

House Bill 3339

Sponsored by Representative DIEHL; Representatives HARBICK, JAVADI, MCINTIRE

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act makes Oregon join a compact with other states to let psychologists work across state lines. (Flesch Readability Score: 65.1).

Enacts the Psychology Interjurisdictional Compact. Allows the Oregon Board of Psychology to disclose specified information to the Psychology Interjurisdictional Compact Commission. Exempts individuals authorized under the Compact from the requirement to obtain a license from the board. Allows the board to use moneys to meet financial obligations imposed on the State of Oregon as a result of participation in the Compact.

Becomes operative on January 1, 2027.

Takes effect on the 91st day following adjournment sine die.

A BILL FOR AN ACT

Relating to a psychology licensure compact; creating new provisions; amending ORS 675.090, 675.140 and 676.177; and prescribing an effective date.

Be It Enacted by the People of the State of Oregon:

SECTION 1. The provisions of the Psychology Interjurisdictional Compact are as follows:

PSYCHOLOGY INTERJURISDICTIONAL COMPACT (PSYPACT)

ARTICLE I. PURPOSE

Whereas states license psychologists, in order to protect the public through verification of education, training and experience and ensure accountability for professional practice; and

Whereas this Compact is intended to regulate the day-to-day practice of telepsychology (i.e., the provision of psychological services using telecommunication technologies) by psychologists across state boundaries in the performance of their psychological practice as assigned by an appropriate authority; and

Whereas this Compact is intended to regulate the temporary in-person, face-to-face practice of psychology by psychologists across state boundaries for 30 days within a calendar year in the performance of their psychological practice as assigned by an appropriate authority; and

Whereas this Compact is intended to authorize state psychology regulatory authorities to afford legal recognition, in a manner consistent with the terms of this Compact, to psychologists licensed in other states; and

Whereas this Compact recognizes that states have a vested interest in protecting the public's health and safety through their licensing and regulation of psychologists and that such state regulation will best protect public health and safety; and

Whereas this Compact does not apply when a psychologist is licensed in both the home and receiving states; and

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 Whereas this Compact does not apply to permanent in-person, face-to-face practice, this
2 Compact does allow for authorization of temporary psychological practice.

3 Consistent with these principles, this Compact is designed to achieve the following pur-
4 poses and objectives:

5 (A) Increase public access to professional psychological services by allowing for telepsy-
6 chological practice across state lines as well as temporary in-person, face-to-face services
7 into a state in which the psychologist is not licensed to practice psychology;

8 (B) Enhance the states' ability to protect the public's health and safety, especially
9 client/patient safety;

10 (C) Encourage the cooperation of Compact states in the areas of psychology licensure and
11 regulation;

12 (D) Facilitate the exchange of information between Compact states regarding psychol-
13 ogist licensure, adverse actions and disciplinary history;

14 (E) Promote compliance with the laws governing psychological practice in each Compact
15 state; and

16 (F) Invest all Compact states with the authority to hold licensed psychologists account-
17 able through the mutual recognition of Compact state licenses.

18 **ARTICLE II. DEFINITIONS**

19 As used in this Compact, unless the context requires otherwise:

20 (A) "Adverse action" means any action taken by a state psychology regulatory authority
21 which finds a violation of a statute or regulation that is identified by the state psychology
22 regulatory authority as discipline and is a matter of public record.

23 (B) "Association of State and Provincial Psychology Boards" or "ASPPB" means the re-
24 cognized membership organization composed of state and provincial psychology regulatory
25 authorities responsible for the licensure and registration of psychologists throughout the
26 United States and Canada.

27 (C) "Authority to practice interjurisdictional telepsychology" means a licensed
28 psychologist's authority to practice telepsychology, within the limits authorized under this
29 Compact, in another Compact state.

30 (D) "Bylaws" means the bylaws established by the Psychology Interjurisdictional Com-
31 pact Commission pursuant to Article X of this Compact for its governance, or for directing
32 and controlling its actions and conduct.

33 (E) "Client/patient" means the recipient of psychological services, whether psychological
34 services are delivered in the context of health care, corporate, supervision or consulting
35 services.

36 (F) "Commissioner" means the voting representative appointed by each state psychology
37 regulatory authority pursuant to Article X of this Compact.

38 (G) "Compact state" means a state, the District of Columbia or a United States territory
39 that has enacted the Compact legislation and which has not withdrawn pursuant to Article
40 XIII, Section C of this Compact, or been terminated pursuant to Article XII, Section B of
41 this Compact.

42 (H) "Confidentiality" means the principle that data or information is not made available
43 or disclosed to unauthorized persons or processes.

44 (I) "Coordinated licensure information system" or "coordinated database" means an in-
45 tegrated process for collecting, storing and sharing information on psychologists' licensure

1 and enforcement activities related to psychology licensure laws, which is administered by the
2 recognized membership organization composed of state and provincial psychology regulatory
3 authorities.

4 (J) “Day” means any part of a day in which psychological work is performed.

5 (K) “Distant state” means the Compact state where a psychologist is physically present
6 (not through the use of telecommunications technologies), to provide temporary in-person,
7 face-to-face psychological services.

8 (L) “E. Passport” means a certificate issued by the ASPPB that promotes standardization
9 in the criteria of interjurisdictional telepsychology practice and facilitates the process for
10 licensed psychologists to provide telepsychological services across state lines.

11 (M) “Executive board” means a group of directors elected or appointed to act on behalf
12 of, and within the powers granted to them by, the Commission.

13 (N) “Home state” means a Compact state where a psychologist is licensed to practice
14 psychology. If the psychologist is licensed in more than one Compact state and is practicing
15 under the authorization to practice interjurisdictional telepsychology, the home state is the
16 Compact state where the psychologist is physically present when the telepsychological ser-
17 vices are delivered. If the psychologist is licensed in more than one Compact state and is
18 practicing under the temporary authorization to practice, the home state is any Compact
19 state where the psychologist is licensed.

20 (O) “Identity history summary” means a summary of information retained by the Federal
21 Bureau of Investigation, or another designee with similar authority, in connection with ar-
22 rests and, in some instances, federal employment, naturalization or military service.

23 (P) “In-person, face-to-face” means interactions in which the psychologist and the
24 client/patient are in the same physical space and which does not include interactions that
25 may occur through the use of telecommunication technologies.

26 (Q) “Interjurisdictional practice certificate” or “IPC” means a certificate issued by the
27 ASPPB that grants temporary authority to practice based on notification to the state psy-
28 chology regulatory authority of intention to practice temporarily, and verification of one’s
29 qualifications for such practice.

30 (R) “License” means authorization by a state psychology regulatory authority to engage
31 in the independent practice of psychology, which would be unlawful without the authori-
32 zation.

33 (S) “Non-Compact state” means any state which is not at the time a Compact state.

34 (T) “Psychologist” means an individual licensed for the independent practice of psychol-
35 ogy.

36 (U) “Psychology Interjurisdictional Compact Commission” or “Commission” means the
37 national administration of which all Compact states are members.

38 (V) “Receiving state” means a Compact state where the client/patient is physically lo-
39 cated when the telepsychological services are delivered.

