



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB3074

Introduced 1/29/2026, by Sen. Sue Rezin

SYNOPSIS AS INTRODUCED:

New Act
225 ILCS 95/22.18 new

Creates the Physician Assistant Licensure Compact Act. Provides that, one year after the effective date of the Act, the State of Illinois enters into the PA Licensure Compact in substantially the form provided in the Act with all other states joining the Compact. Provides that the purpose of the Compact is for participating states of the Compact to have allied in common purpose to develop a comprehensive process that complements the existing authority of state licensing boards to license and discipline physician assistants and to seek to enhance the portability of a license to practice as a physician assistant while safeguarding the safety of patients. Contains provisions relating to requirements for state participation in the compact. Includes the procedures a licensee must follow to apply for and obtain compact privilege. Provides that a participating state in which a licensee is licensed under the Compact shall have exclusive power to impose adverse action against the qualifying license issued by that participating state. Provides for the creation of a PA Licensure Compact Commission, including a delegate selected by each participating state's licensing board. Includes other provisions relating to the operation of the Commission, including when the Commission is implemented, the data system used by the Commission, and Commission rules. Includes provisions relating to oversight, dispute resolution, and enforcement; construction and severability; and the binding effect of the Compact. Amends the Physician Assistant Practice Act of 1987. Requires, no later than 3 months after the effective date of the amendatory Act, the Department of Financial and Professional Regulation to (i) submit a report to the Governor and General Assembly describing all rule and statutory changes necessary to comply with the PA Licensure Compact and (ii) begin rulemaking procedures necessary to modify its rules to conform with the requirements of the PA Licensure Compact.

LRB104 18594 RTM 32037 b

A BILL FOR

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Physician Assistant Licensure Compact Act.

6 Section 5. PA Licensure Compact. One year after the
7 effective date of this Act, the State of Illinois enters into
8 the PA Licensure Compact in substantially the following form
9 with all other states joining the Compact:

10 PA LICENSURE COMPACT

11 Section 1. Purpose

12 In order to strengthen access to Medical Services, and in
13 recognition of the advances in the delivery of Medical
14 Services, the Participating States of the PA Licensure Compact
15 have allied in common purpose to develop a comprehensive
16 process that complements the existing authority of State
17 Licensing Boards to license and discipline PAs and seeks to
18 enhance the portability of a License to practice as a PA while
19 safeguarding the safety of patients. This Compact allows
20 Medical Services to be provided by PAs, via the mutual
21 recognition of the Licensee's Qualifying License by other

1 Compact Participating States. This Compact also adopts the
2 prevailing standard for PA licensure and affirms that the
3 practice and delivery of Medical Services by the PA occurs
4 where the patient is located at the time of the patient
5 encounter, and therefore requires the PA to be under the
6 jurisdiction of the State Licensing Board where the patient is
7 located. State Licensing Boards that participate in this
8 Compact retain the jurisdiction to impose Adverse Action
9 against a Compact Privilege in that State issued to a PA
10 through the procedures of this Compact. The PA Licensure
11 Compact will alleviate burdens for military families by
12 allowing active duty military personnel and their spouses to
13 obtain a Compact Privilege based on having an unrestricted
14 License in good standing from a Participating State.

15 Section 2. Definitions

16 In this Compact:

17 A. "Adverse Action" means any administrative, civil,
18 equitable, or criminal action permitted by a State's laws
19 which is imposed by a Licensing Board or other authority
20 against a PA License or License application or Compact
21 Privilege such as License denial, censure, revocation,
22 suspension, probation, monitoring of the Licensee, or
23 restriction on the Licensee's practice.

24 B. "Compact Privilege" means the authorization granted by
25 a Remote State to allow a Licensee from another Participating

1 State to practice as a PA to provide Medical Services and other
2 licensed activity to a patient located in the Remote State
3 under the Remote State's laws and regulations.

4 C. "Conviction" means a finding by a court that an
5 individual is guilty of a felony or misdemeanor offense
6 through adjudication or entry of a plea of guilt or no contest
7 to the charge by the offender

8 D. "Criminal Background Check" means the submission of
9 fingerprints or other biometric-based information for a
10 License applicant for the purpose of obtaining that
11 applicant's criminal history record information, as defined in
12 28 CFR § 20.3(d), from the State's criminal history record
13 repository, as defined in 28 CFR § 20.3(f).

14 E. "Data System" means the repository of information about
15 Licensees, including but not limited to License status and
16 Adverse Actions, which is created and administered under the
17 terms of this Compact.

18 F. "Executive Committee" means a group of directors and
19 ex-officio individuals elected or appointed pursuant to
20 Section 7.F.2.

21 G. "Impaired Practitioner" means a PA whose practice is
22 adversely affected by health-related condition(s) that impact
23 their ability to practice.

24 H. "Investigative Information" means information, records,
25 or documents received or generated by a Licensing Board
26 pursuant to an investigation.

1 I. "Jurisprudence Requirement" means the assessment of an
2 individual's knowledge of the laws and Rules governing the
3 practice of a PA in a State.

4 J. "License" means current authorization by a State, other
5 than authorization pursuant to a Compact Privilege, for a PA
6 to provide Medical Services, which would be unlawful without
7 current authorization.

8 K. "Licensee" means an individual who holds a License from
9 a State to provide Medical Services as a PA.

10 L. "Licensing Board" means any State entity authorized to
11 license and otherwise regulate PAs.

12 M. "Medical Services" means health care services provided
13 for the diagnosis, prevention, treatment, cure, or relief of a
14 health condition, injury, or disease, as defined by a State's
15 laws and regulations.

16 N. "Model Compact" means the model for the PA Licensure
17 Compact on file with The Council of State Governments or other
18 entity as designated by the Commission.

19 O. "Participating State" means a State that has enacted
20 this Compact.

21 P. "PA" means an individual who is licensed as a physician
22 assistant in a State. For purposes of this Compact, any other
23 title or status adopted by a State to replace the term
24 "physician assistant" shall be deemed synonymous with
25 "physician assistant" and shall confer the same rights and
26 responsibilities to the Licensee under the provisions of this

1 Compact at the time of its enactment.

2 Q. "PA Licensure Compact Commission," "Compact
3 Commission," or "Commission" mean the national administrative
4 body created pursuant to Section 7.A of this Compact.

