

# SENATE AMENDMENT NO. \_\_\_\_\_

Offered by \_\_\_\_\_ of \_\_\_\_\_

Amend SS/SCS/Senate Bill No. 88, Page 4, Section 324.004, Line 90,

2 by inserting after all of said line the following:

3 "337.615. 1. As used in this section, the following  
4 terms mean:

5 (1) "License", a license, certificate, registration,  
6 permit, accreditation, or military occupational specialty  
7 that enables a person to legally practice an occupation or  
8 profession in a particular jurisdiction;

9 (2) "Military", the Armed Forces of the United States  
10 including the Air Force, Army, Coast Guard, Marine Corps,  
11 Navy, Space Force, National Guard, and any other military  
12 branch that is designated by Congress as part of the Armed  
13 Forces of the United States, and all reserve components and  
14 auxiliaries. Such term also includes the military reserves  
15 and militia of any United States territory or state;

16 (3) "Nonresident military spouse", a nonresident  
17 spouse of an active duty member of the Armed Forces of the  
18 United States who has been transferred or is scheduled to be  
19 transferred to the state of Missouri, or who has been  
20 transferred or is scheduled to be transferred to an adjacent  
21 state and is or will be domiciled in the state of Missouri,  
22 or has moved to the state of Missouri on a permanent change-  
23 of-station basis;

24 (4) "Resident military spouse", a spouse of an active  
25 duty member of the Armed Forces of the United States who has  
26 been transferred or is scheduled to be transferred to the

27 state of Missouri or an adjacent state and who is a  
28 permanent resident of the state of Missouri, who is  
29 domiciled in the state of Missouri, or who has Missouri as  
30 his or her home of record.

31 2. Each applicant for licensure as a clinical social  
32 worker shall furnish evidence to the committee that:

33 (1) The applicant has a master's degree from a college  
34 or university program of social work accredited by the  
35 council of social work education or a doctorate degree from  
36 a school of social work acceptable to the committee;

37 (2) The applicant has completed at least three  
38 thousand hours of supervised clinical experience with a  
39 qualified clinical supervisor, as defined in section  
40 337.600, in no less than twenty-four months and no more than  
41 forty-eight consecutive calendar months. For any applicant  
42 who has successfully completed at least four thousand hours  
43 of supervised clinical experience with a qualified clinical  
44 supervisor, as defined in section 337.600, within the same  
45 time frame prescribed in this subsection, the applicant  
46 shall be eligible for application of licensure at three  
47 thousand hours and shall be furnished a certificate by the  
48 state committee for social workers acknowledging the  
49 completion of said additional hours;

50 (3) The applicant has achieved a passing score, as  
51 defined by the committee, on an examination approved by the  
52 committee. The eligibility requirements for such  
53 examination shall be promulgated by rule of the committee;

54 (4) The applicant is at least eighteen years of age,  
55 is a United States citizen or has status as a legal resident  
56 alien, and has not been finally adjudicated and found  
57 guilty, or entered a plea of guilty or nolo contendere, in a  
58 criminal prosecution under the laws of any state, of the  
59 United States, or of any country, for any offense directly

60 related to the duties and responsibilities of the  
61 occupation, as set forth in section 324.012, regardless of  
62 whether or not sentence has been imposed.

63 [2. Any person holding a current license, certificate  
64 of registration, or permit from another state or territory  
65 of the United States or the District of Columbia to practice  
66 clinical social work who does not meet the requirements of  
67 section 324.009 and who has had no disciplinary action taken  
68 against the license, certificate of registration, or permit  
69 for the preceding five years may be granted a license to  
70 practice clinical social work in this state if the person  
71 has received a masters or doctoral degree from a college or  
72 university program of social work accredited by the council  
73 of social work education and has been licensed to practice  
74 clinical social work for the preceding five years.]

75 3. (1) Any person who holds a valid current clinical  
76 social work license issued by another state, a branch or  
77 unit of the military, a territory of the United States, or  
78 the District of Columbia, and who has been licensed for at  
79 least one year in such other jurisdiction, may submit an  
80 application for a clinical social work license in Missouri  
81 along with proof of current licensure and proof of licensure  
82 for at least one year in the other jurisdiction to the  
83 committee.

84 (2) The committee shall:

85 (a) Within six months of receiving an application  
86 described in subsection 2 of this section, waive any  
87 examination, educational, or experience requirements for  
88 licensure in this state for the applicant if it determines  
89 that there were minimum education requirements and, if  
90 applicable, work experience and clinical supervision  
91 requirements in effect and the other state verifies that the  
92 person met those requirements in order to be licensed or

93 certified in that state. The committee may require an  
94 applicant to take and pass an examination specific to the  
95 laws of this state; or

96 (b) Within thirty days of receiving an application  
97 described in subsection 2 of this section from a nonresident  
98 military spouse or a resident military spouse, waive any  
99 examination, educational, or experience requirements for  
100 licensure in this state for the applicant and issue such  
101 applicant a license under this subsection if such applicant  
102 otherwise meets the requirements of this section.

103 (3) (a) The committee shall not waive any  
104 examination, educational, or experience requirements for any  
105 applicant who has had his or her license revoked by a  
106 committee outside the state; who is currently under  
107 investigation, who has a complaint pending, or who is  
108 currently under disciplinary action, except as provided in  
109 paragraph (b) of this subdivision, with a licensing  
110 authority outside the state; who does not hold a license in  
111 good standing with a licensing authority outside the state;  
112 who has a criminal record that would disqualify him or her  
113 for licensure in Missouri; or who does not hold a valid  
114 current license in the other jurisdiction on the date the  
115 committee receives his or her application under this section.

116 (b) If another jurisdiction has taken disciplinary  
117 action against an applicant, the committee shall determine  
118 if the cause for the action was corrected and the matter  
119 resolved. If the matter has not been resolved by that  
120 jurisdiction, the committee may deny a license until the  
121 matter is resolved.

122 (4) Nothing in this subsection shall prohibit the  
123 committee from denying a license to an applicant under this  
124 subsection for any reason described in section 337.630.

125           (5) Any person who is licensed under the provisions of  
126 this subsection shall be subject to the committee's  
127 jurisdiction and all rules and regulations pertaining to the  
128 practice as a licensed clinical social worker in this state.

129           (6) This subsection shall not be construed to waive  
130 any requirement for an applicant to pay any fees.

131           4. The committee shall issue a license to each person  
132 who files an application and fee as required by the  
133 provisions of sections 337.600 to 337.689 and who furnishes  
134 evidence satisfactory to the committee that the applicant  
135 has complied with the provisions of subdivisions (1) to (4)  
136 of subsection 1 of this section or with the provisions of  
137 subsection 2 of this section.

138           337.644. 1. As used in this section, the following  
139 terms mean:

140           (1) "License", a license, certificate, registration,  
141 permit, accreditation, or military occupational specialty  
142 that enables a person to legally practice an occupation or  
143 profession in a particular jurisdiction;

144           (2) "Military", the Armed Forces of the United States  
145 including the Air Force, Army, Coast Guard, Marine Corps,  
146 Navy, Space Force, National Guard, and any other military  
147 branch that is designated by Congress as part of the Armed  
148 Forces of the United States, and all reserve components and  
149 auxiliaries. Such term also includes the military reserves  
150 and militia of any United States territory or state;

151           (3) "Nonresident military spouse", a nonresident  
152 spouse of an active duty member of the Armed Forces of the  
153 United States who has been transferred or is scheduled to be  
154 transferred to the state of Missouri, or who has been  
155 transferred or is scheduled to be transferred to an adjacent  
156 state and is or will be domiciled in the state of Missouri,

157 or has moved to the state of Missouri on a permanent change-  
158 of-station basis;

159 (4) "Resident military spouse", a spouse of an active  
160 duty member of the Armed Forces of the United States who has  
161 been transferred or is scheduled to be transferred to the  
162 state of Missouri or an adjacent state and who is a  
163 permanent resident of the state of Missouri, who is  
164 domiciled in the state of Missouri, or who has Missouri as  
165 his or her home of record.

166 2. Each applicant for licensure as a master social  
167 worker shall furnish evidence to the committee that:

168 (1) The applicant has a master's or doctorate degree  
169 in social work from an accredited social work degree program  
170 approved by the council of social work education;

171 (2) The applicant has achieved a passing score, as  
172 defined by the committee, on an examination approved by the  
173 committee. The eligibility requirements for such  
174 examination shall be determined by the state committee for  
175 social workers;

176 (3) The applicant is at least eighteen years of age,  
177 is a United States citizen or has status as a legal resident  
178 alien, and has not been finally adjudicated and found  
179 guilty, or entered a plea of guilty or nolo contendere, in a  
180 criminal prosecution under the laws of any state, of the  
181 United States, or of any country, for any offense directly  
182 related to the duties and responsibilities of the  
183 occupation, as set forth in section 324.012, regardless or  
184 whether or not sentence is imposed;

185 (4) The applicant has submitted a written application  
186 on forms prescribed by the state board;

187 (5) The applicant has submitted the required licensing  
188 fee, as determined by the committee.

