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II. PRACTICE WITHOUT A LICENSE

IT SHALL BE A VIOLATION OF THIS ACT FOR ANY PERSON NOT LICENSED IN ACCORDANCE WITH THE PROVISIONS OF THIS ACT TO REPRESENT HIMSELF OR HERSELF AS A PSYCHOLOGIST. IT SHALL BE A VIOLATION OF THIS ACT FOR ANY PERSON NOT LICENSED IN ACCORDANCE WITH THE PROVISIONS OF THIS ACT TO ENGAGE IN THE PRACTICE OF PSYCHOLOGY AS DEFINED IN THIS ACT, WHETHER PRACTICING AS AN INDIVIDUAL, FIRM, CORPORATION, AGENCY OR OTHER ENTITY.

ANY PERSON WHO SHALL REPRESENT HIMSELF OR HERSELF AS A PSYCHOLOGIST IN VIOLATION OF THIS ACT, OR WHO SHALL ENGAGE IN THE PRACTICE OF PSYCHOLOGY IN VIOLATION OF THIS ACT, SHALL BE GUILTY OF A MISDEMEANOR AND SHALL BE FINED NOT LESS THAN _____ DOLLARS AND NOT MORE THAN _____ DOLLARS AND, IN ADDITION THERETO, MAY BE IMPRISONED FOR NOT MORE THAN _____ MONTHS. EACH DAY SUCH PERSON SHALL PRACTICE PSYCHOLOGY WITHOUT MEETING ALL THE REQUIREMENTS OF ALL LAWS NOW IN FORCE AND OF THIS ACT SHALL CONSTITUTE A SEPARATE OFFENSE. ANY PERSON FILING OR ATTEMPTING TO FILE, AS HIS/HER OWN, A DIPLOMA OR LICENSE OF ANOTHER OR A FORGED AFFIDAVIT OF IDENTIFICATION SHALL BE GUILTY OF A FELONY AND SHALL BE SUBJECT TO THE PUNISHMENT PRESCRIBED FOR FORGERY IN THE SECOND DEGREE.

THE BOARD IS AUTHORIZED TO BRING AN ACTION TO ENJOIN ANY PERSON, FIRM OR CORPORATION WHICH, WITHOUT BEING LICENSED TO PRACTICE PSYCHOLOGY BY THE BOARD, ENGAGES IN THE PRACTICE OF PSYCHOLOGY AS REGULATED BY THIS ACT. THE PROCEEDING SHALL BE FILED IN THE JURISDICTION IN WHICH THE INFRACTION OCCURS. IF IT SHALL BE MADE TO APPEAR THAT SUCH PERSON, FIRM OR CORPORATION IS PRACTICING PSYCHOLOGY WITHOUT A LICENSE, THE INJUNCTION SHALL BE ISSUED, AND SUCH PERSON, FIRM OR CORPORATION SHALL BE PERMANENTLY ENJOINED FROM PRACTICING PSYCHOLOGY THROUGHOUT THE JURISDICTION. IT SHALL NOT BE NECESSARY, IN ORDER TO OBTAIN THE EQUITABLE RELIEF DESCRIBED IN THIS ACT SECTION, FOR THE BOARD TO ALLEGE AND PROVE THERE IS NO ADEQUATE REMEDY AT LAW. IT IS DECLARED THAT SUCH UNLICENSED ACTIVITIES ARE DANGEROUS TO PUBLIC HEALTH, SAFETY, AND WELFARE.

III. DEFINITIONS

A. ASPPB – ASSOCIATION OF STATE AND PROVINCIAL PSYCHOLOGY BOARDS

THE ORGANIZATION REPRESENTING PSYCHOLOGY LICENSING/REGISTRATION BOARDS WITHIN THE U.S. AND CANADA.

B. ASPPB PSYCHOLOGY LICENSURE UNIVERSAL SYSTEM (PLUS)

A SERVICE THAT ASPPB PROVIDES TO PARTICIPATING PSYCHOLOGY LICENSING

93 BOARDS THAT ALLOWS THEM TO STREAMLINE THEIR LICENSURE PROCESS BY
94 PROVIDING AN ONLINE APPLICATION SYSTEM FOR INDIVIDUALS WHO WISH TO
95 APPLY FOR LICENSURE, CERTIFICATION, OR REGISTRATION IN ANY STATE,
96 PROVINCE, OR TERRITORY IN THE UNITED STATES OR CANADA THAT ARE PART OF
97 THE PLUS PROGRAM.
98

99 **C. BOARD**

100 BOARD IS THE _____ (NAME OF BOARD OR COMMITTEE).
101

102 **D. CERTIFICATE OF PROFESSIONAL QUALIFICATION IN PSYCHOLOGY**
103 **(CPQ)**

104 CERTIFICATE OF PROFESSIONAL QUALIFICATION IN PSYCHOLOGY, OR "CPQ," IS
105 THE INDIVIDUAL MOBILITY CREDENTIAL ISSUED BY ASPPB AND RECOGNIZED BY
106 PSYCHOLOGY REGULATORY BOARDS TO FACILITATE LICENSURE OF A
107 PSYCHOLOGIST IN ANOTHER JURISDICTION WHO HAS ALREADY BEEN LICENSED
108 FOR FIVE YEARS OR MORE AS A PSYCHOLOGIST, WHERE SUCH LICENSE IS BASED
109 ON HAVING OBTAINED AN EARNED DOCTORAL DEGREE, AND HAS NO RECORD OF
110 ANY PUBLICLY REPORTED DISCIPLINARY ACTION AGAINST THAT LICENSE.
111

112 **E. CERTIFICATION**

113 CERTIFICATION IS ANY CERTIFICATION ISSUED BY THIS BOARD WHICH COMES
114 UNDER THE REGULATORY AUTHORITY OF THIS BOARD.
115

116 **F. CLIENT (ALSO KNOWN AS PATIENT)**

117 CLIENT IS:

- 118 1. A DIRECT RECIPIENT OF PSYCHOLOGICAL SERVICES WITHIN THE
119 CONTEXT OF A PROFESSIONAL RELATIONSHIP INCLUDING A CHILD,
120 ADOLESCENT, ADULT, COUPLE, FAMILY, GROUP, ORGANIZATION,
121 COMMUNITY, OR OTHER POPULATIONS, OR OTHER ENTITIES RECEIVING
122 PSYCHOLOGICAL SERVICES.
- 123 2. THE INDIVIDUAL OR ENTITY REQUESTING THE PSYCHOLOGICAL
124 SERVICES AND NOT NECESSARILY THE RECIPIENT OF THOSE SERVICES
125 (E.G., AN EVALUATION THAT IS COURT-ORDERED, REQUESTED BY AN
126 ATTORNEY, AN AGENCY, ADMINISTRATIVE BODY OR AN
127 ORGANIZATION). WHAT KI
- 128 3. AN ORGANIZATION SUCH AS A BUSINESS CORPORATION ENTITY,
129 COMMUNITY OR GOVERNMENT THAT RECEIVES SERVICES DIRECTED
130 PRIMARILY TO THE ORGANIZATION, RATHER THAN TO THE INDIVIDUAL
131 ASSOCIATED WITH THE ORGANIZATION; OR
- 132 4. INDIVIDUALS WITH LEGAL GUARDIANS, INCLUDING MINORS AND
133 LEGALLY INCOMPETENT ADULTS, THE LEGAL GUARDIAN SHALL BE THE
134 CLIENT FOR DECISION MAKING PURPOSES, EXCEPT THE INDIVIDUAL
135 RECEIVING SERVICES SHALL BE THE CLIENT FOR:
 - 136 A) ISSUES DIRECTLY AFFECTING THE PHYSICAL OR EMOTIONAL
137 SAFETY OF THE INDIVIDUAL, SUCH AS SEXUAL OR OTHER
138 EXPLOITATIVE DUAL RELATIONSHIPS, OR

139 B) ISSUES SPECIFICALLY RESERVED TO THE INDIVIDUAL, AND
140 AGREED TO BY THE GUARDIAN PRIOR TO RENDERING OF
141 SERVICES, SUCH AS CONFIDENTIAL COMMUNICATION IN A
142 THERAPY RELATIONSHIP.
143

144 **G. CODE OF CONDUCT**

145 CODE OF CONDUCT IS THE ASPPB CODE OF CONDUCT.
146

147 **H. COMPETENCE**

148 COMPETENCE IS THE INTEGRATED USE BY PSYCHOLOGISTS OF KNOWLEDGE,
149 SKILLS, ATTITUDES, AND VALUES THAT ARE NECESSARY TO ENSURE THE
150 PROTECTION OF THE PUBLIC IN THE PROFESSIONAL PRACTICE OF PSYCHOLOGY.
151

152 **I. CONTINUING PROFESSIONAL DEVELOPMENT- PSYCHOLOGIST**

153 CONTINUING PROFESSIONAL DEVELOPMENT IS AN ONGOING PROCESS OF
154 MAINTAINING AND ENHANCING PROFESSIONAL COMPETENCE IN THE
155 PSYCHOLOGIST'S AREA OF PRACTICE OR SPECIALTY. IT BUILDS ON THE
156 FOUNDATION OF A COMPLETED PROFESSIONAL TRAINING PROGRAM IN
157 PSYCHOLOGY IN THAT AREA OF PRACTICE OR SPECIALTY, AND IS BASED ON
158 CONCEPTS OF EVIDENCE-BASED PRACTICE, AND CAN BE ATTAINED THROUGH A
159 BROAD RANGE OF PROFESSIONAL ACTIVITIES.
160

161 **J. DAY**

162 DAY IS ANY PART OF A 24-HOUR PERIOD (MIDNIGHT TO MIDNIGHT) IN WHICH
163 PSYCHOLOGICAL SERVICES ARE RENDERED.
164

165 **K. DISCIPLINARY ACTION**

166 DISCIPLINARY ACTION IS ANY ACTION TAKEN BY A LICENSING BOARD WHICH
167 FINDS A VIOLATION OF A STATUTE OR REGULATION THAT IS A MATTER OF PUBLIC
168 RECORD.
169

170 **L. DISTANCE EDUCATION**

171 DISTANCE EDUCATION IS A FORMAL EDUCATIONAL PROCESS IN WHICH
172 INSTRUCTION OCCURS WHEN THE STUDENT AND FACULTY ARE NOT IN THE
173 SAME PHYSICAL LOCATION AND, AS A RESULT, REQUIRES SPECIAL COURSE
174 DESIGN, INSTRUCTIONAL TECHNIQUES AND METHODS OF COMMUNICATION.
175 INSTRUCTION MAY BE SYNCHRONOUS OR ASYNCHRONOUS AND USE
176 ELECTRONICALLY MEDIATED METHODOLOGIES FOR NOT ONLY INSTRUCTION
177 BUT ALSO ACADEMIC AND RESEARCH ADVISING, MENTORING, SUPPORT AND
178 ADMINISTRATIVE SERVICES, EVALUATION, AND OTHER STUDENT AND FACULTY
179 CONTACTS.
180

181 **M. EPPP**

182 EXAMINATION(S) FOR PROFESSIONAL PRACTICE IN PSYCHOLOGY (EPPP) ARE
183 STANDARDIZED EXAMINATIONS USED BY STATE AND PROVINCIAL BOARDS OF
184 PSYCHOLOGY AS PART OF THE PROCESS OF EVALUATING THE QUALIFICATIONS,

185 KNOWLEDGE AND COMPETENCIES OF APPLICANTS FOR LICENSURE AND
186 CERTIFICATION AND ARE DEVELOPED AND OWNED BY THE ASPPB.
187

188 **N. GENERAL APPLIED PROVIDER IN PSYCHOLOGY**

189 A GENERAL APPLIED PROVIDER IS A PSYCHOLOGIST WITH APPROPRIATE TRAINING
190 AND EXPERIENCE (AS DEFINED IN THE RULES AND REGULATIONS OF THIS BOARD),
191 WHO PROVIDES SERVICES OUTSIDE HEALTH AND BEHAVIOR HEALTH FIELDS FOR
192 THE PURPOSE OF ENHANCING INDIVIDUAL AND/OR ORGANIZATIONAL
193 EFFECTIVENESS. THIS INCLUDES THE PROVISION OF DIRECT SERVICES TO
194 INDIVIDUALS AND GROUPS, FOR ASSESSMENT AND EVALUATION OF PERSONAL
195 ABILITIES AND CHARACTERISTICS FOR INDIVIDUAL DEVELOPMENT, BEHAVIOR
196 CHANGE, AND/OR FOR MAKING DECISIONS ABOUT THE INDIVIDUAL; AND MAY
197 ALSO INCLUDE SERVICES TO ORGANIZATIONS THAT ARE PROVIDED FOR THE
198 BENEFIT OF THE ORGANIZATION.
199

200 **O. HEALTH SERVICE PROVIDER IN PSYCHOLOGY**

201 A HEALTH SERVICE PROVIDER IN PSYCHOLOGY IS A PSYCHOLOGIST WITH
202 APPROPRIATE TRAINING AND EXPERIENCE (AS DEFINED IN THE RULES AND
203 REGULATIONS OF THIS BOARD) WHO PROVIDES SERVICES WITHIN THE HEALTH
204 AND BEHAVIORAL HEALTH FIELDS. THIS INCLUDES, BUT IS NOT LIMITED TO, THE
205 DELIVERY OF DIRECT AND INDIRECT PREVENTIVE, DIAGNOSTIC, ASSESSMENT, AND
206 THERAPEUTIC INTERVENTION SERVICES TO CLIENTS WHOSE GROWTH,
207 ADJUSTMENT, OR FUNCTIONING IS ACTUALLY IMPAIRED OR IS DEMONSTRABLY AT
208 RISK OF IMPAIRMENT OR THE SUPERVISION OF ANY OF THE ABOVE.
209

210 **P. INSTITUTION OF HIGHER EDUCATION**

211 INSTITUTION OF HIGHER EDUCATION IS A UNIVERSITY, PROFESSIONAL SCHOOL,
212 OR OTHER INSTITUTION OF HIGHER LEARNING THAT:

- 213 1. IN THE UNITED STATES, IS REGIONALLY ACCREDITED BY BODIES
214 APPROVED BY THE UNITED STATES OFFICE OF EDUCATION OR THE
215 COUNCIL OF HIGHER EDUCATION ACCREDITATION;
- 216 2. IN CANADA, A MEMBER OF THE ASSOCIATION OF UNIVERSITIES
217 AND COLLEGES OF CANADA; OR
- 218 3. IN OTHER COUNTRIES, IS ACCREDITED BY THE RESPECTIVE OFFICIAL
219 ORGANIZATION HAVING SUCH AUTHORITY.
220

221 **Q. INTERJURISDICTIONAL PRACTICE CERTIFICATE (IPC)**

222 THE INTERJURISDICTIONAL PRACTICE CERTIFICATE (IPC) IS THE INDIVIDUAL
223 MOBILITY CREDENTIAL ISSUED BY ASPPB TO FACILITATE SHORT-TERM AND/OR
224 TEMPORARY AUTHORIZATION TO PRACTICE PSYCHOLOGY IN ONE JURISDICTION
225 BY AN INDIVIDUAL LICENSED AS A PSYCHOLOGIST AT THE DOCTORAL LEVEL IN
226 ANOTHER JURISDICTION.
227

228 **R. LICENSED**

229 LICENSED DENOTES HAVING A LICENSE ISSUED BY A BOARD OF PSYCHOLOGY
230 WHICH GRANTS THE AUTHORITY TO ENGAGE IN THE PRACTICE OF PSYCHOLOGY

231 AS PERMITTED BY THIS ACT AND THE RULES AND REGULATIONS OF THIS BOARD.
232 THE TERMS REGISTERED, CHARTERED, OR ANY OTHER TERM CHOSEN BY A
233 JURISDICTION USED IN THE SAME CAPACITY AS LICENSED ARE CONSIDERED
234 EQUIVALENT TERMS.
235

236 **S. PRACTICE OF PSYCHOLOGY**

237 PRACTICE OF PSYCHOLOGY IS DEFINED AS THE OBSERVATION, DESCRIPTION,
238 EVALUATION, INTERPRETATION, PREDICTION AND MODIFICATION OF HUMAN
239 BEHAVIOR BY THE APPLICATION OF PSYCHOLOGICAL PRINCIPLES, METHODS, AND
240 PROCEDURES, FOR
241 THE PURPOSES OF:

- 242
- 243 1. PREVENTING, ELIMINATING, EVALUATING, ASSESSING, OR
- 244 PREDICTING SYMPTOMATIC, MALADAPTIVE, OR UNDESIRE
- 245 BEHAVIOR;
- 246 2. EVALUATING, ASSESSING AND/OR FACILITATING THE
- 247 ENHANCEMENT OF INDIVIDUAL, GROUP AND/OR ORGANIZATIONAL
- 248 EFFECTIVENESS – INCLUDING PERSONAL EFFECTIVENESS, ADAPTIVE
- 249 BEHAVIOR, INTERPERSONAL RELATIONSHIPS, WORK AND LIFE
- 250 ADJUSTMENT, HEALTH, AND INDIVIDUAL, GROUP AND/OR
- 251 ORGANIZATIONAL PERFORMANCE; OR
- 252 3. ASSISTING IN LEGAL DECISION-MAKING.
- 253

