

SB160 INTRODUCED



1 SB160

2 ARZEB7S-1

3 By Senators Woods, Orr, Barfoot, Albritton, Bell

4 RFD: Fiscal Responsibility and Economic Development

5 First Read: 14-Jan-26



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4 SYNOPSIS:

5 This bill would adopt the Athletic Trainer
6 Compact as a means of providing uniformity in licensing
7 requirements and interstate practice throughout member
8 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 Athletic Trainer 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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19
20 A BILL
21 TO BE ENTITLED
22 AN ACT
23

24 Relating to athletic trainers; to adopt the Athletic
25 Compact as Article 3 of Chapter 40 of Title 34, Code
26 of Alabama 1975; to allow licensed athletic trainers to
27 practice among compact states; to establish requirements and
28 obligations for participation in the compact; to provide for

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29 disciplinary actions and joint investigation procedures; and
30 to establish and provide for the operation of the Athletic
31 Trainer Compact Commission and enforcement of the compact
32 among member states.

33 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

34 Section 1. Article 3, commencing with Section 34-40-60,
35 is added to Chapter 40 of Title 34, Code of Alabama 1975, to
36 read as follows:

37 Article 3 ATHLETIC TRAINER COMPACT
38 §34-40-60 Title and purpose.

39 (a) This article shall be known and cited as the
40 Athletic Trainer Compact. The purposes of this compact are to
41 expand mobility of athletic training practice and improve
42 public access to services by providing qualified licensed
43 athletic trainers the ability to practice in other member
44 states. This compact preserves the regulatory authority of
45 states to protect public health and safety through the current
46 system of state licensure.

47 (b) This compact is designed to achieve the following
48 objectives:

49 (1) Increase public access to athletic training and
50 enhance continuity of care by providing for the mutual
51 recognition of other licenses issued by member states.

52 (2) Provide an additional streamlined opportunity for
53 interstate practice by licensed athletic trainers who meet
54 compact uniform requirements.

55 (3) Promote mobility and workforce development by
56 eliminating the necessity for licenses in multiple states by



57 providing for the mutual recognition of other licenses issued
58 by member states.

59 (4) Reduce administrative burdens on licensed athletic
60 trainers and member states.

61 (5) Enhance the states' ability to protect the public's
62 health and safety.

63 (6) Encourage the cooperation of member states in
64 regulating interstate practice of licensed athletic trainers.

65 (7) Support relocating active military members and
66 their spouses.

67 (8) Enhance the exchange of licensure, investigative,
68 and disciplinary information among member states.

69 (9) Allow for the use of telehealth to facilitate
70 increased access to athletic training services.

71 (10) Support the uniformity of licensed athletic
72 trainer licensure requirements throughout the states.

73 (11) Affirm the authority of all member states to hold
74 a licensed athletic trainer accountable for abiding by the
75 scope of practice in the state in which the patient is located
76 at the time of care.

77 (12) Require adherence to the model compact language in
78 order to promote uniformity and ensure that all member states
79 have accepted and are mutually obligated to the same terms.

80 §34-40-61 Definitions.

81 As used in this compact, unless the context requires
82 otherwise, the following terms have the following meanings:

83 (1) ACTIVE MILITARY MEMBER. Any individual with
84 full-time duty status in the active Armed Forces of the United



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85 States, including members of the National Guard and Reserve.

86 (2) ADVERSE ACTION. Any administrative, civil,
87 equitable, or criminal action permitted by a state's laws
88 which is imposed by a licensing authority or other authority
89 against a licensee, including actions against an individual's
90 license or compact privilege such as revocation, suspension,
91 probation, monitoring of the licensee, limitation on the
92 licensee's practice, or any other encumbrance on licensure
93 affecting a licensee's authorization to practice.

94 (3) ALTERNATIVE PROGRAM. A nondisciplinary monitoring
95 or practice remediation process applicable to an athletic
96 trainer approved by a state licensing authority of a member
97 state in which the athletic trainer is licensed. This
98 includes, but is not limited to, programs to which licensees
99 with substance use, addiction, or mental health conditions are
100 referred in lieu of adverse action.

101 (4) ATHLETIC TRAINER COMPACT COMMISSION or COMPACT
102 COMMISSION. The government agency whose membership consists of
103 all states that have enacted this compact, as described in
104 this compact and which shall operate as an instrumentality of
105 the member states to administer and implement the compact
106 according to its terms.

107 (5) ATHLETIC TRAINING. The prevention, examination,
108 assessment, treatment, and rehabilitation of emergent, acute,
109 or chronic injuries and medical conditions as defined by
110 applicable member state laws and rules.

111 (6) BOC. The Board of Certification, Inc., or any
112 successor organization thereto.



113 (7) CAATE. The Commission on Accreditation of Athletic
114 Training Education or any successor organization thereto.

115 (8) CHARTER MEMBER STATE. Any member state which
116 enacted and made effective this compact by law before the
117 compact effective date specified in this compact.

118 (9) COMMISSIONER. The individual appointed by a member
119 state to serve as the member of the commission for that member
120 state.

(10) COMPACT PRIVILEGE. The legal authorization granted by a remote state, equivalent to a license, allowing a licensee from another member state to provide athletic training services in a remote state.

125 (11) COMPACT QUALIFYING LICENSE. A license that is not
126 an encumbered license issued by a member state to practice
127 athletic training which qualifies the licensee to exercise a
128 compact privilege pursuant to Section 34-40-63.

129 (12) CONTINUING COMPETENCE. A requirement, as a
130 condition of license renewal, to provide evidence of
131 successful participation and completion of educational and
132 professional activities relevant to practice or area of work.
133 For purposes of this compact, evidence of active BOC
134 certification may satisfy the meaning of continuing competence
135 as set forth in this compact.

136 (13) CRIMINAL BACKGROUND CHECK. The submission of
137 fingerprints or other biometric-based information for a
138 license applicant for the purpose of obtaining that
139 applicant's criminal history record information, as defined in
140 28 C.F.R. § 20.3(d) from the Federal Bureau of Investigation



141 and the state's criminal history record repository as defined
142 in 28 C.F.R. § 20.3(f).

