

PA Compact Commission

Title of Rule: Definitions

History of Rule:

Reason for Rule: Definitions for the purpose of the rules adopted by the PA Compact Commission.

Effective Date:

Chapter 2: Definitions

Authority: Section 2: Definitions

Section 7: Establishment of PA Compact Commission

Section 9: Rulemaking

2.0 Purpose:

Pursuant to Section 7 and for the purpose of the rules adopted by the PA Compact Commission, the following definitions shall apply. Terms not specifically defined in these Rules shall have the definition as set forth in the Compact. In the event of a conflict with definitions found elsewhere in these Rules, definitions found in Section 2.1 shall control and prevail.

2.1 Definitions:

- (a) **"Administrative fee" or "service fee"** means fees that may be assessed by the PA Licensure Compact Commission, member state, or both, to handle and process an application to select a state of qualifying license, or a commission compact privilege fee authorized by Section 7.E of the model compact language. An administrative or service fee is separate from the privilege fee established by participating states.
- (b) **"Adverse Action"** means any administrative, civil, equitable, or criminal action permitted by a State's laws which is imposed by a Licensing Board or other authority against a PA License or License application or Compact Privilege such as License denial, censure, revocation, suspension, probation, monitoring of the Licensee, or restriction on the Licensee's practice.
- (c) **"Compact"** means the PA Licensure Compact.
- (d) **"Compact Privilege"** means 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 the Remote State under the Remote State's laws and regulations.
- (e) **"Compact Privilege fee" or "privilege fee"** means the fee a participating state establishes for a privilege issued through the compact.
- (f) **"Confidential and filed under seal"** means all information and documents required to be shared in compliance with the Compact shall be transmitted confidentially and may not be discoverable in civil litigation, re-disclosed voluntarily or pursuant to a public records

request, or produced pursuant to civil or criminal subpoena, except that such information may be used for the purpose of investigating and taking disciplinary action and may be disclosed as part of any public disciplinary action resulting from the investigation.

- (g) **"Criminal Background Check"** means the submission of fingerprints or other biometric based information for a License applicant for the purpose of obtaining that applicant's criminal history record information, as defined in 28 C.F.R. § 20.3(d), from the State's criminal history record repository as defined in 28 C.F.R. § 20.3(f).
- (h) **"Data System"** means the repository of information about Licensees, including but not limited to License status and Adverse Actions, which is created and administered under the terms of this Compact.
- (i) **"Investigative Information"** means information, records, or documents received or generated by a Licensing Board pursuant to an investigation.
- (j) **"Joint Investigation"** means an investigation conducted jointly by two or more Participating States.
- (k) **"Jurisprudence Requirement"** means the assessment of an individual's knowledge of the laws and Rules governing the practice of a PA in a State.
- (l) **"Licensee"** means an individual who holds a License from a State to provide Medical Services as a PA.
- (m) **"Medical Services"** means health care services provided for the diagnosis, prevention, treatment, cure or relief of a health condition, injury, or disease, as defined by a State's laws and regulations.
- (n) **"Minor Infraction"** means conduct which does not relate to the delivery of health care services, does not adversely affect public health and safety and, in the judgement of the participating state is not likely to result in a report to the National Practitioner Data Bank.
- (o) **"Model Compact"** means the model for the PA Licensure Compact on file with The Council of State Governments or other entity as designated by the Commission.
- (p) **"NCCPA"** means the National Commission on Certification of Physician Assistants or a successor organization.
- (q) **"Non-participating State"** means a State that has not enacted this Compact.
- (r) **"Participating PA"** means a PA who has applied for or holds a Compact Privilege.
- (s) **"Participating State"** means a State that has enacted this Compact.
- (t) **"PA"** means an individual who is licensed as a physician assistant 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 the time of its enactment.
- (u) **"PA Licensure Compact Commission," "Compact Commission," or "Commission"** mean the national administrative body created pursuant to Section 7.A of this Compact.
- (v) **"Personal information"** means an individual's driver's license number or state identification number in lieu of a driver's license, social security number, date of birth, checking account number, savings account number, credit card number, or debit card number.
- (w) **"Qualifying License"** means an unrestricted License issued by a Participating State to provide Medical Services as a PA.

- 81 (x) **"Remote State"** means a Participating State where a Licensee who is not licensed as a PA
82 is exercising or seeking to exercise the Compact Privilege.
- 83 (y) **"Rule"** means a regulation promulgated by an entity that has the force and effect of law.
- 84 (z) **"Rules Committee"** means: a committee that is established as a standing committee to
85 develop reasonable and lawful uniform rules for consideration by the Commission and
86 subsequent implementation by the states and to review existing rules and recommend
87 necessary changes to the Commission for consideration.
- 88 (aa) **"Significant Investigative Information"** means Investigative Information that a
89 Licensing Board, after an inquiry or investigation that includes notification and an opportunity
90 for the PA to respond if required by State law, has reason to believe is not groundless and, if
91 proven true, would indicate more than a minor infraction.
- 92 (bb) **"State"** means any state, commonwealth, district, or territory of the United States.
- 93 (cc) **"State of Qualifying License"** means a Participating State where a PA holds a qualifying
94 license and which has been designated as such by the PA for purposes of registration and
95 participation in the Compact.
- 96 (dd) **"Terminate"** means the PA chooses to give up their qualifying license for a non-disciplinary
97 reason
- 98 (ee) **"Uniform Data Set"** means information maintained by the Compact Commission with
99 respect to participating PAs.