

**CONFERENCE COMMITTEE REPORT BRIEF  
HOUSE BILL NO. 2069**

As Agreed to March 25, 2025

**Brief\***

HB 2069 would enact four multistate licensure compacts: the School Psychologist Compact (SP Compact), the Dietitian Compact, the Cosmetologist Licensure Compact (Compact), and the Physician Assistant Licensure Compact (PA Compact). The uniform provisions for each compact are outlined below.

***School Psychologist Compact***

*Purpose*

The SP Compact's purpose would be to facilitate the interstate practice of school psychology in educational or school settings to improve the availability of school psychological services to the public. The SP Compact would establish a pathway to allow school psychologists to obtain equivalent licenses to provide school psychological services in any member state and promote the mobility of school psychologists between and among member states to address workforce shortages. The SP Compact would also facilitate the relocation of military members and their spouses who are licensed to provide school psychological services.

*Definitions*

The SP Compact would define various terms, including:

- "School psychological services" would mean academic, mental, and behavioral health services, including assessment, prevention, consultation, collaboration, intervention, and evaluation provided by a school psychologist in a school, as outlined in applicable professional standards as determined by the School Psychologist Interstate Licensure Compact Commission (SP Commission) rule; and
- "School psychologist" would mean an individual who has met the requirements to obtain a home state license that legally conveys the professional title of school psychologist as determined by SP Commission rule.

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\*Conference committee report briefs are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree. Conference committee report briefs may be accessed on the Internet at <https://klrd.gov/>

### *State Participation in the SP Compact*

The SP Compact would define requirements for states to join and maintain eligibility as member states in the SP Compact, including enacting a SP Compact statute not materially different from the model legislation and participating in the sharing of information with the SP Commission and other member states as necessary. The SP Compact would require applicants for a home state license to have:

- Taken and passed a qualifying national exam as defined by the rules of the SP Commission;
- Completed a minimum of 1,200 hours of supervised internship, including at least 600 hours completed in a school prior to being approved for licensure; and
- Graduated from a qualifying school psychologist education program.

The SP Compact would provide for member states to set and collect a fee for granting an equivalent license.

### *School Psychologist Participation in the SP Compact*

The SP Compact would set requirements for a licensee to obtain and maintain an equivalent license from a remote state, including holding and maintaining a home state license, paying any required fees, and undergoing a criminal background check. To renew an equivalent license in a member state other than the home state, a licensee would be required to apply for renewal, complete a background check, and pay renewal fees as determined by the licensing authority.

### *Active Military Members or Their Spouses*

The SP Compact would provide for a licensee who is an active military member or the spouse of an active military member to hold a home state license in any of the following locations:

- The licensee's permanent residence;
- A member state that is the licensee's primary state of practice; or
- A member state where the licensee has relocated pursuant to a permanent change of station.

### *Discipline and Adverse Actions*

The SP Compact would not limit the authority of a member state to investigate or impose disciplinary measures on licensees according to the state's practice laws. Member states would be able to receive and would be required to provide files and information regarding the investigation and discipline, if any, of licensees in other member states upon request.

### *Establishment of the School Psychologist Interstate Licensure Compact Commission*

The SP Compact would create and establish a joint government agency, the School Psychologist Interstate Licensure Compact Commission (SP Commission), consisting of member states that have enacted the SP Compact. The SP Compact would provide requirements for membership, voting, and meetings of the SP Commission; the powers of the SP Commission; and the Executive Committee of the SP Commission.

The SP Compact would provide for the SP Commission to pay for the reasonable expenses of its establishment, organization, and ongoing activities. The SP Commission would be able to levy and collect an annual assessment from each member state and impose fees on licensees to cover the cost of the operations and activities of the SP Commission. The SP Compact would require the SP Commission to adopt an annual report, including a financial review, and provide the report to the member states.

The SP Compact would provide for the qualified immunity, defense, and indemnity of its members, officers, employees, and representatives of the SP Commission acting within the scope of SP Commission employment, duties, or responsibilities. The protections would not apply for damage, loss, injury, or liability caused by the individual's intentional, willful, or wanton misconduct. The SP Compact would not limit the liability of any licensee for professional malpractice or misconduct governed by applicable state laws.

### *Facilitating Information Exchange*

The SP Compact would require the SP Commission to facilitate the exchange of information to administer and implement the provisions of the SP Compact, including the following licensee information:

- Identifying information;
- Licensure data;
- Adverse actions against a license and related information;
- Non-confidential information related to alternative program participation;
- Any denial of application for licensure and the reasons for denial;
- The presence of investigative information; and
- Other information that may facilitate the administration of the SP Compact or the protection of the public, as determined by the rules of the SP Commission.

### *Rulemaking*

The SP Compact would provide the SP Commission with the ability to promulgate reasonable rules to achieve the intent and purpose of the SP Compact. A majority of legislatures of the member states would be able to reject a rule by enactment of a statute or resolution

within four years of adoption of the rule. The SP Compact would also provide for emergency rulemaking procedures.