143 (14) CURRENT SIGNIFICANT INVESTIGATIVE INFORMATION. The
144 existence of:

145 a. Investigative information that a licensing
146 authority, after a preliminary inquiry that includes
147 notification and an opportunity for the subject licensee to
148 respond, if required by state law, has reason to believe is
149 not groundless and, if proven true, would indicate more than a
150 minor infraction; or

151 b. Investigative information that indicates that the
152 subject licensee represents an immediate threat to public
153 health and safety regardless of whether the subject licensee
154 has been notified and had an opportunity to respond.

155 (15) DATA SYSTEM. The commission's repository of
156 information about licensees, including, but not limited to,
157 examination, licensure, investigative, compact privilege,
158 adverse action, and alternative program.

159 (16) ENCUMBRANCE or ENCUMBERED. A revocation or
160 suspension of, or any limitation or condition on, the full and
161 unrestricted practice of athletic training.

162 (17) EXECUTIVE COMMITTEE. A group of commissioners
163 elected or appointed to act on behalf of, and within the
164 powers granted to them by, the compact and commission.

165 (18) INVESTIGATIVE INFORMATION. Information, records,
166 and documents received or generated by a licensing authority
167 pursuant to an investigation.

168 (19) JURISPRUDENCE REQUIREMENT. The assessment of an



169 individual's knowledge of the laws and rules governing the
170 practice of athletic training, as applicable, in a state.

171 (20) LICENSE. The current authorization by a member
172 state to engage in the practice of athletic training.

173 (21) LICENSEE or LICENSED ATHLETIC TRAINER. An
174 individual who currently holds an active, unrestricted license
175 and who meets all of the requirements outlined in Section
176 34-40-63.

177 (22) LICENSING AUTHORITY. The board or agency of a
178 state, or equivalent, that is responsible for the licensing
179 and regulation of athletic trainers.

180 (23) MEMBER STATE. A state that has enacted this
181 compact.

182 (24) MODEL COMPACT LANGUAGE. The model language for the
183 athletic trainer compact on file with the council of state
184 governments or other entity as designated by the commission to
185 which all member states must substantively adhere and adopt.

186 (25) REMOTE STATE. A member state other than the state
187 of qualifying licensure.

188 (26) RULE. A regulation adopted by an authorized entity
189 that has the force of law.

190 (27) SCOPE OF PRACTICE. The procedures, actions, and
191 processes an athletic trainer licensed in a state is permitted
192 to undertake in that state and the circumstances under which
193 the licensee is permitted to undertake those procedures,
194 actions, and processes. The procedures, actions, and
195 processes, and the circumstances under which they may be
196 undertaken may be established through means, including, but



197 not limited to, statute, rules, case law, and other processes
198 available to the state licensing authority or other government
199 agency. Scope of practice shall include any state requirements
200 regarding supervision or direction, if required by the state
201 and as further defined by the state's statutes and rules.

202 (28) SINGLE STATE LICENSE. A license issued by any
203 state that authorizes practice only within the issuing state.

204 (29) STATE. Any state, commonwealth, district, or
205 territory of the United States of America.

206 (30) STATE OF QUALIFYING LICENSURE. The member state
207 which has issued a compact qualifying license to a licensee
208 pursuant to this compact.

209 (31) UNENCUMBERED LICENSE. A license that authorizes a
210 licensee to engage in the full and unrestricted practice of
211 athletic training.

212 §34-40-62 State participation in the compact.

213 (a) To be eligible to join this compact and to maintain
214 eligibility as a member state, a state must:

215 (1) Enact and maintain a statute that is not materially
216 different from the model compact language;

217 (2) License and regulate the practice of athletic
218 training;

219 (3) Require that licensees in that state maintain
220 continuing competence standards as part of their state
221 practice act or rules;

222 (4) Have a mechanism in place for receiving and
223 investigating complaints about licensees;

224 (5) Grant the compact privilege to a licensee who meets



225 all the requirements outlined in Section 34-40-63 in
226 accordance with the terms of the compact and any rules adopted
227 thereunder;

228 (6) Participate fully in the compact commission's data
229 system, including using the unique identifier as defined in
230 rules;

231 (7) Notify the compact commission, in compliance with
232 the terms of the compact and rules, of any adverse action or
233 the availability of current significant investigative
234 information regarding a licensee;

235 (8) Within a time frame established by rule, implement
236 or utilize procedures for considering the criminal history
237 records of applicants for a compact qualifying license which
238 includes receiving the results of the Federal Bureau of
239 Investigation record search and use those results in making
240 licensure decisions. These procedures shall include the
241 submission of fingerprints or other biometric-based
242 information by applicants for the purpose of obtaining an
243 applicant's criminal history record information from the
244 Federal Bureau of Investigation and the agency responsible for
245 retaining that state's criminal records;

246 a. A member state must fully implement a criminal
247 background check requirement in order to participate in the
248 issuance and acceptance of compact privileges.

249 b. Communication between a member state and the compact
250 commission or among member states regarding the verification
251 of eligibility for licensure through the compact shall not
252 include any information received from the Federal Bureau of



253 Investigation relating to a federal criminal records check
254 performed by a member state; and

255 (9) Comply with and enforce the rules of the compact
256 commission.

257 (b) Member states may set and collect a fee for
258 issuance and renewal of a compact privilege to applicants.

259 (c) Individuals without a compact qualifying license
260 shall continue to be able to apply for a member state's single
261 state license as provided under the laws of each member state.

262 (d) Nothing in this compact shall affect the
263 requirements established by a member state for the issuance of
264 a single state license.

265 (e) A compact qualifying license shall be recognized by
266 each remote state as authorizing that licensee to engage in
267 the practice of athletic training, under a compact privilege,
268 in another member state in accordance with the requirements in
269 Section 34-40-63.

270 §34-40-63 Compact privilege.

