

HOUSE BILL 425

J2
HB 475/23 – HGO

4lr1777
CF SB 359

By: **Delegate Rosenberg**

Introduced and read first time: January 18, 2024

Assigned to: Health and Government Operations

Committee Report: Favorable

House action: Adopted

Read second time: February 20, 2024

CHAPTER _____

1 AN ACT concerning

2 **Advanced Practice Registered Nurse Compact**

3 FOR the purpose of entering into the Advanced Practice Registered Nurse (APRN)
4 Compact; establishing criteria for participating states; authorizing an advanced
5 practice registered nurse to practice in a party state under certain scope of practice
6 rules; establishing the Interstate Commission of APRN Compact Administrators and
7 its duties and powers; requiring the Compact Administrator of the State to make
8 certain recommendations on the formation of the Commission; providing for the
9 amendment of and withdrawal from the Compact; and generally relating to the
10 Advanced Practice Registered Nurse Compact.

11 BY adding to

12 Article – Health Occupations

13 Section 8–7B–01 to be under the new subtitle “Subtitle 7B. Advanced Practice
14 Registered Nurse Compact”

15 Annotated Code of Maryland

16 (2021 Replacement Volume and 2023 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
18 That the Laws of Maryland read as follows:

19 **Article – Health Occupations**

20 **SUBTITLE 7B. ADVANCED PRACTICE REGISTERED NURSE COMPACT.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **8-7B-01.**

2 **THE ADVANCED PRACTICE REGISTERED NURSE COMPACT IS HEREBY**
3 **ENACTED AND ENTERED INTO WITH ALL OTHER JURISDICTIONS THAT LEGALLY JOIN**
4 **IN THE COMPACT IN THE FORM SUBSTANTIALLY AS THE COMPACT APPEARS IN THIS**
5 **SECTION AS FOLLOWS:**

6 **ARTICLE I. FINDINGS AND DECLARATION OF PURPOSE.**

7 **(A) THE PARTY STATES FIND THAT:**

8 **(1) THE HEALTH AND SAFETY OF THE PUBLIC ARE AFFECTED BY THE**
9 **DEGREE OF COMPLIANCE WITH APRN LICENSURE REQUIREMENTS AND THE**
10 **EFFECTIVENESS OF ENFORCEMENT ACTIVITIES RELATED TO STATE APRN**
11 **LICENSURE LAWS;**

12 **(2) VIOLATIONS OF APRN LICENSURE AND OTHER LAWS**
13 **REGULATING THE PRACTICE OF NURSING MAY RESULT IN INJURY OR HARM TO THE**
14 **PUBLIC;**

15 **(3) THE EXPANDED MOBILITY OF APRNs AND THE USE OF**
16 **ADVANCED COMMUNICATION AND INTERVENTION TECHNOLOGIES AS PART OF OUR**
17 **NATION'S HEALTH CARE DELIVERY SYSTEM REQUIRE GREATER COORDINATION AND**
18 **COOPERATION AMONG STATES IN THE AREAS OF APRN LICENSURE AND**
19 **REGULATION;**

20 **(4) NEW PRACTICE MODALITIES AND TECHNOLOGY MAKE**
21 **COMPLIANCE WITH INDIVIDUAL STATE APRN LICENSURE LAWS DIFFICULT AND**
22 **COMPLEX;**

23 **(5) THE CURRENT SYSTEM OF DUPLICATIVE APRN LICENSURE FOR**
24 **APRNs PRACTICING IN MULTIPLE STATES IS CUMBERSOME AND REDUNDANT FOR**
25 **HEALTH CARE DELIVERY SYSTEMS, PAYORS, STATE LICENSING BOARDS,**
26 **REGULATORS, AND APRNs; AND**

27 **(6) UNIFORMITY OF APRN LICENSURE REQUIREMENTS**
28 **THROUGHOUT THE STATES PROMOTES PUBLIC SAFETY AND PUBLIC HEALTH**
29 **BENEFITS AND PROVIDES A MECHANISM TO INCREASE ACCESS TO CARE.**

30 **(B) THE GENERAL PURPOSES OF THIS COMPACT ARE TO:**

31 **(1) FACILITATE THE STATES' RESPONSIBILITY TO PROTECT THE**
32 **HEALTH AND SAFETY OF THE PUBLIC;**

1 **(2) ENSURE AND ENCOURAGE THE COOPERATION OF PARTY STATES**
2 **IN THE AREAS OF APRN LICENSURE AND REGULATION, INCLUDING PROMOTION OF**
3 **UNIFORM LICENSURE REQUIREMENTS;**

4 **(3) FACILITATE THE EXCHANGE OF INFORMATION BETWEEN PARTY**
5 **STATES IN THE AREAS OF APRN REGULATION, INVESTIGATION, AND ADVERSE**
6 **ACTIONS;**

7 **(4) PROMOTE COMPLIANCE WITH THE LAWS GOVERNING APRN**
8 **PRACTICE IN EACH JURISDICTION;**

9 **(5) INVEST ALL PARTY STATES WITH THE AUTHORITY TO HOLD AN**
10 **APRN ACCOUNTABLE FOR MEETING ALL STATE PRACTICE LAWS IN THE STATE IN**
11 **WHICH THE PATIENT IS LOCATED AT THE TIME CARE IS RENDERED THROUGH THE**
12 **MUTUAL RECOGNITION OF PARTY STATE PRIVILEGES TO PRACTICE;**

13 **(6) DECREASE REDUNDANCIES IN THE CONSIDERATION AND**
14 **ISSUANCE OF APRN LICENSES; AND**

15 **(7) PROVIDE OPPORTUNITIES FOR INTERSTATE PRACTICE BY**
16 **APRNs WHO MEET UNIFORM LICENSURE REQUIREMENTS.**

17 **ARTICLE II. DEFINITIONS.**

18 **AS USED IN THIS COMPACT:**

19 **(A) “ADVANCED PRACTICE REGISTERED NURSE” OR “APRN” MEANS A**
20 **REGISTERED NURSE WHO HAS GAINED ADDITIONAL SPECIALIZED KNOWLEDGE,**
21 **SKILLS, AND EXPERIENCE THROUGH A PROGRAM OF STUDY RECOGNIZED OR**
22 **DEFINED BY THE INTERSTATE COMMISSION OF APRN COMPACT ADMINISTRATORS**
23 **(“COMMISSION”), AND WHO IS LICENSED TO PERFORM ADVANCED NURSING**
24 **PRACTICE. AN ADVANCED PRACTICE REGISTERED NURSE IS LICENSED IN AN APRN**
25 **ROLE THAT IS CONGRUENT WITH AN APRN EDUCATIONAL PROGRAM,**
26 **CERTIFICATION, AND COMMISSION RULES.**

27 **(B) “ADVERSE ACTION” MEANS ANY ADMINISTRATIVE, CIVIL, EQUITABLE,**
28 **OR CRIMINAL ACTION PERMITTED BY A STATE’S LAWS THAT IS IMPOSED BY A**
29 **LICENSING BOARD OR OTHER AUTHORITY AGAINST AN APRN, INCLUDING ACTIONS**
30 **AGAINST AN INDIVIDUAL’S LICENSE OR MULTISTATE LICENSURE PRIVILEGE SUCH**
31 **AS:**

32 **(1) REVOCATION;**

1 (2) SUSPENSION;

2 (3) PROBATION;

3 (4) MONITORING OF THE LICENSEE;

4 (5) A LIMITATION ON THE LICENSEE'S PRACTICE;

5 (6) A CEASE AND DESIST ACTION; OR

6 (7) ANY OTHER ENCUMBRANCE ON LICENSURE AFFECTING AN
7 APRN'S AUTHORIZATION TO PRACTICE, INCLUDING THE ISSUANCE OF A CEASE AND
8 DESIST ACTION.

9 (C) "ALTERNATIVE PROGRAM" MEANS A NONDISCIPLINARY MONITORING
10 PROGRAM APPROVED BY A LICENSING BOARD.

11 (D) "APRN LICENSURE" MEANS THE REGULATORY MECHANISM USED BY A
12 PARTY STATE TO GRANT LEGAL AUTHORITY TO PRACTICE AS AN APRN.

13 (E) "APRN UNIFORM LICENSURE REQUIREMENTS" MEANS THE MINIMUM
14 UNIFORM LICENSURE, EDUCATION, AND EXAMINATION REQUIREMENTS SET FORTH
15 IN ARTICLE III(B) OF THIS COMPACT.

16 (F) "COORDINATED LICENSURE INFORMATION SYSTEM" MEANS AN
17 INTEGRATED PROCESS FOR COLLECTING, STORING, AND SHARING INFORMATION ON
18 APRN LICENSURE AND ENFORCEMENT ACTIVITIES RELATED TO APRN LICENSURE
19 LAWS THAT IS ADMINISTERED BY A NONPROFIT ORGANIZATION COMPOSED OF AND
20 CONTROLLED BY LICENSING BOARDS.

21 (G) "CURRENT SIGNIFICANT INVESTIGATORY INFORMATION" MEANS
22 INVESTIGATIVE INFORMATION THAT:

23 (1) A LICENSING BOARD, AFTER A PRELIMINARY INQUIRY THAT
24 INCLUDES NOTIFICATION AND AN OPPORTUNITY FOR THE APRN TO RESPOND IF
25 REQUIRED BY STATE LAW, HAS REASON TO BELIEVE IS NOT GROUNDLESS AND, IF
26 PROVED TRUE, WOULD INDICATE MORE THAN A MINOR INFRACTION; OR

27 (2) INDICATES THAT THE APRN REPRESENTS AN IMMEDIATE
28 THREAT TO PUBLIC HEALTH AND SAFETY REGARDLESS OF WHETHER THE APRN
29 HAS BEEN NOTIFIED AND HAD AN OPPORTUNITY TO RESPOND.

(H) "ENCUMBRANCE" MEANS A REVOCATION OR SUSPENSION OF, OR ANY LIMITATION ON, THE FULL AND UNRESTRICTED PRACTICE OF NURSING IMPOSED BY A LICENSING BOARD IN CONNECTION WITH A DISCIPLINARY PROCEEDING.

