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Scott Walker, Governor
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PSYCHOLOGY EXAMINING BOARD MEETING
Room 121A, 1400 East Washington Avenue, Madison, WI
Contact: Dan Williams (608) 266-2112
May 14, 2014

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.

9:00 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

A. **Adoption of Agenda**

B. **Approval of Meeting Minutes of February 5, 2014 (4-7)**

C. **Education and Exams Matters – Discussion and Consideration**
   1) **APPEARANCE**: Jill Remy – Office of Education and Exams **(8-9)**
      a. 2011-2013 Psychology Continuing Education Compliance Audit Report

D. **Administrative Matters – Discussion and Consideration**
   1) Staff Update
   2) Board member – term expiration date
      a. Rebecca Anderson – 7/1/2018
      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

E. **Legislation/Administrative Rule Matters – Discussion and Consideration (10-22)**
   1) Proposed Changes to PSY 2 Relating to Licensure
   2) Review Preliminary Rules Draft of PSY 4 Relating to Continuing Education
   3) Status of Pending and Possible New Rule Projects

F. **Board Goals – Discussion and Consideration**

G. **Informational items – Discussion and Consideration**
   1) ASPPB Nomination **(23)**

H. 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)

I. Consulting with Legal Counsel

J. 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.).

K. **Deliberation of Credentialing Matters**
   1) **Appearance**: Comity Applicant Jared Treiber, Ph.D. **(24-80)**

L. **Deliberation of Division of Legal Services and Compliance Matters**
   1) Proposed Stipulations and Final Decisions and Orders
      a. 12PSY045 (R.G.) **(81-87)**
      b. 13PSY024 (R.L.) **(88-94)**

   2) Case Status Report **(95)**
   3) Cases

M. 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) Education or Examination Matters
8) Review Additional Information Requested of Applicants for Licensure
9) Oral Interviews of Applicants for Licensure – Final Approval for Licensure
10) Review of Applications for Licensure
11) Supervision Reviews
12) Credential Issues
13) Appearances from Requests Received or Renewed

N. 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.

ADJOURNMENT

The next meeting is currently scheduled for July 8, 2014.

PSYCHOLOGY EXAMINING BOARD
MEETING MINUTES
February 5, 2014

PRESENT: Bruce Erdmann, Ph.D.; Daniel Schroeder, Ph.D.; Marcus Desmonde Psy.D.; Rebecca Anderson, Ph.D.

STAFF: Dan Williams, Executive Director; Matthew Guidry, Bureau Assistant; and other Department Staff

CALL TO ORDER

Bruce Erdmann, Ph.D. called the meeting to order at 9:37 a.m. A quorum of four (4) members was confirmed.

ADOPTION OF AGENDA

MOTION: Daniel Schroeder moved, seconded by Rebecca Anderson, to adopt the agenda as published. Motion carried unanimously.

APPROVAL OF MEETING MINUTES OF JANUARY 15, 2014

MOTION: Marcus Desmonde moved, seconded by Daniel Schroeder, to approve the minutes of January 15, 2014 as published. Motion carried unanimously.

ADMINISTRATIVE RULE PSY 4 RELATING TO EDUCATION

MOTION: Marcus Desmonde moved, seconded by Daniel Schroeder, to informally withdraw Clearinghouse Rule 13-103 relating to Continuing Education. Motion carried unanimously.

ADMINISTRATIVE RULE PSY 2 RELATING TO PRACTICE OF PSYCHOLOGY

MOTION: Daniel Schroeder moved, seconded by Rebecca Anderson, to approve the Scope Statement on PSY 2 relating to licensure and exams for submission to the Governor's Office and for publication, and to authorize the Chair to approve the scope for implementation no less than 10 days after publication. Motion carried unanimously.

BOARD MEMBER CONTINUING EDUCATION REVIEW

MOTION: Daniel Schroeder moved, seconded by Marcus Desmonde, to voluntarily request DSPS to audit the continuing education of all professional members of the Psychology Examining Board for the 2011-2013 biennium. Motion carried unanimously.

DRAFT

CLOSED SESSION

MOTION: Marcus Desmonde moved seconded by Rebecca Anderson, to 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.). 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; Marcus Desmonde, Ph.D. – yes. Motion carried unanimously.

The Board convened into Closed Session at 3:07 p.m.

RECONVENE TO OPEN SESSION

MOTION: Rebecca Anderson moved, seconded by Marcus Desmonde, to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open Session at 4:46 p.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

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

MONITORING MATTERS

RAYMOND LUECK – MONITORING REQUEST FOR REVIEW

MOTION: Marcus Desmonde moved, seconded by Daniel Schroeder, to refer the matter of Raymond Lueck to DLSC for potential violations of Board Order 0002281. Motion carried unanimously.

DRAFT

ADMINISTRATIVE WARNING

Bruce Erdmann recused himself from voting and deliberation in all matters related to 13PSY039.

MOTION: Marcus Desmonde moved, seconded by Rebecca Anderson, to issue an Administrative Warning and closed the case in the matter of DLSC case number 12PSY039 T.W.. Motion carried unanimously.

CASE CLOSING
M.P. – 13PSY030

MOTION: Marcus Desmonde moved, seconded by Rebecca Anderson, to close the case in the matter of M.P. 13PSY 030 for insufficient evidence. Motion carried unanimously.

CREDENTIALING MATTERS

JARED S TREIBER

MOTION: Daniel Schroeder moved, seconded by Marcus Desmonde, to table approval of the application for a license to practice psychology in the state of Wisconsin until such time as Jared S. Treiber, Applicant, appears before the Board, pursuant to Wis Stats. 455.04(5), to allow the Board to make inquiry of applicant as to qualifications and others matters it considers proper. Motion carried unanimously.

