

1 SENATE BILL 105

2 **57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025**

3 INTRODUCED BY

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10 AN ACT

11 RELATING TO INTERGOVERNMENTAL AGREEMENTS; ENACTING THE SOCIAL
12 WORK LICENSURE INTERSTATE COMPACT.
13

14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

15 SECTION 1. [NEW MATERIAL] SHORT TITLE.--This act may be
16 cited as the "Social Work Licensure Interstate Compact".

17 SECTION 2. [NEW MATERIAL] PURPOSE.--The purpose of the
18 Social Work Licensure Interstate Compact is to facilitate
19 interstate practice of regulated social workers by improving
20 public access to competent social work services. The compact
21 preserves the regulatory authority of states to protect public
22 health and safety through the current system of state
23 licensure. This compact is designed to:

- 24 A. increase public access to social work services;
25 B. reduce overly burdensome and duplicative

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1 requirements associated with holding multiple licenses;

2 C. enhance the member states' ability to protect
3 the public's health and safety;

4 D. encourage the cooperation of member states in
5 regulating multistate practice;

6 E. promote mobility and address workforce shortages
7 by eliminating the necessity for licenses in multiple states by
8 providing for the mutual recognition of other member state
9 licenses;

10 F. support military families;

11 G. facilitate the exchange of licensure and
12 disciplinary information among member states;

13 H. authorize all member states to hold a regulated
14 social worker accountable for abiding by a member state's laws,
15 regulations and applicable professional standards in the member
16 state in which a client is located at the time care is
17 rendered; and

18 I. allow for the use of telehealth to facilitate
19 increased access to regulated social work services.

20 SECTION 3. [NEW MATERIAL] DEFINITIONS.--As used in the
21 Social Work Interstate Licensure Compact:

22 A. "active military member" means any person with
23 full-time duty status in the active armed forces of the United
24 States, including members of the national guard and reserve;

25 B. "adverse action" means any administrative,

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1 civil, equitable or criminal action permitted by a state's laws
2 that is imposed by a licensing authority or other authority
3 against a regulated social worker, including an action against
4 a person's license or multistate authorization to practice,
5 such as revocation, suspension, probation, monitoring of the
6 licensee, limitation on the licensee's practice, issuance of a
7 cease and desist action or any other encumbrance on licensure
8 affecting a regulated social worker's authorization to
9 practice;

10 C. "alternative program" means a non-disciplinary
11 monitoring or practice remediation process approved by a
12 licensing authority to address practitioners with an
13 impairment;

14 D. "charter member states" means member states who
15 have enacted legislation to adopt this compact before the
16 effective date of this compact as described in Section 15 of
17 the Social Work Interstate Licensure Compact;

18 E. "compact" means the Social Work Interstate
19 Licensure Compact;

20 F. "compact commission" or "commission" means the
21 social work licensure compact commission created in Section 11
22 of the Social Work Interstate Licensure Compact;

23 G. "current significant investigative information"
24 means:

25 (1) investigative information that a licensing

1 authority, after a preliminary inquiry that includes
2 notification and an opportunity for the regulated social worker
3 to respond, has reason to believe is not groundless and, if
4 proved true, would indicate more than a minor infraction as may
5 be defined by the commission; or

6 (2) investigative information that indicates
7 that the regulated social worker represents an immediate threat
8 to public health and safety, as may be defined by the
9 commission, regardless of whether the regulated social worker
10 has been notified and has had an opportunity to respond;

11 H. "data system" means a repository of information
12 about licensees, including continuing education, examination,
13 licensure, current significant investigative information,
14 disqualifying events, multistate licenses, adverse action
15 information or other information as required by the commission;

16 I. "disqualifying event" means any adverse action
17 or incident that results in an encumbrance that disqualifies or
18 makes the licensee ineligible to either obtain, retain or renew
19 a multistate license;

20 J. "domicile" means the jurisdiction in which the
21 licensee resides and intends to remain indefinitely;

22 K. "encumbrance" means a revocation or suspension
23 of, or any limitation on, the full and unrestricted practice of
24 social work licensed and regulated by a licensing authority;

25 L. "executive committee" means a group of delegates

1 elected or appointed to act on behalf of and within the powers
2 granted to them by the compact and commission;

3 M. "home state" means the member state that is the
4 licensee's primary domicile;

5 N. "impairment" means a condition that may impair a
6 practitioner's ability to engage in full and unrestricted
7 practice as a regulated social worker without some type of
8 intervention and may include alcohol and drug dependence,
9 mental health impairment and neurological or physical
10 impairments;

11 O. "licensee" means a person who currently holds a
12 license from a member state to practice as a regulated social
13 worker;

14 P. "licensing authority" means the board or agency
15 of a member state, or equivalent, that is responsible for the
16 licensing and regulation of regulated social workers;

17 Q. "member state" means a state, commonwealth,
18 district or territory of the United States that has enacted
19 this compact;

20 R. "multistate authorization to practice" means a
21 legally authorized privilege to practice, which is equivalent
22 to a license, associated with a multistate license permitting
23 the practice of social work in a remote state;

24 S. "multistate license" means a license to practice
25 as a regulated social worker issued by a home state licensing

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1 authority that authorizes the regulated social worker to
2 practice in all member states under multistate authorization to
3 practice;

4 T. "qualifying national exam" means a national
5 licensing examination approved by the commission;

6 U. "regulated social worker" means any clinical,
7 master's or bachelor's social worker licensed by a member state
8 regardless of the title used by the member state;

9 V. "remote state" means a member state other than
10 the licensee's home state;

11 W. "rule" or "rule of the commission" means a
12 regulation or regulations duly promulgated by the commission,
13 as authorized by this compact, that has the force of law;

14 X. "single state license" means a social work
15 license issued by any state that authorizes practice only
16 within the issuing state and does not include multistate
17 authorization to practice in any member state;

18 Y. "social work" or "social work services" means
19 the application of social work theory, knowledge, methods and
20 ethics and the professional use of self to restore or enhance
21 social, psychosocial or biopsychosocial functioning of persons,
22 couples, families, groups, organizations or communities through
23 the care and services provided by a regulated social worker as
24 set forth in the member state's statutes and regulations in the
25 state where the services are being provided;

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1 Z. "state" means any state, commonwealth, district
2 or territory of the United States that regulates the practice
3 of social work; and

4 AA. "unencumbered license" means a license that
5 authorizes a regulated social worker to engage in the full and
6 unrestricted practice of social work.