(I) "HOME STATE" MEANS THE PARTY STATE THAT IS THE APRN'S PRIMARY STATE OF RESIDENCE.

(J) "LICENSING BOARD" MEANS A PARTY STATE'S REGULATORY BODY RESPONSIBLE FOR REGULATING THE PRACTICE OF ADVANCED PRACTICE REGISTERED NURSING.

(K) "MULTISTATE LICENSE" MEANS A LICENSE TO PRACTICE AS AN APRN ISSUED BY A HOME STATE LICENSING BOARD THAT AUTHORIZES THE APRN TO PRACTICE AS AN APRN IN ALL PARTY STATES UNDER A MULTISTATE LICENSURE PRIVILEGE, IN THE SAME ROLE AND POPULATION FOCUS AS THE APRN IS LICENSED IN THE HOME STATE.

(L) "MULTISTATE LICENSURE PRIVILEGE" MEANS A LEGAL AUTHORIZATION ASSOCIATED WITH AN APRN MULTISTATE LICENSE PERMITTING THE PRACTICE OF ADVANCED PRACTICE REGISTERED NURSING AS AN APRN IN A REMOTE STATE, IN THE SAME ROLE AND POPULATION FOCUS AS THE APRN IS LICENSED IN THE HOME STATE.

(M) (1) "NONCONTROLLED PRESCRIPTION DRUG" MEANS A DEVICE OR DRUG THAT IS NOT A CONTROLLED SUBSTANCE AND IS PROHIBITED UNDER STATE OR FEDERAL LAW FROM BEING DISPENSED WITHOUT A PRESCRIPTION.

(2) "NONCONTROLLED PRESCRIPTION DRUG" INCLUDES A DEVICE OR DRUG THAT BEARS OR IS REQUIRED TO BEAR THE LEGEND "CAUTION: FEDERAL LAW PROHIBITS DISPENSING WITHOUT PRESCRIPTION" OR "PRESCRIPTION ONLY" OR OTHER LEGEND THAT COMPLIES WITH FEDERAL LAW.

(N) "PARTY STATE" MEANS ANY STATE THAT HAS ADOPTED THIS COMPACT.

(O) "POPULATION FOCUS" MEANS ONE OF THE SIX POPULATION FOCI OF:

(1) FAMILY OR INDIVIDUALS ACROSS THE LIFESPAN;

(2) ADULT-GERONTOLOGY;

(3) PEDIATRICS;

(4) NEONATAL;

1 **(5) WOMEN’S HEALTH/GENDER–RELATED; AND**

2 **(6) PSYCH/MENTAL HEALTH.**

3 **(P) “PRESCRIPTIVE AUTHORITY” MEANS THE LEGAL AUTHORITY TO**
4 **PRESCRIBE MEDICATIONS AND DEVICES AS DEFINED BY PARTY STATE LAWS.**

5 **(Q) “REMOTE STATE” MEANS A PARTY STATE, OTHER THAN THE HOME**
6 **STATE.**

7 **(R) “ROLE” MEANS ONE OF THE FOUR RECOGNIZED ROLES OF:**

8 **(1) CERTIFIED REGISTERED NURSE ANESTHETISTS (CRNA);**

9 **(2) CERTIFIED NURSE–MIDWIVES (CNM);**

10 **(3) CLINICAL NURSE SPECIALISTS (CNS); AND**

11 **(4) CERTIFIED NURSE PRACTITIONERS (CNP).**

12 **(S) “SINGLE–STATE LICENSE” MEANS AN APRN LICENSE ISSUED BY A**
13 **PARTY STATE THAT AUTHORIZES PRACTICE ONLY WITHIN THE ISSUING STATE AND**
14 **DOES NOT INCLUDE A MULTISTATE LICENSURE PRIVILEGE TO PRACTICE IN ANY**
15 **OTHER PARTY STATE.**

16 **(T) “STATE” MEANS A STATE, TERRITORY, OR POSSESSION OF THE UNITED**
17 **STATES AND THE DISTRICT OF COLUMBIA.**

18 **(U) (1) “STATE PRACTICE LAWS” MEANS A PARTY STATE’S LAWS, RULES,**
19 **AND REGULATIONS THAT GOVERN THE PRACTICE OF ADVANCED PRACTICE**
20 **REGISTERED NURSING, DEFINE THE SCOPE OF ADVANCED PRACTICE REGISTERED**
21 **NURSING, AND CREATE THE METHODS AND GROUNDS FOR IMPOSING DISCIPLINE,**
22 **EXCEPT THAT PRESCRIPTIVE AUTHORITY SHALL BE GOVERNED IN ACCORDANCE**
23 **WITH ARTICLE III(F) AND (G) OF THIS COMPACT.**

24 **(2) “STATE PRACTICE LAWS” DOES NOT INCLUDE:**

25 **(I) A PARTY STATE’S LAWS, RULES, AND REGULATIONS**
26 **REQUIRING SUPERVISION OR COLLABORATION WITH A HEALTH CARE**
27 **PROFESSIONAL, EXCEPT FOR LAWS, RULES, AND REGULATIONS REGARDING**
28 **PRESCRIBING CONTROLLED SUBSTANCES; OR**

(II) THE REQUIREMENTS NECESSARY TO OBTAIN AND RETAIN AN APRN LICENSE, EXCEPT FOR QUALIFICATIONS OR REQUIREMENTS OF THE HOME STATE.

ARTICLE III. GENERAL PROVISIONS AND JURISDICTION.

(A) A PARTY STATE MUST IMPLEMENT PROCEDURES FOR CONSIDERING THE CRIMINAL HISTORY RECORDS OF APPLICANTS FOR INITIAL APRN LICENSURE OR APRN LICENSURE BY ENDORSEMENT. SUCH PROCEDURES SHALL INCLUDE THE SUBMISSION OF FINGERPRINTS OR OTHER BIOMETRIC-BASED INFORMATION BY APRN APPLICANTS FOR THE PURPOSE OF OBTAINING AN APPLICANT'S CRIMINAL HISTORY RECORD INFORMATION FROM THE FEDERAL BUREAU OF INVESTIGATION AND THE AGENCY RESPONSIBLE FOR RETAINING THAT STATE'S CRIMINAL RECORDS.

(B) EACH PARTY STATE SHALL REQUIRE THE FOLLOWING FOR AN APPLICANT TO OBTAIN OR RETAIN A MULTISTATE LICENSE IN THE HOME STATE:

(1) MEETS THE HOME STATE'S QUALIFICATIONS FOR LICENSURE OR RENEWAL OF LICENSURE, AS WELL AS ALL OTHER APPLICABLE STATE LAWS;

(2) (I) HAS COMPLETED AN ACCREDITED GRADUATE-LEVEL EDUCATION PROGRAM THAT PREPARES THE APPLICANT FOR ONE OF THE FOUR RECOGNIZED ROLES AND POPULATION FOCI; OR

(II) HAS COMPLETED A FOREIGN APRN EDUCATION PROGRAM FOR ONE OF THE FOUR RECOGNIZED ROLES AND POPULATION FOCI THAT:

1. HAS BEEN APPROVED BY THE AUTHORIZED ACCREDITING BODY IN THE APPLICABLE COUNTRY; AND

2. HAS BEEN VERIFIED BY AN INDEPENDENT CREDENTIALS REVIEW AGENCY TO BE COMPARABLE TO A LICENSING BOARD-APPROVED APRN EDUCATION PROGRAM;

(3) IF A GRADUATE OF A FOREIGN APRN EDUCATION PROGRAM NOT TAUGHT IN ENGLISH OR IF ENGLISH IS NOT THE INDIVIDUAL'S NATIVE LANGUAGE, HAS SUCCESSFULLY PASSED AN ENGLISH PROFICIENCY EXAMINATION THAT INCLUDES THE COMPONENTS OF READING, SPEAKING, WRITING, AND LISTENING;

(4) HAS SUCCESSFULLY PASSED A NATIONAL CERTIFICATION EXAMINATION THAT MEASURES APRN ROLE AND POPULATION-FOCUSED COMPETENCIES AND MAINTAINS CONTINUED COMPETENCE AS EVIDENCED BY

1 RECERTIFICATION IN THE ROLE AND POPULATION FOCUS THROUGH THE NATIONAL
2 CERTIFICATION PROGRAM;

3 (5) HOLDS AN ACTIVE, UNENCUMBERED LICENSE AS A REGISTERED
4 NURSE AND AN ACTIVE, UNENCUMBERED AUTHORIZATION TO PRACTICE AS AN
5 APRN;

6 (6) HAS SUCCESSFULLY PASSED AN NCLEX–RN EXAMINATION OR
7 RECOGNIZED PREDECESSOR, AS APPLICABLE;

8 (7) HAS PRACTICED FOR AT LEAST 2,080 HOURS AS AN APRN IN A
9 ROLE AND POPULATION FOCUS CONGRUENT WITH THE APPLICANT’S EDUCATION
10 AND TRAINING NOT INCLUDING HOURS OBTAINED AS PART OF ENROLLMENT IN AN
11 APRN EDUCATION PROGRAM;

12 (8) HAS SUBMITTED, IN CONNECTION WITH AN APPLICATION FOR
13 INITIAL LICENSURE OR LICENSURE BY ENDORSEMENT, FINGERPRINTS OR OTHER
14 BIOMETRIC DATA FOR THE PURPOSE OF OBTAINING CRIMINAL HISTORY RECORD
15 INFORMATION FROM THE FEDERAL BUREAU OF INVESTIGATION AND THE AGENCY
16 RESPONSIBLE FOR RETAINING THAT STATE’S OR, IF APPLICABLE, FOREIGN
17 COUNTRY’S CRIMINAL RECORDS;

18 (9) HAS NOT BEEN CONVICTED OR FOUND GUILTY, OR HAS NOT
19 ENTERED INTO AN AGREED DISPOSITION, OF A FELONY OFFENSE UNDER
20 APPLICABLE STATE, FEDERAL, OR FOREIGN CRIMINAL LAW;

21 (10) HAS NOT BEEN CONVICTED OR FOUND GUILTY, OR HAS NOT
22 ENTERED INTO AN AGREED DISPOSITION, OF A MISDEMEANOR OFFENSE RELATED
23 TO THE PRACTICE OF NURSING AS DETERMINED BY FACTORS SET FORTH IN RULES
24 ADOPTED BY THE COMMISSION;

25 (11) IS NOT CURRENTLY ENROLLED IN AN ALTERNATIVE PROGRAM;

26 (12) IS SUBJECT TO SELF-DISCLOSURE REQUIREMENTS REGARDING
27 CURRENT PARTICIPATION IN AN ALTERNATIVE PROGRAM; AND

28 (13) HAS A VALID UNITED STATES SOCIAL SECURITY NUMBER.

