

Code of Conduct Form

Delegates or Temporary Representatives appointed by the states are responsible for upholding the integrity of the Commission and its member states. No Delegate or Temporary Representatives shall engage in criminal or unethical conduct prejudicial to the Commission, any other Delegate, or any other state. No Delegate or Temporary Representative shall have a direct or indirect financial interest that conflicts with the fair and impartial conduct of official duties. The Executive Committee, in consultation with Legal Counsel to the Commission, shall have the sole authority to consider allegations of breaches of this code, including appeals from Delegates alleged to be in violation herewith. In the case of a breach, the Executive Committee may direct the Chair to notify the appropriate appointing authority in the Delegate or Temporary Representative's home state.

I, _____,
(print name)

_____ for the State of _____
(title—delegate or temporary representative)

hereby swear or affirm that I have read and understand the Counseling Compact Commission Code of Conduct and will comply with said policy in all matters pertaining to my duties and obligations as a Delegate, Temporary Representative, or Officer of the Commission, including my obligation to recuse myself from consideration, debate or voting on any matter that conflicts with the fair and impartial conduct of my official duties.

(Signature)

Dated this ____ day of _____, 20__.

Prepare annual budget	xx/xx/2023
Apply for grants	xx/xx/2023
Establish national policies and procedures	xx/xx/2023
Develop all initial reporting templates	xx/xx/2023
Develop all initial routine communication templates	xx/xx/2023
Prepare all initial public facing communications	xx/xx/2023
Prepare and implement a marketing strategy and messaging to Professional Counseling state regulatory boards who may be interested in the compact legislation	Beginning xx/xx/2023 - Ongoing
Process all Professional Counseling practitioner requests for a compact to practice privilege	Beginning xx/xx/2024 - Ongoing
Respond to all Professional Counseling state licensure board administrators requests to confirm disciplinary action information	Beginning xx/xx/2024 - Ongoing
Prepare data and reports, as needed for the Professional Counseling Licensure Compact Commission	Beginning xx/xx/2024 - Ongoing

Dates are subject to change at the Compact Commission's discretion

How can current roadblocks and barriers be removed:

Risks

- Insufficient management resources
- Database inefficiency
- Database security
- Insufficient start-up funding

Support of the Counseling Compact Commission and the necessary database is essential to ensure the success of the Counseling Compact. AMCs can mediate these risks by

thoroughly indicating methods to address these issues. An established system and process with past successes will be considered.

Proposal Requirements

A. Company Information

1. Provide the company name, address, telephone number, website, and any social media handles.
2. Provide the name, title, and email address of the individual who will serve as the company's primary contact.
3. Describe the company's history, ownership and affiliations.
4. Describe the mission and philosophy that distinguishes the company from competitors.
5. List the company's complete scope of services.
6. Describe the size of your company in employees and revenue.

B. Clients & References

7. Provide a list of the company's current clients in order of annual billings, length of time with the company, and the services provided.
8. Identify clients the company gained and lost during the last 12 months, describing why the company was selected or the relationship was severed.
9. List any current or past clients that are affiliated with ACA or the Counseling profession (LPCs).
10. Provide a minimum of three client references, ideally with prior experience of similar scope and magnitude to the services requested within this RFP. Include name, organization, phone number, email address, a brief description of the work completed on behalf of each client, and samples.

C. Relevant Experience & Strategic Approach

11. Provide a summary of the company's qualifications, experience, and competitive advantages in providing the services outlined in this RFP.

D. Project Management

12. Describe the company's approach to client relationships.
13. Provide detailed implementation plan for a contract awarded as a result of this RFP.

E. Staff & Partners

14. Provide a breakdown of the company's employees by function and location.
15. Provide a list of individuals who would service the Counseling Compact Commission's project if awarded, including staff responsibilities, locations, and brief bios.

F. Financial Proposal

16. Please bid your services for the *administration and management services* in one comprehensive amount with detailed costs for major components (such as the national licensure data system).
17. Describe the company's policy with regard to methods of compensation

Submission Requirements of the Proposal:

All proposals must be sent to the Counseling Compact Commission Chair or their designee by **xx/xx/2023**. Failure to adhere to the dates indicated below may result in bidder disqualification.

