



PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1003 be amended to read as follows:

1 Page 367, after line 42, begin a new paragraph and insert:
2 "SECTION 1. IC 25-14.5-8 IS ADDED TO THE INDIANA CODE
3 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2026]:
5 **Chapter 8. Dietitians Interstate Compact**
6 **Sec. 1. (a) The purpose of this compact is to facilitate interstate**
7 **practice of dietetics with the goal of improving public access to**
8 **dietetics services. This compact preserves the regulatory authority**
9 **of states to protect public health and safety through the current**
10 **system of state licensure, while also providing for licensure**
11 **portability through a compact privilege granted to qualifying**
12 **professionals.**
13 **(b) This compact is designed to achieve the following objectives:**
14 **(1) Increase public access to dietetics services.**
15 **(2) Provide opportunities for interstate practice by licensed**
16 **dietitians who meet uniform requirements.**
17 **(3) Eliminate the necessity for licenses in multiple states.**
18 **(4) Reduce administrative burden on member states and**
19 **licensees.**
20 **(5) Enhance the states' ability to protect the public's health**
21 **and safety.**
22 **(6) Encourage the cooperation of member states in regulating**

multistate practice of licensed dietitians.

(7) Support relocating active military members and their spouses.

(8) Enhance the exchange of licensure, investigative, and disciplinary information among member states.

(9) Vest all member states with the authority to hold a licensed dietitian accountable for meeting all state practice laws in the state in which the patient is located at the time care is rendered.

Sec. 2. As used in this compact, and except as otherwise provided, the following definitions apply:

(1) "ACEND" means the Accreditation Council for Education in Nutrition and Dietetics or its successor organization.

(2) "Active military member" means any individual with full-time duty status in the active armed forces of the United States, including members of the National Guard and Reserve.

(3) "Adverse action" means any administrative, civil, equitable, or criminal action permitted by a state's laws which is imposed by a licensing authority or other authority against a licensee, including actions against an individual's license or compact privilege such as revocation, suspension, probation, monitoring of the licensee, limitation on the licensee's practice, or any other encumbrance on licensure affecting a licensee's authorization to practice, including issuance of a cease and desist action.

(4) "Alternative program" means a nondisciplinary monitoring or practice remediation process approved by a licensing authority.

(5) "CDR" means the commission on dietetic registration or its successor organization.

(6) "Charter member state" means any member state which enacted this compact by law before the effective date specified in section 13 of this chapter.

(7) "Compact commission" means the government agency whose membership consists of all states that have enacted this compact, as described in section 8 of this chapter, and which operates as an instrumentality of the member states.

(8) "Compact privilege" means a legal authorization, which is equivalent to a license, permitting the practice of dietetics in a remote state.

(9) "Continuing education" means a requirement, as a condition of license renewal, to provide evidence of participation in, and completion of, educational and professional activities relevant to practice or area of work.

(10) "Current significant investigative information" means:
(A) investigative information that a licensing authority,

after a preliminary inquiry that includes notification and an opportunity for the subject licensee to respond, if required by state law, has reason to believe is not groundless and, if proved true, would indicate more than a minor infraction; or

(B) investigative information that indicates that the subject licensee represents an immediate threat to public health and safety regardless of whether the subject licensee has been notified and had an opportunity to respond.

10 (11) "Data system" means a repository of information about
11 licensees, including continuing education, examination,
12 licensure, investigative, compact privilege, and adverse action
13 information.

17 (13) "Encumbrance" means a revocation or suspension of, or
18 any limitation on, a licensee's full and unrestricted practice of
19 dietetics by a licensing authority.

20 (14) "Executive committee" means a group of delegates
21 elected or appointed to act on behalf of, and within the powers
22 granted to them by, this compact and the compact
23 commission.

24 (15) "Home state" means the member state that is the
25 licensee's primary state of residence or that has been
26 designated under section 6 of this chapter.

27 (16) "Investigative information" means information, records,
28 and documents received or generated by a licensing authority
29 under an investigation.

30 (17) "Jurisprudence requirement" means an assessment of an
31 individual's knowledge of the state laws and regulations
32 governing the practice of dietetics in the state.

(B) use the title "dietitian", "licensed dietitian", "licensed dietitian nutritionist", "certified dietitian", or any other title describing a substantially similar practitioner as the compact commission may further define by rule.

12 who.

43 (A) currently holds a license; and

44 (B) meets all of the requirements outlined in section 4 of

45 this chapter.

(20) "Licensing authority" means the board or agency of a state or equivalent that is responsible for the licensing and

1 regulation of the practice of dietetics.

2 (21) "Member state" means a state that has enacted the
3 compact.

4 (22) "Practice of dietetics" means the synthesis and
5 application of dietetics, primarily for the provision of
6 nutrition care services, including medical nutrition therapy,
7 in person or via telehealth, to prevent, manage, or treat
8 diseases or medical conditions and promote wellness.

9 (23) "Registered dietitian" means a person who:

10 (A) has completed applicable education, experience,
11 examination, and recertification requirements approved by
12 CDR;

13 (B) is credentialed by CDR as a registered dietitian or a
14 registered dietitian nutritionist; and

15 (C) is legally authorized to use the title registered dietitian
16 or registered dietitian nutritionist and the corresponding
17 abbreviations "RD" or "RDN".

18 (24) "Remote state" means a member state other than the
19 home state, where a licensee is exercising or seeking to
20 exercise a compact privilege.