254 THE PRACTICE OF PSYCHOLOGY INCLUDES, BUT IS NOT LIMITED TO,

- 255
- 256 1. PSYCHOLOGICAL TESTING AND THE EVALUATION OR ASSESSMENT
- 257 OF PERSONAL CHARACTERISTICS, SUCH AS INTELLIGENCE;
- 258 PERSONALITY; COGNITIVE, PHYSICAL, AND/OR EMOTIONAL
- 259 ABILITIES; SKILLS; INTERESTS; APTITUDES; AND
- 260 NEUROPSYCHOLOGICAL FUNCTIONING;
- 261 2. COUNSELING, CONSULTATION, PSYCHOANALYSIS,
- 262 PSYCHOTHERAPY, HYPNOSIS, BIOFEEDBACK, AND BEHAVIOR
- 263 ANALYSIS AND THERAPY;
- 264 3. DIAGNOSIS, TREATMENT, AND MANAGEMENT OF MENTAL AND
- 265 EMOTIONAL DISORDER OR DISABILITY, SUBSTANCE USE
- 266 DISORDERS, DISORDERS OF HABIT OR CONDUCT, AS WELL AS OF
- 267 THE PSYCHOLOGICAL ASPECTS OF PHYSICAL ILLNESS, ACCIDENT,
- 268 INJURY, OR DISABILITY;
- 269 4. PSYCHOEDUCATIONAL EVALUATION, THERAPY, AND REMEDIATION;
- 270 5. CONSULTATION WITH OTHER PSYCHOLOGISTS, PHYSICIANS, OTHER
- 271 HEALTH CARE PROFESSIONALS AND CLIENTS REGARDING ALL
- 272 AVAILABLE TREATMENT OPTIONS, INCLUDING MEDICATION, WITH
- 273 RESPECT TO PROVISION OF CARE FOR A SPECIFIC CLIENT;
- 274 6. PROVISION OF DIRECT SERVICES TO INDIVIDUALS AND/OR GROUPS
- 275 FOR THE PURPOSE OF ENHANCING INDIVIDUAL AND THEREBY
- 276 ORGANIZATIONAL EFFECTIVENESS, USING PSYCHOLOGICAL

277 PRINCIPLES, METHODS AND/OR PROCEDURES TO ASSESS AND
278 EVALUATE INDIVIDUALS ON PERSONAL CHARACTERISTICS FOR
279 INDIVIDUAL DEVELOPMENT AND/OR BEHAVIOR CHANGE OR FOR
280 MAKING DECISIONS ABOUT THE INDIVIDUAL, SUCH AS SELECTION;
281 7. PROVISION OF SERVICES TO ORGANIZATIONS THAT ARE PROVIDED
282 FOR THE BENEFIT OF THE ORGANIZATION AND DO NOT INVOLVE
283 DIRECT SERVICES TO INDIVIDUALS, INCLUDING BUT NOT LIMITED
284 TO JOB ANALYSIS, ATTITUDE/OPINION SURVEYS, SELECTION
285 TESTING, GROUP ADMINISTRATION OF STANDARDIZED TESTS IN
286 WHICH RESPONSES ARE MECHANICALLY SCORED AND
287 INTERPRETED, SELECTION VALIDATION STUDIES, DESIGNING
288 PERFORMANCE APPRAISAL SYSTEMS, TRAINING, ORGANIZATION
289 DESIGN, ADVISING MANAGEMENT ON HUMAN BEHAVIOR IN
290 ORGANIZATIONS, ORGANIZATIONAL ASSESSMENT, DIAGNOSIS AND
291 INTERVENTION OF ORGANIZATIONAL PROBLEMS, AND RELATED
292 SERVICES; AND
293 8. THE SUPERVISION OF ANY OF THE ABOVE.
294

295 PSYCHOLOGICAL SERVICES MAY BE RENDERED TO INDIVIDUALS, FAMILIES,
296 GROUPS, SYSTEMS, AND/OR ORGANIZATIONS. THE PRACTICE OF PSYCHOLOGY
297 SHALL BE CONSTRUED WITHIN THE MEANING OF THIS DEFINITION WITHOUT
298 REGARD TO WHETHER PAYMENT IS RECEIVED FOR SERVICES RENDERED OR IF THE
299 PRACTICE WAS CONDUCTED IN PERSON OR VIA ELECTRONIC MEANS.
300

301 **T. PROFESSIONAL RELATIONSHIP**

302 A PROFESSIONAL RELATIONSHIP IS A MUTUALLY AGREED UPON RELATIONSHIP
303 BETWEEN A PSYCHOLOGIST AND CLIENT(S) ESTABLISHED FOR THE PURPOSE OF
304 PROVIDING BENEFIT TO THE CLIENT(S) THROUGH THE APPLICATION OF THE
305 PSYCHOLOGIST'S PROFESSIONAL EXPERTISE.
306

307 **U. PROVISIONAL LICENSE FOR INDEPENDENT PRACTICE**

308 A PROVISIONAL LICENSE FOR INDEPENDENT PRACTICE IS ISSUED TO AN
309 APPLICANT FOR LICENSURE WHO IS CURRENTLY LICENSED IN ANOTHER
310 JURISDICTION THAT PERMITS INDEPENDENT PRACTICE IN THIS JURISDICTION
311 DURING THE APPLICATION PROCESS.
312

313 **V. PROVISIONAL INDEPENDENT LICENSED PSYCHOLOGIST**

314 A PSYCHOLOGIST WHO HOLDS A PROVISIONAL LICENSE FOR INDEPENDENT
315 PRACTICE AS DEFINED IN THIS ACT AND THE RULES AND REGULATIONS OF THIS
316 BOARD.
317

318 **W. PROVISIONAL LICENSE FOR SUPERVISED PRACTICE**

319 A PROVISIONAL LICENSE FOR SUPERVISED PRACTICE IS ISSUED TO AN APPLICANT
320 WHO IS COMPLETING THE POSTDOCTORAL EXPERIENCE UNDER THE SUPERVISION
321 OF A LICENSED PSYCHOLOGIST.
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X. PROVISIONAL SUPERVISED LICENSED PSYCHOLOGIST

A PSYCHOLOGIST WHO HOLDS A PROVISIONAL LICENSE FOR SUPERVISED PRACTICE AS DEFINED IN THIS ACT AND THE RULES AND REGULATIONS OF THIS BOARD.

Y. PSYCHOLOGIST

PSYCHOLOGIST IS A PERSON LICENSED FOR AUTONOMOUS PRACTICE OF PSYCHOLOGY IN THIS OR ANOTHER JURISDICTION WHO PROVIDES PSYCHOLOGICAL SERVICES WITHIN THEIR AREA OF COMPETENCE. AS A:

1. HEALTH SERVICE PROVIDER IN PSYCHOLOGY WHO OFFERS HEALTH AND BEHAVIORAL HEALTH RELATED SERVICES AS DEFINED IN THE PRACTICE OF PSYCHOLOGY
2. GENERAL APPLIED PROVIDER IN PSYCHOLOGY WHO OFFERING SERVICES OUTSIDE HEALTH AND BEHAVIORAL HEALTH FIELDS AS DEFINED IN THE PRACTICE OF PSYCHOLOGY.

THE TITLE “PSYCHOLOGIST” MAY NOT BE USED BY PROFESSIONALS WHO ARE EXEMPT FROM LICENSURE UNDER THIS ACT EXCEPT AS PERMITTED UNDER SECTION XII OF THIS ACT.

A PERSON REPRESENTS HIMSELF OR HERSELF TO BE A “PSYCHOLOGIST” IF THAT PERSON USES ANY TITLE OR DESCRIPTION OF SERVICES INCORPORATING THE WORDS PSYCHOLOGY, PSYCHOLOGICAL, OR PSYCHOLOGIST; OR IF HE/SHE USES ANY TERM THAT IMPLIES THAT HE/SHE POSSESSES QUALIFICATIONS IN ANY AREA OF PSYCHOLOGY; OR IF THAT PERSON OFFERS OR RENDERS SERVICES DEFINED AS THE PRACTICE OF PSYCHOLOGY IN THIS ACT TO INDIVIDUALS, GROUPS, CORPORATE ENTITIES OR OTHER ORGANIZATIONS.

Z. PSYCHOLOGY TRAINING PROGRAM

1. PSYCHOLOGY TRAINING PROGRAM FOR HEALTH SERVICE PROVIDERS IN PSYCHOLOGY IS A DOCTORAL TRAINING PROGRAM IN AN INSTITUTION OF HIGHER EDUCATION THAT:

- a) IS A PLANNED PROGRAM OF STUDY WHICH REFLECTS AN INTEGRATION OF SCIENCE AND PRACTICE OF PSYCHOLOGY INCLUDING RESIDENCY AND SUPERVISED PROFESSIONAL EXPERIENCE AND/OR INTERNSHIP AND OTHER REQUIREMENTS AS SET OUT IN THE RULES AND REGULATIONS OF THIS BOARD; AND IS ACCREDITED BY THE AMERICAN PSYCHOLOGICAL ASSOCIATION (APA) OR CANADIAN PSYCHOLOGICAL ASSOCIATION (CPA) OR

- b) FOR APPLICANTS RECEIVING THEIR TERMINAL DEGREES PRIOR TO 2019 THAT DO NOT MEET Z.1.A. ABOVE:

1. IS A PLANNED PROGRAM OF STUDY

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WHICH REFLECTS AN INTEGRATION OF THE SCIENCE AND PRACTICE OF PSYCHOLOGY INCLUDING RESIDENCY AND SUPERVISED PROFESSIONAL EXPERIENCE AND/OR INTERNSHIP AND OTHER REQUIREMENTS AS SET OUT IN THE RULES AND REGULATIONS OF THIS BOARD

2. AND WAS DESIGNATED AS A DOCTORAL PROGRAM IN PSYCHOLOGY BY THE ASSOCIATION OF STATE AND PROVINCIAL PSYCHOLOGY BOARDS AND THE NATIONAL REGISTER OF HEALTH SERVICE PSYCHOLOGISTS.

2. PSYCHOLOGY TRAINING PROGRAM FOR GENERAL APPLIED PROVIDERS IN PSYCHOLOGY IS A DOCTORAL TRAINING PROGRAM IN AN INSTITUTION OF HIGHER EDUCATION THAT:

IS A PLANNED PROGRAM OF STUDY WHICH REFLECTS AN INTEGRATION OF THE SCIENCE AND PRACTICE OF PSYCHOLOGY INCLUDING RESIDENCY AND SUPERVISED PROFESSIONAL PRACTICE AND/OR INTERNSHIP AND OTHER REQUIREMENTS AS SET OUT IN THE RULES AND REGULATIONS OF THIS BOARD; AND

- i. IS ACCREDITED BY THE AMERICAN PSYCHOLOGICAL ASSOCIATION (APA), OR CANADIAN PSYCHOLOGICAL ASSOCIATION (CPA) OR
- ii. FOR APPLICANTS RECEIVING THEIR TERMINAL DEGREES PRIOR TO 2019 WAS DESIGNATED AS A DOCTORAL PROGRAM IN PSYCHOLOGY BY THE ASSOCIATION OF STATE AND PROVINCIAL PSYCHOLOGY BOARDS AND THE NATIONAL REGISTER OF HEALTH SERVICE PSYCHOLOGISTS; OR
- iii. MEETS REQUIREMENTS THAT ARE SUBSTANTIALLY EQUIVALENT TO PARAGRAPHS 2. i AND ii. ABOVE AS SET OUT IN RULES AND REGULATIONS OF THIS BOARD.

AA. RESIDENCY

RESIDENCY IS THE PHYSICAL PRESENCE, IN PERSON, AT AN EDUCATIONAL INSTITUTION OR TRAINING FACILITY IN A MANNER THAT FACILITATES ACCULTURATION IN THE PROFESSION, THE FULL PARTICIPATION AND

415 INTEGRATION OF THE INDIVIDUAL IN THE EDUCATIONAL, AND TRAINING
416 EXPERIENCE AND INCLUDES FACULTY STUDENT INTERACTION. TRAINING MODELS
417 THAT RELY EXCLUSIVELY ON PHYSICAL PRESENCE FOR PERIODS OF LESS THAN ONE
418 CONTINUOUS YEAR (E.G., MULTIPLE LONG WEEKENDS AND/OR SUMMER
419 INTENSIVE SESSIONS), OR THAT USE VIDEO TELECONFERENCING OR OTHER
420 ELECTRONIC MEANS AS A SUBSTITUTE FOR ANY PART OF THE MINIMUM
421 REQUIREMENT FOR PHYSICAL PRESENCE AT THE INSTITUTION DO NOT MEET THIS
422 DEFINITION OF RESIDENCY. IN THIS ACT, AND FOR THE PURPOSE OF DEFINING
423 "RESIDENCY," THE TERMS "PHYSICAL PRESENCE," "CONTINUOUS," AND "YEAR"
424 SHALL BE DEFINED IN THE REGULATIONS.
425

426 **BB. RESPECIALIZATION**

427 THE PROCESS OF COMPLETING ADDITIONAL EDUCATION, TRAINING AND
428 EXPERIENCE DEFINED IN THE RULES AND REGULATIONS OF THIS BOARD THAT
429 WOULD PERMIT AN UNLICENSED PERSON WITH AN EARNED DOCTORATE IN AN
430 AREA OF SCIENTIFIC PSYCHOLOGY FROM A REGIONALLY ACCREDITED INSTITUTION
431 TO FULFILL THE REQUIREMENTS FOR LICENSURE UNDER THIS ACT.
432

433 **IV. (NAME OF JURISDICTION) REGULATORY BOARD OF**
434 **PSYCHOLOGY**

435
436 **A. CREATION OF BOARD**

437 THERE IS HEREBY CREATED THE _____ (NAME OF JURISDICTION)
438 REGULATORY BOARD OF PSYCHOLOGY (HEREAFTER REFERRED TO AS THE BOARD)
439 TO REGULATE THE PRACTICE OF PSYCHOLOGY IN THIS JURISDICTION IN
440 ACCORDANCE WITH THIS ACT AND TO OTHERWISE TO ENFORCE THIS ACT.
441

442 **B. DELEGATION OF DUTIES**

443 THE DUTIES OF DETERMINING A PERSON'S INITIAL AND CONTINUING
444 QUALIFICATIONS, COMPETENCE AND FITNESS TO PRACTICE PSYCHOLOGY,
445 PROCEEDING AGAINST THE UNLAWFUL AND UNLICENSED PRACTICE OF
446 PSYCHOLOGY, AND ENFORCING THIS ACT ARE HEREBY DELEGATED TO THE BOARD.
447 THESE DUTIES SHALL BE DISCHARGED IN ACCORDANCE WITH THIS ACT AND THE
448 RULES AND REGULATIONS PROMULGATED BY THE BOARD. IN ORDER TO CARRY
449 OUT THESE DELEGATED DUTIES, THE BOARD SHALL HAVE THE POWER AND SHALL
450 BE AUTHORIZED TO UTILIZE SUCH PERSONNEL AS NECESSARY INCLUDING, BUT
451 NOT LIMITED TO: ATTORNEYS, INVESTIGATORS, HEARING OFFICERS, EXAMINERS,
452 COURT REPORTERS, ADMINISTRATORS, AND OTHER SUPPORT PERSONNEL. THE
453 BOARD MAY ALSO UTILIZE WHATEVER OTHER SERVICES IT DEEMS NECESSARY TO
454 CARRY OUT ITS DUTIES, SUCH AS A CREDENTIALS VERIFICATION SERVICE.
455

456 **C. AUTHORITY TO PROMULGATE RULES AND REGULATIONS**

457 IN ADDITION TO THE POWERS SET FORTH ELSEWHERE IN THIS ACT, THE BOARD
458 SHALL ADOPT RULES AND REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS
459 ACT IN ACCORDANCE WITH THE JURISDICTION'S ADMINISTRATIVE PROCEDURES

460 ACT. THE BOARD MAY DEFINE SPECIFIC AREAS OF PRACTICE AS NEEDED AND
461 DEVELOP RULES AND REGULATIONS FOR LICENSURE AND PRACTICE IN THOSE
462 AREAS. IT IS NECESSARY THAT THE POWERS CONFERRED ON THE BOARD BY THIS
463 ACT BE PROPERLY CONSTRUED TO PROTECT THE HEALTH, SAFETY, AND WELFARE
464 OF THE PEOPLE OF THIS JURISDICTION.
465

466 **D. BOARD MEMBERSHIP**

467 1. NUMBER

468 THE BOARD SHALL CONSIST OF ___ LICENSED PSYCHOLOGISTS AND
469 ___ PUBLIC MEMBER(S). WHENEVER POSSIBLE, BOARD MEMBERS
470 SHALL REFLECT DIVERSITY OVER A NUMBER OF DIMENSIONS SUCH
471 AS PROFESSIONAL PRACTICE AREA, GEOGRAPHIC LOCATION,
472 AND/OR CULTURE RELEVANT TO THE JURISDICTION.
473

474 2. QUALIFICATIONS

475 a) EACH PSYCHOLOGIST MEMBER MUST RESIDE IN THIS
476 JURISDICTION, HAVE A CURRENT, UNENCUMBERED
477 AND VALID LICENSE, AND HAVE BEEN LICENSED TO
478 PRACTICE PSYCHOLOGY BY THIS JURISDICTION FOR
479 AT LEAST FIVE YEARS IMMEDIATELY PRECEDING
480 HIS/HER APPOINTMENT. EACH MUST BE FREE OF
481 CONFLICTS OF INTEREST OR THE APPEARANCE OF
482 SUCH CONFLICTS WITH REGARD TO HIS/HER DUTIES
483 AS A BOARD MEMBER.
484

485 b) THE PUBLIC MEMBER(S) MUST RESIDE IN THIS
486 JURISDICTION AND SHALL HAVE LIVED IN THE
487 JURISDICTION FOR AT LEAST FIVE YEARS
488 IMMEDIATELY PRECEDING HIS/HER APPOINTMENT,
489 AND SHALL HAVE NEVER BEEN A PSYCHOLOGIST, AN
490 APPLICANT, FORMER APPLICANT FOR LICENSURE AS
491 A PSYCHOLOGIST, A MEMBER OF ANOTHER MENTAL
492 HEALTH PROFESSION, OR A MEMBER OF A
493 HOUSEHOLD THAT INCLUDES A PSYCHOLOGIST, OR
494 OTHERWISE HAVE CONFLICTS OF INTEREST OR THE
495 APPEARANCE OF SUCH CONFLICTS WITH REGARD TO
496 HIS/HER DUTIES AS A BOARD MEMBER.
497

498 3. TERM

499 THE TERM OF OFFICE SHALL BE FIVE YEARS, WITH PROVISIONS FOR
500 REAPPOINTMENT FOR ONE ADDITIONAL TERM. TERMS OF SERVICE
501 SHALL BE STAGGERED.
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4. APPOINTMENT OF MEMBERS

a) IN THE UNITED STATES

1) THE MEMBERS OF THE BOARD SHALL BE APPOINTED BY THE (NAME OF THE APPROPRIATE ENTITY).