5 R. "Qualifying License" means an unrestricted License
6 issued by a Participating State to provide Medical Services as
7 a PA.

8 S. "Remote State" means a Participating State where a
9 Licensee who is not licensed as a PA is exercising or seeking
10 to exercise the Compact Privilege.

11 T. "Rule" means a regulation promulgated by an entity that
12 has the force and effect of law.

13 U. "Significant Investigative Information" means
14 Investigative Information that a Licensing Board, after an
15 inquiry or investigation that includes notification and an
16 opportunity for the PA to respond if required by State law, has
17 reason to believe is not groundless and, if proven true, would
18 indicate more than a minor infraction.

19 V. "State" means any state, commonwealth, district, or
20 territory of the United States.

21 Section 3. State Participation in this Compact

22 A. To participate in this Compact, a Participating State
23 shall:

24 1. License PAs.

25 2. Participate in the Compact Commission's Data

1 System.

2 3. Have a mechanism in place for receiving and
3 investigating complaints against Licensees and License
4 applicants.

5 4. Notify the Commission, in compliance with the terms
6 of this Compact and Commission Rules, of any Adverse
7 Action against a Licensee or License applicant and the
8 existence of Significant Investigative Information
9 regarding a Licensee or License applicant.

10 5. Fully implement a Criminal Background Check
11 requirement, within a time frame established by Commission
12 Rule, by its Licensing Board receiving the results of a
13 Criminal Background Check and reporting to the Commission
14 whether the License applicant has been granted a License.

15 6. Comply with the Rules of the Compact Commission.

16 7. Utilize passage of a recognized national exam, such
17 as the NCCPA PANCE, as a requirement for PA licensure.

18 8. Grant the Compact Privilege to a holder of a
19 Qualifying License in a Participating State.

20 B. Nothing in this Compact prohibits a Participating State
21 from charging a fee for granting the Compact Privilege.

22 Section 4. Compact Privilege

23 A. To exercise the Compact Privilege, a Licensee must:

24 1. Have graduated from a PA program accredited by the
25 Accreditation Review Commission on Education for the

1 Physician Assistant, Inc. or other programs authorized by
2 Commission Rule.

3 2. Hold current NCCPA certification.

4 3. Have no felony or misdemeanor Conviction.

5 4. Have never had a controlled substance license,
6 permit, or registration suspended or revoked by a State or
7 by the United States Drug Enforcement Administration.

8 5. Have a unique identifier as determined by
9 Commission Rule.

10 6. Hold a Qualifying License.

11 7. Have had no revocation of a License or limitation
12 or restriction on any License currently held due to an
13 adverse action.

14 8. If a Licensee has had a limitation or restriction
15 on a License or Compact Privilege due to an Adverse
16 Action, two years must have elapsed from the date on which
17 the License or Compact Privilege is no longer limited or
18 restricted due to the Adverse Action.

19 9. If a Compact Privilege has been revoked or is
20 limited or restricted in a Participating State for conduct
21 that would not be a basis for disciplinary action in a
22 Participating State in which the Licensee is practicing or
23 applying to practice under a Compact Privilege, that
24 Participating State shall have the discretion not to
25 consider such action as an Adverse Action requiring the
26 denial or removal of a Compact Privilege in that State.

1 10. Notify the Compact Commission that the Licensee is
2 seeking the Compact Privilege in a Remote State.

3 11. Meet any Jurisprudence Requirement of a Remote
4 State in which the Licensee is seeking to practice under
5 the Compact Privilege and pay any fees applicable to
6 satisfying the Jurisprudence Requirement.

7 12. Report to the Commission any Adverse Action taken
8 by a non-participating State within thirty (30) days after
9 the action is taken.

10 B. The Compact Privilege is valid until the expiration or
11 revocation of the Qualifying License unless terminated
12 pursuant to an Adverse Action. The Licensee must also comply
13 with all of the requirements of Subsection A above to maintain
14 the Compact Privilege in a Remote State. If the Participating
15 State takes Adverse Action against a Qualifying License, the
16 Licensee shall lose the Compact Privilege in any Remote State
17 in which the Licensee has a Compact Privilege until all of the
18 following occur:

19 1. The License is no longer limited or restricted; and

20 2. Two (2) years have elapsed from the date on which
21 the License is no longer limited or restricted due to the
22 Adverse Action.

23 C. Once a restricted or limited License satisfies the
24 requirements of Subsection B.1 and 2, the Licensee must meet
25 the requirements of Subsection A to obtain a Compact Privilege
26 in any Remote State.

1 D. For each Remote State in which a PA seeks authority to
2 prescribe controlled substances, the PA shall satisfy all
3 requirements imposed by such State in granting or renewing
4 such authority.

5 Section 5. Designation of the State from which a Licensee
6 is Applying for a Compact Privilege

7 A. Upon a Licensee's application for a Compact Privilege,
8 the Licensee shall identify to the Commission the
9 Participating State from which the Licensee is applying, in
10 accordance with applicable Rules adopted by the Commission,
11 and subject to the following requirements:

12 1. When applying for a Compact Privilege, the Licensee
13 shall provide the Commission with the address of the
14 Licensee's primary residence and thereafter shall
15 immediately report to the Commission any change in the
16 address of the Licensee's primary residence.

17 2. When applying for a Compact Privilege, the Licensee
18 is required to consent to accept service of process by
19 mail at the Licensee's primary residence on file with the
20 Commission with respect to any action brought against the
21 Licensee by the Commission or a Participating State,
22 including a subpoena, with respect to any action brought
23 or investigation conducted by the Commission or a
24 Participating State.

1 Section 6. Adverse Actions

2 A. A Participating State in which a Licensee is licensed
3 shall have exclusive power to impose Adverse Action against
4 the Qualifying License issued by that Participating State.

5 B. In addition to the other powers conferred by State law,
6 a Remote State shall have the authority, in accordance with
7 existing State due process law, to do all of the following:

8 1. Take Adverse Action against a PA's Compact
9 Privilege within that State to remove a Licensee's Compact
10 Privilege or take other action necessary under applicable
11 law to protect the health and safety of its citizens.