189           [2.] 3. Any applicant who answers in the affirmative  
190 to any question on the application that relates to possible  
191 grounds for denial of licensure under section 337.630 shall  
192 submit a sworn affidavit setting forth in detail the facts  
193 which explain such answer and copies of appropriate  
194 documents related to such answer.

195           [3.] 4. The committee shall issue a license to each  
196 person who files an application and fee as required by the  
197 provisions of sections 337.600 to 337.689 and who furnishes  
198 evidence satisfactory to the committee that the applicant  
199 has complied with the provisions of subsection 1 of this  
200 section. The license shall refer to the individual as a  
201 licensed master social worker and shall recognize that  
202 individual's right to practice licensed master social work  
203 as defined in section 337.600.

204           5. (1) Any person who holds a valid current master  
205 social work license issued by another state, a branch or  
206 unit of the military, a territory of the United States, or  
207 the District of Columbia, and who has been licensed for at  
208 least one year in such other jurisdiction, may submit an  
209 application for a master social work license in Missouri  
210 along with proof of current licensure and proof of licensure  
211 for at least one year in the other jurisdiction, to the  
212 committee.

213           (2) The committee shall:

214           (a) Within six months of receiving an application  
215 described in subsection 2 of this section, waive any  
216 examination, educational, or experience requirements for  
217 licensure in this state for the applicant if it determines  
218 that there were minimum education requirements and, if  
219 applicable, work experience and clinical supervision  
220 requirements in effect and the other state verifies that the  
221 person met those requirements in order to be licensed or

222 certified in that state. The committee may require an  
223 applicant to take and pass an examination specific to the  
224 laws of this state; or

225 (b) Within thirty days of receiving an application  
226 described in subsection 2 of this section from a nonresident  
227 military spouse or a resident military spouse, waive any  
228 examination, educational, or experience requirements for  
229 licensure in this state for the applicant and issue such  
230 applicant a license under this subsection if such applicant  
231 otherwise meets the requirements of this section.

232 (3) (a) The committee shall not waive any  
233 examination, educational, or experience requirements for any  
234 applicant who has had his or her license revoked by a  
235 committee outside the state; who is currently under  
236 investigation, who has a complaint pending, or who is  
237 currently under disciplinary action, except as provided in  
238 paragraph (b) of this subdivision, with a licensing  
239 authority outside the state; who does not hold a license in  
240 good standing with a licensing authority outside the state;  
241 who has a criminal record that would disqualify him or her  
242 for licensure in Missouri; or who does not hold a valid  
243 current license in the other jurisdiction on the date the  
244 committee receives his or her application under this section.

245 (b) If another jurisdiction has taken disciplinary  
246 action against an applicant, the committee shall determine  
247 if the cause for the action was corrected and the matter  
248 resolved. If the matter has not been resolved by that  
249 jurisdiction, the committee may deny a license until the  
250 matter is resolved.

251 (4) Nothing in this subsection shall prohibit the  
252 committee from denying a license to an applicant under this  
253 subsection for any reason described in section 337.630.

254           (5) Any person who is licensed under the provisions of  
255 this subsection shall be subject to the committee's  
256 jurisdiction and all rules and regulations pertaining to the  
257 practice as a licensed baccalaureate social worker in this  
258 state.

259           (6) This subsection shall not be construed to waive  
260 any requirement for an applicant to pay any fees.

261           337.651. SECTION 1: PURPOSE

262           The purpose of this Compact is to facilitate interstate  
263 practice of Regulated Social Workers by improving public  
264 access to competent Social Work Services. The Compact  
265 preserves the regulatory authority of States to protect  
266 public health and safety through the current system of State  
267 licensure.

268           This Compact is designed to achieve the following  
269 objectives:

270           A. Increase public access to Social Work Services;

271           B. Reduce overly burdensome and duplicative  
272 requirements associated with holding multiple licenses;

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

275           D. Encourage the cooperation of Member States in  
276 regulating multistate practice;

277           E. Promote mobility and address workforce shortages by  
278 eliminating the necessity for licenses in multiple States by  
279 providing for the mutual recognition of other Member State  
280 licenses;

281           F. Support military families;

282           G. Facilitate the exchange of licensure and  
283 disciplinary information among Member States;

284           H. Authorize all Member States to hold a Regulated  
285 Social Worker accountable for abiding by the Member State's  
286 laws, regulations, and applicable professional standards in

287 the Member State in which the client is located at the time  
288 care is rendered; and

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

291 SECTION 2. DEFINITIONS

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

294 A. "Active Military Member" means any individual in  
295 full-time duty status in the active armed forces of the  
296 United States including members of the National Guard and  
297 Reserve.

298 B. "Adverse Action" means any administrative, civil,  
299 equitable or criminal action permitted by a State's laws  
300 which is imposed by a Licensing Authority or other authority  
301 against a Regulated Social Worker, including actions against  
302 an individual's license or Multistate Authorization to  
303 Practice such as revocation, suspension, probation,  
304 monitoring of the licensee, limitation on the licensee's  
305 practice, or any other Encumbrance on licensure affecting a  
306 Regulated Social Worker's authorization to practice,  
307 including issuance of a cease and desist action.

308 C. "Alternative Program" means a non-disciplinary  
309 monitoring or practice remediation process approved by a  
310 Licensing Authority to address practitioners with an  
311 Impairment.

312 D. "Charter Member States" - Member States who have  
313 enacted legislation to adopt this Compact where such  
314 legislation predates the effective date of this Compact as  
315 defined in Section 14.

316 E. "Compact Commission" or "Commission" means the  
317 government agency whose membership consists of all States  
318 that have enacted this Compact, which is known as the Social  
319 Work Licensure Compact Commission, as defined in Section 10,

320 and which shall operate as an instrumentality of the Member  
321 States.

322 F. "Current Significant Investigative Information"  
323 means:

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

330 2. Investigative information that indicates that the  
331 Regulated Social Worker represents an immediate threat to  
332 public health and safety, as may be defined by the  
333 Commission, regardless of whether the Regulated Social  
334 Worker has been notified and has had an opportunity to  
335 respond.

336 G. "Data System" means a repository of information  
337 about Licensees, including, but not limited to, continuing  
338 education, examination, licensure, Current Significant  
339 Investigative Information, Disqualifying Event, Multistate  
340 License(s) and Adverse Action information or other  
341 information as required by the Commission.

342 H. "Domicile" means the jurisdiction in which the  
343 licensee resides and intends to remain indefinitely.

344 I. "Disqualifying Event" means any Adverse Action or  
345 incident which results in an encumbrance that disqualifies  
346 or makes the Licensee ineligible to either obtain, retain or  
347 renew a Multistate License.

348 J. "Encumbered License" means a license in which an  
349 Adverse Action restricts the practice of Social Work by the  
350 Licensee and said Adverse Action and may be reportable to  
351 the National Practitioners Data Bank (NPDB).

352 K. "Encumbrance" means a revocation or suspension of,  
353 or any limitation on, the full and unrestricted practice of  
354 Social Work licensed and regulated by a Licensing Authority.

355 L. "Executive Committee" means a group of delegates  
356 elected or appointed to act on behalf of, and within the  
357 powers granted to them by, the compact and Commission.

358 M. "Home State" means the Member State that is the  
359 Licensee's primary Domicile.

360 N. "Impairment" means a condition(s) that may impair a  
361 practitioner's ability to engage in full and unrestricted  
362 practice as a Regulated Social Worker without some type of  
363 intervention and may include, but are not limited to,  
364 alcohol and drug dependence, mental health impairment, and  
365 neurological or physical impairments.

366 O. "Multistate License" means a license to practice as  
367 a Regulated Social Worker issued by a Home State Licensing  
368 Authority that authorizes the Regulated Social Worker to  
369 practice in all Member States under a Multistate  
370 Authorization to Practice.

371 P. "Licensee(s)" means an individual who currently  
372 holds a license from a State to practice as a Regulated  
373 Social Worker.

374 Q. "Licensing Authority" means the board or agency of  
375 a Member State, or equivalent, that is responsible for the  
376 licensing and regulation of Regulated Social Workers.

377 R. "Member State" means a state, commonwealth,  
378 district, or territory of the United States of America that  
379 has enacted this Compact.

380 S. "Multistate Authorization to Practice" means a  
381 legally authorized privilege to practice, which is  
382 equivalent to a license, associated with a Multistate  
383 License permitting the practice of Social Work in a Remote  
384 State.

385 T. "Qualifying National Exam" means a national  
386 licensing examination approved by the Commission.

387 U. "Regulated Social Worker" means any clinical,  
388 master's or bachelor's Social Worker licensed by a Member  
389 State regardless of the title used by that Member State.