Request for Proposal released to vendors by Commission	xx/xx/2023
Intent to participate in RFP indicated by vendors	xx/xx/2023
Deadline for written questions or requests for clarification	xx/xx/2023
Response to questions and requests by Commission	xx/xx/2023
Deadline for proposal submission	xx/xx/2023
Evaluation of proposals by Commission	xx/xx/2023
*Commission vote to accept RFP and execution of contract by Commission	xx/xx/2023
*Awardee commencement of project	xx/xx/2023

*Subject to change at the Compact Commission's discretion

Evaluation Metrics and Criteria:

Once the AMC has been selected, the following evaluation criteria will be used to assess the AMC's performance:

Is the AMC responding to requests/needs of the Counseling Compact Commission and its Executive Director in a timely manner?

Has the AMC provided appropriate assistance to the Counseling Compact Commission and its Executive Director to complete national policy and procedural documents?

Has the Counseling Compact disciplinary action database been secured by the AMC?

Have the implementation timelines established in the compact been adhered to by the AMC?

Is the AMC proactive in working with the Counseling Compact Commission and its Executive Director in addition to problem solving solutions to challenges?

In conjunction with the Counseling Compact Commission and its Executive Director, what kind of marketing initiatives has the AMC implemented to further educate and work with other Professional Counseling state licensure boards who may be interested in the compact legislative initiative?

Contact Information:

All questions and requests for clarification should be directed to the Chair of the Counseling Compact Commission, (Name of Chair).

Email: xxxx@xxxx

Phone: xxx-xxx-xxxx

Job Description

<u>Job Title</u>	<u>Group</u>	<u>Date Posted</u>
Director, COUNSELING COMPACT COMMISSION	COUNSELING COMPACT COMMISSION	
<u>Accountable to:</u> COUNSELING COMPACT COMMISSION/Chair/Executive Committee		<u>Authority</u> COUNSELING COMPACT Section 9.C (9)
<u>Job Summary:</u>		
Serves as the lead staff executive for the COUNSELING COMPACT COMMISSION, a joint, governmental public agency of member states. Provides day-to-day administrative oversight and supervision of the organization, its efforts, projects, relationships and staff and works in concert with the Commission leadership, and its Executive Committee.		
<u>Tasks</u>	<u>Principle Responsibilities</u>	<u>Frequency</u> <u>High to low</u>
1	Manages the day-to day operations of the COUNSELING COMPACT. Provides support to the Commission Chair, Delegates, Committee Chairs and Executive Committee in the execution of its responsibilities, under the Compact Bylaws. Works in consultation with Commission Chair to develop meeting agendas, materials, minutes and reports. Provides executive level staff support and ensures effective planning, promotion and delivery of operational activities for all the organization's meetings. In conjunction with the Treasurer and Executive Committee, responsible for managing the annual operating budget and reserves, and monitoring the Commissions financial performance. Maintains records of the Commission. May serve as Secretary to the Commission; coordinates Executive Committee elections.	25%
2	Conducts outreach and public relations related to the COUNSELING COMPACT. Effectively manages external stakeholder relationships while representing the Commission. Serves as the COUNSELING COMPACT training officer; provides training to state boards of counseling. Facilitates the orientation of new Commissioners. Develops and maintains a repository of informational, educational and training materials regarding the COUNSELING COMPACT. Provides external presentations and education.	25%
3	Participates in the development of the Commission strategic plan and objectives and drives the implementation of strategies. In concert with the Executive Committee, sets the overall strategic direction based on research and environmental analyses.	15%
4	In conjunction with the Commission and its committees, develops implementation strategies for regulatory compliance and implements a process for monitoring compliance of member states with statute, bylaws, rules and creates and reviews policy manual for staff and new delegates for currency.	15%
5	Responsible for supervising the staff and independent contractors of the Commission. Recommend for the Commission's consideration administrative personnel policies governing the recruitment, hiring, management, compensation and dismissal of Commission staff	10%
6	Actively seeks to reduce legal liabilities and ensures the legal integrity of the COUNSELING COMPACT. Maintains records of the Commission. Executes contracts on behalf of the Commission as directed. Receives service of process on behalf of the Commission.	10%
<u>Job Specifications</u> (Education, Certification, Special Knowledge and Skills)		
<ul style="list-style-type: none"> ▪ Bachelor's degree required, Master's or JD preferred. Background in business, management, healthcare administration or related field. Five or more year's member-based association management / governance and committee management experience preferred. ▪ Knowledge of occupational licensure, administrative law and operations management preferred. ▪ Excellent oral and written communication, presentation, technical, organizational, customer service, problem solving, analytical and critical thinking, and problem solving skills are required. ▪ Ability to work independently to resolve member issues and collectively to establish a positive working rapport with members and stakeholders. Facilitates effective meetings with stakeholders. Domestic travel will be required. 		