271 (a) To be eligible for a compact privilege under the
272 terms and provisions of this compact, the licensee shall
273 complete a criminal background check performed by the
274 licensing authority in the state of qualifying licensure
275 before entry in the compact and shall:

276 (1) Satisfy one of the following two pathways:

277 a. Hold a valid current active certification through
278 BOC.

279 b. If a licensee does not meet the requirements of
280 paragraph a., the following must be completed:



281 1. An education program which is either:

282 (i) At least a bachelor's degree with a major course of
283 study in athletic training, an equivalent course of study from
284 a college or university accredited at the time of graduation
285 by CAATE;

286 (ii) An academic degree from a college or university in
287 a foreign country equivalent to the degree described in item
288 (i) with a major course of study as described in item (i) that
289 is accredited by CAATE; or

290 (iii) The substantial equivalent of the foregoing which
291 the commission may determine by rule.

292 2. Successful completion of the exam administered by
293 BOC, preceding the date of the licensee's application for
294 licensure in his or her state of qualifying licensure or the
295 substantial equivalent of the foregoing requirement which the
296 commission may determine by rule;

297 (2) Hold a compact qualifying license;

298 (3) Have not had any encumbrance against any license or
299 compact privilege to practice athletic training within the
300 previous two years;

301 (4) Be eligible for a compact privilege in any member
302 state in accordance with this section;

303 (5) Notify the compact commission that the licensee is
304 seeking the compact privilege within a remote state or remote
305 states;

306 (6) Pay any applicable fees, including any state fee,
307 for the compact privilege;

308 (7) Meet only the continuing competence requirements



309 established by the state of qualifying licensure;

310 (8) Comply with any requirements of the state of
311 qualifying licensure as set forth in Section 34-40-62;

312 (9) Meet any jurisprudence requirements established by
313 the remote state or remote states in which the licensee is
314 seeking a compact privilege; and

315 (10) Report to the compact commission any adverse
316 action, encumbrance, or restriction on a license taken by any
317 non-member state within 30 days from the date the action is
318 taken.

319 (b) The compact privilege is valid until the expiration
320 date of the compact qualifying license. To maintain a compact
321 privilege, renewal of the compact privilege shall be congruent
322 with the renewal of the compact qualifying license as the
323 compact commission may define by rule. The licensee must
324 comply with the requirements of this section to maintain the
325 compact privilege in the remote state. A licensee may apply
326 for and hold compact privileges in multiple member states.

327 (c) A licensed athletic trainer must follow the scope
328 of practice of the member state where the patient is located.
329 A licensee engaging in the practice of athletic training in a
330 remote state under the compact privilege shall adhere to the
331 scope of practice laws and rules of the remote state.
332 Licensees shall be responsible for educating themselves on,
333 and complying with, any and all scope of practice laws and
334 rules and state laws relating to the remote practice of
335 athletic training, as applicable.

336 (d) A licensee engaging in the practice of athletic



337 training in a remote state is subject to that state's
338 regulatory authority. A remote state, in accordance with due
339 process and that state's laws, may remove a licensee's compact
340 privilege in the remote state for a specific period of time,
341 impose fines, or take any other necessary actions to protect
342 the health and safety of its residents. Any member state which
343 undertakes such an action shall promptly notify the member
344 state and the commission as specified in the rules. The
345 licensee may be deemed to be ineligible to exercise the
346 compact privilege by any member state until the specific time
347 for removal has passed and all fines are paid.

348 (e) All member state disciplinary orders that impose
349 adverse action against a compact qualifying license shall
350 result in deactivation of the licensee's compact privilege in
351 all member states during the pendency of the order. If a
352 compact qualifying license is encumbered, the licensee shall
353 lose the compact privilege in any remote state until the
354 following occur:

355 (1) The compact qualifying license is no longer
356 encumbered.

357 (2) The licensee has not had any encumbrance or
358 restriction against any license, compact qualifying license,
359 or compact privilege within the previous two years.

360 (f) Once an encumbered license is restored to good
361 standing as a compact qualifying license, as certified by the
362 licensing authority, the licensee must meet the requirements
363 of this section to obtain a compact privilege in any remote
364 state.



365 (g) If a licensee's compact privilege in any remote
366 state is removed, that licensee may also lose the compact
367 privilege in other remote states, as each member state shall
368 determine in its sole authority, until the following occur:

369 (1) The specific period of time for which the compact
370 privilege was removed has ended.

371 (2) All fines have been paid.

372 (3) The licensee has not had any encumbrance or
373 restriction against any license or compact privilege within
374 the previous two years.

375 (h) Once the requirements of subsection (g) have been
376 met, the licensee must meet the requirements in subsection (a)
377 to obtain a compact privilege in a remote state.

379 (a) A licensee may only designate one license as his or
380 her compact qualifying license at a time. The procedures for
381 the designation may be further defined by compact commission
382 rule.

383 (b) Nothing in this section shall require that the
384 state of qualifying licensure be the state of primary
385 residence or state of primary practice for the licensee.

386 (c) Nothing in this compact shall interfere with a
387 licensee's ability to hold a single state license in multiple
388 states.

389 (d) Nothing in this compact shall affect the
390 requirements established by a member state for the issuance of
391 a single state license.

392 § 34-40-65 Active military member or his or her spouse.



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393 An active military member or his or her spouse shall
394 not be required to pay a fee to the commission for a compact
395 privilege. If a member state chooses to charge a member state
396 fee, the member state may choose to charge a reduced fee or no
397 fee to an active military member or his or her spouse for a
398 compact privilege.

399 §34-40-66 Adverse actions.

400 (a) A member state in which a licensee is issued a
401 compact qualifying license shall have the exclusive authority
402 to impose adverse action against the compact qualifying
403 license issued by that member state.

404 (b) A member state may take adverse action based on
405 current significant investigative information of a remote
406 state, so long as the member state follows its own procedures
407 for imposing adverse action.

408 (c) Nothing in this compact shall override a member
409 state's decision that participation in an alternative program
410 may be used in lieu of adverse action and that such
411 participation shall remain nonpublic if required by the member
412 state's laws or rules.

