

# The Interstate Compact for Portability

## **Issue:**

The lack of licensure portability has become one of the most critical issues impacting counselors and clients. The lack of portability inhibits the ability of underserved areas to increase the availability of mental health services for their population. It also fails to address the mobile nature of the country and forces clients to seek new counselors when they move, and prohibits counselors from continuing their work with their clients when either party moves to a new jurisdiction. Currently most states require counselors to be licensed in the state where the client resides, which limits tele-behavioral health as an option for many clients.

## **Background:**

Counselors have difficulty transferring their licenses from one state/jurisdiction to another due to the independent nature of jurisdictional licensing rules and regulations. There is little consistency regarding the requirements for licensure, specifically around the number of graduate hours/program, supervision of clinical experience, and mandated examination. These varying requirements and scopes of practice make it difficult to transfer one's license. To date few licensing boards have been willing to accept a license from another state and usually mandate the applicant meet additional prerequisites.

Interstate compacts address this issue. Compacts provide a pathway for counselors to move seamlessly from one state to another through an agreement among states that provides an option which recognized the other state's license.

The ACA Governing Council approved funding to pursue an Interstate Compact for Portability in October 2018 and signed a contract January 1, 2019 with The Council for State Governments' (CSG) National Center for Interstate Compacts (NCIC) to conduct the work.

## **Process:**

### **NCIC is using a three-phase process.**

#### **Phase I:** January – August 2020

Development of the compact, including project research; creation and convening of an advisory group; drafting of proposed language; and feedback on the draft from stakeholder groups. The advisory group will consist of state legislators who are either licensed professional counselors or who have passed counselor friendly legislation; leaders in the counseling field and practicing counselors, executive directors of licensing boards, and attorneys for state licensing boards.

#### **Phase II:** September 2020 – March 2023

Implementation to develop a comprehensive online resource kit that serves as the principal information resource on the new compact; the development of a comprehensive legislative strategy; convening a national legislative briefing; tracking legislation regarding the compact; attendance at legislative hearings for the compact; and providing state briefings, as needed.

#### **Phase III:** April 2023 – September 2023

Establishment of the commission that will provide on-going coordination of the compact.

**Current Status, as of August 2019:**

Members for the advisory group have been identified and the first meeting, which will be in-person, is scheduled to take place in Washington, D.C., October 2-4, 2019. Subsequent meetings will take place virtually.

**The compact development:**

ACA has entered into an agreement with NCIC, who will be responsible for all phases of creating the compact and working with states to see it adopted. The language and specifics of the compact will be the responsibility of NCIC and the workgroup. ACA and other stakeholder organizations will have input at different points in the compact process, but NCIC will work independently.

NCIC hopes to have 10–12 states sign on initially to the compact by the end of Phase III.

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