

§18555. Privilege to practice

1. Requirements. To exercise the privilege to practice under the terms and provisions of the compact, the licensee must:

- A. Hold a license in the home state; [PL 2021, c. 547, §1 (NEW).]
- B. Have a valid United States social security number or national practitioner identifier; [PL 2021, c. 547, §1 (NEW).]
- C. Be eligible for a privilege to practice in any member state in accordance with subsections 4, 7 and 8; [PL 2021, c. 547, §1 (NEW).]
- D. Have not had any encumbrance or restriction against any license or privilege to practice within the previous 2 years; [PL 2021, c. 547, §1 (NEW).]
- E. Notify the commission that the licensee is seeking the privilege to practice within a remote state; [PL 2021, c. 547, §1 (NEW).]
- F. Pay any applicable fees, including any state fee, for the privilege to practice; [PL 2021, c. 547, §1 (NEW).]
- G. Meet any continuing competence and education requirements established by the home state; [PL 2021, c. 547, §1 (NEW).]
- H. Meet any jurisprudence requirements established by the remote state in which the licensee is seeking a privilege to practice; and [PL 2021, c. 547, §1 (NEW).]
- I. Report to the commission any adverse action, encumbrance or restriction on the license taken by any nonmember state within 30 days from the date the action is taken. [PL 2021, c. 547, §1 (NEW).]

[PL 2021, c. 547, §1 (NEW).]

2. Validity. The privilege to practice is valid until the expiration date of the home state license. The licensee must comply with the requirements of subsection 1 to maintain the privilege to practice in the remote state.

[PL 2021, c. 547, §1 (NEW).]

3. Laws and regulations. A licensee providing professional counseling in a remote state under the privilege to practice shall adhere to the laws and regulations of the remote state.

[PL 2021, c. 547, §1 (NEW).]

4. Regulation. A licensee providing professional counseling services in a remote state is subject to that state's regulatory authority. A remote state may, in accordance with due process and that state's laws, remove a licensee's privilege to practice in the remote state for a specific period of time, impose fines or take any other necessary actions to protect the health and safety of its citizens. The licensee may be ineligible for a privilege to practice in any member state until the specific time for removal has passed and all fines are paid.

[PL 2021, c. 547, §1 (NEW).]

5. Encumbrance. If a home state license is encumbered, the licensee must lose the privilege to practice in any remote state until the following occur:

- A. The home state license is no longer encumbered; and [PL 2021, c. 547, §1 (NEW).]
- B. The licensee has not had any encumbrance or restriction against any license or privilege to practice within the previous 2 years. [PL 2021, c. 547, §1 (NEW).]

[PL 2021, c. 547, §1 (NEW).]

6. Restoration after encumbrance. Once an encumbered license in the home state is restored to good standing, the licensee must meet the requirements of subsection 1 to obtain a privilege to practice in any remote state.

[PL 2021, c. 547, §1 (NEW).]

7. Removal. If a licensee's privilege to practice in any remote state is removed, the individual may lose the privilege to practice in all other remote states until the following occur:

A. The specific period of time for which the privilege to practice was removed has ended; [PL 2021, c. 547, §1 (NEW).]

B. All fines have been paid; and [PL 2021, c. 547, §1 (NEW).]

C. The licensee has not had any encumbrance or restriction against any license or privilege to practice within the previous 2 years. [PL 2021, c. 547, §1 (NEW).]

[PL 2021, c. 547, §1 (NEW).]

8. Restoration after removal. Once the requirements of subsection 7 have been met, the licensee must meet the requirements in subsection 1 to obtain a privilege to practice in a remote state.

[PL 2021, c. 547, §1 (NEW).]

SECTION HISTORY

PL 2021, c. 547, §1 (NEW).

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