



VIRTUAL/TELECONFERENCE
OCCUPATIONAL THERAPISTS AFFILIATED CREDENTIALING BOARD
Virtual, 4822 Madison Yards Way, Madison
Contact: Tom Ryan (608) 266-2112
June 10, 2025

The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Board.

AGENDA

9:30 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

A. Adoption of Agenda (1-4)

B. Approval of Minutes of March 11, 2025 (4-6)

C. Reminders: Conflicts of Interest, Scheduling Concerns

D. Introductions, Announcements and Recognition

E. Administrative Matters – Discussion and Consideration

1. Department, Staff and Board Updates
2. Election of Officers, Appointment of Liaisons and Alternates, Delegation of Authorities
3. Board Members – Term Expiration Dates
 - a. Black, Teresa L. – 7/1/2027
 - b. Donovan, Amber M. – 7/1/2027
 - c. Erickson, Terrance C. – 7/1/2027
 - d. Hanson, Randi J. – 7/1/2027
 - e. Inda, Kari C. – 7/1/2026
 - f. Kearns, Christine – 7/1/2027
4. Wis. Stat. s. 15.085(3)(b) – Biannual Meeting with the Medical Examining Board

F. Legislative and Policy Matters – Discussion and Consideration

G. Administrative Rule Matters – Discussion and Consideration (7-14)

1. Adoption Order: OT 1 to 5, Relating to Implementation of the Occupational Therapy Licensure Compact **(8-13)**
2. Pending or Possible Rulemaking Projects **(14)**

H. Wisconsin Occupational Therapy Association – Discussion and Consideration

1. WOTA Travel Report – May 15, 2025

I. Occupational Therapy (OT) Licensing Compact Report – Discussion and Consideration

J. Discussion and Consideration of Items Added After Preparation of Agenda:

1. Introductions, Announcements and Recognition
2. Administrative Matters
3. Election of Officers
4. Appointment of Liaisons and Alternates
5. Delegation of Authorities
6. Education and Examination Matters
7. Credentialing Matters
8. Practice Matters
9. Legislative and Policy Matters
10. Public Health Emergencies
11. Administrative Rule Matters
12. Liaison Reports
13. Board Liaison Training and Appointment of Mentors
14. Informational Items
15. Division of Legal Services and Compliance (DLSC) Matters
16. Presentations of Petitions for Summary Suspension
17. Petitions for Designation of Hearing Examiner
18. Presentation of Stipulations, Final Decisions and Orders
19. Presentation of Proposed Final Decisions and Orders
20. Presentation of Interim Orders
21. Petitions for Re-Hearing
22. Petitions for Assessments
23. Petitions to Vacate Orders
24. Requests for Disciplinary Proceeding Presentations
25. Motions
26. Petitions
27. Appearances from Requests Received or Renewed
28. Speaking Engagements, Travel, or Public Relation Requests, and Reports

K. Public Comments

CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85(1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).

L. DLSC Matters

1. **Proposed Stipulations, Final Decisions and Orders**
 - a. 24 OTB 0003 – Mary B. Patton (15-21)

M. Deliberation of Items Added After Preparation of the Agenda

1. Education and Examination Matters
2. Credentialing Matters
3. DLSC Matters
4. Monitoring Matters
5. Professional Assistance Procedure (PAP) Matters
6. Petitions for Summary Suspensions
7. Petitions for Designation of Hearing Examiner

8. Proposed Stipulations, Final Decisions and Order
9. Proposed Interim Orders
10. Administrative Warnings
11. Review of Administrative Warnings
12. Proposed Final Decisions and Orders
13. Matters Relating to Costs/Orders Fixing Costs
14. Case Closings
15. Board Liaison Training
16. Petitions for Assessments and Evaluations
17. Petitions to Vacate Orders
18. Remedial Education Cases
19. Motions
20. Petitions for Re-Hearing
21. Appearances from Requests Received or Renewed

N. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

O. Vote on Items Considered or Deliberated Upon in Closed Session if Voting is Appropriate

P. Open Session Items Noticed Above Not Completed in the Initial Open Session

Q. Delegation of Ratification of Examination Results and Ratification of Licenses and Certificates

ADJOURNMENT

NEXT MEETING: SEPTEMBER 16, 2025

ORAL INTERVIEW OF CANDIDATES FOR LICENSURE

VIRTUAL/TELECONFERENCE

10:30 A.M. OR IMMEDIATELY FOLLOWING FULL BOARD MEETING

CLOSED SESSION – Reviewing Applications and Conducting Oral Interviews of **Zero (0)** (at the time of agenda publication) Candidates for Licensure and Any Additional Examinations
Added After Agenda Preparation – Teresa Black

MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held virtually unless otherwise indicated. In-person meetings are typically conducted at 4822 Madison Yards Way, Madison, Wisconsin, unless an alternative location is listed on the meeting notice. In order to confirm a meeting or to request a complete copy of the board's agenda, please visit the Department website at <https://dsps.wi.gov>. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of any agenda item may be changed by the board for the convenience of the parties. The person credentialed by the board has the right to demand that meeting at which final action may be taken against the credential be held in open session. Requests for interpreters for the hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer or reach the Meeting Staff by calling 608-267-7213.

**VIRTUAL/TELECONFERENCE
OCCUPATIONAL THERAPISTS AFFILIATED CREDENTIALING BOARD
MEETING MINUTES
MARCH 11, 2025**

PRESENT: Teresa Black (*arrived at 9:32 a.m.*), Amber Donovan, Terrance Erickson (*arrived at 9:38 a.m.*), Randi Hanson, Kari Inda, Christine Kearns

STAFF: Tom Ryan, Executive Director; Jameson Whitney, Legal Counsel; Nilajah Hardin, Administrative Rules Coordinator; Tracy Drinkwater, Board Administration Specialist; and other Department staff

CALL TO ORDER

Randi Hanson, Vice Chairperson, called the meeting to order at 9:30 a.m. A quorum was confirmed with four (4) board members present.

ADOPTION OF AGENDA

MOTION: Kara Inda moved, seconded by Amber Donovan, to adopt the Agenda as published. Motion carried unanimously.

Teresa Black arrived at 9:32 a.m.

APPROVAL OF MINUTES OF DECEMBER 17, 2024

MOTION: Kara Inda moved, seconded by Amber Donovan, to approve the Minutes of December 17, 2024, as published. Motion carried unanimously.

Terrance Erickson arrived at 9:38 a.m.

ADMINISTRATIVE MATTERS

Election of Officers

Chairperson

NOMINATION: Randi Hanson nominated Teresa Black for the Office of Chairperson. Teresa Black accepted the nomination.

Tom Ryan, Executive Director, called for nominations three (3) times.

Teresa Black was elected as Chairperson by unanimous voice vote.

Vice Chairperson

NOMINATION: Christine Kearns nominated Randi Hanson for the Office of Vice Chairperson. Randi Hanson accepted the nomination.

Tom Ryan, Executive Director, called for nominations three (3) times.

Randi Hanson was elected as Vice Chairperson by unanimous voice vote.

Secretary

NOMINATION: Teresa Black nominated Christine Kearns for the Office of Secretary. Christine Kearns accepted the nomination.

Tom Ryan, Executive Director, called for nominations three (3) times.

Christine Kearns was elected as Secretary by unanimous voice vote.

2025 ELECTION RESULTS	
Chairperson	Teresa Black
Vice Chairperson	Randi Hanson
Secretary	Christine Kearns

Appointment of Liaisons and Alternates

LIAISON APPOINTMENTS	
Credentialing Liaison(s)	Christine Kearns, Amber Donovan <i>Alternate:</i> Randi Hanson, Teresa Black
Education and Examinations Liaison(s)	Teresa Black, Kari Inda <i>Alternate:</i> Randi Hanson
Monitoring Liaison(s)	Randi Hanson <i>Alternate:</i> Christine Kearns, Kari Inda
Professional Assistance Procedure Liaison(s)	Randi Hanson <i>Alternate:</i> Kari Inda, Christine Kearns
Legislative Liaison(s)	Teresa Black <i>Alternate:</i> Terrance Erickson
Travel Authorization Liaison(s)	Teresa Black <i>Alternate:</i> Terrance Erickson
Website Liaison(s)	Randi Hanson <i>Alternate:</i> Terrance Erickson
Compact Liaison(s)	Teresa Black <i>Alternate:</i> Amber Donovan

Screening Panel	Kari Inda, Christine Kearns <i>Alternate:</i> Teresa Black, Randi Hanson
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Delegation of Authorities

Delegation to Department Attorneys to Approve Prior Discipline

MOTION: Terrance Erickson moved, seconded by Randi Hanson, to delegate authority to Department Attorneys to approve an applicant's prior professional discipline which resulted in a forfeiture/fine/other monetary penalty, remedial education, and/or reprimand, that is 10 years old or older, and the previously disciplined credential is currently in good standing. Motion carried unanimously.