#### *Oversight, Dispute Resolution, and Enforcement*

The SP Compact would provide for the executive and judicial branches of the state government in each member state to enforce the SP Compact and take all actions necessary and appropriate to implement the SP Compact.

If the SP Commission determines that a member state has defaulted in the performance of its obligations or responsibilities under the SP Compact, the SP Commission would provide written notice to the defaulting state to describe the default and provide proposed means of curing the default. The SP Commission would be required to offer training and specific technical assistance regarding the default.

The SP Compact would define the process for removing a defaulting state, resolving disputes among member states, and enforcing the SP Compact against a member state or the SP Commission.

#### *Effective Date, Withdrawal, and Amendment*

The SP Compact would come into effect on the date that the SP Compact statute is enacted into law in the seventh member state. [Note: As of February 5, 2025, the SP Compact has been enacted in Colorado and West Virginia, and is being considered in eight states, including Kansas.]

The SP Compact would provide for procedures to remove a defaulting member state or for a member state to withdraw from the SP Compact. The SP Compact would be amendable by enactment of law by all member states.

#### *Construction and Severability*

The SP Compact and the SP Commission's rulemaking authority would be liberally construed so as to effectuate the purposes, implementation, and administration of the SP Compact. The provisions of the SP Compact would be severable.

#### *Consistent Effect and Conflict with Other State Laws*

The SP Compact would not prevent or inhibit the enforcement of any other law of a member state not inconsistent with the SP Compact. Any laws, statutes, regulations, or other legal requirements in a member state in conflict with the SP Compact would be superseded to the extent of the conflict, and all permissible agreements between the SP Commission and member states would be binding.

## ***Dietitian Compact***

### ***Purpose***

The purpose of the Dietitian Compact would be to facilitate the interstate practice of dietetics with the goal of improving public access to dietetics services and achieving a number of objectives that reduce administrative burden while increasing availability of licensed dietitians as well as cooperation among member state licensing bodies.

The Dietitian Compact would preserve the regulatory authority of states to protect public health and safety through the current system of state licensure while also providing license portability for qualifying professionals.

### ***Definitions***

The Dietitian Compact would define various terms used throughout the Dietitian Compact, including:

- “Adverse action” would mean any administrative, civil, equitable, or criminal action permitted by a state’s laws that is imposed by a licensing authority or other authority against a licensee, including actions against an individual’s license or Dietitian Compact privilege, such as revocation, suspension, probation, monitoring of the licensee, limitation on the licensee’s practice, or any other encumbrance on licensure affecting a licensee’s authorization to practice, including issuance of a cease-and-desist action;
- “Compact Commission” would mean the governmental agency whose membership consists of all states that have enacted this Dietitian Compact, which is known as the Dietitian Licensure Compact Commission (Dietitian Compact Commission), and which shall operate as an instrumentality of member states;
- “Practice of dietetics” would mean the synthesis and application of dietetics as defined by state law and regulations, primarily for the provision of nutrition care services, including medical nutrition therapy, in person or via telehealth, to prevent, manage, or treat diseases or medical conditions and promote wellness;
- “Registered dietitian” would mean a person who has completed applicable education, experience, examination, and recertification requirements approved by the Commission on Dietetic Registration; is credentialed by the Commission on Dietetic Registration as a registered dietitian or a registered dietitian nutritionist; and is legally authorized to use the title Registered dietitian or Registered dietitian Nutritionist and the corresponding abbreviations “RD” or “RDN”; and
- “Single state license” would mean a license issued by a member state within the issuing state and does not include a Dietitian Compact privilege in any other member state.

### *State Participation in the Dietitian Compact*

The Dietitian Compact would require member states to:

- Participate fully in the Dietitian Compact Commission's data system;
- Notify the Dietitian Compact Commission of adverse actions regarding a licensee;
- Implement a criminal history, check including the submission of fingerprints to both the Federal Bureau of Investigation and the comparable state agency for Dietitian Compact licensees;
- Comply with the rules of the Dietitian Compact Commission;
- Require an applicant for the Dietitian Compact to obtain or retain a license in the home state and meet all home state requirements for licensure or renewal; and
- Recognize each licensee who has met the terms of the Dietitian Compact and rules.

The Dietitian Compact would authorize member states to charge a fee for granting a Dietitian Compact privilege. The Dietitian Compact would specify member states retain sole jurisdiction over the licensing requirements for a single-state license to practice dietetics.

### *Dietitian Compact Privilege*

The Dietitian Compact would require dietitians to meet certain educational and credentialing criteria to exercise Dietitian Compact privileges and would align Dietitian Compact privilege with the underlying valid home state license, including renewal criteria and continuing education requirements set by the licensee's home state. The Dietitian Compact would require that a licensee practicing in a remote state adhere to the remote state's laws and regulations relating to dietetics.

