



Reducing Regulatory Barriers. Increasing Access to Mental Health Care.

Psychology Interjurisdictional Compact (PSYPACT)
Psychology Interjurisdictional Compact Commission

Title of Rule: Compact Privilege to Practice Telepsychology
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History for Rule:

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- Amendments introduced at Commission Meeting on August 5, 2021
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Section 4: Compact Privilege to Practice Telepsychology

Authority: Article IV: Compact Privilege to Practice Telepsychology
Article II: Definitions
Article III: Home State Licensure

4.0 Purpose: Pursuant to Article IV, the Compact State shall recognize the right of a psychologist to practice telepsychology in other Compact States under the Authority to Practice Interjurisdictional Telepsychology as provided in the Compact and further defined in these Rules.

4.1 Definition(s):

A. **“Association of State and Provincial Psychology Boards (ASPPB)”** means: the recognized membership organization composed of State and Provincial Psychology Regulatory Authorities responsible for the licensure and registration of psychologists throughout the United States and Canada.

B. **“Authority to Practice Interjurisdictional Telepsychology”** means: a licensed psychologist’s Authority to Practice



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Telepsychology, within the 2 limits authorized under this Compact, in another Compact State. This Authority to Practice Interjurisdictional Telepsychology is deemed valid until the psychologist is no longer eligible under the Compact Statute and/or the Rules and/or Policies established by the Commission.

- C. **“Authorization Holder”** means: a licensed psychologist who has been granted Authority to Practice Interjurisdictional Telepsychology or Temporary Authorization to Practice under this Compact.
- D. **“Commission”** means: *the national administrative body of which all states that have enacted the Compact are members.*
- E. **“Compact”** means: Psychology Interjurisdictional Compact (PSYPACT).
- F. **“Compact State”** means: *a state, the District of Columbia, or United States territory that has enacted this Compact legislation and which has not withdrawn pursuant to Article XIII, Section C or has been terminated pursuant to Article XII, Section B.* For purposes of this Compact, Compact State and Member State may be used interchangeably.
- G. **“E.Passport”** means: *a certificate issued by the Association of State and Provincial Psychology Boards (ASPPB) that promotes the standardization in the criteria of interjurisdictional telepsychology practice and facilitates the process for licensed psychologists to provide telepsychological services across state lines.*
- H. **“Graduate Degree”** means: For the purpose of this Compact, a doctoral degree.
- I. **“Home of Record”** means: for the purpose of this Compact, the active-duty military personnel’s or spouse’s state of legal residence on record with the military.
- J. **“Home State”** means: *a Compact State where a psychologist is licensed to practice psychology. If the psychologist is licensed in more than one Compact State and is practicing under the*



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Authorization to Practice Interjurisdictional Telepsychology, the Home State is the Compact State where the psychologist is physically present when the telepsychological services are delivered. If the psychologist is licensed in more than one Compact State and is practicing under the Temporary Authorization to Practice, the Home State is any Compact State where the psychologist is licensed.

- K. **“License”** means: authorization by a State and Psychology Regulatory Authority to engage in the independent practice of psychology, which would be unlawful without the authorization.

- L. **“Permanent Change of Station”** or **“PCS”** means: the state of the duty station noted in the active-duty military personnel’s PCS orders.

- M. **“Receiving State”** means: a Compact State where the client/patient is physically located when the telepsychological services are delivered.

- N. **“Rule”** means: a written statement by the Psychology Interjurisdictional Compact Commission promulgated pursuant to Article XI of this Compact that is of general applicability; implements, interprets, or prescribes a policy or provision of the Compact; or is an organizational, procedural, or practice requirement of the Commission 3 and has the force and effect of statutory law in a member state and includes the amendment, repeal, or suspension of an existing rule.

- O. **“Scope of Practice”** means: the procedures, actions, and processes a psychologist licensed in a state is permitted to undertake in that state and the circumstances under which the psychologist is permitted to undertake those procedures, actions and processes. Such procedures, actions and processes and the circumstances under which they may be undertaken may be established through means, including, but not limited to, statute, rules and regulations, case law, and other processes available to the State Psychologist Regulatory Authority or other government agency.



