An Interstate Compact for Athletic Trainers
Promoting license mobility and enabling multistate practice
What is an interstate compact?

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What is an interstate compact?

- Simple, versatile and proven tool
- Legal contract between/among states
- Allows states to speak with one unified voice
- Protects state sovereignty over policy areas reserved to the states
- Provides states the opportunity to cooperatively address policy issues
- Ensures state buy-in on complex policy issues
Benefits of Occupational Licensure Compacts:

• Effectiveness and efficiency
  • Economies of scale

• Flexibility and autonomy compared to national policy
  • “One size does not fit all”

• Dispute resolution between or among the states

• State and federal partnership

• Cooperative behaviors leading to “win-win” solutions
Benefits of Interstate Compacts:

- Unified approach to shared problems
- Threat of a federally mandated solution
- Advances in technology
- Distrust of federal government
- Fill void left by federal inaction
- Proven track record
Interstate Compacts today:

- Approximately 265 active compacts
- Precedence for international participation
- On average states are members of about 25 compacts
- Port Authority of NY & NJ (1922) signaled a new era in compacts by creating a new bi-state agency
Primary uses of interstate compacts:

- Crime Control and Corrections
  - Interstate Compact for Adult Offender Supervision
- Child Welfare
  - Interstate Compact for the Placement of Children
- Taxation
  - Multistate Tax Compact
- Environmental and Pollution Control
  - Low Level Radioactive Waste Compacts
- Mutual Aid
  - Emergency Management Assistance Compact
- Insurance
  - Interstate Insurance Product Regulation Compact
- Education
  - Military Children’s Compact Commission
  - Midwestern Higher Education Compact
- Manage Shared Natural Resources
  - Use and allocation of interstate rivers and river basins
  - Land use planning
- Resolve Boundary Disputes
  - Virginia – Tennessee Boundary Agreement of 1803
  - Missouri – Nebraska Compact of 1990
- Regional Economic Development and Transportation
  - Port Authority of New York and New Jersey
Primary uses of interstate compacts:

Occupational Licensure

• Enhanced Nurse Licensure Compact – 39 states
• Medical Licensure Compact – 38 states
• Physical Therapy Compact – 34 states
• PsyPact – 33 states
• ASLP-IC – 22 states
• OT Compact – 21 states
• EMS Licensure Compact – 21 states
• Counseling Compact – 14 states
• APRN Compact – 3 states
Primary uses of interstate compacts:

Licensure compacts under development

- Cosmetology Licensure Compact
- Dentistry and Dental Hygiene Compact
- Massage Therapy Compact
- Social Work Licensure Compact
- K-12 Teaching Compact
- School Psychologists
- Dieticians and Nutritionists
Why license reciprocity?

- Mobile society (patients and practitioners)
- Technological advancements
- Deficit/Availability of health care professionals
- Practical advancement for current and future generations of practitioners
- Support of spouses of relocating service members
State Participation in Occupational Licensure Compacts:

- 44 states (+ DC, Guam, USVI) have adopted at least 1 compact.
- 35 states (+ DC) have adopted at least 3 compacts.
- Over 220 pieces of occupational licensure compact legislation have been enacted since January 2016.
- 9 professions have active interstate compacts for occupational licensing.
The Occupational Therapy Licensure Compact
An Overview
## Developing the OT Licensure Compact

<table>
<thead>
<tr>
<th>October 2019</th>
<th>May 2020</th>
<th>September 2020</th>
<th>October 2020</th>
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<tbody>
<tr>
<td>Project Team began work to develop the OT Licensure Compact</td>
<td>Draft OT Compact approved for stakeholder review</td>
<td>Project Team reconvenes to review stakeholder feedback</td>
<td>Project team approves OT Licensure Compact language</td>
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<td>AOTA and NBCOT endorses OT Licensure Compact</td>
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October 2020

Project team approves OT Licensure Compact language

AOTA and NBCOT endorses OT Licensure Compact
OT Compact: The Bottom Line

• Ensures OTs and OTAs meet acceptable standards of practice
• Expands the availability of occupational therapy services
• Supports military families
• Facilitates telehealth for practitioners and patients/clients
• Promotes cooperation among OT Compact member states in the areas of licensure and regulation
• Offers a high degree of consumer protection across state lines
The OT Compact: How It Works