12 2. Issue subpoenas for both hearings and
13 investigations that require the attendance and testimony
14 of witnesses as well as the production of evidence.
15 Subpoenas issued by a Licensing Board in a Participating
16 State for the attendance and testimony of witnesses or the
17 production of evidence from another Participating State
18 shall be enforced in the latter State by any court of
19 competent jurisdiction, according to the practice and
20 procedure of that court applicable to subpoenas issued in
21 proceedings pending before it. The issuing authority shall
22 pay any witness fees, travel expenses, mileage and other
23 fees required by the service statutes of the State in
24 which the witnesses or evidence are located.

25 3. Notwithstanding paragraph 2, subpoenas may not be
26 issued by a Participating State to gather evidence of

1 conduct in another State that is lawful in that other
2 State for the purpose of taking Adverse Action against a
3 Licensee's Compact Privilege or application for a Compact
4 Privilege in that Participating State.

5 4. Nothing in this Compact authorizes a Participating
6 State to impose discipline against a PA's Compact
7 Privilege or to deny an application for a Compact
8 Privilege in that Participating State for the individual's
9 otherwise lawful practice in another State.

10 C. For purposes of taking Adverse Action, the
11 Participating State that issued the Qualifying License shall
12 give the same priority and effect to reported conduct received
13 from any other Participating State as it would if the conduct
14 had occurred within the Participating State which issued the
15 Qualifying License. In so doing, that Participating State
16 shall apply its own State laws to determine appropriate
17 action.

18 D. A Participating State, if otherwise permitted by State
19 law, may recover from the affected PA the costs of
20 investigations and disposition of cases resulting from any
21 Adverse Action taken against that PA.

22 E. A Participating State may take Adverse Action based on
23 the factual findings of a Remote State, provided that the
24 Participating State follows its own procedures for taking the
25 Adverse Action.

26 F. Joint Investigations

1 1. In addition to the authority granted to a
2 Participating State by its respective State PA laws and
3 regulations or other applicable State law, any
4 Participating State may participate with other
5 Participating States in joint investigations of Licensees.

6 2. Participating States shall share any investigative,
7 litigation, or compliance materials in furtherance of any
8 joint or individual investigation initiated under this
9 Compact.

10 G. If an Adverse Action is taken against a PA's Qualifying
11 License, the PA's Compact Privilege in all Remote States shall
12 be deactivated until two (2) years have elapsed after all
13 restrictions have been removed from the State License. All
14 disciplinary orders by the Participating State which issued
15 the Qualifying License that impose Adverse Action against a
16 PA's License shall include a Statement that the PA's Compact
17 Privilege is deactivated in all Participating States during
18 the pendency of the order.

19 H. If any Participating State takes Adverse Action, it
20 promptly shall notify the administrator of the Data System.

21 Section 7. Establishment of the PA Licensure Compact
22 Commission

23 A. The Participating States hereby create and establish a
24 joint government agency and national administrative body known
25 as the PA Licensure Compact Commission. The Commission is an

1 instrumentality of the Compact States acting jointly and not
2 an instrumentality of any one State. The Commission shall come
3 into existence on or after the effective date of the Compact as
4 set forth in Section 11.A.

5 B. Membership, Voting, and Meetings

6 1. Each Participating State shall have and be limited
7 to one (1) delegate selected by that Participating State's
8 Licensing Board or, if the State has more than one
9 Licensing Board, selected collectively by the
10 Participating State's Licensing Boards.

11 2. The delegate shall be either:

12 a. A current PA, physician or public member of a
13 Licensing Board or PA Council/Committee; or

14 b. An administrator of a Licensing Board.

15 3. Any delegate may be removed or suspended from
16 office as provided by the laws of the State from which the
17 delegate is appointed.

18 4. The Participating State Licensing Board shall fill
19 any vacancy occurring in the Commission within sixty (60)
20 days.

21 5. Each delegate shall be entitled to one (1) vote on
22 all matters voted on by the Commission and shall otherwise
23 have an opportunity to participate in the business and
24 affairs of the Commission. A delegate shall vote in person
25 or by such other means as provided in the bylaws. The
26 bylaws may provide for delegates' participation in

1 meetings by telecommunications, video conference, or other
2 means of communication.

3 6. The Commission shall meet at least once during each
4 calendar year. Additional meetings shall be held as set
5 forth in this Compact and the bylaws.

6 7. The Commission shall establish by Rule a term of
7 office for delegates.

8 C. The Commission shall have the following powers and
9 duties:

10 1. Establish a code of ethics for the Commission;

11 2. Establish the fiscal year of the Commission;

12 3. Establish fees;

13 4. Establish bylaws;

14 5. Maintain its financial records in accordance with
15 the bylaws;

16 6. Meet and take such actions as are consistent with
17 the provisions of this Compact and the bylaws;

18 7. Promulgate Rules to facilitate and coordinate
19 implementation and administration of this Compact. The
20 Rules shall have the force and effect of law and shall be
21 binding in all Participating States;

22 8. Bring and prosecute legal proceedings or actions in
23 the name of the Commission, provided that the standing of
24 any State Licensing Board to sue or be sued under
25 applicable law shall not be affected;

26 9. Purchase and maintain insurance and bonds;

1 10. Borrow, accept, or contract for services of
2 personnel, including, but not limited to, employees of a
3 Participating State;

4 11. Hire employees and engage contractors, elect or
5 appoint officers, fix compensation, define duties, grant
6 such individuals appropriate authority to carry out the
7 purposes of this Compact, and establish the Commission's
8 personnel policies and programs relating to conflicts of
9 interest, qualifications of personnel, and other related
10 personnel matters;

11 12. Accept any and all appropriate donations and
12 grants of money, equipment, supplies, materials and
13 services, and receive, utilize and dispose of the same;
14 provided that at all times the Commission shall avoid any
15 appearance of impropriety or conflict of interest;

16 13. Lease, purchase, accept appropriate gifts or
17 donations of, or otherwise own, hold, improve or use, any
18 property, real, personal or mixed; provided that at all
19 times the Commission shall avoid any appearance of
20 impropriety;

21 14. Sell, convey, mortgage, pledge, lease, exchange,
22 abandon, or otherwise dispose of any property real,
23 personal, or mixed;

24 15. Establish a budget and make expenditures;

25 16. Borrow money;

26 17. Appoint committees, including standing committees

1 composed of members, State regulators, State legislators
2 or their representatives, and consumer representatives,
3 and such other interested persons as may be designated in
4 this Compact and the bylaws;

5 18. Provide and receive information from, and
6 cooperate with, law enforcement agencies;

7 19. Elect a Chair, Vice Chair, Secretary and Treasurer
8 and such other officers of the Commission as provided in
9 the Commission's bylaws.

