

Counseling Compact Commission
Rules Document

Title of Rule: Rule on Data System Reporting Requirements

Vote on Rule: January 10, 2024

Public comment: Interested persons may electronically submit written comments on the proposed rule to counselingcompactrule@csg.org with the subject line “CCC rule comment” or by attending the meeting at which the rule will be discussed and voted on. Written comments on the proposed rule must be submitted by 2 pm ET the day before the meeting.

Effective: February 10, 2024 (30 days from full commission approval)

Reason for Rule: To further define terms pursuant to Section 9.C.5, Section 10 and Section 11 of the Counseling Compact.

History for Rule: October 18, 2023: Rule introduced at Rules Committee meeting.
November 15, 2023: Rule approved by Rules Committee.
November 29, 2023: Rule approved by Executive Committee.
January 10, 2024: Rule approved by full Commission.

Chapter 4: Rulemaking on Data System Reporting Requirements

Authority: Section 9: Establishment of the Counseling Compact Commission
Section 10: Data System
Section 11: Rulemaking

1.0 Purpose: Pursuant to Section 9.C.5 and Section 11, the Counseling Compact Commission shall promulgate reasonable and lawful uniform rules to facilitate and coordinate implementation and administration of the Counseling Compact. This rule will become effective upon passage by the Counseling Compact Commission as provided in Section 10 of the Counseling Compact.

1.1 Uniform Data Set and Levels of Access:

- A. The Commission shall provide for the development, maintenance, and utilization of a coordinated database and reporting system containing licensure, adverse action, and investigative information on all individuals to whom this Compact is applicable.
- B. Notwithstanding any other provision of state law to the contrary, a member state shall submit a uniform data set to the data system on all individuals to whom this Compact is applicable as required by the rules of the Commission, including but not limited to:
 - 1. Identifying information – including but not limited to:
 - a. first name
 - b. middle name or middle initial if available
 - c. last name
 - d. suffix, if applicable
 - e. birth date (mm/dd/yyyy)
 - f. United States Social Security Number or National Practitioner Identifier
 - g. Home state address
 - 2. Licensure data – including but not limited to:
 - a. jurisdiction of licensure
 - b. license number
 - c. initial issuance date
 - d. most recent renewal date
 - e. expiration date
 - f. license status
 - 3. Adverse action(s) against a license or compact privilege to practice including but not limited to:
 - a. type of adverse action
 - b. whether the license was encumbered
 - c. status and change in status of adverse action
 - d. effective dates of adverse action
 - e. the existence of current significant investigative information
 - f. summary suspension and final disciplinary actions, as defined by the member state authority
 - g. non-confidential information related to alternative program participation including but not limited to current participation by the counselor in an alternative program
 - h. any denial of application for licensure, and the reason(s) for denial
 - i. other information that may facilitate the administration of this Compact, as determined by the rules of the Commission including but not limited to:
 - i. corrections to a licensee's data; or

- C. The member states shall have access, via the data system, to information including but not limited to the verification of compact privilege(s) to practice held by eligible licensees.
- D. The public shall have access, via the Commission's website, to information limited to the verification of compact privilege(s) held by individuals.
- E. The home state shall be responsible for verification of uniform requirements for participation as described in sections 3 and 4 of the Compact.
- F. The existence of Current Significant Investigative Information pertaining to a licensee in any member state shall only be available to other member states.
- G. If a member state takes adverse action, it shall notify the administrator of the Commission data system within ten (10) business days of the date action was taken. The administrator of the Commission data system shall notify the home state and any other member state in which the licensee holds a privilege to practice of any adverse actions within two (2) business days.
- H. Member states shall submit the data system information required above to the Commission at least one (1) time per week notwithstanding information specified in Subsection G of this rule.
- I. Except for the information listed in this rule as required, member states contributing information to the data system may designate information that may not be shared with the public without the express permission of the contributing state.
- J. In the event a counselor asserts that any coordinated licensure information system data is inaccurate, the burden shall be upon the counselor to provide evidence that substantiates such claim in a manner determined by the member state.
- K. Any information submitted to the data system that is subsequently required to be expunged by the laws of the member state contributing the information shall be removed from the data system.