

REFERENCE TITLE: **podiatric licensure compact**

State of Arizona
House of Representatives
Fifty-seventh Legislature
Second Regular Session
2026

HB 2438

Introduced by
Representatives Bliss: Márquez

AN ACT

AMENDING TITLE 32, CHAPTER 7, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 5; RELATING TO THE STATE BOARD OF PODIATRY EXAMINERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 32, chapter 7, Arizona Revised Statutes, is
3 amended by adding article 5, to read:

4 ARTICLE 5. PODIATRIC MEDICAL LICENSURE COMPACT

5 32-881. Podiatric medical licensure compact

6 THE PODIATRIC MEDICAL LICENSURE COMPACT IS ADOPTED AND ENACTED INTO
7 LAW AS FOLLOWS:

8 SECTION 1. PURPOSE

9 IN ORDER TO STRENGTHEN ACCESS TO HEALTH CARE, AND IN RECOGNITION OF
10 THE ADVANCES IN THE DELIVERY IN HEALTH CARE, THE MEMBER STATES OF THE
11 INTERSTATE PODIATRIC MEDICAL LICENSURE COMPACT HAVE ALLIED IN COMMON
12 PURPOSE TO DEVELOP A COMPREHENSIVE PROCESS THAT COMPLEMENTS THE EXISTING
13 LICENSING AND REGULATORY AUTHORITY OF STATE PODIATRIC MEDICAL BOARDS,
14 PROVIDES A STREAMLINED PROCESS THAT ALLOWS PODIATRIC PHYSICIANS TO BECOME
15 LICENSED IN MULTIPLE STATES, THEREBY ENHANCING THE PORTABILITY OF A
16 PODIATRIC MEDICAL LICENSE AND ENSURING THE SAFETY OF PATIENTS. THE
17 COMPACT CREATES ANOTHER PATHWAY FOR LICENSURE AND DOES NOT OTHERWISE
18 CHANGE A STATE'S EXISTING PODIATRIC MEDICAL PRACTICE ACT. THE COMPACT
19 ALSO ADOPTS THE PREVAILING STANDARD FOR LICENSURE AND AFFIRMS THAT THE
20 PRACTICE OF PODIATRIC MEDICINE OCCURS WHERE THE PATIENT IS LOCATED AT THE
21 TIME OF THE PODIATRIC PHYSICIAN-PATIENT ENCOUNTER, AND THEREFORE, REQUIRES
22 THE PODIATRIC PHYSICIAN TO BE UNDER THE JURISDICTION OF THE STATE
23 PODIATRIC MEDICAL BOARD WHERE THE PATIENT IS LOCATED. STATE PODIATRIC
24 MEDICAL BOARDS THAT PARTICIPATE IN THE COMPACT RETAIN THE JURISDICTION TO
25 IMPOSE AN ADVERSE ACTION AGAINST A LICENSE TO PRACTICE PODIATRIC MEDICINE
26 IN THAT STATE ISSUED TO A PODIATRIC PHYSICIAN THROUGH THE PROCEDURES IN
27 THE COMPACT.

28 SECTION 2. DEFINITIONS

29 IN THIS COMPACT:

30 1. "BYLAWS" MEANS THOSE BYLAWS ESTABLISHED BY THE INTERSTATE
31 COMMISSION PURSUANT TO SECTION 11 OF THIS COMPACT.

32 2. "COMMISSIONER" MEANS THE VOTING REPRESENTATIVE APPOINTED BY EACH
33 MEMBER BOARD PURSUANT TO SECTION 11 OF THIS COMPACT.

34 3. "CONVICTION" MEANS A FINDING BY A COURT THAT AN INDIVIDUAL IS
35 GUILTY OF A CRIMINAL OFFENSE THROUGH ADJUDICATION OR ENTRY OF A PLEA OF
36 GUILT OR NO CONTEST TO THE CHARGE BY THE OFFENDER. EVIDENCE OF AN ENTRY
37 OF CONVICTION OF A CRIMINAL OFFENSE BY THE COURT SHALL BE CONSIDERED FINAL
38 FOR THE PURPOSES OF DISCIPLINARY ACTION BY A MEMBER BOARD.

39 4. "CRIMINAL BACKGROUND CHECK" MEANS A FEDERAL BUREAU OF
40 INVESTIGATION BIOMETRIC BASED FEDERAL CRIMINAL RECORDS CHECK INFORMATION
41 REPORT OBTAINED BY A MEMBER BOARD FROM THE AUTHORIZED STATE AGENCY FOR THE
42 EXCLUSIVE PURPOSE OF DETERMINING ELIGIBILITY FOR CERTIFICATION OF
43 QUALIFICATION THAT WOULD ALLOW FOR AN EXPEDITED LICENSE.

1 5. "EXPEDITED LICENSE" MEANS A FULL UNRESTRICTED PODIATRIC MEDICAL
2 LICENSE GRANTED BY A MEMBER STATE TO AN ELIGIBLE PODIATRIC PHYSICIAN
3 THROUGH THE PROCESS SET FORTH IN THIS COMPACT.

4 6. "FEDERAL CRIMINAL RECORDS CHECK INFORMATION" MEANS ANY
5 INFORMATION OBTAINED BY A MEMBER BOARD FROM THE FEDERAL BUREAU OF
6 INVESTIGATION RELATING TO A FEDERAL CRIMINAL RECORDS CHECK PERFORMED BY A
7 MEMBER BOARD UNDER PUBLIC LAW 92-544.

8 7. "INTERSTATE COMMISSION" MEANS THE INTERSTATE COMMISSION
9 ESTABLISHED PURSUANT TO SECTION 11 OF THIS COMPACT.

10 8. "LICENSE" MEANS AUTHORIZATION BY A MEMBER STATE FOR A PODIATRIC
11 PHYSICIAN TO ENGAGE IN THE PRACTICE OF PODIATRIC MEDICINE, WHICH WOULD BE
12 UNLAWFUL WITHOUT AUTHORIZATION.

13 9. "MEMBER BOARD" MEANS A STATE AGENCY IN A MEMBER STATE THAT ACTS
14 IN THE SOVEREIGN INTEREST OF THE STATE BY PROTECTING THE PUBLIC THROUGH
15 LICENSURE, REGULATION AND EDUCATION OF PODIATRIC PHYSICIANS AS DIRECTED BY
16 THE STATE GOVERNMENT.

17 10. "MEMBER STATE" MEANS A STATE THAT HAS ENACTED THIS COMPACT.

18 11. "OFFENSE" MEANS A FELONY, A GROSS MISDEMEANOR OR A MISDEMEANOR
19 RELATED TO THE PRACTICE OF PODIATRIC MEDICINE.

20 12. "PODIATRIC MEDICAL PRACTICE ACT" MEANS LAWS AND REGULATIONS
21 GOVERNING THE PRACTICE OF PODIATRIC MEDICINE WITHIN A MEMBER STATE.

22 13. "PODIATRIC PHYSICIAN" MEANS ANY PERSON WHO:

23 (a) IS A GRADUATE OF A PODIATRIC MEDICAL SCHOOL ACCREDITED BY THE
24 COUNCIL ON PODIATRIC MEDICAL EDUCATION.

25 (b) PASSED PARTS I, II, AND III (PMLEXIS) OF THE NATIONAL BOARD OF
26 PODIATRIC MEDICAL EXAMINERS' (NBPME)/AMERICAN PODIATRIC MEDICAL LICENSING
27 EXAMINATION (APMLE), OR THEIR NBPME/APMLE RECOGNIZED REPLACEMENT
28 EXAMINATIONS.

29 (c) SUCCESSFULLY COMPLETED A PODIATRIC RESIDENCY PROGRAM APPROVED
30 BY THE COUNCIL ON PODIATRIC MEDICAL EDUCATION.

31 (d) HOLDS SPECIALTY CERTIFICATION FROM A SPECIALTY BOARD RECOGNIZED
32 BY THE COUNCIL ON PODIATRIC MEDICAL EDUCATION.

33 (e) POSSESSES A FULL AND UNRESTRICTED LICENSE TO ENGAGE IN THE
34 PRACTICE OF PODIATRIC MEDICINE ISSUED BY A MEMBER BOARD.

35 (f) HAS NEVER BEEN CONVICTED OR RECEIVED ADJUDICATION, DEFERRED
36 ADJUDICATION, COMMUNITY SUPERVISION OR DEFERRED DISPOSITION FOR ANY
37 OFFENSE BY A COURT OF APPROPRIATE JURISDICTION.

38 (g) HAS NEVER HELD A LICENSE AUTHORIZING THE PRACTICE OF PODIATRIC
39 MEDICINE SUBJECTED TO DISCIPLINE BY A LICENSING AGENCY IN ANY STATE,
40 FEDERAL OR FOREIGN JURISDICTION, EXCLUDING ANY ACTION RELATED TO THE
41 NONPAYMENT OF FEES RELATED TO A LICENSE.