390 V. "Remote State" means a Member State other than the  
391 Home State, where a Licensee is exercising or seeking to  
392 exercise the Multistate Authorization to Practice.

393 W. "Rule(s)" or "Rule(s) of the Commission" means a  
394 regulation or regulations duly promulgated by the  
395 Commission, as authorized by the compact, that has the force  
396 of law.

397 X. "Single State License" means a Social Work license  
398 issued by any state that authorizes practice only within the  
399 issuing State and does not include a Multistate  
400 Authorization to Practice in any Member State.

401 Y. "Social Work" or "Social Work Services" means the  
402 application of social work theory, knowledge, methods,  
403 ethics, and the professional use of self to restore or  
404 enhance social, psychosocial, or biopsychosocial functioning  
405 of individuals, couples, families, groups, organizations,  
406 and communities through the care and services provided by a  
407 Regulated Social Worker as set forth in the Member State's  
408 statutes and regulations in the State where the services are  
409 being provided.

410 Z. "State" means any state, commonwealth, district, or  
411 territory of the United States of America that regulates the  
412 practice of Social Work.

413 AA. "Unencumbered License" means a license that  
414 authorizes a Regulated Social Worker to engage in the full  
415 and unrestricted practice of Social Work.

416 SECTION 3. STATE PARTICIPATION IN THE COMPACT

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

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

422 2. Require applicants for licensure to graduate from a  
423 program that is accredited, or in candidacy by an  
424 institution that subsequently becomes accredited, by an  
425 accrediting agency recognized by the Council for Higher  
426 Education Accreditation, or its successor, or by the United  
427 States Department of Education and operated by a college or  
428 university recognized by the Licensing Authority and that  
429 corresponds to the licensure sought as outlined in Section 4.

430 3. Require applicants for clinical licensure to  
431 complete a period of supervised practice.

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

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

436 1. Require applicants for a Multistate License pass a  
437 Qualifying National Exam for the corresponding category of  
438 Multistate License sought as outlined in Section 4.

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

442 3. Notify the Commission, in compliance with the terms  
443 of the Compact and rules, of any Adverse Action or the  
444 availability of Current Significant Investigative  
445 Information regarding a Licensee;

446 4. Implement procedures for considering the criminal  
447 history records of applicants for a Multistate License.  
448 Such procedures shall include the submission of fingerprints  
449 or other biometric-based information by applicants for the

450 purpose of obtaining an applicant's criminal history record  
451 information from the Federal Bureau of Investigation and the  
452 agency responsible for retaining that state's criminal  
453 records.

454 5. Comply with the Rules of the Commission;

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

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

462 8. Designate a delegate to participate in the  
463 Commission meetings.

464 C. A Member State meeting the requirements of Section  
465 3.A. and 3.B of this Compact shall designate the categories  
466 of Social Work licensure that are eligible for issuance of a  
467 Multistate License for applicants in such Member State. To  
468 the extent that any Member State does not meet the  
469 requirements for participation in the Compact at any  
470 particular category of Social Work licensure, such Member  
471 State may choose, but is not obligated to, issue a  
472 Multistate License to applicants that otherwise meet the  
473 requirements of Section 4 for issuance of a Multistate  
474 License in such category or categories of licensure.

475 D. Home States may charge a fee for granting the  
476 Multistate License.

477 SECTION 4. SOCIAL WORKER PARTICIPATION IN THE COMPACT

478 A. To be eligible for a Multistate License under the  
479 terms and provisions of the compact, an applicant,  
480 regardless of category must:

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

483 2. Pay any applicable fees, including any State fee,  
484 for the Multistate License;

485 3. Submit, in connection with an application for a  
486 Multistate License, fingerprints or other biometric data for  
487 the purpose of obtaining criminal history record information  
488 from the Federal Bureau of Investigation and the agency  
489 responsible for retaining that state's criminal records.

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

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

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

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

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

503 i. Passage of a clinical-category Qualifying National  
504 Exam; or

505 ii. Licensure of the applicant in their Home State at  
506 the clinical category, beginning prior to such time as a  
507 Qualifying National Exam was required by the Home State and  
508 accompanied by a period of continuous Social Work licensure  
509 thereafter, all of which may be further governed by the  
510 Rules of the Commission; or

511 iii. The substantial equivalency of the foregoing  
512 competency requirements which the Commission may determine  
513 by Rule.

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

516 i. Operated by a college or university recognized by  
517 the Licensing Authority; and

518 ii. Accredited, or in candidacy that subsequently  
519 becomes accredited, by an accrediting agency recognized by  
520 either:

521 1. the Council for Higher Education Accreditation or  
522 its successor; or

523 2. the United States Department of Education.

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

526 i. A period of postgraduate supervised clinical  
527 practice equal to a minimum of three thousand hours; or

528 ii. A minimum of two years of full-time postgraduate  
529 supervised clinical practice; or

530 iii. The substantial equivalency of the foregoing  
531 practice requirements which the Commission may determine by  
532 Rule.

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

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

537 i. Passage of a masters-category Qualifying National  
538 Exam;

539 ii. Licensure of the applicant in their Home State at  
540 the master's category, beginning prior to such time as a  
541 Qualifying National Exam was required by the Home State at  
542 the master's category and accompanied by a continuous period  
543 of Social Work licensure thereafter, all of which may be  
544 further governed by the Rules of the Commission; or

545 iii. The substantial equivalency of the foregoing  
546 competency requirements which the Commission may determine  
547 by Rule.

- 548           2. Attain at least a master's degree in Social Work  
549 from a program that is:
- 550           i. Operated by a college or university recognized by  
551 the Licensing Authority; and
- 552           ii. Accredited, or in candidacy that subsequently  
553 becomes accredited, by an accrediting agency recognized by  
554 either:
- 555           1. the Council for Higher Education Accreditation or  
556 its successor; or
- 557           2. the United States Department of Education.
- 558           D. An applicant for a bachelor's-category Multistate  
559 License must meet all of the following requirements:
- 560           1. Fulfill a competency requirement, which shall be  
561 satisfied by either:
- 562           i. Passage of a bachelor's-category Qualifying  
563 National Exam;
- 564           ii. Licensure of the applicant in their Home State at  
565 the bachelor's category, beginning prior to such time as a  
566 Qualifying National Exam was required by the Home State and  
567 accompanied by a period of continuous Social Work licensure  
568 thereafter, all of which may be further governed by the  
569 Rules of the Commission; or
- 570           iii. The substantial equivalency of the foregoing  
571 competency requirements which the Commission may determine  
572 by Rule.
- 573           2. Attain at least a bachelor's degree in Social Work  
574 from a program that is:
- 575           i. Operated by a college or university recognized by  
576 the Licensing Authority; and
- 577           ii. Accredited, or in candidacy that subsequently  
578 becomes accredited, by an accrediting agency recognized by  
579 either:

580 1. the Council for Higher Education Accreditation or  
581 its successor; or

582 2. the United States Department of Education.

583 E. The Multistate License for a Regulated Social  
584 Worker is subject to the renewal requirements of the Home  
585 State. The Regulated Social Worker must maintain compliance  
586 with the requirements of Section 4(A).

587 F. The Regulated Social Worker's services in a Remote  
588 State are subject to that Member State's regulatory  
589 authority. A Remote State may, in accordance with due  
590 process and that Member State's laws, remove a Regulated  
591 Social Worker's Multistate Authorization to Practice in the  
592 Remote State for a specific period of time, impose fines,  
593 and take any other necessary actions to protect the health  
594 and safety of its citizens.

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

599 H. If a Multistate Authorization to Practice is  
600 encumbered in a Remote State, the regulated Social Worker's  
601 Multistate Authorization to Practice may be deactivated in  
602 that State until the Multistate Authorization to Practice is  
603 no longer encumbered.

604 SECTION 5: ISSUANCE OF A MULTISTATE LICENSE

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

609 B. If such applicant is eligible pursuant to Section 4  
610 of this Compact, the Home State Licensing Authority shall  
611 issue a Multistate License that authorizes the applicant or

612 Regulated Social Worker to practice in all Member States  
613 under a Multistate Authorization to Practice.

614 C. Upon issuance of a Multistate License, the Home  
615 State Licensing Authority shall designate whether the  
616 Regulated Social Worker holds a Multistate License in the  
617 Bachelors, Masters, or Clinical category of Social Work.

618 D. A Multistate License issued by a Home State to a  
619 resident in that State shall be recognized by all Compact  
620 Member States as authorizing Social Work Practice under a  
621 Multistate Authorization to Practice corresponding to each  
622 category of licensure regulated in the Member State.

