

Government/Legislative Affairs Committee

Chair: Kenya (Ken) M Harrison

Members: Wendy Forgacs, Sarah Lamar, LaToya Brannen

Date: 2/20/2023

Good day SHRM Savannah,

I attended the SHRM Government Affairs: 2023 Q1 Core Leadership Area webcast and below is summation of the event. ***“You don’t have to be great to start, but you have to start to be great! -Zig Ziglar”***.

Support Mental Health & Telehealth Interstate Compacts

- SHRM Government Affairs requests that your SHRM state council consider submitting a formal letter of support to your state legislators and governor urging them to consider legislation that would enter your state into either the Counseling Compact, the Psychology Interjurisdictional Compact (PSYPACT), or both.
- Interstate compacts, or contracts among states, allow professional counselors and psychologists licensed and residing in a compact member state to practice in other compact member states without the need for multiple licenses.

The Counseling Compact

- The Counseling Compact is an interstate compact, or a contract among states, allowing professional counselors licensed and residing in a compact member state to practice in other compact member states without need for multiple licenses.
- States that need to enact the Counseling Compact: AK, CA, HI, IA, MA, MT, NM, NY, OR, PR, SC, SD, VT, WY, AR, AZ, CT, DC, ID, IL, KS, MI, MN, MO, ND, NJ, NV, OK, PA, RI, TX, VA, WA, and WI.
- Learn more at counselingcompact.org

The Psychology Interjurisdictional Compact (PSYPACT)

- Created by the Association of State and Provincial Psychology Boards (ASPPB), PSYPACT is an interstate compact that facilitates the practice of psychology using telecommunications technologies (telepsychology) and/or temporary in-person, face-to-face psychological practice.
- States that need to enact PSYPACT: AK, CA, HI, IA, MA, MT, NM, NY, OR, PR, SC, SD, VT, WY, FL, LA, MS, ND, GU, and VI.
- Learn more at PSYPACT.org

Regulatory Update: FTC Non-Compete Proposed Rule

- On Jan. 19, the Federal Trade Commission (FTC) officially published its controversial proposed rule that would completely ban noncompete agreements.
- SHRM and other organizations have cautioned that a total ban on noncompete agreements would inhibit businesses’ ability to protect trade secrets, among other concerns.

- In a widely distributed news article by the Associated Press, Chief of Staff and Head of Public Affairs Emily M. Dickens said SHRM will present specific situations that could justify noncompete agreements during the FTC's comment period.
- SHRM intends to submit public comment and will request that SHRM state councils consider signing on to the comment.

Congressional Update: Chance to Compete Act (H.R. 159)

SHRM wrote in support of this legislation to the House Education and Workforce Committee, which included guidance from SHRM designed to remove barriers to federal jobs.

This legislation would make important progress by facilitating the implementation of HR best practices by federal agencies, including the use of candidate assessments to improve time-to-fill metrics, employee performance and retention.

USCIS Intends to Raise Immigration & Naturalization Fees

- On Jan. 3, U.S. Citizenship and Immigration Services (USCIS) announced a proposal to adjust certain immigration and naturalization benefit request fees.
- The COVID-19 pandemic also led to a dramatic reduction in receipts of new applications, resulting in a temporary drop in revenue by 40 percent.
- The new fees include a modest increase in the fee for certain applications. For example, the total naturalization fee would be set at \$760, an increase of \$35.

DOL Independent Contractor Rule

- SHRM submitted public comment on December 13. We anticipate the final rule will be published in May.
- The rule rescinds the 2021 rule that simplifies the worker classification with two core factors that are more significant than the other four recognized factors.
- The proposed rule introduces the totality-of-the-circumstances standard, where six core factors and a catch all "other factors" are used to determine worker status.