



General Assembly

February Session, 2022

Raised Bill No. 5450

LCO No. 3158



Referred to Committee on INSURANCE AND REAL ESTATE

Introduced by:
(INS)

AN ACT CONCERNING TELEHEALTH.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (12) of subsection (a) of section 19a-906 of the
2 general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective October 1, 2022*):

4 (12) "Telehealth provider" means any physician licensed under
5 chapter 370, physical therapist licensed under chapter 376, chiropractor
6 licensed under chapter 372, naturopath licensed under chapter 373,
7 podiatrist licensed under chapter 375, occupational therapist licensed
8 under chapter 376a, optometrist licensed under chapter 380, registered
9 nurse or advanced practice registered nurse licensed under chapter 378,
10 physician assistant licensed under chapter 370, psychologist licensed
11 under chapter 383, marital and family therapist licensed under chapter
12 383a, clinical social worker or master social worker licensed under
13 chapter 383b, alcohol and drug counselor licensed under chapter 376b,
14 professional counselor licensed under chapter 383c, dietitian-
15 nutritionist certified under chapter 384b, speech and language
16 pathologist licensed under chapter 399, respiratory care practitioner

17 licensed under chapter 381a, audiologist licensed under chapter 397a,
18 pharmacist licensed under chapter 400j, [or] paramedic licensed
19 pursuant to chapter 384d or dental hygienist licensed under chapter
20 379a who is providing health care or other health services through the
21 use of telehealth within such person's scope of practice and in
22 accordance with the standard of care applicable to the profession.

23 Sec. 2. Subsection (b) of section 38a-499a of the general statutes is
24 repealed and the following is substituted in lieu thereof (*Effective October*
25 *1, 2022*):

26 (b) (1) Each individual health insurance policy providing coverage of
27 the type specified in subdivisions (1), (2), (4), (11) and (12) of section 38a-
28 469 of the general statutes delivered, issued for delivery, renewed,
29 amended or continued in this state shall provide coverage for medical
30 advice, diagnosis, care or treatment provided through telehealth, to the
31 extent coverage is provided for such advice, diagnosis, care or treatment
32 when provided through in-person consultation between the insured
33 and a health care provider. Such coverage shall be subject to the same
34 terms and conditions applicable to all other benefits under such policy.

35 (2) The coverage requirements set forth in subdivision (1) of this
36 subsection shall apply to residents of the state who temporarily reside
37 outside of the state.

38 Sec. 3. Subsection (b) of section 38a-526a of the general statutes is
39 repealed and the following is substituted in lieu thereof (*Effective October*
40 *1, 2022*):

41 (b) (1) Each group health insurance policy providing coverage of the
42 type specified in subdivisions (1), (2), (4), (11) and (12) of section 38a-469
43 of the general statutes delivered, issued for delivery, renewed, amended
44 or continued in this state shall provide coverage for medical advice,
45 diagnosis, care or treatment provided through telehealth, to the extent
46 coverage is provided for such advice, diagnosis, care or treatment when
47 provided through in-person consultation between the insured and a
48 health care provider. Such coverage shall be subject to the same terms

49 and conditions applicable to all other benefits under such policy.

50 (2) The coverage requirements set forth in subdivision (1) of this
51 subsection shall apply to residents of the state who temporarily reside
52 outside of the state.

53 Sec. 4. (NEW) (*Effective October 1, 2022*) The Psychology
54 Interjurisdictional Compact is hereby enacted into law and entered into
55 by the state of Connecticut with any and all states legally joining therein
56 in accordance with its terms. The compact is substantially as follows:

57 "PSYCHOLOGY INTERJURISDICTIONAL COMPACT

58 ARTICLE I

59 PURPOSE

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

63 Whereas, the compact is intended to regulate the day-to-day practice
64 of telepsychology, including, but not limited to, the provision of
65 psychological services using telecommunication technologies, by
66 psychologists across state boundaries in the performance of their
67 psychological practice as assigned by an appropriate authority; and

68 Whereas, the compact is intended to regulate the temporary in-
69 person, face-to-face practice of psychology by psychologists across state
70 boundaries for thirty days within a calendar year in the performance of
71 their psychological practice as assigned by an appropriate authority;
72 and

73 Whereas, the compact is intended to authorize state psychology
74 regulatory authorities to afford legal recognition, in a manner consistent
75 with the terms of the compact, to psychologists licensed in another state;
76 and

77 Whereas, the compact recognizes that states have a vested interest in
78 protecting the public's health and safety through their licensing and
79 regulation of psychologists and that such state licensing and regulation
80 will best protect public health and safety; and

81 Whereas, the compact shall not apply when a psychologist is licensed
82 in both the home and receiving states; and

83 Whereas, the compact shall not apply to permanent in-person, face-
84 to-face practice, it shall allow for authorization of temporary
85 psychological practice.

86 Consistent with such principles, the compact is designed to achieve
87 the following purposes and objectives:

88 (1) Increase public access to professional psychological services by
89 allowing for telepsychological practice across state lines and temporary
90 in-person, face-to-face services in a state which the psychologist is not
91 licensed to practice psychology;

92 (2) Enhance the states' ability to protect the public's health and safety,
93 especially client or patient safety;

94 (3) Encourage the cooperation of compact states in the areas of
95 psychology licensure and regulation;

96 (4) Facilitate the exchange of information between compact states
97 regarding licensure, adverse actions and disciplinary history of
98 psychologists;

99 (5) Promote compliance with the laws governing psychological
100 practice in each compact state; and

101 (6) Invest all compact states with the authority to hold licensed
102 psychologists accountable through the mutual recognition of compact
103 state licenses.

104 ARTICLE II

105 DEFINITIONS

106 (1) "Adverse action" means any action taken by a state psychology
107 regulatory authority that finds a violation of a statute or regulation that
108 is identified by the state psychology regulatory authority as discipline
109 and is a matter of public record.

110 (2) "Association of State and Provincial Psychology Boards" means
111 the recognized membership organization composed of state and
112 provincial psychology regulatory authorities responsible for the
113 licensure and registration of psychologists throughout the United States
114 and Canada.

115 (3) "Authority to practice interjurisdictional telepsychology" means a
116 licensed psychologist's authority to practice telepsychology, within the
117 limits authorized under the compact, in another compact state.

118 (4) "Bylaws" means the bylaws established by the Psychology
119 Interjurisdictional Compact Commission pursuant to Article X of the
120 compact for the governance of said commission, or for directing and
121 controlling the actions and conduct of said commission.

122 (5) "Client or patient" means the recipient of psychological services,
123 whether psychological services are delivered in the context of
124 healthcare, corporate, supervision or consulting services.

