



Counseling Compact

BACKGROUND ON INTERSTATE COMPACTS

Interstate compacts are contracts between two or more states that are in agreement on an issue. States use compacts as a legal relationship to address an issue. Indiana currently participates in 37 interstate compacts.

- Agreement on Detainers
- Agreement on Qualifications of Educational Personnel
- Civil Defense and Disaster Compact
- Compact for Education
- Compact on Mental Health
- Compact on Placement of Children
- Driver License Compact
- Emergency Management Assistance Compact
- Emergency Medical Services (EMS) Compact
- Great Lakes Basin Compact
- Great Lakes-St. Lawrence River Basin Water Resources Compact
- Health Care Compact
- Indiana-Kentucky Boundary Compact
- Interstate Compact for Adult Offender Supervision
- Product Regulation Compact Interstate Compact for Juveniles
- Interstate Compact on Adoption and Medical Assistance
- Emergency Management Assistance Compact
- Interstate Compact on Educational Opportunity for Military Children
- Interstate Compact on Placement of Children
- Interstate Compact to Conserve Oil and Gas
- Interstate Corrections Compact
- Interstate Earthquake Emergency Compact
- Interstate High Speed Rail Network Compact
- Interstate Insurance
- Interstate Library Compact
- Interstate Mining Compact
- Interstate Rail Passenger Network Compact
- Midwest Interstate Low-Level Radioactive Waste Compact
- Midwest Interstate Passenger Rail Compact
- Multistate Lottery Agreement
- Nonresident Violator Compact
- Nurse Licensure Compact (NLC)
- Ohio River Valley Water Sanitation Compact
- Surplus Lines Insurance Multi-State Compliance Compact
- Uniform Unclaimed Property Act
- Wabash Valley Compact
- Wildlife Violator Compact



Multi-state License

Professionals obtain a single license in their home state that enables them to practice in all Compact-participating states without additional action.

Ex: Nurse Licensure Compact



Privilege-to-Practice

Professionals obtain a single license in their home state then apply for privilege to practice to practice in other Compact-participating states.

Ex: Emergency Medical Services Compact



Expedited License Review

Professionals wishing to participate in this Compact would undergo an expedited process for license application/renewal but would be required to obtain separate licenses in all states where they will practice.

Ex: Interstate Medical Licensure Compact

WHAT IS THE COUNSELING COMPACT AND HOW DOES IT COMPARE TO OTHER HEALTH-RELATED COMPACTS?

Counseling Compact = Privilege-to-Practice



The Counseling Compact is an agreement between states which allows professional counselors to work in multiple states. The Counseling Compact is structured under the “privilege to practice” model, as professionals submit a request to the compact (and pay related fees) to receive privilege to practice in other Compact participating states under their singular home state license. Professionals are required to request the privilege to practice for each state they plan to practice in (outside of their home state).

WHAT STATES PARTICIPATE IN THE COUNSELING COMPACT?

There are currently two states who have enacted Professional Counseling Compact legislation. In addition, five states have legislation pending. Once 10 states have enacted compact legislation, the Counseling Compact will become active. Ohio is Indiana’s only contiguous state to have introduced Compact legislation.

Enacted Legislation

- Georgia
- Massachusetts

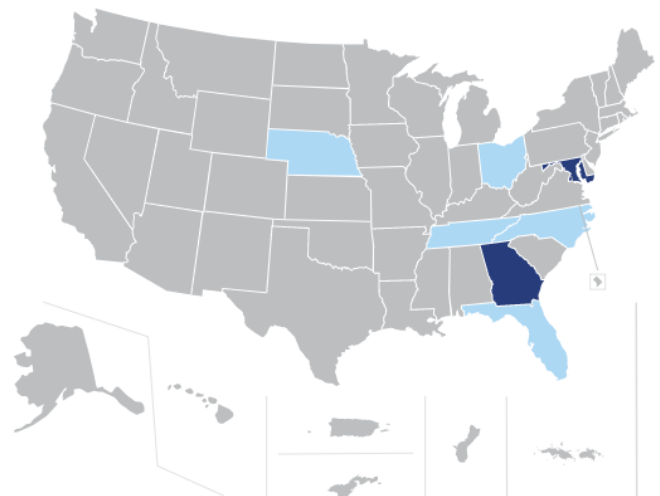
Introduced Legislation

- Nebraska
- Ohio
- North Carolina
- Tennessee
- Florida

Key Definitions and Abbreviations

Home state: State where a licensed counselor has permanent residence. This state hosts the individual’s professional counseling license.

