

House File 2676

S-5173

1 Amend House File 2676, as amended, passed, and reprinted by
2 the House, as follows:

3 1. By striking everything after the enacting clause and
4 inserting:

5 <DIVISION I

6 SHORT TITLE

7 Section 1. SHORT TITLE. This Act shall be known and may be
8 cited as the "Iowa Make America Healthy Again Act".

9 DIVISION II

10 CONTINUING EDUCATION REQUIREMENTS — NUTRITION AND METABOLIC
11 HEALTH

12 Sec. 2. Section 148.3, Code 2026, is amended by adding the
13 following new subsection:

14 NEW SUBSECTION. 5. The board shall adopt rules pursuant to
15 chapter 17A requiring a licensee practicing family medicine,
16 internal medicine, pediatrics, psychiatry, endocrinology,
17 gastroenterology, cardiology, oncology, rheumatology,
18 neurology, nephrology, dermatology, pulmonology, surgery,
19 immunology, hematology, obstetrics, or gynecology to complete a
20 minimum of one hour of continuing education on nutrition and
21 metabolic health every four years as a condition of license
22 renewal.

23 Sec. 3. Section 148C.3, subsection 1, paragraph c, Code
24 2026, is amended to read as follows:

25 c. Hours of continuing medical education necessary to become
26 or remain licensed. The board shall adopt rules pursuant to
27 chapter 17A requiring a licensee practicing family medicine,
28 internal medicine, pediatrics, psychiatry, endocrinology,
29 gastroenterology, cardiology, oncology, rheumatology,
30 neurology, nephrology, dermatology, pulmonology, surgery,
31 immunology, hematology, obstetrics, or gynecology to complete a
32 minimum of one hour of continuing education on nutrition and
33 metabolic health every four years as a condition of license
34 renewal.

35 DIVISION III

1 MEDICAL SCHOOL GRADUATION REQUIREMENT — NUTRITION

2 Sec. 4. NEW SECTION. 148.15 Medical school graduation
3 requirement — nutrition.

4 Beginning July 1, 2028, a medical school or college of
5 osteopathic medicine and surgery in this state shall require as
6 a condition of graduation that each student complete at least
7 forty hours of coursework on nutrition and metabolic health.

8 DIVISION IV

9 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM — SUMMER ELECTRONIC
10 BENEFITS TRANSFER FOR CHILDREN PROGRAM

11 Sec. 5. Section 234.1, Code 2026, is amended by adding the
12 following new subsection:

13 NEW SUBSECTION. 4A. *“Summer electronic benefits transfer*
14 *for children program”* or *“summer EBT program”* means the summer
15 electronic benefits transfer for children program established
16 in 42 U.S.C. §1762.

17 Sec. 6. NEW SECTION. 234.12B Supplemental nutrition
18 assistance program — summer electronic benefits transfer for
19 children program.

20 1. The department shall do all of the following:

21 a. Implement a SNAP waiver upon receipt of approval by the
22 United States department of agriculture, food and nutrition
23 service, and continuously maintain state participation in SNAP
24 in accordance with waiver guidelines specifying that eligible
25 foods pursuant to 7 C.F.R. §271.2 are healthy foods as defined
26 by the director or the director’s designee.

27 b. Contingent upon the availability of federal funding,
28 ensure that the provision of SNAP benefits to recipients is
29 uninterrupted in accordance with federal law, regardless of
30 whether the United States department of agriculture, food and
31 nutrition service, approves state participation utilizing only
32 eligible foods as described in paragraph “a”.

33 2. The department may participate in the summer EBT program
34 subject to federally approved eligible foods for the summer EBT
35 program being consistent with eligible foods as described in

1 subsection 1, paragraph "a".

2

DIVISION V

3

SCHOOL FOODS AND BEVERAGES

4 Sec. 7. Section 256E.7, subsection 2, Code 2026, is amended
5 by adding the following new paragraph:

6 NEW PARAGRAPH. *0t.* Be subject to and comply with the
7 requirements of section 283A.6 relating to the preparation
8 of meals provided to students, and prohibited ingredients in
9 meals provided to students, in the same manner as a school
10 district, if the charter school provides a breakfast or lunch
11 program through the national school lunch program or the school
12 breakfast program administered by the food and nutrition
13 service of the United States department of agriculture.

14 Sec. 8. Section 256F.4, subsection 2, Code 2026, is amended
15 by adding the following new paragraph:

16 NEW PARAGRAPH. *v.* Be subject to and comply with the
17 requirements of section 283A.6 relating to the preparation of
18 meals provided to students, and prohibited ingredients in meals
19 provided to students, in the same manner as a school district,
20 if the charter school or innovation zone school provides a
21 breakfast or lunch program.

22 Sec. 9. NEW SECTION. **283A.6 School district breakfast and**
23 **lunch programs — food and beverages provided to students —**
24 **prohibited ingredients.**

25 1. *a.* A school district shall not serve a meal to students
26 as part of the school district's breakfast or lunch program
27 that contains any of the following ingredients:

- 28 (1) Blue dye 1.
- 29 (2) Blue dye 2.
- 30 (3) Green dye 3.
- 31 (4) Potassium bromate.
- 32 (5) Propylparaben.
- 33 (6) Red dye 40.
- 34 (7) Yellow dye 5.
- 35 (8) Yellow dye 6.

1 *b.* Paragraph “*a*” does not apply to food and beverages
2 received as part of a direct delivery from the foods in schools
3 program of the United States department of agriculture.

4 2. An employee or contracted vendor of a school district
5 shall not provide any food or beverages that contain an
6 ingredient described in subsection 1 to a student enrolled in
7 the school district during the school day.

8 3. A school district shall not permit the sale to students
9 of any foods or beverages that contain an ingredient described
10 in subsection 1 on the school campus, as school campus is
11 defined in 7 C.F.R. §210.11 as of January 1, 2026, unless the
12 sale takes place outside of the school day, as school day is
13 defined in 7 C.F.R. §210.11 as of January 1, 2026.

14 Sec. 10. Section 283A.10, Code 2026, is amended to read as
15 follows:

16 **283A.10 School breakfast or lunch in nonpublic schools.**

17 The authorities in charge of nonpublic schools may operate
18 or provide for the operation of school breakfast or lunch
19 programs in schools under their jurisdiction and may use funds
20 appropriated to them by the general assembly, gifts, funds
21 received from sale of school breakfasts or lunches under such
22 programs, and any other funds available to the nonpublic
23 school. However, school breakfast or lunch programs shall not
24 be required in nonpublic schools. The department of education
25 shall direct the disbursement of state funds to nonpublic
26 schools for school breakfast or lunch programs in the same
27 manner as state funds are disbursed to public schools. If
28 a nonpublic school receives state funds for the operation of
29 a school breakfast or lunch program, meals served under the
30 program shall be nutritionally adequate meals, as defined in
31 section 283A.1, and shall comply with the requirements of
32 section 283A.6.

33 Sec. 11. APPLICABILITY. This division of this Act applies
34 to school years beginning on or after July 1, 2027.

35

DIVISION VI

1 EPINEPHRINE DELIVERY SYSTEMS

2 Sec. 12. Section 135.185, Code 2026, is amended to read as
3 follows:

4 135.185 Epinephrine ~~auto-injector~~ delivery system supply.

5 1. For purposes of [this section](#), unless the context
6 otherwise requires:

7 a. "*Epinephrine ~~auto-injector~~ delivery system*" means the same
8 as provided in [section 280.16](#).

9 b. "*Facility*" means a food establishment as defined in
10 section 137F.1, a carnival as defined in [section 88A.1](#), a
11 recreational camp, a youth sports facility, or a sports arena.

12 c. "*Licensed health care professional*" means the same as
13 provided in [section 280.16](#).

14 d. "*Personnel authorized to administer epinephrine*" means an
15 employee or agent of a facility who is trained and authorized
16 to administer an epinephrine ~~auto-injector~~ delivery system.

17 2. Notwithstanding any other provision of law to the
18 contrary, a licensed health care professional may prescribe
19 epinephrine ~~auto-injectors~~ delivery systems in the name of a
20 facility to be maintained for use as provided in [this section](#).

21 3. A facility may obtain a prescription for epinephrine
22 ~~auto-injectors~~ delivery systems and maintain a supply of such
23 ~~auto-injectors~~ delivery systems in a secure location at each
24 location where a member of the public may be present for use
25 as provided in [this section](#). A facility that obtains such a
26 prescription shall replace epinephrine ~~auto-injectors~~ delivery
27 systems in the supply upon use or expiration. Personnel
28 authorized to administer epinephrine may possess and administer
29 epinephrine ~~auto-injectors~~ delivery systems from the supply as
30 provided in [this section](#).

31 4. Personnel authorized to administer epinephrine may
32 provide or administer an epinephrine ~~auto-injector~~ delivery
33 system from the facility's supply to an individual present at
34 the facility if such personnel reasonably and in good faith
35 believe the individual is having an anaphylactic reaction.

1 5. The following persons, provided they have acted
2 reasonably and in good faith, shall not be liable for
3 any injury arising from the provision, administration,
4 or assistance in the administration of an epinephrine
5 ~~auto-injector~~ delivery system as provided in [this section](#):

6 a. Any personnel authorized to administer epinephrine who
7 provide, administer, or assist in the administration of an
8 epinephrine ~~auto-injector~~ delivery system to an individual
9 present at the facility who such personnel believe to be having
10 an anaphylactic reaction.

