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Compliance and Regulatory Education
Best Practices for Athletic Trainers



An Interstate Compact for Athletic Trainers

Promoting license mobility and enabling multistate practice



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What is an interstate compact?

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What is an interstate compact?

- Simple, versatile and proven tool
- Legal contract between/among states
- Allows states to speak with one unified voice
- Protects state sovereignty over policy areas reserved to the states
- Provides states the opportunity to cooperatively address policy issues
- Ensures state buy-in on complex policy issues

Benefits of Occupational Licensure Compacts:

- Effectiveness and efficiency
 - Economies of scale
- Flexibility and autonomy compared to national policy
 - “One size does not fit all”
- Dispute resolution between or among the states
- State and federal partnership
- Cooperative behaviors leading to “win-win” solutions

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Benefits of Interstate Compacts:

- Unified approach to shared problems
- Threat of a federally mandated solution
- Advances in technology
- Distrust of federal government
- Fill void left by federal inaction
- Proven track record

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Interstate Compacts today:

- Approximately 265 active compacts
- Precedence for international participation
- On average states are members of about 25 compacts
- Port Authority of NY & NJ (1922) signaled a new era in compacts by creating a new bi-state agency

Primary uses of interstate compacts:

- Crime Control and Corrections
 - Interstate Compact for Adult Offender Supervision
- Child Welfare
 - Interstate Compact for the Placement of Children
- Taxation
 - Multistate Tax Compact
- Environmental and Pollution Control
 - Low Level Radioactive Waste Compacts
- Mutual Aid
 - Emergency Management Assistance Compact
- Insurance
 - Interstate Insurance Product Regulation Compact
- Education
 - Military Children's Compact Commission
 - Midwestern Higher Education Compact
- Manage Shared Natural Resources
 - Use and allocation of interstate rivers and river basins
 - Land use planning
- Resolve Boundary Disputes
 - Virginia – Tennessee Boundary Agreement of 1803
 - Missouri – Nebraska Compact of 1990
- Regional Economic Development and Transportation
 - Port Authority of New York and New Jersey

Primary uses of interstate compacts:

Occupational Licensure

- Enhanced Nurse Licensure Compact – 39 states
- Medical Licensure Compact – 38 states
- Physical Therapy Compact – 34 states
- PsyPact – 33 states
- ASLP-IC – 22 states
- OT Compact – 21 states
- EMS Licensure Compact – 21 states
- Counseling Compact – 14 states
- APRN Compact – 3 states

