



**PA Compact Commission**

**Inaugural Meeting**

**September 24-25, 2024**

**PA COMPACT INAUGURAL COMMISSION MEETING**  
**September 24-25, 2024**  
**Washington, DC and Zoom**  
**Agenda**

Virtual Meeting Link:

[September 24th Meeting Link](#)

[September 25th Meeting Link](#)

Meeting Location:

Hall of the States

Room 337

444 North Capitol St NW

Washington, DC 20001.

*Members of the public are encouraged to attend virtually due to spacing concerns.*

All times listed are EDT.

**Tuesday, September 24, 2024**

10:00-10:20	<b>Welcome and Introductions of Interim Chair and Staff</b> <ul style="list-style-type: none"><li>• Interim Staff Introductions</li><li>• Welcoming Remarks from the Health Resources and Services Administration</li><li>• Welcoming Remarks from Compact Partners</li><li>• Introduction of the Interim Chair</li></ul>	The Council of State Governments (CSG)
10:20-10:30	<b>Call to Order</b> <ul style="list-style-type: none"><li>• Roll Call</li><li>• Commission Delegate and Attendee Introductions</li></ul>	CSG Interim Chair

	<ul style="list-style-type: none"> <li>• Review and Approval of Agenda*</li> </ul>	Interim Chair, CSG
10:30-11:30	<b>Governance Structure Review</b>	
	<ul style="list-style-type: none"> <li>• Review and Ratification of Code of Conduct Policy and Form*</li> <li>• Delegate Governance Training</li> </ul>	Interim Legal Counsel Interim Legal Counsel
11:30-Noon	<b>Review and Approval of Compact Commission By-laws*</b>	Interim Legal Counsel
Noon-1:00	<b>LUNCH</b>	
1:00-1:30	<b>Commission Committees</b>	
	<ul style="list-style-type: none"> <li>• Discussion of Commission Committee Roles</li> <li>• Nomination, Election, and Removal Process for Executive Committee Officers</li> </ul>	Interim Legal Counsel Interim Legal Counsel, CSG
1:30-2:45	<b>Compact Transition Issues</b>	
	<ul style="list-style-type: none"> <li>• Review and Approval of Transition Timeline*</li> <li>• Discussion of Funding Information</li> <li>• Discussion of RFPs for Executive Director, Secretariat*</li> <li>• Discussion of Compact Data System</li> </ul>	Interim Chair CSG, FSMB Interim Legal Counsel CSG, Interim Legal Counsel, FSMB, NCCPA
2:45-3:00	<b>BREAK</b>	

3:00-3:45	<b>Compact Transition Issues (Continued)</b>	<ul style="list-style-type: none"> <li>• Discussion on background check requirement</li> </ul> Interim Legal Counsel, CSG
3:45-4:00	<b>Commission Rulemaking</b>	Interim Legal Counsel
	<ul style="list-style-type: none"> <li>• Discussion and Approval of Rule on Rulemaking*</li> <li>• Future Rulemaking</li> </ul>	
4:00-4:30	<b>Delegate Questions and Public Comment</b>	Interim Chair
	<ul style="list-style-type: none"> <li>• Questions from Delegates</li> <li>• Public Comment from Non-Delegate Attendees</li> </ul>	
4:30	<b>RECESS</b>	

**Wednesday, September 25, 2024**

10:00-10:15	<b>Call to Order</b>	Interim Chair, CSG
	<ul style="list-style-type: none"> <li>• Roll Call</li> <li>• Review of Day One PA Compact Inaugural Meeting</li> <li>• Review and Adoption of Agenda*</li> </ul>	
10:15-11:00	<b>Executive Committee Election*</b>	Interim Chair, Interim Legal Counsel, CSG
11:00-11:15	<b>BREAK</b>	

11:15-11:30	<b>Continued Discussion of Other Committees' Structure and Function</b>	Interim Legal Counsel
	<ul style="list-style-type: none"> <li>• Delegate Sign-Up for Committees</li> </ul>	
11:30-11:45	<b>Ex-Officio Introductions</b>	
11:45-Noon	<b>Legislative Update</b>	AAPA, CSG
Noon-1:00	<b>LUNCH</b>	
1:00-1:15	<b>Meeting Summary and Next Steps</b>	CSG
1:15-2:00	<b>Delegate Questions and Public Comment</b>	Chair
	<ul style="list-style-type: none"> <li>• Questions from Delegates</li> <li>• Public Comment from Non-Delegate Attendees</li> </ul>	
2:00	<b>ADJOURN</b>	Chair

## **PA Compact Commission Administrative Policy - Code of Conduct**

### **I. Introduction**

As a joint government entity created by the enactment of the PA Compact (Compact) by its member states, the PA Compact Commission (Commission) affords great deference to its member states in selecting PA Compact Delegates (Delegates) to represent them. The diverse personal, educational, and professional backgrounds of Delegates are one of the Commission's greatest assets. However, this diversity means that some Delegates 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**

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

No Delegate 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 Delegates 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 Delegate'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 Delegates and Temporary Representatives are required to complete a Code of Conduct form. The form constitutes an agreement by each Delegate and

Temporary Representative to disclose personal interests that may impact the ability of a Delegate or Temporary Representative to conduct business in a “fair and impartial” manner and that the Delegate or Temporary Representative will recuse from debating or voting on such a matter in fulfilling the duties of an PA Compact Delegate or Temporary Representative.

