On the website of each member state occupational therapy
8 licensing board or other publicly accessible platform or the
9 publication in which each state would otherwise public proposed
10 rules.

11 F. The notice of proposed rulemaking shall include:

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

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

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

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

21 G. Prior to adoption of a proposed rule, the Commission shall
22 allow persons to submit written data, facts, opinions, and
23 arguments, which shall be made available to the public.
24

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

- 4 1. At least twenty-five (25) persons;
- 5 2. A state or federal governmental subdivision or agency; or
- 6 3. An association or organization having at least twenty-five
7 (25) members.

8 I. If a hearing is held on the proposed rule or amendment, the
9 Commission shall publish the place, time, and date of the scheduled
10 public hearing. If the hearing is held via electronic means, the
11 Commission shall publish the mechanism for access to the electronic
12 hearing:

13 1. All persons wishing to be heard at the hearing shall notify
14 the Executive Director of the Commission or other designated member
15 in writing of their desire to appear and testify at the hearing not
16 less than five (5) business days before the scheduled date of the
17 hearing.

18 2. Hearings shall be conducted in a manner providing each
19 person who wishes to comment a fair and reasonable opportunity to
20 comment orally in writing.

21 3. All hearings will be recorded. A copy of the recording will
22 be made available upon request.

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

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

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

11 L. The Commission shall, by majority vote of all members, take
12 final action on the proposed rule and shall determine the effective
13 date of the rule, if any, based on the rulemaking record and the
14 full text of the rule.

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

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

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

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

4. Protect public health and safety.

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

SECTION 11. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 888.25 of Title 59, unless there is created a duplication in numbering, reads as follows:

A. Oversight.

1. The executive, legislative, and judicial branches of state government in each member state shall enforce this Compact and take all actions necessary and appropriate to effectuate the Compact's

1 purposes and intent. The provisions of this Compact and the rules
2 promulgated hereunder shall have standing as statutory law.

3 2. All courts shall take judicial notice of the compact and the
4 rules in any judicial or administrative proceeding in a member state
5 pertaining to the subject matter of this compact which may affect
6 the powers, responsibilities, or actions of the Commission.

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

12 B. Default, Technical Assistance, and Termination.

13 1. If the Commission determines that a member state has
14 defaulted in the performance of its obligations or responsibilities
15 under this compact or the promulgated rules, the Commission shall:

- 16 a. provide written notice to the defaulting state and
17 other member states of the nature of the default, the
18 proposed means of curing the default and/or any other
19 action to be taken by the Commission, and
20 b. provide remedial training and specific technical
21 assistance regarding the default.

22 2. If a state in default fails to cure the default, the
23 defaulting state may be terminated from the compact upon an
24 affirmative vote of a majority of the member states, and all rights,

1 privileges and benefits conferred by this Compact may be terminated
2 on the effective date of termination. A cure of the default does
3 not relieve the offending state of obligations or liabilities
4 incurred during the period of default.

5 3. Termination of membership in the compact shall be imposed
6 only after all other means of securing compliance have been
7 exhausted. Notice of intent to suspend or terminate shall be given
8 by the Commission to the governor, the majority and minority leaders
9 of the defaulting state's legislature, and each of the member
10 states.

11 4. A state that has been terminated is responsible for all
12 assessments, obligations, and liabilities incurred through the
13 effective date of termination, including obligations that extend
14 beyond the effective date of termination.

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

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

24 C. Dispute Resolution.

1 1. Upon request by a member state, the Commission shall attempt
2 to resolve disputes related to the compact that arise among member
3 states and between member and non-member states.

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

7 D. Enforcement.

8 1. The Commission, in the reasonable exercise of its
9 discretion, shall enforce the provisions and rules of this compact.

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

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

22 SECTION 12. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 888.26 of Title 59, unless there
24 is created a duplication in numbering, reads as follows:

1 A. The Compact shall come into effect on the date on which the
2 compact statute is enacted into law in the tenth member state. The
3 provisions, which become effective at that time, shall be limited to
4 the powers granted to the Commission relating to assembly and the
5 promulgation of rules. Thereafter, the Commission shall meet and
6 exercise rulemaking powers necessary to the implementation and
7 administration of the compact.

8 B. Any state that joins the Compact subsequent to the
9 Commission's initial adoption of the rules shall be subject to the
10 rules as they exist on the date on which the compact becomes law in
11 that state. Any rule that has been previously adopted by the
12 Commission shall have the full force and effect of law on the day
13 the compact becomes law in that state.

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

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

18 2. Withdrawal shall not affect the continuing requirement of
19 the withdrawing state's occupational therapy licensing board to
20 comply with the investigative and adverse action reporting
21 requirements of this act prior to the effective date of withdrawal.

22 D. Nothing contained in this Compact shall be construed to
23 invalidate or prevent any occupational therapy licensure agreement
24 or other cooperative arrangement between a member state and a non-

1 member state that does not conflict with the provisions of this
2 compact.

3 E. This compact may be amended by the member states. No
4 amendment to this compact shall become effective and binding upon
5 any member state until it is enacted into the laws of all member
6 states.

7 SECTION 13. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 888.27 of Title 59, unless there
9 is created a duplication in numbering, reads as follows:

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

23

24

SECTION 14. NEW LAW

A new section of law to be codified in the Oklahoma Statutes as Section 888.28 of Title 59, unless there is created a duplication in numbering, reads as follows:

A. A licensee providing occupational therapy in a remote state under the compact privilege shall function within the laws and regulations of the remote state.

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

C. Any laws in a member state in conflict with the Compact are superseded to the extent of the conflict.

D. Any lawful actions of the Commission, including all rules and bylaws promulgated by the Commission, are binding upon the member states.

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

F. In the event any provision of the Compact exceeds the constitutional limits imposed on the legislature of any member state, the provision shall be ineffective to the extent of the conflict with the constitutional provision in question in that member state.

G. The Board is the Occupational Therapy Licensure Compact administrator for this state.

H. The Board may adopt rules necessary to implement this subchapter.

SECTION 15. This act shall become effective November 1, 2026.

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