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ARKANSAS BOARD OF EXAMINERS IN PSYCHOLOGY

PAUL RIVIERE
SECRETARY OF STATE
LITTLE ROCK, ARKANSAS

Still pending as of 6-14-83

October 4, 1982

Oct 6 8 41 AM '82
PAUL RIVIERE
SECRETARY OF STATE
LITTLE ROCK, ARKANSAS

Secretary of State's Office
State Capitol Building
Little Rock, AR 72201

To Whom It May Concern:

Enclosed is a copy of the proposed Rules and Regulations of the Arkansas Board of Examiners in Psychology. The Board will hold a public hearing on these Rules and Regulations on Saturday, October 16, 1982 at 10:00 A.M. in Room 105 of Oak Plaza, 915 Oak Street, Conway, AR 72032. Copies of these proposed Rules and Regulations have been sent to the Bureau of Legislative Research.

If you need any additional information, please do not hesitate to contact this office.

Sincerely,

Patty Thompson

Patty Thompson
Administrative Assistant

enclosures

OCT 6 8 41 AM '82
PAUL RIVIERE
SECRETARY OF STATE
LITTLE ROCK, ARKANSAS

ARKANSAS BOARD OF EXAMINERS IN PSYCHOLOGY

PROPOSED

RULES AND REGULATIONS

SECTION 1. GENERAL INFORMATION (Act 129, Section 1)

1.1 Description of Organization. The Arkansas Board of Examiners in Psychology is composed of seven (7) members appointed by the Governor of the State of Arkansas to staggered terms of five (5) years. Appointments are made from a list of nominees submitted to the Governor by the Arkansas Psychological Association for all positions, with the exception of the Consumer Representative. The Board is composed of two (2) academic psychologists, three (3) practicing psychologists, and one (1) psychological examiner. The Consumer Representative is appointed from the general public. (Act 129, Section 4; Act 113 of 1977; Act 939 of 1979)

1.2 Responsibilities of the Organization. The Board is charged by law to regulate the practice of psychology in the State of Arkansas. As termed in Act 129, "the regulation of the practice of psychologist" is defined by the Board as including, but not limited to, examining and passing upon the qualifications of applicants for the practice of psychology, and inspecting the practices of psychology (Act 129, Section 5). The major responsibility of the State Board is to insure that the people of the State of Arkansas are protected from misrepresentation, unethical practice, and/or incompetence in the practice of psychology (Act 129, Section 1).

1.3 Administration of the Organization. The Board is charged by law with the administration of its duties consistent with the Act under which it was organized and delegated to regulate the practice of psychology. Consistent with the Administrative Procedure Act (Act 434 of 1967), and in the interest of the public of the State of Arkansas, the Board identifies the following major administrative responsibilities:

A. RECORDS: Records of the Board shall be kept, maintained, and made available for inspection in accordance with the Freedom of Information Act.
B. PUBLIC MEETINGS: All Board meetings, except as otherwise specifically provided by law, whether formal or informal, shall be open to the public.

PROPOSED

C. PUBLIC NOTICE: The date, time, and place of meetings shall be furnished to anyone requesting the information and shall be routinely published by public communication.
D. FORMS: Copies of all forms and accompanying instructions shall adhere to these Rules and Regulations.
E. DIRECTORY: The Board shall publish a Directory for public information which includes the following:
   1. Names of all licensed individuals in the State.
   2. Level of licensure, whether psychologist or psychological examiner.
   3. Other information deemed necessary by the Board to inform the public of the practice of psychology, or desired by the public to facilitate informed use of psychological services.
F. NEWSLETTER: Licentiates shall receive, at least annually, a Newsletter which informs of state and national licensure and regulatory issues.
G. OPINIONS: Informal opinions given by individual Board members are not reflective of the opinion of the full Board. Only those opinions, decisions, or policies documented in the written minutes of Board meetings shall be considered binding as action of the Board.

SECTION 2. DEFINITION OF THE PRACTICE OF PSYCHOLOGY (Act 129, Section 2)

2.1 Rule of Procedure. In order to define and specify major terms as listed in Act 129, Section 2, as part-and-parcel of the Board's regulatory function, the Board states the following:

2.2 The Practice of Psychology. Unless specifically exempt by Act 129, Section 7, no person shall practice psychology in the State of Arkansas in any manner without a valid license issued through due process by the Board.

2.3 Principles, Methods, and Procedures of the Science of Psychology. These terms are descriptive, rather than limiting, and include those techniques which are utilized in evaluating and/or changing behavior, mental processes, and/or interpersonal relations.

2.4 For Such Purposes. This phrase is descriptive, rather than limiting, and includes such activities as interpersonal facilitation, hypnosis, individual therapy, group therapy, behavior modification, and/or behavior therapy, and other forms of psychotherapy, counseling, research, assessment, psychological consultation, and other behavior change techniques regardless of the location of the service. These activities are examples and are not to be construed as representative of all psychological activities.

2.5 Qualified Supervision.

A. DEFINITION: Qualified supervision shall be supervision of the practice of psychology by a psychologist holding a valid and current license, whose training and experience are appropriate for supervision in the areas of practice for which supervision is necessary, and who abides by the Rules and Regulations contained herein. The psychologist supervisor will have a minimum of two (2) years post-licensure professional experience at the psychologist level of licensure, and shall not be related to the supervisee by blood or marriage.

B. APPLICATIONS: Qualified supervision shall be deemed necessary for those individuals who:

1. Are bonafide applicants and have been approved by the Board for the practice of psychology under qualified supervision.
2. Are in the process of acquiring supervised experience which has been approved by the Board to meet the internship requirements for licensure as a psychologist.
3. Are licensed psychological examiners and require, by law, supervision of some activities in the practice of psychology.
4. Are deemed by the Board on the basis of academic, experiential, professional, and/or personal background to require supervision in the practice of psychology.