42 (h) HAS NEVER HAD A CONTROLLED SUBSTANCE LICENSE OR PERMIT
43 SUSPENDED OR REVOKED BY A STATE OR THE UNITED STATES DRUG ENFORCEMENT
44 ADMINISTRATION OR VOLUNTARILY SURRENDERED SUCH A LICENSE AFTER
45 NOTIFICATION OF INVESTIGATION.

1 (i) IS NOT UNDER ACTIVE INVESTIGATION BY A LICENSING AGENCY OR LAW
2 ENFORCEMENT AUTHORITY IN ANY STATE, FEDERAL OR FOREIGN JURISDICTION.

3 14. "PRACTICE OF PODIATRIC MEDICINE" MEANS THAT CLINICAL
4 PREVENTION, DIAGNOSIS OR TREATMENT OF HUMAN DISEASE, INJURY OR CONDITIONS
5 REQUIRING A PODIATRIC PHYSICIAN TO OBTAIN AND MAINTAIN A LICENSE IN
6 COMPLIANCE WITH THE PODIATRIC MEDICAL PRACTICE ACT OF A MEMBER STATE.

7 15. "RULE" MEANS A WRITTEN STATEMENT BY THE INTERSTATE COMMISSION
8 ADOPTED PURSUANT TO SECTION 12 OF THIS COMPACT THAT IS OF GENERAL
9 APPLICABILITY, THAT IMPLEMENTS, INTERPRETS OR PRESCRIBES A POLICY OR
10 PROVISION OF THIS COMPACT, OR AN ORGANIZATIONAL, PROCEDURAL OR PRACTICE
11 REQUIREMENT OF THE INTERSTATE COMMISSION, AND THAT HAS THE FORCE AND
12 EFFECT OF STATUTORY LAW IN A MEMBER STATE, AND INCLUDES THE AMENDMENT,
13 REPEAL OR SUSPENSION OF AN EXISTING RULE.

14 16. "STATE" MEANS ANY STATE, COMMONWEALTH, DISTRICT OR TERRITORY OF
15 THE UNITED STATES.

16 17. "STATE OF PRINCIPAL LICENSE" MEANS A MEMBER STATE WHERE A
17 PODIATRIC PHYSICIAN HOLDS A LICENSE TO PRACTICE PODIATRIC MEDICINE AND
18 THAT HAS BEEN DESIGNATED BY THE PODIATRIC PHYSICIAN FOR THE PURPOSES OF
19 REGISTRATION AND PARTICIPATION IN THIS COMPACT.

20 SECTION 3. ELIGIBILITY

21 A. A PODIATRIC PHYSICIAN MUST MEET THE ELIGIBILITY REQUIREMENTS TO
22 RECEIVE AN EXPEDITED LICENSE UNDER THE TERMS AND PROVISIONS OF THIS
23 COMPACT.

24 B. A PODIATRIC PHYSICIAN WHO DOES NOT MEET THE REQUIREMENTS OF
25 SECTION 2, PARAGRAPH 13 OF THIS COMPACT MAY OBTAIN A LICENSE TO PRACTICE
26 PODIATRIC MEDICINE IN A MEMBER STATE IF THE INDIVIDUAL COMPLIES WITH ALL
27 LAWS AND REQUIREMENTS, OTHER THAN THIS COMPACT, RELATING TO THE ISSUANCE
28 OF A LICENSE TO PRACTICE PODIATRIC MEDICINE IN THAT STATE.

29 SECTION 4. DESIGNATION OF STATE OF PRINCIPAL LICENSE

30 A. A PODIATRIC PHYSICIAN SHALL DESIGNATE A MEMBER STATE AS THE
31 STATE OF PRINCIPAL LICENSE FOR THE PURPOSES OF REGISTRATION FOR EXPEDITED
32 LICENSURE THROUGH THIS COMPACT IF THE PODIATRIC PHYSICIAN POSSESSES A FULL
33 AND UNRESTRICTED LICENSE TO PRACTICE PODIATRIC MEDICINE IN THAT STATE AND
34 THE STATE IS ONE OF THE FOLLOWING:

35 1. THE STATE OF PRINCIPAL RESIDENCE FOR THE PODIATRIC PHYSICIAN.
36 2. THE STATE WHERE AT LEAST TWENTY-FIVE PERCENT OF THE PODIATRIC
37 PHYSICIAN'S PRACTICE OF PODIATRIC MEDICINE OCCURS.

38 3. THE LOCATION OF THE PODIATRIC PHYSICIAN'S EMPLOYER.

39 4. IF NO STATE QUALIFIES UNDER PARAGRAPH 1, 2 OR 3 OF THIS
40 SUBSECTION, THE STATE DESIGNATED AS THE PODIATRIC PHYSICIAN'S STATE OF
41 RESIDENCE FOR THE PURPOSE OF FEDERAL INCOME TAX.

42 B. A PODIATRIC PHYSICIAN MAY REDESIGNATE A MEMBER STATE AS STATE OF
43 PRINCIPAL LICENSE AT ANY TIME AS LONG AS THE STATE MEETS THE REQUIREMENTS
44 OF SUBSECTION A OF THIS SECTION.

1 C. THE INTERSTATE COMMISSION IS AUTHORIZED TO DEVELOP RULES TO
2 FACILITATE REDESIGNATION OF ANOTHER MEMBER STATE AS THE STATE OF PRINCIPAL
3 LICENSE.

4 SECTION 5. APPLICATION AND ISSUANCE OF EXPEDITED LICENSURE

5 A. A PODIATRIC PHYSICIAN SEEKING LICENSURE THROUGH THE COMPACT
6 SHALL FILE AN APPLICATION FOR AN EXPEDITED LICENSE WITH THE MEMBER BOARD
7 OF THE STATE SELECTED BY THE PODIATRIC PHYSICIAN AS THE STATE OF PRINCIPAL
8 LICENSE.

9 B. ON RECEIPT OF AN APPLICATION FOR AN EXPEDITED LICENSE, THE
10 MEMBER BOARD WITHIN THE STATE SELECTED AS THE STATE OF PRINCIPAL LICENSE
11 SHALL EVALUATE WHETHER THE PODIATRIC PHYSICIAN IS ELIGIBLE FOR EXPEDITED
12 LICENSURE AND ISSUE A LETTER OF QUALIFICATION, VERIFYING OR DENYING THE
13 PODIATRIC PHYSICIAN'S ELIGIBILITY TO, AND IN THE MANNER ESTABLISHED
14 THROUGH RULE BY, THE INTERSTATE COMMISSION, AS FOLLOWS:

15 1. STATIC QUALIFICATION, WHICH INCLUDES VERIFICATION OF PODIATRIC
16 MEDICAL EDUCATION, PODIATRIC GRADUATE MEDICAL EDUCATION, RESULTS OF ANY
17 PODIATRIC MEDICAL LICENSING EXAMINATION AND OTHER QUALIFICATIONS AS
18 DETERMINED BY THE INTERSTATE COMMISSION THROUGH RULE, ARE NOT SUBJECT TO
19 ADDITIONAL PRIMARY SOURCE VERIFICATION WHERE ALREADY PRIMARY SOURCE
20 VERIFIED BY THE STATE OF PRINCIPAL LICENSE.

21 2. THE MEMBER BOARD WITHIN THE STATE SELECTED AS THE STATE OF
22 PRINCIPAL LICENSE SHALL, IN THE COURSE OF VERIFYING ELIGIBILITY, PERFORM A
23 CRIMINAL BACKGROUND CHECK OF AN APPLICANT, INCLUDING THE USE OF RESULTS OF
24 FINGERPRINT OR OTHER BIOMETRIC DATA CHECKS COMPLIANT WITH THE REQUIREMENTS
25 OF THE FEDERAL BUREAU OF INVESTIGATION WITH THE EXCEPTION OF FEDERAL
26 EMPLOYEES WHO HAVE SUITABILITY DETERMINATION IN ACCORDANCE WITH 5 CODE OF
27 FEDERAL REGULATIONS SECTION 731.202. COMMUNICATIONS ARE AS FOLLOWS:

28 (a) COMMUNICATION BETWEEN A MEMBER BOARD AND THE INTERSTATE
29 COMMISSION AND COMMUNICATION BETWEEN MEMBER BOARDS REGARDING THE
30 VERIFICATION OF ELIGIBILITY IN SECTION 3 OF THIS COMPACT SHALL NOT INCLUDE
31 ANY INFORMATION RECEIVED FROM THE FEDERAL BUREAU OF INVESTIGATION RELATING
32 TO A FEDERAL CRIMINAL RECORDS CHECK PERFORMED BY A MEMBER BOARD UNDER
33 PUBLIC LAW 92-544, INCLUDING FEDERAL CRIMINAL RECORDS CHECK INFORMATION.

34 (b) FEDERAL BUREAU OF INVESTIGATION INFORMATION OBTAINED BY A
35 MEMBER BOARD SHALL NOT BE SHARED WITH THE INTERSTATE COMMISSION.

