



PA Compact Rules Committee Meeting Minutes

Feb 24, 2025

Name	Member Role	Voting Member	Attendance
Jamie Alley	WV Delegate	x	x
Valeska Barr	OK Delegate	x	x
Elizabeth Huntley	MN Delegate	x	x
Stephanie Loucka	OH Delegate	x	x
Catherine Marie Patterson	TN Delegate	x	x
Larry Marx	UT Delegate	x	x
Robert Sanders	WI Delegate	x	
Total voting members present			6/7
Marisa Courtney	Vice Chair PA Commission		x
Kathy Scarbalis	Ex-Officio – AAPA		x
Nathan Smith	OH board staff		x
Tim Terranova	Chair PA Commission		x
Name	Non-Member Role		Attendance
Nahale Kalfas	Interim Legal Counsel		x
Jessica Thomas	Interim Executive Director		x
Carl Sims	CSG		x
Laura Monick	OH staff		x

VOTES

Name	Agenda	Minutes	Adjourn
Jamie Alley		2	2
Valeska Barr		1	
Elizabeth Huntley	1		1
Stephanie Loucka			
Catherine Marie Patterson			
Larry Marx	2		
Robert Sanders			
TOTALS	Motion passes	Motion passes	Motion passes

Welcome

Call to order/Roll Call

Chair Loucka calls to order the meeting at 10:05 a.m. ET.
Video is not working in Zoom.
J. Thomas takes roll.

Review and Adopt Agenda

Committee reviewed the agenda; Chair Loucka called for a motion to adopt the agenda.

Motion:

- Elizabeth Huntley motioned that the committee adopt the agenda.
- Larry Marx seconded the motion.
- All members present voted in favor; motion carried.

Minutes

Motion:

- Valeska Barr motioned to adopt minutes with technical amendment.
- Jamie Alley seconded the motion.
- All members present voted in favor; motion carried.

Video issues continue. Carl Sims provides an alternate Zoom link to the group. Meeting relocates to the new Zoom link. All registered members of the public are also sent the new link.

Roll is retaken.

Draft Rule 2 State of Qualifying License (SQL) Process

S. Loucka explains draft changes and reasoning.

Discussion on 2.1.A. 1-5

K. Scarbalis provided written comments to committee prior to the meeting.

- Reports out FSMB and NCCPA data points on disciplinary actions since public safety is an important piece of this section. Reports that according to NCCPA, 0.06% of PA population had adverse action(s) taken on them. This was from an annual report that is not provided.
- FSMB and NCCPA are already notified about adverse actions, do we also need it in the data system
- Shares opinion that this rule would create redundancies and more work for both the PA and the regulators
- Shares concern that compact may lose people to regular state licensure or license by reciprocity if using the compact is more difficult
- Clarification provided that the number of adverse actions are nearly double the number of people with adverse actions on them because some people have multiple adverse actions
- The intent of the legislation was to allow for qualifying licensure, goes against intent and what commission is authorized to do

S. Loucka shares losing people to other pathways has not been her experience. From the processing side, reciprocity and compact licensure are similar workloads on regulators.
S. Loucka asks for AAPA's position on Compact section 5A, copied below

- A. Upon a Licensee's application for a Compact Privilege, the Licensee shall identify to the Commission the Participating State from which the Licensee is applying, in accordance with applicable Rules adopted by the Commission, and subject to the following requirements:
 1. When applying for a Compact Privilege, the Licensee shall provide the Commission with the address of the Licensee's primary residence and thereafter shall immediately report to the Commission any change in the address of the Licensee's primary residence.
 2. When applying for a Compact Privilege, the Licensee is required to consent to accept service of process by mail at the Licensee's primary residence on file with the Commission with respect to any action brought against the Licensee by the Commission or a Participating State, including a subpoena, with respect to any action brought or investigation conducted by the Commission or a Participating State.

Meghan Pudeler, member of the public and Director of State Advocacy and Outreach at AAPA, is asked to give input on AAPA's position on section 5A

- Commission should make rules around how to designate a state but should not add parameters to what qualifies that designation. Reinforces that this compact is different than IMLC.

