

P.L. 2025, CHAPTER 198, *approved January 9, 2026*  
Assembly, No. 4328 (*First Reprint*)

1 AN ACT entering New Jersey into the Interstate Physician Assistant  
2 Licensure Compact and supplementing Title 45 of the Revised  
3 Statutes.

4  
5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:

7  
8 1. The State of New Jersey <sup>1</sup>**[enact]** enacts<sup>1</sup> and enters into the  
9 PA licensure compact with all other jurisdictions that legally join  
10 the compact in the form substantially as follows:

11  
12 Section 1. Purpose

13  
14 In order to strengthen access to Medical Services, and in  
15 recognition of the advances in the delivery of Medical Services, the  
16 Participating States of the PA Licensure Compact have allied in  
17 common purpose to develop a comprehensive process that  
18 complements the existing authority of State Licensing Boards to  
19 license and discipline PAs and seeks to enhance the portability of a  
20 License to practice as a PA while safeguarding the safety of  
21 patients. This Compact allows Medical Services to be provided by  
22 PAs, via the mutual recognition of the Licensee's Qualifying  
23 License by other Compact Participating States. This Compact also  
24 adopts the prevailing standard for PA licensure and affirms that the  
25 practice and delivery of Medical Services by the PA occurs where  
26 the patient is located at the time of the patient encounter, and  
27 therefore requires the PA to be under the jurisdiction of the State  
28 Licensing Board where the patient is located. State Licensing  
29 Boards that participate in this Compact retain the jurisdiction to  
30 impose Adverse Action against a Compact Privilege in that State  
31 issued to a PA through the procedures of this Compact. The PA  
32 Licensure Compact will alleviate burdens for military families by  
33 allowing active duty military personnel and their spouses to obtain a  
34 Compact Privilege based on having an unrestricted License in good  
35 standing from a Participating State.

36  
37 Section 2. Definitions

38  
39 In this Compact:

40 a. "Adverse Action" means any administrative, civil, equitable,  
41 or criminal action permitted by a State's laws which is imposed by

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is  
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Assembly ARP committee amendments adopted October 24, 2024.

- 1 a Licensing Board or other authority against a PA License or  
2 License application or Compact Privilege such as License denial,  
3 censure, revocation, suspension, probation, monitoring of the  
4 Licensee, or restriction on the Licensee's practice.
- 5 b. "Compact Privilege" means the authorization granted by a  
6 Remote State to allow a Licensee from another Participating State  
7 to practice as a PA to provide Medical Services and other licensed  
8 activity to a patient located in the Remote State under the Remote  
9 State's laws and regulations.
- 10 c. "Conviction" means a finding by a court that an individual is  
11 guilty of a felony or misdemeanor offense through adjudication or  
12 entry of a plea of guilt or no contest to the charge by the offender
- 13 d. "Criminal Background Check" means the submission of  
14 fingerprints or other biometric-based information for a License  
15 applicant for the purpose of obtaining that applicant's criminal  
16 history record information, as defined in 28 C.F.R. § 20.3(d), from  
17 the State's criminal history record repository as defined in 28  
18 C.F.R. § 20.3(f).
- 19 e. "Data System" means the repository of information about  
20 Licensees, including but not limited to License status and Adverse  
21 Actions, which is created and administered under the terms of this  
22 Compact.
- 23 f. "Executive Committee" means a group of directors and ex-  
24 officio individuals elected or appointed pursuant to Section 7.f.(2)
- 25 g. "Impaired Practitioner" means a PA whose practice is  
26 adversely affected by health-related condition(s) that impact their  
27 ability to practice.
- 28 h. "Investigative Information" means information, records, or  
29 documents received or generated by a Licensing Board pursuant to  
30 an investigation.
- 31 i. "Jurisprudence Requirement" means the assessment of an  
32 individual's knowledge of the laws and Rules governing the  
33 practice of a PA in a State.
- 34 j. "License" means current authorization by a State, other than  
35 authorization pursuant to a Compact Privilege, for a PA to provide  
36 Medical Services, which would be unlawful without current  
37 authorization.
- 38 k. "Licensee" means an individual who holds a License from a  
39 State to provide Medical Services as a PA.
- 40 l. "Licensing Board" means any State entity authorized to  
41 license and otherwise regulate PAs.
- 42 m. "Medical Services" means health care services provided for  
43 the diagnosis, prevention, treatment, cure or relief of a health  
44 condition, injury, or disease, as defined by a State's laws and  
45 regulations.
- 46 n. "Model Compact" means the model for the PA Licensure  
47 Compact on file with The Council of State Governments or other  
48 entity as designated by the Commission.

- 1 o. “Participating State” means a State that has enacted this  
2 Compact.
- 3 p. “PA” means an individual who is licensed as a physician  
4 assistant in a State. For purposes of this Compact, any other title or  
5 status adopted by a State to replace the term “physician assistant”  
6 shall be deemed synonymous with “physician assistant” and shall  
7 confer the same rights and responsibilities to the Licensee under the  
8 provisions of this Compact at the time of its enactment.
- 9 q. “PA Licensure Compact Commission,” “Compact  
10 Commission,” or “Commission” mean the national administrative  
11 body created pursuant to Section 7.a. of this Compact.
- 12 r. “Qualifying License” means an unrestricted License issued  
13 by a Participating State to provide Medical Services as a PA.
- 14 s. “Remote State” means a Participating State where a  
15 Licensee who is not licensed as a PA is exercising or seeking to  
16 exercise the Compact Privilege.
- 17 t. “Rule” means a regulation promulgated by an entity that has  
18 the force and effect of law.
- 19 u. “Significant Investigative Information” means Investigative  
20 Information that a Licensing Board, after an inquiry or investigation  
21 that includes notification and an opportunity for the PA to respond  
22 if required by State law, has reason to believe is not groundless and,  
23 if proven true, would indicate more than a minor infraction.
- 24 v. “State” means any state, commonwealth, district, or territory  
25 of the United States.