10 20. Reserve for itself, in addition to those reserved
11 exclusively to the Commission under the Compact, powers
12 that the Executive Committee may not exercise;

13 21. Approve or disapprove a State's participation in
14 the Compact based upon its determination as to whether the
15 State's Compact legislation departs in a material manner
16 from the Model Compact language;

17 22. Prepare and provide to the Participating States an
18 annual report; and

19 23. Perform such other functions as may be necessary
20 or appropriate to achieve the purposes of this Compact
21 consistent with the State regulation of PA licensure and
22 practice.

23 D. Meetings of the Commission

24 1. All meetings of the Commission that are not closed
25 pursuant to this subsection shall be open to the public.
26 Notice of public meetings shall be posted on the

1 Commission's website at least thirty (30) days prior to
2 the public meeting.

3 2. Notwithstanding subsection D.1 of this section, the
4 Commission may convene a public meeting by providing at
5 least twenty-four (24) hours prior notice on the
6 Commission's website, and any other means as provided in
7 the Commission's Rules, for any of the reasons it may
8 dispense with notice of proposed rulemaking under Section
9 9.L.

10 3. The Commission may convene in a closed, non-public
11 meeting or non-public part of a public meeting to receive
12 legal advice or to discuss:

13 a. Non-compliance of a Participating State with
14 its obligations under this Compact;

15 b. The employment, compensation, discipline or
16 other matters, practices or procedures related to
17 specific employees or other matters related to the
18 Commission's internal personnel practices and
19 procedures;

20 c. Current, threatened, or reasonably anticipated
21 litigation;

22 d. Negotiation of contracts for the purchase,
23 lease, or sale of goods, services, or real estate;

24 e. Accusing any person of a crime or formally
25 censuring any person;

26 f. Disclosure of trade secrets or commercial or

1 financial information that is privileged or
2 confidential;

3 g. Disclosure of information of a personal nature
4 where disclosure would constitute a clearly
5 unwarranted invasion of personal privacy;

6 h. Disclosure of investigative records compiled
7 for law enforcement purposes;

8 i. Disclosure of information related to any
9 investigative reports prepared by or on behalf of or
10 for use of the Commission or other committee charged
11 with responsibility of investigation or determination
12 of compliance issues pursuant to this Compact;

13 j. Legal advice; or

14 k. Matters specifically exempted from disclosure
15 by federal or Participating States' statutes.

16 4. If a meeting, or portion of a meeting, is closed
17 pursuant to this provision, the chair of the meeting or
18 the chair's designee shall certify that the meeting or
19 portion of the meeting may be closed and shall reference
20 each relevant exempting provision.

21 5. The Commission shall keep minutes that fully and
22 clearly describe all matters discussed in a meeting and
23 shall provide a full and accurate summary of actions
24 taken, including a description of the views expressed. All
25 documents considered in connection with an action shall be
26 identified in such minutes. All minutes and documents of a

1 closed meeting shall remain under seal, subject to release
2 by a majority vote of the Commission or order of a court of
3 competent jurisdiction.

4 E. Financing of the Commission

5 1. The Commission shall pay, or provide for the
6 payment of, the reasonable expenses of its establishment,
7 organization, and ongoing activities.

8 2. The Commission may accept any and all appropriate
9 revenue sources, donations, and grants of money,
10 equipment, supplies, materials, and services.

11 3. The Commission may levy on and collect an annual
12 assessment from each Participating State and may impose
13 Compact Privilege fees on Licensees of Participating
14 States to whom a Compact Privilege is granted to cover the
15 cost of the operations and activities of the Commission
16 and its staff, which must be in a total amount sufficient
17 to cover its annual budget as approved by the Commission
18 each year for which revenue is not provided by other
19 sources. The aggregate annual assessment amount levied on
20 Participating States shall be allocated based upon a
21 formula to be determined by Commission Rule.

22 a. A Compact Privilege expires when the Licensee's
23 Qualifying License in the Participating State from
24 which the Licensee applied for the Compact Privilege
25 expires.

26 b. If the Licensee terminates the Qualifying

1 License through which the Licensee applied for the
2 Compact Privilege before its scheduled expiration, and
3 the Licensee has a Qualifying License in another
4 Participating State, the Licensee shall inform the
5 Commission that it is changing to that Participating
6 State the Participating State through which it applies
7 for a Compact Privilege and pay to the Commission any
8 Compact Privilege fee required by Commission Rule.

9 4. The Commission shall not incur obligations of any
10 kind prior to securing the funds adequate to meet the
11 same; nor shall the Commission pledge the credit of any of
12 the Participating States, except by and with the authority
13 of the Participating State.

14 5. The Commission shall keep accurate accounts of all
15 receipts and disbursements. The receipts and disbursements
16 of the Commission shall be subject to the financial review
17 and accounting procedures established under its bylaws.
18 All receipts and disbursements of funds handled by the
19 Commission shall be subject to an annual financial review
20 by a certified or licensed public accountant, and the
21 report of the financial review shall be included in and
22 become part of the annual report of the Commission.

23 F. The Executive Committee

24 1. The Executive Committee shall have the power to act
25 on behalf of the Commission according to the terms of this
26 Compact and Commission Rules.

1 2. The Executive Committee shall be composed of nine
2 (9) members:

3 a. Seven voting members who are elected by the
4 Commission from the current membership of the
5 Commission;

6 b. One ex-officio, nonvoting member from a
7 recognized national PA professional association; and

8 c. One ex-officio, nonvoting member from a
9 recognized national PA certification organization.

