

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

A Bill

HOUSE BILL 1712

5 By: Representative Joey Carr
6 By: Senator J. Scott
7

For An Act To Be Entitled

9 AN ACT TO ESTABLISH THE SOCIAL WORK LICENSURE COMPACT
10 IN THIS STATE; AND FOR OTHER PURPOSES.
11

Subtitle

12
13 TO ESTABLISH THE SOCIAL WORK LICENSURE
14 COMPACT IN THIS STATE.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
18

19 SECTION 1. Arkansas Code Title 17, Chapter 103, is amended to add an
20 additional subchapter to read as follows:

21 Subchapter 4 – Social Work Licensure Compact
22

23 17-103-401. Text of compact.

24 The Social Work Licensure Compact is enacted into law and entered into
25 by this state with all states legally joining therein and in the form
26 substantially as follows:
27

28 SOCIAL WORK LICENSURE COMPACT
29

30 SECTION 1: PURPOSE

31 The purpose of this Compact is to facilitate interstate practice of
32 Regulated Social Workers by improving public access to competent Social Work
33 Services. The Compact preserves the regulatory authority of States to protect
34 public health and safety through the current system of State licensure.

35 This Compact is designed to achieve the following objectives:

36 A. Increase public access to Social Work Services;



1 B. Reduce overly burdensome and duplicative requirements associated
2 with holding multiple licenses;

3 C. Enhance the Member States' ability to protect the public's health
4 and safety;

5 D. Encourage the cooperation of Member States in regulating multistate
6 practice;

7 E. Promote mobility and address workforce shortages by eliminating the
8 necessity for licenses in multiple States by providing for the mutual
9 recognition of other Member State licenses;

10 F. Support military families;

11 G. Facilitate the exchange of licensure and disciplinary information
12 among Member States;

13 H. Authorize all Member States to hold a Regulated Social Worker
14 accountable for abiding by a Member State's laws, regulations, and applicable
15 professional standards in the Member State in which the client is located at
16 the time care is rendered; and

17 I. Allow for the use of telehealth to facilitate increased access to
18 regulated Social Work Services.

19
20 SECTION 2. DEFINITIONS

21 As used in this Compact, and except as otherwise provided, the
22 following definitions shall apply:

23 A. "Active Military Member" means any individual with full-time duty
24 status in the active armed forces of the United States including members of
25 the National Guard and Reserve.

26 B. "Adverse Action" means any administrative, civil, equitable or
27 criminal action permitted by a State's laws which is imposed by a Licensing
28 Authority or other authority against a Regulated Social Worker, including
29 actions against an individual's license or Multistate Authorization to
30 Practice such as revocation, suspension, probation, monitoring of the
31 Licensee, limitation on the Licensee's practice, or any other Encumbrance on
32 licensure affecting a Regulated Social Worker's authorization to practice,
33 including issuance of a cease and desist action.

34 C. "Alternative Program" means a non-disciplinary monitoring or
35 practice remediation process approved by a Licensing Authority to address
36 practitioners with an Impairment.

1 D. “Charter Member States” - Member States who have enacted
2 legislation to adopt this Compact where such legislation predates the
3 effective date of this Compact as described in Section 14.

4 E. “Compact Commission” or “Commission” means the government agency
5 whose membership consists of all States that have enacted this Compact, which
6 is known as the Social Work Licensure Compact Commission, as described in
7 Section 10, and which shall operate as an instrumentality of the Member
8 States.

9 F. “Current Significant Investigative Information” means:

10 1. Investigative information that a Licensing Authority, after a
11 preliminary inquiry that includes notification and an opportunity for the
12 Regulated Social Worker to respond has reason to believe is not groundless
13 and, if proved true, would indicate more than a minor infraction as may be
14 defined by the Commission; or

15 2. Investigative information that indicates that the Regulated
16 Social Worker represents an immediate threat to public health and safety, as
17 may be defined by the Commission, regardless of whether the Regulated Social
18 Worker has been notified and has had an opportunity to respond.

19 G. “Data System” means a repository of information about Licensees,
20 including, continuing education, examination, licensure, Current Significant
21 Investigative Information, Disqualifying Event, Multistate License(s) and
22 Adverse Action information or other information as required by the
23 Commission.

24 H. “Disqualifying Event” means any Adverse Action or incident which
25 results in an Encumbrance that disqualifies or makes the Licensee ineligible
26 to either obtain, retain or renew a Multistate License.

27 I. “Domicile” means the jurisdiction in which the Licensee resides and
28 intends to remain indefinitely.

29 J. “Encumbrance” means a revocation or suspension of, or any
30 limitation on, the full and unrestricted practice of Social Work licensed and
31 regulated by a Licensing Authority.

32 K. “Executive Committee” means a group of delegates elected or
33 appointed to act on behalf of, and within the powers granted to them by, the
34 compact and Commission.

35 L. “Home State” means the Member State that is the Licensee’s primary
36 Domicile.

1 M. “Impairment” means a condition(s) that may impair a practitioner’s
2 ability to engage in full and unrestricted practice as a Regulated Social
3 Worker without some type of intervention and may include alcohol and drug
4 dependence, mental health impairment, and neurological or physical
5 impairments.

6 N. “Licensee(s)” means an individual who currently holds a license
7 from a State to practice as a Regulated Social Worker.

8 O. “Licensing Authority” means the board or agency of a Member State,
9 or equivalent, that is responsible for the licensing and regulation of
10 Regulated Social Workers.

11 P. “Member State” means a state, commonwealth, district, or territory
12 of the United States of America that has enacted this Compact.

13 Q. “Multistate Authorization to Practice” means a legally authorized
14 privilege to practice, which is equivalent to a license, associated with a
15 Multistate License permitting the practice of Social Work in a Remote State.

16 R. “Multistate License” means a license to practice as a Regulated
17 Social Worker issued by a Home State Licensing Authority that authorizes the
18 Regulated Social Worker to practice in all Member States under Multistate
19 Authorization to Practice.

20 S. “Qualifying National Exam” means a national licensing examination
21 approved by the Commission.

22 T. “Regulated Social Worker” means any clinical, master’s or
23 bachelor’s Social Worker licensed by a Member State regardless of the title
24 used by that Member State.

25 U. “Remote State” means a Member State other than the Licensee’s Home
26 State.

27 V. “Rule(s)” or “Rule(s) of the Commission” means a regulation or
28 regulations duly promulgated by the Commission, as authorized by the Compact,
29 that has the force of law.

30 W. “Single State License” means a Social Work license issued by any
31 State that authorizes practice only within the issuing State and does not
32 include Multistate Authorization to Practice in any Member State.