26

## 27 Section 3. State Participation in this Compact

28

- 29 a. To participate in this Compact, a Participating State shall:
- 30 (1) License PAs.
- 31 (2) Participate in the Compact Commission’s Data System.
- 32 (3) Have a mechanism in place for receiving and investigating  
33 complaints against Licensees and License applicants.
- 34 (4) Notify the Commission, in compliance with the terms of this  
35 Compact and Commission Rules, of any Adverse Action against a  
36 Licensee or License applicant and the existence of Significant  
37 Investigative Information regarding a Licensee or License  
38 applicant.
- 39 (5) Fully implement a Criminal Background Check requirement,  
40 within a time frame established by Commission Rule, by its  
41 Licensing Board receiving the results of a Criminal Background  
42 Check and reporting to the Commission whether the License  
43 applicant has been granted a License.
- 44 (6) Comply with the Rules of the Compact Commission.
- 45 (7) Utilize passage of a recognized national exam such as the  
46 NCCPA PANCE as a requirement for PA licensure.

47 <sup>1</sup>**[8.] (8)**<sup>1</sup> Grant the Compact Privilege to a holder of a  
48 Qualifying License in a Participating State.

1       b. Nothing in this Compact prohibits a Participating State from  
2 charging a fee for granting the Compact Privilege.

3  
4       Section 4. Compact Privilege

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6       a. To exercise the Compact Privilege, a Licensee must:

7       (1) Have graduated from a PA program accredited by the  
8 Accreditation Review Commission on Education for the Physician  
9 Assistant, Inc. or other programs authorized by Commission Rule.

10      (2) Hold current NCCPA certification.

11      (3) Have no felony or misdemeanor Conviction.

12      (4) Have never had a controlled substance license, permit, or  
13 registration suspended or revoked by a State or by the United States  
14 Drug Enforcement Administration.

15      (5) Have a unique identifier as determined by Commission Rule.

16      (6) Hold a Qualifying License.

17      (7) Have had no revocation of a License or limitation or  
18 restriction on any License currently held due to an adverse action.

19      (8) If a Licensee has had a limitation or restriction on a License  
20 or Compact Privilege due to an Adverse Action, two years must  
21 have elapsed from the date on which the License or Compact  
22 Privilege is no longer limited or restricted due to the Adverse  
23 Action.

24      (9) If a Compact Privilege has been revoked or is limited or  
25 restricted in a Participating State for conduct that would not be a  
26 basis for disciplinary action in a Participating State in which the  
27 Licensee is practicing or applying to practice under a Compact  
28 Privilege, that Participating State shall have the discretion not to  
29 consider such action as an Adverse Action requiring the denial or  
30 removal of a Compact Privilege in that State.

31      (10) Notify the Compact Commission that the Licensee is seeking  
32 the Compact Privilege in a Remote State.

33      (11) Meet any Jurisprudence Requirement of a Remote State in  
34 which the Licensee is seeking to practice under the Compact  
35 Privilege and pay any fees applicable to satisfying the  
36 Jurisprudence Requirement.

37      (12) Report to the Commission any Adverse Action taken by a  
38 non-participating State within 30 days after the action is taken.

39       b. The Compact Privilege is valid until the expiration or  
40 revocation of the Qualifying License unless terminated pursuant to  
41 an Adverse Action. The Licensee must also comply with all of the  
42 requirements of Subsection a. above to maintain the Compact  
43 Privilege in a Remote State. If the Participating State takes Adverse  
44 Action against a Qualifying License, the Licensee shall lose the  
45 Compact Privilege in any Remote State in which the Licensee has a  
46 Compact Privilege until all of the following occur:

47      (1) The License is no longer limited or restricted; and

1 (2) Two years have elapsed from the date on which the License  
2 is no longer limited or restricted due to the Adverse Action.

3 c. Once a restricted or limited License satisfies the  
4 requirements of Subsection b.(1) and (2), the Licensee must meet  
5 the requirements of Subsection a. to obtain a Compact Privilege in  
6 any Remote State.

7 d. For each Remote State in which a PA seeks authority to  
8 prescribe controlled substances, the PA shall satisfy all  
9 requirements imposed by such State in granting or renewing such  
10 authority.

11  
12 Section 5. Designation of the State from Which Licensee is  
13 Applying for a Compact Privilege

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15 a. Upon a Licensee's application for a Compact Privilege, the  
16 Licensee shall identify to the Commission the Participating State  
17 from which the Licensee is applying, in accordance with applicable  
18 Rules adopted by the Commission, and subject to the following  
19 requirements:

20 (1) When applying for a Compact Privilege, the Licensee shall  
21 provide the Commission with the address of the Licensee's primary  
22 residence and thereafter shall immediately report to the Commission  
23 any change in the address of the Licensee's primary residence.

24 (2) When applying for a Compact Privilege, the Licensee is  
25 required to consent to accept service of process by mail at the  
26 Licensee's primary residence on file with the Commission with  
27 respect to any action brought against the Licensee by the  
28 Commission or a Participating State, including a subpoena, with  
29 respect to any action brought or investigation conducted by the  
30 Commission or a Participating State.

31  
32 Section 6. Adverse Actions

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34 a. A Participating State in which a Licensee is licensed shall  
35 have exclusive power to impose Adverse Action against the  
36 Qualifying License issued by that Participating State.

37 b. In addition to the other powers conferred by State law, a  
38 Remote State shall have the authority, in accordance with existing  
39 State due process law, to do all of the following:

40 (1) Take Adverse Action against a PA's Compact Privilege  
41 within that State to remove a Licensee's Compact Privilege or take  
42 other action necessary under applicable law to protect the health  
43 and safety of its citizens.

