

2026 SESSION

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HOUSE BILL NO. 576

Offered January 14, 2026

Prefiled January 13, 2026

A BILL to amend the Code of Virginia by adding in Chapter 27.1 of Title 54.1 an article numbered 2, consisting of sections numbered 54.1-2732 through 54.1-2745, relating to Dietitian Licensure Compact.

Patron—Glass

Committee Referral Pending

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 27.1 of Title 54.1 an article numbered 2, consisting of sections numbered 54.1-2732 through 54.1-2745, as follows:

Article 2.

INTERSTATE DIETITIAN LICENSURE COMPACT.

§ 54.1-2732. Purpose.

The General Assembly hereby enacts, and the Commonwealth of Virginia hereby enters into, the Dietitian Licensure Compact with any and all states legally joining therein according to its terms, in the form substantially as follows:

DIETITIAN LICENSURE COMPACT.

The purpose of this Compact is to facilitate interstate practice of dietetics with the goal of improving public access to dietetics services. This Compact preserves the regulatory authority of states to protect public health and safety through the current system of state licensure, while also providing for licensure portability through a Compact privilege granted to qualifying professionals.

This Compact is designed to achieve the following objectives:

1. Increase public access to dietetics services;
2. Provide opportunities for interstate practice by licensed dietitians who meet uniform requirements;
3. Eliminate the necessity for licenses in multiple states;
4. Reduce administrative burden on member states and licensees;
5. Enhance the states' ability to protect the public's health and safety;
6. Encourage the cooperation of member states in regulating multistate practice of licensed dietitians;
7. Support relocating active military members and their spouses;
8. Enhance the exchange of licensure, investigative, and disciplinary information among member states; and
9. Vest all member states with the authority to hold a licensed dietitian accountable for meeting all state practice laws in the state in which the patient is located at the time care is rendered.

§ 54.1-2733. Definitions.

As used in this Compact, unless the context requires otherwise, the following definitions shall apply:

"ACEND" means the Accreditation Council for Education in Nutrition and Dietetics or its successor organization.

"Active military member" means any individual with full-time duty status in the active armed forces of the United States, including members of the National Guard and Reserve.

"Adverse action" means any administrative, civil, equitable, or criminal action permitted by a state's laws which is imposed by a licensing authority or other authority against a licensee, including actions against an individual's license or Compact privilege such as revocation, suspension, probation, monitoring of the licensee, limitation on the licensee's practice, or any other encumbrance on licensure affecting a licensee's authorization to practice, including issuance of a cease and desist action.

"Alternative program" means a non-disciplinary monitoring or practice remediation process approved by a licensing authority.

"Charter member state" means any member state which enacted this Compact by law before the effective date specified in § 54.1-2743.

"Continuing education" means a requirement, as a condition of license renewal, to provide evidence of participation in, and completion of, educational and professional activities relevant to practice or area of work.

"CDR" means the Commission on Dietetic Registration or its successor organization.

"Compact Commission" means the government agency whose membership consists of all states that have enacted this Compact, which is known as the Dietitian Licensure Compact Commission, as described in § 54.1-2739, and which shall operate as an instrumentality of the member states.

"Compact privilege" means a legal authorization, which is equivalent to a license, permitting the practice

INTRODUCED

HB576

59 of dietetics in a remote state.

60 "Current significant investigative information" means:

61 1. Investigative information that a licensing authority, after a preliminary inquiry that includes
62 notification and an opportunity for the subject licensee to respond, if required by state law, has reason to
63 believe is not groundless and, if proved true, would indicate more than a minor infraction; or

64 2. Investigative information that indicates that the subject licensee represents an immediate threat to
65 public health and safety regardless of whether the subject licensee has been notified and had an opportunity
66 to respond.

67 "Data system" means a repository of information about licensees, including continuing education,
68 examination, licensure, investigative, Compact privilege, and adverse action information.

69 "Encumbered license" means a license in which an adverse action restricts a licensee's ability to practice
70 dietetics.

71 "Encumbrance" means a revocation or suspension of, or any limitation on a licensee's full and
72 unrestricted practice of dietetics by a licensing authority.

73 "Executive committee" means a group of delegates elected or appointed to act on behalf of, and within the
74 powers granted to them by, this Compact, and the Compact commission.

75 "Home state" means the member state that is the licensee's primary state of residence or that has been
76 designated pursuant to § 54.1-2736.

77 "Investigative information" means information, records, and documents received or generated by a
78 licensing authority pursuant to an investigation.

79 "Jurisprudence requirement" means an assessment of an individual's knowledge of the state laws and
80 regulations governing the practice of dietetics in such state.

81 "License" means an authorization from a member state to either:

82 1. Engage in the practice of dietetics, including medical nutrition therapy; or

83 2. Use the title "dietitian," "licensed dietitian," "licensed dietitian nutritionist," "certified dietitian," or
84 other title describing a substantially similar practitioner as the Compact Commission may further define by
85 rule.

86 "Licensee" or "licensed dietitian" means an individual who currently holds a license and who meets all of
87 the requirements outlined in § 54.1-2735.

88 "Licensing authority" means the board or agency of a state, or equivalent, that is responsible for the
89 licensing and regulation of the practice of dietetics.

90 "Member state" means a state that has enacted the Compact.

91 "Practice of dietetics" means the synthesis and application of dietetics as defined by state law and
92 regulations, primarily for the provision of nutrition care services, including medical nutrition therapy, in
93 person or via telehealth, to prevent, manage, or treat diseases or medical conditions and promote wellness.