10 3. The ex-officio members will be selected by their
11 respective organizations.

12 4. The Commission may remove any member of the
13 Executive Committee as provided in its bylaws.

14 5. The Executive Committee shall meet at least
15 annually.

16 6. The Executive Committee shall have the following
17 duties and responsibilities:

18 a. Recommend to the Commission changes to the
19 Commission's Rules or bylaws, changes to this Compact
20 legislation, fees to be paid by Compact Participating
21 States such as annual dues, and any Commission Compact
22 fee charged to Licensees for the Compact Privilege;

23 b. Ensure Compact administration services are
24 appropriately provided, contractual or otherwise;

25 c. Prepare and recommend the budget;

26 d. Maintain financial records on behalf of the

1 Commission;

2 e. Monitor Compact compliance of Participating
3 States and provide compliance reports to the
4 Commission;

5 f. Establish additional committees as necessary;

6 g. Exercise the powers and duties of the
7 Commission during the interim between Commission
8 meetings, except for issuing proposed rulemaking or
9 adopting Commission Rules or bylaws, or exercising any
10 other powers and duties exclusively reserved to the
11 Commission by the Commission's Rules; and

12 h. Perform other duties as provided in the
13 Commission's Rules or bylaws.

14 7. All meeting of the Executive Committee at which it
15 votes or plans to vote on matters in exercising the powers
16 and duties of the Commission shall be open to the public
17 and public notice of such meetings shall be given as
18 public meetings of the Commission are given.

19 8. The Executive Committee may convene in a closed,
20 non-public meeting for the same reasons that the
21 Commission may convene in a non-public meeting as set
22 forth in Section 7.D.3 and shall announce the closed
23 meeting as the Commission is required to under Section
24 7.D.4 and keep minutes of the closed meeting as the
25 Commission is required to under Section 7.D.5.

26 G. Qualified Immunity, Defense, and Indemnification

1 1. The members, officers, executive director,
2 employees and representatives of the Commission shall be
3 immune from suit and liability, both personally and in
4 their official capacity, for any claim for damage to or
5 loss of property or personal injury or other civil
6 liability caused by or arising out of any actual or
7 alleged act, error, or omission that occurred, or that the
8 person against whom the claim is made had a reasonable
9 basis for believing occurred within the scope of
10 Commission employment, duties or responsibilities;
11 provided that nothing in this paragraph shall be construed
12 to protect any such person from suit or liability for any
13 damage, loss, injury, or liability caused by the
14 intentional or willful or wanton misconduct of that
15 person. The procurement of insurance of any type by the
16 Commission shall not in any way compromise or limit the
17 immunity granted hereunder.

18 2. The Commission shall defend any member, officer,
19 executive director, employee, and representative of the
20 Commission in any civil action seeking to impose liability
21 arising out of any actual or alleged act, error, or
22 omission that occurred within the scope of Commission
23 employment, duties, or responsibilities, or as determined
24 by the commission that the person against whom the claim
25 is made had a reasonable basis for believing occurred
26 within the scope of Commission employment, duties, or

1 responsibilities; provided that nothing herein shall be
2 construed to prohibit that person from retaining their own
3 counsel at their own expense; and provided further, that
4 the actual or alleged act, error, or omission did not
5 result from that person's intentional or willful or wanton
6 misconduct.

7 3. The Commission shall indemnify and hold harmless
8 any member, officer, executive director, employee, and
9 representative of the Commission for the amount of any
10 settlement or judgment obtained against that person
11 arising out of any actual or alleged act, error, or
12 omission that occurred within the scope of Commission
13 employment, duties, or responsibilities, or that such
14 person had a reasonable basis for believing occurred
15 within the scope of Commission employment, duties, or
16 responsibilities, provided that the actual or alleged act,
17 error, or omission did not result from the intentional or
18 willful or wanton misconduct of that person.

19 4. Venue is proper and judicial proceedings by or
20 against the Commission shall be brought solely and
21 exclusively in a court of competent jurisdiction where the
22 principal office of the Commission is located. The
23 Commission may waive venue and jurisdictional defenses in
24 any proceedings as authorized by Commission Rules.

25 5. Nothing herein shall be construed as a limitation
26 on the liability of any Licensee for professional

1 malpractice or misconduct, which shall be governed solely
2 by any other applicable State laws.

3 6. Nothing herein shall be construed to designate the
4 venue or jurisdiction to bring actions for alleged acts of
5 malpractice, professional misconduct, negligence, or other
6 such civil action pertaining to the practice of a PA. All
7 such matters shall be determined exclusively by State law
8 other than this Compact.

9 7. Nothing in this Compact shall be interpreted to
10 waive or otherwise abrogate a Participating State's state
11 action immunity or state action affirmative defense with
12 respect to antitrust claims under the Sherman Act, Clayton
13 Act, or any other State or federal antitrust or
14 anticompetitive law or regulation.

15 8. Nothing in this Compact shall be construed to be a
16 waiver of sovereign immunity by the Participating States
17 or by the Commission.

18 Section 8. Data System

19 A. The Commission shall provide for the development,
20 maintenance, operation, and utilization of a coordinated data
21 and reporting system containing licensure, Adverse Action, and
22 the reporting of the existence of Significant Investigative
23 Information on all licensed PAs and applicants denied a
24 License in Participating States.

25 B. Notwithstanding any other State law to the contrary, a

1 Participating State shall submit a uniform data set to the
2 Data System on all PAs to whom this Compact is applicable
3 (utilizing a unique identifier) as required by the Rules of
4 the Commission, including:

5 1. Identifying information;

6 2. Licensure data;

7 3. Adverse Actions against a License or Compact
8 Privilege;

9 4. Any denial of application for licensure, and the
10 reason(s) for such denial (excluding the reporting of any
11 criminal history record information where prohibited by
12 law);

13 5. The existence of Significant Investigative
14 Information; and

15 6. Other information that may facilitate the
16 administration of this Compact, as determined by the Rules
17 of the Commission.

18 C. Significant Investigative Information pertaining to a
19 Licensee in any Participating State shall only be available to
20 other Participating States.

21 D. The Commission shall promptly notify all Participating
22 States of any Adverse Action taken against a Licensee or an
23 individual applying for a License that has been reported to
24 it. This Adverse Action information shall be available to any
25 other Participating State.