36 3. APPEAL OF THE DETERMINATION OF ELIGIBILITY SHALL BE MADE TO THE
37 MEMBER STATE WHERE THE APPLICATION WAS FILED AND SHALL BE SUBJECT TO THE
38 LAW OF THAT STATE.

39 C. ON VERIFICATION AS PRESCRIBED IN SUBSECTION B OF THIS SECTION, A
40 PODIATRIC PHYSICIAN SHALL COMPLETE THE REGISTRATION PROCESS ESTABLISHED BY
41 THE INTERSTATE COMMISSION TO RECEIVE A LICENSE IN A MEMBER STATE SELECTED
42 PURSUANT TO SUBSECTION A OF THIS SECTION AND SHALL PAY ANY APPLICABLE
43 FEES.

44 D. AFTER RECEIVING VERIFICATION OF ELIGIBILITY AS PRESCRIBED IN
45 SUBSECTION B OF THIS SECTION AND AFTER PAYING ANY FEES REQUIRED UNDER

1 SUBSECTION C OF THIS SECTION, A MEMBER BOARD SHALL ISSUE AN EXPEDITED
2 LICENSE TO THE PODIATRIC PHYSICIAN. THE EXPEDITED LICENSE AUTHORIZES THE
3 PODIATRIC PHYSICIAN TO PRACTICE PODIATRIC MEDICINE IN THE ISSUING STATE
4 CONSISTENT WITH THE PODIATRIC MEDICAL PRACTICE ACT AND ALL APPLICABLE LAWS
5 AND REGULATIONS OF THE ISSUING MEMBER BOARD AND MEMBER STATE.

6 E. AN EXPEDITED LICENSE IS VALID FOR A PERIOD CONSISTENT WITH THE
7 LICENSURE PERIOD IN THE MEMBER STATE AND IN THE SAME MANNER AS REQUIRED
8 FOR OTHER PODIATRIC PHYSICIANS HOLDING A FULL AND UNRESTRICTED LICENSE
9 WITHIN THE MEMBER STATE.

10 F. AN EXPEDITED LICENSE OBTAINED THROUGH THIS COMPACT SHALL BE
11 TERMINATED IF A PODIATRIC PHYSICIAN FAILS TO MAINTAIN A LICENSE IN THE
12 STATE OF PRINCIPAL LICENSE FOR A NONDISCIPLINARY REASON, WITHOUT
13 REDESIGNATION OF A NEW STATE OF PRINCIPAL LICENSE.

14 G. THE INTERSTATE COMMISSION IS AUTHORIZED TO ADOPT RULES REGARDING
15 THE APPLICATION PROCESS, INCLUDING PAYMENT OF ANY APPLICABLE FEES, AND THE
16 REPORTING OF THE ISSUANCE OF AN EXPEDITED LICENSE BY A MEMBER BOARD TO THE
17 INTERSTATE COMMISSION.

18 SECTION 6. FEES FOR EXPEDITED LICENSURE

19 A. A MEMBER STATE ISSUING AN EXPEDITED LICENSE AUTHORIZING THE
20 PRACTICE OF PODIATRIC MEDICINE IN THAT STATE MAY IMPOSE A FEE FOR A
21 LICENSE ISSUED OR RENEWED THROUGH THIS COMPACT.

22 B. THE INTERSTATE COMMISSION IS AUTHORIZED TO DEVELOP RULES
23 REGARDING FEES FOR EXPEDITED LICENSES.

24 SECTION 7. RENEWAL AND CONTINUED PARTICIPATION

25 A. A PODIATRIC PHYSICIAN SEEKING TO RENEW AN EXPEDITED LICENSE
26 GRANTED IN A MEMBER STATE SHALL COMPLETE A RENEWAL PROCESS WITH THE
27 INTERSTATE COMMISSION IF THE PODIATRIC PHYSICIAN MEETS ALL OF THE
28 FOLLOWING:

29 1. MAINTAINS A FULL AND UNRESTRICTED LICENSE IN A STATE OF
30 PRINCIPAL LICENSE.

31 2. HAS NOT BEEN CONVICTED OF OR RECEIVED ADJUDICATION, DEFERRED
32 ADJUDICATION, COMMUNITY SUPERVISION OR DEFERRED DISPOSITION FOR ANY
33 OFFENSE BY A COURT OF APPROPRIATE JURISDICTION.

34 3. HAS NOT HAD A LICENSE AUTHORIZING THE PRACTICE OF PODIATRIC
35 MEDICINE SUBJECT TO DISCIPLINE BY A LICENSING AGENCY IN ANY STATE, FEDERAL
36 OR FOREIGN JURISDICTION OR VOLUNTARILY SURRENDERED SUCH A LICENSE IN LIEU
37 OF DISCIPLINE, EXCLUDING ANY ACTION RELATED TO NONPAYMENT OF FEES RELATED
38 TO A LICENSE.

39 4. HAS NOT HAD A CONTROLLED SUBSTANCE LICENSE OR PERMIT SUSPENDED
40 OR REVOKED BY A STATE OR THE UNITED STATES DRUG ENFORCEMENT ADMINISTRATION
41 OR VOLUNTARILY SURRENDERED SUCH A LICENSE OR PERMIT AFTER NOTIFICATION OF
42 INVESTIGATION.

43 B. PODIATRIC PHYSICIANS SHALL COMPLY WITH ALL CONTINUING
44 PROFESSIONAL DEVELOPMENT OR CONTINUING MEDICAL EDUCATION REQUIREMENTS FOR
45 RENEWAL OF A LICENSE ISSUED BY A MEMBER STATE.

1 C. THE INTERSTATE COMMISSION SHALL COLLECT ANY RENEWAL FEES CHARGED
2 FOR THE RENEWAL OF A LICENSE AND DISTRIBUTE THE FEES TO THE APPLICABLE
3 MEMBER BOARD.

4 D. ON RECEIPT OF ANY RENEWAL FEES COLLECTED PURSUANT TO SUBSECTION
5 C OF THIS SECTION, A MEMBER BOARD SHALL RENEW THE PODIATRIC PHYSICIAN'S
6 LICENSE.

7 E. PODIATRIC PHYSICIAN INFORMATION COLLECTED BY THE INTERSTATE
8 COMMISSION DURING THE RENEWAL PROCESS SHALL BE DISTRIBUTED TO ALL MEMBER
9 BOARDS.

10 F. THE INTERSTATE COMMISSION IS AUTHORIZED TO DEVELOP RULES TO
11 ADDRESS RENEWAL OF LICENSES OBTAINED THROUGH THIS COMPACT.

12 SECTION 8. COORDINATED INFORMATION SYSTEM

13 A. THE INTERSTATE COMMISSION SHALL ESTABLISH A DATABASE OF ALL
14 PODIATRIC PHYSICIANS WHO ARE LICENSED OR WHO HAVE APPLIED FOR LICENSURE
15 UNDER SECTION 5 OF THIS COMPACT.

16 B. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, EACH MEMBER BOARD
17 SHALL REPORT TO THE INTERSTATE COMMISSION ANY PUBLIC ACTION OR PUBLIC
18 COMPLAINTS AGAINST A LICENSED PODIATRIC PHYSICIAN WHO HAS APPLIED FOR OR
19 RECEIVED AN EXPEDITED LICENSE THROUGH THIS COMPACT.

20 C. MEMBER BOARDS SHALL REPORT DISCIPLINARY OR INVESTIGATORY
21 INFORMATION DETERMINED AS NECESSARY AND PROPER BY RULE OF THE INTERSTATE
22 COMMISSION.

23 D. MEMBER BOARDS MAY REPORT ANY NONPUBLIC COMPLAINT OR DISCIPLINARY
24 OR INVESTIGATORY INFORMATION NOT REQUIRED BY SUBSECTION C OF THIS SECTION
25 TO THE INTERSTATE COMMISSION.

26 E. MEMBER BOARDS SHALL SHARE COMPLAINT OR DISCIPLINARY INFORMATION
27 ABOUT A PODIATRIC PHYSICIAN ON REQUEST OF ANOTHER MEMBER BOARD.

28 F. ALL INFORMATION PROVIDED TO THE INTERSTATE COMMISSION OR
29 DISTRIBUTED BY MEMBER BOARDS SHALL BE CONFIDENTIAL, FILED UNDER SEAL AND
30 USED ONLY FOR INVESTIGATORY OR DISCIPLINARY MATTERS.

31 G. THE INTERSTATE COMMISSION IS AUTHORIZED TO DEVELOP RULES FOR
32 MANDATED OR DISCRETIONARY SHARING OF INFORMATION BY MEMBER BOARDS.

33 SECTION 9. JOINT INVESTIGATIONS

34 A. LICENSURE AND DISCIPLINARY RECORDS OF PODIATRIC PHYSICIANS ARE
35 DEEMED INVESTIGATIVE.

36 B. IN ADDITION TO THE AUTHORITY GRANTED TO A MEMBER BOARD BY ITS
37 RESPECTIVE PODIATRIC MEDICAL PRACTICE ACT OR OTHER APPLICABLE STATE LAW, A
38 MEMBER BOARD MAY PARTICIPATE WITH OTHER MEMBER BOARDS IN JOINT
39 INVESTIGATIONS OF PODIATRIC PHYSICIANS WHO ARE LICENSED BY THE MEMBER
40 BOARDS.

