

PA Compact Commission

Title of Rule: Compact Data System, Confidentiality, and Information Sharing

History of Rule: Drafted December 15, 2025

Reason for Rule: To establish Data System requirements, confidentiality of certain records maintained by the Commission and/or Participating States, and information sharing by Participating States.

Effective Date:

Chapter 4: Compact Data System, Information Sharing, and Confidentiality

Authority: Section 6: Adverse Actions

Section 7: Establishment of PA Compact Commission

Section 8: Data System

Section 9: Rulemaking

4.0 Purpose:

This Rule addresses the Compact Commission's responsibility to develop and implement a coordinated data and reporting system, confidentiality of data maintained by the Compact Commission, and information sharing by the Compact Commission and Participating States. This Rule will become effective upon adoption by the PA Compact Commission as provided in Section 9 of the PA Compact.

4.1 Definitions:

- (a) **"Adverse Action"** means any administrative, civil, equitable, or criminal action permitted by a State's laws which is imposed by a Licensing Board or other authority against a PA License or License application or Compact Privilege such as License denial, censure, revocation, suspension, probation, monitoring of the Licensee, or restriction on the Licensee's practice.
- (b) **"Compact"** means the PA Licensure Compact.
- (c) **"Compact Privilege"** means the authorization granted by a Remote State to allow a Licensee from another Participating State to practice as a PA to provide Medical Services and other licensed activity to a patient located in the Remote State under the Remote State's laws and regulations.
- (d) **"Confidential and filed under seal"** means all information and documents required to be shared in compliance with the Compact shall be transmitted confidentially and may not be discoverable in civil litigation, re-disclosed voluntarily or pursuant to a public records request, or produced pursuant to civil or criminal subpoena, except that such information may be used for the purpose of investigating and taking disciplinary action and may be disclosed as part of any public disciplinary action resulting from the investigation.

- (e) **"Criminal Background Check"** means the submission of fingerprints or other biometric based information for a License applicant for the purpose of obtaining that applicant's criminal history record information, as defined in 28 C.F.R. § 20.3(d), from the State's criminal history record repository as defined in 28 C.F.R. § 20.3(f).
- (f) **"Data System"** means the repository of information about Licensees, including but not limited to License status and Adverse actions, which is created and administered under the terms of this Compact.
- (g) **"Investigative Information"** means information, records, or documents received or generated by a Licensing Board pursuant to an investigation.
- (h) **"Licensee"** means an individual who holds a License from a State to provide Medical Services as a PA.
- (i) **"Minor Infraction"** means conduct which does not relate to the delivery of health care services, does not adversely affect public health and safety and, in the judgement of the participating state is not likely to result in a report to the National Practitioner Data Bank.
- (j) **"Non-participating State"** means a State that has not enacted this Compact.
- (k) **"Participating PA"** means a PA who has applied for or holds a Compact Privilege.
- (l) **"Participating State"** means a State that has enacted this Compact.
- (m) **"PA"** means an individual who is licensed as a physician assistant in a State. For purposes of this Compact, any other title or status adopted by a State to replace the term "physician assistant" shall be deemed synonymous with "physician assistant" and shall confer the same rights and responsibilities to the Licensee under the provisions of this Compact at the time of its enactment.
- (n) **"PA Licensure Compact Commission," "Compact Commission," or "Commission"** mean the national administrative body created pursuant to Section 7.A of this Compact.
- (o) **"Qualifying License"** means an unrestricted License issued by a Participating State to provide Medical Services as a PA.
- (p) **"Remote State"** means a Participating State where a Licensee who is not licensed as a PA is exercising or seeking to exercise the Compact Privilege.
- (q) **"Significant Investigative Information"** means Investigative Information that a Licensing Board, after an inquiry or investigation that includes notification and an opportunity for the PA to respond if required by State law, has reason to believe is not groundless and, if proven true, would indicate more than a minor infraction.
- (r) **"State"** means any state, commonwealth, district, or territory of the United States.
- (s) **"State of Qualifying License"** means a Participating State where a PA holds a qualifying license and which has been designated as such by the PA for purposes of registration and participation in the Compact.
- (t) **"Uniform Data Set"** means information maintained by the Compact Commission with respect to participating PAs.

4.2 Data System

- (a) The Compact Commission shall develop, maintain, operate, administer and utilize a Coordinated Data and Reporting System ("Data System").