11 b. The owner or operator of the facility.

12 c. The prescriber of the epinephrine ~~auto-injector~~ delivery
13 system.

14 6. The department, the board of medicine, the board of
15 nursing, and the board of pharmacy shall adopt rules pursuant
16 to [chapter 17A](#) to implement and administer [this section](#),
17 including but not limited to standards and procedures for
18 the prescription, distribution, storage, replacement, and
19 administration of epinephrine ~~auto-injectors~~ delivery systems,
20 and for training and authorization to be required for personnel
21 authorized to administer epinephrine.

22 Sec. 13. Section 280.16, Code 2026, is amended to read as
23 follows:

24 **280.16 Self-administration of respiratory distress, asthma,**
25 **or other airway constricting disease medication, epinephrine**
26 **~~auto-injectors~~ delivery systems, bronchodilator canisters, or**
27 **bronchodilator canisters and spacers.**

28 1. *Definitions.* For purposes of [this section](#):

29 a. "Bronchodilator" means a bronchodilator as recommended
30 by the department of health and human services for treatment
31 of a student's respiratory distress, asthma, or other airway
32 constricting disease.

33 b. "Bronchodilator canister" means a portable drug
34 delivery device packaged with multiple premeasured doses of a
35 bronchodilator.

1 *c. "Epinephrine auto-injector delivery system"* means a
2 device for immediate self-administration or administration by
3 another trained individual of a measured dose of epinephrine
4 to a person at risk of anaphylaxis, including epinephrine
5 auto-injectors and epinephrine nasal sprays.

6 *d. "Licensed health care professional"* means a person
7 licensed under [chapter 148](#) to practice medicine and surgery or
8 osteopathic medicine and surgery, an advanced registered nurse
9 practitioner licensed under [chapter 152](#) or [152E](#) and registered
10 with the board of nursing, or a physician assistant licensed
11 under [chapter 148C](#).

12 *e. "Medication"* means a drug that meets the definition
13 provided in [section 126.2, subsection 8](#), has an individual
14 prescription label, is prescribed by a licensed health care
15 professional for a student, and pertains to the student's
16 respiratory distress, asthma, or other airway constricting
17 disease, or risk of anaphylaxis, and includes but is not
18 limited to a bronchodilator.

19 *f. "Self-administration"* means a student's discretionary use
20 of medication prescribed by a licensed health care professional
21 for the student.

22 *g. "Spacer"* means a holding chamber that is used to optimize
23 the delivery of a bronchodilator to a person's lungs.

24 2. The board of directors of a school district and the
25 authorities in charge of an accredited nonpublic school shall
26 permit the self-administration of medication or the use of a
27 bronchodilator canister or bronchodilator canister and spacer
28 by a student with respiratory distress, asthma, or other airway
29 constricting disease or the use of an epinephrine auto-injector
30 delivery system by a student with a risk of anaphylaxis if the
31 following conditions are met:

32 *a.* The student's parent or guardian provides to the
33 school written authorization for the self-administration
34 of medication, for the use of a bronchodilator canister or
35 a bronchodilator canister and spacer, or for the use of an

1 epinephrine ~~auto-injector~~ delivery system.

2 *b.* The student's parent or guardian provides to the school
3 a written statement from the student's licensed health care
4 professional containing the following information:

5 (1) The name and purpose of the medication, bronchodilator
6 canister, bronchodilator canister and spacer, or epinephrine
7 ~~auto-injector~~ delivery system.

8 (2) The prescribed dosage.

9 (3) The times at which or the special circumstances under
10 which the medication, bronchodilator canister, bronchodilator
11 canister and spacer, or epinephrine ~~auto-injector~~ delivery
12 system is to be administered.

13 *c.* The parent or guardian and the school meet the
14 requirements of [subsection 3](#).

15 3. The school district or accredited nonpublic school
16 shall notify the parent or guardian of the student, in
17 writing, that the school district or accredited nonpublic
18 school and its employees are to incur no liability, except
19 for gross negligence, as a result of any injury arising from
20 self-administration of medication, use of a bronchodilator
21 canister or a bronchodilator canister and spacer, or use of
22 an epinephrine ~~auto-injector~~ delivery system by the student.
23 The parent or guardian of the student shall sign a statement
24 acknowledging that the school district or nonpublic school
25 is to incur no liability, except for gross negligence, as
26 a result of self-administration of medication, use of a
27 bronchodilator canister or a bronchodilator canister and
28 spacer, or use of an epinephrine ~~auto-injector~~ delivery system
29 by the student. A school district or accredited nonpublic
30 school and its employees acting reasonably and in good faith
31 shall incur no liability for any improper use of medication, a
32 bronchodilator canister, a bronchodilator canister and spacer,
33 or an epinephrine ~~auto-injector~~ delivery system as defined in
34 this section or for supervising, monitoring, or interfering
35 with a student's self-administration of medication, use of

1 a bronchodilator canister or a bronchodilator canister and
2 spacer, or use of an epinephrine ~~auto-injector~~ delivery system
3 as defined in [this section](#).

4 4. The permission for self-administration of medication,
5 for the use of a bronchodilator canister or a bronchodilator
6 canister and spacer, or for the use of an epinephrine
7 ~~auto-injector~~ delivery system is effective for the school year
8 for which it is granted and shall be renewed each subsequent
9 school year upon fulfillment of the requirements of this
10 section. However, the parent or guardian shall immediately
11 notify the school of any changes in the conditions listed under
12 subsection 2.

13 5. Provided that the requirements of [this section](#) are
14 fulfilled, a student with respiratory distress, asthma, or
15 other airway constricting disease may possess and use the
16 student's medication and a student with a written statement
17 from a licensed health care professional on file pursuant
18 to [subsection 2](#), paragraph "a", may use a bronchodilator
19 canister, a bronchodilator canister and spacer, or an
20 epinephrine ~~auto-injector~~ delivery system while in school, at
21 school-sponsored activities, under the supervision of school
22 personnel, and before or after normal school activities,
23 such as while in before-school or after-school care on
24 school-operated property. If the student misuses this
25 privilege, the privilege may be withdrawn. A school district
26 or nonpublic school shall notify a student's parent or guardian
27 before withdrawing the privilege to use a bronchodilator
28 canister, a bronchodilator canister and spacer, or an
29 epinephrine ~~auto-injector~~ delivery system.

30 6. Information provided to the school under [subsection 2](#)
31 shall be kept on file in the office of the school nurse or, in
32 the absence of a school nurse, the school's administrator.

33 7. The Iowa school for the deaf and the institutions under
34 the control of the department of health and human services as
35 provided in [section 218.1](#) are exempt from the provisions of

1 this section.

2 Sec. 14. Section 280.16A, Code 2026, is amended to read as
3 follows:

4 **280.16A Epinephrine ~~auto-injector~~ delivery system,**
5 **bronchodilator canister, or bronchodilator canister and spacer**
6 **supply.**

7 1. For purposes of [this section](#), unless the context
8 otherwise requires:

9 *a. "Bronchodilator" means the same as defined in section*
10 *280.16.*

11 *b. "Bronchodilator canister" means the same as defined in*
12 *section 280.16.*

13 *c. "~~Epinephrine auto-injector~~ delivery system" means the same*
14 *as provided in [section 280.16](#).*

15 *d. "Licensed health care professional" means the same as*
16 *provided in [section 280.16](#).*

17 *e. "Personnel authorized to administer epinephrine or a*
18 *bronchodilator" means a school nurse or other employee of a*
19 *school district or accredited nonpublic school trained and*
20 *authorized to administer an epinephrine ~~auto-injector~~ delivery*
21 *system, a bronchodilator canister, or a bronchodilator canister*
22 *and spacer.*

23 *f. "School nurse" means a registered nurse holding current*
24 *licensure recognized by the board of nursing who practices in*
25 *the school setting to promote and protect the health of the*
26 *school population by using knowledge from the nursing, social,*
27 *and public health sciences.*

28 *g. "Spacer" means the same as defined in [section 280.16](#).*

29 2. Notwithstanding any other provision of law to the
30 contrary, a licensed health care professional may prescribe
31 epinephrine ~~auto-injectors~~ delivery systems, bronchodilator
32 canisters, and bronchodilator canisters and spacers in the
33 name of a school district or accredited nonpublic school to be
34 maintained for use as provided in [this section](#).

35 3. The board of directors in charge of each school district

1 and the authorities in charge of each accredited nonpublic
2 school may obtain a prescription for epinephrine ~~auto-injectors~~
3 delivery systems, bronchodilator canisters, and bronchodilator
4 canisters and spacers and maintain a supply of such epinephrine
5 ~~auto-injectors~~ delivery systems, bronchodilator canisters,
6 and bronchodilator canisters and spacers in a secure
7 location at each school for use as provided in [this section](#).
8 The board and the authorities shall replace epinephrine
9 ~~auto-injectors~~ delivery systems, bronchodilator canisters, and
10 bronchodilator canisters and spacers in the supply upon use or
11 expiration. Personnel authorized to administer epinephrine
12 or a bronchodilator may possess and administer epinephrine
13 ~~auto-injectors~~ delivery systems, bronchodilator canisters, or
14 bronchodilator canisters and spacers, as applicable, from the
15 supply as provided in [this section](#).