41 C. A SUBPOENA ISSUED BY A MEMBER STATE AS PART OF A JOINT
42 INVESTIGATION SHALL BE ENFORCEABLE IN OTHER MEMBER STATES.

43 D. MEMBER BOARDS MAY SHARE ANY INVESTIGATIVE, LITIGATION OR
44 COMPLIANCE MATERIALS IN FURTHERANCE OF ANY JOINT OR INDIVIDUAL
45 INVESTIGATION INITIATED UNDER THIS COMPACT.

1 E. ANY MEMBER STATE MAY INVESTIGATE ACTUAL OR ALLEGED VIOLATIONS OF
2 THE STATUTES AUTHORIZING THE PRACTICE OF PODIATRIC MEDICINE IN ANY OTHER
3 MEMBER STATE IN WHICH A PODIATRIC PHYSICIAN HOLDS A LICENSE TO PRACTICE
4 PODIATRIC MEDICINE.

5 SECTION 10. DISCIPLINARY ACTIONS

6 A. ANY DISCIPLINARY ACTION TAKEN BY ANY MEMBER BOARD AGAINST A
7 PODIATRIC PHYSICIAN LICENSED THROUGH THIS COMPACT SHALL BE DEEMED
8 UNPROFESSIONAL CONDUCT, WHICH MAY BE SUBJECT TO DISCIPLINE BY OTHER MEMBER
9 BOARDS, IN ADDITION TO ANY VIOLATION OF THE PODIATRIC MEDICAL PRACTICE ACT
10 OR REGULATIONS IN THAT STATE.

11 B. IF A LICENSE GRANTED TO A PODIATRIC PHYSICIAN BY A MEMBER BOARD
12 IN THE STATE OF PRINCIPAL LICENSE IS REVOKED, SURRENDERED OR RELINQUISHED
13 IN LIEU OF DISCIPLINE OR SUSPENSION, ALL LICENSES ISSUED TO THE PODIATRIC
14 PHYSICIAN BY MEMBER BOARDS SHALL AUTOMATICALLY BE PLACED, WITHOUT FURTHER
15 ACTION NECESSARY BY ANY MEMBER BOARD, ON THE SAME STATUS. IF THE MEMBER
16 BOARD THAT IS THE STATE OF PRINCIPAL LICENSE SUBSEQUENTLY REINSTATES THE
17 PODIATRIC PHYSICIAN'S LICENSE, A LICENSE ISSUED TO THE PODIATRIC PHYSICIAN
18 BY ANY OTHER MEMBER BOARD SHALL REMAIN ENCUMBERED UNTIL THAT RESPECTIVE
19 MEMBER BOARD TAKES ACTION TO REINSTATE THE LICENSE IN A MANNER CONSISTENT
20 WITH THE PODIATRIC MEDICAL PRACTICE ACT OF THAT STATE.

21 C. IF DISCIPLINARY ACTION IS TAKEN AGAINST A PODIATRIC PHYSICIAN BY
22 A MEMBER BOARD THAT IS NOT IN A STATE OF PRINCIPAL LICENSE, ANY OTHER
23 MEMBER BOARD MAY DEEM THE ACTION CONCLUSIVE AS TO MATTER OF LAW AND FACT
24 DECIDED AND MAY EITHER:

25 1. IMPOSE THE SAME OR LESSER SANCTIONS AGAINST THE PODIATRIC
26 PHYSICIAN SO LONG AS SUCH SANCTIONS ARE CONSISTENT WITH THE PODIATRIC
27 MEDICAL PRACTICE ACT OF THAT STATE.

28 2. PURSUE SEPARATE DISCIPLINARY ACTION AGAINST THE PODIATRIC
29 PHYSICIAN UNDER THAT MEMBER STATE'S RESPECTIVE PODIATRIC MEDICAL PRACTICE
30 ACT, REGARDLESS OF THE ACTION TAKEN IN OTHER MEMBER STATES.

31 D. IF A LICENSE GRANTED TO A PODIATRIC PHYSICIAN BY A MEMBER BOARD
32 IS REVOKED, SURRENDERED OR RELINQUISHED IN LIEU OF DISCIPLINE OR
33 SUSPENSION, ANY LICENSE ISSUED TO THAT PODIATRIC PHYSICIAN BY ANY OTHER
34 MEMBER BOARD SHALL BE SUSPENDED, AUTOMATICALLY AND IMMEDIATELY WITHOUT
35 FURTHER ACTION NECESSARY BY THE OTHER MEMBER BOARDS, FOR NINETY DAYS ON
36 ENTRY OF THE ORDER BY THE DISCIPLINING BOARD, TO ALLOW EACH MEMBER BOARD
37 TO INVESTIGATE THE BASIS FOR THE ACTION UNDER THE PODIATRIC MEDICAL
38 PRACTICE ACT OF THAT STATE.

39 E. A MEMBER BOARD MAY TERMINATE THE AUTOMATIC PROVISION UNDER
40 SUBSECTION B OR D OF THIS SECTION OF A LICENSE THE MEMBER BOARD ISSUED, IN
41 A MANNER CONSISTENT WITH THE PODIATRIC MEDICAL PRACTICE ACT OF THAT STATE.

42 SECTION 11. INTERSTATE PODIATRIC MEDICAL

43 LICENSURE COMPACT COMMISSION

44 A. THE MEMBER STATES HEREBY CREATE THE INTERSTATE PODIATRIC MEDICAL
45 LICENSURE COMPACT COMMISSION.

1 B. THE PURPOSE OF THE INTERSTATE COMMISSION IS TO ADMINISTER THE
2 INTERSTATE PODIATRIC MEDICAL LICENSURE COMPACT, WHICH IS A DISCRETIONARY
3 STATE FUNCTION.

4 C. THE INTERSTATE COMMISSION SHALL BE A BODY CORPORATE AND JOINT
5 AGENCY OF THE MEMBER STATES AND SHALL HAVE ALL THE RESPONSIBILITIES,
6 POWERS AND DUTIES SET FORTH IN THIS COMPACT AND SUCH ADDITIONAL POWERS AS
7 MAY BE CONFERRED ON THE INTERSTATE COMMISSION BY SUBSEQUENT CONCURRENT
8 ACTION OF THE RESPECTIVE LEGISLATURES OF THE MEMBER STATES IN ACCORDANCE
9 WITH THE TERMS OF THIS COMPACT.

10 D. THE INTERSTATE COMMISSION CONSISTS OF ONE VOTING REPRESENTATIVE
11 APPOINTED BY EACH MEMBER STATE WHO SERVES AS A COMMISSIONER. A
12 COMMISSIONER SHALL BE ONE OF THE FOLLOWING:

13 1. A PODIATRIC PHYSICIAN APPOINTED TO A MEMBER BOARD.

14 2. AN EXECUTIVE DIRECTOR, EXECUTIVE SECRETARY OR SIMILAR EXECUTIVE
15 OF A MEMBER BOARD.

16 3. A MEMBER OF THE PUBLIC APPOINTED TO A MEMBER BOARD.

17 E. THE INTERSTATE COMMISSION SHALL MEET AT LEAST ONCE EACH CALENDAR
18 YEAR. A PORTION OF THIS MEETING SHALL BE A BUSINESS MEETING TO ADDRESS
19 SUCH MATTERS AS MAY PROPERLY COME BEFORE THE COMMISSION, INCLUDING THE
20 ELECTION OF OFFICERS. THE CHAIRPERSON MAY CALL ADDITIONAL MEETINGS AND
21 SHALL CALL FOR A MEETING ON THE REQUEST OF A MAJORITY OF THE MEMBER
22 STATES.

23 F. THE BYLAWS MAY PROVIDE FOR MEETINGS OF THE INTERSTATE COMMISSION
24 TO BE CONDUCTED, IN WHOLE OR IN PART, VIA TELECONFERENCE, VIDEO CONFERENCE
25 OR OTHER ELECTRONIC MEANS BY WHICH ALL PARTICIPANTS CAN HEAR EACH OTHER
26 SIMULTANEOUSLY AND PARTICIPATE EFFECTIVELY. ATTENDANCE BY SUCH ELECTRONIC
27 MEANS SHALL CONSTITUTE PRESENCE IN PERSON AT THE MEETING.

