

Millions of workers nationwide must obtain a license in order to practice their professions. Typically, such licenses are regulated by individual states. In Nevada, more than 55 different occupational groups require a license, ranging from physicians and dentists to social workers and barbers.

WHAT IS AN OCCUPATIONAL OR PROFESSIONAL LICENSE?

Simply put, an occupational or professional license is the government's permission to work in a particular field. To earn a license, an applicant must meet certain criteria, such as attaining a specified level of education or training, passing an examination, or both.

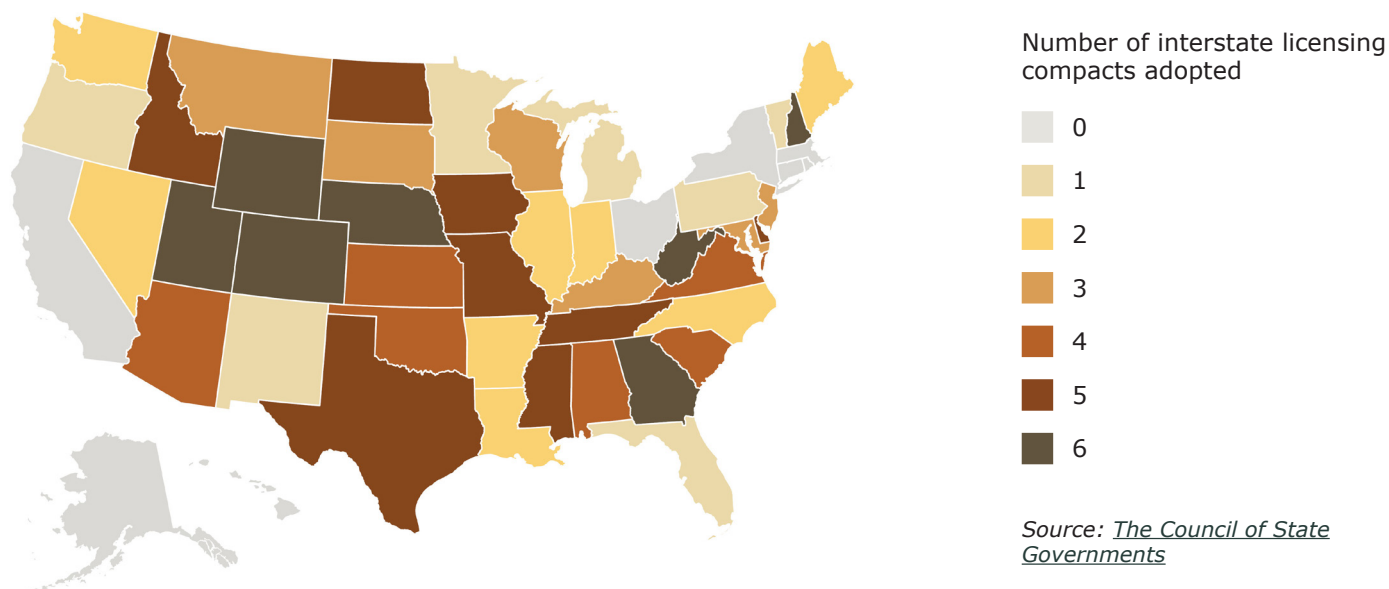
WHAT ARE THE POTENTIAL BENEFITS AND DRAWBACKS OF LICENSING?

Licensing protects public health and safety by ensuring only qualified practitioners are able to operate in a given profession. However, researchers note that licensing can become burdensome as applicants try to meet each state's differing requirements.

These burdens can increase when professionals want to relocate from one state to another, or wish to practice in more than one state. Barriers to mobility can mean fewer employment opportunities and hindered career advancement for professionals, a smaller supply of specialized workers in certain states or regions, and potentially higher costs for consumers if demand for services outpaces supply.

To address barriers to mobility, some policymakers are taking steps toward greater licensure portability, especially in the health care professions. Interstate occupational licensing compacts represent one strategy that has gained in popularity.

STATES THAT HAVE ADOPTED ONE OR MORE INTERSTATE LICENSING COMPACT(S)



WHAT ARE INTERSTATE OCCUPATIONAL LICENSING COMPACTS?

INTERSTATE COMPACTS GENERALLY

Generally speaking, interstate compacts are contracts between two or more states that legally bind them to the agreement's provisions. Participating states shape the rules and bylaws of the compacts, which must be adopted by all parties in the same form.

Compacts may be used to address regional or national policy concerns, perform certain actions, observe a certain standard, or cooperate in a critical policy area. They can address a wide range of issues from taxes, emergency management, and transportation, to health care, human services, and natural resources. The [National Center for Interstate Compacts \(NCIC\)](#) of the Council of State Governments (CSG) maintains a database of and provides resources related to such agreements.

Typically, compacts create an independent quasi-governmental entity, such as a commission or authority, to provide oversight and address issues across member states.

INTERSTATE OCCUPATIONAL LICENSING COMPACTS

Interstate occupational licensing compacts are agreements between states that specifically create reciprocal licensing practices. These compacts establish a common understanding of competency requirements for a profession, thus creating a streamlined licensure process for professionals seeking to practice.