C. GENERAL RESPONSIBILITIES IN THE SUPERVISORY ARRANGEMENT:

1. Arrangements for professional supervision shall be the responsibility of the supervisee. The Board shall not assume responsibility for establishing supervisory relationships.
2. A specific plan of supervision must be filed by the supervisor and the supervisee for approval by the Board. The supervisory plan shall protect the public interest, increase the supervisee's level of professional skills, and individualize supervision for

the supervisee.

3. The supervisor shall establish and maintain a level of supervisory contact consistent with professional standards, insuring the welfare of the public, and the ethical and legal protection of the supervision process.
4. While the Board recognizes that the number of supervisees supervised by a given psychologist may vary, the Board reserves the right to require documentation by the psychologist of the adequacy of supervision when one psychologist is supervising multiple licensed professionals or applicants for licensure.
5. The Board requires the supervisor to be clearly aware of the professional skills, practices, ethics, and abilities of each supervisee.
6. A psychologist may be disqualified by the Board as a supervisor should s/he fail to provide adequate supervision under the requirements of the Rules and Regulations of the Board.

D. REQUIREMENTS OF SUPERVISION:

1. Supervision of Students. Students who are enrolled in a program of study (6.2B, 6.2C, 6.3B, 6.3C) shall be supervised in any and all practice of the profession of psychology, in keeping with the regulations of training students for the practice of psychology, and shall be the responsibility of the psychologist supervisor who is instructor or training director. Supervision of students (as defined in Section 3.2, Section 7.2) shall not be regulated by this Board.
2. Supervision of Licensed Psychological Examiners.
   a. An annual supervision report, due by the end of the fiscal year, shall be mandatory for all licensed psychological examiners who are engaged in those professional activities which, by law, require supervision. It shall detail the types of activities in which the supervisee is engaged and the level of competence in each.
   b. The Supervision Report Form shall be designed by the Board to provide the information necessary to monitor the nature of supervision. The following

minimal information shall be included:

1. Supervisee's name & signature.
2. Supervisor's name & signature.
3. Frequency and type of scheduled supervision sessions, and nature of supervision contacts, whether individual, group, telephone, or written correspondence.
4. Number of hours of supervision per type of contact as defined in 3.
5. Dates of supervision covered in the report.
6. Description of the nature of unscheduled supervision and contact of supervisor with supervisee.
7. Description of general functions of the supervisee which have been supervised by the supervisor.
8. Description of any specific areas covered in the supervision process, e.g. expanding practice, etc.
9. Areas of strength of the supervisee.
10. Areas in which further training and/or experience are needed, consistent with the Statement of Intent to practice psychology.
11. Areas of improvement since the previous supervision report, if deficiencies were previously noted.

c. Any change of status in the supervisory relationship must be communicated in writing to the Board within ten (10) working days of the change of status.

d. The Board recognizes that, under all circumstances, the variability of practice, level of professional skill, and personal/professional characteristics of the Psychological Examiner is such that individually tailored supervision is necessary. The specific content of the supervised procedures shall be worked out between the individual supervisor and the Psychological Examiner and shall ensure the rights

and promote the welfare of the public of the State of Arkansas.

e. All written correspondence, reports, and treatment/case plans which require supervision by law, shall be countersigned as "Reviewed and Approved" by the supervisory Psychologist.

f. Users of the Psychological Examiner's services shall be informed when those services are supervised as required by law.

3. Supervision of Bonafide Applicants (See Section 6.4F).

a. The licensed psychologist who provides supervision for the bonafide applicant must have legal, administrative, and professional responsibility for the work of the supervisee. This means that the supervisor must be available to the supervisee at the point of the decision making. The supervisor's relationship with the supervisee shall be clearly differentiated from that of consultant, who may be called in at the discretion of the consultee, and who has none of the legal, administrative or professional accountability for the services performed or for the welfare of the client/patient/consumer.

b. Public announcement of services and fees, and contact with the lay or professional community shall be offered only by or in the name of the supervising psychologist. Titles of bonafide applicants must clearly indicate their supervised status.

c. Users of the bonafide applicant's services shall be informed as to his/her status, and shall be given specific information as to his/her qualifications and functions.

d. Clients/patients/consumers shall be informed that they may meet with the supervising psychologist at their, the service provider's or the supervisor's request.

e. Setting and receipt of fee shall remain the sole domain of the employing agency or supervising psychologist.

f. All written reports and communications shall be countersigned as "Reviewed and Approved" by the supervising Psychologist.

g. The supervisor shall establish and maintain a level of supervisory contact consistent with established professional standards, and be fully accountable in the event that professional, ethical, or legal issues are raised.

h. An ongoing record of supervision shall be maintained which details the types of activities in which the bonafide applicant is engaged, the level of competence in each, and the type and outcome of all procedures.

i. Supervision Report Forms from the supervising Psychologist shall be mandatory during the period of time the Bonafide Applicant is practicing psychology without a license. These reports shall be the joint responsibility of the supervisor and the supervisee. These reports shall be due on a quarterly basis, with a minimum of one report made available to the Board prior to the Oral Interview/Examination. These reports will be reviewed by the Credentials Review Committee of the Board. Review responses shall be given to the supervisor and supervisee as necessary to assure that the Rules and Regulations of this Board are fulfilled.

4. Supervision of Licensed Professionals Who Are Expanding Their Statement of Intent To Practice Psychology.

a. Licensed individuals may expand their Statements of Intent to practice psychology in the State of Arkansas as they are involved in approved continuing education, formal educational and academic training, or further supervised practice.

b. Supervision of those who wish to expand their Statement of Intent must meet all general requirements of supervision as set forth in the appropriate sections of this document.

c. Credentialing for expansion of the Statement of Intent to practice psychology must meet the credentialing requirements of the Credentials Review Committee which are set forth in the application process.

