

## PA Compact Commission

**Title of Rule:** Compact Privilege

**History of Rule:** Drafted December 15, 2025

**Reason for Rule:** To establish the eligibility for a compact privilege and create the process for a PA to apply for a compact privilege in a remote state.

**Effective Date:**

**Chapter 3:** Compact Privilege

**Authority:** Section 4: Compact Privilege

Section 7: Establishment of PA Compact Commission

Section 9: Rulemaking

### 3.0 Purpose:

Pursuant to Section 4, the PA Compact Commission shall promulgate applicable rules for a Licensee to exercise a Compact Privilege. This Rule will become effective upon adoption by the PA Compact Commission as provided in Section 9 of the PA Compact.

### 3.1 Definitions:

(a) **"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.

(b) **"Compact"** means the PA Licensure Compact.

(c) **"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.

(d) **"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).

(e) **"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.

(f) **"Jurisprudence Requirement"** means the assessment of an individual's knowledge of the laws and Rules governing the practice of a PA in a State.

(g) **"Licensee"** means an individual who holds a License from a State to provide Medical Services as a PA.

- (h) **"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.
- (i) **"NCCPA"** means the National Commission on Certification of Physician Assistants or a successor organization.
- (j) **"Non-participating State"** means a State that has not enacted this Compact.
- (k) **"Participating State"** means a State that has enacted this Compact.
- (l) **"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.
- (m) **"PA Licensure Compact Commission," "Compact Commission," or "Commission"** mean the national administrative body created pursuant to Section 7.A of this Compact.
- (n) **"Qualifying License"** means an unrestricted License issued by a Participating State to provide Medical Services as a PA.
- (o) **"Remote State"** means a Participating State where a Licensee who is not licensed as a PA is exercising or seeking to exercise the Compact Privilege.
- (p) **"State"** means any state, commonwealth, district, or territory of the United States.
- (q) **"State of Qualifying License"** means a Participating State where a PA holds a qualifying license and which has been designated as such by the PA for purposes of registration and participation in the Compact.
- (r) **"Terminate"** means the PA chooses to give up their qualifying license for a non-disciplinary reason

### 3.2 Delegation of compact privilege responsibilities

- (a) Participating states are deemed to have delegated and assigned to the Compact Commission the following responsibilities in the compact privilege process:
- (1) The Compact Commission shall provide participating states an online application for use by PAs seeking compact privileges through their designated state of qualifying license.
  - (2) The Compact Commission shall use information from its data system to facilitate an application for review by the PA's designated state of qualifying license.
  - (3) The Compact Commission shall provide and administer a process to collect service fees and state fees from the PA and remit these fees to the participating state boards and the Compact Commission.

### 3.3 Eligibility for compact privilege

- (a) A PA must meet the following requirements to receive a compact privilege under the terms and provisions of the Compact:

- (1) Graduated from a PA program accredited by the Accreditation Review Commission on Education for the Physician Assistant, Inc.
- (2) Holds a current certification from the NCCPA.
- (3) Has never been found guilty by a court of a felony or misdemeanor offense through an adjudication or by an entry of a plea of guilt or no contest to the charge.
- (4) Has never had a controlled substance license, permit, or registration suspended or revoked by a State or by the United States Drug Enforcement Administration.
- (5) Has a unique identifier that is a social security number.
- (6) Holds an unrestricted License issued by a participating state to provide medical services as a PA.
- (7) Has had no revocation of any License or limitation or restriction on any License currently held due to an adverse action.
  - i. If a PA has had a limitation or restriction on a License or Compact Privilege due to an Adverse Action, two years must have elapsed from the date on which the License or Compact Privilege is no longer limited or restricted due to the Adverse Action.
- (8) Notifies the Compact Commission that the PA is seeking the Compact Privilege in a Remote State.
- (9) Meets any Jurisprudence Requirement of a Remote State in which the PA is seeking to practice under a Compact Privilege and pay any fees applicable to satisfying the Jurisprudence Requirement.
- (10) Complies with all other state laws and regulations where the patient is located at the time service is rendered.
- (11) Complies with each remote states' laws and regulations related to supervision by or collaboration with a physician.
- (12) Complies with each remote states' laws and regulations related to authority to prescribe controlled substances for each remote state in which the PA seeks authority to prescribe controlled substances.
- (13) Reports to the Commission any Adverse Action taken by a non-participating State within thirty (30) days after the action is taken.