413 (d) A remote state shall have the authority to:

414 (1) Take adverse actions as set forth in this compact
415 against a licensee's compact privilege in that state; and

416 (2) Issue subpoenas for both hearings and
417 investigations that require the attendance and testimony of
418 witnesses as well as the production of evidence.

419 a. Subpoenas may be issued by a member state athletic
420 training licensing authority for the attendance and testimony

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421 of witnesses and the production of evidence.

422 b. A member state which issues a subpoena may request
423 service of that subpoena by another member state. The member
424 state receiving the request to serve a subpoena shall serve
425 the subpoena if the subpoena is deemed enforceable by a court
426 of competent jurisdiction according to the practice and
427 procedure in the receiving member state.

428 c. The issuing authority shall pay any witness fees,
429 travel expenses, mileage, and other fees required by the
430 service statutes of the state where the witnesses or evidence
431 are located.

432 (e) For purposes of taking adverse action, a member
433 state shall give the same priority and effect to reported
434 conduct received from another member state as it would if the
435 conduct had occurred within that state. In so doing, the
436 investigating member state shall apply its own state laws to
437 determine appropriate action.

438 (f) A member state, if otherwise permitted by state
439 law, may recover from the affected licensee the costs of
440 investigations and dispositions of cases resulting from any
441 adverse action taken against that licensee.

442 (g) Joint investigations.

443 (1) In addition to the authority granted to a member
444 state by its respective state law, any member state may
445 participate with other member states in joint investigations
446 of licensees.

447 (2) Member states shall share any current significant
448 investigative information, litigation, or compliance materials

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449 in furtherance of any joint or individual investigation
450 initiated under this compact. In sharing this information
451 between member state athletic trainer licensing authorities,
452 all information obtained shall be kept confidential, except as
453 otherwise mutually agreed upon by the sharing and receiving
454 member state or member states.

455 (3) A remote state may issue subpoenas on behalf of a
456 member state for both hearings and investigations that require
457 the attendance and testimony of witnesses as well as the
458 production of evidence.

459 (h) If a member state takes adverse action, the member
460 state shall promptly notify the administrator of the data
461 system. The administrator of the data system shall promptly
462 notify all member states of any adverse actions by remote
463 states.

464 (i) Nothing in this compact may permit a member state
465 to take any adverse action against a licensee or holder of a
466 compact privilege for conduct or practice occurring in another
467 member state that was legal in the member state at the time it
468 was undertaken.

469 §34-40-67 Establishment and operation of the
470 commission.

471 (a) The compact member states hereby create and
472 establish a joint government agency whose membership consists
473 of all member states that have enacted this compact known as
474 the Athletic Trainer Licensure Compact Commission. The compact
475 commission is an instrumentality of the member states acting
476 jointly and not an instrumentality of any one state. The



477 compact commission shall come into existence on or after the
478 effective date of the compact as set forth in Section
479 34-40-71.

480 (b) Membership, voting, and meetings.

481 (1) Each member state shall have and be limited to one
482 commissioner selected by that member state's licensing
483 authority within 60 days of the member state's effective date.

484 (2) The commissioner shall be an administrator or his
485 or her designated staff or current board member of the
486 licensing authority.

487 (3) The compact commission may recommend removal or
488 suspension of any commissioner from office.

489 (4) A member state's licensing authority shall fill any
490 vacancy of its commissioner occurring on the compact
491 commission within 60 days of the vacancy.

492 (5) Each commissioner shall be entitled to one vote on
493 all matters before the compact commission requiring a vote by
494 the commissioners.

495 (6) The compact commission shall meet at least once
496 during each calendar year. Additional meetings may be held as
497 set forth in the commission bylaws. A commissioner shall vote
498 in person or by other means as provided in the bylaws. The
499 bylaws may provide for commissioners to meet by
500 telecommunication, videoconference, or other means of
501 communication.

502 (c) The compact commission shall have the following
503 powers:

504 (1) Adopt and amend rules and bylaws.



505 (2) Establish code of conduct, confidentiality, and
506 conflict of interest policies for commissioners.

507 (3) Establish the fiscal year of the compact
508 commission.

509 (4) Maintain commission financial records in accordance
510 with the bylaws.

511 (5) Purchase and maintain insurance and insurance
512 bonds.

513 (6) Accept or contract for services of personnel,
514 including, but not limited to, employees of a member state.

515 (7) Conduct a financial review or audit.

523 (9) Enter into contracts or arrangements for the
524 management of the affairs of the commission.

525 (10) Assess and collect fees.

532 (12) Lease, purchase, retain, own, hold, improve,

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533 invest, or use any property, real, personal, or mixed, or any
534 undivided interest therein.

535 (13) Sell, convey, mortgage, pledge, lease, exchange,
536 abandon, or otherwise dispose of any property real, personal,
537 or mixed.

538 (14) Establish a budget and make expenditures.

539 (15) Borrow and invest money.

540 (16) Meet and take actions that are consistent with
541 this compact, the compact commission's rules, and the bylaws.

542 (17) Initiate and conclude legal proceedings or actions
543 in the name of the compact commission, provided that the
544 standing of any licensing authority to sue or be sued under
545 applicable law shall not be affected.

546 (18) Maintain and certify records and information
547 provided to a member state as the authenticated business
548 records of the compact commission, and designate an agent to
549 do so on the compact commission's behalf.

550 (19) Provide and receive information from, and
551 cooperate with, law enforcement agencies.

552 (20) Determine whether a state's adopted language is
553 materially different from the model compact language such that
554 the state would not qualify for participation in the compact.

555 (21) Establish and elect an executive committee,
556 including a chair and a vice chair, secretary, treasurer, and
557 other offices that the commission shall establish by rule or
558 bylaw.

559 (22) Appoint committees, including standing committees,
560 composed of member state commissioners, state regulators,



561 state legislators or their representatives, and consumer
562 representatives, and other interested persons that may be
563 designated in this compact and the bylaws.

564 (23) Perform other functions that may be necessary or
565 appropriate to achieve the purposes of this compact.

566 (d) The executive committee.