E. JUDICIAL REVIEW: Failure of the supervisee or supervisor in the supervisory relationship to comply with these requirements and responsibilities shall be subject to judicial review by the Board and subject to regulatory action as per Section 10 of Act 129 of 1955.

2.6 Effective Communication. The psychologist or psychological examiner providing therapeutic services must maintainaa relationship with a qualified physician or psychiatrist for the diagnosis and/or treatment of medical problems.

SECTION 3. USE OF TITLE (Act 129, Section 3)

3.1 Licensure Requirement. Any individual representing him/herself to the public by any title incorporating "psychology", "psychologist", or "psychological", or any title which, by implication, is associated with the practice of psychology, and who holds no valid license to practice psychology, shall be subject to regulatory and/or judicial action by the Board as described in Act 129.

3.2 Students/Trainees. Students participating in a recognized training program in the practice of psychology shall clearly indicate this training status with descriptive terms such as "intern" or "trainee". Without such qualifying terms, they shall not hold themselves out, through the use of title or implication, as qualified to practice psychology. Violations of use of title or implication by students shall be handled by the Board through regulatory and judicial action in accordance with Act 129. A student is defined as an individual participating in a recognized training program which has an integrated and organized sequence of graduate level coursework in psychology, and whose primary identification is that of student.

SECTION 4. BOARD OF EXAMINERS (Act 129, Section 4)

4.1 Length of Term. Board members shall cease formal function on December 31st of the final year of the five (5) year term, but may provide non-voting consultation to the Board until such time as the new member is appointed by the Govenor and begins formal responsibilities.

4.2 Conflict of Interest. Since the Arkansas Psychological Association is the professional body which nominates for Board positions, the Board hereby recognizes the potential for conflict of interest between professional issues and duties, and the duties of the Board as representatives of the people of the State of Arkansas. Therefore, no Board member shall hold major office of the Arkansas Psychological Association during his/her term on the Board. Board members, however, do have the right to function as committee members or serve in ex-officio capacities to the Arkansas Psychological Association during their term of office.

SECTION 5. OATH OF OFFICE ISSUES (Act 129, Section 5)

5.1 Revenues. Revenues generated by fees shall constitute the income of the Board.

5.2 Meetings. Meetings shall be held as often as necessary to perform prescribed duties.

5.3 Rules and Regulations. Rules and Regulations shall be adopted as necessary to define the role of the Board and facilitate the performance of its duties to the people of the State of Arkansas.

5.4 Quorum. Three (3) members shall constitute a quorum for the conduct of business.

5.5 Assistants. Assistants may be hired by the Board, as deemed necessary and within the bounds of existing revenue.

5.6 Grants. The Board may accept grants from foundations or institutions as deemed necessary by the Board to assist in the fiscal responsibilities.

SECTION 6. QUALIFICATIONS OF APPLICANTS FOR LICENSURE (Act 129, Section 6)

6.1 Rule of Procedure. The Board shall establish specific and defined educational, experiential, and professional requirements for licensure to practice psychology. These qualifications are seen to comply with minimum standard practices in the field of psychology and to represent the minimum level of skill and experience necessary for an individual to practice psychology in the State of Arkansas.

6.2 Requirements for Licensure as a Psychological Examiner.

A. Two (2) character references which attest to the applicant's moral character.
B. A master's degree in psychology from an institution which the Board recognizes as maintaining satisfactory standards and is accredited by the region in which it provides academic training. The program of study must meet the minimum requirements set out in Section D which follows.
C. The equivalent of a master's degree in psychology shall be considered by the Board for applicants who have graduated from an institution which meets the academic and regional accreditation standards if the applicant holds a master's degree in a related discipline. The program of study must:
   1. Have an integrated and organized sequence of coursework in psychology.
   2. Stand as recognizable, coherent, organizational entity within the institution.
   3. Have an identifiable body of students who are matriculated in that program for a degree, must include supervised practicum, internship, field or laboratory training appropriate to the practice of psychology. The applicant who holds a degree in a related discipline as per above must meet minimum academic requirements which represent the science of psychology as set forth in Section D.

D. ACADEMIC COURSE REQUIREMENTS:
   1. Thirty (30) graduate semester hours (or forty-five (45) graduate quarter hours) in the Department of Psychology. If taught in a department other than psychology, the courses must have been taught by a qualified psychologist, defined as an individual who is doctoral level and meets at least one of the following criteria:
      a. Member or fellow of APA
      b. Licensed or certified psychologist
      c. Instructor in a graduate department of psychology who holds a joint appointment in a related department.
   2. Graduate level coursework in seven (7) of the following general areas of psychological study:
      a. Learning (theories or processes)
      b. Statistics (descriptive and inferential)
      c. Individual Intelligence Testing with Practicum
      d. Individual Personality Appraisal
      e. Behavior Deviation of Abnormal Psychology
      f. Personality Theories
      g. Developmental Psychology
      h. Psychotherapy Theories & Techniques
      i. Social Psychology
      j. Industrial/Organizational Psychology
      k. Research Design
      l. Behavior Theory or Techniques of Behavior Modification

m. History and Systems of Psychology
n. Physiological Psychology or Sensation and Perception
o. Educational Psychology (to include mental retardation, learning disabilities, school psychology, etc.)

3. A maximum of two (2) of the above courses may be taken as independent study courses.
4. Fifteen (15) graduate semester hours (22 graduate quarter hours) of the program of study must specifically support the Statement of Intent to practice psychology.

E. A minimum of 500 clock hours of supervised experience directly related to the intended use of the license as defined by the Statement of Intent.

F. Compliance with all requirements stipulated in Act 129, Section 6A, is mandatory.

G. References attesting to ethical and professional behavior and to competence in relevent skill areas must accompany the application. These professional references must include the following:
1. Two (2) references from the institution where the academic work and/or training were obtained, if the degree was granted within the past five (5) years.
2. Two (2) references from professional psychologists who directly supervised the applicant's academic training, practicum, internship, or other supervised experience, or in any other manner have direct knowledge of the applicant's competence.
3. Since applicants select their references, negative letters of professional reference shall cause the Board to view the application with caution, and shall result in consideration of the options described in Section 8.11 of these Rules and Regulations.
4. Members of this Board shall not serve as professional references.