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- P. **“State”** means: any state, commonwealth, territory, or possession of the United States, the District of Columbia.
- Q. **“State Law to Protect the Health and Safety of its Citizens”** means: a state statute, regulation, court decision or other controlling authority within a state that has binding legal force, and which has as its purpose the protection of the health and safety of citizens of the state.
- R. **“State of Current Residence”** means: the state in which the active-duty military personnel or spouse is currently physically residing.
- S. **“State Psychology Regulatory Authority”** means: the Board, office or agency with the legislative mandate to license and regulate the practice of psychology.
- T. **“Temporary Authorization to Practice”** means: a licensed psychologist’s authority to conduct temporary in-person, face-to-face practice, within the limits authorized under this Compact, in another Compact State. This Temporary Authorization to Practice is deemed valid until the psychologist is no longer eligible under the Compact Statute and/or the Rules and/or Policies established by the Commission.

4.2 Exercising Authority to Practice Interjurisdictional Telepsychology: A psychologist must apply for an Authority to Practice Interjurisdictional Telepsychology as required by the Commission and pay all applicable fees.

4.3 Qualifications for Authority to Practice Interjurisdictional Telepsychology:

- A. A psychologist licensed in a Compact State must meet all qualifications as defined in the Psychology Interjurisdictional Compact Language Article IV, Section B.
- B. To be eligible for an Authority to Practice Interjurisdictional Telepsychology (APIT), an applicant must have successfully completed a graduate course of study with a minimum of one academic year of in-person, face-to-face instruction at the educational Institution. Semesters in which the student completed only distance or remote instruction, whether synchronous or asynchronous, will not count toward fulfillment of the in-person, face-to-face instructional requirement.



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- C. Applicants are deemed to have met the requirements of Section 4.3 (B) if they received their doctoral degree from a degree program accredited by the American Psychological Association (APA), the Canadian Psychological Association (CPA), the Psychological Clinical Science Accreditation System (PCSAS), or Association of State and Provincial Psychology Boards and the National Register of Health Service Psychologists Joint Designation Program.

4.4 Home State Licensure:

- A. A psychologist must identify the Home State which has been designated as such by the psychologist for purposes of practicing interjurisdictional telepsychology and participation in the Compact at the point of initial application and provide an update regarding any Home State changes.
- B. A psychologist having an Authority to Practice Interjurisdictional Telepsychology may be audited at any time by the Commission to verify compliance with Home State licensure verification requirements.
- C. A psychologist holding a temporary permit, temporary license or other equivalent status does not allow the psychologist to practice under the authority of the Psychology 4 Interjurisdictional Compact (PSYPACT).
- D. In addition to complying with reporting name and address changes as required by the Home State, psychologists holding an Authority to Practice Interjurisdictional Telepsychology must also notify the Commission of a change of name and/or Home State address within 30 days of the change.
- E. The Home State maintains authority over the license of any psychologist practicing into a Receiving State under the Authority to Practice Interjurisdictional Telepsychology.

4.5 Scope of Practice: A psychologist practicing under an Authority to Practice Interjurisdictional Telepsychology into a Receiving State is subject to the Scope of Practice of the Receiving State.

4.6 E. Passport: As required in Psychology Interjurisdictional Compact Language Article IV Section B.6., a psychologist must possess a current active E. Passport. The E. Passport must be applied to and issued by the Association of State and Provincial Psychology Boards (ASPPB).

4.7 Fee for Authority to Practice Interjurisdictional Telepsychology:

- A. The Commission shall charge an application fee for the Authority to Practice Interjurisdictional Telepsychology (APIT).



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- B. The Commission shall charge an annual renewal fee for the Authority to Practice Interjurisdictional Telepsychology (APIT)
- C. The Commission's Authority to Practice Interjurisdictional Telepsychology (APIT) application and renewal fees shall be posted on the Commission's website (<http://www.psypact.gov>).
- D. The Commission shall give 30 days' notice before modifying the Authority to Practice Interjurisdictional Telepsychology (APIT) application and/or renewal fees by posting notice of the new fee(s) on the Commission's website.