21 (25) "Rule" means a regulation promulgated by the compact
22 commission that has the force of law.

23 (26) "Single state license" means a license issued by a member
24 state within the issuing state and does not include a compact
25 privilege in any other member state.

26 (27) "State" means any state, commonwealth, district, or
27 territory of the United States of America.

28 (28) "Unencumbered license" means a license that authorizes
29 a licensee to engage in the full and unrestricted practice of
30 dietetics.

31 Sec. 3. (a) To participate in the compact, a state must currently:

32 (1) license and regulate the practice of dietetics; and

33 (2) have a mechanism in place for receiving and investigating
34 complaints about licensees.

35 (b) A member state shall do the following:

36 (1) Participate fully in the compact commission's data system,
37 including using the unique identifier as defined in rules.

38 (2) Notify the compact commission, in compliance with the
39 terms of the compact and rules, of any adverse action or the
40 availability of current significant investigative information
41 regarding a licensee.

42 (3) Implement or use procedures for considering the criminal
43 history record information of applicants for an initial
44 compact privilege. These procedures must include the
45 submission of fingerprints or other biometric based
46 information by applicants for the purpose of obtaining an
47 applicant's criminal history record information from the

14 (4) Comply with and enforce the compact commission rules.
15 (5) Require an applicant for a compact privilege to obtain or
16 retain a license in the licensee's home state and meet the home
17 state's qualifications for licensure or renewal of licensure, as
18 well as all other applicable state laws.

23 (c) Member states may set and collect a fee for granting a
24 compact privilege.

25 (d) An individual not residing in a member state may continue
26 to apply for a member state's single state license as provided under
27 the laws of each member state. However, a single state license
28 granted to an individual does not grant a compact privilege to
29 engage in the practice of dietetics in any other member state.

30 (e) This compact does not affect the requirements established by
31 a member state for the issuance of a single state license.

32 (f) The compact commission does not have the power to define
33 the requirements for the issuance of a single state license to
34 practice dietetics. The member states retain sole jurisdiction over
35 the provision of single state license requirements.

38 (1) Satisfy at least one (1) of the following:

39 (A) Hold a valid current registration that gives the
40 applicant the right to use the term "registered dietitian".

41 (B) Complete an education program which is either:

42 (i) a master's degree or doctoral degree that is
43 programmatically accredited by ACEND or a dietetics
44 accrediting agency recognized by the United States
45 Department of Education, which the Compact
46 Commission may by rule determine, and from a college
47 or university accredited at the time of graduation by the

appropriate regional accrediting agency recognized by the Council on Higher Education Accreditation and the United States Department of Education; or

(ii) an academic degree from a college or university in a foreign country equivalent to the degree described in item (i) that is programmatically accredited by ACEND or a dietetics accrediting agency recognized by the United States Department of Education, which the compact commission may by rule determine.

(C) A planned, documented, supervised practice experience in dietetics that is programmatically accredited by ACEND or a dietetics accrediting agency recognized by the United States Department of Education, which the compact commission may by rule determine, and which involves at least one thousand (1,000) hours of practice experience under the supervision of a registered dietitian or a licensed dietitian.

(D) Successful completion of either:

(i) the registration examination for dietitians administered by CDR; or

(ii) a national credentialing examination for dietitians approved by the compact commission by rule;

not more than five (5) years before the date of the licensee's application for initial licensure and accompanied by a period of continuous licensure after, all of which may be further governed by the rules of the compact commission.

(2) Hold an unencumbered license in the home state.

(3) Notify the compact commission that the licensee is seeking a compact privilege within a remote state.

(4) Pay any applicable fees, including any state fee, for the compact privilege.

(5) Meet any jurisprudence requirements established by the remote state in which the licensee is seeking a compact privilege.

(6) Report to the compact commission any adverse action, encumbrance, or restriction on a license taken by any nonmember state not more than thirty (30) days from the date the action is taken.

(b) The compact privilege is valid until the expiration date of the home state license. To maintain a compact privilege, renewal of the compact privilege must be congruent with the renewal of the home state license as the compact commission may define by rule. The licensee must comply with the requirements of subsection (a) to maintain the compact privilege in the remote state.

(c) A licensee exercising a compact privilege shall adhere to the laws and regulations of the remote state. A licensee is responsible

1 for educating themselves on, and complying with, any and all state
2 laws relating to the practice of dietetics in the remote state.

3 (d) Notwithstanding anything to the contrary provided in this
4 compact or state law, a licensee exercising a compact privilege is
5 not required to complete continuing education requirements
6 required by a remote state. A licensee exercising a compact
7 privilege is only required to meet any continuing education
8 requirements as required by the home state.

9 Sec. 5. (a) A licensee may hold a home state license, which allows
10 for a compact privilege in other member states, in only one (1)
11 member state at a time.

12 (b) If a licensee changes home state by moving between two (2)
13 member states, the following apply:

14 (1) The licensee shall file an application for obtaining a new
15 home state license based on a compact privilege, pay all
16 applicable fees, and notify the current and new home state in
17 accordance with the compact commission rules.

18 (2) Upon receipt of an application for obtaining a new home
19 state license by virtue of a compact privilege, the new home
20 state shall verify that the licensee meets the criteria in section
21 4 of this chapter via the data system, and require that the
22 licensee complete:

23 (A) a Federal Bureau of Investigation fingerprint based
24 criminal history record information check;

25 (B) any other criminal history record information required
26 by the new home state; and

27 (C) any jurisprudence requirements of the new home state.

