



# Inaugural Meeting

September 17<sup>th</sup>, 2024

Facilitated by the Council of State Governments





**Social Work Licensure Compact Commission**

**Inaugural Meeting Agenda**

**September 17<sup>th</sup>, 2024: 10am ET – 5pm ET**

**Zoom: <https://csg->**

**[org.zoom.us/meeting/register/tZYvdeqtrzkrHt1\\_qNWwyfVCqaRb0BVxxdAn](https://csg-org.zoom.us/meeting/register/tZYvdeqtrzkrHt1_qNWwyfVCqaRb0BVxxdAn)**

- I. Welcome and Introductions of Interim Staff
- II. Call to Order:
  - Roll Call
  - Commission Delegate Introductions
  - Overview of Agenda
  - Adoption of Agenda
- III. Legislative Update/Legal Opinion on Legislative Deviations
- IV. Review Commission Governance Structure
- V. Discussion of Compact Commission By-Laws
- VI. Discussion of Rule on Rulemaking
- VII. Discussion of Leadership Nominations
- Lunch 12:00p
- VIII. Discussion of Data System
- IX. Discussion of Commission Finances and Staff Hiring



- X. Discussion of Future Rules for Consideration
- XI. Ex Officio Organization Selection
- XII. Questions from Delegates/Public Comment from Non-Delegate Attendees
- XIII. Review Transition Plan and Next Steps

Adjourn 5:00pm



## Social Work Compact Legislative Update

### 2023 SW Compact Legislative Enactments

<i>State</i>	<i>Bill Number</i>	<i>Date Enacted</i>
1. Missouri	SB 70	July 6th, 2023

### 2024 DDH Compact Legislative Enactments

2. South Dakota	HB 1015	February 5th, 2024
3. Utah	HB 44	March 14 <sup>th</sup> , 2024
4. Washington	HB 1939	March 19 <sup>th</sup> , 2024
5. Kentucky	HB 56	April 5 <sup>th</sup> , 2024
6. Kansas	HB 2484	April 12 <sup>th</sup> , 2024
7. Virginia	HB 326	April 8 <sup>th</sup> , 2024
8. Nebraska	LB 932	April 15 <sup>th</sup> , 2024
9. Vermont	H 543	April 23 <sup>rd</sup> , 2024
10. Maine	LD 2140	April 26 <sup>th</sup> , 2024
11. Georgia	SB 195	May 2 <sup>nd</sup> , 2024
12. Iowa	HF 2512	May 3 <sup>rd</sup> , 2024
13. Alabama	SB 208	May 5 <sup>th</sup> , 2024
14. Ohio	SB 90	May 10 <sup>th</sup> , 2024
15. Connecticut	HB 5197	May 21 <sup>st</sup> , 2024
16. Minnesota	HF 5247	May 24 <sup>th</sup> , 2024
17. Tennessee	SB 2134	May 28 <sup>th</sup> , 2024
18. Colorado	HB 24-1002	June 3 <sup>rd</sup> , 2024
19. Arizona	SB 1036	June 21 <sup>st</sup> , 2024
20. Louisiana	HB 888	June 25 <sup>th</sup> , 2024
21. Rhode Island	HB 7350	June 25 <sup>th</sup> , 2024



## Compact Legislation Pending

<b>State</b>	<b>Bill Number</b>	<b>Status</b>
New Jersey	S2688/A2813	Passed Assembly. Waiting on Senate Commerce Committee vote.
Pennsylvania	HB 1841	Introduced and assigned to House Professional Licensure committee.

## Social Work Licensure Compact Section 10-C-21

*C. The Commission shall have the following powers:*

*21. Determine whether a State's adopted language is materially different from the Model Compact language such that the State would not qualify for participation in the Compact;*

## Social Work Licensure Compact Section 14-A-1

- 1. On or after the effective date of the Compact, the Commission shall convene and review the enactment of each of the first seven Member States ("Charter Member States") to determine if the statute enacted by each such Charter Member State is materially different than the model Compact statute.
  - a. A Charter Member State whose enactment is found to be materially different from the model Compact statute shall be entitled to the default process set forth in Section 13.*
  - b. If any Member State is later found to be in default, or is terminated or withdraws from the Compact, the Commission shall remain in existence and the Compact shall remain in effect even if the number of Member States should be less than seven.**

# SOCIAL WORK LICENSURE COMPACT

## SECTION 1: PURPOSE

The purpose of this Compact is to facilitate interstate practice of Regulated Social Workers by improving public access to competent Social Work Services. The Compact preserves the regulatory authority of States to protect public health and safety through the current system of State licensure.

This Compact is designed to achieve the following objectives:

- A. Increase public access to Social Work Services;
- B. Reduce overly burdensome and duplicative requirements associated with holding multiple licenses;
- C. Enhance the Member States' ability to protect the public's health and safety;
- D. Encourage the cooperation of Member States in regulating multistate practice;
- E. Promote mobility and address workforce shortages by eliminating the necessity for licenses in multiple States by providing for the mutual recognition of other Member State licenses;
- F. Support military families;
- G. Facilitate the exchange of licensure and disciplinary information among Member States;
- H. Authorize all Member States to hold a Regulated Social Worker accountable for abiding by a Member State's laws, regulations, and applicable professional standards in the Member State in which the client is located at the time care is rendered; and
- I. Allow for the use of telehealth to facilitate increased access to regulated Social Work Services.

## SECTION 2. DEFINITIONS

As used in this Compact, and except as otherwise provided, the following definitions shall apply:

- A. **“Active Military Member”** means any individual with full-time duty status in the active armed forces of the United States including members of the National Guard and Reserve.
- B. **“Adverse Action”** means any administrative, civil, equitable or criminal action permitted by a State's laws which is imposed by a Licensing Authority or other authority against a Regulated Social Worker, including actions against an individual's license or Multistate Authorization to Practice such as revocation,

- 36 suspension, probation, monitoring of the Licensee, limitation on the Licensee's  
37 practice, or any other Encumbrance on licensure affecting a Regulated Social  
38 Worker's authorization to practice, including issuance of a cease and desist  
39 action.
- 40 C. **“Alternative Program”** means a non-disciplinary monitoring or practice  
41 remediation process approved by a Licensing Authority to address practitioners  
42 with an Impairment.
- 43 D. **“Charter Member States”** - Member States who have enacted legislation to  
44 adopt this Compact where such legislation predates the effective date of this  
45 Compact as described in Section 14.
- 46 E. **“Compact Commission” or “Commission”** means the government agency  
47 whose membership consists of all States that have enacted this Compact, which  
48 is known as the Social Work Licensure Compact Commission, as described in  
49 Section 10, and which shall operate as an instrumentality of the Member States.
- 50 F. **“Current Significant Investigative Information”** means:
- 51 1. Investigative information that a Licensing Authority, after a preliminary  
52 inquiry that includes notification and an opportunity for the Regulated  
53 Social Worker to respond has reason to believe is not groundless and, if  
54 proved true, would indicate more than a minor infraction as may be  
55 defined by the Commission; or
- 56 2. Investigative information that indicates that the Regulated Social Worker  
57 represents an immediate threat to public health and safety, as may be  
58 defined by the Commission, regardless of whether the Regulated Social  
59 Worker has been notified and has had an opportunity to respond.
- 60 G. **“Data System”** means a repository of information about Licensees, including,  
61 continuing education, examination, licensure, Current Significant Investigative  
62 Information, Disqualifying Event, Multistate License(s) and Adverse Action  
63 information or other information as required by the Commission.
- 64 H. **“Disqualifying Event”** means any Adverse Action or incident which results in an  
65 Encumbrance that disqualifies or makes the Licensee ineligible to either obtain,  
66 retain or renew a Multistate License.
- 67 I. **“Domicile”** means the jurisdiction in which the Licensee resides and intends to  
68 remain indefinitely.
- 69 J. **“Encumbrance”** means a revocation or suspension of, or any limitation on, the  
70 full and unrestricted practice of Social Work licensed and regulated by a  
71 Licensing Authority.

- 72 K. **“Executive Committee”** means a group of delegates elected or appointed to act  
73 on behalf of, and within the powers granted to them by, the compact and  
74 Commission.
- 75 L. **“Home State”** means the Member State that is the Licensee’s primary Domicile.
- 76 M. **“Impairment”** means a condition(s) that may impair a practitioner’s ability to  
77 engage in full and unrestricted practice as a Regulated Social Worker without  
78 some type of intervention and may include alcohol and drug dependence, mental  
79 health impairment, and neurological or physical impairments.
- 80 N. **“Licensee(s)”** means an individual who currently holds a license from a State to  
81 practice as a Regulated Social Worker.
- 82 O. **“Licensing Authority”** means the board or agency of a Member State, or  
83 equivalent, that is responsible for the licensing and regulation of Regulated  
84 Social Workers.
- 85 P. **“Member State”** means a state, commonwealth, district, or territory of the United  
86 States of America that has enacted this Compact.
- 87 Q. **“Multistate Authorization to Practice”** means a legally authorized privilege to  
88 practice, which is equivalent to a license, associated with a Multistate License  
89 permitting the practice of Social Work in a Remote State.
- 90 R. **“Multistate License”** means a license to practice as a Regulated Social Worker  
91 issued by a Home State Licensing Authority that authorizes the Regulated Social  
92 Worker to practice in all Member States under Multistate Authorization to  
93 Practice.
- 94 S. **“Qualifying National Exam”** means a national licensing examination approved  
95 by the Commission.
- 96 T. **“Regulated Social Worker”** means any clinical, master’s or bachelor’s Social  
97 Worker licensed by a Member State regardless of the title used by that Member  
98 State.
- 99 U. **“Remote State”** means a Member State other than the Licensee’s Home State.
- 100 V. **“Rule(s)” or “Rule(s) of the Commission”** means a regulation or regulations  
101 duly promulgated by the Commission, as authorized by the Compact, that has  
102 the force of law.
- 103 W. **“Single State License”** means a Social Work license issued by any State that  
104 authorizes practice only within the issuing State and does not include Multistate  
105 Authorization to Practice in any Member State.
- 106 X. **“Social Work” or “Social Work Services”** means the application of social work  
107 theory, knowledge, methods, ethics, and the professional use of self to restore or  
108 enhance social, psychosocial, or biopsychosocial functioning of individuals,



109 couples, families, groups, organizations, and communities through the care and  
110 services provided by a Regulated Social Worker as set forth in the Member  
111 State’s statutes and regulations in the State where the services are being  
112 provided.

113 Y. “**State**” means any state, commonwealth, district, or territory of the United States  
114 of America that regulates the practice of Social Work.

115 Z. “**Unencumbered License**” means a license that authorizes a Regulated Social  
116 Worker to engage in the full and unrestricted practice of Social Work.

117 **SECTION 3. STATE PARTICIPATION IN THE COMPACT**

118 A. To be eligible to participate in the compact, a potential Member State must  
119 currently meet all of the following criteria:

120 1. License and regulate the practice of Social Work at either the clinical,  
121 master’s, or bachelor’s category.

122 2. Require applicants for licensure to graduate from a program that is:

123 a. Operated by a college or university recognized by the Licensing  
124 Authority;

125 b. Accredited, or in candidacy by an institution that subsequently  
126 becomes accredited, by an accrediting agency recognized by either:

127 i. the Council for Higher Education Accreditation, or its successor;  
128 or

129 ii. the United States Department of Education; and

130 c. Corresponds to the licensure sought as outlined in Section 4.

131 3. Require applicants for clinical licensure to complete a period of  
132 supervised practice.

133 4. Have a mechanism in place for receiving, investigating, and adjudicating  
134 complaints about Licensees.

135 B. To maintain membership in the Compact a Member State shall:

136 1. Require that applicants for a Multistate License pass a Qualifying  
137 National Exam for the corresponding category of Multistate License  
138 sought as outlined in Section 4.

139 2. Participate fully in the Commission’s Data System, including using the  
140 Commission’s unique identifier as defined in Rules;

141 3. Notify the Commission, in compliance with the terms of the Compact and  
142 Rules, of any Adverse Action or the availability of Current Significant  
143 Investigative Information regarding a Licensee;

- 144 4. Implement procedures for considering the criminal history records of  
145 applicants for a Multistate License. Such procedures shall include the  
146 submission of fingerprints or other biometric-based information by  
147 applicants for the purpose of obtaining an applicant's criminal history  
148 record information from the Federal Bureau of Investigation and the  
149 agency responsible for retaining that State's criminal records.
- 150 5. Comply with the Rules of the Commission;
- 151 6. Require an applicant to obtain or retain a license in the Home State and  
152 meet the Home State's qualifications for licensure or renewal of  
153 licensure, as well as all other applicable Home State laws;
- 154 7. Authorize a Licensee holding a Multistate License in any Member State  
155 to practice in accordance with the terms of the Compact and Rules of the  
156 Commission; and
- 157 8. Designate a delegate to participate in the Commission meetings.
- 158 C. A Member State meeting the requirements of Section 3.A. and 3.B of this  
159 Compact shall designate the categories of Social Work licensure that are eligible  
160 for issuance of a Multistate License for applicants in such Member State. To the  
161 extent that any Member State does not meet the requirements for participation in  
162 the Compact at any particular category of Social Work licensure, such Member  
163 State may choose, but is not obligated to, issue a Multistate License to applicants  
164 that otherwise meet the requirements of Section 4 for issuance of a Multistate  
165 License in such category or categories of licensure.
- 166 D. The Home State may charge a fee for granting the Multistate License.