44 (2) Issue subpoenas for both hearings and investigations that  
45 require the attendance and testimony of witnesses as well as the  
46 production of evidence. Subpoenas issued by a Licensing Board in a  
47 Participating State for the attendance and testimony of witnesses or  
48 the production of evidence from another Participating State shall be

1 enforced in the latter State by any court of competent jurisdiction,  
2 according to the practice and procedure of that court applicable to  
3 subpoenas issued in proceedings pending before it. The issuing  
4 authority shall pay any witness fees, travel expenses, mileage and  
5 other fees required by the service statutes of the State in which the  
6 witnesses or evidence are located.

7 (3) Notwithstanding paragraph 2, subpoenas may not be issued  
8 by a Participating State to gather evidence of conduct in another  
9 State that is lawful in that other State for the purpose of taking  
10 Adverse Action against a Licensee's Compact Privilege or  
11 application for a Compact Privilege in that Participating State.

12 (4) Nothing in this Compact authorizes a Participating State to  
13 impose discipline against a PA's Compact Privilege or to deny an  
14 application for a Compact Privilege in that Participating State for  
15 the individual's otherwise lawful practice in another State.

16 c. For purposes of taking Adverse Action, the Participating  
17 State which issued the Qualifying License shall give the same  
18 priority and effect to reported conduct received from any other  
19 Participating State as it would if the conduct had occurred within  
20 the Participating State which issued the Qualifying License. In so  
21 doing, that Participating State shall apply its own State laws to  
22 determine appropriate action.

23 d. A Participating State, if otherwise permitted by State law,  
24 may recover from the affected PA the costs of investigations and  
25 disposition of cases resulting from any Adverse Action taken  
26 against that PA.

27 e. A Participating State may take Adverse Action based on the  
28 factual findings of a Remote State, provided that the Participating  
29 State follows its own procedures for taking the Adverse Action.

30 f. Joint Investigations

31 (1) In addition to the authority granted to a Participating State  
32 by its respective State PA laws and regulations or other applicable  
33 State law, any Participating State may participate with other  
34 Participating States in joint investigations of Licensees.

35 (2) Participating States shall share any investigative, litigation,  
36 or compliance materials in furtherance of any joint or individual  
37 investigation initiated under this Compact.

38 g. If an Adverse Action is taken against a PA's Qualifying  
39 License, the PA's Compact Privilege in all Remote States shall be  
40 deactivated until two years have elapsed after all restrictions have  
41 been removed from the State License. All disciplinary orders by the  
42 Participating State which issued the Qualifying License that impose  
43 Adverse Action against a PA's License shall include a Statement  
44 that the PA's Compact Privilege is deactivated in all Participating  
45 States during the pendency of the order.

46 h. If any Participating State takes Adverse Action, it promptly  
47 shall notify the administrator of the Data System.

1       Section 7.   Establishment of the PA Licensure Compact  
2 Commission  
3

4       a.   The Participating States hereby create and establish a joint  
5 government agency and national administrative body known as the  
6 PA Licensure Compact Commission. The Commission is an  
7 instrumentality of the Compact States acting jointly and not an  
8 instrumentality of any one State. The Commission shall come into  
9 existence on or after the effective date of the Compact as set forth  
10 in Section 11.a.

11       b.   Membership, Voting, and Meetings

12       (1) Each Participating State shall have and be limited to one  
13 delegate selected by that Participating State's Licensing Board or, if  
14 the State has more than one Licensing Board, selected collectively  
15 by the Participating State's Licensing Boards.

16       (2) The delegate shall be either:

17       (a) A current PA, physician or public member of a Licensing  
18 Board or PA Council/Committee; or

19       (b) An administrator of a Licensing Board.

20       (3) Any delegate may be removed or suspended from office as  
21 provided by the laws of the State from which the delegate is  
22 appointed.

23       (4) The Participating State Licensing Board shall fill any  
24 vacancy occurring in the Commission within 60 days.

25       (5) Each delegate shall be entitled to one vote on all matters  
26 voted on by the Commission and shall otherwise have an  
27 opportunity to participate in the business and affairs of the  
28 Commission. A delegate shall vote in person or by such other  
29 means as provided in the bylaws. The bylaws may provide for  
30 delegates' participation in meetings by telecommunications, video  
31 conference, or other means of communication.

32       (6) The Commission shall meet at least once during each  
33 calendar year. Additional meetings shall be held as set forth in this  
34 Compact and the bylaws.

35       (7) The Commission shall establish by Rule a term of office for  
36 delegates.

37       c.   The Commission shall have the following powers and duties:

38       (1) Establish a code of ethics for the Commission;

39       (2) Establish the fiscal year of the Commission;

40       (3) Establish fees;

41       (4) Establish bylaws;

42       (5) Maintain its financial records in accordance with the bylaws;

43       (6) Meet and take such actions as are consistent with the  
44 provisions of this Compact and the bylaws;

45       (7) Promulgate Rules to facilitate and coordinate  
46 implementation and administration of this Compact. The Rules shall  
47 have the force and effect of law and shall be binding in all  
48 Participating States;

1 (8) Bring and prosecute legal proceedings or actions in the name  
2 of the Commission, provided that the standing of any State  
3 Licensing Board to sue or be sued under applicable law shall not be  
4 affected;

5 (9) Purchase and maintain insurance and bonds;

6 (10) Borrow, accept, or contract for services of personnel,  
7 including, but not limited to, employees of a Participating State;

8 (11) Hire employees and engage contractors, elect or appoint  
9 officers, fix compensation, define duties, grant such individuals  
10 appropriate authority to carry out the purposes of this Compact, and  
11 establish the Commission's personnel policies and programs  
12 relating to conflicts of interest, qualifications of personnel, and  
13 other related personnel matters;

