

**PSYCHOLOGY INTERJURISDICTIONAL COMPACT (PSYPACT)
BYLAWS
(Adopted July 22, 2019; Revised February 27, 2020)**

ARTICLE I

NAME

The name of this organization is the Psychology Interjurisdictional Compact (PSYPACT) Commission, hereinafter referred to as the Commission.

ARTICLE II

COMMISSION PURPOSE

Pursuant to the terms of the Psychology Interjurisdictional Compact (“the Compact”), the Commission is established to fulfill the objectives of the Compact through a means of joint cooperative action among the Member States. The purpose of the Compact is to facilitate the interstate practice of telepsychology and the temporary in-person, face-to-face practice of psychology with the goal of improving access to mental health services in a manner that preserves the regulatory authority of each Member State to protect the public health and safety.

ARTICLE III

FUNCTIONS

In pursuit of the fundamental objectives set forth in the Compact, the Commission shall, as necessary or required, exercise all of the powers and fulfill all of the duties delegated to it by the Member States. The Commission’s activities shall include, but are not limited to, the following:

- A. Promulgation of binding rules and operating policies and procedures;
- B. Equitable distribution of the costs, benefits, and obligations of the Compact among the Member States;
- C. Enforcement of Commission Bylaws, Rules, and other Operating Policies and Procedures as established;
- D. Provision of dispute resolution;
- E. Coordination of training and education as it relates to the Compact; and
- F. Collection and dissemination of information concerning the activities of the Compact, as provided by the Compact, or as determined by the Commission to be warranted by, and consistent with, the objectives and provisions of the Compact.

ARTICLE IV

BYLAWS

As required by the Compact, these Bylaws shall govern the management and operations of the Commission. As adopted and subsequently amended, these Bylaws shall remain at all times subject to, and limited by, the terms of the Compact.

ARTICLE V

MEMBERSHIP

Section 1. Member State Representation

- A. The Commission Membership shall be comprised as provided by the Compact. Each Member State shall have and be limited to one (1) voting representative, selected by the State Psychology Regulatory Authority (Member Board) in the Member State, who shall be the Commissioner of the Member State.
- B. Each Member State shall appoint its Commissioner no later than 90 days after the effective date of the legislation.
- C. Each Member State shall forward the name of its Commissioner to the Commission staff within ten (10) business days of selecting a Commissioner. Member States should consider whether any real or potential conflict of interest exists when selecting their Commissioner.
- D. The Member Board of the member state shall provide notice to the Commission staff within ten (10) business days whenever a vacancy occurs.
- E. Commission staff shall promptly advise the Member Board of the Member State of the need to appoint a new Commissioner whenever a vacancy occurs.

Section 2. Non-Voting, Ex Officio Representation

- A. In addition to the Commissioner identified in Section 1.A. of this Article, the Commission Membership shall also be comprised of one representative appointed by the organization identified in Article X of the Compact. This individual shall be appointed by his/her respective organization and serve as an ex officio non-voting member.
- B. The organization identified in Article X of the compact shall forward the name of his/her appointed representative to the Commission staff within ten (10) business days of the appointment. The organization identified in Article X should consider whether any real or potential conflict of interest exists when selecting their appointed representative.
- C. The organization identified in Article X of the Compact shall provide reasonable notice to the Commission staff whenever a vacancy occurs.
- D. Commission staff shall promptly advise the appropriate staff of this organization identified in Article X of the need to appoint a new representative whenever vacancy occurs.

Section 3. Withdrawal of Membership in the Compact

A Member State may withdraw from the Commission by enacting legislation repealing the Compact language. As provided in the Compact, the withdrawal will not take effect until six (6) months after the enactment of the legislation repealing the Compact language.

ARTICLE VI

COMPACT COMMISSION, OFFICERS, AND EXECUTIVE BOARD

Section 1. Officers

The Officers of the Commission shall be the Chair, Vice Chair, and Treasurer. The officers shall be duly appointed Commissioners from Member States.