94 "Registered dietitian" means a person who:

95 1. Has completed applicable education, experience, examination, and recertification requirements
96 approved by CDR;

97 2. Is credentialed by CDR as a registered dietitian or a registered dietitian nutritionist; and

98 3. Is legally authorized to use the title registered dietitian or registered dietitian nutritionist and the
99 corresponding abbreviations "RD" or "RDN."

100 "Remote state" means a member state other than the home state, where a licensee is exercising or seeking
101 to exercise a Compact privilege.

102 "Rule" means a regulation promulgated by the Compact Commission that has the force of law.

103 "Single state license" means a license issued by a member state within the issuing state and does not
104 include a Compact Privilege in any other member state.

105 "State" means any state, commonwealth, district, or territory of the United States of America.

106 "Unencumbered license" means a license that authorizes a licensee to engage in the full and unrestricted
107 practice of dietetics.

108 **§ 54.1-2734. State participation in Compact.**

109 A. To participate in the Compact, a state shall currently:

110 1. License and regulate the practice of dietetics; and

111 2. Have a mechanism in place for receiving and investigating complaints about licensees.

112 B. A member state shall:

113 1. Participate fully in the Compact Commission's data system, including using the unique identifier as
114 defined in rules;

115 2. Notify the Compact Commission, in compliance with the terms of the Compact and rules, of any
116 adverse action or the availability of current significant investigative information regarding a licensee;

117 3. Implement or utilize procedures for considering the criminal history record information of applicants
118 for an initial Compact privilege. These procedures shall include the submission of fingerprints or other
119 biometric-based information by applicants for the purpose of obtaining an applicant's criminal history record
120 information from the Federal Bureau of Investigation and the agency responsible for retaining that state's

121 criminal records.

122 A member state shall fully implement a criminal history record information requirement, within a time
 123 frame established by rule, which includes receiving the results of the Federal Bureau of Investigation record
 124 search and shall use those results in determining Compact privilege eligibility.

125 Communication between a member state and the Compact Commission or among member states
 126 regarding the verification of eligibility for a Compact privilege shall not include any information received
 127 from the Federal Bureau of Investigation relating to a federal criminal history record information check
 128 performed by a member state;

129 4. Comply with and enforce the rules of the Compact Commission;

130 5. Require an applicant for a Compact privilege to obtain or retain a license in the licensee's home state
 131 and meet the home state's qualifications for licensure or renewal of licensure, as well as all other applicable
 132 state laws; and

133 6. Recognize a Compact privilege granted to a licensee who meets all of the requirements outlined in
 134 § 54.1-2735 in accordance with the terms of the Compact and rules.

135 C. Member states may set and collect a fee for granting a Compact privilege.

136 D. Individuals not residing in a member state shall continue to be able to apply for a member state's
 137 single state license as provided under the laws of each member state. However, the single state license
 138 granted to these individuals shall not be recognized as granting a Compact privilege to engage in the
 139 practice of dietetics in any other member state.

140 E. Nothing in this Compact shall affect the requirements established by a member state for the issuance of
 141 a single state license.

142 F. At no point shall the Compact Commission have the power to define the requirements for the issuance
 143 of a single state license to practice dietetics. The member states shall retain sole jurisdiction over the
 144 provision of these requirements.

145 **§ 54.1-2735. Compact privilege.**

146 A. To exercise the Compact Privilege under the terms and provisions of the Compact, the licensee shall:

147 1. Satisfy one of the following:

148 a. Hold a valid current registration that gives the applicant the right to use the term registered dietitian;

149 or

150 b. Complete all of the following:

151 (1) An education program which is either:

152 (a) A master's degree or doctoral degree that is programmatically accredited by (i) ACEND or (ii) a
 153 dietetics accrediting agency recognized by the United States Department of Education, which the Compact
 154 Commission may by rule determine, and from a college or university accredited at the time of graduation by
 155 the appropriate regional accrediting agency recognized by the Council on Higher Education Accreditation
 156 and the United States Department of Education; or

157 (b) An academic degree from a college or university in a foreign country equivalent to the degree
 158 described in subdivision (a) that is programmatically accredited by (i) ACEND or (ii) a dietetics accrediting
 159 agency recognized by the United States Department of Education, which the Compact Commission may by
 160 rule determine.

161 (2) A planned, documented, supervised practice experience in dietetics that is programmatically
 162 accredited by (i) ACEND or (ii) a dietetics accrediting agency recognized by the United States Department of
 163 Education which the Compact Commission may by rule determine and which involves at least 1,000 hours of
 164 practice experience under the supervision of a registered dietitian or a licensed dietitian; and

165 (3) Successful completion of either (i) the Registration Examination for Dietitians administered by CDR
 166 or (ii) a national credentialing examination for dietitians approved by the Compact Commission by rule, such
 167 completion being no more than five years prior to the date of the licensee's application for initial licensure
 168 and accompanied by a period of continuous licensure thereafter, all of which may be further governed by the
 169 rules of the Compact Commission.

170 2. Hold an unencumbered license in the home state;

171 3. Notify the Compact Commission that the licensee is seeking a Compact privilege within a remote state;

172 4. Pay any applicable fees, including any state fee, for the Compact privilege;

173 5. Meet any jurisprudence requirements established by the remote state in which the licensee is seeking a
 174 Compact privilege; and

175 6. Report to the Compact Commission any adverse action, encumbrance, or restriction on a license taken
 176 by any non-member state within 30 days from the date the action is taken.

177 B. The Compact privilege is valid until the expiration date of the home state license. To maintain a
 178 Compact privilege, renewal of the Compact privilege shall be congruent with the renewal of the home state
 179 license as the Compact Commission may define by rule. The licensee shall comply with the requirements of
 180 subsection A to maintain the Compact privilege in the remote state.