### *Obtaining a New Home State License Based on Dietitian Compact Privilege*

The Dietitian Compact would allow a licensee to have only one home state license at a time. The Dietitian Compact would provide a procedure to change a licensee's home state license when relocating between member states.

### *Active Duty Military Personnel or Their Spouses*

The Dietitian Compact would allow active duty military personnel or their spouses to designate a home state where such service member or spouse has a current license in good standing and would allow such military personnel or spouse to retain that home state designation during the period of time the service member is on active duty.

### *Adverse Actions*

The Dietitian Compact would allow a member state to take adverse action against an licensee's Dietitian Compact privilege in such member state and to issue subpoenas. Only the licensee's home state would have the power to take adverse action against the license issued by the home state. However, a member state would have the authority to take adverse action based on the factual findings of another remote state if the other member state follows its own procedures for adverse actions. Member states would be permitted to recover costs of investigations or dispositions if permitted by their state law. The home state would be required to promptly report the conclusions of any investigation to the data system. The Dietitian Compact would authorize joint investigations by member states of licensees.

### *Establishment of the Dietitian Licensure Compact Commission*

The Dietitian Compact would create the Dietitian Compact Commission and include provisions relating to membership, voting, powers, and duties, and financing of the Dietitian Compact Commission. The Dietitian Compact would establish the Executive Committee, which would have the power to act on behalf of the Dietitian Compact Commission according to the terms of the Dietitian Compact.

The Dietitian Compact would provide for the Dietitian Compact Commission to pay for the reasonable expenses of its establishment, organization, and ongoing activities. The Dietitian Compact Commission would be authorized to levy and collect an annual assessment from each member state and impose fines on licensees of member states to cover the cost of operations. The Dietitian Compact would require the Dietitian Compact Commission to adopt an annual report, including a financial review, and provide the report to member states.

The Dietitian Compact would provide for the qualified immunity, defense, and indemnity of its members, officers, employees, and representatives acting within the scope of Dietitian Compact Commission employment, duties, or responsibilities. The protections would not apply for damage, loss, injury, or liability caused by the individual's intentional, willful, or wanton misconduct. The Dietitian Compact would not limit the liability of any licensee for professional malpractice or misconduct governed by applicable state laws.

### *Data Systems*

The Dietitian Compact would require the Dietitian Compact Commission to develop, maintain, operate, and utilize a coordinated data system. The Dietitian Compact would govern how the information would be provided to the data system by member states and the use of the data by member states, as well as its designation of information that could not be shared with the public without the express permission of the contributing state. The Dietitian Compact would also require removal of expunged information from the data system.

### *Rulemaking*

The Dietitian Compact would authorize the Dietitian Compact Commission to exercise rulemaking powers. The bill would require notice of proposed rules to specified persons and locations to be provided at least 30 days prior to the meeting where the Dietitian Compact

Commission will consider such rules. Additionally, the Dietitian Compact Commission would be required to provide notice of the public hearing and provide access to the meeting and record all hearings. The Dietitian Compact would state a majority of legislatures of the member states could reject a rule by enactment of a statute or resolution within four years of adoption of the rule. The Dietitian Compact would also provide for emergency rulemaking procedures.

#### *Oversight, Dispute Resolution, and Enforcement*

The Dietitian Compact would provide that the executive and judicial branches in each member state would enforce and implement the Dietitian Compact. The Dietitian Compact would establish judicial venue and service of process for the Dietitian Compact Commission. The Dietitian Compact would also establish a process to be followed by member states regarding default, requesting technical assistance, or termination from the Dietitian Compact. The Dietitian Compact would require the Dietitian Compact Commission, upon member request, to resolve disputes arising among member states and between member states and non-member states. In addition, the Dietitian Compact Commission would be authorized to enforce the provisions of the Dietitian Compact, and, by supermajority vote, could initiate legal action in federal court against a member state.

#### *Effective Date, Withdrawal, and Amendment*

The Dietitian Compact would be effective on the date on which the Dietitian Compact statute is enacted into law in the seventh member state. [Note: As of February 5, 2025, the Dietitian Compact has been enacted in 4 states: Alabama, Nebraska, Ohio, and Tennessee. The Dietitian Compact is being considered in 15 states, including Kansas.]

Any member state would be allowed to withdraw from the Dietitian Compact by enacting a statute that would repeal the Dietitian Compact, but this would not take effect until 180 days after the enactment of the repealing statute. Member states could amend the Dietitian Compact, but any amendment would not be effective until it is enacted by all member states. Additionally, the Dietitian Compact would not invalidate or prevent any licensure agreement or cooperative arrangement between a member state and non-member state that did not conflict with the Dietitian Compact.

#### *Construction and Severability*

The Dietitian Compact would state the Dietitian Compact and the Dietitian Compact Commission's rulemaking authority shall be liberally construed and the provisions of the Dietitian Compact would be severable.

#### *Consistent Effect and Conflict with Other State Laws*

The Dietitian Compact would not prevent the enforcement of any other law of a member state not inconsistent with the Dietitian Compact. Laws in conflict with the Dietitian Compact would be superseded to the extent of the conflict and all lawful actions of the Dietitian Compact Commission would be binding upon member states.