567 (1) The executive committee shall have the power to act
568 on behalf of the compact commission according to the terms of
569 this compact. The powers, duties, and responsibilities of the
570 executive committee shall include:

571 a. Exercise the powers and duties of the compact
572 commission during the interim between compact commission
573 meetings, except for adopting or amending rules, adopting or
574 amending bylaws, and exercising any other powers and duties
575 expressly reserved to the compact commission by rule or bylaw;

576 b. Oversee the day-to-day activities of the
577 administration of this compact including enforcement and
578 compliance with this compact, its rules and bylaws, and other
579 duties as deemed necessary;

580 c. Recommend to the compact commission changes to the
581 rules or bylaws, changes to this compact legislation, fees
582 charged to compact member states, fees charged to licensees,
583 and other fees;

584 d. Ensure compact administration services are
585 appropriately provided, including by contract;

586 e. Prepare and recommend the budget;

587 f. Maintain financial records on behalf of the compact
588 commission;

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589 g. Monitor compact compliance of member states and
590 provide compliance reports to the compact commission;
591 h. Establish additional committees as necessary; and
592 i. Other duties as provided in the rules or bylaws of
593 the compact commission.

594 (2) The executive committee shall be composed of five
595 voting members, elected by the compact commission:

596 a. The chair and vice chair of the compact commission
597 shall be voting members of the executive committee;

598 b. The compact commission shall elect up to three
599 additional voting members from the current membership of the
600 compact commission to include the offices of treasurer,
601 secretary, and one member-at-large; and

602 c. Up to four ex officio, nonvoting members from
603 recognized national athletic trainer organizations.

604 (3) The compact commission may remove any member of the
605 executive committee as provided in the compact commission's
606 bylaws.

607 (4) The executive committee shall meet at least
608 annually:

609 a. Executive committee meetings shall be open to the
610 public, except that the executive committee may meet in a
611 closed, nonpublic meeting as provided in this section;

612 b. The executive committee shall give advance notice of
613 its meetings, posted on its website and as determined, by rule
614 or bylaw, to provide notice to persons with an interest in the
615 business of the compact commission; and

616 c. The executive committee may hold a special meeting

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617 in accordance with this section.

618 (e) The compact commission shall adopt and provide to
619 the member states an annual report.

620 (f) Meetings of the compact commission.

621 (1) All meetings shall be open to the public, except
622 that the compact commission may meet in a closed, nonpublic
623 meeting as provided in this section.

624 (2) Public notice for all meetings of the full compact
625 commission shall be given in the same manner as required under
626 the rulemaking provisions in this compact, except that the
627 compact commission may hold a special meeting as provided in
628 this section.

629 (3) The compact commission may hold a special meeting
630 when it must meet to conduct emergency business by giving
631 24-hours' notice to all commissioners, on the compact
632 commission's website, and other means as provided in the
633 compact commission's rules. The compact commission's legal
634 counsel shall certify that the compact commission's need to
635 meet qualifies as an emergency.

636 (4) The compact commission or the executive committee
637 or other committees of the compact commission may convene in a
638 closed, nonpublic meeting for the compact commission or
639 executive committee or other committees of the compact
640 commission to receive legal advice or to discuss:

641 a. Noncompliance of a member state with its obligations
642 under this compact;

643 b. The employment, compensation, discipline or other
644 matters, practices, or procedures related to specific



645 employees;

646 c. Current or threatened discipline of a licensee by a
647 member state's licensing authority;

648 d. Current, threatened, or reasonably anticipated
649 litigation;

650 e. Negotiation of contracts for the purchase, lease, or
651 sale of goods, services, or real estate;

652 f. Accusing any person of a crime or formally censuring
653 any person;

654 g. Trade secrets or commercial or financial information
655 that is privileged or confidential;

656 h. Information of a personal nature where disclosure
657 would constitute a clearly unwarranted invasion of personal
658 privacy;

659 i. Investigative records compiled for law enforcement
660 purposes;

661 j. Information related to any investigative reports
662 prepared by or on behalf of or for the use of the compact
663 commission or other committee charged with the responsibility
664 of investigation or determination of compliance issues
665 pursuant to this compact;

666 k. Matters specifically exempted from disclosure by
667 federal or member state law; or

668 l. Other matters as specified in rules of the compact
669 commission.

670 (5) If a meeting, or portion of a meeting, is closed,
671 the compact commission's legal counsel or designee shall
672 certify that the meeting will be closed and reference each



673 relevant exempting provision, and the reference shall be
674 recorded in the minutes. All minutes and documents of a closed
675 meeting shall remain under seal, subject to release only by a
676 majority vote of the compact commission or order of a court of
677 competent jurisdiction.

678 (g) Financing of the compact commission.

679 (1) The compact commission shall pay, or provide for
680 the payment of, the reasonable expenses of its establishment,
681 organization, and ongoing activities.

682 (2) The compact commission may accept any and all
683 appropriate revenue sources as provided in this section.

684 (3) The compact commission may levy on and collect an
685 annual assessment from each member state and impose fees on
686 licensees of member states to whom it grants a compact
687 privilege to cover the cost of the operations and activities
688 of the compact commission and its staff, which must be in a
689 total amount sufficient to cover its annual budget as approved
690 each year for which revenue is not provided by other sources.
691 The aggregate annual assessment amount for member states shall
692 be allocated based upon a formula that the compact commission
693 shall adopt by rule.

694 (4) The compact commission shall not incur obligations
695 of any kind prior to securing the funds or a loan adequate to
696 meet the same; nor shall the compact commission pledge the
697 credit of any of the member states, except by and with the
698 authority of the member state.

699 (5) The compact commission shall keep accurate accounts
700 of all receipts and disbursements. The receipts and



701 disbursements of the compact commission shall be subject to
702 the financial review or audit and accounting procedures
703 established under its bylaws. However, all receipts and
704 disbursements of funds handled by the compact commission shall
705 be subject to an annual financial review or audit by a
706 certified or licensed public accountant, and the report of the
707 financial review or audit shall be included in and become part
708 of the annual report of the compact commission.

709 (h) Qualified immunity, defense, and indemnification.

