

P.L. 2026, CHAPTER 66, *approved August 6, 2026*  
Senate, No. 4113

1 AN ACT concerning the Athletic Trainer Compact and supplementing  
2 Title 45 of the Revised Statutes.

3  
4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6  
7 1. This statute shall be known and cited as the “Athletic Trainer  
8 Compact.”

9  
10 ARTICLE 1: Purpose and Objectives

11  
12 a. The purposes of this compact are to expand mobility of athletic  
13 training practice and improve public access to services by providing  
14 qualified licensed athletic trainers the ability to practice in other  
15 member states. This compact preserves the regulatory authority of  
16 states to protect public health and safety through the current system  
17 of state licensure.

18 b. This compact is designed to achieve the following objectives:

19 (1) increase public access to athletic training and enhance  
20 continuity of care by providing for the mutual recognition of other  
21 licenses issued by member states;

22 (2) provide an additional streamlined opportunity for interstate  
23 practice by licensed athletic trainers who meet compact uniform  
24 requirements;

25 (3) promote mobility and workforce development by eliminating  
26 the necessity for licenses in multiple states by providing for the  
27 mutual recognition of other licenses issued by member states;

28 (4) reduce administrative burdens on licensed athletic trainers  
29 and member states;

30 (5) enhance the states’ ability to protect the public’s health and  
31 safety;

32 (6) encourage the cooperation of member states in regulating  
33 interstate practice of licensed athletic trainers;

34 (7) support relocating active military members and their spouses;

35 (8) enhance the exchange of licensure, investigative, and  
36 disciplinary information among member states;

37 (9) allow for the use of telehealth to facilitate increased access to  
38 athletic training services;

39 (10) support the uniformity of licensed athletic trainer licensure  
40 requirements throughout the states;

41 (11) affirm the authority of all member states to hold a licensed  
42 athletic trainer accountable for abiding by the scope of practice in the  
43 state in which the patient is located at the time of care; and

1 (12) require adherence to the model compact language in order to  
2 promote uniformity and ensure that all member states have accepted  
3 and are mutually obligated to the same terms.

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5 ARTICLE II: Definitions

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7 As used in this compact, unless the context requires otherwise, the  
8 following definitions shall apply:

9 “Active military member” means any individual with full-time  
10 duty status in the active armed forces of the United States, including  
11 members of the National Guard and Reserve.

12 “Adverse action” means any administrative, civil, equitable or  
13 criminal action permitted by a state’s laws which is imposed by a  
14 licensing authority or other authority against a licensee, including  
15 actions against an individual’s license or compact privilege including  
16 revocation, suspension, probation, monitoring of the licensee,  
17 limitation on the licensee’s practice, or any other encumbrance on  
18 licensure affecting a licensee’s authorization to practice.

19 “Alternative program” means a non-disciplinary monitoring or  
20 practice remediation process applicable to an athletic trainer  
21 approved by a state licensing authority of a member state in which  
22 the athletic trainer is licensed. This includes, but is not limited to,  
23 programs to which licensees with substance use, addiction, or mental  
24 health conditions are referred in lieu of adverse action.

25 “Athletic training” means the prevention, examination,  
26 assessment, treatment and rehabilitation of emergent, acute or  
27 chronic injuries and medical conditions as defined by applicable  
28 member state laws and regulations.

29 “Athletic trainer compact commission” or “compact commission”  
30 means the government agency whose membership consists of all  
31 states that have enacted this compact, as described herein and which  
32 shall operate as an instrumentality of the member states to administer  
33 and implement the compact according to its terms.

34 “BOC” means the Board of Certification, Inc. or any successor  
35 organization thereto.

36 “CAATE” means the Commission on Accreditation of Athletic  
37 Training Education or any successor organization thereto.

38 “Charter member state” means any member state which enacted  
39 and made effective this compact by law before the compact effective  
40 date specified herein.

41 “Commissioner” means the individual appointed by a member  
42 state to serve as the member of the commission for that member state.

43 “Compact privilege” means the legal authorization granted by a  
44 remote state, equivalent to a license, allowing a licensee from another  
45 member state to provide athletic training services in a remote state.

46 “Compact qualifying license” means a license that is not an  
47 encumbered license issued by a member state to practice athletic

1 training which qualifies the licensee to exercise a compact privilege  
2 pursuant to Article IV of this compact.

3 “Continuing competence” means a requirement, as a condition of  
4 license renewal, to provide evidence of successful participation, and  
5 completion of, educational and professional activities relevant to the  
6 practice or area of work. For purposes of this compact, evidence of  
7 active BOC certification may satisfy the meaning of continuing  
8 competence as set forth herein.

9 “Current significant investigative information” means the  
10 existence of:

11 a. investigative information that a licensing authority, after a  
12 preliminary inquiry that includes notification and an opportunity for  
13 the subject licensee to respond, if required by state law, has reason to  
14 believe is not groundless and, if proven true, indicates more than a  
15 minor infraction; or

16 b. investigative information that indicates that the subject  
17 licensee represents an immediate threat to public health and safety  
18 regardless of whether the subject licensee has been notified and had  
19 an opportunity to respond.

20 “Criminal background check” means the submission of  
21 fingerprints or other biometric-based information for a license  
22 applicant for the purpose of obtaining the applicant’s criminal history  
23 record information from the Federal Bureau of Investigation and the  
24 State Bureau of Identification in the Division of State Police.

25 “Data system” means the commission’s repository of information  
26 about licensees, including but not limited to examination, licensure,  
27 investigative information, compact privilege, adverse action, and  
28 alternative programs.

29 “Encumbrance” or “encumbered” means a revocation or  
30 suspension of, or any limitation or condition on, the full and  
31 unrestricted practice of athletic training.

32 “Executive committee” means a group of commissioners elected  
33 or appointed to act on behalf of, and within the powers granted to  
34 them by, the compact and commission.

35 “Investigative information” means information, records, and  
36 documents received or generated by a licensing authority pursuant to  
37 an investigation.

38 “Jurisprudence requirement” means the assessment of an  
39 individual’s knowledge of the laws and rules governing the practice  
40 of athletic training, as applicable, in a state.

41 “License” means current authorization by a member state to  
42 engage in the practice of athletic training.

