

PA Compact Commission

Title of Rule: State of Qualifying License Process

History of Rule:

Reason for Rule: To establish the process for a PA to select the participating state where a qualifying license is held and to be used to qualify for a compact privilege in a remote state.

Effective Date:

Chapter 2: State of Qualifying License

Authority: Section 5: Designation of the State from Which Licensee is Applying for a Compact Privilege

Section 7: Establishment of PA Compact Commission

Section 9: Rulemaking

2.0 Purpose:

Pursuant to Section 5, the PA Compact Commission shall promulgate applicable rules for a Licensee to identify the Participating State from which the Licensee is apply. The state of Qualifying License is ultimately responsible for ensuring the PA meets the qualifications to practice under the PA Compact. This Rule supports the purpose of the Compact as outlined in Section 1 which is to create a process that complements the existing authority of State Licensing Boards to license and discipline PAs and enhances the portability of a PA license while also safeguarding the safety of patients. This Rule will become effective upon adoption by the PA Compact Commission as provided in Section 9 of the PA Compact.

2.1 Definitions:

As used in this chapter:

(a) **“Active”** means providing medical services to patients within the previous 12 months and the maintenance of an active supervisory or collaborative agreement in that state if required.

(b) **“Compact”** means the PA Licensure Compact.

(c) **“Compact Privilege”** means the authorization granted by a Remote State to allow a Licensee from another Participating State to practice as a PA to provide Medical Services and other licensed activity to a patient located in the Remote State under the Remote State's laws and regulations.

(d) **“Employer”** means a person, business, or organization located in a PA's ~~designated state of~~ principal licensure state of qualifying license that employs or contracts with a PA to provide medical services. Excluding:

- (1) an employer that only maintains a registration with the Secretary of State of a participating state,

36 (2) an employer that only has the presence of a registered agent who is located in a
37 participating state.

38 (e) **"Licensee"** means an individual who holds a License from a State to provide Medical
39 Services as a PA.

40 (f) **"Medical Services"** means health care services provided for the diagnosis, prevention,
41 treatment, cure or relief of a health condition, injury, or disease, as defined by a State's laws and
42 regulations.

43 (g) **"Participating State"** means a State that has enacted this Compact.

44 (h) **"PA"** means an individual who is licensed as a physician assistant in a State. For purposes
45 of this Compact, any other title or status adopted by a State to replace the term "physician
46 assistant" shall be deemed synonymous with "physician assistant" and shall confer the same
47 rights and responsibilities to the Licensee under the provisions of this Compact at the time of its
48 enactment.

49 (i) **"PA Licensure Compact Commission," "Compact Commission," or "Commission"**
50 mean the national administrative body created pursuant to Section 7.A of this Compact.

51 (j) **"Qualifying License"** means an unrestricted License issued by a Participating State to
52 provide Medical Services as a PA.

53 (k) **"Remote State"** means a Participating State where a Licensee who is not licensed as a PA
54 is exercising or seeking to exercise the Compact Privilege.

55 (l) "Service member" means a member of the uniformed services or the reserved components
56 as defined in 10 U.S.C. Chapter 101 or other such services as may be designated by Congress.

57 (m) **"State of Qualifying License"** means a Participating State where a PA holds a qualifying
58 license and which has been designated as such by the PA for purposes of registration and
59 participation in the Compact.

60 (n) "Terminate" means the PA chooses to give up their qualifying license for a non-disciplinary
61 reason

62

63 **2.1 State of qualifying license designation:**

64 (a) The PA shall designate a Participating State as the state of qualifying license for
65 purposes of registration for a compact privilege through the Compact if the PA
66 possesses a full and unrestricted license to conduct medical services in that state, and
67 the state is:

68 (1) The state of primary residence for the PA, or

69 (2) The state where at least twenty-five percent of the active medical services
70 occurs, or

71 (3) The location of the PA's current employer, or

72
73 (4) If no state qualifies under subparagraph (1), subparagraph (2), or
74 subparagraph (3), the state designated as state of residence for purposes of
75 federal income tax.

76 (5) A service member, or the service member's spouse, may retain their state of
77 primary residence designation during the period the service member is on
78 active duty.

79
80 (b) Regardless of the designation qualification under subsection (a), the PA shall provide
81 the Commission the primary residence address and consent to service of process by
82 mail at the primary residence address under Section 5(A)(2) of the Compact. A change
83 of primary residence address shall be reported to the Commission within thirty (30) days.

84 (c) The PA shall submit with any designation or redesignation request proof of the
85 requirements in subparagraph (a) as determined by the Commission. The Commission
86 may, at any time, require the PA to submit additional documents to verify subparagraph
87 (a) requirements.

88
89 **2.2 ~~Redesignation of the~~Application for new state of qualifying license:**

90 (a) If the PA voluntarily terminates their qualifying license through which they applied for
91 their current compact privilege(s) and that qualifying license has not yet expired, the
92 PA shall ~~redesignate their~~ select a new state of qualifying license by following this
93 process:

94 (1) ~~Complete~~ Submit an online application through a state-of-qualifying license
95 ~~redesignation form at~~ the Commission's website,

96 (2) Pay a non-refundable fee ~~of \$50 to the Commission as set by Rule X.X,~~

97 (3) Meet the requirements of paragraph 2.1 with the new state of qualifying
98 license,

99 (4) complete a criminal background check pursuant to Public Law 92-544 within
100 60 days of the application and

101 ~~(4)~~ Have no Sign an attestation that the applicant is unaware of any pending
102 investigation of the current qualifying license at the time of the ~~redesignation~~
103 ~~request~~application.

104 (b) ~~Upon approval of a redesignation form and confirmation from the current state of~~
105 ~~qualifying license that there is no pending investigation, the Commission shall notify~~
106 ~~the new state of qualifying license and current state of qualifying license of the~~

107 ~~applicant's redesignation~~ Upon application under subsection (a), the new state of
108 ~~qualifying license shall complete the requirements under Rule 3.4(b),~~

109 (c) Any PA information collected by the Commission ~~during the process to redesignate~~ with
110 the application to select a new ~~a~~ state of qualifying license shall be distributed to all
111 participating states.

112 (d) Any existing compact privilege(s) held ~~prior to redesignation~~ shall ~~expire~~ terminate
113 when the original qualifying license ~~expires~~ is voluntarily terminated. ~~There will be no~~
114 ~~change in compact privilege expiration dates based upon a redesignation under this~~
115 ~~paragraph.~~ The PA will apply for new privilege(s) once a new state of qualifying is
116 selected.