

ALASKA LEGISLATURE COMMITTEES 1900-1900

3946 SHES SB 251 822

2

OREGON ADMINISTRATIVE RULES
CHAPTER 858, DIVISION 10 — BOARD OF PSYCHOLOGIST EXAMINERS

Stat. Auth.: ORS Ch.
Hist: PE 6, f. 12-19-73, cf. 1-11-74

Licensing Requirements — Doctoral Degrees

858-10-015 (1) A "doctoral degree in psychology from an accredited school, college or university", shall mean: a Ph.D. based on a program of studies in a graduate department of psychology from a school, college or university accredited by the pertinent regional accrediting bodies. The training shall meet the guidelines set forth in the statement "Toward a definition of training in Professional Psychology" of the Educational Standards and Accreditation Committee of the American Association of State Psychology Boards dated August 25, 1977 attached hereto as Appendix "1" and by this reference made a part hereof. The Board may, at its discretion, accept a doctorate in psychology from an accredited school, college or university offering a professional degree, e.g., Psy. D. The Board may also accept a certificate or diploma granted in place of the doctoral degree by an institution located outside the United States after completion of a graduate program based on standards not lower than those of accredited schools, colleges and universities in Oregon granting the doctoral degree in psychology. The Board may also, in its discretion, accept a Ph.D. or an Ed.D. in a department other than psychology, provided that such a program is comparable to that offered in a graduate department of psychology. The program shall include at least 60 quarter hours or 40 semester hours of formal graduate study in psychology, excluding thesis and practicum. These hours (in toto) shall be in no fewer than five of the basic areas of psychology which are: experimental, comparative, abnormal, developmental, individual differences, learning, motivation, physiological, personality, social, statistics, research design, psychological tests and measurements, history and systems of psychology, and perception and cognition; achievement in each such course must have been satisfactory and the instruction must have been provided in the regular graduate program of an accredited degree-granting institution. The number of university extension credits that may be credited toward the requirement for the doctoral degree shall not exceed 15 quarters hours (10 semester hours).

(2) Recognition of Degree. The Board may recognize a doctoral degree from an institution which was not accredited if the institution receives accreditation within three years after having granted the degree.

(3) Supervised Employment. A minimum of one year of the required supervised experience must be post-doctoral.

Stat. Auth.: ORS Ch.
Hist: PE 6, f. 12-19-73, cf. 1-11-74; PE 1-1979, f. & cf. 9-5-79

Change in Specialty

858-10-016 Psychologists and applicants who have changed their specialty from that in which they were originally trained will be required to document their academic and professional training in the new area of psychological specialty in accordance with the training guidelines adopted by the Board under OAR 858-10-015(1).

Stat. Auth.: ORS Ch.
Hist: PE 1-1979, f. & cf. 9-5-79

Process and Disposition of Application for License

858-10-020 (1) Following a decision as to disposition, the applicant's file shall be returned to the Board Secretary, accompanied by a signed and dated statement that the file has been reviewed and whatever decision has been made. If the application is approved, the Board Secretary shall send out appropriate letters notifying the applicant of the approval to proceed. If the application is found unacceptable, the Board Secretary shall send the applicant a certified letter so stating

and noting the deficiency which caused the rejection, including the authority for such action and advising of the opportunity of a hearing before the Board in accordance with ORS 183.

(2) Waiver of Examination. In the event that a qualified applicant is not required by reciprocity to take the written examination, he shall be informed of approval for proceeding to the oral examination. In the event that a qualified applicant is not required, by virtue of ABPP status, to take either the written or oral examination, he may be issued a license.

(3) Investigatory Powers. The Board shall not be limited in its investigation of an applicant's qualifications for licensure to the information supplied in and pursuant to the licensure application form and may direct additional investigation with respect to an applicant's qualifications prior to deciding whether or not he may proceed to take the written or oral examination.

(4) Record of Complaints. The Board Secretary shall review the Board's records of complaints and insert any reference to an applicant in the applicant's file. The Board Secretary shall also routinely make inquiry of the Ethics Committee of the Oregon Psychological Association, and, if appropriate, of other state and national committees on ethics and certification or licensure boards for material relevant to each applicant.

Stat. Auth.: ORS Ch.
Hist: PE 6, f. 12-19-73, cf. 1-11-74

Procedure for Written Examinations

858-10-025 (1) Written Examinations for Doctoral Level Licensure. The written examination for full licensure shall be the current examination developed by the professional testing service of the American Association of State Psychology Boards. Applicants whose educational credentials have been accepted by the Board as meeting its requirements for licensure as a psychologist shall be eligible to take the written examination. The examination shall be administered at least twice a year by the Board Secretary in the Board offices. At least 30 days notice in writing shall be given to applicants eligible for examination. Completed examinations will be forwarded to the AASPB's testing service for scoring. The cutting score for the written examination shall be the national mean of all doctoral candidates taking the examination for the first time on that day.

(2) Re-Examination. Any applicant who fails to make a passing grade on the examination shall be allowed to take the examination a second time. If the examination is failed twice, the applicant must obtain special permission from the Board to take the examination again.

(3) Inquiries Regarding Performance on Examinations. Upon written request to the Board, an applicant may discuss his or her performance on the examination(s) with the Board or a representative designated by the Board. Individual Board members and the Board Secretary shall refrain from any discussion of an applicant's performance on the examination(s) with the applicant or with any other person without such designation. Those aspects of the Board's affairs which are open to the public or are a matter of public record shall, however, be available at all times through the office of the Board.

Stat. Auth.: ORS Ch. 675
Hist: PE 6, f. 12-19-73, cf. 1-11-74; PE 1-1979, f. & cf. 9-5-79; PE 1-1980, f. & cf. 3-10-80; PE 1-1981(Temp), f. & cf. 12-9-81; PE 1-1982, f. 4-13-82, cf. 6-1-82; PE 2-1982, f. & cf. 7-23-82

[ED. NOTE: The text of Temporary Rules is not printed in the Oregon Administrative Rules Compilation. Copies may be obtained from the adopting agency or the Secretary of State.]

3

OREGON ADMINISTRATIVE RULES
CHAPTER 858, DIVISION 10 — BOARD OF PSYCHOLOGIST EXAMINERS

Procedure for Oral Examinations

858-10-030 (1) Oral Examination for Licensure. Candidates who have successfully completed the written examination and successfully completed the requisite two years of supervised experience for licensure shall be eligible to sit for the oral examination. The Board shall compile a list of psychologists who have been licensed by the Board for a minimum of one year and residents of Oregon for a minimum of one year from which shall be drawn the members of oral examination committees. The oral examination committee for each examination shall consist of a Chair who is a member of the Board and three psychologists who shall be selected by the chair from the approved list. Oral examination committees shall meet at least two times each year. Thirty days written notification will be given to candidates who have passed the written examination, or had it waived, and who are recommended for oral examination. Appearance at a scheduled oral examination shall constitute a waiver of the prior written notice. Each oral examination committee shall record its entire proceedings and make recommendations to the Board, accompanied by pertinent rationale, on the passage or failure of each applicant. The Board shall review the recommendations of the oral examination committee, review verbatim recordings when necessary, and make final decisions regarding passage or failure. The Board Secretary shall inform candidates in writing of the results of the oral examination, i.e. the oral examination committee recommendations and the Board's decision. A second oral examination may be recommended and conducted by the Board or by a second oral examination committee appointed by the Board; the Board's subsequent decision based on this oral examination shall be final. A candidate who is refused issuance of a license is entitled to a hearing before the Board if requested.

(2) Content of Oral Examinations. While each oral examination may vary somewhat in content and emphasis, it shall cover the following:

- (a) Areas in which the candidate considers himself competent to offer psychological services.
- (b) Methods by which candidate anticipates preparing himself to provide services in new areas.
- (c) Plans the candidate has for updating his skills.
- (d) Candidate's knowledge and awareness of ethical issues and problems in his own practice and for psychologists in general.
- (e) The candidate's awareness of current laws regulating the practice of psychology.

Stat. Auth.: ORS Ch. 675

Hist: PE 6, f. 12-19-73, ef. 1-11-74; PE 1-1979, f. & ef. 9-5-79; PE 1-1981(Temp), f. & ef. 12-9-81; PE 1-1982, f. 4-13-82, ef. 6-1-82; PE 2-1982, f. & ef. 7-23-82

[ED. NOTE: The text of Temporary Rules is not printed in the Oregon Administrative Rules Compilation. Copies may be obtained from the adopting agency or the Secretary of State.]

Guidelines for Supervised Employment

858-10-035 (1) The following guidelines shall be used by the Board to define supervised employment in accordance with ORS 675.030(4). The supervision shall be under the direction of a psychologist who has prior to such supervision been licensed in Oregon for at least one year, under a psychologist licensed in another state with standards comparable to those in Oregon, or under the direction of a person considered by the Board to have equivalent supervisory competence. While obtaining the requisite two years of supervised experience, the applicant shall be an employee of an institution or agency in which employees providing psychological activities and services are exempt from license and which institution or agency provides supervised experience in his or her anticipated area(s) of specialization, or shall be the employee of a licensed psycholo-

gist or person considered equivalent by the Board. If supervision is obtained in Oregon from outside such an institution or agency, the psychologist or equivalent supervisor shall be specifically approved in writing by the Board on the basis of a resident agreement between supervisor and supervisee submitted to the Board in advance. The number of supervisees at any one time shall be limited to two. Permission to exceed two supervisees at any one time must be obtained from the Board.

(2) Review of proposed supervisory plans will not be made by the Board until the applicant has submitted application forms for licensure and paid the initial examination application fee.

(3) The work of such employee shall be supervised in the following manner:

(a) Title. The supervisee shall be at all times designated by a title such as "psychological resident", or similar title which implies an educational background in psychology and simultaneously conveys less than independent functioning. All signed materials, letterheads, business cards, telephone directory listing, or other representations to the public shall convey the individual's professional apprentice status and shall be combined with a designation of the supervisor by name and title.

(b) Scope of Practice. The psychological resident shall offer services in the general areas in which he has received prior academic training under the supervision of a person with a similar background of education and experience.

(c) Frequency and Nature of Supervision. Minimum supervision shall entail weekly discussion about each case the psychological resident is managing, as well as discussion about any additional activities in which the psychological resident may be engaged in his or her resident capacity. This supervision shall entail at least a ratio of one hour of supervision for each eight hours of employment. Whenever possible, the supervisor should directly observe the resident's functioning and discuss with him or her methods of improving his or her performance.

(d) Records and Documentation. All persons claimed by an applicant to have functioned as supervisors for him or her shall be named among the references on his or her application form. Documentation of the nature and frequency of the supervision, as well as his or her appraisal of the applicant's functioning under supervision shall be supplied to the Board by the supervisor. The Board advises applicants who have not completed two years of supervised experience, one of which must be post-doctoral, and who anticipate seeking licensure in Oregon to file with the Board in advance a plan of intended supervision which shall include periodic reports from the supervisor of the supervision in progress.

(e) Duration of Psychological Resident Status. The Board regards resident status as a transitional step toward licensure. It is not intended as a means of avoiding licensure once all requirements can be met. Without special approval by the Board, a maximum of three years of supervised status may be claimed before an individual shall be regarded as in violation of the licensure law.

(f) Offices. In those cases where offices are not provided by the agency or institution where the resident is employed, his or her supervisor shall procure and maintain the resident's office in the supervisor's name.

(g) Representation to the Public. Each person with whom the psychological resident is working must be informed of the nature of the resident's professional status and the fact that he or she is under the supervision of a licensed psychologist or comparable person.

(h) In every case where psychological testing is done and a report is written based on that testing by a psychological

4

OREGON ADMINISTRATIVE RULES
CHAPTER 858, DIVISION 10 — BOARD OF PSYCHOLOGIST EXAMINERS

resident, the supervising psychologist will counter-sign the report indicating his or her approval.

(i) In cases where a psychological resident is conducting counseling or psychotherapy, representative sessions shall be recorded within professional and ethical guidelines and the supervising licensed psychologist shall review random samplings.

(4) Responsibilities of the Supervisor. In addition to all those responsibilities specified in these rules, the supervisor shall be prepared to document for the Board that the supervision has occurred according to these guidelines. The supervisor should also be prepared to provide an evaluative statement of the resident's performance. When a psychologist assumes the responsibility of supervision, he or she assumes responsibility for the nature and quality of such activities and services as the resident may provide. Failure to provide supervision when such a relationship with a resident is claimed by either party may result in appropriate action against the license of the supervisor hence; interruption or termination of a supervisory relationship shall be promptly communicated to the Board.

Stat. Auth.: ORS Ch.

Hist: PE 6, f. 12-19-73, ef. 1-11-74; PE 8, f. 12-5-74, ef. 12-25-74; PE 1-1979, f. & ef. 9-5-79

Professional Corporations

858-10-040 (1) Registration Required. No professional corporation shall engage in the practice of psychology without a valid certificate of registration issued by the Board.

(2) Registration Application: Contents. The application for registration of a professional corporation consisting of shareholders who are licensed by the State Board of Psychologist Examiners shall be made in writing to the Board and shall contain the name of the corporation, location of principal office, shareholders, directors, and officers of the corporation, accompanied by the registration fee established by the Board. Any employee not a shareholder, director, or officer, engaged in the practice of psychology shall also be named. The applicants shall also furnish to the Board a copy of the By-Laws of the corporation and a copy of the Articles of Incorporation.

(3) Name of Corporation: Use of Assumed Name. The name of the corporation shall be designated in the application, to be followed by the words, "Professional Corporation", or abbreviation, or "Prof. Corp.". The corporate name may contain the last name of one or more of its shareholders but may consist of any assumed or artificial name or title, provided that when used in connection with any written or printed matter or in connection with any advertising, signs, or professional notice, there shall be added after any such assumed or artificial names the following designation in letters or print which shall be at least one-fourth the size of the largest letters used in the title or name and in material, color, etc., to give display and legibility of at least one-fourth that of the title or name, name "psychologist".

(4) Issuance of Certificate. A certificate of registration shall be issued if the Executive Secretary of the Board finds that:

(a) Each shareholder is a psychologist licensed by the Board and is not legally disqualified to render professional service, and each officer and director (except as provided in ORS 58.105) is a shareholder of the applicant;

(b) That each employe of the applicant who will practice psychology, whether or not a director, officer, or shareholder is a licensed psychologist, psychological resident; licensed psychologist associate or psychologist associate resident; and

(c) The applicant otherwise is in compliance with these rules.

(5) Merger or Consolidation. The Board will not approve a merger or consolidation of a professional corporation which is

under the jurisdiction of the Board with a foreign professional corporation.

(6) Posting of Certificate. The certificate of registration shall be conspicuously posted in the office of the corporation to which it is issued.

(7) Report of Change. In the event of a change of directors, officer, employees practicing psychology, share ownership, or location of the office of the corporation, notification shall be sent to the Board within ten days of such change. Upon receipt of notification, the Board shall amend the certificate of registration to reflect changes of location.

(8) Assignability. No certificate of registration shall be assignable.

(9) Annual Renewal. Upon written application accompanied by a fee established by the Board, the Board shall annually renew the certificate of registration which shall expire December 31 of each year. Failure to file the report or pay the registration fee by January 1 will cause the professional corporation's registration to expire. The Board shall suspend and hold the certificate in abeyance until the delinquency is corrected and shall report the failure of such professional corporation to comply with the law to the Corporation Commissioner of the State of Oregon for appropriate action by the Corporation Commissioner.

(10) Suspension or Revocation. Certificates of registration may be suspended or revoked by the Board for the reasons set forth in and accordance with ORS 58.355.

Stat. Auth.: ORS Ch.

Hist: PE 6, f. 12-19-73, ef. 1-11-74; PE 1-1982, f. 4-13-82, ef. 6-1-82; PE 2-1982, f. & ef. 7-23-82

Registration of Social Psychologists

858-10-045 Any person who has received a doctoral degree in sociology or social psychology from an accredited college or university and uses the title "social psychologist" shall be exempt from the provisions of this law, provided he files a statement of his use of that title with the Board and does not represent not hold himself out to the public outside his professional work setting by any title or description of activities used in subsection (2) of ORS 675.020 nor holds himself out to be trained, experienced, or expert in psychology.

Stat. Auth.: ORS Ch.

Hist: PE 6, f. 12-19-73, ef. 1-11-74

Rules Relating to Psychologists' Licenses

858-10-050 (1) Period of License. All licenses are valid to and including January 1 of the following year, unless suspended, revoked, or resigned.

(2) Renewals. Licenses are renewable on or before January 1 of each year. After January 1, until February 1, licenses may be renewed with additional payment of the delinquent fee. If the license renewal fee and delinquent fee are not received before February 1, a license is void and may not be renewed. Upon a license becoming void, the former license holder's name will be removed from the directory of licensed psychologists. A former licensee who continues to practice as a psychologist will be subject to prosecution for violation of the law.

(3) Continuing Education Regulations and Guidelines. In accordance with ORS 675.110(12), the Oregon Board of Psychologist Examiners hereby establishes requirements and guidelines for the continuing education of licensed psychologists as a condition of license renewal. Doctoral training for entry into the field is not considered adequate assurance of continued competence throughout a psychologist's career. Fulfillment of continuing education requirements is viewed as one necessary vehicle for maintaining standards of profession-

5

OREGON ADMINISTRATIVE RULES
CHAPTER 858, DIVISION 10 — BOARD OF PSYCHOLOGIST EXAMINERS

al practice and for assuring the public of a high standard of psychological services:

(a) **Definition of Continuing Education Activity:**

(A) Continuing education activities are formally organized educational experiences, the objectives of which are compatible with the continuing professional education needs of the licensee. Instructional personnel must be recognized professionals in their domain of study. Continuing education activities must be designed for professional level participants. Recognition will be given for formally organized ongoing study groups, the objectives of which are compatible with the continuing professional educational needs of the licensee and whose regular participants are recognized professionals in their domain of study.

(B) One continuing education credit will be granted for each hour of participation in a continuing education activity.

(b) **Requirements.** A licensed psychologist must earn at least 25 continuing education credits in each calendar year.

(c) **Annual Reports.** On or before December 31 of each year, all licensed psychologists must submit to the Board of Psychologist Examiners, using a standard reporting form, an annual report summarizing their continuing education activity for the calendar year. The Board will review these annual reports prior to March 31 and notify the licensee regarding his/her compliance. Persons found to be in noncompliance with the requirements will be asked to submit, for approval, a one-year plan for continuing education. During the next review period those persons who were found to be in noncompliance will be formally reviewed to determine their eligibility for license renewal. If a licensee is unable to acquire sufficient continuing education credits to meet the requirements he or she may request an exemption. All requests for exemptions will be considered by the State Board of Psychologist Examiners and evaluated on an individual basis.

(4) **Inactive Status.**

(a) Persons holding valid Oregon licenses who have made written request to the Board and have demonstrated to the Board's satisfaction that they are not and will not engage in active practice in Oregon during a given calendar year may be granted inactive status. Violation of claimed inactive status shall be considered sufficient grounds for revocation of licensure by the Board.

(b) **Reactivation of inactive license status.** To reactivate a license from inactive status the licensee will formally notify the Board of that intent and, on a form provided by the Board, report the licensee's professional and continuing education activities since the inactive license status was granted.

(A) If notification of intent to reactivate a license from inactive status occurs within five years of the granting of that status the Board may, at its discretion, reactivate the license status upon receipt of that notice of intent.

(B) If the Board concludes that since the granting of status the inactive licensee has not engaged in professional and continuing education activities that would maintain a satisfactory level of current professional competence, or if notification of intent to reactivate the license with inactive status is not received within five years of the granting of that status, reactivation of the license from inactive status shall depend upon successfully passing an oral examination before the Board. The content of that examination shall be the same as that described in OAR 858-10-030(2).

(C) In the case of a licensee who does not successfully pass the oral examination, the Board can require the submission of a study plan designed to correct deficiencies in the licensee's oral examination performance and/or require that the licensee establish a Board approved supervised employment relationship as described in OAR 858-10-035, the minimum and maximum duration of which may be specified by

the Board. In no case shall an inactive licensee function in supervised employment relationships for more than one year.

(D) The Board may reactivate the license from inactive status upon receipt of documentation that the proposed study plan and/or period of supervised employment has been successfully completed and the deficiencies in preparation rectified, or at its discretion, may require the successful passing of an oral examination as described in OAR 858-10-050(4)(B).

Stat. Auth.: ORS Ch. 675

Hist.: PE 6, f. 12-19-73, ef. 1-11-74; PE 1-1979, f. & ef. 9-5-79; PE 3-1980, f. & ef. 12-12-80; PE 1-1982, f. 4-13-82, ef. 6-1-82; PE 2-1982, f. & ef. 7-23-82

Rules Related to Issuance of Limited Permits

858-10-055 Any psychologist who wishes to practice for a limited period under Section 15, Chapter 777, Oregon Law 1973, shall apply to the Board at least 60 days before the date he intends to practice in Oregon. The applicant shall submit to the Board evidence of his certification or licensure another state or ABPP status; a description of the work he intends to perform; and where, when, and under whose auspices this work will be done. Upon approval by the Board and receipt of the fee set by the Board, a limited permit will be issued for a period not to exceed 30 days in any six month period.

Stat. Auth.: ORS Ch.

Hist.: PE 6, f. 12-19-73, ef. 1-11-74

Fees for Licensure, Examination, and Registration

858-10-060 (1) The application examination fee for licensure as a psychologist or a psychologist associate shall be \$100 for the original application and the first written examination; \$75 for each subsequent written examination if the first one is failed; and \$40 for final processing of the application, including the oral examination. A fee of \$40 will be charged for each subsequent oral examination.

(2) The fee for issuance of a license to practice as a psychologist shall be \$50.

(3) The fee for issuance of a license to practice as a psychologist associate shall be \$50. In the event that a person already licensed as a psychologist associate in one or more areas wishes at a later date to obtain additional certificates of accreditation in additional areas of competence, a fee of \$50 will be charged at the time application is made for each additional certificate.

(4) The license renewal fee for a psychologist shall be \$150 for the calendar year 1984 and \$100 for the calendar year 1985 and each subsequent year. The license renewal fee for a psychologist associate shall be \$150 for the calendar year 1984 and \$100 for the calendar year 1985 and each subsequent year.

(5) The annual fee for persons granted inactive status shall be half of the renewal fee for an active license.

(6) The Board shall impose a delinquent renewal fee of \$25 for licenses renewed after January 1 but before February 1 of any calendar year.

(7) The fee for a limited permit to practice in the state shall be \$80.

(8) The fee for registration of professional corporations shall be \$25. The annual renewal fee for this certification shall be \$10. (ORS 58.345(1)(2))

Stat. Auth.: ORS Ch. 675

Hist.: PE 6, f. 12-19-73, ef. 1-11-74; PE 7, f. 10-21-74, ef. 11-11-74; PE 9, f. 2-3-75, ef. 2-25-75; PE 1-1978, f. & ef. 9-5-78; PE 1-1979, f. & ef. 9-5-79; PE 2-1980, f. & ef. 9-23-80; PE 1-1982, f. 4-13-82, ef. 6-1-82; PE 2-1982, f. & ef. 7-23-82; PE 1-1983, f. & ef. 11-1-83

6

OREGON ADMINISTRATIVE RULES
CHAPTER 858, DIVISION 10 — BOARD OF PSYCHOLOGIST EXAMINERS

Resignation of License Holder

858-10-065 (1)(a) A person holding a valid Oregon license may resign his license by filing with the Board's Executive Secretary a written resignation which shall be effective only upon acceptance by the Board.

(b) If charges of professional misconduct are under investigation, or if disciplinary proceedings are pending against the individual, the resignation may not be accepted by the Board unless it includes an express acknowledgment that the resigning individual:

(A) Is aware of the investigation proceeding and that he does not desire to contest or defend the matter;

(B) Is aware of the rules of the Board with respect to discipline, resignation, and reinstatement of license holders; and

(C) Understands that any future application by him for reinstatement will be treated as an application by an individual who has been suspended for professional misconduct.

(2) On acceptance of the resignation by the Board, the name of the resigning individual shall be stricken from the roll of licensed psychologists.

(3) Unless otherwise ordered by the Board, any pending investigation or disciplinary proceeding shall be closed upon acceptance of the resignation.

(4) An individual who has resigned or been suspended may apply for reinstatement by initiating a new application and taking the prescribed examinations only after a period of one year. He should understand that he will be regarded as an applicant who has knowingly violated the licensure law or a portion of the standards of ethical practice which it incorporates.

Stat. Auth.: ORS Ch.
Hist: PE 6, f. 12-19-73, ef. 1-11-74

Application for Licensure by Person Who Has Violated the Law

858-10-070 The application for licensure by a person who has violated Chapter 777 by representing himself as a psychologist prior to licensing may be refused or denied by the Board. The Board shall investigate and consider the circumstances of each particular case and may, in its discretion, postpone the processing of the application for a period of time; may require the resubmission of the application at a later time; or may finally refuse such application for licensing. Opportunity for a hearing concerning the decision of the Board shall be afforded as required by ORS 183.310 to 183.500. While the Board will actively pursue the goal of educating psychologists in the state concerning the licensure law and the Board's formally adopted Rules of Procedure, it will be regarded as the responsibility of each individual to have acquainted himself with the state's regulations concerning the practice of his profession. Ignorance of the law will not be accepted by the Board as an excuse from the responsibility of having broken it.

Stat. Auth.: ORS Ch.
Hist: PE 6, f. 12-19-73, ef. 1-11-74

Code of Professional Conduct

858-10-075 The Board adopts for the Code of Professional Conduct of Psychologists in Oregon the "Ethical Principles of Psychologist", adopted by the American Psychological Association's Council of Representatives January 24, 1981. The Board also adopts the "Ethical Principles in the Conduct of Research with Human Participants", copyrighted in 1981 by the American Psychological Association. Such publications are attached hereto as Appendix C and Appendix D, and by this reference made a part hereof.

[Publications: The publication(s) referred to or incorporated by reference in this rule are available from the office of the Board of Psychologist Examiners.]

Stat. Auth.: ORS Ch. 675
Hist: PE 6, f. 12-19-73, ef. 1-11-74; PE 1-1982, f. 4-13-82, ef. 6-1-82; PE 2-1982, f. & ef. 7-23-82

Repeal of Prior Rules

858-10-000 Upon the effective date of adoption of these rules, the prior existing Rules of the State Board of Psychologist Examiners as contained in OAR 858-10-005 to 858-10-060 shall be repealed.

Stat. Auth.: ORS Ch.
Hist: PE 6, f. 12-19-73, ef. 1-11-74

**Rules of Procedure for
Licensing Psychologist Associates
(Master's Level)**

Educational Requirements

858-10-100 The applicant shall have received a Master's degree in psychology, or a degree considered equivalent by the Board. Any "equivalent degree" master's program shall include at least 45 quarter hours or 30 semester hours of graduate credit, 30 quarter hours or 20 semester hours of which must be in graded (not "pass-no pass") courses. Extension hours and correspondence courses shall not be considered for credit. Hours shall be from no fewer than five of the basic areas of psychology, including experimental psychology, learning theory, psychological psychology, motivation, perception, comparative psychology, statistical methods, history and systems of psychology, design of research, developmental psychology, individual differences, psychological tests and measurements, social psychology, organizational psychology, personality theory, and abnormal psychology, or courses deemed equivalent by the Board. The achievement in each such course must be satisfactory and the instruction be provided in the regular graduate program of a college or university accredited by the pertinent regional accrediting bodies.

Stat. Auth.: ORS Ch.
Hist: PE 10, f. 4-10-75, ef. 5-11-75; PE 1-1979, f. & ef. 9-5-79

Internship Requirements

858-10-105 The applicant shall have completed a full-time internship of one year in a Board-approved training setting, or one year of other supervised learning practicum deemed equivalent by the Board. The intern position and the internship setting must be oriented to application of psychological skills and knowledge. Every supervisor of an intern shall be a psychologist licensed in Oregon, a psychologist licensed in another state with standards comparable to those in Oregon, or a person considered by the Board to have equivalent training in psychology and equivalent supervisory competence. While obtaining the requisite one-year supervised internship experience, the applicant shall be an employee, or staff member, of an institution, or agency, which provides day-to-day supervised experience in his/her area(s) of specialization.

Stat. Auth.: ORS Ch.
Hist: PE 10, f. 4-10-75, ef. 5-11-75

Experience Requirements

858-10-110 The applicant shall have completed 36 months of full-time supervised experience satisfactory to the Board. This experience shall be exclusive of the internship period, and shall ordinarily be after the receipt of the master's degree. All supervisors of the experience time shall be listed as references on the application. This post-master's experience shall be in settings considered to be appropriate psychological professional settings (agencies, academic institutions, private or public

7

OREGON ADMINISTRATIVE RULES
CHAPTER 858, DIVISION 10 — BOARD OF PSYCHOLOGIST EXAMINERS

clinics) and supervisors shall be licensed Ph.D. psychologists, or those considered by the Board to have equivalent training in psychology and equivalent supervisory competence. Supervision during the three years of applied experience shall be equivalent to that normally exercised in comparable settings in general. During the three years it is expected that the candidate will have continued to upgrade his/her knowledge and skills through in-service training, workshops, attendance at professional meetings, use of consultants, and the like.

Stat. Auth.: ORS Ch.
Hist: PE 10, f. 4-10-75, ef. 5-11-75

Areas of Activity

858-10-115 Applicants for psychologist associate license shall be licensed for specific activities or areas of competence, and such areas or functions shall be specified on the license. The applicant, who deems himself/herself competent in more than one area may apply for more than one. Examples of areas are the following:

- (1) Psychological Examiner, e.g., psychometrist or neuro-psychological technician;
- (2) Educational-Vocational Counselor, e.g., educational counselor, high school or college counselor, vocational counselor, or rehabilitation counselor;
- (3) Mental Health Associate, e.g., alcohol and drug counselor, behavior modification technician, or group process leader;
- (4) School Psychologist;
- (5) Psychological Research Associate; or
- (6) Industrial Personnel Associate.

As other areas are identified by the Board, they will be added to the list. It shall be the responsibility of the applicant for the Associate license to specify his/her area of competence on the application, duly attested by the applicant's supervisor.