167 **SECTION 4. SOCIAL WORKER PARTICIPATION IN THE COMPACT**

- 168 A. To be eligible for a Multistate License under the terms and provisions of the  
169 Compact, an applicant, regardless of category must:
- 170 1. Hold or be eligible for an active, Unencumbered License in the Home  
171 State;
- 172 2. Pay any applicable fees, including any State fee, for the Multistate  
173 License;
- 174 3. Submit, in connection with an application for a Multistate License,  
175 fingerprints or other biometric data for the purpose of obtaining criminal  
176 history record information from the Federal Bureau of Investigation and  
177 the agency responsible for retaining that State's criminal records.
- 178 4. Notify the Home State of any Adverse Action, Encumbrance, or  
179 restriction on any professional license taken by any Member State or  
180 non-Member State within 30 days from the date the action is taken.

- 181 5. Meet any continuing competence requirements established by the Home  
182 State;
- 183 6. Abide by the laws, regulations, and applicable standards in the Member  
184 State where the client is located at the time care is rendered.
- 185 B. An applicant for a clinical-category Multistate License must meet all of the  
186 following requirements:
- 187 1. Fulfill a competency requirement, which shall be satisfied by either:
- 188 d. Passage of a clinical-category Qualifying National Exam; or
- 189 e. Licensure of the applicant in their Home State at the clinical  
190 category, beginning prior to such time as a Qualifying National Exam  
191 was required by the Home State and accompanied by a period of  
192 continuous Social Work licensure thereafter, all of which may be  
193 further governed by the Rules of the Commission; or
- 194 f. The substantial equivalency of the foregoing competency  
195 requirements which the Commission may determine by Rule.
- 196 2. Attain at least a master's degree in Social Work from a program that is:
- 197 a. Operated by a college or university recognized by the Licensing  
198 Authority; and
- 199 b. Accredited, or in candidacy that subsequently becomes accredited,  
200 by an accrediting agency recognized by either:
- 201 i. the Council for Higher Education Accreditation or its successor; or
- 202 ii. the United States Department of Education.
- 203 3. Fulfill a practice requirement, which shall be satisfied by demonstrating  
204 completion of either:
- 205 a. A period of postgraduate supervised clinical practice equal to a  
206 minimum of three thousand hours; or
- 207 b. A minimum of two years of full-time postgraduate supervised clinical  
208 practice; or
- 209 c. The substantial equivalency of the foregoing practice requirements  
210 which the Commission may determine by Rule.
- 211 C. An applicant for a master's-category Multistate License must meet all of the  
212 following requirements:
- 213 1. Fulfill a competency requirement, which shall be satisfied by either:
- 214 a. Passage of a masters-category Qualifying National Exam;

- 215 b. Licensure of the applicant in their Home State at the master's  
216 category, beginning prior to such time as a Qualifying National Exam  
217 was required by the Home State at the master's category and  
218 accompanied by a continuous period of Social Work licensure  
219 thereafter, all of which may be further governed by the Rules of the  
220 Commission; or
- 221 c. The substantial equivalency of the foregoing competency  
222 requirements which the Commission may determine by Rule.
- 223 2. Attain at least a master's degree in Social Work from a program that is:
- 224 a. Operated by a college or university recognized by the Licensing  
225 Authority; and
- 226 b. Accredited, or in candidacy that subsequently becomes accredited,  
227 by an accrediting agency recognized by either:
- 228 i. the Council for Higher Education Accreditation or its  
229 successor; or
- 230 ii. the United States Department of Education.
- 231 D. An applicant for a bachelor's-category Multistate License must meet all of the  
232 following requirements:
- 233 1. Fulfill a competency requirement, which shall be satisfied by either:
- 234 a. Passage of a bachelor's-category Qualifying National Exam;
- 235 b. Licensure of the applicant in their Home State at the bachelor's  
236 category, beginning prior to such time as a Qualifying National Exam  
237 was required by the Home State and accompanied by a period of  
238 continuous Social Work licensure thereafter, all of which may be  
239 further governed by the Rules of the Commission; or
- 240 c. The substantial equivalency of the foregoing competency  
241 requirements which the Commission may determine by Rule.
- 242 2. Attain at least a bachelor's degree in Social Work from a program that is:
- 243 a. Operated by a college or university recognized by the Licensing  
244 Authority; and
- 245 b. Accredited, or in candidacy that subsequently becomes accredited,  
246 by an accrediting agency recognized by either:
- 247 i. the Council for Higher Education Accreditation or its  
248 successor; or
- 249 ii. the United States Department of Education.

- 250 E. The Multistate License for a Regulated Social Worker is subject to the renewal  
251 requirements of the Home State. The Regulated Social Worker must maintain  
252 compliance with the requirements of Section 4(A) to be eligible to renew a  
253 Multistate License.
- 254 F. The Regulated Social Worker's services in a Remote State are subject to that  
255 Member State's regulatory authority. A Remote State may, in accordance with  
256 due process and that Member State's laws, remove a Regulated Social Worker's  
257 Multistate Authorization to Practice in the Remote State for a specific period of  
258 time, impose fines, and take any other necessary actions to protect the health  
259 and safety of its citizens.
- 260 G. If a Multistate License is encumbered, the Regulated Social Worker's Multistate  
261 Authorization to Practice shall be deactivated in all Remote States until the  
262 Multistate License is no longer encumbered.
- 263 H. If a Multistate Authorization to Practice is encumbered in a Remote State, the  
264 regulated Social Worker's Multistate Authorization to Practice may be  
265 deactivated in that State until the Multistate Authorization to Practice is no longer  
266 encumbered.

267 **SECTION 5: ISSUANCE OF A MULTISTATE LICENSE**

- 268 A. Upon receipt of an application for Multistate License, the Home State Licensing  
269 Authority shall determine the applicant's eligibility for a Multistate License in  
270 accordance with Section 4 of this Compact.
- 271 B. If such applicant is eligible pursuant to Section 4 of this Compact, the Home  
272 State Licensing Authority shall issue a Multistate License that authorizes the  
273 applicant or Regulated Social Worker to practice in all Member States under a  
274 Multistate Authorization to Practice.
- 275 C. Upon issuance of a Multistate License, the Home State Licensing Authority shall  
276 designate whether the Regulated Social Worker holds a Multistate License in the  
277 Bachelors, Masters, or Clinical category of Social Work.
- 278 D. A Multistate License issued by a Home State to a resident in that State shall be  
279 recognized by all Compact Member States as authorizing Social Work Practice  
280 under a Multistate Authorization to Practice corresponding to each category of  
281 licensure regulated in each Member State.

282 **SECTION 6: AUTHORITY OF INTERSTATE COMPACT COMMISSION AND MEMBER**  
283 **STATE LICENSING AUTHORITIES**

- 284 A. Nothing in this Compact, nor any Rule of the Commission, shall be construed to  
285 limit, restrict, or in any way reduce the ability of a Member State to enact and  
286 enforce laws, regulations, or other rules related to the practice of Social Work in  
287 that State, where those laws, regulations, or other rules are not inconsistent with  
288 the provisions of this Compact.

- 289 B. Nothing in this Compact shall affect the requirements established by a Member  
290 State for the issuance of a Single State License.
- 291 C. Nothing in this Compact, nor any Rule of the Commission, shall be construed to  
292 limit, restrict, or in any way reduce the ability of a Member State to take Adverse  
293 Action against a Licensee's Single State License to practice Social Work in that  
294 State.
- 295 D. Nothing in this Compact, nor any Rule of the Commission, shall be construed to  
296 limit, restrict, or in any way reduce the ability of a Remote State to take Adverse  
297 Action against a Licensee's Multistate Authorization to Practice in that State.
- 298 E. Nothing in this Compact, nor any Rule of the Commission, shall be construed to  
299 limit, restrict, or in any way reduce the ability of a Licensee's Home State to take  
300 Adverse Action against a Licensee's Multistate License based upon information  
301 provided by a Remote State.

302 **SECTION 7: REISSUANCE OF A MULTISTATE LICENSE BY A NEW HOME STATE**

- 303 A. A Licensee can hold a Multistate License, issued by their Home State, in only  
304 one Member State at any given time.
- 305 B. If a Licensee changes their Home State by moving between two Member States:
- 306 1. The Licensee shall immediately apply for the reissuance of their  
307 Multistate License in their new Home State. The Licensee shall pay all  
308 applicable fees and notify the prior Home State in accordance with the  
309 Rules of the Commission.
  - 310 2. Upon receipt of an application to reissue a Multistate License, the new  
311 Home State shall verify that the Multistate License is active,  
312 unencumbered and eligible for reissuance under the terms of the  
313 Compact and the Rules of the Commission. The Multistate License  
314 issued by the prior Home State will be deactivated and all Member  
315 States notified in accordance with the applicable Rules adopted by the  
316 Commission.
  - 317 3. Prior to the reissuance of the Multistate License, the new Home State  
318 shall conduct procedures for considering the criminal history records of  
319 the Licensee. Such procedures shall include the submission of  
320 fingerprints or other biometric-based information by applicants for the  
321 purpose of obtaining an applicant's criminal history record information  
322 from the Federal Bureau of Investigation and the agency responsible for  
323 retaining that State's criminal records.
  - 324 4. If required for initial licensure, the new Home State may require  
325 completion of jurisprudence requirements in the new Home State.
  - 326 5. Notwithstanding any other provision of this Compact, if a Licensee does  
327 not meet the requirements set forth in this Compact for the reissuance of  
328 a Multistate License by the new Home State, then the Licensee shall be

329 subject to the new Home State requirements for the issuance of a Single  
330 State License in that State.

331 C. If a Licensee changes their primary State of residence by moving from a Member  
332 State to a non-Member State, or from a non-Member State to a Member State,  
333 then the Licensee shall be subject to the State requirements for the issuance of a  
334 Single State License in the new Home State.

335 D. Nothing in this Compact shall interfere with a Licensee's ability to hold a Single  
336 State License in multiple States; however, for the purposes of this Compact, a  
337 Licensee shall have only one Home State, and only one Multistate License.

338 E. Nothing in this Compact shall interfere with the requirements established by a  
339 Member State for the issuance of a Single State License.

#### 340 **SECTION 8. MILITARY FAMILIES**

341 An Active Military Member or their spouse shall designate a Home State where the individual  
342 has a Multistate License. The individual may retain their Home State designation during the  
343 period the service member is on active duty.

#### 344 **SECTION 9. ADVERSE ACTIONS**

345 A. In addition to the other powers conferred by State law, a Remote State shall have  
346 the authority, in accordance with existing State due process law, to:

347 1. Take Adverse Action against a Regulated Social Worker's Multistate  
348 Authorization to Practice only within that Member State, and issue  
349 subpoenas for both hearings and investigations that require the  
350 attendance and testimony of witnesses as well as the production of  
351 evidence. Subpoenas issued by a Licensing Authority in a Member State  
352 for the attendance and testimony of witnesses or the production of  
353 evidence from another Member State shall be enforced in the latter State  
354 by any court of competent jurisdiction, according to the practice and  
355 procedure of that court applicable to subpoenas issued in proceedings  
356 pending before it. The issuing Licensing Authority shall pay any witness  
357 fees, travel expenses, mileage, and other fees required by the service  
358 statutes of the State in which the witnesses or evidence are located.

359 2. Only the Home State shall have the power to take Adverse Action  
360 against a Regulated Social Worker's Multistate License.

361 B. For purposes of taking Adverse Action, the Home State shall give the same  
362 priority and effect to reported conduct received from a Member State as it would  
363 if the conduct had occurred within the Home State. In so doing, the Home State  
364 shall apply its own State laws to determine appropriate action.