43 “Licensee” or “licensed athletic trainer” means an individual who  
44 currently holds an active, unrestricted license and who meets all of  
45 the requirements outlined in Article IV of this compact.

46 “Licensing authority” means the board or agency of a state, or  
47 equivalent, that is responsible for the licensing and regulation of  
48 athletic trainers.

1 “Model compact language” means the model language for the  
2 Athletic Trainer Compact on file with the Council of State  
3 Governments or other entity as designated by the commission to  
4 which all member states shall substantively adhere and adopt.

5 “Member state” means a state that has enacted the compact.

6 “Remote state” means a member state other than the state of  
7 qualifying licensure.

8 “Rule” means a regulation promulgated by an authorized entity  
9 that has the force of law.

10 “Scope of practice” means the procedures, actions, and processes  
11 an athletic trainer licensed in a state is permitted to undertake in that  
12 state and the circumstances under which the licensee is permitted to  
13 undertake those procedures, actions and processes. The procedures,  
14 actions and processes and the circumstances under which they may  
15 be undertaken may be established through means, including, but not  
16 limited to, statute, regulations, case law, and other processes  
17 available to the state licensing authority or other government agency.  
18 “Scope of practice” shall include any state requirements regarding  
19 supervision or direction, if required by a state and as further defined  
20 by a state’s statutes and regulations.

21 “Single state license” means a license issued by any state that  
22 authorizes practice only within the issuing state.

23 “State” means any state, commonwealth, district, or territory of  
24 the United States of America.

25 “State of qualifying licensure” means the member state who has  
26 issued a compact qualifying license to a licensee pursuant to this  
27 compact.

28 “Unencumbered license” means a license that authorizes a  
29 licensee to engage in the full and unrestricted practice of athletic  
30 training.

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### 32 ARTICLE III: Member State Requirements

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34 a. To be eligible to join this compact and to maintain eligibility  
35 as a member state, a state shall:

36 (1) enact and maintain a statute that is not materially different  
37 from the model compact language;

38 (2) license and regulate the practice of athletic training;

39 (3) require that licensees in that state maintain continuing  
40 competence standards as part of their state practice act or rules;

41 (4) have a mechanism in place for receiving and investigating  
42 complaints about licensees;

43 (5) grant the compact privilege to a licensee who meets all the  
44 requirements outlined in Article IV in accordance with the terms of  
45 the compact and any rules promulgated thereunder;

46 (6) participate fully in the compact commission’s data system,  
47 including using the unique identifier as defined in rules;

1 (7) notify the compact commission, in compliance with the terms  
2 of the compact and rules, of any adverse action or the availability of  
3 current significant investigative information regarding a licensee;

4 (8) within a timeframe established by rule, implement or utilize  
5 procedures for considering the criminal history records of applicants  
6 for a compact qualifying license which includes receiving the results  
7 of the Federal Bureau of Investigation record search and shall use  
8 those results in making licensure decisions. These procedures shall  
9 include the submission of fingerprints or other biometric-based  
10 information by applicants for the purpose of obtaining an applicant's  
11 criminal history record information from the Federal Bureau of  
12 Investigation and the State Bureau of Identification in the Division  
13 of State Police;

14 (a) a member state shall fully implement a criminal background  
15 check requirement in order to participate in the issuance and  
16 acceptance of compact privileges.

17 (b) communication between a member state and the compact  
18 commission or among member states regarding the verification of  
19 eligibility for licensure through the compact shall not include any  
20 information received from the Federal Bureau of Investigation  
21 relating to a federal criminal records check performed by a member  
22 state; and

23 (9) comply with and enforce the rules of the compact  
24 commission.

25 b. Member states may set and collect a fee for issuance and  
26 renewal of a compact privilege to applicants.

27 c. Individuals without a compact qualifying license shall  
28 continue to be able to apply for a member state's single-state license  
29 as provided under the laws of each member state.

30 d. Nothing in this compact shall affect the requirements  
31 established by a member state for the issuance of a single state  
32 license.

33 e. A compact qualifying license shall be recognized by each  
34 remote state as authorizing that licensee to engage in the practice of  
35 athletic training, under a compact privilege, in another member state  
36 in accordance with the requirements in Article IV.

#### 37 38 ARTICLE IV: Multistate License Eligibility 39

40 a. To be eligible for a compact privilege under the terms and  
41 provisions of the compact, the licensee shall complete a criminal  
42 background check performed by the licensing authority in the state  
43 of qualifying licensure prior to entry in the compact and shall:

44 (1) satisfy one of the following two pathways:

45 (a) hold a valid current active certification through the BOC, or  
46 its successor organization;

47 (b) if a licensee does not meet the requirements of subparagraph  
48 (a) of this paragraph, the following shall be completed:

- 1 (i) a bachelor's degree with a major course of study in athletic  
2 training, or an equivalent course of study from a college or university  
3 accredited at the time of graduation by CAATE, or its successor  
4 organization;
- 5 (ii) an academic degree from a college or university in a foreign  
6 country equivalent to the degree of subsubparagraph (i) of  
7 subparagraph (b) of paragraph (1) of this subsection with a major  
8 course of study as described in subsubparagraph (i) that is accredited  
9 by CAATE, or its successor organization; or
- 10 (iii) the substantial equivalent of subsubparagraphs (i) or (ii) of  
11 subparagraph (b) of paragraph (1) of this subsection, which the  
12 commission may determine by rule;
- 13 (2) successfully complete the exam administered by the BOC, or  
14 its successor organization, preceding the date of the licensee's  
15 application for licensure in their state of qualifying licensure or the  
16 substantial equivalent of the foregoing requirement which the  
17 commission may determine by rule;
- 18 (3) hold a compact qualifying license;
- 19 (4) have had no encumbrance against any license or compact  
20 privilege to practice athletic training within the previous two years;
- 21 (5) be eligible for a compact privilege in any member state in  
22 accordance with this article;
- 23 (6) notify the compact commission that the licensee is seeking the  
24 compact privilege within a remote state or various remote states;
- 25 (7) pay any applicable fees, including any state fee, for the  
26 compact privilege;
- 27 (8) meet only the continuing competence requirements  
28 established by the state of qualifying licensure;
- 29 (9) comply with any requirements of the state of qualifying  
30 licensure as set forth in Article III;
- 31 (10) meet any jurisprudence requirements established by the  
32 remote state or states in which the licensee is seeking a compact  
33 privilege; and
- 34 (11) report to the compact commission any adverse action,  
35 encumbrance, or restriction on a license taken by any non-member  
36 state within 30 days from the date the action is taken.
- 37 b. The compact privilege is valid until the expiration date of the  
38 compact qualifying license. To maintain a compact privilege,  
39 renewal of the compact privilege shall be congruent with the renewal  
40 of the compact qualifying license as the compact commission may  
41 define by rule. The licensee shall comply with the requirements of  
42 this article to maintain the compact privilege in the remote state. A  
43 licensee may apply for and hold compact privileges in multiple  
44 member states.
- 45 c. A licensed athletic trainer shall follow the scope of practice  
46 of the member state where the patient is located. A licensee engaging  
47 in the practice of athletic training in a remote state under the compact  
48 privilege shall adhere to the scope of practice laws and regulations of

