

**HOUSE BILL NO. 110**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FOURTH LEGISLATURE - FIRST SESSION

**BY REPRESENTATIVES GRAY, Story**

**Introduced: 2/21/25**

**Referred: Labor and Commerce, Finance**

**A BILL**

**FOR AN ACT ENTITLED**

1   **"An Act relating to a social work licensure compact; relating to the practice of social**  
2   **work; and providing for an effective date."**

3   **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4    \* **Section 1.** AS 08.95.030 is amended to read:

5           **Sec. 08.95.030. Duties.** The board shall

6                   (1) issue licenses to qualified applicants;

7                   (2) adopt regulations

8                           (A) requiring that continuing education requirements be  
9                   satisfied before a license is renewed;

10                           (B) establishing a code of professional ethics that a licensee  
11                   must observe;

12                           (C) establishing standards of practice for social work  
13                   performed by a licensee; [AND]

14                           (D) establishing standards for supervisors and for supervision

that is required for licensure under AS 08.95.110(a);

(E) [(3) ADOPT REGULATIONS] necessary to carry out the duties and purpose of this chapter; and

(F) necessary to implement the Social Work Licensure Compact enacted under AS 08.95.200; and

(3) appoint a member of the board to serve as a delegate on the Social Work Licensure Compact Commission established under AS 08.95.200.

\* **Sec. 2.** AS 08.95.100(a) is amended to read:

(a) A person who practices clinical social work without obtaining a license under this chapter to practice clinical social work is guilty of a class B misdemeanor unless the person is

(1) licensed under a provision of this title that is outside this chapter, is practicing within the scope of that license, and is not representing to the public by title or description of service as being engaged in the practice of clinical social work; [OR]

(2) practicing clinical social work as a student in a social work program approved by the board; or

(3) practicing clinical social work under a multistate authorization to practice.

\* **Sec. 3.** AS 08.95.100(b) is amended to read:

(b) A person is guilty of a class B misdemeanor if the person does not hold a valid license or multistate authorization to practice [IS NOT LICENSED]

(1) under this chapter and uses the title "social worker" unless the person is exempt from licensure under AS 08.95.911;

(2) as a clinical social worker under this chapter [OR HAS A CLINICAL SOCIAL WORKER LICENSE THAT IS SUSPENDED, REVOKED, OR LAPSED,] and the person

(A) uses in connection with the person's name the words or letters "L.C.S.W.," "Licensed Clinical Social Worker," or other letters, words, or insignia indicating or implying that the person is a licensed clinical social worker; or

(B) in any way, orally or in writing, directly or by implication,

holds out as a licensed clinical social worker;

(3) as a master social worker under this chapter [OR HAS A MASTER SOCIAL WORKER LICENSE THAT IS SUSPENDED, REVOKED, OR LAPSED,] and the person

(A) uses in connection with the person's name the words or letters "L.M.S.W.," "Licensed Master Social Worker," or other letters, words, or insignia indicating or implying that the person is a licensed master social worker; or

(B) in any way, orally or in writing, directly or by implication, holds out as being a licensed master social worker; or

(4) as a baccalaureate social worker under this chapter [OR HAS A BACCALAUREATE SOCIAL WORKER LICENSE THAT IS SUSPENDED, REVOKED, OR LAPSED,] and the person

(A) uses in connection with the person's name the words or letters "L.B.S.W.," "Licensed Baccalaureate Social Worker," or other letters, words, or insignia indicating or implying that the person is a licensed baccalaureate social worker; or

(B) in any way, orally or in writing, directly or by implication, holds out as being a licensed baccalaureate social worker.

\* **Sec. 4.** AS 08.95.120 is amended by adding a new subsection to read:

(c) This section does not apply to an applicant who is a regulated social worker.

\* **Sec. 5.** AS 08.95.125 is amended by adding a new subsection to read:

(f) This section does not apply to an applicant who is a regulated social worker.

\* **Sec. 6.** AS 08.95 is amended by adding a new section to read:

#### **Article 2A. Social Work Licensure Compact.**

**Sec. 08.95.200. Compact enacted.** The Social Work Licensure Compact as contained in this section is enacted into law and entered into on behalf of the state with all other states and jurisdictions legally joining it in a form substantially as follows:

#### **SECTION 1. PURPOSE.**

1           The purpose of this Compact is to facilitate interstate practice of Regulated  
 2 Social Workers by improving public access to competent Social Work Services. The  
 3 Compact preserves the regulatory authority of States to protect public health and  
 4 safety through the current system of State licensure.

5           This Compact is designed to achieve the following objectives:

- 6                   (A) Increase public access to Social Work Services;
- 7                   (B) Reduce overly burdensome and duplicative requirements  
 8 associated with holding multiple licenses;
- 9                   (C) Enhance the Member States' ability to protect the public's health  
 10 and safety;
- 11                  (D) Encourage the cooperation of Member States in regulating  
 12 multistate practice;
- 13                  (E) Promote mobility and address workforce shortages by eliminating  
 14 the necessity for licenses in multiple States by providing for the mutual recognition of  
 15 other Member State licenses;
- 16                  (F) Support military families;
- 17                  (G) Facilitate the exchange of licensure and disciplinary information  
 18 among Member States;
- 19                  (H) Authorize all Member States to hold a Regulated Social Worker  
 20 accountable for abiding by a Member State's laws, regulations, and applicable  
 21 professional standards in the Member State in which the client is located at the time  
 22 care is rendered; and
- 23                  (I) Allow for the use of telehealth to facilitate increased access to  
 24 regulated Social Work Services.

## 25                               SECTION 2. DEFINITIONS.

26           As used in this Compact, and except as otherwise provided, the following  
 27 definitions shall apply:

28                   (A) "Active Military Member" means any individual with full-time  
 29 duty status in the active armed forces of the United States including members of the  
 30 National Guard and Reserve.

31                   (B) "Adverse Action" means any administrative, civil, equitable or

1 criminal action permitted by a State's laws which is imposed by a Licensing Authority  
2 or other authority against a Regulated Social Worker, including actions against an  
3 individual's license or Multistate Authorization to Practice such as revocation,  
4 suspension, probation, monitoring of the Licensee, limitation on the Licensee's  
5 practice, or any other Encumbrance on licensure affecting a Regulated Social Worker's  
6 authorization to practice, including issuance of a cease and desist action.

7 (C) "Alternative Program" means a non-disciplinary monitoring or  
8 practice remediation process approved by a Licensing Authority to address  
9 practitioners with an Impairment.

10 (D) "Charter Member States" means Member States who have enacted  
11 legislation to adopt this Compact where such legislation predates the effective date of  
12 this Compact as described in Section 14.

13 (E) "Compact Commission" or "Commission" means the government  
14 agency whose membership consists of all States that have enacted this Compact,  
15 which is known as the Social Work Licensure Compact Commission, as described in  
16 Section 10, and which shall operate as an instrumentality of the Member States.

17 (F) "Current Significant Investigative Information" means:

18 (1) Investigative information that a Licensing Authority, after a  
19 preliminary inquiry that includes notification and an opportunity for the  
20 Regulated Social Worker to respond, has reason to believe is not groundless  
21 and, if proved true, would indicate more than a minor infraction as may be  
22 defined by the Commission; or

23 (2) Investigative information that indicates that the Regulated  
24 Social Worker represents an immediate threat to public health and safety, as  
25 may be defined by the Commission, regardless of whether the Regulated  
26 Social Worker has been notified and has had an opportunity to respond.