710 (1) The members, officers, executive director,
711 employees, and representatives of the compact commission shall
712 be immune from suit and liability, both personally and in
713 their official capacity, for any claim for damage to or loss
714 of property or personal injury or other civil liability caused
715 by or arising out of any actual or alleged act, error, or
716 omission that occurred, or that the person against whom the
717 claim is made had a reasonable basis for believing occurred
718 within the scope of compact commission employment, duties, or
719 responsibilities, provided that nothing in this subdivision
720 shall be construed to protect any person from suit or
721 liability for any damage, loss, injury, or liability caused by
722 the intentional or willful or wanton misconduct of that
723 person. The procurement of insurance of any type by the
724 compact commission shall not in any way compromise or limit
725 the immunity granted under this subdivision.

726 (2) The compact commission shall defend any member,
727 officer, executive director, employee, and representative of
728 the compact commission in any civil action seeking to impose



729 liability arising out of any actual or alleged act, error, or
730 omission that occurred within the scope of compact commission
731 employment, duties, or responsibilities, or as determined by
732 the compact commission that the person against whom the claim
733 is made had a reasonable basis for believing occurred within
734 the scope of compact commission employment, duties, or
735 responsibilities, provided that nothing in this subdivision
736 shall be construed to prohibit that person from retaining his
737 or her own counsel at his or her own expense, and provided
738 further that the actual or alleged act, error, or omission did
739 not result from that person's intentional or willful or wanton
740 misconduct.

741 (3) The compact commission shall indemnify and hold
742 harmless any member, officer, executive director, employee,
743 and representative of the compact commission for the amount of
744 any settlement or judgment obtained against that person
745 arising out of any actual or alleged act, error, or omission
746 that occurred within the scope of compact commission
747 employment, duties, or responsibilities, or that such person
748 had a reasonable basis for believing occurred within the scope
749 of compact commission employment, duties, or responsibilities,
750 provided that the actual or alleged act, error, or omission
751 did not result from the intentional or willful or wanton
752 misconduct of that person.

753 (4) Nothing in this subsection shall be construed as a
754 limitation on the liability of any licensee for professional
755 malpractice or misconduct, which shall be governed solely by
756 any other applicable state laws.



757 (5) Nothing in this compact shall be interpreted to
758 waive or otherwise abrogate a member state's state action
759 immunity or state action affirmative defense with respect to
760 antitrust claims under the Sherman Act, Clayton Act, or any
761 other state or federal antitrust or anticompetitive law, rule,
762 or regulation.

763 (6) Nothing in this compact shall be construed to be a
764 waiver of sovereign immunity by the member states or by the
765 compact commission.

766 §34-40-68 Data system.

773 (b) Notwithstanding any other provision of state law to
774 the contrary, a member state shall submit a uniform data set
775 to the data system on all licensees, applicants, and others to
776 whom this compact is applicable as required by the rules of
777 the compact commission, including:

778 (1) Personally identifying information;

779 (2) Licensure data;

783 (4) Nonconfidential information related to alternative
784 program participation, the beginning and ending dates of the



785 participation, and other information related to the
786 participation;

787 (5) Any denial of an application for licensure, and the
788 reasons for the denial, excluding the reporting of any
789 criminal history record information where prohibited by law;

790 (6) A binary determination regarding the presence of
791 current significant investigative information; and

792 (7) Other information that may facilitate the
793 administration of this compact or the protection of the
794 public, as determined by the rules of the commission.

795 (c) The records and information provided to a member
796 state pursuant to this compact or through the data system,
797 when certified by the commission or an agent thereof, shall
798 constitute the authenticated business records of the
799 commission, and shall be entitled to any associated hearsay
800 exception in any relevant judicial, quasi-judicial, or
801 administrative proceedings in a member state.

802 (d) Current significant investigative information
803 pertaining to a licensee in any member state will only be
804 available to other member states.

805 (e) It is the responsibility of the member states to
806 monitor the data system to determine whether adverse action
807 has been taken against a licensee or license applicant.
808 Adverse action information pertaining to a licensee or license
809 applicant in any member state will be available to any other
810 member state.

811 (f) Member states contributing information to the data
812 system may designate information that may not be shared with



813 the public without the express permission of the contributing
814 state.

815 (g) Any information submitted to the data system that
816 is subsequently expunged pursuant to federal law or the laws
817 of the member state contributing the information shall be
818 removed from the data system.

819 §34-40-69 Rulemaking.

820 (a) The compact commission shall adopt reasonable rules
821 in order to effectively and efficiently implement and
822 administer the purposes and provisions of this compact. A rule
823 shall be invalid and have no force or effect only if a court
824 of competent jurisdiction holds that the rule is invalid
825 because the compact commission exercised its rulemaking
826 authority in a manner that is beyond the scope and purposes of
827 the compact, or the powers granted hereunder, or based upon
828 another applicable standard of review.

829 (b) The rules of the compact commission shall have the
830 force of law in each member state, provided that where the
831 rules conflict with the laws or rules of a member state that
832 relate to the scope of practice a licensed athletic trainer is
833 permitted to undertake in that state and the circumstances
834 under which they may do so, as held by a court of competent
835 jurisdiction, the rules of the compact commission shall be
836 ineffective in that state to the extent of the conflict.

837 (c) The compact commission shall exercise its
838 rulemaking powers pursuant to the criteria set forth in this
839 section and the rules adopted thereunder. Rules of this
840 compact shall become binding on the day following adoption or



841 as of the date specified in the rule or amendment, whichever
842 is later.

843 (d) If a majority of the legislatures of the member
844 states rejects a rule, or portion of a rule, by enactment of a
845 statute or resolution in the same manner used to adopt the
846 compact within four years of the date of adoption of the rule,
847 then the rule shall have no further force and effect in any
848 member state.

849 (e) Rules shall be adopted at a regular or special
850 meeting of the compact commission.

851 (f) Prior to adoption of a proposed rule, the compact
852 commission shall hold a public hearing and allow persons to
853 provide oral and written comments, data, facts, opinions, and
854 arguments. At least 30 days in advance of the public hearing
855 on the proposed rule, the compact commission shall provide a
856 notice of proposed rulemaking:

857 (1) On the website of the compact commission or other
858 publicly accessible platform;

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

861 (3) In other ways that the compact commission, by rule,
862 may specify.