33 X. “Social Work” or “Social Work Services” means the application of
34 social work theory, knowledge, methods, ethics, and the professional use of
35 self to restore or enhance social, psychosocial, or biopsychosocial
36 functioning of individuals, couples, families, groups, organizations, and

1 communities through the care and services provided by a Regulated Social
 2 Worker as set forth in the Member State's statutes and regulations in the
 3 State where the services are being provided.

4 Y. "State" means any state, commonwealth, district, or territory of
 5 the United States of America that regulates the practice of Social Work.

6 Z. "Unencumbered License" means a license that authorizes a Regulated
 7 Social Worker to engage in the full and unrestricted practice of Social Work.

8
 9 SECTION 3. STATE PARTICIPATION IN THE COMPACT

10 A. To be eligible to participate in the compact, a potential Member
 11 State must currently meet all of the following criteria:

12 1. License and regulate the practice of Social Work at either
 13 the clinical, master's, or bachelor's category.

14 2. Require applicants for licensure to graduate from a program
 15 that is:

16 a. Operated by a college or university recognized by the
 17 Licensing Authority;

18 b. Accredited, or in candidacy by an institution that
 19 subsequently becomes accredited, by an accrediting agency recognized by
 20 either:

21 i. the Council for Higher Education Accreditation,
 22 or its successor; or

23 ii. the United States Department of Education; and

24 c. Corresponds to the licensure sought as outlined in
 25 Section 4.

26 3. Require applicants for clinical licensure to complete a
 27 period of supervised practice.

28 4. Have a mechanism in place for receiving, investigating, and
 29 adjudicating complaints about Licensees.

30 B. To maintain membership in the Compact a Member State shall:

31 1. Require that applicants for a Multistate License pass a
 32 Qualifying National Exam for the corresponding category of Multistate License
 33 sought as outlined in Section 4.

34 2. Participate fully in the Commission's Data System, including
 35 using the Commission's unique identifier as defined in Rules;

36 3. Notify the Commission, in compliance with the terms of the

1 Compact and Rules, of any Adverse Action or the availability of Current
 2 Significant Investigative Information regarding a Licensee;

3 4. Implement procedures for considering the criminal history
 4 records of applicants for a Multistate License. Such procedures shall include
 5 the submission of fingerprints or other biometric-based information by
 6 applicants for the purpose of obtaining an applicant’s criminal history
 7 record information from the Federal Bureau of Investigation and the agency
 8 responsible for retaining that State’s criminal records.

9 5. Comply with the Rules of the Commission;

10 6. Require an applicant to obtain or retain a license in the
 11 Home State and meet the Home State’s qualifications for licensure or renewal
 12 of licensure, as well as all other applicable Home State laws;

13 7. Authorize a Licensee holding a Multistate License in any
 14 Member State to practice in accordance with the terms of the Compact and
 15 Rules of the Commission; and

16 8. Designate a delegate to participate in the Commission
 17 meetings.

18 C. A Member State meeting the requirements of Section 3.A. and 3.B. of
 19 this Compact shall designate the categories of Social Work licensure that are
 20 eligible for issuance of a Multistate License for applicants in such Member
 21 State. To the extent that any Member State does not meet the requirements for
 22 participation in the Compact at any particular category of Social Work
 23 licensure, such Member State may choose, but is not obligated to, issue a
 24 Multistate License to applicants that otherwise meet the requirements of
 25 Section 4 for issuance of a Multistate License in such category or categories
 26 of licensure.

27 D. The Home State may charge a fee for granting the Multistate
 28 License.

29
 30 SECTION 4. SOCIAL WORKER PARTICIPATION IN THE COMPACT

31 A. To be eligible for a Multistate License under the terms and
 32 provisions of the Compact, an applicant, regardless of category must:

33 1. Hold or be eligible for an active, Unencumbered License in
 34 the Home State;

35 2. Pay any applicable fees, including any State fee, for the
 36 Multistate License;

1 3. Submit, in connection with an application for a Multistate
2 License, fingerprints or other biometric data for the purpose of obtaining
3 criminal history record information from the Federal Bureau of Investigation
4 and the agency responsible for retaining that State's criminal records.

5 4. Notify the Home State of any Adverse Action, Encumbrance, or
6 restriction on any professional license taken by any Member State or non-
7 Member State within 30 days from the date the action is taken.

8 5. Meet any continuing competence requirements established by
9 the Home State;

10 6. Abide by the laws, regulations, and applicable standards in
11 the Member State where the client is located at the time care is rendered.

12 B. An applicant for a clinical-category Multistate License must meet
13 all of the following requirements:

14 2. Fulfill a competency requirement, which shall be satisfied by
15 either:

16 a. Passage of a clinical-category Qualifying National
17 Exam; or

18 b. Licensure of the applicant in their Home State at the
19 clinical category, beginning prior to such time as a Qualifying National Exam
20 was required by the Home State and accompanied by a period of continuous
21 Social Work licensure thereafter, all of which may be further governed by the
22 Rules of the Commission; or

23 c. The substantial equivalency of the foregoing competency
24 requirements which the Commission may determine by Rule.

25 3. Attain at least a master's degree in Social Work from a
26 program that is:

27 a. Operated by a college or university recognized by the
28 Licensing Authority; and

29 b. Accredited, or in candidacy that subsequently becomes
30 accredited, by an accrediting agency recognized by either:

31 i. the Council for Higher Education Accreditation or
32 its successor; or

33 ii. the United States Department of Education.

34 4. Fulfill a practice requirement, which shall be satisfied by
35 demonstrating completion of either:

36 a. A period of postgraduate supervised clinical practice

1 equal to a minimum of three thousand hours; or

2 b. A minimum of two years of full-time postgraduate
3 supervised clinical practice; or

4 c. The substantial equivalency of the foregoing practice
5 requirements which the Commission may determine by Rule.

6 C. An applicant for a master's-category Multistate License must meet
7 all of the following requirements:

8 1. Fulfill a competency requirement, which shall be satisfied by
9 either:

10 a. Passage of a master's-category Qualifying National
11 Exam;

12 b. Licensure of the applicant in their Home State at the
13 master's category, beginning prior to such time as a Qualifying National Exam
14 was required by the Home State at the master's category and accompanied by a
15 continuous period of Social Work licensure thereafter, all of which may be
16 further governed by the Rules of the Commission; or

17 c. The substantial equivalency of the foregoing competency
18 requirements which the Commission may determine by Rule.

19 2. Attain at least a master's degree in Social Work from a
20 program that is:

21 a. Operated by a college or university recognized by the
22 Licensing Authority; and

23 b. Accredited, or in candidacy that subsequently becomes
24 accredited, by an accrediting agency recognized by either:

25 i. the Council for Higher Education Accreditation or
26 its successor; or

27 ii. the United States Department of Education.