40 (W) “Rule” means a written statement by the Psychology Interjurisdictional Compact
41 Commission promulgated pursuant to Article XI of this Compact that is of general applica-
42 bility, implements, interprets or prescribes a policy or provision of this Compact or an or-
43 ganizational, procedural or practical requirement of the Commission, has the force and effect
44 of statutory law in a Compact state, subject to Article XI, Section (B)(2) of this Compact,
45 and includes the amendment, repeal or suspension of an existing rule.

1 (X) "Significant investigatory information" means:

2 (1) Investigative information that a state psychology regulatory authority, after a pre-
3 liminary inquiry that includes notification and an opportunity to respond if required by state
4 law, has reason to believe, if proven true, would indicate more than a violation of state
5 statute or ethics code that would be considered more substantial than a minor infraction;
6 or

7 (2) Investigative information that indicates that the psychologist represents an immedi-
8 ate threat to public health and safety regardless of whether the psychologist has been noti-
9 fied or had an opportunity to respond.

10 (Y) "State" means:

11 (1) A state, commonwealth, territory or possession of the United States; or

12 (2) The District of Columbia.

13 (Z) "State psychology regulatory authority" means the board, office or other agency with
14 the legislative mandate to license and regulate the practice of psychology.

15 (AA) "Telepsychology" means the provision of psychological services using telecommu-
16 nication technologies.

17 (BB) "Temporary authorization to practice" means a licensed psychologist's authority to
18 conduct temporary in-person, face-to-face practice, within the limits authorized under this
19 Compact, in another Compact state.

20 (CC) "Temporary in-person, face-to-face practice" means where a psychologist is phys-
21 ically present (not through the use of telecommunications technologies) in the distant state
22 to provide for the practice of psychology for 30 days within a calendar year and based on
23 notification to the distant state.

24 **ARTICLE III. HOME STATE LICENSURE**

25 (A) The home state shall be a Compact state where a psychologist is licensed to practice
26 psychology.

27 (B) A psychologist may hold one or more Compact state licenses at a time. If the psy-
28 chologist is licensed in more than one Compact state, the home state is the Compact state
29 where the psychologist is physically present when the services are delivered as authorized
30 by the authority to practice interjurisdictional telepsychology under the terms of this Com-
31 pact.

32 (C) Any Compact state may require a psychologist not previously licensed in a Compact
33 state to obtain and retain a license to be authorized to practice in the Compact state under
34 circumstances not authorized by the authority to practice interjurisdictional telepsychology
35 under the terms of this Compact.

36 (D) Any Compact state may require a psychologist to obtain and retain a license to be
37 authorized to practice in a Compact state under circumstances not authorized by a tempo-
38 rary authorization to practice under the terms of this Compact.

39 (E) A home state's license authorizes a psychologist to practice in a receiving state under
40 the authority to practice interjurisdictional telepsychology only if the Compact state:

41 (1) Currently requires the psychologist to hold an active E. Passport;

42 (2) Has a mechanism in place for receiving and investigating complaints about licensed
43 individuals;

44 (3) Notifies the Commission, in compliance with the terms herein, of any adverse action
45 or significant investigatory information regarding a licensed individual;

1 (4) Requires an identity history summary of all applicants at initial licensure, including
2 the use of the results of fingerprints or other biometric data checks compliant with the re-
3 quirements of the Federal Bureau of Investigation, or another designee with similar au-
4 thority, no later than 10 years after activation of this Compact; and

5 (5) Subject to Article XI, Section (B)(2) of this Compact, complies with the bylaws and
6 rules of the Commission.

7 (F) A home state's license grants temporary authorization to practice to a psychologist
8 in a distant state only if the Compact state:

9 (1) Currently requires the psychologist to hold an active IPC;

10 (2) Has a mechanism in place for receiving and investigating complaints about licensed
11 individuals;

12 (3) Notifies the Commission, in compliance with the terms herein, of any adverse action
13 or significant investigatory information regarding a licensed individual;

14 (4) Requires an identity history summary of all applicants at initial licensure, including
15 the use of the results of fingerprints or other biometric data checks compliant with the re-
16 quirements of the Federal Bureau of Investigation, or another designee with similar au-
17 thority, no later than 10 years after activation of this Compact; and

18 (5) Subject to Article XI, Section (B)(2) of this Compact, complies with the bylaws and
19 rules of the Commission.

20 **ARTICLE IV.**

21 **COMPACT PRIVILEGE TO PRACTICE TELEPSYCHOLOGY**

22 (A) Compact states shall recognize the right of a psychologist, licensed in a Compact
23 state in conformance with Article III of this Compact, to practice telepsychology in other
24 Compact states (receiving states) in which the psychologist is not licensed, under the au-
25 thority to practice interjurisdictional telepsychology as provided in this Compact.

26 (B) To exercise the authority to practice interjurisdictional telepsychology under the
27 terms and provisions of this Compact, a psychologist licensed to practice in a Compact state
28 must:

29 (1) Subject to subsection (9) of this Section, hold a graduate degree in psychology from
30 an institute of higher education that was, at the time the degree was awarded:

31 (a) Regionally accredited by an accrediting body recognized by the United States De-
32 partment of Education to grant graduate degrees, or authorized by provincial statute or
33 royal charter of Canada to grant doctoral degrees; or

34 (b) A foreign college or university deemed to be equivalent to an institute described in
35 subsection (1)(a) of this Section by a foreign credential evaluation service that is a member
36 of the National Association of Credential Evaluation Services, or its successor organization,
37 or by a recognized foreign credential evaluation service;

38 (2) Hold a graduate degree in psychology from a program that meets the following crite-
39 ria:

40 (a) The program, wherever it may be administratively housed, must be clearly identified
41 and labeled as a psychology program. Such a program must specify in pertinent institutional
42 catalogues and brochures its intent to educate and train professional psychologists;

43 (b) The psychology program must stand as a recognizable, coherent and organizational
44 entity within the institution;

45 (c) There must be a clear authority and primary responsibility for the core and specialty

1 areas whether or not the program cuts across administrative lines;

2 (d) The program must consist of an integrated, organized sequence of study;

3 (e) There must be an identifiable psychology faculty sufficient in size and breadth to
4 carry out its responsibilities;

5 (f) The designated director of the program must be a psychologist and a member of the
6 core faculty;

7 (g) The program must have an identifiable body of students who are matriculated in that
8 program for a degree;

9 (h) The program must include supervised practicum, internship or field training appro-
10 priate to the practice of psychology;

11 (i) The curriculum shall encompass a minimum of three academic years of full-time
12 graduate study for doctoral degrees and a minimum of one academic year of full-time grad-
13 uate study for master's degrees; and

14 (j) The program includes an acceptable residency as defined by the rules of the Commis-
15 sion;

16 (3) Possess a current, full and unrestricted license to practice psychology in a home state
17 which is a Compact state;

18 (4) Have no history of adverse action that violates the rules of the Commission;

19 (5) Have no criminal record history reported on an identity history summary that vio-
20 lates the rules of the Commission;

21 (6) Possess a current, active E. Passport;

22 (7) Provide attestations in regard to areas of intended practice, conformity with stan-
23 dards of practice, competence in telepsychology technology, criminal background and
24 knowledge and adherence to legal requirements in the home and receiving states, and provide
25 a release of information to allow for primary source verification in a manner specified by the
26 Commission and adopted by the Oregon Board of Psychology by rule; and

27 (8) Subject to Article XI, Section (B)(2) of this Compact, meet other criteria as defined
28 by the rules of the Commission.