28 G. EACH COMMISSIONER PARTICIPATING AT A MEETING OF THE INTERSTATE
29 COMMISSION IS ENTITLED TO ONE VOTE. A MAJORITY OF COMMISSIONERS SHALL
30 CONSTITUTE A QUORUM FOR THE TRANSACTION OF BUSINESS, UNLESS A LARGER
31 QUORUM IS REQUIRED BY THE BYLAWS OF THE INTERSTATE COMMISSION. A
32 COMMISSIONER SHALL NOT DELEGATE A VOTE TO ANOTHER COMMISSIONER. IN THE
33 ABSENCE OF ITS COMMISSIONER, A MEMBER STATE MAY DELEGATE VOTING AUTHORITY
34 FOR A SPECIFIED MEETING TO ANOTHER PERSON FROM THAT STATE WHO MEETS THE
35 REQUIREMENTS OF SUBSECTION D OF THIS SECTION.

36 H. THE INTERSTATE COMMISSION SHALL PROVIDE PUBLIC NOTICE OF ALL
37 MEETINGS, AND ALL MEETINGS ARE OPEN TO THE PUBLIC. THE INTERSTATE
38 COMMISSION MAY CLOSE A MEETING, IN FULL OR IN PORTION, IF IT DETERMINES BY
39 A TWO-THIRDS VOTE OF THE COMMISSIONERS PRESENT THAT ANY OPEN MEETING WOULD
40 BE LIKELY TO:

41 1. RELATE SOLELY TO THE INTERNAL PERSONNEL PRACTICE AND PROCEDURES
42 OF THE INTERSTATE COMMISSION.

43 2. DISCUSS MATTERS SPECIFICALLY EXEMPT FROM DISCLOSURE BY FEDERAL
44 STATUTE.

- 1 3. DISCUSS TRADE SECRETS OR COMMERCIAL OR FINANCIAL INFORMATION
2 THAT IS PRIVILEGED OR CONFIDENTIAL.
- 3 4. INVOLVE ACCUSING A PERSON OF A CRIME OR FORMALLY CENSURING A
4 PERSON.
- 5 5. DISCUSS INFORMATION OF A PERSONAL NATURE OF WHICH DISCLOSURE
6 WOULD CONSTITUTE A CLEARLY UNWARRANTED INVASION OF PERSONAL PRIVACY.
- 7 6. DISCUSS INVESTIGATIVE RECORDS COMPILED FOR LAW ENFORCEMENT
8 PURPOSES.
- 9 7. SPECIFICALLY RELATE TO THE PARTICIPATION IN A CIVIL ACTION OR
10 OTHER LEGAL PROCEEDING.
- 11 I. THE INTERSTATE COMMISSION SHALL KEEP MINUTES THAT FULLY DESCRIBE
12 ALL MATTERS DISCUSSED IN EACH MEETING AND SHALL PROVIDE A FULL AND
13 ACCURATE SUMMARY OF ACTIONS TAKEN, INCLUDING RECORD OF ANY ROLL CALL
14 VOTES.
- 15 J. THE INTERSTATE COMMISSION SHALL MAKE ITS INFORMATION AND
16 OFFICIAL RECORDS, TO THE EXTENT NOT OTHERWISE DESIGNATED IN THIS COMPACT
17 OR BY ITS RULES, AVAILABLE TO THE PUBLIC FOR INSPECTION.
- 18 K. THE INTERSTATE COMMISSION SHALL ESTABLISH AN EXECUTIVE
19 COMMITTEE, WHICH SHALL INCLUDE OFFICERS, MEMBERS AND OTHERS AS DETERMINED
20 BY THE BYLAWS. THE EXECUTIVE COMMITTEE SHALL HAVE THE POWER TO ACT ON
21 BEHALF OF THE INTERSTATE COMMISSION, WITH THE EXCEPTION OF RULEMAKING,
22 DURING PERIODS WHEN THE INTERSTATE COMMISSION IS NOT IN SESSION. WHEN
23 ACTING ON BEHALF OF THE INTERSTATE COMMISSION, THE EXECUTIVE COMMITTEE
24 SHALL OVERSEE THE ADMINISTRATION OF THIS COMPACT, INCLUDING ENFORCEMENT
25 AND COMPLIANCE WITH THIS COMPACT, AND ITS BYLAWS AND RULES, AND OTHER SUCH
26 DUTIES AS NECESSARY.
- 27 L. THE INTERSTATE COMMISSION SHALL ESTABLISH OTHER COMMITTEES FOR
28 GOVERNANCE AND ADMINISTRATION OF THIS COMPACT.
- 29 SECTION 12. POWERS AND DUTIES OF THE INTERSTATE COMMISSION
30 THE FOLLOWING ARE THE POWERS AND DUTIES OF THE INTERSTATE
31 COMMISSION:
- 32 1. OVERSEE AND MAINTAIN THE ADMINISTRATION OF THIS COMPACT.
- 33 2. ADOPT RULES THAT ARE BINDING TO THE EXTENT AND IN THE MANNER
34 PROVIDED FOR IN THIS COMPACT.
- 35 3. ISSUE, ON THE REQUEST OF A MEMBER STATE OR MEMBER BOARD,
36 ADVISORY OPINIONS CONCERNING THE MEETING OR INTERPRETATION OF THIS COMPACT
37 AND ITS BYLAWS, RULES AND ACTIONS.
- 38 4. ENFORCE COMPLIANCE WITH COMPACT PROVISIONS, THE RULES ADOPTED BY
39 THE INTERSTATE COMMISSION AND THE BYLAWS, USING ALL NECESSARY AND PROPER
40 MEANS, INCLUDING THE USE OF JUDICIAL PROCESS.
- 41 5. ESTABLISH AND APPOINT COMMITTEES, INCLUDING AN EXECUTIVE
42 COMMITTEE AS REQUIRED BY SECTION 11 OF THIS COMPACT, WHICH SHALL HAVE THE
43 POWER TO ACT ON BEHALF OF THE INTERSTATE COMMISSION IN CARRYING OUT ITS
44 POWERS AND DUTIES.

- 1 6. PAY, OR PROVIDE FOR THE PAYMENT OF, THE EXPENSES RELATED TO THE
- 2 ESTABLISHMENT, ORGANIZATION AND ONGOING ACTIVITIES OF THE INTERSTATE
- 3 COMMISSION.
- 4 7. ESTABLISH AND MAINTAIN ONE OR MORE OFFICES.
- 5 8. BORROW, ACCEPT, HIRE OR CONTRACT FOR SERVICES OF PERSONNEL.
- 6 9. PURCHASE AND MAINTAIN INSURANCE AND BONDS.
- 7 10. EMPLOY AN EXECUTIVE DIRECTOR WHO SHALL HAVE THE POWER TO
- 8 EMPLOY, SELECT OR APPOINT EMPLOYEES, AGENTS AND CONSULTANTS AND TO
- 9 DETERMINE THEIR QUALIFICATIONS, DEFINE THEIR DUTIES AND FIX THEIR
- 10 COMPENSATION.
- 11 11. ESTABLISH PERSONNEL POLICIES AND PROGRAMS RELATING TO CONFLICTS
- 12 OF INTEREST, RATES OF COMPENSATION AND QUALIFICATION OF PERSONNEL.
- 13 12. ACCEPT DONATIONS AND GRANTS OF MONIES, EQUIPMENT, SUPPLIES,
- 14 MATERIALS AND SERVICES TO RECEIVE, USE AND DISPOSE OF ANY OF THESE IN A
- 15 MANNER CONSISTENT WITH THE CONFLICT OF INTEREST POLICIES ESTABLISHED BY
- 16 THE INTERSTATE COMMISSION.
- 17 13. LEASE, PURCHASE, AND ACCEPT CONTRIBUTIONS OR DONATIONS OF, OR
- 18 OTHERWISE OWN, HOLD, IMPROVE OR USE, ANY PROPERTY, REAL, PERSONAL OR
- 19 MIXED.
- 20 14. SELL, CONVEY, MORTGAGE, PLEDGE, LEASE, EXCHANGE, ABANDON OR
- 21 OTHERWISE DISPOSE OF ANY PROPERTY, REAL, PERSONAL OR MIXED.
- 22 15. ESTABLISH A BUDGET AND MAKE EXPENDITURES.
- 23 16. ADOPT A SEAL AND BYLAWS GOVERNING THE MANAGEMENT AND OPERATION
- 24 OF THE INTERSTATE COMMISSION.
- 25 17. REPORT ANNUALLY TO THE LEGISLATURES AND GOVERNORS OF THE MEMBER
- 26 STATES CONCERNING THE ACTIVITIES OF THE INTERSTATE COMMISSION DURING THE
- 27 PRECEDING YEAR. THE REPORTS SHALL ALSO INCLUDE REPORTS OF FINANCIAL
- 28 AUDITS, FINANCIAL STATEMENTS AND ANY RECOMMENDATIONS THAT THE INTERSTATE
- 29 COMMISSION HAS ADOPTED.
- 30 18. COORDINATE EDUCATION, TRAINING AND PUBLIC AWARENESS REGARDING
- 31 THIS COMPACT AND ITS IMPLEMENTATION AND OPERATION.
- 32 19. MAINTAIN RECORDS IN ACCORDANCE WITH THE BYLAWS.
- 33 20. SEEK AND OBTAIN TRADEMARKS, COPYRIGHTS AND PATENTS.
- 34 21. PERFORM SUCH FUNCTIONS AS MAY BE NECESSARY OR APPROPRIATE TO
- 35 ACHIEVE THE PURPOSE OF THIS COMPACT.