16 4. Personnel authorized to administer epinephrine or
17 a bronchodilator may provide or administer an epinephrine
18 ~~auto-injector~~ delivery system, a bronchodilator canister, or
19 a bronchodilator canister and spacer, as applicable, from
20 the school's supply to a student or other individual if such
21 personnel reasonably and in good faith believe the student or
22 other individual is having an anaphylactic reaction or requires
23 treatment for respiratory distress, asthma, or other airway
24 constricting disease.

25 5. The following persons, provided they have acted
26 reasonably and in good faith, shall not be liable for
27 any injury arising from the provision, administration,
28 or assistance in the administration of an epinephrine
29 ~~auto-injector~~ delivery system, a bronchodilator canister, or a
30 bronchodilator canister and spacer as provided in [this section](#):

31 a. Any personnel authorized to administer epinephrine or
32 a bronchodilator who, as applicable, provide, administer, or
33 assist in the administration of an epinephrine ~~auto-injector~~
34 delivery system to a student or other individual present at the
35 school who such personnel believe to be having an anaphylactic

1 reaction or in the administration of a bronchodilator canister
2 or a bronchodilator canister and spacer to a student or other
3 individual present at the school who such personnel believe to
4 require treatment for respiratory distress, asthma, or other
5 airway constricting disease.

6 *b.* A school district or accredited nonpublic school
7 employing the personnel.

8 *c.* The board of directors in charge of the school district
9 or authorities in charge of the accredited nonpublic school.

10 *d.* The prescriber of the epinephrine ~~auto-injector~~ delivery
11 system, the bronchodilator canister, or the bronchodilator
12 canister and spacer.

13 6. The department of education, the board of medicine,
14 the board of nursing, and the board of pharmacy shall, in
15 consultation with an organization representing school nurses,
16 adopt rules pursuant to [chapter 17A](#) to implement and administer
17 this section, including but not limited to standards and
18 procedures for the prescription, distribution, storage,
19 disposal, replacement, and administration of epinephrine
20 ~~auto-injectors~~ delivery systems, bronchodilator canisters,
21 and bronchodilator canisters and spacers, and for training
22 and authorization to be required for personnel authorized to
23 administer epinephrine or a bronchodilator.

24 DIVISION VII

25 IVERMECTIN — OVER-THE-COUNTER AVAILABILITY

26 Sec. 15. NEW SECTION. 126.24 Ivermectin — prescription
27 drug order not required.

28 1. A pharmacist or pharmacy may distribute ivermectin for
29 human consumption as an over-the-counter medicine.

30 2. A pharmacist or pharmacy shall not be subject to
31 professional discipline or civil or criminal penalties for the
32 distribution of ivermectin pursuant to this section.

33 DIVISION VIII

34 STUDENT INSTRUCTIONAL TECHNOLOGY STANDARDS

35 Sec. 16. Section 256E.7, subsection 2, Code 2026, is amended

1 by adding the following new paragraph:

2 NEW PARAGRAPH. *Os.* Be subject to and comply with
3 the requirements of section 279.89 relating to student
4 instructional technology standards in the same manner as a
5 school district.

6 Sec. 17. Section 256F.4, subsection 2, Code 2026, is amended
7 by adding the following new paragraph:

8 NEW PARAGRAPH. *w.* Be subject to and comply with
9 the requirements of section 279.89 relating to student
10 instructional technology standards in the same manner as a
11 school district.

12 Sec. 18. NEW SECTION. **279.89 Student instructional**
13 **technology standards.**

14 1. As used in this section, unless the context otherwise
15 requires:

16 *a. "Digital instruction"* means lessons, assignments,
17 assessments, or instructional activities delivered through
18 instructional technology.

19 *b. "Instructional technology"* means a laptop, tablet,
20 computer, smart device, software platform, or other similar
21 device or platform used for student learning.

22 *c. "One-to-one digital device program"* means a program
23 through which a school district provides or assigns a digital
24 device to each student for instructional use.

25 2. *a.* For students enrolled in grades kindergarten through
26 five, digital instruction shall not exceed sixty minutes per
27 school day.

28 *b.* The following uses shall not count toward the daily
29 limit:

30 (1) Use required pursuant to an individualized education
31 program or a plan developed pursuant to section 504 of the
32 federal Rehabilitation Act of 1973.

33 (2) Assistive or adaptive technology used to provide a
34 student access to instruction or to accommodate differing
35 student abilities.

1 (3) Teacher-directed demonstrations using a projector,
2 smartboard, or similar display device when students are not
3 individually operating a digital device.

4 (4) State assessments, screening, progress monitoring,
5 and local diagnostic assessments that require the use of a
6 one-to-one digital device.

7 (5) Dedicated computer science and technology curriculum.

8 3. *a.* The board of directors of each school district shall
9 adopt a written technology use policy applicable to grades
10 kindergarten through five.

11 *b.* The policy shall include all of the following:

12 (1) The district's daily digital instruction limits.

13 (2) Notice of a parent's or guardian's right to request
14 additional reductions in the parent's or guardian's child's
15 digital instruction.

16 (3) A statement that instructional technology shall
17 support, and not supplant, foundational learning.

18 (4) A prohibition on the use of digital devices during
19 recess.

20 *c.* The policy shall be published on each elementary school's
21 internet site.

22 4. *a.* Prior to adopting or renewing a one-to-one digital
23 device program for any grade level, the board of directors of a
24 school district shall complete a technology adoption checklist
25 that documents consideration of all of the following:

26 (1) The instructional purpose of the device.

27 (2) Age appropriateness of the device and associated
28 software.

29 (3) Content-filtering limitations and the district's
30 capacity to mitigate those limitations.

31 (4) Whether student data is collected, stored, or shared,
32 and the nature of such data practices.

33 *b.* The checklist shall be retained by the board and made
34 available to the department of education upon request for audit
35 or compliance purposes.

1 5. This section shall not apply to students enrolled in an
2 online learning program operating pursuant to section 256.43.

3 6. This section does not limit the authority of a school
4 district or accredited nonpublic school under section 279.10,
5 subsection 1, regarding provision of instruction over the
6 internet to meet the minimum school calendar requirements.

7 Sec. 19. DEPARTMENT OF EDUCATION — WORKING GROUP — IMPACT
8 OF TECHNOLOGY ON COGNITIVE LEARNING.

9 1. The department of education, in collaboration with the
10 department of health and human services, shall convene and
11 provide administrative support to a working group that shall
12 examine research related to the impact of school-provided
13 technology on the cognitive function and academic performance
14 of students in grades six through twelve. For purposes of
15 this section, "school-provided technology" includes laptop
16 computers, online learning management systems, and classroom
17 slide show presentations.

18 2. The membership of the working group shall include but
19 not be limited to educators, mental health professionals, and
20 parents of school-age children.

21 3. Any expenses incurred by a member of the working group
22 shall be the responsibility of the individual member or the
23 respective entity represented by the member.

24 4. The working group shall submit its findings and
25 recommendations in a report to the general assembly by December
26 31, 2026. The report shall include recommendations on best
27 practices related to the use of school-provided technology in
28 educational contexts with a focus on ways to mitigate possible
29 negative impacts on the social and behavioral development,
30 attention span, mental concentration, and learning ability of
31 students in grades six through twelve.

32 DIVISION IX

33 PRESIDENTIAL PHYSICAL FITNESS TEST

34 Sec. 20. Section 256.11, subsection 3, paragraph a,
35 subparagraph (6), Code 2026, is amended to read as follows:

1 (6) Physical education. The physical education curriculum
2 shall include an assessment of the physical fitness of students
3 who are physically able using the presidential physical fitness
4 test.

5 Sec. 21. Section 256.11, subsection 4, paragraph a,
6 subparagraph (8), Code 2026, is amended to read as follows:

7 (8) Physical education. The physical education curriculum
8 shall include an assessment of the physical fitness of students
9 who are physically able using the presidential physical fitness
10 test.

11 Sec. 22. Section 256.11, subsection 5, paragraph g, Code
12 2026, is amended to read as follows:

13 g. (1) All students physically able shall be required
14 to participate in a minimum of one-eighth unit of physical
15 education activities during each semester they are enrolled in
16 school except as otherwise provided in this paragraph. The
17 physical education activities must satisfy all of the following
18 requirements:

19 (a) Emphasize leisure time activities which will benefit
20 the student outside the school environment and after graduation
21 from high school.

22 (b) Include an assessment of the physical fitness of
23 students who are physically able using the presidential
24 physical fitness test.

25 (2) (a) A student who meets the requirements of this
26 ~~paragraph~~ subparagraph shall be excused from the physical
27 education activities requirement under subparagraph (1) by the
28 principal of the school in which the student is enrolled if
29 the parent or guardian of the student requests in writing that
30 the student be excused from the physical education activities
31 requirement. A student who wishes to be excused from the
32 physical education activities requirement must be seeking to be
33 excused in order to enroll in academic courses not otherwise
34 available to the student, or be enrolled or participating in
35 any of the following:

1 joining in the compact in the form substantially as follows:

2 1. *Article I — Purpose.*

3 a. The party states find that:

4 (1) States license psychologists, in order to protect
5 the public through verification of education, training,
6 and experience, and ensure accountability for professional
7 practice.

8 (2) This compact is intended to regulate the day-to-day
9 practice of telepsychology, in which psychological services are
10 provided using telecommunication technologies, by psychologists
11 across state boundaries in the performance of their
12 psychological practice as assigned by an appropriate authority.