29 (9) The Oregon Board of Psychology may adopt by rule accreditation standards for in-
30 stitutes of higher education described in subsection (1) of this Section. The State of Oregon
31 is subject only to accreditation standards adopted by the board by rule.

32 (C) The home state maintains authority over the license of any psychologist practicing
33 into a receiving state under the authority to practice interjurisdictional telepsychology.

34 (D) A psychologist practicing into a receiving state under the authority to practice
35 interjurisdictional telepsychology will be subject to the receiving state's scope of practice. A
36 receiving state may, in accordance with that state's due process law, limit or revoke a
37 psychologist's authority to practice interjurisdictional telepsychology in the receiving state
38 and may take any other necessary actions under the receiving state's applicable law to pro-
39 tect the health and safety of the receiving state's citizens. If a receiving state takes action,
40 the receiving state shall promptly notify the home state and the Commission.

41 (E) If a psychologist's license in any home state or another Compact state, or any au-
42 thority to practice interjurisdictional telepsychology in any receiving state, is restricted,
43 suspended or otherwise limited, the psychologist's E. Passport shall be revoked and therefore
44 the psychologist shall not be eligible to practice telepsychology in a Compact state under the
45 authority to practice interjurisdictional telepsychology.

1 **ARTICLE V.**

2 **COMPACT TEMPORARY AUTHORIZATION TO PRACTICE**

3 **(A) Compact states shall also recognize the right of a psychologist, licensed in a Compact**
 4 **state in conformance with Article III of this Compact, to practice temporarily in other**
 5 **Compact states (distant states) in which the psychologist is not licensed, as provided in this**
 6 **Compact.**

7 **(B) To exercise the temporary authorization to practice under the terms and provisions**
 8 **of this Compact, a psychologist licensed to practice in a Compact state must:**

9 **(1) Subject to Article IV, Section (B)(9) of this Compact, hold a graduate degree in psy-**
 10 **chology from an institute of higher education that was, at the time the degree was awarded:**

11 **(a) Regionally accredited by an accrediting body recognized by the United States De-**
 12 **partment of Education to grant graduate degrees or authorized by provincial statute or royal**
 13 **charter of Canada to grant doctoral degrees; or**

14 **(b) A foreign college or university deemed to be equivalent to an institute described in**
 15 **subsection (1)(a) of this Section by a foreign credential evaluation service that is a member**
 16 **of the National Association of Credential Evaluation Services or by a recognized foreign**
 17 **credential evaluation service;**

18 **(2) Hold a graduate degree in psychology from a program that meets the following crite-**
 19 **ria:**

20 **(a) The program, wherever it may be administratively housed, must be clearly identified**
 21 **and labeled as a psychology program. Such a program must specify in pertinent institutional**
 22 **catalogues and brochures its intent to educate and train professional psychologists;**

23 **(b) The psychology program must stand as a recognizable, coherent and organizational**
 24 **entity within the institution;**

25 **(c) There must be a clear authority and primary responsibility for the core and specialty**
 26 **areas whether or not the program cuts across administrative lines;**

27 **(d) The program must consist of an integrated, organized sequence of study;**

28 **(e) There must be an identifiable psychology faculty sufficient in size and breadth to**
 29 **carry out its responsibilities;**

30 **(f) The designated director of the program must be a psychologist and a member of the**
 31 **core faculty;**

32 **(g) The program must have an identifiable body of students who are matriculated in that**
 33 **program for a degree;**

34 **(h) The program must include supervised practicum, internship or field training appro-**
 35 **priate to the practice of psychology;**

36 **(i) The curriculum shall encompass a minimum of three academic years of full-time**
 37 **graduate study for doctoral degrees and a minimum of one academic year of full-time grad-**
 38 **uate study for master's degrees; and**

39 **(j) The program includes an acceptable residency as defined by the rules of the Commis-**
 40 **sion and adopted by the Oregon Board of Psychology by rule;**

41 **(3) Possess a current, full and unrestricted license to practice psychology in a home state**
 42 **which is a Compact state;**

43 **(4) Have no history of adverse action that violates the rules of the Commission;**

44 **(5) Have no criminal record history that violates the rules of the Commission;**

45 **(6) Possess a current, active IPC;**

1 (7) Provide attestations in regard to areas of intended practice and work experience and
2 provide a release of information to allow for primary source verification in a manner speci-
3 fied by the Commission and adopted by the board by rule; and

4 (8) Subject to Article XI, Section (B)(2) of this Compact, meet other criteria as defined
5 by the rules of the Commission.

6 (C) A psychologist practicing into a distant state under the temporary authorization to
7 practice shall practice within the scope of practice authorized by the distant state.

8 (D) A psychologist practicing into a distant state under the temporary authorization to
9 practice will be subject to the distant state's authority and law. A distant state may, in ac-
10 cordance with that state's due process law, limit or revoke a psychologist's temporary au-
11 thorization to practice in the distant state and may take any other necessary actions under
12 the distant state's applicable law to protect the health and safety of the distant state's citi-
13 zens. If a distant state takes action, the distant state shall promptly notify the home state
14 and the Commission.

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

19 **ARTICLE VI.**

20 **CONDITIONS OF TELEPSYCHOLOGY PRACTICE IN A RECEIVING STATE**

21 A psychologist may practice in a receiving state under the authority to practice interju-
22 risdictional telepsychology only in the performance of the scope of practice for psychology
23 as assigned by an appropriate state psychology regulatory authority, as defined in the rules
24 of the Commission, and under the following circumstances:

25 (A) The psychologist initiates a client/patient contact in a home state via telecommuni-
26 cations technologies with a client/patient who is in a receiving state; and

27 (B) Subject to Article XI, Section (B)(2) of this Compact, other conditions regarding
28 telepsychology as determined by rules of the Commission.

29 **ARTICLE VII. ADVERSE ACTIONS**

30 (A) A home state shall have the power to impose adverse action against a psychologist's
31 license issued by the home state. A distant state shall have the power to take adverse action
32 on a psychologist's temporary authorization to practice within that distant state.

33 (B) A receiving state may take adverse action on a psychologist's authority to practice
34 interjurisdictional telepsychology within that receiving state. A home state may take adverse
35 action against a psychologist based on an adverse action taken by a distant state regarding
36 temporary in-person, face-to-face practice.

37 (C) If a home state takes adverse action against a psychologist's license, that
38 psychologist's authority to practice interjurisdictional telepsychology is terminated and the
39 E. Passport is revoked. Furthermore, that psychologist's temporary authorization to prac-
40 tice is terminated and the IPC is revoked.

41 (1) All home state disciplinary orders which impose adverse action shall be reported to
42 the Commission in accordance with the rules promulgated by the Commission. A Compact
43 state shall report adverse actions in accordance with the rules of the Commission.

44 (2) In the event discipline is reported on a psychologist, the psychologist will not be eli-
45 gible for telepsychology or temporary in-person, face-to-face practice in accordance with the

1 rules of the Commission.

2 (3) Subject to Article XI, Section (B)(2) of this Compact, other actions may be imposed
3 as determined by the rules of the Commission.

