

§ 90-349.4. Privilege to practice.

(a) To exercise the privilege to practice under the terms and provisions of the Compact, the licensee shall meet all of the following requirements:

- (1) Hold a license in the home state.
- (2) Have a valid United States social security number or National Practitioner Identifier.
- (3) Be eligible for a privilege to practice in any member state in accordance with subsections (d), (g), and (h) of this section.
- (4) Have not had any encumbrance or restriction against any license or privilege to practice within the previous two years.
- (5) Notify the Commission that the licensee is seeking the privilege to practice within a remote state.
- (6) Pay any applicable fee, including any state fee, for the privilege to practice.
- (7) Meet any continuing competence/education requirements established by the home state.
- (8) Meet any jurisprudence requirements established by the remote state in which the licensee is seeking a privilege to practice.
- (9) Report to the Commission any adverse action, encumbrance, or restriction on a license taken by any nonmember state within 30 days from the date the action is taken.

(b) The privilege to practice is valid until the expiration date of the home state license. The licensee must comply with the requirements of subsection (a) of this section to maintain the privilege to practice in the remote state.

(c) A licensee providing professional counseling in a remote state under the privilege to practice shall adhere to the laws and regulations of the remote state.

(d) A licensee providing professional counseling services in a remote state is subject to that state's regulatory authority. A remote state may, in accordance with due process and that state's laws, remove a licensee's privilege to practice in the remote state for a specific period of time, impose fines, and take any other necessary actions to protect the health and safety of its citizens. The licensee may be ineligible for a privilege to practice in any member state until the specific time for removal has passed and all fines are paid.

(e) If a home state license is encumbered, the licensee shall lose the privilege to practice in any remote state until all of the following occur:

- (1) The home state license is no longer encumbered.
- (2) The licensee has not had any encumbrance or restriction against any license or privilege to practice within the previous two years.

(f) Once an encumbered license in the home state is restored to good standing, the licensee must meet the requirements of subsection (a) of this section to obtain a privilege to practice in any remote state.

(g) If a licensee's privilege to practice in any remote state is removed, the individual may lose the privilege to practice in all other remote states until all of the following occur:

- (1) The specific period of time for which the privilege to practice was removed has ended.
- (2) All fines have been paid.
- (3) The licensee has not had any encumbrance or restriction against any license or privilege to practice within the previous two years.

(h) Once the requirements of subsection (g) of this section have been met, the licensee must meet the requirements in subsection (a) of this section to obtain a privilege to practice in a remote state. (2022-52, s. 1.)