Stat. Auth.: ORS Ch.
Hist: PE 10, f. 4-10-75, ef. 5-11-75

Written Examinations

858-10-120 Applicants who have met the educational and internship requirements for licensure at the psychologist associate level shall be eligible to take the written examination. The written examinations for the psychologist associate shall consist of two parts:

(1) General Psychology Requirement. The initial examination shall be the current examination developed by the professional testing service of the American Association of State Psychology Boards, which covers the areas mentioned in rule 858-10-100. The examination shall be administered at least twice a year by the Board. At least 20 days notice in writing shall be given to applicants eligible for examination. Completed examinations shall be forwarded to the AASPB's testing service for scoring. The cutting score for the written examination shall be one standard deviation below the cumulative national mean on that form of the examination. The applicant who fails to make a passing score on the examination shall be allowed to take the examination a second time using a different form. If the examination is failed twice, the applicant must obtain special permission from the Board to take the examination following a written request.

(2) Specialty Requirements. The instructions for a second written requirement will be distributed near the time of notification of results from the AASPB examination. It will consist of a self-monitored examination in the candidate's area of competence, or a work sample; the form and nature of these requirements are to be determined by the Board. The written examination or work sample is to be sent by the candidate to the members of the oral examining committee one week before

the date of the oral examination. If in the board's opinion another appropriate examination already exists in the applicant's specialty, the Board may use it as a substitute.

Stat. Auth.: ORS Ch.
Hist: PE 10, f. 4-10-75, ef. 5-11-75; PE 1-1981(Temp), f. & ef. 12-9-81; PE 1-1982, f. 4-13-82, ef. 6-1-82; PE 2-1982, f. & ef. 7-23-82

[ED. NOTE: The text of Temporary Rules is not printed in the Oregon Administrative Rules Compilation. Copies may be obtained from the adopting agency or the Secretary of State.]

Oral Examination Committee

858-10-125 Candidates who have successfully completed the written examination and successfully completed the requisite 36 months of full-time supervised experience for licensure at the psychologist associate level shall be eligible to sit for the oral examination. The oral examination committee will be selected from the current list of psychologists and psychologist associates residing in Oregon. The committee for each applicant shall consist of a Chair, who shall be a member of the Board, and three psychologists and psychologist associates who shall be selected by that Chair from the list. At least one member shall be from the applicant's area of specialty. Thirty days prior written notice of the time and place of examination, shall be given to the candidates who have passed the AASPB written examination. Appearance at a scheduled oral examination shall constitute a waiver of the prior written notice. Each oral examination committee shall record its entire proceedings and make recommendations to the Board, accompanied by pertinent findings on the passage or failure of each applicant. The Board shall review the recommendation of the oral examination committee, review verbatim recordings when necessary, and make final decisions regarding passage or failure. The Board Secretary shall inform candidates in writing of the results of the oral examination, i.e. the oral examination committee recommendations and the Board's decision. A second oral examination may be recommended and conducted by the Board or by a second oral examination committee appointed by the Board; the Board's subsequent decision based on this oral examination shall be final. A candidate who is refused issuance of a license is entitled to a hearing before the Board if requested.

Stat. Auth.: ORS Ch. 675
Hist: PE 10, f. 4-10-75, ef. 5-11-75; PE 1-1979, f. & ef. 9-5-79; PE 1-1981(Temp), f. & ef. 12-9-81; PE 1-1982, f. 4-13-82, ef. 6-1-82; PE 2-1982, f. & ef. 7-23-82

[ED. NOTE: The text of Temporary Rules is not printed in the Oregon Administrative Rules Compilation. Copies may be obtained from the adopting agency or the Secretary of State.]

Oral Examinations — Contents

858-10-130 Each oral examination shall include the following:

- (1) The applicant's knowledge and skills in the area in which he/she considers himself/herself competent to offer psychological services.
- (2) The applicant's plans for evaluating, updating, and extending knowledge, skills, and services in that area.
- (3) The applicant's knowledge and awareness of ethical issues and problems in his/her professional service and for psychologists in general.
- (4) The applicant's awareness of current laws regulating the practice of psychology.
- (5) The applicant's plans for continued supervision should he/she be licensed as a Psychologist Associate.

The oral examining committee shall also evaluate the self-monitored written specialty examination (or work sample)

88

OREGON ADMINISTRATIVE RULES
CHAPTER 858, DIVISION 10 — BOARD OF PSYCHOLOGIST EXAMINERS

submitted by the candidate one week before the oral examination.

Stat. Auth.: ORS Ch.

Hist: PE 10, f. 4-10-75, ef. 5-11-75

Procedure for Licensure in an Additional Area

858-10-135 A licensed Psychologist Associate may apply for licensure in an additional area by updating his/her application forms and references and by taking an oral examination and related written examinations in the new specialty area following procedures outlined above.

Stat. Auth.: ORS Ch.

Hist: PE 10, f. 4-10-75, ef. 5-11-75

Continued Supervision of Licensed Psychologist Associates

858-10-140 Before the issuance of the license, the approved Psychologist Associate, and his/her supervising licensed Psychologist, must file with the Board a statement of his/her area of intended practice and arrangements for supervision. This information shall be updated and amended by the Associate and supervisor prior to any changes of status. The supervisor must be a licensed Psychologist. Day-to-day supervision of the licensed Associate is the responsibility of the supervisor and shall include such face-to-face consultation as is required by the nature of the work of the Associate, and is consistent with accepted professional practices in psychology. All referrals made to the Psychologist Associate shall be made through the licensed Psychologist.

Stat. Auth.: ORS Ch.

Hist: PE 10, f. 4-10-75, ef. 5-11-75

Representation to the Public

858-10-145 It is necessary that the Psychologist Associate represent himself/herself accurately to the public. Clients shall be informed of the status of the Associate, of the fact that he/she is a licensed Psychologist Associate in a particular specialty, and is supervised by a licensed psychologist. The Associate shall inform the client that he/she may contact the supervisor for further information.

Stat. Auth.: ORS Ch.

Hist: PE 10, f. 4-10-75, ef. 5-11-75

Application for Functioning Without Immediate Supervision

858-10-150 A licensed Psychologist Associate may apply to the Board for authority to function without immediate and direct supervision. Normally such status will be granted only after at least three years of work as a licensed Psychologist Associate at a high level of demonstrated professional proficiency. The Board shall require an oral examination and evidence of such proficiency at the time the application is made. During the first year in which these procedures are in effect, applicants with ten or more years of experience in their area of specialty may apply directly for this status and take only one set of examinations. Until such permission is granted in writing, the Psychologist Associate shall not practice without immediate supervision, but shall at all times be under the direct supervision of a licensed psychologist, or person deemed equivalent by the Board, who shall continue to be responsible for the practice of the Associate.

Stat. Auth.: ORS Ch.

Hist: PE 10, f. 4-10-75, ef. 5-11-75

Procedures for Handling Complaints to the Board

Management of Complaints

858-10-200 It is the Board's intention to provide as fair and expeditious a response as possible to complaints it receives. The Board chairperson will refer any potential complaint to a Board member, or members, who will be responsible for coordinating any investigation of the complaint and for its preparation for presentation to the Board. The Board or its representatives may utilize other appropriate persons for investigation, may develop relevant information from all appropriate sources, and may work directly with the Board's counsel assigned by the Attorney General. Any Board member who may genuinely feel unable to render an impartial and objective decision will abstain from participation in the development of a case, its hearing, and any decision as to disposition. Should the Board, during its deliberations, desire additional legal counsel, it will be obtained through the Attorney General's office. In the following sections, "Board" refers to the entire Board or to its designated representative(s). All final dispositions will be reviewed by the entire Board.

Stat. Auth.: ORS Ch.

Hist: PE 11, f. 8-25-75, ef. 9-25-75

Complaints on Which the Board Can Act

858-10-205 Any person or group may initiate a complaint, providing only that they clearly identify themselves and are willing to be identified to the person about whom a complaint is made (hereafter referred to as the "respondent"). Any complaint submitted to the Board must be specific as to the action upon which the complaint is based and why this action is cause for a complaint. The Board will review and accept for consideration complaints which might affect the licensure of psychologists who are already licensed or are candidates for licensure, or which concern the possible practice of psychology by non-psychologists or unlicensed psychologists. Other types of complaints will be rejected, referred to other appropriate individuals or groups with the consent of the complainant, or will be informally handled by the Board.

Stat. Auth.: ORS Ch.

Hist: PE 11, f. 8-25-75, ef. 9-25-75

Form of Complaints

858-10-210 If the complaint is first made in verbal form, is tentative, or undocumented, the Board shall immediately request an explicit statement in writing, accompanied by documentation, or a signed complaint. The Board may advise a complainant about the nature and form of documentation required. Any and all complainants shall be advised that if a complaint is made, and the Board acts on the complaint, these allegations and the complainant's identity will be known to the respondent and his or her counsel, and the respondent's psychologist supervisor when such a relationship has been registered with the Board. They shall also be advised that they may be requested to appear at a formal hearing, which will be conducted according to the procedures outlined in ORS 183.310 to 183.500. If the complainant is a client or former client of the respondent, the complainant must sign a waiver of confidentiality allowing the Board and its counsel access to records and other materials which are the ethical and legal responsibility of the respondent. Refusal by a complainant to comply with these requirements will result in dismissal of the complaint.

If a Board member should become a complainant or a respondent, the same procedures will apply as would apply in any other case. The Board member will, in addition, abstain from any informal discussion of the complaint with the Board.

9

OREGON ADMINISTRATIVE RULES
CHAPTER 858, DIVISION 10 — BOARD OF PSYCHOLOGIST EXAMINERS

and will abstain from deliberations carried out by the Board. In other words, the Board member will become a "private citizen" in such a situation.

Stat. Auth.: ORS Ch.
Hist.: PE 11, f. 8-25-75, ef. 9-25-75

Notification of Respondent

858-10-215 If the preceding conditions have been met or consented to by the complainant, the Board will direct the Board's secretary to send a registered letter to the respondent stating in brief and general terms the nature of the charge and its source, and requesting information on which to be guided in its disposition of the complaint. When appropriate, waivers of confidentiality will be included with this letter. A written reply, accompanied by any documentation the respondent considers relevant, will be requested within 30 days.

Whenever a complaint is made against a person acting under the supervision of a licensed Psychologist, the supervisor shall be simultaneously notified of all communications, actions by the Board, etc., with the clear communication to him or her that a judgment against the supervisee may result in action affecting the licensure of the supervisor.

Should there be no reply from the respondent, a second letter noting the failure to reply and asking for an immediate response shall be sent, informing the respondent that the Board will have to reach a disposition decision without his/her information at its next regularly scheduled Board meeting. If there is no response, the Board will proceed to review the complaint and determine what action shall be taken. A formal hearing may be called even though there has been no response to the Board's requests.

If there is a reply from the respondent, it will be reviewed by the Board, in consultation with the Board's counsel when appropriate, and evaluated. Additional or more specific information may be requested when indicated. Materials may be accepted from the respondent, his/her counsel, and his/her supervisor. Written statements from any other persons should be accompanied by an explanation of their relevance to the matter under consideration.

Stat. Auth.: ORS Ch.
Hist.: PE 11, f. 8-25-75, ef. 9-25-75

Presentation to the Board

858-10-220 When all materials are assembled, the Board will review the file in consultation with the Board's counsel, if necessary. A determination will be made as to whether the case should be presented to the full Board for informal review and procedural decisions, or should be presented at a formal hearing. Either the designated Board member or the Board's counsel will ordinarily make formal presentations to the Board, following the procedures outlined in ORS 183.310 to 183.500, and shall clearly set forth the issues on which the Board should consider possible action. The complainant, respondent, and/or their legal advisors may attend informal reviews of the complaint upon request to the Board.

Stat. Auth.: ORS Ch.
Hist.: PE 11, f. 8-25-75, ef. 9-25-75

Board Action

858-10-225 (1) Informal disposition. When the Board determines, or determines in consultation with the Board's counsel, that a complaint does not warrant a formal hearing, a designated Board member or the Board secretary shall draw up appropriate communications to all parties involved in the action.

(2) Formal disposition. If the Board member and Board counsel determine that a complaint has sufficient substance to warrant formal review by the Board, a hearing shall be

scheduled and conducted according to ORS 183.310 to 183.500. The Board may conduct the hearing with its chairperson or vice-chairperson presiding, or with a hearings officer present and presiding. The Board may, however, elect to have the case heard by a hearings officer, and then review his/her findings and recommendations.

Upon completion of the hearing, the Board shall act to:

(a) Dismiss the complaint; or

(b) Deny, restrict, suspend, or revoke the respondent's license.

(3) A complaint about a licensed Psychologist Associate or unlicensed supervised Psychological Resident will be regarded as a simultaneous complaint about the Associate's or Resident's supervising licensed Psychologist. Action regarding the licensure status of one should be accompanied or closely followed by action regarding the licensure status of the other.

(4) A written summary of the Board's dispositional action and supporting rationale shall be provided within 30 days of a hearing to the complainant, respondent, respondent's registered psychologist supervisor, if any, and all involved attorneys. This summary, along with the record of a formal hearing, will become the basis for a statement of the Board's action and supportive rationale in the event of an appeal of the Board's ruling.

Stat. Auth.: ORS Ch.
Hist.: PE 11, f. 8-25-75, ef. 9-25-75

Board Records

858-10-230 If the Board determines to act to restrict, suspend, or revoke a license, notice to this effect will be placed in the current edition of the directory of licensed psychologists, and will remain there for the duration of the restrictive action, or for a period determined by the Board in the case of license revocation. Thereafter, inquiries about the respondent's status should be answered routinely by the Board's secretary with a simple report of the actions. Requests for additional information should be considered by the full Board, acting with the advice of its counsel. Individual Board members or their employees should abstain from discussion of details of complaints outside of the official activities described in these rules.

Stat. Auth.: ORS Ch.
Hist.: PE 11, f. 8-25-75, ef. 9-25-75

Disposition When Complaint Does Not Involve a Licensed Psychologist or Psychologist Associate

858-10-235 In cases which do not involve a currently-licensed Psychologist or Psychologist Associate or applicant for licensure, after steps set out in rules 858-10-200 through 858-10-215 where applicable have been followed, the Board may:

(1) Dismiss the complaint, notifying the complainant and the respondent of the action and reasons for it; or

(2) Refer the files to the District Attorney in the appropriate county, requesting investigation and disposition; or

(3) Initiate an injunction to prohibit the action considered to be in violation of ORS 675.

Stat. Auth.: ORS Ch.
Hist.: PE 11, f. 8-25-75, ef. 9-25-75

Board's Responsibility to the Public

858-10-240 The Board shall take responsibility for informing the public and the profession as to the ethics and nature of psychological activities. At such times and in such manner as the Board may deem appropriate, it should provide psychologists in the state, the general public, and particularly interested other groups with information about the nature of the licensure law, what may constitute violations of the law.

10 . . .

OREGON ADMINISTRATIVE RULES
CHAPTER 858, DIVISION 10 — BOARD OF PSYCHOLOGIST EXAMINERS

and how inquiry about possible violations or complaints may appropriately be made. When inquiry is made, the Board may informally comment on the probable legal status of an activity which falls or might fall under ORS 675, but it should refrain from any statement or action which might be construed as an official opinion.

Stat. Auth.: ORS Ch.
Hist: PE 11, f. 8-25-75, cf. 9-25-75

- n. Individual Differences _____
- o. Psychological Tests and Measurements _____

Total Credits in Basic Areas of Psychology: _____

3. ADDITIONAL COURSES CLAIMED TO BE FUNDAMENTALLY PSYCHOLOGICAL:

<u>Title of Course</u>	<u>University</u>	<u>No. of Credits</u>	<u>Comments</u>
_____	_____	_____	_____
_____	_____	_____	_____

Total Credits of additional courses claimed to be Psychological: _____

- 4. COURSES BY EXTENSION: Were any of the above courses taken by extension? Yes.
If so, indicate which ones under "Comments."

EDUCATIONAL RECORD IN PSYCHOLOGY

The above is a provisional form to be filled out by doctoral applicants for licensure in psychology in Oregon. The State Board of Psychologist Examiners has had some difficulty in the past with the question of who is a psychologist by training. The form is intended to clarify the educational background of applicants.

Statement concerning educational requirements and the definition of psychology:

A "doctoral degree in psychology from an accredited college or university" shall mean a Ph.D. in a graduate department of psychology accredited by the pertinent agencies of the American Association of Colleges and Universities. The Board may also, in its discretion, accept a Ph.D. or Ed.D. in a department other than psychology, provided that such a program is comparable to that offered in a graduate department of psychology. The program shall include at least 60 quarter hours or 40 semester hours of formal graduate study in psychology. These hours (in toto) shall be in no fewer than five of the basic areas of psychology listed in item 2 above, the achievement in each such course having been satisfactory and the instruction having been provided in the regular graduate program of a degree-granting institution recognized by the Board. The number of university extension credits that may be credited toward the requirement for the doctoral degree shall not exceed 15 quarter hours (10 semester hours).

INSTRUCTIONS: Use the official transcripts you are submitting to fill out the form. Note that the primary emphasis is on allocation of courses to the basic areas of psychology as defined above. Convert all credits to either semester or quarter units. For instance, if some are in semester credits, multiply the semester credits by 3/2 to convert them into quarter credits. If only a few are in quarter credits, multiply the quarter credits by 2/3 to convert them into semester credits. Round to the nearest integer. List only graduate courses.

In item 3 on the form you may add other courses for consideration as being fundamentally psychological. Do not list courses which are primarily of a nature that is education, sociology, business administration or other disciplines; the general character of the definition of psychology given above must be kept in mind. A small number of courses in statistics may be credited if these were used to fulfill requirements of the doctoral degree. For these additional courses, provide documentation as to the nature of the courses that make them primarily psychological, such as course description from official university catalogs, copy of course outline, textbooks used, or letters from the instructor or department head.

Please use additional sheets where necessary.

COMMENTS: The Board is trying to find ways to clearly differentiate between what is psychology and what is not psychology in training. Ideas and criticisms of this procedure and form would be welcome. Please attach any comments you may have.

NAME _____

Date _____

State Board of Psychologist Examiners
EDUCATIONAL RECORD IN PSYCHOLOGY

1. UNIVERSITIES AND CREDITS: (Please indicate Semester (sem) or Quarter (qtr) credits)

<u>Name of University</u>	<u>Kind of Credits</u>	<u>Name of University</u>	<u>Kind of Credits</u>
_____	_____	_____	_____
_____	_____	_____	_____

2. BASIC AREAS OF PSYCHOLOGY: (The following graduate courses are SEMESTER/QUARTER credits)

<u>Area</u>	<u>Title of Course</u>	<u>University</u>	<u>No of Credits</u>	<u>Comments</u>
a. Experimental Psychology	_____	_____	_____	_____
b. Statistical Methods	_____	_____	_____	_____
c. Research Design	_____	_____	_____	_____
d. Learning Theory	_____	_____	_____	_____
e. Physiological Psychology	_____	_____	_____	_____
f. Comparative Psychology	_____	_____	_____	_____
g. Motivation	_____	_____	_____	_____
h. Perception & Thinking	_____	_____	_____	_____
i. History & Systems	_____	_____	_____	_____
j. Developmental	_____	_____	_____	_____
k. Personality Theory	_____	_____	_____	_____
l. Abnormal Psychology	_____	_____	_____	_____
m. Social Psychology	_____	_____	_____	_____

OHIO - Please See page 5 of the Statutes
and pages 15, 16, & 17 of the regs

OHIO STATE BOARD OF PSYCHOLOGY

65 South Front Street — Room 507
Columbus, Ohio 43215
(614) 466-8898

OHIO PSYCHOLOGY LAW

Chapter 4732 of the Revised Code
Effective September 22, 1972

RULES GOVERNING PSYCHOLOGISTS

Chapter 4732 of the Administrative Code
Promulgated by the State Board of Psychology
Effective Dates: April 14, 1975
December 30, 1977
September 1, 1981

To supplement Sections 4732.01 to 4732.26 and Section 4732.99, inclusive, of the Revised Code of the State of Ohio, as provided for under the Administrative Procedure Act, Sections 119.01 through 119.13 of the Revised Code.

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Table of Contents

OHIO PSYCHOLOGY LAW

Section	Subject	Page
4732.01	Definitions	4
4732.02	Board Appointments	4
4732.03	Organization of the Board	4
4732.04	Bond for Board Secretary	5
4732.05	Expenses Reimbursement	5
4732.06	Office, Staff, Rules Authorization	5
4732.07	Public Records	5
4732.08	Receipts	5
4732.09	Application	5
4732.10 (B)	Requirements for Admission to Psychology Exam	5
4732.10 (C)	Requirements for Admission to School Psychology Exam	5
4732.11	Examination Procedures	5
4732.12	Licensure for Candidates Receiving Passing Score	6
4732.13	Current, Valid License to Practice Psychology or School Psychology	6
4732.14	License Renewal Procedure	6
4732.15 (A)	Licensure Consideration for Applicant Licensed in Another State	6
4732.15 (B) (1)	"Grandfather" Clause (application deadline 11/22/74)	6
4732.15 (B) (2)	"Grandfather" Clause (application deadline 11/22/76)	6
4732.15 (B) (3)	"Grandfather" Clause (application deadline 3/22/73)	6
4732.16	Reapplication When Denied under Section 4732.15	6
4732.17	Justification for Revocation, Suspension or Denial of a License	7
4732.18	Restoration of License	7
4732.19	Confidential Relations Between Psychologist or School Psychologist and Client	7
4732.20	Preclusion of Practice of Medicine; Consultative Relationship with Physician	7
4732.21 (A)	Preclusion of Offering or Rendering of Services as a Psychologist by an Unlicensed Person	7
4732.21 (B)	Preclusion of Offering or Rendering of Services as a School Psychologist by an Unlicensed Person	7
4732.22	Exemptions from Licensure Requirements	7
4732.23 (A)	Exemption for Federal Employees	8
4732.23 (B)	Exemption for "Licensed, Certified, or Registered" under Another Revised Code Provision	8
4732.23 (C)	Restriction of Offering Services of a Psychological Nature (Basis for "Hazardous Practice" Rules)	8
4732.24	Unlawful Practice of Psychology May Be Enjoined	8
4732.25	Distribution of Fines for Violation of Section 4732.21	8
4732.26	Fee Structure With Controlling Board Approval	8
4732.99	Fine or Imprisonment for Violation of Section 4732.21	8

RULES GOVERNING PSYCHOLOGISTS

Number	Title of Rule	Page
General Provisions		
4732-1-01	Board Meetings; Miscellaneous Forms of Public Notice	9
4732-1-02	Application for Licensure	10
4732-1-03	Fees	10
4732-1-04	Entrance Examiner	10
4732-1-05	License Certificate and Card	10
4732-1-06	Biennial Registration	10
4732-1-07	Board Hearings on Rules; Methods of Public Notice	11
4732-1-08	Personal Information Systems	11
Definitions		
4732-3-01	Definitions	12

Table of Contents

RULES GOVERNING PSYCHOLOGISTS (Cont.)

Number	Title of Rule	Page
Psychological Procedures Which Create a Serious Hazard to Mental Health and Require Professional Expertise in Psychology		
4732-5-01	Scope of Psychological Procedures Which Create a Serious Hazard to Mental Health and Require Professional Expertise in Psychology; Exemptions from Licensure Requirements	13
4732-5-02	Definitions Pertaining to Psychological Procedures Which Create a Serious Hazard to Mental Health and Require Professional Expertise in Psychology	14
4732-5-03	Judgment of the Board Regarding Psychological Procedures Which Create a Serious Hazard to Mental Health and Require Professional Expertise in Psychology	14
Reciprocity and Licensure Without Examination		
4732-7-01	Licensure for Applicants Licensed or Certified by Another Jurisdiction	14
4732-7-02	Licensure Without Examination for Applicants Possessing an Earned Doctoral Degree Who Apply on or Before November 22, 1974	14
4732-7-03	Licensure Without Examination for Applicants Possessing a Master's Degree Who Apply on or Before November 22, 1976	14
4732-7-04	Licensure Without Examination for Applicants Who Apply on or Before March 22, 1973	14
Requirements for Admission to the Licensure Examinations for Psychologists and School Psychologists		
4732-9-01	Requirements for Admission to the Examination for Psychologist License	15
4732-9-02	Requirements for Admission to the Examination for a School Psychologist License	17
4732-9-03	Computation and Attainment of Experience	18
Licensure Examinations		
4732-11-01	Licensure Examination Dates	19
4732-11-02	Notification to Applicants Eligible for Examination	19
4732-11-03	School Psychology and Psychology Examination Committees	19
4732-11-04	Subjects for the Examination for a Psychologist License	19
4732-11-05	Subjects for the Examination for a School Psychologist License	19
4732-11-06	Passing Scores for Licensure Examinations	19
4732-11-07	Applicants Who Fail the Examination	19
4732-11-08	Giving or Receiving Aid on the Examination	20
Supervisory Relationship		
4732-13-01	Scope of Supervision Rules	20
4732-13-02	Purposes of Supervision	20
4732-13-03	Requirements Pertaining to Supervision	20
Titles		
4732-15-01	Titles to be Used by Unlicensed Persons	22
Professional Conduct		
4732-17-01	General Rules for Professional Conduct, Pursuant to Division (G) of Section 4732.17 of the Revised Code	23
4732-17-02	Ethics Governing Research Insofar as Said Research Involves the Professional Practice of Psychology in Which Patient or Client Welfare is Directly Affected	25
4732-17-03	Consequence of Activities Listed in Section 4732.17 of the Revised Code; Opportunity for Appeal from Any Order of the State Board of Psychology	25
Enforcement and Discipline		
4732-19-01	Enforcement and Discipline	26
Independent Rules		
4732-21-01	Independent Rules	26

OHIO PSYCHOLOGY LAW — Chapter 4732 of the Revised Code (Amended Substitute Senate Bill No. 176) Effective September 22, 1972

To amend section 3319.22, and to enact sections 4732.01 to 4732.25, and section 4732.99 of the Revised Code to create a State Board of Psychology to license psychologists. (Regarding fees stated in law, see section 4732.26, effective October 28, 1977.)

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. That section 3319.22 be amended, and sections 4732.01, 4732.02, 4732.03, 4732.04, 4732.05, 4732.06, 4732.07, 4732.08, 4732.09, 4732.10, 4732.11, 4732.12, 4732.13, 4732.14, 4732.15, 4732.16, 4732.17, 4732.18, 4732.19, 4732.20, 4732.21, 4732.22, 4732.23, 4732.24, 4732.25, and 4732.99 of the Revised Code be enacted to read as follows:

Section 3319.22. [Pertains to issuance of teachers' certificates — includes school psychologists with pupil-personnel workers in subsection (K); otherwise, this section does not pertain to psychology]

Sec. 4732.01. As used in sections 4732.01 to 4732.25 of the Revised Code:

(A) "Psychologist" means any person who holds himself out to the public by any title or description of services incorporating the words "psychologic," "psychological," "psychologist," "psychology," or any other terms that imply he is trained, experienced, or an expert in the field of psychology.

(B) "The practice of psychology" means rendering or offering to render to individuals, groups, organizations, or the public any service involving the application of psychological procedures to assessment, diagnosis, prevention, treatment, or amelioration of psychological problems or emotional or mental disorders of individuals or groups; or to the assessment or improvement of psychological adjustment or functioning of individuals or groups, whether or not there is a diagnosable pre-existing psychological problem. Practice of psychology includes the practice of school psychology. For purposes of this chapter, teaching or research shall not be regarded as the practice of psychology, even when dealing with psychological subject matter, provided it does not otherwise involve the professional practice of psychology in which patient or client welfare is directly affected.

(C) "Psychological procedures" include but are not restricted to application of principles, methods, or procedures of understanding, predicting, or influencing behavior, such as the principles pertaining to learning, conditioning, perception, motivation, thinking, emotions, or interpersonal relationships; the methods or procedures of verbal interaction, interviewing, counseling, behavior modification, environmental manipulation, group process, psychological psychotherapy, or hypnosis; and the methods or procedures of administering or interpreting tests of mental abilities, aptitudes, interests, attitudes, personality characteristics, emotions, or motivation.

(D) "School psychologist" means any person who holds himself out to the public by any title or description of services incorporating the words "school psychologist" or "school psychology," or

who holds himself out to be trained, experienced, or an expert in the practice of school psychology.

(E) "Practice of school psychology" means rendering or offering to render to individuals, groups, organizations, or the public any of the following services:

(1) Evaluation, diagnosis or test interpretation limited to assessment of intellectual ability, learning patterns, achievement, motivation, or personality factors directly related to learning problems in an educational setting;

(2) Counseling services for children or adults for amelioration or prevention of educationally related learning problems;

(3) Educational or vocational consultation or direct educational services. This does not include industrial consultation or counseling services to clients undergoing vocational rehabilitation.

(F) "Licensed psychologist" means an individual holding a current, valid license to practice psychology issued under section 4732.12 or 4732.15 of the Revised Code.

(G) "Licensed school psychologist" means an individual holding a current valid license to practice school psychology issued under section 4732.12 or 4732.15 of the Revised Code.

(H) "Certificated school psychologist" means an individual holding a current, valid school psychologist certificate issued under division (K) of section 3319.22 of the Revised Code.

Sec. 4732.02. The Governor, with the advice and consent of the Senate, shall appoint a State Board of Psychology consisting of seven persons who are citizens of the United States and residents of this state. One member shall not be a psychologist or other health professional. Each of the remaining members shall be a licensed psychologist. Of the original members, two shall be appointed for one year terms, one for two years, two for three years, one for four years, and one for five years. Thereafter, terms of office shall be for five years, commencing on the sixth day of October and ending on the fifth day of October. Each member shall hold office from the date of his appointment until the end of the term for which he was appointed. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall hold office for the remainder of such term. Any member shall continue in office subsequent to the expiration date of his term until his successor takes office or until a period of sixty days has elapsed, whichever occurs first. No person shall be appointed to more than two five-year terms in succession. The psychologist members of the Board shall be so chosen that they represent the diverse fields of specialization and practice in the profession of psychology. The Governor may make such appointments from lists submitted annually by the Ohio Psychological Association and by the Ohio School Psychologists Association. A vacancy in an unexpired term shall be filled in the same manner as the original appointment. The Governor may remove any member for malfeasance, misfeasance, or nonfeasance after hearing in accordance with Chapter 119. of the Revised Code.

