

## HB156 INTRODUCED



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



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4     SYNOPSIS:

5                 This bill would adopt the Physician Assistant  
6     (PA) Licensure Compact as a means of providing  
7     uniformity in licensing requirements and interstate  
8     practice throughout member states.

9                 This bill would establish requirements and  
10    obligations for participation in this compact.

11                This bill would provide for disciplinary actions  
12    and joint investigation procedures.

13                This bill would establish and provide for the  
14    operation of the PA Licensure Compact Commission.

15                This bill would also provide for the management,  
16    implementation, and enforcement of the compact among  
17    member states.

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20                A BILL

21                TO BE ENTITLED  
22                AN ACT

23

24                Relating to physician assistants; to adopt the PA  
25    Licensure Compact; to allow licensed physician assistants to  
26    practice among compact states; to establish requirements and  
27    obligations for participation in the compact; to provide for  
28    disciplinary actions and joint investigation procedures; and



29 to establish and provide for the operation of the PA Licensure  
30 Compact Commission and enforcement of the compact among member  
31 states.

32 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

33                   Section 1. Purpose

34                   In order to strengthen access to medical services, and  
35 in recognition of the advances in the delivery of medical  
36 services, the participating states of the PA Licensure Compact  
37 have allied in common purpose to develop a comprehensive  
38 process that complements the existing authority of state  
39 licensing boards to license and discipline PAs and seek to  
40 enhance the portability of a license to practice as a PA while  
41 safeguarding the safety of patients. This compact allows  
42 medical services to be provided by PAs, via the mutual  
43 recognition of the licensee's qualifying license by other  
44 compact participating states. This compact also adopts the  
45 prevailing standard for PA licensure and affirms that the  
46 practice and delivery of medical services by the PA occurs  
47 where the patient is located at the time of the patient  
48 encounter, and therefore requires the PA to be under the  
49 jurisdiction of the state licensing board where the patient is  
50 located. State licensing boards that participate in this  
51 compact retain the jurisdiction to impose adverse action  
52 against a compact privilege in that state issued to a PA  
53 through the procedures of this compact. The PA Licensure  
54 Compact will alleviate burdens for military families by  
55 allowing active duty military personnel and their spouses to  
56 obtain a compact privilege based on having an unrestricted



## HB156 INTRODUCED

57 license in good standing from a participating state.

58                   Section 2. Definitions

59                   As used in this compact, the following terms have the  
60 following meanings:

61                   (1) ADVERSE ACTION. Any administrative, civil,  
62 equitable, or criminal action permitted by a state's laws  
63 which is imposed by a licensing board or other authority  
64 against a PA license or license application or compact  
65 privilege such as license denial, censure, revocation,  
66 suspension, probation, monitoring of the licensee, or  
67 restriction on the licensee's practice.

68                   (2) COMPACT PRIVILEGE. The authorization granted by a  
69 remote state to allow a licensee from another participating  
70 state to practice as a PA to provide medical services and  
71 other licensed activity to a patient located in the remote  
72 state under the remote state's laws and rules.

73                   (3) CONVICTION. A finding by a court that an individual  
74 is guilty of a felony or misdemeanor offense through  
75 adjudication or entry of a plea of guilt or no contest to the  
76 charge by the offender.

77                   (4) CRIMINAL BACKGROUND CHECK. The submission of  
78 fingerprints or other biometric based information for a  
79 license applicant for the purpose of obtaining that  
80 applicant's criminal history record information, as defined in  
81 28 C.F.R. § 20.3(d), from the state's criminal history record  
82 repository as defined in 28 C.F.R. § 20.3(f).

83                   (5) DATA SYSTEM. The repository of information about  
84 licensees, including but not limited to license status and

## HB156 INTRODUCED



85 adverse actions, which is created and administered under the  
86 terms of this compact.

87 (6) EXECUTIVE COMMITTEE. A group of directors and ex  
88 officio individuals elected or appointed pursuant to Section  
89 7(f)(2).

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

93 (8) INVESTIGATIVE INFORMATION. Information, records, or  
94 documents received or generated by a licensing board pursuant  
95 to an investigation.

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

99 (10) LICENSE. Current authorization by a state, other  
100 than authorization pursuant to a compact privilege, for a PA  
101 to provide medical services, which would be unlawful without  
102 current authorization.

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

105 (12) LICENSING BOARD. Any state entity authorized to  
106 license and otherwise regulate PAs.

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

111 (14) MODEL COMPACT. The model for the PA Licensure  
112 Compact on file with the Council of State Governments or other



## HB156 INTRODUCED

113 entity as designated by the commission.

114 (15) PARTICIPATING STATE. A state that has enacted this  
115 compact.

116 (16) PA. An individual who is licensed as a physician  
117 assistant in a state. For purposes of this compact, any other  
118 title or status adopted by a state to replace the term  
119 "physician assistant" shall be deemed synonymous with  
120 "physician assistant" and shall confer the same rights and  
121 responsibilities to the licensee under the provisions of this  
122 compact at the time of its enactment.

123 (17) PA LICENSURE COMPACT COMMISSION, COMPACT  
124 COMMISSION, or COMMISSION. The national administrative body  
125 created pursuant to Section 7(a).

