



## STATE OF WISCONSIN

Department of Safety and Professional Services  
1400 E Washington Ave.  
Madison WI 53703

**Governor Scott Walker**

**Secretary Dave Ross**

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**PSYCHOLOGY EXAMINING BOARD MEETING**  
**Room 121C, 1400 E. Washington Avenue, Madison WI**  
**Contact: Dan Williams (608) 266-2112**  
**November 5, 2013**

*Notice: The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a description of the actions and deliberations of the Board.*

**9:30 A.M.**

**OPEN SESSION – CALL TO ORDER – ROLL CALL**

- A. Adoption of Agenda (1-4)**
- B. Approval of Meeting Minutes of September 9, 2013 (5-8)**
- C. Administrative Matters – Discussion and Consideration**
  - 1) Staff Update
  - 2) 2014 Board meeting dates **(9-10)**
  - 3) Board member - expiration date
    - a. Rebecca Anderson – 7/1/2014
    - b. Marcus Desmonde – 7/1/2017
    - c. Bruce Erdmann – 7/1/2014
    - d. Daniel Schroeder – 7/1/2015
    - e. Public Member 1: Vacant since 2011
    - f. Public Member 2: Vacant since 2012
- D. Current requirements for licensure – Discussion and Consideration (11-12)**
- E. Licensure process – Discussion and Consideration (13-14)**
- F. Copies of final evaluations for pre doctoral and postdoctoral hours – Discussion and Consideration (15-16)**
- G. Legislation/Administrative Rule Matters – Discussion and Consideration**
  - 1) Rulemaking Order amending PSY 4 relating to continuing education **(17-24)**
    - a) Possible Changes to December 2013 meeting date
  - 2) Temporary licensure **(25-26)**
- H. Informational Matters – Discussion and Consideration**
  - 1) Texas reciprocity inquiry **(27-28)**
- I. Position Statements – Discussion and Consideration (29-34)**

- J.** Items Received **After Preparation** of the Agenda
- 1) Introductions, Announcements and Recognition
  - 2) Administrative Matters
  - 3) Presentations of Petition(s) for Summary Suspension
  - 4) Presentation of Proposed Stipulation(s), Final Decision(s) and Order(s)
  - 5) Presentation of Proposed Final Decision and Order(s)
  - 6) Division of Legal Services and Compliance Matters
  - 7) Education and Examination Matters
  - 8) Credentialing Matters
  - 9) Practice Questions/Issues
  - 10) Legislation/Administrative Rule Matters
  - 11) Liaison Report(s)
  - 12) Speaking Engagement(s), Travel, or Public Relation Request(s)

**K.** Consulting with Legal Counsel

**L.** Public Comments

**CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).**

**M. Monitoring Matters**

- 1) Raymond Lueck, Psy.D. – CE Compliance Review **(35-56)**

**N. Deliberation of Proposed Stipulations Final Decisions and Orders**

- 1) 12 PSY 032 Scott Allen, Psy.D. **(57-62)**

**O. Division of Legal Services and Compliance**

- 1) Case closings
- 2) Case status report

**P. Continuing Education Requests**

- 1) C.W. **(63-220)**
- 2) R.G. **(221-224)**
- 3) S.S. **(225-232)**

**Q. Order Fixing Costs**

- 1) Raymond Lueck, Order0002281 **(233-240)**

**R.** Deliberation of Items Received **After Preparation** of the Agenda

- 1) Application Issues and/or Reviews
- 2) Administrative Warnings
- 3) Orders Fixing Costs/Matters Related to Costs
- 4) Proposed Final Decisions and Orders
- 5) Petitions for Summary Suspension
- 6) Petitions for Re-hearings
- 7) Case Closings
- 8) Education or Examination Matters
- 9) Review Additional Information Requested of Applicants for Licensure
- 10) Oral Interviews of Applicants for Licensure – Final Approval for Licensure
- 11) Review of Applications for Licensure
- 12) Supervision Reviews
- 13) Credential Issues
- 14) Appearances from Requests Received or Renewed
- 15) Motions

**S.** Consulting with Legal Counsel

**RECONVENE INTO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION**

Vote on Items Considered or Deliberated on in Closed Session, If Voting is Appropriate

**T. Board Member and Case Advisor Training**

**ADJOURNMENT**

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**PSYCHOLOGY EXAMINING BOARD  
MEETING MINUTES  
SEPTEMBER 9, 2013**

**PRESENT:** Bruce Erdmann, Ph.D.; Daniel Schroeder, Ph.D.; Rebecca Anderson, Ph.D.; Melissa Westendorf, J.D., Ph.D.

**STAFF:** Dan Williams, Executive Director; Nicholas Tank, Bureau Assistant; and other Department Staff

**CALL TO ORDER**

Bruce Erdmann, Ph.D., Chair, called the meeting to order at 9:41 a.m. A quorum of four (4) members was present at the start of the meeting.

**ADOPTION OF AGENDA**

**MOTION:** Melissa Westendorf moved, seconded by Rebecca Anderson, to adopt the agenda as published. Motion carried unanimously.

**MOTION:** Daniel Schroeder moved, seconded by Melissa Westendorf, to change “Marcus Desmond to Marcus Desmonde” and change the word “Nominated” to “Appointed” under Staff Update ii, update the Staff Update heading to include “(appointment expires)” next to the dates to define what the dates represent, and accept the agenda as amended. Motion carried unanimously.

