**§18555. Privilege to practice**

**1. Requirements.**  To exercise the privilege to practice under the terms and provisions of the compact, the licensee must:

A. Hold a license in the home state; [PL 2021, c. 547, §1 (NEW).]

B. Have a valid United States social security number or national practitioner identifier; [PL 2021, c. 547, §1 (NEW).]

C. Be eligible for a privilege to practice in any member state in accordance with subsections 4, 7 and 8; [PL 2021, c. 547, §1 (NEW).]

D. Have not had any encumbrance or restriction against any license or privilege to practice within the previous 2 years; [PL 2021, c. 547, §1 (NEW).]

E. Notify the commission that the licensee is seeking the privilege to practice within a remote state; [PL 2021, c. 547, §1 (NEW).]

F. Pay any applicable fees, including any state fee, for the privilege to practice; [PL 2021, c. 547, §1 (NEW).]

G. Meet any continuing competence and education requirements established by the home state; [PL 2021, c. 547, §1 (NEW).]

H. Meet any jurisprudence requirements established by the remote state in which the licensee is seeking a privilege to practice; and [PL 2021, c. 547, §1 (NEW).]

I. Report to the commission any adverse action, encumbrance or restriction on the license taken by any nonmember state within 30 days from the date the action is taken. [PL 2021, c. 547, §1 (NEW).]

[PL 2021, c. 547, §1 (NEW).]

**2. Validity.**  The privilege to practice is valid until the expiration date of the home state license. The licensee must comply with the requirements of subsection 1 to maintain the privilege to practice in the remote state.

[PL 2021, c. 547, §1 (NEW).]

**3. Laws and regulations.**  A licensee providing professional counseling in a remote state under the privilege to practice shall adhere to the laws and regulations of the remote state.

[PL 2021, c. 547, §1 (NEW).]

**4. Regulation.**  A licensee providing professional counseling services in a remote state is subject to that state's regulatory authority. A remote state may, in accordance with due process and that state's laws, remove a licensee's privilege to practice in the remote state for a specific period of time, impose fines or take any other necessary actions to protect the health and safety of its citizens. The licensee may be ineligible for a privilege to practice in any member state until the specific time for removal has passed and all fines are paid.

[PL 2021, c. 547, §1 (NEW).]

**5. Encumbrance.**  If a home state license is encumbered, the licensee must lose the privilege to practice in any remote state until the following occur:

A. The home state license is no longer encumbered; and [PL 2021, c. 547, §1 (NEW).]

B. The licensee has not had any encumbrance or restriction against any license or privilege to practice within the previous 2 years. [PL 2021, c. 547, §1 (NEW).]

[PL 2021, c. 547, §1 (NEW).]

**6. Restoration after encumbrance.**  Once an encumbered license in the home state is restored to good standing, the licensee must meet the requirements of subsection 1 to obtain a privilege to practice in any remote state.

[PL 2021, c. 547, §1 (NEW).]

**7. Removal.**  If a licensee's privilege to practice in any remote state is removed, the individual may lose the privilege to practice in all other remote states until the following occur:

A. The specific period of time for which the privilege to practice was removed has ended; [PL 2021, c. 547, §1 (NEW).]

B. All fines have been paid; and [PL 2021, c. 547, §1 (NEW).]

C. The licensee has not had any encumbrance or restriction against any license or privilege to practice within the previous 2 years. [PL 2021, c. 547, §1 (NEW).]

[PL 2021, c. 547, §1 (NEW).]

**8. Restoration after removal.**  Once the requirements of subsection 7 have been met, the licensee must meet the requirements in subsection 1 to obtain a privilege to practice in a remote state.

[PL 2021, c. 547, §1 (NEW).]

SECTION HISTORY

PL 2021, c. 547, §1 (NEW).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Regular and Frist Special Session of the 131st Maine Legislature and is current through November 1, 2023
. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.