- Ability to build, maintain, communicate, and manage professional relationships with members, stakeholders, and public and governmental agencies, with an emphasis on political awareness, public perceptions, and COUNSELING COMPACT initiatives and details.

DRAFT



May 12, 2022

Dan Logsdon
National Center for Interstate Compacts
The Council of State Governments
1776 Avenue of the States
Lexington, KY 40511

Dear Dan:

On behalf of the American Association of State Counseling Boards (AASCB), thank you for your work on the interstate counseling compact, and congratulations on the accomplishment of reaching the 10-state minimum needed to trigger the compact moving forward.

I am writing to register AASCB's interest in being considered when the compact commission considers how to manage its activities going forward. With our newly established partnership with the Council on Licensure, Enforcement, and Regulation (CLEAR) we have significantly enhanced our ability to take on projects of this magnitude and would welcome the opportunity to submit a formal proposal at the appropriate time.

Understanding that it still may be a few months before anything concrete happens, we nonetheless wanted to register our interest formally. Please keep us apprised of next steps.

Best regards, and, again, congratulations,

A handwritten signature in black ink, appearing to read 'Kevin Doyle', is written over a light gray circular stamp. The signature is fluid and cursive.

Kevin Doyle, Ed.D., LPCC, LPC, LSATP
President

cc: Denauvo Robinson, President-Elect
Matt Grayson, Executive Director
Lynn Linde, American Counseling Association

Counseling Compact
Counseling Compact Commission

Public comment information:

Public comments on this rule should be sent to ieliassen@csg.org by 6 p.m. Pacific Time on October 21st 2022.

Title of Rule: Rule on Rulemaking

History of Rule: Drafted September 23, 2022
Adopted at public meeting on October 25, 2022

Reason for Rule: To further outline and clarify the rule promulgation process of the Counseling Compact Commission.

Effective Date: November 25, 2022

Chapter 1: Rulemaking

Authority: Section 13: Date of Implementation of the Interstate Commission for Counseling Practice and Associated Rules, Withdrawal, and Amendment
Section 9: Establishment of the Counseling Compact Commission
Section 11: Rulemaking

1.0 Purpose: Pursuant to 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 11 of the Counseling Compact.

1.1 Definition(s): (a) **“Commission”** means: the Counseling Compact Commission, which is the national administrative body whose membership consists of all states that have enacted the Compact.

(b) **“Compact”** means: Counseling Compact.

(c) **“Delegate”** means: the appointed delegate from each state as described in Section 9 of the Compact and further rules promulgated by the Commission pursuant to the criteria set forth in Section 11.

33 (d) “**Member state**” means a state, the District of Columbia, or United
34 States territory that has enacted this Compact legislation and which has
35 not withdrawn pursuant to Section 13 or has not been discharged pursuant
36 to Section 12 due to non-compliance with the provisions of Section 3.

37 (d) “**Rule**” means: a regulation, principle or directive promulgated by the
38 Commission pursuant to the criteria set forth in Section 11 that has the
39 force and effect of statutory law in a Member state and includes the
40 amendment, repeal, or suspension of an existing Rule.

41 (e) “**Rules Committee**” means: a committee that is established as a
42 standing committee to develop reasonable and lawful uniform rules for
43 consideration by the Commission and subsequent implementation by the
44 states and to review existing rules and recommend necessary changes to
45 the Commission for consideration.