181 C. A licensee exercising a Compact privilege shall adhere to the laws and regulations of the remote state.
 182 Licensees shall be responsible for educating themselves on, and complying with, any and all state laws

183 *relating to the practice of dietetics in such remote state.*

184 *D. Notwithstanding anything to the contrary provided in this Compact or by state law, a licensee*
185 *exercising a Compact privilege shall not be required to complete continuing education requirements required*
186 *by a remote state. A licensee exercising a Compact privilege is only required to meet any continuing*
187 *education requirements as required by the home state.*

188 **§ 54.1-2736. Obtaining a new home state license based on a Compact privilege.**

189 *A. A licensee may hold a home state license, which allows for a Compact privilege in other member*
190 *states, in only one member state at a time.*

191 *B. If a licensee changes home state by moving between two member states:*

192 *1. The licensee shall file an application for obtaining a new home state license based on a Compact*
193 *privilege, pay all applicable fees, and notify the current and new home state in accordance with the rules of*
194 *the Compact Commission.*

195 *2. Upon receipt of an application for obtaining a new home state license by virtue of a Compact privilege,*
196 *the new home state shall verify that the licensee meets the criteria in § 54.1-2735 via the data system, and*
197 *require that the licensee complete the following:*

- 198 *a. Federal Bureau of Investigation fingerprint-based criminal history record information check;*
- 199 *b. Any other criminal history record information required by the new home state; and*
- 200 *c. Any jurisprudence requirements of the new home state.*

201 *3. The former home state shall convert the former home state license into a Compact privilege once the*
202 *new home state has activated the new home state license in accordance with applicable rules adopted by the*
203 *Compact Commission.*

204 *4. Notwithstanding any other provision of this Compact, if the licensee cannot meet the criteria in*
205 *§ 54.1-2735, the new home state may apply its requirements for issuing a new single state license.*

206 *5. The licensee shall pay all applicable fees to the new home state in order to be issued a new home state*
207 *license.*

208 *C. If a licensee changes their state of residence by moving from a member state to a non-member state, or*
209 *from a non-member state to a member state, the state criteria shall apply for issuance of a single state license*
210 *in the new state.*

211 *D. Nothing in this Compact shall interfere with a licensee's ability to hold a single state license in*
212 *multiple states; however, for the purposes of this Compact, a licensee shall have only one home state license.*

213 *E. Nothing in this Compact shall affect the requirements established by a member state for the issuance of*
214 *a single state license.*

215 **§ 54.1-2737. Active military members or their spouses.**

216 *An active military member, or his spouse, shall designate a home state where the individual has a current*
217 *license in good standing. The individual may retain the home state designation during the period the service*
218 *member is on active duty.*

219 **§ 54.1-2738. Adverse actions.**

220 *A. In addition to the other powers conferred by state law, a remote state shall have the authority, in*
221 *accordance with existing state due process law, to:*

222 *1. Take adverse action against a licensee's Compact privilege within that member state; and*

223 *2. Issue subpoenas for both hearings and investigations that require the attendance and testimony of*
224 *witnesses as well as the production of evidence. Subpoenas issued by a licensing authority in a member state*
225 *for the attendance and testimony of witnesses or the production of evidence from another member state shall*
226 *be enforced in the latter state by any court of competent jurisdiction, according to the practice and procedure*
227 *applicable to subpoenas issued in proceedings pending before that court. The issuing authority shall pay any*
228 *witness fees, travel expenses, mileage, and other fees required by the service statutes of the state in which the*
229 *witnesses or evidence are located.*

230 *B. Only the home state shall have the power to take adverse action against a licensee's home state license.*

231 *C. For purposes of taking adverse action, the home state shall give the same priority and effect to*
232 *reported conduct received from a member state as it would if the conduct had occurred within the home state.*
233 *In so doing, the home state shall apply its own state laws to determine appropriate action.*

234 *D. The home state shall complete any pending investigations of a licensee who changes home states*
235 *during the course of the investigations. The home state shall also have authority to take any appropriate*
236 *action and shall promptly report the conclusions of the investigations to the administrator of the data system.*
237 *The administrator of the data system shall promptly notify the new home state of any adverse actions.*

238 *E. A member state, if otherwise permitted by state law, may recover from the affected licensee the costs of*
239 *investigations and dispositions of cases resulting from any adverse action taken against that licensee.*

240 *F. A member state may take adverse action based on the factual findings of another remote state,*
241 *provided that the member state follows its own procedures for taking the adverse action.*

242 *G. Joint investigations:*

243 *1. In addition to the authority granted to a member state by its respective state law, any member state may*
244 *participate with other member states in joint investigations of licensees.*

245 2. Member states shall share any investigative, litigation, or compliance materials in furtherance of any
 246 joint investigation initiated under the Compact.

247 H. If adverse action is taken by the home state against a licensee's home state license resulting in an
 248 encumbrance on the home state license, the licensee's Compact privilege in all other member states shall be
 249 revoked until all encumbrances have been removed from the home state license. All home state disciplinary
 250 orders that impose adverse action against a licensee shall include a statement that the licensee's Compact
 251 privileges are revoked in all member states during the pendency of the order.

252 I. Once an encumbered license in the home state is restored to an unencumbered license, as certified by
 253 the home state's licensing authority, the licensee shall meet the requirements of § 54.1-2735 and follow the
 254 administrative requirements to reapply to obtain a Compact privilege in any remote state.

255 J. If a member state takes adverse action, it shall promptly notify the administrator of the data system. The
 256 administrator of the data system shall promptly notify the other member states state of any adverse actions.

257 K. Nothing in this Compact shall override a member state's decision that participation in an alternative
 258 program may be used in lieu of adverse action.