26 E. Participating States contributing information to the

1 Data System may, in accordance with State or federal law,
2 designate information that may not be shared with the public
3 without the express permission of the contributing State.
4 Notwithstanding any such designation, such information shall
5 be reported to the Commission through the Data System.

6 F. Any information submitted to the Data System that is
7 subsequently expunged pursuant to federal law or the laws of
8 the Participating State contributing the information shall be
9 removed from the Data System upon reporting of such by the
10 Participating State to the Commission.

11 G. The records and information provided to a Participating
12 State pursuant to this Compact or through the Data System,
13 when certified by the Commission or an agent thereof, shall
14 constitute the authenticated business records of the
15 Commission, and shall be entitled to any associated hearsay
16 exception in any relevant judicial, quasi-judicial or
17 administrative proceedings in a Participating State.

18 Section 9. Rulemaking

19 A. The Commission shall exercise its Rulemaking powers
20 pursuant to the criteria set forth in this Section and the
21 Rules adopted thereunder. Commission Rules shall become
22 binding as of the date specified by the Commission for each
23 Rule.

24 B. The Commission shall promulgate reasonable Rules in
25 order to effectively and efficiently implement and administer

1 this Compact and achieve its purposes. A Commission Rule shall
2 be invalid and have not force or effect only if a court of
3 competent jurisdiction holds that the Rule is invalid because
4 the Commission exercised its rulemaking authority in a manner
5 that is beyond the scope of the purposes of this Compact, or
6 the powers granted hereunder, or based upon another applicable
7 standard of review.

8 C. The Rules of the Commission shall have the force of law
9 in each Participating State, provided however that where the
10 Rules of the Commission conflict with the laws of the
11 Participating State that establish the medical services a PA
12 may perform in the Participating State, as held by a court of
13 competent jurisdiction, the Rules of the Commission shall be
14 ineffective in that State to the extent of the conflict.

15 D. If a majority of the legislatures of the Participating
16 States rejects a Commission Rule, by enactment of a statute or
17 resolution in the same manner used to adopt this Compact
18 within four (4) years of the date of adoption of the Rule, then
19 such Rule shall have no further force and effect in any
20 Participating State or to any State applying to participate in
21 the Compact.

22 E. Commission Rules shall be adopted at a regular or
23 special meeting of the Commission.

24 F. Prior to promulgation and adoption of a final Rule or
25 Rules by the Commission, and at least thirty (30) days in
26 advance of the meeting at which the Rule will be considered and

1 voted upon, the Commission shall file a Notice of Proposed
2 Rulemaking:

3 1. On the website of the Commission or other publicly
4 accessible platform; and

5 2. To persons who have requested notice of the
6 Commission's notices of proposed rulemaking; and

7 3. In such other way(s) as the Commission may by Rule
8 specify.

9 G. The Notice of Proposed Rulemaking shall include:

10 1. The time, date, and location of the public hearing
11 on the proposed Rule and the proposed time, date and
12 location of the meeting in which the proposed Rule will be
13 considered and voted upon;

14 2. The text of the proposed Rule and the reason for the
15 proposed Rule;

16 3. A request for comments on the proposed Rule from
17 any interested person and the date by which written
18 comments must be received; and

19 4. The manner in which interested persons may submit
20 notice to the Commission of their intention to attend the
21 public hearing or provide any written comments.

22 H. Prior to adoption of a proposed Rule, the Commission
23 shall allow persons to submit written data, facts, opinions,
24 and arguments, which shall be made available to the public.

25 I. If the hearing is to be held via electronic means, the
26 Commission shall publish the mechanism for access to the

1 electronic hearing.

2 1. All persons wishing to be heard at the hearing
3 shall, as directed in the Notice of Proposed Rulemaking,
4 not less than five (5) business days before the scheduled
5 date of the hearing, notify the Commission of their desire
6 to appear and testify at the hearing.

7 2. Hearings shall be conducted in a manner providing
8 each person who wishes to comment a fair and reasonable
9 opportunity to comment orally or in writing.

10 3. All hearings shall be recorded. A copy of the
11 recording and the written comments, data, facts, opinions,
12 and arguments received in response to the proposed
13 rulemaking shall be made available to a person upon
14 request.

15 4. Nothing in this section shall be construed as
16 requiring a separate hearing on each proposed Rule.
17 Proposed Rules may be grouped for the convenience of the
18 Commission at hearings required by this section.

19 J. Following the public hearing, the Commission shall
20 consider all written and oral comments timely received.

21 K. The Commission shall, by majority vote of all
22 delegates, take final action on the proposed Rule and shall
23 determine the effective date of the Rule, if adopted, based on
24 the Rulemaking record and the full text of the Rule.

25 1. If adopted, the Rule shall be posted on the
26 Commission's website.

1 2. The Commission may adopt changes to the proposed
2 Rule provided the changes do not enlarge the original
3 purpose of the proposed Rule.

4 3. The Commission shall provide on its website an
5 explanation of the reasons for substantive changes made to
6 the proposed Rule as well as reasons for substantive
7 changes not made that were recommended by commenters.

8 4. The Commission shall determine a reasonable
9 effective date for the Rule. Except for an emergency as
10 provided in subsection L, the effective date of the Rule
11 shall be no sooner than thirty (30) days after the
12 Commission issued the notice that it adopted the Rule.

13 L. Upon determination that an emergency exists, the
14 Commission may consider and adopt an emergency Rule with
15 twenty-four (24) hours' prior notice, without the opportunity
16 for comment, or hearing, provided that the usual rulemaking
17 procedures provided in this Compact and in this section shall
18 be retroactively applied to the Rule as soon as reasonably
19 possible, in no event later than ninety (90) days after the
20 effective date of the Rule. For the purposes of this
21 provision, an emergency Rule is one that must be adopted
22 immediately by the Commission in order to:

23 1. Meet an imminent threat to public health, safety,
24 or welfare;

25 2. Prevent a loss of Commission or Participating State
26 funds;

1 3. Meet a deadline for the promulgation of a
2 Commission Rule that is established by federal law or
3 Rule; or

4 4. Protect public health and safety.