2. Completed Code of Conduct forms must be submitted as soon as possible after a state has appointed a Delegate or Temporary Representative. A Delegate or Temporary Representative cannot vote at a meeting until this form is completed. For the first year of implementation of this policy, all Delegates 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. Delegate and Temporary Representative Recusal**

Prior to the discussion of an issue in which a Delegate or Temporary Representative believes a conflict of interest may exist, the Delegate 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 Delegate 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 Delegate or Temporary Representative regarding its concern about the ability of the Delegate or Temporary Representative to perform his/her duties in a fair and impartial manner.

1. The Delegate 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 Delegate 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 Delegate 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 Delegate or Temporary Representative is not performing their duties consistent with this policy.\

### **Code of Conduct Form**

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

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

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



hereby swear or affirm that I have read and understand the PA Compact Commission Code of Conduct and will comply with said policy in all matters pertaining to my duties and obligations as a Delegate, 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.

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*(Signature)*

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



## INDEX

### PA Compact Commission Bylaws

#### **Article I: Commission Purpose, Function and Bylaws**

- Section 1. Purpose
- Section 2. Functions
- Section 3. Bylaws

#### **Article II: Membership**

#### **Article III: Executive Committee**

- Section 1. Composition
- Section 2. Election and Succession
- Section 3. Duties
- Section 4. Removal of Executive Committee Members
- Section 5. Vacancies

#### **Article IV: Commission Personnel**

- Section 1. Duties of the Executive Director

#### **Article V: Meetings of the Commission**

- Section 1. Meetings and Notice.
- Section 2. Quorum
- Section 3. Voting
- Section 4. Procedure
- Section 5. Public Participation in Meetings

## **Article VI: Committees**

Section 1. Committees

## **Article VII: Finance**

Section 1. Fiscal Year

Section 2. Budget

Section 3. Accounting and Audit

Section 4. Costs and Expense Reimbursement

## **Article VIII: Adoption and Amendment of Bylaws**

## **Article IX: Qualified Immunity, Defense and Indemnification**

## **Article X: Withdrawal**

## **Article XI: Dissolution of the Commission**

### **Article I: Commission Purpose, Function and Bylaws**

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

Pursuant to the terms of the PA Compact, (the “Compact”), PA Compact Commission (the “Commission”) is established as a joint public interstate agency of the member states to fulfill the Compact objectives through a means of joint cooperative action among the member states. This is accomplished by developing a comprehensive process that facilitates the exchange of information in the areas of licensure and investigative authority of Licensing Boards of Licensed Professional and providing for mutual recognition of Professional PA licenses by all member states, through the issuance of privileges to practice, thereby enhancing the portability and mobility of licenses and ensuring and promoting public protection.

#### **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, all powers and duties as outlined in Section 7 of the Compact and as otherwise provided by the Compact, or as determined by the Commission to be warranted by, and consistent with, the objectives and provisions of the Compact. The provisions of the Compact shall be reasonably and liberally construed to accomplish the purposes 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 subject to the terms of the Compact.

### **Article II: Membership**

The Commission membership shall be comprised as provided by the Compact. Each member state shall have and be limited to one delegate selected by that Member States' Licensing Board. The delegates shall be current members of the Licensing Board or the administrator of the Licensing Board. The delegate shall be a current PA, physician or public member of the Licensing Board or an administrator of a Licensing Board. Each member state shall forward the name of its delegate to the executive director of the Commission or designee by executing the nomination form which affirms that they are the appropriate appointing authority.

A delegate may designate a person to serve in place of the delegate as the delegate's temporary representative with respect to Commission business, including attending Commission meetings and voting. A delegate must notify the executive director of the Commission or their designee of the identity of the temporary representative and the scope and duration of the representation, prior to each meeting wherein the temporary representative will be serving on behalf of the delegate. The temporary representative's service must be limited in scope and the Commission may determine the number of meetings at which the delegate may have an absence during their term. A temporary representative shall not be allowed to vote on behalf of a delegate who has been elected to the executive committee with regard to executive committee business. A temporary representative shall be allowed to vote on behalf of the delegate on all other Commission business as long as that temporary representative has signed the Code of Conduct and the Commission has been notified by the delegate that the temporary representative will temporarily serve in their place.

The executive director of the Commission shall promptly advise the member state of the need to appoint a new delegate whenever a vacancy occurs. Any delegate may be removed or suspended from office as provided by the law of the state from which the delegate is

appointed. The member state board shall fill any vacancy occurring on the Commission with a successor delegate who is a current member or administrator of a Licensing Board, within no longer than 90 days.

## **Article III: Executive Committee**

### **Section 1. Composition**

The Commission shall establish an Executive Committee, which shall be empowered to act on behalf of the Commission between Commission meetings, except for rulemaking or amendment of the Compact. The Commission shall determine the procedures, duties and budget of the Executive Committee. The power of the Executive Committee to act on behalf of the Commission shall be subject to the Bylaws, Compact or the Commission.

The Executive Committee shall consist of seven (7) voting members who are elected by the Commission from the current membership of the Commission and two (2) ex-officios, nonvoting members from one (1) recognized national PA professional association and one (1) recognized national PA certification organization. The ex-officio members shall be selected by their respective organizations. Of the seven (7) voting members elected to the Executive Committee, four (4) members shall be designated as Chair, Vice Chair, Secretary and Treasurer of the Commission and the remaining three (3) Members of the Executive Committee shall serve a term of two years or until a successor is elected. The three (3) remaining voting members of the Executive Committee shall be members-at-large chosen from the current membership of the Commission and elected by the Commission. No person shall serve more than two (2) terms consecutively in the same office.

