

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 HOUSE BILL 2261

By: Miller

6 AS INTRODUCED

7 An Act relating to professions and occupations;  
8 stating purpose of compact; stating objectives;  
9 defining terms; providing procedures for state  
10 participation in compact; stating eligibility  
11 criteria; prescribing procedures for social worker  
12 participation in compact; prescribing procedures for  
13 Home State Licensing Authority; providing for  
14 relationship of compact to state laws and other  
15 sources of authority; prescribing procedures for  
16 reissuance of license; proving for military members;  
17 prescribing procedures related to certain adverse  
18 actions; providing for investigations; establishing  
19 Social Work Licensure Compact Commission; providing  
20 for membership, voting, and meetings of Commission;  
21 providing for data system; prescribing procedures  
22 related thereto; providing for rulemaking procedures;  
23 providing for oversight, dispute resolution, and  
24 enforcement; providing for effective date of compact  
provisions; providing for construction and  
severability; providing for construction with other  
laws; providing for codification; and providing an  
effective date.

20 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

21 SECTION 1. NEW LAW A new section of law to be codified

22 in the Oklahoma Statutes as Section 1281 of Title 59, unless there  
23 is created a duplication in numbering, reads as follows:

1       The purpose of this Compact is to facilitate interstate practice  
2 of Regulated Social Workers by improving public access to competent  
3 Social Work Services. The Compact preserves the regulatory  
4 authority of States to protect public health and safety through the  
5 current system of State licensure.

6       This Compact is designed to achieve the following objectives:

7           A. Increase public access to Social Work Services;

8           B. Reduce overly burdensome and duplicative requirements

9 associated with holding multiple licenses;

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

12          D. Encourage the cooperation of Member States in regulating  
13 multistate practice;

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

17          F. Support military families;

18          G. Facilitate the exchange of licensure and disciplinary  
19 information among Member States;

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

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

3           SECTION 2.       NEW LAW       A new section of law to be codified  
4 in the Oklahoma Statutes as Section 1282 of Title 59, unless there  
5 is created a duplication in numbering, reads as follows:

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

8           A. "Active Military Member" means any individual with full-time  
9 duty status in the active Armed Forces of the United States  
10 including members of the National Guard and Reserve;

11           B. "Adverse Action" means any administrative, civil, equitable,  
12 or criminal action permitted by a State's laws which is imposed by a  
13 Licensing Authority or other authority against a Regulated Social  
14 Worker, including actions against an individual's license or  
15 Multistate Authorization to Practice such as revocation, suspension,  
16 probation, monitoring of the Licensee, limitation on the Licensee's  
17 practice, or any other Encumbrance on licensure affecting a  
18 Regulated Social Worker's authorization to practice, including  
19 issuance of a cease and desist action;

20           C. "Alternative Program" means a nondisciplinary monitoring or  
21 practice remediation process approved by a Licensing Authority to  
22 address practitioners with an Impairment;

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

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

9       F. "Current Significant Investigative Information" means:

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

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

1       H. "Disqualifying Event" means any Adverse Action or incident  
2 which results in an Encumbrance that disqualifies or makes the  
3 Licensee ineligible to either obtain, retain, or renew a Multistate  
4 License;

5       I. "Domicile" means the jurisdiction in which the Licensee  
6 resides and intends to remain indefinitely;

7       J. "Encumbrance" means a revocation or suspension of, or any  
8 limitation on, the full and unrestricted practice of Social Work  
9 licensed and regulated by a Licensing Authority;

10      K. "Executive Committee" means a group of delegates elected or  
11 appointed to act on behalf of, and within the powers granted to them  
12 by, the compact and Commission;

13      L. "Home State" means the Member State that is the Licensee's  
14 primary Domicile;

15      M. "Impairment" means a condition(s) that may impair a  
16 practitioner's ability to engage in full and unrestricted practice  
17 as a Regulated Social Worker without some type of intervention and  
18 may include alcohol and drug dependence, mental health impairment,  
19 and neurological or physical impairments;

20      N. "Licensee(s)" means an individual who currently holds a  
21 license from a State to practice as a Regulated Social Worker;

22      O. "Licensing Authority" means the board or agency of a Member  
23 State, or equivalent, that is responsible for the licensing and  
24 regulation of Regulated Social Workers;

1       P. "Member State" means a state, commonwealth, district, or  
2 territory of the United States of America that has enacted this  
3 Compact;

4       Q. "Multistate Authorization to Practice" means a legally  
5 authorized privilege to practice, which is equivalent to a license,  
6 associated with a Multistate License permitting the practice of  
7 Social Work in a Remote State;

8       R. "Multistate License" means a license to practice as a  
9 Regulated Social Worker issued by a Home State Licensing Authority  
10 that authorizes the Regulated Social Worker to practice in all  
11 Member States under Multistate Authorization to Practice;

