

HB156 ENROLLED



1 HB156
2 KHEDZAU-2
3 By Representative Lee
4 RFD: Health
5 First Read: 13-Jan-26



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1 Enrolled, An Act,

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3 Relating to physician assistants; to adopt the PA
4 Licensure Compact; to allow licensed physician assistants to
5 practice among compact states; to establish requirements and
6 obligations for participation in the compact; to provide for
7 disciplinary actions and joint investigation procedures; and
8 to establish and provide for the operation of the PA Licensure
9 Compact Commission and enforcement of the compact among member
10 states.

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

12 Section 1. Purpose

13 In order to strengthen access to medical services, and
14 in recognition of the advances in the delivery of medical
15 services, the participating states of the PA Licensure Compact
16 have allied in common purpose to develop a comprehensive
17 process that complements the existing authority of state
18 licensing boards to license and discipline PAs and seek to
19 enhance the portability of a license to practice as a PA while
20 safeguarding the safety of patients. This compact allows
21 medical services to be provided by PAs, via the mutual
22 recognition of the licensee's qualifying license by other
23 compact participating states. This compact also adopts the
24 prevailing standard for PA licensure and affirms that the
25 practice and delivery of medical services by the PA occurs
26 where the patient is located at the time of the patient
27 encounter, and therefore requires the PA to be under the
28 jurisdiction of the state licensing board where the patient is



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29 located. State licensing boards that participate in this
30 compact retain the jurisdiction to impose adverse action
31 against a compact privilege in that state issued to a PA
32 through the procedures of this compact. The PA Licensure
33 Compact will alleviate burdens for military families by
34 allowing active duty military personnel and their spouses to
35 obtain a compact privilege based on having an unrestricted
36 license in good standing from a participating state.

37 Section 2. Definitions

38 As used in this compact, the following terms have the
39 following meanings:

40 (1) ADVERSE ACTION. Any administrative, civil,
41 equitable, or criminal action permitted by a state's laws
42 which is imposed by a licensing board or other authority
43 against a PA license or license application or compact
44 privilege such as license denial, censure, revocation,
45 suspension, probation, monitoring of the licensee, or
46 restriction on the licensee's practice.

47 (2) COMPACT PRIVILEGE. The authorization granted by a
48 remote state to allow a licensee from another participating
49 state to practice as a PA to provide medical services and
50 other licensed activity to a patient located in the remote
51 state under the remote state's laws and rules.

52 (3) CONVICTION. A finding by a court that an individual
53 is guilty of a felony or misdemeanor offense through
54 adjudication or entry of a plea of guilt or no contest to the
55 charge by the offender.

56 (4) CRIMINAL BACKGROUND CHECK. The submission of



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57 fingerprints or other biometric based information for a
58 license applicant for the purpose of obtaining that
59 applicant's criminal history record information, as defined in
60 28 C.F.R. § 20.3(d), from the state's criminal history record
61 repository as defined in 28 C.F.R. § 20.3(f).

62 (5) DATA SYSTEM. The repository of information about
63 licensees, including but not limited to License status and
64 adverse actions, which is created and administered under the
65 terms of this compact.

66 (6) EXECUTIVE COMMITTEE. A group of directors and ex
67 officio individuals elected or appointed pursuant to Section
68 7(f)(2).

69 (7) IMPAIRED PRACTITIONER. A PA whose practice is
70 adversely affected by a health-related condition that impacts
71 his or her ability to practice.

72 (8) INVESTIGATIVE INFORMATION. Information, records, or
73 documents received or generated by a licensing board pursuant
74 to an investigation.

75 (9) JURISPRUDENCE REQUIREMENT. The assessment of an
76 individual's knowledge of the laws and rules governing the
77 practice of a PA in a state.

78 (10) LICENSE. Current authorization by a state, other
79 than authorization pursuant to a compact privilege, for a PA
80 to provide medical services, which would be unlawful without
81 current authorization.

82 (11) LICENSEE. An individual who holds a license from a
83 state to provide medical services as a PA.

84 (12) LICENSING BOARD. Any state entity authorized to



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85 license and otherwise regulate PAs.

86 (13) MEDICAL SERVICES. Health care services provided
87 for the diagnosis, prevention, treatment, cure, or relief of a
88 health condition, injury, or disease, as defined by a state's
89 laws and rules.

90 (14) MODEL COMPACT. The model for the PA Licensure
91 Compact on file with the Council of State Governments or other
92 entity as designated by the commission.

93 (15) PARTICIPATING STATE. A state that has enacted this
94 compact.

95 (16) PA. An individual who is licensed as a physician
96 assistant in a state. For purposes of this compact, any other
97 title or status adopted by a state to replace the term
98 "physician assistant" shall be deemed synonymous with
99 "physician assistant" and shall confer the same rights and
100 responsibilities to the licensee under the provisions of this
101 compact at the time of its enactment.

102 (17) PA LICENSURE COMPACT COMMISSION, COMPACT
103 COMMISSION, or COMMISSION. The national administrative body
104 created pursuant to Section 7(a).

105 (18) QUALIFYING LICENSE. An unrestricted license issued
106 by a participating state to provide medical services as a PA.

107 (19) REMOTE STATE. A participating state where a
108 licensee who is not licensed as a PA is exercising or seeking
109 to exercise the compact privilege.

110 (20) RULE. A regulation adopted by an entity that has
111 the force and effect of law.

112 (21) SIGNIFICANT INVESTIGATIVE INFORMATION.



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113 Investigative information that a licensing board, after an
114 inquiry or investigation that includes notification and an
115 opportunity for the PA to respond if required by state law,
116 has reason to believe is not groundless and, if proven true,
117 would indicate more than a minor infraction.