2) A BOARD MEMBER WHOSE TERM HAS EXPIRED MAY SERVE UNTIL SUCH TIME AS AN OFFICIAL APPOINTMENT IS COMPLETE.

b) IN CANADA,

1) MEMBERS OF THE BOARD SHALL BE APPOINTED BY THE (NAME OF THE APPROPRIATE ENTITY) OR ELECTED BY THE (NAME OF THE APPROPRIATE ENTITY) TO THEIR BOARDS,

2) A BOARD MEMBER WHOSE TERM HAS EXPIRED MAY SERVE UNTIL SUCH TIME AS AN OFFICIAL APPOINTMENT IS COMPLETE

3) THE ELECTION SHALL BE CONDUCTED IN ACCORDANCE WITH THE LAW AND RULES AND REGULATIONS OF THIS BOARD.

5. REIMBURSEMENT

EACH MEMBER OF THE BOARD SHALL RECEIVE ____ DOLLARS PER DIEM WHEN ACTUALLY ATTENDING TO THE WORK OF THE BOARD. MEMBERS SHALL ALSO RECEIVE THE AMOUNT OF REASONABLE TRAVEL, HOTEL AND OTHER NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THIS BOARD.

6. REMOVAL OF BOARD MEMBERS

THE (NAME OF APPOINTING AUTHORITY) SHALL REMOVE ANY MEMBER FROM THE BOARD IF HE OR SHE:

a) CEASES TO BE QUALIFIED; OR

b) FAILS TO ATTEND THREE SUCCESSIVE BOARD MEETINGS OR MORE THAN 50% OF THE SCHEDULED BOARD MEETINGS IN A TWELVE MONTH PERIOD WITHOUT JUST CAUSE AS DETERMINED BY THE BOARD; OR

c) IS FOUND TO BE IN VIOLATION OF THIS ACT; OR

d) IS FOUND GUILTY OF A FELONY OR AN UNLAWFUL ACT INVOLVING MORAL TURPITUDE BY A COURT OF COMPETENT JURISDICTION; OR

- 552
553 e) IS FOUND GUILTY OF MALFEASANCE, MISFEASANCE,
554 OR NONFEASANCE IN RELATION TO HIS/HER BOARD
555 DUTIES BY A COURT OF COMPETENT JURISDICTION.
556

557 **E. BOARD MEETINGS**

- 558 1. THE BOARD SHALL MEET ____ TIMES EACH YEAR AND AT SUCH
559 ADDITIONAL MINIMUM OF TIMES AS MAY BE NECESSARY TO
560 CARRY OUT THE DUTIES OF THE BOARD; AND
561 2. ANNUALLY THE BOARD SHALL ELECT A CHAIRPERSON AS WELL AS
562 ANY OTHER OFFICERS NECESSARY TO CARRY OUT THE DUTIES OF
563 THE BOARD; AND
564 3. A MAJORITY OF THE APPOINTED BOARD MEMBERS SHALL
565 CONSTITUTE A QUORUM FOR PURPOSES OF CONDUCTING THE
566 BUSINESS OF THE BOARD; AND
567 4. DECISIONS OF THE BOARD SHALL BE BY MAJORITY VOTE.
568

569 **F. BOARD LIABILITY**

570 A MEMBER OF THE BOARD OR ANY EMPLOYEE OR AGENT OF THE BOARD SHALL
571 NOT BE HELD SUBJECT TO CIVIL LIABILITY FOR ANY ACT PERFORMED IN GOOD
572 FAITH AND WITHIN THE SCOPE OF THE DUTIES OF THE BOARD.
573

574 **V. FUNDING**

575
576 **A. REVENUES**

577 THE BOARD SHALL BE FULLY SUPPORTED BY THE REVENUES GENERATED FROM ITS
578 ACTIVITIES, INCLUDING FEES, CHARGES, AND REIMBURSED COSTS.
579

580 **B. SETTING FEES AND CHARGES**

581 THE BOARD SHALL, FROM TIME TO TIME, ESTABLISH REASONABLE FEES FOR
582 APPLICATIONS, EXAMINATIONS, THE ISSUANCE AND RENEWAL OF LICENSES, AND
583 ITS OTHER SERVICES. FEES SHALL BE SET SO AS TO DEFRAY THE COST OF
584 ADMINISTERING THE PROVISIONS OF THIS ACT, INCLUDING APPLICATIONS,
585 EXAMINATIONS, ENFORCEMENT, AND THE COST OF OPERATIONS OF THE BOARD.
586

587 **VI. REQUIREMENTS FOR LICENSURE**

588
589 **A. GENERAL**

590 AN APPLICANT FOR LICENSURE SHALL BE AT LEAST THE AGE OF MAJORITY AND OF
591 GOOD MORAL CHARACTER.
592

593 **B. EDUCATION**

594 AN APPLICANT FOR LICENSURE AS A PSYCHOLOGIST MUST POSSESS A DOCTORAL
595 DEGREE FROM A PSYCHOLOGY TRAINING PROGRAM, AS DEFINED IN THIS ACT
596 AND THE RULES AND REGULATIONS OF THIS BOARD. THE DOCTORAL PROGRAM

597 MAY INCLUDE DISTANCE EDUCATION, BUT A MINIMUM OF ONE CONTINUOUS
598 YEAR (AS DEFINED IN THE RULES AND REGULATIONS OF THIS BOARD) OF THE
599 PROGRAM SHALL CONSIST OF RESIDENCY. PROGRAMS THAT USE PHYSICAL
600 PRESENCE (AS DEFINED IN THE RULES AND REGULATIONS OF THIS BOARD),
601 INCLUDING FACE-TO-FACE CONTACT FOR DURATIONS OF LESS THAN ONE
602 CONTINUOUS YEAR, (E.G. MULTIPLE LONG WEEKENDS AND/OR SUMMER
603 INTENSIVE SESSIONS) OR THAT USE VIDEO TELECONFERENCING OR OTHER
604 ELECTRONIC MEANS AS A SUBSTITUTE FOR PHYSICAL PRESENCE AT THE
605 INSTITUTION IN ORDER TO MEET THE RESIDENCY REQUIREMENT ARE DEEMED
606 NOT TO BE ACCEPTABLE FOR LICENSURE.
607

608 AN APPLICANT TRAINED IN AN INSTITUTION OUTSIDE THE UNITED STATES OR
609 CANADA MUST DEMONSTRATE TO THE SATISFACTION OF THE BOARD THAT
610 HE/SHE POSSESSES A DOCTORAL DEGREE IN PSYCHOLOGY, THE REQUIREMENTS
611 FOR WHICH SHALL HAVE BEEN SUBSTANTIALLY SIMILAR TO THE REQUIREMENTS
612 FOR A DOCTORAL DEGREE IN PSYCHOLOGY AS DEFINED IN THIS ACT.
613

614 AN APPLICANT WITH AN EARNED DOCTORAL DEGREE IN SCIENTIFIC PSYCHOLOGY
615 FROM A REGIONALLY ACCREDITED INSTITUTION MAY COMPLETE A PROGRAM OF
616 RESPECIALIZATION AS DEFINED IN THE RULES AND REGULATIONS OF THIS BOARD
617 TO FULFILL ADDITIONAL REQUIREMENTS FOR LICENSURE.
618
619

620 **C. EXPERIENCE**

621 AN APPLICANT FOR LICENSURE AS A PSYCHOLOGIST MUST DEMONSTRATE THAT
622 HE/SHE HAS COMPLETED TWO YEARS OF SUPERVISED PROFESSIONAL
623 EXPERIENCE, ONE YEAR OF WHICH MAY BE AN INTERNSHIP PROGRAM, AND ONE
624 YEAR OF WHICH SHALL BE POSTDOCTORAL. BOTH YEARS OF SUPERVISED
625 EXPERIENCE MUST BE ACCEPTABLE TO THE BOARD AND COMPLY WITH THE
626 SPECIFIC GUIDELINES SET OUT IN THE RULES AND REGULATIONS OF THIS BOARD.
627

628 **D. EXAMINATIONS**

- 629 1. THE BOARD SHALL ESTABLISH RULES AND REGULATIONS
630 REGARDING EXAMINATIONS.
- 631 2. AN APPLICANT FOR LICENSURE MUST PASS THE EXAMINATION FOR
632 PROFESSIONAL PRACTICE IN PSYCHOLOGY (EPPP) AT THE ASPPB
633 PASS POINT.
- 634 3. AN APPLICANT FOR LICENSURE MUST PASS ANY OTHER WRITTEN
635 AND/OR ORAL EXAMINATION(S) PRESCRIBED BY THE RULES AND
636 REGULATIONS OF THIS BOARD.
- 637 4. THE BOARD SHALL ESTABLISH RULES AND REGULATIONS FOR THE
638 REEXAMINATION OF ANY APPLICANT WHO DOES NOT MEET OR
639 EXCEED THE PASS POINT OF ANY OF THE PROSCRIBED
640 EXAMINATIONS.
641
642

- 643 **E. CERTIFICATION**
644 AN APPLICANT FOR LICENSURE MUST DEMONSTRATE THAT HE/SHE HAS MET
645 REQUIREMENTS FOR CERTIFICATION AS DEFINED IN THE RULES AND REGULATIONS
646 OF THIS BOARD.
647
- 648 **F. WAIVER OF REQUIREMENT(S)**
649 THE BOARD MAY ISSUE A LICENSE TO ANY PSYCHOLOGIST WHO HAS BEEN
650 LICENSED IN ANOTHER JURISDICTION IF IT IS THE BOARD'S DETERMINATION THAT
651 THE PSYCHOLOGIST WAS LICENSED UNDER REQUIREMENTS EQUAL TO, OR
652 EXCEEDING, THE REQUIREMENTS FOR LICENSURE IN THIS JURISDICTION.
653
- 654 **G. ASPPB CERTIFICATE OF PROFESSIONAL QUALIFICATION IN**
655 **PSYCHOLOGY (CPQ)**
656 THE BOARD SHALL ACCEPT THE CERTIFICATE OF PROFESSIONAL QUALIFICATION IN
657 PSYCHOLOGY (CPQ) ISSUED BY ASPPB AS EVIDENCE THAT THE APPLICANT HAS
658 MET THE REQUIREMENTS FOR LICENSURE EXCEPT FOR ANY LOCAL
659 JURISDICTIONAL EXAMINATION(S).
660
- 661 **H. RECIPROCITY**
662 THE BOARD MAY ENTER INTO AND IMPLEMENT AGREEMENTS WITH OTHER
663 JURISDICTIONS FOR THE ISSUANCE OF A LICENSE THROUGH RECIPROCITY IF THE
664 OTHER JURISDICTION'S REQUIREMENTS FOR LICENSING, CERTIFICATION OR
665 REGISTRATION ARE SUBSTANTIALLY EQUIVALENT TO LICENSURE REQUIREMENTS
666 IN THIS JURISDICTION.
667
- 668 **I. PROVISIONAL LICENSURE**
669 1. PROVISIONAL LICENSE FOR SUPERVISED PRACTICE
670
- 671 THE APPLICANT FOR A PROVISIONAL LICENSE FOR SUPERVISED
672 PRACTICE SHALL HAVE MET ALL EDUCATIONAL REQUIREMENTS,
673 INCLUDING A DOCTORAL DEGREE IN PSYCHOLOGY AS DEFINED IN
674 VI. B. OF THIS ACT
675
- 676 a) THE PROVISIONAL LICENSE FOR SUPERVISED
677 PRACTICE SHALL SET FORTH THAT THE
678 PSYCHOLOGIST'S PRACTICE SHALL BE SUBJECT TO
679 SUPERVISION AND THAT THE LICENSE SHALL BE
680 APPLICABLE ONLY TO WORK PERFORMED UNDER
681 SUCH SUPERVISION.
682
- 683 b) A PERSON PRACTICING WITH A PROVISIONAL
684 LICENSE FOR SUPERVISED PRACTICE IS SUBJECT TO
685 THE RULES, REGULATIONS, STANDARDS OF
686 PRACTICE, CODES OF ETHICS AND ANY OTHER
687 GUIDELINES ADOPTED BY THE BOARD, AS WELL AS

688 DISCIPLINARY ACTION BY THE BOARD.

689

690 c) A PERSON PRACTICING WITH A PROVISIONAL
691 LICENSE FOR SUPERVISED PRACTICE MUST INFORM
692 CLIENTS OF HIS/HER STATUS AND MUST USE THE
693 TITLE PROVISIONAL SUPERVISED LICENSE
694 PSYCHOLOGIST.

695

696 d) THE PROVISIONAL SUPERVISED LICENSEE MAY SIT
697 FOR THE EPPP.

698

699 e) THE BOARD SHALL ESTABLISH RULES AND
700 REGULATIONS THAT SPECIFY THE TIME LIMITS OR
701 CONDITIONS (E.G., FAILURE OF REQUIRED
702 EXAMINATIONS) UNDER WHICH THE PROVISIONAL
703 SUPERVISED LICENSE SHALL BE WITHDRAWN.

704

705 2. PROVISIONAL LICENSE FOR INDEPENDENT PRACTICE

706 SUBJECT TO THE RESTRICTIONS SET OUT BELOW, THE BOARD MAY
707 ISSUE A PROVISIONAL LICENSE FOR INDEPENDENT PRACTICE FOR
708 NOT MORE THAN ONE (1) YEAR TO A PSYCHOLOGIST WHO IS
709 LICENSED IN ANOTHER JURISDICTION AND WHO HAS APPLIED FOR
710 A LICENSE TO PRACTICE PSYCHOLOGY IN THIS JURISDICTION,
711 PROVIDED THAT:

712

713 a) IN THE BOARD'S DETERMINATION, THE
714 REQUIREMENTS FOR LICENSURE IN THE OTHER
715 JURISDICTION ARE EQUAL TO, OR EXCEED, THE
716 REQUIREMENTS FOR LICENSURE IN THIS
717 JURISDICTION;

718

719 b) THE APPLYING PSYCHOLOGIST MEETS THE
720 REQUIREMENTS FOR ADMISSION TO THE
721 EXAMINATION PROCESS IN THIS JURISDICTION;

722

723 c) THE APPLYING PSYCHOLOGIST IS NOT THE SUBJECT
724 OF A PAST OR PENDING DISCIPLINARY ACTION OR
725 HAS A PENDING COMPLAINT IN ANOTHER
726 JURISDICTION;

727

728 d) THE APPLYING PSYCHOLOGIST HAS NOT BEEN
729 DENIED LICENSURE IN THIS OR ANY OTHER
730 JURISDICTION; AND

731

732 e) DENIAL OF LICENSURE TERMINATES THIS
733 AUTHORIZATION.

734 **VII. LICENSURE STATUS; LICENSURE RENEWAL; REINSTATEMENT**
735 **AND CONTINUED PROFESSIONAL DEVELOPMENT**

- 736
- 737 **A. THE BOARD SHALL ESTABLISH RULES AND REGULATIONS REGARDING:**
- 738 1. VARIOUS LICENSURE STATUSES INCLUDING BUT NOT LIMITED TO
- 739 ACTIVE, INACTIVE, RETIRED AND EXPIRED;
- 740 2 LICENSURE RENEWAL;
- 741 3. REINSTATEMENT OF LICENSURE; AND
- 742 4. CONTINUED PROFESSIONAL DEVELOPMENT.
- 743
- 744 **B. EACH PSYCHOLOGIST LICENSED UNDER THE PROVISIONS OF THIS ACT SHALL**
- 745 **NOTIFY THE BOARD OF ANY CHANGES TO HIS/HER MAILING ADDRESS OR**
- 746 **EMPLOYMENT WITHIN 30 DAYS OF SUCH A CHANGE.**
- 747
- 748 **C. THE BOARD RETAINS REGULATORY AUTHORITY OVER THE PSYCHOLOGIST**
- 749 **REGARDLESS OF THE LICENSURE STATUS AND CAN APPLY WHATEVER SANCTIONS**
- 750 **OR OTHER DISCIPLINARY MEASURES ARE APPROPRIATE FOR OFFENSES**
- 751 **COMMITTED BY THE PSYCHOLOGIST UNDER THE RULES AND REGULATIONS OF THIS**
- 752 **BOARD.**
- 753

754 **VIII. PRIOR LICENSURE**

755

756 A PERSON WHO IS LICENSED AS A PSYCHOLOGIST UNDER THE PROVISIONS OF (CITE

757 RELEVANT SECTION(S) OF PREVIOUS LICENSING LAW) AS OF THE EFFECTIVE DATE OF

758 THIS ACT SHALL BE DEEMED TO HAVE MET ALL REQUIREMENTS FOR LICENSURE UNDER

759 THIS ACT AND SHALL BE ELIGIBLE FOR RENEWAL OF LICENSURE IN ACCORDANCE WITH

760 THE PROVISIONS OF THIS ACT. A PERSON LICENSED UNDER A PRIOR VERSION OF AN

761 ACT MUST COMPLY WITH THE CURRENT ACT AND ALL RULES AND REGULATIONS

762 PROMULGATED BY THE BOARD.

763

764 **IX. TEMPORARY AUTHORIZATION TO PRACTICE**

- 765
- 766 **A. AN INDIVIDUAL LICENSED TO PRACTICE PSYCHOLOGY AT THE DOCTORAL LEVEL IN**
- 767 **ANOTHER JURISDICTION MAY PRACTICE PSYCHOLOGY IN THIS JURISDICTION**
- 768 **WITHOUT APPLYING FOR A LICENSE SO LONG AS THE FOLLOWING REQUIREMENTS**
- 769 **ARE MET:**
- 770 1. THE INDIVIDUAL PROVIDES VERIFICATION OF A VALID
- 771 INTERJURISDICTIONAL PRACTICE CERTIFICATE (IPC) ISSUED BY
- 772 ASPPB; OR
- 773 2. IF AN INDIVIDUAL DOES NOT HOLD AN IPC, AT LEAST ___ DAYS
- 774 BEFORE THE INTENDED PRACTICE, THE INDIVIDUAL SHALL COMPLY
- 775 WITH REQUIREMENTS AS DEFINED IN THE RULES AND
- 776 REGULATIONS OF THIS BOARD.
- 777
- 778