7 SECTION 4. [NEW MATERIAL] STATE PARTICIPATION IN THE
8 COMPACT.--

9 A. To be eligible to participate in the compact, a
10 potential member state shall:

11 (1) license and regulate the practice of
12 social work at the clinical, master's or bachelor's category;

13 (2) require applicants for licensure to
14 graduate from a program that:

15 (a) is operated by a college or
16 university recognized by the licensing authority;

17 (b) is accredited, or in candidacy by an
18 institution that subsequently becomes accredited, by an
19 accrediting agency recognized by either: 1) the council for
20 higher education accreditation, or its successor; or 2) the
21 United States department of education; and

22 (c) corresponds to the level of
23 licensure sought by the applicant;

24 (3) require applicants for clinical licensure
25 to complete a period of supervised practice; and

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1 (4) have a mechanism in place for receiving,
2 investigating and adjudicating complaints about licensees.

3 B. To maintain membership in the compact, a member
4 state shall:

5 (1) require that applicants for a multistate
6 license pass a qualifying national exam for the corresponding
7 category of multistate license sought;

8 (2) participate fully in the commission's data
9 system, including using the commission's unique identifier as
10 defined in rules;

11 (3) notify the commission, in compliance with
12 the terms of the compact and rules, of any adverse action or
13 the availability of current significant investigative
14 information regarding a licensee;

15 (4) implement procedures for considering the
16 criminal history records of applicants for a multistate
17 license. The procedures shall include the submission of
18 fingerprints or other biometric-based information by applicants
19 for the purpose of obtaining an applicant's criminal history
20 record information from the federal bureau of investigation and
21 the agency responsible for retaining that state's criminal
22 records;

23 (5) comply with the rules of the commission;

24 (6) require an applicant to obtain or retain a
25 license in the home state and meet the home state's

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1 qualifications for licensure or renewal of licensure, as well
2 as all other applicable home state laws;

3 (7) authorize a licensee holding a multistate
4 license in any member state to practice in accordance with the
5 terms of this compact and rules of the commission; and

6 (8) designate a delegate to participate in the
7 commission meetings.

8 C. A member state meeting the requirements of
9 Subsections A and B of this section shall designate the
10 categories of social work licensure that are eligible for
11 issuance of a multistate license for applicants in the member
12 state. To the extent that a member state does not meet the
13 requirements for participation in this compact at any
14 particular category of social work licensure, the member state
15 may, but is not obligated to, issue a multistate license to
16 applicants that otherwise meet the requirements of Section 5 of
17 the Social Work Licensure Interstate Compact for issuance of a
18 multistate license in that category or categories of licensure.

19 D. The home state may charge a fee for granting the
20 multistate license.

21 SECTION 5. [NEW MATERIAL] SOCIAL WORKER PARTICIPATION IN
22 THE COMPACT.--

23 A. To be eligible for a multistate license under
24 the terms and provisions of this compact, an applicant,
25 regardless of category, shall:

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1 (1) hold or be eligible for an active
2 unencumbered license in the home state;

3 (2) pay any applicable fees, including any
4 state fee, for the multistate license;

5 (3) submit, in connection with an application
6 for a multistate license, fingerprints or other biometric data
7 for the purpose of obtaining criminal history record
8 information from the federal bureau of investigation and the
9 agency responsible for retaining that state's criminal records;

10 (4) notify the home state of any adverse
11 action, encumbrance or restriction on any professional license
12 taken by any member state or non-member state within thirty
13 days from the date the action is taken;

14 (5) meet any continuing competence
15 requirements established by the home state; and

16 (6) abide by the laws, regulations and
17 applicable standards in the member state where a client is
18 located at the time care is rendered.

19 B. An applicant for a clinical-category multistate
20 license shall:

21 (1) fulfill a competency requirement, which
22 shall be satisfied by:

23 (a) passage of a clinical-category
24 qualifying national exam;

25 (b) licensure of the applicant in the

1 applicant's home state at the clinical category before the
2 qualifying national exam was required by the home state,
3 accompanied by a period of continuous social work licensure
4 thereafter, all of which may be further governed by the rules
5 of the commission; or

6 (c) the substantial equivalency of the
7 competency requirements established in this paragraph, which
8 the commission may determine by rule;

9 (2) attain at least a master's degree in
10 social work from a program that is:

11 (a) operated by a college or university
12 recognized by the licensing authority; and

13 (b) accredited, or in candidacy that
14 subsequently becomes accredited, by an accrediting agency
15 recognized by either the: 1) council for higher education
16 accreditation, or its successor; or 2) United States department
17 of education; and

18 (3) fulfill a practice requirement, which
19 shall be satisfied by demonstrating completion of either:

20 (a) a period of postgraduate supervised
21 clinical practice equal to a minimum of three thousand hours;

22 (b) a minimum of two years of full-time
23 postgraduate supervised clinical practice; or

24 (c) the substantial equivalency of the
25 practice requirements established in this paragraph, which the

1 commission may determine by rule.

2 C. An applicant for a master's-category multistate
3 license shall:

4 (1) fulfill a competency requirement, which
5 shall be satisfied by:

6 (a) passage of a master's-category
7 qualifying national exam;

8 (b) licensure of the applicant in the
9 applicant's home state at the master's category before the
10 qualifying national exam was required by the home state,
11 accompanied by a period of continuous social work licensure
12 thereafter, all of which may be further governed by the rules
13 of the commission; or

14 (c) the substantial equivalency of the
15 competency requirements established in this paragraph, which
16 the commission may determine by rule; and

17 (2) attain at least a master's degree in
18 social work from a program that is:

19 (a) operated by a college or university
20 recognized by the licensing authority; and

21 (b) accredited, or in candidacy that
22 subsequently becomes accredited, by an accrediting agency
23 recognized by either the: 1) council for higher education
24 accreditation, or its successor; or 2) United States department
25 of education.

