§3842. Definitions - Article 2

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 2021, c. 331, §1 (NEW).]

1. Adverse action. "Adverse action" means any action taken by a state psychology regulatory authority that is identified by the state psychology regulatory authority as discipline for a violation of a statute or regulation and that is a matter of public record.
[PL 2021, c. 331, §1 (NEW).]

2. Association of State and Provincial Psychology Boards. "Association of State and Provincial Psychology Boards" means the recognized membership organization composed of state and provincial psychology regulatory authorities responsible for the licensure and registration of psychologists throughout the United States and Canada.
[PL 2021, c. 331, §1 (NEW).]

3. Authority to practice interjurisdictional telepsychology. "Authority to practice interjurisdictional telepsychology" means a licensed psychologist's authority to practice telepsychology within the limits authorized under this compact in another compact state.
[PL 2021, c. 331, §1 (NEW).]

4. Bylaws. "Bylaws" means the bylaws established by the commission pursuant to section 3850 for its governance or for directing and controlling its actions and conduct.
[PL 2021, c. 331, §1 (NEW).]

5. Client. "Client" means the recipient of psychological services, whether psychological services are delivered in the context of health care, corporate, supervision or consulting services.
[PL 2021, c. 331, §1 (NEW).]

6. Commission. "Commission" means the Psychology Interjurisdictional Compact Commission established by section 3850, which is the governing body of the compact.
[PL 2021, c. 331, §1 (NEW).]

7. Commissioner. "Commissioner" means the voting representative appointed by each state psychology regulatory authority pursuant to section 3850.
[PL 2021, c. 331, §1 (NEW).]

8. Compact state. "Compact state" means a state, the District of Columbia or a United States territory that has enacted the compact and that has not withdrawn pursuant to section 3850-C, subsection 3 or has not been terminated pursuant to section 3850-B, subsection 2.
[PL 2021, c. 331, §1 (NEW).]

9. Confidential. "Confidential" means the principle that data or information is not made available or disclosed to unauthorized persons or processes.
[PL 2021, c. 331, §1 (NEW).]

10. Coordinated database. "Coordinated database" means the coordinated licensure information system described in section 3849, which is an integrated process for collecting, storing and sharing information on psychologists' licensure and enforcement activities related to psychology licensure laws.
[PL 2021, c. 331, §1 (NEW).]

11. Day. "Day" means any part of a day in which psychological services are performed.
[PL 2021, c. 331, §1 (NEW).]

12. Distant state. "Distant state" means a compact state where a psychologist is physically present, not through the use of telecommunications technologies, to provide temporary in-person, face-to-face psychological services.
[PL 2021, c. 331, §1 (NEW).]

13. E-passport. "E-passport" means a certificate issued by the Association of State and Provincial Psychology Boards that promotes the standardization in the criteria of interjurisdictional telepsychology practice and facilitates the process for licensed psychologists to provide telepsychological services across state lines.
[PL 2021, c. 331, §1 (NEW).]

14. Executive board. "Executive board" means a group of directors elected or appointed to act on behalf of, and within the powers granted to them by, the commission pursuant to section 3850, subsection 5.
[PL 2021, c. 331, §1 (NEW).]

15. Home state. "Home state" means a compact state where a psychologist is licensed to practice psychology. If the psychologist is licensed in more than one compact state and is practicing under the authority to practice interjurisdictional telepsychology, the home state is the compact state where the psychologist is physically present when the telepsychological services are delivered. If the psychologist is licensed in more than one compact state and is practicing under the temporary authorization to practice pursuant to section 3845, the home state is any compact state where the psychologist is licensed.
[PL 2021, c. 331, §1 (NEW).]

16. Identity history summary. "Identity history summary" means a summary of information retained by the Federal Bureau of Investigation or other designee with similar authority in connection with arrests and, in some instances, federal employment, naturalization or military service.
[PL 2021, c. 331, §1 (NEW).]

17. In-person, face-to-face. "In-person, face-to-face" means interactions in which the psychologist and the client are in the same physical space and does not include interactions that may occur through the use of telecommunications technologies.
[PL 2021, c. 331, §1 (NEW).]

18. Interjurisdictional practice certificate. "Interjurisdictional practice certificate" means a certificate issued by the Association of State and Provincial Psychology Boards that grants temporary authorization to practice based on notification to the state psychology regulatory authority of intention to practice temporarily and verifies the qualifications for such practice.
[PL 2021, c. 331, §1 (NEW).]

19. License. "License" means authorization by a state psychology regulatory authority to engage in the independent practice of psychology.
[PL 2021, c. 331, §1 (NEW).]

20. Non-compact state. "Non-compact state" means any state that is not a compact state.
[PL 2021, c. 331, §1 (NEW).]

21. Psychologist. "Psychologist" means an individual licensed for the independent practice of psychology.
[PL 2021, c. 331, §1 (NEW).]

22. Receiving state. "Receiving state" means a compact state where the client is physically located when telepsychological services are delivered.
[PL 2021, c. 331, §1 (NEW).]

23. Rule. "Rule" means a written statement by the commission, promulgated pursuant to section 3850-A, that is of general applicability, implements, interprets or prescribes a policy or provision of the compact or an organizational, procedural or practice requirement of the commission. A rule has the force and effect of statutory law in a compact state and includes the amendment, repeal or suspension of an existing rule.
[PL 2021, c. 331, §1 (NEW).]

24. Significant investigatory information. "Significant investigatory information" means either:

A. Investigative information that a state psychology regulatory authority, after a preliminary inquiry that includes notification and an opportunity to respond if required by state law, has reason to believe, if proven true, would indicate more than a violation of state statute or ethics code that would be considered more substantial than a minor infraction; or [PL 2021, c. 331, §1 (NEW).]

B. Investigative information that indicates that a psychologist represents an immediate threat to public health and safety regardless of whether the psychologist has been notified and had an opportunity to respond. [PL 2021, c. 331, §1 (NEW).]

[PL 2021, c. 331, §1 (NEW).]

25. State. "State" means a state, the District of Columbia or a territory of the United States.
[PL 2021, c. 331, §1 (NEW).]

26. State psychology regulatory authority. "State psychology regulatory authority" means the board, office or other agency with the legislative mandate to license and regulate the practice of psychology.
[PL 2021, c. 331, §1 (NEW).]

27. Telepsychology. "Telepsychology" means the provision of psychological services using telecommunications technologies.
[PL 2021, c. 331, §1 (NEW).]

28. Temporary authorization to practice. "Temporary authorization to practice" means a licensed psychologist's authority to provide temporary in-person, face-to-face practice within the limits authorized under this compact in another compact state.
[PL 2021, c. 331, §1 (NEW).]

29. Temporary in-person, face-to-face practice. "Temporary in-person, face-to-face practice" means the practice of psychology when a psychologist is physically present in a distant state to provide services for 30 days within a calendar year and is based on notification to the distant state. "Temporary in-person face-to-face practice" does not include the use of telecommunications technologies.
[PL 2021, c. 331, §1 (NEW).]

REVISOR'S NOTE: §3842. Telehealth services permitted (As enacted by PL 2021, c. 291, Pt. B, §11 is REALLOCATED TO TITLE 32, SECTION 3850-F)

SECTION HISTORY

PL 2021, c. 331, §1 (NEW).

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