36 SECTION 13. FINANCE POWERS

- 37 A. THE INTERSTATE COMMISSION MAY LEVY ON AND COLLECT AN ANNUAL
- 38 ASSESSMENT FROM EACH MEMBER STATE TO COVER THE COST OF THE OPERATIONS AND
- 39 ACTIVITIES OF THE INTERSTATE COMMISSION AND ITS STAFF. THE TOTAL
- 40 ASSESSMENT MUST BE SUFFICIENT TO COVER THE ANNUAL BUDGET APPROVED EACH
- 41 YEAR FOR WHICH REVENUE IS NOT PROVIDED BY OTHER SOURCES. THE AGGREGATE
- 42 ANNUAL ASSESSMENT AMOUNT SHALL BE ALLOCATED ON A FORMULA TO BE DETERMINED
- 43 BY THE INTERSTATE COMMISSION, WHICH SHALL ADOPT A RULE BINDING ON ALL
- 44 MEMBER STATES.

1 B. THE INTERSTATE COMMISSION SHALL NOT INCUR OBLIGATIONS OF ANY
2 KIND BEFORE SECURING THE MONIES ADEQUATE TO MEET THOSE OBLIGATIONS.

3 C. THE INTERSTATE COMMISSION SHALL NOT PLEDGE THE CREDIT OF ANY OF
4 THE MEMBER STATES, EXCEPT BY AND WITH THE AUTHORITY OF THE MEMBER STATE.

5 D. THE INTERSTATE COMMISSION SHALL MAINTAIN FINANCIAL RECORDS IN
6 ACCORDANCE WITH THE BYLAWS, INCLUDING PROFIT AND LOSS STATEMENTS AND
7 BALANCE SHEET REPORTS, WHICH SHALL BE INCLUDED IN THE ANNUAL REPORT OF THE
8 INTERSTATE COMMISSION.

9 SECTION 14. ORGANIZATION AND OPERATION
10 OF THE INTERSTATE COMMISSION

11 A. THE INTERSTATE COMMISSION, BY A MAJORITY OF COMMISSIONERS
12 PRESENT AND VOTING, SHALL ADOPT BYLAWS TO GOVERN ITS CONDUCT AS MAY BE
13 NECESSARY OR APPROPRIATE TO CARRY OUT THE PURPOSES OF THE COMPACT WITHIN
14 TWELVE MONTHS AFTER THE FIRST INTERSTATE COMMISSION MEETING.

15 B. THE INTERSTATE COMMISSION SHALL ELECT OR APPOINT ANNUALLY FROM
16 AMONG ITS COMMISSIONERS A CHAIRPERSON, A VICE CHAIRPERSON AND A TREASURER,
17 EACH OF WHOM SHALL HAVE SUCH AUTHORITY AND DUTIES AS MAY BE SPECIFIED IN
18 THE BYLAWS. THE CHAIRPERSON, OR IN THE CHAIRPERSON'S ABSENCE OR
19 DISABILITY THE VICE CHAIRPERSON, SHALL PRESIDE AT ALL MEETINGS OF THE
20 INTERSTATE COMMISSION.

21 C. OFFICERS SELECTED PURSUANT TO SUBSECTION B OF THIS SECTION SHALL
22 SERVE WITHOUT REMUNERATION FOR THE INTERSTATE COMMISSION.

23 D. THE OFFICERS AND EMPLOYEES OF THE INTERSTATE COMMISSION ARE
24 IMMUNE FROM SUIT AND LIABILITY, EITHER PERSONALLY OR IN THEIR OFFICIAL
25 CAPACITY, FOR A CLAIM FOR DAMAGE TO OR LOSS OF PROPERTY OR PERSONAL INJURY
26 OR OTHER CIVIL LIABILITY CAUSED OR ARISING OUT OF, OR RELATING TO, AN
27 ACTUAL OR ALLEGED ACT, ERROR OR OMISSION THAT OCCURRED, OR THAT SUCH
28 PERSON HAD A REASONABLE BASIS FOR BELIEVING OCCURRED, WITHIN THE SCOPE OF
29 INTERSTATE COMMISSION EMPLOYMENT, DUTIES OR RESPONSIBILITIES, SUCH A
30 PERSON IS NOT PROTECTED FROM SUIT OR LIABILITY FOR DAMAGE, LOSS, INJURY OR
31 LIABILITY CAUSED BY THE PERSON'S INTENTIONAL OR WILFUL AND WANTON
32 MISCONDUCT.

33 E. THE LIABILITY OF THE EXECUTIVE DIRECTOR AND EMPLOYEES OF THE
34 INTERSTATE COMMISSION OR REPRESENTATIVES OF THE INTERSTATE COMMISSION,
35 ACTING WITHIN THE SCOPE OF SUCH PERSON'S EMPLOYMENT OR DUTIES FOR ACTS,
36 ERRORS OR OMISSIONS OCCURRING WITHIN SUCH PERSON'S STATE, MAY NOT EXCEED
37 THE LIMITS OF LIABILITY SET FORTH UNDER THE CONSTITUTION AND LAWS OF THAT
38 STATE FOR STATE OFFICIALS, EMPLOYEES AND AGENTS. THE INTERSTATE
39 COMMISSION IS CONSIDERED TO BE AN INSTRUMENTALITY OF THE STATES FOR THE
40 PURPOSE OF SUCH ACTION. THIS SUBSECTION DOES NOT PROTECT SUCH A PERSON
41 FROM SUIT OR LIABILITY FOR DAMAGE, LOSS, INJURY OR LIABILITY CAUSED BY THE
42 PERSON'S INTENTIONAL OR WILFUL AND WANTON MISCONDUCT.

43 F. THE INTERSTATE COMMISSION SHALL DEFEND THE EXECUTIVE DIRECTOR
44 AND ITS EMPLOYEES AND, SUBJECT TO THE APPROVAL OF THE ATTORNEY GENERAL OR
45 OTHER APPROPRIATE LEGAL COUNSEL OF THE MEMBER STATE REPRESENTED BY THE

1 INTERSTATE COMMISSION REPRESENTATIVE, SHALL DEFEND SUCH AN INTERSTATE
2 COMMISSION REPRESENTATIVE IN ANY CIVIL ACTION SEEKING TO IMPOSE LIABILITY
3 ARISING OUT OF AN ACTUAL OR ALLEGED ACT, ERROR OR OMISSION THAT OCCURRED
4 WITHIN THE SCOPE OF INTERSTATE COMMISSION EMPLOYMENT, DUTIES OR
5 RESPONSIBILITIES, OR THAT THE PERSON HAD A REASONABLE BASIS FOR BELIEVING
6 OCCURRED WITHIN THE SCOPE OF THE INTERSTATE COMMISSION EMPLOYMENT, DUTIES
7 OR RESPONSIBILITIES, IF THE ACTUAL OR ALLEGED ACT, ERROR OR OMISSION DID
8 NOT RESULT FROM THE PERSON'S INTENTIONAL OR WILFUL AND WANTON MISCONDUCT.

9 G. TO THE EXTENT NOT COVERED BY THE STATE INVOLVED, THE MEMBER
10 STATE OR THE INTERSTATE COMMISSION, THE REPRESENTATIVES OR EMPLOYEES OF
11 THE INTERSTATE COMMISSION SHALL BE HELD HARMLESS IN THE AMOUNT OF A
12 SETTLEMENT OR JUDGMENT, INCLUDING ATTORNEY FEES AND COSTS, OBTAINED
13 AGAINST SUCH PERSONS ARISING OUT OF AN ACTUAL OR ALLEGED ACT, ERROR OR
14 OMISSION THAT OCCURRED WITHIN THE SCOPE OF INTERSTATE COMMISSION
15 EMPLOYMENT, DUTIES OR RESPONSIBILITIES, OR THAT SUCH PERSONS HAD A
16 REASONABLE BASIS FOR BELIEVING OCCURRED WITHIN THE SCOPE OF INTERSTATE
17 COMMISSION EMPLOYMENT, DUTIES OR RESPONSIBILITIES, IF THE ACTUAL OR
18 ALLEGED ACT, ERROR OR OMISSION DID NOT RESULT FROM THE PERSON'S
19 INTENTIONAL OR WILFUL AND WANTON MISCONDUCT.

20 SECTION 15. RULEMAKING FUNCTIONS OF THE
21 INTERSTATE COMMISSION

22 A. THE INTERSTATE COMMISSION SHALL ADOPT RULES TO EFFECTIVELY AND
23 EFFICIENTLY ACHIEVE THE PURPOSE OF THIS COMPACT. NOTWITHSTANDING THE
24 FOREGOING, IF THE INTERSTATE COMMISSION EXERCISES ITS RULEMAKING AUTHORITY
25 IN A MANNER THAT IS BEYOND THE SCOPE OF THE PURPOSES OF THIS COMPACT, OR
26 THE POWERS GRANTED HEREUNDER, SUCH AN ACTION BY THE INTERSTATE COMMISSION
27 IS INVALID AND HAS NO FORCE OR EFFECT.