The election of the Executive Committee shall be as follows:

1. Chair: The chair shall be elected in odd numbered years;
2. Vice Chair: The vice chair shall be elected in even numbered years;
3. Treasurer: The treasurer shall be elected in even numbered years;
4. Secretary: The secretary shall be elected in odd numbered years;
5. Members-at-Large (3 positions): The members-at-large shall be two members elected in odd numbered years; one member elected in even numbered years.

The Executive Committee shall give seven (7) days' notice of its meetings, posted on its website and as otherwise determined by the Commission to provide notice to persons interested in the business of the Commission.

The Commission may determine the number of meetings at which the delegate may have an absence during their term.

## **Section 2. Duties and Qualifications**

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, with the assistance of the Executive Director of the Compact, 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, with the assistance of the Executive Director of the Compact, 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. Treasurer: The Treasurer, with the assistance of the Executive Director of the Compact, shall monitor the Commission's fiscal policies and procedures and serve as chair of the Finance Committee.
- D. Secretary: The Secretary, with the assistance of the Executive Director of the Compact, 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 business of the Commission. The Commission may allow for the Executive Director, if hired, to serve as Secretary of the Commission provided that the Executive Director will not be a member of the Commission.

The Executive Committee shall:

- A. Recommend to the entire Commission changes to the rules or bylaws, changes to this Compact legislation, fees paid by Compact member states such as annual dues, and any commission Compact fee charged to licensees for the compact privilege;
- B. Ensure Compact administration services are appropriately provided, contractual or otherwise;
- C. Prepare and recommend the budget in consultation with the Treasurer;
- D. Maintain financial records on behalf of the Commission;
- E. Monitor Compact compliance of member states and provide compliance reports to the Commission;
- F. Establish additional committees as necessary; and
- G. Perform other duties as provided in rules or bylaws and administer the affairs of the Commission in a manner consistent with the Bylaws and purpose of the Commission.

### **Section 3. Removal of Executive Committee Members**

Any Executive Committee member may be removed from office for good cause by a two-third (2/3rd) majority vote of the Commission.

### **Section 4. Vacancies and Elections**

Upon the resignation, removal, or death of a member of the Executive Committee, such vacancy shall be announced to the Commission by the executive director or their designee. After the inaugural commission meeting and elections, which shall not be subject to this provision, an Elections Committee shall send a call for nominations 30 days prior to the election, shall announce a slate of candidates to the Commission 20 days prior to the election, shall announce voting by electronic ballot 10 days prior to the election and shall verify and report the results of the election to the Commission.

Any election resulting in a tie vote will be decided by runoff election between the Delegates with the highest votes. No Commissioner shall be nominated or eligible to serve on the Executive Committee if from a member state in default of its obligations under the Compact.

## **Article IV: Commission Personnel**

### **Section 1. Duties of the Executive Director**

The Commission, through its Executive Committee, may contract for an Executive Director of the Compact. As the Commission's principal administrator, the Executive Director shall also perform such other duties as may be delegated by the Commission or required by the Compact and the Bylaws, including, but not limited to, the following:

- A. Serve at its discretion and act as Secretary to the Commission, but shall not be a Member of the Commission;
- B. Hire and supervise such other staff as may be authorized by the Commission;
- C. Establish and manage the Commission's office or offices as determined by the Commission;
- D. Recommend general policies and program initiatives for the Commission's consideration;
- E. Recommend for the Commission's consideration administrative personnel policies governing the recruitment, hiring, management, compensation and dismissal of Commission staff;

- F. Implement and monitor administration of all policies, programs, and initiatives adopted by the Commission;
- G. Prepare draft annual budgets, in consultation with the Treasurer, for the Commission's consideration;
- H. Monitor the Commission's financial performance for compliance with approved budgets and policies, and maintain accurate records of the Commission's financial account(s);
- I. Execute contracts on behalf of the Commission as directed;
- J. Receive service of process on behalf of the Commission;
- K. Prepare and disseminate all required reports and notices directed by the Commission;
- L. Assist the members of the Executive Committee in the performance of its duties;
- M. Speak on behalf and represent the Commission;
- N. In collaboration with legal counsel, ensure the legal integrity of the Commission; and
- O. Report about policy, regulatory, political, legal or other developments of relevance to the Commission's operation.

## **Article V: Meetings of the Full Commission**

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

The Commission shall meet at least once a year at a time and place as determined by the Delegates. Additional meetings shall be held as determined by the Executive Committee. Members may participate in meetings in person or by electronic means as is necessary.

Special meetings of the full Commission may be scheduled at the discretion of the Chair or shall be called upon the request of a majority of Delegates.

All Delegates shall be given notice of Commission meetings at least thirty (30) days prior to the scheduled date. Agendas shall be provided to all Delegates no later than seven (7) days prior to any meeting of the full Commission. If an amendment to an agenda is made after an agenda has been noticed, but forty-eight (48) hours prior to a regular meeting, or twenty-four (24) hours prior to a special meeting, then the agenda is amended upon the posting of the amended agenda. Additionally, the full Commission or any Committee of the Commission may vote to accept an agenda as amended by majority vote.