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1 D. An applicant for a bachelor's-category
2 multistate license shall:

3 (1) fulfill a competency requirement, which
4 shall be satisfied by:

5 (a) passage of a bachelor's-category
6 qualifying national exam;

7 (b) licensure of the applicant in the
8 applicant's home state at the bachelor's category before the
9 qualifying national exam was required by the home state,
10 accompanied by a period of continuous social work licensure
11 thereafter, all of which may be further governed by the rules
12 of the commission; or

13 (c) the substantial equivalency of the
14 competency requirements established in this paragraph, which
15 the commission may determine by rule; and

16 (2) attain at least a bachelor's degree in
17 social work from a program that is:

18 (a) operated by a college or university
19 recognized by the licensing authority; and

20 (b) accredited, or in candidacy that
21 subsequently becomes accredited, by an accrediting agency
22 recognized by either the: 1) council for higher education
23 accreditation, or its successor; or 2) United States department
24 of education.

25 E. The multistate license for a regulated social

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1 worker is subject to the renewal requirements of the home
2 state. The regulated social worker shall maintain compliance
3 with the requirements of Subsection A of this section to be
4 eligible to renew a multistate license.

5 F. A regulated social worker's services in a remote
6 state are subject to that member state's regulatory authority.
7 A remote state may, in accordance with due process and that
8 member state's laws, remove a regulated social worker's
9 multistate authorization to practice in the remote state for a
10 specific period of time, impose fines and take any other
11 necessary actions to protect the health and safety of its
12 citizens.

13 G. If a multistate license is encumbered, the
14 regulated social worker's multistate authorization to practice
15 shall be deactivated in all remote states until the multistate
16 license is no longer encumbered.

17 H. If a multistate authorization to practice is
18 encumbered in a remote state, the regulated social worker's
19 multistate authorization to practice may be deactivated in that
20 state until the multistate authorization to practice is no
21 longer encumbered.

22 SECTION 6. [NEW MATERIAL] ISSUANCE OF A MULTISTATE
23 LICENSE.--

24 A. Upon receipt of an application for a multistate
25 license, the home state licensing authority shall determine an
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1 applicant's eligibility for a multistate license in accordance
2 with Section 5 of the Social Work Licensure Interstate Compact.

3 B. If an applicant is eligible for a multistate
4 license, the home state licensing authority shall issue a
5 multistate license that authorizes the applicant to practice in
6 all member states under a multistate authorization to practice.

7 C. Upon issuance of a multistate license, the home
8 state licensing authority shall designate whether the regulated
9 social worker holds a multistate license in the bachelor's,
10 master's or clinical category of social work.

11 D. A multistate license issued by a home state to a
12 resident in that state shall be recognized by all member states
13 as authorizing social work practice under a multistate
14 authorization to practice corresponding to each category of
15 licensure regulated in each member state.

16 SECTION 7. [NEW MATERIAL] AUTHORITY OF COMPACT COMMISSION
17 AND MEMBER STATE LICENSING AUTHORITIES.--

18 A. Nothing in the Social Work Licensure Interstate
19 Compact, nor any rule of the commission, shall be construed to
20 limit, restrict or in any way reduce the ability of a member
21 state to enact and enforce laws, regulations or other rules
22 related to the practice of social work in that state, where
23 those laws, regulations or other rules are not inconsistent
24 with the provisions of the Social Work Licensure Interstate
25 Compact.

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1 B. Nothing in the Social Work Licensure Interstate
2 Compact shall affect the requirements established by a member
3 state for the issuance of a single state license.

4 C. Nothing in the Social Work Licensure Interstate
5 Compact, nor any rule of the commission, shall be construed to
6 limit, restrict or in any way reduce the ability of a member
7 state to take adverse action against a licensee's single state
8 license to practice social work in that state.

9 D. Nothing in the Social Work Licensure Interstate
10 Compact, nor any rule of the commission, shall be construed to
11 limit, restrict or in any way reduce the ability of a remote
12 state to take adverse action against a licensee's multistate
13 authorization to practice in that state.

14 E. Nothing in the Social Work Licensure Interstate
15 Compact, nor any rule of the commission, shall be construed to
16 limit, restrict or in any way reduce the ability of a
17 licensee's home state to take adverse action against a
18 licensee's multistate license based upon information provided
19 by a remote state.

20 SECTION 8. [NEW MATERIAL] REISSUANCE OF A MULTISTATE
21 LICENSE BY A NEW HOME STATE.--

22 A. A licensee can hold a multistate license issued
23 by the licensee's home state in only one member state at any
24 given time.

25 B. If a licensee changes the licensee's home state

1 by moving between two member states:

2 (1) the licensee shall immediately apply for
3 the reissuance of the licensee's multistate license in the
4 licensee's new home state. The licensee shall pay all
5 applicable fees and notify the prior home state in accordance
6 with the rules of the commission;

7 (2) upon receipt of an application to reissue
8 a multistate license, the new home state shall verify that the
9 multistate license is active, unencumbered and eligible for
10 reissuance under the terms of the compact and the rules of the
11 commission. The multistate license issued by the prior home
12 state shall be deactivated, and all member states shall be
13 notified in accordance with the applicable rules adopted by the
14 commission;

15 (3) prior to the reissuance of the multistate
16 license, the new home state shall conduct procedures for
17 considering the criminal history records of the licensee. The
18 procedures shall include the submission of fingerprints or
19 other biometric-based information by applicants for the purpose
20 of obtaining an applicant's criminal history record information
21 from the federal bureau of investigation and the agency
22 responsible for retaining that state's criminal records;

23 (4) if required for initial licensure, the new
24 home state may require completion of jurisprudence requirements
25 in the new home state; and

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1 (5) notwithstanding any other provision of
2 this compact, if a licensee does not meet the requirements set
3 forth in this compact for the reissuance of a multistate
4 license by the new home state, the licensee shall be subject to
5 the new home state requirements for the issuance of a single
6 state license in that state.