H. Overlap of character and professional references is acceptable, but a minimum of three (3) letters of professional references is required from professional psychologists. A qualified psychologist is defined as doctoral level individuals who meet at least one of the following criteria:
a. A Member or fellow of American Psychological Association
b. A licensed or certified psychologist
c. An instructor in a graduate Department of Psychology

Professional reference letters from individuals who do not meet the above criteria will be considered as character references by the Credentials Review Committee.

I. NO DEGREE: Applicants having no master's degree must have a minimum of forty-five (45) graduate semester hours (or the graduate quarter hour equivalent) in psychology from a regionally accredited institution which offers no master's degree in psychology and is considered by the Board to meet satisfactory academic standards. The program of study must have an integrated and organized sequence of coursework in psychology, must stand as a recognizable, coherant, organizational entity within the institution, must include supervised practicum, internship, field or laboratory training appropriate to the practice of psychology. In addition, to be eligible for consideration for licensure, the applicant must meet all requirements set forth in Section D, parts 2, 3, and 4, and Sections E, F, G, and H above.*

J. CHANGE IN STATUS: Psychological examiners requesting a change in status to psychologist licensure must submit the appropriate application and documentation materials, pay the application fee, and meet all requirements for licensure as a psychologist.

* This section is relevant only to those who prematurely terminated a doctoral level program of study in psychology in an institution which offered no master's degree.

6.3 <u>Requirements for Licensure as a Psychologist</u>.

A. Two (2) references which attest to the applicant's moral character.

B. A doctoral degree in psychology from a regionally accredited institution which is recognized by the Board as maintaining satisfactory standards, such as American Psychological Association approval, or doctoral programs in psychology designated by the National Register of Health Service Providers in Psychology. The graduate program of study must meet the minimum requirements set forth in Section 6.3D which follows.

C. Applicants who hold a doctoral degree in a closely allied field may be considered for licensure if the degree is from a regionally accredited institution which is recognized by the Board as maintaining satisfactory standards. This substantially similar training in a closely allied doctoral program involves the following:
1. Must have an integrated and organized sequence of coursework in psychology.

2. Must stand as a recognizable, coherant, organizational entity within the institution.
3. Must have an identifiable body of students who are matriculated through that program for a degree.
4. Must include supervised practicum, internship, field or laboratory training appropriate to the practice of psychology.

The program of study must meet the minimum requirements set forth in Section 6.3D which follows.

D. ACADEMIC COURSE REQUIREMENTS:
1. Sixty (60) graduate semester hours (90 graduate quarter hours) in the Department of Psychology. If taught in a department other than the Department of Psychology, the coursework must have been taught by a qualified psychologist, who is defined as a doctoral level individual who meets at least one of the following criteria:
   a. A member or fellow of American Psychological Association
   b. A licensed psychologist
   c. An instructor in a Department of Psychology who holds a joint appointment in another department
2. Graduate coursework in seven (7) of the following general areas of psychological study:
   a. Learning (Theories or Processes)
   b. Statistics (Descriptive and Inferential)
   c. Individual Intelligence Testing with Practicum
   d. Individual Personality Appraisal
   e. Behavior Deviation or Abnormal Psychology
   f. Personality Theories
   g. Developmental Psychology
   h. Psychotherapy Theories and Techniques
   i. Social Psychology
   j. Industrial/Organizational Psychology
   k. Research Design
   l. Behavior Theory or Techniques or Behavior Modification
   m. History and Systems of Psychology
   n. Physiological Psychology or Sensation and Perception
   o. Educational Psychology (includes mental retardation, learning disabilities, school psychology, etc.)
3. A maximum of two (2) of the above courses may be taken as independent study courses.
4. Thirty (30) graduate semester hours or forty-five (45) graduate quarter hours of the applicant's program of study must specifically support the Statement of Intent to practice psychology.

E. SUPERVISED EXPERIENCE: The one (1) year of qualified experience stated in Act 129, Section 6, is defined as any one of the following training experiences begun after two (2) years of graduate study:
1. An APA-approved 2000-hour internship which provides training in areas consistent with both the doctoral program of study and the Statement of Intent; or,
2. A 2000-hour internship experience which meets the criteria set forth below; work experience which is not training-oriented, practicums, and clerkships will not satisfy the supervised experience requirements. Applicants utilizing this option are expected to obtain prior approval by the Board of this proposed training experience.
   a. Supervised experience shall be credited only for the professional practice in an organized public or private agency, institution or organization which will provide an opportunity for contact with other disciplines, and an opportunity to utilize a variety of theories and work with a broad range of populations and techniques. The contribution of a minimum of one (1) other discipline, whose expertise is germane, into the evaluation and intervention decisions in professional problem areas is considered a necessary aspect of professional training and experience.
   b. The licensed psychologist who provides supervision for the applicant must have legal, administrative, and professional responsibility for the work of the supervisee. This means that the supervisor must be available to the supervisee at the point of decision making. The supervisor's relationship with the supervisee shall be clearly differentiated from that of consultant, who may be called in at the discretion of the consultee, and who has none of the legal, administrative or professional accountability for the services performed or for the welfare of the client/patient/consumer.
   c. Supervised practice time during which the supervisor deems the supervisee's performance to have been unacceptable shall not

be credited toward the required supervised practice hours.

d. Public announcement of services and fees, and contact with the lay or professional community shall be offered only by or in the name of the supervising psychologist. Titles of the individual gaining supervised experience shall clearly indicate their supervised status.