4 (D) A home state's state psychology regulatory authority shall investigate and take ap-
5 propriate action with respect to reported inappropriate conduct engaged in by a licensee
6 which occurred in a receiving state as it would if such conduct had occurred by a licensee
7 within the home state. In such cases, the home state's law shall control in determining any
8 adverse action against a psychologist's license.

9 (E) A distant state's state psychology regulatory authority shall investigate and take
10 appropriate action with respect to reported inappropriate conduct engaged in by a psychol-
11 ogist practicing under a temporary authorization to practice which occurred in that distant
12 state as it would if such conduct had occurred by a licensee within the home state. In such
13 cases, the distant state's law shall control in determining any adverse action against a
14 psychologist's temporary authorization to practice.

15 (F) Nothing in this Compact shall override a Compact state's decision that a
16 psychologist's participation in an alternative program may be used in lieu of adverse action
17 and that such participation shall remain nonpublic if required by the Compact state's law.
18 Compact states must require psychologists who enter any alternative programs to not
19 practice telepsychology under the authority to practice interjurisdictional telepsychology or
20 provide temporary psychological services under the temporary authorization to practice in
21 any other Compact state during the term of the alternative program.

22 (G) No other judicial or administrative remedies shall be available to a psychologist in
23 the event a Compact state imposes an adverse action pursuant to Section (C) of this Article.

24 **ARTICLE VIII.**

25 **ADDITIONAL AUTHORITIES INVESTED IN A COMPACT STATE'S STATE PSYCHOL-
26 OGY REGULATORY AUTHORITY**

27 (A) In addition to any other powers granted under state law, a Compact state's state
28 psychology regulatory authority shall have the authority under this Compact to:

29 (1) Issue subpoenas, for both hearings and investigations, which require the attendance
30 and testimony of witnesses and the production of evidence. Subject to ORS 24.500, subpoenas
31 issued by a Compact state's state psychology regulatory authority for the attendance and
32 testimony of witnesses or the production of evidence from another Compact state shall be
33 enforced in the latter state by any court of competent jurisdiction, according to that court's
34 practice and procedure in considering subpoenas issued in its own proceedings. The issuing
35 state psychology regulatory authority shall pay any witness fees, travel expenses, mileage
36 and other fees required by the service statutes of the state where the witnesses or evidence
37 are located; and

38 (2) Issue cease and desist or injunctive relief orders to revoke a psychologist's authority
39 to practice interjurisdictional telepsychology or temporary authorization to practice.

40 (3) During the course of any investigation, a psychologist may not change the
41 psychologist's home state licensure. A home state's state psychology regulatory authority is
42 authorized to complete any pending investigations of a psychologist and to take any actions
43 appropriate under its law. The home state's state psychology regulatory authority shall
44 promptly report the conclusions of such investigations to the Commission. Once an investi-
45 gation has been completed, and pending the outcome of said investigation, the psychologist

1 may change the psychologist's home state licensure. The Commission shall promptly notify
 2 the new home state of any such decisions as provided in the rules of the Commission. All
 3 information provided to the Commission or distributed by Compact states pursuant to the
 4 psychologist shall be confidential, filed under seal and used for investigatory or disciplinary
 5 matters. Subject to Article XI, Section (B)(2) of this Compact, the Commission may create
 6 additional rules for mandated or discretionary sharing of information by Compact states.

7 **ARTICLE IX.**

8 **COORDINATED LICENSURE INFORMATION SYSTEM**

9 (A) The Commission shall provide for the development and maintenance of a coordinated
 10 licensure information system (coordinated database) and reporting system containing
 11 licensure and disciplinary action information on all psychologists to whom this Compact is
 12 applicable in all Compact states as defined by the rules of the Commission.

13 (B) Subject to ORS 676.177, but notwithstanding any other provision of state law to the
 14 contrary, a Compact state shall submit a uniform data set to the coordinated database on
 15 all licensees as required by the rules of the Commission, including:

- 16 (1) Identifying information;
- 17 (2) Licensure data;
- 18 (3) Significant investigatory information;
- 19 (4) Adverse actions against a psychologist's license;
- 20 (5) An indicator that a psychologist's authority to practice interjurisdictional telepsy-
 21 chology or temporary authorization to practice is revoked;
- 22 (6) Nonconfidential information related to alternative program participation information;
- 23 (7) Any denial of application for licensure, and the reasons for such denial; and
- 24 (8) Subject to Article XI, Section (B)(2) of this Compact, other information which may
 25 facilitate the administration of this Compact, as determined by the rules of the Commission.

26 (C) The coordinated database administrator shall promptly notify all Compact states of
 27 any adverse action taken against, or significant investigatory information on, any licensee
 28 in a Compact state.

29 (D) Compact states reporting information to the coordinated database may designate in-
 30 formation that may not be shared with the public without the express permission of the
 31 Compact state reporting the information.

32 (E) Any information submitted to the coordinated database that is subsequently required
 33 to be expunged by the law of the Compact state reporting the information shall be removed
 34 from the coordinated database.

35 **ARTICLE X.**

36 **ESTABLISHMENT OF THE PSYCHOLOGY INTERJURISDICTIONAL COMPACT COM-
 37 MISSION**

38 (A) The Compact states hereby create and establish a joint public agency known as the
 39 Psychology Interjurisdictional Compact Commission.

40 (1) The Commission is a body politic and an instrumentality of the Compact states.

41 (2) Venue is proper and judicial proceedings by or against the Commission shall be
 42 brought solely and exclusively in a court of competent jurisdiction where the principal office
 43 of the Commission is located. The Commission may waive venue and jurisdictional defenses
 44 to the extent it adopts or consents to participate in alternative dispute resolution pro-
 45 ceedings.

1 (3) Nothing in this Compact shall be construed to be a waiver of sovereign immunity.

2 (B) Membership, Voting and Meetings

3 (1) The Commission shall consist of one voting representative appointed by each Compact
4 state who shall serve as that state's commissioner. The state psychology regulatory au-
5 thority shall appoint its delegate. This delegate shall be empowered to act on behalf of the
6 Compact state. This delegate shall be limited to:

7 (a) An executive director, an executive secretary or a similar executive;

8 (b) A current member of the state psychology regulatory authority of a Compact state;
9 or

10 (c) A designee empowered with the appropriate delegate authority to act on behalf of the
11 Compact state.

12 (2) Any commissioner may be removed or suspended from office as provided by the law
13 of the state from which the commissioner is appointed. Any vacancy occurring in the Com-
14 mission shall be filled in accordance with the laws of the Compact state in which the vacancy
15 exists.

16 (3) Each commissioner shall be entitled to one vote with regard to the promulgation of
17 rules and creation of bylaws and shall otherwise have an opportunity to participate in the
18 business and affairs of the Commission. A commissioner shall vote in person or by such
19 other means as provided in the bylaws. The bylaws may provide for commissioners' partic-
20 ipation in meetings by telephone or other means of communication.

21 (4) The Commission shall meet at least once during each calendar year. Additional
22 meetings shall be held as set forth in the bylaws.

23 (5) All meetings shall be open to the public, and public notice of meetings shall be given
24 in the same manner as required under the rulemaking provisions in Article XI of this Com-
25 pact.