28 D. An applicant for a bachelor's-category Multistate License must meet
29 all of the following requirements:

30 1. Fulfill a competency requirement, which shall be satisfied by
31 either:

32 a. Passage of a bachelor's-category Qualifying National
33 Exam;

34 b. Licensure of the applicant in their Home State at the
35 bachelor's category, beginning prior to such time as a Qualifying National
36 Exam was required by the Home State and accompanied by a period of continuous

1 Social Work licensure thereafter, all of which may be further governed by the
2 Rules of the Commission; or

3 c. The substantial equivalency of the foregoing competency
4 requirements which the Commission may determine by Rule.

5 2. Attain at least a bachelor's degree in Social Work from a
6 program that is:

7 a. Operated by a college or university recognized by the
8 Licensing Authority; and

9 b. Accredited, or in candidacy that subsequently becomes
10 accredited, by an accrediting agency recognized by either:

11 i. the Council for Higher Education Accreditation or
12 its successor; or

13 ii. the United States Department of Education.

14 E. The Multistate License for a Regulated Social Worker is subject to
15 the renewal requirements of the Home State. The Regulated Social Worker must
16 maintain compliance with the requirements of Section 4.A. to be eligible to
17 renew a Multistate License.

18 F. The Regulated Social Worker's services in a Remote State are
19 subject to that Member State's regulatory authority. A Remote State may, in
20 accordance with due process and that Member State's laws, remove a Regulated
21 Social Worker's Multistate Authorization to Practice in the Remote State for
22 a specific period of time, impose fines, and take any other necessary actions
23 to protect the health and safety of its citizens.

24 G. If a Multistate License is encumbered, the Regulated Social
25 Worker's Multistate Authorization to Practice shall be deactivated in all
26 Remote States until the Multistate License is no longer encumbered.

27 H. If a Multistate Authorization to Practice is encumbered in a Remote
28 State, the regulated Social Worker's Multistate Authorization to Practice may
29 be deactivated in that State until the Multistate Authorization to Practice
30 is no longer encumbered.

31
32 SECTION 5: ISSUANCE OF A MULTISTATE LICENSE

33 A. Upon receipt of an application for Multistate License, the Home
34 State Licensing Authority shall determine the applicant's eligibility for a
35 Multistate License in accordance with Section 4 of this Compact.

36 B. If such applicant is eligible pursuant to Section 4 of this

1 Compact, the Home State Licensing Authority shall issue a Multistate License
2 that authorizes the applicant or Regulated Social Worker to practice in all
3 Member States under a Multistate Authorization to Practice.

4 C. Upon issuance of a Multistate License, the Home State Licensing
5 Authority shall designate whether the Regulated Social Worker holds a
6 Multistate License in the Bachelors, Masters, or Clinical category of Social
7 Work.

8 D. A Multistate License issued by a Home State to a resident in that
9 State shall be recognized by all Compact Member States as authorizing Social
10 Work Practice under a Multistate Authorization to Practice corresponding to
11 each category of licensure regulated in each Member State.

12
13 SECTION 6: AUTHORITY OF INTERSTATE COMPACT COMMISSION AND MEMBER STATE
14 LICENSING AUTHORITIES

15 A. Nothing in this Compact, nor any Rule of the Commission, shall be
16 construed to limit, restrict, or in any way reduce the ability of a Member
17 State to enact and enforce laws, regulations, or other rules related to the
18 practice of Social Work in that State, where those laws, regulations, or
19 other rules are not inconsistent with the provisions of this Compact.

20 B. Nothing in this Compact shall affect the requirements established
21 by a Member State for the issuance of a Single State License.

22 C. Nothing in this Compact, nor any Rule of the Commission, shall be
23 construed to limit, restrict, or in any way reduce the ability of a Member
24 State to take Adverse Action against a Licensee's Single State License to
25 practice Social Work in that State.

26 D. Nothing in this Compact, nor any Rule of the Commission, shall be
27 construed to limit, restrict, or in any way reduce the ability of a Remote
28 State to take Adverse Action against a Licensee's Multistate Authorization to
29 Practice in that State.

30 E. Nothing in this Compact, nor any Rule of the Commission, shall be
31 construed to limit, restrict, or in any way reduce the ability of a
32 Licensee's Home State to take Adverse Action against a Licensee's Multistate
33 License based upon information provided by a Remote State.

34
35 SECTION 7: REISSUANCE OF A MULTISTATE LICENSE BY A NEW HOME STATE

36 A. A Licensee can hold a Multistate License, issued by their Home

1 State, in only one Member State at any given time.

2 B. If a Licensee changes their Home State by moving between two Member
3 States:

4 1. The Licensee shall immediately apply for the reissuance of
5 their Multistate License in their new Home State. The Licensee shall pay all
6 applicable fees and notify the prior Home State in accordance with the Rules
7 of the Commission.

8 2. Upon receipt of an application to reissue a Multistate
9 License, the new Home State shall verify that the Multistate License is
10 active, unencumbered and eligible for reissuance under the terms of the
11 Compact and the Rules of the Commission. The Multistate License issued by the
12 prior Home State will be deactivated and all Member States notified in
13 accordance with the applicable Rules adopted by the Commission.

14 3. Prior to the reissuance of the Multistate License, the new
15 Home State shall conduct procedures for considering the criminal history
16 records of the Licensee. Such procedures shall include the submission of
17 fingerprints or other biometric-based information by applicants for the
18 purpose of obtaining an applicant's criminal history record information from
19 the Federal Bureau of Investigation and the agency responsible for retaining
20 that State's criminal records.

21 4. If required for initial licensure, the new Home State may
22 require completion of jurisprudence requirements in the new Home State.

23 5. Notwithstanding any other provision of this Compact, if a
24 Licensee does not meet the requirements set forth in this Compact for the
25 reissuance of a Multistate License by the new Home State, then the Licensee
26 shall be subject to the new Home State requirements for the issuance of a
27 Single State License in that State.

28 C. If a Licensee changes their primary State of residence by moving
29 from a Member State to a non-Member State, or from a non-Member State to a
30 Member State, then the Licensee shall be subject to the State requirements
31 for the issuance of a Single State License in the new Home State.

32 D. Nothing in this Compact shall interfere with a Licensee's ability
33 to hold a Single State License in multiple States; however, for the purposes
34 of this Compact, a Licensee shall have only one Home State, and only one
35 Multistate License.

36 E. Nothing in this Compact shall interfere with the requirements

1 established by a Member State for the issuance of a Single State License.

2
3 SECTION 8. MILITARY FAMILIES

4 An Active Military Member or their spouse shall designate a Home State
5 where the individual has a Multistate License. The individual may retain
6 their Home State designation during the period the service member is on
7 active duty.