27 (G) "Data System" means a repository of information about Licensees,  
28 including continuing education, examination, licensure, Current Significant  
29 Investigative Information, Disqualifying Event, Multistate License(s) and Adverse  
30 Action information or other information as required by the Commission.

31 (H) "Disqualifying Event" means any Adverse Action or incident

1 which results in an Encumbrance that disqualifies or makes the Licensee ineligible to  
2 either obtain, retain or renew a Multistate License.

3 (I) "Domicile" means the jurisdiction in which the Licensee resides  
4 and intends to remain indefinitely.

5 (J) "Encumbrance" means a revocation or suspension of, or any  
6 limitation on, the full and unrestricted practice of Social Work licensed and regulated  
7 by a Licensing Authority.

8 (K) "Executive Committee" means a group of delegates elected or  
9 appointed to act on behalf of, and within the powers granted to them by, the Compact  
10 and Commission.

11 (L) "Home State" means the Member State that is the Licensee's  
12 primary Domicile.

13 (M) "Impairment" means a condition(s) that may impair a  
14 practitioner's ability to engage in full and unrestricted practice as a Regulated Social  
15 Worker without some type of intervention and may include alcohol and drug  
16 dependence, mental health impairment, and neurological or physical impairments.

17 (N) "Licensee(s)" means an individual who currently holds a license  
18 from a State to practice as a Regulated Social Worker.

19 (O) "Licensing Authority" means the board or agency of a Member  
20 State, or equivalent, that is responsible for the licensing and regulation of Regulated  
21 Social Workers.

22 (P) "Member State" means a state, commonwealth, district, or territory  
23 of the United States of America that has enacted this Compact.

24 (Q) "Multistate Authorization to Practice" means a legally authorized  
25 privilege to practice, which is equivalent to a license, associated with a Multistate  
26 License permitting the practice of Social Work in a Remote State.

27 (R) "Multistate License" means a license to practice as a Regulated  
28 Social Worker issued by a Home State Licensing Authority that authorizes the  
29 Regulated Social Worker to practice in all Member States under Multistate  
30 Authorization to Practice.

31 (S) "Qualifying National Exam" means a national licensing

1 examination approved by the Commission.

2 (T) "Regulated Social Worker" means any clinical, master's or  
3 bachelor's Social Worker licensed by a Member State regardless of the title used by  
4 that Member State.

5 (U) "Remote State" means a Member State other than the Licensee's  
6 Home State.

7 (V) "Rule(s)" or "Rule(s) of the Commission" means a regulation or  
8 regulations duly promulgated by the Commission, as authorized by the Compact, that  
9 has the force of law.

10 (W) "Single State License" means a Social Work license issued by any  
11 State that authorizes practice only within the issuing State and does not include  
12 Multistate Authorization to Practice in any Member State.

13 (X) "Social Work" or "Social Work Services" means the application of  
14 social work theory, knowledge, methods, ethics, and the professional use of self to  
15 restore or enhance social, psychosocial, or biopsychosocial functioning of individuals,  
16 couples, families, groups, organizations, and communities through the care and  
17 services provided by a Regulated Social Worker as set forth in the Member State's  
18 statutes and regulations in the State where the services are being provided.

19 (Y) "State" means any state, commonwealth, district, or territory of the  
20 United States of America that regulates the practice of Social Work.

21 (Z) "Unencumbered License" means a license that authorizes a  
22 Regulated Social Worker to engage in the full and unrestricted practice of Social  
23 Work.

### 24 SECTION 3. STATE PARTICIPATION IN THE COMPACT.

25 (A) To be eligible to participate in the Compact, a potential Member  
26 State must currently meet all of the following criteria:

27 (1) License and regulate the practice of Social Work at either  
28 the clinical, master's, or bachelor's category.

29 (2) Require applicants for licensure to graduate from a program  
30 that is:

31 (a) Operated by a college or university recognized by

1 the Licensing Authority;

2 (b) Accredited, or in candidacy by an institution that  
3 subsequently becomes accredited, by an accrediting agency recognized  
4 by either:

5 (i) the Council for Higher Education  
6 Accreditation, or its successor; or

7 (ii) the United States Department of Education;

8 and

9 (c) Corresponds to the licensure sought as outlined in  
10 Section 4.

11 (3) Require applicants for clinical licensure to complete a  
12 period of supervised practice.

13 (4) Have a mechanism in place for receiving, investigating, and  
14 adjudicating complaints about Licensees.

15 (B) To maintain membership in the Compact a Member State shall:

16 (1) Require that applicants for a Multistate License pass a  
17 Qualifying National Exam for the corresponding category of Multistate  
18 License sought as outlined in Section 4.

19 (2) Participate fully in the Commission's Data System,  
20 including using the Commission's unique identifier as defined in Rules;

21 (3) Notify the Commission, in compliance with the terms of the  
22 Compact and Rules, of any Adverse Action or the availability of Current  
23 Significant Investigative Information regarding a Licensee;

24 (4) Implement procedures for considering the criminal history  
25 records of applicants for a Multistate License. Such procedures shall include  
26 the submission of fingerprints or other biometric-based information by  
27 applicants for the purpose of obtaining an applicant's criminal history record  
28 information from the Federal Bureau of Investigation and the agency  
29 responsible for retaining that State's criminal records.

30 (5) Comply with the Rules of the Commission;

31 (6) Require an applicant to obtain or retain a license in the



1 Home State and meet the Home State's qualifications for licensure or renewal  
2 of licensure, as well as all other applicable Home State laws;

3 (7) Authorize a Licensee holding a Multistate License in any  
4 Member State to practice in accordance with the terms of the Compact and  
5 Rules of the Commission; and

6 (8) Designate a delegate to participate in the Commission  
7 meetings.

8 (C) A Member State meeting the requirements of Section 3(A) and  
9 3(B) of this Compact shall designate the categories of Social Work licensure that are  
10 eligible for issuance of a Multistate License for applicants in such Member State. To  
11 the extent that any Member State does not meet the requirements for participation in  
12 the Compact at any particular category of Social Work licensure, such Member State  
13 may choose, but is not obligated to issue, a Multistate License to applicants that  
14 otherwise meet the requirements of Section 4 for issuance of a Multistate License in  
15 such category or categories of licensure.

16 (D) The Home State may charge a fee for granting the Multistate  
17 License.

#### 18 SECTION 4. SOCIAL WORKER PARTICIPATION IN THE COMPACT.

19 (A) To be eligible for a Multistate License under the terms and  
20 provisions of the Compact, an applicant, regardless of category, must:

21 (1) Hold or be eligible for an active, Unencumbered License in  
22 the Home State;

23 (2) Pay any applicable fees, including any State fee, for the  
24 Multistate License;

25 (3) Submit, in connection with an application for a Multistate  
26 License, fingerprints or other biometric data for the purpose of obtaining  
27 criminal history record information from the Federal Bureau of Investigation  
28 and the agency responsible for retaining that State's criminal records;

29 (4) Notify the Home State of any Adverse Action,  
30 Encumbrance, or restriction on any professional license taken by any Member  
31 State or non-Member State within 30 days from the date the action is taken;

1 (5) Meet any continuing competence requirements established  
2 by the Home State;

3 (6) Abide by the laws, regulations, and applicable standards in  
4 the Member State where the client is located at the time care is rendered.