118 (22) STATE. Any state, commonwealth, district, or
119 territory of the United States.

120 Section 3. State Participation in this Compact

121 (a) To participate in this compact, a participating
122 state shall:

123 (1) License PAs;

124 (2) Participate in the compact commission's data
125 system;

126 (3) Have a mechanism in place for receiving and
127 investigating complaints against licensees and license
128 applicants;

129 (4) Notify the commission, in compliance with the terms
130 of this compact and commission rules, of any adverse action
131 against a licensee or license applicant and the existence of
132 significant investigative information regarding a licensee or
133 license applicant;

134 (5) Fully implement a criminal background check
135 requirement, within a time frame established by commission
136 rule, by its licensing board receiving the results of a
137 criminal background check and reporting to the commission
138 whether the license applicant has been granted a license;

139 (6) Comply with the rules of the compact commission;

140 (7) Utilize passage of a recognized national exam such



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141 as the NCCPA PANCE as a requirement for PA licensure; and

142 (8) Grant the compact privilege to a holder of a
143 qualifying license in a participating state.

144 (b) Nothing in this compact prohibits a participating
145 state from charging a fee for granting the compact privilege.

146 Section 4. Compact Privilege

147 (a) To exercise the compact privilege, a licensee must:

148 (1) Have graduated from a PA program accredited by the
149 Accreditation Review Commission on Education for the Physician
150 Assistant, Inc., or other programs authorized by commission
151 rule;

152 (2) Hold current NCCPA certification;

153 (3) Have no felony or misdemeanor conviction;

154 (4) Have never had a controlled substance license,
155 permit, or registration suspended or revoked by a state or by
156 the United States Drug Enforcement Administration.

157 (5) Have a unique identifier as determined by
158 commission rule;

159 (6) Hold a qualifying license;

160 (7) Have had no revocation of a license or limitation
161 or restriction on any license currently held due to an adverse
162 action;

163 (8) If a licensee has had a limitation or restriction
164 on a License or compact privilege due to an adverse action,
165 two years must have elapsed from the date on which the license
166 or compact privilege is no longer limited or restricted due to
167 the adverse action;

168 (9) If a compact privilege has been revoked or is



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169 limited or restricted in a participating state for conduct
170 that would not be a basis for disciplinary action in a
171 participating state in which the licensee is practicing or
172 applying to practice under a compact privilege, that
173 participating state shall have the discretion not to consider
174 such action as an adverse action requiring the denial or
175 removal of a compact privilege in that state;

176 (10) Notify the compact commission that the licensee is
177 seeking the compact privilege in a remote state;

178 (11) Meet any jurisprudence requirement of a remote
179 state in which the licensee is seeking to practice under the
180 compact privilege and pay any fees applicable to satisfying
181 the jurisprudence requirement; and

182 (12) Report to the commission any adverse action taken
183 by a non-participating state within 30 days after the action
184 is taken.

185 (b) The compact privilege is valid until the expiration
186 or revocation of the qualifying license unless terminated
187 pursuant to an adverse action. The licensee must also comply
188 with all of the requirements of subsection (a) to maintain the
189 compact privilege in a remote state. If the participating
190 state takes adverse action against a qualifying license, the
191 licensee shall lose the compact privilege in any remote state
192 in which the licensee has a compact privilege until all of the
193 following occur:

194 (1) The license is no longer limited or restricted.

195 (2) Two years have elapsed from the date on which the
196 license is no longer limited or restricted due to the adverse



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197 action.

198 (c) Once a restricted or limited license satisfies the
199 requirements of subsection (b), the licensee must meet the
200 requirements of subsection (a) to obtain a compact privilege
201 in any remote state.

202 (d) For each remote state in which a PA seeks authority
203 to prescribe controlled substances, the PA shall satisfy all
204 requirements imposed by such state in granting or renewing
205 such authority.

206 Section 5. Designation of the State from Which Licensee
207 is Applying for a Compact Privilege

208 Upon a licensee's application for a compact privilege,
209 the licensee shall identify to the commission the
210 participating state from which the licensee is applying, in
211 accordance with applicable rules adopted by the commission,
212 and subject to the following requirements:

213 (1) When applying for a compact privilege, the licensee
214 shall provide the commission with the address of the
215 licensee's primary residence and thereafter shall immediately
216 report to the commission any change in the address of the
217 licensee's primary residence.

218 (2) When applying for a compact privilege, the licensee
219 is required to consent to accept service of process by mail at
220 the licensee's primary residence on file with the commission
221 with respect to any action brought against the licensee by the
222 commission or a participating state, including a subpoena,
223 with respect to any action brought or investigation conducted
224 by the commission or a participating state.



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225 Section 6. Adverse Actions

226 (a) A participating state in which a licensee is
227 licensed shall have exclusive power to impose adverse action
228 against the qualifying license issued by that participating
229 state.

230 (b) In addition to the other powers conferred by state
231 law, a remote state shall have the authority, in accordance
232 with existing state due process law, to do all of the
233 following:

234 (1) Take adverse action against a PA's compact
235 privilege within that state to remove a licensee's compact
236 privilege or take other action necessary under applicable law
237 to protect the health and safety of its citizens.

238 (2) Issue subpoenas for both hearings and
239 investigations that require the attendance and testimony of
240 witnesses as well as the production of evidence. Subpoenas
241 issued by a licensing board in a participating state for the
242 attendance and testimony of witnesses or the production of
243 evidence from another participating state shall be enforced in
244 the latter state by any court of competent jurisdiction,
245 according to the practice and procedure of that court
246 applicable to subpoenas issued in proceedings pending before
247 it. The issuing authority shall pay any witness fees, travel
248 expenses, mileage, and other fees required by the service
249 statutes of the State in which the witnesses or evidence are
250 located.