8
9 SECTION 9. ADVERSE ACTIONS

10 A. In addition to the other powers conferred by State law, a Remote
11 State shall have the authority, in accordance with existing State due process
12 law, to:

13 1. Take Adverse Action against a Regulated Social Worker's
14 Multistate Authorization to Practice only within that Member State, and issue
15 subpoenas for both hearings and investigations that require the attendance
16 and testimony of witnesses as well as the production of evidence. Subpoenas
17 issued by a Licensing Authority in a Member State for the attendance and
18 testimony of witnesses or the production of evidence from another Member
19 State shall be enforced in the latter State by any court of competent
20 jurisdiction, according to the practice and procedure of that court
21 applicable to subpoenas issued in proceedings pending before it. The issuing
22 Licensing Authority shall pay any witness fees, travel expenses, mileage, and
23 other fees required by the service statutes of the State in which the
24 witnesses or evidence are located.

25 2. Only the Home State shall have the power to take Adverse
26 Action against a Regulated Social Worker's Multistate License.

27 B. For purposes of taking Adverse Action, the Home State shall give
28 the same priority and effect to reported conduct received from a Member State
29 as it would if the conduct had occurred within the Home State. In so doing,
30 the Home State shall apply its own State laws to determine appropriate
31 action.

32 C. The Home State shall complete any pending investigations of a
33 Regulated Social Worker who changes their Home State during the course of the
34 investigations. The Home State shall also have the authority to take
35 appropriate action(s) and shall promptly report the conclusions of the
36 investigations to the administrator of the Data System. The administrator of

1 the Data System shall promptly notify the new Home State of any Adverse
2 Actions.

3 D. A Member State, if otherwise permitted by State law, may recover
4 from the affected Regulated Social Worker the costs of investigations and
5 dispositions of cases resulting from any Adverse Action taken against that
6 Regulated Social Worker.

7 E. A Member State may take Adverse Action based on the factual
8 findings of another Member State, provided that the Member State follows its
9 own procedures for taking the Adverse Action.

10 F. Joint Investigations:

11 1. In addition to the authority granted to a Member State by its
12 respective Social Work practice act or other applicable State law, any Member
13 State may participate with other Member States in joint investigations of
14 Licensees.

15 2. Member States shall share any investigative, litigation, or
16 compliance materials in furtherance of any joint or individual investigation
17 initiated under the Compact.

18 G. If Adverse Action is taken by the Home State against the Multistate
19 License of a Regulated Social Worker, the Regulated Social Worker's
20 Multistate Authorization to Practice in all other Member States shall be
21 deactivated until all Encumbrances have been removed from the Multistate
22 License. All Home State disciplinary orders that impose Adverse Action
23 against the license of a Regulated Social Worker shall include a statement
24 that the Regulated Social Worker's Multistate Authorization to Practice is
25 deactivated in all Member States until all conditions of the decision, order
26 or agreement are satisfied.

27 H. If a Member State takes Adverse Action, it shall promptly notify
28 the administrator of the Data System. The administrator of the Data System
29 shall promptly notify the Home State and all other Member State's of any
30 Adverse Actions by Remote States.

31 I. Nothing in this Compact shall override a Member State's decision
32 that participation in an Alternative Program may be used in lieu of Adverse
33 Action.

34 J. Nothing in this Compact shall authorize a Member State to demand
35 the issuance of subpoenas for attendance and testimony of witnesses or the
36 production of evidence from another Member State for lawful actions within

1 that Member State.

2 K. Nothing in this Compact shall authorize a Member State to impose
3 discipline against a Regulated Social Worker who holds a Multistate
4 Authorization to Practice for lawful actions within another Member State.

6 SECTION 10. ESTABLISHMENT OF SOCIAL WORK LICENSURE COMPACT COMMISSION

7 A. The Compact Member States hereby create and establish a joint
8 government agency whose membership consists of all Member States that have
9 enacted the compact known as the Social Work Licensure Compact Commission.
10 The Commission is an instrumentality of the Compact States acting jointly and
11 not an instrumentality of any one State. The Commission shall come into
12 existence on or after the effective date of the Compact as set forth in
13 Section 14.

14 B. Membership, Voting, and Meetings

15 1. Each Member State shall have and be limited to one (1)
16 delegate selected by that Member State's State Licensing Authority.

17 2. The delegate shall be either:

18 a. A current member of the State Licensing Authority at
19 the time of appointment, who is a Regulated Social Worker or public member of
20 the State Licensing Authority; or

21 b. An administrator of the State Licensing Authority or
22 their designee.

23 3. The Commission shall by Rule or bylaw establish a term of
24 office for delegates and may by Rule or bylaw establish term limits.

25 4. The Commission may recommend removal or suspension of any
26 delegate from office.

27 5. A Member State's State Licensing Authority shall fill any
28 vacancy of its delegate occurring on the Commission within 60 days of the
29 vacancy.

30 6. Each delegate shall be entitled to one vote on all matters
31 before the Commission requiring a vote by Commission delegates.

32 7. A delegate shall vote in person or by such other means as
33 provided in the bylaws. The bylaws may provide for delegates to meet by
34 telecommunication, videoconference, or other means of communication.

35 8. The Commission shall meet at least once during each calendar
36 year. Additional meetings may be held as set forth in the bylaws. The

1 Commission may meet by telecommunication, video conference or other similar
2 electronic means.

3 C. The Commission shall have the following powers:

- 4 1. Establish the fiscal year of the Commission;
- 5 2. Establish code of conduct and conflict of interest policies;
- 6 3. Establish and amend Rules and bylaws;
- 7 4. Maintain its financial records in accordance with the bylaws;
- 8 5. Meet and take such actions as are consistent with the
9 provisions of this Compact, the Commission's Rules, and the bylaws;
- 10 6. Initiate and conclude legal proceedings or actions in the
11 name of the Commission, provided that the standing of any State Licensing
12 Board to sue or be sued under applicable law shall not be affected;
- 13 7. Maintain and certify records and information provided to a
14 Member State as the authenticated business records of the Commission, and
15 designate an agent to do so on the Commission's behalf;
- 16 8. Purchase and maintain insurance and bonds;
- 17 9. Borrow, accept, or contract for services of personnel,
18 including, but not limited to, employees of a Member State;
- 19 10. Conduct an annual financial review;
- 20 11. Hire employees, elect or appoint officers, fix compensation,
21 define duties, grant such individuals appropriate authority to carry out the
22 purposes of the Compact, and establish the Commission's personnel policies
23 and programs relating to conflicts of interest, qualifications of personnel,
24 and other related personnel matters;
- 25 12. Assess and collect fees;
- 26 13. Accept any and all appropriate gifts, donations, grants of
27 money, other sources of revenue, equipment, supplies, materials, and
28 services, and receive, utilize, and dispose of the same; provided that at all
29 times the Commission shall avoid any appearance of impropriety or conflict of
30 interest;
- 31 14. Lease, purchase, retain, own, hold, improve, or use any
32 property, real, personal, or mixed, or any undivided interest therein;
- 33 15. Sell, convey, mortgage, pledge, lease, exchange, abandon, or
34 otherwise dispose of any property real, personal, or mixed;
- 35 16. Establish a budget and make expenditures;
- 36 17. Borrow money;