**APPROVAL OF MEETING MINUTES OF AUGUST 7, 2013**

**MOTION:** Daniel Schroeder moved, seconded by Rebecca Anderson, to approve the minutes of August 7, 2013 as published. Motion carried unanimously.

**LEGISLATION/ADMINISTRATIVE RULE MATTERS**

**MOTION:** Daniel Schroeder moved, seconded by Rebecca Anderson, to address at the next board meeting as an agenda item for board discussion, the creation of a checklist for application review. Motion carried unanimously.

**MOTION:** Daniel Schroeder moved, seconded by Rebecca Anderson, to address at the next board meeting as an agenda item for board discussion, to review the current requirements for licensure and those proposed by organizations such as the APA and ASPPB. Motion carried unanimously.

## INFORMATIONAL MATTERS

**MOTION:** Rebecca Anderson moved, seconded by Daniel Schroeder, to add an agenda item for next board meeting as it relates to consideration of emergency rule making for temporary licensure to alleviate problems for clinics and the MPSW Joint Board. Motion carried unanimously.

**MOTION:** Melissa Westendorf moved, seconded by Rebecca Anderson, to authorize on behalf of the board Bruce Erdman and Daniel Schroeder to present on supervision and licensure processes at a date to be announced in conjunction with the Wisconsin Psychological Association. Motion carried unanimously.

## POSITION STATEMENTS

**MOTION:** Rebecca Anderson moved, seconded by Daniel Schroeder, to accept the position statements as revised during the Psychology Examining Board meeting. Motion carried unanimously.

## CLOSED SESSION

**MOTION:** Rebecca Anderson moved, seconded by Daniel Schroeder, to convene to closed session pursuant to Wisconsin State statutes 19.85(1)(a)(b)(f) and (g) for the purpose of conducting appearances, reviewing monitoring requests, requests for licensure, deliberate on stipulations, administrative warnings, proposed decisions and orders, consulting with Legal Counsel and Division of Legal Services and Compliance case status reports. Bruce Erdmann, Ph.D. confirms that Bruce Erdmann read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Bruce Erdmann, Ph.D. – yes; Daniel Schroeder, Ph.D. – yes; Rebecca Anderson, Ph.D. – yes; Melissa Westendorf, J.D., Ph.D. – yes. Motion carried unanimously.

The Board convened into Closed Session at 2:36 p.m.

## MONITORING MATTERS

**MOTION:** Melissa Westendorf moved, seconded by Daniel Schroeder, to deny Raymond Lueck's request for Modification to Mentor Requirements. REASON FOR DENIAL: Failure to comply with order. Motion carried unanimously.

**MOTION:** Melissa Westendorf moved, seconded by Daniel Schroeder, to grant Raymond Lueck's request of Modification to the CE Deadline by October 1st 2013. Raymond Lueck must successfully complete and submit proof of all required continuing education requirements cited in order dated February 4th 2013. Respondent is hereby notified that continued failure to comply with the order may result in immediate suspension of his license to practice. Motion carried unanimously.

#### **RECONVENE TO OPEN SESSION**

**MOTION:** Melissa Westendorf moved, seconded by Rebecca Anderson, to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open Session at 3:55 p.m.

#### **VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION**

**MOTION:** Daniel Schroeder moved, seconded by Melissa Westendorf, to affirm all motions made in closed session. Motion carried unanimously.

**MOTION:** Daniel Schroeder moved, seconded by Rebecca Anderson, to send a letter to Melissa Westendorf thanking her for service to the board. Motion carried unanimously.

#### **ADJOURNMENT**

**MOTION:** Melissa Westendorf moved, seconded by Daniel Schroeder, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 3:56 p.m.

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**From:** [Williams, Dan - DSPS](#)  
**To:** [Guidry, Matthew - DSPS](#); [Henes, Sharon - DSPS](#)  
**Subject:** 2014 dates  
**Date:** Thursday, October 31, 2013 9:44:25 AM

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Hello PSY Board members:

At the meeting next week please come prepared with your calendars for 2014.

The number of **rough** dates (7) below are based upon a historical process for the past few years. I am not sure your Board needs this many meeting dates given the change in the process of oral exams, application review, etc. It will be on the agenda for discussion.  
Dan

Feb 5 (Wed)

April 2 (Wed)

May 14 (Wed)

July 8 (Tues) *possible cancel since it is right after July 4th weekend?*

Aug 27 (Wed) *possible cancel as it is the Wed before Labor Day?*

Oct 1 (Wed)

Nov 19 (Wed)

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**State of Wisconsin  
Department of Safety  Professional Services**

**AGENDA REQUEST FORM**

<b>1) Name and Title of Person Submitting the Request:</b>  <b>Dan Williams</b>		<b>2) Date When Request Submitted:</b>  Items will be considered late if submitted after 4:30 p.m. and less than: <ul style="list-style-type: none"> <li>▪ 10 work days before the meeting for Medical Board</li> <li>▪ 14 work days before the meeting for all others</li> </ul>	
<b>3) Name of Board, Committee, Council, Sections:</b>  <b>WI Psychology Examining Board</b>			
<b>4) Meeting Date:</b>  <b>11/5/13</b>	<b>5) Attachments:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	<b>6) How should the item be titled on the agenda page?</b>  <b>Current requirements for licensure – Discussion and Consideration</b>	
<b>7) Place Item in:</b> <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	<b>8) Is an appearance before the Board being scheduled? If yes, who is appearing?</b>  <input type="checkbox"/> Yes by <input checked="" type="checkbox"/> No	<b>9) Name of Case Advisor(s), if required:</b>  N/A	
<b>10) Describe the issue and action that should be addressed:</b>  <ul style="list-style-type: none"> <li>• Request from the last Board meeting was for Pam Stach to make a checklist for application review and provide information on the current requirements of licensure and those proposed by organizations such as the APA and ASPPB.</li> <li>•</li> </ul>			
<b>11) Authorization</b>			
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)    Date			
<b>Directions for including supporting documents:</b> 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Board Services Bureau Director. 3. If necessary, Provide original documents needing Board Chairperson signature to the Executive Assistant prior to the start of a meeting.			