259 **§ 54.1-2739. Establishment of the Dietitian Licensure Compact Commission.**

260 A. The Compact member states hereby create and establish a joint government agency whose membership
 261 consists of all member states that have enacted the Compact known as the Dietitian Licensure Compact
 262 Commission. The Compact Commission is an instrumentality of the Compact states acting jointly and not an
 263 instrumentality of any one state. The Compact Commission shall come into existence on or after the effective
 264 date of the Compact as set forth in § 54.1-2743.

265 B. Membership, voting, and meetings.

266 1. Each member state shall have and be limited to one delegate selected by that member state's licensing
 267 authority.

268 2. The delegate shall be the primary administrator of the licensing authority or their designee.

269 3. The Compact Commission shall by rule or bylaw establish a term of office for delegates and may by
 270 rule or bylaw establish term limits.

271 4. The Compact Commission may recommend removal or suspension of any delegate from office.

272 5. A member state's licensing authority shall fill any vacancy of its delegate occurring on the Compact
 273 Commission within 60 days of the vacancy.

274 6. Each delegate shall be entitled to one vote on all matters before the Compact Commission requiring a
 275 vote by the delegates.

276 7. Delegates shall meet and vote by such means as set forth in the bylaws. The bylaws may provide for
 277 delegates to meet and vote in-person or by telecommunication, video conference, or other means of
 278 communication.

279 8. The Compact Commission shall meet at least once during each calendar year. Additional meetings may
 280 be held as set forth in the bylaws. The Compact Commission may meet in person or by telecommunication,
 281 video conference, or other means of communication.

282 C. The Compact Commission shall have the following powers:

283 1. Establish the fiscal year of the Compact Commission;

284 2. Establish code of conduct and conflict of interest policies;

285 3. Establish and amend rules and bylaws;

286 4. Maintain its financial records in accordance with the bylaws;

287 5. Meet and take such actions as are consistent with the provisions of this Compact, the Compact
 288 Commission's rules, and the bylaws;

289 6. Initiate and conclude legal proceedings or actions in the name of the Compact Commission, provided
 290 that the standing of any licensing authority to sue or be sued under applicable law shall not be affected;

291 7. Maintain and certify records and information provided to a member state as the authenticated business
 292 records of the Compact Commission, and designate an agent to do so on the Compact Commission's behalf;

293 8. Purchase and maintain insurance and bonds;

294 9. Borrow, accept, or contract for services of personnel, including employees of a member state;

295 10. Conduct an annual financial review;

296 11. Hire employees, elect or appoint officers, fix compensation, define duties, grant such individuals
 297 appropriate authority to carry out the purposes of the Compact, and establish the Compact Commission's
 298 personnel policies and programs relating to conflicts of interest, qualifications of personnel, and other
 299 related personnel matters;

300 12. Assess and collect fees;

301 13. Accept any and all appropriate donations, grants of money, other sources of revenue, equipment,
 302 supplies, materials, services, and gifts, and receive, utilize, and dispose of the same, provided that at all times
 303 the Compact Commission shall avoid any actual or appearance of impropriety or conflict of interest;

304 14. Lease, purchase, retain, own, hold, improve, or use any property, real, personal, or mixed, or any
 305 undivided interest therein;

306 15. Sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property, real,

307 personal, or mixed;
308 16. Establish a budget and make expenditures;
309 17. Borrow money;
310 18. Appoint committees, including standing committees, composed of members, state regulators, state
311 legislators or their representatives, and consumer representatives, and such other interested persons as may
312 be designated in this Compact or the bylaws;

313 19. Provide and receive information from, and cooperate with, law-enforcement agencies;
314 20. Establish and elect an Executive Committee, including a chair and a vice chair;
315 21. Determine whether a state's adopted language is materially different from the model Compact
316 language such that the state would not qualify for participation in the Compact; and
317 22. Perform such other functions as may be necessary or appropriate to achieve the purposes of this
318 Compact.

319 *D. The Executive Committee:*

320 1. The Executive Committee shall have the power to act on behalf of the Compact Commission according
321 to the terms of this Compact. The powers, duties, and responsibilities of the Executive Committee shall
322 include:

323 a. Oversee the day-to-day activities of the administration of the Compact including enforcement and
324 compliance with the provisions of the Compact, its rules and bylaws, and other such duties as deemed
325 necessary;

326 b. Recommend to the Compact Commission changes to the rules or bylaws, changes to this Compact
327 legislation, fees charged to Compact member states, fees charged to licensees, and other fees;

328 c. Ensure Compact administration services are appropriately provided, including by contract;

329 d. Prepare and recommend the budget;

330 e. Maintain financial records on behalf of the Compact Commission;

331 f. Monitor Compact compliance of member states and provide compliance reports to the Compact
332 Commission;

333 g. Establish additional committees as necessary;

334 h. Exercise the powers and duties of the Compact Commission during the interim between Compact
335 Commission meetings, except for adopting or amending rules, adopting or amending bylaws, and exercising
336 any other powers and duties expressly reserved to the Compact Commission by rule or bylaw; and

337 i. Other duties as provided in the rules or bylaws of the Compact Commission.

338 2. The Executive Committee shall be composed of nine members:

339 a. The chair and vice chair of the Compact Commission shall be voting members of the Executive
340 Committee;

341 b. Five voting members from the current membership of the Compact Commission, elected by the
342 Compact Commission;

343 c. One ex-officio, nonvoting member from a recognized professional association representing dietitians;
344 and

345 d. One ex-officio, nonvoting member from a recognized national credentialing organization for dietitians.

346 3. The Compact Commission may remove any member of the Executive Committee as provided in the
347 Compact Commission's bylaws.

348 4. The Executive Committee shall meet at least annually.

349 a. Executive Committee meetings shall be open to the public, except that the Executive Committee may
350 meet in a closed, non-public meeting as provided in subsection F.