251 (3) Notwithstanding subdivision (2), subpoenas may not
252 be issued by a participating state to gather evidence of



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253 conduct in another state that is lawful in that other state
254 for the purpose of taking adverse action against a licensee's
255 compact privilege or application for a compact privilege in
256 that participating state.

257 (4) Nothing in this compact authorizes a participating
258 state to impose discipline against a PA's compact privilege or
259 to deny an application for a compact privilege in that
260 participating state for the individual's otherwise lawful
261 practice in another state.

262 (c) For purposes of taking adverse action, the
263 participating state that issued the qualifying license shall
264 give the same priority and effect to reported conduct received
265 from any other participating state as it would if the conduct
266 had occurred within the participating state that issued the
267 qualifying license. In so doing, the participating state shall
268 apply its own state laws to determine appropriate action.

269 (d) A participating state, if otherwise permitted by
270 state law, may recover from the affected PA the costs of
271 investigations and disposition of cases resulting from any
272 adverse action taken against that PA.

273 (e) A participating state may take adverse action based
274 on the factual findings of a remote state, provided that the
275 participating state follows its own procedures for taking the
276 adverse action.

277 (f) Joint investigations.

278 (1) In addition to the authority granted to a
279 participating state by its respective state PA laws and rules
280 or other applicable state law, any participating state may



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281 participate with other participating states in joint
282 investigations of licensees.

283 (2) Participating states shall share any investigative,
284 litigation, or compliance materials in furtherance of any
285 joint or individual investigation initiated under this
286 compact.

287 (g) If an adverse action is taken against a PA's
288 qualifying license, the PA's compact privilege in all remote
289 states shall be deactivated until two years have elapsed after
290 all restrictions have been removed from the state license. All
291 disciplinary orders by the participating state that issued the
292 qualifying license which impose adverse action against a PA's
293 license shall include a statement that the PA's compact
294 privilege is deactivated in all participating states during
295 the pendency of the order.

296 (h) If any participating state takes adverse action, it
297 promptly shall notify the administrator of the data system.

298 Section 7. Establishment of the PA Licensure Compact
299 Commission

300 (a) The participating states hereby create and
301 establish a joint government agency and national
302 administrative body known as the PA Licensure Compact
303 Commission. The commission is an instrumentality of the
304 compact states acting jointly and not an instrumentality of
305 any one state. The commission shall come into existence on or
306 after the effective date of the compact as set forth in
307 Section 11(a).

308 (b) Membership, voting, and meetings.



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309 (1) Each participating state shall have and be limited
310 to one delegate selected by that participating state's
311 licensing board or, if the state has more than one licensing
312 board, selected collectively by the participating state's
313 licensing boards.

314 (2) The delegate shall be either:

315 a. A current PA, physician, or public member of a
316 licensing board or PA council or committee; or

317 b. An administrator of a licensing board.

318 (3) Any delegate may be removed or suspended from
319 office as provided by the laws of the state from which the
320 delegate is appointed.

321 (4) The participating state licensing board shall fill
322 any vacancy occurring in the commission within 60 days.

323 (5) Each delegate shall be entitled to one vote on all
324 matters voted on by the commission and shall otherwise have an
325 opportunity to participate in the business and affairs of the
326 commission. A delegate shall vote in person or by such other
327 means as provided in the bylaws. The bylaws may provide for
328 delegates' participation in meetings by telecommunications,
329 video conference, or other means of communication.

330 (6) The commission shall meet at least once during each
331 calendar year. Additional meetings shall be held as set forth
332 in this compact and the bylaws.

333 (7) The commission shall establish by rule a term of
334 office for delegates.

335 (c) The commission shall have the following powers and
336 duties:



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337 (1) Establish a code of ethics for the commission.

338 (2) Establish the fiscal year of the commission.

339 (3) Establish fees.

340 (4) Establish bylaws.

341 (5) Maintain its financial records in accordance with
342 the bylaws.

343 (6) Meet and take such actions as are consistent with
344 the provisions of this compact and the bylaws.

345 (7) Adopt rules to facilitate and coordinate
346 implementation and administration of this compact. The rules
347 shall have the force and effect of law and shall be binding in
348 all participating states.

349 (8) Bring and prosecute legal proceedings or actions in
350 the name of the commission, provided that the standing of any
351 state licensing board to sue or be sued under applicable law
352 shall not be affected.

353 (9) Purchase and maintain insurance and bonds.

354 (10) Borrow, accept, or contract for services of
355 personnel, including, but not limited to, employees of a
356 participating state.

357 (11) Hire employees and engage contractors, elect or
358 appoint officers, fix compensation, define duties, grant such
359 individuals appropriate authority to carry out the purposes of
360 this compact, and establish the commission's personnel
361 policies and programs relating to conflicts of interest,
362 qualifications of personnel, and other related personnel
363 matters.

364 (12) Accept any and all appropriate donations and



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365 grants of money, equipment, supplies, materials, and services,
366 and receive, utilize, and dispose of the same, provided that
367 at all times the commission shall avoid any appearance of
368 impropriety or conflict of interest.

369 (13) Lease, purchase, accept appropriate gifts or
370 donations of, or otherwise own, hold, improve or use, any
371 property, real, personal, or mixed, provided that at all times
372 the commission shall avoid any appearance of impropriety.

373 (14) Sell, convey, mortgage, pledge, lease, exchange,
374 abandon, or otherwise dispose of any property, real, personal,
375 or mixed.

376 (15) Establish a budget and make expenditures.

377 (16) Borrow money.

378 (17) Appoint committees, including standing committees
379 composed of members, state regulators, state legislators or
380 their representatives, and consumer representatives, and such
381 other interested persons as may be designated in this compact
382 and the bylaws.