13 (3) This compact is intended to regulate the temporary
14 in-person, face-to-face practice of psychology by psychologists
15 across state boundaries for thirty days within a calendar year
16 in the performance of their psychological practice as assigned
17 by an appropriate authority.

18 (4) This compact is intended to authorize state psychology
19 regulatory authorities to afford legal recognition, in a manner
20 consistent with the terms of the compact, to psychologists
21 licensed in another state.

22 (5) This compact recognizes that states have a vested
23 interest in protecting the public's health and safety through
24 their licensing and regulation of psychologists and that such
25 state regulation will best protect public health and safety.

26 (6) This compact does not apply when a psychologist is
27 licensed in both the home and receiving states.

28 (7) This compact does not apply to permanent in-person,
29 face-to-face practice, but it does allow for authorization of
30 temporary psychological practice.

31 b. Consistent with these principles, this compact is
32 designed to achieve the following purposes and objectives:

33 (1) Increase public access to professional psychological
34 services by allowing for telepsychological practice across
35 state lines as well as temporary in-person, face-to-face

1 services into a state in which the psychologist is not licensed
2 to practice psychology.

3 (2) Enhance the states' ability to protect the public's
4 health and safety, especially client-patient safety.

5 (3) Encourage the cooperation of compact states in the areas
6 of psychology licensure and regulation.

7 (4) Facilitate the exchange of information between compact
8 states regarding psychologist licensure, adverse actions, and
9 disciplinary history.

10 (5) Promote compliance with the laws governing
11 psychological practice in each compact state.

12 (6) Invest all compact states with the authority to
13 hold licensed psychologists accountable through the mutual
14 recognition of compact state licenses.

15 2. *Article II — Definitions.*

16 a. "Adverse action" means any action taken by a state
17 psychology regulatory authority which finds a violation
18 of a statute or regulation that is identified by the state
19 psychology regulatory authority as discipline and is a matter
20 of public record.

21 b. "Association of state and provincial psychology boards"
22 means the recognized membership organization composed of state
23 and provincial psychology regulatory authorities responsible
24 for the licensure and registration of psychologists throughout
25 the United States and Canada.

26 c. "Authority to practice interjurisdictional telepsychology"
27 means a licensed psychologist's authority to practice
28 telepsychology, within the limits authorized under this
29 compact, in another compact state.

30 d. "Bylaws" means those bylaws established by the psychology
31 interjurisdictional compact commission pursuant to article
32 X for its governance, or for directing and controlling its
33 actions and conduct.

34 e. "Client-patient" means the recipient of psychological
35 services, whether psychological services are delivered in the

1 context of health care, corporate, supervision, or consulting
2 services.

3 *f. "Commissioner"* means the voting representative appointed
4 by each state psychology regulatory authority pursuant to
5 article X.

6 *g. "Compact state"* means a state, the District of Columbia,
7 or United States territory that has enacted this compact
8 legislation and which has not withdrawn pursuant to article
9 XIII, or been terminated pursuant to article XII.

10 *h. "Confidentiality"* means the principle that data or
11 information is not made available or disclosed to unauthorized
12 persons or processes.

13 *i. "Coordinated licensure information system" or "coordinated
14 database"* means an integrated process for collecting, storing,
15 and sharing information on psychologists' licensure and
16 enforcement activities related to psychology licensure laws,
17 which is administered by the recognized membership organization
18 composed of state and provincial psychology regulatory
19 authorities.

20 *j. "Day"* means any part of a day in which psychological work
21 is performed.

22 *k. "Distant state"* means the compact state where a
23 psychologist is physically present, not through the use
24 of telecommunications technologies, to provide temporary
25 in-person, face-to-face psychological services.

26 *l. "E.Passport"* means a certificate issued by the
27 association of state and provincial psychology boards
28 that promotes the standardization in the criteria of
29 interjurisdictional telepsychology practice and facilitates the
30 process for licensed psychologists to provide telepsychological
31 services across state lines.

32 *m. "Executive board"* means a group of directors elected or
33 appointed to act on behalf of, and within the powers granted to
34 them by, the commission.

35 *n. "Home state"* means a compact state where a psychologist

1 is licensed to practice psychology. If the psychologist is
2 licensed in more than one compact state and is practicing
3 under the authorization to practice interjurisdictional
4 telepsychology, the home state is the compact state where the
5 psychologist is physically present when the telepsychological
6 services are delivered. If the psychologist is licensed
7 in more than one compact state and is practicing under the
8 temporary authorization to practice, the home state is any
9 compact state where the psychologist is licensed.

10 *o. "Identity history summary"* means a summary of information
11 retained by the federal bureau of investigation (FBI), or other
12 designee with similar authority, in connection with arrests
13 and, in some instances, federal employment, naturalization, or
14 military service.

15 *p. "In-person, face-to-face"* means interactions in which the
16 psychologist and the client-patient are in the same physical
17 space and which does not include interactions that may occur
18 through the use of telecommunication technologies.

19 *q. "Interjurisdictional practice certificate" or "IPC"*
20 means a certificate issued by the association of state and
21 provincial psychology boards that grants temporary authority
22 to practice based on notification to the state psychology
23 regulatory authority of intention to practice temporarily, and
24 verification of one's qualifications for such practice.

25 *r. "License"* means authorization by a state psychology
26 regulatory authority to engage in the independent practice of
27 psychology, which would be unlawful without the authorization.

28 *s. "Noncompact state"* means any state which is not at the
29 time a compact state.

30 *t. "Psychologist"* means an individual licensed for the
31 independent practice of psychology.

32 *u. "Psychology interjurisdictional compact commission" or*
33 *"commission"* means the national administration of which all
34 compact states are members.

35 *v. "Receiving state"* means a compact state where the

1 client-patient is physically located when the telepsychological
2 services are delivered.

3 *w. "Rule"* means a written statement by the psychology
4 interjurisdictional compact commission promulgated pursuant
5 to article XI that is of general applicability, implements,
6 interprets, or prescribes a policy or provision of this
7 compact, or an organizational, procedural, or practice
8 requirement of the commission and has the force and effect of
9 statutory law in a compact state, and includes the amendment,
10 repeal, or suspension of an existing rule.

11 *x. "Significant investigatory information"* means any of the
12 following:

13 (1) Investigative information that a state psychology
14 regulatory authority, after a preliminary inquiry that includes
15 notification and an opportunity to respond if required by state
16 law, has reason to believe, if proven true, would indicate more
17 than a violation of state statute or ethics code that would be
18 considered more substantial than a minor infraction.

19 (2) Investigative information that indicates that the
20 psychologist represents an immediate threat to public health
21 and safety regardless of whether the psychologist has been
22 notified or had an opportunity to respond.

23 *y. "State"* means a state, commonwealth, territory, or
24 possession of the United States, or the District of Columbia.

25 *z. "State psychology regulatory authority"* means the board,
26 office, or other agency with the legislative mandate to license
27 and regulate the practice of psychology.

28 *aa. "Telepsychology"* means the provision of psychological
29 services using telecommunication technologies.

30 *ab. "Temporary authorization to practice"* means a licensed
31 psychologist's authority to conduct temporary in-person,
32 face-to-face practice, within the limits authorized under this
33 compact, in another compact state.

34 *ac. "Temporary in-person, face-to-face practice"* means where
35 a psychologist is physically present, not through the use

1 of telecommunications technologies, in the distant state to
2 provide for the practice of psychology for thirty days within a
3 calendar year and based on notification to the distant state.

4 3. *Article III — Home state licensure.*

5 a. The home state shall be a compact state where a
6 psychologist is licensed to practice psychology.

7 b. A psychologist may hold one or more compact state
8 licenses at a time. If the psychologist is licensed in more
9 than one compact state, the home state is the compact state
10 where the psychologist is physically present when the services
11 are delivered as authorized by the authority to practice
12 interjurisdictional telepsychology under the terms of this
13 compact.

14 c. Any compact state may require a psychologist not
15 previously licensed in a compact state to obtain and retain
16 a license to be authorized to practice in the compact state
17 under circumstances not authorized by the authority to practice
18 interjurisdictional telepsychology under the terms of this
19 compact.

20 d. Any compact state may require a psychologist to obtain
21 and retain a license to be authorized to practice in a
22 compact state under circumstances not authorized by temporary
23 authorization to practice under the terms of this compact.

24 e. A home state's license authorizes a psychologist to
25 practice in a receiving state under the authority to practice
26 interjurisdictional telepsychology only if the compact state
27 meets all of the following requirements:

28 (1) Currently requires the psychologist to hold an active
29 E.Passport.

30 (2) Has a mechanism in place for receiving and investigating
31 complaints about licensed individuals.

32 (3) Notifies the commission, in compliance with the terms
33 herein, of any adverse action or significant investigatory
34 information regarding a licensed individual.

35 (4) Requires an identity history summary of all applicants

1 at initial licensure, including the use of the results of
2 fingerprints or other biometric data checks compliant with the
3 requirements of the federal bureau of investigation (FBI), or
4 other designee with similar authority, no later than ten years
5 after activation of the this compact.

6 (5) Complies with the bylaws and rules of the commission.

7 *f.* A home state's license grants temporary authorization
8 to practice to a psychologist in a distant state only if the
9 compact state meets all of the following requirements:

10 (1) Currently requires the psychologist to hold an active
11 IPC.

12 (2) Has a mechanism in place for receiving and investigating
13 complaints about licensed individuals.

14 (3) Notifies the commission, in compliance with the terms
15 herein, of any adverse action or significant investigatory
16 information regarding a licensed individual.