- 779 **B.** TEMPORARY AUTHORIZATION TO PRACTICE SHALL BE FOR 30 DAYS PER CALENDAR
780 YEAR, AND MAY BE EXTENDED AT THE DISCRETION OF THE BOARD AND
781 ACCORDING TO THE RULES AND REGULATIONS OF THIS BOARD.
782
783 **C.** SUCH TEMPORARY AUTHORIZATION TO PRACTICE IS LIMITED TO INDIVIDUALS
784 WHO ARE NOT CURRENTLY SEEKING LICENSURE IN THIS JURISDICTION.
785
786 **D.** SUCH TEMPORARY AUTHORIZATION TO PRACTICE MAY BE WITHDRAWN AT ANY
787 TIME BY THE BOARD UPON EVIDENCE OF A VIOLATION OF STATUTE, RULES OR
788 CODE OF CONDUCT.
789

790 **X. STATE OF EMERGENCY**

791
792 NOTWITHSTANDING ANYTHING IN THIS ACT AND/OR THE RULES AND REGULATIONS,
793 THIS BOARD MAY WAIVE ANY REQUIREMENTS FOR LICENSURE UNDER THE STATUTE
794 AND/OR THE REGULATIONS TO ALLOW A PERSON WHO IS AUTHORIZED TO PRACTICE
795 PSYCHOLOGY IN ANOTHER JURISDICTION IN CANADA OR THE UNITED STATES TO
796 PRACTICE PSYCHOLOGY IN THIS JURISDICTION DURING AN EMERGENCY, IF THE
797 GOVERNMENT GIVES THE BOARD WRITTEN NOTICE OF THE FOLLOWING:
798

- 799 **A.** A PUBLIC HEALTH EMERGENCY EXISTS; AND
800 **B.** THE SERVICES OF A PSYCHOLOGIST FROM OUTSIDE THE JURISDICTION ARE
801 REQUIRED TO ASSIST IN DEALING WITH THE EMERGENCY.
802

803 **XI. CODE OF CONDUCT**

804
805 THE BOARD SHALL USE THE ASPPB CODE OF CONDUCT AND/OR OTHER ETHICAL CODES
806 TO DETERMINE NEGLIGENT PRACTICE, UNETHICAL PRACTICE, AND/OR PRACTICING
807 BELOW THE STANDARD OF CARE.
808

809 **XII. EXEMPTIONS**

- 810
811 **A. TEACHING AND RESEARCH**
812 NOTHING IN THIS ACT SHALL BE CONSTRUED TO PREVENT THE TEACHING OF
813 PSYCHOLOGY, OR THE CONDUCT OF PSYCHOLOGICAL RESEARCH, PROVIDED
814 THAT SUCH TEACHING OR RESEARCH DOES NOT INVOLVE THE DELIVERY OR
815 SUPERVISION OF DIRECT PSYCHOLOGICAL SERVICES TO INDIVIDUALS, FAMILIES,
816 GROUPS, SYSTEMS, AND/OR ORGANIZATIONS WHO ARE THEMSELVES, RATHER
817 THAN A THIRD PARTY, THE INTENDED BENEFICIARIES OF SUCH SERVICES
818 WITHOUT REGARD TO THE SOURCE OR EXTENT OF PAYMENT FOR SERVICES
819 RENDERED. PERSONS HOLDING AN EARNED DOCTORAL DEGREE IN PSYCHOLOGY
820 FROM AN INSTITUTION OF HIGHER EDUCATION AND WHO ARE NOT LICENSED
821 MAY USE THE TITLE ACADEMIC PSYCHOLOGIST, RESEARCH PSYCHOLOGIST,
822 EXPERIMENTAL PSYCHOLOGIST OR SIMILAR TERM IN CONJUNCTION WITH THE
823 ACTIVITIES PERMITTED IN THIS SUBSECTION.

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B. INDIVIDUALS PROVIDING EXPERT TESTIMONY

NOTHING IN THIS ACT SHALL PREVENT THE PROVISION OF EXPERT TESTIMONY BY A PSYCHOLOGIST WHO IS EXEMPT FROM LICENSURE BY THIS ACT PROVIDED THAT THE INDIVIDUAL DISCLOSES TO THE COURT OR ADJUDICATIVE BODY THAT HE/SHE IS NOT A LICENSED PSYCHOLOGIST.

C. OTHER LICENSED PROFESSIONALS

NOTHING IN THIS ACT SHALL BE CONSTRUED TO PREVENT MEMBERS OF OTHER RECOGNIZED PROFESSIONS THAT ARE LICENSED, CERTIFIED, OR REGULATED UNDER THE LAWS OF THIS JURISDICTION FROM RENDERING SERVICES CONSISTENT WITH THEIR PROFESSIONAL TRAINING AND CODE OF ETHICS, PROVIDED THAT THEY DO NOT REPRESENT THEMSELVES TO BE “PSYCHOLOGISTS” OR A VARIATION OR ABBREVIATION OR AN EQUIVALENT IN ANOTHER FORM OR TO DESCRIBE THEIR SERVICES AS TO INCLUDE THE PRACTICE OF PSYCHOLOGY.

D. BUSINESS CONSULTANTS, HUMAN RESOURCE PROFESSIONALS

THIS IS FOR THE REGULATION OF THE PRACTICE OF PSYCHOLOGY ONLY AND DOES NOT PREVENT HUMAN RESOURCE PROFESSIONALS, BUSINESS CONSULTANTS, AND OTHER PERSONS FROM PROVIDING ADVICE AND COUNSELING IN THEIR ORGANIZATIONS OR AFFILIATED GROUPS OR TO THEIR COMPANIES AND EMPLOYEES OF THEIR COMPANIES OR FROM ENGAGING IN ACTIVITIES PERFORMED IN THE COURSE OF THEIR EMPLOYMENT;

E. CLERGY

NOTHING IN THIS ACT SHALL BE CONSTRUED TO PREVENT DULY RECOGNIZED MEMBERS OF THE CLERGY FROM FUNCTIONING IN THEIR MINISTERIAL CAPACITIES, PROVIDED THAT THEY DO NOT REPRESENT THEMSELVES TO BE PSYCHOLOGISTS, OR TO DESCRIBE THEIR SERVICES AS TO INCLUDE THE PRACTICE OF PSYCHOLOGY.

F. SCHOOL PSYCHOLOGISTS

NOTHING IN THIS ACT SHALL BE CONSTRUED TO LIMIT THE AUTHORITY OF THE (STATE OR PROVINCIAL) AGENCY OR DEPARTMENT RESPONSIBLE FOR REGULATING PUBLIC EDUCATION TO CREDENTIAL INDIVIDUALS TO PROVIDE PSYCHOLOGICAL SERVICES AS LONG AS INDIVIDUALS SO CREDENTIALLED ARE LIMITED TO PRACTICE WITHIN SETTINGS UNDER THE AUTHORITY AND PURVIEW OF THE (STATE OR PROVINCIAL) EDUCATION AGENCY. SUCH INDIVIDUALS MAY USE THE TITLE “SCHOOL PSYCHOLOGIST” OR ANOTHER TITLE INCLUDING THE TERM PSYCHOLOGY OR PSYCHOLOGICAL (E.G., SCHOOL PSYCHOLOGY SPECIALIST) BUT MAY NOT USE THE TITLE “LICENSED PSYCHOLOGIST” OR ANY OTHER EQUIVALENT TERM AS DEFINED IN SECTION III. W. OF THIS ACT. INDIVIDUALS SO CREDENTIALLED MAY ONLY PROVIDE PSYCHOLOGICAL SERVICES AS DEFINED IN THIS ACT IN SETTINGS UNDER THE AUTHORITY AND PURVIEW OF THE (STATE OR PROVINCIAL) EDUCATION AGENCY AND ONLY AS EMPLOYEES OF SUCH SETTINGS

870 AND NOT AS INDEPENDENT CONTRACTORS TO SUCH SETTINGS.
871

872 **G. GRADUATE STUDENTS AND INTERNS**

873 NOTHING IN THIS ACT SHALL BE CONSTRUED TO PREVENT PERSONS AS SET OUT
874 IN 1. AND 2 BELOW. OF THIS SECTION FROM ENGAGING IN ACTIVITIES DEFINED
875 AS THE PRACTICE OF PSYCHOLOGY, PROVIDED THAT HE/SHE IS SUPERVISED IN
876 ACCORDANCE WITH THE RULES AND REGULATIONS OF THIS BOARD. SUCH
877 PERSONS SHALL NOT REPRESENT THEMSELVES BY THE TITLE "PSYCHOLOGIST."
878 INDIVIDUALS TRAINING TO BE PSYCHOLOGISTS MAY USE THE TERMS
879 "PSYCHOLOGICAL TRAINEE," "PSYCHOLOGICAL INTERN," "PSYCHOLOGICAL
880 RESIDENT," OR PROVIDED THAT SUCH PERSONS PERFORM THEIR ACTIVITIES
881 UNDER THE SUPERVISION AND RESPONSIBILITY OF A LICENSED PSYCHOLOGIST IN
882 ACCORDANCE WITH THE RULES AND REGULATIONS PROMULGATED BY THIS
883 BOARD. THIS SECTION APPLIES TO THE FOLLOWING:

- 884 1. A MATRICULATED GRADUATE STUDENT WHOSE ACTIVITIES
885 CONSTITUTE A PART OF THE COURSE OF STUDY FOR A GRADUATE
886 DEGREE IN PSYCHOLOGY AT AN INSTITUTION OF HIGHER
887 EDUCATION;
888 AN UNLICENSED INDIVIDUAL PURSUING POSTDOCTORAL TRAINING
889 OR EXPERIENCE IN PROFESSIONAL PSYCHOLOGY, IN ORDER TO
890 FULFILL THE REQUIREMENTS FOR LICENSURE UNDER THE
891 PROVISIONS OF THIS ACT.
892

893 **XIII. GROUNDS FOR DENIAL, SUSPENSION OR REVOCATION OF**
894 **LICENSES AND OTHER DISCIPLINARY SANCTIONS**

895 A PSYCHOLOGIST, AND ANYONE UNDER HIS/HER SUPERVISION, SHALL CONDUCT
896 HIS/HER PROFESSIONAL ACTIVITIES IN CONFORMITY WITH THE ASPPB CODE OF
897 CONDUCT AND ALL OTHER ETHICAL AND PROFESSIONAL STANDARDS PROMULGATED
898 BY THE BOARD UNDER ITS RULES AND REGULATIONS.
899

900 THE BOARD SHALL HAVE THE POWER AND DUTY TO DENY, SUSPEND, PLACE ON
901 PROBATION, AND/OR REQUIRE REMEDIATION FOR ANY PSYCHOLOGIST FOR A
902 SPECIFIED PERIOD OF TIME, TO BE DETERMINED AT THE DISCRETION OF THE BOARD,
903 OR TO REVOKE ANY LICENSE TO PRACTICE PSYCHOLOGY OR TO IMPOSE OTHER
904 DISCIPLINARY SANCTIONS, INCLUDING ADMINISTRATIVE FINES AND THE PAYMENT OF
905 THE COSTS OF DISCIPLINARY ACTIONS; OR TO TAKE ANY OTHER ACTION SPECIFIED IN
906 THE RULES AND REGULATIONS OF THIS BOARD WHENEVER THE BOARD SHALL FIND BY
907 A PREPONDERANCE OF THE EVIDENCE THAT THE APPLICANT OR PSYCHOLOGIST HAS
908 ENGAGED IN ANY OF THE FOLLOWING ACTS OR OFFENSES:
909

- 910 **A.** FRAUD IN APPLYING FOR OR PROCURING A LICENSE UNDER THIS ACT;
911
912 **B.** IMMORAL, UNPROFESSIONAL, UNETHICAL, OR DISHONORABLE CONDUCT AS
913 DEFINED IN THE RULES AND REGULATIONS OF THIS BOARD;
914
915 **C.** PRACTICING UNDER THIS ACT IN SUCH A MANNER AS TO ENDANGER THE

- 916 WELFARE OF CLIENTS ;
917
918 **D.** CONVICTION OF A FELONY (A COPY OF THE RECORD OF CONVICTION, CERTIFIED BY
919 THE CLERK OF THE COURT ENTERING THE CONVICTION SHALL BE CONCLUSIVE
920 EVIDENCE) OR ANY OFFENSE OF MORAL TURPITUDE;
921
922 **E.** CONVICTION OF ANY CRIME OR OFFENSE THAT REFLECTS THE INABILITY OF THE
923 PRACTITIONER TO PRACTICE UNDER THIS ACT WITH DUE REGARD FOR THE HEALTH
924 AND SAFETY OF CLIENTS;
925
926 **F.** HARASSMENT, INTIMIDATION, OR ABUSE, SEXUAL OR OTHERWISE, OF A CLIENT;
927
928 **G.** SEXUAL INTERCOURSE OR OTHER SEXUAL CONTACT WITH A CURRENT CLIENT;
929
930 **H.** SEXUAL INTERCOURSE OR OTHER SEXUAL CONTACT WITH FORMER CLIENTS IN
931 VIOLATION OF THE CODE OF CONDUCT;
932
933 **I.** USE OF UNTRUTHFUL OR DECEPTIVE OR IMPROBABLE STATEMENTS CONCERNING
934 THE PSYCHOLOGIST'S QUALIFICATIONS OR THE EFFECTS OR RESULTS OF
935 PROPOSED TREATMENT;
936
937 **J.** FUNCTIONING OUTSIDE ONE'S PROFESSIONAL COMPETENCE ESTABLISHED BY
938 EDUCATION, TRAINING AND EXPERIENCE;
939
940 **K.** GROSS OR REPEATED MALPRACTICE, OR GROSS NEGLIGENCE IN PRACTICE UNDER
941 THIS ACT;
942
943 **L.** AIDING OR ABETTING THE PRACTICE OF PSYCHOLOGY BY ANY PERSON NOT
944 LICENSED BY THE BOARD;
945
946 **M.** CONVICTION OF FRAUD IN FILING MEDICARE OR MEDICAID CLAIMS OR IN FILING
947 CLAIMS TO ANY THIRD PARTY PAYER (A COPY OF THE RECORD OF CONVICTION,
948 HAVING BEEN CERTIFIED BY THE CLERK OF THE COURT ENTERING THE
949 CONVICTION, SHALL BE CONCLUSIVE EVIDENCE);
950
951 **N.** EXERCISING UNDUE INFLUENCE IN SUCH A MANNER AS TO EXPLOIT THE CLIENT,
952 STUDENT, OR SUPERVISEE FOR FINANCIAL OR OTHER PERSONAL ADVANTAGE TO
953 THE PRACTITIONER OR A THIRD PARTY;
954
955 **O.** IMPOSITION OF A SANCTION OR OTHER ACTION IN ANOTHER JURISDICTION, SUCH
956 AS BUT NOT LIMITED TO:
957 1. SUSPENSION OR REVOCATION OR OTHER DISCIPLINARY ACTION OF
958 A LICENSE TO UNDER THIS ACT;
959 2. DENIAL OF THE RIGHT OR PRIVILEGE TO PRACTICE UNDER THIS ACT;
960 3. DENIAL OR REVOCATION OF THE RIGHT OR PRIVILEGE TO PRACTICE
961 ON A TEMPORARY BASIS WITHOUT A LICENSE; OR

962 4. DENIAL OR REVOCATION OF THE RIGHT OR PRIVILEGE TO PRACTICE
963 ON AN ELECTRONIC OR TELEPHONIC MEANS WITHOUT A LICENSE
964

965 A CERTIFIED COPY OF THE RECORD OF THE ACTION OR SANCTION OF THE
966 JURISDICTION TAKING SAID ACTIONS SHALL BE CONCLUSIVE EVIDENCE THEREOF;
967

- 968 **P.** REFUSAL TO COMPLY WITH ANY WRITTEN ORDER OF THE BOARD;
969
970 **Q.** MAKING ANY FRAUDULENT OR UNTRUE STATEMENT TO THE BOARD;
971
972 **R.** VIOLATION OF THE ASPPB CODE OF CONDUCT OR OTHER STANDARDS ADOPTED IN
973 THE RULES AND REGULATIONS OF THIS BOARD;
974
975 **S.** VIOLATION OF A RULE OR REGULATION PROMULGATED BY THE BOARD;
976
977 **T.** INABILITY TO PRACTICE UNDER THIS ACT WITH REASONABLE SKILL AND SAFETY TO
978 CLIENTS BY REASON OF ILLNESS, MISUSE OF DRUGS, NARCOTICS, ALCOHOL,
979 CHEMICALS, OR ANY OTHER SUBSTANCE, OR AS A RESULT OF ANY MENTAL OR
980 PHYSICAL CONDITION;
981
982 **U.** FAILING TO COOPERATE WITH OR TO RESPOND PROMPTLY, COMPLETELY, AND
983 HONESTLY TO THE BOARD; AND/OR
984
985 **V.** REFUSING TO APPEAR BEFORE THE BOARD AFTER HAVING BEEN ORDERED TO DO
986 SO IN WRITING BY THE CHAIR/ PRESIDENT.
987

988 **XIV. BOARD HEARINGS AND INVESTIGATIONS**
989

990 **A. CONFIDENTIALITY OF COMPLAINT INFORMATION**

991 A COMPLAINT AND INVESTIGATION CONCERNING A LICENSE HOLDER OR
992 APPLICANT AND ALL INFORMATION AND MATERIALS COMPILED BY THE BOARD IN
993 CONNECTION WITH THE COMPLAINT AND INVESTIGATION ARE CONFIDENTIAL
994 UNLESS DISCLOSURE IS MANDATED BY STATUTE.
995

996 **B. INVESTIGATIONS**

- 997 1. THE BOARD MAY INVESTIGATE OR CAUSE TO BE INVESTIGATED ANY
998 ALLEGATION OR EVIDENCE THAT APPEARS TO SHOW THAT A
999 PERSON IS PRACTICING UNDER THIS ACT WITHOUT A LICENSE,
1000 2. THE BOARD MAY INVESTIGATE OR CAUSE TO BE INVESTIGATED ANY
1001 PSYCHOLOGIST UNDER THIS ACT AND/OR ANYONE UNDER HIS OR
1002 HER SUPERVISION WHO MAY BE, IN VIOLATION OF THIS ACT OR OF
1003 ANY OF THE RULES AND REGULATIONS OF THIS BOARD. .
1004 3. ANY ALLEGATION FILED BY THE BOARD AGAINST A PSYCHOLOGIST
1005 UNDER THE AUTHORITY OF THIS ACT MUST BE FILED WITHIN 2
1006 YEARS FROM THE DATE ON WHICH THE BOARD DISCOVERS THE ACT
1007 OR OMISSION THAT IS THE BASIS FOR THE ALLEGATION.