Delegation to Handle Administrative Rule Matters

MOTION: Terrance Erickson moved, seconded by Christine Kearns, to delegate authority to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving Board member in that succession), to act on behalf of the Board regarding administrative rule matters between meetings. Motion carried unanimously.

Review and Approval of 2024 Delegations including new modifications

MOTION: Christine Kearns moved, seconded by Randi Hanson, to reaffirm all delegation motions made in 2024, as reflected in the March 11, 2025, agenda materials, which were not otherwise modified or amended during the March 11, 2025, meeting. Motion carried unanimously.

DELEGATION OF RATIFICATION OF LICENSES AND CERTIFICATES

MOTION: Terrance Erickson moved, seconded by Christine Kearns, to delegate ratification of examination results to DSPS staff and to ratify all licenses and certificates as issued. Motion carried unanimously.

ADJOURNMENT

MOTION: Terrance Erickson moved, seconded by Christine Kearns, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 11:20 a.m.

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Nilajah Hardin Administrative Rules Coordinator		2) Date when request submitted: 05/28/25 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>									
3) Name of Board, Committee, Council, Sections: Occupational Therapists Affiliated Credentialing Board											
4) Meeting Date: 06/10/25	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Administrative Rule Matters Discussion and Consideration 1. Adoption Order: OT 1 to 5, Relating to Implementation of the Occupational Therapy Licensure Compact 2. Pending or Possible Rulemaking Projects									
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A									
10) Describe the issue and action that should be addressed: Attachments: 1. Adoption Order – OT 1 to 5 2. Rule Project Chart Pending Rule Project Page: https://dsps.wi.gov/Pages/RulesStatutes/PendingRules.aspx											
<table style="width: 100%; border: none;"> <tr> <td style="width: 60%;">11) Authorization</td> <td style="width: 40%;"></td> </tr> <tr> <td style="border-top: 1px solid black;"> Signature of person making this request </td> <td style="border-top: 1px solid black; text-align: center;"> 5/28/25 Date </td> </tr> <tr> <td style="border-top: 1px solid black;">Supervisor (if required)</td> <td style="border-top: 1px solid black; text-align: center;">Date</td> </tr> <tr> <td colspan="2" style="border-top: 1px solid black;"> Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date </td> </tr> </table>				11) Authorization		Signature of person making this request	5/28/25 Date	Supervisor (if required)	Date	Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date	
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Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.											

STATE OF WISCONSIN
OCCUPATIONAL THERAPISTS AFFILIATED CREDENTIALING BOARD

IN THE MATTER OF RULEMAKING	:	ORDER OF THE
PROCEEDINGS BEFORE THE	:	OCCUPATIONAL THERAPISTS
OCCUPATIONAL THERAPISTS	:	AFFILIATED CREDENTIALING
AFFILIATED CREDENTIALING	:	BOARD
BOARD	:	ADOPTING RULES
	:	(CLEARINGHOUSE RULE 24-050)

ORDER

An order of the Occupational Therapists Affiliated Credentialing Board to amend OT 1.01 , 2.01, 2.03 (2) (e), 4.03 (2), (3) (f) and (g), and (4) (d), 5.02 (3), (4), (5), (6), (8), (9), (12), and (15) and create 1.02 (6g), (6r), (14e), (11m), (14m), (14s), (27), 2.09 and 3.03 (3) (Note), relating to implementation of the Occupational Therapy Licensure Compact.

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted: Subchapter XII of ch. 448, Stats.

Statutory authority: Sections 15.085 (5) (b), 227.11 (2) (a) (intro.), and 448.9875 (3), Stats.

Explanation of agency authority:

Section 15.085 (5) (b), Stats., provides that each affiliated credentialing board “[s]hall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains, and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession.”

Section 227.11 (2) (a) (intro.), Stats., provides that “each agency may promulgate rules interpreting the provisions of any statute enforced or administered by the agency, if the agency considers it necessary to effectuate the purpose of the statute, but a rule is not valid if the rule exceeds the bounds of correct interpretation...”

Section 448.9875 (3), Stats., provides that “[t]he examining board may, by rule, require an individual seeking a compact privilege to meet a jurisprudence requirement in accordance with s. 448.987 (4) (a) 9., if such a requirement is imposed by the examining board under s. 448.964 in order to obtain a license under s. 448.963.”