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

864 (1) The time, date, and location of the public hearing
865 at which the compact commission will hear public comments on
866 the proposed rule and, if different, the time, date, and
867 location of the meeting where the compact commission will
868 consider and vote on the proposed rule;



869 (2) If the hearing is held via telecommunication, video
870 conference, or other electronic means, the compact commission
871 shall include the mechanism for access to the hearing in the
872 notice of proposed rulemaking;

873 (3) The text of the proposed rule and the reason
874 therefor;

875 (4) A request for comments on the proposed rule from
876 any interested person; and

877 (5) The manner in which interested persons may submit
878 written comments.

879 (h) All hearings will be recorded. A copy of the
880 recording and all written comments and documents received by
881 the compact commission in response to the proposed rule shall
882 be available to the public.

883 (i) Nothing in this section shall be construed as
884 requiring a separate hearing on each rule. Rules may be
885 grouped for the convenience of the compact commission at
886 hearings required by this section.

887 (j) The compact commission, by majority vote of all
888 members, shall take final action on the proposed rule based on
889 the rulemaking record and the full text of the rule.

893 (2) The compact commission shall provide an explanation
894 of the reasons for substantive changes made to the proposed
895 rule as well as reasons for substantive changes not made that
896 were recommended by commenters.



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897 (3) The compact commission shall determine a reasonable
898 effective date for the rule. Except for an emergency as
899 provided in this section, the effective date of the rule shall
900 be no sooner than 30 days after issuing the notice that it
901 adopted or amended the rule.

902 (k) Upon determination that an emergency exists, the
903 compact commission may consider and adopt an emergency rule
904 with 24-hours' notice, with opportunity to comment, provided
905 that the usual rulemaking procedures provided in the compact
906 and in this section shall be retroactively applied to the rule
907 as soon as reasonably possible, in no event later than 90 days
908 after the effective date of the rule. For the purposes of this
909 subsection, an emergency rule is one that must be adopted
910 immediately in order to:

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

913 (2) Prevent a loss of compact commission or member
914 state funds;

917 (4) Protect public health and safety.



925 after posting. The revision may be challenged only on grounds
926 that the revision results in a material change to a rule. A
927 challenge shall be made in writing and delivered to the
928 compact commission prior to the end of the notice period. If
929 no challenge is made, the revision will take effect without
930 further action. If the revision is challenged, the revision
931 may not take effect without the approval of the compact
932 commission.

933 (m) No member state's rulemaking requirements shall
934 apply under this compact.

935 §34-40-70 Oversight, dispute resolution, and
936 enforcement.

937 (a) Oversight.

938 (1) The executive and judicial branches of state
939 government in each member state shall enforce this compact and
940 take all actions necessary and appropriate to implement the
941 compact.

942 (2) Except as otherwise provided in this compact, venue
943 is proper and judicial proceedings by or against the compact
944 commission shall be brought solely and exclusively in a court
945 of competent jurisdiction where the principal office of the
946 compact commission is located. The compact commission may
947 waive venue and jurisdictional defenses to the extent the
948 compact commission adopts or consents to participate in
949 alternative dispute resolution proceedings. Nothing herein
950 shall affect or limit the selection or propriety of venue in
951 any action against a licensee for professional malpractice,
952 misconduct, or any similar matter.



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953 (3) The compact commission shall be entitled to receive
954 service of process in any proceeding regarding the enforcement
955 or interpretation of the compact and shall have standing to
956 intervene in the proceeding for all purposes. Failure to
957 provide the compact commission service of process shall render
958 a judgment or order void as to the compact commission, this
959 compact, or adopted rules.

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

961 (1) If the compact commission determines that a member
962 state has defaulted in the performance of its obligations or
963 responsibilities under this compact or the adopted rules, the
964 commission shall provide written notice to the defaulting
965 state. The notice of default shall describe the default, the
966 proposed means of curing the default, and any other action
967 that the compact commission may take, and shall offer training
968 and specific technical assistance regarding the default.

969 (2) The compact commission shall provide a copy of the
970 notice of default to the other member states.

971 (c) If a state in default fails to cure the default,
972 the defaulting state may be terminated from the compact upon
973 an affirmative vote of a majority of the commissioners of the
974 member states, and all rights, privileges, and benefits
975 conferred on that state by this compact may be terminated on
976 the effective date of termination. A cure of the default does
977 not relieve the offending state of obligations or liabilities
978 incurred during the period of default.

979 (d) Termination of membership in the compact shall be
980 imposed only after all other means of securing compliance have



981 been exhausted. Notice of intent to suspend or terminate shall
982 be given by the compact commission to the governor, the
983 majority and minority leaders of the defaulting state's
984 legislature, the defaulting state's licensing authority and
985 each of the member states' licensing authorities.

986 (e) A state that has been terminated is responsible for
987 all assessments, obligations, and liabilities incurred through
988 the effective date of termination, including obligations that
989 extend beyond the effective date of termination.

990 (f) Upon the termination of a state's membership from
991 this compact, that state shall immediately provide notice to
992 all licensees within that state of the termination. The
993 terminated state shall continue to recognize all licenses and
994 compact privileges granted pursuant to this compact for a
995 minimum of 180 days after the date of the notice of
996 termination.

997 (g) The compact commission shall not bear any costs
998 related to a state that is found to be in default or that has
999 been terminated from the compact, unless agreed upon in
1000 writing between the compact commission and the defaulting
1001 state.

1002 (h) The defaulting state may appeal the action of the
1003 compact commission by petitioning the U.S. District Court for
1004 the District of Columbia or the federal district where the
1005 compact commission has its principal offices. The prevailing
1006 party shall be awarded all costs of the litigation, including
1007 reasonable attorney fees.

1008 (i) Dispute resolution.



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1009 (1) Upon request by a member state, the compact
1010 commission shall attempt to resolve disputes related to the
1011 compact that arise among member states and between member and
1012 nonmember states.