1 18. Appoint committees, including standing committees, composed
2 of members, State regulators, State legislators or their representatives, and
3 consumer representatives, and such other interested persons as may be
4 designated in this Compact and the bylaws;

5 19. Provide and receive information from, and cooperate with,
6 law enforcement agencies;

7 20. Establish and elect an Executive Committee, including a
8 chair and a vice chair;

9 21. Determine whether a State's adopted language is materially
10 different from the model compact language such that the State would not
11 qualify for participation in the Compact; and

12 22. Perform such other functions as may be necessary or
13 appropriate to achieve the purposes of this Compact.

14 D. The Executive Committee

15 1. The Executive Committee shall have the power to act on behalf
16 of the Commission according to the terms of this Compact. The powers, duties,
17 and responsibilities of the Executive Committee shall include:

18 a. Oversee the day-to-day activities of the administration
19 of the compact including enforcement and compliance with the provisions of
20 the compact, its Rules and bylaws, and other such duties as deemed necessary;

21 b. Recommend to the Commission changes to the Rules or
22 bylaws, changes to this Compact legislation, fees charged to Compact Member
23 States, fees charged to Licensees, and other fees;

24 c. Ensure Compact administration services are
25 appropriately provided, including by contract;

26 d. Prepare and recommend the budget;

27 e. Maintain financial records on behalf of the Commission;

28 f. Monitor Compact compliance of Member States and provide
29 compliance reports to the Commission;

30 g. Establish additional committees as necessary;

31 h. Exercise the powers and duties of the Commission during
32 the interim between Commission meetings, except for adopting or amending
33 Rules, adopting or amending bylaws, and exercising any other powers and
34 duties expressly reserved to the Commission by Rule or bylaw; and

35 i. Other duties as provided in the Rules or bylaws of the
36 Commission.

1 2. The Executive Committee shall be composed of up to eleven
2 (11) members:

3 a. The chair and vice chair of the Commission shall be
4 voting members of the Executive Committee; and

5 b. The Commission shall elect five voting members from the
6 current membership of the Commission.

7 c. Up to four (4) ex-officio, nonvoting members from four
8 (4) recognized national Social Work organizations.

9 d. The ex-officio members will be selected by their
10 respective organizations.

11 3. The Commission may remove any member of the Executive
12 Committee as provided in the Commission's bylaws.

13 4. The Executive Committee shall meet at least annually.

14 a. Executive Committee meetings shall be open to the
15 public, except that the Executive Committee may meet in a closed, non-public
16 meeting as provided in subsection F.2. below.

17 b. The Executive Committee shall give seven (7) days'
18 notice of its meetings, posted on its website and as determined to provide
19 notice to persons with an interest in the business of the Commission.

20 c. The Executive Committee may hold a special meeting in
21 accordance with subsection F.1.b. below.

22 E. The Commission shall adopt and provide to the Member States an
23 annual report.

24 F. Meetings of the Commission

25 1. All meetings shall be open to the public, except that the
26 Commission may meet in a closed, non-public meeting as provided in subsection
27 F.2. below.

28 a. Public notice for all meetings of the full Commission
29 of meetings shall be given in the same manner as required under the
30 Rulemaking provisions in Section 12, except that the Commission may hold a
31 special meeting as provided in subsection F.1.b. below.

32 b. The Commission may hold a special meeting when it must
33 meet to conduct emergency business by giving 48 hours' notice to all
34 commissioners, on the Commission's website, and other means as provided in
35 the Commission's Rules. The Commission's legal counsel shall certify that the
36 Commission's need to meet qualifies as an emergency.

1 2. The Commission or the Executive Committee or other committees
2 of the Commission may convene in a closed, non-public meeting for the
3 Commission or Executive Committee or other committees of the Commission to
4 receive legal advice or to discuss:

5 a. Non-compliance of a Member State with its obligations
6 under the Compact;

7 b. The employment, compensation, discipline or other
8 matters, practices or procedures related to specific employees;

9 c. Current or threatened discipline of a Licensee by the
10 Commission or by a Member State's Licensing Authority;

11 d. Current, threatened, or reasonably anticipated
12 litigation;

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

15 f. Accusing any person of a crime or formally censuring
16 any person;

17 g. Trade secrets or commercial or financial information
18 that is privileged or confidential;

19 h. Information of a personal nature where disclosure would
20 constitute a clearly unwarranted invasion of personal privacy;

21 i. Investigative records compiled for law enforcement
22 purposes;

23 j. Information related to any investigative reports
24 prepared by or on behalf of or for use of the Commission or other committee
25 charged with responsibility of investigation or determination of compliance
26 issues pursuant to the Compact;

27 k. Matters specifically exempted from disclosure by
28 federal or Member State law; or

29 l. Other matters as promulgated by the Commission by Rule.

30 3. If a meeting, or portion of a meeting, is closed, the
31 presiding officer shall state that the meeting will be closed and reference
32 each relevant exempting provision, and such reference shall be recorded in
33 the minutes.

34 4. The Commission shall keep minutes that fully and clearly
35 describe all matters discussed in a meeting and shall provide a full and
36 accurate summary of actions taken, and the reasons therefore, including a

1 description of the views expressed. All documents considered in connection
2 with an action shall be identified in such minutes. All minutes and documents
3 of a closed meeting shall remain under seal, subject to release only by a
4 majority vote of the Commission or order of a court of competent
5 jurisdiction.

6 G. Financing of the Commission

7 1. The Commission shall pay, or provide for the payment of, the
8 reasonable expenses of its establishment, organization, and ongoing
9 activities.

10 2. The Commission may accept any and all appropriate revenue
11 sources as provided in subsection C.13.

12 3. The Commission may levy on and collect an annual assessment
13 from each Member State and impose fees on Licensees of Member States to whom
14 it grants a Multistate License to cover the cost of the operations and
15 activities of the Commission and its staff, which must be in a total amount
16 sufficient to cover its annual budget as approved each year for which revenue
17 is not provided by other sources. The aggregate annual assessment amount for
18 Member States shall be allocated based upon a formula that the Commission
19 shall promulgate by Rule.

20 4. The Commission shall not incur obligations of any kind prior
21 to securing the funds adequate to meet the same; nor shall the Commission
22 pledge the credit of any of the Member States, except by and with the
23 authority of the Member State.