5 (B) An applicant for a clinical-category Multistate License must meet  
6 all of the following requirements:

7 (1) Fulfill a competency requirement, which shall be satisfied  
8 by either:

9 (a) Passage of a clinical-category Qualifying National  
10 Exam;

11 (b) Licensure of the applicant in their Home State at the  
12 clinical category, beginning prior to such time as a Qualifying National  
13 Exam was required by the Home State and accompanied by a period of  
14 continuous Social Work licensure thereafter, all of which may be  
15 further governed by the Rules of the Commission; or

16 (c) The substantial equivalency of the foregoing  
17 competency requirements which the Commission may determine by  
18 Rule.

19 (2) Attain at least a master's degree in Social Work from a  
20 program that is:

21 (a) Operated by a college or university recognized by  
22 the Licensing Authority; and

23 (b) Accredited, or in candidacy that subsequently  
24 becomes accredited, by an accrediting agency recognized by either:

25 (i) the Council for Higher Education  
26 Accreditation or its successor; or

27 (ii) the United States Department of Education.

28 (3) Fulfill a practice requirement, which shall be satisfied by  
29 demonstrating completion of either:

30 (a) A period of postgraduate supervised clinical practice  
31 equal to a minimum of three thousand hours;

(b) A minimum of two years of full-time postgraduate supervised clinical practice; or

(c) The substantial equivalency of the foregoing practice requirements which the Commission may determine by Rule.

(C) An applicant for a master's-category Multistate License must meet all of the following requirements:

(1) Fulfill a competency requirement, which shall be satisfied by either:

(a) Passage of a masters-category Qualifying National Exam;

(b) Licensure of the applicant in their Home State at the master's category, beginning prior to such time as a Qualifying National Exam was required by the Home State at the master's category and accompanied by a continuous period of Social Work licensure thereafter, all of which may be further governed by the Rules of the Commission; or

(c) The substantial equivalency of the foregoing competency requirements which the Commission may determine by Rule.

(2) Attain at least a master's degree in Social Work from a program that is:

(a) Operated by a college or university recognized by the Licensing Authority; and

(b) Accredited, or in candidacy that subsequently becomes accredited, by an accrediting agency recognized by either:

(i) the Council for Higher Education Accreditation or its successor; or

(ii) the United States Department of Education.

(D) An applicant for a bachelor's-category Multistate License must meet all of the following requirements:

(1) Fulfill a competency requirement, which shall be satisfied

1 by either:

2 (a) Passage of a bachelor's-category Qualifying  
3 National Exam;

4 (b) Licensure of the applicant in their Home State at the  
5 bachelor's category, beginning prior to such time as a Qualifying  
6 National Exam was required by the Home State and accompanied by a  
7 period of continuous Social Work licensure thereafter, all of which may  
8 be further governed by the Rules of the Commission; or

9 (c) The substantial equivalency of the foregoing  
10 competency requirements which the Commission may determine by  
11 Rule.

12 (2) Attain at least a bachelor's degree in Social Work from a  
13 program that is:

14 (a) Operated by a college or university recognized by  
15 the Licensing Authority; and

16 (b) Accredited, or in candidacy that subsequently  
17 becomes accredited, by an accrediting agency recognized by either:

18 (i) the Council for Higher Education  
19 Accreditation or its successor; or

20 (ii) the United States Department of Education.

21 (E) The Multistate License for a Regulated Social Worker is subject to  
22 the renewal requirements of the Home State. The Regulated Social Worker must  
23 maintain compliance with the requirements of Section 4(A) to be eligible to renew a  
24 Multistate License.

25 (F) The Regulated Social Worker's services in a Remote State are  
26 subject to that Member State's regulatory authority. A Remote State may, in  
27 accordance with due process and that Member State's laws, remove a Regulated Social  
28 Worker's Multistate Authorization to Practice in the Remote State for a specific period  
29 of time, impose fines, and take any other necessary actions to protect the health and  
30 safety of its citizens.

31 (G) If a Multistate License is encumbered, the Regulated Social

1 Worker's Multistate Authorization to Practice shall be deactivated in all Remote States  
2 until the Multistate License is no longer encumbered.

3 (H) If a Multistate Authorization to Practice is encumbered in a  
4 Remote State, the regulated Social Worker's Multistate Authorization to Practice may  
5 be deactivated in that State until the Multistate Authorization to Practice is no longer  
6 encumbered.

#### 7 SECTION 5. ISSUANCE OF A MULTISTATE LICENSE.

8 (A) Upon receipt of an application for Multistate License, the Home  
9 State Licensing Authority shall determine the applicant's eligibility for a Multistate  
10 License in accordance with Section 4 of this Compact.

11 (B) If such applicant is eligible pursuant to Section 4 of this Compact,  
12 the Home State Licensing Authority shall issue a Multistate License that authorizes  
13 the applicant or Regulated Social Worker to practice in all Member States under a  
14 Multistate Authorization to Practice.

15 (C) Upon issuance of a Multistate License, the Home State Licensing  
16 Authority shall designate whether the Regulated Social Worker holds a Multistate  
17 License in the Bachelors, Masters, or Clinical category of Social Work.

18 (D) A Multistate License issued by a Home State to a resident in that  
19 State shall be recognized by all Compact Member States as authorizing Social Work  
20 Practice under a Multistate Authorization to Practice corresponding to each category  
21 of licensure regulated in each Member State.

#### 22 SECTION 6. AUTHORITY OF INTERSTATE COMPACT COMMISSION AND 23 MEMBER STATE LICENSING AUTHORITIES.

24 (A) Nothing in this Compact, nor any Rule of the Commission, shall  
25 be construed to limit, restrict, or in any way reduce the ability of a Member State to  
26 enact and enforce laws, regulations, or other rules related to the practice of Social  
27 Work in that State, where those laws, regulations, or other rules are not inconsistent  
28 with the provisions of this Compact.

29 (B) Nothing in this Compact shall affect the requirements established  
30 by a Member State for the issuance of a Single State License.

31 (C) Nothing in this Compact, nor any Rule of the Commission, shall

1 be construed to limit, restrict, or in any way reduce the ability of a Member State to  
 2 take Adverse Action against a Licensee's Single State License to practice Social Work  
 3 in that State.

4 (D) Nothing in this Compact, nor any Rule of the Commission, shall  
 5 be construed to limit, restrict, or in any way reduce the ability of a Remote State to  
 6 take Adverse Action against a Licensee's Multistate Authorization to Practice in that  
 7 State.

8 (E) Nothing in this Compact, nor any Rule of the Commission, shall be  
 9 construed to limit, restrict, or in any way reduce the ability of a Licensee's Home State  
 10 to take Adverse Action against a Licensee's Multistate License based upon  
 11 information provided by a Remote State.

## 12 SECTION 7. REISSUANCE OF A MULTISTATE LICENSE BY A NEW HOME STATE.

13 (A) A Licensee can hold a Multistate License, issued by their Home  
 14 State, in only one Member State at any given time.

15 (B) If a Licensee changes their Home State by moving between two  
 16 Member States:

17 (1) The Licensee shall immediately apply for the reissuance of  
 18 their Multistate License in their new Home State. The Licensee shall pay all  
 19 applicable fees and notify the prior Home State in accordance with the Rules of  
 20 the Commission.