14 (12) Accept any and all appropriate donations and grants of  
15 money, equipment, supplies, materials and services, and receive,  
16 utilize and dispose of the same; provided that at all times the  
17 Commission shall avoid any appearance of impropriety or conflict  
18 of interest;

19 (13) Lease, purchase, accept appropriate gifts or donations of, or  
20 otherwise own, hold, improve or use, any property, real, personal or  
21 mixed; provided that at all times the Commission shall avoid any  
22 appearance of impropriety;

23 (14) Sell, convey, mortgage, pledge, lease, exchange, abandon, or  
24 otherwise dispose of any property real, personal, or mixed;

25 (15) Establish a budget and make expenditures;

26 (16) Borrow money;

27 (17) Appoint committees, including standing committees  
28 composed of members, State regulators, State legislators or their  
29 representatives, and consumer representatives, and such other  
30 interested persons as may be designated in this Compact and the  
31 bylaws;

32 (18) Provide and receive information from, and cooperate with,  
33 law enforcement agencies;

34 (19) Elect a Chair, Vice Chair, Secretary and Treasurer and such  
35 other officers of the Commission as provided in the Commission's  
36 bylaws.

37 <sup>1</sup>**[20]** (20)<sup>1</sup> Reserve for itself, in addition to those reserved  
38 exclusively to the Commission under the Compact powers that the  
39 Executive Committee may not exercise;

40 (21) Approve or disapprove a State's participation in the  
41 Compact based upon its determination as to whether the State's  
42 Compact legislation departs in a material manner from the Model  
43 Compact language;

44 (22) Prepare and provide to the Participating States an annual  
45 report; and

46 (23) Perform such other functions as may be necessary or  
47 appropriate to achieve the purposes of this Compact consistent with  
48 the State regulation of PA licensure and practice.

1 d. Meetings of the Commission

2 (1) All meetings of the Commission that are not closed pursuant  
3 to this subsection shall be open to the public. Notice of public  
4 meetings shall be posted on the Commission's website at least thirty  
5 (30) days prior to the public meeting.

6 (2) Notwithstanding subsection d.(1) of this section, the  
7 Commission may convene a public meeting by providing at least 24  
8 hours prior notice on the Commission's website, and any other  
9 means as provided in the Commission's Rules, for any of the  
10 reasons it may dispense with notice of proposed rulemaking under  
11 Section 9.1.

12 (3) The Commission may convene in a closed, non-public  
13 meeting or non-public part of a public meeting to receive legal  
14 advice or to discuss:

15 (a) Non-compliance of a Participating State with its obligations  
16 under this Compact;

17 (b) The employment, compensation, discipline or other matters,  
18 practices or procedures related to specific employees or other  
19 matters related to the Commission's internal personnel practices  
20 and procedures;

21 (c) Current, threatened, or reasonably anticipated litigation;

22 (d) Negotiation of contracts for the purchase, lease, or sale of  
23 goods, services, or real estate;

24 (e) Accusing any person of a crime or formally censuring any  
25 person;

26 (f) Disclosure of trade secrets or commercial or financial  
27 information that is privileged or confidential;

28 <sup>1</sup>~~[(h)]~~ <sup>1</sup>(g) Disclosure of information of a personal nature where  
29 disclosure would constitute a clearly unwarranted invasion of  
30 personal privacy;

31 (h) Disclosure of investigative records compiled for law  
32 enforcement purposes;

33 (i) Disclosure of information related to any investigative reports  
34 prepared by or on behalf of or for use of the Commission or other  
35 committee charged with responsibility of investigation or  
36 determination of compliance issues pursuant to this Compact;

37 (j) Legal advice; or

38 (k) Matters specifically exempted from disclosure by federal or  
39 Participating States' statutes.

40 (4) If a meeting, or portion of a meeting, is closed pursuant to  
41 this provision, the chair of the meeting or the chair's designee shall  
42 certify that the meeting or portion of the meeting may be closed and  
43 shall reference each relevant exempting provision.

44 (5) The Commission shall keep minutes that fully and clearly  
45 describe all matters discussed in a meeting and shall provide a full  
46 and accurate summary of actions taken, including a description of  
47 the views expressed. All documents considered in connection with  
48 an action shall be identified in such minutes. All minutes and

1 documents of a closed meeting shall remain under seal, subject to  
2 release by a majority vote of the Commission or order of a court of  
3 competent jurisdiction.

4 e. Financing of the Commission

5 (1) The Commission shall pay, or provide for the payment of,  
6 the reasonable expenses of its establishment, organization, and  
7 ongoing activities.

8 (2) The Commission may accept any and all appropriate revenue  
9 sources, donations, and grants of money, equipment, supplies,  
10 materials, and services.

11 (3) The Commission may levy on and collect an annual  
12 assessment from each Participating State and may impose Compact  
13 Privilege fees on Licensees of Participating States to whom a  
14 Compact Privilege is granted to cover the cost of the operations and  
15 activities of the Commission and its staff, which must be in a total  
16 amount sufficient to cover its annual budget as approved by the  
17 Commission each year for which revenue is not provided by other  
18 sources. The aggregate annual assessment amount levied on  
19 Participating States shall be allocated based upon a formula to be  
20 determined by Commission Rule.

21 (a) A Compact Privilege expires when the Licensee's  
22 Qualifying License in the Participating State from which the  
23 Licensee applied for the Compact Privilege expires.

24 (b) If the Licensee terminates the Qualifying License through  
25 which the Licensee applied for the Compact Privilege before its  
26 scheduled expiration, and the Licensee has a Qualifying License in  
27 another Participating State, the Licensee shall inform the  
28 Commission that it is changing to that Participating State the  
29 Participating State through which it applies for a Compact Privilege  
30 and pay to the Commission any Compact Privilege fee required by  
31 Commission Rule.