1013 (2) The compact commission shall adopt a rule providing
1014 for both mediation and binding alternate dispute resolution
1015 for disputes as appropriate.

1016 (j) Enforcement.

(1) By two-thirds majority vote, the compact commission may initiate legal action against a member state in default in the U.S. District Court for the District of Columbia or the federal district where the compact commission has its principal offices to enforce compliance with this compact and its adopted rules. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing party shall be awarded all costs of the litigation, including reasonable attorney fees. The remedies herein shall not be the exclusive remedies of the compact commission. The compact commission may pursue any other remedies available under federal or the defaulting member state's law.

1030 (2) A member state may initiate legal action against
1031 the compact commission in the U.S. District Court for the
1032 District of Columbia or the federal district where the compact
1033 commission has its principal offices to enforce compliance
1034 with this compact and its adopted rules. The relief sought may
1035 include both injunctive relief and damages. In the event
1036 judicial enforcement is necessary, the prevailing party shall

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1037 be awarded all costs of the litigation, including reasonable
1038 attorney fees.

1039 (3) No person other than a member state shall enforce
1040 this compact against the compact commission.

1041 §34-40-71 Effective date, withdrawal, and amendment.

1042 (a) This compact shall come into effect on the date on
1043 which the compact statute is enacted into law in the seventh
1044 member state.

1045 (1) On or after the effective date of the compact, the
1046 compact commission shall convene and review the enactment of
1047 each of the first seven member states (charter member states)
1048 to determine if the statute enacted and made effective by each
1049 charter member state is materially different than the model
1050 compact statute.

1051 a. A charter member state whose enactment is found to
1052 be materially different from the model compact language shall
1053 be entitled to the default process set forth in Section
1054 34-40-70.

1055 b. If any member state is later found to be in default,
1056 or is terminated or withdraws from the compact, the compact
1057 commission shall remain in existence and the compact shall
1058 remain in effect even if the number of member states should be
1059 less than seven.

1060 (2) Member states enacting the compact subsequent to
1061 the seven initial charter member states shall be subject to
1062 the process set forth in this section to determine if their
1063 enactments are materially different from the model compact
1064 statute and whether they qualify for participation in the



1065 compact.

1066 (3) All actions taken for the benefit of the compact
1067 commission or in furtherance of the purposes of the
1068 administration of the compact prior to the effective date of
1069 the compact or the compact commission coming into existence
1070 shall be considered to be actions of the compact commission
1071 unless specifically repudiated by the compact commission.

1072 (4) Any state that joins this compact subsequent to the
1073 compact commission's initial adoption of the rules and bylaws
1074 shall be subject to the rules and bylaws as they exist on the
1075 date on which this compact becomes law in that state. Any rule
1076 that has been previously adopted by the compact commission
1077 shall have the full force and effect of law on the day the
1078 compact becomes law in that state.

1079 (b) Any member state may withdraw from this compact by
1080 enacting a statute repealing the same.

1081 (1) A member state's withdrawal shall not take effect
1082 until 180 days after enactment of the repealing statute.

1083 (2) Withdrawal shall not affect the continuing
1084 requirement of the withdrawing state's licensing authority to
1085 comply with the investigative and adverse action reporting
1086 requirements of this compact prior to the effective date of
1087 withdrawal.

1088 (3) Upon the enactment of a statute withdrawing from
1089 this compact, a state shall immediately provide notice of the
1090 withdrawal to all licensees and privilege holders within that
1091 state. Notwithstanding any subsequent statutory enactment to
1092 the contrary, the withdrawing state shall continue to



1093 recognize all compact privileges granted pursuant to this
1094 compact for a minimum of 180 days after the date of the notice
1095 of withdrawal.

1096 (4) Nothing contained in this compact shall be
1097 construed to invalidate or prevent any licensure agreement or
1098 other cooperative arrangement between a member state and a
1099 nonmember state that does not conflict with this compact.

1100 (5) This compact may be amended by the member states.
1101 No amendment to this compact shall become effective and
1102 binding upon any member state until the amendment is enacted
1103 into the laws of all member states.

1104 §34-40-72 Construction and severability.

1105 (a) This compact and the compact commission's
1106 rulemaking authority shall be liberally construed so as to
1107 effectuate the purposes and the implementation and
1108 administration of this compact. Provisions of the compact
1109 expressly authorizing or requiring the adoption of rules shall
1110 not be construed to limit the compact commission's rulemaking
1111 authority solely for those purposes.

1112 (b) The provisions of this compact shall be severable
1113 and if any phrase, clause, sentence, or provision of this
1114 compact is held by a court of competent jurisdiction to be
1115 contrary to the constitution of any member state, a state
1116 seeking participation in the compact, or of the United States,
1117 or the applicability thereof to any government, agency,
1118 person, or circumstance is held to be unconstitutional by a
1119 court of competent jurisdiction, the validity of the remainder
1120 of this compact and the applicability thereof to any other



1121 government, agency, person, or circumstance shall not be
1122 affected thereby.

1123 (c) Notwithstanding the foregoing, the compact
1124 commission may deny a state's participation in the compact or
1125 terminate a member state's participation in the compact if the
1126 compact commission determines that a constitutional
1127 requirement of a member state is a material departure from
1128 this compact. Otherwise, if this compact shall be held to be
1129 contrary to the constitution of any member state, this compact
1130 shall remain in full force and effect as to the remaining
1131 member states and in full force and effect as to the member
1132 state affected as to all severable matters.

1133 §34-40-73 Consistent effect and conflict with other
1134 state laws.

1135 (a) Nothing herein shall prevent or inhibit the
1136 enforcement of any other law of a member state that is not
1137 inconsistent with this compact.

1138 (b) Any laws, statutes, rules, or other legal
1139 requirements in a member state in conflict with this compact
1140 are superseded to the extent of the conflict.

1141 (c) All permissible agreements between the compact
1142 commission and the member states are binding in accordance
1143 with their terms.

1144 Section 2. This act shall become effective on October
1145 1, 2026.