



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

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.

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

Draft Rule 5 – Joint Investigations

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

Review and Adopt Agenda

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

Motion:

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

Minutes from November 10, 2025

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

Motion:

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

Draft Rule 5 – Joint Investigations, contd.

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

- Chair Loucka suggests reworking the rule to incorporate the suggestions proposed by the committee and for the committee to reconsider and vote on the rule at the next meeting, which would also allow J. Alley to be present for the discussion as the drafter of the language.
- N. Kalfas – It was discussed previously to cite specific portions of the compact within the rule. That may not be necessary and may not be the precedent of the commission in rulemaking, but that is a possible addition for the committee’s consideration.
- Chair Loucka notes the committee decided to not include those citations so long as it is a clear understanding of where the authority for the rule comes from.
- N. Kalfas agrees with this decision.
- 5.1 Definitions
 - Chair Loucka opens the discussion on definitions and asks if the committee has questions or concerns regarding the definitions.
 - No comments at this time.
 - Chair Loucka asks the committee to review the definitions again prior to the committee’s next meeting and discussion of the rule.

Next Potential Rules

- Chair Loucka asks A. Mortell to screenshare the memo on potential rule topics.
- Chair Loucka lists the potential rule topics, which include:
 - Fees;
 - Compliance, dispute resolution, timeline for implementing criminal background checks, details on default, notice to privilege holders when a state withdraws or is terminated from the compact; and
 - Handling records requests.
- K. Scarbalis – During the last Communications Committee meeting, the committee was considering potential FAQs, including the following question: Does a misdemeanor conviction render a PA ineligible for a compact privilege? This is a question that Nahale has answered for emails that come to the PA Compact email. It was decided during that meeting that the question should be brought to the Rules Committee for consideration as a rule topic rather than making an FAQ that may need to be adjusted later based on the commission’s rulemaking. Should that be made a rule topic and added to the list contained in the memo?
- Chair Loucka – It would make sense to cover this topic in a rule. Regarding the legal interpretation on the question, Ohio does not see wiggle room with misdemeanors and considers it a complete bar. A rule would be more useful than an FAQ for states to refer to when answering that question for PAs. This topic can be added to the list, and the committee can determine if it will be its own rule, or if it falls under some eligibility definition within another rule.
- L. Monick – While the statute says to have no felony or misdemeanor conviction, the draft privilege process rule passed on for public comment says “has never been found guilty by a court of a felony or misdemeanor offense through an adjudication or by an entry of a plea of guilty or no contest to the charge.” The discussion on this can include the privilege process rule.

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

Next Steps

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

Delegate Comments

None.

Public Comments

None.

Adjourn

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

DRAFT