7 C. If a licensee changes the licensee's primary
8 state of residence by moving from a member state to a non-
9 member state, or from a non-member state to a member state,
10 then the licensee shall be subject to the state requirements
11 for the issuance of a single state license in the new home
12 state.

13 D. Nothing in the Social Work Licensure Interstate
14 Compact shall interfere with a licensee's ability to hold a
15 single state license in multiple states; provided that, for the
16 purposes of the Social Work Licensure Interstate Compact, a
17 licensee shall have only one home state and only one multistate
18 license.

19 E. Nothing in the Social Work Licensure Interstate
20 Compact shall interfere with the requirements established by a
21 member state for the issuance of a single state license.

22 SECTION 9. [NEW MATERIAL] MILITARY FAMILIES.--An active
23 military member or the spouse of an active military member
24 shall designate a home state where the individual has a
25 multistate license. The active military member or the spouse

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1 of an active military member may retain the home state
2 designation during the period the service member is on active
3 duty.

4 SECTION 10. [NEW MATERIAL] ADVERSE ACTIONS.--

5 A. In addition to the powers conferred by state
6 law, a remote state shall have the authority, in accordance
7 with state due process law, to take adverse action against a
8 regulated social worker's multistate authorization to practice
9 only within the member state and issue subpoenas for both
10 hearings and investigations that require the attendance and
11 testimony of witnesses as well as the production of evidence.
12 Subpoenas issued by a licensing authority in a member state for
13 the attendance and testimony of witnesses or the production of
14 evidence from another member state shall be enforced in the
15 latter state by any court of competent jurisdiction, according
16 to the practice and procedure of that court applicable to
17 subpoenas issued in proceedings pending before it. The issuing
18 licensing authority shall pay any witness fees, travel
19 expenses, mileage and other fees required by the service
20 statutes of the state in which the witnesses or evidence are
21 located. Only the home state shall have the power to take
22 adverse action against a regulated social worker's multistate
23 license.

24 B. For purposes of taking adverse action, the home
25 state shall give the same priority and effect to reported

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1 conduct received from a member state as it would if the conduct
2 had occurred within the home state. The home state shall apply
3 its own state laws to determine the appropriate action.

4 C. The home state shall complete any pending
5 investigations of a regulated social worker who changes the
6 regulated social worker's home state during the course of the
7 investigations. The home state shall also have the authority
8 to take appropriate action and shall promptly report the
9 conclusions of the investigations to the administrator of the
10 data system. The administrator of the data system shall
11 promptly notify the new home state of any adverse actions.

12 D. A member state, if otherwise permitted by state
13 law, may recover from the affected regulated social worker the
14 costs of investigation and dispositions of cases resulting from
15 any adverse action taken against that regulated social worker.

16 E. A member state may take adverse action based on
17 the factual findings of another member state; provided that the
18 member state follows its own procedures for taking the adverse
19 action.

20 F. In addition to the authority granted to a member
21 state by the member state's respective social work practice act
22 or other applicable state law, any member state may participate
23 with other member states in joint investigation of licensees.
24 Member states shall share any investigative, litigation or
25 compliance materials in furtherance of any joint or individual

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1 investigation initiated under this compact.

2 G. If adverse action is taken by the home state
3 against the multistate license of a regulated social worker,
4 the regulated social worker's multistate authorization to
5 practice in all other member states shall be deactivated until
6 all encumbrances have been removed from the multistate license.
7 All home state disciplinary orders that impose adverse action
8 against the license of a regulated social worker shall include
9 a statement that the regulated social worker's multistate
10 authorization to practice is deactivated in all member states
11 until all conditions of the decision, order or agreement are
12 satisfied.

13 H. If a member state takes adverse action, it shall
14 promptly notify the administrator of the data system. The
15 administrator of the data system shall promptly notify the home
16 state and all other member states of any adverse actions by
17 remote states.

18 I. Nothing in the Social Work Licensure Interstate
19 Compact shall override a member state's decision that
20 participation in an alternative program may be used in lieu of
21 adverse action.

22 J. Nothing in the Social Work Licensure Interstate
23 Compact shall authorize a member state to demand the issuance
24 of subpoenas for attendance and testimony of witnesses or the
25 production of evidence from another member state for lawful

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1 actions within that member state.

2 K. Nothing in the Social Work Licensure Interstate
3 Compact shall authorize a member state to impose discipline
4 against a regulated social worker who holds a multistate
5 authorization to practice for lawful actions within another
6 member state.

7 SECTION 11. [NEW MATERIAL] ESTABLISHMENT OF SOCIAL WORK
8 LICENSURE COMPACT COMMISSION.--

9 A. The member states hereby create and establish
10 the "social work licensure compact commission" as a joint
11 government agency whose membership consists of all member
12 states. The commission is an instrumentality of the member
13 states acting jointly and not an instrumentality of any one
14 state. The commission shall come into existence on or after
15 the effective date of this compact as set forth in Section 15
16 of the Social Work Licensure Interstate Compact.

17 B. The commission shall satisfy each of the
18 following requirements with respect to membership, voting and
19 meetings:

20 (1) each member state shall have and be
21 limited to one delegate selected by the member state's
22 licensing authority. The delegate shall be either:

23 (a) a current member of the state
24 licensing authority at the time of appointment who is a
25 regulated social worker or public member of the state licensing

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1 authority; or

2 (b) an administrator of the state
3 licensing authority or the administrator's designee;

4 (2) the commission shall by rule establish a
5 term of office for delegates and term limits;

6 (3) the commission may recommend removal or
7 suspension of any delegate from office;

8 (4) a member state's licensing authority shall
9 fill any vacancy of its delegate within sixty days of the
10 vacancy;

11 (5) each delegate shall be entitled to one
12 vote on all matters before the commission requiring a vote by
13 commission delegates;

14 (6) a delegate shall vote in person or by
15 other means as provided by the commission's bylaws. The
16 commission may allow delegates to meet by telecommunication,
17 video conference or other means of communication; and

18 (7) the commission shall meet at least once
19 during each calendar year. Additional meetings may be held as
20 set forth in the commission's bylaws. The commission may meet
21 by telecommunication, video conference or other similar
22 electronic means.

