§ 90-270.123. Compact privilege.

(a) In order to exercise the compact privilege under the terms and provisions of the Compact, the licensee shall meet all of the following qualifications:

(1) Hold a license in the home state.

(2) Have no encumbrance on any state license.

(3) Be eligible for a compact privilege in any member state in accordance with subsections (d), (g), and (h) of this section.

(4) Have not had any adverse action against any license or compact privilege within the previous two years.

(5) Notify the Commission that the licensee is seeking the compact privilege within a remote state(s).

(6) Pay any applicable fees, including any state fee, for the compact privilege.

(7) Meet any jurisprudence requirements established by the remote state(s) in which the licensee is seeking a compact privilege.

(8) Report to the Commission adverse action taken by any nonmember state within 30 days from the date the adverse action is taken.

(b) The compact privilege is valid until the expiration date of the home license. The licensee must comply with the requirements of subsection (a) of this section to maintain the compact privilege in the remote state.

(c) A licensee providing physical therapy in a remote state under the compact privilege shall function within the laws and regulations of the remote state.

(d) A licensee providing physical therapy in a remote state is subject to that state's regulatory authority. A remote state may, in accordance with due process and that state's laws, remove a licensee's compact privilege in the remote state for a specific period of time, impose fines, and/or take any other necessary actions to protect the health and safety of its citizens. The licensee is not eligible for a compact privilege in any state until the specific time for removal has passed and all fines are paid.

(e) If a home state license is encumbered, the licensee shall lose the compact privilege in any remote state until both of the following occur:

(1) The home state license is no longer encumbered.

(2) Two years have elapsed from the date of the adverse action.

(f) Once an encumbered license in the home state is restored to good standing, the licensee must meet the requirements of subsection (a) of this section to obtain a compact privilege in any remote state.

(g) If a licensee's compact privilege in any remote state is removed, the individual shall lose the compact privilege in any remote state until all of the following occur:

(1) The specific period of time for which the compact privilege was removed has ended.

(2) All fines have been paid.

(3) Two years have elapsed from the date of the adverse action.

(h) Once the requirements of subsection (g) of this section have been met, the licensee must meet the requirements in subsection (a) of this section to obtain a compact privilege in a remote state. (2017-28, s. 2.)