## ***Cosmetologist Licensure Compact***

### ***Purpose***

The purpose of the Compact would be to facilitate the interstate practice of cosmetology with the goal of improving public access to cosmetology services and achieving a number of objectives that reduce administrative burden while increasing licensure and mobility of licensed cosmetologists as well as cooperation between states' licensing bodies.

The Compact would preserve the regulatory authority of states to provide services through the current system of state licensure while also providing license portability for qualifying professionals through a multistate licensing system.

### ***Definitions***

The Compact would define various terms, including:

- "Commission" would mean the governmental agency whose membership consists of all states that have enacted this Compact, which is known as the Cosmetology Licensure Compact Commission (Commission), and which shall operate as an instrumentality of member states;
- "Cosmetology," "cosmetology services," and the "practice of cosmetology" would mean the care and services provided by a cosmetologist as defined in the member state's statutes and regulations in the state where the services are being provided; and
- "Multistate license" would mean a license issued by and subject to the enforcement jurisdiction of the state licensing authority in a licensee's home state that authorizes the practice of cosmetology in member states and includes authorizations to practice cosmetology in all remote states pursuant to the Compact.

### ***State Participation in the Compact***

To be eligible to join the Compact, member states would be required to:

- License and regulate cosmetology;
- Have the ability to receive and investigate complaints about licensees practicing cosmetology in the state;
- Require licensees within the state to pass a cosmetology competency examination prior to being licensed to provide cosmetology services to the public;
- Require licensees to satisfy educational or training requirements in cosmetology prior to being licensed;

- Implement a procedure to consider applicants' criminal history, disciplinary history, or background check;
- Participate fully in the data system;
- Share adverse actions against a licensee with the Commission;
- Notify the Commission of the existence of investigative information or current significant investigative information in the state's possession regarding a state's licensee;
- Comply with the rules of the Commission; and
- Accept licensees from other member states who have met the terms of the Compact.

The Compact would authorize member states to charge a fee for granting a multistate license to practice cosmetology. The Compact would provide for member states to retain sole jurisdiction over the licensing requirements for a single state license to practice cosmetology.

### *Multistate License*

The Compact would require an applicant for multistate licensure hold an active and unencumbered single-state license to practice cosmetology in the applicant's home state. If an applicant meets the educational and credentialing criteria to have a multistate license, the Compact would require the state licensing authority grant a multistate license within a reasonable amount of time. The Compact would require that a licensee practicing in a remote state adhere to that state's laws and regulations relating to cosmetology as well as the jurisdiction of the state licensing authority and the courts of the member state.

### *Reissuance of a Multistate License by a New Home State*

The Compact would allow a licensee to have only one multistate license, issued by their home state, at any given time. The Compact would provide a procedure to change a licensee's home state license when relocating between member states.

### *Authority of the Compact Commission and Member State Licensing Authorities*

The Compact would not limit, restrict, or in any way reduce the ability of a member state to enact and enforce laws, rules, or regulations to the practice of cosmetology that are not inconsistent with the Compact. Member states would be expected to cooperate with the Commission. The Compact would require that discipline would be the sole responsibility of the state where cosmetology services are provided. Member states would be required to communicate with each other regarding complaints and adverse actions.

### *Adverse Actions*

The Compact would allow a member state to take adverse action against a licensee's multistate license in such member state and to issue subpoenas. Only the licensee's home state would have the power to take adverse action against the license issued by the home state. For the purposes of taking adverse action, the home state's licensing authority may act on reported conduct received from a remote state as though such conduct occurred within the home state, and the home state would apply its own state laws. The Compact would also allow joint investigations by member states of licensees. Member states would be permitted to recover costs of investigations or dispositions if permitted by their state law.

The Compact would require a licensee's home state to promptly report the conclusions of any investigation to the data system. If an adverse action is taken by the home state, the multistate license would be deactivated in all member states until all encumbrances are removed from the home state license. The home state would be able to accept a licensee's participation in an alternative program in lieu of adverse action. A multistate license would be suspended for the duration of the participation in the alternative program.

### *Active Duty Military Personnel or Their Spouse*

The Compact would allow active duty military personnel or their spouses to designate a home state where such service member or spouse has a current license in good standing and would allow such military personnel or spouse to retain that home state designation during the period of time the service member is on active duty.

### *Establishment and Operation of the Cosmetology Licensure Compact Commission*

The Compact would create the Cosmetology Licensure Compact Commission (Commission) and include provisions relating to membership, voting, powers and duties, and financing of the Commission. The Compact would establish the Executive Committee, which would have the power to act on behalf of the Commission according to the terms of the Compact.

The Compact would provide for the Commission to pay for the reasonable expenses of its establishment, organization, and ongoing activities. The Commission would be able to levy and collect an annual assessment from each member state and impose fines on licensees of member states to cover the cost of operations. The Compact would require the Commission to adopt an annual report, including a financial review, and provide the report to member states.