29 (C) AN APRN ISSUED A MULTISTATE LICENSE SHALL BE LICENSED IN AN
30 APPROVED ROLE AND AT LEAST ONE APPROVED POPULATION FOCUS.

31 (D) AN APRN MULTISTATE LICENSE ISSUED BY A HOME STATE TO A
32 RESIDENT IN THAT STATE WILL BE RECOGNIZED BY EACH PARTY STATE AS

1 AUTHORIZING THE APRN TO PRACTICE AS AN APRN IN EACH PARTY STATE, UNDER
2 A MULTISTATE LICENSURE PRIVILEGE, IN THE SAME ROLE AND POPULATION FOCUS
3 AS THE APRN IS LICENSED IN THE HOME STATE.

4 (E) NOTHING IN THIS COMPACT SHALL AFFECT THE REQUIREMENTS
5 ESTABLISHED BY A PARTY STATE FOR THE ISSUANCE OF A SINGLE-STATE LICENSE,
6 EXCEPT THAT AN INDIVIDUAL MAY APPLY FOR A SINGLE-STATE LICENSE, INSTEAD
7 OF A MULTISTATE LICENSE, EVEN IF OTHERWISE QUALIFIED FOR THE MULTISTATE
8 LICENSE. HOWEVER, THE FAILURE OF THE INDIVIDUAL TO AFFIRMATIVELY OPT FOR
9 A SINGLE-STATE LICENSE MAY RESULT IN THE ISSUANCE OF A MULTISTATE
10 LICENSE.

11 (F) ISSUANCE OF AN APRN MULTISTATE LICENSE SHALL INCLUDE
12 PRESCRIPTIVE AUTHORITY FOR NONCONTROLLED PRESCRIPTION DRUGS.

13 (G) FOR EACH STATE IN WHICH AN APRN SEEKS AUTHORITY TO PRESCRIBE
14 CONTROLLED SUBSTANCES, THE APRN SHALL SATISFY ALL REQUIREMENTS
15 IMPOSED BY THE STATE IN GRANTING OR RENEWING THE AUTHORITY.

16 (H) AN APRN ISSUED A MULTISTATE LICENSE IS AUTHORIZED TO ASSUME
17 RESPONSIBILITY AND ACCOUNTABILITY FOR PATIENT CARE INDEPENDENT OF ANY
18 SUPERVISORY OR COLLABORATIVE RELATIONSHIP. THIS AUTHORITY MAY BE
19 EXERCISED IN THE HOME STATE AND IN ANY REMOTE STATE IN WHICH THE APRN
20 EXERCISES A MULTISTATE LICENSURE PRIVILEGE.

21 (I) AN APRN ISSUED A MULTISTATE LICENSE SHALL CONTINUE
22 COLLABORATING WITH HEALTH CARE PROVIDERS AS NECESSARY FOR PATIENT
23 CARE, INCLUDING THROUGH CONSULTATION, REFERRAL, AND COMMUNICATION
24 BETWEEN HEALTH CARE PROVIDERS.

25 (J) ALL PARTY STATES SHALL BE AUTHORIZED, IN ACCORDANCE WITH
26 STATE DUE PROCESS LAWS, TO TAKE ADVERSE ACTION AGAINST AN APRN'S
27 MULTISTATE LICENSURE PRIVILEGE SUCH AS REVOCATION, SUSPENSION,
28 PROBATION, OR ANY OTHER ACTION THAT AFFECTS AN APRN'S AUTHORIZATION TO
29 PRACTICE UNDER A MULTISTATE LICENSURE PRIVILEGE, INCLUDING CEASE AND
30 DESIST ACTIONS. IF A PARTY STATE TAKES SUCH ACTION, THE PARTY STATE SHALL
31 PROMPTLY NOTIFY THE ADMINISTRATOR OF THE COORDINATED LICENSURE
32 INFORMATION SYSTEM. THE ADMINISTRATOR OF THE COORDINATED LICENSURE
33 INFORMATION SYSTEM SHALL PROMPTLY NOTIFY THE HOME STATE OF ANY SUCH
34 ACTIONS BY REMOTE STATES.

35 (K) EXCEPT AS OTHERWISE EXPRESSLY PROVIDED IN THIS COMPACT, AN
36 APRN PRACTICING IN A PARTY STATE MUST COMPLY WITH THE STATE PRACTICE

1 LAWS OF THE STATE IN WHICH THE CLIENT IS LOCATED AT THE TIME SERVICE IS
2 PROVIDED. APRN PRACTICE IS NOT LIMITED TO PATIENT CARE, BUT SHALL
3 INCLUDE ALL ADVANCED NURSING PRACTICE AS DEFINED BY THE STATE PRACTICE
4 LAWS OF THE PARTY STATE IN WHICH THE CLIENT IS LOCATED. APRN PRACTICE IN
5 A PARTY STATE UNDER A MULTISTATE LICENSURE PRIVILEGE SUBJECTS THE APRN
6 TO THE JURISDICTION OF THE LICENSING BOARD, THE COURTS, AND THE LAWS OF
7 THE PARTY STATE IN WHICH THE CLIENT IS LOCATED AT THE TIME SERVICE IS
8 PROVIDED.

9 (L) EXCEPT AS OTHERWISE EXPRESSLY PROVIDED IN THIS COMPACT, THIS
10 COMPACT DOES NOT AFFECT ADDITIONAL REQUIREMENTS IMPOSED BY STATES FOR
11 ADVANCED PRACTICE REGISTERED NURSING. HOWEVER, A MULTISTATE
12 LICENSURE PRIVILEGE TO PRACTICE REGISTERED NURSING GRANTED BY A PARTY
13 STATE SHALL BE RECOGNIZED BY OTHER PARTY STATES AS SATISFYING ANY STATE
14 LAW REQUIREMENT FOR REGISTERED NURSE LICENSURE AS A PRECONDITION FOR
15 AUTHORIZATION TO PRACTICE AS AN APRN IN THAT STATE.

16 (M) INDIVIDUALS NOT RESIDING IN A PARTY STATE SHALL CONTINUE TO BE
17 ABLE TO APPLY FOR A PARTY STATE'S SINGLE-STATE APRN LICENSE AS PROVIDED
18 UNDER THE LAWS OF EACH PARTY STATE. HOWEVER, THE SINGLE-STATE LICENSE
19 GRANTED TO INDIVIDUALS NOT RESIDING IN A PARTY STATE MAY NOT BE
20 RECOGNIZED AS GRANTING THE PRIVILEGE TO PRACTICE AS AN APRN IN ANY
21 OTHER PARTY STATE.

22 ARTICLE IV. APPLICATIONS FOR APRN LICENSURE IN A PARTY STATE.

23 (A) UPON APPLICATION FOR AN APRN MULTISTATE LICENSE, THE
24 LICENSING BOARD IN THE ISSUING PARTY STATE SHALL ASCERTAIN, THROUGH THE
25 COORDINATED LICENSURE INFORMATION SYSTEM, WHETHER:

26 (1) THE APPLICANT HAS EVER HELD, OR IS THE HOLDER OF, A
27 LICENSED PRACTICAL/VOCATIONAL NURSING LICENSE, A REGISTERED NURSING
28 LICENSE, OR AN ADVANCED PRACTICE REGISTERED NURSE LICENSE ISSUED BY ANY
29 OTHER STATE;

30 (2) THERE ARE ANY ENCUMBRANCES ON ANY LICENSE OR
31 MULTISTATE LICENSURE PRIVILEGE HELD BY THE APPLICANT;

32 (3) ANY ADVERSE ACTION HAS BEEN TAKEN AGAINST ANY LICENSE
33 OR MULTISTATE LICENSURE PRIVILEGE HELD BY THE APPLICANT; AND

34 (4) THE APPLICANT IS CURRENTLY PARTICIPATING IN AN
35 ALTERNATIVE PROGRAM.

1 **(B) AN APRN MAY HOLD A MULTISTATE APRN LICENSE, ISSUED BY THE**
2 **HOME STATE, IN ONLY ONE PARTY STATE AT A TIME.**

3 **(C) (1) IF AN APRN CHANGES THE APRN'S HOME STATE BY MOVING**
4 **BETWEEN TWO PARTY STATES, THE APRN MUST APPLY FOR APRN LICENSURE IN**
5 **THE NEW HOME STATE, AND THE MULTISTATE LICENSE ISSUED BY THE PRIOR HOME**
6 **STATE WILL BE DEACTIVATED IN ACCORDANCE WITH APPLICABLE RULES ADOPTED**
7 **BY THE COMMISSION.**

8 **(2) THE APRN MAY APPLY FOR LICENSURE IN ADVANCE OF A**
9 **CHANGE IN THE APRN'S HOME STATE.**

10 **(3) A MULTISTATE APRN LICENSE MAY NOT BE ISSUED BY THE NEW**
11 **HOME STATE UNTIL THE APRN PROVIDES SATISFACTORY EVIDENCE OF A CHANGE**
12 **IN THE APRN'S HOME STATE TO THE NEW HOME STATE AND SATISFIES ALL**
13 **APPLICABLE REQUIREMENTS TO OBTAIN A MULTISTATE APRN LICENSE FROM THE**
14 **NEW HOME STATE.**

15 **(D) IF AN APRN CHANGES THE APRN'S HOME STATE BY MOVING FROM A**
16 **PARTY STATE TO A NONPARTY STATE, THE APRN MULTISTATE LICENSE ISSUED BY**
17 **THE PRIOR HOME STATE WILL CONVERT TO A SINGLE-STATE LICENSE, VALID ONLY**
18 **IN THE FORMER HOME STATE.**