28 (3) The former home state shall convert the former home state
29 license into a compact privilege once the new home state has
30 activated the new home state license according to applicable
31 rules adopted by the compact commission.

32 (4) Notwithstanding any other provision of this compact, if the
33 licensee cannot meet the criteria in section 4 of this chapter,
34 the new home state may apply its requirements for issuing a
35 new single state license.

36 (5) The licensee shall pay all applicable fees to the new home
37 state in order to be issued a new home state license.

38 (c) If a licensee changes the licensee's state of residence by
39 moving from a member state to a nonmember state, or from a
40 nonmember state to a member state, the state criteria for issuance
41 of a single state license in the new state applies.

42 (d) This compact does not interfere with a licensee's ability to
43 hold a single state license in multiple states. However, for the
44 purposes of this compact, a licensee may only have one (1) home
45 state license.

46 (e) This compact does not affect the requirements established by
47 a member state for the issuance of a single state license.

1 **Sec. 6. If an individual is an active military member or an active**
2 **military member's spouse, the individual:**

3 (1) shall designate a home state where the individual has a
4 current license in good standing; and
5 (2) may retain the home state designation during the period
6 the military member is on active duty.

7 **Sec. 7. (a) In addition to the other powers conferred by state**
8 **law, a remote state may, in accordance with existing state due**
9 **process law, do the following:**

10 (1) Take adverse action against a licensee's compact privilege
11 within the remote state.
12 (2) Issue a subpoena for both a hearing and investigation that
13 requires the attendance and testimony of any witness as well
14 as the production of evidence. A subpoena issued by a
15 licensing authority in a member state for the attendance and
16 testimony of witnesses or the production of evidence from
17 another member state must be enforced in the member state
18 receiving the subpoena by any court of competent jurisdiction
19 according to the practice and procedure applicable to
20 subpoenas issued in proceedings pending before that court.
21 The issuing authority shall pay any witness fees, travel
22 expenses, mileage, and other fees required by the service
23 statutes of the state in which the witnesses or evidence are
24 located.

25 (b) Only the home state has the power to take adverse action
26 against a licensee's home state license.

27 (c) For purposes of taking adverse action, the home state shall
28 give the same priority and effect to reported conduct received from
29 a member state as it would if the conduct had occurred within the
30 home state. In so doing, the home state shall apply its own state
31 laws to determine appropriate action.

32 (d) The home state shall complete any pending investigation of
33 a licensee who changes home states during the course of the
34 investigation. The home state may take appropriate action and
35 must promptly report the conclusion of the investigation to the
36 administrator of the data system. The administrator of the data
37 system shall promptly notify the new home state of any adverse
38 action.

39 (e) A member state, unless otherwise permitted by state law,
40 may recover from the affected licensee the costs of investigations
41 and dispositions of cases resulting from any adverse action taken
42 against that licensee.

43 (f) A member state may take adverse action based on the factual
44 findings of another remote state, provided that the member state
45 follows its own procedures for taking the adverse action.

46 (g) If there is a joint investigation, the following apply:

47 (1) In addition to the authority granted to a member state by

1 its respective state law, any member state may participate
2 with other member states in joint investigations of licensees.

3 (2) Member states must share any investigative, litigation, or
4 compliance materials in furtherance of any joint investigation
5 initiated under the compact.

6 (h) If adverse action is taken by the home state against a
7 licensee's home state license resulting in an encumbrance on the
8 home state license, the licensee's compact privilege in all other
9 member states must be revoked until all encumbrances have been
10 removed from the home state license. Any home state disciplinary
11 order that imposes adverse action against a licensee must include
12 a statement that the licensee's compact privileges are revoked in all
13 member states during the pendency of the order.

14 (i) Once an encumbered license in the home state is restored to
15 an unencumbered license (as certified by the home state's licensing
16 authority), the licensee must meet the requirements of section 4(a)
17 of this chapter and follow the administrative requirements to
18 reapply to obtain a compact privilege in any remote state.

19 (j) If a member state takes adverse action, the member state
20 shall promptly notify the administrator of the data system. The
21 administrator of the data system shall promptly notify the other
22 member states of any adverse action.

23 (k) This compact does not override a member state's decision
24 that participation in an alternative program may be used in lieu of
25 adverse action.

26 Sec. 8. (a) The dietitian licensure compact commission is
27 established and consists of all member states that have enacted the
28 compact. The compact commission is an instrumentality of the
29 compact states acting jointly and not an instrumentality of any one
30 (1) state. The compact commission comes into existence on or after
31 the effective date of the compact as set forth in section 13 of this
32 chapter.

33 (b) The following apply regarding membership, voting, and
34 meetings:

35 (1) Each member state has and is limited to one (1) delegate
36 selected by that member state's licensing authority.

37 (2) The delegate is the primary administrator of the licensing
38 authority or their designee.

39 (3) The compact commission, by rule or bylaw:

40 (A) shall establish a term of office for delegates; and

41 (B) may establish term limits.

42 (4) The compact commission may recommend removal or
43 suspension of any delegate from office.

44 (5) A member state's licensing authority shall fill any vacancy
45 of its delegate occurring on the compact commission not more
46 than sixty (60) days after the date on which the position is
47 vacated.

(6) Each delegate shall be entitled to one (1) vote on all matters before the compact commission requires a vote by the delegates.

(7) Delegates shall meet and vote by the means set forth in the bylaws. The bylaws may provide for delegates to meet and vote in person or by telecommunication, video conference, or other means of communication.