623 SECTION 6: AUTHORITY OF INTERSTATE COMPACT COMMISSION  
624 AND MEMBER STATE LICENSING AUTHORITIES

625 A. Nothing in this Compact, nor any Rule of the  
626 Commission, shall be construed to limit, restrict, or in any  
627 way reduce the ability of a Member State to enact and  
628 enforce laws, regulations, or other rules related to the  
629 practice of Social Work in that State, where those laws,  
630 regulations, or other rules are not inconsistent with the  
631 provisions of this Compact.

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

635 C. Nothing in this Compact, nor any Rule of the  
636 Commission, shall be construed to limit, restrict, or in any  
637 way reduce the ability of a Member State to take Adverse  
638 Action against a Licensee's Single-State License to practice  
639 Social Work in that State.

640 D. Nothing in this Compact, nor any Rule of the  
641 Commission, shall be construed to limit, restrict, or in any  
642 way reduce the ability of a Remote State to take Adverse  
643 Action against a Licensee's Authorization to Practice in  
644 that State.

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

650 SECTION 7: REISSUANCE OF A MULTISTATE LICENSE BY A NEW  
651 HOME STATE

652 A. A Licensee may hold a Multistate License, issued by  
653 their Home State, in only one Member State at any given time.

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

656 1. The Licensee shall immediately apply for the  
657 reissuance of their Multistate License in their new Home  
658 State. The Licensee shall pay all applicable fees and  
659 notify the prior Home State in accordance with the Rules of  
660 the Commission.

661 2. Upon receipt of an application to reissue a  
662 Multistate License, the new Home State shall verify that the  
663 Multistate License is active, unencumbered and eligible for  
664 reissuance under the terms of the Compact and the Rules of  
665 the Commission. The Multistate License issued by the prior  
666 Home State will be deactivated and all Member States  
667 notified in accordance with the applicable Rules adopted by  
668 the Commission.

669 3. Prior to the reissuance of the Multistate License,  
670 the new Home State shall conduct procedures for considering  
671 the criminal history records of the Licensee. Such  
672 procedures shall include the submission of fingerprints or  
673 other biometric-based information by applicants for the  
674 purpose of obtaining an applicant's criminal history record  
675 information from the Federal Bureau of Investigation and the  
676 agency responsible for retaining that state's criminal  
677 records.

678 4. If required for initial licensure, the new Home  
679 State may require completion of jurisprudence requirements  
680 in the new Home State.

681 5. Notwithstanding any other provision of this  
682 Compact, if a Licensee does not meet the requirements set  
683 forth in this Compact for the reissuance of a Multistate  
684 License by the new Home State, then the Licensee shall be  
685 subject to the new Home State requirements for the issuance  
686 of a Single-State License in that State.

687 C. If a Licensee changes their primary state of  
688 residence by moving from a Member State to a non-Member  
689 State, or from a non-Member State to a Member State, then  
690 the Licensee shall be subject to the State requirements for  
691 the issuance of a Single-State License in the new Home State.

692 D. Nothing in this Compact shall interfere with a  
693 Licensee's ability to hold a Single-State License in  
694 multiple States; however, for the purposes of this Compact,  
695 a Licensee shall have only one Home State, and only one  
696 Multistate License.

697 E. Nothing in this Compact shall interfere with the  
698 requirements established by a Member State for the issuance  
699 of a Single-State License.

#### 700 SECTION 8. MILITARY FAMILIES

701 An Active Military Member or their spouse shall  
702 designate a Home State where the individual has a Multistate  
703 License. The individual may retain their Home State  
704 designation during the period the service member is on  
705 active duty.

#### 706 SECTION 9. ADVERSE ACTIONS

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

710           1. Take Adverse Action against a Regulated Social  
711 Worker's Multistate Authorization to Practice only within  
712 that Member State, and issue subpoenas for both hearings and  
713 investigations that require the attendance and testimony of  
714 witnesses as well as the production of evidence. Subpoenas  
715 issued by a Licensing Authority in a Member State for the  
716 attendance and testimony of witnesses or the production of  
717 evidence from another Member State shall be enforced in the  
718 latter State by any court of competent jurisdiction,  
719 according to the practice and procedure of that court  
720 applicable to subpoenas issued in proceedings pending before  
721 it. The issuing authority shall pay any witness fees,  
722 travel expenses, mileage, and other fees required by the  
723 service statutes of the State in which the witnesses or  
724 evidence are located.

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

728           B. For purposes of taking Adverse Action, the Home  
729 State shall give the same priority and effect to reported  
730 conduct received from a Member State as it would if the  
731 conduct had occurred within the Home State. In so doing,  
732 the Home State shall apply its own State laws to determine  
733 appropriate action.

734           C. The Home State shall complete any pending  
735 investigations of a Regulated Social Worker who changes  
736 primary State of Domicile during the course of the  
737 investigations. The Home State shall also have the  
738 authority to take appropriate action(s) and shall promptly  
739 report the conclusions of the investigations to the  
740 administrator of the Data System. The administrator of the  
741 Data System shall promptly notify the new Home State of any  
742 Adverse Actions.

743 D. A Member State, if otherwise permitted by State  
744 law, may recover from the affected Regulated Social Worker  
745 the costs of investigations and dispositions of cases  
746 resulting from any Adverse Action taken against that  
747 Regulated Social Worker.

748 E. A Member State may take Adverse Action based on the  
749 factual findings of another Member State, provided that the  
750 Member State follows its own procedures for taking the  
751 Adverse Action.

752 F. Joint Investigations:

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

757 2. Member States shall share any investigative,  
758 litigation, or compliance materials in furtherance of any  
759 joint or individual investigation initiated under the  
760 Compact.

761 G. If Adverse Action is taken by the Home State  
762 against the Multistate License of a Regulated Social Worker,  
763 the Regulated Social Worker's Multistate Authorization to  
764 Practice in all other Member States shall be deactivated  
765 until all Encumbrances have been removed from the Multistate  
766 License. All Home State disciplinary orders that impose  
767 Adverse Action against the license of a Regulated Social  
768 Worker shall include a statement that the Regulated Social  
769 Worker's Multistate Authorization to Practice is deactivated  
770 in all Member States until all conditions of the decision,  
771 order or agreement are satisfied.

772 H. If a Member State takes Adverse Action, it shall  
773 promptly notify the administrator of the Data System. The  
774 administrator of the Data System shall promptly notify the

775 Home State and all other Member State's of any Adverse  
776 Actions by Remote States.

777 I. Nothing in this Compact shall override a Member  
778 State's decision that participation in an Alternative  
779 Program may be used in lieu of Adverse Action. Nothing in  
780 this Compact shall authorize a member state to demand the  
781 issuance of subpoenas for attendance and testimony of  
782 witnesses or the production of evidence from another Member  
783 State for lawful actions within that member state.

784 J. Nothing in this Compact shall authorize a member  
785 state to impose discipline against a Regulated Social Worker  
786 who holds a Multistate Authorization to Practice for lawful  
787 actions within another member state.

788 SECTION 10. ESTABLISHMENT OF SOCIAL WORK LICENSURE  
789 COMPACT COMMISSION

790 A. The Compact Member States hereby create and  
791 establish a joint government agency whose membership  
792 consists of all member states that have enacted the compact  
793 known as the Social Work Licensure Compact Commission. The  
794 Commission is an instrumentality of the Compact States  
795 acting jointly and not an instrumentality of any one state.  
796 The Commission shall come into existence on or after the  
797 effective date of the Compact as set forth in Section 13.

798 B. Membership, Voting, and Meetings

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

802 2. The delegate shall be either:

803 a. A current member of the State Licensing Authority  
804 at the time of appointment, who is a Regulated Social Worker  
805 or public member of the State Licensing Authority; or

806 b. An administrator of the State Licensing Authority  
807 or their designee.

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

811 4. The Commission may recommend removal or suspension  
812 any delegate from office.

813 5. A Member State's State Licensing Authority shall  
814 fill any vacancy of its delegate occurring on the Commission  
815 within 60 days of the vacancy.

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

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

823 8. The Commission shall meet at least once during each  
824 calendar year. Additional meetings may be held as set forth  
825 in the bylaws. The Commission may meet by  
826 telecommunication, video conference or other similar  
827 electronic means.