21 (2) Upon receipt of an application to reissue a Multistate  
 22 License, the new Home State shall verify that the Multistate License is active,  
 23 unencumbered and eligible for reissuance under the terms of the Compact and  
 24 the Rules of the Commission. The Multistate License issued by the prior Home  
 25 State will be deactivated and all Member States notified in accordance with the  
 26 applicable Rules adopted by the Commission.

27 (3) Prior to the reissuance of the Multistate License, the new  
 28 Home State shall conduct procedures for considering the criminal history  
 29 records of the Licensee. Such procedures shall include the submission of  
 30 fingerprints or other biometric-based information by applicants for the purpose  
 31 of obtaining an applicant's criminal history record information from the

1 Federal Bureau of Investigation and the agency responsible for retaining that  
2 State's criminal records.

3 (4) If required for initial licensure, the new Home State may  
4 require completion of jurisprudence requirements in the new Home State.

5 (5) Notwithstanding any other provision of this Compact, if a  
6 Licensee does not meet the requirements set forth in this Compact for the  
7 reissuance of a Multistate License by the new Home State, then the Licensee  
8 shall be subject to the new Home State requirements for the issuance of a  
9 Single State License in that State.

10 (C) If a Licensee changes their primary State of residence by moving  
11 from a Member State to a non-Member State, or from a non-Member State to a  
12 Member State, then the Licensee shall be subject to the State requirements for the  
13 issuance of a Single State License in the new Home State.

14 (D) Nothing in this Compact shall interfere with a Licensee's ability to  
15 hold a Single State License in multiple States; however, for the purposes of this  
16 Compact, a Licensee shall have only one Home State, and only one Multistate  
17 License.

18 (E) Nothing in this Compact shall interfere with the requirements  
19 established by a Member State for the issuance of a Single State License.

## 20 SECTION 8. MILITARY FAMILIES.

21 An Active Military Member or their spouse shall designate a Home State  
22 where the individual has a Multistate License. The individual may retain their Home  
23 State designation during the period the service member is on active duty.

## 24 SECTION 9. ADVERSE ACTIONS.

25 (A) In addition to the other powers conferred by State law, a Remote  
26 State shall have the authority, in accordance with existing State due process law, to:

27 (1) Take Adverse Action against a Regulated Social Worker's  
28 Multistate Authorization to Practice only within that Member State, and issue  
29 subpoenas for both hearings and investigations that require the attendance and  
30 testimony of witnesses as well as the production of evidence. Subpoenas issued  
31 by a Licensing Authority in a Member State for the attendance and testimony

1 of witnesses or the production of evidence from another Member State shall be  
2 enforced in the latter State by any court of competent jurisdiction, according to  
3 the practice and procedure of that court applicable to subpoenas issued in  
4 proceedings pending before it. The issuing Licensing Authority shall pay any  
5 witness fees, travel expenses, mileage, and other fees required by the service  
6 statutes of the State in which the witnesses or evidence are located.

7 (2) Only the Home State shall have the power to take Adverse  
8 Action against a Regulated Social Worker's Multistate License.

9 (B) For purposes of taking Adverse Action, the Home State shall give  
10 the same priority and effect to reported conduct received from a Member State as it  
11 would if the conduct had occurred within the Home State. In so doing, the Home State  
12 shall apply its own State laws to determine appropriate action.

13 (C) The Home State shall complete any pending investigations of a  
14 Regulated Social Worker who changes their Home State during the course of the  
15 investigations. The Home State shall also have the authority to take appropriate  
16 action(s) and shall promptly report the conclusions of the investigations to the  
17 administrator of the Data System. The administrator of the Data System shall promptly  
18 notify the new Home State of any Adverse Actions.

19 (D) A Member State, if otherwise permitted by State law, may recover  
20 from the affected Regulated Social Worker the costs of investigations and dispositions  
21 of cases resulting from any Adverse Action taken against that Regulated Social  
22 Worker.

23 (E) A Member State may take Adverse Action based on the factual  
24 findings of another Member State, provided that the Member State follows its own  
25 procedures for taking the Adverse Action.

26 (F) Joint Investigations:

27 (1) In addition to the authority granted to a Member State by its  
28 respective Social Work practice act or other applicable State law, any Member  
29 State may participate with other Member States in joint investigations of  
30 Licensees.

31 (2) Member States shall share any investigative, litigation, or



1 compliance materials in furtherance of any joint or individual investigation  
2 initiated under the Compact.

3 (G) If Adverse Action is taken by the Home State against the  
4 Multistate License of a Regulated Social Worker, the Regulated Social Worker's  
5 Multistate Authorization to Practice in all other Member States shall be deactivated  
6 until all Encumbrances have been removed from the Multistate License. All Home  
7 State disciplinary orders that impose Adverse Action against the license of a  
8 Regulated Social Worker shall include a statement that the Regulated Social Worker's  
9 Multistate Authorization to Practice is deactivated in all Member States until all  
10 conditions of the decision, order or agreement are satisfied.

11 (H) If a Member State takes Adverse Action, it shall promptly notify  
12 the administrator of the Data System. The administrator of the Data System shall  
13 promptly notify the Home State and all other Member States of any Adverse Actions  
14 by Remote States.

15 (I) Nothing in this Compact shall override a Member State's decision  
16 that participation in an Alternative Program may be used in lieu of Adverse Action.

17 (J) Nothing in this Compact shall authorize a Member State to demand  
18 the issuance of subpoenas for attendance and testimony of witnesses or the production  
19 of evidence from another Member State for lawful actions within that Member State.

20 (K) Nothing in this Compact shall authorize a Member State to impose  
21 discipline against a Regulated Social Worker who holds a Multistate Authorization to  
22 Practice for lawful actions within another Member State.

## 23 SECTION 10. ESTABLISHMENT OF SOCIAL WORK LICENSURE COMPACT 24 COMMISSION.

25 (A) The Compact Member States hereby create and establish a joint  
26 government agency whose membership consists of all Member States that have  
27 enacted the Compact known as the Social Work Licensure Compact Commission. The  
28 Commission is an instrumentality of the Compact States acting jointly and not an  
29 instrumentality of any one State. The Commission shall come into existence on or  
30 after the effective date of the Compact as set forth in Section 14.

31 (B) Membership, Voting, and Meetings

1 (1) Each Member State shall have and be limited to one (1)  
 2 delegate selected by that Member State's State Licensing Authority.

3 (2) The delegate shall be either:

4 (a) A current member of the State Licensing Authority  
 5 at the time of appointment, who is a Regulated Social Worker or public  
 6 member of the State Licensing Authority; or

7 (b) An administrator of the State Licensing Authority or  
 8 their designee.

9 (3) The Commission shall by Rule or bylaw establish a term of  
 10 office for delegates and may by Rule or bylaw establish term limits.

11 (4) The Commission may recommend removal or suspension  
 12 of any delegate from office.

13 (5) A Member State's State Licensing Authority shall fill any  
 14 vacancy of its delegate occurring on the Commission within 60 days of the  
 15 vacancy.

16 (6) Each delegate shall be entitled to one vote on all matters  
 17 before the Commission requiring a vote by Commission delegates.

