

1 **Psychology Interjurisdictional Compact (PSYPACT)**

2 **Psychology Interjurisdictional Compact Commission**

3
4 **Title of Rule:** Compact Temporary Authorization to Practice

5 **Drafted:** November 21, 2019

6 **Effective:** February 27, 2020

7 **Amended:** November 18, 2021
8 November 17, 2022
9 November 16, 2023

10
11
12
13 **History for Rule:** Introduced at public meeting on November 21-22, 2019
14 Public hearing February 27, 2020
15 Amendments introduced at Commission Meeting on August 5, 2021
16 Commission Meeting November 18, 2021
17 Amendments introduced at Commission Meeting on July 14, 2022
18 Commission Meeting November 17, 2022
19 Amendments introduced at Commission Meeting on November 16, 2023

21 **Section 5:** Compact Temporary Authorization to Practice

22 **Authority:** Article V: Compact Temporary Authorization to Practice
23 Article II: Definitions
24 Article III: Home State Licensure

25
26 **5.0 Purpose:** **Pursuant to Article V**, the Compact State shall recognize the right of a
27 psychologist licensed in a Compact State to practice temporarily in other
28 Compact States under the Compact Temporary Authorization to Practice
29 as provided in the Compact and further defined in these Rules.

30 **5.1 Definition(s):** (A) *“Association of State and Provincial Psychology Boards ASPPB”*
31 *means: the recognized membership organization composed of State and*
32 *Provincial Psychology Regulatory Authorities responsible for the*
33 *licensure and registration of psychologists throughout the United States*
34 *and Canada.*
35 (B) **“Authority to Practice Interjurisdictional Telepsychology”** means:
36 a licensed psychologist’s Authority to Practice Telepsychology, within the
37 limits authorized under this Compact, in another Compact State. This
38 Authority to Practice Interjurisdictional Telepsychology is deemed valid

39 until the psychologist is no longer eligible under the Compact Statute
40 and/or the Rules and/or Policies established by the Commission.
41 (C) “**Authorization Holder**” means: a licensed psychologist who has been
42 granted Authority to Practice Interjurisdictional Telepsychology or
43 Temporary Authorization to Practice under this Compact.
44 (D) “**Commission**” means: the national administrative body of which all
45 states that have enacted the Compact are members.
46 (E) “**Compact**” means: Psychology Interjurisdictional Compact
47 (PSYPACT).
48 (F) “**Compact State**” means: a state, the District of Columbia, or United
49 States territory that has enacted this Compact legislation and which has
50 not withdrawn pursuant to Article XIII, Section C or has been terminated
51 pursuant to Article XII, Section B. For purposes of this Compact, Compact
52 State and Member State may be used interchangeably.
53 (G) “**Distant State**” means: the Compact State where a psychologist is
54 physically present (not through the use of telecommunications
55 technologies), to provide temporary in-person, face-to-face psychological
56 services.
57 (H) “**Distant State’s Authority and Law**” means: law in a Distant State
58 that applies to an individual due to that individual’s physical presence in
59 the Distant State.
60 (I) “**Graduate Degree**” means: For the purpose of this Compact, a
61 doctoral degree.
62 (J) “**Home of Record**” means: for the purpose of this Compact, the active
63 duty military personnel’s or spouse’s state of legal residence on record
64 with the military.
65 (K) “**Home State**” means: a Compact State where a psychologist is
66 licensed to practice psychology. If the psychologist is licensed in more
67 than one Compact State and is practicing under the Authorization to
68 Practice Interjurisdictional Telepsychology, the Home State is the
69 Compact State where the psychologist is physically present when the
70 telepsychological services are delivered. If the psychologist is licensed in
71 more than one Compact State and is practicing under the Temporary
72 Authorization to Practice, the Home State is any Compact State where the
73 psychologist is licensed.
74 (L) “**Interjurisdictional Practice Certificate (IPC)**” means: a certificate
75 issued by the Association of State and Provincial Psychology Boards
76 (ASPPB).
77 (M) “**License**” means: authorization by a State and Psychology
78 Regulatory Authority to engage in the independent practice of psychology,
79 which would be unlawful without the authorization.
80 (N) “**Permanent Change of Station**” or “**PCS**” means: the state of the
81 duty station noted in the active duty military personnel’s PCS orders.
82 (O) “**Rule**” means: a written statement by the Psychology
83 Interjurisdictional Compact Commission promulgated pursuant to Article
84 XI of this Compact that is of general applicability; implements, interprets,

