Occupational Therapy Compact Commission (OTCC)

Chapter 11: Records Exempt from Disclosure

Rule Title	Rule on Records Exempt from Disclosure
Rule History	• Drafted by Rules Committee: September 24, 2026 • Approved by Executive Committee: • Public Comment Period: TBD • Adopted: TBD • Effective: TBD
Rule Purpose	To establish records that shall be exempt from public inspection or disclosure.
Rule Format	The first number represents the Chapter. The second number represents the Section. The third number represents the Bullet. For example, 1.3.4 represents Chapter 1.Section 3.Bullet 4 of the OTCC Rules.

Section 1: Authority

Authority for this rule is in the *Occupational Therapy Licensure Compact Model Legislation*.
Section 8: *Establishment of the OT Compact Commission*
Section 9: *Data System*
Section 10: *Rulemaking*

Section 2: Purpose

11.2.1 Pursuant to Section 8.C.6 and Section 10 of the *Occupational Therapy Licensure Compact Model Legislation*, the Occupational Therapy Compact Commission shall promulgate reasonable and lawful uniform rules to facilitate and coordinate implementation and administration of the Occupational Therapy Interstate Compact.

11.2.2 This Rule addresses the Compact Commission's responsibility to maintain certain records confidently. This Rule will become effective upon adoption by the OT Compact Commission as provided in Section 10 of the OT Compact.

Section 3: Exempt Records

Rule 11.1
Compact Records
The following Commission records shall be exempt from public inspection or disclosure except where already a part of a public record:

A. An OT or OTA's personal information;
B. All information contained in the uniform data set in accordance with Compact Commission Rule 3.1 except for information maintained on the Compact Commission's public site;

C. Any information that a participating state designates as not to be shared with the public pursuant to Section 9.C of the model compact language;
D. Any information submitted to the data system that is subsequently expunged pursuant to federal law or the laws of the Member State contributing the information;
E. Personnel records of Compact Commission staff;
F. Compact Commission personnel practice and procedures;
G. Matters specifically exempt from disclosure by federal statute;
H. Trade secrets, commercial, or financial information that is privileged or confidential;
I. Information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;
J. Investigative records compiled for law enforcement purposes;
K. Information specifically related to a civil action or other legal proceedings;
L. Records related to a closed, non-public meeting;
M. Records that contain legal advice, attorney-client communications, or attorney work product;
N. Records related to state default actions; and
O. Confidential mediation or arbitration documents.

Nothing herein shall require production of records by the Commission.

Rule 11.2
Other Records
After consultation with counsel, the full Commission may designate records confidential and not available to the public for inspection.

Nothing herein shall require production of records by the Commission.

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