46 (f) “**Scope of Practice**” means: the procedures, actions, and processes a
47 Licensed Professional Counselor is permitted to undertake in that state and
48 the circumstances under which the Licensed Professional Counselor is
49 permitted to undertake those procedures, actions and processes. Such
50 procedures, actions and processes and the circumstances under which they
51 may be undertaken may be established through official means, including,
52 but not limited to, statute, rules and regulations, case law, and other
53 processes available to the State Regulatory Authority or other government
54 agency.
55

56 (g) “**State**” means: any state, commonwealth, district, or territory of the
57 United States of America that regulates the practice of Professional
58 Counseling.

59 **1.2 Proposed rules or amendments:** rules shall be adopted by majority vote of the Member
60 States of the Commission pursuant to the criteria set forth in Section 11 and in the following
61 manner:

62 (a) New rules and amendments to existing rules proposed pursuant to Section 9 and
63 Section 11 and the Commission Bylaws shall be submitted to the Commission office for
64 referral to the Rules Committee in any of the following ways:

65 (1) Any Delegate may submit a proposed Rule or rule amendment for referral to
66 the Rules Committee during the next scheduled Commission meeting.

67 (2) Standing Committees of the Commission may propose rules or rule
68 amendments by majority vote of that Committee.

69 (3) The Commission or an authorized committee of the Commission may direct
70 revisions to a previously adopted Rule or amendment for purposes of correcting
71 typographical errors, errors in format, errors in consistency, or grammatical
72 errors. Public notice of any revisions shall be posted on the website of the
73 Commission. The revision shall be subject to challenge by any person for a period

74 of thirty (30) days after posting. The revision may be challenged only on grounds
75 that the revision results in a material change to a Rule. A challenge shall be made
76 in writing and delivered to the Chair of the Commission prior to the end of the
77 notice period. If no challenge is made, the revision will take effect without further
78 action. If the revision is challenged, the revision may not take effect without the
79 approval of the Commission.
80

81 **1.3 The Rules Committee:** shall prepare a draft of all proposed rules and provide the draft to the
82 Executive Committee to provide to all Delegates for review and comments. Based on the
83 comments made by the Delegates, the Rules Committee shall prepare a final draft of the
84 proposed rule(s) or amendments for consideration by the Commission not later than 30 days
85 prior to the next Commission meeting.

86 **1.4 Prior to promulgation and adoption of a final Rule:** In accordance with Section 11 of the
87 Compact, the Commission shall publish the text of the proposed rule or amendment prepared by
88 the Rules Committee not later than 30 days prior to the meeting at which the vote is scheduled,
89 on the official website of the Commission and on the website of each Member state licensing
90 board or other publicly accessible platform or the publication in which each state would
91 otherwise publish proposed rules. All written comments received by the Rules Committee on
92 proposed rules shall be made available to the public upon request. In addition to the text of the
93 proposed Rule or amendment, the reason for the proposed rule shall be provided.

94 **1.5 The Notice of Proposed Rulemaking shall include:**

- 95 (a) The proposed time, date and location of the meeting in which the Rule shall be
96 considered and voted upon,
97 (b) The text of the proposed Rule or amendment and the reason for the proposed Rule.
98 (c) A request for comments on the proposed Rule from any interested person; and
99 (d) The manner in which interested persons may submit notice to the Commission of their
100 intention to attend the public meeting and any written comments.
101

102 **1.6 Public Hearings:** The Commission shall grant an opportunity for a public hearing before it
103 adopts a Rule or amendment if a hearing is requested by:

- 104 1. At least twenty-five (25) persons;
105 2. A state or federal governmental subdivision or agency; or
106 3. An association having at least twenty-five (25) members.

107 If no written notice of intent to attend the public hearing by interested parties is received, the
108 Commission may proceed with promulgation of the proposed Rule without a public hearing.

109 If a hearing is held on the proposed rule or amendment, the Commission shall publish the place,
110 time, and date of the scheduled public hearing. If the hearing is held via electronic means, the
111 Commission shall publish the mechanism for access to the electronic hearing.

- 112 1. All persons wishing to be heard at the hearing shall notify the executive director of the
113 Commission or other designated member in writing of their desire to appear and testify at
114 the hearing not less than five (5) business days before the scheduled date of the hearing.
115 2. Hearings shall be conducted in a manner providing each person who wishes to comment
116 a fair and reasonable opportunity to comment orally or in writing.
117 3. All hearings shall be recorded. A copy of the recording shall be made available on
118 request.
119 4. Nothing in this section shall be construed as requiring a separate hearing on each Rule.
120 Rules may be grouped for the convenience of the Commission at hearings required by
121 this section.