1008 4 ONCE THE CHARGES HAVE BEEN FILED, A HEARING MUST BE
1009 SCHEDULED (BUT MAY NOT NECESSARILY OCCUR) WITHIN 12
1010 MONTHS EXCEPT UPON A SHOWING OF GOOD CAUSE.
1011

1012 **C. REPORTING VIOLATIONS**

1013 ANY PERSON WHO IN GOOD FAITH REPORTS A VIOLATION TO THE BOARD SHALL
1014 BE ABSOLUTELY IMMUNE FROM CIVIL LIABILITY FOR ANY STATEMENT OR
1015 OPINION MADE IN SUCH REPORT.
1016

1017 **D. BOARD HEARINGS**

1018 1. ANY HEARING CONDUCTED BY THE BOARD SHALL COMPLY WITH
1019 ALL THE REQUIREMENTS OF THE JURISDICTION'S ADMINISTRATIVE
1020 PROCEDURES ACT.

1021 THE BOARD SHALL INFORM THE PSYCHOLOGIST THAT HE/SHE HAS DUE
1022 PROCESS RIGHTS AS DEFINED BY THE ADMINISTRATIVE
1023 PROCEDURES ACT OR THE LAW AND RULES AND REGULATIONS OF
1024 THIS BOARD.

1025 **E. WAIVER**

1026 THE LICENSEE MAY WAIVE ANY OR ALL OF HIS/HER RIGHTS TO A FORMAL
1027 ADJUDICATORY PROCEEDING.
1028

1029 **F. COMPELLING ATTENDANCE**

1030 THE BOARD SHALL HAVE THE RIGHT TO CONDUCT AN EX PARTE HEARING IF,
1031 AFTER DUE NOTICE, THE INDIVIDUAL FAILS OR REFUSES TO APPEAR. THE BOARD
1032 SHALL HAVE THE AUTHORITY TO ISSUE SUBPOENAS FOR PRODUCTION OF
1033 DOCUMENTS AND WITNESSES AND TO ADMINISTER OATHS. THE BOARD SHALL
1034 HAVE THE RIGHT TO APPLY TO A COURT OF COMPETENT JURISDICTION TO TAKE
1035 THE APPROPRIATE ACTION FOR FAILING TO COMPLY WITH A SUBPOENA.
1036

1037 **G. EMERGENCY SUSPENSION**

1038 THE BOARD MAY TEMPORARILY SUSPEND A LICENSE ISSUED UNDER THE
1039 AUTHORITY OF THIS ACT WITHOUT A HEARING SIMULTANEOUSLY WITH THE
1040 INSTITUTION OF PROCEEDINGS FOR A HEARING PROVIDED UNDER THIS SECTION
1041 IF THE BOARD FINDS THAT EVIDENCE IN ITS POSSESSION INDICATES THAT THE
1042 PSYCHOLOGIST'S CONTINUATION IN PRACTICE MAY CONSTITUTE AN IMMEDIATE
1043 DANGER TO THE PUBLIC. THE BOARD SHALL ADOPT RULES AND REGULATIONS
1044 GOVERNING EMERGENCY SUSPENSION PROCEEDINGS.
1045

1046 **H. INJUNCTIVE RELIEF**

1047 THE BOARD, OR A REPRESENTATIVE THEREOF, SHALL BE HEREBY AUTHORIZED TO
1048 PETITION A COURT OF COMPETENT JURISDICTION FOR INJUNCTIVE RELIEF IF
1049 SUCH SHALL BE NECESSARY TO ENFORCE ANY OF THE PROVISIONS OF THIS ACT.
1050 ANY SUCH INJUNCTION MAY BE ISSUED IN ADDITION TO, OR IN LIEU OF, THE
1051 ADMINISTRATIVE AND/OR CRIMINAL SANCTIONS PROVIDED FOR IN THIS ACT.
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I. DETERMINATION OF MENTAL, COGNITIVE OR PHYSICAL IMPAIRMENT

WHEN THERE IS REASONABLE CAUSE TO BELIEVE THAT A PSYCHOLOGIST OR APPLICANT IS PHYSICALLY OR MENTALLY INCAPABLE OF PRACTICING UNDER THIS ACT WITH REASONABLE SKILL AND SAFETY TO CLIENTS, THEN:

1. UPON A SHOWING OF PROBABLE CAUSE TO THE BOARD THAT THE PSYCHOLOGIST OR APPLICANT IS NOT CAPABLE OF PRACTICING WITH REASONABLE SKILL OR SAFETY,
 - a) THE BOARD MAY ORDER THE PSYCHOLOGIST OR APPLICANT IN QUESTION TO SUBMIT TO AN EXAMINATION BY A PSYCHOLOGIST OR PSYCHIATRIST AS DESIGNATED BY THE BOARD TO DETERMINE PSYCHOLOGICAL, MENTAL OR COGNITIVE CAPACITY TO PRACTICE
 - b) OR AN EXAMINATION BY A PHYSICIAN DESIGNATED BY THE BOARD TO DETERMINE PHYSICAL OR COGNITIVE CAPACITY TO PRACTICE UNDER THIS ACT.
2. THE BOARD SHALL CONSIDER THE FINDINGS AND CONCLUSIONS OF SUCH EXAMINATION AND ANY OTHER EVIDENCE OR MATERIAL THAT MAY BE SUBMITTED BY THE PSYCHOLOGIST OR APPLICANT IN QUESTION OR ANY OTHER INDIVIDUAL.
3. THE BOARD SHALL THEN DETERMINE IF THE PSYCHOLOGIST OR APPLICANT IN QUESTION IS QUALIFIED TO PRACTICE UNDER THIS ACT WITH REASONABLE SKILL AND SAFETY.
4. IF THE BOARD DETERMINES THAT THE PSYCHOLOGIST IN QUESTION IS NOT QUALIFIED TO PRACTICE UNDER THIS ACT WITH REASONABLE SKILL AND SAFETY, THEN THIS FINDING SHALL CONSTITUTE GROUNDS FOR THE REVOCATION, SUSPENSION, OR LIMITATION OF THE LICENSE TO PRACTICE OR THE DENIAL OF THE APPLICATION TO PRACTICE UNDER THIS ACT IN THIS JURISDICTION.

ANY PSYCHOLOGIST WHOSE LICENSE TO PRACTICE IS DENIED, REVOKED, SUSPENDED, OR OTHERWISE LIMITED, OR ANY APPLICANT FOR A LICENSE AS A PSYCHOLOGIST WHOSE APPLICATION IS DENIED DUE TO A FINDING OF MENTAL OR PHYSICAL IMPAIRMENT, HAS A RIGHT TO APPEAL THE ACTION OF THE BOARD PURSUANT TO THE PROVISIONS OF THIS JURISDICTION'S ADMINISTRATIVE PROCEDURES ACT.

WHEN MENTAL OR PHYSICAL CAPACITY TO PRACTICE IS AT ISSUE, ANY PSYCHOLOGIST LICENSED TO PRACTICE IN THIS JURISDICTION OR ANY APPLICANT FOR SUCH LICENSE SHALL BE DEEMED TO HAVE CONSENTED TO SUBMIT TO A MENTAL OR PHYSICAL EXAMINATION OR ANY COMBINATION OF SUCH EXAMINATIONS AND TO WAIVE ALL OBJECTIONS TO THE ADMISSIBILITY OF THE RESULTS OF SUCH EXAMINATIONS OR TO PREVIOUSLY ADJUDICATED EVIDENCE OF A MENTAL OR PHYSICAL IMPAIRMENT. REFUSAL OF A LICENSEE OR APPLICANT

1100 FOR LICENSURE TO SUBMIT TO SUCH EXAMINATION OR RELEASE THE RESULTS OF
1101 SUCH EXAMINATION SHALL BE JUST CAUSE FOR THE DENIAL OF APPLICATION,
1102 THE REFUSAL TO RENEW OR SUSPENSION OF THE INDIVIDUAL'S LICENSE UNTIL
1103 SUCH EXAMINATIONS ARE COMPLETED AND THE BOARD HAS MADE A
1104 DETERMINATION OF FITNESS TO PRACTICE WITH REASONABLE SKILL AND SAFETY.
1105

1106 **J. REINSTATEMENT OF REVOKED LICENSE**

1107 THE REFUSAL TO RENEW A LICENSE OR THE LIMITATION, SUSPENSION, OR
1108 REVOCATION OF A LICENSE SHALL CONTINUE IN ACCORDANCE WITH AN ORDER
1109 OF THE BOARD UNLESS MODIFIED BY FURTHER ORDER OF THE BOARD
1110 PURSUANT TO A REINSTATEMENT HEARING. THE INDIVIDUAL SEEKING
1111 REINSTATEMENT MUST REQUEST SUCH A HEARING AND SHALL SUBMIT TO AND
1112 BEAR THE EXPENSE FOR ANY INVESTIGATION OR EXAMINATION REQUIRED BY
1113 THE BOARD TO DETERMINE FITNESS TO PRACTICE.
1114

1115 **K. VOLUNTARY SURRENDER**

1116 A PSYCHOLOGIST MAY SURRENDER HIS/HER LICENSE WHEN SUCH PERSON IS
1117 CHARGED WITH UNETHICAL CONDUCT AND UPON RECEIPT OF THAT CHARGE
1118 THAT PERSON DECIDES TO SURRENDER THE LICENSE. SUCH SURRENDER AND
1119 ACCEPTANCE BY THE BOARD SHALL CONSTITUTE ACKNOWLEDGMENT BY THE
1120 PSYCHOLOGIST OF GUILT AS CHARGED AND IS CONSIDERED A PUBLIC AND
1121 REPORTABLE DISCIPLINARY ACTION. SUCH SURRENDER SHALL NOT RESCIND THE
1122 JURISDICTION OF THE BOARD TO PROCEED TO A FORMAL ADJUDICATION OF THE
1123 MATTER.
1124

1125 **L. DUTY TO REPORT**

- 1126 1. THE BOARD HAS AN AFFIRMATIVE DUTY TO REPORT ANY ACTION
1127 TAKEN AGAINST A LICENSEE WHICH FINDS A VIOLATION OF A
1128 STATUTE OR REGULATION THAT IS A MATTER OF PUBLIC RECORD
1129 TO:

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1131 a) THE NATIONAL PRACTITIONER DATA BANK (NPDB));
1132 AND

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1134 b) THE ASPPB DISCIPLINARY DATA SYSTEM (DDS).
1135

- 1136 2. A PSYCHOLOGIST WHOSE LICENSE HAS BEEN VOLUNTARILY
1137 SURRENDERED, ACTIVELY SUSPENDED OR REVOKED SHALL NOTIFY:

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1139 a) ALL ACTIVE CLIENTS, SYSTEMS, ORGANIZATIONS
1140 AND EMPLOYERS IN WRITING, OF THE BOARD
1141 ACTION; AND

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1143 b) THE BOARD, ONCE ALL NOTIFICATIONS TO CLIENTS,
1144 SYSTEMS, ORGANIZATIONS AND EMPLOYERS HAVE
1145 BEEN MADE.

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3. A PSYCHOLOGIST SHALL NOTIFY ALL BOARDS WHERE HE/SHE IS LICENSED OR IN THE PROCESS OF BECOMING LICENSED, OF ANY PUBLIC DISCIPLINARY ACTIONS.

1151 **XV. APPEALS**

1152
1153 ANY PSYCHOLOGIST, OR APPLICANT FOR LICENSURE AS A PSYCHOLOGIST, WHOSE
1154 LICENSE TO PRACTICE IS DENIED, REVOKED, SUSPENDED OR OTHERWISE LIMITED
1155 PURSUANT TO SECTION XIII OR XIV OF THIS ACT SHALL HAVE THE RIGHT TO APPEAL
1156 THE ACTION OF THE BOARD PURSUANT TO THE PROVISIONS OF THIS JURISDICTION'S
1157 ADMINISTRATIVE PROCEDURES ACT.
1158

1159 **XVI. PRIVILEGED COMMUNICATION**

1160
1161 **A. GENERAL**

1162 THE CONFIDENTIAL RELATIONS AND COMMUNICATIONS BETWEEN LICENSED
1163 PSYCHOLOGISTS AND THEIR CLIENTS ARE PLACED ON THE SAME BASIS AS THOSE
1164 PROVIDED BY THE LAW BETWEEN ATTORNEYS AND CLIENTS.
1165

1166 **B. JUDICIAL PROCEEDINGS**

1167 IN JUDICIAL PROCEEDINGS, WHETHER CIVIL, CRIMINAL, OR JUVENILE; IN
1168 LEGISLATIVE AND ADMINISTRATIVE PROCEEDINGS; AND IN PROCEEDINGS
1169 PRELIMINARY AND ANCILLARY THERETO, A CLIENT, OR HIS/HER GUARDIAN OR
1170 PERSONAL REPRESENTATIVE, MAY REFUSE TO DISCLOSE OR PREVENT THE
1171 DISCLOSURE OF CONFIDENTIAL INFORMATION, INCLUDING INFORMATION
1172 CONTAINED IN ADMINISTRATIVE RECORDS, COMMUNICATED TO A
1173 PSYCHOLOGIST LICENSED OR OTHERWISE AUTHORIZED TO PRACTICE
1174 PSYCHOLOGY UNDER THE LAWS OF THIS JURISDICTION, OR TO PERSONS
1175 REASONABLY BELIEVED BY THE CLIENT TO BE SO LICENSED, AND THEIR AGENTS,
1176 STUDENTS, INTERNS, AND TRAINEES UNDER THE SUPERVISION OF A LICENSED
1177 PSYCHOLOGIST, AND THEIR AGENTS FOR THE PURPOSE OF DIAGNOSIS,
1178 EVALUATION, OR TREATMENT OF ANY MENTAL OR EMOTIONAL CONDITION OR
1179 DISORDER. IN THE ABSENCE OF EVIDENCE TO THE CONTRARY, THE
1180 PSYCHOLOGIST IS PRESUMED AUTHORIZED TO CLAIM THE PRIVILEGE ON THE
1181 CLIENT'S/PATIENT'S BEHALF.
1182

1183 **C. EXCEPTIONS**

1184 THIS PRIVILEGE MAY NOT BE CLAIMED BY THE CLIENT OR ON HIS/HER BEHALF BY
1185 AUTHORIZED PERSONS, IN THE FOLLOWING CIRCUMSTANCES:
1186 1. WHERE ABUSE OR HARMFUL NEGLECT OF CHILDREN, THE
1187 ELDERLY, OR DISABLED OR INCOMPETENT INDIVIDUALS IS KNOWN
1188 OR REASONABLY SUSPECTED;
1189 2. WHERE THE VALIDITY OF A WILL OF A FORMER CLIENT IS
1190 CONTESTED;

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3. WHERE SUCH INFORMATION IS NECESSARY FOR THE PSYCHOLOGIST TO DEFEND AGAINST A MALPRACTICE ACTION BROUGHT BY THE CLIENT;
 4. WHERE AN IMMEDIATE THREAT OF PHYSICAL VIOLENCE AGAINST A READILY IDENTIFIABLE VICTIM IS DISCLOSED TO THE PSYCHOLOGIST;
 5. WHERE AN IMMEDIATE THREAT OF SELF-INFLICTED DAMAGE IS DISCLOSED TO THE PSYCHOLOGIST;
 6. WHERE THE CLIENT, BY ALLEGING MENTAL OR EMOTIONAL DAMAGES IN LITIGATION, PUTS HIS/HER MENTAL STATE AT ISSUE;
 7. WHERE THE CLIENT IS EXAMINED PURSUANT TO COURT ORDER; WHEN THE PURPOSE OF THE PROCEEDING IS TO SUBSTANTIATE AND COLLECT ON A CLAIM FOR MENTAL OR EMOTIONAL HEALTH SERVICES RENDERED TO THE CLIENT OR ANY OTHER CAUSE OF ACTION ARISING OUT OF THE PROFESSIONAL RELATIONSHIP; OR
 8. IN THE CONTEXT OF INVESTIGATIONS AND HEARINGS BROUGHT BY THE CLIENT AND CONDUCTED BY THE BOARD, WHERE VIOLATIONS OF THIS ACT ARE AT ISSUE.

1210 **XVII. SEVERABILITY**

1211
1212 IF ANY SECTION IN THIS ACT OR ANY PART OF ANY SECTION THEREOF SHALL BE ADJUDGED BY
1213 ANY COURT OF COMPETENT JURISDICTION TO BE INVALID, SUCH JUDGMENT SHALL NOT
1214 AFFECT, IMPAIR, OR INVALIDATE THE REMAINING SECTION OR PARTS THEREOF OF THIS ACT.
1215

1216 **XVIII. EFFECTIVE DATE**

1217
1218 THIS ACT SHALL BECOME EFFECTIVE UPON THE DATE IT IS SIGNED BY THE (CITE APPROPRIATE
1219 AUTHORITY) OR ON THE DATE IT OTHERWISE BECOMES EFFECTIVE BY OPERATION OF LAW.
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PSYCHOLOGICAL ASSOCIATE

IF PSYCHOLOGICAL ASSOCIATES ARE LICENSED, THE FOLLOWING LANGUAGE IS SUGGESTED FOR INSERTION IN THE APPROPRIATE SECTIONS OF A MODEL ACT. IF NO LANGUAGE IS PROVIDED, THE MODEL ACT LANGUAGE SHOULD BE USED. FOR JURISDICTIONS LICENSING PSYCHOLOGICAL ASSOCIATES PRIOR TO THE ENACTMENT OF THIS ACT FOR AUTONOMOUS PRACTICE, A GRANDPARENT PROVISION SHOULD BE CONSIDERED.

