

**§2290. Compact privilege****(CONTAINS TEXT WITH VARYING EFFECTIVE DATES)****(WHOLE SECTION TEXT EFFECTIVE ON CONTINGENCY: See T. 32, §2298, sub-§1)**

**1. Exercise of compact privilege.** To exercise the compact privilege under the terms and provisions of the compact, a licensee:

A. Must hold a license in the home state; [PL 2021, c. 324, §2 (NEW).]

B. Must have a valid United States social security number or National Practitioner Data Bank identification number; [PL 2021, c. 324, §2 (NEW).]

C. May not have an encumbrance on any state license; [PL 2021, c. 324, §2 (NEW).]

D. Must be eligible for a compact privilege in any member state in accordance with subsections 4, 6, 7 and 8; [PL 2021, c. 324, §2 (NEW).]

E. Must have paid all fines and completed all requirements resulting from any adverse action against any license or compact privilege and 2 years must have elapsed from the date of completion; [PL 2021, c. 324, §2 (NEW).]

F. Must notify the commission that the licensee is seeking the compact privilege within a remote state; [PL 2021, c. 324, §2 (NEW).]

G. Must pay any applicable fees, including any state fee for the compact privilege; [PL 2021, c. 324, §2 (NEW).]

H. Must complete a criminal background check in accordance with section 2289, subsection 1, paragraph E. The licensee is responsible for the payment of any fee associated with the completion of a criminal background check; [PL 2021, c. 324, §2 (NEW).]

I. Must meet any jurisprudence requirements established by the remote state in which the licensee is seeking a compact privilege; and [PL 2021, c. 324, §2 (NEW).]

J. Must report to the commission adverse action taken by any nonmember state within 30 days from the date the adverse action is taken. [PL 2021, c. 324, §2 (NEW).]

[PL 2021, c. 324, §2 (NEW).]

**2. Validity of compact privilege.** The compact privilege is valid until the expiration date of the home state license. The licensee must comply with the requirements of subsection 1 to maintain the compact privilege in the remote state.

[PL 2021, c. 324, §2 (NEW).]

**3. Exercising compact privilege in remote state.** A licensee providing occupational therapy in a remote state under the compact privilege shall function within the laws and regulations of the remote state.

[PL 2021, c. 324, §2 (NEW).]

**4. Supervision of occupational therapy assistant.** An occupational therapy assistant practicing in a remote state must be supervised by an occupational therapist licensed or holding a compact privilege in that remote state.

[PL 2021, c. 324, §2 (NEW).]

**5. Regulatory authority of remote state.** A licensee providing occupational therapy in a remote state is subject to that state's regulatory authority. A remote state may, in accordance with due process and that state's laws, remove a licensee's compact privilege in the remote state for a specific period of time, impose fines or take any other necessary actions to protect the health and safety of its citizens. The licensee may be ineligible for a compact privilege in any state until the specific time for removal has passed and all fines are paid.

[PL 2021, c. 324, §2 (NEW).]

**6. Loss of compact privilege.** If a home state license is encumbered, the licensee loses the compact privilege in any remote state until the following occur:

A. The home state license is no longer encumbered; and [PL 2021, c. 324, §2 (NEW).]

B. Two years have elapsed from the date on which the home state license is no longer encumbered in accordance with paragraph A. [PL 2021, c. 324, §2 (NEW).]

[PL 2021, c. 324, §2 (NEW).]

**7. Restoration of compact privilege.** Once an encumbered license in the home state is restored to good standing, the licensee must meet the requirements of subsection 1 to obtain a compact privilege in any remote state.

[PL 2021, c. 324, §2 (NEW).]

**8. Removal of compact privilege in remote state.** If a licensee's compact privilege in any remote state is removed, the individual may lose the compact privilege in any other remote state until the following occur:

A. The specific period of time for which the compact privilege was removed has ended; [PL 2021, c. 324, §2 (NEW).]

B. All fines have been paid and all conditions have been met; [PL 2021, c. 324, §2 (NEW).]

C. Two years have elapsed from the date of completing requirements for paragraphs A and B; and [PL 2021, c. 324, §2 (NEW).]

D. The compact privileges are reinstated by the commission and the compact data system is updated to reflect reinstatement. [PL 2021, c. 324, §2 (NEW).]

[PL 2021, c. 324, §2 (NEW).]

**9. Error.** If a licensee's compact privilege in any remote state is removed due to an erroneous charge, privileges must be restored through the compact data system.

[PL 2021, c. 324, §2 (NEW).]

**10. Restoration of compact privilege.** Once the requirements of subsection 8 have been met, the licensee must meet the requirements in subsection 1 to obtain a compact privilege in a remote state.

[PL 2021, c. 324, §2 (NEW).]

## SECTION HISTORY

PL 2021, c. 324, §2 (NEW).

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