18 (7) A delegate shall vote in person or by such other means as  
 19 provided in the bylaws. The bylaws may provide for delegates to meet by  
 20 telecommunication, videoconference, or other means of communication.

21 (8) The Commission shall meet at least once during each  
 22 calendar year. Additional meetings may be held as set forth in the bylaws. The  
 23 Commission may meet by telecommunication, videoconference, or other  
 24 similar electronic means.

25 (C) The Commission shall have the following powers:

26 (1) Establish the fiscal year of the Commission;

27 (2) Establish code of conduct and conflict of interest policies;

28 (3) Establish and amend Rules and bylaws;

29 (4) Maintain its financial records in accordance with the  
 30 bylaws;

31 (5) Meet and take such actions as are consistent with the

1 provisions of this Compact, the Commission's Rules, and the bylaws;

2 (6) Initiate and conclude legal proceedings or actions in the  
3 name of the Commission, provided that the standing of any State Licensing  
4 Board to sue or be sued under applicable law shall not be affected;

5 (7) Maintain and certify records and information provided to a  
6 Member State as the authenticated business records of the Commission, and  
7 designate an agent to do so on the Commission's behalf;

8 (8) Purchase and maintain insurance and bonds;

9 (9) Borrow, accept, or contract for services of personnel,  
10 including, but not limited to, employees of a Member State;

11 (10) Conduct an annual financial review;

12 (11) Hire employees, elect or appoint officers, fix  
13 compensation, define duties, grant such individuals appropriate authority to  
14 carry out the purposes of the Compact, and establish the Commission's  
15 personnel policies and programs relating to conflicts of interest, qualifications  
16 of personnel, and other related personnel matters;

17 (12) Assess and collect fees;

18 (13) Accept any and all appropriate gifts, donations, grants of  
19 money, other sources of revenue, equipment, supplies, materials, and services,  
20 and receive, utilize, and dispose of the same; provided that at all times the  
21 Commission shall avoid any appearance of impropriety or conflict of interest;

22 (14) Lease, purchase, retain, own, hold, improve, or use any  
23 property, real, personal, or mixed, or any undivided interest therein;

24 (15) Sell, convey, mortgage, pledge, lease, exchange, abandon,  
25 or otherwise dispose of any property real, personal, or mixed;

26 (16) Establish a budget and make expenditures;

27 (17) Borrow money;

28 (18) Appoint committees, including standing committees,  
29 composed of members, State regulators, State legislators or their  
30 representatives, and consumer representatives, and such other interested  
31 persons as may be designated in this Compact and the bylaws;

1 (19) Provide and receive information from, and cooperate with,  
2 law enforcement agencies;

3 (20) Establish and elect an Executive Committee, including a  
4 chair and a vice chair;

5 (21) Determine whether a State's adopted language is  
6 materially different from the model Compact language such that the State  
7 would not qualify for participation in the Compact; and

8 (22) Perform such other functions as may be necessary or  
9 appropriate to achieve the purposes of this Compact.

10 (D) The Executive Committee

11 (1) The Executive Committee shall have the power to act on  
12 behalf of the Commission according to the terms of this Compact. The powers,  
13 duties, and responsibilities of the Executive Committee shall include:

14 (a) Oversee the day-to-day activities of the  
15 administration of the Compact including enforcement and compliance  
16 with the provisions of the Compact, its Rules and bylaws, and other  
17 such duties as deemed necessary;

18 (b) Recommend to the Commission changes to the  
19 Rules or bylaws, changes to this Compact legislation, fees charged to  
20 Compact Member States, fees charged to Licensees, and other fees;

21 (c) Ensure Compact administration services are  
22 appropriately provided, including by contract;

23 (d) Prepare and recommend the budget;

24 (e) Maintain financial records on behalf of the  
25 Commission;

26 (f) Monitor Compact compliance of Member States and  
27 provide compliance reports to the Commission;

28 (g) Establish additional committees as necessary;

29 (h) Exercise the powers and duties of the Commission  
30 during the interim between Commission meetings, except for adopting  
31 or amending Rules, adopting or amending bylaws, and exercising any

1 other powers and duties expressly reserved to the Commission by Rule  
2 or bylaw; and

3 (i) Other duties as provided in the Rules or bylaws of  
4 the Commission.

5 (2) The Executive Committee shall be composed of up to  
6 eleven (11) members:

7 (a) The chair and vice chair of the Commission shall be  
8 voting members of the Executive Committee;

9 (b) The Commission shall elect five (5) voting members  
10 from the current membership of the Commission;

11 (c) Up to four (4) ex-officio, nonvoting members from  
12 four (4) recognized national Social Work organizations; and

13 (d) The ex-officio members will be selected by their  
14 respective organizations.

15 (3) The Commission may remove any member of the Executive  
16 Committee as provided in the Commission's bylaws.

17 (4) The Executive Committee shall meet at least annually.

18 (a) Executive Committee meetings shall be open to the  
19 public, except that the Executive Committee may meet in a closed, non-  
20 public meeting as provided in subsection F(2) below.

21 (b) The Executive Committee shall give seven (7) days'  
22 notice of its meetings, posted on its website and as determined to  
23 provide notice to persons with an interest in the business of the  
24 Commission.

25 (c) The Executive Committee may hold a special  
26 meeting in accordance with subsection F(1)(b) below.

27 (E) The Commission shall adopt and provide to the Member States an  
28 annual report.

29 (F) Meetings of the Commission

30 (1) All meetings shall be open to the public, except that the  
31 Commission may meet in a closed, non-public meeting as provided in

1 subsection F(2) below.

2 (a) Public notice for all meetings of the full  
3 Commission shall be given in the same manner as required under the  
4 Rulemaking provisions in Section 12, except that the Commission may  
5 hold a special meeting as provided in subsection F(1)(b) below.

6 (b) The Commission may hold a special meeting when  
7 it must meet to conduct emergency business by giving 48 hours' notice  
8 to all commissioners, on the Commission's website, and other means as  
9 provided in the Commission's Rules. The Commission's legal counsel  
10 shall certify that the Commission's need to meet qualifies as an  
11 emergency.

12 (2) The Commission or the Executive Committee or other  
13 committees of the Commission may convene in a closed, non-public meeting  
14 for the Commission or Executive Committee or other committees of the  
15 Commission to receive legal advice or to discuss:

16 (a) Non-compliance of a Member State with its  
17 obligations under the Compact;

18 (b) The employment, compensation, discipline or other  
19 matters, practices or procedures related to specific employees;

20 (c) Current or threatened discipline of a Licensee by the  
21 Commission or by a Member State's Licensing Authority;

22 (d) Current, threatened, or reasonably anticipated  
23 litigation;

24 (e) Negotiation of contracts for the purchase, lease, or  
25 sale of goods, services, or real estate;

26 (f) Accusing any person of a crime or formally  
27 censuring any person;

28 (g) Trade secrets or commercial or financial  
29 information that is privileged or confidential;

30 (h) Information of a personal nature where disclosure  
31 would constitute a clearly unwarranted invasion of personal privacy;

(i) Investigative records compiled for law enforcement purposes;

(j) Information related to any investigative reports prepared by or on behalf of or for use of the Commission or other committee charged with responsibility of investigation or determination of compliance issues pursuant to the Compact;

(k) Matters specifically exempted from disclosure by federal or Member State law; or

(l) Other matters as promulgated by the Commission by Rule.