28 B. RULES DEEMED APPROPRIATE FOR THE OPERATIONS OF THE INTERSTATE
29 COMMISSION SHALL BE MADE PURSUANT TO THE RULEMAKING PROCESS THAT
30 SUBSTANTIALLY CONFORMS TO THE MODEL STATE ADMINISTRATIVE PROCEDURE ACT OF
31 2010, AND SUBSEQUENT AMENDMENTS THERETO.

32 C. NOT LATER THAN THIRTY DAYS AFTER A RULE IS ADOPTED, ANY PERSON
33 MAY FILE A PETITION FOR JUDICIAL REVIEW OF THE RULE IN THE UNITED STATES
34 DISTRICT COURT FOR THE DISTRICT OF COLUMBIA OR THE FEDERAL DISTRICT WHERE
35 THE INTERSTATE COMMISSION HAS ITS PRINCIPAL OFFICES. THE FILING OF SUCH A
36 PETITION DOES NOT STAY OR OTHERWISE PREVENT THE RULE FROM BECOMING
37 EFFECTIVE UNLESS THE COURT FINDS THAT THE PETITIONER HAS A SUBSTANTIAL
38 LIKELIHOOD OF SUCCESS. THE COURT SHALL GIVE DEFERENCE TO THE ACTIONS OF
39 THE INTERSTATE COMMISSION CONSISTENT WITH APPLICABLE LAW AND SHALL NOT
40 FIND THE RULE TO BE UNLAWFUL IF THE RULE REPRESENTS A REASONABLE EXERCISE
41 OF THE AUTHORITY GRANTED TO THE INTERSTATE COMMISSION.

42 SECTION 16. OVERSIGHT OF INTERSTATE COMPACT

43 A. THE EXECUTIVE, LEGISLATIVE AND JUDICIAL BRANCHES OF STATE
44 GOVERNMENT IN EACH MEMBER STATE SHALL ENFORCE THIS COMPACT AND SHALL TAKE
45 ALL ACTIONS NECESSARY AND APPROPRIATE TO EFFECTUATE THIS COMPACT'S

1 PURPOSES AND INTENT. THIS COMPACT AND THE RULES ADOPTED HEREUNDER HAVE
2 STANDING AS STATUTORY LAW BUT SHALL NOT OVERRIDE EXISTING STATE AUTHORITY
3 TO REGULATE THE PRACTICE OF PODIATRIC MEDICINE.

4 B. ALL COURTS SHALL TAKE JUDICIAL NOTICE OF THIS COMPACT AND THE
5 RULES IN ANY JUDICIAL OR ADMINISTRATIVE PROCEEDING IN A MEMBER STATE
6 PERTAINING TO THE SUBJECT MATTER OF THIS COMPACT THAT MAY AFFECT THE
7 POWERS, RESPONSIBILITIES OR ACTIONS OF THE INTERSTATE COMMISSION.

8 C. THE INTERSTATE COMMISSION IS ENTITLED TO RECEIVE ALL SERVICE OF
9 PROCESS IN ANY SUCH PROCEEDING AND HAS STANDING TO INTERVENE IN THE
10 PROCEEDING FOR ALL PURPOSES. FAILURE TO PROVIDE SERVICE OF PROCESS TO THE
11 INTERSTATE COMMISSION RENDERS A JUDGMENT OR ORDER VOID AS TO THE
12 INTERSTATE COMMISSION, THIS COMPACT OR ADOPTED RULES.

13 SECTION 17. ENFORCEMENT OF INTERSTATE COMPACT

14 A. THE INTERSTATE COMMISSION, IN THE REASONABLE EXERCISE OF ITS
15 DISCRETION, SHALL ENFORCE THE PROVISIONS AND RULES OF THIS COMPACT.

16 B. THE INTERSTATE COMMISSION, BY A MAJORITY VOTE OF THE
17 COMMISSIONERS PRESENT AND VOTING, MAY INITIATE LEGAL ACTION IN THE UNITED
18 STATES COURT FOR THE DISTRICT OF COLUMBIA, OR, AT THE DISCRETION OF THE
19 INTERSTATE COMMISSION, IN FEDERAL DISTRICT WHERE THE INTERSTATE COMMISSION
20 HAS ITS PRINCIPAL OFFICES, TO ENFORCE COMPLIANCE WITH THIS COMPACT AND ITS
21 ADOPTED RULES AND BYLAWS, AGAINST A MEMBER STATE IN DEFAULT. THE RELIEF
22 SOUGHT MAY INCLUDE BOTH INJUNCTIVE RELIEF AND DAMAGES. IF JUDICIAL
23 ENFORCEMENT IS NECESSARY, THE PREVAILING PARTY SHALL BE AWARDED ALL COSTS
24 OF SUCH LITIGATION, INCLUDING REASONABLE ATTORNEY FEES.

25 C. THE REMEDIES PRESCRIBED IN THIS SECTION ARE NOT THE EXCLUSIVE
26 REMEDIES OF THE INTERSTATE COMMISSION. THE INTERSTATE COMMISSION MAY
27 AVAIL ITSELF OF ANY OTHER REMEDIES AVAILABLE UNDER STATE LAW OR REGULATION
28 OF A PROFESSION.

29 SECTION 18. DEFAULT PROCEDURES

30 A. THE GROUNDS FOR DEFAULT INCLUDE FAILURE OF A MEMBER BOARD TO
31 PERFORM SUCH OBLIGATIONS OR RESPONSIBILITIES IMPOSED ON IT BY THIS COMPACT
32 OR THE RULES AND BYLAWS OF THE INTERSTATE COMMISSION ADOPTED UNDER THIS
33 COMPACT.

34 B. IF THE INTERSTATE COMMISSION DETERMINES THAT A MEMBER STATE HAS
35 DEFAULTED IN THE PERFORMANCE OF ITS OBLIGATIONS OR RESPONSIBILITIES UNDER
36 THIS COMPACT OR THE BYLAWS OR ADOPTED RULES, THE INTERSTATE COMMISSION
37 SHALL BOTH:

38 1. PROVIDE WRITTEN NOTICE TO THE DEFAULTING STATE AND OTHER MEMBER
39 STATES OF THE NATURE OF THE DEFAULT, THE MEANS OF CURING THE DEFAULT AND
40 ANY ACTION TAKEN BY THE INTERSTATE COMMISSION. THE INTERSTATE COMMISSION
41 SHALL SPECIFY THE CONDITIONS BY WHICH THE DEFAULTING STATE MUST CURE ITS
42 DEFAULT.

43 2. PROVIDE REMEDIAL TRAINING AND SPECIFIC TECHNICAL ASSISTANCE
44 REGARDING THE DEFAULT.

1 C. IF THE DEFAULTING STATE FAILS TO CURE THE DEFAULT, THE
2 DEFAULTING STATE SHALL BE TERMINATED FROM THIS COMPACT ON AN AFFIRMATIVE
3 VOTE OF THE MAJORITY OF THE COMMISSIONERS PRESENT AND VOTING, AND ALL
4 RIGHTS, PRIVILEGES AND BENEFITS CONFERRED BY THIS COMPACT TERMINATE ON THE
5 EFFECTIVE DATE OF TERMINATION. A CURE OF THE DEFAULT DOES NOT RELIEVE THE
6 OFFENDING STATE OF OBLIGATIONS OR LIABILITIES INCURRED DURING THE PERIOD
7 OF DEFAULT.

8 D. TERMINATION OF MEMBERSHIP IN THIS COMPACT SHALL BE IMPOSED ONLY
9 AFTER ALL OTHER MEANS OF SECURING COMPLIANCE HAVE BEEN EXHAUSTED. NOTICE
10 OF INTENT TO TERMINATE SHALL BE GIVEN BY THE INTERSTATE COMMISSION TO THE
11 GOVERNOR, THE MAJORITY AND MINORITY LEADERS OF THE DEFAULTING STATE'S
12 LEGISLATURE, AND EACH MEMBER STATE.

13 E. THE INTERSTATE COMMISSION SHALL ESTABLISH RULES AND PROCEDURES
14 TO ADDRESS LICENSES AND PODIATRIC PHYSICIANS WHO ARE MATERIALLY IMPACTED
15 BY THE TERMINATION OR WITHDRAWAL OF A MEMBER STATE.

16 F. A MEMBER STATE THAT HAS BEEN TERMINATED IS RESPONSIBLE FOR ALL
17 DUES, OBLIGATIONS AND LIABILITIES INCURRED THROUGH THE EFFECTIVE DATE OF
18 TERMINATION, INCLUDING OBLIGATIONS, THE PERFORMANCE OF WHICH EXTENDS
19 BEYOND THE EFFECTIVE DATE OF TERMINATION.