23 C. The commission shall have the power to:

24 (1) establish the fiscal year of the
25 commission;

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1 (2) establish a code of conduct and conflict
2 of interest policies;

3 (3) establish and amend rules and bylaws;

4 (4) maintain the commission's financial
5 records in accordance with the bylaws;

6 (5) meet and take actions that are consistent
7 with the provisions of this compact, the commission's rules and
8 the bylaws;

9 (6) initiate and conclude legal proceedings or
10 actions in the name of the commission; provided that the
11 standing of any state licensing board to sue or be sued under
12 applicable law shall not be affected;

13 (7) maintain and certify records and
14 information provided to a member state as the authenticated
15 business records of the commission and designate an agent to do
16 so on the commission's behalf;

17 (8) purchase and maintain insurance and bonds;

18 (9) borrow, accept or contract for services of
19 personnel, including employees of a member state;

20 (10) conduct an annual financial review;

21 (11) hire employees, elect or appoint
22 officers, fix compensation, define duties, grant persons
23 appropriate authority to carry out the purposes of this compact
24 and establish the commission's personnel policies and programs
25 relating to conflicts of interest, qualification of personnel

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1 and other related personnel matters;

2 (12) assess and collect fees;

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

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

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

15 (16) establish a budget and make expenditures;

16 (17) borrow money;

17 (18) appoint committees, including standing
18 committees, composed of members, state regulators, state
19 legislators or their representatives, consumer representatives
20 and other interested persons as may be designated in this
21 compact and the commission's bylaws;

22 (19) provide and receive information from, and
23 cooperate with, law enforcement agencies;

24 (20) establish and elect an executive
25 committee, including a chair and a vice chair;

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1 (21) determine whether a state's adopted
2 language is materially different from the model compact
3 language such that the state would not qualify for
4 participation in the compact; and

5 (22) perform other functions as may be
6 necessary or appropriate to achieve the purposes of this
7 compact.

8 D. The executive committee established by the
9 commission shall:

10 (1) have the power to act on behalf of the
11 commission according to the terms of this compact. The powers,
12 duties and responsibilities of the executive committee shall
13 include:

14 (a) overseeing the day-to-day activities
15 of the administration of the compact, including enforcement and
16 compliance with the provisions of this compact, the
17 commission's rules and bylaws and other duties as deemed
18 necessary;

19 (b) recommending to the commission
20 changes to the rules or bylaws, changes to this compact
21 legislation, fees charged to member states, fees charged to
22 licensees and other fees;

23 (c) ensuring compact administration
24 services are appropriately provided, including by contract;

25 (d) preparing and recommending the

1 commission's budget;

2 (e) maintaining financial records on
3 behalf of the commission;

4 (f) monitoring compact compliance of
5 member states and providing reports to the commission;

6 (g) establishing additional committees
7 as necessary;

8 (h) exercising the powers and duties of
9 the commission during the interim between commission meetings,
10 except for adopting or amending rules, adopting or amending
11 bylaws and exercising any other powers and duties expressly
12 reserved to the commission by rule or bylaw; and

13 (i) other duties a provided in the rules
14 or bylaws of the commission;

15 (2) be composed of up to eleven members, as
16 follows:

17 (a) the chair and vice chair of the
18 commission shall be voting members of the executive committee;

19 (b) the commission shall elect five
20 voting members from the current membership of the commission;

21 (c) up to four ex-officio, nonvoting
22 members from four recognized social work organizations. The
23 ex-officio members shall be selected by their respective
24 organizations; and

25 (d) the commission may remove any member

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1 of the executive committee as provided in the commission's
2 bylaws; and

3 (3) meet at least annually, and:

4 (a) executive committee meetings shall
5 be open to the public, except that the executive committee may
6 meet in a closed, nonpublic meeting as provided in Subsection G
7 of this section;

8 (b) the executive committee shall give
9 seven days' notice of its meetings, posted on the committee's
10 website and as determined to provide notice to persons with an
11 interest in the business of the commission; and

12 (c) the executive committee may hold a
13 special meeting in accordance with Paragraph (2) of Subsection
14 F of this section.

15 E. The commission shall adopt and provide an annual
16 report to the member states.

17 F. All meetings of the commission shall be open to
18 the public, except that the commission may meet in a closed,
19 nonpublic meeting as provided in Subsection G of this section.

20 The commission:

21 (1) shall provide public notice for all
22 meetings in the same manner as required for notice of
23 rulemaking under the provisions of Section 13 of the Social
24 Work Licensure Interstate Compact, except that the commission
25 may hold a special meeting as provided in Paragraph (2) of this

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1 subsection; and

2 (2) may hold a special meeting when it must
3 meet to conduct emergency business by giving forty-eight hours'
4 notice to all commissioners on the commission's website and by
5 other means as provided in the commission's rules. The
6 commission's legal counsel shall certify that the commission's
7 need to meet qualifies as an emergency.

8 G. The commission, executive committee or other
9 committees of the commission may convene in a closed, nonpublic
10 meeting for the commission, executive committee or other
11 committee of the commission to receive legal advice or to
12 discuss:

13 (1) noncompliance of a member state with its
14 obligations under the compact;

15 (2) the employment, compensation, discipline
16 or other matters, practices or procedures related to specific
17 employees;

18 (3) current or threatened discipline of a
19 licensee by the commission or by a member state's licensing
20 authority;

21 (4) current, threatened or reasonably
22 anticipated litigation;

23 (5) negotiation of contracts for the purchase,
24 lease or sale of goods, services or real estate;

25 (6) accusing any person of a crime or formally

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1 censuring any person;

2 (7) trade secrets or commercial or financial
3 information that is privileged or confidential;

4 (8) investigative records compiled for law
5 enforcement purposes;

6 (9) information related to any investigative
7 reports prepared by or on behalf of or for use of the
8 commission or other committee charged with responsibility of
9 investigation or determination of compliance issues pursuant to
10 this compact;

11 (10) matters specifically exempted from
12 disclosure by federal or member state law; or

13 (11) other matters as promulgated by the
14 commission by rule.