351 b. The Executive Committee shall give 30 days' notice of its meetings, posted on the website of the
352 Compact Commission and as determined to provide notice to persons with an interest in the business of the
353 Compact Commission.

354 c. The Executive Committee may hold a special meeting in accordance with subdivision F 1 b.

355 E. The Compact Commission shall adopt and provide to the Member States an annual report.

356 F. Meetings of the Compact Commission.

357 1. All meetings shall be open to the public, except that the Compact Commission may meet in a closed,
358 non-public meeting as provided in subdivision F 2.

359 a. Public notice for all meetings of the full Compact Commission shall be given in the same manner as
360 required under the rulemaking provisions in § 54.1-2741, except that the Compact Commission may hold a
361 special meeting as provided in subdivision b.

362 b. The Compact Commission may hold a special meeting when it shall meet to conduct emergency
363 business by giving 24 hours' notice to all member states, on the Compact Commission's website, and other
364 means as provided in the Compact Commission's rules. The Compact Commission's legal counsel shall
365 certify that the Compact Commission's need to meet qualifies as an emergency.

366 2. The Compact Commission or the Executive Committee or other committees of the Compact
367 Commission may convene in a closed, non-public meeting for the Compact Commission or Executive
368 Committee or other committees of the Compact Commission to receive legal advice or to discuss:

369 a. Non-compliance of a member state with its obligations under the Compact;

370 b. The employment, compensation, discipline, or other matters, practices, or procedures related to
371 specific employees;

372 c. Current or threatened discipline of a Licensee by the Compact Commission or by a member state's
373 licensing authority;

374 d. Current, threatened, or reasonably anticipated litigation;

375 e. Negotiation of contracts for the purchase, lease, or sale of goods, services, or real estate;

376 f. Accusing any person of a crime or formally censuring any person;

377 g. Trade secrets or commercial or financial information that is privileged or confidential;

378 h. Information of a personal nature where disclosure would constitute a clearly unwarranted invasion of
379 personal privacy;

380 i. Investigative records compiled for law enforcement purposes;

381 j. Information related to any investigative reports prepared by or on behalf of or for use of the Compact
382 Commission or other committee charged with responsibility of investigation or determination of compliance
383 issues pursuant to the Compact;

384 k. Matters specifically exempted from disclosure by federal or member state law; or

385 l. Other matters as specified in the rules of the Compact Commission.

386 3. If a meeting, or portion of a meeting, is closed, the presiding officer shall state that the meeting will be
387 closed and reference each relevant exempting provision, and such reference shall be recorded in the minutes.

388 4. The Compact Commission shall keep minutes that fully and clearly describe all matters discussed in a
389 meeting and shall provide a full and accurate summary of actions taken, and the reasons therefor, including
390 a description of the views expressed. All documents considered in connection with an action shall be
391 identified in such minutes. All minutes and documents of a closed meeting shall remain under seal, subject to
392 release only by a majority vote of the Compact Commission or order of a court of competent jurisdiction.

393 G. Financing of the Compact Commission.

394 1. The Compact Commission shall pay, or provide for the payment of, the reasonable expenses of its
395 establishment, organization, and ongoing activities.

396 2. The Compact Commission may accept any and all appropriate revenue sources as provided in
397 subdivision C 13.

398 3. The Compact Commission may levy on and collect an annual assessment from each member state and
399 impose fees on licensees of member states to whom it grants a Compact privilege to cover the cost of the
400 operations and activities of the Compact Commission and its staff, which shall, in a total amount, be
401 sufficient to cover its annual budget as approved each year for which revenue is not provided by other
402 sources. The aggregate annual assessment amount for member states shall be allocated based upon a
403 formula that the Compact Commission shall promulgate by rule.

404 4. The Compact Commission shall not incur obligations of any kind prior to securing the funds adequate
405 to meet the same, nor shall the Compact Commission pledge the credit of any of the member states, except by
406 and with the authority of the member state.

407 5. The Compact Commission shall keep accurate accounts of all receipts and disbursements. The receipts
408 and disbursements of the Compact Commission shall be subject to the financial review and accounting
409 procedures established under its bylaws. However, all receipts and disbursements of funds handled by the
410 Compact Commission shall be subject to an annual financial review by a certified or licensed public
411 accountant, and the report of the financial review shall be included in and become part of the annual report
412 of the Compact Commission.

413 H. Qualified immunity, defense, and indemnification

414 1. The members, officers, executive director, employees, and representatives of the Compact Commission
415 shall be immune from suit and liability, both personally and in their official capacity, for any claim for
416 damage to or loss of property or personal injury or other civil liability caused by or arising out of any actual
417 or alleged act, error, or omission that occurred, or that the person against whom the claim is made had a
418 reasonable basis for believing occurred within the scope of Compact Commission employment, duties, or
419 responsibilities, provided that nothing in this subdivision shall be construed to protect any such person from
420 suit or liability for any damage, loss, injury, or liability caused by the intentional or willful or wanton
421 misconduct of that person. The procurement of insurance of any type by the Compact Commission shall not
422 in any way compromise or limit the immunity granted hereunder.

423 2. The Compact Commission shall defend any member, officer, executive director, employee, and
424 representative of the Compact Commission in any civil action seeking to impose liability arising out of any
425 actual or alleged act, error, or omission that occurred within the scope of Compact Commission employment,
426 duties, or responsibilities, or as determined by the Compact Commission that the person against whom the
427 claim is made had a reasonable basis for believing occurred within the scope of Compact Commission
428 employment, duties, or responsibilities, provided that nothing herein shall be construed to prohibit that
429 person from retaining their own counsel at their own expense, and provided further, that the actual or
430 alleged act, error, or omission did not result from that person's intentional or willful or wanton misconduct.