122 Following the scheduled hearing date, or by the close of business on the scheduled hearing date
123 if the hearing was not held, the Commission shall consider all written and oral comments
124 received.

125 **1.7 Final adoption of Rule:** The Commission shall, by majority vote of all Member States, take
126 final action on the proposed Rule and shall determine the effective date of the rule, if any, based
127 on the rulemaking record and the full text of the rule.

- 128 1. If a majority of the legislatures of the Member States rejects a Rule, by enactment of a
129 statute or resolution in the same manner used to adopt the Compact within 4 years of the
130 date of adoption of the Rule, the Rule shall have no further force and effect in any
131 Member state.
132 2. Rules or amendments to the rules shall be adopted at a regular or special meeting of the
133 Commission.

134 **1.8 Status of Rules upon adoption of Compact additional Member states and applicability:**

135 Any state that joins the Compact subsequent to the Commission's initial adoption of the rules
136 shall be subject to the rules as they exist on the date on which the Compact becomes law in that
137 state. Any Rule that has been previously adopted by the Commission shall have the full force and
138 effect of law on the day the Compact becomes law in that state.

139 No Member State's rulemaking requirements shall apply under this Compact.

140 The Rules of the Commission shall have the force of law in each Member State, provided
141 however that where the Rules of the Commission conflict with the laws of the Member State that
142 establish the Member State's Scope of Practice as held by a court of competent jurisdiction, the
143 rules of the Commission shall be ineffective in that State to the extent of the conflict.

144

145 **1.9 Emergency Rulemaking:** Upon determination that an emergency exists, the Commission
146 may consider and adopt an emergency Rule without prior notice, opportunity for comment, or
147 hearing, provided that the usual rulemaking procedures provided in the Compact and in this
148 section shall be retroactively applied to the rule as soon as reasonably possible, in no event later

149 than ninety (90) days after the effective date of the rule. For the purposes of this provision, an
150 emergency rule is one that must be adopted immediately in order to:

- 151 1. Meet an imminent threat to public health, safety, or welfare,
- 152 2. Prevent a loss of Commission or Member state funds; or
- 153 3. Meet a deadline for the promulgation of an administrative Rule that is established by
154 federal law or rule.

155 **2.0 Non-substantive Rule Revisions:** The Commission or an authorized committee of the
156 Commission may direct revisions to a previously adopted Rule or amendment for purposes of
157 correcting typographical errors, errors in format, errors in consistency, or grammatical errors.
158 Public notice of any revisions shall be posted on the website of the Commission. The revision
159 shall be subject to challenge by any person for a period of thirty (30) days after posting. The
160 revision may be challenged only on grounds that the revision results in a material change to a
161 Rule. A challenge shall be made in writing and delivered to the Commission prior to the end
162 of the notice period. If no challenge is made, the revision will take effect without further
163 action. If the revision is challenged, the revision may not take effect without the approval of
164 the Commission.

165

166 The Commission shall exercise its rulemaking powers pursuant to the criteria set forth in Section
167 11 of the Compact and the rules adopted thereunder. Rules and amendments shall become
168 binding as of the date specified in each Rule or amendment.

Election information: Positions and Duties

The Commission will elect four officers and three members-at-large to serve on the Executive Committee from among the current delegates to the Commission. All seven of those elected will be voting members of the Executive Committee.

Below are descriptions the duties of the Executive Committee and its officers as written in the Compact, its bylaws, and based on the experience of executive committees of other compacts. You may also refer to the bylaws, in particular Article III (Executive Committee) and Article VI (other committees).

The Commission's officers shall perform all duties of their respective offices as the Compact and these Bylaws provide. Their duties shall include, but are not limited to, the following:

Chair

With support and assistance from the ED, the chair:

- Calls and presides over monthly executive committee meetings, including reviewing meeting agenda and minutes.
- Calls and presides over annual commission meetings, including reviewing meeting agenda and minutes.
- Leads special meetings of the full commission as needed (2-3 expected in the first year; 1 or fewer in subsequent years).
- Acts on the commission's behalf between commission meetings.
- Attends other monthly committee meetings as needed to provide information and support.
- Attends conferences to present about the compact as needed (expected 2-3 times per year)
- Meets with secretariat or interim secretariat on a weekly or bi-weekly basis as needed.
- Meets with the legal counsel or interim legal counsel as needed.
- Attends other monthly committee meetings in an ex-officio (nonvoting) capacity when possible.