19 **ARTICLE V. ADDITIONAL AUTHORITIES INVESTED IN STATE PARTY LICENSING**
20 **BOARDS.**

21 **(A) IN ADDITION TO THE OTHER POWERS CONFERRED BY STATE LAW, A**
22 **LICENSING BOARD SHALL HAVE THE AUTHORITY TO:**

23 **(1) TAKE ADVERSE ACTION AGAINST AN APRN'S MULTISTATE**
24 **LICENSURE PRIVILEGE TO PRACTICE WITHIN THAT PARTY STATE;**

25 **(2) ISSUE CEASE AND DESIST ORDERS OR IMPOSE AN ENCUMBRANCE**
26 **ON AN APRN'S AUTHORITY TO PRACTICE WITHIN THAT PARTY STATE;**

27 **(3) COMPLETE ANY PENDING INVESTIGATIONS OF AN APRN WHO**
28 **CHANGES THE APRN'S HOME STATE DURING THE COURSE OF SUCH**
29 **INVESTIGATIONS;**

30 **(4) TAKE APPROPRIATE ACTION BASED ON INVESTIGATIONS AND**
31 **SHALL PROMPTLY REPORT THE CONCLUSIONS OF THE INVESTIGATIONS TO THE**

ADMINISTRATOR OF THE COORDINATED LICENSURE INFORMATION SYSTEM WHO SHALL PROMPTLY NOTIFY THE NEW HOME STATE OF ANY ACTIONS;

(5) ISSUE SUBPOENAS FOR BOTH HEARINGS AND INVESTIGATIONS THAT REQUIRE THE ATTENDANCE AND TESTIMONY OF WITNESSES, AS WELL AS THE PRODUCTION OF EVIDENCE;

(6) OBTAIN AND SUBMIT, FOR EACH APRN LICENSURE APPLICANT, FINGERPRINTS OR OTHER BIOMETRIC-BASED INFORMATION TO THE FEDERAL BUREAU OF INVESTIGATION FOR CRIMINAL BACKGROUND CHECKS, RECEIVE THE RESULTS OF THE FEDERAL BUREAU OF INVESTIGATION RECORD SEARCH ON CRIMINAL BACKGROUND CHECKS AND USE THE RESULTS IN MAKING LICENSURE DECISIONS;

(7) IF OTHERWISE PERMITTED BY STATE LAW, RECOVER FROM THE AFFECTED APRN THE COSTS OF INVESTIGATIONS AND DISPOSITION OF CASES RESULTING FROM ANY ADVERSE ACTION TAKEN AGAINST THAT APRN; AND

(8) TAKE ADVERSE ACTION BASED ON THE FACTUAL FINDINGS OF A REMOTE STATE, PROVIDED THAT THE LICENSING BOARD FOLLOWS ITS OWN PROCEDURES FOR TAKING SUCH ADVERSE ACTION.

(B) ONLY THE HOME STATE SHALL HAVE POWER TO TAKE ADVERSE ACTION AGAINST AN APRN'S LICENSE ISSUED BY THE HOME STATE.

(C) (1) SUBPOENAS ISSUED BY A PARTY STATE LICENSING BOARD FOR THE ATTENDANCE AND TESTIMONY OF WITNESSES OR THE PRODUCTION OF EVIDENCE FROM ANOTHER PARTY STATE SHALL BE ENFORCED IN THE LATTER STATE BY ANY COURT OF COMPETENT JURISDICTION, ACCORDING TO THAT COURT'S PRACTICE AND PROCEDURE IN CONSIDERING SUBPOENAS ISSUED IN ITS OWN PROCEEDINGS.

(2) THE ISSUING LICENSING BOARD SHALL PAY ANY WITNESS FEES, TRAVEL EXPENSES, MILEAGE, AND OTHER FEES REQUIRED BY THE SERVICE STATUTES OF THE STATE IN WHICH THE WITNESSES OR EVIDENCE ARE LOCATED.

(D) (1) FOR PURPOSES OF TAKING ADVERSE ACTION, THE HOME STATE LICENSING BOARD SHALL GIVE THE SAME PRIORITY AND EFFECT TO REPORTED CONDUCT THAT OCCURRED OUTSIDE THE HOME STATE AS IT WOULD IF SUCH CONDUCT HAD OCCURRED WITHIN THE HOME STATE. IN SO DOING, THE HOME STATE SHALL APPLY ITS OWN STATE LAWS TO DETERMINE APPROPRIATE ACTION.

(2) IF ADVERSE ACTION IS TAKEN BY THE HOME STATE AGAINST AN APRN'S MULTISTATE LICENSE, THE APRN'S MULTISTATE LICENSURE PRIVILEGE TO PRACTICE IN ALL OTHER PARTY STATES UNDER A MULTISTATE LICENSURE PRIVILEGE SHALL BE DEACTIVATED UNTIL ALL ENCUMBRANCES HAVE BEEN REMOVED FROM THE APRN'S MULTISTATE LICENSE.

(E) (1) NOTHING IN THIS COMPACT SHALL OVERRIDE A PARTY STATE’S DECISION THAT PARTICIPATION IN AN ALTERNATIVE PROGRAM MAY BE USED IN LIEU OF ADVERSE ACTION.

ARTICLE VI. COORDINATED LICENSURE INFORMATION SYSTEM AND EXCHANGE OF INFORMATION.

(2) THIS SYSTEM SHALL INCLUDE INFORMATION ON THE LICENSURE AND DISCIPLINARY HISTORY OF EACH APRN, AS SUBMITTED BY PARTY STATES, TO ASSIST IN THE COORDINATION OF APRN LICENSURE AND ENFORCEMENT EFFORTS.

(C) ALL LICENSING BOARDS SHALL PROMPTLY REPORT TO THE COORDINATED LICENSURE INFORMATION SYSTEM:

(2) ANY CURRENT SIGNIFICANT INVESTIGATORY INFORMATION:

1 **(3) DENIALS OF APPLICATIONS WITH THE REASONS FOR THE DENIAL;**

2 **AND**

3 **(4) APRN PARTICIPATION IN ALTERNATIVE PROGRAMS KNOWN TO**
4 **THE LICENSING BOARD REGARDLESS OF WHETHER SUCH PARTICIPATION IS**
5 **DEEMED NONPUBLIC OR CONFIDENTIAL UNDER STATE LAW.**

6 **(D) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ALL PARTY STATE**
7 **LICENSING BOARDS CONTRIBUTING INFORMATION TO THE COORDINATED**
8 **LICENSURE INFORMATION SYSTEM MAY DESIGNATE INFORMATION THAT MAY NOT**
9 **BE SHARED WITH NONPARTY STATES OR DISCLOSED TO OTHER ENTITIES OR**
10 **INDIVIDUALS WITHOUT THE EXPRESS PERMISSION OF THE CONTRIBUTING STATE.**

11 **(E) ANY PERSONALLY IDENTIFIABLE INFORMATION OBTAINED FROM THE**
12 **COORDINATED LICENSURE INFORMATION SYSTEM BY A PARTY STATE LICENSING**
13 **BOARD MAY NOT BE SHARED WITH NONPARTY STATES OR DISCLOSED TO OTHER**
14 **ENTITIES OR INDIVIDUALS EXCEPT TO THE EXTENT PERMITTED BY THE LAWS OF**
15 **THE PARTY STATE CONTRIBUTING THE INFORMATION.**

16 **(F) ANY INFORMATION CONTRIBUTED TO THE COORDINATED LICENSURE**
17 **INFORMATION SYSTEM THAT IS SUBSEQUENTLY REQUIRED TO BE EXPUNGED BY THE**
18 **LAWS OF THE PARTY STATE CONTRIBUTING THE INFORMATION SHALL ALSO BE**
19 **EXPUNGED FROM THE COORDINATED LICENSURE INFORMATION SYSTEM.**

20 **(G) THE COMPACT ADMINISTRATOR OF EACH PARTY STATE SHALL FURNISH**
21 **A UNIFORM DATA SET TO THE COMPACT ADMINISTRATOR OF EACH OTHER PARTY**
22 **STATE, WHICH SHALL INCLUDE:**

23 **(1) IDENTIFYING INFORMATION;**

24 **(2) LICENSURE DATA;**

25 **(3) INFORMATION RELATED TO ALTERNATIVE PROGRAM**
26 **PARTICIPATION; AND**

27 **(4) OTHER INFORMATION THAT MAY FACILITATE THE**
28 **ADMINISTRATION OF THIS COMPACT, AS DETERMINED BY COMMISSION RULES.**

29 **(H) THE COMPACT ADMINISTRATOR OF A PARTY STATE SHALL PROVIDE ALL**
30 **INVESTIGATIVE DOCUMENTS AND INFORMATION REQUESTED BY ANOTHER PARTY**
31 **STATE.**

**ARTICLE VII. ESTABLISHMENT OF THE INTERSTATE COMMISSION OF APRN
COMPACT ADMINISTRATORS.**

**(A) (1) THE PARTY STATES HEREBY CREATE AND ESTABLISH A JOINT
PUBLIC AGENCY KNOWN AS THE INTERSTATE COMMISSION OF APRN COMPACT
ADMINISTRATORS.**

**(2) THE COMMISSION IS AN INSTRUMENTALITY OF THE PARTY
STATES.**

**(3) (I) VENUE IS PROPER AND JUDICIAL PROCEEDINGS BY OR
AGAINST THE COMMISSION SHALL BE BROUGHT SOLELY AND EXCLUSIVELY IN A
COURT OF COMPETENT JURISDICTION WHERE THE PRINCIPAL OFFICE OF THE
COMMISSION IS LOCATED.**

**(II) THE COMMISSION MAY WAIVE VENUE AND JURISDICTIONAL
DEFENSES TO THE EXTENT IT ADOPTS OR CONSENTS TO PARTICIPATE IN
ALTERNATIVE DISPUTE RESOLUTION PROCEEDINGS.**

