
Wisconsin Legislative Council

ACT MEMO



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2021 Wisconsin Act 131
[2021 Assembly Bill 537]

Psychology Interjurisdictional Compact

PSYCHOLOGY INTERJURISDICTIONAL COMPACT

2021 Wisconsin Act 131 ratifies and enters Wisconsin into the Psychology Interjurisdictional Compact, which authorizes two types of practice outside the state from which a psychologist is licensed, and creates additional mechanisms for regulatory oversight. The act requires a criminal history background check for an initial license to practice psychology, but does not affect any other requirements for Wisconsin licensure.

Telehealth Practice

The act creates a process to allow a psychologist and patient who are located in different compact member states to participate in telehealth services under an “authorization to practice interjurisdictional telepsychology.”

To obtain an authorization to practice interjurisdictional telepsychology in another member state, a licensed individual must apply to the Association of State and Provincial Psychology Boards (ASPPB) for an “E.Passport” certificate. A two-step process is used for the “PsyPact commission” to then separately consider an applicant’s authorization to practice interjurisdictional telepsychology. When granted, an authorization is valid in all member states.

To qualify for the authorization, an individual must be licensed in good standing in the person’s home state and hold a graduate degree in psychology from a program that meets certain academic and practicum requirements. An applicant must provide attestations in regard to areas of intended practice, conformity with standards of practice, competence in telepsychology, criminal background, and knowledge and adherence to legal requirements in the home state and the other state.

Temporary Practice in a Different State

The act also creates a process to allow a psychologist to provide in-person, face-to-face psychological services in a compact member state for up to 30 days in a calendar year under a “temporary authorization to practice.”

To obtain a temporary authorization to practice in another member state, a licensed individual must apply to ASPPB for an interjurisdictional practice certificate (also referred to as an IPC). A two-step process is used for the PsyPact commission to then separately consider an applicant’s temporary authorization to practice. When granted, an authorization is valid in all member states, and a person may provide psychological services for up to 30 days per calendar year in each member state.

To qualify for the authorization, an individual must be licensed in good standing in the person’s home state and hold a graduate degree in psychology from a program that meets certain academic and practicum requirements. An applicant must provide attestations in regard to areas of intended practice and work experience.

Regulatory Oversight

While providing telepsychology services or temporary in-person psychology services in another member state, a licensed individual is subject to that state's scope of practice, and that state may take action against the person's authorization to practice. A home state may take action against a licensed individual based on adverse action by another state against the person's temporary authorization to practice. A home state must investigate and take appropriate action on reported inappropriate conduct under an authorization to practice interjurisdictional telepsychology.

If a home state license or either of the practice authorizations is restricted, suspended, or otherwise limited, the authorization's corresponding E.Passport or interjurisdictional practice certificate are revoked and the person is not eligible to practice in a member state.

In addition, the act does all of the following:

- Allows member states' licensure boards to issue subpoenas that are enforceable in other member states.
- Creates a coordinated database and reporting system containing licensure and disciplinary action information on all licensed individuals in member states.
- Requires all applicants for initial licensure to submit to be fingerprinted, and requires an applicant's fingerprint cards to be submitted to the Federal Bureau of Investigation for a criminal history background check.

Governance of the Compact

For governance of the compact, the act enters Wisconsin into the Psychology Interjurisdictional Compact Commission (PsyPact commission), which includes one member of the licensure boards of each member state. The commission has various powers and duties granted in the compact, including overseeing administration of the compact, enforcing the compact, adopting bylaws, promulgating binding rules to coordinate implementation and administration of the compact, and electing an executive board.

The act provides for dispute resolution, including a process for termination of a state's membership in the compact if a state defaults on its obligations under the compact. The act also permits a state to withdraw from the compact by repealing the statute authorizing the compact, to take effect six months after the effective date of the repeal.

The act allows the compact to be amended by the member states, to take effect after the amendment is enacted into the laws of all member states.

Effective date: February 6, 2022

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