(8) The compact commission shall meet at least one (1) time during each calendar year. Additional meetings may be held as set forth in the bylaws. The compact commission may meet in person or by telecommunication, video conference, or other means of communication.

(c) The compact commission has the following powers:

- (1) Establish the fiscal year of the compact commission.
- (2) Establish code of conduct and conflict of interest policies.
- (3) Establish and amend rules and bylaws.

(4) Maintain its financial records in accordance with the bylaws.

(5) Meet and take such actions as are consistent with the provisions of this compact, the compact commission's rules, and the bylaws.

(6) Initiate and conclude legal proceedings or actions in the name of the compact commission if the standing of any licensing authority to sue or be sued under applicable law is not affected.

(7) Maintain and certify records and information provided to a member state as the authenticated business records of the compact commission, and designate an agent to do so on the compact commission's behalf.

(8) Purchase and maintain insurance and bonds.

(9) Borrow, accept, or contract for services of personnel, including employees of a member state.

(10) Conduct an annual financial review.

(11) Hire employees, elect or appoint officers, fix compensation, define duties, grant the individuals appropriate authority to carry out the purposes of the compact, and establish the compact commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel, and other related personnel matters.

(12) Assess and collect fees.

(13) Accept any and all appropriate donations, grants of money, other sources of revenue, equipment, supplies, materials, services, and gifts, and receive, use, and dispose of the same if at all times the compact commission avoids any actual or appearance of impropriety or conflict of interest.

(14) Lease, purchase, retain, own, hold, improve, or use any property, real, personal, or mixed, or any undivided interest

therein.

(15) Sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property, real, personal, or mixed.

(16) Establish a budget and make expenditures.

(17) Borrow money.

(18) Appoint committees, including standing committees, composed of members, state regulators, state legislators or their representatives, consumer representatives, and any other interested persons as may be designated in this compact or the bylaws.

(19) Provide and receive information from, and cooperate with, law enforcement agencies.

(20) Establish and elect an executive committee, including a chair and a vice chair.

(21) Determine whether a state's adopted language is materially different from the model compact language such that the state would not qualify for participation in the compact.

(22) Perform any other function as may be necessary or appropriate to achieve the purposes of this compact.

(d) The following apply regarding the executive committee:

(1) The executive committee has the power to act on behalf of the compact commission according to the terms of this compact. The powers, duties, and responsibilities of the executive committee includes the following:

(A) Oversee the day-to-day activities of the administration of the compact including enforcement and compliance with the provisions of the compact, the compact rules and bylaws, and other duties as deemed necessary.

(B) Recommend to the compact commission changes to the rules or bylaws, changes to this compact legislation, fees charged to compact member states, fees charged to licensees, and other fees.

(C) Ensure compact administration serve

- appropriately provided, including by contract.
- (D) Prepare and recommend the budget.
- (E) Maintain financial records on behalf of the compact

commission. (See *Commission*.)

(F) Monitor compact compliance of me

provide compliance reports to the compact commission.

(G) Establish additional committees as necessary.

(H) Exercise the powers and duties of the compact commission during the interim between compact commission meetings, except for adopting or amending budget, financial, and administrative policies.

(I) Other duties as provided in the rules or bylaws of the compact commission.

(2) The executive committee is composed of nine (9) members as follows:

(A) The chair and vice chair of the compact commission are voting members of the executive committee.

(B) Five (5) voting members from the current membership of the compact commission, elected by the compact commission.

- (C) One (1) ex-officio, nonvoting member from a recognized professional association representing dietitians.
- (D) One (1) ex officio, nonvoting member from a

(D) One (1) ex-officio, nonvoting member from a recognized national credentialing organization for dietitians.

(3) The compact commission may remove any member of the executive committee as provided in the compact commission's bylaws.

(4) The executive committee shall meet at least one (1) time annually.

(5) Executive committee meetings are open to the public, except that the executive committee may meet in a closed, nonpublic meeting as provided in subsection (f)(3).

(6) The executive committee shall give thirty (30) days notice of meetings, posted on the website of the compact commission and as determined to provide notice to persons with an interest in the business of the compact commission.

(7) The executive committee may hold a special meeting in accordance with subsection (f)(2).

(e) The compact commission shall adopt and provide to the member states an annual report.

(f) The following apply to compact commission meetings:

(1) All meetings are open to the public, except that the compact commission may meet in a closed, nonpublic meeting as provided in subdivision (3). Public notice for all meetings of the full compact commission must be given in the same manner as required under the rulemaking provisions in section 11 of this chapter, except that the compact commission may hold a special meeting as provided in subdivision (2).

(2) The compact commission may hold a special meeting when it must meet to conduct emergency business by giving twenty-four (24) hours notice to all member states, on the compact commission's website, and other means as provided in the compact commission's rules. The compact commission's legal counsel shall certify that the compact commission's need to meet qualifies as an emergency.

(3) The compact commission or the executive committee or other committees of the compact commission may convene in

1 a closed, nonpublic meeting for the compact commission or
2 executive committee or other committees of the compact
3 commission to receive legal advice or to discuss any of the
4 following:

5 (A) Noncompliance of a member state with its obligations
6 under the compact.

7 (B) The employment, compensation, discipline, or other
8 matters, practices, or procedures related to specific
9 employees.

10 (C) Current or threatened discipline of a licensee by the
11 compact commission or by a member state's licensing
12 authority.

13 (D) Current, threatened, or reasonably anticipated
14 litigation.