32 (4) The Commission shall not incur obligations of any kind  
33 prior to securing the funds adequate to meet the same; nor shall the  
34 Commission pledge the credit of any of the Participating States,  
35 except by and with the authority of the Participating State.

36 (5) The Commission shall keep accurate accounts of all receipts  
37 and disbursements. The receipts and disbursements of the  
38 Commission shall be subject to the financial review and accounting  
39 procedures established under its bylaws. All receipts and  
40 disbursements of funds handled by the Commission shall be subject  
41 to an annual financial review by a certified or licensed public  
42 accountant, and the report of the financial review shall be included  
43 in and become part of the annual report of the Commission.

44 f. The Executive Committee

45 (1) The Executive Committee shall have the power to act on  
46 behalf of the Commission according to the terms of this Compact  
47 and Commission Rules.

1       (2) The Executive Committee shall be composed of nine  
2 members:

3       (a) Seven voting members who are elected by the Commission  
4 from the current membership of the Commission;

5       (b) One ex-officio, nonvoting member from a recognized  
6 national PA professional association; and

7       (c) One ex-officio, nonvoting member from a recognized  
8 national PA certification organization.

9       (3) The ex-officio members will be selected by their respective  
10 organizations.

11       (4) The Commission may remove any member of the Executive  
12 Committee as provided in its bylaws.

13       (5) The Executive Committee shall meet at least annually.

14       (6) The Executive Committee shall have the following duties  
15 and responsibilities:

16       (a) Recommend to the Commission changes to the  
17 Commission's Rules or bylaws, changes to this Compact  
18 legislation, fees to be paid by Compact Participating States such as  
19 annual dues, and any Commission Compact fee charged to  
20 Licensees for the Compact Privilege;

21       (b) Ensure Compact administration services are appropriately  
22 provided, contractual or otherwise;

23       (c) Prepare and recommend the budget;

24       (d) Maintain financial records on behalf of the Commission;

25       (e) Monitor Compact compliance of Participating States and  
26 provide compliance reports to the Commission;

27       (f) Establish additional committees as necessary;

28       (g) Exercise the powers and duties of the Commission during  
29 the interim between Commission meetings, except for issuing  
30 proposed rulemaking or adopting Commission Rules or bylaws, or  
31 exercising any other powers and duties exclusively reserved to the  
32 Commission by the Commission's Rules; and

33       (h) Perform other duties as provided in the Commission's Rules  
34 or bylaws.

35       (7) All meeting of the Executive Committee at which it votes or  
36 plans to vote on matters in exercising the powers and duties of the  
37 Commission shall be open to the public and public notice of such  
38 meetings shall be given as public meetings of the Commission are  
39 given.

40       (8) The Executive Committee may convene in a closed, non-  
41 public meeting for the same reasons that the Commission may  
42 convene in a non-public meeting as set forth in Section 7.d.(3) and  
43 shall announce the closed meeting as the Commission is required to  
44 under Section 7.d.(4) and keep minutes of the closed meeting as the  
45 Commission is required to under Section 7.d.(5).

46       g. Qualified Immunity, Defense, and Indemnification

47       (1) The members, officers, executive director, employees and  
48 representatives of the Commission shall be immune from suit and

1 liability, both personally and in their official capacity, for any claim  
2 for damage to or loss of property or personal injury or other civil  
3 liability caused by or arising out of any actual or alleged act, error,  
4 or omission that occurred, or that the person against whom the  
5 claim is made had a reasonable basis for believing occurred within  
6 the scope of Commission employment, duties or responsibilities;  
7 provided that nothing in this paragraph shall be construed to protect  
8 any such person from suit or liability for any damage, loss, injury,  
9 or liability caused by the intentional or willful or wanton  
10 misconduct of that person. The procurement of insurance of any  
11 type by the Commission shall not in any way compromise or limit  
12 the immunity granted hereunder.

13 (2) The Commission shall defend any member, officer,  
14 executive director, employee, and representative of the Commission  
15 in any civil action seeking to impose liability arising out of any  
16 actual or alleged act, error, or omission that occurred within the  
17 scope of Commission employment, duties, or responsibilities, or as  
18 determined by the commission that the person against whom the  
19 claim is made had a reasonable basis for believing occurred within  
20 the scope of Commission employment, duties, or responsibilities;  
21 provided that nothing herein shall be construed to prohibit that  
22 person from retaining their own counsel at their own expense; and  
23 provided further, that the actual or alleged act, error, or omission  
24 did not result from that person's intentional or willful or wanton  
25 misconduct.

26 (3) The Commission shall indemnify and hold harmless any  
27 member, officer, executive director, employee, and representative  
28 of the Commission for the amount of any settlement or judgment  
29 obtained against that person arising out of any actual or alleged act,  
30 error, or omission that occurred within the scope of Commission  
31 employment, duties, or responsibilities, or that such person had a  
32 reasonable basis for believing occurred within the scope of  
33 Commission employment, duties, or responsibilities, provided that  
34 the actual or alleged act, error, or omission did not result from the  
35 intentional or willful or wanton misconduct of that person.

36 (4) Venue is proper and judicial proceedings by or against the  
37 Commission shall be brought solely and exclusively in a court of  
38 competent jurisdiction where the principal office of the Commission  
39 is located. The Commission may waive venue and jurisdictional  
40 defenses in any proceedings as authorized by Commission Rules.

41 (5) Nothing herein shall be construed as a limitation on the  
42 liability of any Licensee for professional malpractice or  
43 misconduct, which shall be governed solely by any other applicable  
44 State laws.

45 (6) Nothing herein shall be construed to designate the venue or  
46 jurisdiction to bring actions for alleged acts of malpractice,  
47 professional misconduct, negligence, or other such civil action

1 pertaining to the practice of a PA. All such matters shall be  
2 determined exclusively by State law other than this Compact.