85 *or prescribes a policy or provision of the Compact; or is an*
86 *organizational, procedural, or practice requirement of the Commission*
87 *and has the force and effect of statutory law in a member state and*
88 *includes the amendment, repeal, or suspension of an existing rule.*
89 (P) **“Scope of Practice”** means: the procedures, actions, and processes a
90 psychologist licensed in a state is permitted to undertake in that state and
91 the circumstances under which the psychologist is permitted to undertake
92 those procedures, actions and processes. Such procedures, actions and
93 processes and the circumstances under which they may be undertaken may
94 be established by various means, including, but not limited to statute, rules
95 and regulations, case law, and other processes that may be available to the
96 State Psychologist Regulatory Authority or other government agency.
97 (Q) **“State”** means: any state, commonwealth, territory, or possession of
98 the United States, the District of Columbia.
99 (R) **“State Law to Protect the Health and Safety of its Citizens”** means:
100 a state statute, regulation, court decision or other controlling authority
101 within a state that has binding legal force and which has as its purpose the
102 protection of the health and safety of citizens of the state.
103 (S) **“State of Current Residence”** means: the state in which the active
104 duty military personnel or spouse is currently physically residing.
105 (T) **“State Psychology Regulatory Authority”** means: the Board, office or
106 agency with the legislative mandate to license and regulate the practice of
107 psychology.
108 (U) **“Temporary Authorization to Practice”** means: a licensed
109 psychologist’s authority to conduct temporary in-person, face-to-face
110 practice, within the limits authorized under this Compact, in another
111 Compact State. This Temporary Authorization to Practice is deemed valid
112 until the psychologist is no longer eligible under the Compact Statute
113 and/or the Rules and/or Policies established by the Commission.
114

115 **5.2 Exercising Temporary Authorization to Practice:** Psychologist must apply for Temporary
116 Authorization to Practice as required by the Commission and pay all applicable fees.

117 **5.3 Qualifications for Temporary Authorization to Practice:**

118 A. A psychologist licensed in a Compact State must meet all qualifications as defined in the
119 Psychology Interjurisdictional Compact Language Article V, Section B. A psychologist
120 holding an Interjurisdictional Practice Certificate (IPC) in good standing that was issued
121 prior to July 1, 2019 is considered to have met the educational qualifications.

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

128
129 **5.4 Home State Licensure:**

- 130 A. A psychologist must identify the Home State which has been designated as such by the
131 psychologist for purposes of the Temporary Authorization to Practice and participation in
132 the Compact at the point of initial application and provide an update regarding any Home
133 State changes.
- 134 B. A psychologist having a Temporary Authorization to Practice may be audited at any time
135 by the Commission to verify compliance with Home State licensure verification
136 requirements.
- 137 C. A psychologist holding a temporary permit, temporary license or other equivalent status
138 does not allow the psychologist to practice under the authority of the Psychology
139 Interjurisdictional Compact (PSYPACT).
- 140 D. In addition to complying with reporting name and address change as required by the
141 Home State, psychologists holding a Temporary Authorization to Practice must also
142 notify the Commission of a change of name and/or Home State address within 30 days of
143 the change.

144 **5.5 Scope of Practice:** A psychologist practicing under the Temporary Authorization to Practice
145 is subject to Scope of Practice authorized by the Distant State and is subject to the Distant State's
146 Authority and Law.

147 **5.6 Interjurisdictional Practice Certificate (IPC):** As required in PSYPACT Language Article
148 V, Section B. 6., a psychologist must possess a current active IPC. The IPC must be applied to
149 and issued by the Association of State and Provincial Psychology Boards (ASPPB).