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<b>4) Meeting Date:</b>  <b>11/5/13</b>	<b>5) Attachments:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	<b>6) How should the item be titled on the agenda page?</b>  <b>Licensure process – Discussion and Consideration</b>	
<b>7) Place Item in:</b> <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	<b>8) Is an appearance before the Board being scheduled? If yes, who is appearing?</b>  <input type="checkbox"/> Yes by <input checked="" type="checkbox"/> No	<b>9) Name of Case Advisor(s), if required:</b>  N/A	
<b>10) Describe the issue and action that should be addressed:</b>  Dear Ph.D:  The board would like to remind you that psychologists practice independently only within the range of their competence. Since Industrial/Organizational psychology is a specialty with its own educational requirements (see: <a href="http://www.apa.org/ed/graduate/specialize/industrial.aspx">http://www.apa.org/ed/graduate/specialize/industrial.aspx</a> ), you may need additional education to pursue this area of practice. Given your description of your activities in the VA, however, they clearly fall within the scope of practice for a clinical psychologist. <p style="text-align: center;">•</p>			
<b>11) Authorization</b>			
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)			
Date			
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3) Name of Board, Committee, Council, Sections:  <b>WI Psychology Examining Board</b>			
4) Meeting Date:  <b>11/5/13</b>	5) Attachments: <input type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page?  <b>Copies of final evaluations for pre doctoral and postdoctoral hours – Discussion and Consideration</b>	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	8) Is an appearance before the Board being scheduled? If yes, who is appearing?  <input type="checkbox"/> Yes by <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:  N/A	
10) Describe the issue and action that should be addressed:  <b>Inquiry from Dr. Erdmann:</b> <b>Nowhere in the instructions is there a statement about needing copies of final evaluations for predoctoral and postdoctoral hours. There is a check-box on the supervisor attestation form that states “I am including copies of all final evaluations for this applicant”. This box is frequently not checked. The question is whether this is something the Board should require and if so, shall a change be made to the instructions?</b> <p style="text-align: center;">•</p>			
11) <b>Authorization</b>			
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)    Date			
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**AGENDA REQUEST FORM**

<b>1) Name and Title of Person Submitting the Request:</b>  <b>Sharon Henes</b> <b>Administrative Rules Coordinator</b>		<b>2) Date When Request Submitted:</b>  Items will be considered late if submitted after 4:30 p.m. and less than: <ul style="list-style-type: none"> <li>▪ 10 work days before the meeting for Medical Board</li> <li>▪ 14 work days before the meeting for all others</li> </ul>	
<b>3) Name of Board, Committee, Council, Sections:</b> Psychology Examining Board			
<b>4) Meeting Date:</b>  5 November 2013	<b>5) Attachments:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>6) How should the item be titled on the agenda page?</b> Legislative/Rulemaking – Discussion and Consideration  1. Rulemaking Order amending PSY 4 relating to continuing education	
<b>7) Place Item in:</b> <input type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	<b>8) Is an appearance before the Board being scheduled? If yes, who is appearing?</b>  <input type="checkbox"/> Yes by _____ (name)  <input type="checkbox"/> No	<b>9) Name of Case Advisor(s), if required:</b>	
<b>10) Describe the issue and action that should be addressed:</b>			
<b>11) Authorization</b>			
<i>Sharon Henes</i>		<i>29 October 2013</i>	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Bureau Director signature (indicates approval to add post agenda deadline item to agenda)		Date	
<b>Directions for including supporting documents:</b> <ol style="list-style-type: none"> <li>1. This form should be attached to any documents submitted to the agenda.</li> <li>2. Post Agenda Deadline items must be authorized by a Supervisor and the Board Services Bureau Director.</li> <li>3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.</li> </ol>			

## Continuing Education and Requirements for Renewal

**Psy 4.015 Definitions.** In this chapter:

- (1) “Continuing education hour” or “ceh” means a period of continuing education consisting of not less than 50 minutes.
- (2) “Risk management” means content containing one or more of the following:
  - (a) Recognizing the major elements of disciplinary complaints and malpractice suits.
  - (b) Identify situations that present the greatest risk to practitioners, both now and in the future.
  - (c) Implement a system of specific procedural strategies that will reduce the risk of malpractice actions and disciplinary complaints.
  - (d) Recognize essential information about laws governing therapeutic confidentiality and its exceptions.
  - (e) Implement an effective system of providing informed consent to clients
  - (f) Determine how and when to consult with others to reduce the risk of malpractice and disciplinary complaints.

**Psy 4.02 Requirements for Renewal.** (1) Unless granted a postponement or waiver under s. 4.04 every licensee shall complete at least 40 board approved continuing education hours in each biennial registration period, as specified in s. 455.06, Stats.