3 (7) Nothing in this Compact shall be interpreted to waive or  
4 otherwise abrogate a Participating State's state action immunity or  
5 state action affirmative defense with respect to antitrust claims  
6 under the Sherman Act, Clayton Act, or any other State or federal  
7 antitrust or anticompetitive law or regulation.

8 (8) Nothing in this Compact shall be construed to be a waiver of  
9 sovereign immunity by the Participating States or by the  
10 Commission.

11

#### 12 Section 8. Data System

13

14 a. The Commission shall provide for the development,  
15 maintenance, operation, and utilization of a coordinated data and  
16 reporting system containing licensure, Adverse Action, and the  
17 reporting of the existence of Significant Investigative Information  
18 on all licensed PAs and applicants denied a License in Participating  
19 States.

20 b. Notwithstanding any other State law to the contrary, a  
21 Participating State shall submit a uniform data set to the Data  
22 System on all PAs to whom this Compact is applicable (utilizing a  
23 unique identifier) as required by the Rules of the Commission,  
24 including:

25 (1) Identifying information;

26 (2) Licensure data;

27 (3) Adverse Actions against a License or Compact Privilege;

28 (4) Any denial of application for licensure, and the reason(s) for  
29 such denial (excluding the reporting of any Criminal history record  
30 information where prohibited by law);

31 (5) The existence of Significant Investigative Information; and

32 (6) Other information that may facilitate the administration of  
33 this Compact, as determined by the Rules of the Commission.

34 c. Significant Investigative Information pertaining to a  
35 Licensee in any Participating State shall only be available to other  
36 Participating States.

37 d. The Commission shall promptly notify all Participating  
38 States of any Adverse Action taken against a Licensee or an  
39 individual applying for a License that has been reported to it. This  
40 Adverse Action information shall be available to any other  
41 Participating State.

42 e. Participating States contributing information to the Data  
43 System may, in accordance with State or federal law, designate  
44 information that may not be shared with the public without the  
45 express permission of the contributing State. Notwithstanding any  
46 such designation, such information shall be reported to the  
47 Commission through the Data System.

1 f. Any information submitted to the Data System that is  
2 subsequently expunged pursuant to federal law or the laws of the  
3 Participating State contributing the information shall be removed  
4 from the Data System upon reporting of such by the Participating  
5 State to the Commission.

6 g. The records and information provided to a Participating  
7 State pursuant to this Compact or through the Data System, when  
8 certified by the Commission or an agent thereof, shall constitute the  
9 authenticated business records of the Commission, and shall be  
10 entitled to any associated hearsay exception in any relevant judicial,  
11 quasi-judicial or administrative proceedings in a Participating State.

12  
13 Section 9. Rulemaking  
14

15 a. The Commission shall exercise its Rulemaking powers  
16 pursuant to the criteria set forth in this Section and the Rules  
17 adopted thereunder. Commission Rules shall become binding as of  
18 the date specified by the Commission for each Rule.

19 b. The Commission shall promulgate reasonable Rules in order  
20 to effectively and efficiently implement and administer this  
21 Compact and achieve its purposes. A Commission Rule shall be  
22 invalid and have not force or effect only if a court of competent  
23 jurisdiction holds that the Rule is invalid because the Commission  
24 exercised its rulemaking authority in a manner that is beyond the  
25 scope of the purposes of this Compact, or the powers granted  
26 hereunder, or based upon another applicable standard of review.

27 c. The Rules of the Commission shall have the force of law in  
28 each Participating State, provided however that where the Rules of  
29 the Commission conflict with the laws of the Participating State that  
30 establish the medical services a PA may perform in the  
31 Participating State, as held by a court of competent jurisdiction, the  
32 Rules of the Commission shall be ineffective in that State to the  
33 extent of the conflict.

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

40 e. Commission Rules shall be adopted at a regular or special  
41 meeting of the Commission.

42 f. Prior to promulgation and adoption of a final Rule or Rules  
43 by the Commission, and at least 30 days in advance of the meeting  
44 at which the Rule will be considered and voted upon, the  
45 Commission shall file a Notice of Proposed Rulemaking:

46 (1) On the website of the Commission or other publicly  
47 accessible platform; and

1 (2) To persons who have requested notice of the Commission's  
2 notices of proposed rulemaking, and

3 (3) In such other way(s) as the Commission may by Rule  
4 specify.

5 g. The Notice of Proposed Rulemaking shall include:

6 (1) The time, date, and location of the public hearing on the  
7 proposed Rule and the proposed time, date and location of the  
8 meeting in which the proposed Rule will be considered and voted  
9 upon;

10 (2) The text of the proposed Rule and the reason for the  
11 proposed Rule;

12 (3) A request for comments on the proposed Rule from any  
13 interested person and the date by which written comments must be  
14 received; and

15 (4) The manner in which interested persons may submit notice  
16 to the Commission of their intention to attend the public hearing or  
17 provide any written comments.

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

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

24 (1) All persons wishing to be heard at the hearing shall as  
25 directed in the Notice of Proposed Rulemaking, not less than five  
26 business days before the scheduled date of the hearing, notify the  
27 Commission of their desire to appear and testify at the hearing.

28 (2) Hearings shall be conducted in a manner providing each  
29 person who wishes to comment a fair and reasonable opportunity to  
30 comment orally or in writing.

31 (3) All hearings shall be recorded. A copy of the recording and  
32 the written comments, data, facts, opinions, and arguments received  
33 in response to the proposed rulemaking shall be made available to a  
34 person upon request.

35 (4) Nothing in this section shall be construed as requiring a  
36 separate hearing on each proposed Rule. Proposed Rules may be  
37 grouped for the convenience of the Commission at hearings  
38 required by this section.

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

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

45 (1) If adopted, the Rule shall be posted on the Commission's  
46 website.