431 3. The Compact Commission shall indemnify and hold harmless any member, officer, executive director,
432 employee, and representative of the Compact Commission for the amount of any settlement or judgment
433 obtained against that person arising out of any actual or alleged act, error, or omission that occurred within
434 the scope of Compact Commission employment, duties, or responsibilities, or that such person had a
435 reasonable basis for believing occurred within the scope of Compact Commission employment, duties, or
436 responsibilities, provided that the actual or alleged act, error, or omission did not result from the intentional
437 or willful or wanton misconduct of that person.

438 4. Nothing herein shall be construed as a limitation on the liability of any licensee for professional
439 malpractice or misconduct, which shall be governed solely by any other applicable state laws.

440 5. Nothing in this Compact shall be interpreted to waive or otherwise abrogate a member state's state
441 action immunity or state action affirmative defense with respect to antitrust claims under the Sherman Act,
442 Clayton Act, or any other state or federal antitrust or anticompetitive law or regulation.

443 6. Nothing in this Compact shall be construed to be a waiver of sovereign immunity by the member States
444 or by the Compact Commission.

445 **§ 54.1-2740. Data system.**

446 A. The Compact Commission shall provide for the development, maintenance, operation, and utilization
447 of a coordinated data system.

448 B. The Compact Commission shall assign each applicant for a Compact privilege a unique identifier, as
449 determined by the rules.

450 C. Notwithstanding any other provision of state law to the contrary, a member state shall submit a
451 uniform data set to the data system on all individuals to whom this Compact is applicable as required by the
452 rules of the Compact Commission, including:

453 1. Identifying information;

454 2. Licensure data;

455 3. Adverse actions against a license or Compact privilege and information related thereto;

456 4. Non-confidential information related to alternative program participation, the beginning and ending
457 dates of such participation, and other information related to such participation not made confidential under
458 member state law;

459 5. Any denial of application for licensure, and the reasons for such denial;

460 6. The presence of current significant investigative information; and

461 7. Other information that may facilitate the administration of this Compact or the protection of the public,
462 as determined by the rules of the Compact Commission.

463 D. The records and information provided to a member state pursuant to this Compact or through the data
464 system, when certified by the Compact Commission or an agent thereof, shall constitute the authenticated
465 business records of the Compact Commission, and shall be entitled to any associated hearsay exception in
466 any relevant judicial, quasi-judicial, or administrative proceedings in a member state.

467 E. Current significant investigative information pertaining to a licensee in any member state will only be
468 available to other member states.

469 F. It is the responsibility of the member states to report any adverse action against a licensee and to
470 monitor the data system to determine whether any adverse action has been taken against a licensee. Adverse
471 action information pertaining to a licensee in any member state will be available to any other member state.

472 G. Member states contributing information to the data system may designate information that shall not be
473 shared with the public without the express permission of the contributing state.

474 H. Any information submitted to the data system that is subsequently expunged pursuant to federal law or
475 the laws of the Member State contributing the information shall be removed from the data system.

476 **§ 54.1-2741. Rulemaking.**

477 A. The Compact Commission shall promulgate reasonable rules in order to effectively and efficiently
478 implement and administer the purposes and provisions of the Compact. A rule shall be invalid and have no
479 force or effect only if a court of competent jurisdiction holds that the rule is invalid because the Compact
480 Commission exercised its rulemaking authority in a manner that is beyond the scope and purposes of the
481 Compact, or the powers granted hereunder, or based upon another applicable standard of review.

482 B. The rules of the Compact Commission shall have the force of law in each member state, provided,
483 however, that where the rules conflict with the laws or regulations of a member state that relate to the
484 procedures, actions, and processes a licensed dietitian is permitted to undertake in that state and the
485 circumstances under which they may do so, as held by a court of competent jurisdiction, the rules of the
486 Compact Commission shall be ineffective in that state to the extent of the conflict.

487 C. The Compact Commission shall exercise its rulemaking powers pursuant to the criteria set forth in this
488 section and the rules adopted thereunder. Rules shall become binding on the day following adoption or as of
489 the date specified in the rule or amendment, whichever is later.

490 D. If a majority of the legislatures of the member states rejects a rule or portion of a rule, by enactment of
491 a statute or resolution in the same manner used to adopt the Compact within four years of the date of
492 adoption of the rule, then such rule shall have no further force and effect in any member state.

493 E. Rules shall be adopted at a regular or special meeting of the Compact Commission.

494 F. Prior to adoption of a proposed rule, the Compact Commission shall hold a public hearing and allow
495 persons to provide oral and written comments, data, facts, opinions, and arguments.

496 G. Prior to adoption of a proposed rule by the Compact Commission, and at least 30 days in advance of
497 the meeting at which the Compact Commission will hold a public hearing on the proposed rule, the Compact
498 Commission shall provide a notice of proposed rulemaking:

499 1. On the website of the Compact Commission or other publicly accessible platform;

500 2. To persons who have requested notice of the Compact Commission's notices of proposed rulemaking;
501 and

502 3. In such other ways as the Compact Commission may by rule specify.

503 H. The notice of proposed rulemaking shall include:

504 1. The time, date, and location of the public hearing at which the Compact Commission will hear public
505 comments on the proposed rule and, if different, the time, date, and location of the meeting where the
506 Compact Commission will consider and vote on the proposed rule;

507 2. If the hearing is held via telecommunication, video conference, or other means of communication, the
508 Compact Commission shall include the mechanism for access to the hearing in the notice of proposed
509 rulemaking;

510 3. The text of the proposed rule and the reason therefore;

511 4. A request for comments on the proposed rule from any interested person; and

512 5. The manner in which interested persons may submit written comments.