Remote state: A state other than the home state that participates in the Counseling Compact, and where a Counselor can apply for and have Compact Privilege to practice.



WHO ARE PROFESSIONAL COUNSELORS IN INDIANA?

Professional Counselor is a term used in other states to refer to the profession which Indiana titles “**Mental Health Counselor**.” Therefore, the Counseling Compact would affect **Indiana’s Licensed Mental Health Counselors (LMHCs)** and their equivalents in other states.

HOW DOES THE COMPACT INTERSECT WITH SCOPE OF PRACTICE?

A licensee providing professional counseling in a remote state under the privilege to practice is required to adhere to the laws and regulations of the remote state. Therefore, if an Indiana-licensed LMHC desires to practice in a remote state (ex: Georgia), he/she would be beholden to Georgia’s practice policies while practicing in Georgia, and Indiana’s practice policies while practicing in Indiana.

WHAT IS THE PROCESS FOR DISCIPLINARY ACTIONS?

Only the Home State has the power to take adverse action against a Licensed Professional Counselor’s license issued by the Home State. However, all remote states shall be authorized, in accordance with state due process laws, to take adverse action against a counselor’s privilege to practice in remote states. These actions may include revocation, suspension, probation or any other action that affects an individual’s privilege to practice in remote states, as granted by the compact. The Licensed Professional Counselor’s privilege to practice in all other Member States shall be deactivated until all encumbrances have been removed from the State license.

132 of Indiana Licensed Mental Health Counselors have a license address located outside of Indiana.

Entering the Compact could facilitate human resource sharing between Compact states, by reducing barriers to practice for Professional Counselors.

POTENTIAL BENEFITS ASSOCIATED WITH PARTICIPATING IN THE COUNSELING COMPACT?



License portability: Counselors receive a license in their home state and may easily obtain privilege to practice in another compact-member state by 1) notifying the compact commission and 2) notifying the remote state they wish to practice in as well as paying any required fees imposed by that state. (This may be of particular benefit to military families with frequent relocations.)

Not prohibitive to non-compact Counselors: Indiana counselors who do not wish to obtain practice privileges in other states will be unaffected by the Compact.

Telehealth: Allows Counselors to practice in member states via telehealth under a practice privilege (unless member states have imposed additional requirements for telehealth participation).

POTENTIAL CHALLENGES ASSOCIATED WITH PARTICIPATING IN THE COUNSELING COMPACT?



Potential loss of revenue: It is not currently known how many of Indiana’s current licensees would indicate another state as their “home state” (for these licensees, Indiana would not host their “home state license” and may therefore lose revenue from these licensees. In an effort to recuperate lost revenue, some member states may charge a “State fee” for privilege to practice. The Compact may also levy and collect an annual fee from party states to cover the costs of the Compact’s operations.

Workforce data & tracking: Participation may limit Indiana’s ability to know who and where compact counselors are (if they indicate another state as their primary state of residence). (Home state licensees with Indiana as their primary state of residence would still be required under IC 25-1-2-10 to provide the state with select workforce information for policy & planning purposes.) Counseling compact does establish a data system that may provide some workforce data. It may be possible for the Behavioral Health & Human Services Licensing Board to collect some information from out-of-state licensees when they grant privilege to practice in Indiana.

Compact contact information for follow-up or more specific information:

Visit the Counseling Compact website at <https://counselingcompact.org/>; or email the Counseling Compact for additional information (counselingcompact@csg.org).

This brief was prepared by the Bowen Center for Health Workforce Research & Policy to objectively inform decisionmakers on the generalities and specificities within a licensure compact, while wearing an Indiana “lens.” This brief was not prepared on behalf of the Counseling Compact. Any questions on Counseling Compact may be directed to the Compact. Any questions on the content of the brief may be directed to the Bowen Center team (bowenctr@iu.edu).

Sources:

Counseling Compact Website: <https://counselingcompact.org/>

Bowen Center for Health Workforce Research & Policy, 2020 Behavioral Health Workforce Data Report: <https://scholarworks.iupui.edu/bitstream/handle/1805/25354/BHHS%20Data%20Report-BHHS%202020%20FINAL.pdf?sequence=1&isAllowed=y>