1 the remote state. Licensees shall be responsible for educating  
2 themselves on, and complying with, any and all scope of practice  
3 laws and regulations relating to the remote practice of athletic  
4 training, as applicable.

5 d. A licensee engaging in the practice of athletic training in a  
6 remote state is subject to that state's regulatory authority. A remote  
7 state may, in accordance with due process and that state's laws,  
8 remove a licensee's compact privilege in the remote state for a  
9 specific period of time, impose fines, or take any other necessary  
10 actions to protect the health and safety of its citizens. Any member  
11 state which undertakes this action shall promptly notify the member  
12 state and the commission as specified in the rules. The licensee may  
13 be deemed to be ineligible to exercise the compact privilege by any  
14 member state until the specific time for removal has passed and all  
15 fines are paid.

16 e. All member state disciplinary orders that impose adverse  
17 action against a compact qualifying license shall result in  
18 deactivation of the licensee's compact privilege in all member states  
19 during the pendency of the order. If a compact qualifying license is  
20 encumbered, the licensee shall lose the compact privilege in any  
21 remote state until the following occur:

22 (1) the compact qualifying license is no longer encumbered; and

23 (2) the licensee has not had any encumbrance or restriction  
24 against any license, compact qualifying license or compact privilege  
25 within the previous two years.

26 f. Once an encumbered license is restored to good standing as a  
27 compact qualifying license, as certified by the licensing authority, the  
28 licensee shall meet the requirements of this article to obtain a  
29 compact privilege in any remote state.

30 g. If a licensee's compact privilege in any remote state is  
31 removed, that licensee may also lose the compact privilege in other  
32 remote states, as each member state shall determine in its sole  
33 authority, until the following occur:

34 (1) the specific period of time for which the compact privilege  
35 was removed has ended;

36 (2) all fines have been paid; and

37 (3) have not had any encumbrance or restriction against any  
38 license or compact privilege within the previous two years.

39 h. Once the requirements of subsection g. of this article have  
40 been met, the licensee shall meet the requirements in subsection a. of  
41 this article to obtain a compact privilege in a remote state.

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#### 43 ARTICLE V: Qualifying License

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45 a. A licensee may only designate one license as their compact  
46 qualifying license at a time. The procedures for this designation may  
47 be further defined by compact commission rule.

1       b. Nothing in this article shall require that the state of qualifying  
2 licensure be the state of primary residence or state of primary practice  
3 for the licensee.

4       c. Nothing in this compact shall interfere with a licensee's  
5 ability to hold a single state license in multiple states.

6       d. Nothing in this compact shall affect the requirements  
7 established by a member state for the issuance of a single state  
8 license.

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10           ARTICLE VI: Active Military Members and Spouses

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12       An active military member or their spouse shall not be required to  
13 pay a fee to the commission for a compact privilege. If a member  
14 state chooses to charge a member state fee, it may choose to charge  
15 a reduced fee or no fee to an active military member or their spouse  
16 for a compact privilege.

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18           ARTICLE VII: Adverse Actions

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20       a. A member state in which a licensee is issued a compact  
21 qualifying license shall have the exclusive authority to impose  
22 adverse action against the compact qualifying license issued by that  
23 member state.

24       b. A member state may take adverse action based on current  
25 significant investigative information of a remote state, so long as the  
26 member state follows its own procedures for imposing adverse  
27 action.

28       c. Nothing in this compact shall override a member state's  
29 decision that participation in an alternative program may be used in  
30 lieu of adverse action and that the participation shall remain non-  
31 public if required by the member state's laws or rules.

32       d. A remote state shall have the authority to:

33       (1) take adverse actions as set forth herein against a licensee's  
34 compact privilege in that state; and

35       (2) issue subpoenas for both hearings and investigations that  
36 require the attendance and testimony of witnesses as well as the  
37 production of evidence.

38       (a) Subpoenas may be issued by a member state athletic training  
39 licensing authority for the attendance and testimony of witnesses and  
40 the production of evidence.

41       (b) A member state which issues a subpoena may request service  
42 of that subpoena by another member state. The member state  
43 receiving the request to serve a subpoena shall serve the subpoena if  
44 it is deemed enforceable by a court of competent jurisdiction  
45 according to the practice and procedure in the receiving member  
46 state.

1 (c) The issuing authority shall pay any witness fees, travel  
2 expenses, mileage, and other fees required by the service statutes of  
3 the state where the witnesses or evidence are located.

4 e. For purposes of taking adverse action, a member state shall  
5 give the same priority and effect to reported conduct received from  
6 another member state as it would if the conduct had occurred within  
7 that state. In so doing, the investigating member state shall apply its  
8 own state laws to determine appropriate action.

9 f. A member state, if otherwise permitted by state law, may  
10 recover from the affected licensee the costs of investigations and  
11 dispositions of cases resulting from any adverse action taken against  
12 that licensee.

13 g. (1) In addition to the authority granted to a member state by  
14 its respective state law, any member state may participate with other  
15 member states in joint investigations of licensees.

16 (2) Member States shall share any current significant  
17 investigative information, litigation, or compliance materials in  
18 furtherance of any joint or individual investigation initiated under the  
19 compact. In sharing this information between member state athletic  
20 trainer licensing authorities, all information obtained shall be kept  
21 confidential, except as otherwise mutually agreed upon by the  
22 sharing and receiving member states.