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

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

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

133 (21) SIGNIFICANT INVESTIGATIVE INFORMATION.

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

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

## HB156 INTRODUCED



141           Section 3. State Participation in this Compact

142           (a) To participate in this compact, a participating

143 state shall:

144           (1) License PAs;

145           (2) Participate in the compact commission's data

146 system;

147           (3) Have a mechanism in place for receiving and  
148 investigating complaints against licensees and license  
149 applicants;

150           (4) Notify the commission, in compliance with the terms  
151 of this compact and commission rules, of any adverse action  
152 against a licensee or license applicant and the existence of  
153 significant investigative information regarding a licensee or  
154 license applicant;

155           (5) Fully implement a criminal background check  
156 requirement, within a time frame established by commission  
157 rule, by its licensing board receiving the results of a  
158 criminal background check and reporting to the commission  
159 whether the license applicant has been granted a license;

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

161           (7) Utilize passage of a recognized national exam such  
162 as the NCCPA PANCE as a requirement for PA licensure; and

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

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

167           Section 4. Compact Privilege

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



## **HB156 INTRODUCED**

169 (1) Have graduated from a PA program accredited by the  
170 Accreditation Review Commission on Education for the Physician  
171 Assistant, Inc., or other programs authorized by commission  
172 rule;

173 (2) Hold current NCCPA certification;

174 (3) Have no felony or misdemeanor conviction;

175 (4) Have never had a controlled substance license,

176 permit, or registration suspended or revoked by a state or by  
177 the United States Drug Enforcement Administration.

178 (5) Have a unique identifier as determined by  
179 commission rule;

180 (6) Hold a qualifying license;

181 (7) Have had no revocation of a license or limitation  
182 or restriction on any license currently held due to an adverse  
183 action;

184 (8) If a licensee has had a limitation or restriction  
185 on a License or compact privilege due to an adverse action,  
186 two years must have elapsed from the date on which the license  
187 or compact privilege is no longer limited or restricted due to  
188 the adverse action;

189 (9) If a compact privilege has been revoked or is  
190 limited or restricted in a participating state for conduct  
191 that would not be a basis for disciplinary action in a  
192 participating state in which the licensee is practicing or  
193 applying to practice under a compact privilege, that  
194 participating state shall have the discretion not to consider  
195 such action as an adverse action requiring the denial or  
196 removal of a compact privilege in that state;



## HB156 INTRODUCED

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

199 (11) Meet any jurisprudence requirement of a remote  
200 state in which the licensee is seeking to practice under the  
201 compact privilege and pay any fees applicable to satisfying  
202 the jurisprudence requirement; and

203 (12) Report to the commission any adverse action taken  
204 by a non-participating state within 30 days after the action  
205 is taken.

206 (b) The compact privilege is valid until the expiration  
207 or revocation of the qualifying license unless terminated  
208 pursuant to an adverse action. The licensee must also comply  
209 with all of the requirements of subsection (a) to maintain the  
210 compact privilege in a remote state. If the participating  
211 state takes adverse action against a qualifying license, the  
212 licensee shall lose the compact privilege in any remote state  
213 in which the licensee has a compact privilege until all of the  
214 following occur:

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

216 (2) Two years have elapsed from the date on which the  
217 license is no longer limited or restricted due to the adverse  
218 action.

219 (c) Once a restricted or limited license satisfies the  
220 requirements of subsection (b), the licensee must meet the  
221 requirements of subsection (a) to obtain a compact privilege  
222 in any remote state.

223 (d) For each remote state in which a PA seeks authority  
224 to prescribe controlled substances, the PA shall satisfy all



225 requirements imposed by such state in granting or renewing  
226 such authority.

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

229 Upon a licensee's application for a compact privilege,  
230 the licensee shall identify to the commission the  
231 participating state from which the licensee is applying, in  
232 accordance with applicable rules adopted by the commission,  
233 and subject to the following requirements:

234 (1) When applying for a compact privilege, the licensee  
235 shall provide the commission with the address of the  
236 licensee's primary residence and thereafter shall immediately  
237 report to the commission any change in the address of the  
238 licensee's primary residence.

239 (2) When applying for a compact privilege, the licensee  
240 is required to consent to accept service of process by mail at  
241 the licensee's primary residence on file with the commission  
242 with respect to any action brought against the licensee by the  
243 commission or a participating state, including a subpoena,  
244 with respect to any action brought or investigation conducted  
245 by the commission or a participating state.

246 Section 6. Adverse Actions

247 (a) A participating state in which a licensee is  
248 licensed shall have exclusive power to impose adverse action  
249 against the qualifying license issued by that participating  
250 state.

251 (b) In addition to the other powers conferred by state  
252 law, a remote state shall have the authority, in accordance

## HB156 INTRODUCED



253 with existing state due process law, to do all of the  
254 following:

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

259 (2) Issue subpoenas for both hearings and  
260 investigations that require the attendance and testimony of  
261 witnesses as well as the production of evidence. Subpoenas  
262 issued by a licensing board in a participating state for the  
263 attendance and testimony of witnesses or the production of  
264 evidence from another participating state shall be enforced in  
265 the latter state by any court of competent jurisdiction,  
266 according to the practice and procedure of that court  
267 applicable to subpoenas issued in proceedings pending before  
268 it. The issuing authority shall pay any witness fees, travel  
269 expenses, mileage, and other fees required by the service  
270 statutes of the State in which the witnesses or evidence are  
271 located.