e. Users of the supervisee's services shall be informed as to the supervisee's status, and shall be given specific information as to his/her qualifications and functions.

f. Clients/patients/consumers shall be informed that they may meet with the supervising psychologist at their, the service provider's, or the supervisor's request.

g. Setting and receipt of fees shall remain the sole domain of the employing agency or supervising psychologist.

h. All written reports and communications shall be countersigned as "Reviewed and Approved" by the supervising psychologist.

i. The supervisor shall establish and maintain a level of supervisory contact consistent with established professional standards, and be fully accountable in the event that professional, ethical, or legal issues are raised.

j. No more than three (3) supervisees (or the equivalent thereof) may be registered for any one supervisor.

k. An ongoing record of supervision shall be maintained which details the types of activities in which the unlicensed individual receiving supervised experience is engaged, the level of competence in each, and the type and outcome of all procedures.

l. Quarterly reports from the supervisor during the supervised experience hours shall be mandatory and shall be the joint responsibility of the supervisor and the supervisee. These reports shall be reviewed by the Credentials Review Committee of the Board and review responses shall be given to the supervisor and the supervisee as necessary to assure that the Rules and Regulations of

this Board are fulfilled during the supervised experience hours.

m. The Board is aware that the supervisory function during supervised experience in the practice and profession of psychology serves a multiplicity of purposes. It provides guidance in administrative issues in the practice setting, it continues and expands education in skills, it offers emotional support, and it provides evaluation for purposes of the supervisee's growth, as well as administrative judgment relative to the supervisee's capacity for autonomous professional functioning. The supervisor assigns work, sets realistic standards for achievement, and offers evaluation of the supervisee's performance. The supervisor offers a perspective on the relationship between the supervisee's assignment, the rest of the agency, and the facilities available outside the agency, in order that the supervisee's diagnostic and intervention and applied skills and procedures are intelligently placed within the context of all of the systems affecting and influencing the recipients of the psychological services. The supervisor must, additionally, deal with the personal characteristics of the supervisee which either enhance or interfere with work efficiency.

n. In view of the above rationale, the Board assigns the primary evaluation of supervised experience to the professional psychologist who has assumed responsibility for the applicant's practice under the supervised experience conditions. The weight of the review findings regarding supervised experience as a requisite to licensure as a professional psychologist will fall on the evaluation report which is given by the supervisor.

OR

3. For practice which is not health service related, i.e., does not provide direct ameliorative services, 2000 hours of supervised training experience consistent with the doctoral program of study and the Statement of Intent to practice psychology.

F. All requirements listed in Act 129, Section 6B, must be met.

G. References attesting to ethical and professional behavior and to competence in relevant skill areas must meet the requirements as set forth in Section 6.2G and H.

6.4 Application Procedures for Licensure (All Applicants).

A. INQUIRIES: Application inquiries and completed application forms shall be submitted to the administrative staff of the Board.

B. APPLICATION PACKAGE: Upon request and payment of the application materials fee, the administrative staff shall provide the applicant with the application packet approved by the Board.

C. COMPLETE APPLICATION: In order for the application to be considered complete, the applicant's file must contain all requested documentation, information, and validation, and the total application fee must be paid. The Credentials Review Committee will not review an application until it is complete.

D. CLARIFICATION: The coursework required in Sections 6.2 and/or 6.3 must be documented in the application. If necessary, clarifying documents must be submitted which describe the pertinent content of courses. Such documents may include the university catalog, a letter from the instructor, or a copy of the course outline. For courses taught outside a Department of Psychology, the instructor's credentials must be verified as per Sections 6.2D1 or 6.3D1.

E. IDENTIFICATION: The applicant shall submit a recent, signed wallet-size photograph for identification purposes.

F. BONAFIDE APPLICANT STATUS:

1. ONLY bonafide applicants may practice psychology in the State of Arkansas without holding a valid and current license, except as discussed in Section 7. Bonafide applicants may practice psychology under the supervision of a qualified psychologist and under the regulations established for supervision of bonafide applicants (Section 2.5D3). Any other persons practicing psychology or holding themselves out to practice psychology by title or implication shall be subject to judicial review under the regulations of Act 129.
2. The applicant shall be considered a bonafide applicant when the Credentials Review Committee approves all application materials and admits

the applicant to the next scheduled written examination. Upon receiving bonafide applicant status, an applicant will be notified by the Board of that status.
3. Bonafide applicants may not practice psychology in independent private practice. They may practice only in an organized public or private agency, institution, or organization in-house with their supervisor.

G. DECISION REGARDING APPLICATION: An unanimous vote of the Credentials Review Committee will be held as evidence that the applicant has qualified for bonafide applicant status. If the vote of the Committee is not unanimous, the application under review shall be submitted to the full Board for review. An affirmative vote of a majority of the Board shall be held as evidence that the applicant has been assigned bonafide applicant status and has been admitted to the next scheduled written and/or oral examination.

H. NOTIFICATION OF STATUS: Following review by the Credentials Review Committee, the applicant shall be notified by the administrative staff of the status of the application.

I. COLLATERAL NOTIFICATION: Upon completion of the application process, the administrative staff shall, at the request of the applicant, notify prospective employers or current employers of the applicant's status.

J. GRACE PERIOD: Applicants have up to a twelve (12) month grace period to practice psychology under qualified supervision beginning with notification of bonafide applicant status. The grace period allows a bonafide applicant to complete the written and oral examinations and obtain licensure, while involved in supervised practice in the profession of psychology. Any applicant who continues to practice psychology beyond the approved grace period and has not obtained a license during this period of time, shall be notified that the practice is in violation of Act 129, Section 7, and shall be subject to formal legal action. A bonafide applicant who is completing the written and oral examinations has been credentialled and approved by the Board for supervised practice.