Sec. 4732.03. The State Board of Psychology shall organize within thirty days after its members have

been appointed by the Governor. The Board shall elect a President and a Secretary from its members to serve for terms of one year. The President and the Secretary may administer oaths. A majority of the Board constitutes a quorum. The Secretary shall be compensated for his necessary expenses incurred in the performance of his official duties.

Sec. 4732.04. The Secretary of the State Board of Psychology shall give a bond to the state in the sum of ten thousand dollars, with two or more sureties approved by the Board, conditioned upon the faithful discharge of the duties of his office. Such bond shall be deposited with the Secretary of State.

Sec. 4732.05. The members of the State Board of Psychology shall receive an amount fixed under division (J) of section 124.15 of the Revised Code for each day employed in the discharge of their official duties, and their necessary expenses while engaged therein.

Sec. 4732.06. The principal office of the State Board of Psychology shall be in Columbus, but it may meet or conduct business at any place in this state. The Board may empower any one or more of its members to conduct any proceeding, hearing, or investigation necessary to its purposes. The Board shall meet at least twice annually and at such other times as it determines. Special meetings may be called by the President and shall be called by the Secretary upon the written request of two members.

The Board shall make such rules as are necessary to conduct its business.

The Board may employ such assistants and clerical help as are necessary to administer and enforce this chapter.

Sec. 4732.07. The State Board of Psychology shall keep a record of its proceedings and a register of applicants for licenses. The books and records of the Board shall be prima-facie evidence of the matters therein contained. Such records shall include applicants' written examination papers.

Sec. 4732.08. All receipts of the State Board of Psychology from any source shall be deposited in the State Treasury to the credit of the General Revenue Fund.

Sec. 4732.09. Each person who desires to practice psychology or school psychology shall file with the Secretary of the State Board of Psychology a written application, under oath, on a form prescribed by the Board.

Sec. 4732.10. (A) The State Board of Psychology shall appoint an Entrance Examiner who shall determine the sufficiency of an applicant's qualifications for admission to the appropriate examination.

(B) Requirements for admission to examination for a psychologist license shall be that the applicant:

- (1) is at least twenty-one years of age;
- (2) is of good moral character;
- (3) is a citizen of the United States or has legally declared his intention of becoming such;
- (4) has received from an educational institution accredited or recognized by national or regional accrediting agencies as maintaining satisfactory

standards an earned doctoral degree in psychology, school psychology, or a doctoral degree deemed equivalent by the Board;

(5) has had at least two years of supervised professional experience in psychological work of a type satisfactory to the Board, at least one year of which must be postdoctoral.

The Board shall maintain a record of each specific degree program which it recognizes as acceptable for fulfilling the requirement of division (B) (4) of this section and shall adopt guidelines for the kind of supervised professional experience which fulfill the requirement of division (B) (5) of this section.

(C) Requirements for admission to examination for a school psychologist license shall be that the applicant:

(1) has received from an educational institution accredited or recognized by national or regional accrediting agencies as maintaining satisfactory standards, including those approved by the State Board of Education for the training of school psychologists, at least a master's degree in school psychology, or a degree considered equivalent by the Board;

(2) is at least twenty-one years of age;

(3) is of good moral character;

(4) is a citizen of the United States or has legally declared his intention of becoming such;

(5) has completed at least sixty quarter hours, or the semester hours equivalent, at the graduate level, of accredited study in course work relevant to the study of school psychology;

(6) has completed an internship in an educational institution approved by the Ohio Department of Education for school psychology supervised experience or one year of other training experience acceptable to the Board, such as supervised professional experience under the direction of a licensed psychologist or licensed school psychologist;

(7) furnishes proof of at least twenty-seven months, exclusive of internship, of full-time experience as a certificated school psychologist employed by a board of education or a private school meeting the standards prescribed by the State Board of Education, or of experience which the Board deems equivalent.

(D) If the Entrance Examiner finds that the applicant meets the requirements set forth in this section, the applicant shall be admitted to the appropriate examination.

Sec. 4732.11. License examinations shall be conducted under rules prescribed by the State Board of Psychology. Each applicant shall be examined for knowledge in whatever theoretical or applied fields of psychology the Board considers appropriate. The examination for the school psychologist license shall be prepared and administered by a School Psychology Licensing Committee responsible to the Board and consisting of five licensed school psychologists or licensed psychologists who shall be certificated school psychologists appointed by the Board for staggered five-year terms, according to rules adopted by the Board.

Examinations shall be given at least twice annually at such time and place and under such supervision as the Board prescribes. Except as provided in section 4732.16 of the Revised Code, each applicant shall pay an application and license fee established by the Board of not less than fifty nor more than

100 dollars, no part of which shall be returned. If an applicant fails an examination, he may be admitted, after no less than six months, to a subsequent examination upon payment of an additional fee as established by the Board. After failing three examinations, a person is not eligible for licensure until he completes such additional training as the Board prescribes.

Sec. 4732.12. The State Board of Psychology shall grade examinations conducted under section 4732.11 of the Revised Code and uniformly apply such standards as it considers appropriate in determining the level of competence necessary for a passing score. The level of competence necessary for a passing score for the school psychologist examination shall be determined by the School Psychology Examining Committee. If an applicant passes the examination and has paid the required fee, the Board shall issue the appropriate license.

Sec. 4732.13. A license issued by the State Board of Psychology shall remain in effect until suspended or revoked. A current, valid psychologist license shall entitle the holder to practice psychology. A current, valid school psychologist license shall entitle the holder to practice school psychology.

Sec. 4732.14. On or before the thirty-first day of August of each even-numbered year, each person licensed by the State Board of Psychology shall register with the Board on a form prescribed by the Board, giving his name, address, license number, and such other reasonable information as the Board requires, and pay to the Board Secretary a biennial registration fee in the amount determined by the Board, but not to exceed 100 dollars. A person licensed for the first time on or before the thirty-first day of August of an even-numbered year shall next be registered on or before the thirty-first day of August of the next even-numbered year. Before the first day of August of each even-numbered year, the Secretary shall send a notice to each licensed psychologist and licensed school psychologist, whether a resident or not, at his last known address, that his biennial registration fee is due on or before the last day of August. Before the fifteenth day of September of such years, the Secretary shall send a second notice to each such person who has not paid his registration fee as required by this section. A license of any licensed psychologist or licensed school psychologist shall automatically be suspended if the biennial registration fee is not paid on or before the thirtieth day of September of a renewal year. Within five years thereafter, the Board may reinstate any license so suspended upon payment of the current registration fee and a penalty not to exceed fifty dollars, as determined by the Board. The Board may by rule waive the payment of the registration fee of a licensed psychologist or licensed school psychologist when he is on active duty in the armed forces of the United States.

Each licensed psychologist and licensed school psychologist shall notify the Secretary of any change in his office address or employment within ninety days of such change.

Sec. 4732.15. (A) Upon application by a psychologist or school psychologist licensed or certified by the licensing department of another state, a territory, or the District of Columbia, or a psychologist or school psychologist holding a diploma issued by

the American Board of Professional Psychology, who wishes to remove to this state to practice, the State Board of Psychology may issue a license to practice psychology or school psychology without requiring the applicant to submit to examination, provided he meets the requirements for entrance to the appropriate examination under section 4732.10 of the Revised Code. Application shall be made on a form prescribed by the Board.

(B) The Board shall issue a license without examination:

(1) to any person who makes application for a license as a psychologist within two years and two months after the effective date of this section and who meets the requirements of division (B) of section 4732.10 of the Revised Code; [deadline November 22, 1974]

(2) to any person who;

(a) is a resident on the effective date of this act and makes application for a license as a psychologist within four years and two months after such date; [deadline November 22, 1976]

(b) meets the requirements of division (B) (1), (2), and (3) of section 4732.10 of the Revised Code;

(c) possesses a master's degree in psychology or school psychology from an educational institution accredited or recognized by national or regional accrediting agencies as maintaining satisfactory standards, or a master's degree which in the opinion of the Board is the equivalent thereof and has subsequently engaged in psychological work of a type satisfactory to the Board for at least four years prior to the date application is filed.

The equivalent of four school years of full-time employment by a board of education in the practice of school psychology or by a private school meeting the standards prescribed by the State Board of Education under division (D) of section 3301.07 of the Revised Code after certification as a school psychologist shall satisfy the experience requirements of this section. The equivalent of one year of internship or clerkship training in a program acceptable to the State Board of Psychology and subsequent to the master's degree shall be applied toward the four-year experience requirement.

(3) to any person who:

(a) is a resident on the effective date of this section and makes application for a license as a psychologist within six months after such date; [deadline March 22, 1973]

(b) does not meet the requirements of divisions (B) (1) and (B) (2) of this section;

(c) has, in the opinion of the State Board of Psychology, had appropriate experience in the practice of psychology and demonstrates to the Board's satisfaction professional competence in the practice of psychology. The Board may use records, interviews, letters of reference, or formal evaluation, including examination, to assess such applicant's level or competence.

Sec. 4732.16. Each applicant under section 4732.15 of the Revised Code shall pay a fee established by the State Board of Psychology of not less than fifty or more than 100 dollars, no part of which shall be returned. An applicant who is denied licensure under section 4732.15 of the Revised Code may apply for licensure under section 4732.10 of the Revised Code within one year from the date of the denial and upon payment of a fee (up to) 25 dollars.

Sec. 4732.17. The State Board of Psychology may refuse to issue a license to any applicant, may issue a reprimand, or suspend or revoke the license of any licensed psychologist or licensed school psychologist, on any of the following grounds:

(A) conviction of a felony, or any offense involving moral turpitude, in a court of this or any other state or in a federal court;

(B) using fraud or deceit in the procurement of the license to practice psychology or school psychology or knowingly assisting another in the procurement of such a license through fraud or deceit;

(C) accepting commissions or rebates or other forms of remuneration for referring persons to other professionals;

(D) willful unauthorized communication of information received in professional confidence;

(E) being negligent in the practice of psychology or school psychology;

(F) using any controlled substance or alcoholic beverage to an extent that such use impairs his ability to perform the work of a psychologist or school psychologist with safety to the public;

(G) violating any rule of professional conduct promulgated by the Board;

(H) practicing in an area of psychology for which the person is clearly untrained or incompetent;

(I) an adjudication by a court, as provided in section 5122.301 of the Revised Code, that the person is incompetent for the purpose of holding the license. Such person may have his license issued or restored only upon determination by a court that he is competent for the purpose of holding the license and upon the decision by the Board that such license be issued or restored. The Board may require an examination prior to such issuance or restoration.

Before the Board may deny, suspend, or revoke a license under this section, or otherwise discipline the holder of a license, written charges shall be filed with the Board by the Secretary and a hearing shall be had thereon in accordance with Chapter 119. of the Revised Code.

Sec. 4732.19. At any time after the suspension or revocation of license, the State Board of Psychology may restore the license upon the written finding by the Board that circumstances so warrant. The Board may require an examination of the applicant before such restoration.

Sec. 4732.19. The confidential relations and communications between a licensed psychologist or licensed school psychologist and client are placed upon the same basis as those between physician and patient under division (B) of Section 2317.02* of the Revised Code. Nothing in this chapter shall be construed to require any such privileged communication to be disclosed.

*2317.02, Ohio Revised Code: The following persons shall not testify in certain respects: . . . (B) A physician concerning a communication made to him by his patient in that relation or his advice to his patient but the physician may testify by express consent of the patient or if the patient is deceased by the express consent of the surviving spouse or the executor or administrator of the estate of such deceased patient or if the patient voluntarily testifies the physician may be compelled to testify on the same subject, or if the pa-

tient, his executor or administrator, files a medical claim, as defined in division (D) (3) of section 2305.11 of the Revised Code, such filing shall constitute a waiver of this privilege with regard to the care and treatment of which complaint is made. The provisions of this division apply to doctors of medicine, doctors of osteopathic medicine, and doctors of podiatric medicine.

Sec. 4732.20. This chapter does not authorize any person to engage in any of the acts which are regarded as practicing medicine under section 4731.34 of the Revised Code. In order to make provision for the diagnosis and treatment of medical problems, a licensed psychologist engaging in psychological psychotherapy with clients shall maintain a consultative relationship with a physician licensed to practice medicine by this state. The practice of psychology, the practice of school psychology, or the use of psychological procedures does not include the diagnosis or correction of optical defects or conditions through the utilization of optical principles, including optical devices or orthoptics.

Sec. 4732.21. (A) On and after December 1, 1972, no person who is not a licensed psychologist shall offer or render services as a psychologist or otherwise engage in the practice of psychology for a compensation or other personal gain.

(B) On and after December 1, 1972, no person who is not a licensed psychologist or a licensed school psychologist shall offer or render services as a school psychologist or otherwise engage in the practice of school psychology for a compensation or other personal gain.

Sec. 4732.22. The following persons are exempted from the licensing requirements of this chapter:

(A) A certificated school psychologist, while practicing school psychology within the scope of his employment by a board of education or by a private school meeting the standards prescribed by the State Board of Education under division (D) of section 3301.07 of the Revised Code, or while acting as a school psychologist within the scope of his employment in a program for trainable mentally retarded children established under Chapter 3323. or 5126. of the Revised Code. A person exempted under this division shall not offer psychological services to any other individual, organization, or group for remuneration, monetary or otherwise, unless he is licensed by the State Board of Psychology.

(B) Any nonresident temporarily employed in this state to render psychological services for not more than thirty days a year who, in the opinion of the Board, meets the standards for entrance in division (B) of section 4732.10 of the Revised Code, and who holds whatever license or certificate, if any, is required for such practice in his home state or home country.

(C) Any person employed by a licensed psychologist or licensed school psychologist, while carrying out specific tasks, under the licensee's supervision, as an extension of the licensee's legal and ethical authority as specified under this chapter. All fees shall be billed under the name of the licensee, and the employee shall not represent himself to the public as a psychologist or school psychologist although supervised persons and persons in training

may be ascribed such titles as "psychology trainee," "psychology assistant," "psychology intern," or other appropriate term that clearly implies their supervised or training status.

(D) Unlicensed person holding a master's degree or doctoral degree in psychology from a program approved by the Board while working under the supervision of a licensed psychologist. The Board shall establish rules governing such supervisory relationship which shall include a regulation requiring registration with the Board of such unlicensed person.

(E) Any student in an accredited educational institution, while carrying out activities that are part of his prescribed course of study, provided such activities are supervised by a professional person who is qualified to perform such activities and is licensed under this chapter or is exempted under division (F) or (G) of this section or division (B) or (D) of section 4732.23 of the Revised Code. Such student shall hold himself out to the public only by clearly indicating his student status and the profession in which he is being trained.

(F) Duly ordained ministers while functioning in their ministerial capacity.

(G) Qualified social workers while functioning in their capacity as social workers.

Sec. 4732.23. Nothing in this chapter shall:

(A) be construed to limit the activities, services, and use of official title on the part of a person in the employ of the federal government insofar as such activities are a part of the duties of his position;

(B) restrict persons licensed, certified, or registered under any other provision of the Revised Code from practicing those arts and utilizing psychological procedures that are allowed and within the standards and ethics of their profession or within new areas of practice that represent appropriate extensions of their profession, provided they do not hold themselves out to the public by the title of psychologist;

(C) restrict any person in any capacity from offering services of a psychological nature, provided they neither hold themselves out to the public by the title of psychologist or school psychologist nor utilize psychological procedures that the State Board of Psychology judges by uniform rule in accordance with Chapter 119. of the Revised Code to

be a serious hazard to mental health and to require professional expertise in psychology;

(D) be construed as restricting the use of the term "social psychologist" by any person who has an earned doctoral degree in social psychology or in sociology with a social psychology major, from a sociology or social psychology department of an educational institution accredited or recognized by national or regional accrediting agencies as maintaining satisfactory standards, and who has filed with the State Board of Psychology the facts demonstrating his possession of such a degree.

Sec. 4732.24. On complaint by the State Board of Psychology, the unlawful practice of psychology or school psychology may be enjoined by the common pleas court of the county in which such practice is occurring.

Sec. 4732.25. All fines collected for violation of section 4732.21 of the Revised Code shall be distributed as follows:

(A) one half to the State Board of Psychology;

(B) one half to the municipal corporation in which the offense was committed or, if the offense was committed outside a municipal corporation, to the county in which the offense was committed.

Money received by a municipal corporation or a county shall be paid into its general fund and may be used for any lawful purpose.

Sec. 4732.26. The Board of Psychology directors, subject to the approval of the Controlling Board, may establish fees in excess of the amounts provided by sections 4732.01 to 4732.99 of the Revised Code, provided that such fees do not exceed the amounts permitted by those sections by more than fifty percent. (Am. Sub. H. B. 618, effective October 28, 1977)

Sec. 4732.99. Whoever violates section 4732.21 of the Revised Code shall be fined not less than one hundred dollars nor more than five hundred dollars or imprisoned for not less than six months nor more than one year, or both. Each violation shall be a separate offense.

Filed in the office of the Secretary of State at Columbus, Ohio, on the 23rd day of June, A.D. 1972.

Effective September 22, 1972.

RULES GOVERNING PSYCHOLOGISTS

(Effective dates — April 14, 1975; December 30, 1977, and September 1, 1981)

4732-1-01. Board Meetings; Miscellaneous Forms of Public Notice

(A) Any person may ascertain the time and place of any Individual regularly scheduled meeting, as well as the time, place and purpose of any individual special meeting, by:

(1) Writing to the board address and enclosing a self-addressed, business-size (at least four inches by nine and one-half inches) envelope which has affixed to it the equivalence of first-class United States postage at the time of the request and appropriate for mailing that enclosed envelope. Such person requesting the above-mentioned information as to either an Individual regularly scheduled meeting or an Individual special meeting shall mail his request sufficiently early in time as to allow the board and its staff two weeks before such regular or special meeting, within which to process such request. The present address is: "State Board of Psychology, Public Notifier, 65 South Front Street — Room 507, Columbus, Ohio 43215." Failure of the requesting party to comply with any of the above requirements relieves the board of any obligation to notify such person under paragraph (A) (1) of this rule.

(2) Calling the office of the state board of psychology [present telephone number being (614) 466-8808] during normal business hours, which are from eight a.m. to four-thirty p.m., Monday through Friday, legal holidays excepted. No collect calls will be accepted under any circumstances.

(3) Consulting a binder located in the offices of the board, presently in the "Ohio Departments Building, 65 South Front Street — Room 507, Columbus, Ohio," during normal business hours, which are from eight a.m. to four-thirty p.m., Monday through Friday, legal holidays excepted.

(B) Any representative of the news media may obtain twenty-four hours' advance notice of all special meetings, except in the event of an emergency requiring immediate official action, by requesting in writing, in the manner designated, that such notice be provided. Such notice will be given, however, to only one representative of any particular publication or radio or television station. A request for such notification shall be addressed to: "State Board of Psychology, Public Notifier, 65 South Front Street — Room 507, Columbus, Ohio 43215."

(1) Such a written request for advance notice of all special meetings shall operate to require the board to give such notice for the period of time subsequent to the date of receipt by the board of such request: and

(a) Ending at one minute after midnight on the first day of January immediately succeeding such request; or

(b) Until such requesting person notifies the board in writing that he has left the employ of the particular publication, radio or television station, whichever period is shorter.

(2) The request shall provide the name of the individual media representative to be contacted, his mailing address and a maximum of two telephone numbers where he can be reached. The state board of psychology shall maintain a list of all representatives of the news media who have requested notice of special meetings pursuant to paragraph (B) of this rule.

(3) In the event of a special meeting not of an emergency nature, the state board of psychology shall notify all media representatives on the list of such meeting by doing at least one of the following:

(a) Sending written notice, which must be mailed no later than four calendar days prior to the day of the special meeting;

(b) Notifying such representatives by telephone no later than twenty-four hours prior to the special meeting: such telephone notice shall be complete if a message has been left for the representative, or if, after reasonable effort, the state board of psychology has been unable to provide such telephone notice;

(c) Informing such representative personally no later than twenty-four hours prior to the special meeting. Nothing in this paragraph shall require the board to provide personal notification at any time, except as provided in paragraph (B) (4) of this rule.

(4) In the event of a special meeting of an emergency nature, the state board of psychology shall immediately notify all media representatives on the list of such meeting.

(5) In giving the notices required by paragraph (B) (3) or (B) (4) of this rule, the state board of psychology may rely on assistance provided by any member of its staff and such notice is complete if given by such member in the manner provided in paragraph (B) (3) or (B) (4) of this rule.

(6) It shall be the sole responsibility of the particular media representative, publication, radio or television station to advise the board of:

(a) Its desire to renew its request for notification at the expiration of the period designated in paragraph (B) (1) of this rule; and

(b) Any change in the name or address of the person within such publication, radio or television station to whom the board is to direct the advance notice.

(7) Failure of any news media or representative thereof to comply with all of the above requirements shall relieve the board of any obligation under paragraph (B) of this rule, as to advance notice of any type of special public meeting.

(8) Any media representative may request notice of the time and place of all regularly scheduled meetings in accordance with paragraph (C) of this rule.

(C) Any person may, upon payment of an annual fee to be set once a year on an estimated cost per service basis, receive notice of all meetings of the board or its committees at which specific subject matters designated by such persons are scheduled to be discussed. In order to receive notification, such person must provide to the board, annually, fifteen self-addressed, business-size (at least four inches by nine and one-half inches) stamped envelopes for the mailing of the notices. Such notice shall be mailed no later than seven calendar days prior to the day of the meeting. Said self-addressed, business-size envelopes shall have affixed to them the equivalence of first-class United States postage appropriate for mailing the enclosed envelopes at the time of the request. The board may designate more general subject matters than are specified by persons requesting notice, in order to reasonably limit the variety of lists or persons to receive notices.

(1) It shall be the sole responsibility of any person requesting notice to provide the board with ample written notice of change of address or name.

(2) Such person requesting the notification provided in paragraph (C) of this rule shall mail the payment and requisite self-addressed envelopes sufficiently early in time to allow the board and its staff two weeks before the next regularly scheduled meeting or special meeting, within which to process such request.

(3) Said annual fee shall be remitted to the board solely in the following manner: cashier's check, money order, or certified check. No cash will be accepted. Said instruments shall be made payable to "Treasurer, State of Ohio." Said annual fee is nonrefundable in whole or in part.

(4) Failure of the person making request to comply with any of the above requirements shall relieve the board of, and discharge, any obligation to that person under paragraph (C) of this rule.

(5) The obligation of the board under paragraph (C) of this rule to each person fully complying with said paragraph, for each individual regularly scheduled or special meeting, shall also be deemed discharged upon mailing of notice of said meeting to the most current mailing address and name on file with the board for this purpose, as of seven days prior to the particular regularly scheduled or special meeting.

(D) The unapproved minutes of a regularly scheduled or special meeting shall be recorded and open to public inspection in the manner provided for in paragraph (A) (3) of this rule, within ten business days after their recodation. Within ten business days after their approval by the board, the approved minutes of a regularly scheduled or special meeting shall be substituted for the unapproved minutes, and the former shall be open for public inspection in the manner provided for in paragraph (A) (3) of this rule.

Effective September 1, 1981

4732-1-02. Application for Licensure

(A) All applicants for licensure as a psychologist or school psychologist shall file with the secretary of the board a written application, under oath and duly notarized, on a form prescribed by the board.

(B) When the application is for admission to examination as provided for in section 4732.10 of the Revised Code, all documents required to be filed by the applicant should be filed no later than two months prior to the first day of the examination month; otherwise the board is not obligated to process the application in time to admit the applicant to the next examination.

(C) All applications for a license to practice psychology or school psychology shall be accompanied by:

(1) The grade transcripts from all graduate universities or colleges which the applicant has attended, said transcripts bearing the official seal of the college or university. Said transcripts are to be sent directly to the board office by the college or university.

(2) Notarized statements from those persons who have supervised the applicant's professional work experience in psychology or school psychology; said statements shall set forth the supervisor's own qualifications, his familiarity with the applicant, the extent of his supervision over such applicant, and

his evaluation of the applicant. Exception: In the case of a certificated school psychologist who is working toward admission to the examination for a school psychologist license under division (C) of section 4732.10 of the Revised Code and who is employed by a board of education or by a private school meeting standards prescribed by the state board of education, the superintendent or other similar official verifies in a notarized statement the term of employment of said school psychologist. Effective December 30, 1977

4732-1-03. Fees

Fees provided for throughout Chapter 4732. of the Revised Code shall be established by the board in the amounts not to exceed the maximum allowable pursuant to section 4732.26 of the Revised Code. Current fees on the effective date of this rule are subject to change by action of the board, the controlling board, and/or the general assembly. Information about fees may be obtained by writing or calling the board office. Such fees, for which checks are made payable to "Treasurer, State of Ohio" but are mailed to the board at the board address, include:

(A) Application and license fee — seventy-five dollars;

(B) Biennial registration (renewal) fee — seventy-five dollars, unless the fee is waived according to rule 4732-1-06 of the Administrative Code;

(C) Fee for reinstatement of a license — biennial registration fee of seventy-five dollars plus a penalty fee of fifteen dollars;

(D) Fee for retaking the objective part of the school psychology examination — ten dollars;

(E) Fee for retaking the essay part of the school psychology examination — sixty-five dollars;

(F) Fee for retaking the oral examination — thirty dollars.

Effective September 1, 1981

4732-1-04. Entrance Examiner

The individual appointed as the entrance examiner shall preliminarily determine whether an applicant qualifies for admission to the appropriate licensure examination as described in rules 4732-9-01 and 4732-9-02 of the Administrative Code. In performing such function, the entrance examiner shall determine the sufficiency of the applicant's qualifications by evaluating said qualifications in light of the requirements set forth in Chapter 4732. of the Revised Code and the rules adopted thereunder. Applicants who are licensed or certified by another jurisdiction shall meet requirements for admission to the appropriate licensure examination in order to receive favorable consideration of the board (also see rule 4732-7-01 of the Administrative Code). Effective September 1, 1981

4732-1-05. License Certificate and Card

Each person licensed by the Board may and should display his license certificate and current license card at his principal place of business.

Effective April 14, 1975

4732-1-06. Biennial Registration

(A) Each person licensed as a psychologist or as a school psychologist shall register with the board on a biennial basis pursuant to section 4732.14 of the Revised Code. A notice is mailed to the last known

address of each licensee, and such registration requires completion of a form for general, reasonable information and payment of the biennial registration fee by the thirtieth day of September of each even-numbered year which follows the licensure year. The board hereby waives the registration fee of a licensed psychologist or a licensed school psychologist during such time as said licensee is on active duty in national service with the armed forces of the United States, peace corps, VISTA, or other national service as deemed appropriate by the board.

(B) Any license suspended pursuant to section 4732.14 of the Revised Code may be reinstated by the board within five years of such suspension, on request of the suspended licensee. Consideration of reinstatement requires:

(1) Payment of the biennial registration fee in effect at the time of the request for reinstatement plus the penalty fee. No part of these fees is refundable, regardless of the outcome of the request for reinstatement; and

(2) Approval by the board of the suspended licensee's notarized statement describing his psychological activities since the date of suspension of the license; and

(3) Passing an oral examination administered under the direction of the board. Said oral examination may include, but not be limited to:

(a) Chapter 4732. of the Revised Code; and

(b) Rules of the state board of psychology (rules 4732-1-01 to 4732-21-01 of the Administrative Code); and

(c) Ethical principles and standards of the profession of psychology as published by the "American Psychological Association"; and

(d) Content questions in the suspended licensee's declared area(s) of specialty.

Effective September 1, 1981

4732-1-07. Board Hearings on Rules: Methods of Public Notice

(A) Pursuant to Chapter 119. of the Revised Code and prior to the adoption, amendment, or rescission of any rule by the state board of psychology, public notice thereof shall be given at least thirty days prior to the date set for the public hearing, by advertising in one newspaper of general circulation in any five of the following named cities: Akron, Cincinnati, Cleveland, Columbus, Dayton, Toledo, and Youngstown. Such notice shall include:

(1) A statement of the board's intentions to consider adoption, amendment, or rescission of a rule;

(2) A synopsis of the proposed rule, amendment, or rescission thereof or a general statement of the subject matter to which the proposed rule relates; and

(3) The date, time and place of the public hearing on said proposed action.

(B) Any person may request a copy of the public notice required in paragraph (A) of this rule and a copy of any rules which are under consideration as proposed, amended, and/or rescinded rules by writing to the board address (presently "State Board of Psychology, 65 South Front Street — Room 507, Columbus, Ohio 43215"), no later than two weeks prior to the public hearing date, and enclosing only unused, United States postage stamps (in the denomination used for one ounce of first class mail at the time of the request, or a

smaller denomination) equivalent in value to at least two dollars to minimally cover the cost of copying and mailing. No cash and no check will be acceptable as a substitute.

Effective September 1, 1981

4732-1-08. Personal Information Systems

(A) The board shall appoint one employee to be directly responsible for each personal information system maintained by the state board of psychology. Said employee shall:

(1) Inform other employees who have any responsibility for the operation or maintenance of said system, or for the use of personal information maintained in the system, of the applicable provisions of Chapter 1347. of the Revised Code and the rules adopted thereunder; and

(2) Inform a person who is asked to supply personal information for a system whether the person is legally required to, or may refuse to, supply the information; and

(3) Assure the collection, maintenance and use of only personal information which is necessary and relevant to the functions the board is required or authorized to perform by statute, ordinance, code, or rule; and

(4) Provide a person, who is asked to supply personal information that will be placed in an interconnected or combined system, with information relevant to the system, including the identity of the other agencies or organizations that have access to the information in the system; and

(5) Allow the person who is the subject of a record in a personal information system to inspect the record pursuant to section 1347.08 of the Revised Code. Upon the request and the proper identification of the person, the employee shall:

(a) Inform the person of any personal information in the system of which he is the subject;

(b) Except as provided in divisions (C), (E) (2) and (F) of section 1347.08 of the Revised Code, permit the person, his legal guardian, or an attorney who presents a signed, written authorization made by the person to inspect all personal information in the system of which he is the subject;

(c) Inform the person about the types of uses made of the personal information, including the identity of any user usually granted access to the system;

(d) Allow a person who wishes to exercise a right provided by this paragraph to be accompanied by another individual of his choice;

(e) Provide, upon request, copies of any personal information the person is authorized to inspect. Reasonable charges are made for providing requested copies, with information about such charges being available by writing or calling the board office;

(6) Investigate disputes to the accuracy, relevance, timeliness or completeness of personal information pursuant to section 1347.09 of the Revised Code.

