

1 **Psychology Interjurisdictional Compact (PSYPACT)**

2 **Psychology Interjurisdictional Compact Commission**

3
4 **Title of Rule:** Compact Privilege to Practice Telepsychology

5 **Drafted:** November 21, 2019

6 **Effective:** February 27, 2020

7 **Amended:** November 19, 2021

8 November 17, 2022

9 November 16, 2023

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12 **History for Rule:** Introduced at public meeting on November 21-22, 2019

13 Public hearing February 27, 2020

14 Amendments introduced at Commission Meeting on

15 August 5, 2021

16 Annual Commission meeting on November 19, 2021

17 Amendments introduced at Commission Meeting on

18 July 14, 2022

19 Annual Commission meeting November 17, 2022

20 Amendments introduced at the Commission Meeting

21 on November 16, 2023

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26 **Section 4:** Compact Privilege to Practice Telepsychology

27 **Authority:** Article IV: Compact Privilege to Practice Telepsychology

28 Article II: Definitions

29 Article III: Home State Licensure

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31 **Purpose:** **Pursuant to Article IV**, the Compact State shall recognize the right of a
32 psychologist to practice telepsychology in other Compact States under the Authority to
33 Practice Interjurisdictional Telepsychology as provided in the Compact and further defined in
34 these Rules.

35 **Definition(s):** (A) **“Association of State and Provincial Psychology Boards (ASPPB)”**
36 *means: the recognized membership organization composed of State and Provincial*
37 *Psychology Regulatory Authorities responsible for the licensure and registration of*
38 *psychologists throughout the United States and Canada.*

39 (B) **“Authority to Practice Interjurisdictional Telepsychology”** means:
40 a licensed psychologist’s Authority to Practice Telepsychology, within the

41 limits authorized under this Compact, in another Compact State. This
42 Authority to Practice Interjurisdictional Telepsychology is deemed valid
43 until the psychologist is no longer eligible under the Compact Statute
44 and/or the Rules and/or Policies established by the Commission.
45 (C) **“Authorization Holder”** means: a licensed psychologist who has been
46 granted Authority to Practice Interjurisdictional Telepsychology or
47 Temporary Authorization to Practice under this Compact.
48 (D) **“Commission”** means: the national administrative body of which all
49 states that have enacted the Compact are members.
50 (E) **“Compact”** means: Psychology Interjurisdictional Compact
51 (PSYPACT).
52 (F) **“Compact State”** means: a state, the District of Columbia, or United
53 States territory that has enacted this Compact legislation and which has
54 not withdrawn pursuant to Article XIII, Section C or has been terminated
55 pursuant to Article XII, Section B. For purposes of this Compact, Compact
56 State and Member State may be used interchangeably.
57 (G) **“E.Passport”** means: a certificate issued by the Association of State
58 and Provincial Psychology Boards (ASPPB) that promotes the
59 standardization in the criteria of interjurisdictional telepsychology
60 practice and facilitates the process for licensed psychologists to provide
61 telepsychological services across state lines.
62 (H) **“Graduate Degree”** means: For the purpose of this Compact, a
63 doctoral degree.
64 (I) **“Home of Record”** means: for the purpose of this Compact, the active
65 duty military personnel’s or spouse’s state of legal residence on record
66 with the military.
67 (J) **“Home State”** means: a Compact State where a psychologist is
68 licensed to practice psychology. If the psychologist is licensed in more
69 than one Compact State and is practicing under the Authorization to
70 Practice Interjurisdictional Telepsychology, the Home State is the
71 Compact State where the psychologist is physically present when the
72 telepsychological services are delivered. If the psychologist is licensed in
73 more than one Compact State and is practicing under the Temporary
74 Authorization to Practice, the Home State is any Compact State where the
75 psychologist is licensed.
76 (K) **“License”** means: authorization by a State and Psychology Regulatory
77 Authority to engage in the independent practice of psychology, which
78 would be unlawful without the authorization.
79 (L) **“Permanent Change of Station” or “PCS”** means: the state of the
80 duty station noted in the active duty military personnel’s PCS orders.
81 (M) **“Receiving State”** means: a Compact State where the client/patient is
82 physically located when the telepsychological services are delivered.
83 (N) **“Rule”** means: a written statement by the Psychology
84 Interjurisdictional Compact Commission promulgated pursuant to Article
85 XI of this Compact that is of general applicability; implements, interprets,
86 or prescribes a policy or provision of the Compact; or is an
87 organizational, procedural, or practice requirement of the Commission

88 *and has the force and effect of statutory law in a member state and*
89 *includes the amendment, repeal, or suspension of an existing rule.*

90 (O) **“Scope of Practice”** means: the procedures, actions, and processes a
91 psychologist licensed in a state is permitted to undertake in that state and
92 the circumstances under which the psychologist is permitted to undertake
93 those procedures, actions and processes. Such procedures, actions and
94 processes and the circumstances under which they may be undertaken
95 may be established through means, including, but not limited to, statute,
96 rules and regulations, case law, and other processes available to the State
97 Psychologist Regulatory Authority or other government agency.