- (a) A minimum of six hours of the required 40 continuing education hours shall be in ethics, risk management or jurisprudence.
- (b) Continuing education hours completed in the topics of suicide prevention or supervision shall be counted as 1.5 times the numbers of continuing education hours.
- (2) Continuing education hours may apply only to the registration period in which the hours are acquired. If a license has been allowed to lapse, the board may grant permission to apply continuing education hours acquired after lapse of the license to a previous biennial period of licensure during which required continuing education was not acquired. In no case may continuing education hours be applied to more than one biennial period.
- (3) During the time between initial licensure and commencement of a full 2–year licensure period new licensees shall not be required to meet continuing education requirements.
- (4) Applicants from other states applying under s. 455.04 (1) (e) or (4) (f), Stats., shall submit proof of completion of at least 40 board approved continuing education hours within 2 years prior to application.

**Psy 4.03 Approved Continuing education.** (1) The board shall approve all of the following programs and courses if relevant to the professional practice of psychology:

(a) Continuing education programs and courses sponsored or co-sponsored by a presenter approved by one of the following:

1. American Psychological Association or affiliated regional and state associations.
2. National Association of School Psychologists or affiliated associations.
3. Professional associations approved by American Psychological Association as a provider of continuing education.

(b) Educational programs recognized as approved at the time of attendance as “category I” continuing medical education programs by the council on medical education of the American medical association or the American osteopathic association.

(c) Graduate level courses of three credits or more relevant to the professional practice of psychology offered by accredited colleges and universities.

(d) Continuing education courses approved by the psychology licensing board in another state where the participant is also licensed.

(2) Continuing education hours shall be granted for teaching and presenting any of the programs or courses in sub. (1) but no credit will be granted for subsequent presentations of the same material. A teacher or presenter may receive 2 continuing education hours for each hour of presentation.

(3) Continuing education hours shall be granted for the following professional activities:

(a) Serving on the American Psychological Association or affiliated state or regional association board or committee.

(b) Serving on the Psychology Examining Board.

(c) Serving on the National Association of School Psychologists or affiliated state or regional association board or committee.

(d) Serving on the board of committee of a professional association approved by the American Psychological Association as a provider of continuing education.

(4) Continuing education hours shall be granted for first or second authorship relevant to psychology of a book, book chapter or article in peer review journal. Authors may receive 10 continuing education hours.

(5) Continuing education hours shall be granted for board certification recognized by the American Board of Psychology. Licensees who complete board certification shall receive 40

continuing education hours. The ethics, risk management or jurisprudence requirement will not be met unless the board certification process included those topics.

(6) Continuing education hours shall be granted for completion of a master's or doctoral degree in psychopharmacology. Licensees who complete a master's or doctoral degree in psychopharmacology shall receive 40 continuing education hours. The ethics, risk management or jurisprudence requirement will not be met unless the board certification process included those topics.

(7) (a) Continuing education hours shall be granted for in the evaluation of community outpatient mental health programs, as defined in s. 51.01 (3n), Stats., and approved by the department of health services according to rules promulgated under s. 51.42 (7) (b), Stats. Four hours of assistance, including hours expended in necessary training by the department of health services, shall be deemed to equal one continuing education hour for the purposes of this section.

(b) Psychologists wishing to apply for continuing education credit under this subsection shall register in advance with the board, and shall notify the board on forms provided by the board of the dates and the total number of hours in any biennium for which the applicant will be available to provide assistance. The board shall make referrals to the department of health services in the order received pursuant to requests for assistance received by the board from that department.

**Note:** Forms are available upon request to the board office located at 1400 East Washington Avenue, P.O. Box 8935, Madison, WI 53708.

#### **Psy 4.04 Postponement, Waiver and Exemptions**

(a) A licensee may apply to the board for a postponement or waiver of the requirements of this section on grounds of prolonged illness or disability, or on other grounds constituting extreme hardship. The board shall consider each application individually on its merits, and the board may grant a postponement, partial waiver or total waiver as deemed appropriate.

(b) The board may grant an exemption from the requirements of this section to a licensee who certifies to the board that he or she has permanently retired from the active practice of psychology.

(c) A licensee who has been granted an exemption from the requirements of this section based on retirement from the active practice of psychology may not return to the active practice of psychology without submitting evidence satisfactory to the board of having completed at least 40 credits of continuing education for each of the biennia during which the licensee was granted an exemption.

**Psy 4.05 Record Keeping and Audits** (1) A credential holder shall retain for a minimum period of six years and shall make available to the board or its agent upon request the following proof of continuing education:

(a) Certificate of attendance issued by the program issued by the program sponsor. The certificate shall include the name of credential holder, date provider name, hours and title of course.

- (b) Unofficial transcript for graduate level courses or psychopharmacology degree.
  - (c) Documentation of publication
  - (d) Attestation form issued by the organization documenting professional activities.
  - (e) Documentation of board certification.
  - (f) Documentation verifying the dates and number of hours of voluntary, uncompensated services provided in assisting the department of health services
- (2) The board shall conduct a random audit of 10 percent of all licensees on a biennial basis for compliance with continuing education requirements and shall audit any licensee who is under investigation by the board for alleged misconduct.