SECTION 7. PRACTICE WITHOUT LICENSE PROHIBITED (Act 129, Section 7)

7.1 Rule of Procedure. When the Board is made aware of a violation or possible violation of Section 7 of Act 129, a registered letter with return receipt requested shall be mailed to the individual in question, calling to his/her attention the pertinent aspects of the law and the Rules and Regulations of the Board. If the individual continues the verified illegal practice, the information shall be forwarded to the appropriate law enforcement authorities for legal action.

7.2 Rule of Procedure. Psychology students, psychological interns, and others preparing for the profession of psychology are defined as those who are rendering services, defined in Section 2, as part of their training in an integrated, organized sequence of graduate level coursework which may be reimbursed by stipend or clerkship, but may not be reimbursed on a fee-for-service basis.

7.3 Rule of Procedure. Individuals associated with industrial or business firms or corporations who sell or offer to the public or to other firms or corporations for remuneration any psychological services as specified in Section 2 of Act 129, must be licensed at either the master's or doctoral level of professional practice under the Rules and Regulations of the Board.

SECTION 8. EXAMINATION OF APPLICATIONS (Act 129, Section 8)

8.1 Rule of Procedure. Examination of applicants includes formal examination of academic, personal, and experience credentials, written examination, and oral interview/examination. This multilevel examination procedure is designed to screen applicants for the practice of psychology in the State of Arkansas so that the public of the State is protected according to the law under which the Board is obligated to function. Further, it is for the purpose of assuring that applicants for licensure in the profession of psychology meet the minimum standards for the professional practice of psychology.

8.2 Admission to Written Examination. Any applicant whose credentials have been approved by either the Credentials Review Committee or the full Board, shall, upon receipt of the examination fee, be admitted to the written examination.

8.3 Rule of Procedure - Written Examination. The Board has adopted a written examination, utilized to assess the applicant's range of knowledge of recognized psychological principles and techniques and knowledge of the ethics of the profession of psychology. The cost of the examination to the applicant is the cumulative cost to the Board: the examination fee plus an administrative charge. This fee is subject to change.

8.4 Rule of Procedure - Frequency of Examination. The written examination will be offered no less than twice a year

at approximately six-month intervals.

8.5 Rule of Procedure - Notification of Results. The applicant shall be notified of the results of the examination. His/her score, the national mean, and the Board's cut-off score shall reflect a "pass" or "no pass" statement for the level of practice for which the applicant is applying.

8.6 Rule of Procedure - Pass. All applicants who pass the written examination shall take a final oral interview/examination which shall be conducted within six to eight weeks after test results are received by the Board.

8.7 Rule of Procedure - No Pass.

A. PSYCHOLOGIST APPLICANTS: Psychologist applicants who have failed to pass the written examination at the psychologist cutoff point, but whose scores have exceeded the psychological examiner cutoff point, may petition the Board for licensure at the psychological examiner level.

B. PETITION FOR EXTENSION: In the case of an applicant who fails to pass the written examination, the applicant must formally request, in writing, of the Board an extension of time to practice psychology under qualified supervision. The Board shall determine whether this request is granted or refused.

C. MULTIPLE NO-PASS:
   1. Failure to pass the written examination two (2) consecutive administrations indicates to the Board that the applicant has been unable to demonstrate a sufficient range of knowledge of recognized psychological principles and techniques, and knowledge of the ethics of the profession of psychology.
   2. Two (2) failures of the written examination will result in the applicant being denied the privilege of practicing psychology under supervision as an unlicensed person.

8.8 Handicapped Applicants. An applicant shall be given the option of an alternative examination, if the Board determines that the applicant would be unable, due to physical handicap, to take the standard written examination. Applicants must petition the Board for alternative methods of evaluation. An alternative method of examination shall be utilized by the Board in order to assure each applicant's right to examination of that applicant's knowledge of the field of psychology and the ethics of the profession of psychology.

8.9 Additional Written Examination. The Arkansas Board of Examiners in Psychology reserves the option to utilize additional written examinations to allow applicants to demonstrate their range of understanding of principles, techniques, statutes, and ethical concerns which relate to the intended practice of psychology within the State of Arkansas.

8.10 Oral Interview/Examination. According to Act 129, the Board utilizes a formal oral interview/evaluation to complement the written examination to provide a comprehensive evaluation of an applicant's knowledge of the field and practice of psychology, Arkansas statutes which regulate the practice of psychology, and professional ethics. The Arkansas Board of Examiners in Psychology is charged by law with the task of examining candidates for licensure, which is designed to assure the public that those who receive a license from the State possess at least the minimal knowledge and skills which will allow them to adequately and professionally serve the public.

A. A passing score on the written examination shall be held in evidence that the applicant has qualified for admission to the oral interview/examination. The applicant shall be notified of a scheduled time for the examination. Failure to be present for the examination may result in a six-month delay before rescheduling can occur. In unusual circumstances, the Board may, at its option, grant a "grace" extension during which the applicant may practice psychology under qualified supervision. Those applicants who have not been granted a grace period, and who are continuing to practice psychology without a license, shall be subject to regulatory action by the Board.
B. The oral interview/examination is utilized by the Board to examine any credentials of an applicant which may be in question, to define any areas the applicant may fail to meet, to the Board's satisfaction, the minimum requirements for licensure, and to assure the Board that the individual is credentialled for the practice of psychology in the State of Arkansas. This examination may include but is not limited to the following: questions related to the ethics of the profession of psychology, the applicant's Statement of Intent to practice psychology, any area which investigates the applicant's use of title, supervisory requirements, any work sample which may be requested, the applicant's knowledge of the field of psychology and Arkansas statutes regulating the practice of psychology.

