

**§2291. Obtaining new home state license by virtue of compact privilege**

**(CONTAINS TEXT WITH VARYING EFFECTIVE DATES)**

**(WHOLE SECTION TEXT EFFECTIVE ON CONTINGENCY: See T. 32, §2298, sub-§1)**

**1. Home state license.** An occupational therapist or occupational therapy assistant may hold a home state license, which allows for compact privileges in member states, in only one member state at a time.

[PL 2021, c. 324, §2 (NEW).]

**2. Change of residence.** If an occupational therapist or occupational therapy assistant changes the therapist's or the assistant's primary state of residence by moving between 2 member states, the following requirements apply.

A. The occupational therapist or occupational therapy assistant shall file an application for obtaining a new home state license by virtue of a compact privilege, pay all applicable fees and notify the current and the new home state in accordance with applicable rules adopted by the commission. [PL 2021, c. 324, §2 (NEW).]

B. Upon receipt of an application for obtaining a new home state license by virtue of compact privilege, the new home state shall verify that the occupational therapist or occupational therapy assistant meets the pertinent criteria outlined in section 2290 via the data system, without need for primary source verification except for:

(1) A Federal Bureau of Investigation fingerprint-based criminal background check if not previously performed or updated pursuant to applicable rules adopted by the commission in accordance with the Departments of State, Justice, and Commerce, the Judiciary, and Related Agencies Appropriations Act, 1973, Title II, Public Law 92-544 (1972);

(2) Any other criminal background check as required by the new home state; and

(3) Submission of any requisite jurisprudence requirements of the new home state. [PL 2021, c. 324, §2 (NEW).]

C. The former home state shall convert the former home state license into a compact privilege once the new home state has activated the new home state license in accordance with applicable rules adopted by the commission. [PL 2021, c. 324, §2 (NEW).]

D. Notwithstanding any other provision of this compact, if the occupational therapist or occupational therapy assistant cannot meet the criteria in section 2290, the new home state shall apply its requirements for issuing a new single-state license. [PL 2021, c. 324, §2 (NEW).]

E. The occupational therapist or the occupational therapy assistant shall pay all applicable fees to the new home state in order to be issued a new home state license. [PL 2021, c. 324, §2 (NEW).]

[PL 2021, c. 324, §2 (NEW).]

**3. Criteria for single-state license.** If an occupational therapist or occupational therapy assistant changes the therapist's or the assistant's primary state of residence by moving from a member state to a nonmember state, or from a nonmember state to a member state, the state criteria apply for issuance of a single-state license in the new state.

[PL 2021, c. 324, §2 (NEW).]

**4. Ability to hold single-state license in more than one state.** This compact does not interfere with a licensee's ability to hold a single-state license in multiple states; however, for the purposes of this compact, a licensee may have only one home state license.

[PL 2021, c. 324, §2 (NEW).]

**5. Requirements for single-state license.** This compact does not affect the requirements established by a member state for the issuance of a single-state license.

[PL 2021, c. 324, §2 (NEW).]

**SECTION HISTORY**

PL 2021, c. 324, §2 (NEW).

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