

**§2289. State participation in compact**

**1. Participation in compact.** To participate in the compact, a member state shall:

A. License occupational therapists and occupational therapy assistants; [PL 2021, c. 324, §2 (NEW).]

B. Participate fully in the commission's data system, including, but not limited to, using the commission's unique identifier as defined in rules of the commission; [PL 2021, c. 324, §2 (NEW).]

C. Have a mechanism in place for receiving and investigating complaints about licensees; [PL 2021, c. 324, §2 (NEW).]

D. Notify the commission, in compliance with the terms of the compact and rules, of any adverse action or the availability of investigative information regarding a licensee; [PL 2021, c. 324, §2 (NEW).]

E. Implement or use procedures for considering the criminal history records of applicants for an initial compact privilege. These procedures must include the submission of fingerprints or other biometric-based information by applicants for the purpose of obtaining an applicant's criminal history record information from the Federal Bureau of Investigation and the agency responsible for retaining that state's criminal records.

(1) A member state shall within a time frame established by the commission require a criminal background check for a licensee applying for a compact privilege whose primary state of residence is that member state, by receiving the results of the Federal Bureau of Investigation criminal record search, and shall use the results in making licensure decisions.

(2) Communication with the commission and among member states regarding the verification of eligibility for licensure through the compact may not include any information received from the Federal Bureau of Investigation relating to a federal criminal records check performed by a member state under the Departments of State, Justice, and Commerce, the Judiciary, and Related Agencies Appropriations Act, 1973, Title II, Public Law 92-544 (1972); [PL 2021, c. 324, §2 (NEW).]

F. Comply with the rules of the commission; [PL 2021, c. 324, §2 (NEW).]

G. Use only a recognized national examination as a requirement for licensure pursuant to the rules of the commission; and [PL 2021, c. 324, §2 (NEW).]

H. Have continuing education requirements as a condition for license renewal. [PL 2021, c. 324, §2 (NEW).]

[PL 2021, c. 324, §2 (NEW).]

**2. Compact privilege.** A member state shall grant the compact privilege to a licensee holding a valid unencumbered license in another member state in accordance with the terms of the compact and rules.

[PL 2021, c. 324, §2 (NEW).]

**3. Fee.** A member state may charge a fee for granting a compact privilege.

[PL 2021, c. 324, §2 (NEW).]

**4. Delegate to commission.** A member state shall provide for the state's delegate to attend all occupational therapy compact commission meetings.

[PL 2021, c. 324, §2 (NEW).]

**5. Nonresidents.** An individual not residing in a member state is able to apply for a member state's single-state license as provided under the laws of that member state. However, the single-state license

granted to these individuals may not be recognized as granting the compact privilege in any other member state.

[PL 2021, c. 324, §2 (NEW).]

**6. No effect on single-state license authority.** Nothing in this compact affects the requirements established by a member state for the issuance of a single-state license.

[PL 2021, c. 324, §2 (NEW).]

#### SECTION HISTORY

PL 2021, c. 324, §2 (NEW).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Legislature and is current through October 15, 2024. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.