828 C. The Commission shall have the following powers:

829 1. Establish the fiscal year of the Commission;

830 2. Establish code of conduct and conflict of interest  
831 policies;

832 3. Establish and amend Rules and bylaws;

833 4. Maintain its financial records in accordance with  
834 the bylaws;

835 5. Meet and take such actions as are consistent with  
836 the provisions of this Compact, the Commission's Rules, and  
837 the bylaws;

838 6. Initiate and conclude legal proceedings or actions  
839 in the name of the Commission, provided that the standing of

840 any State Licensing Board to sue or be sued under applicable  
841 law shall not be affected;

842 7. Maintain and certify records and information  
843 provided to a Member State as the authenticated business  
844 records of the Commission, and designate an agent to do so  
845 on the Commission's behalf;

846 8. Purchase and maintain insurance and bonds;

847 9. Borrow, accept, or contract for services of  
848 personnel, including, but not limited to, employees of a  
849 Member State;

850 10. Conduct an annual financial review;

851 11. Hire employees, elect or appoint officers, fix  
852 compensation, define duties, grant such individuals  
853 appropriate authority to carry out the purposes of the  
854 Compact, and establish the Commission's personnel policies  
855 and programs relating to conflicts of interest,  
856 qualifications of personnel, and other related personnel  
857 matters;

858 12. Assess and collect fees;

859 13. Accept any and all appropriate gifts, donations,  
860 grants of money, other sources of revenue, equipment,  
861 supplies, materials, and services, and receive, utilize, and  
862 dispose of the same; provided that at all times the  
863 Commission shall avoid any appearance of impropriety or  
864 conflict of interest;

865 14. Lease, purchase, retain, own, hold, improve, or  
866 use any property, real, personal, or mixed, or any undivided  
867 interest therein;

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

871 16. Establish a budget and make expenditures;

872 17. Borrow money;

873 18. Appoint committees, including standing committees,  
874 composed of members, State regulators, State legislators or  
875 their representatives, and consumer representatives, and  
876 such other interested persons as may be designated in this  
877 Compact and the bylaws;

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

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

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

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

888 D. The Executive Committee

889 1. The Executive Committee shall have the power to act  
890 on behalf of the Commission according to the terms of this  
891 Compact. The powers, duties, and responsibilities of the  
892 Executive Committee shall include:

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

897 b. Recommend to the Commission changes to the Rules or  
898 bylaws, changes to this Compact legislation, fees charged to  
899 Compact Member States, fees charged to licensees, and other  
900 fees;

901 c. Ensure Compact administration services are  
902 appropriately provided, including by contract;

903 d. Prepare and recommend the budget;

904 e. Maintain financial records on behalf of the  
905 Commission;

- 906 f. Monitor Compact compliance of Member States and  
907 provide compliance reports to the Commission;
- 908 g. Establish additional committees as necessary;
- 909 h. Exercise the powers and duties of the Commission  
910 during the interim between Commission meetings, except for  
911 adopting or amending Rules, adopting or amending bylaws, and  
912 exercising any other powers and duties expressly reserved to  
913 the Commission by Rule or bylaw; and
- 914 i. Other duties as provided in the Rules or bylaws of  
915 the Commission.
- 916 2. The Executive Committee shall be composed of up to  
917 nine (9) members:
- 918 a. The chair and vice chair of the Commission shall be  
919 voting members of the Executive Committee; and
- 920 b. The Commission shall elect five voting members from  
921 the current membership of the Commission.
- 922 c. Up to four (4) ex-officio, nonvoting members from  
923 four (4) recognized national social work organizations.
- 924 d. The ex-officio members will be selected by their  
925 respective organizations.
- 926 3. The Commission may remove any member of the  
927 Executive Committee as provided in the Commission's bylaws.
- 928 4. The Executive Committee shall meet at least  
929 annually.
- 930 a. Executive Committee meetings shall be open to the  
931 public, except that the Executive Committee may meet in a  
932 closed, non-public meeting as provided in subsection E.2  
933 below.
- 934 b. The Executive Committee shall give seven (7) days'  
935 notice of its meetings, posted on its website and as  
936 determined to provide notice to persons with an interest in  
937 the business of the Commission.

938 c. The Executive Committee may hold a special meeting  
939 in accordance with subsection E.1.b. below.

940 E. The Commission shall adopt and provide to the  
941 Member States an annual report.

942 F. Meetings of the Commission

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

946 a. Public notice for all meetings of the full  
947 Commission of meetings shall be given in the same manner as  
948 required under the Rulemaking provisions in Section 11,  
949 except that the Commission may hold a special meeting as  
950 provided in subsection F.1.b below.

951 b. The Commission may hold a special meeting when it  
952 must meet to conduct emergency business by giving 48 hours'  
953 notice to all commissioners, on the Commission's website,  
954 and other means as provided in the Commission's rules. The  
955 Commission's legal counsel shall certify that the  
956 Commission's need to meet qualifies as an emergency.

957 2. The Commission or the Executive Committee or other  
958 committees of the Commission may convene in a closed, non-  
959 public meeting for the Commission or Executive Committee or  
960 other committees of the Commission to receive legal advice  
961 or to discuss:

962 a. Non-compliance of a Member State with its  
963 obligations under the Compact;

964 b. The employment, compensation, discipline or other  
965 matters, practices or procedures related to specific  
966 employees;

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

969 d. Current, threatened, or reasonably anticipated  
970 litigation;

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

973 f. Accusing any person of a crime or formally  
974 censuring any person;

975 g. Trade secrets or commercial or financial  
976 information that is privileged or confidential;

977 h. Information of a personal nature where disclosure  
978 would constitute a clearly unwarranted invasion of personal  
979 privacy;

980 i. Investigative records compiled for law enforcement  
981 purposes;

982 j. Information related to any investigative reports  
983 prepared by or on behalf of or for use of the Commission or  
984 other committee charged with responsibility of investigation  
985 or determination of compliance issues pursuant to the  
986 Compact;

987 k. Matters specifically exempted from disclosure by  
988 federal or Member State law; or

989 1. Other matters as promulgated by the Commission by  
990 Rule.

991 3. If a meeting, or portion of a meeting, is closed,  
992 the presiding officer shall state that the meeting will be  
993 closed and reference each relevant exempting provision, and  
994 such reference shall be recorded in the minutes.

995 4. The Commission shall keep minutes that fully and  
996 clearly describe all matters discussed in a meeting and  
997 shall provide a full and accurate summary of actions taken,  
998 and the reasons therefore, including a description of the  
999 views expressed. All documents considered in connection  
1000 with an action shall be identified in such minutes. All  
1001 minutes and documents of a closed meeting shall remain under  
1002 seal, subject to release only by a majority vote of the  
1003 Commission or order of a court of competent jurisdiction.

1004 G. Financing of the Commission

1005 1. The Commission shall pay, or provide for the  
1006 payment of, the reasonable expenses of its establishment,  
1007 organization, and ongoing activities.

1008 2. The Commission may accept any and all appropriate  
1009 revenue sources as provided in C(12).

1010 3. The Commission may levy on and collect an annual  
1011 assessment from each Member State and impose fees on  
1012 licensees of Member States to whom it grants a Multistate  
1013 License to cover the cost of the operations and activities  
1014 of the Commission and its staff, which must be in a total  
1015 amount sufficient to cover its annual budget as approved  
1016 each year for which revenue is not provided by other  
1017 sources. The aggregate annual assessment amount for Member  
1018 States shall be allocated based upon a formula that the  
1019 Commission shall promulgate by Rule.

1020 4. The Commission shall not incur obligations of any  
1021 kind prior to securing the funds adequate to meet the same;  
1022 nor shall the Commission pledge the credit of any of the  
1023 Member States, except by and with the authority of the  
1024 Member State.

1025 5. The Commission shall keep accurate accounts of all  
1026 receipts and disbursements. The receipts and disbursements  
1027 of the Commission shall be subject to the financial review  
1028 and accounting procedures established under its bylaws.  
1029 However, all receipts and disbursements of funds handled by  
1030 the Commission shall be subject to an annual financial  
1031 review by a certified or licensed public accountant, and the  
1032 report of the financial review shall be included in and  
1033 become part of the annual report of the Commission.

1034 H. Qualified Immunity, Defense, and Indemnification

1035 1. The members, officers, executive director,  
1036 employees and representatives of the Commission shall be

1037 immune from suit and liability, both personally and in their  
1038 official capacity, for any claim for damage to or loss of  
1039 property or personal injury or other civil liability caused  
1040 by or arising out of any actual or alleged act, error, or  
1041 omission that occurred, or that the person against whom the  
1042 claim is made had a reasonable basis for believing occurred  
1043 within the scope of Commission employment, duties or  
1044 responsibilities; provided that nothing in this paragraph  
1045 shall be construed to protect any such person from suit or  
1046 liability for any damage, loss, injury, or liability caused  
1047 by the intentional or willful or wanton misconduct of that  
1048 person. The procurement of insurance of any type by the  
1049 Commission shall not in any way compromise or limit the  
1050 immunity granted hereunder.

1051 2. The Commission shall defend any member, officer,  
1052 executive director, employee, and representative of the  
1053 Commission in any civil action seeking to impose liability  
1054 arising out of any actual or alleged act, error, or omission  
1055 that occurred within the scope of Commission employment,  
1056 duties, or responsibilities, or as determined by the  
1057 commission that the person against whom the claim is made  
1058 had a reasonable basis for believing occurred within the  
1059 scope of Commission employment, duties, or responsibilities;  
1060 provided that nothing herein shall be construed to prohibit  
1061 that person from retaining their own counsel at their own  
1062 expense; and provided further, that the actual or alleged  
1063 act, error, or omission did not result from that person's  
1064 intentional or willful or wanton misconduct.