26 (6) The Commission may convene in a closed, nonpublic meeting if the Commission must
27 discuss:

28 (a) Noncompliance of a Compact state with its obligations under this Compact;

29 (b) The employment, compensation, discipline or other personnel matters, practices or
30 procedures related to specific employees or other matters related to the Commission's
31 internal personnel practices and procedures;

32 (c) Current, threatened or reasonably anticipated litigation against the Commission;

33 (d) Negotiation of contracts for the purchase or sale of goods, services or real estate;

34 (e) Accusation against any person of a crime or formally censuring any person;

35 (f) Disclosure of trade secrets or commercial or financial information which is privileged
36 or confidential;

37 (g) Disclosure of information of a personal nature when disclosure would constitute a
38 clearly unwarranted invasion of personal privacy;

39 (h) Disclosure of investigatory records compiled for law enforcement purposes;

40 (i) Disclosure of information related to any investigatory reports prepared by or on behalf
41 of or for the use of the Commission or another committee charged with responsibility for
42 investigation or determination of compliance issues pursuant to this Compact; or

43 (j) Matters specifically exempted from disclosure by federal and state statute.

44 (7) If a meeting, or portion of a meeting, is closed pursuant to subsection (6) of this
45 Section, the Commission's legal counsel or designee shall certify that the meeting may be

1 closed and shall reference each relevant exempting provision. The Commission shall keep
 2 minutes which fully and clearly describe all matters discussed in a meeting and shall provide
 3 a full and accurate summary of actions taken, of any person participating in the meeting,
 4 and the reasons therefore, including a description of the views expressed. All documents
 5 considered in connection with an action shall be identified in such minutes. All minutes and
 6 documents of a closed meeting shall remain under seal, subject to release only by a majority
 7 vote of the Commission or order of a court of competent jurisdiction.

8 (C) Subject to Article XI, Section (B)(2) of this Compact, the Commission shall, by a
 9 majority vote of the commissioners, prescribe bylaws and rules to govern its conduct as may
 10 be necessary or appropriate to carry out the purposes and exercise the powers of this Com-
 11 pact. The State of Oregon is subject to the bylaws only insofar as the Oregon Board of Psy-
 12 chology approves by rule bylaws prescribed under this Section. The Commission shall
 13 prescribe bylaws and rules including, but not limited to:

14 (1) Establishing the fiscal year of the Commission;

15 (2) Providing reasonable standards and procedures:

16 (a) For the establishment and meetings of other committees; and

17 (b) Governing any general or specific delegation of any authority or function of the
 18 Commission;

19 (3) Providing reasonable procedures for calling and conducting meetings of the Commis-
 20 sion, ensuring reasonable advance notice of all meetings and providing an opportunity for
 21 attendance of such meetings by interested parties, with enumerated exceptions designed to
 22 protect the public's interest, the privacy of individuals of such proceedings, and proprietary
 23 information, including trade secrets. The Commission may meet in closed session only after
 24 a majority of the commissioners vote to close a meeting to the public in whole or in part.
 25 As soon as practicable, the Commission must make public a copy of the vote to close the
 26 meeting revealing the vote of each commissioner with no proxy votes allowed;

27 (4) Establishing the titles, duties and authority and reasonable procedures for the
 28 election of the officers of the Commission;

29 (5) Providing reasonable standards and procedures for the establishment of the personnel
 30 policies and programs of the Commission. Notwithstanding any civil service or other similar
 31 law of any Compact state, the bylaws shall exclusively govern the personnel policies and
 32 programs of the Commission;

33 (6) Promulgating a code of ethics to address permissible and prohibited activities of
 34 Commission members and employees;

35 (7) Providing a mechanism for concluding the operations of the Commission and the eq-
 36 uitable disposition of any surplus funds that may exist after the termination of this Compact
 37 after the payment and reserving of all of its debts and obligations;

38 (8) The Commission shall publish its bylaws in a convenient form and file a copy thereof
 39 and a copy of any amendment thereto with the appropriate agency or officer in each of the
 40 Compact states;

41 (9) The Commission shall maintain its financial records in accordance with the bylaws;
 42 and

43 (10) The Commission shall meet and take such actions as are consistent with the pro-
 44 visions of this Compact and the bylaws.

45 (D) The Commission shall have the following powers, except that an action undertaken

1 by the Commission is binding on the State of Oregon only if the board approves by rule the
2 action undertaken:

3 (1) The authority to promulgate uniform rules to facilitate and coordinate implementa-
4 tion and administration of this Compact. Subject to Article XI, Section (B)(2) of this Com-
5 pact, the rules shall have the force and effect of law and shall be binding in all Compact
6 states;

7 (2) To bring and prosecute legal proceedings or actions in the name of the Commission,
8 provided that the standing of any state psychology regulatory authority or other regulatory
9 body responsible for psychology licensure to sue or be sued under applicable law shall not
10 be affected;

11 (3) To purchase and maintain insurance and bonds;

12 (4) To borrow, accept or contract for services of personnel, including, but not limited to,
13 employees of a Compact state;

14 (5) To hire employees, to elect or appoint officers, to fix compensation, to define duties,
15 to grant such individuals appropriate authority to carry out the purposes of this Compact
16 and to establish the Commission's personnel policies and programs relating to conflicts of
17 interest, qualifications of personnel and other related personnel matters;

18 (6) To accept any and all appropriate donations and grants of money, equipment, supplies,
19 materials and services, and to receive, utilize and dispose of the same, provided that at all
20 times the Commission shall strive to avoid any appearance of impropriety or conflict of in-
21 terest;

22 (7) To lease, purchase, accept appropriate gifts or donations of, own, hold, improve or
23 use any property, real, personal or mixed, provided that at all times the Commission shall
24 strive to avoid any appearance of impropriety;

25 (8) To sell, convey, mortgage, pledge, lease, exchange, abandon or otherwise dispose of
26 any property, real, personal or mixed;

27 (9) To establish a budget and make expenditures;

28 (10) To borrow money;

29 (11) To appoint committees, including advisory committees comprised of members, state
30 regulators, state legislators or their representatives, consumer representatives and such
31 other interested persons as may be designated in this Compact and the bylaws;

32 (12) To provide and receive information from, and to cooperate with, law enforcement
33 agencies;

34 (13) To adopt and use an official seal; and

35 (14) To perform such other functions as may be necessary or appropriate to achieve the
36 purposes of this Compact consistent with the state regulation of psychology licensure, tem-
37 porary in-person, face-to-face practice and telepsychology practice.

38 (E) The Executive Board

39 (1) The elected officers shall serve as the executive board, which shall have the power
40 to act on behalf of the Commission according to the terms of this Compact.

41 (2) The executive board shall be comprised of six members:

42 (a) Five voting members who are elected from the current membership of the Commis-
43 sion by the Commission; and

44 (b) One ex-officio, nonvoting member from the recognized membership organization
45 composed of state and provincial psychology regulatory authorities.

