Top 5 Issues for 2014: Interstate Compacts

By
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Crady deGolian, Director of CSG's National Center for Interstate Compacts, outlines the top 5 compacts to watch in 2014, including those dealing with the siting of electricity transmission lines, interstate reciprocity regarding online education, and several compacts related to licensing, including EMS licensing, medical licensing, and physical therapy and telepsychology licensing compacts.

When it comes to solving problems, states increasingly are turning to a mechanism that dates back to America’s colonial past—the interstate compact. Compacts are one of the few tools specifically granted to states by the U.S. Constitution. They provide states a sophisticated administrative mechanism, allowing interstate collaboration to resolve complex policy challenges.

Compacts, which are governed by the tenets of contract law, provide states an enforceable, sustainable and durable tool capable of ensuring permanent change without federal intervention. Each state belongs to an average of 25 compacts, of more than 215 interstate compacts in existence.

Legislatures will have the opportunity to consider several CSG-facilitated projects in the coming year.

- **Interstate Compact for the Siting of Electricity Transmission Lines**
  The Energy Policy Act of 2005 granted states advance congressional consent to create regional interstate compacts governing the siting of interstate transmission lines. At the request of its membership, CSG began exploring—and ultimately developing—an electric transmission line siting compact to help move energy from where it is produced to where it is needed. Compact drafting is finalized and the language is now ready for legislative consideration.

- **State Authorization Reciprocity Agreement**
Many of today’s colleges and universities employ online learning with varied degrees of onsite support for students on a national, and even international, scale. Regulatory requirements and evaluative measures, however, vary considerably from state to state, making interstate reciprocity difficult to achieve. This problem is costing states and institutions significant amounts of money. CSG, The Presidents’ Forum, regional higher education compacts and The Commission on the Regulation of Postsecondary Distance Education have collaborated to advance an effective, practical framework to achieve interstate reciprocity in the regulation of distance education. This voluntary State Authorization Reciprocity Agreement is intended to broaden the availability of and access to accredited online degree programs by reducing state regulatory barriers, while also ensuring strong consumer safeguards.

In addition, CSG’s National Center for Interstate Compacts is working with stakeholders on the development of other compacts.

- **Medical Licensing Compact**
  CSG is working with the Federation of State Medical Boards to assess the feasibility of a medical licensing compact. Several factors—including changing demographics, the need for better and faster access to medical care in rural and underserved areas, the passage of the Affordable Care Act and the rise of telemedicine—have created unprecedented demand for health care services. Former Wyoming Gov. Jim Geringer proposed the concept, which memberships of CSG and the Federation of State Medical Boards have supported through resolutions. Compact drafting is underway.

- **EMS Licensing Compact**
  States have had the authority to license emergency medical services personnel since the 1970s. States issue licenses based on individual state practices procedures. While there is overlap between the licensing requirements, there is also considerable variation among the states. It is becoming more common for EMS emergency services personnel to cross state lines to provide services in non-declared states of emergency, which is making interstate cooperation for EMS licensing all the more urgent. One possible way to solve this problem is the formation of an interstate compact that would allow member states to work cooperatively to address interstate licensing challenges. CSG and the National Association of State EMS Officials have been working with a group of subject matter experts to develop an EMS Licensing Compact. Drafting is well underway and compact language should be ready for legislative consideration by 2015.

- **Physical Therapy and Telepsychology Licensing Compacts**
  The Federation of State Boards of Physical Therapy and the Association of State and Provincial Psychology Boards will begin exploring license portability compacts for their respective organizations in 2014. Both groups will convene initial advisory committee meetings in early 2014. Staff from CSG’s National Center for Interstate Compacts will participate and assist with both projects.

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**Top 5 Issues in 2014: Interstate Compacts** [5]

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- Policy Area
- Interstate Compacts
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- Ongoing Projects
- Electric Transmission Line Siting Compact
- Medical Licensing Compact
- Recognition of EMS Personnel Licensure Interstate Compact (REPLICA)
- State Authorization Reciprocity Agreement