383 (18) Provide and receive information from, and
384 cooperate with, law enforcement agencies.

385 (19) Elect a chair, vice chair, secretary, and
386 treasurer and such other officers of the commission as
387 provided in the commission's bylaws.

388 (20) Reserve for itself, in addition to those reserved
389 exclusively to the commission under the compact, powers that
390 the executive committee may not exercise.

391 (21) Approve or disapprove a state's participation in
392 the compact based upon its determination as to whether the



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393 state's compact legislation departs in a material manner from
394 the model compact language.

395 (22) Prepare and provide to the participating states an
396 annual report.

397 (23) Perform such other functions as may be necessary
398 or appropriate to achieve the purposes of this compact
399 consistent with the state regulation of PA licensure and
400 practice.

401 (d) Meetings of the commission.

402 (1) All meetings of the commission that are not closed
403 pursuant to this subsection shall be open to the public.

404 Notice of public meetings shall be posted on the commission's
405 website at least 30 days prior to the public meeting.

406 (2) Notwithstanding subdivision (1), the commission may
407 convene a public meeting by providing at least 24 hours prior
408 notice on the commission's website, and any other means as
409 provided in the commission's rules, for any of the reasons it
410 may dispense with notice of proposed rulemaking under Section
411 9(1).

412 (3) The commission may convene in a closed, nonpublic
413 meeting or nonpublic part of a public meeting to receive legal
414 advice or to discuss:

415 a. Noncompliance of a participating state with its
416 obligations under this compact;

417 b. The employment, compensation, discipline, or other
418 matters, practices or procedures related to specific employees
419 or other matters related to the commission's internal
420 personnel practices and procedures;



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421 c. Current, threatened, or reasonably anticipated
422 litigation;

423 d. Negotiation of contracts for the purchase, lease, or
424 sale of goods, services, or real estate;

425 e. Accusing any person of a crime or formally censuring
426 any person;

427 f. Disclosure of trade secrets or commercial or
428 financial information that is privileged or confidential;

429 g. Disclosure of information of a personal nature where
430 disclosure would constitute a clearly unwarranted invasion of
431 personal privacy;

432 h. Disclosure of investigative records compiled for law
433 enforcement purposes;

434 i. Disclosure of information related to any
435 investigative reports prepared by or on behalf of or for use
436 of the commission or other committee charged with
437 responsibility of investigation or determination of compliance
438 issues pursuant to this compact;

439 j. Legal advice; or

440 k. Matters specifically exempted from disclosure by
441 federal or participating states' statutes.

442 (4) If a meeting, or portion of a meeting, is closed
443 pursuant to this subsection, the chair of the meeting or the
444 chair's designee shall certify that the meeting or portion of
445 the meeting may be closed and shall reference each relevant
446 exempting provision.

447 (5) The commission shall keep minutes that fully and
448 clearly describe all matters discussed in a meeting and shall



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449 provide a full and accurate summary of actions taken,
450 including a description of the views expressed. All documents
451 considered in connection with an action shall be identified in
452 the minutes. All minutes and documents of a closed meeting
453 shall remain under seal, subject to release by a majority vote
454 of the commission or order of a court of competent
455 jurisdiction.

456 (e) Financing of the commission.

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

460 (2) The commission may accept any and all appropriate
461 revenue sources, donations, and grants of money, equipment,
462 supplies, materials, and services.

463 (3) The commission may levy on and collect an annual
464 assessment from each participating state and may impose
465 compact privilege fees on licensees of participating states to
466 whom a compact privilege is granted to cover the cost of the
467 operations and activities of the commission and its staff,
468 which must be in a total amount sufficient to cover its annual
469 budget as approved by the commission each year for which
470 revenue is not provided by other sources. The aggregate annual
471 assessment amount levied on participating states shall be
472 allocated based upon a formula to be determined by commission
473 rule.

474 a. A compact privilege expires when the licensee's
475 qualifying license in the participating state from which the
476 licensee applied for the compact privilege expires.



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477 b. If the licensee terminates the qualifying license
478 through which the licensee applied for the compact privilege
479 before its scheduled expiration, and the licensee has a
480 qualifying license in another participating state, the
481 licensee shall inform the commission that it is changing to
482 that participating state the participating state through which
483 it applies for a compact privilege and pay to the commission
484 any compact privilege fee required by commission rule.

485 (4) The commission shall not incur obligations of any
486 kind prior to securing the funds adequate to meet the same;
487 nor shall the commission pledge the credit of any of the
488 participating states, except by and with the authority of the
489 participating state.

490 (5) The commission shall keep accurate accounts of all
491 receipts and disbursements. The receipts and disbursements of
492 the commission shall be subject to the financial review and
493 accounting procedures established under its bylaws. All
494 receipts and disbursements of funds handled by the commission
495 shall be subject to an annual financial review by a certified
496 or licensed public accountant, and the report of the financial
497 review shall be included in and become part of the annual
498 report of the commission.

499 (f) The executive committee.

500 (1) The executive committee shall have the power to act
501 on behalf of the commission according to the terms of this
502 compact and commission rules.

503 (2) The executive committee shall be composed of nine
504 members:



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505 a. Seven voting members who are elected by the
506 commission from the current membership of the commission;

507 b. One ex officio, nonvoting member from a recognized
508 national PA professional association; and

509 c. One ex officio, nonvoting member from a recognized
510 national PA certification organization.

511 (3) The ex officio members shall be selected by their
512 respective organizations.

513 (4) The commission may remove any member of the
514 executive committee as provided in its bylaws.

515 (5) The executive committee shall meet at least
516 annually.