(B) The board shall reprimand in writing any employee who initiates or otherwise contributes to any disciplinary or other punitive action against any individual who brings to the attention of appropriate authorities, the press, or any member of the public, evidence of unauthorized use of information contained in the system. A copy of such reprimand shall be entered in the employee's personnel file in the board office.

(C) The board shall monitor the accuracy, relevance, timeliness, and completeness of the personal information in the system and,

(1) In accordance with procedures, maintain the personal information in the system with the accuracy, relevance, timeliness, and completeness that is necessary to assure fairness in any determination made with respect to a person on the basis of the information, eliminating information that is no longer necessary; and

(2) If a person who is the subject of personal information in a personal information system disputes the accuracy, relevance, timeliness or completeness of the personal information and requests the board to investigate the current status of the information, the board shall:

(a) Within ninety days after receiving the request from the disputant, make a reasonable investigation to determine whether the disputed information is accurate, relevant, timely, and complete; and

(b) Notify the disputant of the results of the investigation and of the action the board plans to take with respect to the disputed information; and

(c) Delete any information that it cannot verify or that it finds to be inaccurate; and

(d) Permit the disputant, if he is not satisfied with the board's determination, to include within the system:

(i) A brief statement of his position on the disputed information, such statement being limited to one hundred words with the board assisting the disputant to write a clear summary of the dispute; or

(ii) A notation that the disputant protests that the information is inaccurate, irrelevant, outdated, or incomplete; with the board maintaining a copy of the disputant's statement of the dispute.

(D) The board shall not place personal information into an interconnected and combined system, or use personal information that is placed into such a system by another state or local agency or another organization, unless such system will contribute to the efficiency of the involved agencies in implementing programs that are authorized by law.

(E) The board shall not use personal information placed into an interconnected or combined system by another state or local agency or another organization, unless the personal information is necessary and relevant to the performance of a lawful function of the board.

Effective September 1, 1981

4732-3-01. Definitions

(A) The terms "psychologist," "the practice of psychology," "psychological procedures," "school psychologist," "practice of school psychology," "licensed psychologist," "licensed school psychologist," and "certificated school psychologist" shall, for the purposes of these rules, have the same meanings as are set forth for each under section 4732.01 of the Revised Code.

(B) "Consultative relationship" with medical physician (as used in section 4732.20 of the Revised Code).

(1) Nothing in the specific rules below shall be interpreted to imply that the medical doctor is to supervise the licensed psychologist or licensed school psychologist or that the medical doctor shall have referred the patient to the licensed psychologist or licensed school psychologist.

(2) When a licensed psychologist or licensed school psychologist recognizes that the patient has problems of a physical nature or when the patient discloses such physical problems, whether or not they are thought to be caused by or interactive with emotional problems with which the licensed psychologist or licensed school psychologist is dealing, the licensed psychologist or licensed school psychologist shall be aware of the need for concurrent medical care for the problems of a physical nature.

(a) If the patient has a relationship with a medical doctor who is treating the problems of a physical nature, then the licensed psychologist or licensed school psychologist shall consult with the physician as deemed necessary to facilitate information exchange for the patient's welfare.

(b) If the patient has no relationship with a medical doctor for the purpose of treating the problems of a physical nature, the licensed psychologist or licensed school psychologist shall advise his client to seek appropriate medical help and shall facilitate the referral. In the process of referral to the medical doctor and when follow-up contacts are deemed desirable, the licensed psychologist or licensed school psychologist shall facilitate information exchange for the patient's welfare, consonant with section 4732.19 of the Revised Code, relative to privileged communication.

(C) "Board" shall mean the state board of psychology.

(D) "Accreditation" shall be a procedure for recognizing or certifying that an educational institution meets prescribed standards that qualify its graduates for entitlement to become licensed pursuant to section 4732.15 of the Revised Code or to qualify for the licensure examination as provided by section 4732.10 of the Revised Code or to qualify for approval of the board pursuant to division (B) of section 4732.22 of the Revised Code.

(1) For purposes of evaluation of educational degrees and/or course work required pursuant to Chapter 4732. of the Revised Code and the rules adopted thereunder, the educational institution granting such degree or offering such course work must be accredited or recognized by an accrediting association accepted by the "American Association of Collegiate Registrars and Admissions Officers" which includes the following accrediting agencies:

(a) Middle States Association of Colleges and Schools/Commission on Higher Education

(b) New England Association of Schools and Colleges

(c) North Central Association of Colleges and Schools

(d) Northwest Association of Schools and Colleges

(e) Southern Association of Colleges and Schools — Commission on Colleges

(f) Western Association of Schools and Colleges — Accrediting Commission for Senior Colleges

(2) For purposes of evaluation of educational degrees and/or course work received from foreign colleges and universities, the educational institution granting such degree or offering such course work must be included in one of the following:

(a) "International Handbook of Universities and Other Institutions of Higher Education," published by the International Association of Universities, 1 Rue Miollis, 75732 Paris Cedex 15, France [Note:

1981 U.S. address: Walter T. Gruyter, inc., 200 Saw Mill River Road, Hawthorne NY 10532].

(b) "Commonwealth Universities Yearbook," published by The Association of Commonwealth Universities, 36 Gordon Square, London, England WC1H 0PF [International Publications Service, 114 East 32nd Street, New York NY 10016].

(E) "Applicant" shall mean any person who applies to the board for licensure without examination pursuant to section 4732.15 of the Revised Code or for admission to the licensure examination pursuant to section 4732.10 of the Revised Code or for approval of the board pursuant to division (B) of section 4732.22 of the Revised Code.

(F) "He/she" and "his/her" shall be interpreted to mean or include the pronoun of the other gender where appropriate.

(G) The term "psychological work" shall, for purposes of these rules, include the activities listed in divisions (B) and (C) of section 4732.01 of the Revised Code, and, in addition, the teaching of psychology at the college or university level in an accredited or recognized educational institution and post master's research in a recognized area of psychology. An accredited or recognized educational institution is one which has received accreditation within the meaning of paragraph (D) of rule 4732-3-01 of the Administrative Code.

(H) Patient or client welfare is directly affected in teaching situations including, but not limited to, the following:

(1) Classroom discussions and/or demonstrations which extend to the participation of students in therapy sessions based upon disclosure of the student's own personal experiences and/or personality traits; or

(2) A course or practicum involving assessment of personal experiences and/or personality traits; or

(3) A practicum or supervised experience in counseling or psychotherapy.

(I) Patient or client welfare is directly affected in research situations including, but not limited to, experimental situations involving humans wherein:

(1) There is a likelihood of physical and/or mental discomfort, harm or danger; or

(2) There is need to delay or withhold information that may have damaging consequences to the person; or

(3) There is a likelihood that personal and confidential information about the participant could be acquired by others.

Effective December 30, 1977

4732-5-01. Scope of Psychological Procedures Which Create a Serious Hazard to Mental Health and Require Professional Expertise in Psychology; Exemptions from Licensure Requirements

(A) The scope of rules 4732-5-01 to 4732-5-03 of the Administrative Code concerns solely the implementation of the board's rule-making authority under division (C) of section 4732.23 of the Revised Code. These above-mentioned rules apply to those persons who do not hold a license granted by this board and who are not exempted from the licensure requirements of Chapter 4732. of the Revised Code and who utilize psychological procedures as indicated in rule 4732-5-03 of the Administrative Code for a compensation or other personal gain.

(B) Exemptions from licensure requirements include:

(1) A certificated school psychologist, while practicing school psychology within the scope of his employment by a board of education or by a private school meeting the standards prescribed by the state board of education under division (D) of section 3301.07 of the Revised Code, or while acting as a school psychologist within the scope of his employment in a program for trainable mentally retarded children established under section 5126.06 of the Revised Code;

(2) A nonresident temporarily employed in this state to render psychological services for not more than thirty days a year who, in the opinion of the board, meets the standards for admission to the psychology examination as described in rule 4732-9-01 of the Administrative Code and who holds whatever license or certificate, if any, is required for such practice in his home state or home country;

(3) A person employed by a licensed psychologist or a licensed school psychologist, while carrying out specific tasks, under the licensee's supervision, as an extension of the licensee's legal and ethical authority;

(4) An unlicensed person holding a master's degree or a doctoral degree in psychology from a program approved by the board, while working under the supervision of a licensed psychologist;

(5) A student in an accredited educational institution, while carrying out activities that are part of his prescribed course of study, provided such activities are supervised by a professional person who is qualified to perform such activities and is licensed as a psychologist or as a school psychologist or is described in paragraph (B) (6), (B) (7), (B) (9), or (B) (11) of this rule. Such student shall hold himself out to the public only by clearly indicating his student status and the profession in which he is being trained;

(6) A duly ordained minister while functioning in his ministerial capacity;

(7) A qualified social worker while functioning in his capacity as a social worker;

(8) A person in the employ of the federal government, including use of an official title, insofar as such activities are a part of the duties in his position;

(9) A person licensed, certified, or registered under a provision of the Revised Code other than in Chapter 4732. of the Revised Code, providing he is practicing those arts and utilizing psychological procedures that are allowed and within the standards and ethics of his profession or within new areas of practice that represent appropriate extensions of his profession, and providing he does not hold himself out to the public by the title of psychologist;

(10) A person in any capacity who offers services of a psychological nature, provided he neither holds himself out to the public by the title of psychologist or school psychologist nor utilizes any psychological procedure this board judges to be a serious hazard to mental health and to require professional expertise in psychology, as listed in rule 4732-5-03 of the Administrative Code;

(11) A person using the term "social psychologist" who has an earned doctoral degree in social psychology or in sociology with a social psychology major, from a sociology or social psychology department of an accredited educational institution, and who has filed with this board the

facts demonstrating his possession of such a degree;

(12) A person who is teaching, even when dealing with psychological subject matter, provided it does not otherwise involve the professional practice of psychology in which patient or client welfare is directly affected;

(13) A person who is conducting research in the field of psychology, provided it does not otherwise involve the professional practice of psychology in which patient or client welfare is directly affected.
Effective September 1, 1981

4732-5-02. Definitions Pertaining to Psychological Procedures Which Create a Serious Hazard to Mental Health and Require Professional Expertise in Psychology

(A) "Mental disorder" is a dysfunction of the mind such that, according to the nature and degree of the disorder, a person loses or lacks capacity to adapt his/her own behavior to effective ends of survival, satisfaction and comfort. Such disorders may take many forms and have varying causes of an organic or environmental type. Reasonable descriptions of the kinds and degree of mental disorder can be found in current revisions of accepted nosologies such as the "International Classification of Diseases" (ICD), the "Diagnostic and Statistical Manual of Mental Disorders" (DSM), and the "Psychopathological Disorders in Childhood: Theoretical Considerations and a Proposed Classification," Group for the Advancement of Psychiatry (GAP System).

(B) "Serious hazard to mental health" occurs where an individual is placed in substantial risk of developing a diagnosable "mental disorder" or to be in substantial risk of increasing the severity of an existing diagnosable "mental disorder."
Effective December 30, 1977

4732-5-03. Judgment of the Board Regarding Psychological Procedures Which Create a Serious Hazard to Mental Health and Require Professional Expertise in Psychology

Psychological procedures which are a "serious hazard to mental health" include but are not limited to:

- (A) Sensitivity training
- (B) Confrontation groups
- (C) Hypnotic techniques for psychotherapeutic purposes (diagnosis and treatment)
- (D) Individual intelligence testing
- (E) Psychological diagnosis and personality evaluation
- (F) Individual and group psychological psychotherapy
- (G) Psychological behavior psychotherapy such as, but not limited to, implosive therapy, aversive therapy, and desensitization
- (H) Couples and family psychological psychotherapy
- (I) Psychological psychotherapy for sexual dysfunctions

Effective September 1, 1981

4732-7-01. Licensure for Applicants Licensed or Certified by Another Jurisdiction

The board may issue a license as a psychologist or as a school psychologist to any applicant licensed or certified as such by the licensing department of

another state, territory, or the District of Columbia or to any person holding a diploma issued by the "American Board of Professional Psychology." Such applicant for license shall:

(A) Conform with the applicable requirements of section 4732.10 of the Revised Code and rule 4732-9-01 or 4732-9-02 of the Administrative Code; and

(B) If the application is for a psychologist license, (1) And the applicant is not a diplomate of the "American Board of Professional Psychology," provide evidence of passing the examination required of Ohio psychology examination candidates at the time of the application, with a score at least as high as required of Ohio candidates at the time of the application (information about such examination and score is available by writing or calling the board office); and

(2) Pass an oral examination administered under the direction of the board. Said oral examination, from which the board may upon individual review exempt a diplomate of the "American Board of Professional Psychology," may include, but not be limited to:

(a) Chapter 4732. of the Revised Code;
(b) Rules of the state board of psychology (rules 4732-1-01 to 4732-21-01 of the Administrative Code); and

(c) Ethical principles and standards of the profession of psychology, as published by the "American Psychological Association"; and

(d) Content questions in the applicant's declared area(s) of specialty; or

(C) If the application is for a school psychologist license,

(1) Provide evidence of passing an examination acceptable to the Ohio school psychology examination committee as being equivalent to the examination required of Ohio school psychology examination candidates, with a score at least equivalent to the minimum passing scores required of Ohio candidates (with information about such examination and score being available by writing or calling the board office); and

(2) Pass an oral examination as described in paragraph (B) (2) of this rule.

Effective September 1, 1981

4732-7-02. Licensure Without Examination for Applicants Possessing an Earned Doctoral Degree Who Apply on or Before November 22, 1974

The requirements for licensure without examination for such applicants are set forth under section 4732.15 (B) (1), Ohio Revised Code.

Effective April 14, 1975

4732-7-03. Licensure Without Examination for Applicants Possessing a Master's Degree Who Apply on or Before November 22, 1976

The requirements for licensure without examination for such applicants are set forth under division (B) (2) of section 4732.15 of the Revised Code.

Effective December 30, 1977

4732-7-04. Licensure Without Examination for Applicants Who Apply on or Before March 22, 1973

The requirements for licensure without examination for such applicants are set forth under section 4732.15 (B) (3), Ohio Revised Code.

Effective April 14, 1975

4732-9-01. Requirements for Admission to the Examination for a Psychologist License

The requirements for admission to the examination for a psychologist license, which are generally set forth under division (B) of section 4732.10 of the Revised Code, include that the applicant be at least twenty-one years of age and of good moral character. In addition, he shall have received from an accredited educational institution an earned doctoral degree in psychology or school psychology or a doctoral degree deemed by the board to be the equivalent thereof; and he shall have had at least two years of supervised professional experience in psychological work of a type satisfactory to the board, at least one year of which shall be postdoctoral. With regard to such requirements, the board hereby further prescribes that:

(A) In order for a doctoral degree awarded after September 1, 1982, in a field other than psychology or school psychology from an educational institution holding full accreditation status at the time the degree was awarded to be deemed equivalent to a doctoral degree in psychology from such an educational institution, such degree shall include only graduate course work completed prior to award of the doctorate and, in addition, shall:

- (1) Be a program approved by the education and training board of the "American Psychological Association, Committee on Accreditation"; or
- (2) Comply with the following indicia of equivalence:

(a) The applicant supplies the board with his dissertation title and abstract, the names and professional qualifications of the dissertation committee members, and a written presentation to the board demonstrating that the dissertation is psychological in nature; and

(b) The curriculum shall encompass a minimum of the university's standard of full-time graduate study for three academic years or its equivalent. This curriculum shall involve at least one academic year of full-time enrollment at the university from which the degree is granted. It shall include credit for at least sixty-three quarter hours or forty-two semester hours of formal graduate study relevant to the study of psychology. At least fourteen quarter hours or nine semester hours shall be taken in the psychology department of the educational institution granting the doctoral degree. Acceptable academic work shall include examination and grading procedures designed to evaluate the degree of mastery of the subject matter by the student. The curriculum shall include instruction in paragraphs (A) (2) (b) (i) to (A) (2) (b) (iv) below, and the applicant's transcript(s) shall include a minimum of five graduate quarter hours or three graduate semester hours in four of the five substantive content areas named in paragraphs (A) (2) (b) (v) to (A) (2) (b) (ix) below:

- (i) Scientific and professional ethics and standards
- (ii) History and systems
- (iii) Research design and methodology
- (iv) Statistics and psychometrics
- (v) Biological bases of behavior, e.g., physiological psychology, comparative psychology, neuropsychology, sensation and perception, psychopharmacology
- (vi) Cognitive-affective bases of behavior, e.g., learning, thinking, motivation, emotion
- (vii) Social bases of behavior, e.g., social psychology, group process, organizational and

systems theory

(viii) Individual differences, e.g., personality theory, human development, abnormal psychology

(ix) Industrial/organizational behavior, e.g., personnel training/selection, labor relations, consumer behavior, work motivation; and

(c) If the major emphasis of the doctoral program is in an applied area such as clinical psychology, counseling psychology, industrial/organizational psychology, or social psychology:

(i) The training shall include relevant experiences in the application of skills related to the specialties in areas such as psychological assessment (group and individual) and interventional procedures which may include, but not be limited to, counseling and psychotherapy, behavior modification, and consultation. Appropriate training experiences may be considered toward meeting requirements of paragraph (G) of this rule; and

(ii) The psychological services offered in these training experiences shall be consistent with guidelines such as those proposed in the "Standards for Providers of Psychological Services" as adopted and published by the "American Psychological Association"; and

(d) Course work taken in a department other than the psychology department shall be evaluated by the board examiner to determine whether it is psychological in nature, using the following criteria in such evaluation:

(i) The instructor of said course was competent in psychology. Such competence shall be evidenced by:

(a) A written statement, which verifies the instructor's competence in psychology, from the university or college offering said course; or

(b) The fact that the instructor was a licensed psychologist or licensed school psychologist, or possessed a diploma from the "American Board of Professional Psychology," or held a doctoral degree from the psychology department or in a school psychology program of an accredited educational institution; and

(ii) The content of the course was psychological in nature as evidenced by a written statement, which verifies the psychological content of said course, from the university or college offering said course; or

(3) Be a program approved by this board as a specific degree program that is recognized as meeting academic requirements for admission to the examination for a psychologist license. Information about such programs is available by writing or calling the board office.

(B) In order for a doctoral degree awarded on or before September 1, 1982, in a field other than psychology or school psychology from an educational institution holding full accreditation status at the time the degree was awarded to be deemed equivalent to a doctoral degree in psychology from such an educational institution, such degree shall include only graduate course work completed prior to award of the doctorate and, in addition, shall:

(1) Be a program approved by the education and training board of the "American Psychological Association, Committee on Accreditation"; or

(2) Comply with the following indicia of equivalence:

(a) The applicant supplies the board with his dissertation title and abstract, the names and profes-

sional qualifications of the dissertation committee members, and a written presentation to the board demonstrating that the dissertation is psychological in nature; and

(b) The applicant's official transcript(s) of graduate credits demonstrates that the applicant achieved, in addition to credit awarded for any internship or thesis or dissertation, ninety quarter hours or sixty semester hours at the graduate level; sixty-three of said quarter hours or forty-two of said semester hours shall consist of courses designated by the educational institution as psychology courses or courses deemed to be equivalent thereto by the board. A course shall be deemed equivalent to a psychology course where the applicant demonstrates:

(i) That the instructor of said course was competent in psychology. Such competence shall be evidenced by:

(a) A written statement, which verifies the instructor's competence in psychology, from the university or college offering said course; or

(b) The fact that the instructor was a licensed psychologist or licensed school psychologist, or possessed a diploma from the "American Board of Professional Psychology," or held a doctoral degree from the psychology department or in a school psychology program of an accredited educational institution; and

(ii) That the content of the course was psychological in nature as evidenced by a written statement, which verifies the psychological content of said course, from the university or college offering said course; or

(3) Be a program approved by this board as a specific degree program that is recognized as meeting academic requirements for admission to the examination for a psychologist license. Information about such programs is available by writing or calling the board office.

(C) A doctoral degree in psychology or any other field from an educational institution holding "candidate for accreditation" status at the time the degree was awarded is evaluated for equivalence to a doctoral degree in psychology from an educational institution holding full accreditation status. In the case of a degree from an educational institution in the United States, any consideration under this paragraph shall be limited to a doctoral degree awarded within six years of the date on which the educational institution achieved such "candidate for accreditation" status. In order to be deemed so equivalent, said doctoral degree shall include only graduate course work completed prior to award of the doctorate and, in addition, shall comply with:

(1) The same indicia of equivalence as described in paragraph (A) (2) of this rule if the doctoral degree was awarded after September 1, 1982; or

(2) The same indicia of equivalence as described in paragraph (B) (2) of this rule if the doctoral degree was awarded on or before September 1, 1982.

(D) In order for a doctoral degree awarded after September 1, 1982, in a field other than psychology or school psychology from an educational institution holding full accreditation status at the time the degree was awarded to be deemed equivalent to a doctoral degree in school psychology from such an educational institution, such degree shall include only graduate course work completed prior to award of the doctorate and, in addition, shall:

(1) Be a program approved as a school psychology program by the education and training board of the "American Psychological Association, Committee on Accreditation," or be a school psychology program approved by the "National Council for Accreditation of Teacher Education"; or

(2) Comply with the following indicia of equivalence:

(a) The applicant supplies the board with his dissertation title and abstract, the names and professional qualifications of the dissertation committee members, and a written presentation to the board demonstrating that the dissertation is school psychological in nature; and

(b) The applicant's official transcript(s) of graduate course work shall demonstrate that the applicant achieved, in addition to credit awarded for any internship or thesis or dissertation, sixty-three quarter hours or forty-two semester hours of formal graduate study relevant to the study of school psychology; and

(c) Said graduate course work relevant to the study of school psychology shall include at least three graduate quarter hours or two graduate semester hours in ten of the following eleven areas:

(i) Psychology of human development (includes cognitive development and skills)

(ii) Psychology of learning

(iii) Psychology of personality

(iv) Standardized group measurement and evaluation

(v) Statistics and research design

(vi) The psychoeducational evaluation of children using individual testing techniques

(vii) The educational implications and remedial techniques based on psychoeducational evaluation

(viii) Counseling and interviewing techniques

(ix) Family functioning and therapy

(x) Biological bases of behavior — neurological

(xi) Ethics of school psychology and laws related to the practice of school psychology; and

(d) Said course work relevant to the study of school psychology shall include at least three graduate quarter hours or two graduate semester hours in three of the following five areas:

(i) The role and function of the school psychologist

(ii) Curriculum in the schools

(iii) The purposes and organization of schools

(iv) Educational administration

(v) Remedial instruction in educational disability; and

(e) Course work shall be evaluated by the board examiner to determine whether it is school psychological in nature, using the following criteria in such evaluation:

(i) The instructor of said course was competent in psychology or school psychology. Such competence shall be evidenced by:

(a) A written statement, which verifies the instructor's competence in psychology or school psychology, from the university or college offering said course; or

(b) The fact that the instructor was a licensed psychologist or licensed school psychologist, or possessed a diploma from the "American Board of Professional Psychology," or held a doctoral degree from the psychology department or in a school psychology program of an accredited educational institution; and

(ii) The content of the course was school psycho

logical in nature as evidenced by a written statement, which verifies the school psychological content of said course, from the university or college offering said course.

(f) The training shall include one academic year of internship training experiences, which total at least nine months' work with a minimum of thirty-five hours per week, or an equivalent amount of experience in part-time work.

(i) These supervised experiences shall include relevant training in the application of skills related to the specialty of school psychology in areas such as psychological assessment (group and individual) and interventional procedures which may include, but not be limited to, counseling and psychotherapy, behavior modification, and consultation; and

(ii) The psychological services offered in these training experiences shall be consistent with guidelines such as those proposed in the "Standards for Providers of Psychological Services" as adopted and published by the "American Psychological Association"; and

(iii) The above internship may be considered toward meeting requirements of paragraph (G) of this rule.

(E) In order for a doctoral degree awarded on or before September 1, 1982, in a field other than psychology or school psychology from an educational institution holding full accreditation status at the time the degree was awarded to be deemed equivalent to a doctoral degree in school psychology from such an educational institution, such degree shall include only graduate course work completed prior to award of the doctorate and, in addition, shall:

(1) Be a program approved as a school psychology program by the education and training board of the "American Psychological Association, Committee on Accreditation," or be a school psychology program approved by the "National Council for Accreditation of Teacher Education"; or

(2) Comply with the following indicia of equivalence:

(a) The applicant supplies the board with his dissertation title and abstract, the names and professional qualifications of the dissertation committee members, and a written presentation to the board demonstrating that the dissertation is school psychological in nature; and

(b) The applicant's official transcript(s) of graduate course work shall demonstrate that the applicant achieved, in addition to credit awarded for any internship or thesis or dissertation, ninety quarter hours or sixty semester hours at the graduate level; sixty-three of said quarter hours or forty-two of said semester hours shall consist of courses designated by the educational institution as school psychology courses or courses deemed to be equivalent by the board, and those courses shall include courses in the areas as required in paragraphs (B) (1) and (B) (2) of rule 4732-9-02 of the Administrative Code. A course shall be deemed equivalent to a school psychology course where the applicant demonstrates that it meets the requirements described in paragraph (D) (2) (e) of this rule.

(F) A doctoral degree in school psychology or any other field from an educational institution holding "candidate for accreditation" status at the time the degree was awarded is evaluated for equivalence to a doctoral degree in school psychology from an educational institution holding full accreditation

status. In the case of a degree from an educational institution in the United States, any consideration under this paragraph shall be limited to a doctoral degree awarded within six years of the date on which the educational institution achieved such "candidate for accreditation" status. In order to be deemed so equivalent, said doctoral degree shall include only graduate course work completed prior to award of the doctorate and, in addition, shall comply with:

(1) The same indicia of equivalence as described in paragraph (D) (2) of this rule if the doctoral degree was awarded after September 1, 1982; or

(2) The same indicia of equivalence as described in paragraph (E) (2) of this rule if the doctoral degree was awarded on or before September 1, 1982.

(G) The two years of supervised professional experience in psychological work of a type satisfactory to the board, at least one year of which shall be subsequent to attainment of the doctoral degree required by this rule, shall comply with all of the following requirements:

(1) Said professional experience shall come under the supervision of a supervisor who is either:

(a) A psychologist or a school psychologist licensed by this board; or

(b) A psychologist or a school psychologist licensed by another state, territory, the District of Columbia, or a foreign country; or

(c) A person eligible for licensure as a psychologist or a school psychologist only when the supervisee is:

(i) Working in a state with no licensing requirements; or

(ii) An employee of the federal government and, therefore, exempt from licensing requirements; or

(iii) Teaching psychology and/or conducting research in psychology and said teaching and/or research does not directly affect client or patient welfare; or

(d) A psychologist or a school psychologist who might have been licensed by the board, the supervision having occurred prior to the enactment of statutes governing psychology.

(2) The supervision of such professional experience shall meet all the supervision requirements described in rules 4732-13-01, 4732-13-02, and 4732-13-03 of the Administrative Code.

(3) The supervised professional experience shall be such that it occurs in the teaching (college or university level, accredited educational institution), research (post master's), or applied branch of one of the recognized areas of psychology.

(H) Any professional experience engaged in by an applicant within this state on and after December 1, 1972, during which time he either offered or rendered services as a psychologist or otherwise engaged in the practice of psychology for a compensation or other personal gain shall not, unless it comes under one of the exemptions from licensure described in paragraph (B) of rule 4732-5-01 of the Administrative Code, be counted toward fulfillment of the professional experience requirement described in paragraph (G) of this rule.

Effective September 1, 1981

4732-9-02. Requirements for Admission to the Examination for a School Psychologist License

The requirements for admission to the examination for a school psychologist license, which are

generally set forth under division (C) of section 4732.10 of the Revised Code, include that the applicant be at least twenty-one years of age and of good moral character. In addition, he shall have received from an accredited educational institution at least a master's degree in school psychology or a degree considered equivalent by the board, including at least sixty graduate quarter hours or forty graduate semester hours in course work relevant to the study of school psychology; and he shall have had at least four years of school psychology experience, with a school psychology internship being considered for credit toward one year of said experience. With regard to such requirements, the board hereby further prescribes:

(A) A degree deemed equivalent to a master's degree in school psychology shall:

(1) Be received from:

(a) An educational institution holding full accreditation status at the time the degree was awarded; or
(b) An educational institution holding "candidate for accreditation" status at the time the degree was awarded but for no more than six years immediately preceding the degree award date; and

(2) Consist of at least sixty quarter hours or forty semester hours of courses at the graduate level. Said quarter or semester hours shall consist of course work relevant to the study of school psychology.

(B) Course work, totaling at least sixty quarter hours or forty semester hours, shall be deemed relevant to the study of school psychology where the course work is distributed as indicated below:

(1) Course work in each of the following areas:

(a) Psychology of human development
(b) Psychology of learning
(c) Psychology of personality
(d) Standardized group measurement and evaluation

(e) Statistics and research design

(f) The psychoeducational evaluation of children using individual testing techniques

(g) The educational implications and remedial techniques based on psychoeducational evaluation
(h) Counseling and interviewing techniques; and

(2) Course work in at least three of the following areas:

(a) The role and function of the school psychologist
(b) Curriculum in the schools
(c) The purposes and organization of schools
(d) Educational administration

(e) Remedial instruction in educational disability

(C) The four years of school psychology experience shall include one year of school psychology internship or other training experience and, in addition, shall comply with all of the following requirements:

(1) Said experience shall call upon the applicant to engage in the following activities:

(a) Evaluation, diagnosis, or test interpretation limited to assessment of intellectual ability, learning patterns, achievement, motivation, or personality factors directly related to learning problems in an educational setting; and/or

(b) Counseling services for children or adults for amelioration or prevention of educationally related learning problems; and/or

(c) Educational or vocational consultation or direct educational services, which do not include industrial consultation or counseling services to

clients undergoing vocational rehabilitation.