Section 2. Executive Board

The Executive Board will consist of the Officers of the Commission, two At Large Members, one ex officio non-voting member selected by and representing the organization listed in Article X of the Compact, as identified in Rules. The At Large Members shall be duly appointed Commissioners from Member States.

A majority of the voting members of the Executive Board will constitute a quorum. The Executive Board has the power to act on behalf of the Commission according to the terms of the Compact.

Section 3. Election and Succession of the Executive Board

- A. Members of the Executive Board will be elected for a term of two (2) years or until their successors are elected and assume office.
- B. Members of the Executive Board cannot serve more than two (2) consecutive full terms in the same office.
- C. Elections for the Chair, Treasurer, and 1 At Large Member positions shall occur at the annual meeting in odd-numbered years.
- D. Elections for the Vice Chair and 1 At Large member positions shall occur at the annual meeting in even-numbered years. The individuals elected to these positions at the first annual meeting in _____ shall serve until the annual meeting in _____.
- E. Members of the Executive Board will assume office at the close of the annual meeting at which the individuals are elected.
- F. Members of the Executive Board so elected shall serve without compensation or remuneration, except as provided by the Compact.

Section 4. Duties of the Officers and At Large Members of the Executive Board

The Commission's officers shall perform all duties of their respective offices as the compact and these Bylaws provide. Their duties shall include but are not limited to the following:

A. Chair

The Chair shall call and preside at Commission and Executive Director meetings; prepare agendas for the meetings; act on Commission's behalf between Commission meetings; review minutes from meetings.

B. Vice Chair

The Vice Chair shall perform the Chair duties in their absence or at the Chair's direction. In the event of a vacancy in the Chair's office, the Vice Chair shall serve until the Commission elects a new Chair.

C. Treasurer

The Treasurer, with the assistance of the Executive Director of the Compact, shall monitor the Commission's fiscal policies and procedures. If the Commission does not have an Executive Director of the Compact, the Treasurer will also serve as secretary and perform the duties of the secretary.

The Executive Board shall:

Administer the affairs of the Commission in a manner consistent with the Bylaws and purpose of the Commission;

1. Propose budgets, provide fiscal oversight and provide for an annual fiscal review;
2. Propose policies and procedures for consideration by the Commission;
3. Contract for services and monitor contract compliance;
4. Monitor and enforce member compliance with the Compact;
5. Propose standing and ad hoc committees.
6. Approve and maintain its minutes;
7. Perform such other functions as are necessary or appropriate to carry out the purpose of the Commission.

Section 5. Removal from Office

A. Member of the Executive Board

1. The Executive Board may, by a vote of two-thirds (2/3rds) of the membership of the Executive Board, decide that a member of the Executive Board: has a conflict of interest; has become incapacitated and unable to fulfill his/her duties; or has engaged in conduct constituting cause. In that event, the Executive Board member will be removed or, in the case of conflict of interest, resolve the conflict of interest to the satisfaction of the Executive Board. The affected Executive Board member will not vote on, and may be excluded from the discussion of, the issues. The decision of the Executive Board is final.
2. A member of the Executive Board may be removed from office for cause by a two-thirds (2/3rds) vote of the Commissioners voting at any meeting of the Commission. Cause is defined as conduct that is or could be detrimental to the good name of the organization, potentially or actually disturbs its wellbeing or potentially or actually hampers its work.
3. The removal of a member of the Executive Board in accordance with this section of the Bylaws does not impact that individual's status as the Commissioner from the Member State or as the ex officio non-voting member appointed by one of the organizations identified Article X of the Compact.

B. Member State Commissioner

The Commissioner from a Member State may be removed or suspended from office as provided by the law in that Member State.

Section 6. Vacancies in Office

A. Chair

The Vice Chair will fill a vacancy occurring in the office of Chair for the remainder of the unexpired term.

B. Vice Chair or Treasurer

A vacancy occurring in the position of Vice Chair or Treasurer between meetings of the Commission may be filled by appointment by the Executive Board. The appointee will serve for the remainder of the unexpired term.