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

19 I. The commission shall keep minutes that fully and
20 clearly describe all matters discussed in a meeting and shall
21 provide a full and accurate summary of actions taken and the
22 reasons for taking the actions, including a description of the
23 views expressed. All documents considered in connection with
24 an action shall be identified in the minutes. All minutes and
25 documents of a closed meeting shall remain under seal, subject

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1 to release only by a majority vote of the commission or order
2 of a court of competent jurisdiction.

3 J. With respect to financing, the commission:

4 (1) shall pay or provide for the payment of
5 the reasonable expenses of its establishment, organization and
6 ongoing activities;

7 (2) may accept any and all appropriate revenue
8 sources as provided in Paragraph (13) of Subsection C of this
9 section;

10 (3) may levy on and collect an annual
11 assessment from each member state and impose fees on licensees
12 of member states to whom it grants a multistate license to
13 cover the cost of the operations and activities of the
14 commission and its staff, which shall be in a total amount
15 sufficient to cover the commission's annual budget for which
16 revenue is not provided by other sources. The aggregate annual
17 assessment amount for member states shall be allocated based
18 upon a formula that the commission shall promulgate by rule;

19 (4) shall not incur obligations of any kind
20 prior to securing the funds adequate to meet the obligations;
21 nor shall the commission pledge the credit of any of the member
22 states, except by and with the authority of the member state;
23 and

24 (5) shall keep accurate accounts of all
25 receipts and disbursements. The receipts and disbursements of

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1 the commission shall be subject to the financial review and
2 accounting procedures established under the commission's
3 bylaws. All receipts and disbursements of funds shall be
4 subject to an annual financial review by a certified or
5 licensed public accountant, and the report of the financial
6 review shall be included in and become part of the annual
7 report of the commission.

8 K. With respect to qualified immunity, defense and
9 indemnification:

10 (1) the members, officers, executive director,
11 employees and representatives of the commission shall be immune
12 from suit and liability, both personally and in their official
13 capacity, for any claim for damage to or loss of property or
14 personal injury or other civil liability caused by or arising
15 out of any actual or alleged act, error or omission that
16 occurred, or that the person against whom the claim is made had
17 a reasonable basis for believing occurred within the scope of
18 commission employment, duties or responsibilities; provided
19 that nothing in this paragraph shall be construed to protect
20 any person from suit or liability for any damage, loss, injury
21 or liability caused by the intentional or willful or wanton
22 misconduct of that person. The procurement of insurance of any
23 type by the commission shall not in any way compromise or limit
24 the immunity granted herein;

25 (2) the commission shall defend any member,

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

14 (3) the commission shall indemnify and hold
15 harmless any member, officer, executive director, employee and
16 representative of the commission for the amount of any
17 settlement or judgement obtained against that person arising
18 out of any actual or alleged act, error or omission that
19 occurred within the scope of commission employment, duties or
20 responsibilities; provided that the actual or alleged act,
21 error or omission did not result from the intentional or
22 willful or wanton misconduct of that person;

23 (4) nothing in this compact shall be construed
24 as a limitation on the liability of any licensee for
25 professional malpractice or misconduct, which shall be governed

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1 solely by any other applicable state laws;

2 (5) nothing in this compact shall be
3 interpreted to waive or otherwise abrogate a member state's
4 state action immunity or state action affirmative defense with
5 respect to antitrust claims under the federal Sherman Act, the
6 federal Clayton Act or any other state or federal antitrust or
7 anticompetitive law or regulation; and

8 (6) nothing in this compact shall be construed
9 to be a waiver of sovereign immunity by the member states or by
10 the commission.

11 SECTION 12. [NEW MATERIAL] DATA SYSTEM.--

12 A. The commission shall provide for the
13 development, maintenance, operation and utilization of a
14 coordinated data system.

15 B. The commission shall assign each applicant for a
16 multistate license a unique identifier, as determined by the
17 rules of the commission.

18 C. Notwithstanding any other provision of state law
19 to the contrary, a member state shall submit a uniform data set
20 to the data system on all persons to whom this compact is
21 applicable as required by the rules of the commission,
22 including:

- 23 (1) identifying information;
24 (2) licensure data;
25 (3) adverse actions against a license and

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1 information related to the adverse actions;

2 (4) non-confidential information related to
3 alternative program participation, the beginning and ending
4 dates of the alternative program participation and other
5 information related to alternative program participation not
6 made confidential under member state law;

7 (5) any denial of application for licensure
8 and the reasons for the denial;

9 (6) the presence of current significant
10 investigative information; and

11 (7) other information that may facilitate the
12 administration of this compact or the protection of the public,
13 as determined by the rules of the commission.

14 D. The records and information provided to a member
15 state pursuant to this compact or through the data system, when
16 certified by the commission or an agent thereof, shall
17 constitute the authenticated business records of the commission
18 and shall be entitled to any associated hearsay exception in
19 any relevant judicial, quasi-judicial or administrative
20 proceedings in a member state.

21 E. Current significant investigative information
22 pertaining to a licensee in any member state will only be
23 available to other member states. It is the responsibility of
24 the member states to report any adverse action against a
25 licensee and to monitor the database to determine whether

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1 adverse action has been taken against a licensee. Adverse
2 action information pertaining to a licensee in any member state
3 will be available to any other member state.

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

8 G. Any information submitted to the data system
9 that is subsequently expunged pursuant to federal law or the
10 laws of the member state contributing the information shall be
11 removed from the data system.

12 SECTION 13. [NEW MATERIAL] RULEMAKING.--

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

22 B. The rules of the commission shall have the force
23 of law in each member state; provided that where the rules of
24 the commission conflict with the laws of the member state that
25 establish the member state's laws, regulations and applicable

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1 standards that govern the practice of social work as held by a
2 court of competent jurisdiction, the rules of the commission
3 shall be ineffective in that state to the extent of the
4 conflict.

5 C. The commission shall exercise its rulemaking
6 powers pursuant to the criteria set forth in this section and
7 the rules adopted thereunder. Rules shall become binding on
8 the day following adoption or the date specified in the rule or
9 amendment, whichever is later.

10 D. If a majority of the legislatures of member
11 states rejects a rule or portion of a rule by enactment of a
12 statute or resolution in the same manner used to adopt this
13 compact within four years of the date of adoption of the rule,
14 then the rule shall have no further force or effect in any
15 member state.