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 of full Commission meetings shall be as follows: publication of notice of each meeting of the full Commission will be posted at least thirty (30) days prior to the meeting on the Commission's website or another website designated by the Commission.



Interested parties may sign up to receive meeting links on the meetings page of the Commission website.

A meeting may be closed to the public if the Commission determines by a majority vote of the Delegates that there exists at least one of the conditions for closing a meeting, as provided by the Compact or authorized Rules or as certified by legal counsel to the Commission.

## **Section 2. Quorum**

A simple majority of Delegates shall constitute a quorum for the transaction of business, except as otherwise required in these Bylaws. The presence of a quorum must be established before any vote of the Commission can be taken.

## **Section 3. Voting**

Each Delegate is entitled to one vote. A Delegate shall vote on their own behalf and shall not delegate the vote to another Delegate, except as permitted by a designation allowed under Article II. Any question submitted for a vote of the Commission shall be determined by a simple majority, except as otherwise required by the Compact or the Bylaws.

## **Section 4. Procedure**

The rules contained in the then current edition of Robert's Rules of Order Newly Revised shall govern the parliamentary procedures of the commission and its committees in all cases not provided for in these Bylaws or in any policies and procedures or any special rules of order which are duly adopted by the Commission.

## **Section 5. Public Participation in Meetings**

Upon prior written request to the Commission any person who desires to present a statement on a matter on the agenda shall be afforded an opportunity to present an oral statement at an open meeting. The Chair may, depending on the circumstances, allow any person who desires an opportunity to present a statement on a matter that is on the agenda even in the absence of a prior written request to the Commission. The Chair may limit the time and manner of public statements at any open meeting.

# **Article VI: Committees**

## **Section 1. Committees**

### **A. Creation of Committees:**

1. The Executive Committee shall determine need for the creation of a committee and appointment of its members as needed and provide a list of charges to the committee.
2. A committee shall be designated as either Ad Hoc or Standing.
3. Committees are established in the Bylaws; an addition of a standing committee requires a Bylaws amendment. Committees shall have 5-9 voting members unless greater or fewer members are deemed necessary by the Executive Committee in consultation with the committee or its chair.

### **B. Appointment of Committee Members:**

1. The Executive Committee shall direct the secretariat staff or Executive Director to request volunteers from party states to serve as committee members, which may include board staff, members, counsel, or commissioners.
2. The Executive Committee shall appoint chairs, interim chairs, vice chairs, and members to committees to provide the expertise needed to fulfill committee charges.
3. Volunteers for committee membership shall be required to provide personal bios and all relevant experience and interest with respect to the committee position and duties.
4. Committees may recommend a member of the committee to the Executive Committee to serve as chair and vice chair (excepting Executive and Finance Committees).
5. In consultation with committee chairs, the Executive Director shall staff the committee and shall provide other staff or consultants as needed to provide support and expertise.
6. The chair or designee will be responsible for reporting on the progress and/or recommendations of the committee at Executive Committee and full Commission meetings, as requested by the Executive Committee.

### **C. Terms of Appointment**

1. As long as they remain eligible to serve as a delegate, chairs, vice chairs, and committee members will be appointed to a two-year term, which can be renewed once or for the duration of the committee, whichever comes first.
2. Members who do not wish to be reappointed must notify the Executive Director within two months of the conclusion of the member's first term; and
3. Two term limits may be waived by the Executive Committee as deemed necessary to achieve the purposes of the Compact.
4. A vacancy on a committee may be filled by the Executive Committee at its discretion.

5. The party state shall notify the Executive Director when committee members are no longer affiliated with their party state as the appointed delegate.
6. The Executive Committee shall make all reasonable efforts to ensure diversity of membership among Committee members.

#### **D. Establishment of Committees**

1. **Rules Committee:** A Rules Committee shall be established as a standing committee to:
  - a. develop uniform Compact rules and bylaw amendments and policies for consideration by the Commission and concurrent implementation by the states;
  - b. review existing rules and recommend necessary changes to the Commission for consideration;
  - c. draft frequently asked questions to clarify questions arising regarding statute, rule, bylaws, policies, and advisory opinions.
2. **Compliance Committee:** A Compliance Committee shall be established as a standing committee to:
  - a. monitor a member state's compliance with the terms of the Compact and its authorized rules;
  - b. develop resources for compliance reviews; and
  - c. develop best practices for party state compliance.
3. **Finance Committee:** A Finance Committee shall be established as a standing committee to:
  - a. provide financial oversight and ensure the Commission is operating within its budget;
  - b. developing financial resources to achieve its purposes;
  - c. propose fees as authorized in the Compact;
  - d. investigate potential funding resources; and
  - e. suggest a fiscal year for the commission.
4. **Elections Committee:** An Elections Committee shall be established as a standing committee to:
  - a. Inform the Commissioners on the responsibilities of the office;
  - b. Encourage participation by the Commissioners in the elections process;
  - c. Announce nominations deadline and anticipated vacancies of the Executive Committee of the Commission;
  - d. Communicate with incumbents to determine if they wish to run for re-election.

