

SENATE BILL REPORT

SB 6549

As of February 4, 2020

Title: An act relating to the psychology interjurisdictional compact.

Brief Description: Adopting the psychology interjurisdictional compact.

Sponsors: Senators O'Ban and Becker.

Brief History:

Committee Activity: Health & Long Term Care: 2/05/20.

Brief Summary of Bill

- Adopts the Psychology Interjurisdictional Compact to allow professionals who are licensed in a compact state to provide psychological services through the use telepsychology and temporary in-person practice.

SENATE COMMITTEE ON HEALTH & LONG TERM CARE

Staff: Greg Attanasio (786-7410)

Background: Psychologist Licensure. To be licensed as a psychologist by the Department of Health (DOH), an applicant must have a doctorate degree from an accredited program of graduate study in psychology, have at least two years of supervised experience, and pass an examination. Applicants for a license to practice psychology may receive a license through an endorsement process if the applicant has held a license to practice psychology in another state that has essentially equivalent licensing standards to Washington for at least two years or if the applicant is a member of an approved professional organization. DOH must issue a probationary license to an applicant who has held a license, within the prior 12 months, in another state with a substantially equivalent scope of practice. The probationary license allows the psychologist to practice while DOH determines if any educational or experience standards may still need to be met for full licensure.

Psychology Interjurisdictional Compact. The Association of Provincial Psychology Boards administers the Psychology Interjurisdictional Compact (Compact) to establish standards and procedures for authorizing psychologists to practice interjurisdictional telepsychology and temporarily practice psychology in another compact state, in person, for up to 30 days within

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a calendar year. The Compact does not apply to the permanent in-person, face-to-face practice of psychology in a state in which the person is not licensed. The Compact is governed by a commission that includes one representative from each state that has adopted the Compact. There are currently 12 states that have adopted it.

Summary of Bill: Authority to Practice Psychology Under the Compact. The Compact is adopted in Washington. The Compact authorizes psychologists who meet specified standards to practice interjurisdictional telepsychology in another compact state, referred to as the "receiving state," and temporarily practice psychology in person for up to 30 days within a calendar year in another compact state, referred to as the distant state. The Compact does not apply to the permanent in-person, face-to-face practice of psychology in a state in which the psychologist does not hold a full license. A psychologist practicing in a compact state in which the patient or client is located is subject to the scope of practice as established in the patient's or client's state.

A psychologist may practice in another compact state under the Compact if the psychologist is licensed in a compact state designated as their home state. The home state is where a psychologist is physically present when practicing interjurisdictional telepsychology. To practice either interjurisdictional telepsychology in a receiving state or temporarily practice psychology in a distant state, the compact state must:

- have a mechanism for receiving and investigating complaints;
- notify the Psychology Interjurisdictional Compact Commission (Compact Commission) of any adverse action or significant investigatory information regarding a licensed person;
- require an identity history summary of all applicants for an initial license, including a federal fingerprint background check; and
- comply with the bylaws and rules of the Compact Commission.

If the psychologist seeks to practice interjurisdictional telepsychology in a receiving state, the compact state requires the psychologist to hold an active e-passport, which is a certificate issued by the Association of Provincial Psychology Boards (Association) that facilitates the provision of telepsychology services between states.

If the psychologist seeks to temporarily practice psychology in person in a distant state, the compact state requires the psychologist to hold an active interjurisdictional practice certificate, which is a certificate issued by the Association that grants temporary authority to practice in a distant state upon notification to that state's psychology regulatory authority and the verification of qualifications.

A psychologist seeking to practice interjurisdictional psychology in a receiving state or temporarily practice psychology in a distant state must have graduated from an approved graduate psychology program, possess a full license to practice psychology in a home state, have no history of adverse actions that violate Compact Commission rules, have no criminal record history that violates Compact Commission rules, have either an e-passport or an interjurisdictional practice certificate, and provide certain attestations about qualifications and areas of intended practice.

A psychologist practicing interjurisdictional telepsychology in a receiving state or temporarily practicing psychology in person in a distant state may have their privileges limited or revoked by the compact state if it finds such action is necessary to protect the health and safety of the state's residents. The compact state must promptly notify the psychologist's home state and the Compact Commission of the action. If a psychologist's license is restricted or revoked in any home state or other compact state, the psychologist's e-passport or interjurisdictional practice certificate must be revoked and the psychologist may not practice pursuant to the Compact.

Psychology Interjurisdictional Compact Commission. The Compact Commission is created consisting of one voting representative from each compact state. The representative must be appointed by the state psychology regulatory authority and must either be the executive director, a current member, or a designee of the state psychology regulatory authority with delegated authority to act on behalf of the compact state. The Compact Commission also has an executive board comprised of five Compact Commission members and a nonvoting member from the Association. The executive board recommends rules to the full Compact Commission, oversees administrative services, prepares the annual budget, and monitors the compliance of compact states.

The Compact Commission is responsible for the development and maintenance of a coordinated licensure information system. The information system contains licensure and disciplinary action information on all psychologists covered by the Compact. Compact states must submit data to the information system on all licensed psychologists, including identifying information, licensure data, significant investigatory information, adverse actions against a psychologist's license, information about the revocation of a psychologist's authority to practice interjurisdictional psychology or temporary authorization to practice, and application denial information.

The Compact Commission may establish and collect annual assessments from each compact state to cover the costs of the Compact Commission's operations and activities.

A compact state may withdraw from the Psychology Compact by repealing the statute adopting the Compact. A withdrawal from the Compact is effective six months after the enactment of the repealing statute.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.