C. At Large Members

A vacancy occurring in the position of At Large Member between meetings of the Commission may be filled by appointment by the Executive Board. The appointee will serve for the remainder of the unexpired term.

D. Vacancy Due to Election

If a vacancy occurs on the Executive Board as a result of an election, a second election shall be required. All candidates who were slated for any position on the Executive Board and were not elected in the first election will be slated in the second election unless they have indicated otherwise.

Section 7. Conduct of Business of the Executive Board

A. Public Notice of Meetings

1. The Executive Board shall meet at least once each calendar year at a time and place to be determined by the Executive Board.
2. Additional meetings may be scheduled at the discretion of the Chair, or may be called upon the request of a majority of the Executive Board.
3. Notice of meetings shall be made at least thirty (30) days before the scheduled meeting date. The meeting notice shall be published on the Commission's website and sent to the board administrator of the Member Board in all Member States.
4. The meeting agenda, including meeting start time and telecommunications information, shall be published on the Commission's website and sent to the board administrator of the Member Board in all Member States no later than seven (7) days before the meeting date. Additional agenda items requiring Executive Board action may not be added to the final agenda, except by an affirmative vote of a majority of the Executive Board.
5. If a special meeting is called, the notice shall be made at least twenty-four (24) hours before the scheduled meeting. The notice shall include the topic(s) that will be discussed at the special meeting. No additional agenda items may be added to the agenda. The notice of a special meeting shall be published on the Commission's website and sent to the board administrator of the Member Board in all Member States.

B. Closed Session and Up for Discussion

1. Except as provided for in the Compact, all meetings of the Executive Board are open to the public. The Executive Board may meet in closed session only after a majority

- of the Executive Board votes to convene in a closed, non-public meeting. The vote to convene in a closed session must be done by a roll call vote that reveals the vote of each member of the Executive Board.
2. As authorized in Article X.B.6 of the Compact the Executive Board may convene in a closed, non-public meeting for ten (10) reasons. The Commission's legal counsel or designee will certify which of the ten (10) reasons for which the meeting, or portions of the meeting, is being closed.

Section 8. Compact Commission

The Psychology Interjurisdictional Compact Commission is a joint public agency created and established by the Member States. A majority of the Commission will constitute a quorum.

Section 9. Duties of the Compact Commission Commissioners

- A. Represent their Member State in all meetings of the Commission.
- B. Attend the annual meeting of the Commission and any other meetings of the Commission.
- C. Participate in the business and affairs of the Commission.
- D. Vote on the promulgation of Rules and creation of Bylaws.

Section 10. Conduct of Business of the Compact Commission

A. Public Notice of Meetings

1. The Commission shall meet at least once each calendar year at a time and place to be determined by the Commission.
2. Additional meetings may be scheduled at the discretion of the Chair and must be called upon the request of a majority of the Commission.
3. Notice of meetings shall be made at least thirty (30) days before the scheduled meeting date. The meeting notice shall be published on the Commission's website and sent to the board administrator of the Member Board in all Member States.
4. The meeting agenda, including meeting start time and telecommunications information, shall be published on the Commission's website and sent to the Board administrator of the Member Board in all Member States no later than seven (7) days before the meeting date. Additional agenda items requiring Commission action may not be added to the final agenda, except by an affirmative vote of a majority of the Commission.
5. If a special meeting is called, the notice shall be made at least twenty-four (24) hours before the scheduled meeting. The notice shall include the topic(s) that will be discussed at the special meeting. No additional agenda items may be added to the agenda. The notice of a special meeting shall be published on the Commission's website and sent to the board administrator of the Member Board in all Member States.

B. Notice of Proposed Rulemaking

1. Notice of Proposed Rulemaking shall be made at least sixty (60) days before a meeting at which the Commission reviews and plans to adopt, amend, or rescind a rule.
2. The meeting notice shall be published on the Commission's website and sent to the Member Board in all Member States for publishing on the board's website.