(3) If a meeting, or portion of a meeting, is closed, the presiding officer shall state that the meeting will be closed and reference each relevant exempting provision, and such reference shall be recorded in the minutes.

(4) The Commission shall keep minutes that fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken, and the reasons therefore, including a description of the views expressed. All documents considered in connection with an action shall be identified in such minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release only by a majority vote of the Commission or order of a court of competent jurisdiction.

#### (G) Financing of the Commission

(1) The Commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization, and ongoing activities.

(2) The Commission may accept any and all appropriate revenue sources as provided in subsection C(13).

(3) The Commission may levy on and collect an annual assessment from each Member State and impose fees on Licensees of Member States to whom it grants a Multistate License to cover the cost of the operations and activities of the Commission and its staff, which must be in a

1 total amount sufficient to cover its annual budget as approved each year for  
 2 which revenue is not provided by other sources. The aggregate annual  
 3 assessment amount for Member States shall be allocated based upon a formula  
 4 that the Commission shall promulgate by Rule.

5 (4) The Commission shall not incur obligations of any kind  
 6 prior to securing the funds adequate to meet the same; nor shall the  
 7 Commission pledge the credit of any of the Member States, except by and with  
 8 the authority of the Member State.

9 (5) The Commission shall keep accurate accounts of all  
 10 receipts and disbursements. The receipts and disbursements of the Commission  
 11 shall be subject to the financial review and accounting procedures established  
 12 under its bylaws. However, all receipts and disbursements of funds handled by  
 13 the Commission shall be subject to an annual financial review by a certified or  
 14 licensed public accountant, and the report of the financial review shall be  
 15 included in and become part of the annual report of the Commission.

16 (H) Qualified Immunity, Defense, and Indemnification

17 (1) The members, officers, executive director, employees and  
 18 representatives of the Commission shall be immune from suit and liability,  
 19 both personally and in their official capacity, for any claim for damage to or  
 20 loss of property or personal injury or other civil liability caused by or arising  
 21 out of any actual or alleged act, error, or omission that occurred, or that the  
 22 person against whom the claim is made had a reasonable basis for believing  
 23 occurred, within the scope of Commission employment, duties or  
 24 responsibilities; provided that nothing in this paragraph shall be construed to  
 25 protect any such person from suit or liability for any damage, loss, injury, or  
 26 liability caused by the intentional or willful or wanton misconduct of that  
 27 person. The procurement of insurance of any type by the Commission shall not  
 28 in any way compromise or limit the immunity granted hereunder.

29 (2) The Commission shall defend any member, officer,  
 30 executive director, employee, and representative of the Commission in any  
 31 civil action seeking to impose liability arising out of any actual or alleged act,



1 error, or omission that occurred within the scope of Commission employment,  
 2 duties, or responsibilities, or as determined by the Commission that the person  
 3 against whom the claim is made had a reasonable basis for believing occurred  
 4 within the scope of Commission employment, duties, or responsibilities;  
 5 provided that nothing herein shall be construed to prohibit that person from  
 6 retaining their own counsel at their own expense; and provided further, that the  
 7 actual or alleged act, error, or omission did not result from that person's  
 8 intentional or willful or wanton misconduct.

9 (3) The Commission shall indemnify and hold harmless any  
 10 member, officer, executive director, employee, and representative of the  
 11 Commission for the amount of any settlement or judgment obtained against  
 12 that person arising out of any actual or alleged act, error, or omission that  
 13 occurred within the scope of Commission employment, duties, or  
 14 responsibilities, or that such person had a reasonable basis for believing  
 15 occurred within the scope of Commission employment, duties, or  
 16 responsibilities, provided that the actual or alleged act, error, or omission did  
 17 not result from the intentional or willful or wanton misconduct of that person.

18 (4) Nothing herein shall be construed as a limitation on the  
 19 liability of any Licensee for professional malpractice or misconduct, which  
 20 shall be governed solely by any other applicable State laws.

21 (5) Nothing in this Compact shall be interpreted to waive or  
 22 otherwise abrogate a Member State's state action immunity or state action  
 23 affirmative defense with respect to antitrust claims under the Sherman Act,  
 24 Clayton Act, or any other State or federal antitrust or anticompetitive law or  
 25 regulation.

26 (6) Nothing in this Compact shall be construed to be a waiver  
 27 of sovereign immunity by the Member States or by the Commission.

#### 28 SECTION 11. DATA SYSTEM.

29 (A) The Commission shall provide for the development, maintenance,  
 30 operation, and utilization of a coordinated Data System.

31 (B) The Commission shall assign each applicant for a Multistate

1 License a unique identifier, as determined by the Rules of the Commission.

2 (C) Notwithstanding any other provision of State law to the contrary, a  
3 Member State shall submit a uniform data set to the Data System on all individuals to  
4 whom this Compact is applicable as required by the Rules of the Commission,  
5 including:

6 (1) Identifying information;

7 (2) Licensure data;

8 (3) Adverse Actions against a license and information related  
9 thereto;

10 (4) Non-confidential information related to Alternative  
11 Program participation, the beginning and ending dates of such participation,  
12 and other information related to such participation not made confidential under  
13 Member State law;

14 (5) Any denial of application for licensure, and the reason(s)  
15 for such denial;

16 (6) The presence of Current Significant Investigative  
17 Information; and

18 (7) Other information that may facilitate the administration of  
19 this Compact or the protection of the public, as determined by the Rules of the  
20 Commission.

21 (D) The records and information provided to a Member State pursuant  
22 to this Compact or through the Data System, when certified by the Commission or an  
23 agent thereof, shall constitute the authenticated business records of the Commission,  
24 and shall be entitled to any associated hearsay exception in any relevant judicial,  
25 quasi-judicial or administrative proceedings in a Member State.

26 (E) Current Significant Investigative Information pertaining to a  
27 Licensee in any Member State will only be available to other Member States.

28 (1) It is the responsibility of the Member States to report any  
29 Adverse Action against a Licensee and to monitor the database to determine  
30 whether Adverse Action has been taken against a Licensee. Adverse Action  
31 information pertaining to a Licensee in any Member State will be available to

1 any other Member State.

2 (F) Member States contributing information to the Data System may  
3 designate information that may not be shared with the public without the express  
4 permission of the contributing State.

5 (G) Any information submitted to the Data System that is subsequently  
6 expunged pursuant to federal law or the laws of the Member State contributing the  
7 information shall be removed from the Data System.

8 SECTION 12. RULEMAKING.

9 (A) The Commission shall promulgate reasonable Rules in order to  
10 effectively and efficiently implement and administer the purposes and provisions of  
11 the Compact. A Rule shall be invalid and have no force or effect only if a court of  
12 competent jurisdiction holds that the Rule is invalid because the Commission  
13 exercised its rulemaking authority in a manner that is beyond the scope and purposes  
14 of the Compact, or the powers granted hereunder, or based upon another applicable  
15 standard of review.

16 (B) The Rules of the Commission shall have the force of law in each  
17 Member State, provided however that, where the Rules of the Commission conflict  
18 with the laws of the Member State that establish the Member State's laws, regulations,  
19 and applicable standards that govern the practice of Social Work as held by a court of  
20 competent jurisdiction, the Rules of the Commission shall be ineffective in that State  
21 to the extent of the conflict.