20 G. THE INTERSTATE COMMISSION SHALL NOT BEAR ANY COSTS RELATING TO
21 ANY STATE THAT HAS BEEN FOUND TO BE IN DEFAULT OR THAT HAS BEEN TERMINATED
22 FROM THE COMPACT, UNLESS OTHERWISE MUTUALLY AGREED ON IN WRITING BETWEEN
23 THE INTERSTATE COMMISSION AND THE DEFAULTING STATE.

24 H. THE DEFAULTING STATE MAY APPEAL THE ACTION OF THE INTERSTATE
25 COMMISSION BY PETITIONING THE UNITED STATES DISTRICT COURT FOR THE
26 DISTRICT OF COLUMBIA OR THE FEDERAL DISTRICT WHERE THE INTERSTATE
27 COMMISSION HAS ITS PRINCIPAL OFFICES. THE PREVAILING PARTY SHALL BE
28 AWARDED ALL COSTS OF LITIGATION, INCLUDING REASONABLE ATTORNEY FEES.

29 SECTION 19. DISPUTE RESOLUTION

30 A. THE INTERSTATE COMMISSION, ON THE REQUEST OF A MEMBER STATE,
31 SHALL ATTEMPT TO RESOLVE DISPUTES THAT ARE SUBJECT TO THIS COMPACT AND
32 THAT ARISE AMONG MEMBER STATES OR MEMBER BOARDS.

33 B. THE INTERSTATE COMMISSION SHALL ADOPT RULES PROVIDING FOR BOTH
34 MEDIATION AND BINDING DISPUTE RESOLUTION AS APPROPRIATE.

35 SECTION 20. MEMBER STATES, EFFECTIVE DATE AND AMENDMENT

36 A. ANY STATE IS ELIGIBLE TO BECOME A MEMBER OF THIS COMPACT.

37 B. THIS COMPACT SHALL BECOME EFFECTIVE AND BINDING ON LEGISLATIVE
38 ENACTMENT OF THIS COMPACT INTO LAW BY NOT LESS THAN FOUR STATES.
39 THEREAFTER, IT SHALL BECOME EFFECTIVE AND BINDING ON A STATE ON ENACTMENT
40 OF THIS COMPACT INTO LAW BY THAT STATE.

41 C. THE GOVERNORS OF NONMEMBER STATES, OR THEIR DESIGNEES, SHALL BE
42 WELCOME TO PARTICIPATE IN THE ACTIVITIES OF THE INTERSTATE COMMISSION ON A
43 NONVOTING BASIS BEFORE ADOPTION OF THIS COMPACT BY ALL STATES.

1 D. THE INTERSTATE COMMISSION MAY PROPOSE AMENDMENTS TO THIS COMPACT
2 FOR ENACTMENT BY THE MEMBER STATES. AN AMENDMENT SHALL NOT BECOME
3 EFFECTIVE AND BINDING ON THE INTERSTATE COMMISSION AND OTHER MEMBER STATES
4 UNLESS AND UNTIL IT IS ENACTED INTO LAW BY UNANIMOUS CONSENT OF THE MEMBER
5 STATES.

6 SECTION 21. WITHDRAWAL

7 A. ONCE EFFECTIVE, THIS COMPACT SHALL CONTINUE IN FORCE AND REMAIN
8 BINDING ON EACH MEMBER STATE, PROVIDED THAT A MEMBER STATE MAY WITHDRAW
9 FROM THE COMPACT BY SPECIFICALLY REPEALING THE STATUTE THAT ENACTED THIS
10 COMPACT INTO LAW.

11 B. WITHDRAWAL FROM THIS COMPACT SHALL BE BY THE ENACTMENT OF A
12 STATUTE REPEALING THE SAME BUT DOES NOT TAKE EFFECT UNTIL ONE YEAR AFTER
13 THE EFFECTIVE DATE OF SUCH STATUTE AND UNTIL WRITTEN NOTICE OF THE
14 WITHDRAWAL HAS BEEN GIVEN BY THE WITHDRAWING STATE TO THE GOVERNOR OF EACH
15 OTHER MEMBER STATE.

16 C. THE WITHDRAWING STATE SHALL IMMEDIATELY NOTIFY THE CHAIRPERSON
17 OF THE INTERSTATE COMMISSION IN WRITING ON THE INTRODUCTION OF LEGISLATION
18 REPEALING THE COMPACT IN THE WITHDRAWING STATE.

19 D. THE INTERSTATE COMMISSION SHALL NOTIFY THE OTHER MEMBER STATES
20 OF THE WITHDRAWING STATE'S INTENT TO WITHDRAW WITHIN SIXTY DAYS AFTER ITS
21 RECEIPT OF NOTICE PROVIDED UNDER SUBSECTION C OF THIS SECTION.

22 E. THE WITHDRAWING STATE IS RESPONSIBLE FOR ALL DUES, OBLIGATIONS
23 AND LIABILITIES INCURRED THROUGHOUT THE EFFECTIVE DATE OF WITHDRAWAL,
24 INCLUDING OBLIGATIONS, THE PERFORMANCE OF WHICH EXTENDS BEYOND THE
25 EFFECTIVE DATE OF WITHDRAWAL.

26 F. REINSTATEMENT FOLLOWING WITHDRAWAL OF A MEMBER STATE SHALL OCCUR
27 ON THE WITHDRAWING DATE REENACTING THE COMPACT OR ON SUCH LATER DATE AS
28 DETERMINED BY THE INTERSTATE COMMISSION.

29 G. THE INTERSTATE COMMISSION IS AUTHORIZED TO DEVELOP RULES TO
30 ADDRESS THE IMPACT OF THE WITHDRAWAL OF A MEMBER STATE ON LICENSES GRANTED
31 IN OTHER MEMBER STATES TO PODIATRIC PHYSICIANS WHO DESIGNATED THE
32 WITHDRAWING MEMBER STATE AS THE STATE OF PRINCIPAL LICENSE.

33 SECTION 22. DISSOLUTION

34 A. THIS COMPACT SHALL BE DISSOLVED EFFECTIVE ON THE DATE OF THE
35 WITHDRAWAL OR DEFAULT OF THE MEMBER STATE THAT REDUCES THE MEMBERSHIP OF
36 THIS COMPACT TO ONE MEMBER STATE.

37 B. ON THE DISSOLUTION OF THIS COMPACT, THIS COMPACT BECOMES VOID
38 AND IS OF NO FURTHER FORCE OR EFFECT, THE BUSINESS AND AFFAIRS OF THE
39 INTERSTATE COMMISSION SHALL BE CONCLUDED AND SURPLUS MONIES SHALL BE
40 DISTRIBUTED IN ACCORDANCE WITH THE BYLAWS.

41 SECTION 23. SEVERABILITY AND CONSTRUCTION

42 A. THE PROVISIONS OF THE COMPACT ARE SEVERABLE, AND IF ANY PHRASE,
43 CLAUSE, SENTENCE OR PROVISION IS DEEMED UNENFORCEABLE, THE REMAINING
44 PROVISIONS OF THIS COMPACT ARE ENFORCEABLE.

- 1 B. THE PROVISIONS OF THIS COMPACT SHALL BE LIBERALLY CONSTRUED TO
- 2 EFFECTUATE ITS PURPOSES.
- 3 C. THIS COMPACT DOES NOT PROHIBIT THE APPLICABILITY OF OTHER
- 4 INTERSTATE COMPACTS TO WHICH THE MEMBER STATES ARE MEMBERS.
- 5 SECTION 24. BINDING EFFECT OF COMPACT AND OTHER LAWS
- 6 A. THIS COMPACT DOES NOT PREVENT THE ENFORCEMENT OF ANY OTHER LAW
- 7 OF A MEMBER STATE THAT IS NOT INCONSISTENT WITH THIS COMPACT.
- 8 B. ALL LAWS IN A MEMBER STATE THAT ARE IN CONFLICT WITH THIS
- 9 COMPACT ARE SUPERSEDED TO THE EXTENT OF THE CONFLICT.
- 10 C. ALL LAWFUL ACTIONS OF THE INTERSTATE COMMISSION, INCLUDING ALL
- 11 RULES AND BYLAWS ADOPTED BY THE COMMISSION, ARE BINDING ON ALL MEMBER
- 12 STATES.
- 13 D. ALL AGREEMENTS BETWEEN THE INTERSTATE COMMISSION AND THE MEMBER
- 14 STATES ARE BINDING IN ACCORDANCE WITH THEIR TERMS.
- 15 E. IF ANY PROVISION OF THIS COMPACT EXCEEDS THE CONSTITUTIONAL
- 16 LIMITS IMPOSED ON THE LEGISLATURE OF ANY MEMBER STATE, THAT PROVISION IS
- 17 INEFFECTIVE TO THE EXTENT OF THE CONFLICT WITH THE CONSTITUTIONAL
- 18 PROVISION IN QUESTION IN THAT MEMBER STATE.