272 (3) Notwithstanding subdivision (2), subpoenas may not  
273 be issued by a participating state to gather evidence of  
274 conduct in another state that is lawful in that other state  
275 for the purpose of taking adverse action against a licensee's  
276 compact privilege or application for a compact privilege in  
277 that participating state.

278 (4) Nothing in this compact authorizes a participating  
279 state to impose discipline against a PA's compact privilege or  
280 to deny an application for a compact privilege in that



## HB156 INTRODUCED

281 participating state for the individual's otherwise lawful  
282 practice in another state.

283 (c) For purposes of taking adverse action, the  
284 participating state that issued the qualifying license shall  
285 give the same priority and effect to reported conduct received  
286 from any other participating state as it would if the conduct  
287 had occurred within the participating state that issued the  
288 qualifying license. In so doing, the participating state shall  
289 apply its own state laws to determine appropriate action.

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

294 (e) A participating state may take adverse action based  
295 on the factual findings of a remote state, provided that the  
296 participating state follows its own procedures for taking the  
297 adverse action.

298 (f) Joint investigations.

299 (1) In addition to the authority granted to a  
300 participating state by its respective state PA laws and rules  
301 or other applicable state law, any participating state may  
302 participate with other participating states in joint  
303 investigations of licensees.

304 (2) Participating states shall share any investigative,  
305 litigation, or compliance materials in furtherance of any  
306 joint or individual investigation initiated under this  
307 compact.

308 (g) If an adverse action is taken against a PA's



309 qualifying license, the PA's compact privilege in all remote  
310 states shall be deactivated until two years have elapsed after  
311 all restrictions have been removed from the state license. All  
312 disciplinary orders by the participating state that issued the  
313 qualifying license which impose adverse action against a PA's  
314 license shall include a statement that the PA's compact  
315 privilege is deactivated in all participating states during  
316 the pendency of the order.

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

319 Section 7. Establishment of the PA Licensure Compact  
320 Commission

321 (a) The participating states hereby create and  
322 establish a joint government agency and national  
323 administrative body known as the PA Licensure Compact  
324 Commission. The commission is an instrumentality of the  
325 compact states acting jointly and not an instrumentality of  
326 any one state. The commission shall come into existence on or  
327 after the effective date of the compact as set forth in  
328 Section 11(a).

329 (b) Membership, voting, and meetings.

330 (1) Each participating state shall have and be limited  
331 to one delegate selected by that participating state's  
332 licensing board or, if the state has more than one licensing  
333 board, selected collectively by the participating state's  
334 licensing boards.

335 (2) The delegate shall be either:

336 a. A current PA, physician, or public member of a

## HB156 INTRODUCED



337 licensing board or PA council or committee; or  
338                   b. An administrator of a licensing board.  
339                   (3) Any delegate may be removed or suspended from  
340 office as provided by the laws of the state from which the  
341 delegate is appointed.  
342                   (4) The participating state licensing board shall fill  
343 any vacancy occurring in the commission within 60 days.  
344                   (5) Each delegate shall be entitled to one vote on all  
345 matters voted on by the commission and shall otherwise have an  
346 opportunity to participate in the business and affairs of the  
347 commission. A delegate shall vote in person or by such other  
348 means as provided in the bylaws. The bylaws may provide for  
349 delegates' participation in meetings by telecommunications,  
350 video conference, or other means of communication.  
351                   (6) The commission shall meet at least once during each  
352 calendar year. Additional meetings shall be held as set forth  
353 in this compact and the bylaws.  
354                   (7) The commission shall establish by rule a term of  
355 office for delegates.  
356                   (c) The commission shall have the following powers and  
357 duties:  
358                   (1) Establish a code of ethics for the commission.  
359                   (2) Establish the fiscal year of the commission.  
360                   (3) Establish fees.  
361                   (4) Establish bylaws.  
362                   (5) Maintain its financial records in accordance with  
363 the bylaws.  
364                   (6) Meet and take such actions as are consistent with

## HB156 INTRODUCED



365 the provisions of this compact and the bylaws.

366 (7) Adopt rules to facilitate and coordinate  
367 implementation and administration of this compact. The rules  
368 shall have the force and effect of law and shall be binding in  
369 all participating states.

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

374 (9) Purchase and maintain insurance and bonds.

375 (10) Borrow, accept, or contract for services of  
376 personnel, including, but not limited to, employees of a  
377 participating state.

378 (11) Hire employees and engage contractors, elect or  
379 appoint officers, fix compensation, define duties, grant such  
380 individuals appropriate authority to carry out the purposes of  
381 this compact, and establish the commission's personnel  
382 policies and programs relating to conflicts of interest,  
383 qualifications of personnel, and other related personnel  
384 matters.

385 (12) Accept any and all appropriate donations and  
386 grants of money, equipment, supplies, materials, and services,  
387 and receive, utilize, and dispose of the same, provided that  
388 at all times the commission shall avoid any appearance of  
389 impropriety or conflict of interest.