The Compact would provide for the qualified immunity, defense, and indemnity of its members, officers, employees, and representatives of the Commission acting within the scope of Commission employment, duties, or responsibilities. The protections would not apply for damage, loss, injury, or liability caused by the individual's intentional, willful, or wanton misconduct. The Compact would not limit the liability of any licensee for professional malpractice or misconduct governed by applicable state laws.

## *Data Systems*

The Compact would require the Commission to develop, maintain, operate, and utilize a coordinated database and reporting system. The Compact would govern how the information would be provided to the data system by member states, the use of the data by member states, as well as its designation of information that would not be able to be shared with the public without the express permission of the contributing state. The Compact would also require removal of expunged information from the data system.

## *Rulemaking*

The Compact would authorize the Commission to exercise rulemaking powers. The Compact would require notice of proposed rules to specified persons and locations to be provided at least 30 days prior to the meeting where the Commission will consider such rules. Additionally, the Commission would be required to provide notice of the public hearing, provide access to the meeting, and record all hearings. A majority of legislatures of the member states would be able to reject a rule by enactment of a statute or resolution within four years of adoption of the rule. The Compact would also provide for emergency rulemaking procedures.

## *Oversight, Dispute Resolution, and Enforcement*

The Compact would provide that the executive and judicial branches in each member state would enforce and implement the Compact. The Compact would establish judicial venue and service of process for the Compact Commission. The Compact would also establish a process to be followed by member states regarding default, requesting technical assistance, or termination from the Compact. The Compact would require the Commission, upon member request, to resolve disputes arising among member states and between member states and non-member states. In addition, the Commission would be allowed to enforce the provisions of the Compact, and, by majority vote, could initiate legal action in federal court against a member state.

## *Effective Date, Withdrawal, and Amendment*

The Compact would be effective on the date on which the Compact statute is enacted into law in the seventh member state. [Note: As of February 6, 2025, the Compact has been enacted in eight states: Alabama, Arizona, Colorado, Kentucky, Maryland, Ohio, Tennessee, and Virginia. Ten additional states, including Kansas, are considering Compact legislation.]

Any member state would be allowed to withdraw from the Compact by enacting a statute that would repeal the Compact, but this would not take effect until 180 days after the enactment of the repealing statute. Member states could amend the Compact, but any amendment would not be effective until it is enacted by all member states. Additionally, the Compact would not invalidate or prevent any licensure agreement or cooperative arrangement between a member state and non-member state that did not conflict with the Compact.

### *Construction and Severability*

The Compact and the Commission's rulemaking authority would be required to be liberally construed and the provisions of the Compact would be severable.

### *Consistent Effect and Conflict with Other State Laws*

The Compact would not prevent the enforcement of any other law of a member state that is not inconsistent with the Compact. Laws in conflict with the Compact would be superseded to the extent of the conflict, and all lawful actions of the Commission would be binding upon member states.

## ***Physician Assistant Licensure Compact***

### *Purpose*

The purpose of the PA Compact would be to facilitate the interstate practice of physician assistants (PAs) with the goal of improving public access to medical services and achieving a number of objectives that reduce administrative burden while increasing availability of licensed PAs as well as cooperation among member state licensing bodies.

The PA Compact would preserve the regulatory authority of states to safeguard the safety of patients through the current system of state licensure while also providing license portability for qualifying professionals.

The PA Compact would allow active duty military personnel or their spouses to obtain a compact privilege by having an unrestricted license in good standing from a participating state.

### *Definitions*

The PA Compact would define various terms used throughout the PA Compact, including:

- "Compact privilege" would mean the authorization granted by a remote state to allow a licensee from another participating state to practice as a PA to provide medical services and other licensed activity to a patient located in a remote state under the remote state's laws and regulations; and
- "PA" would mean an individual who is licensed as a PA in a state. For purposes of this compact, any other title or status adopted by a state to replace the term "physician assistant" shall be deemed synonymous with "physician assistant" and shall confer the same rights and responsibilities to the licensee under the provisions of this compact at its time of its enactment.

### *State Participation in the PA Compact*

The PA Compact would require member states to:

- License PAs;
- Participate in the PA Compact Commission's (PA Commission) data system;
- Have a mechanism in place for receiving and investigating complaints against licensees and applicants for licensure;
- Notify the PA Commission of adverse actions and the existence of significant investigative information regarding a licensee or applicant for licensure;
- Implement and report a criminal background check, which would include the submission of fingerprints or other biometric-based information, per the PA Commission;
- Comply with the rules of the PA Commission;
- Utilize passage of a recognized national examination as a requirement for PA licensure; and
- Grant the PA Compact privilege to a qualifying licensee in a participating state.

The PA Compact would authorize member states to charge a fee for granting a PA Compact privilege.