15 (E) Negotiation of contracts for the purchase, lease, or sale
16 of goods, services, or real estate.

17 (F) Accusing any person of a crime or formally censuring
18 any person.

19 (G) Trade secrets or commercial or financial information
20 that is privileged or confidential.

21 (H) Information of a personal nature where disclosure
22 would constitute a clearly unwarranted invasion of
23 personal privacy.

24 (I) Investigative records compiled for law enforcement
25 purposes.

26 (J) Information related to any investigative reports
27 prepared by or on behalf of or for use of the compact
28 commission or other committee charged with
29 responsibility of investigation or determination of
30 compliance issues under the compact.

31 (K) Matters specifically exempted from disclosure by
32 federal or member state law.

33 (L) Other matters as specified in the rules of the compact
34 commission.

35 (4) If a meeting, or portion of a meeting, is closed, the
36 presiding officer shall state that the meeting will be closed and
37 reference each relevant exempting provision, and the
38 reference must be recorded in the minutes.

39 (5) The compact commission shall:

40 (A) keep minutes that fully and clearly describe all matters
41 discussed in a meeting; and

42 (B) provide a full and accurate summary of any action
43 taken and the reason for the action, including a description
44 of the views expressed.

45 All documents considered in connection with an action must
46 be identified in the minutes. All minutes and documents of a
47 closed meeting must remain under seal, subject to release only

1 by a majority vote of the compact commission or order of a
2 court of competent jurisdiction.

3 (g) The following apply to the compact commission financing:

4 (1) The compact commission shall pay, or provide for the
5 payment of, the reasonable expenses of its establishment,
6 organization, and ongoing activities.

7 (2) The compact commission may accept any and all
8 appropriate revenue sources as provided in subsection (c)(13).

9 (3) The compact commission may levy on and collect an
10 annual assessment from each member state and impose fees
11 on licensees of member states to whom it grants a compact
12 privilege to cover the cost of the operations and activities of
13 the compact commission and its staff, which must, in a total
14 amount, be sufficient to cover its annual budget as approved
15 each year for which revenue is not provided by other sources.
16 The aggregate annual assessment amount for member states
17 must be allocated based on a formula that the compact
18 commission promulgates by rule.

19 (4) The compact commission shall not:

20 (A) incur obligations of any kind before securing the funds
21 adequate to meet the obligation; or

22 (B) pledge the credit of any member state, except by and
23 with the authority of the member state.

24 (5) The compact commission shall keep an accurate account
25 of all receipts and disbursements. The receipts and
26 disbursements of the compact commission are subject to the
27 financial review and accounting procedures established under
28 its bylaws. However, all receipts and disbursements of funds
29 handled by the compact commission are subject to an annual
30 financial review by a certified or licensed public accountant,
31 and the report of the financial review must be included in and
32 become part of the annual report of the compact commission.

33 Sec. 9. (a) Except as provided in subsection (b), the members,
34 officers, executive director, employees, and representatives of the
35 compact commission are immune from suit and liability, both
36 personally and in their official capacity, for any claim for damage
37 to or loss of property or personal injury or other civil liability
38 caused by or arising out of any actual or alleged act, error, or
39 omission that occurred, or that the person against whom the claim
40 is made had a reasonable basis for believing occurred within the
41 scope of compact commission employment, duties, or
42 responsibilities.

43 (b) Subsection (a) does not protect any person from suit or
44 liability for any damage, loss, injury, or liability caused by the
45 intentional or willful or wanton misconduct of that person.

46 (c) The procurement of insurance of any type by the compact
47 commission does not in any way compromise or limit the immunity

1 granted under subsection (a).

2 (d) If the actual or alleged act, error, or omission did not result
3 from the person's intentional or willful or wanton misconduct, the
4 compact commission shall defend any member, officer, executive
5 director, employee, and representative of the compact commission
6 in any civil action seeking to impose liability arising out of any
7 actual or alleged act, error, or omission that occurred within the
8 scope of compact commission employment, duties, or
9 responsibilities, or as determined by the compact commission that
10 the person against whom the claim is made had a reasonable basis
11 for believing occurred within the scope of compact commission
12 employment, duties, or responsibilities.

13 (e) Subsection (d) does not prohibit a person from retaining the
14 person's own counsel at the person's own expense.

15 (f) If the actual or alleged act, error, or omission did not result
16 from the intentional or willful or wanton misconduct of the person,
17 the compact commission shall indemnify and hold harmless any
18 member, officer, executive director, employee, and representative
19 of the compact commission for the amount of any settlement or
20 judgment obtained against the person arising out of any actual or
21 alleged act, error, or omission that occurred within the scope of
22 compact commission employment, duties, or responsibilities, or
23 that the person had a reasonable basis for believing occurred
24 within the scope of compact commission employment, duties, or
25 responsibilities.

26 (g) This section does not limit the liability of any licensee for
27 professional malpractice or misconduct, which is governed solely
28 by any other applicable state laws.

29 (h) This compact does not waive or otherwise abrogate a
30 member state's state action immunity or state action affirmative
31 defense with respect to antitrust claims under the Sherman Act,
32 Clayton Act, or any other state or federal antitrust or
33 anticompetitive law or regulation.

34 (i) This compact is not a waiver of sovereign immunity by the
35 member states or by the compact commission.

36 Sec. 10. (a) The compact commission shall provide for the
37 development, maintenance, operation, and use of a coordinated
38 data system.