- The OT Compact is open to OT’s and OTA’s
- The OT Compact is a **Mutual Recognition Model** licensure compact that is similar in form and function to other occupational licensing compacts
- **Mutual recognition** means that compact member states agree to mutually recognize a valid, unrestricted licenses of other compact member states
- The OT Compact allows practitioners to practice in compact member states via a **Compact Privilege**
- The **Compact Privilege** provides the same benefits as licensure
Accessing an OT Compact Privilege

In order to receive a Compact Privilege an OT/OTA must:

- Hold a license in their home state which is a compact member state
- Have no encumbrance on any state license currently, and no adverse actions against any license or compact privilege within the previous 2 years
- Submit information for an FBI Criminal Background Check
- OT’s and OTA’s must meet any jurisprudence requirement for the member state where they are seeking a privilege
- Practitioners must adhere to the laws and regulations of the compact member state in which they are practicing
OT Compact – Benefits for Practitioners

- Only the home state’s continuing education (CE) requirements apply
- The compact privilege renews at the same time as the home state license
- Continuation of care for clients who travel out of state to other compact member states
- Robust provisions for military spouses
- Provides economic opportunities for practitioners
OT Compact: Public Protection Provisions

- Practitioners must submit information for an FBI Background Check
- Practitioners must have an unrestricted license – two year “look-back”
- Reliance on Home State and Primary State of Residence means reliable tracking of practitioners
- State Licensing Boards:
  - Retain control over scope of practice
  - Retain control over the initial licensure process
  - Get access to the centralized compact data system
  - Receive support from other compact member states
  - Appoint OT Compact Commissioners
  - Charge a fee for the Compact Privilege
The OT Compact: Operations

- The OT Compact establishes an **Interstate Commission**
- Interstate Commission is responsible for implementing and administering the provisions of the OT Compact
- OT Compact **Commissioners** are appointed by the regulatory agencies/boards of compact member states
- The **OT Compact Commission** creates and manages a **Data System**
- The **Data System** allows member states to communicate and exchange licensure and disciplinary information
OT Compact Activation

- Commission convened August 2022 to begin the process of drafting policies and creating the compact commission data system
- Training/Technical Assistance for state boards on implementing the compact and connecting with the data system
- OT Compact website (otcompact.org) now has a “Commission” tab where you can access commission documents and see updates
- It will take twelve to fourteen months for the compact commission to begin issuing privileges
Compact Map
OT Compact – Ohio Experience

- A confluence of factors led to passage of interstate licensure compacts in Ohio.
- Ohio was a slow adopter.
- PT Compact developed in 2014 and began issuing privileges in July 2018. The Ohio Board wanted to monitor its progress before joining.
- Fall of 2018, PT Section of the OTPTAT Board agreed with the association to move forward and legislation was introduced. This bill paved the way for future compacts in Ohio.
- Willing legislative sponsor whose interest in licensure compacts was sparked.
- Nursing, Medical, Psychology, Counseling, Speech, OT, PT
- The regulatory board is a combined board – OT/PT/AT.
Why a licensure compact? Answers several issues that have arisen with the Ohio legislature.

- Addresses licensure portability for members of the military and their spouses.
- Addresses critiques that state licensure establishes artificial boundaries to practice. Compacts increase portability.
- Allows the state retain oversight for discipline and enforcement purposes.
- Enhances critical information sharing between states.

The licensure compact is an ideal alternative to mandatory reciprocity bills.
OT Compact – Ohio Experience

Advice to other states

• Network with other licensing boards in the state that have licensure compacts but understand that not all compacts are equal.

• Discuss with other states that are considering joining the compact about their experience.

• Early adoption results the privilege of establishing the compact and its rules.

• Understand the implementation requirements, such as fees and background checks.

• Focus on the big picture and not all the “what ifs.”
For more information, FAQs and updates, visit the BOC website at BOCATC.org.
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