17 (4) Requires an identity history summary of all applicants
18 at initial licensure, including the use of the results of
19 fingerprints or other biometric data checks compliant with the
20 requirements of the federal bureau of investigation (FBI), or
21 other designee with similar authority, no later than ten years
22 after activation of this compact.

23 (5) Complies with the bylaws and rules of the commission.

24 4. *Article IV — Compact privilege to practice*
25 *telepsychology.*

26 *a.* Compact states shall recognize the right of a
27 psychologist, licensed in a compact state in conformance with
28 article III, to practice telepsychology in receiving states in
29 which the psychologist is not licensed, under the authority to
30 practice interjurisdictional telepsychology as provided in this
31 compact.

32 *b.* To exercise the authority to practice interjurisdictional
33 telepsychology under the terms and provisions of this compact,
34 a psychologist licensed to practice in a compact state shall
35 meet all of the following requirements:

1 (1) Hold a graduate degree in psychology from an institution
2 of higher education that was either of the following, at the
3 time the degree was awarded:

4 (a) Regionally accredited by an accrediting body recognized
5 by the United States department of education to grant graduate
6 degrees, or authorized by provincial statute or royal charter
7 to grant doctoral degrees.

8 (b) A foreign college or university deemed to be equivalent
9 to subparagraph (1), subparagraph division (a), by a foreign
10 credential evaluation service that is a member of the national
11 association of credential evaluation services or by a
12 recognized foreign credential evaluation service.

13 (2) Hold a graduate degree in psychology that meets all of
14 the following criteria:

15 (a) The program, wherever it may be administratively
16 housed, must be clearly identified and labeled as a
17 psychology program. Such a program must specify in pertinent
18 institutional catalogues and brochures its intent to educate
19 and train professional psychologists.

20 (b) The psychology program must stand as a recognizable,
21 coherent, organizational entity within the institution.

22 (c) There must be a clear authority and primary
23 responsibility for the core and specialty areas whether or not
24 the program cuts across administrative lines.

25 (d) The program must consist of an integrated, organized
26 sequence of study.

27 (e) There must be an identifiable psychology
28 faculty sufficient in size and breadth to carry out its
29 responsibilities.

30 (f) The designated director of the program must be a
31 psychologist and a member of the core faculty.

32 (g) The program must have an identifiable body of students
33 who are matriculated in that program for a degree.

34 (h) The program must include supervised practicum,
35 internship, or field training appropriate to the practice of

1 psychology.

2 (i) The curriculum shall encompass a minimum of three
3 academic years of full-time graduate study for doctoral degrees
4 and a minimum of one academic year of full-time graduate study
5 for master's degrees.

6 (j) The program includes an acceptable residency as defined
7 by the rules of the commission.

8 (3) Possess a current, full, and unrestricted license to
9 practice psychology in a home state which is a compact state.

10 (4) Have no history of adverse action that violates the
11 rules of the commission.

12 (5) Have no criminal record history reported on an identity
13 history summary that violates the rules of the commission.

14 (6) Possess a current, active E.Passport.

15 (7) Provide attestations in regard to areas of intended
16 practice, conformity with standards of practice, competence in
17 telepsychology technology; criminal background; and knowledge
18 and adherence to legal requirements in the home and receiving
19 states, and provide a release of information to allow for
20 primary source verification in a manner specified by the
21 commission.

22 (8) Meet other criteria as defined by the rules of the
23 commission.

24 *c.* The home state maintains authority over the license of
25 any psychologist practicing into a receiving state under the
26 authority to practice interjurisdictional telepsychology.

27 *d.* A psychologist practicing into a receiving state under
28 the authority to practice interjurisdictional telepsychology
29 shall be subject to the receiving state's scope of practice.

30 A receiving state may, in accordance with that state's due
31 process law, limit or revoke a psychologist's authority to
32 practice interjurisdictional telepsychology in the receiving
33 state and may take any other necessary actions under the
34 receiving state's applicable law to protect the health and
35 safety of the receiving state's citizens. If a receiving state

1 takes action, the state shall promptly notify the home state
2 and the commission.

3 e. If a psychologist's license in any home state or another
4 compact state, or any authority to practice interjurisdictional
5 telepsychology in any receiving state, is restricted,
6 suspended, or otherwise limited, the E.Passport shall be
7 revoked and the psychologist shall not be eligible to practice
8 telepsychology in a compact state under the authority to
9 practice interjurisdictional telepsychology.

10 5. *Article V — Compact temporary authorization to practice.*

11 a. Compact states shall also recognize the right of a
12 psychologist, licensed in a compact state in conformance with
13 article III, to practice temporarily in distant states in which
14 the psychologist is not licensed, as provided in this compact.

15 b. To exercise the temporary authorization to practice
16 under the terms and provisions of this compact, a psychologist
17 licensed to practice in a compact state shall meet all of the
18 following requirements:

19 (1) Hold a graduate degree in psychology from an institution
20 of higher education that was either of the following, at the
21 time the degree was awarded:

22 (a) Regionally accredited by an accrediting body recognized
23 by the United States department of education to grant graduate
24 degrees, or authorized by provincial statute or royal charter
25 to grant doctoral degrees.

26 (b) A foreign college or university deemed to be equivalent
27 to subparagraph (1), subparagraph division (a), by a foreign
28 credential evaluation service that is a member of the national
29 association of credential evaluation services or by a
30 recognized foreign credential evaluation service.

31 (2) Hold a graduate degree in psychology that meets all of
32 the following criteria:

33 (a) The program, wherever it may be administratively
34 housed, must be clearly identified and labeled as a
35 psychology program. Such a program must specify in pertinent

1 institutional catalogues and brochures its intent to educate
2 and train professional psychologists.

3 (b) The psychology program must stand as a recognizable,
4 coherent, organizational entity within the institution.

5 (c) There must be a clear authority and primary
6 responsibility for the core and specialty areas whether or not
7 the program cuts across administrative lines.

8 (d) The program must consist of an integrated, organized
9 sequence of study.

10 (e) There must be an identifiable psychology
11 faculty sufficient in size and breadth to carry out its
12 responsibilities.

13 (f) The designated director of the program must be a
14 psychologist and a member of the core faculty.

15 (g) The program must have an identifiable body of students
16 who are matriculated in that program for a degree.

17 (h) The program must include supervised practicum,
18 internship, or field training appropriate to the practice of
19 psychology.

20 (i) The curriculum shall encompass a minimum of three
21 academic years of full-time graduate study for doctoral degrees
22 and a minimum of one academic year of full-time graduate study
23 for master's degrees.

24 (j) The program includes an acceptable residency as defined
25 by the rules of the commission.

26 (3) Possess a current, full, and unrestricted license to
27 practice psychology in a home state which is a compact state.

28 (4) Have no history of adverse action that violates the
29 rules of the commission.

30 (5) Have no criminal record history that violates the rules
31 of the commission.

32 (6) Possess a current, active IPC.

33 (7) Provide attestations in regard to areas of intended
34 practice and work experience and provide a release of
35 information to allow for primary source verification in a

1 manner specified by the commission.

2 (8) Meet other criteria as defined by the rules of the
3 commission.

4 c. A psychologist practicing into a distant state under the
5 temporary authorization to practice shall practice within the
6 scope of practice authorized by the distant state.

7 d. A psychologist practicing into a distant state under the
8 temporary authorization to practice shall be subject to the
9 distant state's authority and law. A distant state may, in
10 accordance with that state's due process law, limit or revoke
11 a psychologist's temporary authorization to practice in the
12 distant state and may take any other necessary actions under
13 the distant state's applicable law to protect the health and
14 safety of the distant state's citizens. If a distant state
15 takes action, the state shall promptly notify the home state
16 and the commission.

17 e. If a psychologist's license in any home state, another
18 compact state, or any temporary authorization to practice in
19 any distant state, is restricted, suspended, or otherwise
20 limited, the IPC shall be revoked and the psychologist shall
21 not be eligible to practice in a compact state under the
22 temporary authorization to practice.

23 6. *Article VI — Conditions of telepsychology practice in a*
24 *receiving state.* A psychologist may practice in a receiving
25 state under the authority to practice interjurisdictional
26 telepsychology only in the performance of the scope of
27 practice for psychology as assigned by an appropriate state
28 psychology regulatory authority, as defined in the rules of the
29 commission, and under the following circumstances:

30 a. The psychologist initiates a client-patient contact
31 in a home state via telecommunications technologies with a
32 client-patient in a receiving state.

33 b. Other conditions regarding telepsychology as determined
34 by rules promulgated by the commission.

35 7. *Article VII — Adverse actions.*

1 *a.* A home state shall have the power to impose adverse
2 action against a psychologist's license issued by the home
3 state. A distant state shall have the power to take adverse
4 action on a psychologist's temporary authorization to practice
5 within that distant state.

6 *b.* A receiving state may take adverse action on a
7 psychologist's authority to practice interjurisdictional
8 telepsychology within that receiving state. A home state may
9 take adverse action against a psychologist based on an adverse
10 action taken by a distant state regarding temporary in-person,
11 face-to-face practice.

12 *c.* If a home state takes adverse action against a
13 psychologist's license, that psychologist's authority to
14 practice interjurisdictional telepsychology is terminated and
15 the E.Passport is revoked. Furthermore, that psychologist's
16 temporary authorization to practice is terminated and the IPC
17 is revoked.