365 C. The Home State shall complete any pending investigations of a Regulated Social  
366 Worker who changes their Home State during the course of the investigations.  
367 The Home State shall also have the authority to take appropriate action(s) and  
368 shall promptly report the conclusions of the investigations to the administrator of

- 369 the Data System. The administrator of the Data System shall promptly notify the  
370 new Home State of any Adverse Actions.
- 371 D. A Member State, if otherwise permitted by State law, may recover from the  
372 affected Regulated Social Worker the costs of investigations and dispositions of  
373 cases resulting from any Adverse Action taken against that Regulated Social  
374 Worker.
- 375 E. A Member State may take Adverse Action based on the factual findings of  
376 another Member State, provided that the Member State follows its own  
377 procedures for taking the Adverse Action.
- 378 F. Joint Investigations:
- 379 1. In addition to the authority granted to a Member State by its respective  
380 Social Work practice act or other applicable State law, any Member  
381 State may participate with other Member States in joint investigations of  
382 Licensees.
- 383 2. Member States shall share any investigative, litigation, or compliance  
384 materials in furtherance of any joint or individual investigation initiated  
385 under the Compact.
- 386 G. If Adverse Action is taken by the Home State against the Multistate License of a  
387 Regulated Social Worker, the Regulated Social Worker's Multistate Authorization  
388 to Practice in all other Member States shall be deactivated until all  
389 Encumbrances have been removed from the Multistate License. All Home State  
390 disciplinary orders that impose Adverse Action against the license of a Regulated  
391 Social Worker shall include a statement that the Regulated Social Worker's  
392 Multistate Authorization to Practice is deactivated in all Member States until all  
393 conditions of the decision, order or agreement are satisfied.
- 394 H. If a Member State takes Adverse Action, it shall promptly notify the administrator  
395 of the Data System. The administrator of the Data System shall promptly notify  
396 the Home State and all other Member State's of any Adverse Actions by Remote  
397 States.
- 398 I. Nothing in this Compact shall override a Member State's decision that  
399 participation in an Alternative Program may be used in lieu of Adverse Action.
- 400 J. Nothing in this Compact shall authorize a Member State to demand the issuance  
401 of subpoenas for attendance and testimony of witnesses or the production of  
402 evidence from another Member State for lawful actions within that Member State.
- 403 K. Nothing in this Compact shall authorize a Member State to impose discipline  
404 against a Regulated Social Worker who holds a Multistate Authorization to  
405 Practice for lawful actions within another Member State.
- 406



407 **SECTION 10. ESTABLISHMENT OF SOCIAL WORK LICENSURE COMPACT**  
408 **COMMISSION**

409 A. The Compact Member States hereby create and establish a joint government  
410 agency whose membership consists of all Member States that have enacted the  
411 compact known as the Social Work Licensure Compact Commission. The  
412 Commission is an instrumentality of the Compact States acting jointly and not an  
413 instrumentality of any one State. The Commission shall come into existence on  
414 or after the effective date of the Compact as set forth in Section 14.

415 B. Membership, Voting, and Meetings

416 1. Each Member State shall have and be limited to one (1) delegate  
417 selected by that Member State's State Licensing Authority.

418 2. The delegate shall be either:

419 a. A current member of the State Licensing Authority at the time of  
420 appointment, who is a Regulated Social Worker or public member  
421 of the State Licensing Authority; or

422 b. An administrator of the State Licensing Authority or their designee.

423 3. The Commission shall by Rule or bylaw establish a term of office for  
424 delegates and may by Rule or bylaw establish term limits.

425 4. The Commission may recommend removal or suspension any delegate  
426 from office.

427 5. A Member State's State Licensing Authority shall fill any vacancy of its  
428 delegate occurring on the Commission within 60 days of the vacancy.

429 6. Each delegate shall be entitled to one vote on all matters before the  
430 Commission requiring a vote by Commission delegates.

431 7. A delegate shall vote in person or by such other means as provided in  
432 the bylaws. The bylaws may provide for delegates to meet by  
433 telecommunication, videoconference, or other means of communication.

434 8. The Commission shall meet at least once during each calendar year.  
435 Additional meetings may be held as set forth in the bylaws. The  
436 Commission may meet by telecommunication, video conference or other  
437 similar electronic means.

438 C. The Commission shall have the following powers:

439 1. Establish the fiscal year of the Commission;

440 2. Establish code of conduct and conflict of interest policies;

441 3. Establish and amend Rules and bylaws;

- 442 4. Maintain its financial records in accordance with the bylaws;
- 443 5. Meet and take such actions as are consistent with the provisions of this  
444 Compact, the Commission's Rules, and the bylaws;
- 445 6. Initiate and conclude legal proceedings or actions in the name of the  
446 Commission, provided that the standing of any State Licensing Board to  
447 sue or be sued under applicable law shall not be affected;
- 448 7. Maintain and certify records and information provided to a Member State  
449 as the authenticated business records of the Commission, and designate  
450 an agent to do so on the Commission's behalf;
- 451 8. Purchase and maintain insurance and bonds;
- 452 9. Borrow, accept, or contract for services of personnel, including, but not  
453 limited to, employees of a Member State;
- 454 10. Conduct an annual financial review
- 455 11. Hire employees, elect or appoint officers, fix compensation, define  
456 duties, grant such individuals appropriate authority to carry out the  
457 purposes of the Compact, and establish the Commission's personnel  
458 policies and programs relating to conflicts of interest, qualifications of  
459 personnel, and other related personnel matters;
- 460 12. Assess and collect fees;
- 461 13. Accept any and all appropriate gifts, donations, grants of money, other  
462 sources of revenue, equipment, supplies, materials, and services, and  
463 receive, utilize, and dispose of the same; provided that at all times the  
464 Commission shall avoid any appearance of impropriety or conflict of  
465 interest;
- 466 14. Lease, purchase, retain, own, hold, improve, or use any property, real,  
467 personal, or mixed, or any undivided interest therein;
- 468 15. Sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise  
469 dispose of any property real, personal, or mixed;
- 470 16. Establish a budget and make expenditures;
- 471 17. Borrow money;
- 472 18. Appoint committees, including standing committees, composed of  
473 members, State regulators, State legislators or their representatives, and  
474 consumer representatives, and such other interested persons as may be  
475 designated in this Compact and the bylaws;
- 476 19. Provide and receive information from, and cooperate with, law  
477 enforcement agencies;

- 478 20. Establish and elect an Executive Committee, including a chair and a vice  
479 chair;
- 480 21. Determine whether a State's adopted language is materially different  
481 from the model compact language such that the State would not qualify  
482 for participation in the Compact; and
- 483 22. Perform such other functions as may be necessary or appropriate to  
484 achieve the purposes of this Compact.
- 485 D. The Executive Committee
- 486 1. The Executive Committee shall have the power to act on behalf of the  
487 Commission according to the terms of this Compact. The powers, duties,  
488 and responsibilities of the Executive Committee shall include:
- 489 a. Oversee the day-to-day activities of the administration of the compact  
490 including enforcement and compliance with the provisions of the  
491 compact, its Rules and bylaws, and other such duties as deemed  
492 necessary;
- 493 b. Recommend to the Commission changes to the Rules or bylaws,  
494 changes to this Compact legislation, fees charged to Compact  
495 Member States, fees charged to Licensees, and other fees;
- 496 c. Ensure Compact administration services are appropriately provided,  
497 including by contract;
- 498 d. Prepare and recommend the budget;
- 499 e. Maintain financial records on behalf of the Commission;
- 500 f. Monitor Compact compliance of Member States and provide  
501 compliance reports to the Commission;
- 502 g. Establish additional committees as necessary;
- 503 h. Exercise the powers and duties of the Commission during the interim  
504 between Commission meetings, except for adopting or amending  
505 Rules, adopting or amending bylaws, and exercising any other  
506 powers and duties expressly reserved to the Commission by Rule or  
507 bylaw; and
- 508 i. Other duties as provided in the Rules or bylaws of the Commission.
- 509 2. The Executive Committee shall be composed of up to eleven (11)  
510 members:
- 511 a. The chair and vice chair of the Commission shall be voting members  
512 of the Executive Committee; and

- 513 b. The Commission shall elect five voting members from the current  
514 membership of the Commission.
- 515 c. Up to four (4) ex-officio, nonvoting members from four (4) recognized  
516 national Social Work organizations.
- 517 d. The ex-officio members will be selected by their respective  
518 organizations.
- 519 3. The Commission may remove any member of the Executive Committee  
520 as provided in the Commission's bylaws.
- 521 4. The Executive Committee shall meet at least annually.
- 522 a. Executive Committee meetings shall be open to the public, except  
523 that the Executive Committee may meet in a closed, non-public  
524 meeting as provided in subsection F.2 below.
- 525 b. The Executive Committee shall give seven (7) days' notice of its  
526 meetings, posted on its website and as determined to provide notice  
527 to persons with an interest in the business of the Commission.
- 528 c. The Executive Committee may hold a special meeting in accordance  
529 with subsection F.1.b. below.
- 530 E. The Commission shall adopt and provide to the Member States an annual report.
- 531 F. Meetings of the Commission
- 532 1. All meetings shall be open to the public, except that the Commission  
533 may meet in a closed, non-public meeting as provided in subsection F.2  
534 below.
- 535 a. Public notice for all meetings of the full Commission of meetings shall  
536 be given in the same manner as required under the Rulemaking  
537 provisions in Section 12, except that the Commission may hold a  
538 special meeting as provided in subsection F.1.b below.
- 539 b. The Commission may hold a special meeting when it must meet to  
540 conduct emergency business by giving 48 hours' notice to all  
541 commissioners, on the Commission's website, and other means as  
542 provided in the Commission's Rules. The Commission's legal  
543 counsel shall certify that the Commission's need to meet qualifies as  
544 an emergency.
- 545 2. The Commission or the Executive Committee or other committees of the  
546 Commission may convene in a closed, non-public meeting for the  
547 Commission or Executive Committee or other committees of the  
548 Commission to receive legal advice or to discuss:

- 549 a. Non-compliance of a Member State with its obligations under the  
550 Compact;
- 551 b. The employment, compensation, discipline or other matters,  
552 practices or procedures related to specific employees;
- 553 c. Current or threatened discipline of a Licensee by the Commission or  
554 by a Member State's Licensing Authority;
- 555 d. Current, threatened, or reasonably anticipated litigation;
- 556 e. Negotiation of contracts for the purchase, lease, or sale of goods,  
557 services, or real estate;
- 558 f. Accusing any person of a crime or formally censuring any person;
- 559 g. Trade secrets or commercial or financial information that is privileged  
560 or confidential;
- 561 h. Information of a personal nature where disclosure would constitute a  
562 clearly unwarranted invasion of personal privacy;
- 563 i. Investigative records compiled for law enforcement purposes;
- 564 j. Information related to any investigative reports prepared by or on  
565 behalf of or for use of the Commission or other committee charged  
566 with responsibility of investigation or determination of compliance  
567 issues pursuant to the Compact;
- 568 k. Matters specifically exempted from disclosure by federal or Member  
569 State law; or
- 570 l. Other matters as promulgated by the Commission by Rule.
- 571 3. If a meeting, or portion of a meeting, is closed, the presiding officer shall  
572 state that the meeting will be closed and reference each relevant  
573 exempting provision, and such reference shall be recorded in the  
574 minutes.
- 575 4. The Commission shall keep minutes that fully and clearly describe all  
576 matters discussed in a meeting and shall provide a full and accurate  
577 summary of actions taken, and the reasons therefore, including a  
578 description of the views expressed. All documents considered in  
579 connection with an action shall be identified in such minutes. All minutes  
580 and documents of a closed meeting shall remain under seal, subject to  
581 release only by a majority vote of the Commission or order of a court of  
582 competent jurisdiction.
- 583 G. Financing of the Commission

- 584 1. The Commission shall pay, or provide for the payment of, the reasonable  
585 expenses of its establishment, organization, and ongoing activities.
- 586 2. The Commission may accept any and all appropriate revenue sources  
587 as provided in subsection C(13).
- 588 3. The Commission may levy on and collect an annual assessment from  
589 each Member State and impose fees on Licensees of Member States to  
590 whom it grants a Multistate License to cover the cost of the operations  
591 and activities of the Commission and its staff, which must be in a total  
592 amount sufficient to cover its annual budget as approved each year for  
593 which revenue is not provided by other sources. The aggregate annual  
594 assessment amount for Member States shall be allocated based upon a  
595 formula that the Commission shall promulgate by Rule.
- 596 4. The Commission shall not incur obligations of any kind prior to securing  
597 the funds adequate to meet the same; nor shall the Commission pledge  
598 the credit of any of the Member States, except by and with the authority  
599 of the Member State.
- 600 5. The Commission shall keep accurate accounts of all receipts and  
601 disbursements. The receipts and disbursements of the Commission shall  
602 be subject to the financial review and accounting procedures established  
603 under its bylaws. However, all receipts and disbursements of funds  
604 handled by the Commission shall be subject to an annual financial  
605 review by a certified or licensed public accountant, and the report of the  
606 financial review shall be included in and become part of the annual  
607 report of the Commission.
- 608 H. Qualified Immunity, Defense, and Indemnification
- 609 1. The members, officers, executive director, employees and  
610 representatives of the Commission shall be immune from suit and  
611 liability, both personally and in their official capacity, for any claim for  
612 damage to or loss of property or personal injury or other civil liability  
613 caused by or arising out of any actual or alleged act, error, or omission  
614 that occurred, or that the person against whom the claim is made had a  
615 reasonable basis for believing occurred within the scope of Commission  
616 employment, duties or responsibilities; provided that nothing in this  
617 paragraph shall be construed to protect any such person from suit or  
618 liability for any damage, loss, injury, or liability caused by the intentional  
619 or willful or wanton misconduct of that person. The procurement of  
620 insurance of any type by the Commission shall not in any way  
621 compromise or limit the immunity granted hereunder.
- 622 2. The Commission shall defend any member, officer, executive director,  
623 employee, and representative of the Commission in any civil action

624 seeking to impose liability arising out of any actual or alleged act, error,  
625 or omission that occurred within the scope of Commission employment,  
626 duties, or responsibilities, or as determined by the Commission that the  
627 person against whom the claim is made had a reasonable basis for  
628 believing occurred within the scope of Commission employment, duties,  
629 or responsibilities; provided that nothing herein shall be construed to  
630 prohibit that person from retaining their own counsel at their own  
631 expense; and provided further, that the actual or alleged act, error, or  
632 omission did not result from that person's intentional or willful or wanton  
633 misconduct.

