



# INTERSTATE COMPACTS



The Council of State Governments  
*Sharing capitol ideas.*

# WHAT IS AN INTERSTATE COMPACT?

- Simple, versatile and proven means of collective governance by the states through the enactment of a ‘statutory contract’ between states and recognized under the U.S. Constitution
- Effective means of cooperatively addressing common problems
- Responds to national priorities with one voice
- Retains collective state sovereignty over issues belonging to the states



# 3 PRIMARY USES

1. Used to resolve boundary disputes.
2. Used to manage shared natural resources.
3. Used to create administrative agencies which have jurisdiction over a wide variety of state concerns:
  - ✓ State transportation
  - ✓ Taxation
  - ✓ Environmental matters
  - ✓ Regulation
  - ✓ Education
  - ✓ Corrections
  - ✓ Public safety
  - ✓ Licensure



# EVOLVING COMPACT LANDSCAPE

- Threat of a federally mandated solution.
- Advances in technology.
- Increasingly mobile world.
- Distrust of Washington.
- Proven track record.



# CONGRESSIONAL CONSENT

Compacts between States are authorized under Art. I, Sec. 10, Cl. 3 of the U. S. Constitution

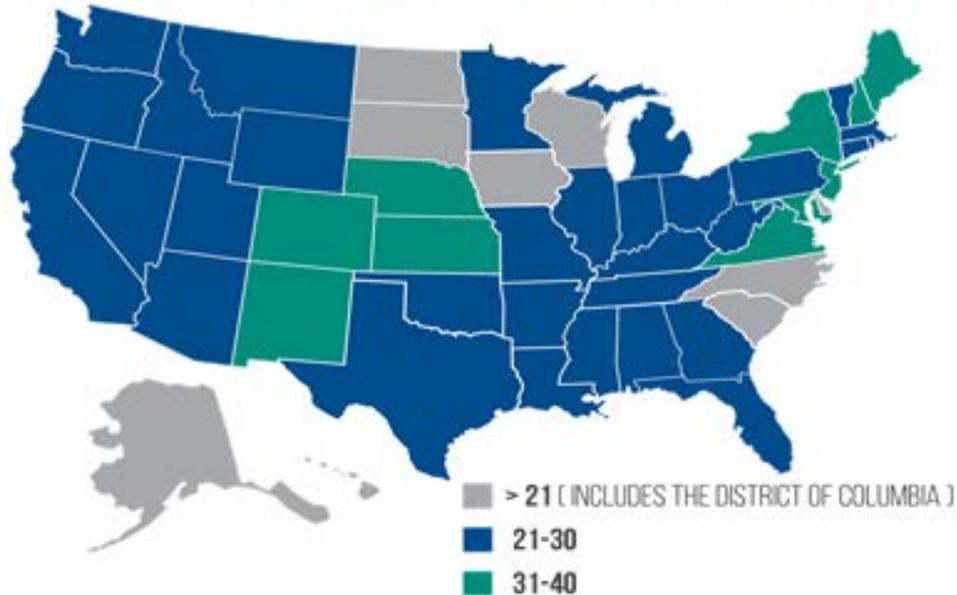
No State shall, without the Consent of Congress . . . enter into any Agreement Compact with another State . . .“ U.S. Supreme Court holds, in effect, that “any” doesn’t mean “all” and consent isn’t required unless the compact infringes on the federal supremacy.

[See U.S. Steel Corp. v. Multi-State Tax Commission, 434 U.S. 452 (1978)]



# COMPACTS TODAY

## STATE-BY-STATE INTERSTATE COMPACT MEMBERSHIP



# COMPACTS TODAY

- Approximately 215 active compacts
- On average every state is a member of 2 dozen compacts
- Precedence for international participation
- Originally used to resolve boundary disputes among states, compacts are now regularly utilized to engage in a wide variety of state administrative regulation of interstate transactions (e.g. Port Authority of NY & NJ (1922) signaled a new era in regulatory compacts.



# INTERSTATE COMPACTS – KEY BENEFITS

1. **EFFECTIVENESS AND EFFICIENCY**
  - *Economies of scale*
2. **FLEXIBILITY AND AUTONOMY COMPARED TO NATIONAL POLICY**
  - “*One size does not fit all”*”
3. **DISPUTE RESOLUTION AMONG THE STATES**
4. **STATE AND FEDERAL PARTNERSHIP**
5. **COOPERATIVE BEHAVIORS LEADING TO “WIN-WIN” SITUATIONS**



# HEALTH CARE LICENSE RECIPROCIITY



# NOTABLE HEALTH LICENSING COMPACTS

- **NURSE LICENSURE COMPACT – 25 States**
- **ENHANCED NURSE LICENSURE COMPACT - 25**
- **COMPACT ON MENTAL HEALTH – 45 states**
- **EMERGENCY MANAGEMENT ASSISTANCE COMPACT – 50 states**
- **EMS LICENSURE COMPACT – 12 states**
- **MEDICAL LICENSURE COMPACT – 20 states**
- **PHYSICAL THERAPY COMPACT – 10 states**



# HEALTH CARE LICENSE RECIPROCITY

## WHY?

- **MOBILE SOCIETY (PATIENTS AND PRACTITIONERS)**
- **TECHNOLOGICAL ADVANCEMENTS**
- **RISING POPULATION; DEFICIT OF HEALTH CARE PROFESSIONALS**
- **PRACTICAL ADVANCEMENT FOR CURRENT AND FUTURE GENERATIONS OF PRACTITIONERS**



# HEALTH CARE LICENSE RECIPROCIITY

## SIMILAR PARAMETERS

- INCREASE PUBLIC ACCESS TO HEALTH CARE SERVICES;
- ENHANCE THE STATES' ABILITY TO PROTECT THE PUBLIC'S HEALTH AND SAFETY;
- SUPPORT OF SPOUSES OF RELOCATING MILITARY MEMBERS;
- ENHANCE THE EXCHANGE OF LICENSURE, INVESTIGATORY, AND DISCIPLINARY INFORMATION BETWEEN MEMBER STATES.



# Health Care License Reciprocity

Compacts are a State-based approach to multi-state licensure that uses a vehicle for interstate collaboration that is provided for in the U.S. Constitution.

- **State licensure processes remain in place**
- **Licensees voluntarily become part of Compact**
- **STATE PRACTICE ACTS NOT IMPACTED**



# Contact Information

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