23 (3) A remote state may issue subpoenas on behalf of a member  
24 state for both hearings and investigations that require the attendance  
25 and testimony of witnesses as well as the production of evidence.

26 h. If a member state takes adverse action, it shall promptly notify  
27 the administrator of the data system. The administrator of the data  
28 system shall promptly notify all member states of any adverse actions  
29 by remote states.

30 i. Nothing in this compact may permit a member state to take  
31 any adverse action against a licensee or holder of a compact privilege  
32 for conduct or practice occurring in another member state that was  
33 legal in the member state at the time it was undertaken.

34  
35 ARTICLE VIII: Establishment and Operation of the  
36 Commission  
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38 a. The compact member states hereby create and establish a joint  
39 government agency whose membership consists of all member states  
40 that have enacted the compact known as the Athletic Trainer  
41 Licensure Compact Commission. The compact commission is an  
42 instrumentality of the member states acting jointly and not an  
43 instrumentality of any one state. The compact commission shall  
44 come into existence on or after the effective date of the compact as  
45 set forth in Article XII.

46 b. (1) Each member state shall have and be limited to one  
47 commissioner selected by that member state's licensing authority  
48 within 60 days of the member state's effective date.

1 (2) The commissioner shall be an administrator or their  
2 designated staff or current board member of the licensing authority.

3 (3) The compact commission may recommend removal or  
4 suspension of any commissioner from office.

5 (4) A member state's licensing authority shall fill any vacancy of  
6 its commissioner occurring on the compact commission within 60  
7 days of the vacancy.

8 (5) Each commissioner shall be entitled to one vote on all matters  
9 before the compact commission requiring a vote by the  
10 commissioners.

11 (6) The compact commission shall meet at least once during each  
12 calendar year. Additional meetings may be held as set forth in the  
13 commission bylaws. A commissioner shall vote in person or by other  
14 means as provided in the bylaws. The bylaws may provide for  
15 commissioners to meet by telecommunication, videoconference, or  
16 other means of communication.

17 c. The compact commission shall have the following powers:

18 (1) promulgate, adopt, and amend rules and bylaws;

19 (2) establish code of conduct, confidentiality, and conflict of  
20 interest policies for commissioners;

21 (3) establish the fiscal year of the compact commission;

22 (4) maintain its financial records in accordance with the bylaws;

23 (5) purchase and maintain insurance and insurance bonds;

24 (6) accept, or contract for services of personnel, including, but  
25 not limited to, employees of a member state;

26 (7) conduct a financial review or audit;

27 (8) hire employees, elect or appoint officers, fix compensation,  
28 define duties, grant the individuals appropriate authority to carry out  
29 the purposes of the compact, and establish the compact commission's  
30 personnel policies and programs relating to conflicts of interest,  
31 qualifications of personnel, and other related personnel matters;

32 (9) enter into contracts or arrangements for the management of  
33 the affairs of the commission;

34 (10) assess and collect fees;

35 (11) accept any and all appropriate gifts, donations, grants  
36 of money, other sources of revenue, equipment, supplies, materials,  
37 and services, and receive, utilize, and dispose of the same; provided  
38 that at all times the compact commission shall avoid any appearance  
39 of impropriety or conflict of interest;

40 (12) lease, purchase, retain, own, hold, improve, invest, or use  
41 any property, real, personal, or mixed, or any undivided interest  
42 therein;

43 (13) sell, convey, mortgage, pledge, lease, exchange, abandon, or  
44 otherwise dispose of any property real, personal, or mixed;

45 (14) establish a budget and make expenditures;

46 (15) borrow and invest money;

- 1 (16) meet and take any actions as are consistent with the  
2 provisions of this compact, the compact commission's rules, and the  
3 bylaws;
- 4 (17) initiate and conclude legal proceedings or actions in the name  
5 of the compact commission, provided that the standing of any  
6 licensing authority to sue or be sued under applicable law shall not  
7 be affected;
- 8 (18) maintain and certify records and information provided to a  
9 member state as the authenticated business records of the compact  
10 commission, and designate an agent to do so on the compact  
11 commission's behalf;
- 12 (19) provide and receive information from, and cooperate with,  
13 law enforcement agencies;
- 14 (20) determine whether a state's adopted language is materially  
15 different from the model compact language so that the state would  
16 not qualify for participation in the compact;
- 17 (21) establish and elect an executive committee, including a chair  
18 and a vice chair, secretary, treasurer, and other offices as the  
19 commission shall establish by rule or bylaw;
- 20 (22) appoint committees, including standing committees,  
21 composed of member state commissioners, state regulators, state  
22 legislators or their representatives, and consumer representatives,  
23 and any other interested persons as may be designated in this compact  
24 and the bylaws; and
- 25 (23) perform other functions as may be necessary or appropriate  
26 to achieve the purposes of this compact.
- 27 d. (1) The executive committee shall have the power to act  
28 on behalf of the compact commission according to the terms of this  
29 compact. The powers, duties, and responsibilities of the executive  
30 committee shall include:
- 31 (a) exercise the powers and duties of the compact commission  
32 during the interim between compact commission meetings, except for  
33 adopting or amending rules, adopting or amending bylaws, and  
34 exercising any other powers and duties expressly reserved to the  
35 compact commission by rule or bylaw;
- 36 (b) oversee the day-to-day activities of the administration of the  
37 compact including enforcement and compliance with the provisions  
38 of the compact, its rules and bylaws, and other duties as deemed  
39 necessary;
- 40 (c) recommend to the compact commission changes to the rules  
41 or bylaws, changes to this compact legislation, fees charged to  
42 compact member states, fees charged to licensees, and other fees;
- 43 (d) ensure compact administration services are appropriately  
44 provided, including by contract;
- 45 (e) prepare and recommend the budget;
- 46 (f) maintain financial records on behalf of the compact  
47 commission;