**(4) NOTHING IN THIS COMPACT SHALL BE CONSTRUED TO BE A
WAIVER OF SOVEREIGN IMMUNITY.**

**(B) (1) (I) EACH PARTY STATE SHALL HAVE AND BE LIMITED TO ONE
ADMINISTRATOR.**

**(II) THE HEAD OF THE STATE LICENSING BOARD OR DESIGNEE
SHALL BE THE ADMINISTRATOR OF THIS COMPACT FOR EACH PARTY STATE.**

**(III) ANY ADMINISTRATOR MAY BE REMOVED OR SUSPENDED
FROM OFFICE AS PROVIDED BY THE LAW OF THE STATE FROM WHICH THE
ADMINISTRATOR IS APPOINTED.**

**(IV) ANY VACANCY OCCURRING IN THE COMMISSION SHALL BE
FILLED IN ACCORDANCE WITH THE LAWS OF THE PARTY STATE IN WHICH THE
VACANCY EXISTS.**

**(2) (I) EACH ADMINISTRATOR SHALL BE ENTITLED TO ONLY ONE
VOTE WITH REGARD TO THE PROMULGATION OF RULES AND CREATION OF BYLAWS
AND SHALL OTHERWISE HAVE AN OPPORTUNITY TO PARTICIPATE IN THE BUSINESS
AND AFFAIRS OF THE COMMISSION.**

**(II) AN ADMINISTRATOR SHALL VOTE IN PERSON OR BY SUCH
OTHER MEANS AS PROVIDED IN THE BYLAWS.**

(III) THE BYLAWS MAY PROVIDE FOR AN ADMINISTRATOR'S PARTICIPATION IN MEETINGS BY TELEPHONE OR OTHER MEANS OF COMMUNICATION.

(3) (I) THE COMMISSION SHALL MEET AT LEAST ONCE DURING EACH CALENDAR YEAR.

(II) ADDITIONAL MEETINGS SHALL BE HELD AS SET FORTH IN THE BYLAWS OR RULES OF THE COMMISSION.

(4) EXCEPT AS PROVIDED IN PARAGRAPH (5) OF THIS SUBSECTION, ALL MEETINGS SHALL BE OPEN TO THE PUBLIC AND PUBLIC NOTICE OF MEETINGS SHALL BE GIVEN IN THE SAME MANNER AS REQUIRED UNDER THE RULEMAKING PROVISIONS IN ARTICLE VIII.

(5) SUBJECT TO PARAGRAPH (6) OF THIS SUBSECTION, THE COMMISSION MAY CONVENE IN A CLOSED, NONPUBLIC MEETING IF THE COMMISSION MUST DISCUSS:

(I) NONCOMPLIANCE OF A PARTY STATE WITH ITS OBLIGATIONS UNDER THIS COMPACT;

(II) THE EMPLOYMENT, COMPENSATION, DISCIPLINE, OR OTHER PERSONNEL MATTERS, PRACTICES, OR PROCEDURES RELATED TO SPECIFIC EMPLOYEES OR OTHER MATTERS RELATED TO THE COMMISSION'S INTERNAL PERSONNEL PRACTICES AND PROCEDURES;

(III) CURRENT, THREATENED, OR REASONABLY ANTICIPATED LITIGATION;

(IV) NEGOTIATION OF CONTRACTS FOR THE PURCHASE OR SALE OF GOODS, SERVICES, OR REAL ESTATE;

(V) ACCUSING ANY PERSON OF A CRIME OR FORMALLY CENSURING ANY PERSON;

(VI) DISCLOSURE OF TRADE SECRETS OR COMMERCIAL OR FINANCIAL INFORMATION THAT IS PRIVILEGED OR CONFIDENTIAL;

(VII) DISCLOSURE OF INFORMATION OF A PERSONAL NATURE WHERE DISCLOSURE WOULD CONSTITUTE A CLEARLY UNWARRANTED INVASION OF PERSONAL PRIVACY;

1 (VIII) DISCLOSURE OF INVESTIGATORY RECORDS COMPILED FOR
2 LAW ENFORCEMENT PURPOSES;

3 (IX) DISCLOSURE OF INFORMATION RELATED TO ANY REPORTS
4 PREPARED BY OR ON BEHALF OF THE COMMISSION FOR THE PURPOSE OF
5 INVESTIGATION OF COMPLIANCE WITH THIS COMPACT; OR

6 (X) MATTERS SPECIFICALLY EXEMPTED FROM DISCLOSURE BY
7 FEDERAL OR STATE STATUTE.

8 (6) (I) THE COMMISSION MAY MEET IN CLOSED SESSION ONLY
9 AFTER A MAJORITY OF THE ADMINISTRATORS VOTE TO CLOSE A MEETING IN WHOLE
10 OR IN PART.

11 (II) AS SOON AS PRACTICABLE, THE COMMISSION MUST MAKE
12 PUBLIC A COPY OF THE VOTE TO CLOSE THE MEETING REVEALING THE VOTE OF
13 EACH ADMINISTRATOR, WITH NO PROXY VOTES ALLOWED.

14 (7) (I) IF A MEETING, OR PORTION OF A MEETING, IS CLOSED IN
15 ACCORDANCE WITH PARAGRAPHS (5) AND (6) OF THIS SUBSECTION, THE
16 COMMISSION'S LEGAL COUNSEL OR DESIGNEE SHALL CERTIFY THAT THE MEETING
17 MAY BE CLOSED AND SHALL REFERENCE EACH RELEVANT EXEMPTING PROVISION.

18 (II) THE COMMISSION SHALL KEEP MINUTES THAT FULLY AND
19 CLEARLY DESCRIBE ALL MATTERS DISCUSSED IN A MEETING AND SHALL PROVIDE A
20 FULL AND ACCURATE SUMMARY OF ACTIONS TAKEN, AND THE REASONS FOR THE
21 ACTIONS, INCLUDING A DESCRIPTION OF THE VIEWS EXPRESSED.

22 (III) ALL DOCUMENTS CONSIDERED IN CONNECTION WITH AN
23 ACTION SHALL BE IDENTIFIED IN SUCH MINUTES.

24 (IV) ALL MINUTES AND DOCUMENTS OF A CLOSED MEETING
25 SHALL REMAIN UNDER SEAL, SUBJECT TO RELEASE BY A MAJORITY VOTE OF THE
26 COMMISSION OR ORDER OF A COURT OF COMPETENT JURISDICTION.

27 (C) THE COMMISSION SHALL, BY A MAJORITY VOTE OF THE
28 ADMINISTRATORS, ADOPT BYLAWS OR RULES TO GOVERN ITS CONDUCT AS MAY BE
29 NECESSARY OR APPROPRIATE TO CARRY OUT THE PURPOSES AND EXERCISE THE
30 POWERS OF THIS COMPACT, INCLUDING:

31 (1) ESTABLISHING THE FISCAL YEAR OF THE COMMISSION;

(2) PROVIDING REASONABLE STANDARDS AND PROCEDURES:

(I) FOR THE ESTABLISHMENT AND MEETINGS OF OTHER COMMITTEES; AND

(II) GOVERNING ANY GENERAL OR SPECIFIC DELEGATION OF ANY AUTHORITY OR FUNCTION OF THE COMMISSION;

(3) PROVIDING REASONABLE PROCEDURES FOR CALLING AND CONDUCTING MEETINGS OF THE COMMISSION, ENSURING REASONABLE ADVANCE NOTICE OF ALL MEETINGS, AND PROVIDING AN OPPORTUNITY FOR ATTENDANCE OF SUCH MEETINGS BY INTERESTED PARTIES, WITH ENUMERATED EXCEPTIONS DESIGNED TO PROTECT THE PUBLIC'S INTEREST, THE PRIVACY OF INDIVIDUALS, AND PROPRIETARY INFORMATION, INCLUDING TRADE SECRETS;

(4) ESTABLISHING THE TITLES, DUTIES AND AUTHORITY, AND REASONABLE PROCEDURES FOR THE ELECTION OF THE OFFICERS OF THE COMMISSION;

(5) PROVIDING REASONABLE STANDARDS AND PROCEDURES FOR THE ESTABLISHMENT OF THE PERSONNEL POLICIES AND PROGRAMS OF THE COMMISSION; AND

(6) PROVIDING A MECHANISM FOR WINDING UP THE OPERATIONS OF THE COMMISSION AND THE EQUITABLE DISPOSITION OF ANY SURPLUS FUNDS THAT MAY EXIST AFTER THE TERMINATION OF THIS COMPACT AFTER THE PAYMENT OR RESERVING OF ALL OF ITS DEBTS AND OBLIGATIONS.

(D) THE COMMISSION SHALL PUBLISH ITS BYLAWS AND RULES, AND ANY AMENDMENTS THERETO, IN A CONVENIENT FORM ON THE WEBSITE OF THE COMMISSION.

(E) NOTWITHSTANDING ANY CIVIL SERVICE OR OTHER SIMILAR LAWS OF ANY PARTY STATE, THE BYLAWS SHALL EXCLUSIVELY GOVERN THE PERSONNEL POLICIES AND PROGRAMS OF THE COMMISSION.

(F) THE COMMISSION SHALL MAINTAIN ITS FINANCIAL RECORDS IN ACCORDANCE WITH THE BYLAWS.

(G) THE COMMISSION SHALL MEET AND TAKE SUCH ACTIONS AS ARE CONSISTENT WITH THE PROVISIONS OF THIS COMPACT AND THE BYLAWS.