1 (2) The Commission may adopt changes to the proposed Rule  
2 provided the changes do not enlarge the original purpose of the  
3 proposed Rule.

4 (3) The Commission shall provide on its website an explanation  
5 of the reasons for substantive changes made to the proposed Rule as  
6 well as reasons for substantive changes not made that were  
7 recommended by commenters.

8 (4) The Commission shall determine a reasonable effective date  
9 for the Rule. Except for an emergency as provided in subsection 1.,  
10 the effective date of the Rule shall be no sooner than 30 days after  
11 the Commission issued the notice that it adopted the Rule.

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

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

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

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

42

#### 43 Section 10. Oversight, Dispute Resolution, and Enforcement

44

##### 45 a. Oversight

46 (1) The executive and judicial branches of State government in  
47 each Participating State shall enforce this Compact and take all  
48 actions necessary and appropriate to implement the Compact.

1       (2) Venue is proper and judicial proceedings by or against the  
2 Commission shall be brought solely and exclusively in a court of  
3 competent jurisdiction where the principal office of the Commission  
4 is located. The Commission may waive venue and jurisdictional  
5 defenses to the extent it adopts or consents to participate in  
6 alternative dispute resolution proceedings. Nothing herein shall  
7 affect or limit the selection or propriety of venue in any action  
8 against a licensee for professional malpractice, misconduct or any  
9 such similar matter.

10       (3) The Commission shall be entitled to receive service of  
11 process in any proceeding regarding the enforcement or  
12 interpretation of the Compact or the Commission's Rules and shall  
13 have standing to intervene in such a proceeding for all purposes.  
14 Failure to provide the Commission with service of process shall  
15 render a judgment or order in such proceeding void as to the  
16 Commission, this Compact, or Commission Rules.

17       b. Default, Technical Assistance, and Termination

18       (1) If the Commission determines that a Participating State has  
19 defaulted in the performance of its obligations or responsibilities  
20 under this Compact or the Commission Rules, the Commission shall  
21 provide written notice to the defaulting State and other Participating  
22 States. The notice shall describe the default, the proposed means of  
23 curing the default and any other action that the Commission may  
24 take and shall offer remedial training and specific technical  
25 assistance regarding the default.

26       (2) If a State in default fails to cure the default, the defaulting  
27 State may be terminated from this Compact upon an affirmative  
28 vote of a majority of the delegates of the Participating States, and  
29 all rights, privileges and benefits conferred by this Compact upon  
30 such State may be terminated on the effective date of termination. A  
31 cure of the default does not relieve the offending State of  
32 obligations or liabilities incurred during the period of default.

33       (3) Termination of participation in this Compact shall be  
34 imposed only after all other means of securing compliance have  
35 been exhausted. Notice of intent to suspend or terminate shall be  
36 given by the Commission to the governor, the majority and minority  
37 leaders of the defaulting State's legislature, and to the Licensing  
38 Board(s) of each of the Participating States.

39       (4) A State that has been terminated is responsible for all  
40 assessments, obligations, and liabilities incurred through the  
41 effective date of termination, including obligations that extend  
42 beyond the effective date of termination.

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

47       (6) The defaulting State may appeal its termination from the  
48 Compact by the Commission by petitioning the U.S. District Court

1 for the District of Columbia or the federal district where the  
2 Commission has its principal offices. The prevailing member shall  
3 be awarded all costs of such litigation, including reasonable  
4 attorney's fees.

5 (7) Upon the termination of a State's participation in the  
6 Compact, the State shall immediately provide notice to all  
7 Licensees within that State of such termination:

8 (a) Licensees who have been granted a Compact Privilege in  
9 that State shall retain the Compact Privilege for 180 days following  
10 the effective date of such termination.

11 (b) Licensees who are licensed in that State who have been  
12 granted a Compact Privilege in a Participating State shall retain the  
13 Compact Privilege for 180 days unless the Licensee also has a  
14 Qualifying License in a Participating State or obtains a Qualifying  
15 License in a Participating State before the 180-day period ends, in  
16 which case the Compact Privilege shall continue.

17 c. Dispute Resolution

18 (1) Upon request by a Participating State, the Commission shall  
19 attempt to resolve disputes related to this Compact that arise among  
20 Participating States and between participating and non-Participating  
21 States.

22 (2) The Commission shall promulgate a Rule providing for both  
23 mediation and binding dispute resolution for disputes as  
24 appropriate.

25 d. Enforcement

26 (1) The Commission, in the reasonable exercise of its discretion,  
27 shall enforce the provisions of this Compact and Rules of the  
28 Commission.

29 (2) If compliance is not secured after all means to secure  
30 compliance have been exhausted, by majority vote, the Commission  
31 may initiate legal action in the United States District Court for the  
32 District of Columbia or the federal district where the Commission  
33 has its principal offices, against a Participating State in default to  
34 enforce compliance with the provisions of this Compact and the  
35 Commission's promulgated Rules and bylaws. The relief sought  
36 may include both injunctive relief and damages. In the event  
37 judicial enforcement is necessary, the prevailing party shall be  
38 awarded all costs of such litigation, including reasonable attorney's  
39 fees.

40 (3) The remedies herein shall not be the exclusive remedies of  
41 the Commission. The Commission may pursue any other remedies  
42 available under federal or State law.

43 e. Legal Action Against the Commission

44 (1) A Participating State may initiate legal action against the  
45 Commission in the U.S. District Court for the District of Columbia  
46 or the federal district where the Commission has its principal  
47 offices to enforce compliance with the provisions of the Compact  
48 and its Rules. The relief sought may include both injunctive relief

1 and damages. In the event judicial enforcement is necessary, the  
2 prevailing party shall be awarded all costs of such litigation,  
3 including reasonable attorney's fees.