C. Should the Board be of the opinion that the oral interview/examination leaves unresolved questions, or if it is determined that the candidate does not possess the judgment and skills necessary for the Board to assure the public of their basic competency, the reasons for this determination by the Board shall be cogent, objective, and formalized.
D. Under the above circumstances, the Board may require any or all of the following:
   1. Additional work samples
   2. Clarification of the Statement of Intent
   3. Additional letters of professional reference
   4. Additional supervised experience
   5. Additional academic work
   6. Other evidence deemed necessary to satisfy the Board as to the Applicant's qualifications and competence to practice psychology as defined by Act 129.
E. ORAL INTERVIEW/EVALUATION: Oral interview/evaluations will be held no less than two (2) times per year.

8.11 Rule of Procedure - Statement of Intent. Since Act 129 of 1955 is a generic licensure law and does not involve specialty licensure in the State of Arkansas, the Statement of Intent is utilized by the Board to define and limit the applicant's practice of psychology to those areas in which the applicant has academic training and supervised experience, as per the Ethical Principles of Psychologists. The Statement of Intent shall reflect the proposed application of skills and abilities in the practice of psychology, populations served, and settings in which services are rendered and specific professional limitations. The Board's evaluation of the Statement of Intent shall assure that the applicant has sufficient academic training, supervised experience, skills, abilities, and knowledge of the profession of psychology to practice under the Statement of Intent.

A. After licensure, the Statement of Intent shall clearly identify the practice of psychology in which the Psychologist or Psychological Examiner is currently involved. Licensed professionals are responsible for assuring that the Statement of Intent filed with the Board reflects their current practice.
B. The licensee who desires to alter the scope of practice approved by the Statement of Intent to practice, must petition to revise that Statement of Intent to practice. Documentation of educational experiences must be provided to justify the requested revision.

C. Any practice of psychology that is not consistent with approved Statement of Intent to Practice, and not provided under qualified supervision, is in violation of Act 129.

8.12 Rule of Procedure - Continuing Education. Consistent with the Ethical Principals of Psychologists, licentiates shall be responsible for assuring their continuing education in the profession of psychology. Often continuing education is a basis for the expansion of the Statement of Intent to practice psychology in the State of Arkansas.

A. The Board has not defined a minimum amount of continuing education for licentiates. The Board reserves the right to define at a future time a minimum number of continuing education hours and/or credits which would be required in order to maintain one's license.
B. Although there is presently no requirement for a minimum amount of continuing education, the Board strongly advises all licentiates to keep a record of their continuing education on file with the Board.

SECTION 9. LICENSURE UNDER SPECIAL CONDITIONS (Act 129, Section 9)

9.1 Reciprocity. The Board has not established a reciprocal agreement with any state, territory, province, or the District of Columbia. The Board shall consider applicants on an individual basis, and assure that applicants meet those requirements for application and licensure heretofore set forth in these Rules and Regulations.

9.2 Acceptance of Written Examination Scores. Should an applicant meet all requirements for application for licensure in the State of Arkansas, the Board shall accept written examination scores of examinations administered elsewhere if the score meets or exceeds the cutoff point for the State of Arkansas at the time of the examination. It is the responsibility of the applicant to furnish the Board,via the State Board which administered the examination or other acceptable score registration agency, the form of the written examination, statistical data for the national mean and standard deviation, and the applicant's individual score on that examination.

SECTION 10. SUSPENSION, REFUSAL OR REVOCATION OF LICENSURE (Act 129, Section 10)

10.1 Rule of Procedure. Individuals who have gained skills in the area of psychology and in the practice of psychology have a right to free trade within these United States, unless

judged incapable of carrying forth these practices. The Board utilizes a habilitation and rehabilitation approach to the judicial functions assigned to it by Act 129. Individuals shall be given the opportunity to correct errors, achieve a higher level of skills, achieve expanded knowledge in the field of psychology, and otherwise prepare for the practice of psychology within the bounds of Act 129 and the Rules and Regulations of the Board.

10.2 Suspension. Should be Board suspend the license of an individual, that individual shall be given a specific period of time of license suspension. The Board shall establish, with the individual, a plan of action which assures that ethical and professional principles shall not be violated in the re-established practice of that individual.

10.3 Refusal. Should the Board refuse to license any individual, on the basis of any factors listed in Act 129, Section 10, a habilitation plan shall be developed whereby successful completion shall permit re-application.

10.4 Revocation. Should the Board revoke a license of any individual on the basis of factors listed in Act 129, Section 10, the individual may apply for reinstatement according to Section 6 of these Rules and Regulations.

10.5 Basis of Suspension, Refusal, or Revocation. The Board may suspend, refuse, or revoke a license based upon the following:

A. The employment of fraud of deception in applying for a license or in passing the examination(s) provided for in Act 129.
B. Conviction of a felony.
C. The practice of psychology under a false or assumed name or the impersonation of another practicioner of a like or different name.
D. Habitual intemperance in the use of ardent spirits, narcotics, or stimulants to such an extent as to incapacitate him/her for the performance of his/her duties.
E. Violation of Medical Practices Act.
F. Practice of a level of psychology inappropriate to the particular license held by the licentiate.
G. Ethical violations, upon recommendation of the American Psychological Association or the Arkansas Psychological Association.
H. Negligent or wrongful actions in the performance of his /her duties such as, but not limited to, violation of standards of supervision, providing services outside of Statement of Intent to practice, etc.

SECTION 11. SUSPENSION, REFUSAL, OR REVOCATION OF LICENSE: JUDICIAL REVIEW (Act 129, Section 11)

11.1 Rule of Procedure. Procedures for judicial review shall be in accordance with the Administrative Procedure Act (Act 434 of 1967).

11.2 Rule of Procedure. The Board may not recommend suspension or revocation of licensure or refuse to issue or to renew any certificate for any cause listed herein, unless the person accused has been given at least 20 days notice in requested writing by registered mail, with return receipt demanded, of the charges against him/her and a public hearing of the Board. The written notice shall be mailed to the person's last known address, but the non-appearance of the person shall not prevent such a hearing.

11.3 Rule of Procedure. In the event of a public hearing, the Board may administer oath and procure by its subpoenaes the attendance of witnesses and the production of relevant books and papers.