#### *PA Compact Privilege*

The PA Compact would require PAs to meet certain educational, credentialing, criminal history, and controlled substances license, permit, or registration criteria to exercise PA Compact privileges. The bill would align PA Compact privilege with the underlying license's adverse actions limitations or restrictions unless a participating state does not have the same basis for disciplinary action, and the participating state would have the ability to exercise their discretion not to consider such action as an adverse action requiring denial or removal of a PA Compact privilege.

#### *Designation of the State from which the Licensee is Applying for PA Compact Privilege*

The PA Compact would require a licensee to designate their home state and the primary residential address to be used for service of process by mail. The PA Compact would require a licensee to consent to service of process by mail.

#### *Adverse Actions*

The PA Compact would allow a member state to take adverse action against a licensee's PA Compact privilege in such member state and to issue subpoenas, except that a subpoena could not be issued to gather evidence of conduct that is lawful in another state for the purpose of taking adverse action in the home state. Only the licensee's home state would have the power to take adverse action against the license issued by the home state. However, a member state would have the authority to take adverse action to remove a PA Compact privilege or to protect the health and safety of its citizens.

Member states would be permitted to recover costs of investigations or dispositions if permitted by their state law. The PA Compact would authorize joint investigations by member states of licensees. The PA Compact would require that a PA Compact privilege would be deactivated until two years have elapsed after all restrictions have been removed from a state license that has had adverse action taken. Member states would have to report promptly any adverse action to the data system.

### *Establishment of the Physician Assistant Licensure Compact Commission*

The PA Compact would create the Physician Assistant Licensure Compact Commission (PA Commission) and include provisions relating to membership, voting, powers and duties, and financing of the PA Commission. The PA Compact would establish the Executive Committee, which would have the power to act on behalf of the PA Commission according to the terms of the PA Compact.

The PA Compact would provide for the PA Commission to pay for the reasonable expenses of its establishment, organization, and ongoing activities. The PA Commission would be authorized to levy and collect an annual assessment from each member state and impose fines on licensees of member states to cover the cost of operations. The PA Compact would require the PA Commission to establish a code of ethics for the PA Commission; adopt an annual report, including a financial review; and provide the report to member states.

The PA Compact would provide for the qualified immunity, defense, and indemnity of its members, officers, employees, and representatives acting within the scope of PA Commission employment, duties, or responsibilities. The protections would not apply for damage, loss, injury, or liability caused by the individual's intentional, willful, or wanton misconduct. The PA Compact would not limit the liability of any licensee for professional malpractice or misconduct governed by applicable state laws.

### *Data Systems*

The PA Compact would require the PA Commission to develop, maintain, operate, and utilize a coordinated data system. The PA Compact would govern how the information would be provided to the data system by member states and the use of the data by member states, as well as its designation of information that could not be shared with the public without the express permission of the contributing state. The PA Compact would also require removal of expunged information from the data system.

### *Rulemaking*

The PA Compact would authorize the PA Commission to exercise rulemaking powers. The bill would require notice of proposed rules to specified persons and locations to be provided at least 30 days prior to the meeting where the PA Commission will consider such rules. Additionally, the PA Commission would be required to provide notice of the public hearing, provide access to the meeting, and record all hearings. The PA Compact would state a majority of legislatures of the member states could reject a rule by enactment of a statute or resolution within four years of adoption of the rule. The PA Compact would also provide for emergency rulemaking procedures.

### *Oversight, Dispute Resolution, and Enforcement*

The PA Compact would provide that the executive and judicial branches in each member state would enforce and implement the PA Compact. The PA Compact would establish judicial venue and service of process for the PA Commission. The PA Compact would also establish a process to be followed by member states regarding default, requesting technical assistance, or termination from the PA Compact. The PA Compact would require the PA Commission, upon member request, to attempt to resolve disputes arising among member states and between member states and non-member states. In addition, the PA Commission would be authorized to enforce the provisions of the PA Compact, and, by majority vote, could initiate legal action in federal court against a member state in default.

### *Effective Date, Withdrawal, and Amendment*

The PA Compact would be effective on the date on which the PA Compact statute is enacted into law in the seventh member state. [Note: As of May 2024, the PA Compact met the threshold of seven states participating. It is projected that the PA Compact Commission will begin granting PA Compact privileges to practice in early 2026.]

Any member state would be allowed to withdraw from the PA Compact by enacting a statute that would repeal the PA Compact, but this would not take effect until 180 days after the enactment of the repealing statute. Member states could amend the PA Compact, but any amendment would not be effective until it is enacted by all member states. Additionally, the PA Compact would not invalidate or prevent any licensure agreement or cooperative arrangement between a member state and non-member state that did not conflict with the PA Compact.

### *Construction and Severability*

The PA Compact would state the PA Compact and the PA Commission's rulemaking authority shall be liberally construed, and the provisions of the PA Compact would be severable.

### *Binding Effect of Compact*

The PA Compact would not prevent the enforcement of any other law of a member state not inconsistent with the PA Compact. Laws in conflict with the PA Compact would be superseded to the extent of the conflict, and all lawful actions of the PA Commission would be binding upon member states.