18 (1) All home state disciplinary orders which impose adverse
19 action shall be reported to the commission in accordance with
20 the rules promulgated by the commission. A compact state shall
21 report adverse actions in accordance with the rules of the
22 commission.

23 (2) In the event discipline is reported on a psychologist,
24 the psychologist shall not be eligible for telepsychology or
25 temporary in-person, face-to-face practice in accordance with
26 the rules of the commission.

27 (3) Other actions may be imposed as determined by the rules
28 promulgated by the commission.

29 *d.* A home state's psychology regulatory authority shall
30 investigate and take appropriate action with respect to
31 reported inappropriate conduct engaged in by a licensee which
32 occurred in a receiving state as it would if such conduct had
33 occurred by a licensee within the home state. In such cases,
34 the home state's law shall control in determining any adverse
35 action against a psychologist's license.

1 e. A distant state's psychology regulatory authority
2 shall investigate and take appropriate action with respect to
3 reported inappropriate conduct engaged in by a psychologist
4 practicing under temporary authorization to practice which
5 occurred in that distant state as it would if such conduct
6 had occurred by a licensee within the home state. In such
7 cases, the distant state's law shall control in determining any
8 adverse action against a psychologist's temporary authorization
9 to practice.

10 f. Nothing in this compact shall override a compact state's
11 decision that a psychologist's participation in an alternative
12 program may be used in lieu of adverse action and that such
13 participation shall remain nonpublic if required by the compact
14 state's law. Compact states shall require psychologists who
15 enter any alternative programs to not provide telepsychology
16 services under the authority to practice interjurisdictional
17 telepsychology or provide temporary psychological services
18 under the temporary authorization to practice in any other
19 compact state during the term of the alternative program.

20 g. No other judicial or administrative remedies shall
21 be available to a psychologist in the event a compact state
22 imposes an adverse action pursuant to paragraph "c".

23 8. *Article VIII — Additional authorities invested in a*
24 *compact state's psychology regulatory authority.* In addition
25 to any other powers granted under state law, a compact state's
26 psychology regulatory authority shall have the authority under
27 this compact to do all of the following:

28 a. Issue subpoenas, for both hearings and investigations,
29 which require the attendance and testimony of witnesses and
30 the production of evidence. Subpoenas issued by a compact
31 state's psychology regulatory authority for the attendance
32 and testimony of witnesses or the production of evidence from
33 another compact state shall be enforced in the latter state by
34 any court of competent jurisdiction, according to that court's
35 practice and procedure in considering subpoenas issued in its

1 own proceedings. The issuing state psychology regulatory
2 authority shall pay any witness fees, travel expenses, mileage,
3 and other fees required by the service statutes of the state
4 where the witnesses or evidence are located.

5 **b.** Issue cease and desist or injunctive relief
6 orders to revoke a psychologist's authority to practice
7 interjurisdictional telepsychology or temporary authorization
8 to practice.

9 **c.** During the course of any investigation, a psychologist
10 may not change the psychologist's home state licensure. A
11 home state psychology regulatory authority is authorized to
12 complete any pending investigations of a psychologist and
13 to take any actions appropriate under its law. The home
14 state psychology regulatory authority shall promptly report
15 the conclusions of such investigations to the commission.
16 Once an investigation has been completed, and pending the
17 outcome of said investigation, the psychologist may change the
18 psychologist's home state licensure. The commission shall
19 promptly notify the new home state of any such decisions as
20 provided in the rules of the commission. All information
21 provided to the commission or distributed by compact states
22 pursuant to the psychologist shall be confidential, filed under
23 seal, and used for investigatory or disciplinary matters.
24 The commission may create additional rules for mandated or
25 discretionary sharing of information by compact states.

26 **9. Article IX — Coordinated licensure information system.**

27 **a.** The commission shall provide for the development and
28 maintenance of a coordinated licensure information system and
29 reporting system containing licensure and disciplinary action
30 information on all psychologists individuals to whom this
31 compact is applicable in all compact states as defined by the
32 rules of the commission.

33 **b.** Notwithstanding any other provision of state law to the
34 contrary, a compact state shall submit a uniform data set to
35 the coordinated database on all licensees as required by the

1 rules of the commission, including all of the following:

2 (1) Identifying information.

3 (2) Licensure data.

4 (3) Significant investigatory information.

5 (4) Adverse actions against a psychologist's license.

6 (5) An indicator that a psychologist's authority to
7 practice interjurisdictional telepsychology or temporary
8 authorization to practice is revoked.

9 (6) Nonconfidential information related to alternative
10 program participation information.

11 (7) Any denial of application for licensure, and the reasons
12 for such denial.

13 (8) Other information which may facilitate the
14 administration of this compact, as determined by the rules of
15 the commission.

16 *c.* The coordinated database administrator shall promptly
17 notify all compact states of any adverse action taken against,
18 or significant investigative information on, any licensee in a
19 compact state.

20 *d.* Compact states reporting information to the coordinated
21 database may designate information that may not be shared with
22 the public without the express permission of the compact state
23 reporting the information.

24 *e.* Any information submitted to the coordinated database
25 that is subsequently required to be expunged by the law of the
26 compact state reporting the information shall be removed from
27 the coordinated database.

28 10. *Article X — Establishment of the psychology*
29 *interjurisdictional compact commission.*

30 *a.* The compact states hereby create and establish a joint
31 public agency known as the psychology interjurisdictional
32 compact commission.

33 (1) The commission is a body politic and an instrumentality
34 of the compact states.

35 (2) Venue is proper and judicial proceedings by or against

1 the commission shall be brought solely and exclusively in a
2 court of competent jurisdiction where the principal office of
3 the commission is located. The commission may waive venue and
4 jurisdictional defenses to the extent it adopts or consents to
5 participate in alternative dispute resolution proceedings.

6 (3) Nothing in this compact shall be construed to be a
7 waiver of sovereign immunity.

8 *b. Membership, voting, and meetings.*

9 (1) The commission shall consist of one voting
10 representative appointed by each compact state who shall serve
11 as that state's commissioner. The state psychology regulatory
12 authority shall appoint its delegate. This delegate shall be
13 empowered to act on behalf of the compact state. This delegate
14 shall be limited to one of the following:

15 (a) The executive director, executive secretary, or similar
16 executive.

17 (b) A current member of the state psychology regulatory
18 authority of a compact state.

19 (c) A designee empowered with the appropriate delegate
20 authority to act on behalf of the compact state.

21 (2) Any commissioner may be removed or suspended from office
22 as provided by the law of the state from which the commissioner
23 is appointed. Any vacancy occurring in the commission shall
24 be filled in accordance with the laws of the compact state in
25 which the vacancy exists.

26 (3) Each commissioner shall be entitled to one vote with
27 regard to the promulgation of rules and creation of bylaws
28 and shall otherwise have an opportunity to participate in
29 the business and affairs of the commission. A commissioner
30 shall vote in person or by such other means as provided
31 in the bylaws. The bylaws may provide for commissioners'
32 participation in meetings by telephone or other means of
33 communication.

34 (4) The commission shall meet at least once during each
35 calendar year. Additional meetings shall be held as set forth

1 in the bylaws.

2 (5) All meetings shall be open to the public, and public
3 notice of meetings shall be given in the same manner as
4 required under the rulemaking provisions in article XI.

5 (6) The commission may convene in a closed, nonpublic
6 meeting if the commission must discuss any of the following:

7 (a) Noncompliance of a compact state with its obligations
8 under this compact.

9 (b) The employment, compensation, discipline, or other
10 personnel matters, practices, or procedures related to specific
11 employees or other matters related to the commission's internal
12 personnel practices and procedures.

13 (c) Current, threatened, or reasonably anticipated
14 litigation against the commission.

15 (d) Negotiation of contracts for the purchase or sale of
16 goods, services, or real estate.

17 (e) Accusation against any person of a crime or formal
18 censure of any person.

19 (f) Disclosure of trade secrets or commercial or financial
20 information which is privileged or confidential.

21 (g) Disclosure of information of a personal nature where
22 disclosure would constitute a clearly unwarranted invasion of
23 personal privacy.

24 (h) Disclosure of investigatory records compiled for law
25 enforcement purposes.

26 (i) Disclosure of information related to any investigatory
27 reports prepared by or on behalf of or for use of the
28 commission or other committee charged with responsibility for
29 investigation or determination of compliance issues pursuant
30 to the compact.

31 (j) Matters specifically exempted from disclosure by
32 federal and state statute.

33 (7) If a meeting, or portion of a meeting, is closed
34 pursuant to subparagraph (6), the commission's legal counsel or
35 designee shall certify that the meeting may be closed and shall

1 reference each relevant exempting provision. The commission
2 shall keep minutes which fully and clearly describe all matters
3 discussed in a meeting and shall provide a full and accurate
4 summary of actions taken, of any person participating in the
5 meeting, and the reasons therefore, including a description of
6 the views expressed. All documents considered in connection
7 with an action shall be identified in such minutes. All
8 minutes and documents of a closed meeting shall remain under
9 seal, subject to release only by a majority vote of the
10 commission or order of a court of competent jurisdiction.

11 c. The commission shall, by a majority vote of the
12 commissioners, prescribe bylaws or rules to govern its conduct
13 as may be necessary or appropriate to carry out the purposes
14 and exercise the powers of this compact, including but not
15 limited to or providing for all of the following:

16 (1) Establishing the fiscal year of the commission.