**Psy 4.06 Renewal of a lapsed license.** Failure to renew a license by September 30 of odd-numbered years shall cause the license to lapse. A licensee who allows the license to lapse may apply to the board for renewal of the license as follows:

- (1) If the licensee applies for renewal of the license less than 5 years after its expiration, the license shall be renewed upon payment of the renewal fee and fulfillment of the continuing education requirements.
- (2) If the licensee applies for renewal of the license more than 5 years after its expiration, the board shall make an inquiry as it finds necessary to determine whether the applicant is competent to practice as a psychologist or private practice school psychologist in this state, and shall impose any reasonable conditions on renewal of the license that the board considers appropriate. An applicant under this subsection is presumed to be competent to practice as a psychologist or private practice school psychologist in this state if at the time of application the applicant is licensed by a similar examining board of another state or territory of the United States or of a foreign country or province whose standards, in the opinion of the board, are equivalent to or higher than the requirements for licensure as a psychologist under s. 455.04 (1),

Stats., or as a private practice school psychologist under s. 455.04 (4), Stats. The examining board shall require each applicant under this subsection to have completed at least 40 hours of continuing education in the biennium preceding the application for renewal and to pass the appropriate examination specified under s. 455.045 (1) (b) or (2) (b), Stats.

## Chapter Psy 4

### REQUIREMENTS FOR RENEWAL

Psy 4.01 Biennial renewal.  
Psy 4.02 Continuing education.

Psy 4.03 Renewal of a lapsed license.

**Psy 4.01 Biennial renewal.** On or before September 30 of the odd-numbered year following issuance of the license, the licensee shall apply for renewal to the department and submit the fee specified in s. 440.08 (2) (a), Stats., and shall meet the continuing education requirements specified in s. Psy 4.02.

**History:** Cr. Register, September, 1991, No. 429, eff. 10-1-91; am. Register, June, 1999, No. 522, eff. 7-1-99.

**Psy 4.02 Continuing education.** (1) REQUIREMENTS FOR CONTINUING EDUCATION. (a) Unless granted a postponement or waiver under par. (g), every licensee shall complete at least 40 hours of board-approved continuing education in each biennial registration period, as specified in s. 455.06, Stats. The board may require that not more than 20 continuing education hours in each biennial registration period be acquired within specified topic areas.

(b) Continuing education hours may apply only to the registration period in which the hours are acquired. If a license has been allowed to lapse, the board may grant permission to apply continuing education hours acquired after lapse of the license to a previous biennial period of licensure during which required continuing education was not acquired. In no case may continuing education hours be applied to more than one biennial period.

(c) To meet the continuing education requirement, a licensee shall submit to the board a certificate of attendance upon the board's request.

(d) Unless granted a postponement or waiver under par. (g), a licensee who fails to meet the continuing education requirements by the renewal deadline shall cease and desist from practice.

(e) During the time between initial licensure and commencement of a full 2-year licensure period new licensees shall not be required to meet continuing education requirements.

(f) Applicants from other states applying under s. 455.04 (1) (e) or (4) (f), Stats., shall submit proof of completion of at least 40 hours of continuing education approved by the board within 2 years prior to application.

(g) A licensee may apply to the board for a postponement or waiver of the requirements of this section on grounds of prolonged illness or disability, or on other grounds constituting extreme hardship. The board shall consider each application individually on its merits, and the board may grant a postponement, partial waiver or total waiver as deemed appropriate.

(h) The board may grant an exemption from the requirements of this section to a licensee who certifies to the board that he or she has permanently retired from the active practice of psychology.

(i) A licensee who has been granted an exemption from the requirements of this section based on retirement from the active practice of psychology may not return to the active practice of psychology without submitting evidence satisfactory to the board of having completed at least 40 credits of continuing education for each of the biennia during which the licensee was granted an exemption.

(2) APPROVAL OF CONTINUING EDUCATION PROGRAMS. The board shall approve all of the following programs and courses if relevant to the professional practice of psychology:

(a) Continuing education programs and courses sponsored or co-sponsored by a presenter approved by the committee for the approval of continuing education sponsors of the American psychological association.

(b) Educational programs recognized as approved at the time of attendance as "category I" continuing medical education programs by the council on medical education of the American medical association or the American osteopathic association.

(c) Graduate level courses or continuing education courses relevant to the professional practice of psychology offered by accredited colleges and universities.

(d) Continuing education courses approved by the psychology licensing board in another state where the participant is also licensed.

(e) Publishing a scholarly book or article in a peer-review journal relevant to psychology.

(3) CREDIT FOR TEACHING AND PRESENTING. Continuing education credit shall be granted for teaching and presenting any of the programs or courses in sub. (2) (a), (b), (c) or (d), but no credit will be granted for subsequent presentations of the same material.

(4) PROOF OF ATTENDANCE AT CONTINUING EDUCATION PROGRAMS. Applicants for renewal shall certify their attendance at required continuing education, but are not required to submit certificates of attendance unless the board requests the applicant to do so. The board shall conduct a random audit of 10 percent of all licensees on a biennial basis for compliance with continuing education requirements, and shall audit any licensee who is under investigation by the board for alleged misconduct.

(5) APPROVAL OF UNCOMPENSATED EVALUATION ASSISTANCE SERVICES. (a) The board shall accept for continuing education credit voluntary, uncompensated services provided by psychologists in assisting the department of health services in the evaluation of community outpatient mental health programs, as defined in s. 51.01 (3n), Stats., and approved by the department of health services according to rules promulgated under s. 51.42 (7) (b), Stats. Four hours of assistance, including hours expended in necessary training by the department of health services, shall be deemed to equal one hour of acceptable continuing education for the purposes of this section.

(b) Psychologists wishing to apply for continuing education credit under this subsection shall register in advance with the board, and shall notify the board on forms provided by the board of the dates and the total number of hours in any biennium for which the applicant will be available to provide assistance. The board shall make referrals to the department of health services in the order received pursuant to requests for assistance received by the board from that department.