### **Conference Committee Action**

The Conference Committee agreed to the provisions of HB 2069, as amended by the Senate Committee on Public Health and Welfare, and agreed to add the contents of HB 2068, as amended by the Senate Committee on Public Health and Welfare.



## **Background**

The Senate Committee on Public Health and Welfare inserted the contents of HB 2070 into HB 2069 (both as amended by the House Committee on Health and Human Services) while retaining the contents of HB 2069.

The Senate Committee on Public Health and Welfare inserted the contents of HB 2219, as amended by the House Committee on Health and Human Services, into HB 2068, as introduced, while retaining the contents of HB 2068.

The Conference Committee agreed to add the contents of HB 2068 to HB 2069, combining the provisions of the four bills.

### ***HB 2069 (School Psychologist Compact)***

The bill was introduced by the House Committee on Commerce, Labor and Economic Development at the request of a representative of the Kansas Chamber of Commerce.

#### ***House Committee on Health and Human Services***

In the House Committee hearing, **proponent** testimony was provided by a private citizen and representatives of the Kansas Association of School Psychologists, Kansas Adjutant General's Department, Kansas Chamber of Commerce, and U.S. Department of Defense. The proponents generally stated the Compact would streamline licensing for school psychologists practicing across state lines and would particularly be of assistance to military spouses and families moving across the country.

Written-only proponent testimony was provided by representatives of the Kansas Association of School Boards, Kansas Association of School Psychologists, and The Greater Kansas City Chamber of Commerce.

The House Committee amended the bill to make technical corrections. [*Note:* The Conference Committee retained these amendments.]

#### ***Senate Committee on Public Health and Welfare***

In the Senate Committee hearing, **proponent** testimony was provided by representatives of the Kansas Adjutant General's Department and the Kansas Chamber of Commerce. The proponents provided testimony similar to that provided in the hearing in the House Committee on Health and Human Services.

No other testimony was provided.

The Senate Committee amended the bill to add the contents of HB 2070, as amended by the House Committee on Health and Human Services. [*Note:* The Conference Committee retained this amendment.]

### ***HB 2068 (Cosmetologist Licensure Compact)***

The bill was introduced by the House Committee on Commerce, Labor and Economic Development at the request of a representative of the Kansas Chamber of Commerce.

#### *House Committee on Health and Human Services*

In the House Committee hearing, **proponent** testimony was provided by representatives of the Adjutant General's Department, Kansas Chamber of Commerce, U.S. Department of Defense, and Knee Regulatory Research Center at West Virginia University. The representatives generally spoke in support of the bill for the portability of licensing across states as well as for making the transition for military families easier.

Written-only proponent testimony was provided by representatives of the Future of the Beauty Industry Coalition and The Greater Kansas City Chamber of Commerce.

No other testimony was provided.

#### *Senate Committee on Public Health and Welfare*

In the Senate Committee hearing, **proponent** testimony was provided by representatives of the Future of the Beauty Industry Coalition, Adjutant General's Department, Kansas Chamber of Commerce, and U.S. Department of Defense. The testimony generally mirrored testimony provided during the House Committee hearing.

Written-only proponent testimony was provided by a representative of the Military Officers Association of America.

Written-only neutral testimony was provided by a representative of The Council of State Governments.

No other testimony was provided.

### ***HB 2070 (Dietitian Compact)***

The bill was introduced by the House Committee on Commerce, Labor and Economic Development at the request of a representative of the Kansas Chamber of Commerce.

#### *House Committee on Health and Human Services*

In the House Committee hearing, **proponent** testimony was provided by a private citizen and representatives of the Kansas Adjutant General's Department, Kansas Chamber of Commerce, and U.S. Department of Defense. The proponents noted the portability of licensing across states for the profession as well as assisting military families in their relocations.

Written-only proponent testimony was provided by representatives of The Greater Kansas City Chamber of Commerce, Kansas Academy of Nutrition and Dietetics, Kansas Department

for Aging and Disability Services (KDADS), Kansas Hospital Association, LeadingAge Kansas, Manhattan Nutrition Clinic, Mission Health, and the University of Kansas Cancer Center.

No other testimony was provided.

The House Committee amended the bill to correct the definition for “adverse action” and to remove duplicated language in Section 4 related to Compact privilege. [Note: The Conference Committee retained these amendments.]

#### *Senate Committee on Public Health and Welfare*

In the Senate Committee hearing, **proponent** testimony was provided by representatives of the Kansas Adjutant General's Department and the Kansas Chamber of Commerce. The proponents provided testimony similar to that provided in the hearing in the House Committee on Health and Human Services.

Written-only proponent testimony was provided by representatives of the American Telemedicine Association/ATA Action, KDADS, Kansas Hospital Association, LeadingAge Kansas, and The Greater Kansas City Chamber of Commerce.

Written-only opponent testimony was provided by a licensed dietitian.