Related statute or rule: Wisconsin Administrative Code Section OT 2.03

Plain language analysis:

The Occupational Therapists Affiliated Credentialing Board conducted a comprehensive evaluation of its rules to implement the Occupational Therapy Licensure Compact to ensure clarity and consistency with applicable Wisconsin statutes. The following updates were made:

- Created definitions of “occupational therapist,” “occupational therapist assistant,” and “occupational therapy.”
- Created definitions of “compact,” “compact privilege,” and identify the requirements for obtaining a compact privilege, including a requirement that an individual seeking a compact privilege successfully complete a jurisprudence examination.
- Created a definition of a “health care provider” to include an occupational therapist or an occupational therapy assistant licensed under ch. 448 who holds a compact privilege under subch. XII of ch. 448.
- Amended the definition of “supervisor” to specify it includes a person holding an occupational therapist compact privilege granted by the Board but does not include a person holding a temporary license.
- Amended the unprofessional conduct requirements in s. OT 5.02 to also apply to those licensed under compact privileges as needed.

Summary of, and comparison with, existing or proposed federal regulation: None.

Summary of public comments received on statement of scope and a description of how and to what extent those comments and feedback were taken into account in drafting the proposed rule: N/A.

Comparison with rules in adjacent states:

Illinois: Illinois has applied, but is not yet a member state of the Occupational Therapy Licensure Compact.

Iowa: Iowa is a member state of the Occupational Therapy Licensure Compact. Rules of the Iowa Board of Physical and Occupational Therapy address issuing a compact privilege and the practice of Occupational Therapy under a compact privilege [645 Iowa Administrative Code Section 200.3].

Michigan: Michigan has applied, but is not yet a member state of the Occupational Therapy Licensure Compact.

Minnesota: Minnesota is a member state of the Occupational Therapy Licensure Compact. Minnesota Statutory requirements for Occupational Therapy include issuing compact privileges and practice of Occupational Therapy under a compact privilege [2024 Minnesota Statutes Section 148.645]

Summary of factual data and analytical methodologies:

The proposed rules were developed by reviewing subch. XII of ch. 448, Stats., which ratifies the Occupational Therapy Licensure Compact, and conducting a comprehensive evaluation and update of the Occupational Therapy Examining Board's rules to implement the Compact.

Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis:

The proposed rule was posted for a period of 14 days to solicit public comment on economic impact, including how the proposed rules may affect businesses, local government units, and individuals. No comments were received.

Fiscal Estimate and Economic Impact Analysis:

The Fiscal Estimate and Economic Impact Analysis is attached.

Effect on small business:

These proposed rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department's Regulatory Review Coordinator may be contacted by email at Jennifer.Garrett@wisconsin.gov, or by calling (608) 266-2112.

Agency contact person:

Nilajah Hardin, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, P.O. Box 8366, Madison, Wisconsin 53708-8366; email at DSPSAdminRules@wisconsin.gov.

TEXT OF RULE

SECTION 1. OT 1.01 is amended to read:

OT 1.01 The rules in this chapter are adopted by the occupational therapists affiliated credentialing board pursuant to the authority of ss. 15.08 (5) (b), 227.11 (2), ~~and 448.965, and 448.9875 (3)~~, Stats., to govern the license and regulation of occupational therapists and occupational therapy assistants.

SECTION 2. OT 1.02 (6g), (6r), (11m), (14e), (14m), (14s) and (27) are created to read:

OT 1.02 (6g) "Compact" means the occupational therapy licensure compact under s. 448.987, Stats.

(6r) "Compact privilege" has the meaning given in s. 448.987 (2) (d), Stats.

(11m) "Health care provider" has the meaning given in s. 155.01 (7), Stats.

(14e) "Occupational therapist" has the meaning given in s. 448.96 (4), Stats.

(14m) "Occupational therapy assistant" has the meaning given in s. 448.96 (6), Stats.

(14s) “Occupational therapy compact commission” or “commission” has the meaning given in s. 448.987 (2) (s), Stats.

(27) “Supervisor” means a person holding a regular license under subchapter VII of chapter 448, Stats., or a person holding a compact privilege granted by the board, who is competent to coordinate, direct, and inspect the practice of another person engaged in or assisting in the practice of occupational therapy. This definition does not apply to a person holding a temporary license issued under ch. OT 2.

SECTION 3. OT 2.01 and 2.03 (2) (e) are amended to read:

OT 2.01 Authority and Purpose. The rules in this chapter are adopted by the board under the authority of ss. 15.085 (5) (b), 227.11 (2) ~~and~~ 448.965 and 448.9875 (3), Stats., to govern the licensure and regulation of occupational therapists and occupational therapy assistants.