125 (6) "Commissioner" means the voting representative appointed by
126 each state psychology regulatory authority pursuant to Article X of the
127 compact.

128 (7) "Compact" means the Psychology Interjurisdictional Compact.

129 (8) "Compact state" means a state, the District of Columbia or United
130 States territory that has enacted the compact and that has not withdrawn
131 pursuant to subsection (c) of Article XIII of the compact, or been
132 terminated pursuant to subsection (b) of Article XII of the compact.

133 (9) "Coordinated licensure information system" or "coordinated

134 database" means an integrated process for collecting, storing and
135 sharing information on psychologists' licensure and enforcement
136 activities related to psychology licensure laws, that is administered by
137 the recognized membership organization composed of state and
138 provincial psychology regulatory authorities.

139 (10) "Confidentiality" means the principle that data or information is
140 not made available or disclosed to unauthorized persons or processes.

141 (11) "Day" means any part of a day in which psychological work is
142 performed.

143 (12) "Distant state" means the compact state where a psychologist is
144 physically present, not through the use of telecommunications
145 technologies, to provide temporary in-person, face-to-face
146 psychological services.

147 (13) "E.Passport" means the Interjurisdictional Practice Certificate
148 issued by the Association of State and Provincial Psychology Boards
149 that promotes the standardization in the criteria of interjurisdictional
150 telepsychology practice and facilitates the process for licensed
151 psychologists to provide telepsychological services across state lines.

152 (14) "Executive board" means a group of directors elected or
153 appointed to act on behalf of, and within the powers granted to them
154 by, the commission.

155 (15) "Home state" means a compact state where a psychologist is
156 licensed to practice psychology, provided (A) if the psychologist is
157 licensed in more than one compact state and is practicing under the
158 temporary authorization to practice, the home state is the compact state
159 where the psychologist is physically present when delivering
160 telepsychological services, and (B) if the psychologist is licensed in more
161 than one compact state and is practicing under the temporary
162 authorization to practice, the home state is any compact state where the
163 psychologist is licensed.

164 (16) "Identity history summary" means a summary of information
165 retained by the Federal Bureau of Investigation, or said bureau's
166 designee with similar authority, in connection with arrests and, in some
167 instances, federal employment, naturalization, or military service.

168 (17) "In-person, face-to-face" (A) means interactions in which the
169 psychologist and the client or patient are in the same physical space, and
170 (B) does not include interactions that may occur through the use of
171 telecommunication technologies.

172 (18) "IPC" means the Interjurisdictional Practice Certificate issued by
173 the Association of State and Provincial Psychology Boards that grants
174 temporary authority to practice based on notification to the state
175 psychology regulatory authority of intention to practice temporarily,
176 and verification of one's qualifications for such practice.

177 (19) "License" means authorization by a state psychology regulatory
178 authority to engage in the independent practice of psychology, which
179 practice would be unlawful without the authorization.

180 (20) "Noncompact state" means any state that is not a compact state.

181 (21) "Psychologist" means an individual licensed for the independent
182 practice of psychology.

183 (22) "Psychology Interjurisdictional Compact Commission" or
184 "commission" means the national administration of which all compact
185 states are members.

186 (23) "Receiving state" means a compact state where the client or
187 patient is physically located when the telepsychological services are
188 delivered.

189 (24) "Rule" means a written statement by the Psychology
190 Interjurisdictional Compact Commission promulgated pursuant to
191 Article XI of the compact that is of general applicability, implements,
192 interprets or prescribes a policy or provision of the compact, or an
193 organizational, procedural or practice requirement of the commission,

194 and has the force and effect of statutory law in a compact state,
195 including, but not limited to, the amendment, repeal or suspension of
196 an existing rule.

197 (25) "Significant investigatory information" means:

198 (A) Investigative information that a state psychology regulatory
199 authority, after a preliminary inquiry that includes notification and an
200 opportunity to respond if required by state law, has reason to believe, if
201 proven true, would indicate more than a violation of state statute or
202 ethics code that would be considered more substantial than minor
203 infraction; or

204 (B) Investigative information that indicates that the psychologist
205 represents an immediate threat to public health and safety regardless of
206 whether the psychologist has been notified or had an opportunity to
207 respond.

208 (26) "State" means a state, commonwealth, territory or possession of
209 the United States, or the District of Columbia.

210 (27) "State psychology regulatory authority" means the board, office
211 or other agency with the legislative mandate to license and regulate the
212 practice of psychology.

213 (28) "Telepsychology" means the provision of psychological services
214 using telecommunication technologies.

215 (29) "Temporary authorization to practice" means a licensed
216 psychologist's authority to conduct temporary in-person, face-to-face
217 practice, within the limits authorized under the compact, in another
218 compact state.

219 (30) "Temporary in-person, face-to-face practice" means the practice
220 of psychology by a psychologist who is physically present, not through
221 the use of telecommunications technologies, in the distant state for not
222 more than thirty days in a calendar year and based on notification to the
223 distant state.

224 ARTICLE III HOME STATE LICENSURE

225 (a) The home state shall be a compact state where a psychologist is
226 licensed to practice psychology.

227 (b) A psychologist may hold one or more compact state licenses at a
228 time. If the psychologist is licensed in more than one compact state, the
229 home state is the compact state where the psychologist is physically
230 present when the services are delivered as authorized by the authority
231 to practice interjurisdictional telepsychology under the terms of the
232 compact.

233 (c) Any compact state may require a psychologist not previously
234 licensed in a compact state to obtain and retain a license to be authorized
235 to practice in the compact state under circumstances not authorized by
236 the authority to practice interjurisdictional telepsychology under the
237 terms of the compact.

238 (d) Any compact state may require a psychologist to obtain and retain
239 a license to be authorized to practice in a compact state under
240 circumstances not authorized by a temporary authorization to practice
241 under the terms of the compact.

242 (e) A home state's license authorizes a psychologist to practice in a
243 receiving state under the authority to practice interjurisdictional
244 telepsychology only if the compact state:

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

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

248 (3) Notifies the commission, in compliance with the terms of the
249 compact, of any adverse action or significant investigatory information
250 regarding a licensed individual;

251 (4) Requires an identity history summary of all applicants at initial
252 licensure, including, but not limited to, the use of the results of

253 fingerprints or other biometric data checks compliant with the
254 requirements of the Federal Bureau of Investigation, or said bureau's
255 designee with similar authority, not later than ten years after activation
256 of the compact; and

257 (5) Complies with the bylaws and rules of the commission.