3. The meeting notice shall include information about the meeting time and location, the text of the proposed changes, and the mechanism and timeframe in which interested parties may indicate intention to attend the public meeting and/or submit written comments on the proposed changes.
4. The Commission may proceed with the proposed changes without a public hearing if no written notice of intent to attend by interested parties is timely received.
5. The Commission must hold a public hearing if it is requested in the manner outlined in Article XI of the Compact.

C. Closed Session

1. Except as provided for in the Compact, all meetings of the Commission are open to the public.
2. As authorized in as authorized in Article X.B.6 of the Compact, a closed, non-public meeting may be convened. The Commission's legal counsel or designee will certify which of the ten (10) reasons for which the meeting is being closed.
3. The Commission may meet in closed session only after a majority of the Commission votes to convene in a closed, non-public meeting.

D. Rights and Privileges of Individuals Other than Commissioners and Non-Commissioners

1. Adding Item to the Agenda

Upon written request to the Commission at least ten (10) business days prior to the meeting date, any person who desires to add an item to the agenda and present a statement shall be afforded an opportunity to present an oral statement to the Commission at an open meeting. If the request is not made at least ten (10) business days prior to the meeting date, the Chair will determine whether to add the item to the agenda.

2. Speaking During a Public Meeting

Non-Commissioners may attend Commission meetings and speak during the public comment period.

3. At the discretion of the Chair, consultants, staff, resource individuals, or other guests may speak to address an issue on the agenda, other than the situations identified in Article X of this Article of the Bylaws.

4. The Chair may limit the time and manner of any statements from non-commissioners at any open meeting.

5. Nothing in this Section of the Bylaws shall apply to public rules hearings held in accordance with Article X of the Compact.

E. Conduct of Business by Mail or Electronically

1. When business is conducted by telecommunications, all members must be notified in advance. Commission staff will establish an electronic mechanism for Commissioners to participate in the meeting.

2. If a Commissioner is unable to attend an in-person meeting of the Commission, the Member States must notify Commission staff at least ten (10) business days prior to the date of the meeting to allow sufficient time for Commission staff to establish an electronic mechanism for the Commissioner to participate in the meeting.

3. For ballot votes, the Commissioner will electronically submit his or her vote to Commission staff. For voice votes, the Commissioner will vote via phone.

F. Duties of the Commission

1. Adopt changes to the Rules or Bylaws.
2. Adopt in rule the fees/dues to be paid by Member States.
3. Adopt the budget based on the recommendation from the Executive Board.
4. Enter into contracts for the provision of personnel and other administrative services.
5. Enforce Member State compliance with the terms of the Compact, including these Bylaws and Rules adopted by the Commission.
6. Perform any other necessary or appropriate duties authorized by the Compact.

Section 11. Conflict of Interest

The Commission shall adopt a conflict of interest policy that addresses how to resolve potential conflicts of interest.

ARTICLE VII

COMMITTEES AND TASK FORCES

Section 1. Standing Committees of the Commission

The Commission shall establish committees, as it deems necessary, to carry out its objective which shall include, but not be limited, to:

A. Executive Board

An Executive Board shall be established as a standing committee which shall be comprised of the officers of the Commission as well s those members specified in Article X of the Compact.

B. Rules Committee

A Rules Committee shall be established as a standing committee to develop uniform Compact rules for consideration by the Commission and subsequent implementation by the states and to review existing rules and recommend necessary changes to the Commission for consideration.

C. Compliance Committee

The Compliance Committee shall be established as a standing committee responsible for administering the provisions of the Compact related to compliance and enforcement.

D. Finance Committee

The Finance Committee shall be established as a standing committee to audit needs, finances, develop state-specific materials, etc.

E. Training and Public Relations Committee

The Training and Public Relations Committee shall be established as a standing committee to administer training and public relations on behalf of the Commission.