1065 3. The Commission shall indemnify and hold harmless  
1066 any member, officer, executive director, employee, and  
1067 representative of the Commission for the amount of any  
1068 settlement or judgment obtained against that person arising  
1069 out of any actual or alleged act, error, or omission that

1070 occurred within the scope of Commission employment, duties,  
1071 or responsibilities, or that such person had a reasonable  
1072 basis for believing occurred within the scope of Commission  
1073 employment, duties, or responsibilities, provided that the  
1074 actual or alleged act, error, or omission did not result  
1075 from the intentional or willful or wanton misconduct of that  
1076 person.

1077 4. Nothing herein shall be construed as a limitation  
1078 on the liability of any licensee for professional  
1079 malpractice or misconduct, which shall be governed solely by  
1080 any other applicable state laws.

1081 5. Nothing in this Compact shall be interpreted to  
1082 waive or otherwise abrogate a Member State's state action  
1083 immunity or state action affirmative defense with respect to  
1084 antitrust claims under the Sherman Act, Clayton Act, or any  
1085 other state or federal antitrust or anticompetitive law or  
1086 regulation.

1087 6. Nothing in this Compact shall be construed to be a  
1088 waiver of sovereign immunity by the Member States or by the  
1089 Commission.

1090 SECTION 11. DATA SYSTEM

1091 A. The Commission shall provide for the development,  
1092 maintenance, operation, and utilization of a coordinated  
1093 database and reporting system containing licensure, Adverse  
1094 Action, and the presence of Current Significant  
1095 Investigative Information on all licensed individuals in  
1096 Member States.

1097 B. The Commission shall assign each applicant for a  
1098 Multistate License a unique identifier, as determined by the  
1099 rules of the Commission.

1100 C. Notwithstanding any other provision of State law to  
1101 the contrary, a Member State shall submit a uniform data set  
1102 to the Data System on all individuals to whom this Compact

1103 is applicable as required by the Rules of the Commission,  
1104 including:

1105 1. Identifying information;

1106 2. Licensure data;

1107 3. Adverse Actions against a license and information  
1108 related thereto;

1109 4. Non-confidential information related to Alternative  
1110 Program participation, the beginning and ending dates of  
1111 such participation, and other information related to such  
1112 participation not made confidential under Member State law;

1113 5. Any denial of application for licensure, and the  
1114 reason(s) for such denial;

1115 6. The presence of Current Significant Investigative  
1116 Information; and

1117 7. Other information that may facilitate the  
1118 administration of this Compact or the protection of the  
1119 public, as determined by the Rules of the Commission.

1120 D. The records and information provided to a Member  
1121 State pursuant to this Compact or through the Data System,  
1122 when certified by the Commission or an agent thereof, shall  
1123 constitute the authenticated business records of the  
1124 Commission, and shall be entitled to any associated hearsay  
1125 exception in any relevant judicial, quasi-judicial or  
1126 administrative proceedings in a Member State.

1127 E. Current Significant Investigative Information  
1128 pertaining to a Licensee in any Member State will only be  
1129 available to other Member States.

1130 F. It is the responsibility of the Member States to  
1131 report any Adverse Action against a Licensee and to monitor  
1132 the database to determine whether Adverse Action has been  
1133 taken against a Licensee. Adverse Action information  
1134 pertaining to a Licensee in any Member State will be  
1135 available to any other Member State.

1136 G. Member States contributing information to the Data  
1137 System may designate information that may not be shared with  
1138 the public without the express permission of the  
1139 contributing State.

1140 H. Any information submitted to the Data System that  
1141 is subsequently expunged pursuant to federal law or the laws  
1142 of the Member State contributing the information shall be  
1143 removed from the Data System.

1144 SECTION 12. RULEMAKING

1145 A. The Commission shall promulgate reasonable Rules in  
1146 order to effectively and efficiently implement and  
1147 administer the purposes and provisions of the Compact. A  
1148 Rule shall be invalid and have no force or effect only if a  
1149 court of competent jurisdiction holds that the Rule is  
1150 invalid because the Commission exercised its rulemaking  
1151 authority in a manner that is beyond the scope and purposes  
1152 of the Compact, or the powers granted hereunder, or based  
1153 upon another applicable standard of review.

1154 B. The Rules of the Commission shall have the force of  
1155 law in each Member State, provided however that where the  
1156 Rules of the Commission conflict with the laws of the Member  
1157 State that establish the Member State's laws, regulations,  
1158 and applicable standards as held by a court of competent  
1159 jurisdiction, the Rules of the Commission shall be  
1160 ineffective in that State to the extent of the conflict.

1161 C. The Commission shall exercise its Rulemaking powers  
1162 pursuant to the criteria set forth in this Section and the  
1163 Rules adopted thereunder. Rules shall become binding on the  
1164 day following adoption or the date specified in the rule or  
1165 amendment, whichever is later.

1166 D. If a majority of the legislatures of the Member  
1167 States rejects a Rule or portion of a Rule, by enactment of  
1168 a statute or resolution in the same manner used to adopt the

1169 Compact within four (4) years of the date of adoption of the  
1170 Rule, then such Rule shall have no further force and effect  
1171 in any Member State.

1172 E. Rules shall be adopted at a regular or special  
1173 meeting of the Commission.

1174 F. Prior to adoption of a proposed Rule, the  
1175 Commission shall hold a public hearing and allow persons to  
1176 provide oral and written comments, data, facts, opinions,  
1177 and arguments.

1178 G. Prior to adoption of a proposed Rule by the  
1179 Commission, and at least thirty (30) days in advance of the  
1180 meeting at which the Commission will hold a public hearing  
1181 on the proposed Rule, the Commission shall provide a Notice  
1182 of Proposed Rulemaking:

1183 1. On the website of the Commission or other publicly  
1184 accessible platform;

1185 2. To persons who have requested notice of the  
1186 Commission's notices of proposed rulemaking, and

1187 3. In such other way(s) as the Commission may by Rule  
1188 specify.

1189 H. The Notice of Proposed Rulemaking shall include:

1190 1. The time, date, and location of the public hearing  
1191 at which the Commission will hear public comments on the  
1192 proposed Rule and, if different, the time, date, and  
1193 location of the meeting where the Commission will consider  
1194 and vote on the proposed Rule;

1195 2. If the hearing is held via telecommunication, video  
1196 conference, or other electronic means, the Commission shall  
1197 include the mechanism for access to the hearing in the  
1198 Notice of Proposed Rulemaking;

1199 3. The text of the proposed Rule and the reason  
1200 therefor;

1201 4. A request for comments on the proposed Rule from  
1202 any interested person; and

1203 5. The manner in which interested persons may submit  
1204 written comments.

1205 I. All hearings will be recorded. A copy of the  
1206 recording and all written comments and documents received by  
1207 the Commission in response to the proposed Rule shall be  
1208 available to the public.

1209 J. Nothing in this section shall be construed as  
1210 requiring a separate hearing on each Rule. Rules may be  
1211 grouped for the convenience of the Commission at hearings  
1212 required by this section.

1213 K. The Commission shall, by majority vote of all  
1214 members, take final action on the proposed Rule based on the  
1215 Rulemaking record and the full text of the Rule.

1216 1. The Commission may adopt changes to the proposed  
1217 Rule provided the changes do not enlarge the original  
1218 purpose of the proposed Rule.

1219 2. The Commission shall provide an explanation of the  
1220 reasons for substantive changes made to the proposed Rule as  
1221 well as reasons for substantive changes not made that were  
1222 recommended by commenters.

1223 3. The Commission shall determine a reasonable  
1224 effective date for the Rule. Except for an emergency as  
1225 provided in Section 11.L, the effective date of the rule  
1226 shall be no sooner than 30 days after issuing the notice  
1227 that it adopted or amended the Rule.

1228 L. Upon determination that an emergency exists, the  
1229 Commission may consider and adopt an emergency Rule with 48  
1230 hours' notice, with opportunity to comment, provided that  
1231 the usual Rulemaking procedures provided in the Compact and  
1232 in this section shall be retroactively applied to the Rule  
1233 as soon as reasonably possible, in no event later than

1234 ninety (90) days after the effective date of the Rule. For  
1235 the purposes of this provision, an emergency Rule is one  
1236 that must be adopted immediately in order to:

1237 1. Meet an imminent threat to public health, safety,  
1238 or welfare;

1239 2. Prevent a loss of Commission or Member State funds;

1240 3. Meet a deadline for the promulgation of a Rule that  
1241 is established by federal law or rule; or

1242 4. Protect public health and safety.

1243 M. The Commission or an authorized committee of the  
1244 Commission may direct revisions to a previously adopted Rule  
1245 for purposes of correcting typographical errors, errors in  
1246 format, errors in consistency, or grammatical errors.