258 (f) A home state's license grants a temporary authorization to practice
259 to a psychologist in a distant state only if the compact state:

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

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

263 (3) Notifies the commission, in compliance with the terms of the
264 compact, of any adverse action or significant investigatory information
265 regarding a licensed individual;

266 (4) Requires an identity history summary of all applicants at initial
267 licensure, including, but not limited to, the use of the results of
268 fingerprints or other biometric data checks compliant with the
269 requirements of the Federal Bureau of Investigation, or said bureau's
270 designee with similar authority, not later than ten years after activation
271 of the compact; and

272 (5) Complies with the bylaws and rules of the commission.

273 ARTICLE IV

274 COMPACT PRIVILEGE TO PRACTICE TELEPSYCHOLOGY

275 (a) Compact states shall recognize the right of a psychologist, licensed
276 in a compact state in conformance with Article III of the compact, to
277 practice telepsychology in receiving states in which the psychologist is
278 not licensed, under the authority to practice interjurisdictional
279 telepsychology as provided in the compact.

280 (b) To exercise the authority to practice interjurisdictional

281 telepsychology under the terms and provisions of the compact, a
282 psychologist licensed to practice in a compact state shall:

283 (1) Hold a graduate degree in psychology from an institution of
284 higher education that was, at the time the degree was awarded:

285 (A) Regionally accredited by an accrediting body recognized by the
286 United States Department of Education to grant graduate degrees, or
287 authorized by provincial statute or royal charter to grant doctoral
288 degrees; or

289 (B) A foreign college or university deemed to be equivalent to an
290 institution of higher education described in subparagraph (A) of this
291 subdivision by a foreign credential evaluation service that is a member
292 of the National Association of Credential Evaluation Services or by a
293 recognized foreign credential evaluation service; and

294 (2) Hold a graduate degree in psychology from a psychology
295 program that meets the following criteria:

296 (A) The program, wherever it may be administratively housed, shall
297 be clearly identified and labeled as a psychology program. Such
298 program shall specify in pertinent institutional catalogues and
299 brochures its intent to educate and train professional psychologists;

300 (B) The psychology program shall stand as a recognizable, coherent,
301 organizational entity within the institution;

302 (C) There shall be a clear authority and primary responsibility for the
303 core and specialty areas whether or not the program cuts across
304 administrative lines;

305 (D) The program shall consist of an integrated, organized sequence
306 of study;

307 (E) There shall be an identifiable psychology faculty sufficient in size
308 and breadth to carry out its responsibilities;

309 (F) The designated director of the program shall be a psychologist
310 and a member of the core faculty;

311 (G) The program shall have an identifiable body of students who are
312 matriculated in such program for a degree;

313 (H) The program shall include supervised practicum, internship or
314 field training appropriate to the practice of psychology;

315 (I) The curriculum shall encompass a minimum of three academic
316 years of full-time graduate study for a doctoral degree and a minimum
317 of one academic year of full-time graduate study for a master's degree;
318 and

319 (J) The program shall include an acceptable residency, as defined by
320 the rules of the commission.

321 (3) Possess a current, full and unrestricted license to practice
322 psychology in a home state that is a compact state;

323 (4) Have no history of adverse action that violates the rules of the
324 commission;

325 (5) Have no criminal record history reported on an identity history
326 summary that violates the rules of the commission;

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

328 (7) Provide (A) attestations regarding areas of intended practice,
329 conformity with standards of practice, competence in telepsychology
330 technology, criminal background and knowledge and adherence to
331 legal requirements in the home and receiving states, and (B) a release of
332 information to allow for primary source verification in a manner
333 specified by the commission; and

334 (8) Meet other criteria as defined by the rules of the commission.

335 (c) The home state maintains authority over the license of any
336 psychologist practicing in a receiving state under the authority to

337 practice interjurisdictional telepsychology.

338 (d) A psychologist practicing in a receiving state under the authority
339 to practice interjurisdictional telepsychology shall be subject to the
340 receiving state's scope of practice. A receiving state may, in accordance
341 with such state's due process law, limit or revoke a psychologist's
342 authority to practice interjurisdictional telepsychology in the receiving
343 state and may take any other necessary actions under the receiving
344 state's applicable law to protect the health and safety of the receiving
345 state's citizens. If a receiving state takes action, the state shall promptly
346 notify the home state and the commission.

347 (e) If a psychologist's license in any home state, another compact state
348 or any authority to practice interjurisdictional telepsychology in any
349 receiving state, is restricted, suspended or otherwise limited, the
350 E.Passport shall be revoked and the psychologist shall not be eligible to
351 practice telepsychology in a compact state under the authority to
352 practice interjurisdictional telepsychology.

353 ARTICLE V

354 COMPACT TEMPORARY AUTHORIZATION TO PRACTICE

355 (a) Compact states shall recognize the right of a psychologist, licensed
356 in a compact state in conformance with Article III of the compact, to
357 practice temporarily in other compact states in which the psychologist
358 is not licensed, as provided in the compact.

359 (b) To exercise the temporary authorization to practice under the
360 terms and provisions of the compact, a psychologist licensed to practice
361 in a compact state shall:

362 (1) Hold a graduate degree in psychology from an institution of
363 higher education that was, at the time the degree was awarded:

364 (A) Regionally accredited by an accrediting body recognized by the
365 United States Department of Education to grant graduate degrees, or
366 authorized by provincial statute or royal charter to grant doctoral

367 degrees; or

368 (B) A foreign college or university deemed to be equivalent to an
369 institution of higher education described in subparagraph (A) of this
370 subdivision by a foreign credential evaluation service that is a member
371 of the National Association of Credential Evaluation Services or by a
372 recognized foreign credential evaluation service; and

373 (2) Hold a graduate degree in psychology that meets the following
374 criteria:

375 (A) The program, wherever it may be administratively housed, shall
376 be clearly identified and labeled as a psychology program. Such
377 program shall specify in pertinent institutional catalogues and
378 brochures its intent to educate and train professional psychologists;

379 (B) The psychology program shall stand as a recognizable, coherent,
380 organizational entity within the institution;

381 (C) There shall be a clear authority and primary responsibility for the
382 core and specialty areas whether or not the program cuts across
383 administrative lines;

384 (D) The program shall consist of an integrated, organized sequence
385 of study;

386 (E) There shall be an identifiable psychology faculty sufficient in size
387 and breadth to carry out its responsibilities;

388 (F) The designated director of the program shall be a psychologist
389 and a member of the core faculty;

390 (G) The program shall have an identifiable body of students who are
391 matriculated in such program for a degree;

392 (H) The program shall include supervised practicum, internship or
393 field training appropriate to the practice of psychology;

394 (I) The curriculum shall encompass a minimum of three academic

395 years of full-time graduate study for a doctoral degree and a minimum
396 of one academic year of full-time graduate study for a master's degree;
397 and

398 (J) The program includes an acceptable residency, as defined by the
399 rules of the commission;

400 (3) Possess a current, full and unrestricted license to practice
401 psychology in a home state that is a compact state;

402 (4) No history of adverse action that violates the rules of the
403 commission;

404 (5) No criminal record history that violates the rules of the
405 commission;

406 (6) Possess a current, active IPC;

407 (7) Provide attestations regarding areas of intended practice and
408 work experience and provide a release of information to allow for
409 primary source verification in a manner specified by the commission;
410 and

411 (8) Meet other criteria, as defined by the rules of the commission.