While occupational licensing compacts establish common licensure requirements, they do not affect a state's ability to define a profession's scope of practice. Participating states maintain full sovereignty to amend their scope-of-practice laws, and compact-licensed professionals must abide by the practice laws of each state.

States also do not lose the ability to discipline practitioners. Compacts contain requirements that the enforcement authority of each member state maintains its power to investigate and discipline licensees. Generally, any complaint or investigation must be reported promptly to the compact commission, which then shares that information with other participating states.

CURRENT DISCUSSION

Proponents of occupational licensing compacts say they enhance licensure portability and promote positive economic attainment for professionals, while also benefiting the public through increased competition and better access to services. For example, in health care professions, a licensing compact can potentially provide more access to care, especially with technology such as telehealth.

On the other hand, opponents express concerns that such compacts may result in states losing established consumer protections and the ability to regulate certain professions. In some cases, opponents fear that occupational compacts could be used as a tool for strikebreaking and lowering wages.

LICENSING COMPACTS: BY THE NUMBERS

- *Nevada has ratified **more than 30** different interstate compacts, **2** of which are occupational licensing compacts.*
- *There are currently **7** occupational licensing compacts in the United States, all in health care fields.*
- ***42** states, **1** territory (Guam), and the District of Columbia have adopted at least one occupational licensing compact.*

Sources: [National Center for Interstate Compacts](#), CSG; [Occupational Licensure: Interstate Compacts in Action](#), CSG

WHAT ARE THE MODELS FOR OCCUPATIONAL LICENSING COMPACTS?

MUTUAL RECOGNITION

The [CSG](#) explains that under mutual recognition, a licensee needs only one multistate license, which allows the individual to practice his or her profession in any participating state. A compact commission—typically created by the compact—is then responsible for verifying that an applicant holds a valid and unencumbered license in a participating state and is in compliance with the regulations and fees established by the practitioner’s state of original licensure, or home state. Licensed professionals who choose to change their permanent residency or principal place of business to another state must apply for a new license in that state.

EXPEDITED LICENSURE

According to [the CSG](#), an expedited licensure approach requires applicants to request a license from each state where they intend to practice. After applicants submit their credentials to the compact commission and apply for a principal state of licensing (PSL), the PSL determines whether the applicant qualifies for expedited licensure. If so, the applicant may then receive an expedited license from other participating states.

WHAT ARE THE IMPLICATIONS OF THESE MODELS FOR PRACTITIONERS?

Under an expedited licensure process, because a practitioner is required to apply for a license from multiple states, he or she must pay the license and application fees charged by each state of licensure, as well as meet the continuing education requirements imposed by those states. In contrast, mutual recognition of a single state license means a practitioner applies and pays the costs for only one license and must meet the continuing education requirements for only the principal licensure state.

WHICH OCCUPATIONAL LICENSING COMPACTS CURRENTLY EXIST?

States have enacted legislation to adopt seven occupational licensing compacts, all in health care fields (see table below). According to the [Interstate Commission of Nurse Licensure Compact Administrators](#), seven additional interstate licensing compacts for health care professions are in the development stage or being explored. These professions include athletic trainers, counselors, dentists, nutritionists and dietitians, occupational therapists, physician assistants, and social workers.

OCCUPATIONAL LICENSING COMPACT	MEMBER STATES (#)	MODEL
Advanced Practice Registered Nurse (APRN) Compact	3 ¹	Mutual recognition
EMS Personnel Licensure Interstate CompAct (REPLICA)	18	Mutual recognition
Enhanced Nurse Licensure Compact (NLC)	31	Mutual recognition
Interstate Medical Licensure Compact (IMLC)	29	Expedited licensure
Physical Therapy Compact	25	Mutual recognition
Psychology Interjurisdictional Compact (PSYPACT)	12	Mutual recognition
Audiology & Speech-Language Pathology Interstate Compact (ASLP-IC)	0 ²	Expedited licensure

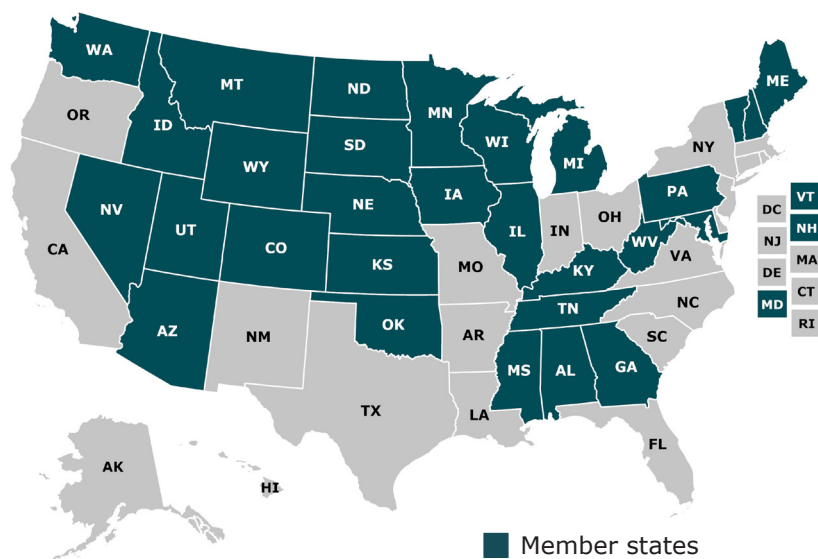
¹ The APRN Compact will be implemented when ten states have enacted the legislation.