**Note:** Forms are available upon request to the board office located at 1400 East Washington Avenue, P.O. Box 8935, Madison, WI 53708.

(6) LIMITATION ON CREDIT. The board may grant no more than 20 hours of credit for uncompensated evaluation assistance services, no more than 20 hours of credit for publishing a scholarly book or article, and no more than 20 hours of credit within any specific continuing education programs.

**History:** Cr. Register, September, 1991, No. 429, eff. 10-1-91; cr. (5), (6), Register, October, 1995, No. 478, eff. 11-1-95; am. (1) (a), (b) and (d), (2) (a) and (3), cr. (1) (g) to (i), (2) (f) and (4), Register, February, 1996, No. 482, eff. 3-1-96; r. (4) (c),

am. (6), Register, December, 1997, No. 504, eff. 1-1-98; corrections in (5) made under s. 13.93 (2m) (b) 6., Stats., Register, December, 1997, No. 504; r. and recr. (2) and (4), r. (3), Register, June, 1999, No. 522, eff. 7-1-99; r. (4) (b), Register, June, 2001, No. 546, eff. 7-1-01; CR 02-124: am. (1) (c), (2) (intro.) and (c), (4) and (6), cr. (2) (e) and (3) Register July 2003 No. 571, eff. 8-1-03; CR 04-021: am. (2) (intro.) and (c) Register July 2004 No. 583, eff. 8-1-04; corrections in (5) (a) made under s. 13.92 (4) (b) 6., Stats., Register March 2013 No. 687.

**Psy 4.03 Renewal of a lapsed license.** Failure to renew a license by September 30 of odd-numbered years shall cause the license to lapse. A licensee who allows the license to lapse may apply to the board for renewal of the license as follows:

(1) If the licensee applies for renewal of the license less than 5 years after its expiration, the license shall be renewed upon payment of the renewal fee and fulfillment of the continuing education requirements.

(2) If the licensee applies for renewal of the license more than 5 years after its expiration, the board shall make an inquiry as it finds necessary to determine whether the applicant is competent to practice as a psychologist or private practice school psycholo-

gist in this state, and shall impose any reasonable conditions on renewal of the license that the board considers appropriate. An applicant under this subsection is presumed to be competent to practice as a psychologist or private practice school psychologist in this state if at the time of application the applicant is licensed by a similar examining board of another state or territory of the United States or of a foreign country or province whose standards, in the opinion of the board, are equivalent to or higher than the requirements for licensure as a psychologist under s. 455.04 (1), Stats., or as a private practice school psychologist under s. 455.04 (4), Stats. The examining board shall require each applicant under this subsection to have completed at least 40 hours of continuing education in the biennium preceding the application for renewal and to pass the appropriate examination specified under s. 455.045 (1) (b) or (2) (b), Stats.

**History:** Cr. Register, September, 1991, No. 429, eff. 10-1-91; am. Register, November, 1992, No. 443, eff. 12-1-92; am. (intro.) and (2), Register, June, 1999, No. 522, eff. 7-1-99; CR 02-124: am. (2) Register July 2003 No. 571, eff. 8-1-03.

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**State of Wisconsin  
Department of Safety  Professional Services**

**AGENDA REQUEST FORM**

<b>1) Name and Title of Person Submitting the Request:</b>  <b>Dan Williams</b>		<b>2) Date When Request Submitted:</b>  Items will be considered late if submitted after 4:30 p.m. and less than: <ul style="list-style-type: none"> <li>▪ 10 work days before the meeting for Medical Board</li> <li>▪ 14 work days before the meeting for all others</li> </ul>	
<b>3) Name of Board, Committee, Council, Sections:</b>  <b>WI Psychology Examining Board</b>			
<b>4) Meeting Date:</b>  <b>11/5/13</b>	<b>5) Attachments:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	<b>6) How should the item be titled on the agenda page?</b>  <b>Temporary licensure – Discussion and Consideration</b>	
<b>7) Place Item in:</b> <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	<b>8) Is an appearance before the Board being scheduled? If yes, who is appearing?</b>  <input type="checkbox"/> Yes by <input checked="" type="checkbox"/> No	<b>9) Name of Case Advisor(s), if required:</b>  N/A	
<b>10) Describe the issue and action that should be addressed:</b>  <ul style="list-style-type: none"> <li>• Rebecca Anderson moved, seconded by Daniel Schroeder, to add an agenda item for next board meeting as it relates to consideration of emergency rule making for temporary licensure to alleviate problems for clinics and the MPSW Joint Board. Motion carried unanimously.</li> </ul>			
<b>11) Authorization</b>			
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)			
Date			
<b>Directions for including supporting documents:</b> 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Board Services Bureau Director. 3. If necessary, Provide original documents needing Board Chairperson signature to the Executive Assistant prior to the start of a meeting.			