(2) At least one-half (two year of said experience shall occur while practicing school psychology within the scope of employment by a board of education or by a private school meeting standards prescribed by the state board of education under division (D) of section 3301.07 of the Revised Code.

(3) Any training and/or experience other than as described in paragraph (C) (2) of this rule shall:

(a) Come under the supervision of a supervisor who is either:

(i) A psychologist or a school psychologist licensed by this board; or

(ii) A psychologist or a school psychologist licensed by another state, territory, the District of Columbia, or a foreign country; or

(iii) A person eligible for licensure as a psychologist or a school psychologist only when the supervisor is:

(a) Working in a state with no licensing requirements; or

(b) An employee of the federal government and, therefore, exempt from licensing requirements; or

(iv) A psychologist or a school psychologist who might have been licensed by the board, the supervision having occurred prior to the enactment of statutes governing psychology.

(b) Be such that the supervision of said school psychology training and/or experience shall meet all the supervision requirements described in rules 4732-13-01, 4732-13-02, and 4732-13-03 of the Administrative Code.

(D) Any psychological work engaged in by an applicant within this state on and after December 1, 1972, during which time he either offered or rendered services as a school psychologist or otherwise engaged in the practice of school psychology for a compensation or other personal gain shall not, unless it comes under one of the exemptions from licensure described in paragraph (B) of rule 4732-5-01 of the Administrative Code, be counted toward fulfillment of the training and/or experience requirement described in paragraph (C) of this rule.

Effective September 1, 1981

4732-9-03. Computation and Attainment of Experience

(A) When the application pertains to licensure as a psychologist, each year of supervised professional experience in psychological work of a type satisfactory to the board, as described in paragraph (G) of rule 4732-9-01 of the Administrative Code, shall include at least eighteen hundred hours of work within one calendar year or at least eighteen hundred hours of part-time work which shall be completed within a period not to exceed three calendar years. In no event shall the applicant receive credit for more than one year of such supervised professional experience for activities performed over any twelve-month period, with forty hours per week being the maximum credited.

(B) When the application pertains to licensure as a school psychologist, each of the four years of required experience, as described in paragraph (C) of rule 4732-9-02 of the Administrative Code, shall include at least nine months' full-time work at thirty-five hours per week or the equivalence of same in part-time work which shall be completed within a

period not to exceed three calendar years. The twenty-seven months of full-time experience provided for in division (C) (7) of section 4732.10 of the Revised Code shall be distributed over a period of at least three school years of nine months each. In no event shall the applicant receive credit for more than one year of training or experience for activities performed over any twelve-month period.

(C) The professional training or experience required of the applicant as a prerequisite to admission to the examination for a psychologist license or to the examination for a school psychologist license shall be completed no later than the last day of the month of the appropriate examination. The term "last day of the month of the appropriate examination" shall include either a written examination or an oral examination or both.

Effective September 1, 1981

4732-11-01. Licensure Examination Dates

Pursuant to section 4732.11 of the Revised Code examinations will be held twice annually, in months established by the board. Announcement of specific dates will be furnished not less than thirty days in advance.

Effective December 30, 1977

4732-11-02. Notification to Applicants Eligible for Examination

Upon determination by the examiner that an individual applicant meets the requirements for admission to the appropriate examination, the board shall notify the applicant regarding his eligibility for admission to the examination. An examination number shall be assigned to each candidate admitted to an examination. Said number will be the candidate's permanent identification number which he should retain even after the examination. Any reference to the examination by the candidate should include this number.

Effective September 1, 1981

4732-11-03. School Psychology and Psychology Examination Committees

(A) Pursuant to section 4732.11 of the Revised Code the board hereby establishes a school psychology examination committee which shall consist of five members appointed by the board; in making such appointments the board may consider recommendations from the "Ohio School Psychologists Association" and the "Interuniversity Council." The initial committee will be appointed for terms of one to five years, the terms chosen by lot. Thereafter, replacements will serve five-year terms

(B) The board hereby establishes a psychology examination committee, which may be comprised of members of the board and/or licensed psychologists appointed by the board.

Effective December 30, 1977

4732-11-04. Subjects for the Examination for a Psychologist License

Pursuant to section 4732.11 of the Revised Code the board hereby prescribes that the subject areas for the examination for a psychologist license may include, but not be limited to, the following theoretical and applied fields:

(A) Background knowledge: physiological and comparative psychology, learning, history, theory and

systems, sensation and perception, motivation, social psychology, personality, cognitive processes, developmental psychology, psychopharmacology;

(B) Methodology: research design and interpretation, statistics, test construction and interpretation, scaling;

(C) Clinical psychology: test usage and interpretation, diagnosis, psychopathology, therapy, judgment in clinical situations;

(D) Behavior modification: learning, applications;

(E) Other specialties: management consulting, industrial psychology and human engineering, social psychology, T-groups, counseling and guidance, communications, systems analysis;

(F) Professional conduct, affairs, and ethics: interdisciplinary relations, professional conduct, knowledge of professional affairs;

(G) School and educational psychology;

(H) Other recognized topics considered appropriate by the board.

Effective September 1, 1981

4732-11-05. Subjects for the Examination for a School Psychologist License

Pursuant to section 4732.11 of the Revised Code, and upon the recommendations of the school psychology examination committee, the board hereby prescribes the following theoretical and applied fields to serve as the subject areas for the essay and objective sections of the examination for a school psychologist license:

(A) Child development — concepts and research

(B) Concepts of counseling and behavior change

(C) Ethics and law

(D) Exceptional children and services

(E) Referral sources (agencies)

(F) Psychological testing (assessment)

(G) Remedial strategies (concepts) and technologies

(H) School curriculum and organization

(I) Measurement and statistics

Effective September 1, 1981

4732-11-06. Passing Scores for Licensing Examinations

Pursuant to section 4732.12 of the Revised Code the board will review all examination results and thereafter determine whether the applicant should be graded with a passing score.

(A) Announcement of specific passing score(s) established by the board for the examination for a psychologist license will be furnished not less than thirty days in advance.

(B) Upon recommendation of the school psychology examination committee, in order to achieve a passing score on the examination for a school psychologist license, an applicant shall:

(1) Achieve a percentage score of at least sixty-two on the objective portion of the examination; and

(2) Achieve a percentage score of at least seventy-five on the essay portion of the examination.

Effective December 30, 1977

4732-11-07. Applicants Who Fail the Examination

(A) Any applicant who fails the examination and wishes thereafter to take a subsequent examination shall be tested in all the subject areas covered by said subsequent examination. However, if an applicant passes any one portion of the examination, that portion need not be taken again.

(B) Applicants failing the examination may be readmitted to a subsequent examination after no less than six months, as provided for in section 4732.11 of the Revised Code.
Effective December 30, 1977

4732-11-08. Giving or Receiving Aid on the Examination

Any applicant detected in attempting to give or giving or obtaining aid during the examination shall be dismissed from the examination with the consequence of an automatic failure on the examination.
Effective April 14, 1975

4732-13-01. Scope of Supervision Rules

(A) The scope of these supervision rules concerns:
(1) Unlicensed persons who are working toward licensure as psychologists or school psychologists according to rules 4732-9-01 and 4732-9-02 of the Administrative Code; and/or

(2) Unlicensed persons who hold a master's degree or a doctoral degree in psychology from a program approved by the board and who are supervised by a licensed psychologist, as described in paragraph (B) (4) of rule 4732-5-01 of the Administrative Code; and/or

(3) Licensed psychologists or licensed school psychologists who are functioning as supervisors or supervisees.

(B) These supervision rules shall not affect any other supervision requirement(s) imposed by these rules with respect to individuals who apply to the board to become licensed as psychologists or school psychologists.

Effective September 1, 1981

4732-13-02. Purposes of Supervision

Supervision by a licensed psychologist or a licensed school psychologist of an unlicensed or licensed person as described in paragraph (A) of rule 4732-13-01 of the Administrative Code shall have the following purposes:

(A) To provide, in the case of applied experience, classroom demonstrations, or research, for the protection of patient or client welfare;

(B) To provide, in the case of research experience, for the maintenance of an acceptable level of scientific method and accuracy;

(C) To provide that the unlicensed person functions within the limits of his competence;

(D) To provide that, with regard to the unlicensed person who intends to apply to the board for licensure, training occurs in the variety of activities relevant to his position and to his academic background.

(E) To provide that, with regard to the licensed person who seeks supervised experience, training occurs which will:

(1) Expand competence in a recognized subspecialty for which the licensed person has inadequate training but does have the appropriate academic background; or

(2) Satisfy retraining requirements according to standards of the "American Psychological Association"; or

(3) Meet requirements for licensure purposes as described in paragraph (G) of rule 4732-9-01 of the Administrative Code.

Effective September 1, 1981

4732-13-03. Requirements Pertaining to Supervision

The board hereby prescribes the following requirements with respect to supervision of unlicensed persons as described in paragraph (A) of rule 4732-13-01 of the Administrative Code:

(A) A person performing psychological work in Ohio must be licensed by the state board of psychology or come under one of the exemptions from licensing requirements in Chapter 4732. of the Revised Code. Supervision by a licensed psychologist or licensed school psychologist provides such an exemption, with examples found in paragraph (B) (3), (B) (4) or (B) (5) of rule 4732-5-01 of the Administrative Code.

(B) No person who is supervised by a licensed psychologist or a licensed school psychologist shall enter into any business relationship for profit with said supervising psychologist or school psychologist, except as an employee of said supervising psychologist or school psychologist. Nothing in this paragraph shall restrict the right of any person to engage in any business relationship outside the practice of psychology.

(C) There shall be no direct family relationship between the supervisor and supervisee if the supervisee's experience is to be accepted toward fulfillment of the experience requirements for licensure in psychology or school psychology.

(D) An unlicensed person shall practice psychology only under the direct supervision of a licensed psychologist, a licensed school psychologist, a postdoctoral trainee who is working toward licensure as a psychologist and who is being trained in supervision under an arrangement approved by the board pursuant to paragraph (H) (2) (c) of this rule, or a post master's trainee who is working toward licensure as a school psychologist and who is being trained in supervision under an arrangement approved by the board pursuant to paragraph (H) (3) (c) of this rule.

(E) Supervision shall cover all aspects of the supervisee's psychology/school psychology work whether the supervisee is training to become a licensed psychologist or licensed school psychologist or is employed to assist licensed psychologists or licensed school psychologists unless other specific, written arrangements are agreed upon by the supervisor and the supervisee.

(F) Where there is more than one supervising psychologist or school psychologist, a written supervision plan shall be agreed upon and signed by each supervisor and the supervisee. That supervision agreement shall be filed by the supervisor as part of the records of supervision. A copy of such plan shall also be sent to the board office with the supervisee registration form.

(G) The violation of any rules of professional conduct in rule 4732-17-01 of the Administrative Code by a supervisee may result in an investigation of the adequacy of his supervision. Upon proof of a violation of any of said rules, the board may refuse to issue a license to any applicant or may reprimand, suspend, or revoke the license of any psychologist or school psychologist pursuant to rule 4732-17-03 of the Administrative Code.

(H) Supervision definitions.

(1) Administrative supervision pertains only to the table of organization in an office, corporation, or agency. The administrative supervisor may or may

not be qualified to provide professional supervision as described in paragraph (H) (2) or (H) (3) of this rule.

(2) Types of professional supervision in psychology:

(a) Work supervision covers psychology assistants or psychology aides who perform specialized technical services in an agency setting or as employees of a licensed psychologist. Their supervision can be structured in accordance with their training and experience, but supervision must remain direct and close if academic training is lacking.

(b) Training supervision is directed toward graduate students, postdoctoral trainees or other individuals who are gaining experience for purposes of licensure or development of another competency area. As a rule, such supervision requires more time and more involvement on the part of the supervisor in order to help supervisees improve their skills and/or learn new skills while providing service to clients. This supervisor has responsibility not only for the welfare of the clients but also for the professional growth of the supervisees.

(c) "Umbrella" supervision results when a supervised senior trainee or psychology assistant supervises lower level trainees or other psychology assistants. Such supervision is prohibited except when a specific arrangement is approved by the state board of psychology to allow a postdoctoral trainee, who is working toward licensure, to be trained in supervision for a period not to exceed one year. The supervising licensed psychologist or licensed school psychologist shall assume full responsibility for the work of those people supervised by his trainee as well as for the work of the senior trainee.

(3) Types of professional supervision in school psychology which apply to those persons working toward licensure in school psychology and who are not certificated school psychologists working in settings which exempt them from licensure requirements as described in paragraph (B) (1) of rule 4732-5-01 of the Administrative Code.

(a) Work supervision covers school psychology assistants or school psychology aides who perform specialized technical services in an agency setting or as employees of a licensed psychologist or licensed school psychologist. Their supervision can be structured in accordance with their training and experience, but supervision must remain direct and close if academic training is lacking.

(b) Training supervision is directed toward graduate students, post master's trainees or other individuals who are gaining experience for purposes of licensure or development of another competency area. As a rule, such supervision requires more time and more involvement on the part of the supervisor in order to help supervisees improve their skills and/or learn new skills while providing service to clients. This supervisor has responsibility not only for the welfare of the clients but also for the professional growth of the supervisees.

(c) "Umbrella" supervision results when an unlicensed school psychology assistant supervises another unlicensed school psychology assistant. Such supervision is prohibited except when a specific arrangement is approved by the state board of psychology to allow a school psychology assistant who is working toward licensure to be trained in supervision during the one year immediately pre-

ceding eligibility for the school psychology examination. The supervising licensed psychologist or licensed school psychologist shall assume full responsibility for the work of those people supervised by his assistant as well as for the work of the senior assistant.

(4) Direct and close supervision includes, but is not limited to, the supervisor's participation in the diagnosis, development of the intervention plan, and continued personal involvement in the implementation of said intervention plan.

(5) "Psychology aide" means a person with a bachelor's degree in psychology or two or more years of college course work, such as a mental health technology degree.

(6) "Psychology assistant" means a person with a master's degree in psychology who may or may not be working toward licensure in psychology. He may perform the full range of psychological assessments and the full range of psychological interventions. Supervision is initially direct and close but may diminish if the supervisee has relevant academic background and demonstrates competence in performing assigned tasks.

(7) "Psychology trainee" means a person who is enrolled in a doctoral program in psychology and is gaining predoctoral experience in activities and under supervision as described in paragraph (H) (6) of this rule.

(8) "Psychology postdoctoral trainee" means a person who is completing postdoctoral experience in psychology, in activities and under supervision as described in paragraph (H) (6) of this rule. Such supervision may include training in supervision of other unlicensed persons who are less experienced in psychology, if that supervisory arrangement is approved by the board pursuant to paragraph (H) (2) (c) of this rule.

(I) Supervisee responsibilities pertaining to professional supervision.

(1) A supervisee shall not function in his own private practice or use the title psychologist or school psychologist or describe his services in terms that imply he is an expert in any field of psychology or school psychology.

(2) An appropriate title such as found in rule 4732-15-01 of the Administrative Code or in paragraph (H) of this rule shall be used. Each supervisee shall be categorized under the types of supervision described in paragraph (H) of this rule.

(3) No supervisee shall collect fees in his own name. All billing shall be done by the employer, the employing agency, or by the licensed supervisor.

(4) The psychological activities of the supervisee shall be performed in the office of the supervisor or at some other legitimate site of the training such as a clinic or another office where the supervisor actively consults and/or makes a scheduled visit. Said supervised activities shall be performed pursuant to the licensed supervisor's order, control, and full professional responsibility.

(5) The supervisee is equally responsible with the supervisor for seeing that the supervisor registers supervision with the board pursuant to paragraph (B) (4) of rule 4732-5-01 of the Administrative Code.

(6) The supervisee shall not announce the establishment of a practice, nor include his name on any letterhead, in the telephone directory under the title "psychologists," or on a door or sign at the entrance to the employer's office, or any other location.

(7) The supervisee shall not pay a fee, nor make any other form of remuneration, to a supervisor. The supervisee shall be a student of the supervisor or an employee of the supervisor or some other legitimate employer such as a clinic, a hospital, or an independent private or public enterprise.

(8) Supervisee evaluative reports dealing with client welfare shall be co-signed by the supervisor.

(9) The supervisee, as a student/employee of the supervisor/employer, shall not solicit nor generate his own caseload; rather, assignments are made from the caseload of the supervisor/employer.

(J) Supervisor responsibilities pertaining to professional supervision.

(1) No licensed psychologist or licensed school psychologist shall supervise more than four unlicensed persons concurrently without the written, express permission of the state board of psychology.

(2) The supervising psychologist, who must be competent in the area(s) of functioning of the supervisee, shall have full responsibility for the welfare of the client, diagnosis, intervention, and outcome of the intervention.

(3) The client shall always be informed, to the limits of his capacity to understand, of the professional status of the service provider and of the client's right to meet with the supervisor upon request. The client shall also be advised that the supervision of the person providing services may involve the review of content of intervention sessions with a supervisor.

(4) Direct and close supervision is required for supervisees who do not have the completed academic course work which prepares them to perform the specific psychological activities assigned by the supervisor. Such supervision is also required for any "psychology aide," who may perform some psychological testing procedures and interventions.

(5) Each supervisee shall be categorized under the types of supervision described in paragraph (H) of this rule.

(6) The supervisor's records of supervision shall be maintained separately from client records and shall include any supervision plan/agreement pursuant to paragraph (F) of this rule and notes about and dates of supervision, with no reference to names of clients assigned to the supervisee. The state board of psychology may request to review such supervisor's records.

(7) The supervisor shall have knowledge of the client either through direct client contact or other appropriate means such as the use of tape recordings, videotapes, treatment protocols or similar data generated by the client. Such data shall be used by the supervisor to compare with and/or confirm the supervisee's interpretation of diagnosis or progress in the intervention.

(8) The supervisor in any applied field of psychology, such as clinical, counseling, industrial, school, or social, shall have full responsibility for client welfare except where a team of mental health professionals, such as a psychologist, a physician, and a social worker, is responsible for the intervention. In all cases the supervising psychologist shall have full control and responsibility for the psychological training and professional behavior of the supervisee.

(9) No supervisor shall be employed by a supervisee to provide supervision of psychological work.

Neither shall a licensed psychologist or licensed school psychologist provide supervision of psychological work to an unlicensed person who is his administrative supervisor and has control of that licensed psychologist or licensed school psychologist.

(10) The supervisor shall be competent in the area(s) of functioning of the supervisee. Competence can be demonstrated with appropriate academic training as well as experience in the area(s) to be supervised.

(11) If a supervisee, either licensed or unlicensed, wants to achieve competence in a recognized area of psychology such as, but not limited to, clinical, counseling, industrial, school, or social, the supervisor shall not accept that person for training experience until academic or professional training in the specific psychological activities assigned has been completed or is in the process of being completed. The supervisor shall be responsible for determining whether the supervisee has the appropriate training for the supervised activities. When a supervisee has or is receiving appropriate training in a particular field, the supervisor may assist the supervisee during the supervisory experience in achieving additional skills that are related to that specialty.

(12) A licensed psychologist may supervise allied mental health professionals only in those psychological activities for which the licensed psychologist is fully trained and competent. Under such supervisory relationship the licensed psychologist shall have full direction, control, and responsibility for client welfare. All other requirements of supervision apply to the supervisory relationship.

(13) The supervisor shall not exploit the supervisee for financial gain or with excessive work demands. The supervisor shall also seek to avoid exploitation of a supervisee by an agency with which the supervisor and the supervisee are affiliated.

(K) Registration of supervision.

(1) A licensed psychologist is required to register with the board any unlicensed person who is working under his psychology supervision and who holds a master's degree or a doctoral degree in psychology, according to paragraph (B) (4) of rule 4732-5-01 of the Administrative Code, regardless of whether or not the person is working toward licensure.

(2) Registration with the board office is advised for the supervision of any person working toward licensure in psychology or school psychology, except an intern or certificated school psychologist working in a setting as described in paragraph (B) (1) of rule 4732-5-01 of the Administrative Code and who is working toward admission to the examination for a school psychologist license.

Effective September 1, 1981

4732-15-01. Titles to be Used by Unlicensed Persons

(A) A person who does not hold a current valid license as a psychologist granted by this board shall not hold himself out to the public by any title or description of services incorporating the words "psychologic," "psychological," "psychologist," "psychology," or any other terms that imply he is trained, experienced, or an expert in any field of psychology, when he does so for a compensation or other personal gain; provided, however, that a person employed by a licensed psychologist shall,

while carrying out specific tasks under the licensee's supervision and as an extension of the licensee's legal and ethical authority, ascribe to himself such titles as "psychology trainee," "psychology assistant," "psychology intern," or other appropriate term that clearly implies his supervised or training status, with specific titles listed in paragraph (H) of rule 4732-13-03 of the Administrative Code.

(B) A person who does not hold a current valid license as a school psychologist granted by this board shall not hold himself out to the public by any title or description of services incorporating the words "school psycholog," "school psychological," "school psychologist," "school psychology," or any other terms that imply he is trained, experienced, or an expert in any field of school psychology, when he does so for a compensation or other personal gain; provided, however, that a person employed by a licensed psychologist or school psychologist shall, while carrying out specific tasks under the licensee's supervision and as an extension of the licensee's legal and ethical authority, ascribe to himself such titles as "school psychology trainee," "school psychology assistant," "school psychology intern," or other appropriate term that clearly implies his supervised or training status.

(C) A person not licensed as either a psychologist or a school psychologist shall not ascribe to himself the title of "psychology associate" or "school psychology associate."

Effective September 1, 1981

4732-17-01. General Rules for Professional Conduct Pursuant to Division (G) of Section 4732.17 of the Revised Code

(A) Negligence.

(1) Misrepresentation. A psychologist or school psychologist shall not misrepresent his own professional qualifications, affiliations, and purposes, nor those of the institutions and organizations with which he is associated. The following is a list of misrepresentations; however, said list is not all-inclusive:

(a) A psychologist or school psychologist shall not claim either directly or by implication professional qualifications that differ from his actual qualifications, including use of a degree or title which is not relevant to his psychological training or which is issued by an educational institution not meeting accreditation standards. He shall not misrepresent his affiliation with any institution, organization, or individual, nor lead others to assume he has affiliations that he does not have. A psychologist or school psychologist is responsible for correcting a client or public media who misrepresent his professional qualifications or affiliations, if he has knowledge of this misrepresentation.

(b) A psychologist or school psychologist shall not misrepresent an institution or organization with which he is affiliated by ascribing to it characteristics that it does not have.

(c) A psychologist or school psychologist shall not associate himself with or permit his name to be used in connection with any services or products in such a way as to misrepresent them, the degree of his responsibility for them, or the nature of his affiliation.

(2) Welfare of the client.

(a) When there is a conflict of interest between the client and a psychologist's or school psychologist's

employing institution, the psychologist or school psychologist shall clarify the nature and direction of his loyalties and responsibilities and keep all parties concerned informed of his commitments.

(b) A psychologist or school psychologist shall fully inform clients as to the purpose and nature of any evaluative, treatment, educational or training procedure, and he shall freely inform clients, students, or subjects that they have freedom of choice with regard to participation.

(c) Due to his inherently influential position, a psychologist or school psychologist shall not exploit the trust or dependency of clients.

(d) A psychologist or school psychologist should avoid dual relationships with clients and/or relationships which might impair his professional judgment or increase the risk of client exploitation. Examples of such dual relationships which often impair professional judgment or risk client exploitation include, but are not limited to, treating an employee or supervisee, treating a family relative, and treating a current student. A psychologist or school psychologist shall not engage in sexual relationships with clients or immediate ex-clients. Neither shall he terminate a therapeutic relationship with a client for the express or implied purpose of having a sexual relationship with that person. Nothing in this paragraph shall be construed to mean that a licensed psychologist or licensed school psychologist shall be prohibited from acting to apply necessary psychological procedures in an emergency situation, including effecting an appropriate referral where necessary.

(e) A psychologist or school psychologist shall not derive nor solicit any form of monetary profit or personal gain as a result of his professional relationship with clients or immediate ex-clients, beyond the payment of fees for psychological services rendered. However, unsolicited token gifts from a client are permissible.

(f) When acting as a supervisor, a trainer, or an employer, a psychologist or school psychologist shall accord recipients informed choice, confidentiality, and reasonable protection from physical or mental harm or danger.

(g) Financial arrangements shall be made clear to the client in advance of billing.

(h) A psychologist or school psychologist shall render a clear description of what the client may expect in the way of tests, reports, billing, therapeutic regime and schedule.

(i) A psychologist or school psychologist, who in his professional judgment considers that his services are being used in a setting which is not beneficial to the participants, shall make his observations known to the responsible persons and to the client.

(j) Psychological services for the purpose of diagnosis, treatment, or personalized advice shall be provided only in the context of a professional relationship, and shall not be given by means of public lectures or demonstrations, newspaper or magazine articles, radio or television programs, mail or similar media.

(k) The preparation of personnel reports and recommendations based on test data secured solely by mail is unethical unless such appraisals are an integral part of a continuing client relationship with a company, as a result of which the consulting psychologist has intimate knowledge of the client's

personnel situation and can be assured thereby that his written appraisals will be adequate to the purpose and will be properly interpreted by the client. These reports must not be embellished with such detailed analyses of the subject's personality traits as would be appropriate only after intensive interviews with the subject.

(l) Tests shall be appropriately chosen and be given for a justifiable purpose to the benefit of the client.

(3) Interprofessional relations. A psychologist or school psychologist shall not establish nor offer to establish a continuing treatment relationship with a person receiving psychological assistance from another professional except with the knowledge of the other professional or after the termination of the client's relationship with the other professional.

(4) Remuneration.

(a) A psychologist or school psychologist shall not use his professional relationship with a client to derive personal gain, other than through fees for professional services, for himself, for any other person, or for any organization from the sale or promotion of a non psychology-related product or service.

(b) A psychologist or school psychologist shall not accept a private fee or any other form of remuneration for professional work with a person who is entitled to his services through an institution or agency. The policies of a particular agency may make explicit provision for private work with its clients by members of its staff, and in such instances the client shall be fully apprised of all policies affecting him prior to entering into a professional relationship with the psychologist or school psychologist.

(c) No commission or rebate or other form of remuneration shall be given or received by a psychologist or school psychologist for referral of clients for professional services, whether to/by an individual or to/by an agency. A psychologist or school psychologist shall not make any agreement or arrangement to share and/or divide fees and/or charges for professional services with any other professional person or with any other person.

(d) A psychologist or school psychologist shall not bill for services that are not rendered but may bill for missed appointments which the client did not cancel in advance according to arrangements required under paragraph (A) (2) (g) of this rule.

(5) Promotional activities. A psychologist or school psychologist associated with the development, promotion, or sale of psychological devices, books, or other products shall insure that such devices, books, or products are not misrepresented as to qualities, performance or results to be obtained from their use.

(6) Test security. Psychological tests and other assessment devices, the value of which depends in part on the naivete of the subject, shall not be reproduced or described in popular publications in ways that might invalidate the techniques. Access to such devices is limited to persons with professional interests who will safeguard their use.

(a) Sample items made up to resemble those of tests being discussed may be reproduced in popular articles and elsewhere, but scorable tests and actual test items shall not be reproduced except in professional publications.

(b) A psychologist or school psychologist is responsible for the secrecy of psychological tests

and other devices and procedures used for instruction. If the value of such psychological tests or other devices or procedures used for instruction might be damaged by revealing to the general public their specific contents or underlying principles, the instructor shall inform the students of this fact.

(7) Test interpretation.

(a) Test scores, like test materials, may be released to another person or an organization only when the patient's or client's rights to confidentiality as set forth in paragraph (C) of this rule have been adhered to.

(b) Test results or other assessment data used for evaluation or classification shall be communicated to employers, relatives, or other appropriate persons in such a manner as to guard against misinterpretation or misuse. In the usual case, an interpretation of the test result rather than the score is communicated.

(c) When test results are communicated directly to parents, legal guardians, and/or students, they shall be accompanied by adequate interpretive aids or advice. Explanations are given to all parties in language they can understand.

(d) Any individual or organization offering test scoring and interpretation services shall be able to demonstrate that their programs are based on appropriate research to establish the validity of the programs and procedures used in arriving at interpretations. The public offering of an automated test interpretation service will be considered as a professional-to-professional consultation. In this, the formal responsibility of the consultant is to the consultee but his ultimate and overriding responsibility is to the client.

(B) Competence.

(1) A psychologist or school psychologist recognizes the boundaries of his competence and the limitations of his techniques and shall not offer services or use techniques that fail to meet professional standards established in particular fields. The psychologist or school psychologist who engages in practice assists his client in obtaining professional help for all important aspects of his problem that fall outside the boundaries of his own competence. This principle requires, for example, that provision be made for the diagnosis and treatment of relevant medical problems and for referral to or consultation with other specialists.

(2) A psychologist or school psychologist shall exercise sound judgment and care in determining what constitutes his area(s) of competence. A guiding principle is the following: One who undertakes practice in a given specialty area will be held to the standard of care within that specialty while he is practicing in that area.

(C) Confidentiality. Section 4732.19 of the Revised Code established that the confidential relations and communications between a licensed psychologist or a licensed school psychologist and his patients or clients come under the umbrella of a privilege. Said privilege, in general, dictates that licensed psychologists and licensed school psychologists adhere to the following principles:

(1) The privilege is intended to protect the interest of the patient or client by encouraging free disclosure to the licensed psychologist or the licensed school psychologist and by preventing such disclosure to others. Thus, the patient rather

than the licensed psychologist or the licensed school psychologist holds and may assert the privilege.

(2) The privilege attaches only where the purpose of the relations between the licensed psychologist or the licensed school psychologist and the patient or client is for treatment or diagnosis.

(3) The patient or client, or legal guardian of same, may waive said privilege, thus permitting the licensed psychologist or the licensed school psychologist to disclose to others the confidential relations and communications between himself and said patient or client.