16 E. Rules shall be adopted at a regular or special
17 meeting of the commission.

18 F. Prior to adoption of a proposed rule, the
19 commission shall hold a public hearing and allow persons to
20 provide oral and written comments, data, facts, opinions and
21 arguments.

22 G. Prior to adoption of a proposed rule, and at
23 least thirty days in advance of the meeting at which the
24 commission will hold a public hearing on the proposed rule, the
25 commission shall provide a notice of proposed rulemaking:

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1 (1) on the commission's website or on another
2 publicly accessible platform;

3 (2) to persons who have requested notice of
4 the commission's notices of proposed rulemaking; and

5 (3) in any other ways that the commission may
6 specify by rule.

7 H. The notice of proposed rulemaking shall include:

8 (1) the time, date and location of the public
9 hearing at which the commission will hear public comments on
10 the proposed rule and, if different, the time, date and
11 location of the meeting where the commission will consider and
12 vote on the proposed rule;

13 (2) if the hearing is held via
14 telecommunication, video conference or other electronic means,
15 the commission shall include the mechanism for access to the
16 hearing in the notice of proposed rulemaking;

17 (3) the text of the proposed rule and the
18 reason therefor;

19 (4) a request for comments on the proposed
20 rule from any interested person; and

21 (5) the manner in which interested persons may
22 submit written comments.

23 I. All hearings shall be recorded. A copy of the
24 recording and all written comments and documents received by
25 the commission in response to the proposed rule shall be

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1 available to the public.

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

6 K. The commission shall, by majority vote of all
7 members, take final action on a proposed rule based on the
8 rulemaking record and the full text of the rule. The
9 commission:

10 (1) may adopt changes to the proposed rule;
11 provided that the changes do not enlarge the original purpose
12 of the proposed rule;

13 (2) shall provide an explanation of the
14 reasons for substantive changes made to the proposed rule as
15 well as reasons for substantive changes not made that were
16 recommended by commenters; and

17 (3) shall determine a reasonable effective
18 date for the rule. Except for an emergency as provided in
19 Subsection L of this section, the effective date of the rule
20 shall be no sooner than thirty days after issuing the notice
21 that the commission adopted or amended the rule.

22 L. Upon determination that an emergency exists, the
23 commission may consider and adopt an emergency rule with forty-
24 eight-hours' notice, with opportunity to comment; provided that
25 the usual rulemaking procedures provided in this compact and in

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

6 (1) meet an imminent threat to public health,
7 safety or welfare;

8 (2) prevent a loss of commission or member
9 state funds;

10 (3) meet a deadline for the promulgation of a
11 rule that is established by federal law or rule; or

12 (4) protect public health and safety.

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

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1 approval of the commission.

2 N. No member state's rulemaking requirements shall
3 apply under this compact.

4 SECTION 14. [NEW MATERIAL] OVERSIGHT, DISPUTE RESOLUTION
5 AND ENFORCEMENT.--

6 A. The executive and judicial branches of state
7 government in each member state shall enforce this compact and
8 take all actions necessary and appropriate to implement the
9 compact.

10 B. Except as otherwise provided in this compact,
11 venue is proper and judicial proceedings by or against the
12 commission shall be brought solely and exclusively in a court
13 of competent jurisdiction where the principal office of the
14 commission is located. The commission may waive venue and
15 jurisdictional defenses to the extent that it adopts or
16 consents to participate in an alternative dispute resolution
17 proceeding. Nothing in this section shall affect or limit the
18 selection or propriety of venue in any action against a
19 licensee for professional malpractice, misconduct or any
20 similar matter.

21 C. The commission shall be entitled to receive
22 service of process in any proceeding regarding the enforcement
23 or interpretation of the compact and shall have standing to
24 intervene in the proceeding for all purposes. Failure to
25 provide the commission service of process shall render a

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1 judgement or order void as to the commission, this compact or
2 promulgated rules.

3 D. If the commission determines that a member state
4 has defaulted in the performance of its obligation or
5 responsibilities under this compact or the promulgated rules,
6 the commission shall provide written notice to the defaulting
7 state. The notice of default shall describe the default, the
8 proposed means of curing the default and any other action that
9 the commission may take and shall offer training and specific
10 technical assistance regarding the default. The commission
11 shall provide a copy of the notice of default to the other
12 member states.

13 E. If a member state in default fails to cure the
14 default, the defaulting state may be terminated from the
15 compact upon an affirmative vote of a majority of the delegates
16 of the member states, and all rights, privileges and benefits
17 conferred on that state by this compact may be terminated on
18 the effective date of termination. A cure of the default does
19 not relieve the offending state of obligations or liabilities
20 incurred during the period of default.

21 F. Termination of membership in this compact shall
22 be imposed only after all other means of securing compliance
23 have been exhausted. Notice of intent to suspend or terminate
24 shall be given by the commission to the governor, the majority
25 and minority floor leaders of the defaulting state's

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1 legislature, the defaulting state's licensing authority and
2 each of the member states' licensing authority.

3 G. A state that has been terminated is responsible
4 for all assessments, obligations and liabilities incurred
5 through the effective date of termination, including
6 obligations that extend beyond the effective date of the
7 termination.

8 H. Upon the termination of a state's membership
9 from this compact, that state shall immediately provide notice
10 to all licensees within that state of the termination. The
11 terminated state shall continue to recognize all licenses
12 granted pursuant to this compact for a minimum of six months
13 after the date of termination.

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

18 J. A defaulting member state may appeal an action
19 of the commission by petitioning the United States district
20 court for the District of Columbia or the federal district
21 where the commission has its principal offices. The prevailing
22 party shall be awarded all costs of the litigation, including
23 reasonable attorney fees.

24 K. Upon request by a member state, the commission
25 shall attempt to resolve disputes related to the compact that

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1 arise among member states and between member and non-member
2 states. The commission shall promulgate a rule providing for
3 both mediation and binding dispute resolution for disputes as
4 appropriate.