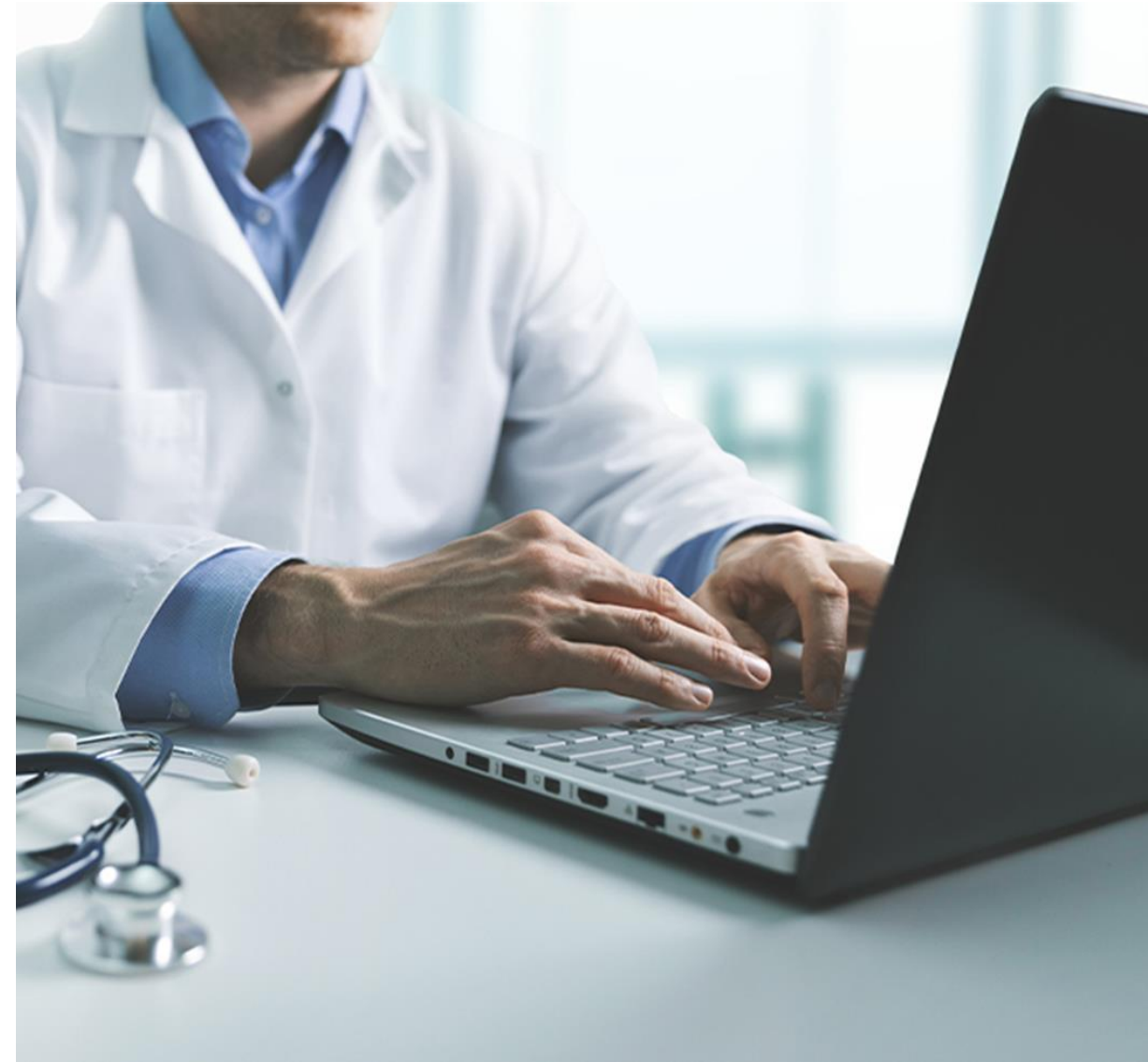
Primary uses of interstate compacts:

Licensure compacts under development

- Cosmetology Licensure Compact
- Dentistry and Dental Hygiene Compact
- Massage Therapy Compact
- Social Work Licensure Compact
- K-12 Teaching Compact
- School Psychologists
- Dietitians and Nutritionists

Why license reciprocity?

- Mobile society (patients and practitioners)
- Technological advancements
- Deficit/Availability of health care professionals
- Practical advancement for current and future generations of practitioners
- Support of spouses of relocating service members



State Participation in Occupational Licensure Compacts:



**44 states (+ DC, Guam, USVI) have adopted at least 1 compact.
35 states (+ DC) have adopted at least 3 compacts.**



**Over 220 pieces of occupational licensure compact legislation
have been enacted since January 2016.**



**9 professions have active interstate compacts for occupational
licensing.**

The Occupational Therapy Licensure Compact

An Overview

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Developing the OT Licensure Compact

October 2019

Project Team began work to develop the OT Licensure Compact

May 2020

Draft OT Compact approved for stakeholder review

September 2020

Project Team reconvenes to review stakeholder feedback

October 2020

Project team approves OT Licensure Compact language

AOTA and NBCOT endorses OT Licensure Compact

OT Compact: The Bottom Line

- Ensures OTs and OTAs meet acceptable standards of practice
- Expands the availability of occupational therapy services
- Supports military families
- Facilitates telehealth for practitioners and patients/clients
- Promotes cooperation among OT Compact member states in the areas of licensure and regulation
- Offers a high degree of consumer protection across state lines