39 (b) The compact commission shall assign each applicant for a
40 compact privilege a unique identifier, as determined by the rules.

41 (c) Notwithstanding any state law to the contrary, a member
42 state shall submit a uniform data set to the data system on all
43 individuals to whom this compact is applicable as required by the
44 rules of the compact commission, including the following:

45 (1) Identifying information.

46 (2) Licensure data.

47 (3) Adverse action against a license or compact privilege and

1 any related information.

2 (4) Nonconfidential information related to alternative
3 program participation, the beginning and ending dates of the
4 participation, and other information related to the
5 participation not made confidential under member state law.
6 (5) Any denial of application for licensure, and the reason for
7 the denial.

8 (6) The presence of current significant investigative
9 information.

10 (7) Any other information that may facilitate the
11 administration of this compact or the protection of the public,
12 as determined by the compact commission rules.

13 (d) The records and information provided to a member state
14 under this compact or through the data system, when certified by
15 the compact commission or an agent of the compact commission,
16 constitutes the authenticated business records of the compact
17 commission and is entitled to any associated hearsay exception in
18 any relevant judicial, quasi-judicial, or administrative proceedings
19 in a member state.

20 (e) Current significant investigative information pertaining to
21 a licensee in any member state is only available to other member
22 states.

23 (f) It is the responsibility of the member states to report any
24 adverse action against a licensee and to monitor the data system to
25 determine whether any adverse action has been taken against a
26 licensee. Adverse action information pertaining to a licensee in any
27 member state will be available to any other member state.

28 (g) A member state contributing information to the data system
29 may designate information that may not be shared with the public
30 without the express permission of the contributing state.

31 (h) Any information submitted to the data system that is
32 subsequently expunged under federal law or the laws of the
33 member state contributing the information must be removed from
34 the data system.

35 Sec. 11. (a) The compact commission shall promulgate
36 reasonable rules to implement and administer the compact. A rule
37 is invalid and has no force or effect only if a court of competent
38 jurisdiction holds that the rule is invalid because the compact
39 commission exercised its rulemaking authority in a manner that is
40 beyond the scope and purposes of the compact, or the powers
41 granted in the compact, or based on another applicable standard
42 of review.

43 (b) A rule of the compact commission has the force of law in
44 each member state. However, if the rule conflicts with the laws or
45 regulations of a member state that relate to the procedures,
46 actions, and processes a licensed dietitian is permitted to undertake
47 in that state and the circumstances under which they may do so, as

1 held by a court of competent jurisdiction, the compact
2 commission's rule is ineffective in that state to the extent of the
3 conflict.

4 (c) The compact commission shall exercise its rulemaking
5 powers under the criteria set forth in this section and the rules
6 adopted. Rules become binding on the day following adoption or as
7 of the date specified in the rule or amendment, whichever is later.

8 (d) If a majority of the legislatures of the member states rejects
9 a rule or portion of a rule, by enactment of a statute or resolution
10 in the same manner used to adopt the compact not more than four
11 (4) years after the date on which the rule was adopted, then the
12 rule has no further force and effect in any member state.

13 (e) Rules are to be adopted at a regular or special meeting of the
14 compact commission.

15 (f) Before adoption of a proposed rule, the compact commission
16 shall hold a public hearing and allow any person to provide oral
17 and written comments, data, facts, opinions, and arguments.

18 (g) Before adoption of a proposed rule by the compact
19 commission, and at least thirty (30) days in advance of the meeting
20 at which the compact commission is to hold a public hearing on the
21 proposed rule, the compact commission shall provide a notice of
22 proposed rulemaking:

- 23 (1) on the website of the compact commission or other
24 publicly accessible platform;
- 25 (2) to persons who have requested notice of the compact
26 commission's notices of proposed rulemaking; and
- 27 (3) in any other way as the compact commission may by rule
28 specify.

29 (h) The notice of proposed rulemaking must include the
30 following:

31 (1) The time, date, and location of the public hearing at which
32 the compact commission is to hear public comments on the
33 proposed rule and, if different, the time, date, and location of
34 the meeting where the compact commission is to consider and
35 vote on the proposed rule.

36 (2) If the hearing is held via telecommunication, video
37 conference, or other means of communication, the mechanism
38 for access to the hearing in the notice of proposed rulemaking.

39 (3) The text of the proposed rule and the reason for the
40 proposed rule.

41 (4) A request for comments on the proposed rule from any
42 interested person.

43 (5) The manner in which interested persons may submit
44 written comments.

45 (i) Any hearing must be recorded. A copy of the recording and
46 all written comments and documents received by the compact
47 commission in response to the proposed rule must be available to

1 the public.

2 (j) This section does not require a separate hearing on each rule.
3 Rules may be grouped for the convenience of the compact
4 commission at hearings required by this section.

5 (k) The compact commission shall, by majority vote of all
6 members, take final action on the proposed rule based on the
7 rulemaking record and the full text of the rule. The compact
8 commission:

9 (1) may adopt changes to the proposed rule if the changes do
10 not enlarge the original purpose of the proposed rule; and

11 (2) shall:

12 (A) provide an explanation of the reasons for substantive
13 changes made to the proposed rule as well as reasons for
14 substantive changes not made that were recommended by
15 commenters; and

16 (B) determine a reasonable effective date for the rule.
17 Except for an emergency as provided in subsection (l), the
18 effective date of the rule must be no sooner than thirty (30)
19 days after issuing the notice that the compact commission
20 adopted or amended the rule.