517 (6) The executive committee shall have the following
518 duties and responsibilities:

519 a. Recommend to the commission changes to the
520 commission's rules or bylaws, changes to this compact
521 legislation, fees to be paid by compact participating states
522 such as annual dues, and any commission compact fee charged to
523 licensees for the compact privilege.

524 b. Ensure compact administration services are
525 appropriately provided, contractual or otherwise.

526 c. Prepare and recommend the budget.

527 d. Maintain financial records on behalf of the
528 commission.

529 e. Monitor compact compliance of participating states
530 and provide compliance reports to the commission.

531 f. Establish additional committees as necessary.

532 g. Exercise the powers and duties of the commission



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533 during the interim between commission meetings, except for
534 issuing proposed rulemaking or adopting commission rules or
535 bylaws, or exercising any other powers and duties exclusively
536 reserved to the commission by the commission's rules.

537 h. Perform other duties as provided in the commission's
538 rules or bylaws.

539 (7) All meeting of the executive committee at which it
540 votes or plans to vote on matters in exercising the powers and
541 duties of the commission shall be open to the public, and
542 public notice of such meetings shall be given as public
543 meetings of the commission are given.

544 (8) The executive committee may convene in a closed,
545 nonpublic meeting for the same reasons that the commission may
546 convene in a nonpublic meeting as set forth in subdivision
547 (d) (3) and shall announce the closed meeting as the commission
548 is required to under subdivision (d) (4) and keep minutes of
549 the closed meeting as the commission is required to under
550 subdivision (d) (5).

551 (g) Qualified immunity, defense, and indemnification.

552 (1) The members, officers, executive director,
553 employees, and representatives of the commission shall be
554 immune from suit and liability, both personally and in their
555 official capacity, for any claim for damage to or loss of
556 property or personal injury or other civil liability caused by
557 or arising out of any actual or alleged act, error, or
558 omission that occurred, or that the person against whom the
559 claim is made had a reasonable basis for believing occurred,
560 within the scope of commission employment, duties, or



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561 responsibilities, provided that nothing in this subdivision
562 shall be construed to protect any such individual from suit or
563 liability for any damage, loss, injury, or liability caused by
564 the intentional or willful or wanton misconduct of that
565 individual. The procurement of insurance of any type by the
566 commission shall not in any way compromise or limit the
567 immunity granted in this subdivision.

568 (2) The commission shall defend any member, officer,
569 executive director, employee, or representative of the
570 commission in any civil action seeking to impose liability
571 arising out of any actual or alleged act, error, or omission
572 that occurred within the scope of commission employment,
573 duties, or responsibilities, or as determined by the
574 commission that the individual against whom the claim is made
575 had a reasonable basis for believing occurred within the scope
576 of commission employment, duties, or responsibilities,
577 provided that nothing herein shall be construed to prohibit
578 that individual from retaining his or her own counsel at his
579 or her own expense; and provided further, that the actual or
580 alleged act, error, or omission did not result from that
581 individual's intentional or willful or wanton misconduct.

582 (3) The commission shall indemnify and hold harmless
583 any member, officer, executive director, employee, or
584 representative of the commission for the amount of any
585 settlement or judgment obtained against that individual
586 arising out of any actual or alleged act, error, or omission
587 that occurred within the scope of commission employment,
588 duties, or responsibilities, or that such individual had a



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589 reasonable basis for believing occurred within the scope of
590 commission employment, duties, or responsibilities, provided
591 that the actual or alleged act, error, or omission did not
592 result from the intentional or willful or wanton misconduct of
593 that individual.

594 (4) Venue is proper and judicial proceedings by or
595 against the commission shall be brought solely and exclusively
596 in a court of competent jurisdiction where the principal
597 office of the commission is located. The commission may waive
598 venue and jurisdictional defenses in any proceedings as
599 authorized by commission rules.

600 (5) Nothing herein shall be construed as a limitation
601 on the liability of any licensee for professional malpractice
602 or misconduct, which shall be governed solely by any other
603 applicable state laws.

604 (6) Nothing herein shall be construed to designate the
605 venue or jurisdiction to bring actions for alleged acts of
606 malpractice, professional misconduct, negligence, or other
607 such civil action pertaining to the practice of a PA. All such
608 matters shall be determined exclusively by state law other
609 than this compact.

610 (7) Nothing in this compact shall be interpreted to
611 waive or otherwise abrogate a participating state's state
612 action immunity or state action affirmative defense with
613 respect to antitrust claims under the Sherman Act, Clayton
614 Act, or any other state or federal antitrust or
615 anticompetitive law, rule, or regulation.

616 (8) Nothing in this compact shall be construed to be a



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617 waiver of sovereign immunity by the participating states or by
618 the commission.

619 Section 8. Data System

620 (a) The commission shall provide for the development,
621 maintenance, operation, and utilization of a coordinated data
622 and reporting system containing licensure, adverse action, and
623 the reporting of the existence of significant investigative
624 information on all licensed PAs and applicants denied a
625 license in participating states.

626 (b) Notwithstanding any other state law to the
627 contrary, a participating state shall submit a uniform data
628 set to the data system on all PAs to whom this compact is
629 applicable (utilizing a unique identifier) as required by the
630 rules of the commission, including:

631 (1) Identifying information;

632 (2) Licensure data;

633 (3) Adverse actions against a license or compact
634 privilege;

635 (4) Any denial of application for licensure, and the
636 reason or reasons for such denial, excluding the reporting of
637 any criminal history record information where prohibited by
638 law;

639 (5) The existence of significant investigative
640 information; and

641 (6) Other information that may facilitate the
642 administration of this compact, as determined by the rules of
643 the commission.

644 (c) Significant investigative information pertaining to



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645 a licensee in any participating state shall only be available
646 to other participating states.