24 5. The Commission shall keep accurate accounts of all receipts
25 and disbursements. The receipts and disbursements of the Commission shall be
26 subject to the financial review and accounting procedures established under
27 its bylaws. However, all receipts and disbursements of funds handled by the
28 Commission shall be subject to an annual financial review by a certified or
29 licensed public accountant, and the report of the financial review shall be
30 included in and become part of the annual report of the Commission.

31 H. Qualified Immunity, Defense, and Indemnification

32 1. The members, officers, executive director, employees and
33 representatives of the Commission shall be immune from suit and liability,
34 both personally and in their official capacity, for any claim for damage to
35 or loss of property or personal injury or other civil liability caused by or
36 arising out of any actual or alleged act, error, or omission that occurred,

1 or that the person against whom the claim is made had a reasonable basis for
2 believing occurred within the scope of Commission employment, duties or
3 responsibilities; provided that nothing in this paragraph shall be construed
4 to protect any such person from suit or liability for any damage, loss,
5 injury, or liability caused by the intentional or willful or wanton
6 misconduct of that person. The procurement of insurance of any type by the
7 Commission shall not in any way compromise or limit the immunity granted
8 hereunder.

9 2. The Commission shall defend any member, officer, executive
10 director, employee, and representative of the Commission in any civil action
11 seeking to impose liability arising out of any actual or alleged act, error,
12 or omission that occurred within the scope of Commission employment, duties,
13 or responsibilities, or as determined by the Commission that the person
14 against whom the claim is made had a reasonable basis for believing occurred
15 within the scope of Commission employment, duties, or responsibilities;
16 provided that nothing herein shall be construed to prohibit that person from
17 retaining their own counsel at their own expense; and provided further, that
18 the actual or alleged act, error, or omission did not result from that
19 person's intentional or willful or wanton misconduct.

20 3. The Commission shall indemnify and hold harmless any member,
21 officer, executive director, employee, and representative of the Commission
22 for the amount of any settlement or judgment obtained against that person
23 arising out of any actual or alleged act, error, or omission that occurred
24 within the scope of Commission employment, duties, or responsibilities, or
25 that such person had a reasonable basis for believing occurred within the
26 scope of Commission employment, duties, or responsibilities, provided that
27 the actual or alleged act, error, or omission did not result from the
28 intentional or willful or wanton misconduct of that person.

29 4. Nothing herein shall be construed as a limitation on the
30 liability of any Licensee for professional malpractice or misconduct, which
31 shall be governed solely by any other applicable State laws.

32 5. Nothing in this Compact shall be interpreted to waive or
33 otherwise abrogate a Member State's state action immunity or state action
34 affirmative defense with respect to antitrust claims under the Sherman Act,
35 Clayton Act, or any other State or federal antitrust or anticompetitive law
36 or regulation.

1 6. Nothing in this Compact shall be construed to be a waiver of
2 sovereign immunity by the Member States or by the Commission.

3
4 SECTION 11 . DATA SYSTEM

5 A. The Commission shall provide for the development, maintenance,
6 operation, and utilization of a coordinated Data System.

7 B. The Commission shall assign each applicant for a Multistate License
8 a unique identifier, as determined by the Rules of the Commission.

9 C. Notwithstanding any other provision of State law to the contrary, a
10 Member State shall submit a uniform data set to the Data System on all
11 individuals to whom this Compact is applicable as required by the Rules of
12 the Commission, including:

13 1. Identifying information;

14 2. Licensure data;

15 3. Adverse Actions against a license and information related
16 thereto;

17 4. Non-confidential information related to Alternative Program
18 participation, the beginning and ending dates of such participation, and
19 other information related to such participation not made confidential under
20 Member State law;

21 5. Any denial of application for licensure, and the reason(s)
22 for such denial;

23 6. The presence of Current Significant Investigative
24 Information; and

25 7. Other information that may facilitate the administration of
26 this Compact or the protection of the public, as determined by the Rules of
27 the Commission.

28 D. The records and information provided to a Member State pursuant to
29 this Compact or through the Data System, when certified by the Commission or
30 an agent thereof, shall constitute the authenticated business records of the
31 Commission, and shall be entitled to any associated hearsay exception in any
32 relevant judicial, quasi-judicial or administrative proceedings in a Member
33 State.

34 E. Current Significant Investigative Information pertaining to a
35 Licensee in any Member State will only be available to other Member States.

36 1. It is the responsibility of the Member States to report any

1 Adverse Action against a Licensee and to monitor the database to determine
2 whether Adverse Action has been taken against a Licensee. Adverse Action
3 information pertaining to a Licensee in any Member State will be available to
4 any other Member State.

5 F. Member States contributing information to the Data System may
6 designate information that may not be shared with the public without the
7 express permission of the contributing State.

8 G. Any information submitted to the Data System that is subsequently
9 expunged pursuant to federal law or the laws of the Member State contributing
10 the information shall be removed from the Data System.

11
12 SECTION 12. RULEMAKING

13 A. The Commission shall promulgate reasonable Rules in order to
14 effectively and efficiently implement and administer the purposes and
15 provisions of the Compact. A Rule shall be invalid and have no force or
16 effect only if a court of competent jurisdiction holds that the Rule is
17 invalid because the Commission exercised its rulemaking authority in a manner
18 that is beyond the scope and purposes of the Compact, or the powers granted
19 hereunder, or based upon another applicable standard of review.

20 B. The Rules of the Commission shall have the force of law in each
21 Member State, provided however that where the Rules of the Commission
22 conflict with the laws of the Member State that establish the Member State's
23 laws, regulations, and applicable standards that govern the practice of
24 Social Work as held by a court of competent jurisdiction, the Rules of the
25 Commission shall be ineffective in that State to the extent of the conflict.

26 C. The Commission shall exercise its Rulemaking powers pursuant to the
27 criteria set forth in this Section and the Rules adopted thereunder. Rules
28 shall become binding on the day following adoption or the date specified in
29 the rule or amendment, whichever is later.

30 D. If a majority of the legislatures of the Member States rejects a
31 Rule or portion of a Rule, by enactment of a statute or resolution in the
32 same manner used to adopt the Compact within four (4) years of the date of
33 adoption of the Rule, then such Rule shall have no further force and effect
34 in any Member State.

35 E. Rules shall be adopted at a regular or special meeting of the
36 Commission.

1 F. Prior to adoption of a proposed Rule, the Commission shall hold a
2 public hearing and allow persons to provide oral and written comments, data,
3 facts, opinions, and arguments.