12       S. "Qualifying National Exam" means a national licensing  
13 examination approved by the Commission;

14       T. "Regulated Social Worker" means any clinical, master's or  
15 bachelor's Social Worker licensed by a Member State regardless of  
16 the title used by that Member State;

17       U. "Remote State" means a Member State other than the  
18 Licensee's Home State;

19       V. "Rule(s)" or "Rule(s) of the Commission" means a regulation  
20 or regulations duly promulgated by the Commission, as authorized by  
21 the Compact, that has the force of law;

22       W. "Single State License" means a Social Work license issued by  
23 any State that authorizes practice only within the issuing State and

1 does not include Multistate Authorization to Practice in any Member  
2 State;

3       X. "Social Work" or "Social Work Services" means the  
4 application of social work theory, knowledge, methods, ethics, and  
5 the professional use of self to restore or enhance social,  
6 psychosocial, or biopsychosocial functioning of individuals,  
7 couples, families, groups, organizations, and communities through  
8 the care and services provided by a Regulated Social Worker as set  
9 forth in the Member State's statutes and regulations in the State  
10 where the services are being provided;

11       Y. "State" means any state, commonwealth, district, or  
12 territory of the United States of America that regulates the  
13 practice of Social Work; and

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

17       SECTION 3.       NEW LAW       A new section of law to be codified  
18 in the Oklahoma Statutes as Section 1283 of Title 59, unless there  
19 is created a duplication in numbering, reads as follows:

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

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

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

a. operated by a college or university recognized by the Licensing Authority,

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

(1) the Council for Higher Education Accreditation,  
or its successor, or

(2) the United States Department of Education, and

c. corresponds to the licensure sought as outlined in Section 4;

3. Require applicants for clinical licensure to complete a

period of supervised practice;

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

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

1. Require that applicants for a Multistate License pass a

Qualifying National Exam for the corresponding category of

Multistate License sought as outlined in Section 4;

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

1       3. Notify the Commission, in compliance with the terms of the  
2 Compact and Rules, of any Adverse Action or the availability of  
3 Current Significant Investigative Information regarding a Licensee;

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

11       5. Comply with the Rules of the Commission;

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

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

19       8. Designate a delegate to participate in the Commission  
20 meetings.

21       C. A Member State meeting the requirements of Section 3.A. and  
22 3.B of this Compact shall designate the categories of Social Work  
23 licensure that are eligible for issuance of a Multistate License for  
24 applicants in such Member State. To the extent that any Member

1 State does not meet the requirements for participation in the  
2 Compact at any particular category of Social Work licensure, such  
3 Member State may choose, but is not obligated to, issue a Multistate  
4 License to applicants that otherwise meet the requirements of  
5 Section 4 for issuance of a Multistate License in such category or  
6 categories of licensure.

7 D. The Home State may charge a fee for granting the Multistate  
8 License.

9 SECTION 4. NEW LAW A new section of law to be codified  
10 in the Oklahoma Statutes as Section 1284 of Title 59, unless there  
11 is created a duplication in numbering, reads as follows:

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

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

17 2. Pay any applicable fees, including any State fee, for the  
18 Multistate License;

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

24

1       4. Notify the Home State of any Adverse Action, Encumbrance, or  
2 restriction on any professional license taken by any Member State or  
3 non-Member State within thirty (30) days from the date the action is  
4 taken;

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

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

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

12      1. Fulfill a competency requirement, which shall be satisfied  
13 by either:

14       a. passage of a clinical-category Qualifying National  
15                  Exam, or

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

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

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

- a. operated by a college or university recognized by the Licensing Authority, and
  - b. accredited, or in candidacy that subsequently becomes accredited, by an accrediting agency recognized by either:
    - (1) the Council for Higher Education Accreditation or its successor, or
    - (2) the United States Department of Education;

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

- a. a period of postgraduate supervised clinical practice equal to a minimum of three thousand (3,000) hours, or
  - b. a minimum of two (2) years of full-time postgraduate supervised clinical practice, or
  - c. the substantial equivalency of the foregoing practice requirements which the Commission may determine by Rule.

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

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

- a. passage of a masters-category Qualifying National Exam,
  - b. licensure of the applicant in their Home State at the master's category, beginning prior to such time as a Qualifying National Exam was required by the Home State at the master's category and accompanied by a continuous period of Social Work licensure thereafter, all of which may be further governed by the Rules of the Commission, or
  - c. the substantial equivalency of the foregoing competency requirements which the Commission may determine by Rule;

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

- a. operated by a college or university recognized by the Licensing Authority, and
  - b. accredited, or in candidacy that subsequently becomes accredited, by an accrediting agency recognized by either:
    - (1) the Council for Higher Education Accreditation or its successor, or
    - (2) the United States Department of Education.