F. Elections Committee

An Elections Committee shall be established as a standing committee to:

1. Inform the Commission on the responsibilities of the office;
2. Encourage participation by the Commissioners in the elections process;
3. Announce nominations deadline and anticipated vacancies of the Executive Director of the Commission;
4. Communicate with incumbents to determine if they wish to run for re-election;

5. Accept qualified nominees and prepare a slate of candidates for the election of the officers or members at large of the Executive Director;
6. Present a list of candidates to the Commission including the terms of office expiration dates; and
7. Tally/verify the election results and report to the Commission.

G. Requirements Review Committee

A Requirements Review Committee shall be established as a standing committee to review of denials for authorization, review ongoing standards for reasonableness and interface with Association and Provincial Psychology Boards regarding E.Passport and Interjurisdictional Practice Certificate Requirements as needed.

The composition, procedures, duties, budget and tenure of all committees shall be determined by the Commission. The Commission may dissolve any committee it determines is no longer needed.

ARTICLE VIII

COMMISSION PERSONNEL

Section 1. Commission Staff

The Executive Board may engage in services provided by an Executive Director, who shall serve at the pleasure of the Executive Board. The Executive Director shall hire and supervise such other staff as may be needed.

Section 2. Duties of the Executive Director

As the Commission's principal administrator, the Executive Director shall also perform such other duties as may be delegated by the Commission or required by the Compact and the Bylaws, including, but not limited to, the following:

- A. Serve as its discretion and act as Secretary to the Commission, but shall not be a Member of the Commission;
- B. Establish and manage the Commission's office or offices as determined by the Commission;
- C. Recommend general policies and program initiatives for the Commission's consideration;
- D. Recommend for the Commission's consideration administrative personnel policies governing the recruitment, hiring, management, compensation, and dismissal of Commission staff;
- E. Implement and monitor administration of all policies, programs, and initiatives adopted by the Commission;
- F. Prepare draft annual budgets for the Commission's consideration;
- G. Monitor the Commission's financial performance for compliance with approved budgets and policies, and maintain accurate records of the Commission's financial account(s);
- H. Execute contracts on behalf of the Commission as directed;
- I. Receive service of process on behalf of the Commission;
- J. Prepare and disseminate all required reports and notices directed by the Commission;
- K. Assist the members of the Executive Director in the performance of its duties;

- L. Speak on behalf and represent the Commission;
- M. In collaboration with legal counsel, ensure the legal integrity of the Commission and
- N. Report about policy, regulatory, political, legal or other developments of relevance to the Commission's operation.

ARTICLE IX

QUALIFIED IMMUNITY, DEFENSE, AND INDEMNIFICATION

Section 1. Immunity

The Commission, its Members, officers, Executive Director, and employees shall be immune from suit and liability, either personally or in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused or arising out of or relating to any actual or alleged act, error, or omission that occurred, or that such person had a reasonable basis for believing occurred within the scope of Commission employment, duties, or responsibilities; provided, that any such person shall not be protected from suit or liability, or both, for any damage, loss, injury, or liability caused by the intentional or willful and wanton misconduct of any such person.

Section 2. Defense

Subject to the provisions of the Compact and Rules promulgated thereunder, the Commission shall defend the Commissioner of a Member State, his or her representatives or employees, or the Commission, and its representatives or employees in any civil action seeking to impose liability against such person arising out of or relating to any actual or alleged act, error or omission that occurred within the scope of Commission employment, duties, or responsibilities or that such person had a reasonable basis for believing occurred within the scope of Commission employment, duties or responsibilities; provided, that the actual or alleged act, error, or omission did not result from gross negligence or intentional wrongdoing on the part of such person.

Section 3. Indemnification

The Commission shall indemnify and hold the Commissioner of a Member State, his or her representatives or employees, or the Commission, and its representatives or employees, harmless in the amount of any settlement or judgement obtained against such person arising out of or relating to any actual or alleged act, error, or omission that occurred within the scope of Commission employment, duties, or responsibilities that such person had a reasonable basis for believing occurred within the scope of Commission employment, duties, or responsibilities; provided, that the actual or alleged act, error, or omission did not result from gross negligence or intentional wrongdoing on the part if such person.