DEFINITIONS

- **PRACTICE OF PSYCHOLOGY BY PSYCHOLOGICAL ASSOCIATES**

THE PRACTICE OF PSYCHOLOGY BY PSYCHOLOGICAL ASSOCIATES IS UNDER THE SUPERVISION OF PSYCHOLOGISTS. THIS PRACTICE IS DEFINED AS THE OBSERVATION, DESCRIPTION, EVALUATION, INTERPRETATION, AND MODIFICATION OF HUMAN BEHAVIOR THROUGH THE APPLICATION OF PSYCHOLOGICAL PRINCIPLES, METHODS, AND PROCEDURES FOR THE PURPOSES OF

1. PREVENTING, ELIMINATING, EVALUATING, OR ASSESSING, OR PREDICTING SYMPTOMATIC, MALADAPTIVE, OR UNDESIRE BEHAVIOR;
2. EVALUATING, ASSESSING AND/OR FACILITATING THE ENHANCEMENT OF INDIVIDUAL, GROUP AND/OR ORGANIZATIONAL EFFECTIVENESS INCLUDING PERSONAL EFFECTIVENESS, ADAPTIVE BEHAVIOR, INTERPERSONAL RELATIONSHIPS, WORK AND LIFE ADJUSTMENT, HEALTH, AND INDIVIDUAL, GROUP AND/OR ORGANIZATIONAL PERFORMANCE; OR
3. ASSISTING IN LEGAL DECISION MAKING.

THE SUPERVISED PRACTICE OF PSYCHOLOGY BY PSYCHOLOGICAL ASSOCIATES INCLUDES, BUT IS NOT LIMITED TO:

1. PSYCHOLOGICAL TESTING AND THE EVALUATION OR ASSESSMENT OF PERSONAL CHARACTERISTICS, SUCH AS INTELLIGENCE; PERSONALITY; COGNITIVE, PHYSICAL, AND/OR EMOTIONAL ABILITIES; SKILLS; INTERESTS; APTITUDES; AND NEUROPSYCHOLOGICAL FUNCTIONING;
2. COUNSELING, CONSULTATION, PSYCHOANALYSIS, PSYCHOTHERAPY, HYPNOSIS, BIOFEEDBACK, AND BEHAVIOR ANALYSIS AND THERAPY;
3. DIAGNOSIS, TREATMENT, AND MANAGEMENT OF MENTAL AND EMOTIONAL DISORDER OR DISABILITY, SUBSTANCE USE DISORDERS, DISORDERS OF HABIT OR CONDUCT, AS WELL AS OF THE PSYCHOLOGICAL

- 1265 ASPECTS OF PHYSICAL ILLNESS, ACCIDENT, INJURY, OR DISABILITY;
1266
1267 4. PSYCHOEDUCATIONAL ASSESSMENT, EVALUATION, THERAPY, AND
1268 REMEDIATION;
1269
1270 5. CONSULTATION WITH OTHER PSYCHOLOGISTS, PHYSICIANS, OTHER HEALTH
1271 CARE PROFESSIONALS AND CLIENTS REGARDING ALL AVAILABLE TREATMENT
1272 OPTIONS, INCLUDING MEDICATION, WITH RESPECT TO PROVISION OF CARE
1273 FOR A SPECIFIC CLIENT;
1274
1275 6. PROVISION OF DIRECT SERVICES TO INDIVIDUALS AND/OR GROUPS FOR THE
1276 PURPOSE OF ENHANCING INDIVIDUAL AND THEREBY ORGANIZATIONAL
1277 EFFECTIVENESS, USING PSYCHOLOGICAL PRINCIPLES, METHODS AND/OR
1278 PROCEDURES TO ASSESS AND EVALUATE INDIVIDUALS ON PERSONAL
1279 CHARACTERISTICS FOR INDIVIDUAL DEVELOPMENT AND/OR BEHAVIOR
1280 CHANGE OR FOR MAKING DECISIONS ABOUT THE INDIVIDUAL, SUCH AS
1281 SELECTION; AND
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1283 7. PROVISION OF SERVICES TO ORGANIZATIONS THAT ARE PROVIDED FOR THE
1284 BENEFIT OF THE ORGANIZATION AND DO NOT INVOLVE DIRECT SERVICES
1285 TO INDIVIDUALS, INCLUDING BUT NOT LIMITED TO JOB ANALYSIS,
1286 ATTITUDE/OPINION SURVEYS, SELECTION TESTING, GROUP
1287 ADMINISTRATION OF STANDARDIZED TESTS IN WHICH RESPONSES ARE
1288 MECHANICALLY SCORED AND INTERPRETED, SELECTION VALIDATION
1289 STUDIES, DESIGNING PERFORMANCE APPRAISAL SYSTEMS, TRAINING,
1290 ORGANIZATIONAL DESIGN, ADVISING MANAGEMENT ON HUMAN
1291 BEHAVIOR IN ORGANIZATIONS, ORGANIZATIONAL ASSESSMENT, DIAGNOSIS
1292 AND INTERVENTION OF ORGANIZATIONAL PROBLEMS, AND RELATED
1293 SERVICES.
1294

PSYCHOLOGICAL ASSOCIATE

1295 A PSYCHOLOGICAL ASSOCIATE IS A PERSON LICENSED UNDER THIS ACT AND AS
1296 FURTHER DEFINED IN RULES AND REGULATIONS OF THIS BOARD FOR THE
1297 SUPERVISED PRACTICE OF PSYCHOLOGY AS DESCRIBED IN (INSERT RELEVANT
1298 SECTION) WITHIN THEIR AREA OF COMPETENCE.
1299

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1301 THE TITLE "PSYCHOLOGICAL ASSOCIATE" MAY ONLY BE USED BY PROFESSIONALS
1302 WHO ARE LICENSED UNDER THIS ACT.
1303

REPRESENTATION AS A PSYCHOLOGICAL ASSOCIATE

1304
1305 A PERSON REPRESENTS HIMSELF OR HERSELF TO BE "PSYCHOLOGICAL
1306 ASSOCIATE" IF THAT PERSON USES THE TITLE PSYCHOLOGICAL ASSOCIATE IN A
1307 DESCRIPTION OF SERVICES OFFERED OR PROVIDED OR IN ANY DESCRIPTION OF
1308 SERVICES INCORPORATING THE SUPERVISED PRACTICE OF PSYCHOLOGY. NO
1309 PERSON UNLESS AUTHORIZED UNDER THIS ACT SHALL REPRESENT HIMSELF OR
1310 HERSELF TO BE A "PSYCHOLOGICAL ASSOCIATE" OR ENGAGE IN THE SUPERVISED

1311 PRACTICE OF PSYCHOLOGY.

1312

1313 **(NAME OF JURISDICTION) REGULATORY BOARD OF PSYCHOLOGY**

1314 **D. BOARD MEMBERSHIP**

1315 1. NUMBER

1316 THE BOARD SHALL CONSIST OF ___ LICENSED PSYCHOLOGISTS, ___
1317 LICENSED PSYCHOLOGICAL ASSOCIATE(S) AND ___ PUBLIC MEMBER(S).
1318 WHENEVER POSSIBLE, BOARD MEMBERS SHALL REFLECT DIVERSITY
1319 OVER A NUMBER OF DIMENSIONS SUCH AS PROFESSIONAL PRACTICE
1320 AREA, GEOGRAPHIC LOCATION, AND/OR CULTURE RELEVANT TO THE
1321 JURISDICTION.

1322

1323 2. QUALIFICATIONS

1324 a) EACH PSYCHOLOGICAL ASSOCIATE MEMBER MUST RESIDE IN THIS
1325 JURISDICTION, HAVE A CURRENT, UNENCUMBERED AND VALID
1326 LICENSE, AND HAVE BEEN LICENSED TO PRACTICE PSYCHOLOGY BY
1327 THIS JURISDICTION FOR AT LEAST FIVE (5) YEARS IMMEDIATELY
1328 PRECEDING HIS/HER APPOINTMENT. EACH MUST BE FREE OF
1329 CONFLICTS OF INTEREST OR THE APPEARANCE OF SUCH CONFLICTS
1330 WITH REGARD TO HIS/HER DUITES AS A BOARD MEMBER.

1331

1332 **REQUIREMENTS FOR LICENSURE**

1333 **B. EDUCATION**

1334 AN APPLICANT FOR LICENSURE AS A PSYCHOLOGICAL ASSOCIATE MUST
1335 POSSESS THE MINIMUM OF A MASTER'S DEGREE FROM A PSYCHOLOGY
1336 TRAINING PROGRAM, AS DEFINED IN THIS ACT AND THE RULES AND
1337 REGULATIONS OF THIS BOARD. THE GRADUATE PROGRAM MAY INCLUDE
1338 DISTANCE EDUCATION, BUT A MINIMUM OF ONE CONTINUOUS YEAR (AS
1339 DEFINED IN THE RULES AND REGULATIONS OF THIS BOARD) OF THE PROGRAM
1340 SHALL CONSIST OF RESIDENCY. PROGRAMS THAT USE PHYSICAL PRESENCE (AS
1341 DEFINED IN THE RULES AND REGULATIONS OF THIS BOARD), INCLUDING FACE-
1342 TO-FACE CONTACT FOR DURATIONS OF LESS THAN ONE CONTINUOUS YEAR,
1343 (E.G. MULTIPLE LONG WEEKENDS AND/OR SUMMER INTENSIVE SESSIONS) OR
1344 THAT USE VIDEO TELECONFERENCING OR OTHER ELECTRONIC MEANS AS A
1345 SUBSTITUTE FOR PHYSICAL PRESENCE AT THE INSTITUTION IN ORDER TO MEET
1346 THE RESIDENCY REQUIREMENT ARE DEEMED NOT TO BE ACCEPTABLE FOR
1347 LICENSURE.

1348

1349 AN APPLICANT TRAINED IN AN INSTITUTION OUTSIDE THE UNITED STATES
1350 OR CANADA MUST DEMONSTRATE TO THE SATISFACTION OF THE BOARD
1351 THAT HE/SHE POSSESSES A MASTER'S DEGREE IN PSYCHOLOGY AS DEFINED
1352 IN THIS ACT.

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C. EXPERIENCE

AN APPLICANT FOR LICENSURE AS A PSYCHOLOGICAL ASSOCIATE MUST DEMONSTRATE THAT HE/SHE HAS COMPLETED SUPERVISED PROFESSIONAL EXPERIENCE, AS DEFINED IN THE RULES AND REGULATIONS OF THIS BOARD.

K. PSYCHOLOGICAL ASSOCIATE LICENSURE

1. SUCH INDIVIDUALS SHALL USE THE TITLE "PSYCHOLOGICAL ASSOCIATE".
2. SUCH INDIVIDUALS SHALL WORK UNDER THE DIRECT SUPERVISION OF A PSYCHOLOGIST LICENSED FOR AUTONOMOUS PRACTICE IN THIS JURISDICTION.

EXEMPTIONS

B. OTHER LICENSED PROFESSIONALS

NOTHING IN THIS ACT SHALL BE CONSTRUED TO PREVENT MEMBERS OF OTHER RECOGNIZED PROFESSIONS THAT ARE LICENSED, CERTIFIED, OR REGULATED UNDER THE LAWS OF THIS JURISDICTION FROM RENDERING SERVICES CONSISTENT WITH THEIR PROFESSIONAL TRAINING AND CODE OF ETHICS, PROVIDED THAT THEY DO NOT REPRESENT THEMSELVES TO BE PSYCHOLOGISTS, PSYCHOLOGICAL ASSOCIATES, OR DESCRIBE THEIR SERVICES AS TO INCLUDE THE PRACTICE OF PSYCHOLOGY.

C. CLERGY

NOTHING IN THIS ACT SHALL BE CONSTRUED TO PREVENT DULY RECOGNIZED MEMBERS OF THE CLERGY FROM FUNCTIONING IN THEIR MINISTERIAL CAPACITIES, PROVIDED THAT THEY DO NOT REPRESENT THEMSELVES TO BE PSYCHOLOGISTS, OR PSYCHOLOGICAL ASSOCIATES, OR TO DESCRIBE THEIR SERVICES AS TO INCLUDE THE PRACTICE OF PSYCHOLOGY.

D. GRADUATE STUDENTS

NOTHING IN THIS ACT SHALL BE CONSTRUED TO PREVENT PERSONS AS SET OUT IN 1. BELOW OF THIS SECTION FROM ENGAGING IN ACTIVITIES DEFINED AS THE PRACTICE OF PSYCHOLOGY, PROVIDED THAT HE/SHE IS SUPERVISED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THIS BOARD. SUCH PERSONS SHALL NOT REPRESENT THEMSELVES BY THE TITLE "PSYCHOLOGIST" OR "PSYCHOLOGICAL ASSOCIATE". SUCH PERSONS MAY USE THE TERM "PSYCHOLOGICAL TRAINEE," PROVIDED THAT SUCH PERSONS PERFORM THEIR ACTIVITIES UNDER THE SUPERVISION AND RESPONSIBILITY OF A LICENSED PSYCHOLOGIST IN ACCORDANCE WITH THE RULES AND REGULATIONS PROMULGATED BY THIS BOARD. THIS SECTION APPLIES TO THE FOLLOWING:

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1. A MATRICULATED GRADUATE STUDENT WHOSE ACTIVITIES CONSTITUTE A PART OF THE COURSE OF STUDY FOR A GRADUATE DEGREE IN PSYCHOLOGY AT AN INSTITUTION OF HIGHER EDUCATION; OR
 2. AN UNLICENSED INDIVIDUAL PURSUING POSTGRADUATE TRAINING OR EXPERIENCE IN PROFESSIONAL PSYCHOLOGY IN ORDER TO FULFILL THE REQUIREMENTS FOR LICENSURE UNDER THE PROVISIONS OF THIS ACT.

BEHAVIOR ANALYST

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1410 IF BEHAVIORAL ANALYSTS ARE LICENSED, THE FOLLOWING LANGUAGE IS SUGGESTED FOR
1411 INSERTION IN THE APPROPRIATE SECTIONS OF A MODEL ACT. IF NO LANGUAGE IS
1412 PROVIDED, THE MODEL ACT LANGUAGE SHOULD BE USED.

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PREAMBLE

1415 BEHAVIOR ANALYSIS, APPLIED BEHAVIOR ANALYSIS, BEHAVIOR THERAPY AND OTHER
1416 SIMILAR TECHNIQUES WERE DEVELOPED BY PSYCHOLOGISTS AND ARE MODALITIES
1417 WITHIN THE SCOPE OF PRACTICE OF PSYCHOLOGY. THE PRACTICE OF BEHAVIOR ANALYSIS
1418 IS TO BE REGULATED BY THE PSYCHOLOGY BOARD. QUALIFIED PSYCHOLOGISTS ARE
1419 ALLOWED TO PROVIDE BEHAVIOR ANALYSIS AND TO CALL THE SERVICES THEY PROVIDE
1420 'BEHAVIOR ANALYSIS' OR 'APPLIED BEHAVIOR ANALYSIS' WITHOUT OBTAINING
1421 ADDITIONAL CREDENTIALS OR LICENSURE BUT MAY NOT REFER TO THEMSELVES AS A
1422 "LICENSED BEHAVIORAL ANALYST" UNLESS THEY HOLD AN ADDITIONAL LICENSE AS A
1423 BEHAVIOR ANALYST.

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DECLARATION OF POLICY

1426 BEHAVIORAL ANALYSIS IN (NAME OF JURISDICTION) IS HEREBY DECLARED TO AFFECT
1427 THE PUBLIC HEALTH, SAFETY, AND WELFARE, AND TO BE SUBJECT TO REGULATION TO
1428 PROTECT THE PUBLIC FROM THE PRACTICE OF BEHAVIORAL ANALYSIS BY UNQUALIFIED
1429 PERSONS AND FROM UNPROFESSIONAL CONDUCT BY PERSONS LICENSED TO PRACTICE
1430 BEHAVIORAL ANALYSIS.

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1432 IN SO FAR AS THAT BEHAVIORAL ANALYSIS FALLS UNDER THE DEFINITION OF THE
1433 PRACTICE OF PSYCHOLOGY THEREBY, THE PRACTICE OF BEHAVIORAL ANALYSIS SHALL
1434 BE REGULATED UNDER THE AUTHORITY OF THIS ACT.

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PRACTICE WITHOUT A LICENSE

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1438 IT SHALL BE A VIOLATION OF THIS ACT FOR ANY PERSON NOT LICENSED IN
1439 ACCORDANCE WITH THE PROVISIONS OF THIS ACT TO REPRESENT HIMSELF OR
1440 HERSELF AS A BEHAVIOR ANALYST. IT SHALL BE A VIOLATION OF THIS ACT FOR ANY
1441 PERSON NOT LICENSED IN ACCORDANCE WITH THE PROVISIONS OF THIS ACT TO
1442 ENGAGE IN THE PRACTICE OF BEHAVIORAL ANALYSIS AS DEFINED IN THIS ACT,
1443 WHETHER PRACTICING AS AN INDIVIDUAL, FIRM, CORPORATION, AGENCY OR OTHER
1444 ENTITY UNLESS EXEMPT.

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DEFINITIONS

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- **BEHAVIOR ANALYSIS TRAINING PROGRAM**

1449 AS DEFINED IN SECTION VI C OF THIS ACT AND AS FURTHER SET OUT IN THE RULES
1450 AND REGULATIONS OF THIS BOARD.

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- **BOARD**

BOARD IS THE BOARD RESPONSIBLE FOR THE LICENSURE OF PSYCHOLOGY.

- **LICENSED BEHAVIOR ANALYSIS**

LICENSED BEHAVIOR ANALYST IS AN INDIVIDUAL WHO BY TRAINING, EXPERIENCE AND EXAMINATION MEETS THE REQUIREMENTS FOR LICENSING BY THE (PSYCHOLOGY) BOARD AND IS DULY LICENSED TO PRACTICE BEHAVIOR ANALYSIS. THE DISTINCTION OF A LICENSED BEHAVIORAL ANALYST IS SEPARATE AND APART FROM ANY OTHER LICENSED INDIVIDUALS, INCLUDING BUT NOT LIMITED TO PSYCHOLOGISTS.

SUCH INDIVIDUALS SHALL USE THE TITLE "LICENSED BEHAVIORAL ANALYST."

- **PRACTICE OF BEHAVIOR ANALYSIS**

BEHAVIOR ANALYSIS IS THE DESIGN, IMPLEMENTATION, AND EVALUATION OF SYSTEMATIC INSTRUCTIONAL AND ENVIRONMENTAL MODIFICATIONS BY A BEHAVIOR ANALYST, TO PRODUCE SOCIALLY SIGNIFICANT IMPROVEMENTS IN BEHAVIOR.