5 L. By majority vote as provided by rule, the
6 commission may initiate legal action against a member state in
7 default in the United States district court for the District of
8 Columbia or the federal district where the commission has its
9 principal offices to enforce compliance with the provisions of
10 this compact and the commission's promulgated rules. The
11 relief sought may include both injunctive relief and damages.
12 In the event judicial enforcement is necessary, the prevailing
13 party shall be awarded all costs of the litigation, including
14 reasonable attorney fees. The remedies herein shall not be the
15 exclusive remedies of the commission. The commission may
16 pursue any other remedies available under federal or the
17 defaulting member state's law.

18 M. A member state may initiate legal action against
19 the commission in the United States district court for the
20 District of Columbia or the federal district where the
21 commission has its principal offices to enforce compliance with
22 the provisions of this compact and the commission's promulgated
23 rules. The relief sought may include both injunctive relief
24 and damages. In the event judicial enforcement is necessary,
25 the prevailing party shall be awarded all costs of the

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1 litigation, including reasonable attorney fees.

2 N. No entity other than a member state shall
3 enforce this compact against the commission.

4 SECTION 15. [NEW MATERIAL] EFFECTIVE DATE, WITHDRAWAL AND
5 AMENDMENT.--

6 A. This compact shall come into effect on the date
7 on which the compact statute is enacted into law in the seventh
8 member state.

9 B. On or after the effective date of this compact,
10 the commission shall convene and review the enactment of each
11 of the first seven member states to determine if the statute
12 enacted by each charter member state is materially different
13 than the model compact statute.

14 C. A charter member state whose enactment is found
15 to be materially different from the model compact statute shall
16 be entitled to the default process set forth in Section 14 of
17 the Social Work Licensure Interstate Compact. If a member
18 state is later found to be in default, or is terminated or
19 withdraws from the compact, the commission shall remain in
20 existence, and the compact shall remain in effect even if the
21 number of member states is less than seven.

22 D. Member states enacting this compact subsequent
23 to the seven initial charter member state shall be subject to
24 the process set forth in Paragraph (21) of Subsection C of
25 Section 11 of the Social Work Licensure Interstate Compact to

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1 determine if the enactments are materially different from the
2 model compact statute and whether the states qualify for
3 participation in this compact.

4 E. All action taken for the benefit of the
5 commission or in furtherance of the purposes of the
6 administration of the compact prior to the effective date of
7 the compact or the commission coming into existence shall be
8 considered to be actions of the commission unless specifically
9 repudiated by the commission.

10 F. Any state that joins the compact subsequent to
11 the commission's initial adoption of the rules and bylaws shall
12 be subject to the rules and bylaws as they exist on the date on
13 which the compact becomes law in that state. Any rule that has
14 been previously adopted by the commission shall have the full
15 force and effect of law on the day the compact becomes law in
16 that state.

17 G. Any member state may withdraw from this compact
18 by enacting a statute repealing the compact statute. A member
19 state's withdrawal shall not take effect until one hundred
20 eighty days after enactment of the repealing statute.

21 H. Withdrawal shall not affect the continuing
22 requirement of the withdrawing state's licensing authority to
23 comply with the investigative and adverse action reporting
24 requirements of this compact prior to the effective date of
25 withdrawal.

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1 I. Upon the enactment of a statute withdrawing from
2 this compact, a state shall immediately provide notice of the
3 withdrawal to all licensees with that state. Notwithstanding
4 any subsequent statutory enactment to the contrary, the
5 withdrawing state shall continue to recognize all licenses
6 granted pursuant to this compact for a minimum of one hundred
7 eighty days after the date of the notice of withdrawal.

8 J. Nothing contained in this compact shall be
9 construed to invalidate or prevent any licensure agreement or
10 other cooperative arrangement between a member state and a non-
11 member state that does not conflict with the provisions of this
12 compact.

13 K. This compact may be amended by the member
14 states. No amendment to this compact shall become effective
15 and binding upon any member state until it is enacted into the
16 laws of all member states.

17 SECTION 16. [NEW MATERIAL] CONSTRUCTION AND
18 SEVERABILITY.--

19 A. This compact and the commission's rulemaking
20 authority shall be liberally construed so as to effectuate the
21 purposes, implementation and administration of this compact.
22 Provisions of this compact expressly authorizing or requiring
23 the promulgation of rules shall not be construed to limit the
24 commission's rulemaking authority solely for those purposes.

25 B. The provisions of this compact shall be

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1 severable, and if any phrase, clause, sentence or provision of
2 this compact is held by a court of competent jurisdiction to be
3 contrary to the constitution of any member state, a state
4 seeking participation in the compact or the United States, or
5 the applicability thereof to any government, agency, person or
6 circumstance is held to be unconstitutional by a court of
7 competent jurisdiction, the validity of the remainder of this
8 compact and the applicability thereof to any other government,
9 agency, person or circumstance shall not be affected.

10 C. Notwithstanding Subsection B of this section,
11 the commission may deny a state's participation in the compact
12 or, in accordance with the requirements of Section 14 of the
13 Social Work Licensure Interstate Compact, terminate a member
14 state's participation in the compact if the commission
15 determines that a constitutional requirement of a member state
16 is a material departure from the compact. Otherwise, if this
17 compact shall be held to be contrary to the constitution of any
18 member state, the compact shall remain in full force and effect
19 as to the remaining member states and in full force and effect
20 as to the member state affected as to all severable matters.

21 SECTION 17. [NEW MATERIAL] CONSISTENT EFFECT AND CONFLICT
22 WITH OTHER STATE LAWS.--

23 A. A licensee providing services in a remote state
24 under a multistate authorization to practice shall adhere to
25 the laws and regulations, including laws, regulations and

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1 applicable standards, of the remote state where a client is
2 located at the time care is rendered.

3 B. Nothing in the Social Work Licensure Interstate
4 Compact shall prevent or inhibit the enforcement of any other
5 law of a member state that is not inconsistent with the
6 compact.

7 C. Any laws, statutes, regulation or other legal
8 requirements in a member state in conflict with the compact are
9 superseded to the extent of the conflict.

10 D. All permissible agreements between the
11 commission and the member states are binding in accordance with
12 the terms of those agreements.