390 (13) Lease, purchase, accept appropriate gifts or  
391 donations of, or otherwise own, hold, improve or use, any  
392 property, real, personal, or mixed, provided that at all times

## HB156 INTRODUCED



393 the commission shall avoid any appearance of impropriety.

394 (14) Sell, convey, mortgage, pledge, lease, exchange,  
395 abandon, or otherwise dispose of any property, real, personal,  
396 or mixed.

397 (15) Establish a budget and make expenditures.

398 (16) Borrow money.

399 (17) Appoint committees, including standing committees  
400 composed of members, state regulators, state legislators or  
401 their representatives, and consumer representatives, and such  
402 other interested persons as may be designated in this compact  
403 and the bylaws.

404 (18) Provide and receive information from, and  
405 cooperate with, law enforcement agencies.

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

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

412 (21) Approve or disapprove a state's participation in  
413 the compact based upon its determination as to whether the  
414 state's compact legislation departs in a material manner from  
415 the model compact language.

416 (22) Prepare and provide to the participating states an  
417 annual report.

418 (23) Perform such other functions as may be necessary  
419 or appropriate to achieve the purposes of this compact  
420 consistent with the state regulation of PA licensure and



421 practice.

422 (d) Meetings of the commission.

423 (1) All meetings of the commission that are not closed

424 pursuant to this subsection shall be open to the public.

425 Notice of public meetings shall be posted on the commission's

426 website at least 30 days prior to the public meeting.

427 (2) Notwithstanding subdivision (1), the commission may  
428 convene a public meeting by providing at least 24 hours prior  
429 notice on the commission's website, and any other means as  
430 provided in the commission's rules, for any of the reasons it  
431 may dispense with notice of proposed rulemaking under Section  
432 9(1).

433 (3) The commission may convene in a closed, nonpublic  
434 meeting or nonpublic part of a public meeting to receive legal  
435 advice or to discuss:

436 a. Noncompliance of a participating state with its  
437 obligations under this compact;

438 b. The employment, compensation, discipline, or other  
439 matters, practices or procedures related to specific employees  
440 or other matters related to the commission's internal  
441 personnel practices and procedures;

442 c. Current, threatened, or reasonably anticipated  
443 litigation;

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

446 e. Accusing any person of a crime or formally censuring  
447 any person;

448 f. Disclosure of trade secrets or commercial or



449 financial information that is privileged or confidential;

450 g. Disclosure of information of a personal nature where  
451 disclosure would constitute a clearly unwarranted invasion of  
452 personal privacy;

453 h. Disclosure of investigative records compiled for law  
454 enforcement purposes;

455 i. Disclosure of information related to any  
456 investigative reports prepared by or on behalf of or for use  
457 of the commission or other committee charged with  
458 responsibility of investigation or determination of compliance  
459 issues pursuant to this compact;

460 j. Legal advice; or

461 k. Matters specifically exempted from disclosure by  
462 federal or participating states' statutes.

463 (4) If a meeting, or portion of a meeting, is closed  
464 pursuant to this subsection, the chair of the meeting or the  
465 chair's designee shall certify that the meeting or portion of  
466 the meeting may be closed and shall reference each relevant  
467 exempting provision.

468 (5) The commission shall keep minutes that fully and  
469 clearly describe all matters discussed in a meeting and shall  
470 provide a full and accurate summary of actions taken,  
471 including a description of the views expressed. All documents  
472 considered in connection with an action shall be identified in  
473 the minutes. All minutes and documents of a closed meeting  
474 shall remain under seal, subject to release by a majority vote  
475 of the commission or order of a court of competent  
476 jurisdiction.



477 (e) Financing of the commission.

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

481 (2) The commission may accept any and all appropriate  
482 revenue sources, donations, and grants of money, equipment,  
483 supplies, materials, and services.

484 (3) The commission may levy on and collect an annual  
485 assessment from each participating state and may impose  
486 compact privilege fees on licensees of participating states to  
487 whom a compact privilege is granted to cover the cost of the  
488 operations and activities of the commission and its staff,  
489 which must be in a total amount sufficient to cover its annual  
490 budget as approved by the commission each year for which  
491 revenue is not provided by other sources. The aggregate annual  
492 assessment amount levied on participating states shall be  
493 allocated based upon a formula to be determined by commission  
494 rule.

495 a. A compact privilege expires when the licensee's  
496 qualifying license in the participating state from which the  
497 licensee applied for the compact privilege expires.

498 b. If the licensee terminates the qualifying license  
499 through which the licensee applied for the compact privilege  
500 before its scheduled expiration, and the licensee has a  
501 qualifying license in another participating state, the  
502 licensee shall inform the commission that it is changing to  
503 that participating state the participating state through which  
504 it applies for a compact privilege and pay to the commission

## HB156 INTRODUCED



505 any compact privilege fee required by commission rule.

506 (4) The commission shall not incur obligations of any  
507 kind prior to securing the funds adequate to meet the same;  
508 nor shall the commission pledge the credit of any of the  
509 participating states, except by and with the authority of the  
510 participating state.