(H) THE COMMISSION SHALL HAVE THE FOLLOWING POWERS:

1 (1) TO PROMULGATE UNIFORM RULES TO FACILITATE AND
2 COORDINATE IMPLEMENTATION AND ADMINISTRATION OF THIS COMPACT THAT
3 SHALL HAVE THE FORCE AND EFFECT OF LAW AND SHALL BE BINDING IN ALL PARTY
4 STATES;

5 (2) TO BRING AND PROSECUTE LEGAL PROCEEDINGS OR ACTIONS IN
6 THE NAME OF THE COMMISSION, PROVIDED THAT THE STANDING OF ANY LICENSING
7 BOARD TO SUE OR BE SUED UNDER APPLICABLE LAW MAY NOT BE AFFECTED;

8 (3) TO PURCHASE AND MAINTAIN INSURANCE AND BONDS;

9 (4) TO BORROW, ACCEPT, OR CONTRACT FOR SERVICES OF
10 PERSONNEL, INCLUDING EMPLOYEES OF A PARTY STATE OR NONPROFIT
11 ORGANIZATIONS;

12 (5) TO COOPERATE WITH OTHER ORGANIZATIONS THAT ADMINISTER
13 STATE COMPACTS RELATED TO THE REGULATION OF NURSING, INCLUDING BUT NOT
14 LIMITED TO SHARING ADMINISTRATIVE OR STAFF EXPENSES, OFFICE SPACE, OR
15 OTHER RESOURCES;

16 (6) TO HIRE EMPLOYEES, ELECT OR APPOINT OFFICERS, FIX
17 COMPENSATION, DEFINE DUTIES, GRANT SUCH INDIVIDUALS APPROPRIATE
18 AUTHORITY TO CARRY OUT THE PURPOSES OF THIS COMPACT, AND ESTABLISH THE
19 COMMISSION'S PERSONNEL POLICIES AND PROGRAMS RELATING TO CONFLICTS OF
20 INTEREST, QUALIFICATIONS OF PERSONNEL, AND OTHER RELATED PERSONNEL
21 MATTERS;

22 (7) TO ACCEPT ANY AND ALL APPROPRIATE DONATIONS, GRANTS,
23 AND GIFTS OF MONEY, EQUIPMENT, SUPPLIES, MATERIALS, AND SERVICES, AND TO
24 RECEIVE, UTILIZE, AND DISPOSE OF THE SAME, PROVIDED THAT AT ALL TIMES THE
25 COMMISSION SHALL AVOID ANY APPEARANCE OF IMPROPRIETY OR CONFLICT OF
26 INTEREST;

27 (8) TO LEASE, PURCHASE, ACCEPT APPROPRIATE GIFTS OR
28 DONATIONS OF, OR OTHERWISE OWN, HOLD, IMPROVE, OR USE ANY PROPERTY,
29 WHETHER REAL, PERSONAL, OR MIXED, PROVIDED THAT AT ALL TIMES THE
30 COMMISSION SHALL AVOID ANY APPEARANCE OF IMPROPRIETY;

31 (9) TO SELL, CONVEY, MORTGAGE, PLEDGE, LEASE, EXCHANGE,
32 ABANDON, OR OTHERWISE DISPOSE OF ANY PROPERTY, WHETHER REAL, PERSONAL,
33 OR MIXED;

(10) TO ESTABLISH A BUDGET AND MAKE EXPENDITURES;

(11) TO BORROW MONEY;

(12) TO APPOINT COMMITTEES, INCLUDING ADVISORY COMMITTEES COMPOSED OF ADMINISTRATORS, STATE NURSING REGULATORS, STATE LEGISLATORS OR THEIR REPRESENTATIVES, CONSUMER REPRESENTATIVES, AND OTHER INTERESTED PERSONS;

(13) TO ISSUE ADVISORY OPINIONS;

(14) TO PROVIDE AND RECEIVE INFORMATION FROM, AND TO COOPERATE WITH, LAW ENFORCEMENT AGENCIES;

(15) TO ADOPT AND USE AN OFFICIAL SEAL; AND

(16) TO PERFORM SUCH OTHER FUNCTIONS AS MAY BE NECESSARY OR APPROPRIATE TO ACHIEVE THE PURPOSES OF THIS COMPACT CONSISTENT WITH THE STATE REGULATION OF APRN LICENSURE AND PRACTICE.

(I) (1) THE COMMISSION SHALL PAY, OR PROVIDE FOR THE PAYMENT OF, THE REASONABLE EXPENSES OF ITS ESTABLISHMENT, ORGANIZATION, AND ONGOING ACTIVITIES.

(2) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE COMMISSION MAY LEVY ON AND COLLECT AN ANNUAL ASSESSMENT FROM EACH PARTY STATE TO COVER THE COST OF ITS OPERATIONS, ACTIVITIES, AND STAFF IN ITS ANNUAL BUDGET AS APPROVED EACH YEAR.

(II) THE AGGREGATE ANNUAL ASSESSMENT AMOUNT, IF ANY, SHALL BE ALLOCATED BASED ON A FORMULA TO BE DETERMINED BY THE COMMISSION, WHICH SHALL PROMULGATE A RULE THAT IS BINDING ON ALL PARTY STATES.

(3) THE COMMISSION MAY NOT:

(I) INCUR OBLIGATIONS OF ANY KIND PRIOR TO SECURING THE FUNDS ADEQUATE TO MEET THE OBLIGATIONS OF THE COMMISSION; OR

(II) PLEDGE THE CREDIT OF ANY OF THE PARTY STATES, EXCEPT BY, AND WITH THE AUTHORITY OF, THE PARTY STATE.

1 (4) (I) THE COMMISSION SHALL KEEP ACCURATE ACCOUNTS OF
2 ALL RECEIPTS AND DISBURSEMENTS.

3 (II) SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH,
4 THE RECEIPTS AND DISBURSEMENTS OF THE COMMISSION SHALL BE SUBJECT TO
5 THE AUDIT AND ACCOUNTING PROCEDURES ESTABLISHED UNDER ITS BYLAWS.

6 (III) ALL RECEIPTS AND DISBURSEMENTS OF FUNDS HANDLED
7 BY THE COMMISSION SHALL BE AUDITED YEARLY BY A CERTIFIED OR LICENSED
8 PUBLIC ACCOUNTANT, AND THE REPORT OF THE AUDIT SHALL BE INCLUDED IN AND
9 BECOME PART OF THE ANNUAL REPORT OF THE COMMISSION.

10 (J) THE COMMISSION SHALL ISSUE AN ANNUAL REPORT.

11 (K) (1) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS
12 PARAGRAPH, THE ADMINISTRATORS, OFFICERS, EXECUTIVE DIRECTOR,
13 EMPLOYEES, AND REPRESENTATIVES OF THE COMMISSION SHALL BE IMMUNE
14 FROM SUIT AND LIABILITY, EITHER PERSONALLY OR IN THEIR OFFICIAL CAPACITY,
15 FOR ANY CLAIM FOR DAMAGE TO OR LOSS OF PROPERTY OR PERSONAL INJURY OR
16 OTHER CIVIL LIABILITY CAUSED BY OR ARISING OUT OF ANY ACTUAL OR ALLEGED
17 ACT, ERROR, OR OMISSION THAT OCCURRED, OR THAT THE PERSON AGAINST WHOM
18 THE CLAIM IS MADE HAD A REASONABLE BASIS FOR BELIEVING OCCURRED, WITHIN
19 THE SCOPE OF COMMISSION EMPLOYMENT, DUTIES, OR RESPONSIBILITIES.

20 (II) NOTHING IN SUBPARAGRAPH (I) OF THIS PARAGRAPH
21 SHALL BE CONSTRUED TO PROTECT ANY PERSON FROM SUIT OR LIABILITY FOR ANY
22 DAMAGE, LOSS, INJURY, OR LIABILITY CAUSED BY THE INTENTIONAL, WILLFUL, OR
23 WANTON MISCONDUCT OF THAT PERSON.

24 (2) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS
25 PARAGRAPH, THE COMMISSION SHALL DEFEND ANY ADMINISTRATOR, OFFICER,
26 EXECUTIVE DIRECTOR, EMPLOYEE, OR REPRESENTATIVE OF THE COMMISSION IN
27 ANY CIVIL ACTION SEEKING TO IMPOSE LIABILITY ARISING OUT OF ANY ACTUAL OR
28 ALLEGED ACT, ERROR, OR OMISSION THAT OCCURRED WITHIN THE SCOPE OF
29 COMMISSION EMPLOYMENT, DUTIES, OR RESPONSIBILITIES, OR THAT THE PERSON
30 AGAINST WHOM THE CLAIM IS MADE HAD A REASONABLE BASIS FOR BELIEVING
31 OCCURRED WITHIN THE SCOPE OF COMMISSION EMPLOYMENT, DUTIES, OR
32 RESPONSIBILITIES.

33 (II) NOTHING IN SUBPARAGRAPH (I) OF THIS PARAGRAPH
34 SHALL BE CONSTRUED TO:

1 1. PROHIBIT A PERSON FROM RETAINING THE PERSON'S
2 OWN COUNSEL; OR

3 2. PROTECT ANY PERSON FROM SUIT OR LIABILITY FOR
4 ANY DAMAGE, LOSS, INJURY, OR LIABILITY CAUSED BY THE INTENTIONAL, WILLFUL,
5 OR WANTON MISCONDUCT OF THAT PERSON.

6 (3) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS
7 PARAGRAPH, THE COMMISSION SHALL INDEMNIFY AND HOLD HARMLESS ANY
8 ADMINISTRATOR, OFFICER, EXECUTIVE DIRECTOR, EMPLOYEE, OR
9 REPRESENTATIVE OF THE COMMISSION FOR THE AMOUNT OF ANY SETTLEMENT OR
10 JUDGMENT OBTAINED AGAINST THAT PERSON ARISING OUT OF ANY ACTUAL OR
11 ALLEGED ACT, ERROR, OR OMISSION THAT OCCURRED WITHIN THE SCOPE OF
12 COMMISSION EMPLOYMENT, DUTIES, OR RESPONSIBILITIES, OR THAT THE PERSON
13 HAD A REASONABLE BASIS FOR BELIEVING OCCURRED WITHIN THE SCOPE OF
14 COMMISSION EMPLOYMENT, DUTIES, OR RESPONSIBILITIES.

15 (II) NOTHING IN SUBPARAGRAPH (I) OF THIS PARAGRAPH
16 SHALL BE CONSTRUED TO PROTECT ANY PERSON FROM SUIT OR LIABILITY FOR ANY
17 DAMAGE, LOSS, INJURY, OR LIABILITY CAUSED BY THE INTENTIONAL, WILLFUL, OR
18 WANTON MISCONDUCT OF THAT PERSON.