² The ASLP-IC will become operational when ten states have enacted ASLP-IC legislation.

WHAT ARE NEVADA'S CURRENT OCCUPATIONAL LICENSING COMPACTS?

The Nevada Legislature has ratified occupational licensing compacts for physicians and psychologists. Increasing access to care—specifically through the use of telemedicine and telehealth technologies—was a major impetus for enacting these compacts.

INTERSTATE MEDICAL LICENSURE COMPACT



Source: [The IMLC](#)

PHYSICIANS

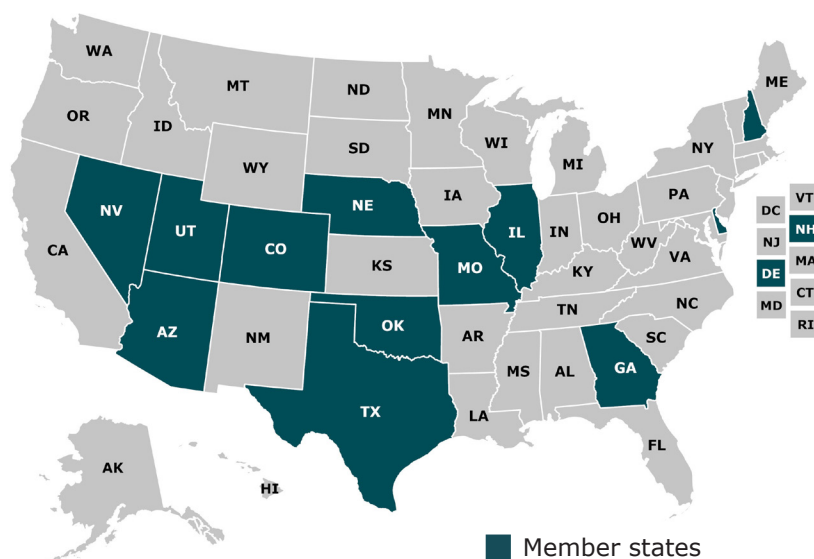
In 2015, the Nevada Legislature passed [Senate Bill 251](#) to ratify the [Interstate Medical Licensure Compact \(IMLC\)](#), allowing physicians licensed in Nevada to apply for an expedited license in all participating states, and vice versa. The compact regulates the licensure and discipline of physicians and osteopathic physicians holding reciprocal licenses through the agreement. The Legislature ratified the IMLC to help with Nevada's physician shortage in general, as well as to increase the number of physicians who may practice telehealth in Nevada.

Although the IMLC was ratified with the intent to expedite the licensure process, many physicians still express concern about the lengthy process they actually experience.

PSYCHOLOGISTS

To improve access to mental health services, the 2017 Nevada Legislature passed [Assembly Bill 429](#) enacting the [Psychology Interjurisdictional Compact \(PSYPACT\)](#). This compact requires psychologists to be licensed in their home states; then they may practice telepsychology in a receiving state or conduct temporary in-person, face-to-face practice in a participating state other than their home state. This allows the home state to regulate a psychologist and also allows the other participating states to know who is practicing there and in what capacity, without requiring a psychologist to obtain and maintain a license in each PSYPACT state.

PSYCHOLOGY INTERJURISDICTIONAL COMPACT



Source: [PSYPACT](#)

WHAT IS THE STATUS OF OTHER LICENSING COMPACT EFFORTS IN NEVADA?

- **ENHANCED NURSE LICENSURE COMPACT (2017)**

Assembly Bill 18, considered during the 2017 Session, would have ratified the Enhanced Nurse Licensure Compact; however, the bill was not passed out of its first committee.

- **EMERGENCY MEDICAL SERVICES PERSONNEL LICENSURE INTERSTATE COMPACT (2017)**

Also in 2017, the Legislature introduced AB 367, which sought to ratify the Recognition of Emergency Medical Services Personnel Licensure Interstate Compact. This bill was not heard in committee.

- **PHYSICAL THERAPY LICENSURE COMPACT (2019)**

During the 2019 Session, SB 186 was introduced to enact the Physical Therapy Licensure Compact, but the relevant provisions were amended out of the bill.

To date, there have been no legislative efforts in Nevada to consider the Advanced Practice Registered Nurse Compact or the Audiology & Speech-Language Pathology Interstate Compact.

NEXT STEPS

As a policy option to increase licensure portability, interstate occupational licensing compacts have been an increasing focus of discussion nationwide. Like other states, Nevada is likely to continue considering legislation to enter into such agreements. Upcoming publications from the Research Division will provide more information about occupational licensing and related policy options.
