

1 **PA Compact Commission**

2 **Title of Rule:** State Compliance

3 **History of Rule:** Drafted May 28, 2026

4 **Reason for Rule:** To establish the requirements for member states to implement criminal
5 background checks pursuant to Section 3 of the Compact Model
6 Language and to establish the process for resolving disputes between
7 states and compliance issues pursuant to Section 10 of the Compact
8 Model Language.

9 **Effective Date:**

10 **Chapter 7:** State Compliance

11 **Authority:** Section 3: State Participation in this Compact

12 Section 4: Compact Privilege

13 Section 7: Establishment of PA Compact Commission

14 Section 9: Rulemaking

15 Section 10: Oversight, Dispute Resolution, and Enforcement

16 All citations are to the Compact Model Language

17 **7.0 Purpose:**

18 Pursuant to Section 3 of the Compact Model Language, the PA Compact Commission shall
19 promulgate applicable rules for member states to fully implement a criminal background check
20 for considering the criminal history records of applicants applying to participate in the Compact.
21 Pursuant to Section 10 of the Compact Model Language, the PA Compact Commission shall
22 promulgate applicable rules for resolving disputes between states using mediation and binding
23 dispute resolution. This Rule will become effective upon adoption by the PA Compact
24 Commission as provided in Section 9 of the PA Compact.

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26 **7.1 Definitions:**

- 27 (a) **"Adverse Action"** means any administrative, civil, equitable, or criminal action permitted by
28 a State's laws which is imposed by a Licensing Board or other authority against a PA
29 License or License application or Compact Privilege such as License denial, censure,
30 revocation, suspension, probation, monitoring of the Licensee, or restriction on the
31 Licensee's practice.
- 32 (b) **"Compact"** means the PA Licensure Compact.
- 33 (c) **"Compact Privilege"** means the authorization granted by a Remote State to allow a
34 Licensee from another Participating State to practice as a PA to provide Medical Services

- 35 and other licensed activity to a patient located in the Remote State under the Remote
36 State's laws and regulations.
- 37 (d) **"Criminal Background Check"** means the submission of fingerprints or other biometric
38 based information for a License applicant for the purpose of obtaining that applicant's
39 criminal history record information, as defined in 28 C.F.R. § 20.3(d), from the State's
40 criminal history record repository as defined in 28 C.F.R. § 20.3(f).
- 41 (e) **"Data System"** means the repository of information about Licensees, including but not
42 limited to License status and Adverse Actions, which is created and administered under the
43 terms of this Compact.
- 44 (f) **"Jurisprudence Requirement"** means the assessment of an individual's knowledge of the
45 laws and Rules governing the practice of a PA in a State.
- 46 (g) **"Licensee"** means an individual who holds a License from a State to provide Medical
47 Services as a PA.
- 48 (h) **"Medical Services"** means health care services provided for the diagnosis, prevention,
49 treatment, cure or relief of a health condition, injury, or disease, as defined by a State's laws
50 and regulations.
- 51 (i) **"NCCPA"** means the National Commission on Certification of Physician Assistants or a
52 successor organization.
- 53 (j) **"Non-participating State"** means a State that has not enacted this Compact.
- 54 (k) **"Participating State"** means a State that has enacted this Compact.
- 55 (l) **"PA"** means an individual who is licensed as a physician assistant in a State. For purposes
56 of this Compact, any other title or status adopted by a State to replace the term "physician
57 assistant" shall be deemed synonymous with "physician assistant" and shall confer the
58 same rights and responsibilities to the Licensee under the provisions of this Compact at the
59 time of its enactment.
- 60 (m) **"PA Licensure Compact Commission," "Compact Commission," or "Commission"**
61 mean the national administrative body created pursuant to Section 7.A of this Compact.
- 62 (n) **"Qualifying License"** means an unrestricted License issued by a Participating State to
63 provide Medical Services as a PA.
- 64 (o) **"Remote State"** means a Participating State where a Licensee who is not licensed as a PA
65 is exercising or seeking to exercise the Compact Privilege.
- 66 (p) **"State"** means any state, commonwealth, district, or territory of the United States.
- 67 (q) **"State of Qualifying License"** means a Participating State where a PA holds a qualifying
68 license and which has been designated as such by the PA for purposes of registration and
69 participation in the Compact.
- 70 (r) **"Terminate"** means the PA chooses to give up their qualifying license for a non-disciplinary
71 reason
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73 **7.2 Requirements for Member States Implementing Criminal Background Checks**

- 74 (a) Participating states must implement or utilize procedures for considering criminal history
75 records of applicants licensed within their State of Qualifying License who are applying for
76 privileges to practice in one or more states under the Compact. These procedures shall

77 include the submission of fingerprints or other biometric-based information by applicants for
78 the purpose of obtaining an applicant's criminal history record information.