2.03 (2) (e) Has not practiced occupational therapy for a period of 5 years prior to application, unless the applicant has graduated from a school of occupational therapy within that period. Practice for the purposes of this paragraph includes direct client treatment and education, occupational therapy instruction in an occupational therapy academic program recognized by the board, occupational therapy research, and service in administrative positions for healthcare ~~providers~~ entities or governmental bodies with responsibility relating to occupational therapy.

SECTION 4. OT 2.09 is created to read:

OT 2.09 Compact privilege requirements. Each person applying for a compact privilege shall meet all of the following requirements:

- (1)** Complete the compact application process .
- (2)** The fee specified in s. 448.987 (3) (c), Stats.
- (3)** Successfully pass the examinations specified in s. OT 2.03 (1).

Note: Application instructions for compact privilege may be obtained from the Department of Safety and Professional Services’ website at <http://dsps.wi.gov>.

SECTION 5. OT 3.03 (Note) is created to read:

OT 3.03 (3) (Note) Application instructions for renewal may be obtained from the Department of Safety and Professional Services’ website at <http://dsps.wi.gov>.

SECTION 6. OT 4.03 (2), (3)(f) and (g), and (4) (d) are amended to read:

OT 4.03 (2) REFERRALS. Referrals may be accepted from advanced practice nurses, chiropractors, dentists, optometrists, physical therapists, physicians, physician assistants, podiatrists, psychologists, or other health care ~~professionals~~ providers.

- (3) (f)** Evaluation results shall be communicated to the referring health care ~~professional provider, if any, and to the appropriate persons in the facility and~~ community.

- (g) If the results of the evaluation indicate areas that require intervention by other health care ~~professionals~~ providers, the individual shall be appropriately referred or an appropriate consultation shall be requested.

- (4) (d) In developing the program, the occupational therapist alone or in collaboration with the occupational therapy assistant shall also collaborate as appropriate, with the individual, family, other health care ~~professionals~~ providers and community resources; shall select the media, methods, environment, and personnel needed to accomplish the goals; and shall determine the frequency and duration of occupational therapy interventions provided.

SECTION 7. OT 5.02 (3), (4), (5), (6), (8), (9), (12), and (15) are amended to read:

- (3) Knowingly making or presenting or causing to be made or presented any false, fraudulent, or forged statement, writing, certificate, diploma, or other item in connection with any application for license or compact privilege.
- (4) Practicing fraud, forgery, deception, collusion, or conspiracy in connection with any examination for license or compact privilege.
- (5) Giving, selling, buying, bartering, or attempting to give, sell, buy, or barter any license or compact privilege.
- (6) Engaging or attempting to engage in practice under any license or compact privilege under any given name or surname other than that under which originally licensed, ~~or registered,~~ or granted compact privilege to practice in this or any other state
- (8) Practicing or attempting to practice under any license or compact privilege when unable to do so with reasonable skill and safety to clients.
- (9) Practicing or attempting to practice under any license or compact privilege beyond the scope of that license or compact privilege.
- (12) Knowingly making any false statement, written or oral, in practicing under any license or compact privilege, with fraudulent intent; or obtaining or attempting to obtain any professional fee or compensation of any form by fraud or deceit.
- (15) Having a license, compact privilege, certificate, permit, registration, or other practice credential granted by another state or by any agency of the federal government to practice occupational therapy, which becomes limited, restricted, suspended, or revoked, or having been subject to other adverse action by the state licensing authority or by an agency of the federal government including the denial or limitation of an original credential, or the surrender of a credential, whether or not accompanied by findings of negligence or unprofessional conduct.

SECTION 8. EFFECTIVE DATE. The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, pursuant to s. 227.22 (2) (intro.), Stats.

(END OF TEXT OF RULE)

Dated _____

Agency _____

Chairperson
Occupational Therapists Affiliated
Credentialing Board

DRAFT

Occupational Therapists Affiliated Credentialing Board
Rule Projects (updated 05/28/25)

Clearinghouse Rule Number	Scope #	Scope Expiration	Code Chapter Affected	Relating clause	Current Stage	Next Step
N/A	072-22	02/22/2025	OT 1 to 5	Implementation of the Occupational Therapy Licensure Compact (Emergency Rule)	Emergency Rule Draft Approved by the Governor on 09/21/23; Rule Paused, Proceeding with Permanent Rule Only	N/A
24-050	072-22	02/22/2025	OT 1 to 5	Implementation of the Occupational Therapy Licensure Compact (Permanent Rule)	Adoption Order Reviewed at 6/10/25 Meeting	Submission for Publication; 8/1/25 Anticipated Rule Effective Date