5 M. The Commission or an authorized committee of the
6 Commission may direct revisions to a previously adopted
7 Commission Rule for purposes of correcting typographical
8 errors, errors in format, errors in consistency, or
9 grammatical errors. Public notice of any revisions shall be
10 posted on the website of the Commission. The revision shall be
11 subject to challenge by any person for a period of thirty (30)
12 days after posting. The revision may be challenged only on
13 grounds that the revision results in a material change to a
14 Rule. A challenge shall be made as set forth in the notice of
15 revisions and delivered to the Commission prior to the end of
16 the notice period. If no challenge is made, the revision will
17 take effect without further action. If the revision is
18 challenged, the revision may not take effect without the
19 approval of the Commission.

20 N. No Participating State's rulemaking requirements shall
21 apply under this Compact.

22 Section 10. Oversight, Dispute Resolution, and Enforcement

23 A. Oversight

24 1. The executive and judicial branches of State
25 government in each Participating State shall enforce this

1 Compact and take all actions necessary and appropriate to
2 implement the Compact.

3 2. Venue is proper and judicial proceedings by or
4 against the Commission shall be brought solely and
5 exclusively in a court of competent jurisdiction where the
6 principal office of the Commission is located. The
7 Commission may waive venue and jurisdictional defenses to
8 the extent it adopts or consents to participate in
9 alternative dispute resolution proceedings. Nothing herein
10 shall affect or limit the selection or propriety of venue
11 in any action against a licensee for professional
12 malpractice, misconduct or any such similar matter.

13 3. The Commission shall be entitled to receive service
14 of process in any proceeding regarding the enforcement or
15 interpretation of the Compact or the Commission's Rules
16 and shall have standing to intervene in such a proceeding
17 for all purposes. Failure to provide the Commission with
18 service of process shall render a judgment or order in
19 such proceeding void as to the Commission, this Compact,
20 or Commission Rules.

21 B. Default, Technical Assistance, and Termination

22 1. If the Commission determines that a Participating
23 State has defaulted in the performance of its obligations
24 or responsibilities under this Compact or the Commission
25 Rules, the Commission shall provide written notice to the
26 defaulting State and other Participating States. The

1 notice shall describe the default, the proposed means of
2 curing the default and any other action that the
3 Commission may take and shall offer remedial training and
4 specific technical assistance regarding the default.

5 2. If a State in default fails to cure the default, the
6 defaulting State may be terminated from this Compact upon
7 an affirmative vote of a majority of the delegates of the
8 Participating States, and all rights, privileges and
9 benefits conferred by this Compact upon such State may be
10 terminated on the effective date of termination. A cure of
11 the default does not relieve the offending State of
12 obligations or liabilities incurred during the period of
13 default.

14 3. Termination of participation in this Compact shall
15 be imposed only after all other means of securing
16 compliance have been exhausted. Notice of intent to
17 suspend or terminate shall be given by the Commission to
18 the governor, the majority and minority leaders of the
19 defaulting State's legislature, and to the Licensing
20 Board(s) of each of the Participating States.

21 4. A State that has been terminated is responsible for
22 all assessments, obligations, and liabilities incurred
23 through the effective date of termination, including
24 obligations that extend beyond the effective date of
25 termination.

26 5. The Commission shall not bear any costs related to

1 a State that is found to be in default or that has been
2 terminated from this Compact, unless agreed upon in
3 writing between the Commission and the defaulting State.

4 6. The defaulting State may appeal its termination
5 from the Compact by the Commission by petitioning the U.S.
6 District Court for the District of Columbia or the federal
7 district where the Commission has its principal offices.
8 The prevailing member shall be awarded all costs of such
9 litigation, including reasonable attorney's fees.

10 7. Upon the termination of a State's participation in
11 the Compact, the State shall immediately provide notice to
12 all Licensees within that State of such termination:

13 a. Licensees who have been granted a Compact
14 Privilege in that State shall retain the Compact
15 Privilege for one hundred eighty (180) days following
16 the effective date of such termination.

17 b. Licensees who are licensed in that State who
18 have been granted a Compact Privilege in a
19 Participating State shall retain the Compact Privilege
20 for one hundred eighty (180) days unless the Licensee
21 also has a Qualifying License in a Participating State
22 or obtains a Qualifying License in a Participating
23 State before the one hundred eighty (180)-day period
24 ends, in which case the Compact Privilege shall
25 continue.

26 C. Dispute Resolution

1 1. Upon request by a Participating State, the
2 Commission shall attempt to resolve disputes related to
3 this Compact that arise among Participating States and
4 between participating and non-Participating States.

5 2. The Commission shall promulgate a Rule providing
6 for both mediation and binding dispute resolution for
7 disputes as appropriate.

8 D. Enforcement

9 1. The Commission, in the reasonable exercise of its
10 discretion, shall enforce the provisions of this Compact
11 and Rules of the Commission.

12 2. If compliance is not secured after all means to
13 secure compliance have been exhausted, by majority vote,
14 the Commission may initiate legal action in the United
15 States District Court for the District of Columbia or the
16 federal district where the Commission has its principal
17 offices against a Participating State in default to
18 enforce compliance with the provisions of this Compact and
19 the Commission's promulgated Rules and bylaws. The relief
20 sought may include both injunctive relief and damages. In
21 the event judicial enforcement is necessary, the
22 prevailing party shall be awarded all costs of such
23 litigation, including reasonable attorney's fees.

24 3. The remedies herein shall not be the exclusive
25 remedies of the Commission. The Commission may pursue any
26 other remedies available under federal or State law.

1 E. Legal Action Against the Commission

2 1. A Participating State may initiate legal action
3 against the Commission in the U.S. District Court for the
4 District of Columbia or the federal district where the
5 Commission has its principal offices to enforce compliance
6 with the provisions of the Compact and its Rules. The
7 relief sought may include both injunctive relief and
8 damages. In the event judicial enforcement is necessary,
9 the prevailing party shall be awarded all costs of such
10 litigation, including reasonable attorney's fees.

11 2. No person other than a Participating State shall
12 enforce this Compact against the Commission.

