§ 90-270.183. Compact privilege.

(a) To exercise the Compact privilege under the terms and provisions of the Compact, the licensee shall meet all of the following requirements:

(1) Hold a license in the home state.

(2) Have a valid United States social security number or National Practitioner Identification number.

(3) Have no encumbrance on any state license.

(4) Be eligible for a Compact privilege in any member state in accordance with subsections (d) through (h) of this section.

(5) Have paid all fines and completed all requirements resulting from any adverse action against any license or Compact privilege, and two years have elapsed from the date of such completion.

(6) Notify the Commission that the licensee is seeking the Compact privilege within a remote state.

(7) Pay any applicable, including any state, fee for the Compact privilege.

(8) Complete a criminal background check in accordance with G.S. 90-270.182(a)(5), and pay any fee associated with the completion of the criminal background check.

(9) Meet any jurisprudence requirements established by the remote state in which the licensee is seeking a Compact privilege.

(10) 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 state 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 occupational therapy in a remote state under the Compact privilege shall function within the laws and regulations of the remote state.

(d) Occupational therapy assistants practicing in a remote state shall be supervised by an occupational therapist licensed or holding a Compact privilege in that remote state.

(e) A licensee providing occupational 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 take any other necessary actions to protect the health and safety of its citizens. The licensee may be ineligible for a Compact privilege in any state until the specific time for removal has passed and all fines are paid.

(f) If a home state license is encumbered, the licensee shall lose the Compact privilege in any remote state until all of the following occur:

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

(2) Two years have elapsed from the date on which the home state license is no longer encumbered in accordance with subdivision (1) of this subsection.

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

(h) If a licensee's Compact privilege in any remote state is removed, the individual may lose the Compact privilege in any other 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, and all conditions have been met.

(3) Two years have elapsed from the date of completing requirements for subdivisions (1) and (2) of this subsection.

(4) The Compact privileges are reinstated by the Commission, and the compact data system is updated to reflect reinstatement.

(i) If a licensee's Compact privilege in any remote state is removed due to an erroneous charge, privileges shall be restored through the Compact data system.

(j) Once the requirements of subsection (h) 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. (2021-31, s. 1.)