### **3.4 Compact participation process**

- (a) To apply for a Qualifying License a PA shall:
  - (1) Submit an online application through the Compact Commission's data system along with a sworn statement attesting to the truthfulness and accuracy of all information provided by the applicant.
  - (2) At the time of application designate a Participating State as the state of qualifying license for purposes of eligibility for a compact privilege through the Compact if the PA possesses a full and unrestricted license to conduct medical services in that Participating State.
  - (3) Regardless of the participating state selected as the state of qualifying license, the PA shall provide the Commission the primary residence address and consent to service of process by mail at the primary residence address under Section 5(A)(2) of

- the Compact. A change of primary residence address shall be reported to the Commission within thirty (30) days of the change.
- (4) Submit to a criminal background check within 60 days of the application through the process designated by the state of qualifying license which will include the submission of fingerprints or other biometric based information.
  - (5) Sign an attestation that the applicant is unaware of any pending investigation of the current qualifying license at the time of the application.
  - (6) Submit any other information requested by the state of qualifying license regarding any unusual circumstances related to the application under review in accordance with compact requirements.
  - (7) Pay the nonrefundable fees required by the state of qualifying license and the Compact Commission.
- (b) When the state of qualifying license receives the application through the Compact Commission that state shall:
- (1) Evaluate the PA's eligibility for participating in the compact privilege process;
  - (2) Review the submitted criminal background check pursuant to Public Law 92-544 as required by the terms and provisions of the Compact; and
  - (3) Issue notice, through the data system, to the Compact Commission verifying the PA's eligibility to participate in the Compact and confirming that the state will serve as the state of qualifying license or denying the PA's eligibility to participate in the Compact in accordance with Rule 3.9.
- (c) Upon notice from the Compact Commission of eligibility approval by the state of qualifying license, to apply for a compact privilege the PA shall:
- (1) Complete the registration process established by the Compact Commission.
  - (2) Identify the remote state(s) for which a compact privilege is requested.
  - (3) Follow the remote state(s) laws, regulations, and practice requirements and submit any proof of compliance requested by said remote state(s).
  - (4) Pay the non-refundable compact privilege fee required by the remote state(s) and any additional administrative fee required by the Compact Commission.
- (d) Upon receipt of all fees required, receipt of the information from the applicant including any specific requirements of the remote state(s), and verification of eligibility by the designated state of qualifying license, the remote state(s) shall issue a compact privilege to the PA, and provide information regarding the privilege to the Compact Commission to maintain in the data system as set forth in Rule 4.
- (e) Any PA information collected by the Commission with the application submitted in this subsection shall be distributed to all participating states, except as otherwise specified in Rule 4 on Compact Data System, Confidentiality, and Information Sharing.

### **3.5 Compact privilege cycle and continued participation**

(a) A compact privilege shall be valid until the expiration or revocation of the qualifying license used to apply for the privilege unless the privilege is terminated pursuant to an adverse action or the qualifying license is voluntarily terminated by the PA. The expiration date of the qualifying license shall be the expiration date that was in effect on the date the PA applied for the compact privilege. Any renewal of the qualifying license does not automatically renew the compact privilege. The PA must follow the procedure set forth in this Rule, in accordance with Section 4.A of the model legislation, in order to maintain any existing compact privilege(s).

(b) Not less than 60 days prior to the expiration of a compact privilege, the Compact Commission shall notify the PA by e-mail of the pending expiration of the compact privilege(s) and provide information that the PA may reapply for any compact privileges pursuant to this rule. The e-mail notice shall be sent to the e-mail address currently on-file with the Commission in its data system. The PA is responsible for renewing any compact privilege(s) prior to their expiration and for maintaining current contact information, including an e-mail address, with the Commission.

(c) When the state of qualifying license processes a complete renewal for the PA, the state of qualifying license shall:

- (1) Determine that the PA has not been found guilty by a court of a felony or misdemeanor offense through an adjudication or by an entry of a plea of guilt or no contest to the charge;
- (2) Issue notice, through the data system, to the Compact Commission verifying or denying the PA's eligibility to continue participation in the Compact.

(d) Upon notice from the Compact Commission of continued eligibility approval by the state of qualifying license, to apply for compact privilege(s) the PA shall:

- (1) Identify the remote state(s) for which a compact privilege is being requested.
- (2) Follow the remote state(s) laws, regulations, and practice requirements and submit any proof of compliance requested by said remote state(s).
- (3) Pay the non-refundable compact privilege fee required by the remote state(s) and any additional administrative fee required by the Compact Commission.

(e) Any PA information collected by the Commission with the application submitted in this subsection shall be made available to all participating states. The commission, data system, and other participating states shall not receive or maintain any criminal background check results obtained by participating states.