17 (2) Providing reasonable standards and procedures for all
18 of the following:

19 (a) The establishment and meetings of other committees.

20 (b) Governing any general or specific delegation of any
21 authority or function of the commission.

22 (3) Providing reasonable procedures for calling and
23 conducting meetings of the commission, ensuring reasonable
24 advance notice of all meetings and providing an opportunity
25 for attendance of such meetings by interested parties,
26 with enumerated exceptions designed to protect the public's
27 interest, the privacy of individuals of such proceedings,
28 and proprietary information, including trade secrets. The
29 commission may meet in closed session only after a majority
30 of the commissioners vote to close a meeting to the public in
31 whole or in part. As soon as practicable, the commission shall
32 make public a copy of the vote to close the meeting revealing
33 the vote of each commissioner with no proxy votes allowed.

34 (4) Establishing the titles, duties, and authority and
35 reasonable procedures for the election of the officers of the

1 commission.

2 (5) Providing reasonable standards and procedures for the
3 establishment of the personnel policies and programs of the
4 commission. Notwithstanding any civil service or other similar
5 law of any compact state, the bylaws shall exclusively govern
6 the personnel policies and programs of the commission.

7 (6) Promulgating a code of ethics to address permissible and
8 prohibited activities of commission members and employees.

9 (7) Providing a mechanism for concluding the operations of
10 the commission and the equitable disposition of any surplus
11 funds that may exist after the termination of the compact after
12 the payment or reserving of all of its debts and obligations.

13 (8) The commission shall publish its bylaws in a convenient
14 form and file a copy thereof and a copy of any amendment
15 thereto, with the appropriate agency or officer in each of the
16 compact states.

17 (9) The commission shall maintain its financial records in
18 accordance with the bylaws.

19 (10) The commission shall meet and take such actions as are
20 consistent with the provisions of this compact and the bylaws.

21 *d.* The commission shall have all of the following powers:

22 (1) The authority to promulgate uniform rules to facilitate
23 and coordinate implementation and administration of this
24 compact. The rules shall have the force and effect of law and
25 shall be binding in all compact states.

26 (2) To bring and prosecute legal proceedings or actions in
27 the name of the commission, provided that the standing of any
28 state psychology regulatory authority or other regulatory body
29 responsible for psychology licensure to sue or be sued under
30 applicable law shall not be affected.

31 (3) To purchase and maintain insurance and bonds.

32 (4) To borrow, accept, or contract for services of
33 personnel, including but not limited to employees of a compact
34 state.

35 (5) To hire employees, elect or appoint officers, fix

1 compensation, define duties, grant such individuals appropriate
2 authority to carry out the purposes of the compact, and to
3 establish the commission's personnel policies and programs
4 relating to conflicts of interest, qualifications of personnel,
5 and other related personnel matters.

6 (6) To accept any and all appropriate donations and grants
7 of money, equipment, supplies, materials and services, and to
8 receive, utilize, and dispose of the same; provided that at all
9 times the commission shall strive to avoid any appearance of
10 impropriety or conflict of interest.

11 (7) To lease, purchase, accept appropriate gifts or
12 donations of, or otherwise to own, hold, improve, or use,
13 any property, real, personal, or mixed; provided that at all
14 times the commission shall strive to avoid any appearance of
15 impropriety.

16 (8) To sell, convey, mortgage, pledge, lease, exchange,
17 abandon, or otherwise dispose of any property real, personal,
18 or mixed.

19 (9) To establish a budget and make expenditures.

20 (10) To borrow money.

21 (11) To appoint committees, including advisory committees
22 comprised of members, state regulators, state legislators or
23 their representatives, and consumer representatives, and such
24 other interested persons as may be designated in this compact
25 and the bylaws.

26 (12) To provide and receive information from, and to
27 cooperate with, law enforcement agencies.

28 (13) To adopt and use an official seal.

29 (14) To perform such other functions as may be necessary or
30 appropriate to achieve the purposes of this compact consistent
31 with the state regulation of psychology licensure, temporary
32 in-person, face-to-face practice, and telepsychology practice.

33 e. The executive board.

34 (1) The elected officers shall serve as the executive board,
35 which shall have the power to act on behalf of the commission

1 according to the terms of this compact.

2 (2) The executive board shall be comprised of the following
3 six members:

4 (a) Five voting members who are elected from the current
5 membership of the commission by the commission.

6 (b) One ex officio, nonvoting member from the recognized
7 membership organization composed of state and provincial
8 psychology regulatory authorities.

9 (3) The ex officio member must have served as staff or
10 member on a state psychology regulatory authority and shall be
11 selected by its respective organization.

12 (4) The commission may remove any member of the executive
13 board as provided in the bylaws.

14 (5) The executive board shall meet at least annually.

15 (6) The executive board shall have all of the following
16 duties and responsibilities:

17 (a) Recommend to the entire commission changes to the rules
18 or bylaws, changes to this compact legislation, fees paid by
19 compact states such as annual dues, and any other applicable
20 fees.

21 (b) Ensure compact administration services are
22 appropriately provided, contractual or otherwise.

23 (c) Prepare and recommend the budget.

24 (d) Maintain financial records on behalf of the commission.

25 (e) Monitor compact compliance of member states and provide
26 compliance reports to the commission.

27 (f) Establish additional committees as necessary.

28 (g) Other duties as provided in the rules or bylaws.

29 f. Financing of the commission.

30 (1) The commission shall pay, or provide for the payment of,
31 the reasonable expenses of its establishment, organization, and
32 ongoing activities.

33 (2) The commission may accept any and all appropriate
34 revenue sources, donations and grants of money, equipment,
35 supplies, materials, and services.

1 (3) The commission may levy on and collect an annual
2 assessment from each compact state or impose fees on other
3 parties to cover the cost of the operations and activities of
4 the commission and its staff which must be in a total amount
5 sufficient to cover its annual budget as approved each year
6 for which revenue is not provided by other sources. The
7 aggregate annual assessment amount shall be allocated based
8 upon a formula to be determined by the commission which shall
9 promulgate a rule binding upon all compact states.

10 (4) The commission shall not incur obligations of any kind
11 prior to securing the funds adequate to meet the same; nor
12 shall the commission pledge the credit of any of the compact
13 states, except by and with the authority of the compact state.

14 (5) The commission shall keep accurate accounts of all
15 receipts and disbursements. The receipts and disbursements of
16 the commission shall be subject to the audit and accounting
17 procedures established under its bylaws. However, all receipts
18 and disbursements of funds handled by the commission shall be
19 audited yearly by a certified or licensed public accountant and
20 the report of the audit shall be included in and become part of
21 the annual report of the commission.

22 *g.* Qualified immunity, defense, and indemnification.

23 (1) The members, officers, executive director, employees,
24 and representatives of the commission shall be immune from suit
25 and liability, either personally or in their official capacity,
26 for any claim for damage to or loss of property or personal
27 injury or other civil liability caused by or arising out of any
28 actual or alleged act, error, or omission that occurred, or
29 that the person against whom the claim is made had a reasonable
30 basis for believing occurred within the scope of commission
31 employment, duties, or responsibilities; provided that nothing
32 in this subparagraph shall be construed to protect any such
33 person from suit or liability for any damage, loss, injury,
34 or liability caused by the intentional or willful or wanton
35 misconduct of that person.

1 (2) The commission shall defend any member, officer,
2 executive director, employee, or representative of the
3 commission in any civil action seeking to impose liability
4 arising out of any actual or alleged act, error, or omission
5 that occurred within the scope of commission employment,
6 duties, or responsibilities, or that the person against
7 whom the claim is made had a reasonable basis for believing
8 occurred within the scope of commission employment, duties, or
9 responsibilities; provided that nothing in this subparagraph
10 shall be construed to prohibit that person from retaining the
11 person's own counsel; and provided further, that the actual
12 or alleged act, error, or omission did not result from that
13 person's intentional or willful or wanton misconduct.

14 (3) The commission shall indemnify and hold harmless
15 any member, officer, executive director, employee, or
16 representative of the commission for the amount of any
17 settlement or judgment obtained against that person arising
18 out of any actual or alleged act, error, or omission that
19 occurred within the scope of commission employment, duties,
20 or responsibilities, or that such person had a reasonable
21 basis for believing occurred within the scope of commission
22 employment, duties, or responsibilities, provided that the
23 actual or alleged act, error, or omission did not result from
24 the intentional or willful or wanton misconduct of that person.

25 11. *Article XI — Rulemaking.*

26 a. The commission shall exercise its rulemaking powers
27 pursuant to the criteria set forth in this article XI and the
28 rules adopted under this article XI. Rules and amendments
29 shall become binding as of the date specified in each rule or
30 amendment.

31 b. If a majority of the legislatures of the compact states
32 rejects a rule, by enactment of a statute or resolution in the
33 same manner used to adopt this compact, then such rule shall
34 have no further force and effect in any compact state.

35 c. Rules or amendments to the rules shall be adopted at a

1 regular or special meeting of the commission.

2 *d.* Prior to promulgation and adoption of a final rule or
3 rules by the commission, and at least sixty days in advance
4 of the meeting at which the rule will be considered and voted
5 upon, the commission shall file a notice of proposed rulemaking
6 on both of the following:

7 (1) On the internet site of the commission.

8 (2) On the internet site of each compact state's psychology
9 regulatory authority or the publication in which each state
10 would otherwise publish proposed rules.