4 G. Prior to adoption of a proposed Rule by the Commission, and at
5 least thirty (30) days in advance of the meeting at which the Commission will
6 hold a public hearing on the proposed Rule, the Commission shall provide a
7 Notice of Proposed Rulemaking:

8 1. On the website of the Commission or other publicly accessible
9 platform;

10 2. To persons who have requested notice of the Commission's
11 notices of proposed rulemaking; and

12 3. In such other way(s) as the Commission may by Rule specify.

13 H. The Notice of Proposed Rulemaking shall include:

14 1. The time, date, and location of the public hearing at which
15 the Commission will hear public comments on the proposed Rule and, if
16 different, the time, date, and location of the meeting where the Commission
17 will consider and vote on the proposed Rule;

18 2. If the hearing is held via telecommunication, video
19 conference, or other electronic means, the Commission shall include the
20 mechanism for access to the hearing in the Notice of Proposed Rulemaking;

21 3. The text of the proposed Rule and the reason therefor;

22 4. A request for comments on the proposed Rule from any
23 interested person; and

24 5. The manner in which interested persons may submit written
25 comments.

26 I. All hearings will be recorded. A copy of the recording and all
27 written comments and documents received by the Commission in response to the
28 proposed Rule shall be available to the public.

29 J. Nothing in this section shall be construed as requiring a separate
30 hearing on each Rule. Rules may be grouped for the convenience of the
31 Commission at hearings required by this section.

32 K. The Commission shall, by majority vote of all members, take final
33 action on the proposed Rule based on the Rulemaking record and the full text
34 of the Rule.

35 1. The Commission may adopt changes to the proposed Rule
36 provided the changes do not enlarge the original purpose of the proposed

1 Rule.

2 2. The Commission shall provide an explanation of the reasons
3 for substantive changes made to the proposed Rule as well as reasons for
4 substantive changes not made that were recommended by commenters.

5 3. The Commission shall determine a reasonable effective date
6 for the Rule. Except for an emergency as provided in Section 12.L., the
7 effective date of the rule shall be no sooner than 30 days after issuing the
8 notice that it adopted or amended the Rule.

9 L. Upon determination that an emergency exists, the Commission may
10 consider and adopt an emergency Rule with 48 hours' notice, with opportunity
11 to comment, provided that the usual Rulemaking procedures provided in the
12 Compact and in this section shall be retroactively applied to the Rule as
13 soon as reasonably possible, in no event later than ninety (90) days after
14 the effective date of the Rule. For the purposes of this provision, an
15 emergency Rule is one that must be adopted immediately in order to:

- 16 1. Meet an imminent threat to public health, safety, or welfare;
17 2. Prevent a loss of Commission or Member State funds;
18 3. Meet a deadline for the promulgation of a Rule that is
19 established by federal law or rule; or
20 4. Protect public health and safety.

21 M. The Commission or an authorized committee of the Commission may
22 direct revisions to a previously adopted Rule for purposes of correcting
23 typographical errors, errors in format, errors in consistency, or grammatical
24 errors. Public notice of any revisions shall be posted on the website of the
25 Commission. The revision shall be subject to challenge by any person for a
26 period of thirty (30) days after posting. The revision may be challenged only
27 on grounds that the revision results in a material change to a Rule. A
28 challenge shall be made in writing and delivered to the Commission prior to
29 the end of the notice period. If no challenge is made, the revision will take
30 effect without further action. If the revision is challenged, the revision
31 may not take effect without the approval of the Commission.

32 N. No Member State's rulemaking requirements shall apply under this
33 Compact.

34
35 SECTION 13. OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT

36 A. Oversight

1 1. The executive and judicial branches of State government in
2 each Member State shall enforce this Compact and take all actions necessary
3 and appropriate to implement the Compact.

4 2. Except as otherwise provided in this Compact, venue is proper
5 and judicial proceedings by or against the Commission shall be brought solely
6 and exclusively in a court of competent jurisdiction where the principal
7 office of the Commission is located. The Commission may waive venue and
8 jurisdictional defenses to the extent it adopts or consents to participate in
9 alternative dispute resolution proceedings. Nothing herein shall affect or
10 limit the selection or propriety of venue in any action against a Licensee
11 for professional malpractice, misconduct or any such similar matter.

12 3. The Commission shall be entitled to receive service of
13 process in any proceeding regarding the enforcement or interpretation of the
14 Compact and shall have standing to intervene in such a proceeding for all
15 purposes. Failure to provide the Commission service of process shall render a
16 judgment or order void as to the Commission, this Compact, or promulgated
17 Rules.

18 B. Default, Technical Assistance, and Termination

19 1. If the Commission determines that a Member State has
20 defaulted in the performance of its obligations or responsibilities under
21 this Compact or the promulgated Rules, the Commission shall provide written
22 notice to the defaulting State. The notice of default shall describe the
23 default, the proposed means of curing the default, and any other action that
24 the Commission may take, and shall offer training and specific technical
25 assistance regarding the default.

26 2. The Commission shall provide a copy of the notice of default
27 to the other Member States.

28 C. If a State in default fails to cure the default, the defaulting
29 State may be terminated from the Compact upon an affirmative vote of a
30 majority of the delegates of the Member States, and all rights, privileges
31 and benefits conferred on that State by this Compact may be terminated on the
32 effective date of termination. A cure of the default does not relieve the
33 offending State of obligations or liabilities incurred during the period of
34 default.

35 D. Termination of membership in the Compact shall be imposed only
36 after all other means of securing compliance have been exhausted. Notice of

1 intent to suspend or terminate shall be given by the Commission to the
2 governor, the majority and minority leaders of the defaulting State's
3 legislature, the defaulting State's State Licensing Authority and each of the
4 Member States' State Licensing Authority.

5 E. A State that has been terminated is responsible for all
6 assessments, obligations, and liabilities incurred through the effective date
7 of termination, including obligations that extend beyond the effective date
8 of termination.

9 F. Upon the termination of a State's membership from this Compact,
10 that State shall immediately provide notice to all Licensees within that
11 State of such termination. The terminated State shall continue to recognize
12 all licenses granted pursuant to this Compact for a minimum of six (6) months
13 after the date of said notice of termination.

14 G. The Commission shall not bear any costs related to a State that is
15 found to be in default or that has been terminated from the Compact, unless
16 agreed upon in writing between the Commission and the defaulting State.

17 H. The defaulting State may appeal the action of the Commission by
18 petitioning the U.S. District Court for the District of Columbia or the
19 federal district where the Commission has its principal offices. The
20 prevailing party shall be awarded all costs of such litigation, including
21 reasonable attorney's fees.

22 I. Dispute Resolution

23 1. Upon request by a Member State, the Commission shall attempt
24 to resolve disputes related to the Compact that arise among Member States and
25 between Member and non-Member States.

26 2. The Commission shall promulgate a Rule providing for both
27 mediation and binding dispute resolution for disputes as appropriate.