412 (c) A psychologist practicing in a distant state under the temporary
413 authorization to practice shall practice within the scope of practice
414 authorized by the distant state.

415 (d) A psychologist practicing in a distant state under the temporary
416 authorization to practice shall be subject to the distant state's authority
417 and law. A distant state may, in accordance with such state's due process
418 law, limit or revoke a psychologist's temporary authorization to practice
419 in the distant state and may take any other necessary actions under the
420 distant state's applicable law to protect the health and safety of the
421 distant state's citizens. If a distant state takes action, the state shall
422 promptly notify the home state and the commission.

423 (e) If a psychologist's license in any home state or another compact
424 state, or any temporary authorization to practice in any distant state, is
425 restricted, suspended or otherwise limited, the IPC shall be revoked and
426 the psychologist shall not be eligible to practice in a compact state under
427 the temporary authorization to practice.

428 ARTICLE VI

429 CONDITIONS OF TELEPSYCHOLOGY PRACTICE IN A
430 RECEIVING STATE

431 A psychologist may practice in a receiving state under the authority
432 to practice interjurisdictional telepsychology only in the performance of
433 the scope of practice for psychology as assigned by an appropriate state
434 psychology regulatory authority, as defined in the rules of the
435 commission, and under the following circumstances:

436 (1) The psychologist initiates a client or patient contact in a home state
437 via telecommunications technologies with a client or patient in a
438 receiving state; and

439 (2) The psychologist complies with any other conditions regarding
440 telepsychology that are set forth in the rules promulgated by the
441 commission.

442 ARTICLE VII

443 ADVERSE ACTIONS

444 (a) A home state shall have the power to impose adverse action
445 against a psychologist's license issued by the home state. A distant state
446 shall have the power to take adverse action on a psychologist's
447 temporary authorization to practice in such distant state.

448 (b) A receiving state may take adverse action on a psychologist's
449 authority to practice interjurisdictional telepsychology in such receiving
450 state. A home state may take adverse action against a psychologist based
451 on an adverse action taken by a distant state regarding temporary in-

452 person, face-to-face practice.

453 (c) If a home state takes adverse action against a psychologist's
454 license, the psychologist's (1) authority to practice interjurisdictional
455 telepsychology is terminated, (2) E.Passport is revoked, (3) temporary
456 authorization to practice is terminated, and (4) IPC is revoked. All home
457 state disciplinary orders that impose adverse action shall be reported to
458 the commission in accordance with the rules promulgated by the
459 commission. A compact state shall report adverse actions in accordance
460 with the rules of the commission. If discipline is reported on a
461 psychologist, the psychologist shall not be eligible for telepsychology or
462 temporary in-person, face-to-face practice in accordance with the rules
463 of the commission. Other actions may be imposed as determined by the
464 rules promulgated by the commission.

465 (d) A home state's psychology regulatory authority shall investigate
466 and take appropriate action with respect to reported inappropriate
467 conduct engaged in by a licensee that occurred in a receiving state as it
468 would if such conduct had occurred by a licensee in the home state. In
469 such cases, the home state's law shall control in determining any adverse
470 action against a psychologist's license.

471 (e) A distant state's psychology regulatory authority shall investigate
472 and take appropriate action with respect to reported inappropriate
473 conduct engaged in by a psychologist practicing under temporary
474 authorization to practice that occurred in that distant state as it would if
475 such conduct had occurred by a licensee within the home state. In such
476 cases, the distant state's law shall control in determining any adverse
477 action against a psychologist's temporary authorization to practice.

478 (f) Nothing in the compact shall override a compact state's decision
479 that a psychologist's participation in an alternative program may be
480 used in lieu of adverse action and that such participation shall remain
481 nonpublic if required by the compact state's law. Compact states shall
482 require psychologists who enter any alternative programs to not
483 provide telepsychology services under the authority to practice

484 interjurisdictional telepsychology or provide temporary psychological
485 services under the temporary authorization to practice in any other
486 compact state during the term of the alternative program.

487 (g) No other judicial or administrative remedies shall be available to
488 a psychologist if the compact state imposes an adverse action pursuant
489 to subsection (c) of this article.

490 ARTICLE VIII

491 ADDITIONAL AUTHORITIES INVESTED IN A COMPACT
492 STATE'S PSYCHOLOGY REGULATORY AUTHORITY

493 (a) In addition to any other powers granted under state law, a
494 compact state's psychology regulatory authority shall have the
495 authority under the compact to do the following:

496 (1) Issue subpoenas, for both hearings and investigations, that require
497 the attendance and testimony of witnesses and the production of
498 evidence. Subpoenas issued by a compact state's psychology regulatory
499 authority for the attendance and testimony of witnesses or the
500 production of evidence from another compact state shall be enforced in
501 the latter compact state by any court of competent jurisdiction,
502 according to such court's practice and procedure in considering
503 subpoenas issued in its own proceedings. The issuing state psychology
504 regulatory authority shall pay any witness fees, travel expenses, mileage
505 and other fees required by the service statutes of the state where the
506 witnesses are or evidence is located; and

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

510 (b) During the course of any investigation, a psychologist may not
511 change the psychologist's home state licensure. A home state
512 psychology regulatory authority is authorized to complete any pending
513 investigations of a psychologist and to take any actions appropriate

514 under its law. The home state psychology regulatory authority shall
515 promptly report the conclusions of such investigations to the
516 commission. Once an investigation has been completed, and pending
517 the outcome of such investigation, the psychologist may change his or
518 her home state licensure. The commission shall promptly notify the new
519 home state of any such decisions as provided in the rules of the
520 commission. All information provided to the commission or distributed
521 by compact states pursuant to the psychologist shall be confidential,
522 filed under seal and used for investigatory or disciplinary matters. The
523 commission may create additional rules for mandated or discretionary
524 sharing of information by compact states.