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**State of Wisconsin  
Department of Safety  Professional Services**

**AGENDA REQUEST FORM**

<b>1) Name and Title of Person Submitting the Request:</b>  <b>Dan Williams</b>		<b>2) Date When Request Submitted:</b>  Items will be considered late if submitted after 4:30 p.m. and less than: <ul style="list-style-type: none"> <li>▪ 10 work days before the meeting for Medical Board</li> <li>▪ 14 work days before the meeting for all others</li> </ul>	
<b>3) Name of Board, Committee, Council, Sections:</b>  <b>WI Psychology Examining Board</b>			
<b>4) Meeting Date:</b>  <b>11/5/13</b>	<b>5) Attachments:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	<b>6) How should the item be titled on the agenda page?</b>  <b>Texas reciprocity inquiry – Discussion and Consideration</b>	
<b>7) Place Item in:</b> <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	<b>8) Is an appearance before the Board being scheduled? If yes, who is appearing?</b>  <input type="checkbox"/> Yes by <input checked="" type="checkbox"/> No	<b>9) Name of Case Advisor(s), if required:</b>  N/A	
<b>10) Describe the issue and action that should be addressed:</b>  <b>Modified for Board agenda purposes:</b>  <b>From:</b> Darrel Spinks <b>Sent:</b> Tuesday, October 22, 2013 2:38 PM <b>To:</b> Williams, Dan - DSPS <b>Subject:</b> ASPPB reciprocity  Dan:  I had called because I was hoping to visit with you about the email we received from ASPPB the other day indicating Wisconsin was no longer participating in the reciprocity agreement.  I wanted to visit with you about why Wisconsin withdrew from the agreement and if your Board might be interested in entering into an individual reciprocity agreement with Texas.  If you think this is something your Board might be interested in, please feel free to give me a call and we can discuss the matter further.  Darrel D. Spinks Executive Director Texas State Board of Examiners of Psychologists 333 Guadalupe St., Ste. 2-450 Austin, Texas 78701 512-305-7700 office 512-305-7701 fax  •			

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**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

<b>1) Name and Title of Person Submitting the Request:</b>  <b>Matthew Guidry Bureau Assistant</b>		<b>2) Date When Request Submitted:</b> <b>11/1/13</b> Items will be considered late if submitted after 4:30 p.m. and less than: <ul style="list-style-type: none"> <li>▪ 10 work days before the meeting for Medical Board</li> <li>▪ 14 work days before the meeting for all others</li> </ul>	
<b>3) Name of Board, Committee, Council, Sections:</b>  <b>Psychology Examining Board</b>			
<b>4) Meeting Date:</b>  <b>9:00AM</b>	<b>5) Attachments:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>6) How should the item be titled on the agenda page?</b> <b>Position Statements – Discussion and Consideration</b>	
<b>7) Place Item in:</b> <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	<b>8) Is an appearance before the Board being scheduled? If yes, who is appearing?</b> <input type="checkbox"/> Yes by <input checked="" type="checkbox"/> No	<b>9) Name of Case Advisor(s), if required:</b>  N/A	
<b>10) Describe the issue and action that should be addressed:</b>  <p style="text-align: center;"><b>Consideration, revision, and review of position statements related to Supervision, Ethics, and Fees and Referrals</b></p>			
<b>11) Authorization</b>			
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)    Date			
<b>Directions for including supporting documents:</b> 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Board Services Bureau Director. 3. If necessary, Provide original documents needing Board Chairperson signature to the Executive Assistant prior to the start of a meeting.			

## **6. SUPERVISION**

### 1) CAN A TRAINEE HAVE ONLY ONE SUPERVISOR?

No. In order for the trainee to have diversity in training, they may be supervised by several licensed psychologists with different levels of expertise. This is noted in [Psy 2.09 \(3\)\(a\)\(5\)](#). While the trainee can have several supervisors, the primary supervisor that is specified in [Psy 2.09\(3\)\(a\)\(2\) and \(3\)](#) will be the responsible party for the quality of the trainee's overall work.

### 2) WHEN DOCUMENTING THE NUMBER OF HOURS OF SUPERVISED EXPERIENCE, WHAT SERVICES COUNT TOWARD "FACE-TO-FACE CLIENT CONTACT HOURS" AND WHAT SERVICES COUNT TOWARD "DIRECT SERVICE HOURS"?

"Face-to-face client contact hours" are those spent working directly with your client.

"Direct service hours" are those activities a psychologist performs that support the provision of face-to-face client contact hours. As described in [Psy 2.09\(3\)\(a\)\(9\)](#), examples of direct service hours include note and report writing, studying test results, case consultations and reviewing published works relating to the client's needs. Direct service hours do not include face-to-face client contact hours.

### 3) CAN A TRAINEE RECEIVE PAYMENT FOR SERVICES PROVIDED DURING HIS OR HER SUPERVISORY TRAINING PERIOD?

Per [Psy 2.09 \(3\)\(a\)\(8\)](#), "The trainee must inform potential clients in writing of his or her trainee status, lack of license, and of the possibility that insurance companies may not reimburse services rendered by the nonlicensed trainee. Fees for client services may neither be billed independently nor accepted by the trainee." Trainees may not direct bill or charge for services and receive payment directly, however this is not to say that the clinic in which they work can't bill for services and then pay the trainee as a service provider, with the caveat being that insurance carriers may choose not to reimburse for services provided by trainees. Please note that the Board does not regulate or provide information about billing/business practices, proper coding, etc. Professional associations and practice mentors are a more appropriate resource.

### 4) WHAT IS WITHIN THE SCOPE OF PRACTICE OF A PSYCHOLOGY TRAINEE/INTERN?

If the supervising licensed psychologist has sufficient training and experience in treatment of a particular disorder, they can train the resident intern in that area and the resident intern can provide those services (under supervision). See standards of supervised training outlined in [Ch. Psy 2.09](#) for additional information.

5) CAN SUPERVISION BE OBTAINED THROUGH AN OUTSIDE CONTRACT?