4 (2) No person other than a Participating State shall enforce this  
5 Compact against the Commission.

6  
7 Section 11. Date of Implementation of the PA Licensure  
8 Compact Commission  
9

10 a. This Compact shall come into effect on the date on which  
11 this Compact statute is enacted into law in the seventh Participating  
12 State.

13 (1) On or after the effective date of the Compact, the  
14 Commission shall convene and review the enactment of each of the  
15 States that enacted the Compact prior to the Commission convening  
16 ("Charter Participating States") to determine if the statute enacted  
17 by each such Charter Participating State is materially different than  
18 the Model Compact.

19 (a) A Charter Participating State whose enactment is found to be  
20 materially different from the Model Compact shall be entitled to the  
21 default process set forth in Section 10.b.

22 (b) If any Participating State later withdraws from the Compact  
23 or its participation is terminated, the Commission shall remain in  
24 existence and the Compact shall remain in effect even if the number  
25 of Participating States should be less than seven. Participating  
26 States enacting the Compact subsequent to the Commission  
27 convening shall be subject to the process set forth in Section  
28 7.c.(21) to determine if their enactments are materially different  
29 from the Model Compact and whether they qualify for participation  
30 in the Compact.

31 (2) Participating States enacting the Compact subsequent to the  
32 seven initial Charter Participating States shall be subject to the  
33 process set forth in Section 7.c.(21) to determine if their enactments  
34 are materially different from the Model Compact and whether they  
35 qualify for participation in the Compact.

36 (3) All actions taken for the benefit of the Commission or in  
37 furtherance of the purposes of the administration of the Compact  
38 prior to the effective date of the Compact or the Commission  
39 coming into existence shall be considered to be actions of the  
40 Commission unless specifically repudiated by the Commission.

41 b. Any State that joins this Compact shall be subject to the  
42 Commission's Rules and bylaws as they exist on the date on which  
43 this Compact becomes law in that State. Any Rule that has been  
44 previously adopted by the Commission shall have the full force and  
45 effect of law on the day this Compact becomes law in that State.

46 c. Any Participating State may withdraw from this Compact by  
47 enacting a statute repealing the same.

1 (1) A Participating State's withdrawal shall not take effect until  
2 180 days after enactment of the repealing statute. During this 180  
3 day-period, all Compact Privileges that were in effect in the  
4 withdrawing State and were granted to Licensees licensed in the  
5 withdrawing State shall remain in effect. If any Licensee licensed  
6 in the withdrawing State is also licensed in another Participating  
7 State or obtains a license in another Participating State within the  
8 180 days, the Licensee's Compact Privileges in other Participating  
9 States shall not be affected by the passage of the 180 days.

10 (2) Withdrawal shall not affect the continuing requirement of  
11 the State Licensing Board(s) of the withdrawing State to comply  
12 with the investigative, and Adverse Action reporting requirements  
13 of this Compact prior to the effective date of withdrawal.

14 (3) Upon the enactment of a statute withdrawing a State from  
15 this Compact, the State shall immediately provide notice of such  
16 withdrawal to all Licensees within that State. Such withdrawing  
17 State shall continue to recognize all licenses granted pursuant to  
18 this Compact for a minimum of 180 days after the date of such  
19 notice of withdrawal.

20 d. Nothing contained in this Compact shall be construed to  
21 invalidate or prevent any PA licensure agreement or other  
22 cooperative arrangement between Participating States and between  
23 a Participating State and non-Participating State that does not  
24 conflict with the provisions of this Compact.

25 e. This Compact may be amended by the Participating States.  
26 No amendment to this Compact shall become effective and binding  
27 upon any Participating State until it is enacted materially in the  
28 same manner into the laws of all Participating States as determined  
29 by the Commission.

30

## 31 Section 12. Construction and Severability

32

33 a. This Compact and the Commission's rulemaking authority  
34 shall be liberally construed so as to effectuate the purposes, and the  
35 implementation and administration of the Compact. Provisions of  
36 the Compact expressly authorizing or requiring the promulgation of  
37 Rules shall not be construed to limit the Commission's rulemaking  
38 authority solely for those purposes.

39 b. The provisions of this Compact shall be severable and if any  
40 phrase, clause, sentence or provision of this Compact is held by a  
41 court of competent jurisdiction to be contrary to the constitution of  
42 any Participating State, a State seeking participation in the  
43 Compact, or of the United States, or the applicability thereof to any  
44 government, agency, person or circumstance is held to be  
45 unconstitutional by a court of competent jurisdiction, the validity of  
46 the remainder of this Compact and the applicability thereof to any  
47 other government, agency, person or circumstance shall not be  
48 affected thereby.

1 c. Notwithstanding subsection b. or this section, the  
2 Commission may deny a State's participation in the Compact or, in  
3 accordance with the requirements of Section 10.b., terminate a  
4 Participating State's participation in the Compact, if it determines  
5 that a constitutional requirement of a Participating State is, or  
6 would be with respect to a State seeking to participate in the  
7 Compact, a material departure from the Compact. Otherwise, if this  
8 Compact shall be held to be contrary to the constitution of any  
9 Participating State, the Compact shall remain in full force and effect  
10 as to the remaining Participating States and in full force and effect  
11 as to the Participating State affected as to all severable matters.

12  
13 Section 13. Binding Effect of Compact

14  
15 a. Nothing herein prevents the enforcement of any other law of  
16 a Participating State that is not inconsistent with this Compact.

17 b. Any laws in a Participating State in conflict with this  
18 Compact are superseded to the extent of the conflict.

19 c. All agreements between the Commission and the  
20 Participating States are binding in accordance with their terms.

21  
22 2. This act shall take effect immediately.

23  
24  
25 \_\_\_\_\_  
26  
27 Enters New Jersey into Interstate Physician Assistant Licensure  
28 Compact.