



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 758 (Substitute S-1 as reported)
Sponsor: Senator Peter MacGregor
Committee: Health Policy and Human Services

CONTENT

The bill would enact within Article 15 (Occupations) of the Public Health Code the Psychology Interjurisdictional Compact, which would allow telehealth and temporary in-person, face-to-face practice of psychology across jurisdictional boundaries. Specifically, the Compact does the following:

- Allows a psychologist to hold one or more Compact state licenses at a time.
- Allows any Compact state to require a psychologist not previously licensed in a Compact state to obtain and retain a license to be authorized to practice in the Compact state.
- Specifies that a home state's license authorizes a psychologist to practice in a receiving state or grants temporary authority to practice in a distant state only under certain circumstances.
- Requires Compact states to recognize the right of a psychologist licensed in a Compact state to practice telepsychology in other Compact states in which the psychologist is not licensed.
- Requires a psychologist licensed to practice in a Compact state to meet certain requirements.
- Specifies that a psychologist practicing in a receiving state is subject to that state's scope of practice, and that a psychologist practicing in a distant state is subject to that state's authority and law.
- Requires a receiving state or distant state that takes adverse action against a psychologist to promptly notify the psychologist's home state and the Psychology Interjurisdictional Compact Commission.
- Grants a home state the power to impose adverse action against a psychologist's license issued by the home state.
- Grants a distant state the power to take adverse action on a psychologist's temporary authorization to practice within the distant state.
- Requires the Commission to provide for the development and maintenance of a coordinated licensure information system (coordinated database) and reporting system containing licensure and disciplinary action information on all psychologists and individuals to whom the Compact is applicable in all Compact states.
- Requires a Compact state to submit a uniform data set containing certain information to the coordinated database.
- Creates and establishes the Psychology Interjurisdictional Compact Commission, and prescribes its membership, voting procedures, meetings, and powers and authorities.
- Requires Commission meetings to be open to the public, but allows the Commission to convene in a closed, nonpublic meeting if it must discuss certain issues or matters.
- Requires the Commission to prescribe certain bylaws and rules to govern its conduct.
- Establishes an Executive Board to act on behalf of the Commission, and prescribes the Board's membership, duties, and responsibilities.
- Prescribes how the Commission must be financed.

- Requires the Commission to follow a prescribed rulemaking and rule adoption procedure.
- Requires the executive, legislative, and judicial branches of state government in each Compact state to enforce the Compact.
- Requires the Commission to enforce all provisions and rules of the Compact and take all actions necessary and appropriate to effectuate its purposes and intent.
- Prescribe the procedure for how a Compact state may withdraw from the Compact.

The bill also would amend Article 15 of the Code to revise the definition of "psychologist", and to allow a psychologist who had temporary authorization to practice under the Compact or was authorized to practice interjurisdictional telepsychology under the Compact to be authorized to practice psychology under the Code.

MCL 333.16101 et al.

Legislative Analyst: Stephen Jackson

FISCAL IMPACT

The bill would have an indeterminate negative fiscal impact on the Department of Licensing and Regulatory Affairs. The cost of compliance with the Compact, including ensuring the State of Michigan was engaging in appropriate data collection, is indeterminate. The majority of the cost likely would be covered by existing appropriations and staff. However, it is possible that the Department could incur costs associated with compliance that currently are unknown.

Date Completed: 9-15-20

Fiscal Analyst: Elizabeth Raczkowski