1 **(3) The ex-officio member must have served as staff or a member on a state psychology**
2 **regulatory authority and will be selected by its respective organization.**

3 **(4) The Commission may remove any member of the executive board as provided in the**
4 **bylaws.**

5 **(5) The executive board shall meet at least annually.**

6 **(6) The executive board shall have the following duties and responsibilities:**

7 **(a) Recommend to the entire Commission changes to the rules or bylaws, changes to this**
8 **Compact legislation, fees paid by Compact states such as annual dues and any other appli-**
9 **cable fees;**

10 **(b) Ensure Compact administration services are appropriately provided, contractual or**
11 **otherwise;**

12 **(c) Prepare and recommend the budget;**

13 **(d) Maintain financial records on behalf of the Commission;**

14 **(e) Monitor Compact compliance of member states and provide compliance reports to the**
15 **Commission;**

16 **(f) Establish additional committees as necessary; and**

17 **(g) Other duties as provided in the rules or bylaws.**

18 **(F) Financing of the Commission**

19 **(1) The Commission shall pay, or provide for the payment of, the reasonable expenses of**
20 **its establishment, organization and ongoing activities.**

21 **(2) The Commission may accept any and all appropriate revenue sources, donations and**
22 **grants of money, equipment, supplies, materials and services.**

23 **(3)(a) The Commission may levy on and collect an annual assessment from each Compact**
24 **state or impose fees on other parties to cover the cost of the operations and activities of the**
25 **Commission and its staff, which must be in a total amount sufficient to cover its annual**
26 **budget as approved each year for which revenue is not provided by other sources. The ag-**
27 **gregate annual assessment amount shall be allocated based upon a formula to be determined**
28 **by the Commission which shall promulgate a rule binding upon all Compact States.**

29 **(b) An assessment levied, or any other financial obligation imposed, under this Compact**
30 **is effective against the State of Oregon only to the extent that moneys necessary to pay the**
31 **assessment or meet the financial obligation have been deposited in the Psychology Interju-**
32 **risdictional Compact Account established under section 4 of this 2025 Act.**

33 **(4) The Commission shall not incur obligations of any kind prior to securing the funds**
34 **adequate to meet the same, nor shall the Commission pledge the credit of any of the Com-**
35 **compact states, except by and with the authority of the Compact state.**

36 **(5) The Commission shall keep accurate accounts of all receipts and disbursements. The**
37 **receipts and disbursements of the Commission shall be subject to the audit and accounting**
38 **procedures established under its bylaws. However, all receipts and disbursements of funds**
39 **handled by the Commission shall be audited yearly by a certified or licensed public account-**
40 **ant and the report of the audit shall be included in and become part of the annual report of**
41 **the Commission.**

42 **(G) Qualified Immunity, Defense and Indemnification**

43 **(1) The members, officers, executive director, employees and representatives of the**
44 **Commission shall be immune from suit and liability, either personally or in their official ca-**
45 **pacitly, for any claim for damage to or loss of property or personal injury or other civil li-**

1 ability caused by or arising out of any actual or alleged act, error or omission that occurred,
 2 or that the person against whom the claim is made had a reasonable basis for believing oc-
 3 curred within the scope of Commission employment, duties or responsibilities, provided that
 4 nothing in this subsection shall be construed to protect any such person from suit or liability
 5 for any damage, loss, injury or liability caused by the intentional or willful or wanton mis-
 6 conduct of that person.

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

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

24 **ARTICLE XI. RULEMAKING**

25 (A) The Commission shall exercise its rulemaking powers pursuant to the criteria set
 26 forth in this Article and the rules adopted thereunder. Subject to subsection (2) of this Sec-
 27 tion, rules and amendments shall become binding as of the date specified in each proposed
 28 rule or amendment.

29 (B)(1) If a majority of the legislatures of the Compact states rejects a rule, by enactment
 30 of a statute or resolution in the same manner used to adopt this Compact, then such rule
 31 shall have no further force and effect in any Compact state.

32 (2) Notwithstanding subsection (1) of this Section, the Oregon Board of Psychology shall
 33 review the rules of the Commission. The board may approve and adopt the rules of the
 34 Commission as rules of the board. The State of Oregon is subject to a rule of the Commission
 35 only if the rule of the Commission is adopted by the board.

36 (C) Proposed rules or amendments to the rules shall be adopted at a regular or special
 37 meeting of the Commission.

38 (D) Prior to promulgation and adoption of a proposed final rule or rules by the Commis-
 39 sion, and at least 60 days in advance of the meeting at which the proposed rule will be con-
 40 sidered and voted upon, the Commission shall file a notice of proposed rulemaking:

- 41 (1) On the website of the Commission; and
- 42 (2) On the website of each Compact state's state psychology regulatory authority or the
 43 publication in which each state would otherwise publish proposed rules.

44 (E) The notice of proposed rulemaking shall include:

- 45 (1) The proposed time, date and location of the meeting in which the proposed rule will

1 be considered and voted upon;

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

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

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

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

8 (G) The Commission shall grant an opportunity for a public hearing before it adopts a
9 proposed rule or amendment if a hearing is requested by:

10 (1) At least 25 persons who submit comments independently of each other;

11 (2) A governmental subdivision or agency; or

12 (3) A duly appointed person in an association that has at least 25 members.

13 (H) If a hearing is held on the proposed rule or amendment, the Commission shall publish
14 the time, date and location of the scheduled public hearing.

15 (1) All persons wishing to be heard at the hearing shall notify the executive director of
16 the Commission or another designated member in writing of their desire to appear and tes-
17 tify at the hearing not less than five business days before the scheduled date of the hearing.

18 (2) Hearings shall be conducted in a manner providing each person who wishes to com-
19 ment a fair and reasonable opportunity to comment orally or in writing.

20 (3) No transcript of the hearing is required, unless a written request for a transcript is
21 made, in which case the person requesting the transcript shall bear the cost of producing the
22 transcript. A recording may be made in lieu of a transcript under the same terms and con-
23 ditions as a transcript. This subsection shall not preclude the Commission from making a
24 transcript or recording of the hearing if the Commission so chooses.

25 (4) Nothing in this Section shall be construed as requiring a separate hearing on each
26 proposed rule. Rules may be grouped for the convenience of the Commission at hearings re-
27 quired by this Section.

28 (I) Following the scheduled hearing date, or by the close of business on the scheduled
29 hearing date if the hearing was not held, the Commission shall consider all written and oral
30 comments received.

31 (J) The Commission shall, by majority vote of all members, take final action on the pro-
32 posed rule and shall determine the effective date of the rule, if any, based on the rulemaking
33 record and the full text of the rule.

34 (K) If no written notice of intent to attend the public hearing by interested parties is
35 received, the Commission may proceed with promulgation of the proposed rule without a
36 public hearing.

37 (L) Upon determination that an emergency exists, the Commission may consider and
38 adopt an emergency rule without prior notice, opportunity for comment or hearing, provided
39 that the usual rulemaking procedures provided in this Compact and in this Section shall be
40 retroactively applied to the emergency rule as soon as reasonably possible, in no event later
41 than 90 days after the effective date of the rule. For the purposes of this provision, an
42 emergency rule is one that must be adopted immediately in order to:

43 (1) Meet an imminent threat to public health, safety or welfare;

44 (2) Prevent a loss of Commission or Compact state funds;

45 (3) Meet a deadline for the promulgation of an administrative rule that is established by

1 federal law or rule; or

2 (4) Protect public health and safety.

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

12 **ARTICLE XII.**

13 **OVERSIGHT, DISPUTE RESOLUTION AND ENFORCEMENT**

14 **(A) Oversight**

15 (1) The executive, legislative and judicial branches of state government in each Compact
 16 state shall enforce this Compact and take all actions necessary and appropriate to effectuate
 17 this Compact's purposes and intent. The provisions of this Compact and the rules
 18 promulgated hereunder shall have standing as statutory law, subject to Article XI, Section
 19 (B)(2) of this Compact.