- e. Accept qualified nominees and prepare a slate of candidates for the election of the officers or members at large of the Executive Committee;
  - f. Present a list of candidates to the Commission including the terms of office expiration dates; and
  - g. Tally and verify the election results and report to the Commission.
5. **Communications Committee:** A Communications Committee shall be a standing committee to, in consultation with the Chair of the Commission and the Executive Director:
- a. Onboard new member state delegates and administrative staff;
  - b. Create press releases;
  - c. Suggest updates to the website and informational items to media sources;
  - d. Create additional public relations documents and provide presentations regarding the work of the Commission if needed.

Other standing and ad hoc committees may be created by the Commission as they are determined to be necessary by the Commission by 2/3 vote. The composition, procedures, duties, budget and tenure of all committees (if not outlined in bylaws) shall be determined through bylaws approved by the Commission. The Commission may dissolve any committee it determines is no longer needed.

After review of the bios of the eligible, interested candidates, the Executive Committee shall appoint the interim chair or chair of each committee and establish the composition of each committee, except that the Treasurer shall serve as the chair of the Finance Committee and the Chair of the Commission shall chair the Executive Committee. The Executive Committee may establish or appoint Committees and determine duties of Committees on behalf of the Commission and in accordance with the Compact and Bylaws. The Commission may dissolve any committee it determines is no longer needed.

All Committees shall give seven (7) days' notice of their meetings, posted on the Commission website and as otherwise determined by the Commission to provide notice to persons interested in the business of the Commission.

These committees are not subject to the notice requirements of Section 9 of the PA Compact and Article V of these Bylaws.

## **Article VII: Finance**

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

The Commission's fiscal year shall be determined by the executive committee in consultation the finance committee. If necessary, membership assessments, in an amount

to be determined by the commission, shall be paid on a date to be determined by the commission.

## **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 as provided by the Compact and determined by the Commission.

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

The Commission, with the assistance of the Executive Director and secretariat, shall keep accurate and timely accounts of its internal receipts and disbursements of the Commission funds. The receipts and disbursements of Commission funds are to be audited annually by an independent certified or licensed accountant. The independent audit report shall be made available to the public.

## **Section 4. Travel and Expense Reimbursement**

Subject to pre-approval and the availability of budgeted funds and unless otherwise provided by the Commission, Delegates shall be reimbursed for any actual and necessary expenses incurred pursuant to their attendance at a convened meeting of the Commission or its committees as provided by the Compact in accordance with U.S. General Services Administration (GSA) Travel Management Policy. (<https://www.gsa.gov/policy-regulations/policy/travel-management-policy>)

Reimbursement for items and occurrences not addressed by GSA's Travel Management Policy will be determined by the Secretariat and Executive Director in consultation with the Commission's Treasurer.

## **Article VIII: Adoption and Amendment of Bylaws**

Any Bylaw may be adopted, amended or repealed by a simple majority vote of the Delegates, provided that written notice and the full text of the proposed action is provided to all Delegates at least thirty (30) days prior to the meeting at which the action is to be considered. Failing the required notice, a two-third (2/3rd) majority vote of the Delegates shall be required for such action.

## **Article IX: Qualified Immunity, Defense, and Indemnification**

### **Section 1. Immunity**

The Commission, its Delegates, officers, Executive Director, employees, and representatives shall be immune from suit and liability, either personally or in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused or arising out of or relating to any actual or alleged act, error, or omission that occurred, or that such person had a reasonable basis for believing occurred within the scope of Commission employment, duties, or responsibilities; provided, that any such person shall not be protected from suit or liability, or both, for any damage, loss, injury, or liability caused by the intentional or willful and wanton misconduct of any such person.

### **Section 2. Defense**

Subject to the provisions of the Compact and Rules promulgated thereunder, the Commission shall defend the Delegate of a Member State, his or her representatives or employees, or the Commission, and its representatives or employees in any civil action seeking to impose liability against such person arising out of or relating to any actual or alleged act, error or omission that occurred within the scope of Commission employment, duties, or responsibilities or that such person had a reasonable basis for believing occurred within the scope of Commission employment, duties or responsibilities; provided, that the actual or alleged act, error, or omission did not result from gross negligence or intentional wrongdoing on the part of such person.

### **Section 3. Indemnification**

The Commission shall indemnify and hold the Delegate of a Member State, his or her representatives or employees, or the Commission, and its representatives or employees, harmless in the amount of any settlement or judgement obtained against such person arising out of or relating to any actual or alleged act, error, or omission that occurred within the scope of Commission employment, duties, or responsibilities that such person had a reasonable basis for believing occurred within the scope of Commission employment, duties, or responsibilities; provided, that the actual or alleged act, error, or omission did not result from gross negligence or intentional wrongdoing on the part if such person.

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

Nothing in this article shall be construed as a limitation on the liability of any Licensee for professional malpractice or misconduct, which shall be governed solely by any other applicable state laws.

#### **Article X: Withdrawal**

Member states may withdraw from the Compact only in accordance with Section 11.C. of the Compact.

#### **Article XI: Dissolution of the Commission**

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.

Upon dissolution, 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.

# **PA Compact Commission Support**

## **Request for Proposals**

### **Proposal Title and Purpose:**

PA Compact Commission Support

The purpose of this Request for Proposal (RFP) is to procure a secretariat organization for the PA Compact Commission (Commission). The secretariat organization will be responsible for the administrative and management functions of the commission.

### **Organizational Description:**

The PA Compact Commission is the intergovernmental agency responsible for the implementation and administration of the PA Compact. The Commission is comprised and governed by delegates from each compact member state.