634 3. The Commission shall indemnify and hold harmless any member, officer,  
635 executive director, employee, and representative of the Commission for  
636 the amount of any settlement or judgment obtained against that person  
637 arising out of any actual or alleged act, error, or omission that occurred  
638 within the scope of Commission employment, duties, or responsibilities,  
639 or that such person had a reasonable basis for believing occurred within  
640 the scope of Commission employment, duties, or responsibilities,  
641 provided that the actual or alleged act, error, or omission did not result  
642 from the intentional or willful or wanton misconduct of that person.

643 4. Nothing herein shall be construed as a limitation on the liability of any  
644 Licensee for professional malpractice or misconduct, which shall be  
645 governed solely by any other applicable State laws.

646 5. Nothing in this Compact shall be interpreted to waive or otherwise  
647 abrogate a Member State's state action immunity or state action  
648 affirmative defense with respect to antitrust claims under the Sherman  
649 Act, Clayton Act, or any other State or federal antitrust or anticompetitive  
650 law or regulation.

651 6. Nothing in this Compact shall be construed to be a waiver of sovereign  
652 immunity by the Member States or by the Commission.

653 **SECTION 11. DATA SYSTEM**

654 A. The Commission shall provide for the development, maintenance, operation, and  
655 utilization of a coordinated Data System.

656 B. The Commission shall assign each applicant for a Multistate License a unique  
657 identifier, as determined by the Rules of the Commission.

658 C. Notwithstanding any other provision of State law to the contrary, a Member State  
659 shall submit a uniform data set to the Data System on all individuals to whom this  
660 Compact is applicable as required by the Rules of the Commission, including:

661 1. Identifying information;

662 2. Licensure data;

- 663 3. Adverse Actions against a license and information related thereto;  
664 4. Non-confidential information related to Alternative Program participation,  
665 the beginning and ending dates of such participation, and other  
666 information related to such participation not made confidential under  
667 Member State law;  
668 5. Any denial of application for licensure, and the reason(s) for such denial;  
669 6. The presence of Current Significant Investigative Information; and  
670 7. Other information that may facilitate the administration of this Compact  
671 or the protection of the public, as determined by the Rules of the  
672 Commission.

673 D. The records and information provided to a Member State pursuant to this  
674 Compact or through the Data System, when certified by the Commission or an  
675 agent thereof, shall constitute the authenticated business records of the  
676 Commission, and shall be entitled to any associated hearsay exception in any  
677 relevant judicial, quasi-judicial or administrative proceedings in a Member State.

678 E. Current Significant Investigative Information pertaining to a Licensee in any  
679 Member State will only be available to other Member States.

680 1. It is the responsibility of the Member States to report any Adverse Action  
681 against a Licensee and to monitor the database to determine whether  
682 Adverse Action has been taken against a Licensee. Adverse Action  
683 information pertaining to a Licensee in any Member State will be  
684 available to any other Member State.

685 F. Member States contributing information to the Data System may designate  
686 information that may not be shared with the public without the express  
687 permission of the contributing State.

688 G. Any information submitted to the Data System that is subsequently expunged  
689 pursuant to federal law or the laws of the Member State contributing the  
690 information shall be removed from the Data System.

## 691 **SECTION 12. RULEMAKING**

692 A. The Commission shall promulgate reasonable Rules in order to effectively and  
693 efficiently implement and administer the purposes and provisions of the  
694 Compact. A Rule shall be invalid and have no force or effect only if a court of  
695 competent jurisdiction holds that the Rule is invalid because the Commission  
696 exercised its rulemaking authority in a manner that is beyond the scope and  
697 purposes of the Compact, or the powers granted hereunder, or based upon  
698 another applicable standard of review.

699 B. The Rules of the Commission shall have the force of law in each Member State,  
700 provided however that where the Rules of the Commission conflict with the laws



- 701 of the Member State that establish the Member State’s laws, regulations, and  
702 applicable standards that govern the practice of Social Work as held by a court of  
703 competent jurisdiction, the Rules of the Commission shall be ineffective in that  
704 State to the extent of the conflict.
- 705 C. The Commission shall exercise its Rulemaking powers pursuant to the criteria  
706 set forth in this Section and the Rules adopted thereunder. Rules shall become  
707 binding on the day following adoption or the date specified in the rule or  
708 amendment, whichever is later.
- 709 D. If a majority of the legislatures of the Member States rejects a Rule or portion of a  
710 Rule, by enactment of a statute or resolution in the same manner used to adopt  
711 the Compact within four (4) years of the date of adoption of the Rule, then such  
712 Rule shall have no further force and effect in any Member State.
- 713 E. Rules shall be adopted at a regular or special meeting of the Commission.
- 714 F. Prior to adoption of a proposed Rule, the Commission shall hold a public hearing  
715 and allow persons to provide oral and written comments, data, facts, opinions,  
716 and arguments.
- 717 G. Prior to adoption of a proposed Rule by the Commission, and at least thirty (30)  
718 days in advance of the meeting at which the Commission will hold a public  
719 hearing on the proposed Rule, the Commission shall provide a Notice of  
720 Proposed Rulemaking:
- 721 1. On the website of the Commission or other publicly accessible platform;
  - 722 2. To persons who have requested notice of the Commission’s notices of  
723 proposed rulemaking, and
  - 724 3. In such other way(s) as the Commission may by Rule specify.
- 725 H. The Notice of Proposed Rulemaking shall include:
- 726 1. The time, date, and location of the public hearing at which the  
727 Commission will hear public comments on the proposed Rule and, if  
728 different, the time, date, and location of the meeting where the  
729 Commission will consider and vote on the proposed Rule;
  - 730 2. If the hearing is held via telecommunication, video conference, or other  
731 electronic means, the Commission shall include the mechanism for  
732 access to the hearing in the Notice of Proposed Rulemaking;
  - 733 3. The text of the proposed Rule and the reason therefor;
  - 734 4. A request for comments on the proposed Rule from any interested  
735 person; and
  - 736 5. The manner in which interested persons may submit written comments.

- 737 I. All hearings will be recorded. A copy of the recording and all written comments  
738 and documents received by the Commission in response to the proposed Rule  
739 shall be available to the public.
- 740 J. Nothing in this section shall be construed as requiring a separate hearing on each  
741 Rule. Rules may be grouped for the convenience of the Commission at hearings  
742 required by this section.
- 743 K. The Commission shall, by majority vote of all members, take final action on the  
744 proposed Rule based on the Rulemaking record and the full text of the Rule.
- 745 1. The Commission may adopt changes to the proposed Rule provided the  
746 changes do not enlarge the original purpose of the proposed Rule.
- 747 2. The Commission shall provide an explanation of the reasons for  
748 substantive changes made to the proposed Rule as well as reasons for  
749 substantive changes not made that were recommended by commenters.
- 750 3. The Commission shall determine a reasonable effective date for the  
751 Rule. Except for an emergency as provided in Section 12.L, the effective  
752 date of the rule shall be no sooner than 30 days after issuing the notice  
753 that it adopted or amended the Rule.
- 754 L. Upon determination that an emergency exists, the Commission may consider and  
755 adopt an emergency Rule with 48 hours' notice, with opportunity to comment,  
756 provided that the usual Rulemaking procedures provided in the Compact and in  
757 this section shall be retroactively applied to the Rule as soon as reasonably  
758 possible, in no event later than ninety (90) days after the effective date of the  
759 Rule. For the purposes of this provision, an emergency Rule is one that must be  
760 adopted immediately in order to:
- 761 1. Meet an imminent threat to public health, safety, or welfare;
- 762 2. Prevent a loss of Commission or Member State funds;
- 763 3. Meet a deadline for the promulgation of a Rule that is established by  
764 federal law or rule; or
- 765 4. Protect public health and safety.
- 766 M. The Commission or an authorized committee of the Commission may direct  
767 revisions to a previously adopted Rule for purposes of correcting typographical  
768 errors, errors in format, errors in consistency, or grammatical errors. Public notice  
769 of any revisions shall be posted on the website of the Commission. The revision  
770 shall be subject to challenge by any person for a period of thirty (30) days after  
771 posting. The revision may be challenged only on grounds that the revision results  
772 in a material change to a Rule. A challenge shall be made in writing and  
773 delivered to the Commission prior to the end of the notice period. If no challenge  
774 is made, the revision will take effect without further action. If the revision is

775 challenged, the revision may not take effect without the approval of the  
776 Commission.

777 N. No Member State’s rulemaking requirements shall apply under this compact.

778 **SECTION 13. OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT**

779 A. Oversight

780 1. The executive and judicial branches of State government in each  
781 Member State shall enforce this Compact and take all actions necessary  
782 and appropriate to implement the Compact.

783 2. Except as otherwise provided in this Compact, venue is proper and  
784 judicial proceedings by or against the Commission shall be brought  
785 solely and exclusively in a court of competent jurisdiction where the  
786 principal office of the Commission is located. The Commission may  
787 waive venue and jurisdictional defenses to the extent it adopts or  
788 consents to participate in alternative dispute resolution proceedings.  
789 Nothing herein shall affect or limit the selection or propriety of venue in  
790 any action against a Licensee for professional malpractice, misconduct  
791 or any such similar matter.

792 3. The Commission shall be entitled to receive service of process in any  
793 proceeding regarding the enforcement or interpretation of the Compact  
794 and shall have standing to intervene in such a proceeding for all  
795 purposes. Failure to provide the Commission service of process shall  
796 render a judgment or order void as to the Commission, this Compact, or  
797 promulgated Rules.

798 B. Default, Technical Assistance, and Termination

799 1. If the Commission determines that a Member State has defaulted in the  
800 performance of its obligations or responsibilities under this Compact or  
801 the promulgated Rules, the Commission shall provide written notice to  
802 the defaulting State. The notice of default shall describe the default, the  
803 proposed means of curing the default, and any other action that the  
804 Commission may take, and shall offer training and specific technical  
805 assistance regarding the default.

806 2. The Commission shall provide a copy of the notice of default to the other  
807 Member States.

808 C. If a State in default fails to cure the default, the defaulting State may be  
809 terminated from the Compact upon an affirmative vote of a majority of the  
810 delegates of the Member States, and all rights, privileges and benefits conferred  
811 on that State by this Compact may be terminated on the effective date of  
812 termination. A cure of the default does not relieve the offending State of  
813 obligations or liabilities incurred during the period of default.

814 D. Termination of membership in the Compact shall be imposed only after all other  
815 means of securing compliance have been exhausted. Notice of intent to suspend  
816 or terminate shall be given by the Commission to the governor, the majority and  
817 minority leaders of the defaulting State's legislature, the defaulting State's State  
818 Licensing Authority and each of the Member States' State Licensing Authority.

819 E. A State that has been terminated is responsible for all assessments, obligations,  
820 and liabilities incurred through the effective date of termination, including  
821 obligations that extend beyond the effective date of termination.

822 F. Upon the termination of a State's membership from this Compact, that State shall  
823 immediately provide notice to all Licensees within that State of such termination.  
824 The terminated State shall continue to recognize all licenses granted pursuant to  
825 this Compact for a minimum of six (6) months after the date of said notice of  
826 termination.

827 G. The Commission shall not bear any costs related to a State that is found to be in  
828 default or that has been terminated from the Compact, unless agreed upon in  
829 writing between the Commission and the defaulting State.

