

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

The Committee on **Health and Human Services** recommends **HB 2763** be amended on page 2, in line 17, by striking ", including issuance of a cease and desist action"; in line 31, by striking "section" and inserting "article"; in line 38, by striking "section 12" and inserting "this compact"; in line 39, by striking all after "(i)"; by striking all in lines 40 and 41; in line 42, by striking "(j)";

On page 3, in line 8, by striking "section" and inserting "article"; by striking all in lines 34 and 35, in line 36, after "Encumbrance" by inserting "or "encumbered""; in line 39, by striking "(t)" and inserting "(r) "Executive committee" means a group of commissioners elected or appointed to act on behalf of and within the powers granted to them by the compact and the commission.

(s)";

On page 4, in line 15, by striking all after "state"; by striking all in line 16; in line 17, by striking all before the period and inserting "other than the state of qualifying licensure"; by striking all in lines 30 through 34; following line 34, by inserting:

"(cc) "Single state license" means a license issued by any state that authorizes practice only within the issuing state.";

Also on page 4, in line 42, by striking all after "(a)" and inserting "To be eligible to join this compact and to maintain eligibility as a member state, a state shall:"; in line 43, after "(1)" by inserting "Enact and maintain a statute that is not materially different from the model compact language;

(2)";

On page 5, in line 2 by striking all after the semicolon; in line 4, by striking the period; by striking all in line 5 and inserting ";

(5) Grant the compact privilege to a licensee who meets all the requirements outlined in article 4 in accordance with the terms of the compact and any rules adopted under this compact;"

Also on page 5, in line 11, before "implement" by inserting "within a time frame established by rule,"; in line 21, by striking all before the first "in"; in line 27, after the semicolon by inserting "and"; in line 28, by striking the semicolon; by striking all in lines 29 through 31; in line 32, by striking all before the period; in line 33, by striking "(c)" and inserting "(b)"; also in line 33, by striking all after "for"; in line 34, by striking "privilege" and inserting "issuance and renewal of a compact privilege to applicants"; in line 35, by striking "not residing in a member state" and inserting "without a compact qualifying license"; in line 37, by striking all after the period; by striking all in line 38 and 39;

On page 6, by striking all in lines 4 through 6 and inserting "(a) To be eligible for a compact privilege under the terms and provisions of the compact, the licensee shall complete a criminal background check performed by the licensing authority in the state of qualifying licensure prior to entry in the compact and shall:

(1) Satisfy one of the following two pathways:"

Also on page 6, in line 11, after "(a)" by inserting "At least"; in line 12, after the second "or" by inserting "university accredited at the time of graduation by"; in line 21, by striking all after "organization" and inserting "preceding"; in line 30, by striking "(d), (f), (g) and (h)"; in line 35, by striking "education" and inserting "competence";

On page 7, in line 6, after the period by inserting "A licensee may apply for and hold

compact privileges in multiple states."; in line 7, after "(c)" by inserting "A licensed athletic trainer shall follow the scope of practice of the member state where the patient is located."; in line 9, by striking all after the period; by striking all in line 10; in line 11, by striking all before "Licensees"; in line 18, by striking "and/or" and inserting "or"; in line 25, by striking all after "shall"; in line 26, by striking all before "in" and inserting "result in deactivation"; in line 34, by striking all after "license"; by striking all in line 35 and inserting "is restored to good standing as a compact qualifying license as certified by the licensing authority,";

On page 8, in line 11, after "(b)" by inserting "Nothing in this article shall require that the state of qualifying licensure be the state of primary residence or state of primary practice for the licensee.

(c)";

Also on page 8, in line 12, by striking all after "states"; in line 13, by striking all before the period; in line 18, by striking "and" and inserting "or"; in line 19, by striking all after "privilege"; in line 20, by striking all before the period; also in line 20, by striking "remote" and inserting "member"; also in line 20, by striking all after the second "a"; in line 21, by striking all before the comma and inserting "member state fee"; in line 22, by striking "and" and inserting "or"; in line 34, after "laws" by inserting "or rules"; in line 36, after "action" by inserting "as set forth in this compact"; in line 41, by striking "an" and inserting "a member state"; in line 42, by striking "in a member state";

On page 9, in line 1, by striking all after "(B)"; by striking all in lines 2 through 13 and inserting "A member state that issues a subpoena may request service of that subpoena by another member state. The member state receiving the request to serve a subpoena shall serve the subpoena if it is deemed enforceable by a court of competent jurisdiction according to the practice and procedure in the receiving member state.

(C) The issuing authority shall pay any witness fees, travel expenses, mileage and other fees required by the service statutes of the state where the witnesses or evidence are located.";

Also on page 9, in line 22, by striking all after "(g)"; by striking all in lines 23 and 24; in line 25, by striking "(h)"; in line 29, by striking "investigative" and inserting "current significant investigative information"; in line 31, after the period by inserting "In sharing such information between member state athletic trainer licensing authorities, all information obtained shall be kept confidential except as otherwise mutually agreed upon by the sharing and receiving member state.