- 1 (g) monitor compact compliance of member states and provide  
2 compliance reports to the compact commission;
- 3 (h) establish additional committees as necessary; and
- 4 (i) other duties as provided in the rules or bylaws of the compact  
5 commission.
- 6 (2) The executive committee shall be composed of five voting  
7 members, elected by the compact commission:
- 8 (a) The chair and vice chair of the compact commission, shall be  
9 voting members of the executive committee;
- 10 (b) The compact commission shall elect up to three additional  
11 voting members from the current membership of the compact  
12 commission to include the offices of treasurer, secretary, and one  
13 member-at-large; and
- 14 (c) up to four ex-officio, nonvoting members from recognized  
15 national athletic trainer organizations.
- 16 (3) The compact commission may remove any member of the  
17 executive committee as provided in the compact commission's  
18 bylaws.
- 19 (4) The executive committee shall meet at least annually.
- 20 (a) Executive committee meetings shall be open to the public,  
21 except that the executive committee may meet in a closed, non-public  
22 meeting as provided in this article;
- 23 (b) The executive committee shall give advance notice of its  
24 meetings, posted on its website and as determined by rule or bylaw  
25 to provide notice to persons with an interest in the business of the  
26 compact commission;
- 27 (c) The executive committee may hold a special meeting in  
28 accordance with this article.
- 29 e. The compact commission shall adopt and provide to the member  
30 states an annual report.
- 31 f. (1) All meetings shall be open to the public, except that the  
32 compact commission may meet in a closed, non-public meeting as  
33 provided in this article.
- 34 (2) Public notice for all meetings of the full compact commission  
35 of meetings shall be given in the same manner as required under the  
36 rulemaking provisions in this compact, except that the compact  
37 commission may hold a special meeting as provided in this article.
- 38 (3) The compact commission may hold a special meeting when it  
39 shall meet to conduct emergency business by giving 24-hours' notice  
40 to all commissioners, on the compact commission's website, and  
41 other means as provided in the compact commission's rules. The  
42 compact commission's legal counsel shall certify that the compact  
43 commission's need to meet qualifies as an emergency.
- 44 (4) The compact commission or the executive committee or other  
45 committees of the compact commission may convene in a closed,  
46 non-public meeting for the compact commission or executive  
47 committee or other committees of the compact commission to receive  
48 legal advice or to discuss:

- 1 (a) non-compliance of a member state with its obligations under
- 2 the compact;
- 3 (b) the employment, compensation, discipline or other matters,
- 4 practices or procedures related to specific employees;
- 5 (c) current or threatened discipline of a licensee by a member
- 6 state's licensing authority;
- 7 (d) current, threatened, or reasonably anticipated litigation;
- 8 (e) negotiation of contracts for the purchase, lease, or sale of
- 9 goods, services, or real estate;
- 10 (f) accusing any person of a crime or formally censuring any
- 11 person;
- 12 (g) trade secrets or commercial or financial information that is
- 13 privileged or confidential;
- 14 (h) information of a personal nature where disclosure would
- 15 constitute a clearly unwarranted invasion of personal privacy;
- 16 (i) investigative records compiled for law enforcement purposes;
- 17 (j) information related to any investigative reports prepared by
- 18 or on behalf of or for use of the compact commission or other
- 19 committee charged with responsibility of investigation or
- 20 determination of compliance issues pursuant to the compact;
- 21 (k) matters specifically exempted from disclosure by federal or
- 22 member state law; or
- 23 (l) other matters as specified in rules of the compact commission.
- 24 (5) If a meeting, or portion of a meeting, is closed, the compact
- 25 commission's legal counsel or designee shall certify that the meeting
- 26 will be closed and reference each relevant exempting provision, and
- 27 the reference shall be recorded in the minutes. All minutes and
- 28 documents of a closed meeting shall remain under seal, subject to
- 29 release only by a majority vote of the compact commission or order
- 30 of a court of competent jurisdiction.
- 31 g. (1) The compact commission shall pay, or provide for the
- 32 payment of, the reasonable expenses of its establishment,
- 33 organization, and ongoing activities.
- 34 (2) The compact commission may accept any and all appropriate
- 35 revenue sources as provided in this article.
- 36 (3) The compact commission may levy on and collect an annual
- 37 assessment from each member state and impose fees on licensees of
- 38 member states to whom it grants a compact privilege to cover the cost
- 39 of the operations and activities of the compact commission and its
- 40 staff, which shall be in a total amount sufficient to cover its annual
- 41 budget as approved each year for which revenue is not provided by
- 42 other sources. The aggregate annual assessment amount for member
- 43 states shall be allocated based upon a formula that the compact
- 44 commission shall promulgate by rule.
- 45 (4) The compact commission shall not incur obligations of any
- 46 kind prior to securing the funds or a loan adequate to meet the same;
- 47 nor shall the compact commission pledge the credit of any of the
- 48 member states, except by and with the authority of the member state.

1       (5) The compact commission shall keep accurate accounts of all  
2 receipts and disbursements. The receipts and disbursements of the  
3 compact commission shall be subject to the financial review or audit  
4 and accounting procedures established under its bylaws. However,  
5 all receipts and disbursements of funds handled by the compact  
6 commission shall be subject to an annual financial review or audit by  
7 a certified or licensed public accountant, and the report of the  
8 financial review or audit shall be included in and become part of the  
9 annual report of the compact commission.

10       h. (1) The members, officers, executive director, employees and  
11 representatives of the compact commission shall be immune from  
12 suit and liability, both personally and in their official capacity, for  
13 any claim for damage to or loss of property or personal injury or other  
14 civil liability caused by or arising out of any actual or alleged act,  
15 error, or omission that occurred, or that the person against whom the  
16 claim is made had a reasonable basis for believing occurred within  
17 the scope of compact commission employment, duties or  
18 responsibilities; provided that nothing in this paragraph shall be  
19 construed to protect any such person from suit or liability for any  
20 damage, loss, injury, or liability caused by the intentional or willful  
21 or wanton misconduct of that person. The procurement of insurance  
22 of any type by the compact commission shall not in any way  
23 compromise or limit the immunity granted hereunder.

24       (2) The compact commission shall defend any member, officer,  
25 executive director, employee, and representative of the compact  
26 commission in any civil action seeking to impose liability arising out  
27 of any actual or alleged act, error, or omission that occurred within  
28 the scope of compact commission employment, duties, or  
29 responsibilities, or as determined by the compact commission that the  
30 person against whom the claim is made had a reasonable basis for  
31 believing occurred within the scope of compact commission  
32 employment, duties, or responsibilities; provided that nothing herein  
33 shall be construed to prohibit that person from retaining their own  
34 counsel at their own expense; and provided further, that the actual or  
35 alleged act, error, or omission did not result from that person's  
36 intentional or willful or wanton misconduct.