(4) The scope of said privilege is the same as that between a physician and his patient* and, therefore, court decisions construing the scope of the physician-patient privilege are applicable to the privilege between the licensed psychologist or the licensed school psychologist and his patient or client.

*See footnote, page 7, re Section 2317.02.

(D) Supervision. Rules 4732-13-01, 4732-13-02, and 4732-13-03 of the Administrative Code, pertaining to supervision of persons performing psychological work, shall be considered as a part of these rules for professional conduct.

Effective September 1, 1981

4732-17-02. Ethics Governing Research Insofar as Said Research Involves the Professional Practice of Psychology in Which Patient or Client Welfare Is Directly Affected

(A) In planning a study, the investigator has the personal responsibility to make a careful evaluation of its ethical acceptability, taking into account these principles for research with human beings. To the extent that this appraisal, weighing scientific and humane values, suggests a deviation from any principle, the investigator incurs an increasingly serious obligation to seek ethical advice and to observe more stringent safeguards to protect the rights of the human research participant.

(B) Responsibility for the establishment and maintenance of acceptable ethical practice in research always remains with the individual investigator. The investigator is also responsible for the ethical treatment of research participants by collaborators, assistants, students, and employees, all of whom, however, incur parallel obligations.

(C) Ethical practice requires the investigator to inform the participant of all features of the research that reasonably might be expected to influence willingness to participate, and to explain all other aspects of the research about which the participant inquires. Failure to make full disclosure gives added emphasis to the investigator's abiding responsibility to protect the welfare and dignity of the research participant.

(D) Openness and honesty are essential characteristics of the relationship between investigator and research participant. When the methodological requirements of a study necessitate concealment or deception, the investigator is required to ensure the participant's understanding of the reasons for this action and to restore the quality of the relationship with the investigator.

(E) Ethical research practice requires the investigator to respect the individual's freedom to

decline to participate in research or to discontinue participation at any time. The obligation to protect this freedom requires special vigilance when the investigator is in a position of power over the participant. The decision to limit this freedom gives added emphasis to the investigator's abiding responsibility to protect the participant's dignity and welfare.

(F) Ethically acceptable research begins with the establishment of a clear and fair agreement between the investigator and the research participant that clarifies the responsibilities of each. The investigator has the obligation to honor all promises and commitments included in that agreement.

(G) The ethical investigator protects participants from physical and mental discomfort, harm and danger. If the risk of such consequences exists, the investigator is required to inform the participant of that fact, secure consent before proceeding, and take all possible measures to minimize distress. A research procedure may not be used if it is likely to cause serious and lasting harm to participants.

(H) After the data are collected, ethical practice requires the investigator to provide the participant with a full clarification of the nature of the study and to remove any misconceptions that may have arisen. Where scientific or humane values justify delaying or withholding information, the investigator acquires a special responsibility to assure that there are no damaging consequences for the participant.

(I) Where research procedures may result in undesirable consequences for the participant, the investigator has the responsibility to detect and remove or correct these consequences, including, where relevant, long-term aftereffects.

(J) Information obtained about the research participants during the course of an investigation is confidential. When the possibility exists that others may obtain access to such information, ethical research practice requires that this possibility, together with any rights that the participants may have to confidentiality as set forth in division (E) of rule 4732-17-01 [after September 1, 1981, see paragraph (C) of rule 4732-17-01] be explained to the participants as a part of the procedure for obtaining informed consent.

(K) Investigations of human subjects using experimental drugs (for example: hallucinogenic, psychotomimetic, psychedelic, or similar substances) should be conducted only in such settings as clinics, hospitals, or research facilities maintaining appropriate safeguards for the subjects.

Effective April 14, 1975

4732-17-03. Consequence of Activities Listed in Section 4732.17 of the Revised Code; Opportunity for Appeal from Any Order of the State Board of Psychology

(A) The board may refuse to issue a license to any applicant, may issue a reprimand, or suspend or revoke the license of any licensed psychologist or licensed school psychologist, on any of the following grounds; however, before denying, suspending or revoking a license under section 4732.17 of the Revised Code or taking other disciplinary action against a licensee, the board shall consider charges filed by the secretary and provide a hearing in accordance with Chapter 119. of the Revised Code:

(1) Conviction of a felony, or any offense involving moral turpitude, in a court of this or any other state or in a federal court;

(2) Using fraud or deceit in the procurement of the license to practice psychology or school psychology or knowingly assisting another in the procurement of such a license through fraud or deceit;

(3) Accepting commissions or rebates or other forms of remuneration for referring persons to other professionals;

(4) Willful unauthorized communication of information received in professional confidence;

(5) Being negligent in the practice of psychology or school psychology;

(6) Using any controlled substance or alcoholic beverage to an extent that such use impairs his ability to perform the work of a psychologist or school psychologist with safety to the public;

(7) Violating any rule of professional conduct promulgated by the board;

(8) Practicing in an area of psychology for which the person is clearly untrained or incompetent;

(9) An adjudication by a court, as provided in section 5122.301 of the Revised Code, that the person is incompetent for the purpose of holding the license. Such person may have his license issued or restored only upon determination by a court that he is competent for the purpose of holding the license and upon the decision by the board that such license be issued or restored. The board may require an examination prior to such issuance or restoration.

(B) Notice and hearing requirements incident to the revocation, suspension, or refusal to issue, reinstate, or renew a license to practice psychology, or incident to the reprimand of a licensee, shall be in compliance with the provisions of Chapters 119, and 4732, of the Revised Code, including the following:

(1) Notice shall be given to the licensee or applicant for licensure by certified mail of his right to a hearing on the question of whether or not his license should be revoked, suspended, not reinstated, or denied, or whether, if a licensee, he should be reprimanded;

(2) The notice shall include the charges or other reasons for such proposed action, the law(s) and/or rule(s) directly involved, and a statement informing the licensee or applicant for licensure that he is entitled to a hearing, if he requests it within thirty days of the date of mailing the notice;

(3) The notice shall also inform the licensee or applicant for licensure that at the hearing he may appear in person, by his attorney, or by such other representative as is permitted to practice before the

board, or may present his position, arguments, or contentions in writing and that at the hearing he may present evidence and examine witnesses appearing for and against him;

(4) Whenever a licensee or applicant for licensure requests a hearing, the board shall immediately set the date, time, and place for such hearing and forthwith notify the licensee or applicant for licensure thereof. The date set for such hearing shall be within fifteen days, but not earlier than seven days, after the licensee or applicant for licensure has requested a hearing, unless otherwise agreed to by both the board and the licensee or applicant for licensure. However, the board may postpone or continue any adjudication hearing upon the application of any party or upon its own motion;

(5) The board may empower any one or more of its members to conduct any proceeding, hearing, or investigation necessary to its purposes;

(6) Any party adversely affected by any order of the board issued pursuant to an adjudication hearing may appeal from the order of the board to the court of common pleas of the county in which the place of business of the licensee or applicant for licensure is located or the county in which the licensee or applicant for licensure is a resident. If any such party is not a resident of and has no place of business in Ohio, he may appeal to the court of common pleas of Franklin county, Ohio. Any party desiring to appeal shall file a notice of appeal with the board setting forth the order appealed from and the grounds of his appeal. A copy of such notice of appeal shall also be filed by appellant with the court. Such notices of appeal shall be filed within fifteen days after the mailing of the notice of the board's order.

Effective September 1, 1981

4732-19-01. Enforcement and Discipline

Licensed psychologists and licensed school psychologists governed by Chapter 4732, Ohio Revised Code, and by these rules shall be disciplined in accordance with Chapters 4732 and 119, Ohio Revised Code, for violation of these rules.

Effective April 14, 1975

4732-21-01. Independent Rules

Each rule of rules 4732-1-01 to 4732-21-01, inclusive, and every part of each rule is hereby declared to be an independent rule, and the holding of any rule or part thereof to be unconstitutional, void or ineffective for any cause shall not affect the validity or constitutionality of any other rule or part thereof.

Effective April 14, 1975

Hawaii - please see below.

REQUIREMENTS FOR LICENSE

- 1) **APPLICATION FORM AND ADDRESS** Complete this application form, tape a recent photograph of head and shoulders in the space provided and have your signature notarized. Mail or deliver all items to: ~~Pharmacist License, DCCA, PVL, Lic. Br., 1010 Richards Street, P.O. Box 3469, Honolulu, HI 96801.~~
- 2) **FEES** All fees are nonrefundable. Check should be made payable to: *Commerce & Consumer Affairs.*
- | | | |
|--------------------------------|-------|---|
| Application Fee | \$ 50 | Must be submitted with each application. |
| Examination Fee | \$150 | Must be submitted upon approval of application. |
| Certification Fee | \$ 30 | Must be submitted after all requirements for license are met. |
| Compliance Resolution Fund | \$ 10 | Must be submitted after all requirements for license are met. |
| ½ Renewal Fee | \$ 50 | Must be submitted in addition to the certification fee if license is issued in a fiscal year ending with an ODD number. |
| Temporary Permit Fee | \$ 30 | Must be submitted upon approval of permit. |
- NOTE: A \$7.50 SERVICE FEE FOR CHECKS THAT ARE NOT HONORED BY THE BANK.
- 3) **EXAM DATES AND FILING DEADLINES** Pass a written examination. Examinations are given in April and October. Application and all supporting documents must be received at least 75 days prior to the examination date. Incomplete applications are not considered.
- 4) **DEGREE AND GRADUATE WORK** Hold a doctoral degree in psychology or educational psychology from an accredited institution of higher education. *Submit a photocopy of your doctoral degree AND transcript of graduate school work.*
- 5) **TRAINING AND EXPERIENCE** Have a minimum of 3 or more graduate semester hours (or the equivalent in graduate quarter hours) in each of the following areas:
- A) Scientific and professional ethics and standards
 - B) History and systems
 - C) Research design and methodology
 - D) Statistics and psychometrics
- Have a minimum of 6 or more graduate semester hours (or the equivalent in graduate quarter hours) in each of the following areas:
- A) Biological bases of behavior; physiological psychology, comparative psychology, neuropsychology, sensation and perception, psychopharmacology.
 - B) Cognitive-affective bases of behavior; learning, thinking, motivation, emotion.
 - C) Social bases of behavior; social psychology, group processes, organizational and systems theory.
 - D) Individual differences; personality theory, human development, abnormal psychology.
- Submit attached "Training Report" (form #PSY-01A).*
- 6) **INTERNSHIP** Have completed one year of internship in psychology under the supervision of a psychologist. *Submit letter of internship signed by your supervisor, who must have a doctoral degree in psychology and at least 2 years of experience in the supervised work.*

REQUIREMENTS FOR RECIPROCITY OR TEMPORARY PERMIT

IN ADDITION to submitting ALL items listed above:

- 7) **OUT-OF-STATE LICENSE OR DIPLOMATE OF ABEPP** Have a certificate or license in good standing in another state which was issued after the passing of a written and an oral examination produced by the American Association of State Psychology Boards. *Submit an official statement forwarded by the authority which issued your license attesting that it is currently valid and was issued after passing of the required written and oral examination.*
- OR
- Be a holder of a diplomate certificate in good standing of the American Board of Examiners in Professional Psychology. *Submit a photocopy of your diplomate certificate in good standing from the American Board of Examiners in Professional Psychology.*
- 8) **LAWS EXAM AND INTERVIEW** You will be required to pass a one-half hour examination covering the Hawaii psychologist law (Chapter 465, H.R.S.) and the Board's rules. To obtain a copy, send \$1.25 to: CASHIER, Commerce & Consumer Affairs, P.O. Box 541, Honolulu, HI 96809. Price subject to change without notice.

APPLICATION FOR CERTIFICATION – PSYCHOLOGIST

SEE REVERSE SIDE FOR INSTRUCTIONS.

EXAM \$50 appl \$150 exam PhD deg Trns-grad Train Rpt Intern (yr)	END/TEMP: \$30 permit out-st veri ABEPP cert	LICENSE: \$10 CRF \$30 License \$50 1/2 (7/Ev to 8/Odd)
	Effective Date	Lic. No.

FOR OFFICE USE

Name (First–Middle–LAST)	
Mailing Address (Include Apt. No. and ZIP CODE)	
Social Security No.	Phone (days)

- 1) During the past 20 years have you ever been convicted of a crime in which a jail sentence was imposed and where there has not been any order annulling or expunging the sentence? YES NO
If yes, explain on separate sheet.
- 2) Have you been certified or licensed to practice psychology in another state? YES NO
If yes, what state? _____ Was a written examination required? YES NO
- 3) Have you ever been denied a certificate or license as practicing psychologist? YES NO
If yes, explain on separate sheet.
- 4a) Has any license ever been suspended, revoked or otherwise subject to disciplinary action? YES NO
If yes, explain on separate sheet.
- b) Are there any disciplinary actions pending against you? YES NO
If yes, explain on separate sheet.

EDUCATION	Name of Institution	Major Course of Study	Date of Graduation	Degree Conferred

EXPERIENCE	Name and Address of Employer	Duties	Dates		Position
			From	To	

**USE A STAPLER TO
AFFIX A RECENT
PHOTOGRAPH
HERE,
2 1/2" x 2 1/2"
HEAD AND SHOULDERS ONLY**

I certify that the answers and statements made in this application are true and correct. I understand that misrepresentation is grounds for refusal or subsequent revocation of license (Sec. 710-1017, Hawaii Revised Statutes).

APPLICANT'S SIGNATURE _____

Subscribed and sworn to before me this
day of _____, 19_____

Notary Public, State of _____
My Commission expires _____

Psychologist:	App 112-0886-01 \$ 50	} \$200
	Ex 112-0886-02 \$150	
	Temp 112-0886-04 \$ 30	
	Lic 112-0886-03 \$ 30	} \$ 40
	CRF 049-0953-13 \$ 10	
	1/2 112-0128-02 +\$ 50	

Massachusetts - Please see below

INSTRUCTIONS FOR COMPLETING APPLICATION FOR LICENSURE
AS A PSYCHOLOGIST

All applicants for licensure please read the following instructions carefully, as they relate to the application form.

PLEASE COMPLETE ALL ITEMS ON FORM. OFFICIAL TRANSCRIPTS OF ALL GRADUATE WORK MUST BE SENT BY THE UNIVERSITY TO THE STATE BOARD.

Item 2. Legal Residence: That permanent residence which is also your voting address. Legal residency in Massachusetts is not required.

Item 8. If you request licensing by examination the entire form must be completed. You will be notified at a later date of your eligibility to take the examination and of the time and place for examination. Examinations are usually given in April and October, and applications must be complete by February 1st to take the April exam and by August 1st for the October exam.

At the time of the examination, the applicant must supply a positive identification by photograph. The applicant may bring either,

- (a) A Massachusetts motor vehicle operator's license, or
- (b) A photograph taken within the past year, signed by the applicant and witnessed and countersigned by a registered Notary Public.

If you request licensing by reciprocity, complete all items and forward a photocopy of your state license or certificate, or diplomate certificate with this application. Please also have your state board of registration mail to this Board information as follows:

- (a) Date and form of examination you took
- (b) National mean raw score reported by PES on that examination
- (c) Standard deviation
- (d) Your score
- (e) Your current status in that state

Item 10. Use the following fields of psychology to complete this item. Write in your own only if none of these areas fit your training and experience:

- | | |
|-----------------------------------|--|
| Systems, Methodology & Techniques | Educational Psychology |
| Experimental Psychology | Engineering Psychology |
| Physiological Psychology | Industrial & Organizational Psychology |
| Social Psychology | Psychometrics |
| Developmental Psychology | Comparative/Animal Psychology |
| Personality Psychology | Military Psychology |
| Clinical Psychology | Psycholinguistics |
| Community Psychology | Psychopharmacology |
| Counseling Psychology | General Psychology |
| Neuropsychology | School Psychology |
| Forensic Psychology | |
| Other Psychology Fields | |

Can't tell

In responding to this question, you must first list in "A" the field in which you were trained at the doctoral level as it appears on your transcript issued by the institution which granted your doctoral degree, or as officially designated by the

program and department in which you obtained your doctoral degree. This must be preceded by your degree abbreviation as printed on the transcript of your degree granting institution. Example, if your degree was obtained from a School of Education which awarded you the Doctorate of Education in Counselor Education, your response to item "A" should read, (1) "Ed.D. Counselor Education".

If you have undertaken a course of post-doctoral retraining, this field must be listed next as it is titled in transcripts and official publications of the program in which you obtained the retraining. Retraining consists of:

a. If obtained prior to 1979: a two-year full time or equivalent academic and/or field educational training experience conducted by a formally constituted training program or center and comprised of an integrated sequence of didactic and practical experiences and for which a formal diploma or certification of completion was issued. A notarized copy of this certificate or diploma must accompany your application.

b. If obtained after July 1, 1979: such retraining shall consist of completion of the required core of courses ordinarily expected to be taken by doctoral candidates who receive their doctoral degrees in the field in which you have been retraining as well as practical and internship requirements for that field. A letter attesting to your completion of these requirements from the director or an administrative official of the program in which you were retrained must accompany this application.

If you have not undertaken a course of post-doctoral retraining, please fill in 10B and 10C, by stating those areas of psychology in which you have had supervised practical experience ranked according to the extensiveness in didactic training and supervised experience. List first that area in which you have had the most supervised experience and/or academic preparation.

Beneath 10B and 10C in the space marked "2", enter number of hours of supervised experience in these fields, experience that is not supervised must be so designated.

RECIPROCITY APPLICANTS:

If you are a Senior Psychologist applying for licensure in Massachusetts and are already licensed in another state or hold the A.B.P.P. diploma, please fill in this item in the following fashion, viz:

10A. Doctoral degree and field as it appears on your graduate transcript

- B. 1. Field in which you hold the A.B.P.P. diploma
- 2. A.B.P.P. and diploma number

Item 22: All applicants must complete this item and send sufficient Supervision and Collaboration Reference Forms to supervisors or collaborators to verify experience. At least 100 weeks of full time supervised professional experience is required, 50 of which must be post-doctoral. Supervised experience can only be counted when obtained in settings where you functioned as a supervisee for more than, 16 hours per week and for more than four months in duration. Experience cannot be

counted until the applicant has had at least one full year of graduate training. (See Section 5 of the Rules and Regulations).

Item 24: It is your responsibility to give the Professional and Ethical Reference Forms to your three endorsers for their completion. Be sure that they meet the definition of endorsers as outlined on the application form and that they meet the completed forms directly to the Board. BEFORE YOU GIVE THEM THIS FORM, YOU MUST SIGN THE "WAIVER OF LIABILITY" STATEMENT ON EACH FORM. (Please note that at least two endorsers must be able to certify that they have "thorough" knowledge of your professional and ethical behavior. P & E form Item 6)

Item 25: In completing this item the applicant should be aware of the Ethical Standards of Psychologists, Principle 2, Competence.

FEES

1. An application fee of \$90.00 must accompany this application.
2. Following review, if the applicant meets licensing requirements, an Initial license fee of \$60.00 is due. This initial license fee covers the licensed psychologist until the biennial renewal fee is due (July 1st of the even year).
3. Biennial renewal fee: \$60.00

All fees should be made payable to the COMMONWEALTH OF MASSACHUSETTS, in check or money order form.

REMINDERS:

1. OFFICIAL transcripts of all graduate work are necessary to complete all applications. The official transcripts must be sent to the Board directly by the Universities.
2. It is your responsibility to inform the Board if you change your address and to maintain your license as current by paying your biennial renewal fee promptly.



The Commonwealth of Massachusetts

Division of Registration

Board of Registration of Psychologists

Leverett Saltonstall Building, Government Center

100 Cambridge Street, Boston 02202

TO: All prospective applicants for Massachusetts registration
for Psychology licensure

FROM: Board of Registration of Psychologists

RE: Board Regulations explaining requirements for admission.

It is suggested that each candidate for Massachusetts registration/license obtain pertinent Board Regulations in the following manner:

1. Submit check in the amount of \$1.70, made payable to "Commonwealth of Massachusetts",
2. TO: State House Bookstore
Room 116, State House
Boston, MA 02133
3. ASK FOR: 251 CMR (Code of Mass. Regulations-Bd. of Psychology)
4. FURNISH: Name and address



The Commonwealth of Massachusetts

Division of Registration

Board of Registration of Psychologists

100 Cambridge Street, Boston 02202

Tel: 617-727-9925

APPLICATION FOR LICENSE TO PRACTICE PSYCHOLOGY IN MASSACHUSETTS

24. Give name and address of three references, at least two whom are licensed psychologists who know your professional background and ethical standards.

The other endorser may be a psychologist, a board certified psychiatrist or at the discretion of the Board, a member of another psychological specialty. (Regs. c. i. Par , Give your endorser the enclosed form after signing waiver of liability on top of each form and have endorser send the form directly to the Board. This is your responsibility.

1. Name Title or Position Address Tel #
2. Name Title or Position Address Tel #
3. Name Title or Position Address Tel #

25. I agree to conduct my professional activities in accordance with accepted standards of the American Psychological Association.

I certify that I possess and have completely read the most recent version of the Ethical Principles of Psychologists of the American Psychological Association.

26. Affidavit (To be made before a Notary Public or other public official qualified by law to administer oaths)

I, the undersigned, being duly sworn, do state upon oath that the foregoing statements are true and made in good faith.

Applicant's Signature

State of County of

I, a Notary Public in and for State aforesaid, DO HEREBY CERTIFY that, personally known to me to be the same person whose name is subscribed to the foregoing instrument appeared before me this day in person, and acknowledge that he/she signed, sealed and delivered the said instruments as his/her free and voluntary act, for the uses and purposes set forth.

GIVEN under my hand this day of 19

Notary Public

My commission expires

ATTACH SIGNED RECENT 2 x 2 FACE PHOTO (PASSPORT TYPE) HERE

Type or Print Clearly DATE:

1. Name Type or Print name exactly as it should appear on license

2. Legal Residence Telephone No.

3. Business Address Telephone No.

Check mailing address

4. Social Security Number

5. (a) Birthdate (b) Sex

6. Birthplace

7. Are you a citizen of the United States? Yes No If no, of which country?

8. This application is for (check box) Licensing as Psychologist by Examination Licensing as a Psychologist by Reciprocity from (state)

Applicants for licensing by reciprocity must complete all items on this application and forward photocopy of state license or diplomate certificate and results of licensing examination. (See Instructions)

9. Do you intend to practice psychology in this state? Yes No If yes, please delineate your plans.*

*If response is necessary, please use 8 1/2 x 11 paper.

Deadline for receipt of application material, Jan. 1st for April Exam, and July 1st for October Exam.

Applicant is responsible for making certain that all supporting materials are before the Board Feb. 1st for April Exam, and Aug. 1st for Oct. Exam.

10. Name those fields of areas of psychology in which you intend to practice (maximum of three) in the Commonwealth and document by academic preparation and practical supervised training. Use fields given in instruction form.

Specialization: A (1) _____ B (1) _____ C (1) _____
Training: (2) _____ (2) _____ (2) _____
Experience: (3) _____ (3) _____ (3) _____

10a. Request that official transcripts of all graduate work be submitted to this Board.

10b. If your academic training and supervised experience has not been in the field(s) that you cite above, please append documentation of the training and experience which qualify you in these fields.

11. Have you ever been convicted of a felony or misdemeanor, other than a traffic violation?
Yes _____ No _____ If yes, please give details in a written confidential statement addressed to the Chairman of the Board.

12. If you have ever been disciplined in any form for unethical behavior or unprofessional conduct, you are required to submit a written confidential statement addressed to the Chairman of the Board outlining details of the action.

13. Have you been licensed or certified in psychology in Massachusetts or another state?
Yes _____ No _____ Name of State _____ License No. _____
Certificate No. _____ Date Issued _____
Specialty _____
Is the license or certificate current? Yes _____ No _____

14. Have you ever had a license or certificate denied, revoked or suspended?
Yes _____ No _____ If yes, append letter with details.

15. Do you hold the Diploma of the American Board of Professional Psychology?
Yes _____ No _____ If yes, give details: _____

16. Other professional license or certification? Yes _____ No _____
Specialization _____ Date of certification _____

17. List all professional organizations of which you are a member and give membership level.

18. Have you ever been rejected for membership in a professional organization?
Yes _____ No _____
Has your membership in a professional organization ever been revoked? If yes, append letter with details.

19. Have you ever been censured by a professional organization of which you were a member?
Yes _____ No _____ If yes, append letter with details.

20. Undergraduate Education:
College or University _____
Dates attended _____ Degree and date _____
mth/yr
Major _____

21. Graduate Education:
a. University _____ Dates attended _____
Doctoral degree and date _____ Major _____
mth/yr
Date of completion of all doctoral degree requirements _____
Major Advisor _____
Name and Title
Title of Thesis _____

b. University _____ Dates attended _____
Degree and Date _____ Major _____
mth/yr
Major Advisor _____
Name and Title
Title of Thesis _____

c. University _____ Dates attended _____
Degree and Date _____ Major _____
mth/yr
Major Advisor _____
Name and Title
Title of Thesis _____

22. & 23. (See enclosed yellow sheet)

~~Exhibit F~~



STATE OF CONNECTICUT

DEPARTMENT OF HEALTH SERVICES
DIVISION OF MEDICAL QUALITY ASSURANCE

Licensure Requirements PSYCHOLOGISTS

*please see page 2
of the Statutes*

Application for Initial Licensure

*approved by board
& commission
of health services*

and page 2 of the regs.

Eligibility: An applicant for initial licensure must have received a doctoral degree from an approved program in psychology. In addition, the applicant must have completed at least one year of post-doctoral work experience within a given area of specialization (35 hours/week for at least 45 weeks).

All schools in which the doctoral work is done must have been accredited by the appropriate regional accrediting agency. The curriculum of an approved program shall encompass a minimum of three academic years of full-time graduate work and shall include instruction in professional ethics, research design, research methodology, statistics and psychometrics. In addition to these courses of study, competence is required in each of the following areas: Biological bases of behavior, cognitive-affective bases of behavior, social bases of behavior, and individual differences. At least three semester hours are required in each of these four core areas.

Application Procedure: The application form must be completed in-full, be notarized, and returned to Division of Medical Quality Assurance. The following supporting documents must be forwarded directly to this Division:

- official transcripts of all graduate work.
- letters of evaluation from three people attesting to the applicant's moral character and professional abilities.
- evaluation forms completed by supervisors of the applicant's post-doctoral work experience/internship.
- a bank check, certified check or Money Order for \$150.00 made payable to: Treasurer, State of Connecticut.
- Summary of work experiences since graduation.

ALL APPLICATIONS AND DOCUMENTS MUST BE RECEIVED AT LEAST 60 DAYS PRIOR TO THE FIRST DAY OF THE MONTH OF THE EXAM.

Licensure Without Examination:

Eligibility: Persons with a current valid license in another state on the basis of standards at least equal to those of Connecticut may receive licensure without exam.

Application Procedure: Same as above but you must have the Interstate Reporting Service report your scores to Connecticut. The application fee for licensure without exam is \$100.00. You must request the other state in which you are licensed to send verification of same to this office.

CHAPTER 383
PSYCHOLOGISTS

Section 20-186. Board of Examiners. (a) The board of examiners of psychologists shall consist of five members appointed by the governor, three of whom shall be practicing psychologists in good professional standing and licensed according to the provisions of this chapter and two of whom shall be public members. Each such member shall be a resident of this state. No member of said board shall be an elected or appointed officer of any professional association of psychologists or have been such an officer during the year immediately preceding his appointment. The governor shall designate one member as chairman of said board and shall fill any vacancy therein by appointment for the unexpired portion of the term. No member shall serve for more than two full consecutive terms commencing after July 1, 1980. Members shall not be compensated for their services but shall be reimbursed for necessary expenses incurred in the performance of their duties.

(b) Said board shall meet at least once during each calendar quarter and at such other times as the chairman deems necessary. Special meetings shall be held on the request of a majority of the board after notice in accordance with the provisions of section 1-21. Any member who fails to attend three consecutive meetings or who fails to attend fifty per cent of all meetings held during any calendar year shall be deemed to have resigned from office. Minutes of all meetings shall be recorded by the board. No member shall participate in the affairs of the board during the pendency of any disciplinary proceedings by the board against such member.

Section 20-186a. Duties of board of examiners. The board of examiners of psychologists shall (1) hear and decide matters concerning suspension or revocation of licensure, (2) adjudicate complaints filed against practitioners licensed under this chapter, and (3) impose sanctions where appropriate.

Section 20-187a. License required. Practice defined. No person shall practice psychology unless he has obtained a license as provided in section 20-188. The practice of psychology means the rendering of professional services under any title or description of services incorporating the words psychologist, psychological or psychology, to the public or to any public or private organization for a fee or other remuneration. Professional psychological services means the application, by persons trained in psychology, of established principles of learning, motivation, perception, thinking and emotional relationships to problems of personnel evaluation, group relations and behavior adjustment, including but not limited to counseling, guidance, psychotherapy and behavior modifications, with persons or groups with adjustment problems in the areas of work, family, school, marriage and personal relationships; measuring and testing of personality, intelligence, aptitudes, emotions, public opinion, attitudes and skills; and research on problems relating to human behavior.

✓
Section 20-188. Examination; qualifications. Before granting a license to a psychologist, the department shall, except as provided in section 20-190, require any applicant therefor to pass an examination in psychology to be given at such time and place as the department prescribes. Examinations shall be prescribed by the department, with the advice and consent of the board, and shall be administered to applicants by the department of health services under the supervision of the board. Each applicant shall pay a fee of one hundred fifty dollars, except an applicant for licensure under section 20-190 shall pay a fee of one hundred dollars, and shall satisfy the department that he (1) has received the doctoral degree based on a program of studies whose content was primarily psychological from an educational institution registered as provided in section 20-189; and (2) has had at least one year's postdoctoral experience of a type satisfactory to the board. Such applicant shall further verify that he intends in good faith to practice psychology in this state. The department shall establish a passing score with the consent of the board. The department of health services shall grade the examinations returned by the candidates. Any unsuccessful candidate may, upon written request to the department, see his graded paper. Any certificate granted by the board of examiners prior to June 24, 1969, shall be deemed a valid license permitting continuance of profession subject to the provisions of this chapter.