BEHAVIOR ANALYSIS IS ONE FUNCTION WITHIN THE PRACTICE OF PSYCHOLOGY, THUS, THE SCOPE OF PRACTICE FOR BEHAVIOR ANALYSIS IS LIMITED TO THE FOLLOWING: SCOPE OF PRACTICE OF BEHAVIOR ANALYSIS INCLUDES THE EMPIRICAL IDENTIFICATION OF FUNCTIONAL RELATIONS BETWEEN BEHAVIOR AND ENVIRONMENTS. IT USES DIRECT OBSERVATION AND MEASUREMENT OF BEHAVIOR AND ENVIRONMENT, THE EMPIRICAL IDENTIFICATION OF FUNCTIONAL RELATIONS BETWEEN BEHAVIOR AND ENVIRONMENTAL FACTORS, KNOWN AS FUNCTIONAL ASSESSMENT AND ANALYSIS. BEHAVIOR ANALYSIS INTERVENTIONS ARE BASED ON SCIENTIFIC RESEARCH AND THE DIRECT OBSERVATION AND MEASUREMENT OF BEHAVIOR AND ENVIRONMENT. BEHAVIORAL ANALYSIS UTILIZES CONTEXTUAL FACTORS, ESTABLISHING OPERATIONS, ANTECEDENT STIMULI, POSITIVE REINFORCEMENT, AND OTHER CONSEQUENCES TO HELP PEOPLE DEVELOP NEW BEHAVIORS, INCREASE OR DECREASE EXISTING BEHAVIORS, AND EMIT BEHAVIORS UNDER SPECIFIC ENVIRONMENTAL CONDITIONS.

THE PRACTICE OF BEHAVIOR ANALYSIS EXPRESSLY EXCLUDES ALL OTHER ACTIVITIES THAT FALL WITHIN THE SCOPE OF PRACTICE OF PSYCHOLOGY INCLUDING BUT NOT LIMITED TO: PSYCHOLOGICAL TESTING, NEUROPSYCHOLOGY, COGNITIVE THERAPY, DIAGNOSIS OF PSYCHIATRIC OR OTHER MENTAL HEALTH CONDITIONS, PSYCHOTHERAPY, SEX THERAPY, PSYCHOANALYSIS, HYPNOTHERAPY, AND MENTAL HEALTH COUNSELING, PROVIDING ORGANIZATIONAL CONSULTATION OR ANY OTHER SERVICE DEEMED INAPPROPRIATE BY THE PSYCHOLOGY BOARD.

(NAME OF JURISDICTION) REGULATORY BOARD OF PSYCHOLOGY

D. BOARD MEMBERSHIP

1. NUMBER

THE BOARD SHALL CONSIST OF ___ LICENSED PSYCHOLOGISTS, LICENSED BEHAVIORAL ANALYST(S) AND ___ PUBLIC MEMBER(S). WHENEVER POSSIBLE, BOARD MEMBERS SHALL REFLECT DIVERSITY OVER A NUMBER OF DIMENSIONS SUCH AS PROFESSIONAL PRACTICE AREA, GEOGRAPHIC LOCATION, AND/OR CULTURE RELEVANT TO THE JURISDICTION.

2. QUALIFICATIONS

a) EACH BEHAVIOR ANALYST MEMBER MUST RESIDE IN THIS JURISDICTION, HAVE A CURRENT VALID LICENSE, AND HAVE BEEN LICENSED TO PRACTICE BEHAVIOR ANALYSIS BY THIS JURISDICTION FOR AT LEAST FIVE YEARS IMMEDIATELY PRECEDING HIS/HER APPOINTMENTS. EACH MUST BE FREE OF CONFLICTS OF INTEREST OR THE APPEARANCE OF SUCH CONFLICTS WITH REGARD TO HIS/HER DUTIES AS A BOARD MEMBERS

REQUIREMENTS FOR LICENSURE

A. GENERAL

AN APPLICANT FOR LICENSURE AS A BEHAVIOR ANALYST SHALL BE THE AGE OF MAJORITY AND OF GOOD MORAL CHARACTER.

B. EDUCATION

AN APPLICANT FOR LICENSURE AS A BEHAVIOR ANALYST MUST POSSESS A MINIMUM OF A MASTER'S DEGREE IN APPLIED HEALTH SCIENCES FROM A TRAINING PROGRAM, AS DEFINED IN THIS ACT AND THE RULES AND REGULATIONS OF THIS BOARD. THE MASTER'S PROGRAM MAY INCLUDE DISTANCE EDUCATION, BUT A MINIMUM OF ONE CONTINUOUS YEAR RESIDENCY IS REQUIRED AS DEFINED IN THE RULES AND REGULATIONS OF THIS BOARD. PROGRAMS THAT USE PHYSICAL PRESENCE, INCLUDING FACE-TO-FACE CONTACT FOR DURATIONS OF LESS THAN ONE CONTINUOUS YEAR, (E.G. MULTIPLE LONG WEEKENDS AND/OR SUMMER INTENSIVE SESSIONS) OR THAT USE VIDEO TELECONFERENCING OR OTHER ELECTRONIC MEANS AS A SUBSTITUTE FOR PHYSICAL PRESENCE AT THE INSTITUTION IN ORDER TO MEET THE RESIDENCY REQUIREMENT ARE DEEMED NOT TO BE ACCEPTABLE FOR LICENSURE.

AN APPLICANT TRAINED IN AN INSTITUTION OUTSIDE THE UNITED STATES OR CANADA MUST DEMONSTRATE TO THE SATISFACTION OF THE BOARD THAT HE/SHE POSSESSES THE DEGREE IN APPLIED HEALTH SCIENCES, THE REQUIREMENTS FOR WHICH SHALL HAVE BEEN SUBSTANTIALLY SIMILAR TO THE REQUIREMENTS FOR A MASTER'S DEGREE IN APPLIED HEALTH

1542 SCIENCES AS DEFINED IN THIS ACT.
1543

1544 **C. EXPERIENCE**

1545 AN APPLICANT FOR LICENSURE AS A BEHAVIOR ANALYST MUST
1546 DEMONSTRATE THAT HE/SHE HAS COMPLETED SUPERVISED PROFESSIONAL
1547 EXPERIENCE THAT IS ACCEPTABLE TO THE BOARD AND COMPLY WITH THE
1548 SPECIFIC GUIDELINES SET OUT IN THE RULES AND REGULATIONS OF THIS
1549 BOARD.
1550

1551 **D. EXAMINATIONS**

- 1552 1. THE BOARD SHALL ESTABLISH RULES AND REGULATIONS REGARDING
1553 EXAMINATIONS.
1554 2. AN APPLICANT FOR LICENSURE AS A BEHAVIOR ANALYST MUST PASS AN
1555 EXAMINATION AS DEFINED BY THE RULES AND REGULATIONS OF THIS
1556 BOARD.
1557 3. AN APPLICANT FOR LICENSURE AS A BEHAVIOR ANALYST MUST PASS ANY
1558 OTHER WRITTEN AND/OR ORAL EXAMINATION(S) PRESCRIBED IN THE
1559 RULES AND REGULATIONS OF THIS BOARD.
1560 4. THE BOARD SHALL ESTABLISH RULES AND REGULATIONS REGARDING
1561 REEXAMINATION OF APPLICANTS WHO DO NOT MEET OR EXCEED THE
1562 ESTABLISHED PASSING SCORE FOR THE REQUIRED EXAMINATIONS.
1563

1564 **G. WAIVER OF REQUIREMENT(S)**

1565 THE BOARD MAY ISSUE A LICENSE TO ANY INDIVIDUAL WHO HAS BEEN
1566 LICENSED IN ANOTHER JURISDICTION AS A BEHAVIOR ANALYST ON THE BASIS
1567 OF A MINIMUM OF A MASTER'S DEGREE IN APPLIED HEALTH SCIENCES IF IT IS
1568 THE BOARD'S DETERMINATION THAT THE INDIVIDUAL WAS LICENSED UNDER
1569 REQUIREMENTS EQUAL TO, OR EXCEEDING, THE REQUIREMENTS FOR
1570 LICENSURE IN THIS JURISDICTION.
1571

1572 **PRIOR LICENSURE**

1573
1574 A PERSON WHO IS LICENSED AS A BEHAVIOR ANALYST UNDER THE PROVISIONS OF
1575 (CITE RELEVANT SECTION(S) OF PREVIOUS LICENSING LAW) AS OF THE EFFECTIVE
1576 DATE OF THIS ACT SHALL BE DEEMED TO HAVE MET ALL REQUIREMENTS FOR
1577 LICENSURE UNDER THIS ACT AND SHALL BE ELIGIBLE FOR RENEWAL OF LICENSURE
1578 IN ACCORDANCE WITH THE PROVISIONS OF THIS ACT.
1579

1580 **PRACTICE WITHIN DEMONSTRATED AREAS OF COMPETENCE**

1581
1582 THE LICENSED BEHAVIOR ANALYST SHALL RESTRICT HIS/HER PRACTICE IN
1583 ACCORDANCE WITH THIS ACT AND SERVICES AUTHORIZED BY HIS/HER SUPERVISING
1584 PSYCHOLOGIST.
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1586

EXEMPTIONS

THE PROVISIONS OF THIS CHAPTER SHALL NOT BE CONSTRUED AS PROHIBITING OR RESTRICTING ANY OF THE FOLLOWING:

- A. PSYCHOLOGISTS AND HIS/HER SUPERVISEES, WHO, BASED ON HIS/HER EDUCATION, TRAINING, AND EXPERIENCE FROM REPRESENTING HIMSELF OR HERSELF AS QUALIFIED TO PRACTICE BEHAVIORAL ANALYSIS. PSYCHOLOGISTS AND THEIR SUPERVISEES ARE PROHIBITED FROM REPRESENTING THEMSELVES AS, LICENSED BEHAVIOR ANALYST, WITHOUT BEING DULY LICENSED AS A BEHAVIORAL ANALYST.
- B. OTHER HUMAN SERVICE PROFESSIONALS WHO ARE LICENSED, CERTIFIED, OR REGISTERED BY THIS JURISDICTION, PROVIDED SUCH INDIVIDUALS ARE WORKING WITHIN THE SCOPE OF PRACTICE, WITHIN THE CODE OF ETHICS OF THEIR PROFESSION AND THE SCOPE OF THEIR TRAINING AND COMPETENCE.
- C. STATE CERTIFIED ASSISTANT BEHAVIOR ANALYST OR REGISTERED LINE TECHNICIAN WHO DELIVERS APPLIED BEHAVIOR ANALYSIS SERVICES UNDER THE EXTENDED AUTHORITY AND DIRECTION OF A LICENSED PSYCHOLOGIST. SUCH CERTIFIED ASSISTANT BEHAVIOR ANALYST OR REGISTERED LINE TECHNICIAN SHALL NOT REPRESENT HIMSELF/HERSELF AS A BEHAVIOR ANALYST.
- D. A FAMILY MEMBER OR GUARDIAN OF A RECIPIENT OF APPLIED BEHAVIOR ANALYSIS SERVICES WHO IMPLEMENTS CERTAIN APPLIED BEHAVIOR ANALYSIS PROCEDURES WITH THAT RECIPIENT UNDER THE EXTENDED AUTHORITY AND DIRECTION OF A LICENSED BEHAVIOR ANALYST, WHO IS SUPERVISED BY A LICENSED PSYCHOLOGIST. SUCH AN INDIVIDUAL SHALL NOT REPRESENT HIMSELF/HERSELF AS A BEHAVIOR ANALYST.
- E. AN INDIVIDUAL WHO PRACTICES WITH NONHUMANS, INCLUDING APPLIED ANIMAL BEHAVIORISTS AND ANIMAL TRAINERS.
- F. AN INDIVIDUAL WHO PROVIDES GENERAL APPLIED BEHAVIOR ANALYSIS SERVICES TO AN ORGANIZATION, SO LONG AS THOSE SERVICES ARE FOR THE BENEFIT OF SUCH ORGANIZATION AND DO NOT INVOLVE DIRECT SERVICES TO INDIVIDUALS.
- G. A MATRICULATED COLLEGE OR UNIVERSITY STUDENT, INTERN, OR POSTDOCTORAL FELLOW WHOSE ACTIVITIES ARE PART OF A DEFINED BEHAVIOR ANALYSIS PROGRAM OF STUDY, PRACTICUM, INTENSIVE PRACTICUM, OR SUPERVISED INDEPENDENT FIELDWORK. SUCH PRACTICE UNDER THIS EXEMPTION REQUIRES THE DIRECT SUPERVISION BY A LICENSED PSYCHOLOGIST OR LICENSED BEHAVIORAL ANALYST IN THIS JURISDICTION OR AN INSTRUCTOR IN AN APPROVED COURSE SEQUENCE APPROVED BY THE

1633 BOARD. A STUDENT, INTERN, OR POSTDOCTORAL FELLOW SHALL NOT
1634 REPRESENT HIMSELF AS A BEHAVIOR ANALYST AND SHALL USE A TITLE THAT
1635 CLEARLY INDICATES HIS/HER TRAINING STATUS, SUCH AS "BEHAVIOR
1636 ANALYSIS STUDENT", "BEHAVIOR ANALYSIS INTERN", "BEHAVIOR ANALYSIS
1637 TRAINEE", OR OTHER TITLE CLEARLY INDICATING SUCH TRAINING STATUS.
1638

1639 **H.** AN INDIVIDUAL WHO TEACHES BEHAVIOR ANALYSIS OR CONDUCTS
1640 BEHAVIOR ANALYTIC RESEARCH, PROVIDED THAT SUCH TEACHING OR
1641 RESEARCH SHALL NOT INVOLVE THE DELIVERY OF DIRECT BEHAVIOR
1642 ANALYTIC SERVICES. SUCH INDIVIDUAL MAY USE THE TITLE "BEHAVIOR
1643 ANALYST" BUT MAY NOT REPRESENT HIMSELF AS A LICENSED BEHAVIOR
1644 ANALYST UNLESS HE OR SHE HOLDS THAT CREDENTIAL ISSUED BY THE BOARD.
1645

1646 **I.** AN UNLICENSED INDIVIDUAL PURSUING EXPERIENTIAL TRAINING IN
1647 BEHAVIOR ANALYSIS CONSISTENT WITH THE LICENSURE REQUIREMENTS AND
1648 STANDARDS AS REQUIRED BY THE BOARD, PROVIDED SUCH EXPERIENCE IS
1649 SUPERVISED BY A LICENSED PSYCHOLOGIST OR LICENSED BEHAVIORAL
1650 ANALYST.
1651

PSYCHOLOGISTS WITH PRESCRIPTIVE AUTHORITY

IF PRESCRIBING PSYCHOLOGISTS ARE LICENSED, THE FOLLOWING LANGUAGE IS SUGGESTED FOR INSERTION IN THE APPROPRIATE SECTIONS OF A MODEL ACT. IF NO LANGUAGE IS PROVIDED, THE MODEL ACT LANGUAGE SHOULD BE USED.

PREAMBLE

PSYCHOLOGISTS ARE HIGHLY TRAINED, HEALTH CARE PROFESSIONALS HOLDING A DOCTORATE WITH EXTENSIVE TRAINING IN THE DIAGNOSIS AND MANAGEMENT OF MENTAL ILLNESS. PSYCHOPHARMACOLOGY TRAINING AND EXPERIENCE IS AN EXTENSION OF THE TRAINING RECEIVED BY PSYCHOLOGISTS. CONSULTATION ON MEDICATION TREATMENT AND MANAGEMENT IS PART OF THE SCOPE OF PRACTICE OF PSYCHOLOGISTS. SPECIALLY TRAINED PSYCHOLOGISTS SAFELY PROVIDE PHARMACOTHERAPY TO THEIR CLIENTS AS PART OF THEIR PRACTICE. THE FOLLOWING SECTION DEFINES MODEL LEGISLATION FOR ADDING PRESCRIPTION PRIVILEGE AUTHORITY FOR THOSE PSYCHOLOGISTS WITH SPECIALIZED TRAINING IN PSYCHOPHARMACOLOGY.

DEFINITIONS

- **BOARD**

BOARD IS THE BOARD RESPONSIBLE FOR THE LICENSURE OF PSYCHOLOGY

- **BOARD OF PHARMACY**

BOARD OF PHARMACY REFERS TO THE RELEVANT STATE BOARD OF PHARMACY OR COMPARABLE PROVINCIAL/TERRITORIAL AUTHORITY IN CANADA

- **CLINICAL EXPERIENCE**

CLINICAL EXPERIENCE IS THE REQUIRED PERIOD OF SUPERVISED CLINICAL TRAINING AND PRACTICE IN WHICH CLINICAL DIAGNOSES AND INTERVENTIONS ARE LEARNED AND WHICH ARE CONDUCTED AND SUPERVISED AS PART OF THE TRAINING PROGRAM COMPLETED BY THE PSYCHOLOGIST SEEKING PRESCRIBING PRIVILEGES.

- **CONTROLLED SUBSTANCE**

ANY DRUG SUBSTANCE OR IMMEDIATE PRECURSOR ENUMERATED IN SCHEDULES 1-5 OF THE U.S. DRUG ENFORCEMENT ADMINISTRATION CONTROLLED SUBSTANCE ACT (WWW.USDOJ.GOV/DEA/AGENCY/CSA.HTM) AND AS ADOPTED BY FOOD, DRUG AND COSMETIC ACT; OR BY THE PHARMACY BOARD; OR BY THE PHARMACY PRACTICE ACT.

- **DRUG**

DRUG SHALL HAVE THE SAME MEANING AS THAT TERM IS GIVEN IN "FOOD, DRUG AND COSMETIC ACT," OR BY THE PHARMACY BOARD; OR BY THE PHARMACY PRACTICE ACT.

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- **PRESCRIPTION**

AN ORDER FOR A DRUG, LABORATORY TEST, OR ANY MEDICINE(S), DEVICE(S) OR TREATMENT(S), INCLUDING (A) CONTROLLED SUBSTANCE(S)) AS DEFINED BY THIS JURISDICTION'S LAW AND SIGNED BY AN AUTHORIZED HEALTH CARE PROVIDER.