19 ARTICLE VIII. RULEMAKING.

20 (A) (1) THE COMMISSION SHALL EXERCISE ITS RULEMAKING POWERS IN
21 ACCORDANCE WITH THE CRITERIA IN THIS ARTICLE AND THE RULES ADOPTED
22 UNDER THIS ARTICLE.

23 (2) RULES AND AMENDMENTS SHALL BECOME BINDING AS OF THE
24 DATE SPECIFIED IN EACH RULE OR AMENDMENT AND SHALL HAVE THE SAME FORCE
25 AND EFFECT AS PROVISIONS OF THIS COMPACT.

26 (B) RULES OR AMENDMENTS TO THE RULES SHALL BE ADOPTED AT A
27 REGULAR OR SPECIAL MEETING OF THE COMMISSION.

28 (C) BEFORE ADOPTION OF A FINAL RULE OR RULES BY THE COMMISSION,
29 AND AT LEAST 60 DAYS IN ADVANCE OF THE MEETING AT WHICH THE RULE WILL BE
30 CONSIDERED AND VOTED ON, THE COMMISSION SHALL FILE A NOTICE OF PROPOSED
31 RULEMAKING:

32 (1) ON THE WEBSITE OF THE COMMISSION; AND

1 (2) ON THE WEBSITE OF EACH LICENSING BOARD OR THE
2 PUBLICATION IN WHICH EACH STATE WOULD OTHERWISE PUBLISH PROPOSED
3 RULES.

4 (D) THE NOTICE OF PROPOSED RULEMAKING SHALL INCLUDE:

5 (1) THE PROPOSED TIME, DATE, AND LOCATION OF THE MEETING IN
6 WHICH THE RULE WILL BE CONSIDERED AND VOTED ON;

7 (2) THE TEXT OF THE PROPOSED RULE OR AMENDMENT, AND THE
8 REASON FOR THE PROPOSED RULE;

9 (3) A REQUEST FOR COMMENTS ON THE PROPOSED RULE FROM ANY
10 INTERESTED PERSON; AND

11 (4) THE MANNER IN WHICH INTERESTED PERSONS MAY SUBMIT
12 NOTICE TO THE COMMISSION OF THEIR INTENTION TO ATTEND THE PUBLIC
13 HEARING AND ANY WRITTEN COMMENTS.

14 (E) BEFORE ADOPTION OF A PROPOSED RULE, THE COMMISSION SHALL
15 ALLOW PERSONS TO SUBMIT WRITTEN DATA, FACTS, OPINIONS, AND ARGUMENTS,
16 WHICH SHALL BE MADE AVAILABLE TO THE PUBLIC.

17 (F) EXCEPT AS PROVIDED IN SUBSECTION (K) OF THIS ARTICLE, THE
18 COMMISSION SHALL GRANT AN OPPORTUNITY FOR A PUBLIC HEARING BEFORE IT
19 ADOPTS A RULE OR AMENDMENT.

20 (G) (1) THE COMMISSION SHALL PUBLISH THE PLACE, TIME, AND DATE
21 OF THE SCHEDULED PUBLIC HEARING.

22 (2) HEARINGS SHALL BE CONDUCTED IN A MANNER PROVIDING EACH
23 PERSON WHO WISHES TO COMMENT A FAIR AND REASONABLE OPPORTUNITY TO
24 COMMENT ORALLY OR IN WRITING.

25 (3) ALL HEARINGS SHALL BE RECORDED, AND A COPY WILL BE MADE
26 AVAILABLE ON REQUEST.

27 (4) (I) NOTHING IN THIS SECTION SHALL BE CONSTRUED AS
28 REQUIRING A SEPARATE HEARING ON EACH RULE.

29 (II) RULES MAY BE GROUPED FOR THE CONVENIENCE OF THE
30 COMMISSION AT HEARINGS REQUIRED BY THIS SECTION.

1 **(H) IF NO ONE APPEARS AT THE PUBLIC HEARING, THE COMMISSION MAY**
2 **PROCEED WITH ADOPTION OF THE PROPOSED RULE.**

3 **(I) FOLLOWING THE SCHEDULED HEARING DATE, OR BY THE CLOSE OF**
4 **BUSINESS ON THE SCHEDULED HEARING DATE IF THE HEARING WAS NOT HELD, THE**
5 **COMMISSION SHALL CONSIDER ALL WRITTEN AND ORAL COMMENTS RECEIVED.**

6 **(J) THE COMMISSION SHALL, BY MAJORITY VOTE OF ALL**
7 **ADMINISTRATORS:**

8 **(1) TAKE FINAL ACTION ON THE PROPOSED RULE; AND**

9 **(2) DETERMINE THE EFFECTIVE DATE OF THE RULE, IF ANY, BASED**
10 **ON THE RULEMAKING RECORD AND THE FULL TEXT OF THE RULE.**

11 **(K) (1) ON DETERMINATION THAT AN EMERGENCY EXISTS, THE**
12 **COMMISSION MAY CONSIDER AND ADOPT AN EMERGENCY RULE WITHOUT PRIOR**
13 **NOTICE, AN OPPORTUNITY FOR COMMENT, OR A HEARING, PROVIDED THAT THE**
14 **USUAL RULEMAKING PROCEDURES PROVIDED FOR IN THIS COMPACT SHALL BE**
15 **RETROACTIVELY APPLIED TO THE RULE AS SOON AS REASONABLY POSSIBLE, BUT IN**
16 **NO EVENT LATER THAN 90 DAYS AFTER THE EFFECTIVE DATE OF THE RULE.**

17 **(2) FOR THE PURPOSES OF THIS SUBSECTION, AN EMERGENCY RULE**
18 **IS ONE THAT MUST BE ADOPTED IMMEDIATELY IN ORDER TO:**

19 **(I) MEET AN IMMINENT THREAT TO PUBLIC HEALTH, SAFETY,**
20 **OR WELFARE;**

21 **(II) PREVENT A LOSS OF COMMISSION OR PARTY STATE FUNDS;**
22 **OR**

23 **(III) MEET A DEADLINE FOR THE PROMULGATION OF AN**
24 **ADMINISTRATIVE RULE THAT IS ESTABLISHED BY FEDERAL LAW OR RULE.**

25 **(L) (1) THE COMMISSION MAY DIRECT REVISIONS TO A PREVIOUSLY**
26 **ADOPTED RULE OR AMENDMENT FOR PURPOSES OF CORRECTING TYPOGRAPHICAL**
27 **ERRORS, ERRORS IN FORMAT, ERRORS IN CONSISTENCY, OR GRAMMATICAL**
28 **ERRORS.**

29 **(2) PUBLIC NOTICE OF ANY REVISIONS SHALL BE POSTED ON THE**
30 **WEBSITE OF THE COMMISSION.**

1 (3) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE
2 REVISION SHALL BE SUBJECT TO CHALLENGE BY ANY PERSON FOR A PERIOD OF 30
3 DAYS AFTER POSTING.

4 (II) THE REVISION MAY BE CHALLENGED ONLY ON GROUNDS
5 THAT THE REVISION RESULTS IN A MATERIAL CHANGE TO A RULE.

6 (III) A CHALLENGE SHALL BE MADE IN WRITING AND DELIVERED
7 TO THE COMMISSION BEFORE THE END OF THE NOTICE PERIOD.

8 (IV) IF NO CHALLENGE IS MADE, THE REVISION WILL TAKE
9 EFFECT WITHOUT FURTHER ACTION.

10 (V) IF THE REVISION IS CHALLENGED, THE REVISION MAY NOT
11 TAKE EFFECT WITHOUT THE APPROVAL OF THE COMMISSION.

12 **ARTICLE IX. OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT.**

13 (A) (1) EACH PARTY STATE SHALL ENFORCE THIS COMPACT AND TAKE
14 ALL ACTIONS NECESSARY AND APPROPRIATE TO EFFECTUATE THIS COMPACT'S
15 PURPOSES AND INTENT.

16 (2) THE COMMISSION SHALL:

17 (I) BE ENTITLED TO RECEIVE SERVICE OF PROCESS IN ANY
18 PROCEEDING THAT MAY AFFECT THE POWERS, RESPONSIBILITIES, OR ACTIONS OF
19 THE COMMISSION; AND

20 (II) HAVE STANDING TO INTERVENE IN A PROCEEDING FOR ALL
21 PURPOSES.

22 (3) FAILURE TO PROVIDE SERVICE OF PROCESS TO THE COMMISSION
23 SHALL RENDER A JUDGMENT OR ORDER VOID AS TO THE COMMISSION, THIS
24 COMPACT, OR ADOPTED RULES.

25 (B) (1) IF THE COMMISSION DETERMINES THAT A PARTY STATE HAS
26 DEFAULTED IN THE PERFORMANCE OF ITS OBLIGATIONS OR RESPONSIBILITIES
27 UNDER THIS COMPACT OR THE ADOPTED RULES, THE COMMISSION SHALL:

28 (I) PROVIDE WRITTEN NOTICE TO THE DEFAULTING STATE
29 AND OTHER PARTY STATES OF THE NATURE OF THE DEFAULT, THE PROPOSED
30 MEANS OF CURING THE DEFAULT, OR ANY OTHER ACTION TO BE TAKEN BY THE
31 COMMISSION; AND

1 (II) PROVIDE REMEDIAL TRAINING AND SPECIFIC TECHNICAL
2 ASSISTANCE REGARDING THE DEFAULT.

3 (2) (I) IF A STATE IN DEFAULT FAILS TO CURE THE DEFAULT, THE
4 DEFAULTING STATE'S MEMBERSHIP IN THIS COMPACT MAY BE TERMINATED ON AN
5 AFFIRMATIVE VOTE OF A MAJORITY OF THE ADMINISTRATORS, AND ALL RIGHTS,
6 PRIVILEGES, AND BENEFITS CONFERRED BY THIS COMPACT MAY BE TERMINATED
7 ON THE EFFECTIVE DATE OF TERMINATION.

8 (II) A CURE OF THE DEFAULT DOES NOT RELIEVE THE
9 OFFENDING STATE OF OBLIGATIONS OR LIABILITIES INCURRED DURING THE
10 PERIOD OF DEFAULT.