513 I. All hearings will be recorded. A copy of the recording and all written comments and documents
514 received by the Compact Commission in response to the proposed rule shall be available to the public.

515 J. Nothing in this section shall be construed as requiring a separate hearing on each rule. Rules may be
516 grouped for the convenience of the Compact Commission at hearings required by this section.

517 K. The Compact Commission shall, by majority vote of all members, take final action on the proposed rule
518 based on the rulemaking record and the full text of the rule.

519 1. The Compact Commission may adopt changes to the proposed rule provided the changes do not
520 enlarge the original purpose of the proposed rule.

521 2. The Compact Commission shall provide an explanation of the reasons for substantive changes made to
522 the proposed rule as well as reasons for substantive changes not made that were recommended by
523 commenters.

524 3. The Compact Commission shall determine a reasonable effective date for the rule. Except for an
525 emergency as provided in subsection L, the effective date of the rule shall be no sooner than 30 days after
526 issuing the notice that it adopted or amended the rule.

527 L. Upon determination that an emergency exists, the Compact Commission may consider and adopt an
528 emergency rule with 24 hours' notice, with opportunity to comment, provided that the usual rulemaking
529 procedures provided in the Compact and in this section shall be retroactively applied to the rule as soon as
530 reasonably possible, in no event later than 90 days after the effective date of the rule. For the purposes of this
531 provision, an emergency rule is one that shall be adopted immediately in order to:

532 1. Meet an imminent threat to public health, safety, or welfare;

533 2. Prevent a loss of Compact Commission or member state funds;

534 3. Meet a deadline for the promulgation of a rule that is established by federal law or rule; or

535 4. Protect public health and safety.

536 M. The Compact Commission or an authorized committee of the Compact Commission may direct
537 revision to a previously adopted rule for purposes of correcting typographical errors, errors in format, errors
538 in consistency, or grammatical errors. Public notice of any revision shall be posted on the website of the
539 Compact Commission. The revision shall be subject to challenge by any person for a period of 30 days after
540 posting. The revision may be challenged only on grounds that the revision results in a material change to a
541 rule. A challenge shall be made in writing and delivered to the Compact Commission prior to the end of the
542 notice period. If no challenge is made, the revision will take effect without further action. If the revision is
543 challenged, the revision may not take effect without the approval of the Compact Commission.

544 N. No member state's rulemaking requirements shall apply under this Compact.

545 § 54.1-2742. Oversight, dispute resolution, and enforcement.

546 A. Oversight.

547 1. The executive and judicial branches of state government in each member state shall enforce this
548 Compact and take all actions necessary and appropriate to implement this Compact.

549 2. Except as otherwise provided in this Compact, venue is proper and judicial proceedings by or against
550 the Compact Commission shall be brought solely and exclusively in a court of competent jurisdiction where
551 the principal office of the Compact Commission is located. The Compact Commission may waive venue and
552 jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution
553 proceedings. Nothing herein shall affect or limit the selection or propriety of venue in any action against a
554 licensee for professional malpractice, misconduct, or any such similar matter.

555 3. The Compact Commission shall be entitled to receive service of process in any proceeding regarding
556 the enforcement or interpretation of the Compact and shall have standing to intervene in such a proceeding
557 for all purposes. Failure to provide the Compact Commission service of process shall render a judgment or
558 order void as to the Compact Commission, this Compact, or promulgated rules.

559 B. Default, technical assistance, and termination

560 1. If the Compact Commission determines that a member state has defaulted in the performance of its
561 obligations or responsibilities under this Compact or the promulgated rules, the Compact Commission shall
562 provide written notice to the defaulting state. The notice of default shall describe the default, the proposed
563 means of curing the default, and any other action that the Compact Commission may take and shall offer
564 training and specific technical assistance regarding the default.

565 2. The Compact Commission shall provide a copy of the notice of default to the other member states.

566 C. If a state in default fails to cure the default, the defaulting state may be terminated from the Compact
567 upon an affirmative vote of a majority of the delegates of the member states, and all rights, privileges, and
568 benefits conferred on that state by this Compact may be terminated on the effective date of termination. A
569 cure of the default does not relieve the offending state of obligations or liabilities incurred during the period
570 of default.

571 D. Termination of membership in the Compact shall be imposed only after all other means of securing
572 compliance have been exhausted. Notice of intent to suspend or terminate shall be given by the Compact
573 Commission to the governor, the majority and minority leaders of the defaulting state's legislature, the
574 defaulting state's licensing authority, and each of the member states' licensing authority.

575 E. A state that has been terminated is responsible for all assessments, obligations, and liabilities incurred
576 through the effective date of termination, including obligations that extend beyond the effective date of
577 termination.

578 F. Upon the termination of a state's membership from this Compact, that state shall immediately provide
579 notice to all licensees within that state of such termination. The terminated state shall continue to recognize
580 all Compact privileges granted pursuant to this Compact for a minimum of six months after the date of such
581 notice of termination.

582 G. The Compact Commission shall not bear any costs related to a state that is found to be in default or
583 that has been terminated from the Compact, unless agreed upon in writing between the Compact Commission
584 and the defaulting state.

585 H. The defaulting state may appeal the action of the Compact Commission by petitioning the U.S. District
586 Court for the District of Columbia or the federal district where the Compact Commission has its principal
587 offices. The prevailing party shall be awarded all costs of such litigation, including reasonable attorney fees.

588 I. Dispute Resolution.

589 1. Upon request by a member state, the Compact commission shall attempt to resolve disputes related to
590 the Compact that arise among member states and between member and non-member states.

