

Chapter 4: Rule on Home State Change

Title of Rule: Rule on Home State Change

Effective Date: Upon Commission Vote

Reason for Rule

To establish a uniform and transparent process for the reissuance of a Multistate License when a Regulated Social Worker establishes a new primary Domicile in a Member State, in accordance with Section 7 of the Social Work Licensure Compact.

Authority: Section 2.H (Domicile), Section 2.L (Home State), Section 3.B (Member State Obligations), Section 4.A (Social Worker Participation), Section 7 (Reissuance of a Multistate License by a New Home State), Section 8 (Military Families), Section 10.C (Commission Powers), and Section 12 (Rulemaking) of the Social Work Licensure Compact.

4.1 Definitions

“Data System” shall have the meaning set forth in Section 2.G of the Compact.

“Domicile” shall have the meaning set forth in Section 2.I of the Compact.

“Home State” shall have the meaning set forth in Section 2.L of the Compact.

“Multistate License” shall have the meaning set forth in Section 2.R of the Compact.

“New Home State” shall mean a Member State in which a Regulated Social Worker who holds an active Multistate License has established a new Home State and to which the Regulated Social Worker is applying for a new Multistate License based on that new Domicile.

“Prior Home State” shall mean the Member State that was the Regulated Social Worker’s Home State at the time the current Multistate License was issued, and which served as the Home State for purposes of Compact participation immediately preceding the establishment of a New Home State.

“Reissuance Application” shall mean the Commission-approved electronic form a Licensee submits to the new Home State under § 7(B)(1) of the Compact.

“Single State License” shall have the meaning set forth in Section 2.W of the Compact.

4.2 Initiating Reissuance

- A. A Licensee shall submit all materials required by the New Home State for a Single State License, along with a Reissuance Application and the associated fees consistent with Section 6 of this Rule, in no event later than thirty (30) calendar days after establishing Domicile in the new Home State, consistent with Section 7.B.1 of the Compact.
- B. The Reissuance Application shall include the following:
 - a. Legal name of Licenses;
 - b. Compact Unique Identifier (CUID);
 - c. Prior Home State license number;
 - d. Physical address evidencing Domicile in the New Home State;
 - e. Attestation that the Licensee no longer claims Domicile in the Prior Home State.
- C. The Licensee shall keep the Prior Home State Single State license active and unencumbered until the issuance of a new Home State Single State License in the New Home State.
- D. Submission of the Multistate Reissuance Application shall notify the Prior Home State through the Commission Data System that a Reissuance Application has been submitted to the New Home State and is pending further review.

4.3 Verification by the New Home State

- A. The New Home State shall confirm via the Data System that the Multistate License held in the prior Home State is active, unencumbered, and eligible for reissuance under the terms of the Compact and the Rules of the Commission.
- B. In processing a Reissuance Application, the New Home State shall adhere to all applicable requirements set forth in Section 7 of the Compact.
- C. The New Home State may take action on application for a Single State License, subject to and in accordance with the administrative rights, appeal procedures and other applicable law of the New Home State.

- D. Subject to Section 2.4, once a Licensee holding a Multistate License applies for a new Home State license in Member State, the prior Multistate License will remain in effect until the earlier of (i) the New Home State has issued a replacement Multistate License and the relevant Member States have fulfilled their obligations under Sections 4 and 5 of this Rule; or (ii) the New Home State has issued a denial of the Licensee's Reissuance Application. A Licensee may hold only one Multistate License at any given time, consistent with Section 7.A. of the Compact
- E. If required for initial licensure, the New Home State may require completion of jurisprudence requirements in the New Home State prior to reissuance.
- F. All applicants for reissuance must satisfy the New Home State's requirements for the issuance of a Single State License as a precondition for reissuance of a Multistate License. If a Licensee does not meet the requirements set forth in the Compact for the reissuance of a Multistate License, the Licensee shall be subject to the new Home State's requirements for a Single State License only, consistent with Section 7.B.5 of the Compact..

4.4 Decision & Data-System Actions

- A. Upon approval of the Licensee's application for Single State License and approval of the Reissuance Application, the New Home State shall:
 - a. Issue a new Single State License to the Licensee;
 - b. Issue a Multistate License on the basis of that Single State License in accordance with Sections 5.B, 5.C and 7.B.2 of the Compact;
 - c. Assign its state license number to the Multistate License;
 - d. Designate whether the Regulated Social Worker holds a Multistate License in the Bachelors, Masters, or Clinical category of Social Work;
 - e. Record the effective date in the data system; and
 - f. The prior Home State shall initiate deactivation of the Multistate License issued by the prior Home State in the Data System.

- B. If the Licensee does not meet Compact criteria, is denied a Single State License in the New Home State, or the Reissuance Application is denied, the new Home State shall report the denial in the Data System.

4.5 Obligations of the Prior Home State

- A. Within fifteen (15) calendar days of notice that the New Home State has issued a Multistate License, the Prior Home State shall:
 - a. Verify accuracy of notification from Data System or record modification of the Licensee's Domicile; and
 - b. Deactivate the Multistate License previously issued by the Prior Home State.
- B. Reissuance of the Multistate License by the New Home State shall not affect the Licensee's Prior Home State Single State License, consistent with Section 6 of the Compact and further subject to and in accordance with applicable State law.

4.6 Fees A. The New Home State shall establish a Reissuance Fee for the reissuance of a Multistate License in accordance with the laws and procedures of the New Home State and Compact §3.D. The Reissuance Fee is set by and remitted to the new Home State.

- B. In addition to the Reissuance Fee established by the new Home State, an Administrative Fee shall be remitted to the Commission for each Multistate License reissuance transaction in accordance with the Rule on Fees.

4.7 Domicile Change Involving Non-Member States

- A. If a Licensee changes their Domicile by moving from a Member State to a nonMember State, the Licensee is not eligible for the Multistate License reissuance process in the new non-Member State.
- B. The Licensee shall be subject to the licensure requirements of the jurisdiction to which they have relocated. The rulemaking power of the Commission does not confer authority to address the licensing requirements of non-Member States.

4.8 Military Families

- A. Nothing in this Rule shall require reissuance of a Multistate License for an Active Military Member or their spouse who elects to retain their Prior Home State

designation during the period the service member is on active duty, consistent with Section 8 of the Compact.

- B. An Active Military Member or their spouse who elects to retain their Prior Home State designation shall maintain compliance with all requirements of the Prior Home State for the duration of such designation.