- **PRESCRIPTIVE AUTHORITY**

PRESCRIPTIVE AUTHORITY IS THE AUTHORITY TO PRESCRIBE, ADMINISTER, DISCONTINUE, AND/OR DISTRIBUTE WITHOUT CHARGE, DRUGS OR CONTROLLED SUBSTANCES RECOGNIZED IN OR CUSTOMARILY USED IN THE DIAGNOSIS, TREATMENT, AND MANAGEMENT OF INDIVIDUALS WITH PSYCHIATRIC, MENTAL, COGNITIVE, NERVOUS, EMOTIONAL, BEHAVIORAL, OR SUBSTANCE USE DISORDERS, OR OTHER PROCEDURES DIRECTLY RELATED THERETO WITHIN THE SCOPE OF PRACTICE OF PSYCHOLOGY IN ACCORDANCE WITH RULES AND REGULATIONS OF THIS BOARD.

(NAME OF JURISDICTION) REGULATORY BOARD OF PSYCHOLOGY

D. BOARD MEMBERSHIP

1. NUMBER

THE BOARD SHALL CONSIST OF ___ LICENSED PSYCHOLOGISTS, ___ PRESCRIBING PSYCHOLOGIST(S) AND ___ PUBLIC MEMBER(S). WHENEVER POSSIBLE, BOARD MEMBERS SHALL REFLECT DIVERSITY OVER A NUMBER OF DIMENSIONS SUCH AS PROFESSIONAL PRACTICE AREA, GEOGRAPHIC LOCATION, AND/OR CULTURE RELEVANT TO THE JURISDICTION.

2. QUALIFICATIONS

EACH PRESCRIBING PSYCHOLOGIST MEMBER MUST RESIDE IN THIS JURISDICTION, HAVE A CURRENT VALID LICENSE, AND HAVE BEEN LICENSED TO PRACTICE PSYCHOLOGY BY THIS JURISDICTION FOR AT LEAST FIVE YEARS IMMEDIATELY PRECEDING HIS/HER APPOINTMENT. EACH MUST BE FREE OF CONFLICTS OF INTEREST OR THE APPEARANCE OF SUCH CONFLICTS WITH REGARD TO HIS/HER DUTIES AS A BOARD MEMBER.

CERTIFICATION

A. PRESCRIPTIVE AUTHORITY

PSYCHOLOGISTS WHO EXERCISE PRESCRIPTIVE AUTHORITY SHALL MEET ALL EDUCATION, TRAINING, AND EXPERIENCE REQUIREMENTS AS SET FORTH IN CHAPTER ONE (1) IN ADDITION TO THOSE REQUIREMENTS OF CHAPTER THREE (3) AND THE RULES AND REGULATIONS OF THIS BOARD.

B. THE BOARD SHALL CERTIFY LICENSED, DOCTORAL-LEVEL PSYCHOLOGISTS TO EXERCISE PRESCRIPTIVE AUTHORITY IN ACCORDANCE WITH APPLICABLE STATE, FEDERAL, PROVINCIAL AND TERRITORIAL LAWS.

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C. THE BOARD SHALL DEVELOP AND IMPLEMENT PROCEDURES IN THE RULES AND REGULATIONS OF THIS BOARD FOR THE REVIEW OF EDUCATION AND TRAINING CREDENTIALS FOR THAT CERTIFICATION PROCESS AND THE EXTENT OF PRESCRIPTIVE AUTHORITY, IN ACCORDANCE WITH CURRENT STANDARDS OF PROFESSIONAL PRACTICE.

D. INITIAL APPLICATION REQUIREMENTS FOR PRESCRIPTIVE AUTHORITY

A PSYCHOLOGIST WHO APPLIES FOR PRESCRIPTIVE AUTHORITY SHALL DEMONSTRATE ALL OF THE FOLLOWING BY OFFICIAL TRANSCRIPT OR OTHER OFFICIAL EVIDENCE SATISFACTORY TO THE BOARD:

1. THE PSYCHOLOGIST MUST HOLD A CURRENT LICENSE AT THE DOCTORAL LEVEL AND A CERTIFICATE AS A HEALTH SERVICE PROVIDER IN (THE JURISDICTION);
2. AS DEFINED BY THE BOARD AND CONSISTENT WITH ESTABLISHED STANDARDS OF THE PROFESSION FOR EDUCATING AND TRAINING PSYCHOLOGISTS IN PREPARATION FOR PRESCRIPTIVE AUTHORITY AS DEFINED IN THE RULES AND REGULATIONS OF THIS BOARD¹:
3. THE PSYCHOLOGIST MUST HAVE GRADUATED WITH A POST-DOCTORAL MASTER'S DEGREE IN CLINICAL PSYCHOPHARMACOLOGY FROM A REGIONALLY ACCREDITED INSTITUTION THAT PROVIDED AN ORGANIZED SEQUENCE OF STUDY IN AN ORGANIZED PROGRAM OFFERING INTENSIVE DIDACTIC EDUCATION; THE CURRICULUM SHALL INCLUDE INSTRUCTION IN ANATOMY AND PHYSIOLOGY, BIOCHEMISTRY, NEUROSCIENCES, PHARMACOLOGY, PSYCHOPHARMACOLOGY, CLINICAL MEDICINE/PATHOPHYSIOLOGY, AND HEALTH ASSESSMENT, INCLUDING RELEVANT PHYSICAL AND LABORATORY ASSESSMENT AND INCLUDING THE FOLLOWING CORE AREAS OF INSTRUCTION: BASIC LIFE SCIENCES, NEUROSCIENCES, CLINICAL AND RESEARCH PHARMACOLOGY AND PSYCHOPHARMACOLOGY, CLINICAL MEDICINE AND PATHOPHYSIOLOGY, PHYSICAL ASSESSMENT AND LABORATORY EXAMINATIONS, CLINICAL PHARMACOTHERAPEUTICS, RESEARCH, PROFESSIONAL, ETHICAL AND LEGAL ISSUES. THE DIDACTIC PORTION OF THE EDUCATION SHALL CONSIST OF AN APPROPRIATE NUMBER OF DIDACTIC HOURS, AS DEFINED IN RULES AND REGULATIONS OF THIS BOARD TO ENSURE ACQUISITION OF THE NECESSARY KNOWLEDGE AND SKILLS TO PRESCRIBE IN A SAFE AND EFFECTIVE MANNER;
4. THE PSYCHOLOGIST MUST HAVE OBTAINED RELEVANT CLINICAL

¹ A "GRANDPARENT" PROVISION MAY BE ADDED TO WAIVE CERTAIN REQUIREMENTS FOR PSYCHOLOGISTS WHO HAVE OBTAINED RELEVANT TRAINING AND EXPERIENCE, INCLUDING BUT NOT NECESSARILY LIMITED TO (A) PSYCHOLOGISTS WHO ARE DUALY LICENSED AS PHYSICIANS, NURSE PRACTITIONERS, OR WHO HAVE COMPARABLE PRESCRIPTIVE AUTHORITY UNDER ANOTHER LICENSE; (B) PSYCHOLOGISTS WHO HAVE COMPLETED THE DEPARTMENT OF DEFENSE PSYCHOPHARMACOLOGY DEMONSTRATION PROJECT; OR (C) PRESCRIBING PSYCHOLOGISTS CERTIFIED IN ANOTHER JURISDICTION.

1781 EXPERIENCE SUFFICIENT TO ATTAIN COMPETENCY IN THE
1782 PSYCHOPHARMACOLOGICAL TREATMENT OF A DIVERSE CLIENT
1783 POPULATION UNDER THE DIRECTION OF QUALIFIED PRACTITIONERS AS
1784 DEFINED BY RULES AND REGULATIONS OF THIS BOARD.

- 1785 5. THE PSYCHOLOGIST MUST HAVE PASSED A NATIONAL EXAMINATION IN
1786 PSYCHOPHARMACOLOGY SPECIFIED AND APPROVED BY THE BOARD AS
1787 DEFINED IN RULES AND REGULATIONS OF THIS BOARD.
1788 6. PSYCHOLOGIST WHO HAVE COMPLETED THE DOD PSYCHOPHARMACOLOGY
1789 TRAINING PROGRAM SHALL BE DEEMED TO MEET THE REQUIREMENTS
1790 LISTED (INSERT RELEVANT SECTION).
1791

1792 **E. RENEWAL OF PRESCRIPTIVE AUTHORITY**

- 1793 1. THE BOARD SHALL DEFINE IN RULES AND REGULATIONS A METHOD
1794 FOR THE RENEWAL OF PRESCRIPTIVE AUTHORITY AT THE TIME OF OR
1795 IN CONJUNCTION WITH THE RENEWAL OF LICENSES.
1796 2. EACH APPLICANT FOR RENEWAL OF PRESCRIPTIVE AUTHORITY SHALL
1797 PRESENT SATISFACTORY EVIDENCE TO THE BOARD DEMONSTRATING
1798 THE COMPLETION OF CONTINUING PROFESSIONAL DEVELOPMENT
1799 RELEVANT TO PRESCRIPTIVE AUTHORITY AS DEFINED IN RULES AND
1800 REGULATIONS OF THIS BOARD
1801

1802 **F. PRESCRIBING PRACTICES**

- 1803 1. PSYCHOLOGISTS AUTHORIZED TO PRESCRIBE SHALL BE AUTHORIZED TO
1804 PRESCRIBE, ADMINISTER, DISCONTINUE, AND/OR DISTRIBUTE
1805 WITHOUT CHARGE, DRUGS OR CONTROLLED SUBSTANCES
1806 RECOGNIZED IN OR CUSTOMARILY USED IN THE DIAGNOSIS,
1807 TREATMENT, AND MANAGEMENT OF INDIVIDUALS WITH PSYCHIATRIC,
1808 MENTAL, COGNITIVE, NERVOUS, EMOTIONAL, SUBSTANCE ABUSE, OR
1809 BEHAVIORAL DISORDERS AND RELEVANT TO THE PRACTICE OF
1810 PSYCHOLOGY, OR OTHER PROCEDURES DIRECTLY RELATED THERETO
1811 WITHIN THE SCOPE OF PRACTICE OF PSYCHOLOGY IN ACCORDANCE
1812 WITH RULES AND REGULATIONS OF THIS BOARD.
1813 2. PRESCRIBING PSYCHOLOGISTS MAY NOT ORDER, ADMINISTER,
1814 PRESCRIBE, OR DISTRIBUTE NARCOTICS, AS DEFINED IN THIS PART.
1815 3. STANDARDS FOR THE TREATMENT OR MANAGEMENT OF COMMON
1816 COMPLICATIONS OF THE DRUG THERAPY PROVIDED BY PRESCRIBING
1817 PSYCHOLOGISTS WILL BE DEFINED IN RULES AND REGULATIONS OF
1818 THIS BOARD.
1819 4. NOTHING IN THIS PART SHALL BE INTERPRETED OR CONSTRUED, AS
1820 PERMITTING A PRESCRIBING PSYCHOLOGIST TO PHARMACOLOGICALLY
1821 TREAT OR DIAGNOSE CLIENTS FOR OTHER PRIMARY MEDICAL
1822 CONDITIONS.
1823 5. PRACTITIONERS LICENSED UNDER THIS PART MAY ORDER AND
1824 INTERPRET LABORATORY STUDIES AND OTHER MEDICAL DIAGNOSTIC
1825 PROCEDURES, AS NECESSARY FOR ADEQUATE PRETREATMENT HEALTH
1826 SCREENING, DIAGNOSIS OF MENTAL, NERVOUS, EMOTIONAL,

1827 BEHAVIORAL, SUBSTANCE ABUSE, AND COGNITIVE DISORDERS AND
1828 TREATMENT MAINTENANCE, INCLUDING THOSE NECESSARY FOR THE
1829 MONITORING OF POTENTIAL SIDE-EFFECTS ASSOCIATED WITH
1830 MEDICATIONS PRESCRIBED BY THE PRESCRIBING PSYCHOLOGIST.

- 1831 6. PRESCRIBING PSYCHOLOGIST SHALL MAINTAIN BASIC LIFE SUPPORT
1832 CERTIFICATION.
- 1833 7. NO PSYCHOLOGIST SHALL ISSUE A PRESCRIPTION NOR REPRESENT
1834 HIMSELF OR HERSELF AS A PRESCRIBING PSYCHOLOGISTS UNLESS THE
1835 PSYCHOLOGIST HOLDS A VALID CERTIFICATE AS A PRESCRIBING
1836 PSYCHOLOGIST.
- 1837 8. EACH PRESCRIPTION ISSUED BY THE PRESCRIBING PSYCHOLOGIST
1838 SHALL:
- 1839 a.) COMPLY WITH ALL APPLICABLE STATE, FEDERAL,
1840 PROVINCIAL, TERRITORIAL LAWS AND REGULATIONS.
 - 1841 b.) BE IDENTIFIED AS WRITTEN BY THE PRESCRIBING
1842 PSYCHOLOGIST IN SUCH MANNER AS DETERMINED BY THE
1843 BOARD.
 - 1844 c.) A RECORD OF ALL PRESCRIPTIONS SHALL BE MAINTAINED IN
1845 THE CLIENT'S RECORD.
 - 1846 d.) A PRESCRIBING PSYCHOLOGIST SHALL NOT DELEGATE THE
1847 AUTHORITY TO PRESCRIBE DRUGS TO ANY OTHER PERSON.
1848

1849 **G. CONTROLLED SUBSTANCE PRESCRIPTIVE AUTHORITY**

- 1850 1. WHEN AUTHORIZED TO PRESCRIBE CONTROLLED SUBSTANCES THE
1851 PRESCRIBING PSYCHOLOGIST SHALL FILE IN A TIMELY MANNER THEIR
1852 DRUG ENFORCEMENT AGENCY (DEA) REGISTRATION AND NUMBER
1853 {AND THE STATE/PROVINCIAL/TERRITORIAL CONTROLLED AND
1854 DANGEROUS SUBSTANCES LICENSE NUMBER, IF APPLICABLE} WITH THE
1855 BOARD.
- 1856
- 1857 2. THE BOARD SHALL MAINTAIN CURRENT RECORDS OF EVERY
1858 PRESCRIBING PSYCHOLOGIST, INCLUDING DEA REGISTRATION AND
1859 NUMBER {OR COMPARABLE REGISTRATION NUMBERS FROM THE
1860 CONTROLLING AGENCIES WITHIN PROVINCES AND TERRITORIES.
1861

1862 **H. INTERACTION WITH THE BOARD OF PHARMACY**

- 1863 1. THE BOARD SHALL TRANSMIT TO THE BOARD OF PHARMACY AN
1864 INITIAL LIST OF PRESCRIBING PSYCHOLOGIST CONTAINING THE
1865 FOLLOWING INFORMATION:
- 1866
 - 1867 a) THE NAME OF THE PRESCRIBING PSYCHOLOGIST;
 - 1868
 - 1869 b) THE PRESCRIBING PSYCHOLOGIST IDENTIFICATION {OR
1870 REGISTRATION} NUMBER ASSIGNED BY THE BOARD; AND
 - 1871 c) THE EFFECTIVE DATE OF PRESCRIPTIVE AUTHORITY.
1872

- 1873 d) THE BOARD SHALL PROMPTLY FORWARD TO THE BOARD OF
1874 PHARMACY ANY ADDITIONS TO THE INITIAL LIST AS NEW
1875 CERTIFICATES ARE ISSUED.
1876
1877 e) THE BOARD SHALL NOTIFY THE BOARD OF PHARMACY IN A
1878 TIMELY MANNER UPON TERMINATION, SUSPENSION, OR
1879 REINSTATEMENT OF A PSYCHOLOGIST'S PRESCRIPTIVE
1880 AUTHORITY.
1881

1882 I. POWERS AND DUTIES OF THE BOARD

- 1883 a.) THE PSYCHOLOGY BOARD SHALL MAINTAIN REGULATORY AUTHORITY
1884 OVER THE PRACTICE OF ANY PSYCHOLOGIST WHO PRESCRIBES AND
1885 ADMINISTERS PSYCHOTROPIC MEDICATION.
1886 b.) THE BOARD SHALL PROMULGATE RULES AND REGULATIONS FOR
1887 DENIAL, RESTRICTION, REPRIMAND, SUSPENSION, EMERGENCY
1888 SUSPENSION, PROBATION, AND REVOCATION OF THE PRESCRIPTIVE
1889 AUTHORITY OR LICENSE OF A PSYCHOLOGIST AUTHORIZED TO
1890 PRESCRIBE.
1891

1892 THE BOARD SHALL HAVE THE POWER TO REQUIRE REMEDIATION OF ANY
1893 DEFICIENCIES IN THE TRAINING OR PRACTICE PATTERN OF THE PRESCRIBING
1894 PSYCHOLOGIST WHEN, IN THE JUDGMENT OF THE BOARD, SUCH
1895 DEFICIENCIES COULD REASONABLY BE EXPECTED TO JEOPARDIZE THE
1896 HEALTH, SAFETY, OR WELFARE OF THE PUBLIC.

1897 ADDITIONS OR AMENDMENTS TO EXISTING STATE/PROVINCIAL/TERRITORIAL LAWS

- 1898
1899 1. AMENDMENT TO THE STATE/PROVINCIAL/TERRITORIAL CONTROLLED SUBSTANCES ACT {OR THE
1900 APPROPRIATE LEGISLATIVE INSTRUMENT} TO ENSURE THAT PSYCHOLOGISTS AUTHORIZED TO
1901 PRESCRIBE ARE AUTHORIZED PRESCRIBERS OF CONTROLLED SUBSTANCES.
1902 2. AMENDMENT TO THE STATE NURSE PRACTICE ACT TO ENSURE THAT NURSES CAN
1903 IMPLEMENT PRESCRIPTIONS WRITTEN BY PSYCHOLOGISTS AUTHORIZED TO PRESCRIBE.
1904 3. AMENDMENT TO THE STATE/PROVINCIAL/TERRITORIAL PHARMACY ACT {OR THE
1905 APPROPRIATE LEGISLATIVE INSTRUMENT} TO ENSURE THAT PHARMACISTS CAN DISPENSE
1906 DRUGS ORDERED BY PSYCHOLOGISTS AUTHORIZED TO PRESCRIBE.