22 (C) The Commission shall exercise its Rulemaking powers pursuant to  
23 the criteria set forth in this Section and the Rules adopted thereunder. Rules shall  
24 become binding on the day following adoption or the date specified in the rule or  
25 amendment, whichever is later.

26 (D) If a majority of the legislatures of the Member States rejects a Rule  
27 or portion of a Rule, by enactment of a statute or resolution in the same manner used  
28 to adopt the Compact within four (4) years of the date of adoption of the Rule, then  
29 such Rule shall have no further force and effect in any Member State.

30 (E) Rules shall be adopted at a regular or special meeting of the  
31 Commission.

1 (F) Prior to adoption of a proposed Rule, the Commission shall hold a  
2 public hearing and allow persons to provide oral and written comments, data, facts,  
3 opinions, and arguments.

4 (G) Prior to adoption of a proposed Rule by the Commission, and at  
5 least thirty (30) days in advance of the meeting at which the Commission will hold a  
6 public hearing on the proposed Rule, the Commission shall provide a Notice of  
7 Proposed Rulemaking:

8 (1) On the website of the Commission or other publicly  
9 accessible platform;

10 (2) To persons who have requested notice of the Commission's  
11 notices of proposed rulemaking; and

12 (3) In such other way(s) as the Commission may by Rule  
13 specify.

14 (H) The Notice of Proposed Rulemaking shall include:

15 (1) The time, date, and location of the public hearing at which  
16 the Commission will hear public comments on the proposed Rule and, if  
17 different, the time, date, and location of the meeting where the Commission  
18 will consider and vote on the proposed Rule;

19 (2) If the hearing is held via telecommunication, video  
20 conference, or other electronic means, the Commission shall include the  
21 mechanism for access to the hearing in the Notice of Proposed Rulemaking;

22 (3) The text of the proposed Rule and the reason therefor;

23 (4) A request for comments on the proposed Rule from any  
24 interested person; and

25 (5) The manner in which interested persons may submit written  
26 comments.

27 (I) All hearings will be recorded. A copy of the recording and all  
28 written comments and documents received by the Commission in response to the  
29 proposed Rule shall be available to the public.

30 (J) Nothing in this section shall be construed as requiring a separate  
31 hearing on each Rule. Rules may be grouped for the convenience of the Commission

1 at hearings required by this section.

2 (K) The Commission shall, by majority vote of all members, take final  
3 action on the proposed Rule based on the Rulemaking record and the full text of the  
4 Rule.

5 (1) The Commission may adopt changes to the proposed Rule  
6 provided the changes do not enlarge the original purpose of the proposed Rule.

7 (2) The Commission shall provide an explanation of the  
8 reasons for substantive changes made to the proposed Rule as well as reasons  
9 for substantive changes not made that were recommended by commenters.

10 (3) The Commission shall determine a reasonable effective date  
11 for the Rule. Except for an emergency as provided in Section 12(L), the  
12 effective date of the rule shall be no sooner than 30 days after issuing the  
13 notice that it adopted or amended the Rule.

14 (L) Upon determination that an emergency exists, the Commission  
15 may consider and adopt an emergency Rule with 48 hours' notice, with opportunity to  
16 comment, provided that the usual Rulemaking procedures provided in the Compact  
17 and in this section shall be retroactively applied to the Rule as soon as reasonably  
18 possible, in no event later than ninety (90) days after the effective date of the Rule. For  
19 the purposes of this provision, an emergency Rule is one that must be adopted  
20 immediately in order to:

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

22 (2) Prevent a loss of Commission or Member State funds;

23 (3) Meet a deadline for the promulgation of a Rule that is  
24 established by federal law or rule; or

25 (4) Protect public health and safety.

26 (M) The Commission or an authorized committee of the Commission  
27 may direct revisions to a previously adopted Rule for purposes of correcting  
28 typographical errors, errors in format, errors in consistency, or grammatical errors.  
29 Public notice of any revisions shall be posted on the website of the Commission. The  
30 revision shall be subject to challenge by any person for a period of thirty (30) days  
31 after posting. The revision may be challenged only on grounds that the revision results

1 in a material change to a Rule. A challenge shall be made in writing and delivered to  
2 the Commission prior to the end of the notice period. If no challenge is made, the  
3 revision will take effect without further action. If the revision is challenged, the  
4 revision may not take effect without the approval of the Commission.

5 (N) No Member State's rulemaking requirements shall apply under this  
6 Compact.

7 SECTION 13. OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT.

8 (A) Oversight

9 (1) The executive and judicial branches of State government in  
10 each Member State shall enforce this Compact and take all actions necessary  
11 and appropriate to implement the Compact.

12 (2) Except as otherwise provided in this Compact, venue is  
13 proper and judicial proceedings by or against the Commission shall be brought  
14 solely and exclusively in a court of competent jurisdiction where the principal  
15 office of the Commission is located. The Commission may waive venue and  
16 jurisdictional defenses to the extent it adopts or consents to participate in  
17 alternative dispute resolution proceedings. Nothing herein shall affect or limit  
18 the selection or propriety of venue in any action against a Licensee for  
19 professional malpractice, misconduct or any such similar matter.

20 (3) The Commission shall be entitled to receive service of  
21 process in any proceeding regarding the enforcement or interpretation of the  
22 Compact and shall have standing to intervene in such a proceeding for all  
23 purposes. Failure to provide the Commission service of process shall render a  
24 judgment or order void as to the Commission, this Compact, or promulgated  
25 Rules.

26 (B) Default, Technical Assistance, and Termination

27 (1) If the Commission determines that a Member State has  
28 defaulted in the performance of its obligations or responsibilities under this  
29 Compact or the promulgated Rules, the Commission shall provide written  
30 notice to the defaulting State. The notice of default shall describe the default,  
31 the proposed means of curing the default, and any other action that the

1 Commission may take, and shall offer training and specific technical assistance  
2 regarding the default.

3 (2) The Commission shall provide a copy of the notice of  
4 default to the other Member States.

5 (C) If a State in default fails to cure the default, the defaulting State  
6 may be terminated from the Compact upon an affirmative vote of a majority of the  
7 delegates of the Member States, and all rights, privileges and benefits conferred on  
8 that State by this Compact may be terminated on the effective date of termination. A  
9 cure of the default does not relieve the offending State of obligations or liabilities  
10 incurred during the period of default.

11 (D) Termination of membership in the Compact shall be imposed only  
12 after all other means of securing compliance have been exhausted. Notice of intent to  
13 suspend or terminate shall be given by the Commission to the governor, the majority  
14 and minority leaders of the defaulting State's legislature, the defaulting State's State  
15 Licensing Authority and each of the Member States' State Licensing Authority.

16 (E) A State that has been terminated is responsible for all assessments,  
17 obligations, and liabilities incurred through the effective date of termination, including  
18 obligations that extend beyond the effective date of termination.

19 (F) Upon the termination of a State's membership from this Compact,  
20 that State shall immediately provide notice to all Licensees within that State of such  
21 termination. The terminated State shall continue to recognize all licenses granted  
22 pursuant to this Compact for a minimum of six (6) months after the date of said notice  
23 of termination.

24 (G) The Commission shall not bear any costs related to a State that is  
25 found to be in default or that has been terminated from the Compact, unless agreed  
26 upon in writing between the Commission and the defaulting State.