11 (3) (I) TERMINATION OF MEMBERSHIP IN THIS COMPACT SHALL
12 BE IMPOSED ONLY AFTER ALL OTHER MEANS OF SECURING COMPLIANCE HAVE
13 BEEN EXHAUSTED.

14 (II) NOTICE OF INTENT TO SUSPEND OR TERMINATE SHALL BE
15 GIVEN BY THE COMMISSION TO THE GOVERNOR OF THE DEFAULTING STATE, TO THE
16 EXECUTIVE OFFICER OF THE DEFAULTING STATE'S LICENSING BOARD, THE
17 DEFAULTING STATE'S LICENSING BOARD, AND TO EACH OF THE PARTY STATES.

18 (4) A STATE WHOSE MEMBERSHIP IN THIS COMPACT HAS BEEN
19 TERMINATED IS RESPONSIBLE FOR ALL ASSESSMENTS, OBLIGATIONS, AND
20 LIABILITIES INCURRED THROUGH THE EFFECTIVE DATE OF TERMINATION,
21 INCLUDING OBLIGATIONS THAT EXTEND BEYOND THE EFFECTIVE DATE OF
22 TERMINATION.

23 (5) THE COMMISSION MAY NOT BEAR ANY COSTS RELATED TO A
24 STATE THAT IS FOUND TO BE IN DEFAULT OR WHOSE MEMBERSHIP IN THIS
25 COMPACT HAS BEEN TERMINATED UNLESS AGREED ON IN WRITING BETWEEN THE
26 COMMISSION AND THE DEFAULTING STATE.

27 (6) (I) THE DEFAULTING STATE MAY APPEAL THE ACTION OF THE
28 COMMISSION BY PETITIONING THE U.S. DISTRICT COURT FOR THE DISTRICT OF
29 COLUMBIA OR THE FEDERAL DISTRICT IN WHICH THE COMMISSION HAS ITS
30 PRINCIPAL OFFICES.

31 (II) THE PREVAILING PARTY SHALL BE AWARDED ALL COSTS OF
32 SUCH LITIGATION, INCLUDING REASONABLE ATTORNEY'S FEES.

1 (C) (1) ON REQUEST BY A PARTY STATE, THE COMMISSION SHALL
2 ATTEMPT TO RESOLVE DISPUTES RELATED TO THE COMPACT THAT ARISE AMONG
3 PARTY STATES AND BETWEEN PARTY AND NONPARTY STATES.

4 (2) THE COMMISSION SHALL ADOPT A RULE PROVIDING FOR BOTH
5 MEDIATION AND BINDING DISPUTE RESOLUTION FOR DISPUTES, AS APPROPRIATE.

6 (3) IN THE EVENT THE COMMISSION CANNOT RESOLVE DISPUTES
7 AMONG PARTY STATES ARISING UNDER THIS COMPACT:

8 (I) THE PARTY STATES MAY SUBMIT THE ISSUES IN DISPUTE TO
9 AN ARBITRATION PANEL, WHICH WILL BE COMPOSED OF INDIVIDUALS APPOINTED
10 BY THE COMPACT ADMINISTRATOR IN EACH OF THE AFFECTED PARTY STATES AND
11 AN INDIVIDUAL MUTUALLY AGREED ON BY THE COMPACT ADMINISTRATORS OF ALL
12 THE PARTY STATES INVOLVED IN THE DISPUTE; AND

13 (II) THE DECISION OF A MAJORITY OF THE ARBITRATORS SHALL
14 BE FINAL AND BINDING.

15 (D) (1) THE COMMISSION, IN THE REASONABLE EXERCISE OF ITS
16 DISCRETION, SHALL ENFORCE THE PROVISIONS AND RULES OF THIS COMPACT.

17 (2) (I) BY MAJORITY VOTE, THE COMMISSION MAY INITIATE LEGAL
18 ACTION IN THE U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA OR THE
19 FEDERAL DISTRICT IN WHICH THE COMMISSION HAS ITS PRINCIPAL OFFICES
20 AGAINST A PARTY STATE THAT IS IN DEFAULT TO ENFORCE COMPLIANCE WITH THE
21 PROVISIONS OF THIS COMPACT AND ITS ADOPTED RULES AND BYLAWS.

22 (II) THE RELIEF SOUGHT MAY INCLUDE BOTH INJUNCTIVE
23 RELIEF AND DAMAGES.

24 (III) IN THE EVENT JUDICIAL ENFORCEMENT IS NECESSARY, THE
25 PREVAILING PARTY SHALL BE AWARDED ALL COSTS OF SUCH LITIGATION,
26 INCLUDING REASONABLE ATTORNEY'S FEES.

27 (3) (I) THE REMEDIES PROVIDED FOR IN THIS ARTICLE MAY NOT
28 BE THE EXCLUSIVE REMEDIES OF THE COMMISSION.

29 (II) THE COMMISSION MAY PURSUE ANY OTHER REMEDIES
30 AVAILABLE UNDER FEDERAL OR STATE LAW.

31 ARTICLE X. EFFECTIVE DATE, WITHDRAWAL, AND AMENDMENT.

1 (A) THIS COMPACT SHALL COME INTO LIMITED EFFECT AT SUCH TIME AS
2 THIS COMPACT HAS BEEN ENACTED INTO LAW IN SEVEN PARTY STATES FOR THE
3 SOLE PURPOSE OF ESTABLISHING AND CONVENING THE COMMISSION TO ADOPT
4 RULES RELATING TO ITS OPERATION.

5 (B) ANY STATE THAT JOINS THIS COMPACT SUBSEQUENT TO THE
6 COMMISSION'S INITIAL ADOPTION OF THE APRN UNIFORM LICENSURE
7 REQUIREMENTS SHALL BE SUBJECT TO ALL RULES THAT HAVE BEEN PREVIOUSLY
8 ADOPTED BY THE COMMISSION.

9 (C) (1) ANY PARTY STATE MAY WITHDRAW FROM THIS COMPACT BY
10 ENACTING A STATUTE REPEALING THE SAME.

11 (2) A PARTY STATE'S WITHDRAWAL MAY NOT TAKE EFFECT UNTIL 6
12 MONTHS AFTER ENACTMENT OF THE REPEALING STATUTE.

13 (D) A PARTY STATE'S WITHDRAWAL OR TERMINATION MAY NOT AFFECT THE
14 CONTINUING REQUIREMENT OF THE WITHDRAWING OR TERMINATED STATE'S
15 LICENSING BOARD TO REPORT ADVERSE ACTIONS AND SIGNIFICANT
16 INVESTIGATIONS OCCURRING BEFORE THE EFFECTIVE DATE OF THE WITHDRAWAL
17 OR TERMINATION.

18 (E) NOTHING CONTAINED IN THIS COMPACT SHALL BE CONSTRUED TO
19 INVALIDATE OR PREVENT ANY APRN LICENSURE AGREEMENT OR OTHER
20 COOPERATIVE ARRANGEMENT BETWEEN A PARTY STATE AND A NONPARTY STATE
21 THAT IS MADE IN ACCORDANCE WITH THE PROVISIONS OF THIS COMPACT.

22 (F) (1) THIS COMPACT MAY BE AMENDED BY THE PARTY STATES.

23 (2) AN AMENDMENT TO THIS COMPACT MAY NOT BECOME EFFECTIVE
24 AND BINDING ON THE PARTY STATES UNLESS AND UNTIL IT IS ENACTED INTO THE
25 LAWS OF ALL PARTY STATES.

26 (G) REPRESENTATIVES OF NONPARTY STATES TO THIS COMPACT SHALL BE
27 INVITED TO PARTICIPATE IN THE ACTIVITIES OF THE COMMISSION, ON A
28 NONVOTING BASIS, BEFORE THE ADOPTION OF THIS COMPACT BY ALL STATES.

29 **ARTICLE XI. CONSTRUCTION AND SEVERABILITY.**

30 (A) THIS COMPACT SHALL BE LIBERALLY CONSTRUED SO AS TO
31 EFFECTUATE THE PURPOSES OF THE COMPACT.

1 **(B) THE PROVISIONS OF THIS COMPACT SHALL BE SEVERABLE, AND IF ANY**
2 **PHRASE, CLAUSE, SENTENCE, OR PROVISION OF THIS COMPACT IS DECLARED TO BE**
3 **CONTRARY TO THE CONSTITUTION OF ANY PARTY STATE OR OF THE UNITED**
4 **STATES, OR IF THE APPLICABILITY THEREOF TO ANY GOVERNMENT, AGENCY,**
5 **PERSON, OR CIRCUMSTANCE IS HELD INVALID, THE VALIDITY OF THE REMAINDER**
6 **OF THIS COMPACT AND THE APPLICABILITY THEREOF TO ANY GOVERNMENT,**
7 **AGENCY, PERSON, OR CIRCUMSTANCE SHALL NOT BE AFFECTED THEREBY.**

8 **(C) IF THIS COMPACT IS HELD TO BE CONTRARY TO THE CONSTITUTION OF**
9 **A PARTY STATE, THIS COMPACT SHALL REMAIN IN FULL FORCE AND EFFECT AS TO**
10 **THE REMAINING PARTY STATES AND IN FULL FORCE AND EFFECT AS TO THE PARTY**
11 **STATE AFFECTED AS TO ALL SEVERABLE MATTERS.**

12 SECTION 2. AND BE IT FURTHER ENACTED, That on the formation of the
13 Interstate Commission of APRN Compact Administrators established under Section 1 of
14 this Act, the Compact Administrator of the State shall recommend that:

15 (1) an APRN Advisory Committee be formed and composed of advanced
16 practice registered nurses seated on party state licensing boards; and

17 (2) the APRN Advisory Committee advise the Interstate Commission of
18 Compact Administrators of regulatory matters, as needed.

19 SECTION 3. AND BE IT FURTHER ENACTED, That this Act is contingent on the
20 enacting of substantially similar legislation in six other states. The Maryland Department
21 of Health shall notify the Department of Legislative Services within 10 days after any state
22 has enacted legislation that is substantially similar to this Act.

23 SECTION 4. AND BE IT FURTHER ENACTED, That, subject to Section 3 of this
24 Act, this Act shall take effect October 1, 2024.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.