647 (d) The commission shall promptly notify all
648 participating states of any adverse action taken against a
649 licensee or an individual applying for a license that has been
650 reported to it. This adverse action information shall be
651 available to any other participating state.

652 (e) Participating states contributing information to
653 the data system may, in accordance with state or federal law,
654 may designate information that may not be shared with the
655 public without the express permission of the contributing
656 state. Notwithstanding any such designation, such information
657 shall be reported to the commission through the data system.

658 (f) Any information submitted to the data system that
659 is subsequently expunged pursuant to federal law or the laws
660 of the participating state contributing the information shall
661 be removed from the data system upon reporting of such by the
662 participating state to the commission.

663 (g) The records and information provided to a
664 participating state pursuant to this compact or through the
665 data system, when certified by the commission or an agent
666 thereof, shall constitute the authenticated business records
667 of the commission, and shall be entitled to any associated
668 hearsay exception in any relevant judicial, quasi-judicial or
669 administrative proceedings in a participating state.

670 Section 9. Rulemaking

671 (a) The commission shall exercise its rulemaking powers
672 pursuant to the criteria set forth in this section and the



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673 rules adopted thereunder. Commission rules shall become
674 binding as of the date specified by the commission for each
675 rule.

676 (b) The commission shall adopt reasonable rules in
677 order to effectively and efficiently implement and administer
678 this compact and achieve its purposes. A commission rule shall
679 be invalid and have not force or effect only if a court of
680 competent jurisdiction holds that the rule is invalid because
681 the commission exercised its rulemaking authority in a manner
682 that is beyond the scope of the purposes of this compact, or
683 the powers granted hereunder, or based upon another applicable
684 standard of review.

685 (c) The rules of the commission shall have the force of
686 law in each participating state, provided that where the rules
687 of the commission conflict with the laws of the participating
688 state that establish the medical services a PA may perform in
689 the participating state, as held by a court of competent
690 jurisdiction, the rules of the commission shall be ineffective
691 in that state to the extent of the conflict.

692 (d) If a majority of the legislatures of the
693 participating states rejects a commission rule, by enactment
694 of a statute or resolution in the same manner used to adopt
695 this compact within four years of the date of adoption of the
696 rule, then the rule shall have no further force and effect in
697 any participating state or to any state applying to
698 participate in the compact.

699 (e) Commission rules shall be adopted at a regular or
700 special meeting of the commission.



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701 (f) Prior to promulgation and adoption of a final rule
702 or rules by the commission, and at least 30 days in advance of
703 the meeting at which the rule will be considered and voted
704 upon, the commission shall file a notice of proposed
705 rulemaking:

706 (1) On the website of the commission or other publicly
707 accessible platform;

708 (2) To persons who have requested notice of the
709 commission's notices of proposed rulemaking; and

710 (3) In such other ways as the commission, by rule, may
711 specify.

712 (g) The notice of proposed rulemaking shall include:

713 (1) The time, date, and location of the public hearing
714 on the proposed rule and the proposed time, date, and location
715 of the meeting in which the proposed rule will be considered
716 and voted upon;

717 (2) The text of the proposed rule and the reason for
718 the proposed rule;

719 (3) A request for comments on the proposed rule from
720 any interested person and the date by which written comments
721 must be received; and

722 (4) The manner in which interested persons may submit
723 notice to the commission of their intention to attend the
724 public hearing or provide any written comments.

725 (h) Prior to adoption of a proposed rule, the
726 commission shall allow persons to submit written data, facts,
727 opinions, and arguments, which shall be made available to the
728 public.



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729 (i) If the hearing is to be held via electronic means,
730 the commission shall publish the mechanism for access to the
731 electronic hearing.

732 (1) All persons wishing to be heard at the hearing
733 shall as directed in the notice of proposed rulemaking, not
734 less than five business days before the scheduled date of the
735 hearing, notify the commission of their desire to appear and
736 testify at the hearing.

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

740 (3) All hearings shall be recorded. A copy of the
741 recording and the written comments, data, facts, opinions, and
742 arguments received in response to the proposed rulemaking
743 shall be made available to a person upon request.

744 (4) Nothing in this section shall be construed as
745 requiring a separate hearing on each proposed rule. Proposed
746 rules may be grouped for the convenience of the commission at
747 hearings required by this section.

748 (j) Following the public hearing, the commission shall
749 consider all written and oral comments timely received.

750 (k) The commission, by majority vote of all delegates,
751 shall take final action on the proposed rule and shall
752 determine the effective date of the rule, if adopted, based on
753 the rulemaking record and the full text of the rule.

754 (1) If adopted, the rule shall be posted on the
755 commission's website.

756 (2) The commission may adopt changes to the proposed



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757 rule provided the changes do not enlarge the original purpose
758 of the proposed rule.

759 (3) The commission shall provide on its website an
760 explanation of the reasons for substantive changes made to the
761 proposed rule as well as reasons for substantive changes not
762 made that were recommended by commenters.

763 (4) The commission shall determine a reasonable
764 effective date for the rule. Except for an emergency as
765 provided in subsection (1), the effective date of the rule
766 shall be no sooner than 30 days after the commission issued
767 the notice that it adopted the rule.

768 (1) Upon determination that an emergency exists, the
769 commission may consider and adopt an emergency rule with 24
770 hours prior notice, without the opportunity for comment, or
771 hearing, provided that the usual rulemaking procedures
772 provided in this compact and in this section shall be
773 retroactively applied to the rule as soon as reasonably
774 possible, and in no event later than 90 days after the
775 effective date of the rule. For the purposes of this
776 subsection, an emergency rule is one that must be adopted
777 immediately by the commission in order to:

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

780 (2) Prevent a loss of commission or participating state
781 funds;

782 (3) Meet a deadline for the adoption of a commission
783 rule that is established by federal law or rule; or

784 (4) Protect public health and safety.