27 (H) The defaulting State may appeal the action of the Commission by  
28 petitioning the U.S. District Court for the District of Columbia or the federal district  
29 where the Commission has its principal offices. The prevailing party shall be awarded  
30 all costs of such litigation, including reasonable attorney's fees.

31 (I) Dispute Resolution

1 (1) Upon request by a Member State, the Commission shall  
 2 attempt to resolve disputes related to the Compact that arise among Member  
 3 States and between Member and non-Member States.

4 (2) The Commission shall promulgate a Rule providing for  
 5 both mediation and binding dispute resolution for disputes as appropriate.

6 (J) Enforcement

7 (1) By majority vote as provided by Rule, the Commission may  
 8 initiate legal action against a Member State in default in the United States  
 9 District Court for the District of Columbia or the federal district where the  
 10 Commission has its principal offices to enforce compliance with the provisions  
 11 of the Compact and its promulgated Rules. The relief sought may include both  
 12 injunctive relief and damages. In the event judicial enforcement is necessary,  
 13 the prevailing party shall be awarded all costs of such litigation, including  
 14 reasonable attorney's fees. The remedies herein shall not be the exclusive  
 15 remedies of the Commission. The Commission may pursue any other remedies  
 16 available under federal or the defaulting Member State's law.

17 (2) A Member State may initiate legal action against the  
 18 Commission in the U.S. District Court for the District of Columbia or the  
 19 federal district where the Commission has its principal offices to enforce  
 20 compliance with the provisions of the Compact and its promulgated Rules. The  
 21 relief sought may include both injunctive relief and damages. In the event  
 22 judicial enforcement is necessary, the prevailing party shall be awarded all  
 23 costs of such litigation, including reasonable attorney's fees.

24 (3) No person other than a Member State shall enforce this  
 25 Compact against the Commission.

26 SECTION 14. EFFECTIVE DATE, WITHDRAWAL, AND AMENDMENT.

27 (A) The Compact shall come into effect on the date on which the  
 28 Compact statute is enacted into law in the seventh Member State.

29 (1) On or after the effective date of the Compact, the  
 30 Commission shall convene and review the enactment of each of the first seven  
 31 Member States ("Charter Member States") to determine if the statute enacted



1 by each such Charter Member State is materially different than the model  
2 Compact statute.

3 (a) A Charter Member State whose enactment is found  
4 to be materially different from the model Compact statute shall be  
5 entitled to the default process set forth in Section 13.

6 (b) If any Member State is later found to be in default,  
7 or is terminated or withdraws from the Compact, the Commission shall  
8 remain in existence and the Compact shall remain in effect even if the  
9 number of Member States should be less than seven.

10 (2) Member States enacting the Compact subsequent to the  
11 seven initial Charter Member States shall be subject to the process set forth in  
12 Section 10(C)(21) to determine if their enactments are materially different  
13 from the model Compact statute and whether they qualify for participation in  
14 the Compact.

15 (3) All actions taken for the benefit of the Commission or in  
16 furtherance of the purposes of the administration of the Compact prior to the  
17 effective date of the Compact or the Commission coming into existence shall  
18 be considered to be actions of the Commission unless specifically repudiated  
19 by the Commission.

20 (4) Any State that joins the Compact subsequent to the  
21 Commission's initial adoption of the Rules and bylaws shall be subject to the  
22 Rules and bylaws as they exist on the date on which the Compact becomes law  
23 in that State. Any Rule that has been previously adopted by the Commission  
24 shall have the full force and effect of law on the day the Compact becomes law  
25 in that State.

26 (B) Any Member State may withdraw from this Compact by enacting a  
27 statute repealing the same.

28 (1) A Member State's withdrawal shall not take effect until 180  
29 days after enactment of the repealing statute.

30 (2) Withdrawal shall not affect the continuing requirement of  
31 the withdrawing State's Licensing Authority to comply with the investigative

1 and Adverse Action reporting requirements of this Compact prior to the  
2 effective date of withdrawal.

3 (3) Upon the enactment of a statute withdrawing from this  
4 Compact, a State shall immediately provide notice of such withdrawal to all  
5 Licensees within that State. Notwithstanding any subsequent statutory  
6 enactment to the contrary, such withdrawing State shall continue to recognize  
7 all licenses granted pursuant to this Compact for a minimum of 180 days after  
8 the date of such notice of withdrawal.

9 (C) Nothing contained in this Compact shall be construed to invalidate  
10 or prevent any licensure agreement or other cooperative arrangement between a  
11 Member State and a non-Member State that does not conflict with the provisions of  
12 this Compact.

13 (D) This Compact may be amended by the Member States. No  
14 amendment to this Compact shall become effective and binding upon any Member  
15 State until it is enacted into the laws of all Member States.

16 SECTION 15. CONSTRUCTION AND SEVERABILITY.

17 (A) This Compact and the Commission's rulemaking authority shall be  
18 liberally construed so as to effectuate the purposes, and the implementation and  
19 administration of the Compact. Provisions of the Compact expressly authorizing or  
20 requiring the promulgation of Rules shall not be construed to limit the Commission's  
21 rulemaking authority solely for those purposes.

22 (B) The provisions of this Compact shall be severable and if any  
23 phrase, clause, sentence or provision of this Compact is held by a court of competent  
24 jurisdiction to be contrary to the constitution of any Member State, a State seeking  
25 participation in the Compact, or of the United States, or the applicability thereof to any  
26 government, agency, person or circumstance is held to be unconstitutional by a court  
27 of competent jurisdiction, the validity of the remainder of this Compact and the  
28 applicability thereof to any other government, agency, person or circumstance shall  
29 not be affected thereby.

30 (C) Notwithstanding subsection B of this section, the Commission may  
31 deny a State's participation in the Compact or, in accordance with the requirements of

1 Section 13(B), terminate a Member State's participation in the Compact, if it  
 2 determines that a constitutional requirement of a Member State is a material departure  
 3 from the Compact. Otherwise, if this Compact shall be held to be contrary to the  
 4 constitution of any Member State, the Compact shall remain in full force and effect as  
 5 to the remaining Member States and in full force and effect as to the Member State  
 6 affected as to all severable matters.

7 SECTION 16. CONSISTENT EFFECT AND CONFLICT WITH OTHER STATE LAWS.

8 (A) A Licensee providing services in a Remote State under a  
 9 Multistate Authorization to Practice shall adhere to the laws and regulations, including  
 10 laws, regulations, and applicable standards, of the Remote State where the client is  
 11 located at the time care is rendered.

12 (B) Nothing herein shall prevent or inhibit the enforcement of any  
 13 other law of a Member State that is not inconsistent with the Compact.

14 (C) Any laws, statutes, regulations, or other legal requirements in a  
 15 Member State in conflict with the Compact are superseded to the extent of the conflict.

16 (D) All permissible agreements between the Commission and the  
 17 Member States are binding in accordance with their terms.

18 \* **Sec. 7.** AS 08.95.990 is amended by adding new paragraphs to read:

19 (8) "multistate authorization to practice" has the meaning given in  
 20 AS 08.95.200;

21 (9) "regulated social worker" has the meaning given in AS 08.95.200.

22 \* **Sec. 8.** AS 12.62.400(a) is amended by adding a new paragraph to read:

23 (26) multistate licensure as a social worker under AS 08.95.200.

24 \* **Sec. 9.** This Act takes effect January 1, 2026.