### **Proposal Request Schedule:**

The deadline for proposal submissions is xx/xx/2024.

### **Project Background:**

The PA Compact is an interstate licensure compact that facilitates multi-state practice for physician assistants/associates. States elect to join the compact through legislation. As of August 2024, 13 states have enacted the model compact legislation. Further information on the PA Compact may be found at [pacompact.org](http://pacompact.org).

The compact stipulates that a minimum of seven states must enact the legislation before the PA Compact Commission can convene and begin its operations. The seven state activation threshold was reached in May 2024. Now that the minimum state requirement has been met, the PA Licensure Compact Commission is being formed with one state regulatory representative being appointed from each jurisdiction who has passed the legislation. In addition, the American Academy of Physician Associates (AAPA) and the National Commission on Certification of Physician Assistants (NCCPA) will each have one ex-officio representative on the Commission.

The secretariat awarded this contract will be responsible for working with the PA Compact Commission, including the Commission's committees and executive director,



to implement the Commission's strategic objectives and manage day-to-day operations.

### **Terms of Contract:**

The PA Compact Commission intends 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:**

The secretariat will work with the PA Licensure Compact Commission, including its Committees and Executive Director to:

- Provide all necessary management infrastructure including appropriate staffing, technology, and resources as needed
- Procure and provide all necessary financial services, including but not limited to record keeping, payment disbursements, etc.
- Provide meeting planning services, as needed
- Support the executive director in the preparation of an annual budget
- Support the executive director in the development of grant and other funding proposals
- Draft commission policies and procedures necessary for the administrative of the compact
- Support the executive director in securing a compact data system
- Support the executive director to onboard compact member licensing boards/agencies to the compact data system
- Develop all initial reporting templates
- Develop all initial routine communication templates
- Prepare all initial public facing communications
- Respond to all PA state licensure board administrators requests for general assistance of the compact data system

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.

## **Budget:**

The PA Compact Commission's budget for calendar year 2024 will be approximately [to be determined]. 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.

## **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 company's mission and philosophy
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 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**

8. Provide a summary of the company's qualifications, experience, and competitive advantages in providing the services outlined in this RFP.
9. Describe the company's approach to client relationships.

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

10. Provide a list of the key individuals who would provide services to the PA Compact Commission, if awarded, including staff responsibilities, locations, and brief bios.

## F. Financial Proposal

11. Please bid your services in one comprehensive amount

### Submission Requirements of the Proposal:

All proposals must be sent to the PA Licensure Compact Commission Chair by email no later than 11:59 PM Eastern on xx/xx/2024. Failure to adhere to the dates indicated below may result in bidder disqualification.

Request for Proposal released to vendors by Commission	xx/xx/2024
Intent to participate in RFP indicated by vendors	xx/xx/2024
Deadline for written questions or requests for clarification	xx/xx/2024
Response to questions and requests by Commission	xx/xx/2024
Deadline for proposal submission	xx/xx/2024
Evaluation of proposals by Commission	xx/xx/2024
*Commission vote to accept RFP and execution of contract by Commission	xx/xx/2024
*Awardee commencement of project	xx/xx/2024

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

### Contact Information:

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

Email: xxxx@xxxx

Phone: xxx-xxx-xxxx

## PA Compact Commission – Executive Director Job Description

<b>Job Title</b> Executive Director, PA Compact Commission	<b>Agency</b> PA COMPACT COMMISSION	<b>Date Posted</b>
<b>Accountable to:</b> PA COMPACT COMMISSION/Chair/Executive Committee		<b>Authority</b> PA COMPACT
<b>Job Summary:</b> Serves as the lead staff executive for the PA 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 fulfill the intent and purpose of the PA Compact.		
<b>Principle Responsibilities</b>		<b>Frequency</b>
1	<b>Manages the day-to day operations of the PA COMPACT.</b> 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	<b>Conducts outreach and public relations related to the PA COMPACT.</b> Effectively manages external stakeholder relationships while representing the Commission. Serves as the PA COMPACT training officer; provides training to member state licensing boards/agencies. Facilitates the orientation of new Commissioners. Develops and maintains a repository of informational, educational, and training materials regarding the PA COMPACT. Provides external presentations and education and technical assistance for legislative enactments, as needed.	20%
3	<b>Participates in the development and implementation of the PA Commission strategic plan and objectives.</b> Collaborates with the Executive Committee in setting the overall strategic direction.	10%
4	<b>In conjunction with the Commission and its committees, oversees and monitors regulatory compliance of member states with statute, bylaws, and rules.</b>	15%
5	<b>Responsible for supervising the staff and independent contractors of the Commission.</b> 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	<p><b>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.</b></p>	20%
<p style="text-align: center;"><b>Job Specifications</b> (Education, Certification, Special Knowledge and Skills)</p>		
<p>Bachelor's degree required, Master's or JD preferred.</p>		
<p>Background in business, management, healthcare administration or related field. Five or more years of member-based association management/governance and committee management experience preferred.</p>		
<p>Knowledge of occupational licensure, administrative law and operations management preferred.</p>		
<p>Excellent oral and written communication, presentation, technical, organizational, customer service, problem solving, analytical and critical thinking, and problem-solving skills are required.</p>		
<p>Ability to work independently to resolve member issues and collectively to establish a positive working rapport with members and stakeholders.</p>		
<p>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 PA COMPACT initiatives and details. Facilitates effective meetings with stakeholders.</p>		
<p>Domestic travel will be required.</p>		