1247 Public notice of any revisions shall be posted on the  
1248 website of the Commission. The revision shall be subject to  
1249 challenge by any person for a period of thirty (30) days  
1250 after posting. The revision may be challenged only on  
1251 grounds that the revision results in a material change to a  
1252 Rule. A challenge shall be made in writing and delivered to  
1253 the Commission prior to the end of the notice period. If no  
1254 challenge is made, the revision will take effect without  
1255 further action. If the revision is challenged, the revision  
1256 may not take effect without the approval of the Commission.

1257 N. No Member State's rulemaking requirements shall  
1258 apply under this compact.

1259 SECTION 13. OVERSIGHT, DISPUTE RESOLUTION, AND  
1260 ENFORCEMENT

1261 A. Oversight

1262 1. The executive and judicial branches of State  
1263 government in each Member State shall enforce this Compact  
1264 and take all actions necessary and appropriate to implement  
1265 the Compact.

1266           2. Except as otherwise provided in this Compact, venue  
1267 is proper and judicial proceedings by or against the  
1268 Commission shall be brought solely and exclusively in a  
1269 court of competent jurisdiction where the principal office  
1270 of the Commission is located. The Commission may waive  
1271 venue and jurisdictional defenses to the extent it adopts or  
1272 consents to participate in alternative dispute resolution  
1273 proceedings. Nothing herein shall affect or limit the  
1274 selection or propriety of venue in any action against a  
1275 licensee for professional malpractice, misconduct or any  
1276 such similar matter.

1277           3. The Commission shall be entitled to receive service  
1278 of process in any proceeding regarding the enforcement or  
1279 interpretation of the Compact and shall have standing to  
1280 intervene in such a proceeding for all purposes. Failure to  
1281 provide the Commission service of process shall render a  
1282 judgment or order void as to the Commission, this Compact,  
1283 or promulgated Rules.

1284           B. Default, Technical Assistance, and Termination

1285           1. If the Commission determines that a Member State  
1286 has defaulted in the performance of its obligations or  
1287 responsibilities under this Compact or the promulgated  
1288 Rules, the Commission shall provide written notice to the  
1289 defaulting State. The notice of default shall describe the  
1290 default, the proposed means of curing the default, and any  
1291 other action that the Commission may take, and shall offer  
1292 training and specific technical assistance regarding the  
1293 default.

1294           2. The Commission shall provide a copy of the notice  
1295 of default to the other Member States.

1296           C. If a State in default fails to cure the default,  
1297 the defaulting State may be terminated from the Compact upon  
1298 an affirmative vote of a majority of the delegates of the

1299 Member States, and all rights, privileges and benefits  
1300 conferred on that state by this Compact may be terminated on  
1301 the effective date of termination. A cure of the default  
1302 does not relieve the offending State of obligations or  
1303 liabilities incurred during the period of default.

1304 D. Termination of membership in the Compact shall be  
1305 imposed only after all other means of securing compliance  
1306 have been exhausted. Notice of intent to suspend or  
1307 terminate shall be given by the Commission to the governor,  
1308 the majority and minority leaders of the defaulting State's  
1309 legislature, the defaulting State's State Licensing  
1310 Authority and each of the Member States' State Licensing  
1311 Authority.

1312 E. A State that has been terminated is responsible for  
1313 all assessments, obligations, and liabilities incurred  
1314 through the effective date of termination, including  
1315 obligations that extend beyond the effective date of  
1316 termination.

1317 F. Upon the termination of a State's membership from  
1318 this Compact, that State shall immediately provide notice to  
1319 all Licensees within that State of such termination. The  
1320 terminated State shall continue to recognize all licenses  
1321 granted pursuant to this Compact for a minimum of six (6)  
1322 months after the date of said notice of termination.

1323 G. The Commission shall not bear any costs related to  
1324 a State that is found to be in default or that has been  
1325 terminated from the Compact, unless agreed upon in writing  
1326 between the Commission and the defaulting State.

1327 H. The defaulting State may appeal the action of the  
1328 Commission by petitioning the U.S. District Court for the  
1329 District of Columbia or the federal district where the  
1330 Commission has its principal offices. The prevailing party

1331 shall be awarded all costs of such litigation, including  
1332 reasonable attorney's fees.

1333 I. Dispute Resolution

1334 1. Upon request by a Member State, the Commission  
1335 shall attempt to resolve disputes related to the Compact  
1336 that arise among Member States and between Member and non-  
1337 Member States.

1338 2. The Commission shall promulgate a Rule providing  
1339 for both mediation and binding dispute resolution for  
1340 disputes as appropriate.

1341 J. Enforcement

1342 1. By majority vote as provided by Rule, the  
1343 Commission may initiate legal action against a Member State  
1344 in default in the United States District Court for the  
1345 District of Columbia or the federal district where the  
1346 Commission has its principal offices to enforce compliance  
1347 with the provisions of the Compact and its promulgated  
1348 Rules. The relief sought may include both injunctive relief  
1349 and damages. In the event judicial enforcement is  
1350 necessary, the prevailing party shall be awarded all costs  
1351 of such litigation, including reasonable attorney's fees.  
1352 The remedies herein shall not be the exclusive remedies of  
1353 the Commission. The Commission may pursue any other  
1354 remedies available under federal or the defaulting Member  
1355 State's law.

1356 2. A Member State may initiate legal action against  
1357 the Commission in the U.S. District Court for the District  
1358 of Columbia or the federal district where the Commission has  
1359 its principal offices to enforce compliance with the  
1360 provisions of the Compact and its promulgated Rules. The  
1361 relief sought may include both injunctive relief and  
1362 damages. In the event judicial enforcement is necessary,

1363 the prevailing party shall be awarded all costs of such  
1364 litigation, including reasonable attorney's fees.

1365 3. No person other than a Member State shall enforce  
1366 this compact against the Commission.

1367 SECTION 14. EFFECTIVE DATE, WITHDRAWAL, AND AMENDMENT

1368 A. The Compact shall come into effect on the date on  
1369 which the Compact statute is enacted into law in the seventh  
1370 Member State.

1371 1. On or after the effective date of the Compact, the  
1372 Commission shall convene and review the enactment of each of  
1373 the first seven Member States ("Charter Member States") to  
1374 determine if the statute enacted by each such Charter Member  
1375 State is materially different than the model Compact statute.

1376 a. A Charter Member State whose enactment is found to  
1377 be materially different from the model Compact statute shall  
1378 be entitled to the default process set forth in Section 12.

1379 b. If any Member State is later found to be in  
1380 default, or is terminated or withdraws from the Compact, the  
1381 Commission shall remain in existence and the Compact shall  
1382 remain in effect even if the number of Member States should  
1383 be less than seven.

1384 2. Member States enacting the Compact subsequent to  
1385 the seven initial Charter Member States shall be subject to  
1386 the process set forth in Section 9(C)(21) to determine if  
1387 their enactments are materially different from the model  
1388 Compact statute and whether they qualify for participation  
1389 in the Compact.

1390 3. All actions taken for the benefit of the Commission  
1391 or in furtherance of the purposes of the administration of  
1392 the Compact prior to the effective date of the Compact or  
1393 the Commission coming into existence shall be considered to  
1394 be actions of the Commission unless specifically repudiated  
1395 by the Commission.

1396           a. Any State that joins the Compact subsequent to the  
1397 Commission's initial adoption of the Rules and bylaws shall  
1398 be subject to the Rules and bylaws as they exist on the date  
1399 on which the Compact becomes law in that State. Any Rule  
1400 that has been previously adopted by the Commission shall  
1401 have the full force and effect of law on the day the Compact  
1402 becomes law in that State.

1403           b. Any Member State may withdraw from this Compact by  
1404 enacting a statute repealing the same.

1405           1. A Member State's withdrawal shall not take effect  
1406 until 180 days after enactment of the repealing statute.

1407           2. Withdrawal shall not affect the continuing  
1408 requirement of the withdrawing State's Licensing Authority  
1409 to comply with the investigative and Adverse Action  
1410 reporting requirements of this Compact prior to the  
1411 effective date of withdrawal.

1412           3. Upon the enactment of a statute withdrawing from  
1413 this compact, a State shall immediately provide notice of  
1414 such withdrawal to all Licensees within that State.  
1415 Notwithstanding any subsequent statutory enactment to the  
1416 contrary, such withdrawing State shall continue to recognize  
1417 all licenses granted pursuant to this compact for a minimum  
1418 of six (6) months after the date of such notice of  
1419 withdrawal.

1420           a. Nothing contained in this Compact shall be  
1421 construed to invalidate or prevent any licensure agreement  
1422 or other cooperative arrangement between a Member State and  
1423 a non-Member State that does not conflict with the  
1424 provisions of this Compact.

