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PA Compact Rules Committee Meeting Minutes
December 15, 2025

Name	Member Role	Voting Member	Attendance
Jamie Alley	WV Delegate	x	
Susan Gile	KS Delegate	x	x
Lucy Treene	VA Alternate	x	
Valeska Barr	OK Delegate	x	x
Elizabeth Huntley	MN Delegate	x	
Stephanie Loucka	OH Delegate	x	x
Catherine Marie Patterson	TN Delegate	x	x joined at 12:44pm
Larry Marx	UT Delegate	x	x
Robert Sanders	WI Delegate	x	
Amber Houge	IA Delegate	x	x
Total voting members present		Quorum – 6/10	6 /10
Marisa Courtney	Vice Chair PA Commission		x
Kathy Scarbalis	Ex-Officio – AAPA		x
Tim Terranova	Chair PA Commission		x
Name	Non-Member Role		Attendance
Nahale Kalfas	Interim Legal Counsel		x
Abigail Mortell	Interim Executive Director		x
Carl Sims	CSG		
Laura Monick	OH Alternate		x

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VOTES		
Name	Agenda	Adopt Minutes from November 10, 2025
Jamie Alley		
Valeska Barr		
Elizabeth Huntley		
Stephanie Loucka		

Catherine Marie Patterson		
Larry Marx	2	1
Robert Sanders		
Susan Gile	1	2
Lucy Treene		
Amber Houge		
TOTALS	Motion passes	Motion passes

4 **Welcome**

5 **Call to order/Roll Call**

6

7 Chair Loucka calls meeting to order at 12:35 p.m. ET.

8 A. Mortell takes roll. 5/10 voting members present. Committee begins with non-voting business
9 as there is not a quorum.

10

11 **Executive Committee Feedback on Draft Rules 3 & 4**

- 12 • Chair Loucka asks Commission Chair Terranova to provide update on the Executive
13 Committee's feedback on draft rules 3 & 4.
- 14 • Chair Terranova – The Executive Committee voted to send both rules to public comment.
- 15 • Chair Loucka asks N. Kalfas to walk through the public comment process.
- 16 • N. Kalfas asks if comments have been posted to the PA Compact website yet.
- 17 • A. Mortell confirms they will be on the website either by EOD today (12/15) or
18 tomorrow (12/16).
- 19 • N. Kalfas – There will be a 30-day public comment period, which includes delegate
20 comments. At the conclusion of that period of time, all comments will be brought back to
21 this committee, at which point the committee will review and decide if there are
22 substantive comments warranting a redraft. If a redraft is warranted, the drafting process
23 for that rule or rules starts from the beginning, and any new draft must be re-approved by
24 the Rules and Executive Committees. If there are no comments warranting substantive
25 changes, the rules move to a full commission vote.
- 26 • Chair Loucka asks when the next full commission meeting is.
- 27 • N. Kalfas – One is not scheduled that would fall shortly after the public comment period,
28 but a meeting can be schedule for the purpose of passing the rules.
- 29 • Chair Terranova – There are no full commission meetings scheduled, and they are being
30 scheduled as needed. In the future there may be an annual meeting set. The Executive
31 Committee has also determined that all full commission meetings will be virtual for now.
- 32 • N. Kalfas – The commission is required by law to have an annual business meeting,
33 which the commission is compliant with, and it will be easy to meet that requirement
34 within the current flexible setup.

35 • Chair Loucka asks Chair Terranova if there was any discussion on the rules during the
36 Executive Committee meeting.
37 • Chair Terranova notes there was little discussion. After sharing with rules with the Maine
38 board attorneys, Chair Terranova has comments on the rules but plans to share them as
39 part of the public comment process to prevent delaying the release of the rules any
40 further.

41

42 **Draft Rule 5 – Joint Investigations**

43 • Chair Loucka begins discussion on Draft Rule 5, explaining the language in this draft was
44 originally in the data system rule drafted by J. Alley.
45 • M. Patterson joins the meeting, committee has quorum with 6/10 voting members
46 present.

47

48 **Review and Adopt Agenda**

49 Committee reviews the agenda; Chair Loucka calls for a motion to adopt the agenda.

50 **Motion:**

51 • Susan Gile motions to adopt the agenda.
52 • Larry Marx seconds.
53 • All members present voted in favor; none abstained; motion passed.

54

55 **Minutes from November 10, 2025**

56 Committee reviews the draft minutes. Chair Loucka calls for a motion adopt minutes from
57 November 10, 2025.

58 **Motion:**

59 • Larry Marx motions to amend the November 10, 2025, minutes.
60 • Susan Gile seconds.
61 • All members present voted in favor; none abstained; motion passed.