D. An applicant for a bachelor's-category Multistate License

must meet all of the following requirements:

- 1       1. Fulfill a competency requirement, which shall be satisfied  
2       by either:
- 3           a. passage of a bachelor's-category Qualifying National  
4           Exam,
- 5           b. licensure of the applicant in their Home State at the  
6           bachelor's category, beginning prior to such time as a  
7           Qualifying National Exam was required by the Home  
8           State and accompanied by a period of continuous Social  
9           Work licensure thereafter, all of which may be further  
10          governed by the Rules of the Commission, or
- 11          c. the substantial equivalency of the foregoing  
12          competency requirements which the Commission may  
13          determine by Rule;
- 14       2. Attain at least a bachelor's degree in Social Work from a  
15       program that is:
- 16           a. operated by a college or university recognized by the  
17           Licensing Authority, and
- 18           b. accredited, or in candidacy that subsequently becomes  
19           accredited, by an accrediting agency recognized by  
20           either:
- 21              (1) the Council for Higher Education Accreditation or  
22              its successor, or
- 23              (2) the United States Department of Education.

1       E. The Multistate License for a Regulated Social Worker is  
2 subject to the renewal requirements of the Home State. The  
3 Regulated Social Worker must maintain compliance with the  
4 requirements of Section 4(A) to be eligible to renew a Multistate  
5 License.

6       F. The Regulated Social Worker's services in a Remote State are  
7 subject to that Member State's regulatory authority. A Remote State  
8 may, in accordance with due process and that Member State's laws,  
9 remove a Regulated Social Worker's Multistate Authorization to  
10 Practice in the Remote State for a specific period of time, impose  
11 fines, and take any other necessary actions to protect the health  
12 and safety of its citizens.

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

17      H. If a Multistate Authorization to Practice is encumbered in a  
18 Remote State, the regulated Social Worker's Multistate Authorization  
19 to Practice may be deactivated in that State until the Multistate  
20 Authorization to Practice is no longer encumbered.

21      SECTION 5.     NEW LAW       A new section of law to be codified  
22 in the Oklahoma Statutes as Section 1285 of Title 59, unless there  
23 is created a duplication in numbering, reads as follows:

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

5           B. If such applicant is eligible pursuant to Section 4 of this  
6 Compact, the Home State Licensing Authority shall issue a Multistate  
7 License that authorizes the applicant or Regulated Social Worker to  
8 practice in all Member States under a Multistate Authorization to  
9 Practice.

10          C. Upon issuance of a Multistate License, the Home State  
11 Licensing Authority shall designate whether the Regulated Social  
12 Worker holds a Multistate License in the Bachelors, Masters, or  
13 Clinical category of Social Work.

14          D. A Multistate License issued by a Home State to a resident in  
15 that State shall be recognized by all Compact Member States as  
16 authorizing Social Work Practice under a Multistate Authorization to  
17 Practice corresponding to each category of licensure regulated in  
18 each Member State.

19           SECTION 6.        NEW LAW        A new section of law to be codified  
20 in the Oklahoma Statutes as Section 1286 of Title 59, unless there  
21 is created a duplication in numbering, reads as follows:

22           A. Nothing in this Compact, nor any Rule of the Commission,  
23 shall be construed to limit, restrict, or in any way reduce the  
24 ability of a Member State to enact and enforce laws, regulations, or

1 other rules related to the practice of Social Work in that State,  
2 where those laws, regulations, or other rules are not inconsistent  
3 with the provisions of this Compact.

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

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

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

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

21           SECTION 7.        NEW LAW        A new section of law to be codified  
22 in the Oklahoma Statutes as Section 1287 of Title 59, unless there  
23 is created a duplication in numbering, reads as follows:

1           A. A Licensee can hold a Multistate License, issued by their  
2 Home State, in only one Member State at any given time.

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

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

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

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

1       4. If required for initial licensure, the new Home State may  
2 require completion of jurisprudence requirements in the new Home  
3 State;

4       5. Notwithstanding any other provision of this Compact, if a  
5 Licensee does not meet the requirements set forth in this Compact  
6 for the reissuance of a Multistate License by the new Home State,  
7 then the Licensee shall be subject to the new Home State  
8 requirements for the issuance of a Single State License in that  
9 State.

10      C. If a Licensee changes their primary State of residence by  
11 moving from a Member State to a non-Member State, or from a non-  
12 Member State to a Member State, then the Licensee shall be subject  
13 to the State requirements for the issuance of a Single State License  
14 in the new Home State.

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

19      E. Nothing in this Compact shall interfere with the  
20 requirements established by a Member State for the issuance of a  
21 Single State License.