- (b) The Data System shall maintain information related to participating PAs, including:
- (1) A uniform data set;
 - (2) Qualifying License and Compact Privilege requests, dispositions and related licensing data;
 - (3) Adverse actions taken;
 - (4) Reports of the existence of significant investigative information; and
 - (5) License and privilege denials and any periods of Compact participation ineligibility resulting therefrom.
- (c) If the Compact Commission determines the Data System development and implementation will rely, in whole or in part, on data created or maintained by third parties, such as a national certifying organization or other similar entity, the Data System may also maintain information related to PAs who may be eligible to participate in the Compact, but have not yet designated a State of Qualifying License or applied for Compact Privileges.
- (d) Only appropriate licensing board(s) in Participating States and Commission staff shall have access to the Data System to report and query information, as authorized.
- (e) Participating States shall enter and update information in the Data System concerning actions taken as a designated State of Qualifying License, as a Remote State, and as otherwise set forth in the Rules of the Compact Commission.
- (f) Any information submitted to the Data System that is subsequently expunged pursuant to federal law or the laws of the Participating State contributing the information shall be removed from the Data System as soon as reasonably possible, but no later than ten business days after the Compact Commission's receipt of a report of expungement by the appropriate Participating State.
- (g) Participating states shall not disclose or report to the Compact Commission, and the Data System shall not receive or maintain, any criminal background check results obtained by Participating States.

4.3 Uniform Data Set

- (a) The Compact Commission, through its Data System, shall maintain a uniform data set for each PA who applies for or holds Compact Privileges.
- (b) Notwithstanding any other State law to the contrary, each Participating State shall verify and submit the required information to create a uniform data set for each PA who applies for or holds Compact Privileges.
- (c) As a State of Qualifying License, a Participating State shall verify and submit the following information for each PA applying for or holding a Qualifying License:
- (1) Full legal name;

- 116 (2) Other name(s) used, previously or currently;
117 (3) Sex;
118 (4) Date of birth;
119 (5) Social security number;
120 (6) Primary residence address of record;
121 (7) Telephone number of record;
122 (8) E-mail address designated by applicant to receive correspondence from the
123 Compact Commission and Participating States;
124 (9) PA educational program completed, including year of graduation;
125 (10) NCCPA Certification number, current certification status and certification
126 expiration date;
127 (11) License number, status, issue date and expiration date in the designated
128 State of Qualifying License;
129 (12) Adverse actions against a License or Compact Privilege;
130 (13) The existence of Significant Investigative Information; and
131 (14) Any denial of licensure, and the reason(s) for such denial (excluding the
132 reporting of any criminal history record information where prohibited by law).
- 133 (d) As a Remote State, a Participating State shall verify and submit, where applicable,
134 the following information for each PA applying for or holding a Compact Privilege in
135 the Remote State:
- 136 (1) Compact Privilege issue date, status, expiration date and privilege number or
137 other unique privilege identifier issued by the remote state;
138 (2) Adverse actions against a Compact Privilege; and
139 (3) The existence of Significant Investigative Information.
- 140 (e) The uniform data set shall also include the following additional information:
- 141 (1) All primary residence address changes provided by the participating PA to the
142 Compact Commission, and the date the address was changed;
143 (2) All e-mail address changes provided by the participating PA to the Compact
144 Commission, and the date the e-mail address was changed;
145 (3) All applications, attestations or certifications submitted by the participating
146 PA in support of a request to designate a State of Qualifying License or to
147 obtain a Compact Privilege in a Remote State;
148 (4) All documents submitted by a Participating State to verify or decline a PA's
149 eligibility for Compact participation or to issue a Compact Privilege; and
150 (5) Evidence of the current certification status with the NCCPA for all PAs
151 holding Compact privileges.
152