37       (3) The compact commission shall indemnify and hold harmless  
38 any member, officer, executive director, employee, and  
39 representative of the compact commission for the amount of any  
40 settlement or judgment obtained against that person arising out of any  
41 actual or alleged act, error, or omission that occurred within the scope  
42 of compact commission employment, duties, or responsibilities, or  
43 that the person had a reasonable basis for believing occurred within  
44 the scope of compact commission employment, duties, or  
45 responsibilities, provided that the actual or alleged act, error, or  
46 omission did not result from the intentional or willful or wanton  
47 misconduct of that person.

1 (4) Nothing herein shall be construed as a limitation on the  
2 liability of any licensee for professional malpractice or misconduct,  
3 which shall be governed solely by any other applicable state laws.

4 (5) Nothing in this compact shall be interpreted to waive or  
5 otherwise abrogate a member state's state action immunity or state  
6 action affirmative defense with respect to antitrust claims under the  
7 Sherman Act of 1890 (15 U.S.C. s.1 et seq.), the Clayton Antitrust  
8 Act of 1914 (15 U.S.C. s.12 et al.), or any other state or federal  
9 antitrust or anticompetitive law or regulation.

10 (6) Nothing in this compact shall be construed to be a waiver of  
11 sovereign immunity by the member states or by the compact  
12 commission.

13  
14 ARTICLE IX: Data System  
15

16 a. The commission shall provide for the development,  
17 maintenance, operation, and utilization of a coordinated data system  
18 and reporting system containing licensure, compact privileges,  
19 adverse action, and the presence of current significant investigative  
20 information on all licensees and applicants for a license in member  
21 states.

22 b. Notwithstanding any other provision of state law to the  
23 contrary, a member state shall submit a uniform data set to the data  
24 system on all licensees, applicants, and others to whom this compact  
25 is applicable as required by the rules of the compact commission,  
26 including:

27 (1) personally identifying information;

28 (2) licensure data;

29 (3) adverse actions against a licensee, license applicant or  
30 compact privilege and information related thereto;

31 (4) non-confidential information related to alternative program  
32 participation, the beginning and ending dates of the participation, and  
33 other information related to the participation;

34 (5) any denial of an application for licensure, and the reasons for  
35 the denial, excluding the reporting of any criminal history record  
36 information where prohibited by law;

37 (6) a binary determination regarding the presence of current  
38 significant investigative information; and

39 (7) other information that may facilitate the administration of this  
40 compact or the protection of the public, as determined by the rules of  
41 the commission.

42 c. The records and information provided to a member state  
43 pursuant to this compact or through the data system, when certified  
44 by the commission or an agent thereof, shall constitute the  
45 authenticated business records of the commission, and shall be  
46 entitled to any associated hearsay exception in any relevant judicial,  
47 quasi-judicial or administrative proceedings in a member state.

1 d. Current significant investigative information pertaining to a  
2 licensee in any member state will only be available to other member  
3 states.

4 e. It is the responsibility of the member states to monitor the data  
5 system to determine whether adverse action has been taken against a  
6 licensee or license applicant. Adverse action information pertaining  
7 to a licensee or license applicant in any member state will be  
8 available to any other member state.

9 f. Member states contributing information to the data system  
10 may designate information that may not be shared with the public  
11 without the express permission of the contributing state.

12 g. Any information submitted to the data system that is  
13 subsequently expunged pursuant to federal law or the laws of the  
14 member state contributing the information shall be removed from the  
15 data system.

16

17 ARTICLE X: Rulemaking

18

19 a. The compact commission shall promulgate reasonable rules  
20 in order to effectively and efficiently implement and administer the  
21 purposes and provisions of the compact. A rule shall be invalid and  
22 have no force or effect only if a court of competent jurisdiction holds  
23 that the rule is invalid because the compact commission exercised its  
24 rulemaking authority in a manner that is beyond the scope and  
25 purposes of the compact, or the powers granted hereunder, or based  
26 upon another applicable standard of review.

27 b. The rules of the compact commission shall have the force of  
28 law in each member state, provided however that where the rules  
29 conflict with the laws or regulations of a member state that relate to  
30 the scope of practice a licensed athletic trainer is permitted to  
31 undertake in that state and the circumstances under which they may  
32 do so, as held by a court of competent jurisdiction, the rules of the  
33 compact commission shall be ineffective in that state to the extent of  
34 the conflict.

35 c. The compact commission shall exercise its rulemaking  
36 powers pursuant to the criteria set forth in this section and the rules  
37 adopted thereunder. Rules of this compact shall become binding on  
38 the day following adoption or as of the date specified in the rule or  
39 amendment, whichever is later.

40 d. If a majority of the legislatures of the member states rejects a  
41 rule or portion of a rule, by enactment of a statute or resolution in the  
42 same manner used to adopt the compact within four years of the date  
43 of adoption of the rule, then the rule shall have no further force and  
44 effect in any member state.

45 e. Rules shall be adopted at a regular or special meeting of the  
46 compact commission.

47 f. Prior to adoption of a proposed rule, the compact commission  
48 shall hold a public hearing and allow persons to provide oral and

1 written comments, data, facts, opinions, and arguments. At least 30  
2 days in advance of the public hearing on the proposed rule, the  
3 compact commission shall provide a notice of proposed rulemaking:

4 (1) on the website of the compact commission or other publicly  
5 accessible platform;

6 (2) to persons who have requested notice of the compact  
7 commission's notices of proposed rulemaking; and

8 (3) in other ways as the compact commission may by rule specify.

9 g. The notice of proposed rulemaking shall include:

10 (1) the time, date, and location of the public hearing at which the  
11 compact commission will hear public comments on the proposed rule  
12 and, if different, the time, date, and location of the meeting where the  
13 compact commission will consider and vote on the proposed rule;

14 (2) if the hearing is held via telecommunication, video  
15 conference, or other electronic means, the compact commission shall  
16 include the mechanism for access to the hearing in the notice of  
17 proposed rulemaking;

18 (3) the text of the proposed rule and the reason therefor;

19 (4) a request for comments on the proposed Rule from any  
20 interested person; and

21 (5) the manner in which interested persons may submit written  
22 comments.

