

SESSION OF 2026

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2533**

As Amended by Senate Committee on Public  
Health and Welfare

**Brief\***

HB 2533, as amended, would enact the Occupational Therapy Licensure Compact (Compact). The Compact's uniform provisions are outlined below.

***Purpose (Article 1)***

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

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

***Definitions (Article 2)***

The Compact would define 26 terms used throughout the Compact, including these:

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <https://klrd.gov/>

- “Occupational therapist” would mean an individual who is licensed by a state to practice occupational therapy;
- “Occupational therapy assistant” would mean an individual who is licensed by a state to assist in the practice of occupational therapy;
- “Occupational therapy,” “occupational therapy practice,” and “the practice of occupational therapy” would mean the care and services provided by an occupational therapist or an occupational therapy assistant as set forth in the member state’s statutes and regulations;
- “Occupational Therapy Compact Commission” or “Commission” would mean the national administrative body whose membership consists of all states that have enacted the Compact; and
- “Single-state license” would mean an occupational therapist or occupational therapy assistant license issued by a member state that authorizes practice only within the issuing state and does not include a Compact privilege in any other member state.

***State Participation in the Compact (Article 3)***

The Compact would require member states to:

- License occupational therapists and occupational therapy assistants;
- Participate fully in the Commission data system including using the Commission’s unique identifiers;
- Have a mechanism in place for receiving and investigating complaints concerning licensees;

- Notify the Commission of any adverse actions or the availability of investigative information regarding a licensee;
- Implement or utilize procedures for considering the criminal history records of applicants for an initial Compact privilege. These procedures would include the submission of fingerprints or other biometric-based information by applicants for the purpose of obtaining a criminal history record from the Federal Bureau of Investigation and the comparable state agency for Compact licensees;
- Comply with the rules of the Commission;
- Utilize only a recognized national examination as a requirement for licensure; and
- Have continuing competence or education requirements as a condition for license renewal.

The Compact would require granting a compact privilege to each licensee who has met the terms of the Compact and rules, authorize member states to charge a fee for granting a Compact privilege, and require each member state to provide for the state's delegate to attend all Commission meetings.

#### ***Compact Privilege (Article 4)***

The Compact would require licensees to meet certain fee, reporting, and credentialing criteria to exercise Compact privileges and would align Compact privilege with the underlying valid home state license including renewal criteria and supervision requirements set by the licensee's home state. The Compact would require that a licensee practicing in a remote state adhere to the remote state's laws and regulations related to providing occupational therapy.

***Obtaining a New Home State License By Virtue of Compact Privilege (Article 5)***

The Compact would allow a licensee to have only one home state license at a time. The 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 (Article 6)***

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 while the service member is on active duty.

***Adverse Actions (Article 7)***

The Compact would allow a member state to take adverse action against an licensee's Compact privilege in that member state and to issue subpoenas. Only the licensee's home state would have the authority 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 Compact would authorize joint investigations of licensees by member states.

***Establishment of the Occupational Therapy Compact  
Commission (Article 8)***

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

The Compact would provide for the qualified immunity, defense, and indemnity of its members, officers, executive director, employees, and representatives 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.

***Data Systems (Article 9)***

The Compact would require the Commission to develop, maintain, and utilize a coordinated data system. The 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 Compact would also require removal of expunged information from the data system.

### ***Rulemaking (Article 10)***

The Compact would authorize the 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 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. The 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 Compact would also provide for emergency rulemaking procedures.

### ***Oversight, Dispute Resolution, and Enforcement (Article 11)***

The Compact would provide that the executive, legislative, and judicial branches in each member state would enforce and effectuate the Compact. The Compact would establish judicial venue and service of process for the 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 authorized to enforce the provisions of the Compact, and, by majority vote, could initiate legal action in federal court against a member state.

### ***Date of Implementation of the Commission and Associated Rules, Withdrawal, and Amendment (Article 12)***

The Compact would be effective on the date on which the Compact statute is enacted into law in the tenth member

state. [*Note:* The Compact has been enacted in 32 states and Compact privileges are being issued in at least 3 states as of February 5, 2026.]

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 six months after the enactment of the repealing statute. Withdrawal from the Compact would not end the continuing requirement to comply with the investigative and adverse action reporting requirements prior to the effective date of withdrawal.

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 nonmember state that did not conflict with the Compact.

#### ***Construction and Severability (Article 13)***

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

#### ***Binding Effect of Compact and Other Laws (Article 14)***

The Compact would require a licensee providing occupational therapy in a remote state under Compact privilege to comply with the remote state's laws and regulations. The Compact would not prevent the enforcement of any other law of a member state 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. If any provision of the Compact exceeds constitutional limits imposed on the legislature of a member state, the provision

would be ineffective to the extent of the conflict in that member state.

*The bill would be in effect upon publication in the Kansas Register.*

## **Background**

The bill was introduced by the House Committee on Health and Human Services 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 Kansas Adjutant General's Office, Kansas Chamber of Commerce, Kansas Occupational Therapy Association, United WE, and the U.S. Department of War. [Note: The U.S. Department of Defense is now referred to as the U.S. Department of War in official communications, per Executive Order 14347, signed September 5, 2025.] The proponent conferees noted the adoption of the Compact would strengthen the workforce and access to care as well as aid in portability of licensing across states for the profession and assisting military families in their relocations.

Written-only proponent testimony was provided by representatives of the Greater Kansas City Chamber of Commerce, Kansas Hospital Association, Mountain Region of CommonSpirit Health, and West Virginia University.

No other testimony was provided.

The House Committee amended the bill to insert "the executive committee" regarding the term of office for delegates of the Commission to match the uniform language of the Compact.

### **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, Kansas Chamber of Commerce, and Kansas Occupational Therapy Association. Proponents generally stated that the Compact would address workforce issues, increase access to care, and fast-track the licensing process for military spouses.

Written-only proponent testimony was provided by representatives of the Greater Kansas City Chamber of Commerce and the U.S. Department of War.

No other testimony was provided.

The Senate Committee amended the bill to take effect upon publication in the *Kansas Register*.

### **Fiscal Information**

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the State Board of Healing Arts states enactment of the bill would increase fee fund expenditures by \$65,500 and require the addition of 1.00 Licensing Analyst position in FY 2027. The agency would need \$55,500 for the salary and benefits for the new position, as well as one-time costs for computer and office setup needs. The position and the related salary and wages would be ongoing in future years. The agency anticipates some additional revenue related to an increase in occupational therapists and occupational therapy assistants who would qualify for privileges under the Compact. However, the agency states there is no mechanism to estimate the number of new providers.

Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2027 Governor's Budget Report*.

Health; health care; compact; interstate practice privileges; licensure; occupational therapists; occupational therapy assistants; Occupational Therapy Licensure Compact