The OT Compact: How It Works

- The OT Compact is open to OT's and OTA's
- The OT Compact is a **Mutual Recognition Model** licensure compact that is similar in form and function to other occupational licensing compacts
- **Mutual recognition** means that compact member states agree to **mutually recognize** a valid, unrestricted licenses of other compact member states
- The OT Compact allows practitioners to practice in compact member states via a **Compact Privilege**
- The **Compact Privilege** provides the same benefits as licensure

Accessing an OT Compact Privilege

In order to receive a **Compact Privilege** an OT/OTA must:

- Hold a license in their home state which is a compact member state
- Have no encumbrance on **any** state license currently, and no adverse actions against any license or compact privilege within the previous 2 years
- Submit information for an FBI Criminal Background Check
- OT's and OTA's must meet any jurisprudence requirement for the member state where they are seeking a privilege
- **Practitioners must adhere to the laws and regulations of the compact member state in which they are practicing**

OT Compact – Benefits for Practitioners

- Only the home state's continuing education (CE) requirements apply
- The compact privilege renews at the same time as the home state license
- Continuation of care for clients who travel out of state to other compact member states
- Robust provisions for military spouses
- Provides economic opportunities for practitioners

OT Compact: Public Protection Provisions

- Practitioners must submit information for an FBI Background Check
- Practitioners must have an unrestricted license – two year “look-back”
- Reliance on Home State and Primary State of Residence means reliable tracking of practitioners
- State Licensing Boards:
 - Retain control over scope of practice
 - Retain control over the initial licensure process
 - Get access to the centralized compact data system
 - Receive support from other compact member states
 - Appoint OT Compact Commissioners
 - Charge a fee for the Compact Privilege

The OT Compact: Operations

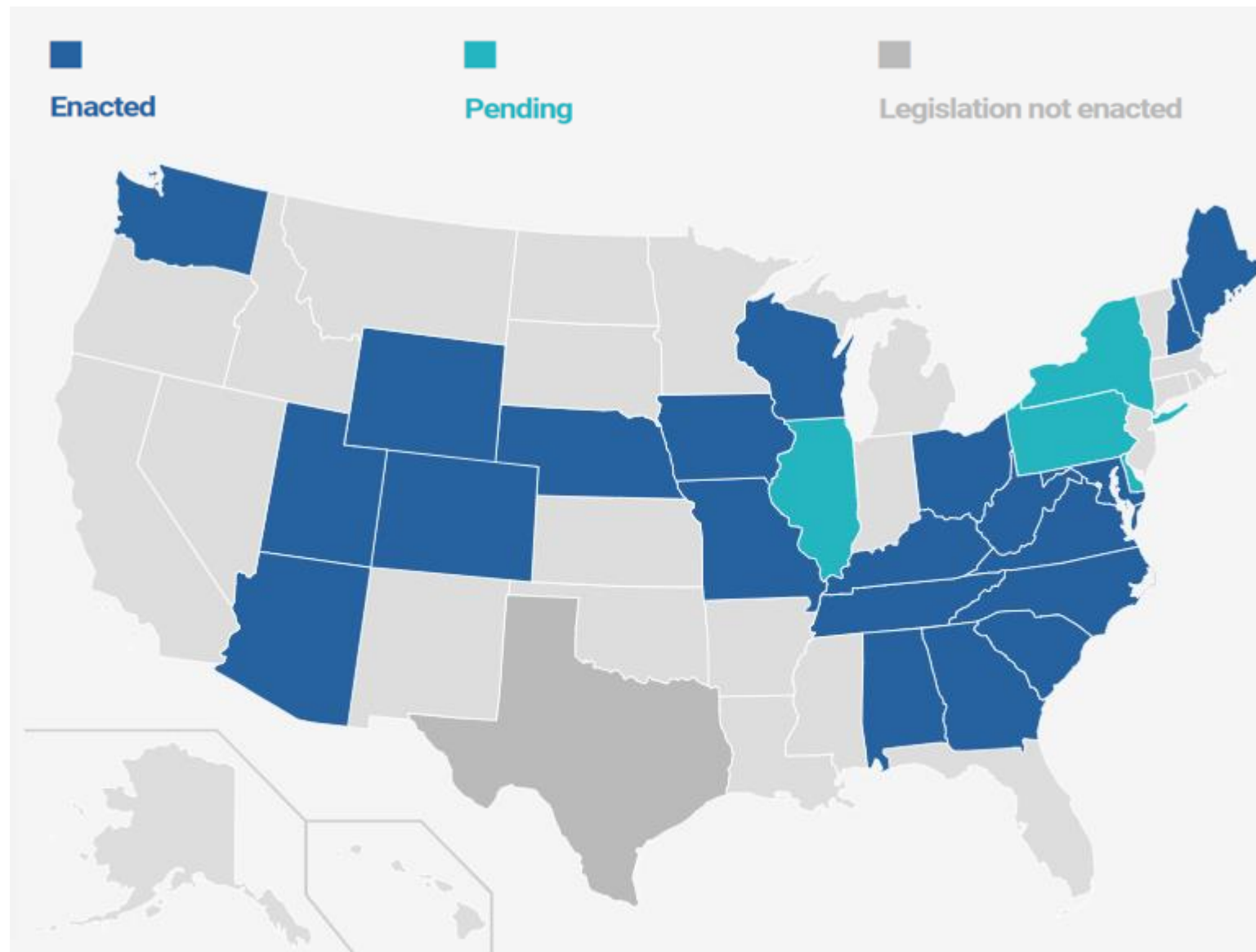
- The OT Compact establishes an **Interstate Commission**
- Interstate Commission is responsible for implementing and administering the provisions of the OT Compact
- OT Compact **Commissioners** are appointed by the regulatory agencies/boards of compact member states
- The **OT Compact Commission** creates and manages a **Data System**
- The **Data System** allows member states to communicate and exchange licensure and disciplinary information