525 ARTICLE IX

526 COORDINATED LICENSURE INFORMATION SYSTEM

527 (a) The commission shall provide for the development and
528 maintenance of a coordinated licensure information system and
529 reporting system containing licensure and disciplinary action
530 information on all psychologists to whom the compact is applicable in
531 all compact states as defined by the rules of the commission.

532 (b) Notwithstanding any other provision of the general statutes, a
533 compact state shall submit a uniform data set to the coordinated
534 database on all licensees as required by the rules of the commission,
535 including, but not limited to, the following:

536 (1) Identifying information;

537 (2) Licensure data;

538 (3) Significant investigatory information;

539 (4) Adverse actions against a psychologist's license;

540 (5) An indicator that a psychologist's authority to practice
541 interjurisdictional telepsychology or temporary authorization to
542 practice is revoked;

543 (6) Nonconfidential information related to alternative program
544 participation information;

545 (7) Any denial of application for licensure, and the reasons for such
546 denial; and

547 (8) Other information that may facilitate the administration of the
548 compact, as determined by the rules of the commission.

549 (c) The coordinated database administrator shall promptly notify all
550 compact states of any adverse action taken against, or significant
551 investigative information on, any licensee in a compact state.

552 (d) Compact states reporting information to the coordinated database
553 may designate information that may not be shared with the public
554 without the express permission of the compact state reporting the
555 information.

556 (e) Any information submitted to the coordinated database that is
557 subsequently required to be expunged by the law of the compact state
558 reporting the information shall be removed from the coordinated
559 database.

560 ARTICLE X

561 ESTABLISHMENT OF THE PSYCHOLOGY
562 INTERJURISDICTIONAL COMPACT COMMISSION

563 (a) The compact states hereby create and establish a joint public
564 agency known as the Psychology Interjurisdictional Compact
565 Commission.

566 (1) The commission is a body politic and an instrumentality of the
567 compact states.

568 (2) Venue is proper and judicial proceedings by or against the
569 commission shall be brought solely and exclusively in a court of
570 competent jurisdiction where the principal office of the commission is

571 located. The commission may waive venue and jurisdictional defenses
572 to the extent it adopts or consents to participate in alternative dispute
573 resolution proceedings.

574 (3) Nothing in the compact shall be construed to be a waiver of
575 sovereign immunity.

576 (b) (1) The commission shall consist of one voting representative
577 appointed by each compact state who shall serve as such state's
578 commissioner. The state psychology regulatory authority shall appoint
579 its delegate. The delegate shall be empowered to act on behalf of the
580 compact state. The delegate shall be limited to the following:

581 (A) An executive director, executive secretary or similar executive;

582 (B) A current member of the state psychology regulatory authority of
583 a compact state; or

584 (C) A designee empowered with the appropriate delegate authority
585 to act on behalf of the compact state.

586 (2) Any commissioner may be removed or suspended from office as
587 provided by the law of the state from which the commissioner is
588 appointed. Any vacancy occurring in the commission shall be filled in
589 accordance with the laws of the compact state in which the vacancy
590 exists.

591 (3) Each commissioner shall be entitled to one vote with regard to the
592 promulgation of rules and creation of bylaws and shall otherwise have
593 an opportunity to participate in the business and affairs of the
594 commission. A commissioner shall vote in person or by such other
595 means as provided in the bylaws. The bylaws may provide for
596 commissioners' participation in meetings by telephone or other means
597 of communication.

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

600 (5) All meetings shall be open to the public, and public notice of
601 meetings shall be given in the same manner as required under the
602 rulemaking provisions in Article XI of the compact.

603 (6) The commission may convene in a closed, nonpublic meeting if
604 the commission has to discuss the following:

605 (A) Noncompliance of a compact state with its obligations under the
606 compact;

607 (B) The employment, compensation, discipline or other personnel
608 matters, practices or procedures related to specific employees or other
609 matters related to the commission's internal personnel practices and
610 procedures;

611 (C) Current, threatened or reasonably anticipated litigation against
612 the commission;

613 (D) Negotiation of contracts for the purchase or sale of goods, services
614 or real estate;

615 (E) Accusation against any person of a crime or formally censuring
616 any person;

617 (F) Disclosure of trade secrets or commercial or financial information
618 which is privileged or confidential;

619 (G) Disclosure of information of a personal nature where disclosure
620 would constitute a clearly unwarranted invasion of personal privacy;

621 (H) Disclosure of investigatory records compiled for law enforcement
622 purposes;

623 (I) Disclosure of information related to any investigatory reports
624 prepared by or on behalf of or for use of the commission or other
625 committee charged with responsibility for investigation or
626 determination of compliance issues pursuant to the compact; or

627 (J) Matters specifically exempted from disclosure by federal and state

628 statute.

629 (7) If a meeting, or portion of a meeting, is closed pursuant to the
630 provisions of subdivision (6) of this subsection, the commission's legal
631 counsel or designee shall certify that the meeting may be closed and
632 shall reference each relevant exempting provision. The commission
633 shall keep minutes that fully and clearly describe all matters discussed
634 in a meeting and shall provide a full and accurate summary of actions
635 taken, of any person participating in the meeting, and the reasons
636 therefore, including, but not limited to, a description of the views
637 expressed. All documents considered in connection with an action shall
638 be identified in such minutes. All minutes and documents of a closed
639 meeting shall remain under seal, subject to release only by a majority
640 vote of the commission or order of a court of competent jurisdiction.

641 (c) The commission shall, by a majority vote of the commissioners,
642 prescribe bylaws or rules to govern its conduct as may be necessary or
643 appropriate to carry out the purposes and exercise the powers of the
644 compact, including, but not limited to:

645 (1) Establishing the fiscal year of the commission;

646 (2) Providing reasonable standards and procedures for the following:

647 (A) The establishment and meetings of other committees; and

648 (B) Governing any general or specific delegation of any authority or
649 function of the commission;

650 (3) Providing reasonable procedures for calling and conducting
651 meetings of the commission, ensuring reasonable advance notice of all
652 meetings and providing an opportunity for attendance of such meetings
653 by interested parties, with enumerated exceptions designed to protect
654 the public's interest, the privacy of individuals at such meetings and
655 proprietary information, including, but not limited to, trade secrets. The
656 commission may meet in closed session only after a majority of the
657 commissioners vote to close a meeting to the public in whole or in part.