21 (l) If an emergency exists, the compact commission may
22 consider and adopt an emergency rule with twenty-four (24) hours
23 notice, with opportunity to comment. However, the usual
24 rulemaking procedures provided in the compact and in this section
25 must be retroactively applied to an emergency rule adopted under
26 this subsection as soon as reasonably possible, in no event later
27 than ninety (90) days after the effective date of the rule. For the
28 purposes of this provision, an emergency rule is one that must be
29 adopted immediately in order to:

30 (1) meet an imminent threat to public health, safety, or
31 welfare;

32 (2) prevent a loss of compact commission or member state
33 funds;

34 (3) meet a deadline for the promulgation of a rule that is
35 established by federal law; or

36 (4) protect public health and safety.

37 (m) The compact commission or an authorized committee of the
38 compact commission may direct revision to a previously adopted
39 rule for purposes of correcting typographical errors, errors in
40 format, errors in consistency, or grammatical errors. Public notice
41 of any revision must be posted on the website of the compact
42 commission. The revision is subject to challenge by any person for
43 a period of thirty (30) days after posting. The revision may be
44 challenged only on grounds that the revision results in a material
45 change to a rule. A challenge must be made in writing and
46 delivered to the compact commission before the end of the notice
47 period. If no challenge is made, the revision will take effect without

1 **further action. If the revision is challenged, the revision may not**
2 **take effect without the approval of the compact commission.**

3 **(n) A member state's rulemaking requirements do not apply**
4 **under this compact.**

5 **Sec. 12. (a) The executive and judicial branches of state**
6 **government in each member state shall enforce this compact and**
7 **take all actions necessary and appropriate to implement this**
8 **compact. Except as otherwise provided in this compact, venue is**
9 **proper and judicial proceedings by or against the compact**
10 **commission must be brought exclusively in a court of competent**
11 **jurisdiction where the principal office of the compact commission**
12 **is located. The compact commission may waive venue and**
13 **jurisdictional defenses to the extent it adopts or consents to**
14 **participate in alternative dispute resolution proceedings. However,**
15 **this subsection does not affect or limit the selection or propriety of**
16 **venue in any action against a licensee for professional malpractice,**
17 **misconduct, or any similar matter. The compact commission is**
18 **entitled to receive service of process in any proceeding regarding**
19 **the enforcement or interpretation of the compact and has standing**
20 **to intervene in a proceeding for all purposes. Failure to provide the**
21 **compact commission service of process renders a judgment or**
22 **order void as to the compact commission, this compact, or**
23 **promulgated rules.**

24 **(b) If the compact commission determines that a member state**
25 **has defaulted in the performance of its obligations or**
26 **responsibilities under this compact or the promulgated rules, the**
27 **compact commission shall provide written notice to the defaulting**
28 **state. The notice of default must:**

29 **(1) describe the default, the proposed means of curing the**
30 **default, and any other action that the compact commission**
31 **may take; and**

32 **(2) offer training and specific technical assistance regarding**
33 **the default.**

34 **The compact commission shall provide a copy of the notice of**
35 **default under this subsection to the other member states.**

36 **(c) If a state in default fails to cure the default, the defaulting**
37 **state may be terminated from the compact upon an affirmative**
38 **vote of a majority of the delegates of the member states, and all**
39 **rights, privileges, and benefits conferred on that state by this**
40 **compact may be terminated on the effective date of termination. A**
41 **cure of the default does not relieve the offending state of**
42 **obligations or liabilities incurred during the period of default.**

43 **(d) Termination of membership in the compact is to be imposed**
44 **only after all other means of securing compliance have been**
45 **exhausted. Notice of intent to suspend or terminate must be given**
46 **by the compact commission to the governor, the majority and**
47 **minority leaders of the defaulting state's legislature, the defaulting**

1 state's licensing authority, and each of the member states' licensing
2 authority.

3 (e) A state that has been terminated is responsible for all
4 assessments, obligations, and liabilities incurred through the
5 effective date of termination, including obligations that extend
6 beyond the effective date of termination.

7 (f) If a state's membership from this compact is terminated, that
8 state shall immediately provide notice to all licensees within the
9 state of the termination. The terminated state shall continue to
10 recognize all compact privileges granted under this compact for a
11 minimum of six (6) months after the date on which the state
12 provides notice of termination under this subsection.

13 (g) The compact commission shall not bear any costs related to
14 a state that is found to be in default or that has been terminated
15 from the compact, unless agreed upon in writing between the
16 compact commission and the defaulting state.

17 (h) The defaulting state may appeal the action of the compact
18 commission by petitioning the U.S. District Court for the District
19 of Columbia or the federal district where the compact commission
20 has its principal offices. The prevailing party must be awarded all
21 costs of the litigation, including reasonable attorney's fees.

22 (i) If a member state requests, the compact commission shall
23 attempt to resolve disputes related to the compact that arise:

- 24 (1) among member states; or
- 25 (2) between a member and a nonmember state.

26 The compact commission shall promulgate a rule providing for
27 both mediation and binding dispute resolution for disputes as
28 appropriate.

29 (j) By supermajority vote, the compact commission may initiate
30 legal action against a member state in default in the United States
31 District Court for the District of Columbia or the federal district
32 where the compact commission has its principal offices to enforce
33 compliance with the provisions of the compact and its promulgated
34 rules. The relief sought may include both injunctive relief and
35 damages. In the event judicial enforcement is necessary, the
36 prevailing party must be awarded all costs of the litigation,
37 including reasonable attorney's fees. The remedies in this
38 subsection are not the exclusive remedies of the compact
39 commission. The compact commission may pursue any other
40 remedies available under federal or the defaulting member state's
41 law.