[
Section 20-189. Graduation from approved education program required. Applicants shall graduate from an education program approved by the board with the consent of the commissioner of health services.

Section 20-190. License without examination of out-of-state licensees and practitioners, holders of diploma from national board. The department of health services may grant a license without examination to any applicant who is a currently practicing, competent practitioner and who at the time of application is licensed or certified by a similar board of another state whose standards, in the opinion of the department, are substantially similar to, or higher than, those of this state; and may waive the examination for any person holding a diploma from a nationally recognized board or agency approved by the board of examiners. The fee for such license shall be one hundred dollars. No license shall be issued under this section to any applicant against whom professional disciplinary action is pending or who is the subject of an unresolved complaint. The department shall inform the board annually of the number of applications it receives for licensure under this section.

Section 20-191a. Renewal of license. Each license issued under this chapter shall be renewed annually in accordance with the provisions of section 19a-88. Thirty days prior to the expiration date of each license under said section 19a-88, the department shall mail to the last-known address of each licensed psychologist an application for renewal in such form as said department determines. Each such application, on or before such expiration date, shall be returned to said department, together with

a fee of twenty-five dollars, and the department shall thereupon issue a renewal license. In the event of failure of a psychologist to apply for such renewal license by such expiration date, he may so apply subject to the provisions of subsection (b) of section 19a-88.

Section 20-191b. Fees for lost license and verifying licensure. The board of examiners of psychologists may charge a fee of two dollars for replacement of any lost license and a fee of three dollars for verifying licensure to the appropriate agency of any other state.

Section 20-192. Disciplinary action; grounds; appeals. The board may take any action set forth in section 19a-17, if the license holder: Has been convicted of a felony; has been found by the board to have employed fraud or deceit in obtaining his license or in the course of any professional activity, to have violated any provision of this chapter or any regulation adopted hereunder; to have acted negligently, incompetently or wrongfully in the conduct of his profession; practiced in an area of psychology for which he is not qualified; is suffering from physical or mental illness, emotional disorder or loss of motor skill, including but not limited to, deterioration through the aging process or is suffering from the abuse or excessive use of drugs, including alcohol, narcotics or chemicals. The commissioner of health services may order a license holder to submit to a reasonable physical or mental examination if his physical or mental capacity to practice safely is the subject of an investigation. Said commissioner may petition the superior court for the judicial district of Hartford-New Britain to enforce such order or any action taken pursuant to section 19a-17. Notice of any contemplated action under said section, of the cause therefor and the date of hearing thereon shall be given and an opportunity for hearing afforded as provided in the regulations adopted by the commissioner of health services. The attorney general shall, upon request, furnish legal assistance to the board. Any person aggrieved by any action of the board may appeal therefrom as provided in section 4-183, except such appeal shall be made returnable to the judicial district where he resides. Such appeal shall have precedence over nonprivileged cases in respect to order of trial.

Section 20-193. False representation. Penalties. Any person not licensed as provided in this chapter who, except as provided in section 20-195 represents himself as a psychologist or, having had his license suspended or revoked continues to represent himself as a psychologist, or carries on the practice of psychology as defined in sections 20-187a and 20-188, shall be fined not more than five hundred dollars or imprisoned not more than six months or both, and each violation shall be deemed a separate offense. Any such person shall be enjoined from such practice by the superior court upon application by the board. The department of health services may, on its own initiative or at the request of the board, investigate any alleged violation of the provisions of this chapter or any regulations adopted hereunder.

Section 20-194. Right to practice medicine not granted. Nothing in this chapter shall be construed to grant to licensed psychologists the right to practice medicine as defined in section 20-9.

Section 20-195. Exempted activities and employment. (a) Nothing in this chapter shall be construed to limit the activities and services of a graduate student, intern or resident in psychology, pursuing a course of study in an educational institution registered under the provisions of section 20-189, if such activities constitute a part of his supervised course of study. The provisions of this chapter shall not apply to any person in the salaried employ of any person, firm, corporation, educational institution or governmental agency when acting within his own organization. Nothing in this chapter shall be construed to prevent the giving of accurate information concerning education and experience by any person in any application for employment. Nothing in this chapter shall be construed to prevent physicians, osteopaths, optometrists, chiropractors, members of the clergy, attorneys-at-law or social workers from doing work of a psychological nature consistent with accepted standards in their respective professions.

(b) Nothing in this chapter shall prevent any person holding a certificate as school psychologist or school psychological examiner, granted by the state board of education, from using such title to describe his activities within an elementary or secondary school. Nothing in this chapter shall prevent any person who holds a standard certificate, granted by said board, as school psychologist or school psychological examiner from using such title to describe his activities within the private sector. Such activities within the private sector shall be limited to: (1) Evaluation, diagnosis, or test interpretation limited to assessment of intellectual ability, learning patterns, achievement, motivation, or personality factors directly related to learning problems in an educational setting; (2) short-term professional advisement and interpretive services with children or adults for amelioration or prevention of educationally-related problems; (3) educational or vocational consultation or direct educational services to schools, agencies, organizations or individuals, said consultation being directly related to learning problems; and, (4) development of educational programs such as designing more efficient and psychologically sound classroom situations and acting as a catalyst for teacher involvement in adaptations and innovations. Section 10-145b and regulations adopted by the state board of education concerning revocation of a standard certificate shall apply to a school psychologist or school psychological examiner who uses such title to describe activities within the private sector.

(c) Nothing in this chapter shall prevent any person employed by the state prior to July 1, 1985 with a title in the psychology series of the classified service from using a title in such series to describe his or her duties in the course of his or her employment with the state. The provisions of section 20-187a shall not apply to any person employed in such psychology series prior to July 1, 1985.

RULES OF PRACTICE
BOARD OF EXAMINERS OF PSYCHOLOGISTS OF CONNECTICUT

PROCEDURE GOVERNED AND STRUCTURE

Sec. 20-187-1. Procedure Governed. These rules govern practice and procedure before the Board of Examiners of Psychologists of the State of Connecticut under Chapter 383 of the Connecticut General Statutes except where by statute otherwise provided.

Sec. 20-187-2. Board of Examiners of Psychologists. The Board of Examiners of Psychologists is composed of five members appointed by the Governor for a term of five years, in accordance with the provisions of Sec. 20-186, Conn. Gen. Stat. All subsequent references to the "Board" shall mean the Board of Examiners of Psychologists.

Sec. 20-187-3. Meetings. The Board meets at least six times yearly. Additional meetings may be called as the Board deems necessary.

Sec. 20-187-4. Official address. All communications should be addressed to: Chairman or Secretary of Board of Examiners of Psychologists, Care of Department of Health, 79 Elm Street, Hartford, Connecticut 06115.

RULES OF PRACTICE AND PROCEDURE

Sec. 20-187-5. Standards. The Board adopts those standards which in its opinion are appropriate with respect to requirements for application, examination and licensure and which are not inconsistent with the provisions of Chapter 383 of the Connecticut General Statutes.

Sec. 20-187-6. Applications, Submission. (a)(1) Applications for examination and licensure shall be made to the Board on forms designated by said Board. Forms may be obtained from the Secretary of the Board.

(2) Completed applications shall be submitted to the Secretary of the Board and shall be accompanied by a non-refundable application fee, as required by statute, subject to the provision of Sec. 20-187-13.

(b) The application shall: (1) contain a statement by the applicant that he or she is a resident of the State of Connecticut or intends in good faith to practice psychology in the State of Connecticut; (2) the area of psychology in which he or she intends to practice in accordance with the provisions of Sec. 20-187-9; and (3) be properly signed and under oath.

(c) Any application submitted to the Board shall be completed to its satisfaction for consideration, to include: (1) the names and addresses of individuals selected by the applicant from whom references and evaluations will be forwarded directly to the Board; (2) the names and addresses of all graduate educational institutions attended by the applicant, which institutions shall be required to forward directly to the Board certified transcripts of the applicant's academic record; (3) the names and addresses of all other boards, agencies, commissions or the like which have certified or licensed the applicant which body will forward directly to the Board evidence of such certification or licensure.

(d) All applications, references, transcripts, evidence of certification or licensure, or any other material submitted to the Board shall be made a permanent record of said Board.

Sec. 20-187-7. Consideration of Applications. (a) For consideration of an application by the Board for the next scheduled examination, the application and required supporting documents must be received by the Secretary of the Board no later than sixty (60) days preceding the first day of the month in which the licensing examination is scheduled.

(b) It shall be the sole responsibility of applicant to insure that all application forms and all supporting material are submitted to the Secretary of the Board in a timely fashion and in accordance with Sec. 20-187-7(a).

(c)(1) If an applicant does not complete all requirements for licensure within one year after the date of receipt of the application, said application will be terminated; (2) any applicant whose application has been terminated must re-apply in accordance with the provisions of Sec. 20-187-6 to include payment of a non-refundable application fee for any further consideration for licensure by the Board.

Sec. 20-187-8. Qualifications. (a) All applicants seeking licensure by the Board shall meet the qualifications for licensure found in Chapter 383 of the Connecticut General Statutes, as amended, and regulations promulgated thereunder by the Board.

(b) Each applicant shall submit evidence which, in the opinion of the Board, substantiates that the applicant's doctoral degree was primarily psychological. Where the evidence is not sufficient, the Board may require additional evidence from the applicant and/or seek advice from appropriate experts upon its own initiative and without prior consultation with the applicant prior to making its determination.

(c)(1) The Board shall only accept and recognize doctoral degrees from educational institutions registered with the Secretary of the State Board of Education, in accordance with the provisions of Sec. 20-189 of the General Statutes; (2) the Board advises the Secretary of the State Board of Education, pursuant to Sec. 20-189, Connecticut General Statutes, as amended, that doctoral degrees from educational institutions accredited by governmental agencies and/or national and regional professional accrediting agencies may be registered.

~~Sec. 20-187-9. Declaration of Area of Practice. An applicant for licensure must declare the area of intended practice in accordance with Sec. 20-187-6(b)(2) and:~~

~~(a) If the area declared is clinical, the applicant must submit satisfactory evidence of completion of a one-year clinical internship approved by the American Psychological Association or such other clinical program or programs which are, in the opinion of the Board, accepted by recognized professional and educational agencies.~~

~~(b) If the area declared is other than clinical, for example, counseling, industrial, school, social or other, the applicant must submit satisfactory evidence, in the opinion of the Board, of training and education for that area of practice.~~

Sec. 20-187-10. Experience. (a) An applicant shall have completed at least one year post-doctoral experience of a type satisfactory to the Board, ~~in the area of psychology in which the applicant has declared his intention to practice, in accordance with Sec. 20-187-6(b)(2).~~

(b) One year post-doctoral experience shall consist of no less than thirty-five (35) hours per week for forty-five weeks, within one calendar year.

(c)(1) The applicant shall submit to the Board the name and address of the person or persons competent to evaluate the post-doctoral experience of the applicant and from whom an evaluation will be forwarded directly to the Board in accordance with Sec. 20-187-6(c)(1); (2) a person or persons competent to evaluate the post-doctoral experience means that the person or persons directly supervised the applicant or demonstrated to the satisfaction of the Board that he(they) had sufficient contact with the applicant to form an opinion to evaluate the applicant's professional skills.

(d) Credit for teaching and research shall only be granted when, in the opinion of the Board, such activities are: (1) clearly relevant to the declared area of intended practice; and (2) supplemented to a satisfactory degree by applied practical experience in the declared area of intended practice.

~~Sec. 20-187-11. Licensure for Additional Areas of Practice. (a) An applicant seeking licensure in additional areas of practice to that which he is already licensed must: (1) submit an additional application for each additional area of practice, together with all required documentary evidence in accordance with Sec. 20-187-6; (2) pay an additional application fee for each area of practice; and (3) fulfill all statutory and regulatory requirements for each additional area of practice, (4) provide evidence of additional training for each additional area for which license is sought.~~

Sec. 20-187-12. Examination. (a) The Board shall determine: (1) the subject matter and scope of the examination for licensure; (2) the method or mode of examination, that is, oral or written or a combination; (3) in advance the acceptable or passing level of performance for each examination.

(b) Applicants will be advised as to the date, time and place of the examination three weeks prior thereto.

Sec. 20-187-13. License Without Examination or Waiver. (a) Applicants do not apply for licensure without examination or a waiver of examination.

(b) In those states where licensing standards or certification standards are not lower than those required by Chapter 383 of the Connecticut General Statutes and the regulations promulgated thereunder and the applicant has been so licensed or certified, the Board may grant a license without examination upon submission of a complete application to the Board and official documentation of said licensing or certification.

(c) Diplomates of the American Board of Examiners in Professional Psychology shall make full application for licensure and may be considered individually for waiver of examination by the Board.

~~(d) If the Board, in its discretion, determines to grant a license without examination or waiver examination, one third of the original application fee submitted in accordance with Sec. 20-187-6(b) will be refunded to the applicant in due course without interest.~~

Sec. 20-187-14. Complaints. (a) Complaints of felony convictions, fraud or deceit in obtaining a license, neglect or wrongful action in the conduct of the profession, or practice in an area of psychology for which the licensee is not qualified may be presented to the Board.

(b) Any complaint shall be in writing and under oath, describing in detail all circumstances leading to the complaint.

Sec. 20-187-15. Notice of Hearing. (a) The Board shall hold such hearings as it deems necessary to decide on suspension or revocation of a license, as provided by Sec. 20-192 of the Connecticut General Statutes.

(b) The duly authorized representative of the Board shall cause to be issued and sent by registered or certified mail, returned receipt requested, to the licensee at his last known address, a written notice which shall include the date, time, place and nature of hearing, the facts or conduct alleged which could warrant suspension or revocation as required in Sec. 4-182 of the General Statutes, and the appropriate statutory authority not less than fifteen (15) days prior to said hearing.

Sec. 20-187-16. Conduct of Hearings. (a) The psychologist against whom a charge is filed shall have a right to appear before the Board in person or by counsel, or both, may produce witnesses and evidence in his behalf and may question witnesses.

(b) No license issued under this chapter shall be revoked or suspended without such hearing, but the nonappearance of the holder of such license, after notice, shall not prevent such hearing.

(c) The Board may subpoena witnesses and papers in its own behalf and, if requested by the psychologist, may subpoena witnesses and papers in his behalf.

(d) The Board may administer oaths, may compel the testimony of witnesses and may examine witnesses.

(e) The Board may issue commissions to take testimony and the testimony so taken and sworn to shall be admissible in evidence for and against the psychologist.

(f) The rules of evidence shall be as prescribed in section 4-178 of the General Statutes.

Sec. 20-187-17. Findings and Report of Hearing. The decision and/or order of the Board shall be sent by certified mail to the parties setting forth the findings of fact, conclusions of law and decision of the Board, separately stated. All decisions and/or orders rendered after a hearing shall be filed in the office of the Board.

PETITIONS FOR DECLARATORY RULINGS

Sec. 20-187-18. Petitions for Declaratory Rulings. (a) Any interested person may submit a petition for a declaratory ruling by the Board regarding the applicability of any statute or regulation administered by the Board to any practice described in the petition. The petition shall be in writing and submitted by mail or hand-delivered to the Chairman of the Board. It shall contain a detailed statement of the person's interest in such matter and the facts relevant thereto. The Board may demand such additional facts as it deems necessary.

(b) Within sixty (60) days following receipt of a petition, the Board shall, in its discretion, determine whether to deny it or to grant it. If it is denied, the Board shall notify the petitioner of its reasons in writing. If it is granted, the Board shall make a ruling and send it to the petitioner.

RULE MAKING

Sec. 20-187-19. Petitions for Rule Making. Petitions by interested persons requesting the promulgation, amendment, or repeal of a regulation of the Board must be submitted to the Board in writing. Such petition shall contain an explanation of the person's interest in the particular subject matter and the reasons for the proposal. Within thirty (30) days of the receipt of the petition, the Board will either deny the petition in writing, stating its reasons for the denial, or initiate proceedings to effect the requested action.

Sec. 20-187-20. Rule Making Procedure. Proceedings for the issuance, amendment, or repeal of a regulation may be initiated by the Board on its own initiative or pursuant to a petition submitted by an interested person. The procedure used for the issuance, amendment, or repeal of a regulation shall be as prescribed in sections 4-168 through 4-172 of the Connecticut General Statutes.

For Office Use Only: Check _____ TS #: _____ Eval. 1: _____ Eval. 2: _____
Let. 1: _____ Let. 2: _____ Let. 3: _____ Trans.: _____ PES: _____

STATE OF CONNECTICUT DEPARTMENT OF HEALTH SERVICES
DIVISION OF MEDICAL QUALITY ASSURANCE

APPLICATION FOR LICENSE TO PRACTICE PSYCHOLOGY

Type of Application: _____ Examination _____ Endorsement _____

Name: _____

First Middle Last Maiden

Home Address: _____

Street City State Zip

Telephone No. (Where you can be reached 8:30-4:30, Monday-Friday): _____

Date of Birth: _____ Social Security No.: _____

List below, in chronological order, all degrees earned.

<u>College/University</u>	<u>Department</u>	<u>Location</u>	<u>Degree</u>	<u>Mo & Year</u>	<u>Major</u>
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

Was the college/university of your doctoral program regionally accredited? _____

If Yes, name of accrediting agency? _____

Was your doctoral degree completed through an external degree program? _____

Was your doctoral program APA approved? _____

Have you completed a post-doctoral clinical internship? _____

If Yes, where? _____ Was this internship APA approved? _____

Are you a Diplomate of the American Board of Professional Psychologists? _____

If Yes, please provide a notarized copy of diploma or request that ABPP send a verification letter directly to this department.

Please list other states in which you are now or ever have been licensed:

State License # Date Issued

Have you ever had a license suspended or revoked for any reason? _____

Are you currently under investigation or do you have any complaints pending against you in another state? _____

If you are seeking licensure by endorsement, please have the other state(s) where currently licensed send documentation of licensure and a statement of the basis for licensure.

All applicants who have already taken the EPPP exam administered by the Professional Examination Service; must have a score report sent to Connecticut by the Interstate Reporting Service.

Enclosed with this application are two (2) evaluation forms. You must have one (1) form completed by a supervisor familiar with your post-doctoral work experience. If you completed an Internship, your internship supervisor must also complete an evaluation form. In addition to the evaluation, you must also request three (3) letters of recommendation from other individuals familiar with your professional character. All these must be sent directly to this office by the individuals completing them.

Please list the individuals who will be sending in Evaluations and Letters of Recommendation

- 1. Letter: _____ 4. Evaluation: _____
- 2. Letter: _____ 5. Evaluation: _____
- 3. Letter: _____

List in chronological order your positions of employment/internship. In addition, on a separate page, please provide a summary of your activities in each position.

Dates		Agency	Location	Supervisor	Hours/Week
From	To				
Mo. Yr	Mo. Yr.				
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

How many hours of post-doctoral employment/internship have you completed, to date. _____

If you are taking the exam, do you need accommodation for any handicapping condition? _____
If yes, please explain. _____

* * * * *

Affix a recent passport type photograph (2 1/2" x 3 1/2") here.

All of the above statements contained herein are true and correct to the best of my knowledge and belief.

(Affix notary seal here. A portion of notary seal must overlap photograph.)

Signature of Applicant Date _____

State of _____)
County of _____) ss.

On this _____ day of _____ 19____, _____
(applicant's name)

personally appeared before me, who being duly sworn says that she/he is the person referred to in the foregoing application and that the photograph attached hereto is a true picture of _____ self and that the statements made herein are true in every respect.

Signature of Applicant

Sworn to before me this _____ day of _____ 19____.

Signature of Notary Public

My Commission expires _____.

Please return this application, required documents, and fee to: CT Department of Health Services, Division of Medical Quality Assurance, Psychology Licensure, 150 Washington St. Hartford, CT 06106.

The next exam is: 4-11-86
All applications and documentation must be received by: 2-1-86

POST-DOCTORAL WORK EXPERIENCE

PSYCHOLOGIST EVALUATION FORM

Evaluation form concerning work experience to be completed by psychologist who supervised the candidate's postdoctoral work experience or internship.

Name of Candidate _____

Name and address of agency where experience was gained: _____

Name, title and address of supervisor: _____

Are you a licensed psychologist? _____ If not, what is your professional background? _____

What is your area of specialization in the general field of Psychology? _____
Highest earned degree: _____

Check any below:

Licensed (certified) psychologist: _____
Yes _____ No _____ State _____

A.P.A. _____
Member _____ Fellow _____ None _____

ABPP Diplomate: _____
Yes _____ No _____ Area _____

Other credentials: _____

What are the dates of employment/internship covered by this evaluation:
Number of weeks per year: _____ Number of hours per week: _____
From _____ to _____
Month Day Year Month Day Year

Were you a regular staff member of the organization where the candidate worked?
Yes _____ No _____ If "no", explain your relationship to the organization. _____

Indicate the approximate frequency and amount of time devoted by you to consultation and discussion in face-to-face contact with the candidate regarding this experience: Time per week _____ Frequency per week _____

Please write your evaluation of the candidate on the reverse side concerning the following:
(1) Candidate's competence as a psychologist in his/her area of specialization. (2) Candidate's possession and utilization of professional knowledge and skill which would enable him/her to function independently in offering service to the public. (3) Adherence to ethical standards.

Date _____ Evaluator's Signature _____

This completed form must be returned directly to the Secretary, Board of Examiners of Psychologists, 150 Washington St., Hartford, Ct. 06106

PRE-DOCTORAL INTERNSHIP
PSYCHOLOGIST EVALUATION FORM

Evaluation form concerning work experience to be completed by psychologist who supervised the candidate's postdoctoral work experience or internship.

Name of Candidate _____

Name and address of agency where experience was gained: _____

Name, title and address of supervisor: _____

Are you a licensed psychologist? _____ If not, what is your professional background? _____

What is your area of specialization in the general field of Psychology? _____
Highest earned degree: _____

Check any below:

Licensed (certified) psychologist: _____
Yes _____ No _____ State _____

A.P.A. _____
Member _____ Fellow _____ None _____

ABPP Diplomate: _____
Yes _____ No _____ Area _____

Other credentials: _____

What are the dates of employment/internship covered by this evaluation:
Number of weeks per year: _____ Number of hours per week: _____
From _____ to _____
Month Day Year Month Day Year

Were you a regular staff member of the organization where the candidate worked?
Yes _____ No _____ If "no", explain your relationship to the organization. _____

Indicate the approximate frequency and amount of time devoted by you to consultation and discussion in face-to-face contact with the candidate regarding this experience: Time per week _____ Frequency per week _____

Please write your evaluation of the candidate on the reverse side concerning the following:
(1) Candidate's competence as a psychologist in his/her area of specialization. (2) Candidate's possession and utilization of professional knowledge and skill which would enable him/her to function independently in offering service to the public. (3) Adherence to ethical standards.

Date _____ Evaluator's Signature _____

This completed form must be returned directly to the Secretary, Board of Examiners of Psychologists, 150 Washington St., Hartford, Ct. 06106

Alaska State Legislature

SB251

BETTYE FAHRENKAMP, Chairman
ARLISS STURGULEWSKI, Vice Chairman
JOE JOSEPHSON
PAUL FISCHER
EDNA ARMSTRONG-DE VRIES



POUCH V
STATE CAPITAL
JUNEAU, ALASKA 99811
(907) 465-3834
(907) 465-3762

Senate Committee on Health, Education and Social Services

March 26, 1986

Edwin M. Grijalva, President
Native American Indian Foundation
P.O. Box 908
Cordova, AK 99574

Dear Edwin:

Thank you for contacting me to express your views on SB 251, relating to the practice of psychology.

SB 251 received the approval of the Senate Committee on Health, Education and Social Services on March 18. I have enclosed a copy of the bill and letter of intent for your information. You'll note that the bill deletes reference to "APA approval." Program approval for the purposes of licensure will instead be based on standards adopted by the Psychology Board. SB 251 requires that these standards be in the form of regulations, which ensures that public input on them will be allowed. The letter of intent suggests criteria for program standards.

Again, thank you for sharing your views. I assure you the bill does have my support.

Sincerely,

A handwritten signature in cursive script that reads "Bettye".

Bettye Fahrenkamp
Chairman

BF/ss
Enclosures

Gov. aide takes home concerns

Paul Quesnel, special assistant to Governor Bill Sheffield, was in Cordova during the Iceworm weekend, not just to enjoy the festival, but to gather the concerns of the community for the information and possible action of the governor's office.

Quesnel said this week that local hire, Permanent Fund Dividend problems, and the passage of Senate Bill 251 headed the list of public concerns expressed by Cordovans.

Townpeople, he said, were disappointed in the perceived lack of local hire by the contractors working on the new Cordova Community Hospital. Quesnel said that the resolution of that problem, and similar conflicts in the future, is up to the community itself. Even if an Alaska resident hire law is passed by the legislature, and stands up to judicial scrutiny, it will not prevent out-of-town workers from coming to work on Cordova projects.

Proponents of local hire, he said, should talk with the city council and administration and encourage them to use local people on public projects. It is smart business and to everyone's

benefit for Cordovans to be hired, Quesnel said.

The governor's assistant said he was asked to help resolve problems some local residents had with receiving their Permanent Fund Dividend checks. The governor, Quesnel said, is a very strong advocate of the dividend program, as are most Alaskans. Though Sheffield campaigned on a platform that included doing away with the dividend program, Quesnel said, he changed his mind when he realized how much the dividend was wanted and needed.

Quesnel said a number of people shared a concern for the passage of SB 251, a bill that would change the licensing regulations for psychologists in the state of Alaska. The bill was instigated last year by Cordovan Bob Arvidson.

The Senate bill, Quesnel said, has no companion piece in the

State House. He also said the state Psychology Board has no position on the bill.

In other areas of concern, Quesnel said someone asked him about the potential for state control of the sea otter population in Prince William Sound and on the Copper River flats. He said she was concerned about the population being too big and "eating up" the money being put into aquaculture.

Quesnel visited the Cordova Extension of the Prince William Sound Community College, and was told of the college's need for a new and larger space. He also visited the Mental Health and Alcohol Clinic and talked about the community problem with alcohol and drug abuse.

The governor has asked Quesnel to visit Cordova once a month, and the assistant said he will return in the first week of March.



March 4, 1986

Native American Indian Foundation
P.O. Box 908
Cordova, Alaska 99574

Senate HESS Committee
Alaska State Senate
Pouch V
Juneau, Alaska 99811

Letter p 32

RE: CSSB 251-HESS, Work draft.

Dear Senators:

Last month I noticed a reference to SB 251 in the February 13, 1986 edition of The Cordova Times. Now, a copy of the work draft of your committee substitute for this bill has crossed my desk. Please add my name to the list of supporters for this necessary piece of legislation.


As a former Californian, and as one who has worked extensively in the public health field, I can certainly appreciate the need for this bill. As a former navy corpsman (24 years) and a graduate of the University of California, Berkeley, School of Public Health (MPH), I readily appreciate the potential for the enhancement of public health inherent in SB 251.

It is generally accepted that the majority of human ailments have no known organic causation; thus, there should be considerable focus on psychological etiology and psychological/behavioral forms of intervention.

From a public health perspective, the above approach is only possible when a society encourages the development of innovative and progressive mental health preventive programs and delivery services. I firmly believe that SB 251 will help Alaska achieve some of these goals. It is my opinion that the psychology statutes need revision and SB 251 should be given high priority by the committee and the legislature.

I am enclosing a copy of the Times' article for the committee's review.

Sincerely yours,


Edwin M. Grijalva, MPH
President and Chairman

Enclosure

EMG/kb

MAR 6 1986

March 3, 1986

1689 C Street
Suite 211
Anchorage, Alaska 99501

Senate Health, Education and Social Services Committee
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Senator Bettye M. Fahrenkamp:

I am writing in support of SB #251, An act relating to regulation of the practice of psychology.

I am a counselor in private practice in the Anchorage community. I hold a Master's degree from the University of Minnesota, and am currently enrolled in the Union Graduate School pursuing a doctorate in clinical psychology. The revisions that of this bill profoundly influences my current and future practices in Alaska. I ask for your support of this bill.

From my reading and understanding of the bill, two significant changes will be effected which alter the manner by which psychologists are licensed in Alaska. The first significant alteration would allow psychologist-candidates from non-APA approved graduate programs to qualify to sit for the licensing examination. At present, the licensing board is restrictive in that it only admits applicants for licensure to those who are graduates from APA-approved schools. This has excludes qualified applicants from being considered for licensure.

I emigrated here from Minnesota where the licensing board for psychologists was more liberal in its interpretation of qualified applicants. Applicants from non-APA approved programs would be considered if the program contained sufficient coursework and application for the graduate to practice as a psychologist.

Case-in-point: Graduates from the doctoral program in Family Social Science at the University of Minnesota are permitted to sit for the psychologist's licensing examination in the State of Minnesota; the program is not APA-approved.

The fact that Alaska does not have a doctoral program in clinical psychology significantly limits the options open to one who practices psychotherapy in the state. Either the practitioner must absent himself from the state for several years to study at an APA-approved program, or affiliate with a licensed psychologist so as to meet the stipulations of the insurance carriers/State licensing board. There are "non-campus" programs that are accredited by regional accreditation agencies that permit residents of Alaska to remain in-state while studying for a doctorate in clinical psychology. However the current licensing regulations of the State Board of Psychologists does not recognize the legitimacy of these institutions. Several states do recognize these accredited institutions, and allow their graduates to sit for the psychologist's licensing examination.

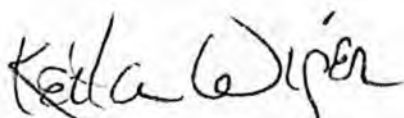
Case in point: The Union Graduate School is a non-campus program accredited by the North Central Regional Accrediting Agency. Several of its graduates in psychology have qualified for licensure as psychologists in other states (California, Florida, Michigan, etc.). Alaska refuses to recognize Union graduates in psychology, as the school is not APA-approved.

The second primary change of S.F. 251 effects the powers of psychological associates. At present, psychological associates are required to be supervised by a licensed psychologist for an indefinite period. This bill would allow Master's level practitioners to qualify for "non-supervisory" status after five years of supervision, and endorsement by licensed psychologists. I support this provision in the bill; I suggest that endorsement by at least three licensed psychologists be stipulated in allowing the associate to practice independently.