The Senate Committee inserted the contents of HB 2070, as amended by the House Committee on Health and Human Services, into HB 2069, as amended by the House Committee on Health and Human Services. [Note: The Conference Committee retained this amendment.]

#### ***HB 2219 (Physician Assistant Licensure Compact)***

The bill was introduced by the House Committee on Health and Human Services at the request of Representative Buehler on behalf of the Kansas Chamber of Commerce.

#### *House Committee on Health and Human Services*

In the House Committee hearing, **proponent** testimony was provided by representatives of the Kansas Academy of Physician Associates, Adjutant General's Department, Kansas Chamber of Commerce, and U.S. Department of Defense. The conferees noted the bill would provide portability of licensing across states as well as assist military families that relocate.

No other testimony was provided.

The House Committee amended the bill to make a technical change. [Note: The Conference Committee retained this amendment.]

## *Senate Committee on Public Health and Welfare*

In the Senate Committee hearing, the Committee members elected not to hear verbal testimony on the bill, which had previously been heard during the hearing on the Senate companion bill, SB 126.

**Proponent** testimony was provided by representatives of the Adjutant General's Department, Kansas Chamber of Commerce, Kansas Academy of Physician Associates, and U.S. Department of Defense.

Written-only proponent testimony was provided by a representative of The Greater Kansas City Chamber of Commerce.

No other testimony was provided.

## **Fiscal Information**

### ***HB 2069 (School Psychologist Compact)***

According to the fiscal note prepared by the Division of the Budget on HB 2069, as introduced, the State Department of Education indicated school psychologists currently are required to complete a two-year practicum to work in a school district; however, a school psychologist can work during one year of the practicum. The SP Compact would require school psychologists to complete a practicum before working in a school district. The State Department of Education would have to amend its current rules and regulations to comply with the SP Compact in this area. Any additional cost would be negligible and could be absorbed with the State Department of Education's approved budget.

For school districts, because the SP Compact would not allow a school psychologist to work during their practicum, the supply of school psychologists would be reduced for new staff entering the workforce because of the SP Compact's requirement; however, a fiscal effect cannot be estimated.

### ***HB 2068 (Cosmetologist Licensure Compact)***

According to the fiscal note prepared by the Division of the Budget on HB 2068, as introduced, the Board of Cosmetology (Board) indicates enactment of the bill could have a fiscal effect on its revenues depending on how many Kansas licensees apply for a multistate license. Board revenues could also be affected if out-of-state licensees who currently pay to be dually licensed decided to get a multistate license. However, the Board is unable to estimate the fiscal effect. Any fiscal effect associated with the bill is not reflected in *The FY 2026 Governor's Budget Report*.

### ***HB 2070 (Dietitian Compact)***

According to the fiscal note prepared by the Division of the Budget on HB 2070, as introduced, the Office of Judicial Administration indicates enactment of the bill could increase

the number of cases filed in district courts because the bill states that the Dietitian Compact shall be enforced by the Judicial Branch in each state. This, in turn, would increase the time spent by district court judicial and non-judicial personnel in processing, researching, and hearing cases. Until the courts have had an opportunity to operate under the provisions of the bill, an accurate estimate of the fiscal effect on expenditures by the Judicial Branch cannot be given. Enactment of the bill would not have a fiscal effect on revenues to the Judicial Branch. However, enactment of the bill could result in the collection of docket fees in those cases filed under the provisions of the bill, which would be deposited in the State General Fund.

KDADS indicates that enactment of the bill would reduce revenues for the agency by approximately \$66,000 per year beginning in FY 2026. The estimate is based upon the number of biannual renewal and reciprocity applications and the costs associated with them. Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2026 Governor's Budget Report*.

### ***HB 2219 (Physician Assistant Licensure Compact)***

According to the fiscal note prepared by the Division of the Budget on HB 2219, as introduced, the State Board of Healing Arts states enactment of the bill would increase agency fee fund expenditures by \$65,500 beginning in FY 2025, which would include \$55,000 for 1.0 licensing staff position. The agency also estimates \$8,000 to \$10,000 for office and computer expenses. Most of the expenses would be ongoing. The agency reports this position would be necessary as the bill includes new requirements for the agency with set timelines for completion of tasks.

The agency reports it has absorbed costs for similar requirements in the past but is now at capacity and cannot continue to do so. The agency states PAs who participate in the PA Compact would continue to pay a state fee for their license, but there is no mechanism to measure the number of licensees that would utilize the PA Compact for a Kansas license.

The PA Compact would allow for the PA Commission to levy fees for participating states; however, the agency notes the PA Compact would be new and not fully active at this time so it is unclear if states would be charged and what the fee would be.

Any fiscal effect associated with the bill is not reflected in *The FY 2026 Governor's Budget Report*.

Licensure; interstate practice privileges; cosmetologist; Cosmetologist Licensure Compact; physician assistants; Physician Assistant Licensure Compact; health; health care; Board of Healing Arts; School Psychologist Compact; school psychologists; psychology; Dietitian Compact; dietitians

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