20 (2) All courts shall take judicial notice of this Compact and the rules in any judicial or
 21 administrative proceeding in a Compact state pertaining to the subject matter of this Com-
 22 pact which may affect the powers, responsibilities or actions of the Commission.

23 (3) The Commission shall be entitled to receive service of process in any such proceeding,
 24 and shall have standing to intervene in such a proceeding for all purposes. Failure to provide
 25 service of process to the Commission shall render a judgment or order void as to the Com-
 26 mission, this Compact or the rules.

27 **(B) Default, Technical Assistance and Termination**

28 (1) If the Commission determines that a Compact state has defaulted in the performance
 29 of its obligations or responsibilities under this Compact or rules, the Commission shall:

30 (a) Provide written notice to the defaulting state and other Compact states of the nature
 31 of the default, the proposed means of remedying the default and any other action to be taken
 32 by the Commission; and

33 (b) Provide remedial training and specific technical assistance regarding the default.

34 (2) If a state in default fails to remedy the default, the defaulting state may be termi-
 35 nated from this Compact upon an affirmative vote of a majority of the Compact states, and
 36 all rights, privileges and benefits conferred by this Compact shall be terminated on the ef-
 37 fective date of termination. A remedy of the default does not relieve the offending state of
 38 obligations or liabilities incurred during the period of default. The State of Oregon's obli-
 39 gations and liabilities under this subsection may not exceed the maximum amount allowed
 40 by the Oregon Constitution.

41 (3) Termination of membership in this Compact shall be imposed only after all other
 42 means of securing compliance have been exhausted. Notice of intent to suspend or terminate
 43 shall be submitted by the Commission to the governor of the defaulting state, the majority
 44 and minority leaders of the defaulting state's legislature and each of the Compact states.

45 (4) A Compact state which has been terminated is responsible for all assessments, obli-

1 gations and liabilities incurred through the effective date of termination, including obli-
 2 gations which extend beyond the effective date of termination. The State of Oregon's
 3 assessments, obligations and liabilities under this subsection may not exceed the maximum
 4 amount allowed by the Oregon Constitution.

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

8 (6) The defaulting state may appeal the action of the Commission by petitioning a United
 9 States District Court for the State of Georgia or the federal district where this Compact has
 10 its principal offices. The prevailing member shall be awarded all costs of such litigation, in-
 11 cluding reasonable attorney fees. The State of Oregon's costs under this subsection may not
 12 exceed the maximum amount allowed by the Oregon Constitution.

13 (C) Dispute Resolution

14 (1) Upon request by a Compact state, the Commission shall attempt to resolve disputes
 15 related to this Compact which arise among Compact states and between Compact and non-
 16 Compact states.

17 (2) The Commission shall promulgate a rule providing for both mediation and binding
 18 dispute resolution for disputes that arise before the Commission, to which the State of
 19 Oregon is subject only insofar as the rule of the Commission is adopted by the Oregon Board
 20 of Psychology by rule.

21 (D) Enforcement

22 (1) The Commission, in the reasonable exercise of its discretion, shall enforce the pro-
 23 visions and rules of this Compact.

24 (2) By majority vote, the Commission may initiate legal action in a United States District
 25 Court for the State of Georgia or the federal district where the Compact has its principal
 26 offices against a Compact state in default to enforce compliance with the provisions of this
 27 Compact and its rules and bylaws. The relief sought may include injunctive relief. In the
 28 event judicial enforcement is necessary, the prevailing member shall be awarded all costs of
 29 such litigation, including reasonable attorney fees. The State of Oregon's costs under this
 30 subsection may not exceed the maximum amount allowed by the Oregon Constitution.

31 (3) The remedies herein shall not be the exclusive remedies of the Commission. The
 32 Commission may pursue any other remedies available under federal or state law, except that
 33 the Commission may not pursue remedies against the State of Oregon that are not allowed
 34 by Oregon state law.

35 ARTICLE XIII.

36 DATE OF IMPLEMENTATION OF THE PSYCHOLOGY INTERJURISDICTIONAL COM-
 37 PACT COMMISSION AND ASSOCIATED RULES, WITHDRAWAL AND AMENDMENTS

38 (A) This Compact shall come into effect on the date on which this Compact is enacted
 39 into law in the seventh Compact state. The provisions which become effective at that time
 40 shall be limited to the powers granted to the Commission relating to assembly and the
 41 promulgation of rules. Thereafter, the Commission shall meet and exercise rulemaking pow-
 42 ers necessary to the implementation and administration of this Compact.

43 (B) Subject to Article XI, Section (B)(2) of this Compact, any state which joins this
 44 Compact subsequent to the Commission's initial adoption of the rules shall be subject to the
 45 rules as they exist on the date on which this Compact becomes law in that state. Any rule

1 which has been previously adopted by the Commission shall have the full force and effect of
 2 law on the day this Compact becomes law in that state.

3 (C) Any Compact state may withdraw from this Compact by enacting a statute repealing
 4 the same.

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

7 (2) Withdrawal shall not affect the continuing requirement of the withdrawing state's
 8 state psychology regulatory authority to comply with the investigative and adverse action
 9 reporting requirements of this Compact prior to the effective date of withdrawal.

10 (D) Nothing contained in this Compact shall be construed to invalidate or prevent any
 11 psychology licensure agreement or other cooperative arrangement between a Compact state
 12 and a non-Compact state which does not conflict with the provisions of this Compact.

13 (E) This Compact may be amended by the Compact states. No amendment to this Com-
 14 pact shall become effective and binding upon any Compact state until it is enacted into the
 15 law of all Compact States.

16 **ARTICLE XIV. CONSTRUCTION AND SEVERABILITY**

17 This Compact shall be liberally construed so as to effectuate the purposes thereof. If this
 18 Compact shall be held contrary to the constitution of any state member thereto, this Com-
 19 pact shall remain in full force and effect as to the remaining Compact states.

20
 21
 22 **SECTION 2.** The Legislative Assembly of the State of Oregon hereby ratifies the Psy-
 23 chology Interjurisdictional Compact set forth in section 1 of this 2025 Act.

24 **SECTION 3.** Section 4 of this 2025 Act is added to and made a part of ORS 675.010 to
 25 675.150.

26 **SECTION 4.** (1) There is established, within the Oregon Board of Psychology Account, the
 27 Psychology Interjurisdictional Compact Account. All moneys received by the Oregon Board
 28 of Psychology under the Psychology Interjurisdictional Compact set forth in section 1 of this
 29 2025 Act shall be paid into the State Treasury and deposited in the Psychology Interjuris-
 30 dictional Compact Account. Subject to subsection (2) of this section, the moneys in the ac-
 31 count are continuously appropriated to the board for the purpose of meeting financial
 32 obligations imposed on the State of Oregon as a result of this state's participation in the
 33 compact.

34 (2) At no time may the Psychology Interjurisdictional Compact Account contain more
 35 than \$50,000. Any moneys in excess of \$50,000 shall be transferred to the Oregon Board of
 36 Psychology Account under ORS 675.140.