## **Proposed Transition Plan: PA Compact Operations**

The following will be completed during the inaugural PA Compact Commission Meeting:

### Internal procedures and policies

- Review and adopt code of conduct forms
- Discuss and adopt by-laws
- Adopt Rule on Rulemaking
- Discuss future rules for consideration
- Discussion of committees' structure and function
- Election of PA Compact Executive Committee
- Discuss dates of first Executive Committee and Rules Committee meetings

### Introductions and Discussions

- Introduce State Commissioners and Ex-Officio Commissioners
- Governance and legislative review
- Discuss and vote on transition plan
- Discuss PA Compact Commission finances
- Discuss interim legal counsel and staffing
- Discuss RFP for secretariat and executive director services and timeline
- Discuss background check requirement
- State level technical assistance
  - State legislative assistance
  - Legal services
  - Continued outreach on status of state enactments of the PA Compact
  - Continued maintenance of PA Compact website
  - Temporary secretariat services

Subsequent meetings of the PA Compact Commission and Executive Committee will consider the following items for action:

- Discuss additional rules and policies
- Develop MOUs for financial support
- Develop and approve budget
- Select secretariat for Compact Commission
- Plan for Compact Commission data system

# PA Compact Rule on Rulemaking

## PA Compact Commission

<b>Title of Rule:</b>	Rule on Rulemaking
<b>History of Rule:</b>	Drafted August 23, 2024 Adopted at public meeting on September 24, 2024
<b>Reason for Rule:</b>	To further outline and clarify the rule promulgation process of the PA Compact Commission.
<b>Effective Date:</b>	October 24, 2024
<b>Chapter 1:</b>	Rulemaking
<b>Authority:</b>	Section 11: Date of Implementation of the Interstate Commission of the PA Licensure Compact Section 7: Establishment of the PA Compact Commission Section 9: Rulemaking

### 1.0 Purpose:

Pursuant to Section 9, the PA Compact Commission shall promulgate reasonable and lawful uniform rules to facilitate and coordinate implementation and administration of the PA Compact. This Rule will become effective upon passage by the PA Compact Commission as provided in Section 9 of the PA Compact.

### 1.1 Definition(s):

- (a) **“PA Licensure Compact Commission,” “Compact Commission,” or “Commission”** mean the national administrative body created pursuant to Section 7.A of this Compact.
- (b) **“Model Compact”** means the model for the PA Licensure Compact on file with The Council of State Governments or other entity as designated by the Commission.
- (c) **“Participating State”** means a State that has enacted this Model Compact.
- (d) **“Rule”** means a regulation promulgated by an entity that has the force and effect of law.
- (e) **“Rules Committee”** means: a committee that is established as a standing committee to develop reasonable and lawful uniform rules for consideration by the Commission and subsequent implementation by the states and to review existing rules and recommend necessary changes to the Commission for consideration.

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

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

### **1.2 Applicability of Rules:**

The Commission shall promulgate reasonable Rules in order to effectively and efficiently implement and administer this Compact and achieve its purposes. A Commission Rule shall be invalid and have no force or effect only if a court of competent jurisdiction holds that the Rule is invalid because the Commission exercised its rulemaking authority in a manner that is beyond the scope of the purposes of this Compact, or the powers granted hereunder, or based upon another applicable standard of review. The Rules of the Commission shall have the force of law in each Participating State. If the Rules of the Commission conflict with the laws of the Participating State that establish the medical services a PA, the Rules of the Commission shall be ineffective in that State to the extent of the conflict.

If a majority of the legislatures of the Participating States rejects a Commission Rule, by enactment of a statute or resolution in the same manner used to adopt this Compact within four (4) years of the date of adoption of the Rule, then such Rule shall have no further force and effect in any Participating State or to any State applying to participate in the Compact.

### **1.3 Notice:**

Prior to promulgation and adoption of a final Rule or Rules by the Commission, and at least thirty (30) days in advance of the meeting at which the Rule will be considered and voted upon, the Commission shall file a Notice of Proposed Rulemaking:

1. On the website of the Commission or other publicly accessible platform; and
2. To persons who have requested notice of the Commission’s notices of proposed rulemaking; and
3. In such other way(s) as the Commission may by Rule specify.

The Notice of Proposed Rulemaking shall include:



- a. The time, date, and location of the public hearing on the proposed Rule and the proposed time, date and location of the meeting in which the proposed Rule will be considered and voted upon;
- b. The text of the proposed Rule and the reason for the proposed Rule;
- c. A request for comments on the proposed Rule from any interested person and the date by which written comments must be received; and
- d. The manner in which interested persons may submit notice to the Commission of their intention to attend the public hearing or provide any written comments.

#### **1.4 Public Hearing:**

If the hearing is to be held via electronic means, the Commission shall publish the mechanism for access to the electronic hearing.

1. All persons wishing to be heard at the hearing shall as directed in the Notice of Proposed Rulemaking, not less than five (5) business days before the scheduled date of the hearing, notify the Commission of their desire to appear and testify at the hearing.
2. Hearings shall be conducted in a manner providing each person who wishes to comment a fair and reasonable opportunity to comment orally or in writing.
3. All hearings shall be recorded. A copy of the recording and the written comments, data, facts, opinions, and arguments received in response to the proposed rulemaking shall be made available to a person upon request.
4. Nothing in this section shall be construed as requiring a separate hearing on each proposed Rule. Proposed Rules may be grouped for the convenience of the Commission at hearings required by this section.