4.4 Reports of Adverse Actions and Significant Investigative Information

- (a) Participating States shall report all adverse actions taken against PA's Qualifying License or Compact Privilege to the Compact Commission either by entry into the Data System or on a form developed and provided by the Compact Commission.
- (b) Adverse action reports shall:
 - (1) Include the participating PA's name, a summary of the action taken or a copy of the order or other documentation imposing the adverse action.
 - (2) Be submitted to the Compact Commission as soon as reasonably possible, but no later than five business days after the adverse action is ordered or otherwise taken by the State. If the adverse action is summary or emergency action, the report shall be submitted within one business day.
 - (3) Be updated by the reporting State upon changes to the status of any reported adverse action. Updated adverse action reports shall be submitted as soon as reasonably possible, and within the same time limitations as established for initial adverse action reports.
- (c) A State of Qualifying License shall report the existence of Significant Investigative Information concerning a PA with a Qualifying License in the State, and a Remote State shall report the existence of Significant Investigative Information concerning a PA holding a Compact Privilege in the State. All reports shall be made to the Compact Commission either by entry into the Data System or on a form developed and provided by the Compact Commission.
- (d) Significant Investigative Information reports shall:
 - (1) Include the participating PA's name, a copy of any public complaint detailing the allegations under investigation by the Participating State, and contact information for follow-up with the reporting State.
 - (2) Be submitted as soon as reasonably possible, but no later than five business days after a State issues a public complaint in association with Significant Investigative Information or makes a non-public determination, after inquiry and investigation, its investigative process has developed Significant Investigative Information.

4.5 Confidentiality

- (a) Information contained in a PA's uniform data set shall be maintained by the Compact Commission in a confidential manner.
- (b) All uniform data sets in the custody and control of the Compact Commission are confidential and exempt from public disclosure by the Compact Commission except for:

- 190 (1) The names of participating PAs; and
- 191 (2) The states where participating PAs hold Qualifying Licenses and Compact
- 192 Privileges.
- 193 (c) With the exception of public complaints and publicly available records of adverse
- 194 actions, all adverse action reports and Significant Investigatory Information reports
- 195 submitted to the Data System pursuant to Section 5.4 of this Rule are designated
- 196 confidential and filed under seal. Participating States who access this confidential
- 197 information may only utilize the confidential material for investigations or during
- 198 disciplinary processes Participating States shall not redisclose confidential adverse
- 199 action or Significant Investigative Information to any person or Non-participating
- 200 State absent an order from a court of competent jurisdiction.
- 201 (d) In addition to the confidentiality provisions established herein, Participating States
- 202 contributing information to the Data System may, in accordance with state or
- 203 federal law, designate information that may not be shared with the public without
- 204 the express permission of the contributing State. Notwithstanding any such
- 205 designation, such information shall be reported to the Commission through the
- 206 Data System.
- 207 (e) Nothing in this section prohibits the Compact Commission from complying with a
- 208 lawful order issued by a court of competent jurisdiction.
- 209 (f) This section is not intended to limit the Compact Commission's authority to enter
- 210 into data sharing agreements with Participating States or other entities to facilitate
- 211 the purpose of the Compact. Provided, that Significant Investigative Information
- 212 pertaining to a PA in any Participating State shall only be available to other
- 213 Participating States.
- 214

215 **4.6 Information Sharing**

- 216 (a) A Participating State shall have access to the uniform data set for every applicant
- 217 and licensee who holds a Qualifying License or Compact Privilege in the
- 218 Participating State.
- 219 (b) When the Compact Commission receives notice of an adverse action, it shall
- 220 promptly notify each Participating State where the PA holds a Qualifying License or a
- 221 Compact Privilege of the adverse action.
- 222 (c) Upon request, adverse action reports may also be shared with any other
- 223 Participating State.
- 224 (d) When the Compact Commission receives notice of Significant Investigative
- 225 Information, it shall promptly notify each Participating State where the PA holds a
- 226 Qualifying License or a Compact Privilege of the existence of Significant
- 227 Investigative Information.

- 228 (e) A Participating State where a PA holds a Qualifying License or a Compact Privilege
229 may request an investigative file from any Participating State that submitted a
230 Significant Investigative Information report with respect to the PA.
- 231 (1) Upon receipt of such a request, a Participating State may share the
232 requested information from an investigative file as soon as reasonably
233 possible.
- 234 (2) Information shared with another Participating State pursuant to this process
235 is confidential and filed under seal.
- 236 (3) Participating States who access this confidential information may only utilize
237 the confidential material for investigations or during disciplinary processes.
238 The confidential material may be made public in disciplinary actions but
239 shall not be redisclosed to any person or Non-participating State absent an
240 order from a court of competent jurisdiction.
241

242 **4.7 Authenticated Business Records of the Compact Commission**

- 243 (a) The records and information provided to a Participating State pursuant to this
244 Compact or through the Data System, when certified by the Commission or its
245 agent, shall constitute the authenticated business records of the Commission, and
246 shall be entitled to any associated hearsay exception in any relevant judicial, quasi-
247 judicial or administrative proceedings in a Participating State.