98 (P) **“State”** means: *any state, commonwealth, territory, or possession of*
99 *the United States, the District of Columbia.*

100 (Q) **“State Law to Protect the Health and Safety of its Citizens”**
101 means: a state statute, regulation, court decision or other controlling
102 authority within a state that has binding legal force and which has as its
103 purpose the protection of the health and safety of citizens of the state.

104 (R) **“State of Current Residence”** means: the state in which the active
105 duty military personnel or spouse is currently physically residing.

106 (S) **“State Psychology Regulatory Authority”** means: *the Board, office or*
107 *agency with the legislative mandate to license and regulate the practice of*
108 *psychology.*

109 (T) **“Temporary Authorization to Practice”** means: a licensed
110 psychologist’s authority to conduct temporary in-person, face-to-face
111 practice, within the limits authorized under this Compact, in another
112 Compact State. This Temporary Authorization to Practice is deemed valid
113 until the psychologist is no longer eligible under the Compact Statute
114 and/or the Rules and/or Policies established by the Commission.

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116 **4.2 Exercising Authority to Practice Interjurisdictional Telepsychology:** A psychologist
117 must apply for an Authority to Practice Interjurisdictional Telepsychology as required by the
118 Commission and pay all applicable fees.

119 **4.3 Qualifications for Authority to Practice Interjurisdictional Telepsychology:**

120 A. A psychologist licensed in a Compact State must meet all qualifications as
121 defined in the Psychology Interjurisdictional Compact Language Article IV,
122 Section B.

123 B. To be eligible for an Authority to Practice Interjurisdictional Telepsychology (APIT), an applicant
124 must have successfully completed a graduate course of study with a minimum of one academic year
125 of in-person, face-to-face instruction at the educational institution. Semesters, terms, or other
126 academic periods in which the student completed only distance or remote instruction, whether
127 synchronous or asynchronous, will not count toward fulfillment of the in-person, face-to-face
128 instructional requirement.

129 A.—

130 **4.4 Home State Licensure:**

131 A. A psychologist must identify the Home State which has been designated as such by the

- 132 psychologist for purposes of practicing interjurisdictional telepsychology and
133 participation in the Compact at the point of initial application and provide an update
134 regarding any Home State changes.
- 135 B. A psychologist having an Authority to Practice Interjurisdictional Telepsychology may
136 be audited at any time by the Commission to verify compliance with Home State
137 licensure verification requirements.
- 138 C. A psychologist holding a temporary permit, temporary license or other equivalent status
139 does not allow the psychologist to practice under the authority of the Psychology
140 Interjurisdictional Compact (PSYPACT).
- 141 D. In addition to complying with reporting name and address changes as required by the
142 Home State, psychologists holding an Authority to Practice Interjurisdictional
143 Telepsychology must also notify the Commission of a change of name and/or Home State
144 address within 30 days of the change.
- 145 E. The Home State maintains authority over the license of any psychologist practicing into a
146 Receiving State under the Authority to Practice Interjurisdictional Telepsychology.
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148 **4.5 Scope of Practice:** A psychologist practicing under an Authority to Practice
149 Interjurisdictional Telepsychology into a Receiving State is subject to the Scope of Practice of
150 the Receiving State.

151 **4.6 E.Passport:** As required in Psychology Interjurisdictional Compact Language Article IV
152 Section B.6., a psychologist must possess a current active E.Passport. The E.Passport must be
153 applied to and issued by the Association of State and Provincial Psychology Boards (ASPPB).

154 **4.7 Fee for Authority to Practice Interjurisdictional Telepsychology:**

- 155 A. The Commission shall charge an application fee for the Authority to
156 Practice Interjurisdictional Telepsychology (APIT).
- 157 B. The Commission shall charge an annual renewal fee for the Authority to
158 Practice Interjurisdictional Telepsychology (APIT)
- 159 C. The Commission's Authority to Practice Interjurisdictional Telepsychology (APIT)
160 application and renewal fees shall be posted on the Commission's website
161 (<http://www.psypact.gov/fees>).
- 162 D. The Commission shall give 30 days' notice before modifying the Authority to Practice
163 Interjurisdictional Telepsychology (APIT) application and/or renewal fees by posting
164 notice of the new fee(s) on the Commission's website.

165 **4.8 Impact of Non-Payment on Eligibility:** If a psychologist fails to pay any applicable fees,
166 the Commission may:

- 167 A. Terminate the existing Authority to Practice Interjurisdictional Telepsychology; and
168 B. Prevent the psychologist from purchasing a Temporary Authorization to Practice under
169 PSYPACT as well until the non-payment is remedied.

170 **4.9 Active Duty Military Personnel or Their Spouses:** A licensed psychologist who is active
171 duty military or is the spouse of an individual who is active duty military may designate one of

172 the following as the Home State as long as the Receiving State and the Home State are members
173 of the Compact:

- 174 A. Home of Record;
- 175 B. Permanent Change of Station (PCS); or
- 176 C. State of Current Residence if it is different than the PCS state or Home of Record.
- 177 D. The active duty military personnel or spouse of an individual who is active duty military
178 may change the Member State designated as the individual's Home State by notifying the
179 Commission.