658 As soon as practicable, the commission shall make public a copy of the
659 vote to close the meeting revealing the vote of each commissioner with
660 no proxy votes allowed;

661 (4) Establishing the titles, duties and authority and reasonable
662 procedures for the election of the officers of the commission;

663 (5) Providing reasonable standards and procedures for the
664 establishment of the personnel policies and programs of the
665 commission. Notwithstanding any civil service law or other similar law
666 of any compact state, the bylaws shall exclusively govern the personnel
667 policies and programs of the commission;

668 (6) Promulgating a code of ethics to address permissible and
669 prohibited activities of commission members and employees;

670 (7) Providing a mechanism for concluding the operations of the
671 commission and the equitable disposition of any surplus funds that may
672 exist after the termination of the compact after the payment or reserving
673 of all of its debts and obligations;

674 (8) The commission shall publish its bylaws in a convenient form and
675 file a copy thereof and a copy of any amendment thereto, with the
676 appropriate agency or officer in each of the compact states;

677 (9) The commission shall maintain its financial records in accordance
678 with the bylaws; and

679 (10) The commission shall meet and take such actions as are
680 consistent with the provisions of the compact and the bylaws.

681 (d) The commission may:

682 (1) Promulgate uniform rules to facilitate and coordinate
683 implementation and administration of the compact, which rules shall
684 have the force and effect of law and shall be binding in all compact
685 states;

686 (2) Bring and prosecute legal proceedings or actions in the name of
687 the commission, provided the standing of any state psychology
688 regulatory authority or other regulatory body responsible for
689 psychology licensure to sue or be sued under applicable law shall not
690 be affected;

691 (3) Purchase and maintain insurance and bonds;

692 (4) Borrow, accept or contract for services of personnel, including, but
693 not limited to, employees of a compact state;

694 (5) Hire employees, elect or appoint officers, fix compensation, define
695 duties, grant such individuals appropriate authority to carry out the
696 purposes of the compact and to establish the commission's personnel
697 policies and programs relating to conflicts of interest, qualifications of
698 personnel and other related personnel matters;

699 (6) Accept any appropriate donations and grants of money,
700 equipment, supplies, materials and services and to receive, utilize and
701 dispose of the same; provided the commission shall strive at all times to
702 avoid any appearance of impropriety or conflict of interest;

703 (7) Lease, purchase, accept appropriate gifts or donations of, or
704 otherwise own, hold, improve or use, any property, real, personal or
705 mixed, provided the commission shall strive at all times to avoid any
706 appearance of impropriety;

707 (8) Sell, convey, mortgage, pledge, lease, exchange, abandon or
708 otherwise dispose of any property real, personal or mixed;

709 (9) Establish a budget and make expenditures;

710 (10) Borrow money;

711 (11) Appoint committees, including, but not limited to, advisory
712 committees comprised of members, state regulators, state legislators or
713 their representatives and consumer representatives, and such other
714 interested persons as may be designated in the compact and the bylaws;

715 (12) Provide and receive information from, and to cooperate with,
716 law enforcement agencies;

717 (13) Adopt and use an official seal; and

718 (14) Perform such other functions as may be necessary or appropriate
719 to achieve the purposes of the compact consistent with the state
720 regulation of psychology licensure, temporary in-person, face-to-face
721 practice and telepsychology practice.

722 (e) (1) The elected officers shall serve as the executive board, which
723 shall have the power to act on behalf of the commission according to the
724 terms of the compact. The executive board shall be comprised of the
725 following six members:

726 (A) Five voting members who are elected from the membership of the
727 commission by the commission; and

728 (B) One ex-officio, nonvoting member from the recognized
729 membership organization composed of state and provincial psychology
730 regulatory authorities.

731 (2) The ex-officio member shall have served as staff or member on a
732 state psychology regulatory authority and shall be selected by its
733 respective organization.

734 (3) The commission may remove any member of the executive board
735 as provided in the bylaws.

736 (4) The executive board shall meet at least annually.

737 (5) The executive board shall have the following duties and
738 responsibilities:

739 (A) Recommend to the entire commission changes to the rules or
740 bylaws, changes to the compact legislation, fees paid by compact states,
741 including, but not limited to, annual dues, and any other applicable fees;

742 (B) Ensure compact administration services are appropriately

743 provided, contractually or otherwise;

744 (C) Prepare and recommend the budget;

745 (D) Maintain financial records on behalf of the commission;

746 (E) Monitor compact compliance of member states and provide
747 compliance reports to the commission;

748 (F) Establish additional committees as necessary; and

749 (G) Other duties as provided in rules or bylaws.

750 (f) The commission:

751 (1) Shall pay, or provide for the payment of the reasonable expenses
752 of its establishment, organization and ongoing activities.

753 (2) May accept any and all appropriate revenue sources, donations
754 and grants of money, equipment, supplies, materials and services.

755 (3) May levy on and collect an annual assessment from each compact
756 state or impose fees on other parties to cover the cost of the operations
757 and activities of the commission and its staff. Such assessment and fees
758 shall be in a total amount sufficient to cover the commission's annual
759 budget as approved each year for which revenue is not provided by
760 other sources. The aggregate annual assessment amount shall be
761 allocated based upon a formula to be determined by the commission.
762 The commission shall promulgate a rule under this subdivision that is
763 binding upon all compact states.

764 (4) Shall not incur obligations of any kind prior to securing the funds
765 adequate to meet such obligations, or pledge the credit of any of the
766 compact states, except by and with the authority of the compact state.

767 (5) Shall keep accurate accounts of all receipts and disbursements.
768 The receipts and disbursements of the commission shall be subject to the
769 audit and accounting procedures established under its bylaws. All
770 receipts and disbursements of funds handled by the commission shall

771 be audited yearly by a certified or licensed public accountant and the
772 report of the audit shall be included in and become part of the annual
773 report of the commission.

774 (g) (1) The members, officers, executive director, employees and
775 representatives of the commission shall be immune from suit and
776 liability, either personally or in their official capacity, for any claim for
777 damage to or loss of property or personal injury or other civil liability
778 caused by or arising out of any actual or alleged act, error or omission
779 that occurred, or that the person against whom the claim is made had a
780 reasonable basis for believing occurred within the scope of commission
781 employment, duties or responsibilities, provided nothing in this
782 subdivision shall be construed to protect any such person from suit or
783 liability for any damage, loss, injury or liability caused by the intentional
784 or wilful or wanton misconduct of such person.

785 (2) The commission shall defend any member, officer, executive
786 director, employee or representative of the commission in any civil
787 action seeking to impose liability arising out of any actual or alleged act,
788 error or omission that occurred within the scope of commission
789 employment, duties or responsibilities, or that the person against whom
790 the claim is made had a reasonable basis for believing occurred within
791 the scope of commission employment, duties or responsibilities,
792 provided (A) nothing in this subdivision shall be construed to prohibit
793 such person from retaining his or her own counsel, and (B) the actual or
794 alleged act, error or omission did not result from such person's
795 intentional or wilful or wanton misconduct.