22      SECTION 8.       NEW LAW       A new section of law to be codified  
23 in the Oklahoma Statutes as Section 1288 of Title 59, unless there  
24 is created a duplication in numbering, reads as follows:

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

5           SECTION 9.       NEW LAW       A new section of law to be codified  
6 in the Oklahoma Statutes as Section 1289 of Title 59, unless there  
7 is created a duplication in numbering, reads as follows:

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

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

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

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

8           C. The Home State shall complete any pending investigations of  
9 a Regulated Social Worker who changes their Home State during the  
10 course of the investigations. The Home State shall also have the  
11 authority to take appropriate action(s) and shall promptly report  
12 the conclusions of the investigations to the administrator of the  
13 Data System. The administrator of the Data System shall promptly  
14 notify the new Home State of any Adverse Actions.

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

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

22           F. Joint Investigations:

23           1. In addition to the authority granted to a Member State by  
24 its respective Social Work practice act or other applicable State

1 law, any Member State may participate with other Member States in  
2 joint investigations of Licensees.

3       2. Member States shall share any investigative, litigation, or  
4 compliance materials in furtherance of any joint or individual  
5 investigation initiated under the Compact.

6       G. If Adverse Action is taken by the Home State against the  
7 Multistate License of a Regulated Social Worker, the Regulated  
8 Social Worker's Multistate Authorization to Practice in all other  
9 Member States shall be deactivated until all Encumbrances have been  
10 removed from the Multistate License. All Home State disciplinary  
11 orders that impose Adverse Action against the license of a Regulated  
12 Social Worker shall include a statement that the Regulated Social  
13 Worker's Multistate Authorization to Practice is deactivated in all  
14 Member States until all conditions of the decision, order or  
15 agreement are satisfied.

16       H. If a Member State takes Adverse Action, it shall promptly  
17 notify the administrator of the Data System. The administrator of  
18 the Data System shall promptly notify the Home State and all other  
19 Member State's of any Adverse Actions by Remote States.

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

23       J. Nothing in this Compact shall authorize a Member State to  
24 demand the issuance of subpoenas for attendance and testimony of

1      witnesses or the production of evidence from another Member State  
2      for lawful actions within that Member State.

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

7            SECTION 10.        NEW LAW        A new section of law to be codified  
8      in the Oklahoma Statutes as Section 1290 of Title 59, unless there  
9      is created a duplication in numbering, reads as follows:

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

17          B. Membership, Voting, and Meetings

18          1. Each Member State shall have and be limited to one delegate  
19      selected by that Member State's State Licensing Authority.

20          2. The delegate shall be either:

21            a. a current member of the State Licensing Authority at  
22                    the time of appointment, who is a Regulated Social  
23                    Worker or public member of the State Licensing  
24                    Authority, or

- b. an administrator of the State Licensing Authority or their designee.

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

5       4. The Commission may recommend removal or suspension any  
6 delegate from office.

7       5. A Member State's State Licensing Authority shall fill any  
8 vacancy of its delegate occurring on the Commission within sixty  
9 (60) days of the vacancy.

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

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

16        8. The Commission shall meet at least once during each calendar  
17 year. Additional meetings may be held as set forth in the bylaws.  
18 The Commission may meet by telecommunication, videoconference, or  
19 other similar electronic means.

20 C. The Commission shall have the following powers:

1. Establish the fiscal year of the Commission;
2. Establish code of conduct and conflict of interest policies;
3. Establish and amend Rules and bylaws;

- 1       4. Maintain its financial records in accordance with the  
2 bylaws;
- 3       5. Meet and take such actions as are consistent with the  
4 provisions of this Compact, the Commission's Rules, and the bylaws;
- 5       6. Initiate and conclude legal proceedings or actions in the  
6 name of the Commission, provided that the standing of any State  
7 Licensing Board to sue or be sued under applicable law shall not be  
8 affected;
- 9       7. Maintain and certify records and information provided to a  
10 Member State as the authenticated business records of the  
11 Commission, and designate an agent to do so on the Commission's  
12 behalf;
- 13       8. Purchase and maintain insurance and bonds;
- 14       9. Borrow, accept, or contract for services of personnel,  
15 including, but not limited to, employees of a Member State;
- 16       10. Conduct an annual financial review;
- 17       11. Hire employees, elect or appoint officers, fix  
18 compensation, define duties, grant such individuals appropriate  
19 authority to carry out the purposes of the Compact, and establish  
20 the Commission's personnel policies and programs relating to  
21 conflicts of interest, qualifications of personnel, and other  
22 related personnel matters;
- 23       12. Assess and collect fees;
- 24