511 (5) The commission shall keep accurate accounts of all  
512 receipts and disbursements. The receipts and disbursements of  
513 the commission shall be subject to the financial review and  
514 accounting procedures established under its bylaws. All  
515 receipts and disbursements of funds handled by the commission  
516 shall be subject to an annual financial review by a certified  
517 or licensed public accountant, and the report of the financial  
518 review shall be included in and become part of the annual  
519 report of the commission.

520 (f) The executive committee.

521 (1) The executive committee shall have the power to act  
522 on behalf of the commission according to the terms of this  
523 compact and commission rules.

524 (2) The executive committee shall be composed of nine  
525 members:

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

528 b. One *ex officio*, nonvoting member from a recognized  
529 national PA professional association; and

530 c. One *ex officio*, nonvoting member from a recognized  
531 national PA certification organization.

532 (3) The *ex officio* members shall be selected by their



533 respective organizations.

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

536 (5) The executive committee shall meet at least  
537 annually.

538 (6) The executive committee shall have the following  
539 duties and responsibilities:

540 a. Recommend to the commission changes to the  
541 commission's rules or bylaws, changes to this compact  
542 legislation, fees to be paid by compact participating states  
543 such as annual dues, and any commission compact fee charged to  
544 licensees for the compact privilege.

545 b. Ensure compact administration services are  
546 appropriately provided, contractual or otherwise.

547 c. Prepare and recommend the budget.

548 d. Maintain financial records on behalf of the  
549 commission.

550 e. Monitor compact compliance of participating states  
551 and provide compliance reports to the commission.

552 f. Establish additional committees as necessary.

553 g. Exercise the powers and duties of the commission  
554 during the interim between commission meetings, except for  
555 issuing proposed rulemaking or adopting commission rules or  
556 bylaws, or exercising any other powers and duties exclusively  
557 reserved to the commission by the commission's rules.

558 h. Perform other duties as provided in the commission's  
559 rules or bylaws.

560 (7) All meeting of the executive committee at which it



561 votes or plans to vote on matters in exercising the powers and  
562 duties of the commission shall be open to the public, and  
563 public notice of such meetings shall be given as public  
564 meetings of the commission are given.

565 (8) The executive committee may convene in a closed,  
566 nonpublic meeting for the same reasons that the commission may  
567 convene in a nonpublic meeting as set forth in subdivision  
568 (d) (3) and shall announce the closed meeting as the commission  
569 is required to under subdivision (d) (4) and keep minutes of  
570 the closed meeting as the commission is required to under  
571 subdivision (d) (5).

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

573 (1) The members, officers, executive director,  
574 employees, and representatives of the commission shall be  
575 immune from suit and liability, both personally and in their  
576 official capacity, for any claim for damage to or loss of  
577 property or personal injury or other civil liability caused by  
578 or arising out of any actual or alleged act, error, or  
579 omission that occurred, or that the person against whom the  
580 claim is made had a reasonable basis for believing occurred,  
581 within the scope of commission employment, duties, or  
582 responsibilities, provided that nothing in this subdivision  
583 shall be construed to protect any such individual from suit or  
584 liability for any damage, loss, injury, or liability caused by  
585 the intentional or willful or wanton misconduct of that  
586 individual. The procurement of insurance of any type by the  
587 commission shall not in any way compromise or limit the  
588 immunity granted in this subdivision.



589 (2) The commission shall defend any member, officer,  
590 executive director, employee, or representative of the  
591 commission in any civil action seeking to impose liability  
592 arising out of any actual or alleged act, error, or omission  
593 that occurred within the scope of commission employment,  
594 duties, or responsibilities, or as determined by the  
595 commission that the individual against whom the claim is made  
596 had a reasonable basis for believing occurred within the scope  
597 of commission employment, duties, or responsibilities,  
598 provided that nothing herein shall be construed to prohibit  
599 that individual from retaining his or her own counsel at his  
600 or her own expense; and provided further, that the actual or  
601 alleged act, error, or omission did not result from that  
602 individual's intentional or willful or wanton misconduct.

603 (3) The commission shall indemnify and hold harmless  
604 any member, officer, executive director, employee, or  
605 representative of the commission for the amount of any  
606 settlement or judgment obtained against that individual  
607 arising out of any actual or alleged act, error, or omission  
608 that occurred within the scope of commission employment,  
609 duties, or responsibilities, or that such individual had a  
610 reasonable basis for believing occurred within the scope of  
611 commission employment, duties, or responsibilities, provided  
612 that the actual or alleged act, error, or omission did not  
613 result from the intentional or willful or wanton misconduct of  
614 that individual.

615 (4) Venue is proper and judicial proceedings by or  
616 against the commission shall be brought solely and exclusively



617 in a court of competent jurisdiction where the principal  
618 office of the commission is located. The commission may waive  
619 venue and jurisdictional defenses in any proceedings as  
620 authorized by commission rules.

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

625 (6) Nothing herein shall be construed to designate the  
626 venue or jurisdiction to bring actions for alleged acts of  
627 malpractice, professional misconduct, negligence, or other  
628 such civil action pertaining to the practice of a PA. All such  
629 matters shall be determined exclusively by state law other  
630 than this compact.