830 H. The defaulting State may appeal the action of the Commission by petitioning the  
831 U.S. District Court for the District of Columbia or the federal district where the  
832 Commission has its principal offices. The prevailing party shall be awarded all  
833 costs of such litigation, including reasonable attorney's fees.

834 I. Dispute Resolution

835 1. Upon request by a Member State, the Commission shall attempt to  
836 resolve disputes related to the Compact that arise among Member  
837 States and between Member and non-Member States.

838 2. The Commission shall promulgate a Rule providing for both mediation  
839 and binding dispute resolution for disputes as appropriate.

840 J. Enforcement

841 1. By majority vote as provided by Rule, the Commission may initiate legal  
842 action against a Member State in default in the United States District  
843 Court for the District of Columbia or the federal district where the  
844 Commission has its principal offices to enforce compliance with the  
845 provisions of the Compact and its promulgated Rules. The relief sought  
846 may include both injunctive relief and damages. In the event judicial  
847 enforcement is necessary, the prevailing party shall be awarded all costs  
848 of such litigation, including reasonable attorney's fees. The remedies  
849 herein shall not be the exclusive remedies of the Commission. The  
850 Commission may pursue any other remedies available under federal or  
851 the defaulting Member State's law.

- 852 2. A Member State may initiate legal action against the Commission in the  
853 U.S. District Court for the District of Columbia or the federal district  
854 where the Commission has its principal offices to enforce compliance  
855 with the provisions of the Compact and its promulgated Rules. The relief  
856 sought may include both injunctive relief and damages. In the event  
857 judicial enforcement is necessary, the prevailing party shall be awarded  
858 all costs of such litigation, including reasonable attorney's fees.
- 859 3. No person other than a Member State shall enforce this compact against  
860 the Commission.

861 **SECTION 14. EFFECTIVE DATE, WITHDRAWAL, AND AMENDMENT**

- 862 A. The Compact shall come into effect on the date on which the Compact statute is  
863 enacted into law in the seventh Member State.
- 864 1. On or after the effective date of the Compact, the Commission shall  
865 convene and review the enactment of each of the first seven Member  
866 States ("Charter Member States") to determine if the statute enacted by  
867 each such Charter Member State is materially different than the model  
868 Compact statute.
- 869 a. A Charter Member State whose enactment is found to be  
870 materially different from the model Compact statute shall be  
871 entitled to the default process set forth in Section 13.
- 872 b. If any Member State is later found to be in default, or is  
873 terminated or withdraws from the Compact, the Commission  
874 shall remain in existence and the Compact shall remain in effect  
875 even if the number of Member States should be less than seven.
- 876 2. Member States enacting the Compact subsequent to the seven initial  
877 Charter Member States shall be subject to the process set forth in  
878 Section 10(C)(21) to determine if their enactments are materially  
879 different from the model Compact statute and whether they qualify for  
880 participation in the Compact.
- 881 3. All actions taken for the benefit of the Commission or in furtherance of  
882 the purposes of the administration of the Compact prior to the effective  
883 date of the Compact or the Commission coming into existence shall be  
884 considered to be actions of the Commission unless specifically  
885 repudiated by the Commission.
- 886 4. Any State that joins the Compact subsequent to the Commission's initial  
887 adoption of the Rules and bylaws shall be subject to the Rules and  
888 bylaws as they exist on the date on which the Compact becomes law in  
889 that State. Any Rule that has been previously adopted by the

890 Commission shall have the full force and effect of law on the day the  
891 Compact becomes law in that State.

892 B. Any Member State may withdraw from this Compact by enacting a statute  
893 repealing the same.

894 1. A Member State's withdrawal shall not take effect until 180 days after  
895 enactment of the repealing statute.

896 2. Withdrawal shall not affect the continuing requirement of the withdrawing  
897 State's Licensing Authority to comply with the investigative and Adverse  
898 Action reporting requirements of this Compact prior to the effective date  
899 of withdrawal.

900 3. Upon the enactment of a statute withdrawing from this compact, a State  
901 shall immediately provide notice of such withdrawal to all Licensees  
902 within that State. Notwithstanding any subsequent statutory enactment to  
903 the contrary, such withdrawing State shall continue to recognize all  
904 licenses granted pursuant to this compact for a minimum of 180 days  
905 after the date of such notice of withdrawal.

906 C. Nothing contained in this Compact shall be construed to invalidate or  
907 prevent any licensure agreement or other cooperative arrangement between  
908 a Member State and a non-Member State that does not conflict with the  
909 provisions of this Compact.

910 D. This Compact may be amended by the Member States. No amendment to  
911 this Compact shall become effective and binding upon any Member State  
912 until it is enacted into the laws of all Member States.

913 **SECTION 15. CONSTRUCTION AND SEVERABILITY**

914 A. This Compact and the Commission's rulemaking authority shall be liberally  
915 construed so as to effectuate the purposes, and the implementation and  
916 administration of the Compact. Provisions of the Compact expressly authorizing  
917 or requiring the promulgation of Rules shall not be construed to limit the  
918 Commission's rulemaking authority solely for those purposes.

919 B. The provisions of this Compact shall be severable and if any phrase, clause,  
920 sentence or provision of this Compact is held by a court of competent jurisdiction  
921 to be contrary to the constitution of any Member State, a State seeking  
922 participation in the Compact, or of the United States, or the applicability thereof to  
923 any government, agency, person or circumstance is held to be unconstitutional  
924 by a court of competent jurisdiction, the validity of the remainder of this Compact  
925 and the applicability thereof to any other government, agency, person or  
926 circumstance shall not be affected thereby.

927 C. Notwithstanding subsection B of this section, the Commission may deny a  
928 State's participation in the Compact or, in accordance with the requirements of

929 Section 13.B, terminate a Member State's participation in the Compact, if it  
930 determines that a constitutional requirement of a Member State is a material  
931 departure from the Compact. Otherwise, if this Compact shall be held to be  
932 contrary to the constitution of any Member State, the Compact shall remain in full  
933 force and effect as to the remaining Member States and in full force and effect as  
934 to the Member State affected as to all severable matters.

935 **SECTION 16. CONSISTENT EFFECT AND CONFLICT WITH OTHER STATE LAWS**

936 A. A Licensee providing services in a Remote State under a Multistate Authorization  
937 to Practice shall adhere to the laws and regulations, including laws, regulations,  
938 and applicable standards, of the Remote State where the client is located at the  
939 time care is rendered.

940 B. Nothing herein shall prevent or inhibit the enforcement of any other law of a  
941 Member State that is not inconsistent with the Compact.

942 C. Any laws, statutes, regulations, or other legal requirements in a Member State in  
943 conflict with the Compact are superseded to the extent of the conflict.

944 D. All permissible agreements between the Commission and the Member States are  
945 binding in accordance with their terms.

946

# **SOCIAL WORK LICENSURE COMPACT**

## **BYLAWS**

### **ARTICLE I**

#### **Commission Purpose, Function and Bylaws**

##### **Section 1. Purpose.**

Pursuant to the terms of the Social Work Licensure Compact, (the “Compact”), the Social Work Licensure Compact Commission (the “Commission”) is established to fulfill the objectives of the Compact, through a means of joint cooperative action among the Member States, namely, to facilitate the interstate practice of social work and improve public access to social work services by establishing a pathway for a Regulated Social Worker to obtain multistate licenses to authorize practice in other states participating in the Compact.

##### **Section 2. Functions.**

In pursuit of the fundamental objectives set forth in the Compact, the Commission shall, as necessary or required, exercise all of the powers and fulfill all of the duties delegated to it by the Member States. The Commission’s activities shall include, but are not limited to, the following: the promulgation of binding rules and operating procedures; equitable distribution of the costs, benefits and obligations of the Compact among the Member States; enforcement of Commission Rules, Operating Procedures and Bylaws; provision of dispute resolution; Coordination of training and education; and the collection and dissemination of information concerning the activities of the Compact, as provided by the Compact, or as determined by the Commission to be warranted by, and consistent with, the objectives and provisions of the Compact.

##### **Section 3. Bylaws.**

As required by the Compact, these Bylaws shall govern the management and operations of the Commission. As adopted and subsequently amended, these Bylaws shall remain at all times subject to, and limited by, the terms of the Compact.

### **ARTICLE II**

#### **Membership**

##### **Section 1. Purpose.**

The Commission Membership shall be comprised as provided by the Compact.

##### **Section 2. Commissioners.**

Each Member State shall have and be limited to one delegate. A delegate shall be referred to as the Commissioner of the Member State, or alternatively, a “Commission Member” for purposes of these Bylaws. Each Member State shall forward the name of its Commissioner to the national



office of the Commission, who will advise the Commission chairperson. The national office of the Commission shall promptly advise the appropriate appointing authority of the Member State of the need to appoint a new Commissioner upon the expiration of a designated term or the occurrence of mid-term vacancies. If a resignation of a Commissioner occurs or a change is made by the state appointing authority, it is the responsibility of the Member State to inform the Commission of the vacancy or change.

### **ARTICLE III**

#### **Officers**

##### **Section 1. Election and Succession.**

The officers of the Commission shall include a Chairperson, Vice Chairperson, Secretary, Treasurer and Past Chair. The officers shall be duly appointed Commission Members. Officers shall be elected annually by the Commission at any meeting at which a quorum is present and shall serve for one year or until their successors are elected by the Commission. The officers so elected shall serve without compensation or remuneration, except as provided by the Compact.

##### **Section 2. Duties.**

The officers shall perform all duties of their respective offices as provided by the Compact and these Bylaws. Such duties shall include, but are not limited to, the following:

- a. *Chairperson.* The Chairperson shall call and preside at all meetings of the Commission, shall prepare agendas for such meetings, shall make appointments to all committees of the Commission and, in accordance with the Commission's directions, or subject to ratification by the Commission, shall act on the Commission's behalf during the interims between Commission meetings.
- b. *Vice Chairperson.* The Vice Chairperson shall, in the absence or at the direction of the Chairperson, perform any or all of the duties of the Chairperson. In the event of a vacancy in the office of Chairperson, the Vice Chairperson shall serve as acting until a new Chairperson is elected by the Commission.
- c. *Secretary.* The Secretary shall keep minutes of all Commission meetings and shall act as the custodian of all documents and records pertaining to the status of the Compact and the business of the Commission.
- d. *Treasurer.* The Treasurer, with the assistance of the Commission's executive director, shall act as custodian of all Commission funds and shall be responsible for monitoring the administration of all fiscal policies and procedures set forth in the Compact or adopted by the Commission. Pursuant to the Compact, the treasurer shall execute such bond as may be required by the Commission covering the treasurer, the executive director and any other officers, Commission Members and Commission personnel, as determined by the Commission, who may be responsible for the receipt, disbursement, or management of Commission funds.

- e. *Past Chair.* The Past Chair is the most recent previous Chair who is still serving as a Commission member and shall perform such duties as may be requested by the Commission.

### **Section 3. Costs and Expense Reimbursement.**

Subject to the availability of budgeted funds, the officers shall be reimbursed for any actual and necessary costs and expenses incurred by the officers in the performance of their duties and responsibilities as officers of the Commission.

## **ARTICLE IV**

### **Executive Committee**

#### **Section 1. Powers, Duties, and Responsibilities.**

The Executive Committee shall have the power to act on behalf of the Commission according to the terms of this Compact. The powers, duties and responsibilities of the Executive Committee shall include:

- a. Overseeing the day-to-day activities of the administration of the Compact including compliance with the provisions of the Compact, the Commission's Rules and bylaws;
- b. Recommending to the Commission changes to the Rules or bylaws, changes to this Compact legislation, fees charged to Compact Participating States, fees charged to Licensees and other fees;
- c. Ensuring Compact administration services are appropriately provided, including by contract;
- d. Preparing and recommending the budget;
- e. Maintaining financial records on behalf of the Commission;
- f. Monitoring Compact compliance of Participating States and providing compliance reports to the Commission;
- g. Establishing additional committees as necessary;
- h. Exercising the powers and duties of the Commission during the interim between Commission meetings, except for adopting or amending Rules, adopting or amending these Bylaws and exercising any other powers and duties expressly reserved to the Commission by Rule or these Bylaws.

#### **Section 2. Composition of Executive Committee**

The Executive Committee shall be composed of seven (7) members:

- a. The Chair, Vice Chair, Secretary and Treasurer [optional: Past Chair] of the Commission and any other members of the Commission who serve on the Executive Committee shall be voting members of the Executive Committee; and
- b. Other than the Chair, Vice Chair, Secretary and Treasurer [optional: and Past Chair], the Commission shall elect three (3) [alternative if Past Chair is included: two (2)] voting members from the current membership of the Commission.
- c. Ex-Officio: The Compact authorizes up to four (4) ex-officio, nonvoting members from four (4) recognized national Social Work organizations. The ex-officio, nonvoting members of the Executive Committee are as follows:
  - a.