62

63 **Draft Rule 5 – Joint Investigations, contd.**

64 • Chair Loucka returns to draft rule 5 discussion, proposing the committee review the rule
65 backwards beginning at section 5.2.
66 • 5.2 Joint Investigations
67 ○ L. Monick provides the committee with an overview of each point in section 5.2.
68 ■ N. Kalfas clarifies that though this draft specifies that states *may* elect to
69 join a joint investigation, if a state is served a lawful subpoena, then they
70 must serve it.
71 ■ Chair Terranova – Does the rule need to address what happens if a state
72 refuses to serve a lawful subpoena? Regarding (k), it would be helpful to
73 add “the compact privilege will be revoked or removed pursuant to 4.B.”
74 ■ S. Gile asks regarding the subpoena issue, regardless of whether a state
75 opts into a joint investigation, must they serve lawful subpoenas?
76 ■ N. Kalfas – Yes. It is important to note that the court of competent
77 jurisdiction that determines whether a subpoena is lawful is the court in
78 the state that is being asked to serve the subpoena. A memo is being
79 prepared on this topic for this committee.

80 ○ Chair Loucka suggests reworking the rule to incorporate the suggestions proposed
81 by the committee and for the committee to reconsider and vote on the rule at the
82 next meeting, which would also allow J. Alley to be present for the discussion as
83 the drafter of the language.

84 ○ N. Kalfas – It was discussed previously to cite specific portions of the compact
85 within the rule. That may not be necessary and may not be the precedent of the
86 commission in rulemaking, but that is a possible addition for the committee's
87 consideration.

88 ○ Chair Loucka notes the committee decided to not include those citations so long
89 as it is a clear understanding of where the authority for the rule comes from.

90 ○ N. Kalfas agrees with this decision.

91 ● 5.1 Definitions

92 ○ Chair Loucka opens the discussion on definitions and asks if the committee has
93 questions or concerns regarding the definitions.

94 ■ No comments at this time.

95 ○ Chair Loucka asks the committee to review the definitions again prior to the
96 committee's next meeting and discussion of the rule.

97 **Next Potential Rules**

98 ● Chair Loucka asks A. Mortell to screenshare the memo on potential rule topics.

99 ● Chair Loucka lists the potential rule topics, which include:

100 ○ Fees;

101 ○ Compliance, dispute resolution, timeline for implementing criminal background

102 checks, details on default, notice to privilege holders when a state withdraws or is

103 terminated from the compact; and

104 ○ Handling records requests.

105 ● K. Scarbalis – During the last Communications Committee meeting, the committee was

106 considering potential FAQs, including the following question: Does a misdemeanor

107 conviction render a PA ineligible for a compact privilege? This is a question that Nahale

108 has answered for emails that come to the PA Compact email. It was decided during that

109 meeting that the question should be brought to the Rules Committee for consideration as

110 a rule topic rather than making an FAQ that may need to be adjusted later based on the

111 commission's rulemaking. Should that be made a rule topic and added to the list

112 contained in the memo?

113 ● Chair Loucka – It would make sense to cover this topic in a rule. Regarding the legal

114 interpretation on the question, Ohio does not see wiggle room with misdemeanors and

115 considers it a complete bar. A rule would be more useful than an FAQ for states to refer

116 to when answering that question for PAs. This topic can be added to the list, and the

117 committee can determine if it will be its own rule, or if it falls under some eligibility

118 definition within another rule.

119 ● L. Monick – While the statute says to have no felony or misdemeanor conviction, the

120 draft privilege process rule passed on for public comment says “has never been found

121 guilty by a court of a felony or misdemeanor offense through an adjudication or by an

122 entry of a plea of guilty or no contest to the charge.” The discussion on this can include

123 the privilege process rule.

124

125 • Chair Loucka notes that rule will be reviewed considering the question on misdemeanors,
126 though that portion of the privilege process rule may be sufficient.
127 • N. Kalfas agrees with amplifying this topic for practitioners through rule and FAQ.
128 • Chair Terranova recommends adding to the list a rule on election processes, which is
129 required by the bylaws.
130 • Chair Loucka notes that though rules are drafted and approved, rules can be revisited and
131 redrafted as needed.

132 **Next Steps**

133 • Chair Loucka will confer with N. Kalfas, L. Monick, and A. Mortell on what rule would
134 be appropriate for the committee to address next, a draft of which will be provided prior
135 to the committee meeting. The committee will also reconsider and vote on the joint
136 investigations rule during the next meeting. If possible, draft rules 3, 4, and 5 can be
137 taken to full commission vote together.

138 **Delegate Comments**

139 None.

140 **Public Comments**

141 None.

142 **Adjourn**

143 Chair Loucka adjourns the meeting at 1:16 p.m. ET.

DRAFT