(3) A remote state may issue subpoenas on behalf of a member state for both hearings and investigations that require the attendance and testimony of witnesses as well as the production of evidence.";

Also on page 9, in line 32, by striking "(i)" and inserting "(h)"; in line 34, by striking "the state of qualifying licensure" and inserting "all member states"; in line 36, by striking all after "(j)"; by striking all in lines 37 and 38; in line 39, by striking "(k)";

On page 10, in line 10, by striking "delegate,"; in line 11, by striking all before "commissioner"; in line 12, after "authority" by inserting "within 60 days of the member state's effective date"; in line 22, by striking all after "(6)"; by striking all in lines 23 through 25; in line 26, by striking "(7)"; in line 28, by striking all before "meet" and inserting "A commissioner shall vote in person or by such other means as provided in the bylaws. The bylaws may provide for commissioners to"; in line 31, by striking all after "(1)"; by striking all in line 32; in line 33, by striking all before "amend"; following line 33 by inserting:

"(2) Establish a code of conduct, confidentiality and conflict of interest policies for commissioners;

(3) establish the fiscal year of the compact commission;"

Also on page 10, by striking all in lines 35 through 43;

On page 11, by striking all in lines 1 through 21; in line 22 by striking "(18)" and inserting "(5) purchase and maintain insurance and insurance bonds;

(6) accept or contract for services of personnel, including, but not limited to, employees of a member state;

(7) conduct a financial review or audit;

(8) hire employees, elect or appoint officers, fix compensation, define duties, grant such individuals appropriate authority to carry out the purposes of the compact and establish the compact commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel and other related personnel matters;

(9) enter into contracts or arrangements for the management of the affairs of the commission;

(10) assess and collect fees;

(11) accept any and all appropriate gifts, donations, grants of money, other sources of revenue, equipment, supplies, materials and services and receive, utilize and dispose of the same, except that at all times the compact commission shall avoid any appearance of impropriety or conflict of interest;

(12) lease, purchase, retain, own, hold, improve, invest or use any property, whether real, personal or mixed, or any undivided interest therein;

(13) sell, convey, mortgage, pledge, lease, exchange, abandon or otherwise dispose of any property, whether real, personal or mixed;

(14) establish a budget and make expenditures;

(15) borrow and invest money;

(16) meet and take such actions as are consistent with the provisions of this compact, the

compact commission's rules and the bylaws;

(17) initiate and conclude legal proceedings or actions in the name of the compact commission, except that the standing of any licensing authority to sue or be sued under applicable law shall not be affected;

(18) maintain and certify records and information provided to a member state as the authenticated business records of the compact commission and designate an agent to do so on the compact commission's behalf;

(19) provide and receive information from and cooperate with law enforcement agencies;

(20) determine whether a state's adopted language is materially different from the model compact language such that the state would not qualify for participation in the compact;

(21) establish and elect an executive committee, including a chairperson and a vice chairperson, secretary, treasurer and such other offices as the commission shall establish by rule or bylaw;

(22)";

Also on page 11, by striking all in lines 26 through 34; in line 35, by striking all before "and"; in line 43, after "(A)" by inserting "Exercise the powers and duties of the compact commission during the interim between compact commission meetings, except for adopting or amending rules, adopting or amending bylaws and exercising any other powers and duties expressly reserved to the compact commission by rule or bylaw;

(B)";

On page 12, by striking all in lines 13 through 16; in line 17, by striking all before "and"; in line 20, by striking "members" and inserting "voting members elected by the compact commission"

On page 13, in line 3, by striking "(2)" and inserting "(4)"; in line 4, by striking "(A)" and

inserting "(2)"; in line 7, by striking "subparagraph (B)" and inserting "paragraph (3)"; in line 9, by striking "shall" and inserting "must"; in line 14, by striking "(2)" and inserting "(4)";

On page 14, by striking all in lines 1 through 4; in line 5, by striking all before "All"; in line 14, by striking "subsection (c)(13)" and inserting "this section";

On page 15, in line 39, by striking "database" and inserting "member system"; in line 40, after the comma by inserting "compact privileges,";

On page 16, in line 15, by striking all after "(6)" and inserting "a binary determination regarding the presence of current significant investigative information; and"; in line 25, after "(d)" by inserting "Current"; in line 28, by striking "database" and inserting "data system";

On page 17, in line 7, by striking all before "a" and inserting "scope of practice that";

On page 20, in line 17, after "licenses" by inserting "and compact privileges"; also in line 17, by striking "six months" and inserting "180 days"; in line 35, by striking "supermajority" and inserting "a $\frac{2}{3}$ majority";

On page 21, in line 30, after "in" by inserting "this"; in line 31, by striking "8(c)(22)";

On page 22, in line 11, after "licensees" by inserting "and privilege holders"; in line 39, by striking "subsection (b)" and inserting "the foregoing"; in line 40, by striking all after "or"; in line 41, by striking all before "terminate";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

And the bill be passed as amended.

Chairperson