180 **4.10 State Law to Protect the Health and Safety of its Citizens:** A psychologist practicing
181 under an Authority to Practice Interjurisdictional Telepsychology into a Receiving State is
182 subject to the Receiving State's State Law to Protect the Health and Safety of its Citizens, which
183 may include, among others, laws that:

- 184 A. Require abuse reporting by a psychologist.
- 185 B. Require a psychologist securing informed consent from or for a patient, and/or
186 prescribe the manner in which informed consent must be obtained.
- 187 C. Require a psychologist to make disclosures to an individual that the individual is at
188 serious risk of bodily injury or other harm by a third person.
- 189 D. Prohibit any individual from engaging in conduct that causes or may reasonably cause
190 another to suffer physical or psychological harm.
- 191 E. Establish standards, processes or criteria for involuntary commitment and/or involuntary
192 treatment of individuals.

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195 **4.11 Authorization Validity:** Authority to Practice Interjurisdictional Telepsychology (APIT)
196 that is issued by the PSYPACT Commission only applies to that specific authorization
197 holder. Authorization cannot be delegated to any other individual.
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Commented [J01]: Previously numbered 4.13

199 **4.12 Authority to Practice Interjurisdictional Telepsychology (APIT) Application Attestation**
200 **and Acknowledgement Form:** As part of the APIT application, a psychologist must complete an
201 attestation and acknowledgment form in the format prescribed by the PSYPACT Commission.
202 Failure to comply will be grounds for denial of the APIT.

Commented [J02]: Previously numbered 4.11

203 **4.13 Grounds for Application Denial:** An Authority to Practice Interjurisdictional
204 Telepsychology (APIT) authorization may be denied if the applicant does not meet the
205 requirements for the authorization and/or there is sufficient evidence that the applicant has engaged
206 in acts, including but not limited to the following:

Commented [J03]: New Rule

- 207 A. Fraud or deception in applying or renewing an APIT and/or TAP;
- 208 B. Misrepresentation of APIT and/or TAP status;
- 209 C. Practicing with an expired APIT and/or TAP;
- 210 D. Notification of adverse or disciplinary action by a psychology regulatory entity;
- 211 E. Violation of APIT and/or TAP acknowledgments;

212 F. Failure to provide requested information to the Commission in the specified
213 timeframe;

214 G. Failure to comply with PSYPACT Commission Rules and/or Policies; or

215 H. Receiving any other adverse or disciplinary action.

216 **4.14 Grounds for Revocation:** An Authority to Practice Interjurisdictional Telepsychology (APIT)
217 authorization may be revoked by the PSYPACT Staff or by the Requirements Review Committee
218 whenever the Staff or Committee has sufficient evidence that the APIT Holder has engaged in acts,
219 including but not limited to the following:

Commented [JO4]: New Rule

220 A. Fraud or deception in applying or renewing an APIT and/or TAP;

221 B. Misrepresentation of APIT and/or TAP status;

222 C. Practicing with an expired APIT and/or TAP;

223 D. Notification of adverse or disciplinary action by a psychology regulatory entity;

224 E. Violation of APIT and/or TAP acknowledgments;

225 F. Failure to provide requested information to the Commission in the specified
226 timeframe;

227 G. Failure to comply with PSYPACT Commission Rules and/or Policies; or

228 H. Receiving any other adverse or disciplinary action.

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230 **4.12 Appeals Process:** Applicants who are denied authorization and/or authorization has been
231 suspended or terminated may file an appeal pursuant to Policy 1.20 or 1.21 by submitting the
232 appropriate form to the PSYPACT Commission staff.

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234 **4.15 Appeal Process:**

Commented [JO5]: Previously numbered 4.12

236 A. Once a denial has been issued, PSYPACT staff will provide the applicant with written notice of
237 any grounds for denial, along with an appeals form and deadline for appealing the decision. The
238 applicant shall have 30 days from the date of the notice to request an appeal. If no appeal is filed
239 in a timely manner, the action is final. If the appeal is filed in a timely manner, it will be heard by
240 the Appeals Committee as soon as practicable. The Appeals Committee shall issue a decision on
241 the appeal, which shall be final.

242 A.B. Once a revocation has been issued, PSYPACT staff will provide the authorization holder
243 with written notice of the grounds for the revocation, along with an appeals form and deadline for
244 appealing the decision. The authorization holder shall have 30 days from the date of the notice to
245 request an appeal. If no appeal is filed in a timely manner, then the action is final. If the appeal is
246 filed in a timely manner, then the appeal will be heard by the Appeals Committee as soon as
247 practicable. The Appeals Committee shall issue a decision on the appeal, which shall be final.

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251 Italicized definitions are mirrored directly from the PSYPACT Compact Language.