OT Compact Activation

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- Commission convened August 2022 to begin the process of drafting policies and creating the compact commission data system
- Training/Technical Assistance for state boards on implementing the compact and connecting with the data system
- OT Compact website (otcompact.org) now has a “Commission” tab where you can access commission documents and see updates
- It will take twelve to fourteen months for the compact commission to begin issuing privileges

Compact Map



OT Compact – Ohio Experience

- A confluence of factors led to passage of interstate licensure compacts in Ohio.
- Ohio was a slow adopter.
- PT Compact developed in 2014 and began issuing privileges in July 2018. The Ohio Board wanted to monitor its progress before joining.
- Fall of 2018, PT Section of the OTPTAT Board agreed with the association to move forward and legislation was introduced. This bill paved the way for future compacts in Ohio.
- Willing legislative sponsor whose interest in licensure compacts was sparked.
- Nursing, Medical, Psychology, Counseling, Speech, OT, PT
- The regulatory board is a combined board – OT/PT/AT.

OT Compact – Ohio Experience

Why a licensure compact? Answers several issues that have arisen with the Ohio legislature.

- Addresses licensure portability for members of the military and their spouses.
- Addresses critiques that state licensure establishes artificial boundaries to practice. Compacts increase portability.
- Allows the state retain oversight for discipline and enforcement purposes.
- Enhances critical information sharing between states.

The licensure compact is an ideal alternative to mandatory reciprocity bills.

OT Compact – Ohio Experience

Advice to other states

- Network with other licensing boards in the state that have licensure compacts but understand that not all compacts are equal.
- Discuss with other states that are considering joining the compact about their experience.
- Early adoption results the privilege of establishing the compact and its rules.
- Understand the implementation requirements, such as fees and background checks.
- Focus on the big picture and not all the “what ifs.”

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For more information, FAQs and updates,
visit the BOC website at BOCATC.org.

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