631 (7) Nothing in this compact shall be interpreted to  
632 waive or otherwise abrogate a participating state's state  
633 action immunity or state action affirmative defense with  
634 respect to antitrust claims under the Sherman Act, Clayton  
635 Act, or any other state or federal antitrust or  
636 anticompetitive law, rule, or regulation.

637 (8) Nothing in this compact shall be construed to be a  
638 waiver of sovereign immunity by the participating states or by  
639 the commission.

640                   Section 8. Data System

641 (a) The commission shall provide for the development,  
642 maintenance, operation, and utilization of a coordinated data  
643 and reporting system containing licensure, adverse action, and  
644 the reporting of the existence of significant investigative



645 information on all licensed PAs and applicants denied a  
646 license in participating states.

647 (b) Notwithstanding any other state law to the  
648 contrary, a participating state shall submit a uniform data  
649 set to the data system on all PAs to whom this compact is  
650 applicable (utilizing a unique identifier) as required by the  
651 rules of the commission, including:

652 (1) Identifying information;

653 (2) Licensure data;

654 (3) Adverse actions against a license or compact  
655 privilege;

656 (4) Any denial of application for licensure, and the  
657 reason or reasons for such denial, excluding the reporting of  
658 any criminal history record information where prohibited by  
659 law;

660 (5) The existence of significant investigative  
661 information; and

662 (6) Other information that may facilitate the  
663 administration of this compact, as determined by the rules of  
664 the commission.

665 (c) Significant investigative information pertaining to  
666 a licensee in any participating state shall only be available  
667 to other participating states.

668 (d) The commission shall promptly notify all  
669 participating states of any adverse action taken against a  
670 licensee or an individual applying for a license that has been  
671 reported to it. This adverse action information shall be  
672 available to any other participating state.



## **HB156 INTRODUCED**

673 (e) Participating states contributing information to  
674 the data system may, in accordance with state or federal law,  
675 may designate information that may not be shared with the  
676 public without the express permission of the contributing  
677 state. Notwithstanding any such designation, such information  
678 shall be reported to the commission through the data system.

679 (f) Any information submitted to the data system that  
680 is subsequently expunged pursuant to federal law or the laws  
681 of the participating state contributing the information shall  
682 be removed from the data system upon reporting of such by the  
683 participating state to the commission.

684 (g) The records and information provided to a  
685 participating state pursuant to this compact or through the  
686 data system, when certified by the commission or an agent  
687 thereof, shall constitute the authenticated business records  
688 of the commission, and shall be entitled to any associated  
689 hearsay exception in any relevant judicial, quasi-judicial or  
690 administrative proceedings in a participating state.

## Section 9. Rulemaking

692 (a) The commission shall exercise its rulemaking powers  
693 pursuant to the criteria set forth in this section and the  
694 rules adopted thereunder. Commission rules shall become  
695 binding as of the date specified by the commission for each  
696 rule.

697 (b) The commission shall adopt reasonable rules in  
698 order to effectively and efficiently implement and administer  
699 this compact and achieve its purposes. A commission rule shall  
700 be invalid and have not force or effect only if a court of



701 competent jurisdiction holds that the rule is invalid because  
702 the commission exercised its rulemaking authority in a manner  
703 that is beyond the scope of the purposes of this compact, or  
704 the powers granted hereunder, or based upon another applicable  
705 standard of review.

706 (c) The rules of the commission shall have the force of  
707 law in each participating state, provided that where the rules  
708 of the commission conflict with the laws of the participating  
709 state that establish the medical services a PA may perform in  
710 the participating state, as held by a court of competent  
711 jurisdiction, the rules of the commission shall be ineffective  
712 in that state to the extent of the conflict.

713 (d) If a majority of the legislatures of the  
714 participating states rejects a commission rule, by enactment  
715 of a statute or resolution in the same manner used to adopt  
716 this compact within four years of the date of adoption of the  
717 rule, then the rule shall have no further force and effect in  
718 any participating state or to any state applying to  
719 participate in the compact.

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

722 (f) Prior to promulgation and adoption of a final rule  
723 or rules by the commission, and at least 30 days in advance of  
724 the meeting at which the rule will be considered and voted  
725 upon, the commission shall file a notice of proposed  
726 rulemaking:

727 (1) On the website of the commission or other publicly  
728 accessible platform;



## **HB156 INTRODUCED**

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

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

(g) The notice of proposed rulemaking shall include:

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

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

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

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

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

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

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



757 testify at the hearing.

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

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

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

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

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

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

777 (2) The commission may adopt changes to the proposed  
778 rule provided the changes do not enlarge the original purpose  
779 of the proposed rule.

780 (3) The commission shall provide on its website an  
781 explanation of the reasons for substantive changes made to the  
782 proposed rule as well as reasons for substantive changes not  
783 made that were recommended by commenters.

784 (4) The commission shall determine a reasonable

## HB156 INTRODUCED



785 effective date for the rule. Except for an emergency as  
786 provided in subsection (1), the effective date of the rule  
787 shall be no sooner than 30 days after the commission issued  
788 the notice that it adopted the rule.