79 (b) Results of the criminal background check shall be reviewed pursuant to Public Law 92-544
80 as required by the terms and provisions of the Compact and Commission Rule 3.

81 (c) A participating state must have completed all required processes, requirements, and
82 applications necessary to fully implement a criminal background check as demonstrated by
83 receiving the results of criminal history record information from the FBI and the agency
84 responsible for retaining that state's criminal records, as authorized by the participating
85 state's laws, within ninety (90) days of the effective date of this rule or the effective date of
86 the member state's compact enactment, whichever comes last.

87 (d) A participating state cannot serve as a state of qualifying license until such state has
88 completed the requirements to fully implement the criminal background check requirement
89 and can begin receiving and using the results of the criminal background check in making
90 licensure decisions for that state's licensees to participate in the compact.

91 (e) The executive committee has the discretion to grant participating states additional time to
92 fully implement a criminal background check based on the participating state demonstrating
93 good faith efforts to timely implement a criminal background check or by demonstrating a
94 legal impossibility to implement a criminal background check.

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96 **7.3 Dispute Resolution Process – Informal, Mediation, and Arbitration**

97 (a) In the event that two or more participating states have a dispute, those states shall first
98 attempt to resolve the issue informally without intervention of the commission.

99 (1) If the dispute involves an interpretation of the compact model language or rules
100 implemented by the commission, the state(s) involved in the dispute may submit a
101 written request to the executive committee for assistance in interpreting the law,
102 rules, and policies of the compact. The executive committee may seek the
103 assistance of the commission's legal counsel in interpreting the compact and may
104 refer matters to the rules committee as appropriate.

105 (2) If all issues are resolved by the parties without intervention of the commission, no
106 further action is required.

107 (3) If any issues remain unresolved, the parties shall notify the executive committee with
108 a concise statement of unresolved issue(s), analysis including references to relevant
109 compact model language and rules, and any supporting documents. The executive
110 committee may refer the matter to the compliance committee. After review by the
111 compliance committee, its recommendations will be sent to the participating states
112 involved in the dispute and the executive committee for further review.

113 (b) In the event that any issues remain unresolved after the informal resolution process, the
114 executive committee may require the submission of the matter in controversy to mediation.

115 (1) Mediation shall be conducted by a mediator appointed by the executive committee
116 from a list of mediators approved by the National Association of Certified Mediators

- 117 or a mediator otherwise agreed to by all parties to the dispute and pursuant to
118 procedures customarily used in mediation proceedings.
- 119 (2) If all issues are resolved through mediation, no further action is required.
- 120 (3) The costs of mediation shall be shared by all the participating states involved in the
121 dispute.
- 122 (c) In the event that any issues remain unresolved after the informal resolution process and
123 the mediation process, and upon the recommendation by the executive committee, the
124 participating states' delegates may submit an arbitration request form to the Commission
125 chair.
- 126 (1) Each participating state that is a party to the dispute and the executive committee
127 shall submit a signed arbitration agreement.
- 128 (2) The Commission chair or the chair's designee shall coordinate the arbitration
129 process.
- 130 (3) The decision of the arbitration panel shall be final and binding.
- 131 (4) In the event arbitration is necessary, and unless otherwise agreed by the parties, at
132 the discretion of an independent arbitration panel, the prevailing participating state(s)
133 may be entitled to recover the costs of such arbitration, including reasonable
134 attorneys' fees, to the extent permitted by state law of the prevailing participating
135 state(s).
- 136 (5) Arbitration award decisions may be enforced in a court of competent jurisdiction.

137 **7.4 Compliance and Enforcement**

- 138 (a) Any participating state may submit a written request to the executive committee for
139 assistance in interpreting the law, rules, and policies of the compact. The executive
140 committee may seek the assistance of the commission's legal counsel in interpreting the
141 compact and may refer matters to the rules committee as appropriate.
- 142 (b) Any participating state may voluntarily request technical assistance and training from the
143 compliance committee.
- 144 (c) If the executive committee or compliance committee determines that a participating state
145 has defaulted in the performance of its obligations or responsibilities under the laws or rules
146 of the compact, the defaulting state and the other participating states will be provided with
147 written notice.
- 148 (1) The written notice shall describe the default, the proposed means of curing the
149 default and any other action that the Commission may take.
- 150 (2) After written notice, the compliance committee will provide technical assistance and
151 training to the defaulting state in an effort to voluntarily address any compliance
152 issues.
- 153 (3) If the participating state fails to cure the default after the compliance committee's
154 assistance and training, the matter will be brought before the Commission at the next
155 scheduled commission meeting for a determination pursuant to Section 10(B) of the
156 compact.
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