### **3.6 Voluntary termination of a qualifying license**

- (a) If the PA voluntarily terminates their qualifying license through which they applied for their current compact privilege(s) and that qualifying license has not yet expired, the PA shall select a new state of qualifying license prior to terminating the current qualifying license by following this process:
- (1) Submit an online application through the Commission's website,
  - (2) Pay a non-refundable fee as set by Rule X.X,
  - (3) Meet the requirements of paragraph 2.1 with the new state of qualifying license,
  - (4) complete a criminal background check pursuant to Public Law 92-544 within 60 days of the application and
  - (5) Sign an attestation that the applicant is unaware of any pending investigation of the current qualifying license at the time of the application.
- (b) Upon application under subsection (a), the new state of qualifying license shall complete the requirements under Rule 3.4(b),
- (c) Any PA information collected by the Commission with the application to select a new state of qualifying license shall be distributed to all participating states. The commission, data system, and other participating states shall not receive or maintain any criminal background check results obtained by participating states.
- (d) - Upon approval of a new state of qualifying license, any existing compact privilege(s) held shall terminate and the PA will apply for new privilege(s).

### **3.7 Withdrawal of applications**

- (a) An application for a qualifying license shall be considered opened from the date the application form is received by the state of qualifying license.
- (1) If the PA does not submit all requested materials, including any required fees, within 60 days after the application is opened, then the application shall be deemed incomplete and to have been withdrawn.
  - (2) The PA must reapply and submit a new application and new nonrefundable application fees as determined by the state of qualifying license and the Compact Commission.
- (b) An application for a compact privilege shall be considered opened from the date the application form is received by the remote state(s).

- (1) If the PA does not submit all requested materials, including any required fees, within 60 days after the application is opened, then the application shall be deemed incomplete and to have been withdrawn.
- (2) The PA must reapply and submit a new application and new nonrefundable application fees as determined by the remote state(s) and the Compact Commission.

### **3.8 Jurisprudence requirement**

- (a) If a member state has a jurisprudence requirement to be eligible to obtain a compact privilege in accordance with Section 4.A.11 of the Compact, the PA must have successfully taken and passed any jurisprudence requirement prior to being issued a compact privilege in the remote state.
- (b) Jurisprudence requirements satisfied prior to the expiration date of the compact privilege in that remote state shall be considered valid so long as the PA applied for a renewal of the compact privilege prior to the privilege expiration date unless the remote state has a jurisprudence requirement for renewal.
- (c) If a compact privilege expires and the PA fails to make an application for another compact privilege in the same remote state prior to the compact privilege expiration date, all applicable requirements for completion of a jurisprudence requirement will apply.

### **3.9 Denial or withdrawal of the determination of eligibility**

- (a) If the member state selected as the state of qualifying license issues a notice to the Compact Commission denying the applicant's eligibility for the compact in accordance with Section 4.A of the Compact and Rule 3.3, the PA may appeal such determination. The appeal shall be filed with the member state that issued the denial and shall be subject to the laws of that state.
- (b) If the member state selected as the state of qualifying license issues a notice to the Compact Commission approving the PA's eligibility for the compact and thereafter withdraws the approval due to the PA not meeting the Compact's eligibility requirements, any compact privilege issued under that qualifying license shall automatically be cancelled with no action required by any member state. The Compact Commission shall provide e-mail notice of the withdrawal to all member states where a privilege has been issued and to the PA along with notice that all issued compact privileges have been cancelled. The PA may appeal the withdrawal of eligibility. The appeal shall be filed with the member state that issued the denial and shall be subject to the laws of that state.

### **3.10 State of emergency rule – waiver of timeframes**

- 279 (a) This rule is effective upon a declaration of a national emergency by the President of the  
280 United States and/or a declaration of emergency by one or more Governors of the compact  
281 member states in response to Force Majeure such as a pandemic, hurricane, tornado,  
282 earthquake, or other natural disaster. As such time, each Participating State or the Executive  
283 Committee of the Compact Commission has the authority to temporarily waive enforcement  
284 of the timeframes in this rule which are not statutorily required.  
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- 286 (b) Such waiver would be justified based upon:
- 287 (1) The degree of disruption to procedures or timeframes under this rule, which is the
  - 288 basis for the waiver;
  - 289 (2) The degree of benefit (or detriment) of such waiver to the PA and/or public health;
  - 290 and
  - 291 (3) The anticipated duration of the emergency.
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- 293 (c) The length of the waiver is subject to the length of the national/state emergency declaration  
294 unless preemptively concluded by a majority vote of the Compact Commission.