789 (1) Upon determination that an emergency exists, the  
790 commission may consider and adopt an emergency rule with 24  
791 hours prior notice, without the opportunity for comment, or  
792 hearing, provided that the usual rulemaking procedures  
793 provided in this compact and in this section shall be  
794 retroactively applied to the rule as soon as reasonably  
795 possible, and in no event later than 90 days after the  
796 effective date of the rule. For the purposes of this  
797 subsection, an emergency rule is one that must be adopted  
798 immediately by the commission in order to:

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

801 (2) Prevent a loss of commission or participating state  
802 funds;

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

805 (4) Protect public health and safety.

806 (m) The commission or an authorized committee of the  
807 commission may direct revisions to a previously adopted  
808 commission rule for purposes of correcting typographical  
809 errors, errors in format, errors in consistency, or  
810 grammatical errors. Public notice of any revisions shall be  
811 posted on the website of the commission. The revision shall be  
812 subject to challenge by any person for a period of 30 days



813 after posting. The revision may be challenged only on grounds  
814 that the revision results in a material change to a rule. A  
815 challenge shall be made as set forth in the notice of  
816 revisions and delivered to the commission prior to the end of  
817 the notice period. If no challenge is made, the revision shall  
818 take effect without further action. If the revision is  
819 challenged, the revision may not take effect without the  
820 approval of the commission.

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

823 Section 10. Oversight, Dispute Resolution, and  
824 Enforcement

825 (a) Oversight.

826 (1) The executive and judicial branches of state  
827 government in each participating state shall enforce this  
828 compact and take all actions necessary and appropriate to  
829 implement the compact.

830 (2) Venue is proper and judicial proceedings by or  
831 against the commission shall be brought solely and exclusively  
832 in a court of competent jurisdiction where the principal  
833 office of the commission is located. The commission may waive  
834 venue and jurisdictional defenses to the extent it adopts or  
835 consents to participate in alternative dispute resolution  
836 proceedings. Nothing herein shall affect or limit the  
837 selection or propriety of venue in any action against a  
838 licensee for professional malpractice, misconduct, or any such  
839 similar matter.

840 (3) The commission shall be entitled to receive service



841 of process in any proceeding regarding the enforcement or  
842 interpretation of the compact or the commission's rules and  
843 shall have standing to intervene in such a proceeding for all  
844 purposes. Failure to provide the commission with service of  
845 process shall render a judgment or order in such proceeding  
846 void as to the commission, this compact, or commission rules.

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

848 (1) If the commission determines that a participating  
849 state has defaulted in the performance of its obligations or  
850 responsibilities under this compact or the commission rules,  
851 the commission shall provide written notice to the defaulting  
852 state and other participating states. The notice shall  
853 describe the default, the proposed means of curing the default  
854 and any other action that the commission may take and shall  
855 offer remedial training and specific technical assistance  
856 regarding the default.

857 (2) If a state in default fails to cure the default,  
858 the defaulting state may be terminated from this compact upon  
859 an affirmative vote of a majority of the delegates of the  
860 participating states, and all rights, privileges, and benefits  
861 conferred by this compact upon such state may be terminated on  
862 the effective date of termination. A cure of the default does  
863 not relieve the offending state of obligations or liabilities  
864 incurred during the period of default.

865 (3) Termination of participation in this compact shall  
866 be imposed only after all other means of securing compliance  
867 have been exhausted. Notice of intent to suspend or terminate  
868 shall be given by the commission to the governor, the majority



869 and minority leaders of the defaulting state's legislature,  
870 and to the licensing board or licensing boards of each of the  
871 participating states.

872 (4) A state that has been terminated is responsible for  
873 all assessments, obligations, and liabilities incurred through  
874 the effective date of termination, including obligations that  
875 extend beyond the effective date of termination.

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

880 (6) The defaulting state may appeal its termination  
881 from the compact by the commission by petitioning the U.S.  
882 District Court for the District of Columbia or the federal  
883 district where the commission has its principal offices. The  
884 prevailing member shall be awarded all costs of such  
885 litigation, including reasonable attorney fees.

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

889 a. Licensees who have been granted a compact privilege  
890 in that state shall retain the compact privilege for 180 days  
891 following the effective date of the termination; and

892 b. Licensees who are licensed in that state who have  
893 been granted a compact privilege in a participating state  
894 shall retain the compact privilege for 180 days unless the  
895 licensee also has a qualifying license in a participating  
896 state or obtains a qualifying license in a participating state

## HB156 INTRODUCED



897 before the 180-day period ends, in which case the compact  
898 privilege shall continue.

899 (c) Dispute resolution.

900 (1) Upon request by a participating state, the  
901 commission shall attempt to resolve disputes related to this  
902 compact that arise among participating states and between  
903 participating and non-participating states.

904 (2) The commission shall adopt a rule providing for  
905 both mediation and binding dispute resolution for disputes as  
906 appropriate.

907 (d) Enforcement.

908 (1) The commission, in the reasonable exercise of its  
909 discretion, shall enforce the provisions of this compact and  
910 rules of the commission.

911 (2) If compliance is not secured after all means to  
912 secure compliance have been exhausted, by majority vote, the  
913 commission may initiate legal action in the United States  
914 District Court for the District of Columbia or the federal  
915 district where the commission has its principal offices,  
916 against a participating state in default to enforce compliance  
917 with the provisions of this compact and the commission's  
918 adopted rules and bylaws. The relief sought may include both  
919 injunctive relief and damages. In the event judicial  
920 enforcement is necessary, the prevailing party shall be  
921 awarded all costs of such litigation, including reasonable  
922 attorney fees.