1       13. Accept any and all appropriate gifts, donations, grants of  
2 money, other sources of revenue, equipment, supplies, materials, and  
3 services, and receive, utilize, and dispose of the same; provided  
4 that at all times the Commission shall avoid any appearance of  
5 impropriety or conflict of interest;

6       14. Lease, purchase, retain, own, hold, improve, or use any  
7 property, real, personal, or mixed, or any undivided interest  
8 therein;

9       15. Sell, convey, mortgage, pledge, lease, exchange, abandon,  
10 or otherwise dispose of any property real, personal, or mixed;

11       16. Establish a budget and make expenditures;

12       17. Borrow money;

13       18. Appoint committees, including standing committees, composed  
14 of members, State regulators, State legislators or their  
15 representatives, and consumer representatives, and such other  
16 interested persons as may be designated in this Compact and the  
17 bylaws;

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

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

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

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

3           D. The Executive Committee

4           1. The Executive Committee shall have the power to act on  
5 behalf of the Commission according to the terms of this Compact.

6 The powers, duties, and responsibilities of the Executive Committee  
7 shall include:

- 8           a. oversee the day-to-day activities of the  
9                 administration of the compact including enforcement  
10                and compliance with the provisions of the compact, its  
11                Rules and bylaws, and other such duties as deemed  
12                necessary,
- 13           b. recommend to the Commission changes to the Rules or  
14                bylaws, changes to this Compact legislation, fees  
15                charged to Compact Member States, fees charged to  
16                Licensees, and other fees,
- 17           c. ensure Compact administration services are  
18                appropriately provided, including by contract,
- 19           d. prepare and recommend the budget,
- 20           e. maintain financial records on behalf of the  
21                Commission,
- 22           f. monitor Compact compliance of Member States and  
23                provide compliance reports to the Commission,
- 24           g. establish additional committees as necessary,

- 1                   h. exercise the powers and duties of the Commission  
2                   during the interim between Commission meetings, except  
3                   for adopting or amending Rules, adopting or amending  
4                   bylaws, and exercising any other powers and duties  
5                   expressly reserved to the Commission by Rule or bylaw,  
6                   and  
7                   i. other duties as provided in the Rules or bylaws of the  
8                   Commission.

9                   2. The Executive Committee shall be composed of up to eleven

10 (11) members:

- 11                   a. the chair and vice chair of the Commission shall be  
12                   voting members of the Executive Committee, and  
13                   b. the Commission shall elect five voting members from  
14                   the current membership of the Commission,  
15                   c. up to four ex-officio, nonvoting members from four  
16                   recognized national Social Work organizations,  
17                   d. the ex-officio members will be selected by their  
18                   respective organizations.

19                   3. The Commission may remove any member of the Executive

20 Committee as provided in the Commission's bylaws.

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

- 22                   a. Executive Committee meetings shall be open to the  
23                   public, except that the Executive Committee may meet  
24

1                   in a closed, nonpublic meeting as provided in  
2                   subsection F.2 below.

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

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

9                 E. The Commission shall adopt and provide to the Member States  
10                an annual report.

11                 F. Meetings of the Commission

12                 1. All meetings shall be open to the public, except that the  
13                Commission may meet in a closed, nonpublic meeting as provided in  
14                subsection F.2 below.

15                 a. Public notice for all meetings of the full Commission  
16                   of meetings shall be given in the same manner as  
17                   required under the Rulemaking provisions in Section  
18                   12, except that the Commission may hold a special  
19                   meeting as provided in subsection F.1.b below.

20                 b. The Commission may hold a special meeting when it must  
21                   meet to conduct emergency business by giving forty-  
22                   eight (48) hours' notice to all commissioners, on the  
23                   Commission's website, and other means as provided in  
24                   the Commission's Rules. The Commission's legal

1                   counsel shall certify that the Commission's need to  
2                   meet qualifies as an emergency.

3       2. The Commission or the Executive Committee or other  
4       committees of the Commission may convene in a closed, nonpublic  
5       meeting for the Commission or Executive Committee or other  
6       committees of the Commission to receive legal advice or to discuss:

- 7       a. noncompliance of a Member State with its obligations  
8                   under the Compact,
- 9       b. the employment, compensation, discipline, or other  
10          matters, practices, or procedures related to specific  
11          employees,
- 12          c. current or threatened discipline of a Licensee by the  
13                   Commission or by a Member State's Licensing Authority,
- 14          d. current, threatened, or reasonably anticipated  
15                   litigation,
- 16          e. negotiation of contracts for the purchase, lease, or  
17                   sale of goods, services, or real estate,
- 18          f. accusing any person of a crime or formally censuring  
19                   any person,
- 20          g. trade secrets or commercial or financial information  
21                   that is privileged or confidential,
- 22          h. information of a personal nature where disclosure  
23                   would constitute a clearly unwarranted invasion of  
24                   personal privacy,

- i. investigative records compiled for law enforcement purposes,
  - j. information related to any investigative reports prepared by or on behalf of or for use of the Commission or other committee charged with responsibility of investigation or determination of compliance issues pursuant to the Compact,
  - k. matters specifically exempted from disclosure by federal or Member State law, or
  - l. other matters as promulgated by the Commission by Rule.