Vice Chair:

With support and assistance from the ED, the vice chair:

- Performs the duties of the Chair in their absence or at the Chair's direction.
- Supports the chair with the above duties as needed.
- In the event of a vacancy in the Chair's office, the Vice Chair shall serve until the Commission elects a new Chair.

Treasurer:

With support and assistance from the ED, the treasurer:

- Calls and presides over monthly finance committee meetings.
- With the assistance of the executive director of the compact (when hired), the treasurer monitors the commission's fiscal policies and procedures, including scheduling and providing information for audit as needed.
- Attends monthly executive committee meetings to provide finance updates as needed.

Secretary:

With support and assistance from ED, the secretary:

- Keeps minutes for all full commission meetings.
- Acts as custodian of all documents and records pertaining to the status of the compact and business of the commission.
- The commission may allow for the executive director to serve as secretary of the commission provided that the executive director will not be a member of the commission.
- Members-at-large (3 positions open):
 - Attend monthly executive committee meetings.
 - Fulfill duties of the executive committee as outlined below.

The Executive Committee shall:

- a. Recommend to the entire commission changes to the rules or bylaws, changes to this compact legislation, fees paid by compact member states such as annual dues, and any commission compact fee charged to licensees for the compact privilege;
- b. Ensure compact administration services are appropriately provided, contractual or otherwise;
- c. Prepare and recommend the budget in consultation with the treasurer;
- d. Maintain financial records on behalf of the commission;
- e. Monitor compact compliance of member states and provide compliance reports to the commission;
- f. Establish additional committees as necessary; and
- g. Perform other duties as provided in rules or bylaws and administer the affairs of the commission in a manner consistent with the bylaws and purpose of the commission.

If you are interested in helping the commission but are not interested in serving on the executive committee, there are several other roles you may want to consider.

- Committee member for rules committee, finance committee, or other committees
- Committee chair for rules committee or other committees

In addition to the executive committee, the rules and finance committees are essential to beginning and maintaining lawful and reliable compact operations. The committees are composed of volunteers and meet on a monthly basis or as needed. Committee chairs preside over committee meetings and work with compact staff to review and approve meeting minutes and agendas. Committee chairs (except finance) are decided by an internal vote of that committee and approved by the executive committee.

Detailed descriptions of these committees can be found in Article IV, Section 1 of the bylaws.



Memo

To: The Counseling Compact Interstate Commission

From: Dan Logsdon, National Center for Interstate Compacts

Date: September 21, 2022

RE: Document Team Discussion of Ex Officio Members

The Counseling Compact allows for 4 ex officio members to the Executive Committee. The compact doesn't provide guidance about specific organizations, which was by design by the Document Team. However, the Document Team did mention four organizations during their discussions.

The organizations that were discussed:

- American Counseling Association
- The National Board of Certified Counselors
- American Association of State Counseling Boards
- American Mental Health Counselors Association

The Counseling Compact Commission has the sole authority to appoint the ex officio members. This memo is meant only to provide background information for commission deliberations.

Counseling Compact Legislative Update

2021 Counseling Compact Legislative Enactments

1. Georgia
2. Maryland

2022 Counseling Compact Legislative Enactments

1. Alabama
2. Colorado
3. Delaware
4. Florida
5. Georgia
6. Kentucky
7. Louisiana
8. Maine
9. Maryland
10. Mississippi
11. Nebraska
12. North Carolina
13. Ohio
14. Tennessee
15. Utah

As of October 1, 2022, 15 states enacted the Counseling Compact in 2022. This brings the membership total to 17 states.

As part of the contract with CSG for work on the Counseling Compact, funded by the American Counseling Association, the organizations are developing a list of states for the 2023 legislative sessions. The goal is to secure at least ten new states in 2023. A comprehensive update for the 2023 legislative sessions will be provided later this year.