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785 (m) The commission or an authorized committee of the
786 commission may direct revisions to a previously adopted
787 commission rule for purposes of correcting typographical
788 errors, errors in format, errors in consistency, or
789 grammatical errors. Public notice of any revisions shall be
790 posted on the website of the commission. The revision shall be
791 subject to challenge by any person for a period of 30 days
792 after posting. The revision may be challenged only on grounds
793 that the revision results in a material change to a rule. A
794 challenge shall be made as set forth in the notice of
795 revisions and delivered to the commission prior to the end of
796 the notice period. If no challenge is made, the revision shall
797 take effect without further action. If the revision is
798 challenged, the revision may not take effect without the
799 approval of the commission.

800 (n) No participating state's rulemaking requirements
801 shall apply under this compact.

802 Section 10. Oversight, Dispute Resolution, and
803 Enforcement

804 (a) Oversight.

805 (1) The executive and judicial branches of state
806 government in each participating state shall enforce this
807 compact and take all actions necessary and appropriate to
808 implement the compact.

809 (2) Venue is proper and judicial proceedings by or
810 against the commission shall be brought solely and exclusively
811 in a court of competent jurisdiction where the principal
812 office of the commission is located. The commission may waive



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813 venue and jurisdictional defenses to the extent it adopts or
814 consents to participate in alternative dispute resolution
815 proceedings. Nothing herein shall affect or limit the
816 selection or propriety of venue in any action against a
817 licensee for professional malpractice, misconduct, or any such
818 similar matter.

819 (3) The commission shall be entitled to receive service
820 of process in any proceeding regarding the enforcement or
821 interpretation of the compact or the commission's rules and
822 shall have standing to intervene in such a proceeding for all
823 purposes. Failure to provide the commission with service of
824 process shall render a judgment or order in such proceeding
825 void as to the commission, this compact, or commission rules.

826 (b) Default, technical assistance, and termination.

827 (1) If the commission determines that a participating
828 state has defaulted in the performance of its obligations or
829 responsibilities under this compact or the commission rules,
830 the commission shall provide written notice to the defaulting
831 state and other participating states. The notice shall
832 describe the default, the proposed means of curing the default
833 and any other action that the commission may take and shall
834 offer remedial training and specific technical assistance
835 regarding the default.

836 (2) If a state in default fails to cure the default,
837 the defaulting state may be terminated from this compact upon
838 an affirmative vote of a majority of the delegates of the
839 participating states, and all rights, privileges, and benefits
840 conferred by this compact upon such state may be terminated on



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841 the effective date of termination. A cure of the default does
842 not relieve the offending state of obligations or liabilities
843 incurred during the period of default.

844 (3) Termination of participation in this compact shall
845 be imposed only after all other means of securing compliance
846 have been exhausted. Notice of intent to suspend or terminate
847 shall be given by the commission to the governor, the majority
848 and minority leaders of the defaulting state's legislature,
849 and to the licensing board or licensing boards of each of the
850 participating states.

851 (4) A state that has been terminated is responsible for
852 all assessments, obligations, and liabilities incurred through
853 the effective date of termination, including obligations that
854 extend beyond the effective date of termination.

855 (5) The commission shall not bear any costs related to
856 a state that is found to be in default or that has been
857 terminated from this compact, unless agreed upon in writing
858 between the commission and the defaulting state.

859 (6) The defaulting state may appeal its termination
860 from the compact by the commission by petitioning the U.S.
861 District Court for the District of Columbia or the federal
862 district where the commission has its principal offices. The
863 prevailing member shall be awarded all costs of such
864 litigation, including reasonable attorney fees.

865 (7) Upon the termination of a state's participation in
866 the compact, the state shall immediately provide notice to all
867 licensees within that state of the termination:

868 a. Licensees who have been granted a compact privilege



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869 in that state shall retain the compact privilege for 180 days
870 following the effective date of the termination; and

871 b. Licensees who are licensed in that state who have
872 been granted a compact privilege in a participating state
873 shall retain the compact privilege for 180 days unless the
874 licensee also has a qualifying license in a participating
875 state or obtains a qualifying license in a participating state
876 before the 180-day period ends, in which case the compact
877 privilege shall continue.

878 (c) Dispute resolution.

879 (1) Upon request by a participating state, the
880 commission shall attempt to resolve disputes related to this
881 compact that arise among participating states and between
882 participating and non-participating states.

883 (2) The commission shall adopt a rule providing for
884 both mediation and binding dispute resolution for disputes as
885 appropriate.

886 (d) Enforcement.

887 (1) The commission, in the reasonable exercise of its
888 discretion, shall enforce the provisions of this compact and
889 rules of the commission.

890 (2) If compliance is not secured after all means to
891 secure compliance have been exhausted, by majority vote, the
892 commission may initiate legal action in the United States
893 District Court for the District of Columbia or the federal
894 district where the commission has its principal offices,
895 against a participating state in default to enforce compliance
896 with the provisions of this compact and the commission's



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897 adopted rules and bylaws. The relief sought may include both
898 injunctive relief and damages. In the event judicial
899 enforcement is necessary, the prevailing party shall be
900 awarded all costs of such litigation, including reasonable
901 attorney fees.

902 (3) The remedies herein shall not be the exclusive
903 remedies of the commission. The commission may pursue any
904 other remedies available under federal or state law.

905 (e) Legal action against the commission.