37 **SECTION 5.** ORS 675.090 is amended to read:

38 675.090. (1) ORS 675.010 to 675.150 do not apply to:

39 (a) A person who teaches psychology, conducts psychological research or provides consulting
 40 services to an organization or institution, provided that the person does not supervise direct psy-
 41 chological services and does not treat any behavioral, emotional or mental disorder of an individual.

42 (b) The provision of expert testimony by a person described in paragraph (a) of this subsection.

43 (c) A graduate student enrolled in an approved psychology program who is pursuing a graduate
 44 degree in psychology, provided that the graduate student renders services only for academic credit
 45 as part of an organized and supervised training program.

1 (d) A person pursuing certification, licensure or a graduate degree in any of the certified or li-
 2 censed professions exempted from ORS 675.010 to 675.150.

3 (e) A person who is licensed, certified or otherwise authorized by the State of Oregon to provide
 4 mental health services, provided that the services are rendered within the person’s lawful scope of
 5 practice and that the person does not use the title “psychologist” in connection with the activities
 6 described in this paragraph.

7 (f) A person who is employed by a local, state or federal government agency or a public uni-
 8 versity listed in ORS 352.002, or employed by a community mental health program or drug and al-
 9cohol treatment program licensed or certified by the State of Oregon, to the extent that the person’s
 10 activities and services are rendered within the person’s scope of employment and are performed
 11 within the confines of the employing agency and provided that the person does not use the title
 12 “psychologist” in connection with the activities authorized under this paragraph.

13 (g) A person who is a recognized member of the clergy, provided that the person is acting in the
 14 person’s ministerial capacity and does not use the title “psychologist.”

15 (h) A person who has credentials as a school psychologist, provided that the person is an em-
 16 ployee of an educational institution and practices only within a school setting. A person acting un-
 17 der this paragraph may use the title “school psychologist.”

18 (i) **A person who holds a valid authority to practice interjurisdictional telepsychology or**
 19 **an interjurisdictional practice certificate, as described in section 1 of this 2025 Act.**

20 (2)(a) Notwithstanding subsection (1)(f) of this section, a person with a doctoral degree in psy-
 21 chology who is employed by and practicing psychology at a local, state or federal government
 22 agency, a public university listed in ORS 352.002 or a community mental health program or drug
 23 and alcohol treatment program licensed or certified by the State of Oregon may practice psychology
 24 without a license under ORS 675.010 to 675.150 for no more than 24 months after the person begins
 25 practicing psychology at the agency or program.

26 (b) Before the person obtains a license under ORS 675.010 to 675.150:

27 (A) The person may practice psychology only within the scope of the person’s employment and
 28 within the confines of the employing agency or program; and

29 (B) The person may not use the title “psychologist.”

30 (3) A person performing the functions described in subsection (1)(a) and (b) of this section may
 31 use the title “psychologist” only if the person holds a doctoral degree in psychology from an ap-
 32 proved doctoral program in psychology.

33 (4) A person described in subsection (1)(c) of this section may use the title “psychological
 34 intern” or “psychological trainee,” provided that the training program described in subsection (1)(c)
 35 of this section is under the supervision and responsibility of a licensed psychologist in accordance
 36 with rules adopted by the Oregon Board of Psychology.

37 (5) Nothing in this section exempts from ORS 675.010 to 675.150 a person whose license to
 38 practice psychology is revoked or suspended because the person engaged in sexual activity with a
 39 client.

40 **SECTION 6.** ORS 675.140 is amended to read:

41 675.140. **Subject to section 4 of this 2025 Act,** on or before the 10th day of each month, the
 42 Oregon Board of Psychology shall pay into the State Treasury all moneys received by the board
 43 during the preceding calendar month. The State Treasurer shall credit the moneys to the Oregon
 44 Board of Psychology Account. The moneys in the Oregon Board of Psychology Account are contin-
 45 uously appropriated to the board for the purpose of paying the expenses of administering and en-

1 forcing ORS 675.010 to 675.150, 675.172, 676.850 and 676.866.

2 **SECTION 7.** ORS 676.177 is amended to read:

3 676.177. (1) Notwithstanding any other provision of ORS 676.165 to 676.180 and except as pro-
 4 vided in subsection (5) of this section, a health professional regulatory board, upon a determination
 5 by the board that it possesses otherwise confidential information that reasonably relates to the
 6 regulatory or enforcement function of another public entity, may disclose that information to the
 7 other public entity.

8 (2) Any public entity that receives information pursuant to subsection (1) of this section shall
 9 agree to take all reasonable steps to maintain the confidentiality of the information, except that the
 10 public entity may use or disclose the information to the extent necessary to carry out the regulatory
 11 or enforcement functions of the public entity.

12 (3) For purposes of this section, “public entity” means:

13 (a) A board or agency of this state, or a board or agency of another state with regulatory or
 14 enforcement functions similar to the functions of a health professional regulatory board of this state;

15 (b) A district attorney;

16 (c) The Department of Justice;

17 (d) A state or local public body of this state that licenses, franchises or provides emergency
 18 medical services; or

19 (e) A law enforcement agency of this state, another state or the federal government.

20 (4) Notwithstanding subsections (1) to (3) of this section[,]:

21 (a) The Oregon Board of Physical Therapy may disclose information described in subsection (1)
 22 of this section to the Physical Therapy Compact Commission [*established*] **described** in ORS 688.240.

23 (b) **Except as prohibited by subsection (5) of this section, the Oregon Board of Psychology**
 24 **may disclose information described in subsection (1) of this section to the Psychology Inter-**
 25 **jurisdictional Compact Commission described in section 1 of this 2025 Act.**

26 (5) A health professional regulatory board may not disclose the information described in sub-
 27 section (1) of this section to another public entity if the information relates to the provision of or
 28 referral for reproductive or gender-affirming health care services.

29 **SECTION 8.** (1) **The amendments to ORS 675.090 by section 5 of this 2025 Act apply to**
 30 **individuals who hold a valid authority to practice interjurisdictional telepsychology or an**
 31 **interjurisdictional practice certificate on or after the operative date specified in section 9 of**
 32 **this 2025 Act.**

33 (2) **The amendments to ORS 675.140 by section 6 of this 2025 Act apply to moneys received**
 34 **by the Oregon Board of Psychology under section 1 of this 2025 Act on or after the operative**
 35 **date specified in section 9 of this 2025 Act.**

36 (3) **The amendments to ORS 676.177 by section 7 of this 2025 Act apply to information**
 37 **disclosed on or after the operative date specified in section 9 of this 2025 Act.**

38 **SECTION 9.** (1) **Sections 1 to 4 of this 2025 Act and the amendments to ORS 675.090,**
 39 **675.140 and 676.177 by sections 5 to 7 of this 2025 Act become operative on January 1, 2027.**

40 (2) **The Oregon Board of Psychology may take any action before the operative date**
 41 **specified in subsection (1) of this section that is necessary to enable the board to exercise,**
 42 **on and after the operative date specified in subsection (1) of this section, all of the duties,**
 43 **functions and powers conferred on the board by sections 1 to 4 of this 2025 Act and the**
 44 **amendments to ORS 675.090, 675.140 and 676.177 by sections 5 to 7 of this 2025 Act.**

45 **SECTION 10.** **This 2025 Act takes effect on the 91st day after the date on which the 2025**

1 **regular session of the Eighty-third Legislative Assembly adjourns sine die.**

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