

TITLE 3: HUMAN RESOURCES
DIVISION 2: HEALTH

§ 21201. Definitions.

For the purposes of this Act, the following terms are defined as follows:

(a) “Adverse Action” means: Any action taken by a State Psychology Regulatory Authority which finds a violation of a statute or regulation that is identified by the State Psychology Regulatory Authority as discipline and is a matter of public record.

(b) “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.

(c) “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.

(d) “Bylaws” means: those Bylaws established by the Psychology Interjurisdictional Compact Commission pursuant to Section X for its governance, or for directing and controlling its actions and conduct.

(e) “Client/Patient” means: the recipient of psychological services, whether psychological services are delivered in the context of healthcare, corporate, supervision, and/or consulting services.

(f) “Commissioner” means: the voting representative appointed by each State Psychology Regulatory Authority pursuant to Section X.

(g) “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state, the District of Columbia, or United States territory that has enacted this Compact legislation and which has not withdrawn pursuant to Article XIII, Section C or been terminated pursuant to Article XII, Section B.

(h) “Coordinated Licensure Information System” also referred to as “Coordinated Database” means: an integrated process for collecting, storing, and sharing information on psychologists’ licensure and enforcement activities related to psychology licensure laws, which is administered by the recognized membership organization composed of State and Provincial Psychology Regulatory Authorities.

(i) “Confidentiality” means: the principle that data or information is not made available or disclosed to unauthorized persons and/or processes.

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

(k) “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.

(l) “E.Passport” means: a certificate issued by the Association of State and Provincial Psychology Boards (ASPPB) that promotes the standardization in the criteria of interjurisdictional telepsychology practice and facilitates the process for licensed psychologists to provide telepsychological services across state lines.

(m) “Executive Board” means: a group of directors elected or appointed to act on behalf of, and within the powers granted to them by, the Commission.

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(n) “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.

(o) “Identity History Summary” means: a summary of information retained by the FBI, or other designee with similar authority, in connection with arrests and, in some instances, federal employment, naturalization, or military service.

(p) “In-Person, Face-to-Face” means: interactions in which the psychologist and the client/patient are in the same physical space and which does not include interactions that may occur through the use of telecommunication technologies.

(q) “Interjurisdictional Practice Certificate (IPC)” means: a certificate issued by the Association of State and Provincial Psychology Boards (ASPPB) that grants temporary authority to practice based on notification to the State Psychology Regulatory Authority of intention to practice temporarily, and verification of one’s qualifications for such practice.

(r) “License” means: authorization by a State Psychology Regulatory Authority to engage in the independent practice of psychology, which would be unlawful without the authorization.

(s) “Non-Compact State” means: any State which is not at the time a Compact State.

(t) “Psychologist” means: an individual licensed for the independent practice of psychology.

(u) “Psychology Interjurisdictional Compact Commission” also referred to as “Commission” means: the national administration of which all Compact States are members.

(v) “Receiving State” means: a Compact State where the client/patient is physically located when the telepsychological services are delivered.

(w) “Rule” means: a written statement by the Psychology Interjurisdictional Compact Commission promulgated pursuant to Section XI of the Compact that is of general applicability, implements, interprets, or prescribes a policy or provision of the Compact, or an organizational, procedural, or practice requirement of the Commission and has the force and effect of statutory law in a Compact State, and includes the amendment, repeal or suspension of an existing rule.

(x) “Significant Investigatory Information” means:

(1) investigative information that a State Psychology Regulatory Authority, after a preliminary inquiry that includes notification and an opportunity to

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respond if required by state law, has reason to believe, if proven true, would indicate more than a violation of state statute or ethics code that would be considered more substantial than minor infraction; or

(2) investigative information that indicates that the psychologist represents an immediate threat to public health and safety regardless of whether the psychologist has been notified and/or had an opportunity to respond.

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

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

(aa) “Telepsychology” means: the provision of psychological services using telecommunication technologies.

(bb) “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.

(cc) “Temporary In-Person, Face-to-Face Practice” means: where a psychologist is physically present (not through the use of telecommunications technologies), in the Distant State to provide for the practice of psychology for 30 days within a calendar year and based on notification to the Distant State.

Source: PL 22-23, § 2 (Oct. 24, 2022), modified.

Commission Comment: The Commission re-numbered this section pursuant to 1 CMC § 3806(a) and the explicit authority vested to it by PL 22-23. Findings and purpose of PL 22-23 stated:

Section 1. Findings and Purpose. The Legislature finds that states license psychologists, in order to protect the public through verification of education, training and experience and ensure accountability for professional practice. This Compact is intended to regulate the day to day practice of telepsychology (i.e. the provision of psychological services using telecommunication technologies) by psychologists across state boundaries in the performance of their psychological practice as assigned by an appropriate authority; to regulate the temporary in-person, face-to-face practice of psychology by psychologists across state boundaries for 30 days within a calendar year in the performance of their psychological practice as assigned by an appropriate authority; and to authorize State Psychology Regulatory Authorities to afford legal recognition, in a manner consistent with the terms of the Compact, to psychologists licensed in another state. The Legislature further finds that this Compact recognizes that states have a vested interest in protecting the public's health and safety through their licensing and regulation of psychologists and that such state regulation will best protect public health and safety and that this Compact does not apply when a psychologist is licensed in both the Home and Receiving States and does not apply to permanent in-person, face-to-face practice, it does allow for authorization of temporary psychological practice. Consistent with these principles, this Compact is designed to achieve the following purposes and objectives:

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1) Increase public access to professional psychological services by allowing for telepsychological practice across state lines as well as temporary in-person, face-to-face services into a state which the psychologist is not licensed to practice psychology; 2) Enhance the states' ability to protect the public's health and safety, especially client/patient safety; 3) Encourage the cooperation of Compact States in the areas of psychology licensure and regulation; 4) Facilitate the exchange of information between Compact States regarding psychologist licensure, adverse actions and disciplinary history; 5) Promote compliance with the laws governing psychological practice in each Compact State; and 6. Invest all Compact States with the authority to hold licensed psychologists accountable through the mutual recognition of Compact State licenses.