906 (1) A participating state may initiate legal action
907 against the commission in the U.S. District Court for the
908 District of Columbia or the federal district where the
909 commission has its principal offices to enforce compliance
910 with the provisions of the compact and its rules. The relief
911 sought may include both injunctive relief and damages. In the
912 event judicial enforcement is necessary, the prevailing party
913 shall be awarded all costs of such litigation, including
914 reasonable attorney fees.

915 (2) No person other than a participating state shall
916 enforce this compact against the commission.

917 Section 11. Date of Implementation of the PA Licensure
918 Compact Commission

919 (a) This compact shall come into effect on the date on
920 which this compact statute is enacted into law in the seventh
921 participating state.

922 (1) On or after the effective date of the compact, the
923 commission shall convene and review the enactment of each of
924 the states that enacted the compact prior to the commission



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925 convening charter participating states to determine if the
926 statute enacted by each charter participating state is
927 materially different than the model compact.

928 a. A charter participating state whose enactment is
929 found to be materially different from the model compact shall
930 be entitled to the default process set forth in Section 10(b).

931 b. If any participating state later withdraws from the
932 compact or its participation is terminated, the commission
933 shall remain in existence and the compact shall remain in
934 effect even if the number of participating states should be
935 less than seven. Participating states enacting the compact
936 subsequent to the commission convening shall be subject to the
937 process set forth in Section 7(c)(21) to determine if their
938 enactments are materially different from the model compact and
939 whether they qualify for participation in the compact.

940 (2) Participating states enacting the compact
941 subsequent to the seven initial charter participating states
942 shall be subject to the process set forth in Section 7(c)(21)
943 to determine if their enactments are materially different from
944 the model compact and whether they qualify for participation
945 in the compact.

946 (3) All actions taken for the benefit of the commission
947 or in furtherance of the purposes of the administration of the
948 compact prior to the effective date of the compact or the
949 commission coming into existence shall be considered to be
950 actions of the commission unless specifically repudiated by
951 the commission.

952 (b) Any state that joins this compact shall be subject



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953 to the commission's rules and bylaws as they exist on the date
954 on which this compact becomes law in that state. Any rule that
955 has been previously adopted by the commission shall have the
956 full force and effect of law on the day this compact becomes
957 law in that state.

958 (c) Any participating state may withdraw from this
959 compact by enacting a statute repealing the same.

960 (1) A participating state's withdrawal shall not take
961 effect until 180 days after enactment of the repealing
962 statute. During this 180-day period, all compact privileges
963 that were in effect in the withdrawing state and were granted
964 to licensees licensed in the withdrawing state shall remain in
965 effect. If any licensee licensed in the withdrawing state is
966 also licensed in another participating state or obtains a
967 license in another participating state within the 180 days,
968 the licensee's compact privileges in other participating
969 states shall not be affected by the passage of the 180 days.

970 (2) Withdrawal shall not affect the continuing
971 requirement of the state licensing board or licensing boards
972 of the withdrawing state to comply with the investigative and
973 adverse action reporting requirements of this compact prior to
974 the effective date of withdrawal.

975 (3) Upon the enactment of a statute withdrawing a state
976 from this compact, the state shall immediately provide notice
977 of such withdrawal to all licensees within that state. The
978 withdrawing state shall continue to recognize all licenses
979 granted pursuant to this compact for a minimum of 180 days
980 after the date of the notice of withdrawal.



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981 (d) Nothing contained in this compact shall be
982 construed to invalidate or prevent any PA licensure agreement
983 or other cooperative arrangement between participating states
984 and between a participating state and nonparticipating state
985 which does not conflict with the provisions of this compact.

986 (e) This compact may be amended by the participating
987 states. No amendment to this compact shall become effective
988 and binding upon any participating state until it is enacted
989 materially in the same manner into the laws of all
990 participating states as determined by the commission.

991 Section 12. Construction and Severability

992 (a) This compact and the commission's rulemaking
993 authority shall be liberally construed so as to effectuate the
994 purposes, and the implementation and administration of the
995 compact. Provisions of the compact expressly authorizing or
996 requiring the adoption of rules shall not be construed to
997 limit the commission's rulemaking authority solely for those
998 purposes.

999 (b) The provisions of this compact shall be severable
1000 and if any phrase, clause, sentence, or provision of this
1001 compact is held by a court of competent jurisdiction to be
1002 contrary to the constitution of any participating state, a
1003 state seeking participation in the compact, or of the United
1004 States, or the applicability thereof to any government,
1005 agency, person or circumstance is held to be unconstitutional
1006 by a court of competent jurisdiction, the validity of the
1007 remainder of this compact and the applicability thereof to any
1008 other government, agency, person, or circumstance shall not be



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1009 affected thereby.

1010 (c) Notwithstanding subsection (b), the commission may
1011 deny a state's participation in the compact or, in accordance
1012 with the requirements of Section 10(b), terminate a
1013 participating state's participation in the compact, if it
1014 determines that a constitutional requirement of a
1015 participating state is, or would be with respect to a state
1016 seeking to participate in the compact, a material departure
1017 from the compact. Otherwise, if this compact shall be held to
1018 be contrary to the constitution of any participating state,
1019 the compact shall remain in full force and effect as to the
1020 remaining participating states and in full force and effect as
1021 to the participating state affected as to all severable
1022 matters.

1023 Section 13. Binding Effect of Compact

1024 (a) Nothing in this compact prevents the enforcement of
1025 any other law of a participating state that is not
1026 inconsistent with this compact.

1027 (b) Any laws in a participating state in conflict with
1028 this compact are superseded to the extent of the conflict.

1029 (c) All agreements between the commission and the
1030 participating states are binding in accordance with their
1031 terms.

1032 Section 14. This act shall become effective on October
1033 1, 2026.



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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and was passed by the House 03-Feb-26.

John Treadwell
Clerk

Senate

05-Mar-26

Passed