[Psy 2.09 \(3\)\(b\)](#) notes that Supervisors shall not be a relative by blood or marriage nor be involved in any other dual relationship which obliges the supervisor to the trainee. Paying a supervisor creates a dual relationship. Therefore, if a supervisor is in a paid contract with the trainee, this would create a dual relationship.

6) CAN UNLICENSED PERSONS PROVIDE PSYCHOLOGICAL SERVICES?

Under the exceptions listed in [Stats. 455.02 \(2m\)\(b\)](#) a person may provide psychological services as directed by a psychologist who has the power to direct, decide and oversee the implementation of the services provided. In this sense, the services would be provided under the license of the psychologist and therefore any discipline that would be raised against the unlicensed individual would be reflected under the license of the supervisor.

## **7. FEES/REFERRALS**

1) FEE SPLITTING FOR REFERRALS – IS THIS ACCEPTABLE?

While the rules do not explicitly prohibit this, [Psy 5.01\(22\)](#) does provide guidelines as to the appropriate process for fee splitting. If the client is aware of the entire financial picture it is acceptable to charge a client directly for a referral and receive a kickback. By knowing the entire picture the client must know who is involved, how an amount is determined and the actual dollar figure.

2) ARE FEES AND FEE DISPUTES REGULATED BY THE PSYCHOLOGY EXAMINING BOARD?

No, the board does not intercede in disputes involving issues such as fee disputes. However, the Wisconsin Psychological Association's Professional Issues Committee and its Ombudsman do respond to inquiries regarding disputes between professionals, ethics concerns regarding psychologists who are WPA members, and issues such as fee disputes. See the "[Organizations](#)" page for information on the WPA.

## 8. ETHICS

- 1) IS THERE A REQUIREMENT FOR ME AS A CREDENTIALLED PROFESSIONAL TO REPORT UNPROFESSIONAL CONDUCT BY ANOTHER MEMBER OF MY OWN PROFESSION?

No. Child abuse must be reported, and the reporting of sexual abuse by a therapist must be discussed with the victim, but mandatory reporting of unprofessional conduct has not been added to the Code of Professional Conduct. There is a statute, section [440.042 \(2\)](#), that encourages people to report unprofessional conduct by a grant of civil immunity (“any person who in good faith ... provides the department or any examining board ... with advice or information on a matter relating to the regulation of a person holding a credential is immune from civil liability”) but a credential-holder is not subject to disciplinary action for failing to report unprofessional conduct by another.

- 2) CAN OUT OF STATE CREDENTIALS BE USED IN MARKETING MATERIALS SUBMITTED IN WISCONSIN?

Title protection language found in [Wis. Stats. 455.02](#) specifies that the use of the title “psychologist” or “licensed psychologist” requires the Wisconsin license. Likewise, [Psy 5.01\(1\)](#) contains standards for conduct in advertising. This appears to prohibit the use of out-of-state credentials in Wisconsin sales materials.

- 3) WHAT ARE THE CE REQUIREMENTS FOR THE CURRENT BIENNIUM?

Requirements for the current biennium can be found at the Board of Psychology's [Education Web Page](#) on the Department Website.

- 4) IS SUSPECTED ELDER ABUSE A MANDATED REPORTING REQUIREMENT?

No. Currently, it is discretionary. However, the duty to warn and protect remains relevant.

- 5) IS A PSYCHOLOGIST MANDATED TO REPORT SUSPECTED CHILD ABUSE OR NEGLECT IF THE INFORMATION IS OBTAINED FROM AN ALLEGED PERPETRATOR OR PERSON OTHER THAN THE ALLEGED CHILD VICTIM?

No. [Stats. 48.981 \(The Children's Code\)](#) mandates specific individuals including mental health professionals to report to the appropriate agency when, in the course of professional duties *with the child*, there is a reasonable suspicion that the child has been abused or neglected or has been threatened with abuse or neglect.

When the suspicion of child abuse or neglect is obtained from an alleged perpetrator or person other than the alleged child victim, a psychologist **MAY** report this suspicions without liability of the report is made in good faith. In addition, in accordance with two

California Supreme Court rulings (1974 & 1976) a psychologist MAY have a duty to warn or protect victim or intended victim(s) or risk a negligence claim. Finally, most psychologists would consider such an action to fall within the [APA Ethical Principles of Psychologists and Code of Conduct \(2002\)](#) if there is reasonable suspicion that a child is currently being harmed or if that child or other children are still at risk of abuse or neglect.

6) IS A 14 YEAR OLD'S PERMISSION NEEDED BEFORE RECORDS CAN BE RELEASED, AND CAN A MINOR WHO IS 14 OR OLDER BLOCK RELEASE OF RECORDS

No to both questions. While a child over 14 may release mental health records, the parents also retain the ability to release and access records, even without the child's permission, unless denied periods of physical placement after divorce as stated in [Stats. Ch. 767 \(Actions Affecting the Family\)](#). Under statutes [51.30\(5\)\(a\)](#) and [48.396\(1b\)](#), either a child over the age of 14 or his/her parents or legal guardian may release records without the signed release of the other. Thus, a child 14 or older cannot deny a parent access to his/her mental health records or prevent release of these records, unless that parent has been denied periods of physical placement. Parents may certainly be asked to respect confidentiality but cannot legally be denied access to records (even if it is not in the child's best interests) without a court order.

Under [Stats. 51.47 \(2\)](#) a health care provider or outpatient facility may only release records regarding outpatient, or detoxification, drug or alcohol services WITH the consent of a minor patient, provided the minor is 12 years of age or older

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