



# Licensure and Interstate Compacts

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States are responsible for several aspects of licensing health professionals, including the determination of provider qualifications and scope of practice, as well as how licensure protects patients within their borders. As such, telehealth care providers typically must be licensed in the state where the patient is receiving care, as well as the state in which the provider is located.

To facilitate telehealth across state lines, states may consider a variety of policy options, including **offering reciprocity agreements** with neighboring states and **joining licensure compacts** with other states.

## Expanding Licensure Through Reciprocity

Working together, some states have developed reciprocity agreements that fall into two main areas:

1. **Special licenses or certificates allow practitioners to provide care to patients without obtaining new and/or additional licenses.** At least [nine states](#) have created telehealth-specific licenses that allow out-of-state providers to offer services in the state, if they abide by certain requirements, including not setting up a physical location in the state.
2. **License reciprocity for out-of-state health care providers to practice within their jurisdiction if they meet special license and regulatory requirements.** For example, [California](#) offers licensure reciprocity for registered nurses who have met a set of educational requirements, passed the National Council Licensure Examination or the State Board Test Pool Examination and currently hold an active license to practice in another state. [Arkansas'](#) Border State Emergency Temporary License allows physicians in Oklahoma, Louisiana, Mississippi, Missouri, Tennessee and Texas to provide telemedicine visits for their established Arkansas patients.

In response to the COVID-19 pandemic, [almost all states](#) pursued modifications to their licensure rules, requirements or processes. Changes included expanding the types of health care providers authorized to deliver telehealth services and removing requirements for prior patient-provider relationships.

### 3 Things to Know:

- 1 Health providers need appropriate licensure to **conduct telehealth across state borders.**
- 2 Reciprocity allows health providers who are actively licensed in one state to use telehealth to **practice remotely within another state's borders.**
- 3 States may opt into interstate licensure compacts that **allow for qualified providers to voluntarily join.** This pathway helps reduce redundancies across state licensure processes.

### Definitions

#### ■ Licensure

The granting of permission, most often from state governments, to practice a profession or occupation.

#### ■ Interstate Compact

A contract between two or more states creating an agreement on how to address a particular policy issue, adopt a certain standard or cooperate on regional or national matters. Interstate compacts usually require participating states to pass legislation using specific, uniform language.

# Creating Interstate Compacts

Licensure compacts have gained traction as a way to allow various types of health professionals to provide services to individuals in other states. Compacts are formed when a certain number of states enact legislation that includes specific uniform language or by a certain date, whichever occurs first. After a state joins a compact, the compact is administered by a nongovernmental organization. However, joining the compact is voluntary for the providers. All compact member states maintain their authority to monitor health care professionals practicing within their borders.

Currently, five active compacts exist across the country and two more are under consideration.

## Active Compacts



### Interstate Medical Licensure Compact

- For physicians
- Members: 31 states, the District of Columbia and Guam
- Administered by the Interstate Medical Licensure Commission



### Nurse Licensure Compact

- For registered nurses and licensed practical nurses
- Members: 37 states and Guam
- Administered by the Nurse Licensure Compact Commission



### Physical Therapy Compact

- For physical therapists
- Members: 28 states
- Administered by the Physical Therapy Compact Commission



### Psychology Interjurisdictional Compact (PSYPACT)

- For psychologists
- Members: 15 states
- Administered by the PSYPACT Commission



### EMS Personnel Licensure Interstate Compact

- For emergency medical technicians and paramedics
- Members: 20 states
- Administered by the Interstate Commission for EMS Personnel Practice

Compacts also exist for other provider types. The [Advanced Practice Registered Nurse Compact](#) will become active when seven states have enacted legislation. The [Audiologists and Speech-Language Pathologists Compact](#) reached its threshold of 10 states for activation in April 2020.

**A note about this brief:** Although the COVID-19 pandemic ushered in a wave of changes to provider licensing and reciprocity requirements, many of these actions are temporary. State counts listed throughout this brief only include permanent laws and regulations. Please refer to the Telehealth, COVID-19 and Looking Ahead brief for more information.

### About the Telehealth Explainer Series

As state leaders seek to capitalize on the potential for telehealth to support the health care workforce and improve access to care, a number of state policy issues may arise. This new series of explainer briefs addresses six aspects of telehealth to better inform policymaking for state lawmakers.

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