3. If a meeting, or portion of a meeting, is closed, the

13 presiding officer shall state that the meeting will be closed and  
14 reference each relevant exempting provision, and such reference  
15 shall be recorded in the minutes.

16       4. The Commission shall keep minutes that fully and clearly  
17 describe all matters discussed in a meeting and shall provide a full  
18 and accurate summary of actions taken, and the reasons therefore,  
19 including a description of the views expressed. All documents  
20 considered in connection with an action shall be identified in such  
21 minutes. All minutes and documents of a closed meeting shall remain  
22 under seal, subject to release only by a majority vote of the  
23 Commission or order of a court of competent jurisdiction.

#### G. Financing of the Commission

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

4       2. The Commission may accept any and all appropriate revenue  
5 sources as provided in subsection C(13).

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

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

19      5. The Commission shall keep accurate accounts of all receipts  
20 and disbursements. The receipts and disbursements of the Commission  
21 shall be subject to the financial review and accounting procedures  
22 established under its bylaws. However, all receipts and  
23 disbursements of funds handled by the Commission shall be subject to  
24 an annual financial review by a certified or licensed public

1 accountant, and the report of the financial review shall be included  
2 in and become part of the annual report of the Commission.

3 H. Qualified Immunity, Defense, and Indemnification

4 1. The members, officers, executive director, employees, and  
5 representatives of the Commission shall be immune from suit and  
6 liability, both personally and in their official capacity, for any  
7 claim for damage to or loss of property or personal injury or other  
8 civil liability caused by or arising out of any actual or alleged  
9 act, error, or omission that occurred, or that the person against  
10 whom the claim is made had a reasonable basis for believing occurred  
11 within the scope of Commission employment, duties, or  
12 responsibilities; provided that nothing in this paragraph shall be  
13 construed to protect any such person from suit or liability for any  
14 damage, loss, injury, or liability caused by the intentional or  
15 willful or wanton misconduct of that person. The procurement of  
16 insurance of any type by the Commission shall not in any way  
17 compromise or limit the immunity granted hereunder.

18 2. The Commission shall defend any member, officer, executive  
19 director, employee, and representative of the Commission in any  
20 civil action seeking to impose liability arising out of any actual  
21 or alleged act, error, or omission that occurred within the scope of  
22 Commission employment, duties, or responsibilities, or as determined  
23 by the Commission that the person against whom the claim is made had  
24 a reasonable basis for believing occurred within the scope of

1 Commission employment, duties, or responsibilities; provided that  
2 nothing herein shall be construed to prohibit that person from  
3 retaining their own counsel at their own expense; and provided  
4 further, that the actual or alleged act, error, or omission did not  
5 result from that person's intentional or willful or wanton  
6 misconduct.

7       3. The Commission shall indemnify and hold harmless any member,  
8 officer, executive director, employee, and representative of the  
9 Commission for the amount of any settlement or judgment obtained  
10 against that person arising out of any actual or alleged act, error,  
11 or omission that occurred within the scope of Commission employment,  
12 duties, or responsibilities, or that such person had a reasonable  
13 basis for believing occurred within the scope of Commission  
14 employment, duties, or responsibilities, provided that the actual or  
15 alleged act, error, or omission did not result from the intentional  
16 or willful or wanton misconduct of that person.

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

21       5. Nothing in this Compact shall be interpreted to waive or  
22 otherwise abrogate a Member State's state action immunity or state  
23 action affirmative defense with respect to antitrust claims under  
24

1 the Sherman Act, Clayton Act, or any other State or federal  
2 antitrust or anticompetitive law or regulation.

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

5           SECTION 11.       NEW LAW       A new section of law to be codified  
6 in the Oklahoma Statutes as Section 1291 of Title 59, unless there  
7 is created a duplication in numbering, reads as follows:

8           A. The Commission shall provide for the development,  
9 maintenance, operation, and utilization of a coordinated Data  
10 System.

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

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

18           1. Identifying information;

19           2. Licensure data;

20           3. Adverse Actions against a license and information related  
21 thereto;

22           4. Nonconfidential information related to Alternative Program  
23 participation, the beginning and ending dates of such participation,

1 and other information related to such participation not made  
2 confidential under Member State law;

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

5       6. The presence of Current Significant Investigative  
6 Information; and

7       7. Other information that may facilitate this Compact's  
8 administration or the public's protection, as determined by the  
9 Rules of the Commission.