Prior to adoption of a proposed Rule, the Commission shall allow persons to submit written data, facts, opinions, and arguments, which shall be made available to the public.

Following the public hearing the Commission shall consider all written and oral comments timely received.

### **1.5 Adoption:**

The Commission shall, by majority vote of all delegates, take final action on the proposed Rule and shall determine the effective date of the Rule, if adopted, based on the Rulemaking record and the full text of the Rule.

1. If adopted, the Rule shall be posted on the Commission's website.
2. The Commission may adopt changes to the proposed Rule provided the changes do not enlarge the original purpose of the proposed Rule.
3. The Commission shall provide on its website an explanation of the reasons for substantive changes made to the proposed Rule as well as reasons for substantive changes not made that were recommended by commenters.
4. The Commission shall determine a reasonable effective date for the Rule. Except for an emergency as provided in subsection L, the effective date of the Rule shall be no sooner than thirty (30) days after the Commission issued the notice that it adopted the Rule.
5. Commission Rules shall be adopted at a regular or special meeting of the Commission.

### **1.6 Emergency Rulemaking:**

Upon determination that an emergency exists, the Commission may consider and adopt an emergency Rule with twenty-four (24) hours prior notice, without the opportunity for comment, or hearing, provided that the usual rulemaking procedures provided in this Compact and in this section shall be retroactively applied to the Rule as soon as reasonably possible, in no event later than ninety (90) days after the effective date of the Rule. For the purposes of this provision, an emergency Rule is one that must be adopted immediately by the Commission in order to:

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

### **1.7 Non-Substantive Rule Revisions:**

The Commission or an authorized committee of the Commission may direct revisions to a previously adopted Commission Rule for purposes of correcting typographical errors, errors in format, errors in consistency, or grammatical errors. Public notice of any revisions shall be posted on the website of the Commission. The revision shall be subject to challenge by any person for a period of thirty (30) days after posting. The revision may be challenged only on grounds that the revision results in a material change to a Rule. A challenge shall be made as set forth in the notice of revisions and delivered to the Commission prior to the end of the notice period. If no challenge is made, the revision will take effect without further action. If the revision is challenged, the revision may not take effect without the approval of the Commission.

### **1.8 Status of Rules upon adoption of Compact additional Participating States and applicability:**

Any state that joins the Compact subsequent to the Commission's initial adoption of the rules shall be subject to the rules as they exist on the date on which the Compact becomes law in that state. Any Rule that has been previously adopted by the Commission shall have the full force and effect of law on the day the Compact becomes law in that state. No Member State's rulemaking requirements shall apply under this Compact. The Rules of the Commission shall have the force of law in each Member State, provided however that where the Rules of the Commission conflict with the laws of the Member State that establish the Member State's Scope of Practice as held by a court of competent jurisdiction, the rules of the Commission shall be ineffective in that State to the extent of the conflict.

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

## PA Compact Legislative Update

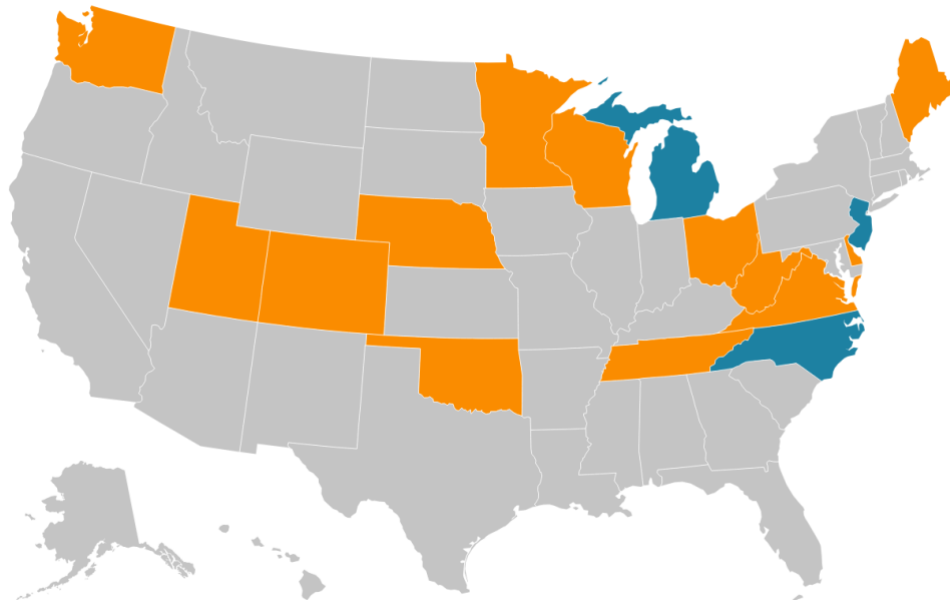
### 2023 PA Compact Enactments

- Utah
- Delaware
- Wisconsin

### 2024 PA Compact Enactments

- Washington
- West Virginia
- Virginia
- Maine
- Oklahoma
- Nebraska
- Minnesota
- Tennessee
- Colorado
- Ohio

■ No active legislation ■ Legislation Filed ■ Legislation Enacted - Compact Member



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*Information current as of August 26, 2024*