42 (k) A member state may initiate legal action against the compact
43 commission in the U.S. District Court for the District of Columbia
44 or the federal district where the compact commission has its
45 principal offices to enforce compliance with the provisions of the
46 compact and its promulgated rules. The relief sought may include
47 both injunctive relief and damages. In the event judicial

1 enforcement is necessary, the prevailing party must be awarded all
2 costs of the litigation, including reasonable attorney's fees.

3 (l) Only a member state may enforce this compact against the
4 compact commission.

5 Sec. 13. (a) The compact comes into effect on the date on which
6 the compact statute is enacted into law in the seventh member
7 state.

8 (b) On or after the effective date of the compact, the compact
9 commission shall convene and review the enactment of each of the
10 charter member states to determine if the statute enacted by each
11 charter member state is materially different than the model
12 compact statute. A charter member state whose enactment is found
13 to be materially different from the model compact statute is
14 entitled to the default process set forth in section 12 of this chapter.

15 (c) If any member state is later found to be in default, or is
16 terminated, or withdraws from the compact, the compact
17 commission remains in existence and the compact remains in effect
18 even if the number of member states should be less than seven (7).

19 (d) A member state enacting the compact after the seven (7)
20 initial charter member states is subject to the process set forth in
21 section 8(C)(21) of this chapter to determine if their enactments are
22 materially different from the model compact statute and whether
23 they qualify for participation in the compact.

24 (e) Any action taken for the benefit of the compact commission
25 or in furtherance of the purposes of the administration of the
26 compact before the effective date of the compact or the compact
27 commission coming into existence is considered to be actions of the
28 compact commission unless specifically repudiated by the compact
29 commission.

30 (f) Any state that joins the compact after the compact
31 commission's initial adoption of the rules and bylaws is subject to
32 the rules and bylaws as they exist on the date on which the compact
33 becomes law in that state. Any rule that has been previously
34 adopted by the compact commission has the full force and effect of
35 law on the day the compact becomes law in that state.

36 (g) Any member state may withdraw from this compact by
37 enacting a statute repealing the compact. The following apply to a
38 member state's withdrawal under this subsection:

39 (1) A member state's withdrawal takes effect one hundred
40 eighty (180) days after the date on which the statute repealing
41 the compact is enacted.

42 (2) Withdrawal does not affect the continuing requirement of
43 the withdrawing state's licensing authority to comply with the
44 investigative and adverse action reporting requirements of
45 this compact before the effective date of withdrawal.

46 (3) If a member state withdraws under this subsection, the
47 state shall immediately provide notice of the withdrawal to all

1 **licensees within the withdrawing state.**

2 **(4) Notwithstanding any subsequent statutory enactment to**
3 **the contrary, the withdrawing state shall continue to**
4 **recognize all compact privileges granted under this compact**
5 **for a minimum of one hundred eighty (180) days after the**
6 **date on which notice of withdrawal was provided under**
7 **subdivision (3).**

8 **(h) This compact does not invalidate or prevent any licensure**
9 **agreement or other cooperative arrangement between a member**
10 **state and a nonmember state if the licensure agreement or**
11 **cooperative arrangement does not conflict with the provisions of**
12 **this compact.**

13 **(i) This compact may be amended by the member states.**
14 **However, an amendment to this compact does not become effective**
15 **and binding on any member state until it is enacted into the laws**
16 **of all member states.**

17 **Sec. 14. (a) This compact and the compact commission's**
18 **rulemaking authority must be liberally construed so as to**
19 **effectuate the purposes and the implementation and administration**
20 **of the compact. Provisions of the compact expressly authorizing or**
21 **requiring the promulgation of rules do not limit the compact**
22 **commission's rulemaking authority solely for those purposes.**

23 **(b) The provisions of this compact are severable and if any**
24 **phrase, clause, sentence, or provision of this compact is held by a**
25 **court of competent jurisdiction to be contrary to the constitution**
26 **of any member state, a state seeking participation in the compact,**
27 **or of the United States, or the applicability of the compact to any**
28 **government, agency, person, or circumstance is held to be**
29 **unconstitutional by a court of competent jurisdiction, the validity**
30 **of the remainder of this compact and the applicability of the**
31 **compact to any other government, agency, person, or circumstance**
32 **remains valid.**

33 **(c) Notwithstanding subsection (b), the compact commission**
34 **may deny a state's participation in the compact or terminate a**
35 **member state's participation in the compact if it determines that**
36 **a constitutional requirement of a member state is a material**
37 **departure from the compact. Otherwise, if this compact is held to**
38 **be contrary to the constitution of any member state, the compact**
39 **remains in full force and effect as to the remaining member states**
40 **and in full force and effect as to the member state affected as to all**
41 **severable matters.**

42 **Sec. 15. (a) This compact does not prevent or inhibit the**
43 **enforcement of any other law of a member state that is not**
44 **inconsistent with the compact.**

45 **(b) Any laws, statutes, regulations, or other legal requirements**
46 **in a member state in conflict with the compact are superseded to**
47 **the extent of the conflict.**

1 **(c) All permissible agreements between the compact commission**
2 **and the member states are binding in accordance with the**
3 **agreement's terms."**

4 Renumber all SECTIONS consecutively.

(Reference is to HB 1003 as printed January 27, 2026.)

Representative Campbell