796 (3) The commission shall indemnify and hold harmless any member,
797 officer, executive director, employee or representative of the
798 commission for the amount of any settlement or judgment obtained
799 against such person arising out of any actual or alleged act, error or
800 omission that occurred within the scope of commission employment,
801 duties or responsibilities, or that such person had a reasonable basis for
802 believing occurred within the scope of commission employment, duties
803 or responsibilities, provided the actual or alleged act, error or omission

804 did not result from the intentional or wilful or wanton misconduct of
805 such person.

806 ARTICLE XI

807 RULEMAKING

808 (a) The commission shall exercise its rulemaking powers pursuant to
809 the criteria set forth in this Article and the rules adopted thereunder.
810 Rules and amendments shall become binding as of the date specified in
811 each rule or amendment.

812 (b) If a majority of the legislatures of the compact states rejects a rule,
813 by enactment of a statute or resolution in the same manner used to adopt
814 the compact, then such rule shall have no further force and effect in any
815 compact state.

816 (c) Rules, or amendments to the rules, shall be adopted at a regular
817 or special meeting of the commission.

818 (d) Prior to promulgation and adoption of a final rule or rules by the
819 commission, and at least sixty days prior to the scheduled date of the
820 meeting at which the rule will be considered and voted upon, the
821 commission shall file a notice of proposed rulemaking as follows:

822 (1) On the Internet web site of the commission; and

823 (2) On the Internet web site of each compact state's psychology
824 regulatory authority or the publication in which each state would
825 otherwise publish proposed rules.

826 (e) The notice of proposed rulemaking shall include the following:

827 (1) The proposed time, date and location of the meeting in which the
828 rule will be considered and voted upon;

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

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

833 (4) The manner in which interested persons may submit to the
834 commission (A) notice of their intention to attend the public hearing,
835 and (B) written comments.

836 (f) Prior to adoption of a proposed rule, the commission shall allow
837 persons to submit written data, facts, opinions and arguments, which
838 shall be made available to the public.

839 (g) The commission shall grant an opportunity for a public hearing
840 before it adopts a rule or amendment if a hearing is requested by the
841 following:

842 (1) At least twenty-five persons who submit written comments
843 independently of each other;

844 (2) A governmental subdivision or agency; or

845 (3) A duly appointed person in an association that has at least twenty-
846 five members.

847 (h) If a hearing is held on the proposed rule or amendment, the
848 commission shall publish the location, time and date of the scheduled
849 public hearing.

850 (1) All persons wishing to be heard at the hearing shall notify the
851 executive director of the commission or other designated member in
852 writing of their desire to appear and testify at the hearing not less than
853 five business days prior to the scheduled date of the hearing.

854 (2) Hearings shall be conducted in a manner providing each person
855 who wishes to comment a fair and reasonable opportunity to comment
856 orally or in writing.

857 (3) No transcript of the hearing is required, unless a written request
858 for a transcript is made, in which case the person requesting the

859 transcript shall bear the cost of producing the transcript. A recording
860 may be made in lieu of a transcript under the same terms and conditions
861 as a transcript. The provisions of this subdivision shall not preclude the
862 commission from making a transcript or recording of the hearing if it so
863 chooses.

864 (4) Nothing in this subsection shall be construed as requiring a
865 separate hearing on each rule. Rules may be grouped for the
866 convenience of the commission at hearings required under this
867 subsection.

868 (i) Following the scheduled hearing date, or by the close of business
869 on the scheduled hearing date if the hearing was not held, the
870 commission shall consider all written and oral comments received.

871 (j) The commission shall, by majority vote of all members, take final
872 action on the proposed rule and shall determine the effective date of the
873 rule, if any, based on the rulemaking record and the full text of the rule.

874 (k) If no written notice of intent to attend the public hearing by
875 interested parties is received, the commission may proceed with
876 promulgation of the proposed rule without a public hearing.

877 (l) Upon determination that an emergency exists, the commission
878 may consider and adopt an emergency rule without prior notice,
879 opportunity for comment or hearing, provided the usual rulemaking
880 procedures described in the compact and in this subsection shall be
881 retroactively applied to the rule as soon as reasonably possible, in no
882 event later than ninety days after the effective date of the rule. For the
883 purposes of this subsection, "emergency rule" means a rule that shall be
884 adopted immediately in order to:

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

886 (2) Prevent a loss of commission or compact state funds;

887 (3) Meet a deadline for the promulgation of an administrative rule
888 that is established by federal law or rule; or

889 (4) Protect public health and safety.

890 (m) The commission, or an authorized committee of the commission,
891 may direct revisions to a previously adopted rule or amendment for
892 purposes of correcting typographical errors, errors in format, errors in
893 consistency or grammatical errors. Public notice of any revisions shall
894 be posted on the Internet web site of the commission. The revision shall
895 be subject to challenge by any person for a period of thirty days after
896 posting. The revision may be challenged only on grounds that the
897 revision results in a material change to a rule. A challenge shall be made
898 in writing, and delivered to the chair of the commission prior to the end
899 of the notice period. If no challenge is made, the revision shall take effect
900 without further action. If the revision is challenged, the revision may not
901 take effect without the approval of the commission.

902 ARTICLE XII

903 OVERSIGHT, DISPUTE RESOLUTION AND ENFORCEMENT

904 (a) (1) The executive, legislative and judicial branches of state
905 government in each compact state shall enforce the compact and take all
906 actions necessary and appropriate to effectuate the compact's purposes
907 and intent. The provisions of the compact and the rules promulgated
908 under the compact shall have standing as statutory law.

909 (2) All courts shall take judicial notice of the compact and the rules in
910 any judicial or administrative proceeding in a compact state pertaining
911 to the subject matter of the compact that may affect the powers,
912 responsibilities or actions of the commission.

913 (3) The commission shall be entitled to receive service of process in
914 any such proceeding, and shall have standing to intervene in such
915 proceeding for all purposes. Failure to provide service of process to the
916 commission shall render a judgment or order void as to the commission,
917 the compact or promulgated rules.

918 (b) (1) If the commission determines that a compact state has

919 defaulted in the performance of its obligations or responsibilities under
920 the compact or the promulgated rules, the commission shall perform the
921 following actions:

922 (A) Provide written notice to the defaulting state and other compact
923 states of the nature of the default, the proposed means of remedying the
924 default or any other action to be taken by the commission; and

925 (B) Provide remedial training and specific technical assistance
926 regarding the default.