23 h. All hearings will be recorded. A copy of the recording and all  
24 written comments and documents received by the compact  
25 commission in response to the proposed rule shall be available to the  
26 public.

27 i. Nothing in this section shall be construed as requiring a  
28 separate hearing on each rule. Rules may be grouped for the  
29 convenience of the compact commission at hearings required by this  
30 article.

31 j. The compact commission shall, by majority vote of all  
32 members, take final action on the proposed rule based on the  
33 rulemaking record and the full text of the rule.

34 (1) The compact commission may adopt changes to the proposed  
35 rule provided the changes do not enlarge the original purpose of the  
36 proposed rule.

37 (2) The compact commission shall provide an explanation of the  
38 reasons for substantive changes made to the proposed rule as well as  
39 reasons for substantive changes not made that were recommended by  
40 commenters.

41 (3) The compact commission shall determine a reasonable  
42 effective date for the rule. Except for an emergency as provided in  
43 this article, the effective date of the rule shall be no sooner than 30  
44 days after issuing the notice that it adopted or amended the rule.

45 k. Upon determination that an emergency exists, the compact  
46 commission may consider and adopt an emergency rule with 24  
47 hours' notice, with opportunity to comment, provided that the usual  
48 rulemaking procedures provided in the compact and in this article

1 shall be retroactively applied to the rule as soon as reasonably  
2 possible, in no event later than ninety days after the effective date of  
3 the rule. For the purposes of this provision, an emergency rule is one  
4 that shall be adopted immediately in order to:

5 (1) meet an imminent threat to public health, safety, or welfare;

6 (2) prevent a loss of compact commission or member state funds;

7 (3) meet a deadline for the promulgation of a rule that is  
8 established by federal law or rule; or

9 (4) protect public health and safety.

10 1. The compact commission or an authorized committee of the  
11 compact commission may direct revisions to a previously adopted  
12 rule for purposes of correcting typographical errors, errors in format,  
13 errors in consistency, or grammatical errors. Public notice of any  
14 revisions shall be posted on the website of the compact commission.  
15 The revision shall be subject to challenge by any person for a period  
16 of 30 days after posting. The revision may be challenged only on  
17 grounds that the revision results in a material change to a rule. A  
18 challenge shall be made in writing and delivered to the compact  
19 commission prior to the end of the notice period. If no challenge is  
20 made, the revision will take effect without further action. If the  
21 revision is challenged, the revision may not take effect without the  
22 approval of the compact commission.

23 m. No member state's rulemaking requirements shall apply under  
24 this compact.

## 25 26 ARTICLE XI: Oversight, Dispute Resolution, and 27 Enforcement 28

29 a. (1) The executive and judicial branches of state government in  
30 each member state shall enforce this compact and take all actions  
31 necessary and appropriate to implement the compact.

32 (2) Except as otherwise provided in this compact, venue is proper  
33 and judicial proceedings by or against the compact commission shall  
34 be brought solely and exclusively in a court of competent jurisdiction  
35 where the principal office of the compact commission is located. The  
36 compact commission may waive venue and jurisdictional defenses to  
37 the extent it adopts or consents to participate in alternative dispute  
38 resolution proceedings. Nothing herein shall affect or limit the  
39 selection or propriety of venue in any action against a licensee for  
40 professional malpractice, misconduct or any other similar matter.

41 (3) The compact commission shall be entitled to receive service  
42 of process in any proceeding regarding the enforcement or  
43 interpretation of the compact and shall have standing to intervene in  
44 the proceeding for all purposes. Failure to provide the compact  
45 commission service of process shall render a judgment or order void  
46 as to the compact commission, this compact, or promulgated rules.

47 b. (1) If the compact commission determines that a member state  
48 has defaulted in the performance of its obligations or responsibilities

1 under this compact or the promulgated rules, the commission shall  
2 provide written notice to the defaulting state. The notice of default  
3 shall describe the default, the proposed means of curing the default,  
4 and any other action that the compact commission may take, and shall  
5 offer training and specific technical assistance regarding the default.

6 (2) The compact commission shall provide a copy of the notice of  
7 default to the other member states.

8 c. If a state in default fails to cure the default, the defaulting state  
9 may be terminated from the compact upon an affirmative vote of a  
10 majority of the commissioners of the member states, and all rights,  
11 privileges and benefits conferred on that state by this compact may  
12 be terminated on the effective date of termination. A cure of the  
13 default does not relieve the offending state of obligations or liabilities  
14 incurred during the period of default.

15 d. Termination of membership in the compact shall be imposed  
16 only after all other means of securing compliance have been  
17 exhausted. Notice of intent to suspend or terminate shall be given by  
18 the compact commission to the governor, the majority and minority  
19 leaders of the defaulting state's legislature, the defaulting state's  
20 licensing authority and each of the member states' licensing  
21 authority.

22 e. A state that has been terminated is responsible for all  
23 assessments, obligations, and liabilities incurred through the  
24 effective date of termination, including obligations that extend  
25 beyond the effective date of termination.

26 f. Upon the termination of a state's membership from this  
27 compact, that state shall immediately provide notice to all licensees  
28 within that state of the termination. The terminated state shall  
29 continue to recognize all licenses and compact privileges granted  
30 pursuant to this compact for a minimum of 180 days after the date of  
31 the notice of termination.

32 g. The compact commission shall not bear any costs related to a  
33 state that is found to be in default or that has been terminated from  
34 the compact, unless agreed upon in writing between the compact  
35 commission and the defaulting state.

36 h. The defaulting state may appeal the action of the compact  
37 commission by petitioning the U.S. District Court for the District of  
38 Columbia or the federal district where the compact commission has  
39 its principal offices. The prevailing party shall be awarded all costs  
40 of the litigation, including reasonable attorney's fees.

41 i. (1) Upon request by a member state, the compact commission  
42 shall attempt to resolve disputes related to the compact that arise  
43 among member states and between member and non-member states.

44 (2) The compact commission shall promulgate a rule providing  
45 for both mediation and binding dispute resolution for disputes as  
46 appropriate.