923 (3) The remedies herein shall not be the exclusive  
924 remedies of the commission. The commission may pursue any

## HB156 INTRODUCED



925 other remedies available under federal or state law.

926 (e) Legal action against the commission.

927 (1) A participating state may initiate legal action  
928 against the commission in the U.S. District Court for the  
929 District of Columbia or the federal district where the  
930 commission has its principal offices to enforce compliance  
931 with the provisions of the compact and its rules. The relief  
932 sought may include both injunctive relief and damages. In the  
933 event judicial enforcement is necessary, the prevailing party  
934 shall be awarded all costs of such litigation, including  
935 reasonable attorney fees.

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

938 Section 11. Date of Implementation of the PA Licensure  
939 Compact Commission

940 (a) This compact shall come into effect on the date on  
941 which this compact statute is enacted into law in the seventh  
942 participating state.

943 (1) On or after the effective date of the compact, the  
944 commission shall convene and review the enactment of each of  
945 the states that enacted the compact prior to the commission  
946 convening charter participating states to determine if the  
947 statute enacted by each charter participating state is  
948 materially different than the model compact.

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

952 b. If any participating state later withdraws from the



compact or its participation is terminated, the commission shall remain in existence and the compact shall remain in effect even if the number of participating states should be less than seven. Participating states enacting the compact subsequent to the commission convening shall be subject to the process set forth in Section 7(c)(21) to determine if their enactments are materially different from the model compact and whether they qualify for participation in the compact.

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

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

(b) Any state that joins this compact shall be subject to the commission's rules and bylaws as they exist on the date on which this compact becomes law in that state. Any rule that has been previously adopted by the commission shall have the full force and effect of law on the day this compact becomes law in that state.

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



981 (1) A participating state's withdrawal shall not take  
982 effect until 180 days after enactment of the repealing  
983 statute. During this 180-day period, all compact privileges  
984 that were in effect in the withdrawing state and were granted  
985 to licensees licensed in the withdrawing state shall remain in  
986 effect. If any licensee licensed in the withdrawing state is  
987 also licensed in another participating state or obtains a  
988 license in another participating state within the 180 days,  
989 the licensee's compact privileges in other participating  
990 states shall not be affected by the passage of the 180 days.

991 (2) Withdrawal shall not affect the continuing  
992 requirement of the state licensing board or licensing boards  
993 of the withdrawing state to comply with the investigative and  
994 adverse action reporting requirements of this compact prior to  
995 the effective date of withdrawal.

1002 (d) Nothing contained in this compact shall be  
1003 construed to invalidate or prevent any PA licensure agreement  
1004 or other cooperative arrangement between participating states  
1005 and between a participating state and nonparticipating state  
1006 which does not conflict with the provisions of this compact.

1007 (e) This compact may be amended by the participating  
1008 states. No amendment to this compact shall become effective



1009 and binding upon any participating state until it is enacted  
1010 materially in the same manner into the laws of all  
1011 participating states as determined by the commission.

1012                   Section 12. Construction and Severability

1013                   (a) This compact and the commission's rulemaking  
1014 authority shall be liberally construed so as to effectuate the  
1015 purposes, and the implementation and administration of the  
1016 compact. Provisions of the compact expressly authorizing or  
1017 requiring the adoption of rules shall not be construed to  
1018 limit the commission's rulemaking authority solely for those  
1019 purposes.

1020                   (b) The provisions of this compact shall be severable  
1021 and if any phrase, clause, sentence, or provision of this  
1022 compact is held by a court of competent jurisdiction to be  
1023 contrary to the constitution of any participating state, a  
1024 state seeking participation in the compact, or of the United  
1025 States, or the applicability thereof to any government,  
1026 agency, person or circumstance is held to be unconstitutional  
1027 by a court of competent jurisdiction, the validity of the  
1028 remainder of this compact and the applicability thereof to any  
1029 other government, agency, person, or circumstance shall not be  
1030 affected thereby.

1031                   (c) Notwithstanding subsection (b), the commission may  
1032 deny a state's participation in the compact or, in accordance  
1033 with the requirements of Section 10(b), terminate a  
1034 participating state's participation in the compact, if it  
1035 determines that a constitutional requirement of a  
1036 participating state is, or would be with respect to a state



1037 seeking to participate in the compact, a material departure  
1038 from the compact. Otherwise, if this compact shall be held to  
1039 be contrary to the constitution of any participating state,  
1040 the compact shall remain in full force and effect as to the  
1041 remaining participating states and in full force and effect as  
1042 to the participating state affected as to all severable  
1043 matters.

1044                   Section 13. Binding Effect of Compact

1045                   (a) Nothing in this compact prevents the enforcement of  
1046 any other law of a participating state that is not  
1047 inconsistent with this compact.

1048                   (b) Any laws in a participating state in conflict with  
1049 this compact are superseded to the extent of the conflict.

1050                   (c) All agreements between the commission and the  
1051 participating states are binding in accordance with their  
1052 terms.

1053                   Section 14. This act shall become effective on October  
1054 1, 2026.