13 Section 11. Date of Implementation of the PA Licensure
14 Compact Commission

15 A. This Compact shall come into effect on the date on which
16 this Compact statute is enacted into law in the seventh
17 Participating State.

18 1. On or after the effective date of the Compact, the
19 Commission shall convene and review the enactment of each
20 of the States that enacted the Compact prior to the
21 Commission convening ("Charter Participating States") to
22 determine if the statute enacted by each such Charter
23 Participating State is materially different than the Model
24 Compact.

25 a. A Charter Participating State whose enactment

1 is found to be materially different from the Model
2 Compact shall be entitled to the default process set
3 forth in Section 10.B.

4 b. If any Participating State later withdraws from
5 the Compact or its participation is terminated, the
6 Commission shall remain in existence and the Compact
7 shall remain in effect even if the number of
8 Participating States should be less than seven.
9 Participating States enacting the Compact subsequent
10 to the Commission convening shall be subject to the
11 process set forth in Section 7.C.21 to determine if
12 their enactments are materially different from the
13 Model Compact and whether they qualify for
14 participation in the Compact.

15 2. Participating States enacting the Compact
16 subsequent to the seven initial Charter Participating
17 States shall be subject to the process set forth in
18 Section 7.C.21 to determine if their enactments are
19 materially different from the Model Compact and whether
20 they qualify for participation in the Compact.

21 3. All actions taken for the benefit of the Commission
22 or in furtherance of the purposes of the administration of
23 the Compact prior to the effective date of the Compact or
24 the Commission coming into existence shall be considered
25 to be actions of the Commission unless specifically
26 repudiated by the Commission.

1 B. Any State that joins this Compact shall be subject to
2 the Commission's Rules and bylaws as they exist on the date on
3 which this Compact becomes law in that State. Any Rule that has
4 been previously adopted by the Commission shall have the full
5 force and effect of law on the day this Compact becomes law in
6 that State.

7 C. Any Participating State may withdraw from this Compact
8 by enacting a statute repealing the same.

9 1. A Participating State's withdrawal shall not take
10 effect until one hundred eighty (180) days after enactment
11 of the repealing statute. During this one hundred eighty
12 (180) day-period, all Compact Privileges that were in
13 effect in the withdrawing State and were granted to
14 Licensees licensed in the withdrawing State shall remain
15 in effect. If any Licensee licensed in the withdrawing
16 State is also licensed in another Participating State or
17 obtains a license in another Participating State within
18 the one hundred eighty (180) days, the Licensee's Compact
19 Privileges in other Participating States shall not be
20 affected by the passage of the one hundred eighty (180)
21 days.

22 2. Withdrawal shall not affect the continuing
23 requirement of the State Licensing Board(s) of the
24 withdrawing State to comply with the investigative, and
25 Adverse Action reporting requirements of this Compact
26 prior to the effective date of withdrawal.

1 3. Upon the enactment of a statute withdrawing a State
2 from this Compact, the State shall immediately provide
3 notice of such withdrawal to all Licensees within that
4 State. Such withdrawing State shall continue to recognize
5 all licenses granted pursuant to this Compact for a
6 minimum of one hundred eighty (180) days after the date of
7 such notice of withdrawal.

8 D. Nothing contained in this Compact shall be construed to
9 invalidate or prevent any PA licensure agreement or other
10 cooperative arrangement between Participating States and
11 between a Participating State and non-Participating State that
12 does not conflict with the provisions of this Compact.

13 E. This Compact may be amended by the Participating
14 States. No amendment to this Compact shall become effective
15 and binding upon any Participating State until it is enacted
16 materially in the same manner into the laws of all
17 Participating States as determined by the Commission.

18 Section 12. Construction and Severability

19 A. This Compact and the Commission's rulemaking authority
20 shall be liberally construed so as to effectuate the purposes
21 and the implementation and administration of the Compact.
22 Provisions of the Compact expressly authorizing or requiring
23 the promulgation of Rules shall not be construed to limit the
24 Commission's rulemaking authority solely for those purposes.

25 B. The provisions of this Compact shall be severable and

1 if any phrase, clause, sentence or provision of this Compact
2 is held by a court of competent jurisdiction to be contrary to
3 the constitution of any Participating State, a State seeking
4 participation in the Compact, or of the United States, or the
5 applicability thereof to any government, agency, person or
6 circumstance is held to be unconstitutional by a court of
7 competent jurisdiction, the validity of the remainder of this
8 Compact and the applicability thereof to any other government,
9 agency, person or circumstance shall not be affected thereby.

10 C. Notwithstanding subsection B or this section, the
11 Commission may deny a State's participation in the Compact or,
12 in accordance with the requirements of Section 10.B, terminate
13 a Participating State's participation in the Compact if it
14 determines that a constitutional requirement of a
15 Participating State is, or would be with respect to a State
16 seeking to participate in the Compact, a material departure
17 from the Compact. Otherwise, if this Compact shall be held to
18 be contrary to the constitution of any Participating State,
19 the Compact shall remain in full force and effect as to the
20 remaining Participating States and in full force and effect as
21 to the Participating State affected as to all severable
22 matters.

23 Section 13. Binding Effect of Compact

24 A. Nothing herein prevents the enforcement of any other
25 law of a Participating State that is not inconsistent with

1 this Compact.

2 B. Any laws in a Participating State in conflict with this
3 Compact are superseded to the extent of the conflict.

4 C. All agreements between the Commission and the
5 Participating States are binding in accordance with their
6 terms.

7 Section 100. The Physician Assistant Practice Act of 1987
8 is amended by adding Section 22.18 as follows.

9 (225 ILCS 95/22.18 new)

10 Sec. 22.18. PA Interstate Compact.

11 (a) No later than 3 months after the effective date of this
12 amendatory Act of the 104th General Assembly, the Department
13 shall (i) submit a report to the Governor and General Assembly
14 describing all rule and statutory changes necessary to comply
15 with the PA Licensure Compact under the Physician Assistant
16 Licensure Compact Act and (ii) begin rulemaking procedures
17 necessary to modify its rules to conform with the requirements
18 of the PA Licensure Compact.

19 (b) This Section is repealed 2 years after the effective
20 date of this amendatory Act of the 104th General Assembly.