The Commission may remove any member of the Executive Committee by an affirmative vote of a majority of the current membership of the Commission

### **Section 3. Executive Committee Meetings.**

The Executive Committee shall meet at least once each calendar year at a time and place to be determined by the Executive Committee.

All meetings at which the Executive Committee intends to take formal action on a matter shall be open to the public, except that the Executive Committee may meet in a closed, non-public session of a public meeting when dealing with any of the matters for which the Commission is authorized to convene in a closed, non-public meeting under the Compact.

The Executive Committee shall give five (5) business days' notice of its public meetings, posted on its website and as it may otherwise determine to provide notice to persons with an interest in the public matters the Executive Committee intends to address at those meetings.

The Executive Committee may hold an emergency meeting when acting for the Commission to:

- a. Meet an imminent threat to public health, safety or welfare;
- b. Prevent a loss of Commission of Participating State funds; or
- c. Protect public health and safety.

## **ARTICLE V**

### **Qualified Immunity, Defense and Indemnification**

#### **Section 1. Immunity.**

The members, officers, executive director, employees and representatives of the Commission shall be immune from suit and liability, both personally and in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused by or arising out of

any actual or alleged act, error, or omission that occurred, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of Commission employment, duties or responsibilities; provided that nothing in this paragraph shall be construed to protect any such person from suit or liability for any damage, loss, injury or liability caused by the intentional or willful or wanton misconduct of that person. The procurement of insurance of any type by the Commission shall not in any way compromise or limit the immunity granted hereunder.

## **Section 2. Defense.**

Subject to the provisions of the Compact and Rules promulgated thereunder, the Commission shall defend any member, officer, executive director, employee and representative of the Commission in any civil action seeking to impose liability arising out of any actual or alleged act, error or omission that occurred within the scope of Commission employment, duties or responsibilities, or as determined by the Commission that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of Commission employment, duties or responsibilities; provided that nothing herein shall be construed to prohibit that person from retaining their own counsel at their own expense; and provided further, that the actual or alleged act, error or omission did not result from that person's intentional or willful or wanton misconduct.

## **Section 3. Indemnification.**

Notwithstanding Section 1 of this Article V, should any member, officer, executive director, employee or representative of the Commission be held liable for the amount of any settlement or judgment arising out of any actual or alleged act, error or omission that occurred within the scope of that individual's employment, duties or responsibilities for the Commission, or that the person to whom that individual is liable had a reasonable basis for believing occurred within the scope of the individual's employment, duties or responsibilities for the Commission, the Commission shall indemnify and hold harmless such individual, provided that the actual or alleged act, error or omission did not result from the intentional or willful or wanton misconduct of the individual.

# **ARTICLE VI**

## **Meetings of the Commission**

### **Section 1. Meetings and Notice.**

The Commission shall meet at least once each calendar year at a time and place to be determined by the Commission. Additional meetings may be scheduled at the discretion of the chairperson, and must be called upon the request of a majority of Commission Members, as provided by the Compact. All Commission Members shall be given written notice of Commission meetings at least thirty (30) days prior to their scheduled dates. Final agendas shall be provided to all Commission Members no later than ten (10) days prior to any meeting of the Commission. Thereafter, additional agenda items requiring Commission action may not be added to the final agenda, except by an affirmative vote of a majority of the Members. All Commission meetings shall be open to the public, except as set forth in Commission Rules or as otherwise provided by the Compact. Prior public notice shall be posted on the Commission's website at least thirty (30) days prior to the public meeting. A meeting may be closed to the public where the Commission determines by two-

thirds (2/3rds) vote of its Members that there exists at least one of the conditions for closing a meeting, as provided by the Compact or Commission Rules.

### **Section 2. Quorum.**

Commission Members representing a majority of the Member States shall constitute a quorum for the transaction of business, except as otherwise required in these Bylaws. The participation of a Commission Member from a Member State in a meeting is sufficient to constitute the presence of that state for purposes of determining the existence of a quorum, provided the Member present is entitled to vote on behalf of the Member State represented. The presence of a quorum must be established before any vote of the Commission can be taken.

### **Section 3. Voting.**

Each Member State represented at any meeting of the Commission by its Member is entitled to one vote. A Member shall vote himself or herself and shall not delegate his or her vote to another Member. Members may participate in meetings by telephone or other means of telecommunication or electronic communication. Except as otherwise required by the Compact or these Bylaws, any question submitted to a vote of the Commission shall be determined by a simple majority.

### **Section 4. Procedure.**

Matters of parliamentary procedure not covered by these Bylaws shall be governed by Robert's Rules of Order.

## **ARTICLE VII**

### **Committees**

The Commission may establish such committees as it deems necessary to carry out its objectives, which shall include, but not be limited to Finance, Rules, Compliance, Training, Communications and Outreach, and Leadership Nomination. The composition, procedures, duties, budget and tenure of such committees shall be determined by the Commission.

## **ARTICLE VIII**

### **Finance**

#### **Section 1. Fiscal Year.**

The Commission's fiscal year shall begin on July 1 and end on June 30.

#### **Section 2. Budget.**

The Commission shall operate on an annual budget cycle and shall, in any given year, adopt budgets for the following fiscal year or years only after notice and comment as provided by the Compact.

#### **Section 3. Accounting and Audit.**

The Commission, through the Executive Committee, shall keep accurate and timely accounts of its internal receipts and disbursements of the Commission funds, other than receivership assets. The Commission's financial accounts and reports, including the Commission's system of internal controls and procedures, shall be audited annually by an independent certified or licensed public accountant. As required by the Compact, the report of such independent audit shall be included in and become part of the Commission's annual report to the Member States. The Commission's internal accounts, any workpapers related to any internal audit and any workpapers related the independent audit shall be confidential; provided, that such materials shall be made available: 1) in compliance with the order of any court of competent jurisdiction; ii) pursuant to such reasonable rules as the Commission shall promulgate; and iii) to any Commissioner of a Member State, or their duly authorized representatives.

#### **Section 4. Public Participation in Meetings.**

Upon prior written request to the Commission, any person who desires to present a statement on a matter that is on the agenda shall be afforded an opportunity to present an oral statement to the Commission at an open meeting. The chairperson may, depending on the circumstances, afford any person who desires to present a statement on a matter that is on the agenda an opportunity to be heard absent a prior written request to the Commission. The chairperson may limit the time and manner of any such statements at any open meeting.

#### **Section 5. Debt Limitations.**

The Commission shall monitor its own and its committees' affairs for compliance with all provisions of the Compact, its rules and these Bylaws governing the incursion of debt and the pledging of credit.

#### **Section 6. Travel Reimbursements.**

Subject to the availability of budgeted funds and unless otherwise provided by the Commission, Commission Members shall be reimbursed for any actual and necessary expenses incurred pursuant to their attendance at all duly convened meetings of the Commission or its committees as provided by the Compact.

### **ARTICLE IX**

#### **Withdrawal, Default, and Termination**

Member States may withdraw from the Compact only as provided by the Compact. The Commission may terminate a Member State as provided by the Compact.

### **ARTICLE X**

#### **Adoption and Amendment of Bylaws**

Any Bylaw may be adopted, amended or repealed by a majority vote of the Members, provided that written notice and the full text of the proposed action is provided to all Commission Members at least thirty (30) days prior to the meeting at which the action is to be considered. Failing the

required notice, a two-thirds (2/3rds) majority vote of the Members shall be required for such action.

## **ARTICLE XI**

### **Dissolution of the Compact**

The Compact shall dissolve effective upon the date of the withdrawal or the termination by default of a Member State which reduces Membership in the Compact to one Member State as provided by the Compact. Upon dissolution of the Compact, the Compact becomes null and void and shall be of no further force or effect, and the business and affairs of the Commission shall be concluded in an orderly manner and according to applicable law. Each Member State in good standing at the time of the Compact's dissolution shall receive a pro rata distribution of surplus funds based upon a ratio, the numerator of which shall be the amount of its last paid annual assessment, and the denominator of which shall be the sum of the last paid annual assessments of all Member States in good standing at the time of the Compact's dissolution. A Member State is in good standing if it has paid its assessments timely.

1 **Social Work Licensure Compact Commission**

2  
3 **Title of Rule:** Rule on Rulemaking  
4 **Reason for Rule:** To further outline and clarify the rule promulgation process of the Social  
5 Work Licensure Compact Commission.  
6

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7  
8 **Chapter 1: Rulemaking**

9 **Authority:**

10 Section 10: Establishment of Social Work Licensure Compact Commission  
11 Section 12: Rulemaking  
12 Section 14: Effective Date, Withdrawal, and Amendment

13 **1.0 Purpose:** Pursuant to Section 12 of the Compact, the Social Work Licensure Compact  
14 Commission shall promulgate reasonable and lawful uniform rules to  
15 facilitate and coordinate implementation and administration of the Social  
16 Work Licensure Compact. This Rule will become effective upon passage  
17 by the Social Work Licensure Compact Commission as provided in Section  
18 12 of the Social Work Licensure Compact.

19 **1.1 Definition(s):** (a) **“Commission”** means: the Social Work Licensure Compact  
20 Commission, which is the joint administrative body whose membership  
21 consists of all Member States.

22 (b) **“Commissioner”** means: the individual appointed by a Member State  
23 to serve as the member of the Commission for that Member State.

24 (c) **“Compact”** means the Social Work Licensure Compact.

25 (d) **“Member State”** means a state that has enacted the Compact and been  
26 admitted to the Commission in accordance with the Compact and the  
27 Commission Rules, and which has not withdrawn or been terminated from  
28 the Compact.

29 (d) **“Rule”** means: a regulation, principle or directive promulgated by the  
30 Commission pursuant to the criteria set forth in Section 12 of the Compact  
31 that has the force and effect of law in a Member State and includes the  
32 amendment, repeal, or suspension of an existing Rule.

33 (e) **“Rules Committee”** means: a committee that is established as a standing  
34 committee to develop reasonable and lawful uniform rules for consideration



35 by the Commission and subsequent implementation by the states and to  
36 review existing rules and recommend necessary changes to the Commission  
37 for consideration.

38 (f) “**Social Work Services**” means the application of social work theory,  
39 knowledge, methods, ethics, and the professional use of self to restore or  
40 enhance social, psychosocial, or biopsychosocial functioning of individuals,  
41 couples, families, groups, organizations, and communities through the care  
42 and services provided by a Regulated Social Worker as set forth in the  
43 Member State’s statutes and regulations in the State where the services are  
44 being provided.

45 (g) “**State**” means: any state, commonwealth, district, or territory of the  
46 United States of America.

47 **1.2 Proposed Rules or Amendments:** Rules shall be adopted by majority vote of the Member  
48 States of the Commission pursuant to the criteria set forth in Section 12 of the Compact and in the  
49 following manner:

50 (a) New rules and amendments to existing rules proposed pursuant to the Compact and the  
51 Commission Bylaws shall be submitted to the Commission office for referral to the Rules  
52 Committee in any of the following ways:

53 (1) Any Commissioner may submit a proposed Rule for referral to the Rules  
54 Committee during the next scheduled Commission meeting.

55 (2) Standing Committees of the Commission may propose Rules amendments by  
56 majority vote of that Committee.  
57  
58

59 **1.3 Drafting of Proposed Rules:** The Rules Committee shall prepare a draft of all proposed rules  
60 and provide the draft to the Executive Committee to provide to all Commissioners for review and  
61 comments. Based on the comments made by the Commissioners, the Rules Committee shall  
62 prepare a final draft of the proposed rule(s) or amendments for consideration by the Commission  
63 not later than 30 days prior to the next Commission meeting.

64 **1.4 Notice of Proposed Rulemaking Prior to Public Hearing:** Prior to promulgation and  
65 adoption of a final Rule, the Commission shall hold a public hearing and allow persons to provide  
66 oral and written comments, data, facts, opinions, and arguments. At least 30 days prior to the public  
67 hearing, the Commission shall provide a Notice of Proposed Rulemaking:

68 1. On the website of the Commission or other publicly accessible platform; and

69 2. To persons who have requested notice of the Commission’s notices of proposed  
70 rulemaking.

71 **1.5 Contents of Notice of Proposed Rulemaking:** The Notice of Proposed Rulemaking shall  
72 include:

- 73 (a) The time, date, and location of the public hearing at which the Commission will hear  
74 public comments on the proposed Rule and, if different, the time, date, and location of the  
75 meeting where the Commission will consider and vote on the proposed Rule;
- 76 (b) The mechanism for access to the hearing if the hearing is to be held via  
77 telecommunication, video conference, or other electronic means;
- 78 (c) The text of the proposed Rule and the reason for the proposed Rule.
- 79 (d) A request for comments on the proposed Rule from any interested person; and
- 80 (e) The manner in which interested persons may submit notice to the Commission of their  
81 intention to attend the public meeting and any written comments.