150 **5.7 Fee for Temporary Authorization to Practice:**

- 151 A. The Commission shall charge an application fee for the Temporary Authorization to
152 Practice (TAP).
- 153 B. The Commission shall charge an annual renewal fee for the Temporary Authorization to
154 Practice (TAP).
- 155 C. The Commission's Temporary Authorization to Practice (TAP) application and renewal
156 fees shall be posted on the Commission's website (<http://www.psypact.goverg>).
- 157 D. The Commission shall give thirty (30) days' notice before modifying the Temporary
158 Authorization to Practice (TAP) application and/or renewal fees by posting notice of the
159 new fee(s) on the Commission's website.

160 **5.8 Impact of Non-Payment on Eligibility:** If a psychologist fails to pay any applicable
161 fees, the Commission may:

- 162 A. Terminate the existing Temporary Authorization to Practice; and
163 B. Prevent the psychologist from purchasing an Authority to Practice Interjurisdictional
164 Telepsychology under PSYPACT as well until the non-payment is remedied.

165 **5.9 Active Duty Military Personnel or Their Spouses:** A licensed psychologist who is active
166 duty military or is the spouse of an individual who is active duty military may designate one of
167 the following as the Home State as long as the Distant State and the Home State are members of
168 the Compact:

- 169 A. Home of Record;

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

175
176 **5.10 State Law to Protect the Health and Safety of its Citizens:** A psychologist practicing in a
177 Distant State under a Temporary Authorization to Practice is subject to the Distant State's State
178 Law to Protect the Health and Safety of its Citizens, which may include, among others, laws that:

- 179
180 A. Require abuse reporting by a psychologist.
181 B. Require a psychologist to secure informed consent from or for a patient and/or
182 prescribe the manner in which informed consent must be obtained.
183 C. Require a psychologist to make disclosures to an individual that the individual is at
184 serious risk of bodily injury or other harm by a third person.
185 D. Prohibit any individual from engaging in conduct that causes or may reasonably cause
186 another to suffer physical or psychological harm.
187 E. Establish standards, processes or criteria for involuntary commitment and/or involuntary
188 treatment of individuals.

189
190 **5.11 Authorization Validity:** Temporary Authorization to Practice (TAP) that is issued by the
191 PSYPACT Commission only applies to that specific authorization holder. Authorization cannot be
192 delegated to any other individual.

Commented [J01]: Previously Numbered 5.13

193
194
195 **5.12 Temporary Authorization to Practice (TAP) Application Attestation and Acknowledgment**
196 **Form:** As part of the TAP application, a psychologist must complete an attestation and acknowledgment
197 form in the format prescribed by the PSYPACT Commission. Failure to comply will be grounds for
198 denial of the TAP.

199
200 **5.13 Grounds for Application Denial:** A Temporary Authorization to Practice (TAP)
201 authorization may be denied if the applicant does not meet the requirements for the authorization
202 and/or there is sufficient evidence that the applicant has engaged in acts, including but not limited
203 to the following:

Commented [J02]: New Rule

- 204 A. Fraud or deception in applying or renewing an APIT and/or TAP;
205 B. Misrepresentation of APIT and/or TAP status;
206 C. Practicing with an expired APIT and/or TAP;
207 D. Notification of adverse or disciplinary action by a psychology regulatory entity;
208 E. Violation of APIT and/or TAP acknowledgments;
209 F. Failure to provide requested information to the Commission in the specified
210 timeframe;
211 G. Failure to comply with PSYPACT Commission Rules and/or Policies; or

212 H. Receiving any other adverse or disciplinary action.

213 **5.14 Grounds for Revocation:** A Temporary Authorization to Practice (TAP) authorization may
214 be revoked by the PSYPACT Staff or by the Requirements Review Committee whenever the Staff
215 or Committee has sufficient evidence that the TAP Holder has engaged in acts, including but not
216 limited to the following:

Commented [J03]: New Rule

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

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

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

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

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

222 F. Failure to provide requested information to the Commission in the specified
223 timeframe;

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

225 H. Receiving any other adverse or disciplinary action.

226
227
228 **5.15 Appeal Process:**

Commented [J04]: Previously numbered 5.12 and revised

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

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

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

246
247
248
249
250
251
252 Italicized definitions are mirrored directly from the PSYPACT Compact Language.