11 *e.* The notice of proposed rulemaking shall include all of
12 the following:

13 (1) The proposed time, date, and location of the meeting in
14 which the rule will be considered and voted upon.

15 (2) The text of the proposed rule or amendment and the
16 reason for the proposed rule.

17 (3) A request for comments on the proposed rule from any
18 interested person.

19 (4) The manner in which interested persons may submit notice
20 to the commission of their intention to attend the public
21 hearing and any written comments.

22 *f.* Prior to adoption of a proposed rule, the commission
23 shall allow persons to submit written data, facts, opinions,
24 and arguments, which shall be made available to the public.

25 *g.* The commission shall grant an opportunity for a public
26 hearing before it adopts a rule or amendment if a hearing is
27 requested by any of the following:

28 (1) At least twenty-five persons who submit comments
29 independently of each other.

30 (2) A governmental subdivision or agency.

31 (3) A duly appointed person in an association that has at
32 least twenty-five members.

33 *h.* If a hearing is held on the proposed rule or amendment,
34 the commission shall publish the place, time, and date of the
35 scheduled public hearing.

1 (1) All persons wishing to be heard at the hearing shall
2 notify the executive director of the commission or other
3 designated member in writing of their desire to appear and
4 testify at the hearing not less than five business days before
5 the scheduled date of the hearing.

6 (2) Hearings shall be conducted in a manner providing each
7 person who wishes to comment a fair and reasonable opportunity
8 to comment orally or in writing.

9 (3) No transcript of the hearing is required, unless
10 a written request for a transcript is made, in which case
11 the person requesting the transcript shall bear the cost of
12 producing the transcript. A recording may be made in lieu of a
13 transcript under the same terms and conditions as a transcript.
14 This subparagraph shall not preclude the commission from making
15 a transcript or recording of the hearing if it so chooses.

16 (4) Nothing in this article shall be construed as requiring
17 a separate hearing on each rule. Rules may be grouped for the
18 convenience of the commission at hearings required by this
19 article.

20 *i.* Following the scheduled hearing date, or by the close
21 of business on the scheduled hearing date if the hearing was
22 not held, the commission shall consider all written and oral
23 comments received.

24 *j.* The commission shall, by majority vote of all members,
25 take final action on the proposed rule and shall determine the
26 effective date of the rule, if any, based on the rulemaking
27 record and the full text of the rule.

28 *k.* If no written notice of intent to attend the public
29 hearing by interested parties is received, the commission may
30 proceed with promulgation of the proposed rule without a public
31 hearing.

32 *l.* Upon determination that an emergency exists, the
33 commission may consider and adopt an emergency rule without
34 prior notice, opportunity for comment, or hearing, provided
35 that the usual rulemaking procedures provided in this compact

1 and in this article shall be retroactively applied to the rule
2 as soon as reasonably possible, in no event later than ninety
3 days after the effective date of the rule. For the purposes of
4 this paragraph, an emergency rule is one that must be adopted
5 immediately in order to address any of the following:

6 (1) Meet an imminent threat to public health, safety, or
7 welfare.

8 (2) Prevent a loss of commission or compact state funds.

9 (3) Meet a deadline for the promulgation of an
10 administrative rule that is established by federal law or rule.

11 (4) Protect public health and safety.

12 *m.* The commission or an authorized committee of the
13 commission may direct revisions to a previously adopted rule
14 or amendment for purposes of correcting typographical errors,
15 errors in format, errors in consistency, or grammatical errors.
16 Public notice of any revisions shall be posted on the website
17 of the commission. The revision shall be subject to challenge
18 by any person for a period of thirty days after posting. The
19 revision may be challenged only on grounds that the revision
20 results in a material change to a rule. A challenge shall be
21 made in writing, and delivered to the chair of the commission
22 prior to the end of the notice period. If no challenge is
23 made, the revision will take effect without further action. If
24 the revision is challenged, the revision shall not take effect
25 without the approval of the commission.

26 12. *Article XII — Oversight, dispute resolution, and*
27 *enforcement.*

28 *a. Oversight.*

29 (1) The executive, legislative, and judicial branches
30 of state government in each compact state shall enforce this
31 compact and take all actions necessary and appropriate to
32 effectuate this compact's purposes and intent. The provisions
33 of this compact and the rules promulgated under this compact
34 shall have standing as statutory law.

35 (2) All courts shall take judicial notice of this compact

1 and the rules in any judicial or administrative proceeding in a
2 compact state pertaining to the subject matter of this compact
3 which may affect the powers, responsibilities, or actions of
4 the commission.

5 (3) The commission shall be entitled to receive service
6 of process in any such proceeding, and shall have standing to
7 intervene in such a proceeding for all purposes. Failure to
8 provide service of process to the commission shall render a
9 judgment or order void as to the commission, this compact, or
10 promulgated rules.

11 *b. Default, technical assistance, and termination.*

12 (1) If the commission determines that a compact state
13 has defaulted in the performance of its obligations or
14 responsibilities under this compact or the promulgated rules,
15 the commission shall do all of the following:

16 (a) Provide written notice to the defaulting state and other
17 compact states of the nature of the default, the proposed means
18 of remedying the default, or any other action to be taken by
19 the commission.

20 (b) Provide remedial training and specific technical
21 assistance regarding the default.

22 (2) If a state in default fails to remedy the default, the
23 defaulting state may be terminated from this compact upon an
24 affirmative vote of a majority of the compact states, and all
25 rights, privileges, and benefits conferred by this compact
26 shall be terminated on the effective date of termination. A
27 remedy of the default does not relieve the offending state
28 of obligations or liabilities incurred during the period of
29 default.

30 (3) Termination of membership in this compact shall be
31 imposed only after all other means of securing compliance have
32 been exhausted. Notice of intent to suspend or terminate shall
33 be submitted by the commission to the governor, the majority
34 and minority leaders of the defaulting state's legislature, and
35 each of the compact states.

1 (4) A compact state which has been terminated is
2 responsible for all assessments, obligations, and liabilities
3 incurred through the effective date of termination, including
4 obligations which extend beyond the effective date of
5 termination.

6 (5) The commission shall not bear any costs incurred by
7 the state which is found to be in default or which has been
8 terminated from this compact, unless agreed upon in writing
9 between the commission and the defaulting state.

10 (6) The defaulting state may appeal the action of the
11 commission by petitioning the United States district court for
12 the state of Georgia or the federal district where the compact
13 has its principal offices. The prevailing member shall be
14 awarded all costs of such litigation, including reasonable
15 attorney fees.

16 *c. Dispute resolution.*

17 (1) Upon request by a compact state, the commission shall
18 attempt to resolve disputes related to this compact which arise
19 among compact states and between compact and noncompact states.

20 (2) The commission shall promulgate a rule providing for
21 both mediation and binding dispute resolution for disputes that
22 arise before the commission.

23 *d. Enforcement.*

24 (1) The commission, in the reasonable exercise of its
25 discretion, shall enforce the provisions and rules of this
26 compact.

27 (2) By majority vote, the commission may initiate legal
28 action in the United States district court for the state
29 of Georgia or the federal district where the compact has
30 its principal offices against a compact state in default to
31 enforce compliance with the provisions of the compact and its
32 promulgated rules and bylaws. The relief sought may include
33 both injunctive relief and damages. In the event judicial
34 enforcement is necessary, the prevailing member shall be
35 awarded all costs of such litigation, including reasonable

1 attorney's fees.

2 (3) The remedies in this article shall not be the exclusive
3 remedies of the commission. The commission may pursue any
4 other remedies available under federal or state law.

5 13. *Article XIII — Date of implementation of the psychology*
6 *interjurisdictional compact commission and associated rules,*
7 *withdrawal, and amendments.*

8 a. This compact shall come into effect on the date on which
9 the compact is enacted into law in the seventh compact state.
10 The provisions which become effective at that time shall be
11 limited to the powers granted to the commission relating to
12 assembly and the promulgation of rules. Thereafter, the
13 commission shall meet and exercise rulemaking powers necessary
14 to the implementation and administration of this compact.

15 b. Any state which joins the compact subsequent to the
16 commission's initial adoption of the rules shall be subject
17 to the rules as they exist on the date on which the compact
18 becomes law in that state. Any rule which has been previously
19 adopted by the commission shall have the full force and effect
20 of law on the day the compact becomes law in that state.

21 c. Any compact state may withdraw from this compact by
22 enacting a statute repealing the compact.

23 (1) A compact state's withdrawal shall not take effect until
24 six months after enactment of the repealing statute.

25 (2) Withdrawal shall not affect the continuing requirement
26 of the withdrawing state's psychology regulatory authority to
27 comply with the investigative and adverse action reporting
28 requirements of this compact prior to the effective date of
29 withdrawal.

30 d. Nothing contained in this compact shall be construed to
31 invalidate or prevent any psychology licensure agreement or
32 other cooperative arrangement between a compact state and a
33 noncompact state which does not conflict with the provisions of
34 this compact.

35 e. This compact may be amended by the compact states. No

1 amendment to this compact shall become effective and binding
2 upon any compact state until it is enacted into the law of all
3 compact states.

4 14. *Article XIV — Construction and severability.* This
5 compact shall be liberally construed so as to effectuate the
6 purposes thereof. If this compact shall be held contrary to
7 the constitution of any compact state, the compact shall remain
8 in full force and effect as to the remaining compact states.>

9 2. Title page, line 3, after <including> by inserting
10 <effective date and>

KARA WARME