1425           b. This Compact may be amended by the Member States.  
1426 No amendment to this Compact shall become effective and  
1427 binding upon any Member State until it is enacted into the  
1428 laws of all Member States.

1429           SECTION 15. CONSTRUCTION AND SEVERABILITY

1430           A. This Compact and the Commission's rulemaking  
1431 authority shall be liberally construed so as to effectuate  
1432 the purposes, and the implementation and administration of  
1433 the Compact. Provisions of the Compact expressly  
1434 authorizing or requiring the promulgation of Rules shall not  
1435 be construed to limit the Commission's rulemaking authority  
1436 solely for those purposes.

1437           B. The provisions of this Compact shall be severable  
1438 and if any phrase, clause, sentence or provision of this  
1439 Compact is held by a court of competent jurisdiction to be  
1440 contrary to the constitution of any Member State, a State  
1441 seeking participation in the Compact, or of the United  
1442 States, or the applicability thereof to any government,  
1443 agency, person or circumstance is held to be  
1444 unconstitutional by a court of competent jurisdiction, the  
1445 validity of the remainder of this Compact and the  
1446 applicability thereof to any other government, agency,  
1447 person or circumstance shall not be affected thereby.

1448           C. Notwithstanding subsection B of this section, the  
1449 Commission may deny a State's participation in the Compact  
1450 or, in accordance with the requirements of Section 12.B,  
1451 terminate a Member State's participation in the Compact, if  
1452 it determines that a constitutional requirement of a Member  
1453 State is a material departure from the Compact. Otherwise,  
1454 if this Compact shall be held to be contrary to the  
1455 constitution of any Member State, the Compact shall remain  
1456 in full force and effect as to the remaining Member States  
1457 and in full force and effect as to the Member State affected  
1458 as to all severable matters.

1459           SECTION 16. CONSISTENT EFFECT AND CONFLICT WITH OTHER  
1460 STATE LAWS

1461 A. A Licensee providing services in a Remote State  
1462 under a Multistate Authorization to Practice shall adhere to  
1463 the laws and regulations, including laws, regulations, and  
1464 applicable standards, of the Remote State where the client  
1465 is located at the time care is rendered.

1466 B. Nothing herein shall prevent or inhibit the  
1467 enforcement of any other law of a Member State that is not  
1468 inconsistent with the Compact.

1469 C. Any laws, statutes, regulations, or other legal  
1470 requirements in a Member State in conflict with the Compact  
1471 are superseded to the extent of the conflict.

1472 D. All permissible agreements between the Commission  
1473 and the Member States are binding in accordance with their  
1474 terms.

1475 337.665. 1. As used in this section, the following  
1476 terms mean:

1477 (1) "License", a license, certificate, registration,  
1478 permit, accreditation, or military occupational specialty  
1479 that enables a person to legally practice an occupation or  
1480 profession in a particular jurisdiction;

1481 (2) "Military", the Armed Forces of the United States  
1482 including the Air Force, Army, Coast Guard, Marine Corps,  
1483 Navy, Space Force, National Guard, and any other military  
1484 branch that is designated by Congress as part of the Armed  
1485 Forces of the United States, and all reserve components and  
1486 auxiliaries. Such term also includes the military reserves  
1487 and militia of any United States territory or state;

1488 (3) "Nonresident military spouse", a nonresident  
1489 spouse of an active duty member of the Armed Forces of the  
1490 United States who has been transferred or is scheduled to be  
1491 transferred to the state of Missouri, or who has been  
1492 transferred or is scheduled to be transferred to an adjacent  
1493 state and is or will be domiciled in the state of Missouri,

1494 or has moved to the state of Missouri on a permanent change-  
1495 of-station basis;

1496 (4) "Resident military spouse", a spouse of an active  
1497 duty member of the Armed Forces of the United States who has  
1498 been transferred or is scheduled to be transferred to the  
1499 state of Missouri or an adjacent state and who is a  
1500 permanent resident of the state of Missouri, who is  
1501 domiciled in the state of Missouri, or who has Missouri as  
1502 his or her home of record.

1503 2. Each applicant for licensure as a baccalaureate  
1504 social worker shall furnish evidence to the committee that:

1505 (1) The applicant has a baccalaureate degree in social  
1506 work from an accredited social work degree program approved  
1507 by the council of social work education;

1508 (2) The applicant has achieved a passing score, as  
1509 defined by the committee, on an examination approved by the  
1510 committee. The eligibility requirements for such  
1511 examination shall be determined by the state committee for  
1512 social work;

1513 (3) The applicant is at least eighteen years of age,  
1514 is a United States citizen or has status as a legal resident  
1515 alien, and has not been finally adjudicated and found  
1516 guilty, or entered a plea of guilty or nolo contendere, in a  
1517 criminal prosecution under the laws of any state, of the  
1518 United States, or of any country, for any offense directly  
1519 related to the duties and responsibilities of the  
1520 occupation, as set forth in section 324.012, regardless of  
1521 whether or not sentence is imposed;

1522 (4) The applicant has submitted a written application  
1523 on forms prescribed by the state board;

1524 (5) The applicant has submitted the required licensing  
1525 fee, as determined by the committee.

1526           [2.] 3. Any applicant who answers in the affirmative  
1527 to any question on the application that relates to possible  
1528 grounds for denial of licensure pursuant to section 337.630  
1529 shall submit a sworn affidavit setting forth in detail the  
1530 facts which explain such answer and copies of appropriate  
1531 documents related to such answer.

1532           [3.] 4. The committee shall issue a license to each  
1533 person who files an application and fee as required by the  
1534 provisions of sections 337.600 to 337.689 and who furnishes  
1535 evidence satisfactory to the committee that the applicant  
1536 has complied with the provisions of subsection 1 of this  
1537 section.

1538           [4.] 5. The committee shall issue a certificate to  
1539 practice independently under subsection 3 of section 337.653  
1540 to any licensed baccalaureate social worker who has  
1541 satisfactorily completed three thousand hours of supervised  
1542 experience with a qualified baccalaureate supervisor in no  
1543 less than twenty-four months and no more than forty-eight  
1544 consecutive calendar months.

1545           6. (1) Any person who holds a valid current  
1546 baccalaureate social work license issued by another state, a  
1547 branch or unit of the military, a territory of the United  
1548 States, or the District of Columbia, and who has been  
1549 licensed for at least one year in such other jurisdiction,  
1550 may submit an application for a baccalaureate social work  
1551 license in Missouri along with proof of current licensure  
1552 and proof of licensure for at least one year in the other  
1553 jurisdiction, to the committee.

1554           (2) The committee shall:

1555           (a) Within six months of receiving an application  
1556 described in subsection 2 of this section, waive any  
1557 examination, educational, or experience requirements for  
1558 licensure in this state for the applicant if it determines

1559 that there were minimum education requirements and, if  
1560 applicable, work experience and clinical supervision  
1561 requirements in effect and the other state verifies that the  
1562 person met those requirements in order to be licensed or  
1563 certified in that state. The committee may require an  
1564 applicant to take and pass an examination specific to the  
1565 laws of this state; or

1566 (b) Within thirty days of receiving an application  
1567 described in subsection 2 of this section from a nonresident  
1568 military spouse or a resident military spouse, waive any  
1569 examination, educational, or experience requirements for  
1570 licensure in this state for the applicant and issue such  
1571 applicant a license under this subsection if such applicant  
1572 otherwise meets the requirements of this section.

1573 (3) (a) The committee shall not waive any  
1574 examination, educational, or experience requirements for any  
1575 applicant who has had his or her license revoked by a  
1576 committee outside the state; who is currently under  
1577 investigation, who has a complaint pending, or who is  
1578 currently under disciplinary action, except as provided in  
1579 paragraph (b) of this subdivision, with a licensing  
1580 authority outside the state; who does not hold a license in  
1581 good standing with a licensing authority outside the state;  
1582 who has a criminal record that would disqualify him or her  
1583 for licensure in Missouri; or who does not hold a valid  
1584 current license in the other jurisdiction on the date the  
1585 committee receives his or her application under this section.

1586 (b) If another jurisdiction has taken disciplinary  
1587 action against an applicant, the committee shall determine  
1588 if the cause for the action was corrected and the matter  
1589 resolved. If the matter has not been resolved by that  
1590 jurisdiction, the committee may deny a license until the  
1591 matter is resolved.

1592           (4) Nothing in this subsection shall prohibit the  
1593 committee from denying a license to an applicant under this  
1594 subsection for any reason described in section 337.630.

1595           (5) Any person who is licensed under the provisions of  
1596 this subsection shall be subject to the committee's  
1597 jurisdiction and all rules and regulations pertaining to the  
1598 practice as a licensed baccalaureate social worker in this  
1599 state.

1600           (6) This subsection shall not be construed to waive  
1601 any requirement for an applicant to pay any fees."; and

1602           Further amend the title and enacting clause accordingly.