

Chapter 11 Draft Rule on Military Identification Submission, Audit Practices, and Revocation Procedure

Title of Rule: Rule on Military Identification Submission, Audit Practices and Revocation Procedure

Vote on Rule: TBD

Public Comment: Interested persons may electronically submit written comments on the proposed rule to gsearls@clear-ams.org with the subject line “Counseling Compact Commission 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 **September 13, 2026 at 11:59 p.m. MT.**

Effective: (30 days after Full Commission approval)

History: March 26, 2026: Introduced, Reviewed, and Approved by Rules Committee to go to the Executive Committee.
August 5, 2026: Approved by Executive Committee to go out for public Comment

Chapter 11: Rule on Military Identification Submission, Audit Practices and Revocation Procedure

Authority: Section 2.B Active Duty Military Definition
Section 6. Active Duty Military Personnel or their Spouses
Section 8. Adverse Action
Section 9: Establishment of the Counseling Compact Commission
Section 11: Rulemaking
Policy on Military Identification Submission and Audit Practices

11.0 Purpose: Pursuant to **Section 2.B and Section 6** the Commission shall verify the Active Duty Military or Active Duty Military Spouse Status of those utilizing the Compact under that status.

This rule will become effective upon passage by the Counseling Compact Commission as provided in Section 11 of the Counseling Compact.

11.1 Definitions:

- A. “Active Duty Military” means full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. Chapters 1209 and 1211.
- B. “Adverse Action” means any administrative, civil, equitable or criminal action permitted by a State’s laws which is imposed by a licensing board or other authority against a Licensed Professional Counselor, including actions against an individual’s license or Privilege to Practice such as revocation, suspension, probation, monitoring of the licensee, limitation on the licensee’s practice, or any other Encumbrance on licensure affecting a Licensed Professional Counselor’s authorization to practice, including issuance of a cease and desist action.
- C. “Data System” means a repository of information about Licensees, including, but not limited to, continuing education, examination, licensure, investigative, Privilege to Practice and Adverse Action information.
- D. “Encumbrance” means a revocation or suspension of, or any limitation on, the full and unrestricted practice of Licensed Professional Counseling by a Licensing Board.
- E. “Home State” means the Member State that is the Licensee’s primary State of residence.
- F. “Member State” means a State that has enacted the Compact.
- G. “Privilege to Practice” means a legal authorization, which is equivalent to a license, permitting the practice of Professional Counseling in a Remote State.

11.2 Military Identification Submission, Audit Practices and Revocation Procedure

- A. The Executive Director will review active-duty military/spouse status documentation in accordance with the Policy on Military Identification Submission and Audit Practices.
1. Acceptable documentation includes, but is not limited to:
 - a. Uniformed Services ID Card (Active or Spouse)
 - b. Current Active Duty Orders reflecting military status
 - i. A marriage certificate must also be included if the spouse is not named in the Order.
 - c. Other official documentation as deemed acceptable by the Commission

B. If documentation does not verify Active Duty Military status at the time of the issuance of any privilege, the compact participant must submit satisfactory documentation of Active Duty Military status within seven (7) business days.

C. The Executive Director shall notify the state chosen as a Home State by the compact participant and all Member States that have issued a Privilege to Practice to the compact participant of the inadequacy of the documentation within ten (10) business days.

D. Upon notification of inadequate documentation of Active Duty Military status, each Member State shall determine whether to take an Adverse Action in accordance with its own State laws and regulations.

E. If an Encumbrance is reported to the Data System by the Home State, the compact participant shall immediately lose the Privilege to Practice in every Member State in which they hold a privilege.