4.8 Impact of Non-Payment on Eligibility: If a psychologist fails to pay any applicable fees, the Commission may:

- A. Terminate the existing Authority to Practice Interjurisdictional Telepsychology; and
- B. Prevent the psychologist from purchasing a Temporary Authorization to Practice under PSYPACT as well until the non-payment is remedied

4.9 Active-Duty Military Personnel or Their Spouses: A licensed psychologist who is active-duty military or is the spouse of an individual who is active-duty military may designate one of the following as the Home State as long as the Receiving State and the Home State are members of the Compact:

- A. Home of Record;
- B. Permanent Change of Station (PCS); or
- C. State of Current Residence if it is different than the PCS state or Home of Record.
- D. The active-duty military personnel or spouse of an individual who is active-duty military may change the Member State designated as the individual's Home State by notifying the Commission.

4.10 State Law to Protect the Health and Safety of its Citizens: A psychologist practicing under an Authority to Practice Interjurisdictional Telepsychology into a Receiving State is subject to the Receiving State's State Law to Protect the Health and Safety of its Citizens, which may include, among others, laws that:

- A. Require abuse reporting by a psychologist.
- B. Require a psychologist securing informed consent from or for a patient, and/or prescribe the manner in which informed consent must be obtained.
- C. Require a psychologist to make disclosures to an individual that the individual is at serious risk of bodily injury or other harm by a third person.
- D. Prohibit any individual from engaging in conduct that causes or may reasonably cause another to suffer physical or psychological harm.
- E. Establish standards, processes or criteria for involuntary commitment and/or



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involuntary treatment of individuals.

4.11 Authorization Validity: Authorization to Practice Interjurisdictional Telepsychology (APIT) that is issued by the PSYPACT Commission only applies to that specific authorization holder. Authorization cannot be delegated to any other individual.

4.12 Authority to Practice Interjurisdictional Telepsychology (APIT) Application Attestation and Acknowledgement Form: As part of the APIT application, a psychologist must complete an attestation and acknowledgement form in the format prescribed by the PSYPACT Commission. Failure to comply will be grounds for denial of the APIT.

4.13 Grounds for Application Denial: An Authority to Practice Interjurisdictional Telepsychology (APIT) authorization may be denied if the applicant does not meet the requirements for the authorization and/or there is sufficient evidence that the applicant has engaged in acts, including but not limited to the following:

- A. Fraud or deception in applying or renewing an APIT and/or TAP;
- B. Misrepresentation of APIT and/or TAP status;
- C. Practicing with an expired APIT and/or TAP;
- D. Notification of adverse or disciplinary action by a psychology regulatory entity;
- E. Violation of APIT and/or TAP acknowledgments;
- F. Failure to provide requested information to the Commission in the specified timeframe;
- G. Failure to comply with PSYPACT Commission Rules and/or Policies; or
- H. Receiving any other adverse or disciplinary action.

4.14 Grounds for Revocation: An Authority to Practice Interjurisdictional Telepsychology (APIT) authorization may be revoked by the PSYPACT Staff or by the Requirements Review Committee whenever the Staff or Committee has sufficient evidence that the APIT Holder has engaged in acts, including but not limited to the following:

- A. Fraud or deception in applying or renewing an APIT and/or TAP;
- B. Misrepresentation of APIT and/or TAP status;
- C. Practicing with an expired APIT and/or TAP;
- D. Notification of adverse or disciplinary action by a psychology regulatory entity;
- E. Violation of APIT and/or TAP acknowledgments;
- F. Failure to provide requested information to the Commission in the specified timeframe;
- G. Failure to comply with PSYPACT Commission Rules and/or Policies; or
- H. Receiving any other adverse or disciplinary action.

4.15 Appeals Process:

- A. Once a denial has been issued, PSYPACT staff will provide the applicant with written notice of any grounds for denial, along with an appeals form and deadline for appealing the decision. The applicant shall have 30 days from the date of the notice to request an appeal.



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If no appeal is filed in a timely manner, the action is final. If the appeal is filed in a timely manner, it will be heard by the Appeals Committee as soon as practicable. The Appeals Committee shall issue a decision on the appeal, which shall be final.

- B. Once a revocation has been issued, PSYPACT staff will provide the authorization holder with written notice of the grounds for the revocation, along with an appeals form and deadline for appealing the decision. The authorization holder shall have 30 days from the date of the notice to request an appeal. If no appeal is filed in a timely manner, then the action is final. If the appeal is filed in a timely manner, then the appeal will be heard by the Appeals Committee as soon as practicable. The Appeals Committee shall issue a decision on the appeal, which shall be final.

Italicized definitions are mirrored directly from the PSYPACT Compact Language.