82 **1.6 Public Hearings:** All persons wishing to be heard at the public hearing shall notify the  
83 executive director of the Commission or other designated member in writing of their desire to  
84 appear and testify at the hearing not less than five (5) business days before the scheduled date of  
85 the hearing.

86 Hearings shall be conducted in a manner providing each person who wishes to comment a fair and  
87 reasonable opportunity to comment orally or in writing.

88 All hearings shall be recorded. A copy of the recording shall be made available upon request.

89 Nothing in this chapter shall be construed as requiring a separate hearing on each Rule. Rules may  
90 be grouped for the convenience of the Commission at hearings required by this chapter.

91 The Commission shall consider all written and oral comments received prior to taking final action  
92 on the proposed Rule.

93 **1.7 Final Adoption of Rule:** At a regular or special meeting of the Commission, which may be  
94 held at the same date and location as the public hearing, the Commission shall, by majority vote  
95 of all Commissioners, take final action on the proposed Rule based on the rulemaking record.

96 The Commission may adopt changes to the proposed Rule provided the changes do not enlarge  
97 the original purpose of the proposed Rule. The Commission shall provide an explanation of the  
98 reasons for substantive changes made to the proposed Rule as well as reasons for substantive  
99 changes not made that were recommended by commenters.

100 The Commission shall determine a reasonable effective date for the Rule. Except for an emergency  
101 as provided in Section 1.9, the effective date of the Rule shall be no sooner than thirty (30) days  
102 after the Commission issues the notice that it adopted the Rule.

103 **1.8 Status of Rules Upon Adoption of Compact By Additional Member States; Applicability:**  
104 Any state that joins the Compact subsequent to the Commission's initial adoption of the rules shall  
105 be subject to the rules as they exist on the date on which the Compact becomes law in that state.  
106 Any Rule that has been previously adopted by the Commission shall have the full force and effect  
107 of law on the day the Compact becomes law in that state.

108 No Member State's rulemaking requirements shall apply under this Compact.

109 The Rules of the Commission shall have the force of law in each Member State, provided,  
110 however, that where the Rules of the Commission conflict with the laws of the Member State  
111 which establish the Member State's scope of permissible Social Work Services as held by a court  
112 of competent jurisdiction, the rules of the Commission shall be ineffective in that State to the extent  
113 of the conflict.

114 If, within four (4) years of the date of adoption of a Rule, a majority of the legislatures of the  
115 Member States rejects the Rule by the enactment of statutes in the same manner such legislatures  
116 used to adopt the Compact, the Rule shall have no further force and effect in any Member State.

117 **1.9 Emergency Rulemaking:** Upon determination that an emergency exists, the Commission may  
118 consider and adopt an emergency Rule with twenty-four (24) hours' notice, with the opportunity  
119 to comment, provided that the usual rulemaking procedures provided in the Compact and in this  
120 section shall be retroactively applied to the rule as soon as reasonably possible, in no event later  
121 than ninety (90) days after the effective date of the Rule. For the purposes of this provision, an  
122 emergency rule is one that must be adopted immediately in order to:

- 123 1. Meet an imminent threat to public health, safety, or welfare,
- 124 2. Prevent a loss of Commission or Member State funds;
- 125 3. Meet a deadline for the promulgation of a Rule that is established by federal law or rule;
- 126 4. Protect public health and safety.

127 **2.0 Non-Substantive Rule Revisions:** The Commission or an authorized committee of the  
128 Commission may direct revisions to a previously adopted Rule or amendment for purposes of  
129 correcting typographical errors, errors in format, errors in consistency, or grammatical errors.  
130 Public notice of any revisions shall be posted on the website of the Commission. The revision shall  
131 be subject to challenge by any person for a period of thirty (30) days after posting. The revision  
132 may be challenged only on grounds that the revision results in a material change to a Rule. A  
133 challenge shall be made in writing and delivered to the Commission prior to the end of the notice  
134 period. If no challenge is made, the revision will take effect without further action. If the revision  
135 is challenged, the revision may not take effect without the approval of the Commission.

136

137



## **Elections Information: Positions and Duties**

The Commission will elect two officers, five members-at-large to serve on the Executive Committee from among the current delegates to the Commission, and up to four ex-officio, nonvoting members from four recognized national social work organizations. All eleven of those elected will be members of the Executive Committee.

Below are descriptions of the duties of the Executive Committee and its officers as written in Compact bylaws.

The Commission's officers shall perform all duties of their respective offices as the Compact and these Bylaws provide. Their duties shall include, but are not limited to, the following:

**A. Chair:** The Chair shall call and preside at Commission and Executive Committee meetings; prepare agendas for the meetings; act on Commission's behalf between Commission meetings.

**B. Vice Chair:** The Vice Chair shall perform the duties of the Chair in their absence or at the Chair's direction. In the event of a vacancy in the Chair's office, the Vice Chair shall serve until the Commission elects a new Chair.

**C. Members-at-large (5 positions open):** fulfill duties of the Executive Committee as outlined below.

The Executive Committee shall:

- a. The Executive Committee shall have the power to act on behalf of the Commission according to the terms of this Compact. The powers, duties, and responsibilities of the Executive Committee shall include:
- b. Oversee the day-to-day activities of the administration of the compact including enforcement and compliance with the provisions of the compact, its Rules and bylaws, and other such duties as deemed necessary;
- c. Recommend to the Commission changes to the Rules or bylaws, changes to this Compact legislation, fees charged to Compact Member States, fees charged to Licensees, and other fees;
- d. Ensure Compact administration services are appropriately provided, including by contract;



- e. Prepare and recommend the budget;
- f. Maintain financial records on behalf of the Commission;
- g. Monitor Compact compliance of Member States and provide compliance reports to the Commission;
- h. Establish additional committees as necessary;
- i. Exercise the powers and duties of the Commission during the interim between Commission meetings, except for adopting or amending Rules, adopting or amending bylaws, and exercising any other powers and duties expressly reserved to the Commission by Rule or bylaw;  
and
- j. Other duties as provided in the Rules or bylaws of the Commission.

**D. Ex-officio Members (4 positions open):** The ex-officio members will be selected by their respective organizations.



## Overview of Commission Finances and Management

Compact	Annual Budget	Secretariat	Funding Sources
Nursing	\$ 62,971.23	NCSBN	\$50,000 secretariat fee to NCSBN
Medicine	\$ 5,273,603.05	FSMB	Fees from licensees
Psychology	\$ 459,018.00	FSPPB	MOU with FSPPB
PT	\$ 160,733.00	FSPTB	Line of credit with FSPTB
Counseling	\$ 367,500.00	CAMS	Funding from ACA, NBCC
OT	\$ 450,808.28	ASMI	Funding from AOTA, NBCOT
Speech Pathology/Audiology	\$ 287,000.00	NCSB	Funding from ASHA, AAA
EMS	approx. \$150,000	NREMT	Grant from NREMT



Memo

To: The Social Work Compact Interstate Commission

From: Dan Logsdon, National Center for Interstate Compacts

Date: July 30<sup>th</sup>, 2024

RE: Document Team Discussion of Ex Officio Members

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The Social Work Compact allows for 4 ex officio members to the Executive Committee. The compact doesn't provide guidance about specific organizations, which was by design from the Document Team. However, the Document Team did mention four organizations during their discussions.

The organizations that were discussed:

- The Association of Social Work Boards (ASWB)
  - ASWB is the nonprofit organization composed of the social work regulatory boards and colleges of all 50 U.S. states, the District of Columbia, the U.S. Virgin Islands, Guam, the Northern Mariana Islands, and all 10 Canadian provinces.
- The National Association of Social Workers (NASW)
  - Founded in 1955, the National Association of Social Workers (NASW) is the largest membership organization of professional social workers in the world. NASW works to enhance the professional growth and development of its members, to create and maintain professional standards, and to advance sound social policies
- Clinical Social Work Association
  - CSWA's membership currently consists of licensed clinical social workers, new professionals (clinical social workers who have graduated within the last four years), emeritus members, students and affiliated state societies.
- American Mental Health Counselors Association
  - The American Mental Health Counselors Association (AMHCA) is a national organization that supports licensed clinical mental health counselors in the United States.

The Social Work Compact Commission has the sole authority to appoint the ex officio members. This memo is meant only to provide background information for commission deliberations.

**Social Work Compact Executive  
Director  
Draft RFP Job Description**

<u>Job Title</u>	<u>Group</u>	<u>Date Posted</u>
Director, Social Work Compact Commission	Social Work Compact Commission	
<u>Accountable to:</u> SOCIAL WORK COMPACT COMMISSION/Chair/Executive Committee		<u>Authority</u> SOCIAL WORK COMPACT Section 10.C (11) Bylaws Article IV, Section 1
<b><u>Job Summary:</u></b> Serves as the lead staff executive for the SOCIAL WORK COMPACT COMMISSION, a joint government agency of member states. Directs the day-to-day operations of the organization, including but not limited to projects, relationships and staff. Works in concert with the Commission leadership, and its Executive Committee to fulfil the intent and purpose of the Social Work Compact.		
<u>Tasks</u>	<u>Principle Responsibilities</u>	<u>Frequency</u>
1	Manages the day-to day operations of the SOCIAL WORK COMPACT. Provides support to the Commission Chair, Delegates, Committee Chairs and Executive Committee in the execution of its responsibilities, under the Compact Bylaws. Works in consultation with Commission Chair to develop meeting agendas, materials, minutes, and reports. Provides executive level staff support and ensures effective planning, promotion, and execution of commission meetings.	20%
2	Conducts outreach and public relations related to the SOCIAL WORK COMPACT. Effectively manages external stakeholder relationships while representing the Commission. Serves as the SOCIAL WORK COMPACT training officer; provides training to member state boards of social work. Facilitates the orientation of new Commissioners. Develops and maintains a repository of informational, educational, and training materials regarding the SOCIAL WORK COMPACT. Provides external presentations and education and technical assistance for legislative enactments, as needed.	20%
3	Participates in the development and implementation of the Social Work Commission strategic plan and objectives. Collaborates with the Executive Committee in setting the overall strategic direction.	10%
4	In conjunction with the Commission and its committees, oversees and monitors regulatory compliance of member states with statute, bylaws, and rules.	15%
5	Responsible for supervising the staff and independent contractors of the Commission. Develops and submits to the Commission for consideration the administrative personnel policies governing the recruitment, hiring, management, compensation, and dismissal of Commission staff.	15%
6	In conjunction with the Treasurer and Executive Committee, responsible for managing the annual operating budget and reserves, and monitoring the Commissions financial performance. Maintains records of the Commission. May serve as Secretary to the Commission; coordinates Executive Committee elections.	20%
<b><u>Job Specifications</u></b> (Education, Certification, Special Knowledge and Skills)		
Bachelor's degree required, Master's or JD preferred. Background in business, management, healthcare administration or related field. Five or more years of member-based association management/governance and committee management experience preferred.		
Knowledge of occupational licensure, administrative law and operations management preferred.		



Excellent oral and written communication, presentation, technical, organizational, customer service, problem solving, analytical and critical thinking, and problem-solving skills are required.

Ability to work independently to resolve member issues and collectively to establish a positive working rapport with members and stakeholders. Facilitates effective meetings with stakeholders. Domestic travel will be required.

Ability to build, maintain, communicate, and manage professional relationships with members, stakeholders, and public and governmental agencies, with an emphasis on political awareness, public perceptions, and SOCIAL WORK COMPACT initiatives and details.

# **Social Work Compact Commission Support Draft Request for Proposal for Secretariat**

## **Proposal Title and Purpose:**

Social Work Compact Commission Support

The purpose of this Request for Proposal (RFP) is to solicit a secretariat who will help commence, implement, and sustain the work of the Social Work Compact Commission (Commission).

## **Background/Entity Descriptions:**

The Association of Social Work Boards (ASWB) is working to create the Social Work Licensure Compact. Work on this endeavor began in late 2020, as The Council of State Governments (CSG) selected ASWB to receive technical assistance with the development of a compact through funding from the Department of Defense (DoD). Since that time, ASWB and CSG have worked closely with state boards and associations to introduce compact legislation.

The bill stipulates a minimum of 7 states must approve the legislation before the Social Work Compact Commission can be assembled and begin its operations. One state approved the bill in 2023 and in the 2024 state legislative session, an additional 21 states approved the legislation.

Now that the minimum state requirement has been met, the Social Work Compact Commission is being formed with one state regulatory representative being appointed from each jurisdiction who has passed the legislation. The Social Work Compact Commission, a joint governmental agency composed of an elected representative from each state that passed compact legislation, will hold its inaugural meeting September 17th, 2024.

The secretariat awarded this contract will be responsible for working with the Social Work Compact Commission, the commission's executive committee, and its executive director to develop all necessary commission infrastructure, secure a national licensure data system which includes licensure information and disciplinary actions, and implement management of all activities.