SECTION 12. FEES (Act 129, Section 12)

12.1 Rule of Procedure. License fees shall be set by the Board and shall reflect actual and projected costs of the administration of the board.

12.2 Rule of Procedure. Fee increases shall never be retroactive.

12.3 Application Fee. The Board shall charge an application fee of any applicant for licensure. A materials fee shall be charged in order for an applicant to receive the application package. The balance of the application fee must be paid for review of the application by the Credentials Review Committee.

12.4 Testing Fee. The Board shall charge an administrative fee in addition to the fee required for the national written examination; this cumulative fee must be received by the Board before an applicant will be scheduled for the national written examination.

12.5 License Fee. The Board shall charge a license registration fee for all individuals approved for licensure. The fee must be received by the Board prior to date of licensure.

12.6 Temporary Permit Fee. The Board shall charge a fee for supervised practice as a Bonafide Applicant. This fee is renewable consistent with extensions of time for practice and is due upon approval by the Board.

12.7 Renewal Fee. The Board shall charge an annual renewal fee consistent with Section 15 of Act 129.

12.8 Delinquent Payment of Renewal Fee. The Board shall charge a fee for renewal which is delinquent. This fee is due prior to renewal of license to practice psychology.

12.9 Administrative Fees. The Board shall charge administrative fees which are considered necessary in the performance of the Board's duties. Service charge on return check, xeroxing fee, etc. will be assessed as appropriate.

SECTION 13. ISSUANCE OF LICENSE (Act 129, Section 13)

13.1 Licenses shall be issued as per Act 129, Section 13.

SECTION 14. REVIEW OF BOARD RULINGS (Act 129, Section 14)

14.1 Board Function. Should an individual seek review of Board rulings by the courts of this State, the Board, shall, at that point in time, perform as a prosecuting body and shall no longer hold judicial responsibilities as held in Act 129, Section 11.

14.2 Fiscal Responsibilities. Should an individual seek review of Board rulings by the courts of this State, the Board shall have no responsibility for legal or court costs, and shall bear no individual responsibility for restitution to that individual.

14.3 Rule of Procedure. Review of Board rulings are regulated by the Administrative Procedure Act.

SECTION 15. ANNUAL REGISTRATION (Act 129, Section 15)

15.1 Fee. An annual registration fee shall be set by the Board. This fee is subject to change.

15.2 Annual Renewal. The Board has established that annual renewal fees for licensure are due on or before July 1 of each calendar year. Should the annual renewal time be changed, prior notification will be given to all individuals who have been licensed under Act 129.

15.3 Penalty/Reinstatement. Failure to pay the registration fee shall result, without hearing or notice, in automatic suspension of license to practice as long as the fee is delinquent. Reinstatement of suspended license shall automatically occur at the time the registration fee is paid.

15.4 Cancellation of License. Failure to pay the registration fee for three (3) consecutive years shall result, without hearing or notice, in cancellation of license. Reinstatement of cancelled license will be based upon the application process described in Section 6 of these Rules.

SECTION 16. PRIVILEDGED COMMUNICATIONS (Act 129, Section 16)

16.1 The confidential relations and communications between licensed psychologist or psychological examiner and client are placed upon the same basis as those provided by law between attorney and client.

16.2 Nothing in these Rules and Regulations shall be construed to require any such privileged communicaiton to be disclosed.

SECTION 17. CODE OF ETHICS (Act 129, Section 17)

17.1 Rule of Procedure. The Board of Examiners in Psychology shall adopt the Ethical Principles of Psychologists of the American Psychological Association as the standard by which appropriate professional practices are determined. (Attachment A)

17.2 Rule of Procedure. The Ethical Principles of Psychologists are filed with the Secretary of State within 30 days prior to the effective date of this code. Any version of these Ethical Principles which is replaced by a more recent version shall be considered null and void.

17.3 Rule of Procedure. Incorporated in the Ethical Principles of Psychologists is the Standards for Providers of Psychological Services, which is considered by this Board to be a part of the professions' code of ethics. (Attachment B)

SECTION 18. SEVERABLE PROVISIONS OF THESE RULES AND REGULATIONS (Act 129, Section 18)

18.1 Rule of Procedure. Each and every rule and regulation contained herein shall be construed as severable from each other rule and regulation, and the lack of constitutionality of any part, as determined by a court of this State, shall not invalidate any other part.

18.2 Rule of Procedure. The Board shall have authority to rectify any error of interpretation, judgment, decision, or policy which fails to adhere to the bounds of Act 129 or to the Rules and Regulations of the Board without invalidating any other portion of the Rules and Regulations.

18.3 Rule of Procedure. In the case of Board error, any

individual judged inaccurately under that error shall be notified, and correction shall be made to any individual affected by that error.

18.4 Rule of Procedure. Any rule, regulation, or policy of the Board which is found to be in error, shall be automatically and immediately corrected, and notificaiton of just cause shall be given to the appropriate governmental body requesting that the rule or regulation be invalidated, and the appropriate rule or regulation substituted.

SECTION 19. INTENTION (Act 129, Section 19)

19.1 Rule of Procedure. It is intended that the provision of these Rules and Regulations be in accordance with and consistent with the Medical Practices Act.

19.2 Rule of Procedure. It is intended that the practice of psychology as prescribed in these Rules and Regulations does not infringe on the practice of medicine.

SECTION 20. EFFECTIVE DATE (Act 129, Section 20)

20.1 These Rules and Regulations shall take effect and be in force from the ____ day of ____________, 19___.

20.2 All Rules and Regulations of the Board in conflict herewith are hereby repealed.

APPROVED: ____________________
Date

FILED WITH SECRETARY OF STATE: ____________________
Date

DISTRIBUTED TO CIRCUIT COURTS IN THE STATE OF ARKANSAS:

____
Date

____
Signature of Board Chairman