47 j. (1) By two-thirds majority vote, the compact commission  
48 may initiate legal action against a member state in default in the

1 United States District Court for the District of Columbia or the  
2 federal district where the compact commission has its principal  
3 offices to enforce compliance with the provisions of the compact and  
4 its promulgated rules. The relief sought may include both injunctive  
5 relief and damages. In the event judicial enforcement is necessary,  
6 the prevailing party shall be awarded all costs of the litigation,  
7 including reasonable attorney's fees. The remedies herein shall not  
8 be the exclusive remedies of the compact commission. The compact  
9 commission may pursue any other remedies available under federal  
10 or the defaulting member state's law.

11 (2) A member state may initiate legal action against the compact  
12 commission in the U.S. District Court for the District of Columbia or  
13 the federal district where the compact commission has its principal  
14 offices to enforce compliance with the provisions of the compact and  
15 its promulgated rules. The relief sought may include both injunctive  
16 relief and damages. In the event judicial enforcement is necessary,  
17 the prevailing party shall be awarded all costs of the litigation,  
18 including reasonable attorney's fees.

19 (3) No person other than a member state shall enforce this  
20 compact against the compact commission.

21

22 ARTICLE XII: Effective date, withdrawal, and amendment

23

24 a. The compact shall come into effect on the date on which the  
25 compact statute is enacted into law in the seventh member state.

26 (1) On or after the effective date of the compact, the compact  
27 commission shall convene and review the enactment of each of the  
28 first seven member states ("charter member states") to determine if  
29 the statute enacted and made effective by each charter member state  
30 is materially different than the model compact statute.

31 (a) A charter member state whose enactment is found to be  
32 materially different from the model compact language shall be  
33 entitled to the default process set forth in Article XI.

34 (b) If any member state is later found to be in default, or is  
35 terminated or withdraws from the compact, the compact commission  
36 shall remain in existence and the compact shall remain in effect even  
37 if the number of member states should be less than seven.

38 (2) Member states enacting the compact subsequent to the seven  
39 initial charter member states shall be subject to the process set forth  
40 in this article to determine if their enactments are materially different  
41 from the model compact statute and whether they qualify for  
42 participation in the compact.

43 (3) All actions taken for the benefit of the compact commission  
44 or in furtherance of the purposes of the administration of the compact  
45 prior to the effective date of the compact or the compact commission  
46 coming into existence shall be considered to be actions of the  
47 compact commission unless specifically repudiated by the compact  
48 commission.

1 (4) Any state that joins the compact subsequent to the compact  
2 commission's initial adoption of the rules and bylaws shall be subject  
3 to the rules and bylaws as they exist on the date on which the compact  
4 becomes law in that state. Any rule that has been previously adopted  
5 by the compact commission shall have the full force and effect of law  
6 on the day the compact becomes law in that state.

7 b. Any member state may withdraw from this compact by  
8 enacting a statute repealing the same.

9 (1) A member state's withdrawal shall not take effect until 180  
10 days after enactment of the repealing statute.

11 (2) Withdrawal shall not affect the continuing requirement of the  
12 withdrawing state's licensing authority to comply with the  
13 investigative and adverse action reporting requirements of this  
14 compact prior to the effective date of withdrawal.

15 (3) Upon the enactment of a statute withdrawing from this  
16 compact, a state shall immediately provide notice of the withdrawal  
17 to all licensees and privilege holders within that state.  
18 Notwithstanding any subsequent statutory enactment to the contrary,  
19 the withdrawing state shall continue to recognize all compact  
20 privileges granted pursuant to this compact for a minimum of 180  
21 days after the date of the notice of withdrawal.

22 (4) Nothing contained in this compact shall be construed to  
23 invalidate or prevent any licensure agreement or other cooperative  
24 arrangement between a member state and a non-member state that  
25 does not conflict with the provisions of this compact.

26 (5) This compact may be amended by the member states. No  
27 amendment to this compact shall become effective and binding upon  
28 any member state until it is enacted into the laws of all member states.

#### 30 ARTICLE XIII: Construction and Severability

31  
32 a. This compact and the compact commission's rulemaking  
33 authority shall be liberally construed so as to effectuate the purposes,  
34 and the implementation and administration of the compact.  
35 Provisions of the compact expressly authorizing or requiring the  
36 promulgation of rules shall not be construed to limit the compact  
37 commission's rulemaking authority solely for those purposes.

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

47 c. Notwithstanding the foregoing, the compact commission may  
48 deny a state's participation in the compact or terminate a member

1 state's participation in the compact if it determines that a  
2 constitutional requirement of a member state is a material departure  
3 from the compact. Otherwise, if this compact shall be held to be  
4 contrary to the constitution of any member state, the compact shall  
5 remain in full force and effect as to the remaining member states and  
6 in full force and effect as to the member state affected as to all  
7 severable matters.

8  
9 ARTICLE XIV: Consistent Effect and Conflict with Other  
10 States  
11

12 a. Nothing herein shall prevent or inhibit the enforcement of any  
13 other law of a member state that is not inconsistent with the compact.

14 b. Any laws, statutes, regulations, or other legal requirements in  
15 a member state in conflict with the compact are superseded to the  
16 extent of the conflict.

17 c. All permissible agreements between the compact commission  
18 and the member states are binding in accordance with their terms.

19  
20 2. This act shall take effect immediately.  
21  
22

23 STATEMENT  
24

25 This bill will enter New Jersey into the Athletic Training  
26 Compact. The compact establishes a multistate license system in  
27 which an individual licensed as an athletic trainer needs only to  
28 obtain licensure in one state that is a party to the compact in order to  
29 practice as an athletic trainer in another member state to the compact,  
30 so long as certain requirements established under the compact are met  
31 by the individual. Under the bill, provisions are established  
32 regarding, among other items, the authority of a member state's  
33 licensing authority; how an adverse action against a multistate  
34 licensee is managed; the set-up of the Athletic Trainer Compact  
35 Commission and its Executive Committee; the collection of data on  
36 member states; and how to withdraw from the compact, if sought by  
37 a member state.  
38  
39  
40  
41

42 \_\_\_\_\_  
Enters NJ into Athletic Trainer Compact.