927 (2) If a state in default fails to remedy the default, the defaulting state
928 may be terminated from the compact upon an affirmative vote of a
929 majority of the compact states, and all rights, privileges and benefits
930 conferred by the compact shall be terminated on the effective date of
931 termination of the defaulting state. A remedy of the default does not
932 relieve the offending state of obligations or liabilities incurred during
933 the period of default.

934 (3) Termination of membership in the compact shall be imposed only
935 after all other means of securing compliance have been exhausted.
936 Notice of intent to suspend or terminate shall be submitted by the
937 commission to the governor, the majority and minority leaders of the
938 defaulting state's legislature, and each of the compact states.

939 (4) A compact state that has been terminated shall be responsible for
940 all assessments, obligations and liabilities incurred through the effective
941 date of termination, including, but not limited to, obligations that extend
942 beyond the effective date of termination.

943 (5) The commission shall not bear any costs incurred by the state that
944 is found to be in default or that has been terminated from the compact,
945 unless agreed upon in writing between the commission and the
946 defaulting state.

947 (6) The defaulting state may appeal the action of the commission by
948 petitioning the United States District Court for the State of Georgia or

949 the federal district where the compact has its principal offices. The
950 prevailing member shall be awarded all costs of such litigation,
951 including, but not limited to, reasonable attorney's fees.

952 (c) (1) Upon request by a compact state, the commission shall attempt
953 to resolve disputes related to the compact that arise among compact
954 states and between compact and noncompact states.

955 (2) The commission shall promulgate a rule providing for both
956 mediation and binding dispute resolution for disputes that arise before
957 the commission.

958 (d) (1) The commission, in the reasonable exercise of its discretion,
959 shall enforce the provisions and rules of the compact.

960 (2) By majority vote, the commission may initiate legal action in the
961 United States District Court for the State of Georgia or the federal district
962 where the compact has its principal offices against a compact state in
963 default to enforce compliance with the provisions of the compact and its
964 promulgated rules and bylaws. The relief sought may include both
965 injunctive relief and damages. In the event judicial enforcement is
966 necessary, the prevailing member shall be awarded all costs of such
967 litigation, including, but not limited to, reasonable attorney's fees.

968 (3) The remedies set forth in the compact shall not be the exclusive
969 remedies of the commission. The commission may pursue any other
970 remedies available under federal or state law.

971 ARTICLE XIII

972 DATE OF IMPLEMENTATION OF THE PSYCHOLOGY
973 INTERJURISDICTIONAL COMPACT COMMISSION AND
974 ASSOCIATED RULES, WITHDRAWAL AND AMENDMENTS

975 (a) The compact shall come into effect on the date on which the
976 compact is enacted into law in the seventh compact state. The provisions
977 that become effective at such time shall be limited to the powers granted
978 to the commission relating to assembly and the promulgation of rules.

979 Thereafter, the commission shall meet and exercise rulemaking powers
980 necessary to the implementation and administration of the compact.

981 (b) Any state that joins the compact subsequent to the commission's
982 initial adoption of the rules shall be subject to the rules as they exist on
983 the date on which the compact becomes law in such state. Any rule that
984 has been previously adopted by the commission shall have the full force
985 and effect of law on the day the compact becomes law in such state.

986 (c) Any compact state may withdraw from the compact by enacting a
987 statute repealing the same.

988 (1) A compact state's withdrawal shall not take effect until six months
989 after enactment of the repealing statute.

990 (2) Withdrawal shall not affect the continuing requirement of the
991 withdrawing state's psychology regulatory authority to comply with the
992 investigative and adverse action reporting requirements set forth in
993 Article VII of this section prior to the effective date of withdrawal.

994 (d) Nothing contained in the compact shall be construed to invalidate
995 or prevent any psychology licensure agreement or other cooperative
996 arrangement between a compact state and a noncompact state that does
997 not conflict with the provisions of the compact.

998 (e) The compact may be amended by the compact states. No
999 amendment to the compact shall become effective and binding upon
1000 any compact state until it is enacted into the law of all compact states.

1001 ARTICLE XIV

1002 CONSTRUCTION AND SEVERABILITY

1003 The compact shall be liberally construed so as to effectuate the
1004 purposes thereof. If the compact is held contrary to the constitution of
1005 any state member of the compact, the compact shall remain in full force
1006 and effect as to the remaining compact states."

1007 Sec. 5. Subsection (b) of section 19a-906 of the general statutes is
1008 repealed and the following is substituted in lieu thereof (*Effective October*
1009 *1, 2022*):

1010 (b) (1) A telehealth provider shall only provide telehealth services to
1011 a patient when the telehealth provider: (A) Is communicating through
1012 real-time, interactive, two-way communication technology or store and
1013 forward technologies; (B) has access to, or knowledge of, the patient's
1014 medical history, as provided by the patient, and the patient's health
1015 record, including the name and address of the patient's primary care
1016 provider, if any; (C) conforms to the standard of care applicable to the
1017 telehealth provider's profession and expected for in-person care as
1018 appropriate to the patient's age and presenting condition, except when
1019 the standard of care requires the use of diagnostic testing and
1020 performance of a physical examination, such testing or examination
1021 may be carried out through the use of peripheral devices appropriate to
1022 the patient's condition; and (D) provides the patient with the telehealth's
1023 provider license number and contact information.

1024 (2) At the time of the telehealth provider's first telehealth interaction
1025 with a patient, the telehealth provider shall inform the patient
1026 concerning the treatment methods and limitations of treatment using a
1027 telehealth platform and, after providing the patient with such
1028 information, obtain the patient's consent to provide telehealth services.
1029 The telehealth provider shall document such notice and consent in the
1030 patient's health record. If a patient later revokes such consent, the
1031 telehealth provider shall document the revocation in the patient's health
1032 record.

1033 (3) Except where section 4 of this act is applicable to a mental health
1034 care provider and the provisions of said section provide otherwise, each
1035 mental health care provider who practices in multiple states and
1036 provides telehealth shall: (A) Have a physical presence in the state; (B)
1037 charge rates pursuant to Connecticut law; and (C) regularly see patients
1038 in the state.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2022</i>	19a-906(a)(12)
Sec. 2	<i>October 1, 2022</i>	38a-499a(b)
Sec. 3	<i>October 1, 2022</i>	38a-526a(b)
Sec. 4	<i>October 1, 2022</i>	New section
Sec. 5	<i>October 1, 2022</i>	19a-906(b)

Statement of Purpose:

To (1) add dental hygienists to the list of telehealth providers, (2) require insurance coverage for telehealth services provided to residents who are temporarily outside of the state, (3) join the Psychology Interjurisdictional Compact, and (4) amend the telehealth statutes concerning mental health care providers.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]