## **Proposal Request Schedule:**

The Social Work Compact Commission seeks proposals from a secretariat to provide administrative and management services to help implement the Commission's responsibilities and strategic initiatives and handle day-to-day operations.

Deadline for proposal submission is xx/xx/xxxx

## **Terms of Contract:**

The Social Work Compact Commission desires to enter into an agreement with the successful awardee for a period of three (3) years, with the option to renew in one-year increments for an additional three (3) years. **The anticipated commencement date is to be determined.**

## **Project Goals:**

Work with the Social Work Compact Commission, its Executive Committee and other Committees, and its Executive Director to:

- Provide all necessary management infrastructure including appropriate staffing, technology, and resources as needed
- Convene meetings with Social Work Compact Commission as needed
- Prepare an annual budget
- Apply for grants
- Establish national policies and procedures
- Secure a national licensure data system (including disciplinary actions)
- Work with each state board of social work or state agency on the interface and implementation of the database
- Develop all initial reporting templates
- Develop all initial routine communication templates
- Prepare all initial public facing communications
- Process all practitioner requests for a compact license
- Respond to all state boards of social work administrators requests to confirm disciplinary action information
- Prepare data and reports, as needed

Nothing herein shall inappropriately delegate Commission responsibilities to the secretariat. The Commission shall approve all actions taken by the secretariat as determined by the Commission.

## Scope of Work:

The scope of all expectations for assistance with the work outlined in this RFP must be completed as follows:

Convene meetings with Social Work Compact Commission as needed	xx/xx/xxxx
Provide all necessary management infrastructure including appropriate staffing, technology, and resources as needed	xx/xx/xxxx
Secure a national licensure data system	xx/xx/xxxx
Work with each state board of social work or state agency on interface and implementation of the database	xx/xx/xxxx
Prepare annual budget	xx/xx/xxxx
Apply for grants	xx/xx/xxxx
Establish national policies and procedures	xx/xx/xxxx
Develop all initial reporting templates	xx/xx/xxxx
Develop all initial routine communication templates	xx/xx/xxxx
Prepare all initial public facing communications	xx/xx/xxxx
Prepare and implement a marketing strategy and messaging to state regulatory boards who may be interested in the compact legislation	Ongoing
Process all practitioner requests for a compact license	Ongoing
Respond to all state board of social work administrators requests to confirm disciplinary action information	Ongoing
Prepare data and reports, as needed for the Social Work Compact Commission	Ongoing

Dates are subject to change at the Compact Commission's discretion

## **Budget:**

The Social Work Compact Commission's budget for calendar year xxxx will be approximately xxxxxx. These monies will cover development and operational expenses with the understanding funding for the disciplinary action database is yet to be determined and will be provided separately.

## **How Can Current Roadblocks and Barriers be Removed:**

### Risks

- Insufficient management resources
- Database inefficiency
- Database security
- Insufficient start-up funding

Support of the Social Work Compact Commission and the necessary database is essential to ensure the success of the Social Work Compact. Secretariats can mediate these risks by thoroughly indicating methods to address these issues. An established system and process with past successes will be considered.

## **Proposal Requirements**

### **A. Company Information**

1. Provide the company name, address, telephone number, website, and any social media handles.
2. Provide the name, title, and email address of the individual who will serve as the company's primary contact.
3. Describe the company's history, ownership and affiliations.
4. Describe the mission and philosophy that distinguishes the company from competitors.

5. List the company's complete scope of services.
6. Describe the size of your company in employees and revenue.

### **B. Clients & References**

7. Provide a list of the company's current clients in order of annual billings, length of time with the company, and the services provided.
8. Identify clients the company gained and lost during the last 12 months, describing why the company was selected or the relationship was severed.
9. List any current or past clients that are affiliated with ASWB and the social work profession.
10. Provide a minimum of three client references, ideally with prior experience of similar scope and magnitude to the services requested within this RFP. Include name, organization, phone number, email address, a brief description of the work completed on behalf of each client, and samples.

### **C. Relevant Experience & Strategic Approach**

11. Provide a summary of the company's qualifications, experience, and competitive advantages in providing the services outlined in this RFP.

### **D. Project Management**

12. Describe the company's approach to client relationships.
13. Provide detailed implementation plan for a contract awarded as a result of this RFP.

### **E. Staff & Partners**

14. Provide a breakdown of the company's employees by function and location.
15. Provide a list of individuals who would service the Social Work Compact Commission's project if awarded, including staff responsibilities, locations, and brief bios.

## F. Financial Proposal

16. Please bid your services for the *administration and management services* in one comprehensive amount with detailed costs for major components (such as the national licensure data system).
17. Describe the company's policy with regard to methods of compensation

### Submission Requirements of the Proposal:

All proposals must be sent to the Social Work Compact Commission Chair by email no later than 11:59 PM Eastern on xx/xx/xxxx. Failure to adhere to the dates indicated below may result in bidder disqualification.

Request for Proposal released to vendors by Commission	xx/xx/xxxx
Intent to participate in RFP indicated by vendors	Xx/xx/xxx
Deadline for written questions or requests for clarification	xx/xx/xxxx
Response to questions and requests by Commission	xx/xx/xxxx
Deadline for proposal submission	xx/xx/xxxx
Evaluation of proposals by Commission	xx/xx/xxxx
*Commission vote to accept RFP and execution of contract by Commission	xx/xx/xxxx
*Awardee commencement of project	xx/xx/xxxx

\*Subject to change at the Compact Commission's discretion



## Evaluation Metrics and Criteria:

Once the secretariat has been selected, the following evaluation criteria will be used to assess the secretariat's performance:

Is the secretariat responding to requests/needs of the Social Work Compact Commission and its Executive Director in a timely manner?
Has the secretariat provided appropriate assistance to the Social Work Compact Commission and its Executive Director to complete national policy and procedural documents?
Has the Social Work Compact disciplinary action database been secured by the secretariat?
Have the implementation timelines established in the contact been adhered to by the secretariat?
Is the secretariat proactive in working with the Social Work Compact Commission and its Executive Director in addition to problem solving solutions to challenges?
In conjunction with the Social Work Compact Commission and its Executive Director, what kind of marketing initiatives has the secretariat implemented to further educate and work with other state boards of social work who may be interested in the compact legislative initiative?

## Contact Information:

All questions and requests for clarification should be directed to the Chair of the Social Work Compact Commission, (Name of Chair)

Email: xxxx@xxxx

Phone: xxx-xxx-xxxx



## **Proposed Transition Plan: Social Work Compact Operations**

### *Internal procedures and policies*

- Discuss and adopt by-laws
- Adopt Rule on Rulemaking
- Discuss future rules for consideration
- Discussion of committees' structure and function
- Election of Social Work Compact Executive Committee
- Discuss dates of first Executive and Rules Committee meetings
- Request for committee participants

### *Introductions and Commission Personnel*

- Introduce State Commissioners
- Governance and legislative review
- Discuss Social Work Compact Commission finances
- Discuss RFP for secretariat services and timeline
- Role of CSG for Social Work Compact Commission
- Role of CSG under the current contract in support of the Association of Social Work Boards (ASWB)
  - State level technical assistance
  - State legislative technical assistance
  - Legal services
  - Continued outreach on status of state enactments of the Social Work Compact
  - Continued maintenance of Social Work Compact website
  - Temporary secretariat services

### *Subsequent meetings of the Social Work Compact Commission and Executive Committee will consider the following items for action:*

- Discuss additional rules and policies
- Develop MOU for financial support



- Develop and approve budget
- Select secretariat for Social Work Compact Commission
- Discuss Social Work Compact Commission data system

# **Social Work Compact Commission Administrative Policy**

## **Code of Conduct**

### **I. Introduction**

As a joint government entity created by the enactment of the Social Work Compact (Compact) by its member states, the Social Work Compact Commission (Commission) affords great deference to its member states in selecting the Social Work Compact Commissioners (Commissioners) to represent them. The diverse personal, educational, and professional backgrounds of Commissioners are one of the Commission's greatest assets. However, this diversity means that some Commissioners may have personal pecuniary interests which are affected by the outcomes of management and other decisions which must be made concerning the administration of the Compact Commission at times. This policy was implemented to ensure transparency, accountability, and integrity in the Commission's decision-making process.

### **II. Code of Conduct**

Commissioners and their Temporary Representatives appointed by the states are responsible for upholding the integrity of the Commission and its member states. No Commissioner or Temporary Representative shall engage in criminal or unethical conduct prejudicial to the Commission, any other Commissioner, or any other state.

No Commissioner or Temporary Representative shall vote or participate in debate upon a matter in which they have a direct or indirect financial or other personal interest resulting in a personal benefit that conflicts with the fair and impartial conduct of official duties. The Executive Committee shall have the sole authority to consider allegations of breaches of this code, including appeals from Commissioners alleged to be in violation herewith. In the case of a breach, the Executive Committee may direct the Chair to notify the appropriate appointing authority in the Commissioner's home state.

### **III. Definition**

A Conflict of Interest is a set of circumstances that creates a risk that professional judgement or actions regarding a primary interest will be unduly influenced by a secondary personal interest economic or otherwise.

### **IV. Disclosure of Conflicts of Interest**

1. All Commissioners and Temporary Representatives are required to complete a Code of Conduct form. The form constitutes an agreement by each Commissioner and Temporary Representative to disclose personal interests that may impact the ability of a Commissioner or Temporary Representative to conduct business in a "fair and

impartial” manner and that the Commissioner or Temporary Representative will recuse from debating or voting on such a matter in fulfilling the duties of a Social Work Compact Commissioner or Temporary Representative.

2. Completed Code of Conduct forms must be submitted as soon as possible after a state has appointed a Commissioner or Temporary Representative. A Commissioner or Temporary Representative cannot vote at a meeting until this form is completed. For the first year of implementation of this policy, all Commissioners and Temporary Representatives must complete the form prior to inaugural meeting.
3. Completed Code of Conduct forms are public documents which may be disclosed by the Commission upon request.

#### **V. Commissioner and Temporary Representative Recusal**

Prior to the discussion of an issue in which a Commissioner or Temporary Representative believes a conflict of interest may exist, the Commissioner or Temporary Representative must announce to the Committee or Commission meeting that they are recusing themselves from participating in the caucus and voting. Once recused, the Commissioner or Temporary Representative will not be able to participate in the debate or the vote concerning the matter which led to the recusal.

#### **VI. Concerns over Financial Disclosure and Conflict of Interest**

Concerns over conflicts of interest should be brought to the attention of the Chair of the Commission for consideration by the Executive Committee. The Executive Committee, in consultation with legal counsel, will determine if any of the provisions of the Commission’s Policy on Conflicts of Interest have been violated and decide the appropriate action, if any.

#### **VII. Notification of Home State Appointing Authority**

If any of the following conditions are met, the Commission may notify the appropriate appointing authority in the home state of the Commissioner or Temporary Representative regarding its concern about the ability of the Commissioner or Temporary Representative to perform his/her duties in a fair and impartial manner.

1. The Commissioner or Temporary Representative has a substantial financial conflict of interest in the outcome of the matter, such as the awarding of a contract for services or employment;
2. The Commissioner or Temporary Representative has a substantial positional conflict of interest in the outcome of the matter, such as a leadership position for another organization whose purpose is contrary to that of the Commission;

3. The Commissioner or Temporary Representative has been found in violation of criminal or civil state or federal statute or regulation;
4. The Executive Committee determines that a Commissioner or Temporary Representative is not performing their duties consistent with this policy.

**Code of Conduct Form**

Commissioners or Temporary Representatives appointed by the states are responsible for upholding the integrity of the Commission and its member states. No Commissioner or Temporary Representatives shall engage in criminal or unethical conduct prejudicial to the Commission, any other Commissioner, or any other state. No Commissioner or Temporary Representative shall have a direct or indirect financial interest that conflicts with the fair and impartial conduct of official duties. The Executive Committee, in consultation with Legal Counsel to the Commission, shall have the sole authority to consider allegations of breaches of this code, including appeals from Commissioners alleged to be in violation herewith. In the case of a breach, the Executive Committee may direct the Chair to notify the appropriate appointing authority in the Commissioner or Temporary Representative’s home state.

I, \_\_\_\_\_,  
*(print name)*

\_\_\_\_\_ for the State of \_\_\_\_\_  
*(title—Commissioner or temporary representative)*

hereby swear or affirm that I have read and understand the Social Work Compact Commission Code of Conduct and will comply with said policy in all matters pertaining to my duties and obligations as a Commissioner, Temporary Representative, or Officer of the Commission, including my obligation to recuse myself from consideration, debate or voting on any matter that conflicts with the fair and impartial conduct of my official duties.

\_\_\_\_\_  
*(Signature)*

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.