591 2. The Compact Commission shall promulgate a rule providing for both mediation and binding dispute
592 resolution for disputes as appropriate.

593 J. Enforcement.

594 1. By supermajority vote, the Compact Commission may initiate legal action against a member state in
595 default in the United States District Court for the District of Columbia or the federal district where the
596 Compact Commission has its principal offices to enforce compliance with the provisions of the Compact and
597 its promulgated rules. The relief sought may include both injunctive relief and damages. In the event judicial
598 enforcement is necessary, the prevailing party shall be awarded all costs of such litigation, including
599 reasonable attorney fees. The remedies herein shall not be the exclusive remedies of the Compact
600 Commission. The Compact Commission may pursue any other remedies available under federal or the
601 defaulting member state's law.

602 2. A member state may initiate legal action against the Compact Commission in the U.S. District Court
603 for the District of Columbia or the federal district where the Compact Commission has its principal offices to
604 enforce compliance with the provisions of the Compact and its promulgated rules. The relief sought may
605 include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing
606 party shall be awarded all costs of such litigation, including reasonable attorney fees.

607 3. No party other than a member state shall enforce this Compact against the Compact Commission.

608 **§ 54.1-2743. Effective date, withdrawal, and amendment.**

609 A. The Compact shall come into effect on the date on which the Compact statute is enacted into law in the
610 seventh member state.

611 1. On or after the effective date of the Compact, the Compact Commission shall convene and review the
612 enactment of each of the first seven member states (Charter Member States) to determine if the statute
613 enacted by each such Charter Member State is materially different than the model Compact statute.

614 a. A Charter Member State whose enactment is found to be materially different from the model Compact
615 statute shall be entitled to the default process set forth in § 54.1-2742.

616 b. If any member state is later found to be in default, or is terminated, or withdraws from the Compact,

617 the Compact Commission shall remain in existence and the Compact shall remain in effect even if the number
 618 of member states should be less than seven.

619 2. Member States enacting the Compact subsequent to the seven initial Charter Member States shall be
 620 subject to the process set forth in subdivision C 21 of § 54.1-2739 to determine if their enactments are
 621 materially different from the model Compact statute and whether they qualify for participation in the
 622 Compact.

623 3. All actions taken for the benefit of the Compact Commission or in furtherance of the purposes of the
 624 administration of the Compact prior to the effective date of the Compact or the Compact Commission coming
 625 into existence shall be considered to be actions of the Compact Commission unless specifically repudiated by
 626 the Compact Commission.

627 4. Any state that joins the Compact subsequent to the Compact Commission's initial adoption of the rules
 628 and bylaws shall be subject to the rules and bylaws as they exist on the date on which the Compact becomes
 629 law in that state. Any rule that has been previously adopted by the Compact commission shall have the full
 630 force and effect of law on the day the Compact becomes law in that state.

631 B. Any member state may withdraw from this Compact by enacting a statute repealing the same.

632 1. A member state's withdrawal shall not take effect until 180 days after enactment of the repealing
 633 statute.

634 2. Withdrawal shall not affect the continuing requirement of the withdrawing state's licensing authority to
 635 comply with the investigative and adverse action reporting requirements of this Compact prior to the effective
 636 date of withdrawal.

637 3. Upon the enactment of a statute withdrawing from this Compact, a state shall immediately provide
 638 notice of such withdrawal to all licensees within that state. Notwithstanding any subsequent statutory
 639 enactment to the contrary, such withdrawing state shall continue to recognize all Compact privileges granted
 640 pursuant to this Compact for a minimum of 180 days after the date of such notice of withdrawal.

641 C. Nothing contained in this Compact shall be construed to invalidate or prevent any licensure agreement
 642 or other cooperative arrangement between a member state and a non-member state that does not conflict
 643 with the provisions of this Compact.

644 D. This Compact may be amended by the member states. No amendment to this Compact shall become
 645 effective and binding upon any member state until it is enacted into the laws of all member states.

646 **§ 54.1-2744. Construction and severability.**

647 A. This Compact and the Compact Commission's rulemaking authority shall be liberally construed so as
 648 to effectuate the purposes and the implementation and administration of the Compact. Provisions of the
 649 Compact expressly authorizing or requiring the promulgation of rules shall not be construed to limit the
 650 Compact Commission's rulemaking authority solely for those purposes.

651 B. The provisions of this Compact shall be severable and if any phrase, clause, sentence, or provision of
 652 this Compact is held by a court of competent jurisdiction to be contrary to the constitution of any member
 653 state, a state seeking participation in the Compact, or of the United States, or the applicability thereof to any
 654 government, agency, person, or circumstance is held to be unconstitutional by a court of competent
 655 jurisdiction, the validity of the remainder of this Compact and the applicability thereof to any other
 656 government, agency, person, or circumstance shall not be affected thereby.

657 C. Notwithstanding subsection B, the Compact Commission may deny a state's participation in the
 658 Compact or, in accordance with the requirements of subsection B of § 54.1-2742, terminate a member state's
 659 participation in the Compact, if it determines that a constitutional requirement of a member state is a
 660 material departure from the Compact. Otherwise, if this Compact shall be held to be contrary to the
 661 constitution of any member state, the Compact shall remain in full force and effect as to the remaining
 662 member states and in full force and effect as to the member state affected as to all severable matters.

663 **§ 54.1-2745. Consistent effect and conflict with other state laws.**

664 A. Nothing herein shall prevent or inhibit the enforcement of any other law of a member state that is not
 665 inconsistent with the Compact.

666 B. Any laws, statutes, regulations, or other legal requirements in a member state in conflict with the
 667 Compact are superseded to the extent of the conflict.

668 C. All permissible agreements between the Compact Commission and the member states are binding in
 669 accordance with their terms.