28 J. Enforcement

29 1. By majority vote as provided by Rule, the Commission may
30 initiate legal action against a Member State in default in the United States
31 District Court for the District of Columbia or the federal district where the
32 Commission has its principal offices to enforce compliance with the
33 provisions of the Compact and its promulgated Rules. The relief sought may
34 include both injunctive relief and damages. In the event judicial enforcement
35 is necessary, the prevailing party shall be awarded all costs of such
36 litigation, including reasonable attorney's fees. The remedies herein shall

1 not be the exclusive remedies of the Commission. The Commission may pursue
2 any other remedies available under federal or the defaulting Member State's
3 law.

4 2. A Member State may initiate legal action against the
5 Commission in the U.S. District Court for the District of Columbia or the
6 federal district where the Commission has its principal offices to enforce
7 compliance with the provisions of the Compact and its promulgated Rules. The
8 relief sought may include both injunctive relief and damages. In the event
9 judicial enforcement is necessary, the prevailing party shall be awarded all
10 costs of such litigation, including reasonable attorney's fees.

11 3. No person other than a Member State shall enforce this
12 Compact against the Commission.

13

14 SECTION 14. EFFECTIVE DATE, WITHDRAWAL, AND AMENDMENT

15 A. The Compact shall come into effect on the date on which the Compact
16 statute is enacted into law in the seventh Member State.

17 1. On or after the effective date of the Compact, the Commission
18 shall convene and review the enactment of each of the first seven Member
19 States ("Charter Member States") to determine if the statute enacted by each
20 such Charter Member State is materially different than the model Compact
21 statute.

22 a. A Charter Member State whose enactment is found to be
23 materially different from the model Compact statute shall be entitled to the
24 default process set forth in Section 13.

25 b. If any Member State is later found to be in default, or
26 is terminated or withdraws from the Compact, the Commission shall remain in
27 existence and the Compact shall remain in effect even if the number of Member
28 States should be less than seven.

29 2. Member States enacting the Compact subsequent to the seven
30 initial Charter Member States shall be subject to the process set forth in
31 Section 10.C.21. to determine if their enactments are materially different
32 from the model Compact statute and whether they qualify for participation in
33 the Compact.

34 3. All actions taken for the benefit of the Commission or in
35 furtherance of the purposes of the administration of the Compact prior to the
36 effective date of the Compact or the Commission coming into existence shall

1 be considered to be actions of the Commission unless specifically repudiated
2 by the Commission.

3 4. Any State that joins the Compact subsequent to the
4 Commission's initial adoption of the Rules and bylaws shall be subject to the
5 Rules and bylaws as they exist on the date on which the Compact becomes law
6 in that State. Any Rule that has been previously adopted by the Commission
7 shall have the full force and effect of law on the day the Compact becomes
8 law in that State.

9 B. Any Member State may withdraw from this Compact by enacting a
10 statute repealing the same.

11 1. A Member State's withdrawal shall not take effect until 180
12 days after enactment of the repealing statute.

13 2. Withdrawal shall not affect the continuing requirement of the
14 withdrawing State's Licensing Authority to comply with the investigative and
15 Adverse Action reporting requirements of this Compact prior to the effective
16 date of withdrawal.

17 3. Upon the enactment of a statute withdrawing from this
18 compact, a State shall immediately provide notice of such withdrawal to all
19 Licensees within that State. Notwithstanding any subsequent statutory
20 enactment to the contrary, such withdrawing State shall continue to recognize
21 all licenses granted pursuant to this compact for a minimum of 180 days after
22 the date of such notice of withdrawal.

23 C. Nothing contained in this Compact shall be construed to invalidate
24 or prevent any licensure agreement or other cooperative arrangement between a
25 Member State and a non-Member State that does not conflict with the
26 provisions of this Compact.

27 D. This Compact may be amended by the Member States. No amendment to
28 this Compact shall become effective and binding upon any Member State until
29 it is enacted into the laws of all Member States.

30
31 SECTION 15. CONSTRUCTION AND SEVERABILITY

32 A. This Compact and the Commission's rulemaking authority shall be
33 liberally construed so as to effectuate the purposes, and the implementation
34 and administration of the Compact. Provisions of the Compact expressly
35 authorizing or requiring the promulgation of Rules shall not be construed to
36 limit the Commission's rulemaking authority solely for those purposes.

1 B. The provisions of this Compact shall be severable and if any
 2 phrase, clause, sentence or provision of this Compact is held by a court of
 3 competent jurisdiction to be contrary to the constitution of any Member
 4 State, a State seeking participation in the Compact, or of the United States,
 5 or the applicability thereof to any government, agency, person or
 6 circumstance is held to be unconstitutional by a court of competent
 7 jurisdiction, the validity of the remainder of this Compact and the
 8 applicability thereof to any other government, agency, person or circumstance
 9 shall not be affected thereby.

10 C. Notwithstanding subsection B. of this section, the Commission may
 11 deny a State's participation in the Compact or, in accordance with the
 12 requirements of Section 13.B., terminate a Member State's participation in
 13 the Compact, if it determines that a constitutional requirement of a Member
 14 State is a material departure from the Compact. Otherwise, if this Compact
 15 shall be held to be contrary to the constitution of any Member State, the
 16 Compact shall remain in full force and effect as to the remaining Member
 17 States and in full force and effect as to the Member State affected as to all
 18 severable matters.

19
 20 SECTION 16. CONSISTENT EFFECT AND CONFLICT WITH OTHER STATE LAWS

21 A. A Licensee providing services in a Remote State under a Multistate
 22 Authorization to Practice shall adhere to the laws and regulations, including
 23 laws, regulations, and applicable standards, of the Remote State where the
 24 client is located at the time care is rendered.

25 B. Nothing herein shall prevent or inhibit the enforcement of any
 26 other law of a Member State that is not inconsistent with the Compact.

27 C. Any laws, statutes, regulations, or other legal requirements in a
 28 Member State in conflict with the Compact are superseded to the extent of the
 29 conflict.

30 D. All permissible agreements between the Commission and the Member
 31 States are binding in accordance with their terms.

32
 33 17-103-402. Administration of compact.

34 (a) The Arkansas Social Work Licensing Board is the Social Work
 35 Licensure Compact administrator for this state.

36 (b) The board may adopt rules that are consistent with the Social Work

1 Licensure Compact necessary to implement this subchapter.

2 (c) The board is not required to adopt the rules of the Social Work
3 Licensure Compact Commission for those rules to be effective in this state.

4 (d) For the purposes of the member state's ability to reject a rule
5 under Section 12(D) of the Social Work Licensure Compact, Arkansas delegates
6 its authority in this provision to the General Assembly or the Legislative
7 Council.

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10 **APPROVED: 4/16/25**

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