10      D. The records and information provided to a Member State  
11 pursuant to this Compact or through the Data System, when certified  
12 by the Commission or an agent thereof, shall constitute the  
13 authenticated business records of the Commission, and shall be  
14 entitled to any associated hearsay exception in any relevant  
15 judicial, quasi-judicial or administrative proceedings in a Member  
16 State.

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

20       1. It is the responsibility of the Member States to report any  
21 Adverse Action against a Licensee and to monitor the database to  
22 determine whether Adverse Action has been taken against a Licensee.  
23 Adverse Action information pertaining to a Licensee in any Member  
24 State will be available to any other Member State.

1       F. Member States contributing information to the Data System  
2 may designate information that may not be shared with the public  
3 without the express permission of the contributing State.

4       G. Any information submitted to the Data System that is  
5 subsequently expunged pursuant to federal law or the laws of the  
6 Member State contributing the information shall be removed from the  
7 Data System.

8             SECTION 12.        NEW LAW        A new section of law to be codified  
9 in the Oklahoma Statutes as Section 1292 of Title 59, unless there  
10 is created a duplication in numbering, reads as follows:

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

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

1 jurisdiction, the Rules of the Commission shall be ineffective in  
2 that State to the extent of the conflict.

3 C. The Commission shall exercise its Rulemaking powers pursuant  
4 to the criteria set forth in this section and the Rules adopted  
5 thereunder. Rules shall become binding on the day following  
6 adoption or the date specified in the rule or amendment, whichever  
7 is later.

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

13 E. Rules shall be adopted at a regular or special meeting of  
14 the Commission.

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

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

22 1. On the website of the Commission or other publicly  
23 accessible platform;

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

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

4       H. The Notice of Proposed Rulemaking shall include:

5       1. The time, date, and location of the public hearing at which  
6 the Commission will hear public comments on the proposed Rule and,  
7 if different, the time, date, and location of the meeting where the  
8 Commission will consider and vote on the proposed Rule;

9       2. If the hearing is held via telecommunication,  
10 videoconference, or other electronic means, the Commission shall  
11 include the mechanism for access to the hearing in the Notice of  
12 Proposed Rulemaking;

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

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

16       5. The manner in which interested persons may submit written  
17 comments.

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

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

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

4       1. The Commission may adopt changes to the proposed Rule  
5 provided the changes do not enlarge the original purpose of the  
6 proposed Rule.

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

11       3. The Commission shall determine a reasonable effective date  
12 for the Rule. Except for an emergency as provided in Section 12.L,  
13 the effective date of the rule shall be no sooner than thirty (30)  
14 days after issuing the notice that it adopted or amended the Rule.

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

23       1. Meet an imminent threat to public health, safety, or  
24 welfare;

1       2. Prevent a loss of Commission or Member State funds;

2       3. Meet a deadline for the promulgation of a Rule that is  
3 established by federal law or rule; or

4       4. Protect public health and safety.

5           M. The Commission or an authorized committee of the Commission

6 may direct revisions to a previously adopted Rule for purposes of

7 correcting typographical errors, errors in format, errors in

8 consistency, or grammatical errors. Public notice of any revisions

9 shall be posted on the website of the Commission. The revision

10 shall be subject to challenge by any person for a period of thirty

11 (30) days after posting. The revision may be challenged only on

12 grounds that the revision results in a material change to a Rule. A

13 challenge shall be made in writing and delivered to the Commission

14 prior to the end of the notice period. If no challenge is made, the

15 revision will take effect without further action. If the revision

16 is challenged, the revision may not take effect without the approval

17 of the Commission.

18           N. No Member State's rulemaking requirements shall apply under

19 this compact.

20           SECTION 13.      NEW LAW      A new section of law to be codified

21 in the Oklahoma Statutes as Section 1293 of Title 59, unless there

22 is created a duplication in numbering, reads as follows:

23           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  
3 necessary and appropriate to implement the Compact.

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

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

20       B. Default, Technical Assistance, and Termination

21       1. If the Commission determines that a Member State has  
22 defaulted in the performance of its obligations or responsibilities  
23 under this Compact or the promulgated Rules, the Commission shall  
24 provide written notice to the defaulting State. The notice of

1 default shall describe the default, the proposed means of curing the  
2 default, and any other action that the Commission may take, and  
3 shall offer training and specific technical assistance regarding the  
4 default.

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

7       C. If a State in default fails to cure the default, the  
8 defaulting State may be terminated from the Compact upon an  
9 affirmative vote of a majority of the delegates of the Member  
10 States, and all rights, privileges and benefits conferred on that  
11 State by this Compact may be terminated on the effective date of  
12 termination. A cure of the default does not relieve the offending  
13 State of obligations or liabilities incurred during the period of  
14 default.

