Psychology Interjurisdictional Compact (PSYPACT)

Psychology Interjurisdictional Compact Commission

Title of Rule: Compact Temporary Authorization to Practice

Drafted: November 21, 2019

Effective: February 27, 2020

Amended:

History for Rule: Introduced at public meeting on November 21-22, 2019
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Commission Meeting November 18, 2021

Section 5: Compact Temporary Authorization to Practice

Authority: Article V: Compact Temporary Authorization to Practice
Article II: Definitions
Article III: Home State Licensure

5.0 Purpose: Pursuant to Article V, the Compact State shall recognize the right of a psychologist licensed in a Compact State to practice temporarily in other Compact States under the Compact Temporary Authorization to Practice as provided in the Compact and further defined in these Rules.

5.1 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 Telepsychology, within the 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state, the District of Columbia, or United States territory that has enacted this Compact legislation and which has not withdrawn pursuant to Article XIII, Section C or has been terminated pursuant to Article XII, Section B. For purposes of this Compact, Compact State and Member State may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) “Distant State” means: the Compact State where a psychologist is physically present (not through the use of telecommunications technologies), to provide temporary in-person, face-to-face psychological services.

(H) “Distant State’s Authority and Law” means: law in a Distant State that applies to an individual due to that individual’s physical presence in the Distant State.

(I) “Graduate Degree” means: For the purpose of this Compact, a doctoral degree.

(J) “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.

(K) “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 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.

(L) “Interjurisdictional Practice Certificate (IPC)” means: a certificate issued by the Association of State and Provincial Psychology Boards (ASPPB).

(M) “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.

(N) “Permanent Change of Station” or “PCS” means: the state of the duty station noted in the active duty military personnel’s PCS orders.

(O) “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 and has the force and effect of statutory law in a member state and includes the amendment, repeal, or suspension of an existing rule.

(P) “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 by various means, including, but not limited to statute, rules and regulations, case law, and other processes that may be available to the State Psychologist Regulatory Authority or other government agency.

(Q) “State” means: any state, commonwealth, territory, or possession of the United States, the District of Columbia.

(R) “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.

(S) “State of Current Residence” means: the state in which the active duty military personnel or spouse is currently physically residing.

(T) “State Psychology Regulatory Authority” means: the Board, office or agency with the legislative mandate to license and regulate the practice of psychology.

(U) “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.

5.2 Exercising Temporary Authorization to Practice: Psychologist must apply for Temporary Authorization to Practice as required by the Commission and pay all applicable fees.

5.3 Qualifications for Temporary Authorization to Practice: A psychologist licensed in a Compact State must meet all qualifications as defined in the Psychology Interjurisdictional Compact Language Article V, Section B. A psychologist holding an Interjurisdictional Practice Certificate (IPC) in good standing that was issued prior to July 1, 2019 is considered to have met the educational qualifications.
5.4 Home State Licensure:

A. A psychologist must identify the Home State which has been designated as such by the psychologist for purposes of the Temporary Authorization to Practice and participation in the Compact at the point of initial application and provide an update regarding any Home State changes.

B. A psychologist having a Temporary Authorization to Practice 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 Interjurisdictional Compact (PSYPACT).

D. In addition to complying with reporting name and address change as required by the Home State, psychologists holding a Temporary Authorization to Practice must also notify the Commission of a change of name and/or Home State address within 30 days of the change.

5.5 Scope of Practice: A psychologist practicing under the Temporary Authorization to Practice is subject to Scope of Practice authorized by the Distant State and is subject to the Distant State’s Authority and Law.

5.6 Interjurisdictional Practice Certificate (IPC): As required in PSYPACT Language Article V, Section B. 6., a psychologist must possess a current active IPC. The IPC must be applied to and issued by the Association of State and Provincial Psychology Boards (ASPPB).

5.7 Fee for Temporary Authorization to Practice:

A. The Commission shall charge a one-time fee for the Temporary Authorization to Practice.

B. The Commission’s Temporary Authorization to Practice fee shall be posted on the Commission’s website (http://www.psypact.org).

C. The Commission shall give thirty (30) days’ notice before modifying the Temporary Authorization to Practice fee by posting notice of the new fee on the Commission’s website.

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

A. Terminate the existing Temporary Authorization to Practice; and

B. Prevent the psychologist from purchasing an Authority to Practice Interjurisdictional Telepsychology under PSYPACT as well until the non-payment is remedied.
5.9 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 Distant 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.

5.10 State Law to Protect the Health and Safety of its Citizens: A psychologist practicing in a Distant State under a Temporary Authorization to Practice is subject to the Distant 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 to secure 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 involuntary treatment of individuals.

Italicized definitions are mirrored directly from the PSYPACT Compact Language.