S. Loucka- Summarizes stakeholder feedback about legal authority, in Columbus we discussed why we want this rule, poses the question for today of who this rule as drafted excludes

K. Scarbalis provides some examples of who it would exclude:

- Military spouse who does not have a license in one of the compact member states
- Telemedicine providers

M. Patterson – provides another example of who it would exclude:

- New graduates don't know where they will live or where they will work. This compact already has more restrictions such as misdemeanors and felony exclusions, background check requirement, NCCPA certification.

N. Smith points out 2.1.A.5 which allows military members to retain state of qualifying licensure and references Federal Service Relief Act intended to allow license portability for military families.

Since there are concerns about rulemaking authority on 2.2.A 1-5, this section is tabled. Chair will seek legal counsel to confirm authority.

2.2 Application Process

2.2.A.5 Authority discussed.

Voluntary termination being the only way to get a new state of qualifying licensure.

100 N. Kalfas – asks if there is a need to explain the reason for voluntary termination. Do states need
101 to explicitly state the reasons for termination?
102 Depends on the state. Some states can allow surrender without submissions.

103
104 Terminate is defined as for non-disciplinary reasons.

105 M. Courtney- asks if another word could be used besides terminate as this is only used for
106 disciplinary reasons in WA.

107 Terminate is in the compact statute.

108 **Edit recommendation:** 2.2.A.5 use an attestation that the PA does not know of any pending
109 investigations.

110

111 End of Rule 2 discussion. Will revisit when authority is confirmed and suggested edits are made.

112

113 **Draft Rule 3 Compact Privilege**

114 S. Loucka explains draft with changes and why.

115

116 3.5.C Was intended to respond to the Maine example in order to use active status versus
117 expiration date.

- 118 • There is a concern that this could create a scenario for unlicensed practice as most states
119 use a date of expiration instead of letting practice continue after that date.
- 120 • S. Loucka – **edit recommendation:** We might walk back this section to represent the
121 majority.
- 122 • T. Terranova confirms that the Maine board can and will need to address this as it seems
123 unique to them.

124

125 3.6.D Will everything need to be reverified upon renewal?

- 126 • S. Loucka – will clarify the rule if states already ask for attestations
- 127 • 3.6.D.2 would not already be included in what states ask upon renewal, **edit**
128 **recommendation:** clarify if this is an attestation or if states would be collecting the
129 information
- 130 • Uniformity for renewal is necessary, but is 3.6.D.2 necessary?
 - 131 ○ J. Alley- Not necessary, PA could change state when necessary rather than
 - 132 reverifying at renewal
 - 133 ○ Committee did not disagree, **edit recommendation** to remove D2

134

135 3.6.E M. Courtney- Can the compact handle this?

- 136 • S. Loucka- There needs to be a process for renewal
- 137 • N. Kalfas- Committee should define a renewal process, heavy vetting upon entry with the
138 renewal being more attestation based would be the least burdensome
- 139 • T. Terranova- This could be done through the data system
- 140 • L. Marx- captures adding privileges as well at the time of renewal

141

142 3.6.A.1 and B.1

143 M. Courtney – **edit recommendation**, adding incomplete in both places “shall be deemed
144 incomplete and to have been withdrawn.”

145

Commented [JT1]: I missed something here. I do not know if the authority question was adequately answered. It was stated that voluntary termination is the only way to get a new SQL

- 146 3.7 - Jurisprudence Exams
147 • M. Courtney sends comment via chat pasted here:
148 o 3.7 (b) Alternative: Jurisprudence requirements satisfied prior to the expiration
149 date of the compact privilege in that remote state shall be considered valid so
150 long as the PA applied for a renewal of the compact privilege prior to the
151 privilege expiration date
152 • V. Barr asks about state specific jurisprudence requirements. OK requires jurisprudence
153 exam upon renewal.
154 o N. Kalfas – This should not be an issue. OK can require that, **edit**
155 **recommendation** - this rule could be more explicit to reflect jurisprudence upon
156 renewal if state requires that.
157 o Clarified that requirements for license renewal would also be required for a
158 privilege renewal.
159
160

161 **Rule 5 Compact Data System**

162 Did not discuss.
163

164 **Next Steps**

165 No longer planning on sending to Executive Committee by Mar 12.

166 Next Rules meeting, March 24, 2025 10 a.m. ET.
167

168 **Adjourn**

169 **Motion:**

- 170 o **E. Huntley motioned to adjourn.**
171 o **J. Alley seconded the motion.**
172 o **Motion carries.**
173

174 Chair Loucka adjourns meeting at 11:44 a.m. ET.