15       D. Termination of membership in the Compact shall be imposed  
16 only after all other means of securing compliance have been  
17 exhausted. Notice of intent to suspend or terminate shall be given  
18 by the Commission to the governor, the majority and minority leaders  
19 of the defaulting State's legislature, the defaulting State's State  
20 Licensing Authority and each of the Member States' State Licensing  
21 Authority.

22       E. A State that has been terminated is responsible for all  
23 assessments, obligations, and liabilities incurred through the  
24

1 effective date of termination, including obligations that extend  
2 beyond the effective date of termination.

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

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

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

18 I. Dispute Resolution

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

22 2. The Commission shall promulgate a Rule providing for both  
23 mediation and binding dispute resolution for disputes as  
24 appropriate.

1           J. Enforcement

2       1. By majority vote as provided by Rule, the Commission may  
3 initiate legal action against a Member State in default in the  
4 United States District Court for the District of Columbia or the  
5 federal district where the Commission has its principal offices to  
6 enforce compliance with the provisions of the Compact and its  
7 promulgated Rules. The relief sought may include both injunctive  
8 relief and damages. In the event judicial enforcement is necessary,  
9 the prevailing party shall be awarded all costs of such litigation,  
10 including reasonable attorney's fees. The remedies herein shall not  
11 be the exclusive remedies of the Commission. The Commission may  
12 pursue any other remedies available under federal or the defaulting  
13 Member State's law.

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

22      3. No person other than a Member State shall enforce this  
23 compact against the Commission.

24

1 SECTION 14. NEW LAW A new section of law to be codified  
2 in the Oklahoma Statutes as Section 1294 of Title 59, unless there  
3 is created a duplication in numbering, reads as follows:

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

6 1. On or after the effective date of the Compact, the  
7 Commission shall convene and review the enactment of each of the  
8 first seven Member States ("Charter Member States") to determine if  
9 the statute enacted by each such Charter Member State is materially  
10 different than the model Compact statute.

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

15 b. If any Member State is later found to be in default,  
16 or is terminated or withdraws from the Compact, the  
17 Commission shall remain in existence and the Compact  
18 shall remain in effect even if the number of Member  
19 States should be less than seven.

20 2. Member States enacting the Compact subsequent to the seven  
21 initial Charter Member States shall be subject to the process set  
22 forth in Section 10(C)(21) to determine if their enactments are  
23 materially different from the model Compact statute and whether they  
24 qualify for participation in the Compact.

1       3. All actions taken for the benefit of the Commission or in  
2 furtherance of the purposes of the administration of the Compact  
3 prior to the effective date of the Compact or the Commission coming  
4 into existence shall be considered to be actions of the Commission  
5 unless specifically repudiated by the Commission.

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

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

14       1. A Member State's withdrawal shall not take effect until one  
15 hundred eighty (180) days after enactment of the repealing statute.

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

20       3. Upon the enactment of a statute withdrawing from this  
21 compact, a State shall immediately provide notice of such withdrawal  
22 to all Licensees within that State. Notwithstanding any subsequent  
23 statutory enactment to the contrary, such withdrawing State shall  
24 continue to recognize all licenses granted pursuant to this compact

1 for a minimum of one hundred eighty (180) days after the date of  
2 such notice of withdrawal.

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

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

11 SECTION 15. NEW LAW A new section of law to be codified  
12 in the Oklahoma Statutes as Section 1295 of Title 59, unless there  
13 is created a duplication in numbering, reads as follows:

14 A. This Compact and the Commission's rulemaking authority shall  
15 be liberally construed so as to effectuate the purposes, and the  
16 implementation and administration of the Compact. Provisions of the  
17 Compact expressly authorizing or requiring the promulgation of Rules  
18 shall not be construed to limit the Commission's rulemaking  
19 authority solely for those purposes.

20 B. The provisions of this Compact shall be severable and if any  
21 phrase, clause, sentence, or provision of this Compact is held by a  
22 court of competent jurisdiction to be contrary to the constitution  
23 of any Member State, a State seeking participation in the Compact,  
24 or of the United States, or the applicability thereof to any

1 government, agency, person, or circumstance is held to be  
2 unconstitutional by a court of competent jurisdiction, the validity  
3 of the remainder of this Compact and the applicability thereof to  
4 any other government, agency, person or circumstance shall not be  
5 affected thereby.

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

16 SECTION 16. NEW LAW A new section of law to be codified  
17 in the Oklahoma Statutes as Section 1296 of Title 59, unless there  
18 is created a duplication in numbering, reads as follows:

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

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

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

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

9           SECTION 17. This act shall become effective November 1, 2025.

10           60-1-10945       MAH       01/12/25