ARTICLE X

FINANCE

Section 1. Fiscal Year

The Fiscal Year of the Commission shall be January 1 through December 31.

Section 2. Budget

The Commission shall operate on an annual budget cycle and shall, in any given year, adopt budgets for the following fiscal year or years only after notice and comment as provided by the Compact.

Section 3. Dues

Each Member State shall pay an annual assessment in accordance with Article X of the Compact. The amount of the annual assessment will be specified in the Rules adopted by the Commission and shall be sent timely to be received no later than ninety (90) days after the start of the fiscal year. A Member State will be ineligible to vote on any matter that come before the Commission if the annual assessment is not received within the 90-day timeframe. Voting rights will be restored once the Member State pays the annual assessment. If the assessment is not paid within six (6) months after the start of the fiscal year, the Commission will take appropriate enforcement action in accordance with the Rules adopted by the Commission.

Section 4. Authority to Expend and Disperse Money

No Commissioner or employee of the Commission will have the right or authority to expend any money of the Commission, to incur any liability in its behalf, or to make any commitment which binds the Commission to any expense or financial liability, unless such expenditure, liability, or commitment has been incorporated in the budget or the Executive board has made an appropriation or has approved a policy to pay same. The Commission may assume debt as a means of financing operations, including credit facilities such as a line of credit. The Commission shall monitor its own and its committees' affairs for compliance with all provisions of the Compact, its Rules, and these BYLAWS governing the incursion of debt and the pledging of credit.

Section 5. Accounting and Audit

The financial records of the Commission will be audited annually by an independent certified public accountant. The audit report will be presented to the Executive Board when the report is received and to the full Commission at the Commission's annual meeting. The report shall also be made available to the public and shall be included in and become part of the annual report to the Governors, legislatures, and judiciary of the Member States.

The Commission's internal accounts, any workpapers related to any internal audit, and any workpapers related the independent audit shall be confidential; provided, that such materials shall be available: (1) in compliance with the order of any court of competent jurisdiction; (2) pursuant to such reasonable Rules as the Commission shall promulgate; and (3) to any Commissioner of a Member State, or their duty authorized representatives.

Section 6. Travel Reimbursements.

Subject to the availability of budgeted funds and unless otherwise provided by the Commission, Commissioners may be reimbursed for any actual and necessary expenses incurred pursuant to their attendance at all duly convened meetings of the Commission, its committees as provided by the Compact, or the Executive Board

ARTICLE XI

WITHDRAWAL, DEFAULT, AND TERMINATION

Member States may withdraw from the Compact only as provided by the Compact. The Commission may suspend and/or terminate a Member State as provided by the Compact.

ARTICLE XII

PARLIAMENTARY AUTHORITY

Matters of parliamentary procedure not covered by these Bylaws shall be governed by the current edition of Robert's Rules of Order.

ARTICLE XIII

ADOPTION AND AMENDMENT OF BYLAWS

Any Bylaws may be adopted, amended, or repealed by a majority vote of the Commission, provided that written notice and the full text of the proposed action is provided to all Commissioners of member States at least thirty (30) days prior to the meeting at which the action is to be considered. Failing the required notice, a two-third (2/3rds) vote of the Commissioners of Member States shall be required for such action.

ARTICLE XIV

DISSOLUTION OF THE COMPACT

The Compact shall dissolve effective upon the date of the withdrawal or the termination by default of a Member State which reduces Membership in the Compact to one Member State as provided by the Compact.

Upon dissolution of the Compact, the Compact becomes null and void and shall be of no further force or effect, and the business and affairs of the Commission shall be concluded in an orderly manner and according to applicable law.

ARTICLE XV

AFFILIATION WITH THE ASSOCIATION OF STATE AND PROVINCIAL PSYCHOLOGY BOARDS

The Commission shall be affiliated with and supported by the Association of State and Provincial Psychology Boards (ASPPB). The Commission shall negotiate payment for secretariat services by the ASPPB. Payment for the secretariat services shall be made from the funds collected by the Commission.