The provisions of this bill influence even more significantly those practitioners from the outlying areas of the State. The paucity of licensed psychologists in the non-city areas of the State make it extremely difficult for clients to be reimbursed by their insurance companies, and discourages Master's level practitioners to establish themselves in such communities. The bill would relieve some of the duress under which Master's level practitioners now operate.

I appreciate your consideration of my views, and look forward to your support of this bill.

Sincerely,


Keith Wiger, M.A.

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: SB 251
 Title: Relating to regulation of the practice of psychology
 Sponsor: Sen. Kertulla & Josephs
 Requestor: _____
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Commerce & Economic Dev.
 Program Category Affected: _____
Consumer Protection
 BRU, Program or Subprogram(s) Affected: _____
Occupational Licensing

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		-0-	-0-	-0-	-0-	-0-

CAPITAL						
----------------	--	--	--	--	--	--

REVENUE						
----------------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND		-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL		-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME		0	0	0	0	0
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

Prepared By: Jennifer Strickler Mgnt Analyst Phone: 465-2144
 Division: Occupational Licensing Date: 4-8-85

Approved by Commissioner: Loren H. Lounsbury Date: 4/10/85
 Agency: Commerce and Economic Development

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

7/1/84

A PERFORMANCE REVIEW OF THE
BOARD OF PSYCHOLOGIST AND
PSYCHOLOGICAL ASSOCIATE EXAMINERS

August 12, 1981

Audit Control Number
08-121-1054-R

Commissioner, Department of
Commerce and Economic Development

Charles R. Webber

Deputy Commissioner, Department
of Commerce and Economic Development,
Acting

Lois Cook

Deputy Commissioner, Department
of Commerce and Economic Development

Vacant

Members of the Board of Psychologist
and Psychological Associate Examiners

Chairperson
Member
Member
Member
Member

Pam Delys-Baglien, Ph.D
Dorothy Whitmore, Ed.D
James Greenough, Ph.D
Paul E. Turner, Ph.D
Charles C. Bovee, Ed.D

STATE OF ALASKA

AUDIT DIVISION
POUCH W—ALASKA OFFICE BUILDING

THE LEGISLATURE

FINANCE DIVISION
POUCH WF—STATE CAPITOL

BUDGET AND AUDIT COMMITTEE

JUNEAU, ALASKA 99811

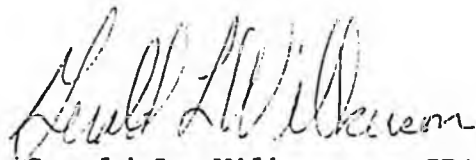
August 12, 1981

Members of the
Legislative Budget and Audit Committee:

In accordance with the intent of Title 24 and 44 of the
Alaska Statutes, the attached report is submitted for your
review.

A PERFORMANCE REVIEW OF THE BOARD OF PSYCHOLOGIST AND PSYCHOLOGICAL ASSOCIATE EXAMINERS

August 12, 1981



Gerald L. Wilkerson, CPA
Legislative Auditor
Division of Legislative Audit

TABLE OF CONTENTS

	<u>Page</u>
Purpose and Scope of the Review.	1
Organization and Function.	2
Report Conclusion.	3
Findings and Recommendations	5
Prior Audit Recommendations.	8
Analysis of Public Need.	18
Appendixes:	
A. Board of Psychologist and Psychological Associate Examiners Revenues Compared with Expenditures	24
B. Administrative Statistics	25
C. Examination Statistics.	26
Agency Response:	
Department of Commerce and Economic Development	27
Board of Psychologist and Psychological Associate Examiners.	30

PURPOSE AND SCOPE OF THE REVIEW

Purpose

In accordance with the intent of Alaska Statutes 24.20.271(1) and 44.66.050 (Sunset legislation), a review of the Board of Psychologist and Psychological Associate Examiners was conducted to review Board activities and accomplishments to determine if the Board has been operating in an effective, efficient, and economical manner.

As required by legislative intent, this report shall be considered during the legislative oversight function in determining whether the Board of Psychologist and Psychological Associate Examiners should be reestablished. The law currently specifies that this Board will terminate on June 30, 1982, but will continue until June 30, 1983, for the purpose of concluding its affairs.

Scope

The major areas reviewed were the Board's operations and its licensing, examination, administration, complaint and affirmative action functions. Our review consisted of analyzing and evaluating the following:

1. Applicable statutes and Board regulations.
2. Interviews with Board members.
3. Interviews with health agencies and professional associations.
4. Tests of records and documents of the Board and the Division of Occupational Licensing (OL), Department of Commerce and Economic Development.
5. Interviews with OL employees.
6. Complaints filed with OL, the Ombudsman's Office, Consumer Affairs Agency, and the Equal Employment Opportunity Office.
7. Review of other states' licensing requirements.

ORGANIZATION AND FUNCTION

The Board of Psychologist and Psychological Associate Examiners (PPAE) was established under the provisions of Title 8 Chapter 86 of the Alaska Statutes. The Board consists of four licensed psychologists and one public member appointed by the Governor and approved by the Legislature.

The Board regulates licensed psychologists and psychological associates in the State. A psychologist is licensed to use psychological principles, methods and procedures for the treatment of emotional and mental disorders. A psychological associate is licensed to perform psychological services under the supervision of a licensed psychologist.

The Board's duties are basically the following:

1. Examining and issuing licenses to qualified applicants.
2. Establishing or amending rules and regulations necessary and desirable to enforce State statutes.
3. Holding hearings in order to revoke or suspend the license of a person violating the psychologist and psychological associate statutes and regulations.

An applicant may be licensed by passing an exam given by the Board or by credentials. For credentials, an applicant must provide proof of licensure by another authority with equal licensing requirements.

In order to qualify for licensure as a psychologist by examination, an applicant must pass a written examination, have a doctorate and one year of experience. The examination is composed of two parts: an objective national examination composed by the Professional Examination Service (PES) and an essay examination composed by the Board.

Psychological associates may qualify for the examination if they have three years supervised experienced after obtaining a Master's Degree.

REPORT CONCLUSION

Policy Issues

This review contains policy issues raised as a result of our evaluation of various Board practices. The final policy decisions affecting these practices are not within the scope of this review but require legislative consideration. In debating these decisions, the legislative oversight committees should consider the findings and alternatives presented in this report so that the potential impact of policy changes can be evaluated.

Report Conclusion

In our opinion, the continuation of the Board and the licensing of psychologists and psychological associates is not necessary to protect the public's health, safety and welfare. The Board's performance has not always been in the public's best interest. Two prior audit reports dated August 5, 1975, and October 31, 1978, show that the Board had been unnecessarily restricting the licensing of qualified psychologists and psychological associates in the State. These conditions still exist (see Recommendation No. 1).

In the event that the Board is reestablished, certain changes need to be implemented in order for the Board to more effectively serve the public. A statutory change should be considered which will increase the number of public members on the Board and allow the public to be better represented (see Prior Audit Recommendation No. 1).

Legislation should be introduced which clarifies the jurisdiction of the Board. The Board has not established regulations defining which professions are exempt from Title 8 Chapter 86 of the Alaska Statutes. The lack of regulations has caused confusion as to which professions are covered by the statutes (see Recommendation No. 2).

Legislation needs to be introduced to change the licensing statutes of psychological associates (PA's). The statutes should be changed to encourage additional qualified applicants to apply and become licensed in the State without lowering the quality of services provided by PA's (see Prior Audit Recommendation No. 8).

The Board should consistently apply statutory licensing criteria to all applicants (see Prior Audit Recommendation No. 2). The Board needs to openly conduct its meetings and provide documentation supporting its deliberations and

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In the event that the Board is reestablished, certain changes need to be implemented in order for the Board to more effectively serve the public. A statutory change should be considered which will increase the number of public members on the Board and allow the public to be better represented (see Prior Audit Recommendation No. 1).

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The Board should consistently apply statutory licensing criteria to all applicants (see Prior Audit Recommendation No. 2). The Board needs to openly conduct its meetings and provide documentation supporting its deliberations and

decisions (see Prior Audit Recommendation No. 3). The Board should develop a test manual and consistently grade the examination given to license applicants (see Prior Audit Recommendation No. 7).

The Board needs to establish regulations which specifically define the conditions in which a licensed psychologist may be restricted to a speciality (see Prior Audit Recommendation No. 6). Also, the Board needs to develop regulations defining the type of continued competency required before a psychologist's license is renewed (see Prior Audit Recommendation No. 9).

The Division of Occupational Licensing should develop a procedures manual for the licensing examiner supporting the Board (see Prior Audit Recommendation No. 11).

FINDINGS AND RECOMMENDATIONS

Recommendation No. 1

The Board of Psychologist and Psychological Associate Examiners should be allowed to terminate and the licensing of psychologists and psychological associates should be discontinued.

The Board has had a long history of not always operating in the public's best interest. Two reports by the Division of Legislative Audit dated August 5, 1975, and October 31, 1978, found that the Board has been unnecessarily restricting the licensing of qualified psychologists and psychological associates in the State. Several times the Attorney General has had to intervene and strongly advise the Board to halt these practices. Other reports by different organizations supported these findings.

We have reviewed the Board's performance since 1978 and conclude that past conditions still exist. The following has been left unresolved by the Board.

1. The Board has continued to be inconsistent in approving applicants to take the Board's examination and in licensing psychologists and psychological associates (see Prior Audit Recommendation No. 2).
2. The Board has continued to conduct its deliberations in secrecy (see Prior Audit Recommendation No. 3).
3. The Board has proposed and supported statutory changes which have unnecessarily restricted the licensing and practice of psychological associates and decreased the representation of the public on the Board (see Prior Audit Recommendations No. 1 and No. 8).
4. The Board has not passed or developed regulations establishing specialty designations for psychologists and psychological associates and requiring proof of continued competency before a license is renewed. Both types of regulations are required by AS 08.86.070 (see Prior Audit Recommendations No. 8 and No. 9).
5. The Board has inconsistently graded the essay examination. In addition, the records of applicants' grades are confusing, unorganized, and inaccurate (see Prior Audit Recommendations No. 2 and No. 7).

In our opinion, the Board's performance has not always been in the public's best interest. These actions not only discourage qualified applicants from attempting to become

*

licensed in the State, but also harm the public by artificially creating shortages of mental health practitioners. These shortages tend to increase the costs of mental health services in the State.

In our prior audit dated October 31, 1978, we recommended that if the Board continues to inconsistently apply the statutes, the Board's licensing function should be transferred to the Department of Commerce and Economic Development.

However, we believe that the intent of Sunset legislation is to reduce government control and interference over the public. The Alaska statutes broadly define who is to be licensed to practice psychology. The Board has not established regulations to better identify those professions who are covered by the statutes or to give guidance to those who are exempt. We found no evidence after reviewing complaints filed against those practicing psychology in the State that the public would be harmed by not licensing psychologists. The Board has never revoked or suspended a license and the violations filed with the Board have been minor in nature. Therefore, we recommend that the State eliminate licensing of psychologists and psychological associates and allow the profession and other legal remedies to regulate and discipline the practice of psychology (see Recommendation No. 2).

Other alternatives to the above recommendation would include terminating the Board and allow the Department of Commerce and Economic Development to certify qualified applicants. This approach to licensing would allow only qualified applicants to use the title "psychologist" or "psychological associate". However this would not prohibit other persons from practicing psychology (see Recommendation No. 2). Another option would be registration. In this case, all persons who practice psychology must register with the State. However, they do not need to meet minimum educational or experience requirements or be required to pass an examination.

Another alternative would be to require that professionals must have a minimum amount of malpractice insurance before being allowed to practice psychology. The insurance companies would then be responsible for establishing the minimum licensing requirements for psychologists. The Department of Commerce could keep a register of those qualified persons.

If the Board is not terminated and the licensing functions are not discontinued, then the following should be implemented.

Recommendation No. 2

Legislation should be introduced which clarifies the jurisdiction of the Board.

The statutes which govern the Board (AS 08.86) prohibit any person, unless they are licensed or exempt, to practice psychology in the State. They also allow the Board to establish regulations defining which professions are exempt and under what conditions those exempt must operate. The Board has not done so and has caused confusion as to which professions are covered by the statutes.

AS 08.86.180 states that a person working for a governmental unit, educational unit, or private agency is exempt if she/he is under "appropriate supervision". In a memorandum dated February 9, 1976, sent from an Assistant Attorney General to both the Department of Health and Social Services and the then chairman of the Board, it was explained that "appropriate supervision" was too vague and required further definition by the Board through adoption of a regulation.

The memorandum also pointed out the need for the Board to adopt regulations defining its jurisdiction over other professions. The psychology statutes were changed in 1980. However, questions have again been raised as to who is covered under the psychology statutes. The National Association of Social Workers (NASW) sent a letter to the Board in March 1981 requesting that a resolution be passed saying that it was not the intent of the Board to regulate the practice of social workers. The Board passed a resolution only saying that they supported the licensure of NASW.

Due to the confusion that has arisen over the Board's jurisdiction and the lack of regulations clarifying this issue, legislation should be introduced specifying who is covered by the statutes. We suggest that the legislation allow anyone to practice psychology, but require that certain requirements be met before a qualified applicant can use the title "psychologist". This would effectively change the regulation process from licensing to certifying psychologists.

PRIOR AUDIT RECOMMENDATIONS

Three of the eleven recommendations presented to the Board in a previous audit report "A Performance Review of the Board of Psychologist and Psychological Associate Examiners, October 31, 1978", have been implemented. The following is the status of the remaining recommendations:

Prior Audit Recommendation No. 1

A statutory change should be considered which will increase the number of public members on the Board and allow the public to be represented.

Prior to June 5, 1980, the Board was composed of three psychologists and two public members. In questionnaires returned by State licensed psychologists, 39% of the respondents believed that the Board had not operated in the public's best interest.

The Board had been inconsistently licensing applicants even though an Attorney General's opinion and a prior Division of Legislative Audit report, dated August 5, 1975, noted prior inconsistencies and made recommendations to change these practices. Also, the Board had been conducting its meetings and making its deliberations in secrecy. Such actions not only exposed the State to lawsuits, but also threaten recruiting efforts of State mental health institutions for qualified psychologists and counselors.

Legislative Audit's Current Position

With the enactment of Chapter 58 SLA 1980, the Board is now composed of four psychologists and one public member. The public member has a doctorate in counselor education, a strong background in psychology and is a member of the American Psychological Association. While this is not a violation of the statutes, it contradicts the spirit of the law requiring public members.

The Board continues to have the problems noted above. We have found inconsistencies in granting of licenses, approving applicants to take the examination, and in the testing of applicants (see Prior Audit Recommendation No. 2). In addition, the Board has continued to conduct its meetings and making its decisions in secrecy (see Prior Audit Recommendation No. 3).

If Recommendation No. 1 is not implemented, then we recommend that the Board be composed of a majority of public members to help ensure that the Board acts in the public's best interest.

Prior Audit Recommendation No. 2

The Board of Psychologist and Psychological Associate Examiners should consistently apply statutory licensing criteria to all applicants.

In a prior Division of Legislative Audit report dated August 5, 1975, it was found that the provisions of AS 08.86, outlining the required qualifications for licensure of psychologists and psychological associates, had not been consistently applied by the Board. A review of available records filed from 1975 to 1978, indicated that this condition still existed.

Psychology regulations have been proposed but have not become effective as of September 30, 1978. Effective regulations will help guide the Board to consistently license qualified applicants. However, if regulations are not promptly implemented, then it is recommended that legislation be introduced to clarify AS 08.36.130(3).

Legislative Audit's Current Position

Although the Board adopted regulations in December 1978, a review of records since 1978 shows that the Board has continued to be inconsistent in licensing qualified applicants, approving applicants to take the examination and in grading the examination.

For example, the Board approved the qualifications of an applicant to take the examination for psychological associates. However, at the next meeting, the Board ordered the license examiner from the Division of Occupational Licensing after meeting in executive session to write a letter explaining what the Board had decided about the applicant's qualifications (see Prior Audit Recommendation No. 3). The letter explained that the Board had decided that the applicant was not qualified because of the lack of three years of experience. Documentation in the applicant's file showed that she had over six years of experience.

An applicant was licensed as a psychological associate (PA) without substantial evidence of a Master's Degree. Other licensed PA's were required to submit college transcripts as evidence.

Another applicant was denied the opportunity to take the examination because he had not submitted all the required information for licensure. However, two other applicants were allowed to take the examination pending receipt of the same type of information.

According to the Board's minutes, an applicant was required to retake the national psychology examination (PES) because:

1. Although the applicant's scores were above Alaska's standards for passing, they were not passing in the state where the examination was taken.
2. The applicant's scores were three years old.

Records show the applicant's scores were only two years old when received. In addition, Board regulations stated that a score of 75 standard deviation below the national mean is passing. The Board had accepted other applicants' examination scores from other states.

An applicant who took the essay test given in October 1980 received an average score of 59% and was given a passing grade. The minimum passing scores in prior examinations was 60%. Two applicants failed the essay test in April 1980 with scores of 50.6% and 51.8%.

An applicant was required to be retested with the entire essay examination in 1979 when the applicant failed only a section. Another applicant was required six months before to take only part of the essay examination that the applicant failed.

In conclusion the Board needs to consistently apply the licensing and testing requirements. We confirm our prior recommendation.

Prior Audit Recommendation No. 3

The Board should openly conduct its meetings and provide documentation supporting its deliberations and decisions.

The Board was found to be conducting its deliberations and parts of its meetings in secrecy. In addition, there was insufficient documentation to identify its decisions. Ambiguous minutes and lack of documentation in the files have caused licensing problems.

AS 44.62.312(a)(2) states:

"It is the policy of the State that it is the intent of the law that actions of those units (governmental units) be taken openly and that their deliberations be conducted openly."

This statute covers all meetings of a board and, therefore, should be strictly adhered to. Without compliance, the Board gives the impression that the decision making process is not for public knowledge. Also, it is difficult for

Board members and others to determine and trace the reasons for prior Board decisions without proper documentation.

Legislative Audit's Current Position

While there has been improvement in the documentation of the license files, the Board is continuing to deliberate in secrecy. They meet often in executive session and the minutes do not adequately explain why or what the Board decided. Such actions give the impression that the Board does not wish the public to be involved and aware of its decisions.

During our review of the Board's minutes, we found that the Board used executive session to:

1. Consider the grading procedures to be used for an examination after the examination was given.
2. Consider applicants for licensure.
3. Consider the status of investigations.

The essay examination given by the Board has had problems with its procedures (see Prior Audit Recommendation No. 7). However, no confidential information would have been exposed if the Board's deliberations about these procedures would have been open to the public.

In its recent meetings, the Board identified that it used executive session in reviewing applications and investigations in accordance with AS 44.62.310(c)(2). The statute allows use of executive sessions when discussions of subjects may tend to prejudice the reputation and character of individuals. However, the Board has at times held open meetings to discuss similar subjects. Also, none of these reviews should include prejudicial information. For instance, the investigative reports do not include names in order to protect the Board's impartiality when they may later have to hold an investigative hearing. The discussion of applicants' qualifications for licensure should be limited only to those attributes specified by statute or regulation. We found no evidence that demonstrated that prejudicial information was being or should have been discussed in those meetings.

If the Board uses executive session, it should ensure that the minutes accurately identify decisions and reasons for their decisions after the meeting is opened. During the March 1981 meeting, the Board directed the license examiner to write a letter to three applicants regarding their application status. Because the Board discussed these applications

in executive session, there was no other formal record of the Board's decisions regarding those applicants. A letter to one of the applicants said that the Board decided not to allow the applicant to take the examination because the applicant did not have the required number of years of experience. A review of the applicants' records show that the applicant had twice the required number of years of experience.

The minutes also need to better identify Board discussions and which members voted for or against a resolution. They should also include any letters or correspondence which are specifically mentioned in the minutes. During the July 1980 meeting, the minutes recorded that an individual in a letter accused the Board of instituting unwritten licensing policies. The letter was to be included with the minutes in the appendix. However, the official minutes filed with the Department of Commerce and Economic Development do not include the letter. We have been unable to obtain a copy from other sources.

The Board held a conference call meeting in April 1981 for an hour. During this time, the Board discussed important changes to their regulations. The minutes did not identify any of the discussion and summarized the meeting in only sixty words. They also did not identify how individual members voted on the resolution.

Although the license examiner for the Department of Commerce and Economic Development takes the minutes, the Board is responsible for them. Board minutes are the official public record of all proceedings of a meeting and the only means a board has to formally state its actions. These actions and deliberations should be conducted in the open and within the public's scrutiny. Therefore, we confirm our prior recommendation.

Prior Audit Recommendation No. 6

The Board should develop a more aggressive investigation policy by establishing clear regulations for licensing violations and by promptly filing complaints against those practitioners who violate the law.

There were at least four unlicensed practitioners in Alaska who may have been advertising and practicing psychology or counseling in violation of AS 08.86.180 and AS 08.36.185. In addition, several licensed psychologists expressed concern in a Legislative Audit questionnaire that psychologists educated in areas other than clinical psychology may obtain a license and practice clinical psychology without being qualified to do so.

AS 08.86.220 allowed the Board to restrict the practice of a licensed psychologist by specialty, upon a finding that there is a demonstrated problem with competence, experience, education or health. However, according to investigative files and Board meeting minutes, the Board had never sought to do so. Nor had it composed regulations to provide guidance in this investigative area.

Legislative Audit's Current Position

The Board has been doing a better job in filing complaints against unlicensed practitioners. However, we still found a number of counselors practicing without a license. Because of the broad definition of psychology in the statutes and a vague series of exemptions (see Recommendation No. 2), it is unclear whether these persons are in violation of the statute.

The Board has not implemented or established regulations which specifically define under what conditions a licensed psychologist may be restricted to a specialty. We still believe that the Board needs to do so.

Prior Audit Recommendation No. 7

The Board should develop standards and a test manual for the examination given to license applicants.

Several respondents to a Legislative Audit questionnaire sent to licensed psychologists in the State noted that the essay and oral questions were exactly identical. A review of past tests shows that the Board made no marks of grading on the test sheets. In addition, there are no written standard answers or grade sheets with which the Board can properly evaluate and grade applicants' tests. One examinee charged that the examination is unfair.

The Board should follow the American Psychology Association's standards by proposing and implementing regulations and a test manual. Such actions will help the Board treat all applicants in a consistent manner and avoid costly litigations against the Board.

Legislative Audit's Current Position

The Board has made some improvements in its testing. However, problems still exist as evidenced by the following:

1. Grade sheets contained math errors and were left incomplete.

2. Two applicants were given different identification numbers to take the national examination. One applicant did not show to take the examination. However, the Division of Occupational Licensing received grades for the identification number of the no-show. These grades were sent to the other applicant.
3. The Board took four months to process the grades for four applicants tested in October 1980. This processing time could be greatly reduced.
4. Board members are inconsistently grading the essay examination. We found that for the October 1980 examination, grades computed separately by two Board members for an applicant varied by 34 points. One member scored the examination as 52%. Another member grading the same paper scored it as an 86%. The official score given to an applicant is calculated by averaging the four Board members grades. This score could be skewed by a large difference in two members scores such as in the above example.
5. A Board member forgot to grade a question in the October 1980 examination. The question had a value of as much as 15 points.

The Ombudsman's Office has reviewed two complaints against the Board for delays in grading the examination. In addition, the office received another complaint in 1980 concerning ambiguous exam instructions. The complaint was later withdrawn since the complainant was allowed to retake the examination.

We found that the questions on the essay examination are similar to the topics covered on the standard national examination. Because of the similarity and the problems experienced with the essay examination, we suggest that the Board consider dropping the essay portion. In any case, we concur with our prior recommendation and recommend that a test manual be developed.

Prior Audit Recommendation No. 8

Legislation should be introduced to change licensing statutes for psychological associates in order to encourage more qualified applicants to apply and become licensed in the State.

As of September 30, 1978, there were only three licensed psychological associates (PA) in the State. Other psychological associates who were statutorily exempt from being licensed

may also have been practicing in the State. However from 1975 to 1978, at least two applicants were denied licensure because of the licensing requirements. Others may have been discouraged from applying.

Legislative Audit's Current Position

Chapter 58 SLA 80 made the following significant changes to the licensing requirements for PA's in 1980.

1. A qualified applicant for a PA's license must have three years postgraduate experience after obtaining a Master's Degree. The prior statutory requirement that applicants must have two years of Alaskan experience was deleted.
2. In order to practice as a PA, a licensee must be supervised by a licensed psychologist.
3. The duties that PA's may perform within the State were expanded. However, the statutes require that the Board restrict the practice of PA's to a speciality and identify the speciality on the license. The Board has not complied with all the statutes.

The licensing requirements now in effect are more restrictive than the prior statutes. Since the enactment of Chapter 58 an applicant has already been denied by the Board to take the PA examination due to his lack of three years of experience. He would have been eligible under the old statutory requirements.

There are eighteen other states which issue licenses to applicants with Master's Degrees. In a comparison of these states' licensing requirements, we found:

1. Nine of 13 states (69%) which issue psychological associate licenses similar to Alaska, require that applicants have one year or less of postgraduate experience before being qualified.
2. Five states (Iowa, Minnesota, Missouri, Pennsylvania, and West Virginia) issue psychology licenses to applicants with Master's Degrees. These states require that applicants have more than two years experience (the average is four years). However, they allow licensees to independently practice psychology. Minnesota does require that the licensees meet once a year with a licensed psychologist with a doctoral degree. Also, they license applicants with Master's Degrees by endorsement.

There have never been any complaints filed against PA's in the State. Based on the evidence, we suggest that the statutory licensing requirements be changed to allow PA's to be licensed after one year of postgraduate experience. In addition, they should be allowed to practice independently within their specialty with an option that for the more complex psychological practices, supervision may be required. An alternative would be to allow applicants with Master's Degrees and four years of experience to be licensed as psychologists. Also we suggest that the Board be allowed to license PA's and/or psychologists with Master's Degrees by endorsement.

Prior Audit Recommendation No. 9

Legislation should be introduced requiring continuing education for psychologists and psychological associates.

A program of continuing education will assist in avoiding professional obsolescence and keep practitioners aware of changes taking place in the profession. Twenty-two of 28 psychologists responded to a Legislative Audit questionnaire that they believed continuing education should be required for their profession. In addition, the American Psychology Association endorsed the concept and had determined that 11 states required it.

Legislative Audit's Current Position

Chapter 58 SLA 1980 in part states: "The Board shall adopt regulations requiring proof of continued competency before a license is renewed." As of May 15, 1981, the Board has not held hearings on nor adopted continued competency regulations. However, they have discussed the need for these regulations in their meetings. We encourage them to begin the process of adopting regulations as soon as possible.

Prior Audit Recommendation No. 11

The Division of Occupational Licensing should develop a procedures manual for the licensing examiner supporting the Board.

In 1978 the licensing examiner supporting the Board had no procedures manual with which to guide his/her actions. There have been five license examiners for the Board from 1976 to 1978. With this high turnover, it is necessary that there are standard guidelines to help new and old employees.

Legislative Audit's Current Position

A formal procedure manual to guide the licensing examiner for the Board has not been developed.

We believe that the Board should give the license examiner written instructions about Board activities and the Division of Occupational Licensing should incorporate these instructions with a formal procedures manual. This will help ensure that the Board's minutes are accurate and complete (see Prior Audit Recommendation No. 3) and possibly decrease the amount of time it takes for examinations to be processed and grades sent to applicants (see Prior Audit Recommendation No. 7).

ANALYSIS OF PUBLIC NEED

Limited Analysis

The following analyses indicate both positive and negative attainments as Board activities relate to the public need factors defined in the "Sunset" law. These analyses are not intended to be comprehensive in nature, but address those areas we were able to cover within the scope of our review.

- I. The extent to which the board, commission or program has operated in the public interest.
 1. The following areas demonstrate the extent to which the Board has operated in the public's best interest.
 - A. The Board has held public hearings to update its regulations concerning application forms, supervision over PA's, licensure by endorsement, examination grades, competency requirements for psychologists and PA's, and the requirement for confidentiality of information obtained by psychologists in their practice.
 - B. The Board has developed goals and objectives. In 1980, the Board accomplished three of seven objectives. Those accomplished include:
 - (1) Support legislation requiring continuing education for relicensure.
 - (2) Clarify the role of the Board in the investigative process.
 - (3) Introduce legislation to repeal the two-year residency requirement for PA's.
 - C. The Board has updated its application forms.
 2. The following areas demonstrate the extent to which the Board has not operated in the public's best interest.
 - A. The Board needs to be consistent in approving qualified applicants to take the examination and in licensing psychologists and psychological associates (see Prior Audit Recommendation No. 2).

- B. The Board needs to discontinue its practice of deliberating in secrecy (see Prior Audit Recommendation No. 3).
- C. The Board needs to develop regulations establishing specialty designations for psychologists and psychological associates and regulations defining the type of continued competency before a license is renewed. Both are required by AS 08.86.070 (see Prior Audit Recommendations No. 6, No. 8 and No. 9).
- D. The Board needs to develop a test manual and consistently grade the examination given to license applicants (see Prior Audit Recommendations No. 2 and No. 7).
- E. According to Board minutes, it took over one year for the Board to comply with an agreement that the Attorney General's office made with an applicant improperly denied a license. The applicant had filed an administrative complaint against the Board alleging that the Board had violated due process requirements in denying the applicant's licensure. Our prior audit report dated October 31, 1978 recommended that the Board comply with the Attorney General's advice. The Board did comply in October 1979. Lengthy delays in complying with the advice from the Attorney General exposes the State to litigation proceedings.

II. The extent to which the operation of the board, commission, or agency program has been impeded or enhanced by existing statutes, procedures, and practices which it has adopted, and any other matter, including budgetary, resource, and personnel matters.

- 1. The jurisdiction of the Board needs to be clarified to identify which professions are to be regulated by the Board (see Recommendation No. 2). The lack of specific statutory guidelines has caused confusion among other professions as to whether their practice is covered by Title 8 Chapter 86 of the Alaska Statutes.