RILEY C. MCGRATH

MOTION: Marcus Desmonde moved, seconded by Rebecca Anderson, to table the approval of the application of Riley C. McGrath, pending receipt of further information. Motion carried unanimously.

CONTINUING EDUCATION REQUESTS

JANE C. HARRIS – POSTPONEMENT OF CE

MOTION: Marcus Desmonde moved, seconded by Rebecca Anderson, to grant the request of Jane C. Harris for Postponement of Continuing Education for the 2011-2013 biennium until September 30, 2014. If additional postponements are required Jane C. Harris must petition the Board by August 30, 2014. The Board requests DSPS staff that the Board be notified of any change of status for Jane C. Harris. Dr. Harris shall advise the Board when she has completed the required Continuing Education and provide supporting documentation. Motion carried unanimously.

DRAFT

ADJOURNMENT

MOTION: Daniel Schroeder moved, seconded by Marcus Desmonde, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 4:55 p.m.

DRAFT

State of Wisconsin
Department of Safety and Professional Services

AGENDA REQUEST FORM

Name and Title of Person Submitting the Request: Jill M. Remy, Program Manager	Date When Request Submitted: 5/5/2014 Items will be considered late if submitted after 5 p.m. and less than: ▪ 10 work days before the meeting for Medical Board ▪ 14 work days before meeting for all other boards

Name of Board, Committee, Council:
Psychology Examining Board

Board Meeting Date:	Attachments:	How should the item be titled on the agenda page?
5/14/2014	☒ Yes ☐ No	2011-2013 Psychologist and Private Practice School Psychologist Continuing Education Compliance Audit Report

Place Item in:	Is an appearance before the Board being scheduled? If yes, by whom?	Name of Case Advisor(s), if required:
☒ Open Session ☐ Closed Session ☐ Both	☒ Yes by Jill Remy ☐ No	

The 2011-2013 psychologist and private practice school psychologist continuing education compliance audit report lists results of auditees found to be non-compliant and the general reasons for non-compliance.

After review of the audit report, make motion to refer the list of non-compliant auditees to the Division of Legal Services and Compliance.

If this is a "Late Add" provide a justification utilizing the Agenda Request Policy:

Directions for including supporting documents:
1. This form should be attached to any documents submitted to the agenda.
2. Documents submitted to the agenda must be single-sided.
3. Only copies of the original document will be accepted.
4. Provide original documents needing Board Chairperson signature to the Bureau Director or Program Assistant prior to the start of a meeting.

Authorization:

Jill M. Remy	5/5/2014
Signature of person making this request	Date
Supervisor signature (if required)	Date
Bureau Director signature (indicates approval to add late items to agenda)	Date

Revised Form 3/31/10 Division of Board Services/DRL

2011-2013 Psychologist Continuing Education Compliance Audit Report

Reg Type 57 – Psychologist Audit

156 licensees were audited: 146 were randomly selected, 6 were added by Division of Legal Services and Compliance and four (4) were active professional members of the Psychology Examining Board.

Of 156 licensees audited, 13 were not in compliance representing a 92% compliance rate. Following are reasons for non-compliance:

- Six (6) licensees completed less than forty (40) documented hours during the 2011-2013 biennium.
- Six (6) licensees completed continuing education that is not recognized under Wis. Admin. Code Ch. PSY 4.02.
- One (1) licensee returned the certified mail receipt, but submitted no additional documentation.

NOTE: All four (4) active professional members of the Psychology Examining Board were found to be in compliance.

Reg Type 58 - Private Practice School Psychologist Audit

Three (3) licensees were randomly selected for audit; Division of Legal Services and Compliance did not add any licensees to the list.

Of three (3) licensees audited, two (2) were not in compliance representing a 33% compliance rate. Following are reasons for non-compliance:

- One (1) licensee completed continuing education that is not recognized under Wis. Admin. Code Ch. PSY 4.02.
- One (1) licensee completed less than forty (40) documented hours during the 2011-2013 biennium.

State of Wisconsin
Department of Safety & Professional Services

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request:	2) Date When Request Submitted:
Sharon Henes **Administrative Rules Coordinator**	**30 April 2014** Items will be considered late if submitted after 12:00 p.m. on the deadline date: ▪ 8 business days before the meeting

3) Name of Board, Committee, Council, Sections:

Psychology Examining Board

4) Meeting Date:	5) Attachments:	6) How should the item be titled on the agenda page?
14 May 2014	☐ Yes ☐ No	Rules – Discussion and Consideration 1. Proposed changes to Psy 2 relating to licensure 2. Review preliminary rules draft of Psy 4 relating to continuing education 3. Status of pending and possible rulemaking projects

7) Place Item in:	8) Is an appearance before the Board being scheduled?	9) Name of Case Advisor(s), if required:
☒ Open Session ☐ Closed Session ☐ Both	☐ Yes (Fill out Board Appearance Request) ☐ No	

10) Describe the issue and action that should be addressed:

1. Propose amendments to Psy 2 relating to licensure.

2. Review and make revisions to preliminary rules draft amending Psy 4 relating to continuing education.

11) Authorization

Sharon Henes — *30 April 2014*

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

Directions for including supporting documents:
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 Policy Development Executive Director.
3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.

Revised 8/13

Chapter Psy 2

REQUIREMENTS FOR EXAMINATION AND LICENSURE OF PSYCHOLOGISTS

Psy 2.01 Application procedure.
Psy 2.015 Application abandonment.
Psy 2.02 Scheduling of examinations.
Psy 2.03 Unauthorized assistance.
Psy 2.04 Controls.
Psy 2.05 Passing scores.
Psy 2.06 Failure and review.
Psy 2.07 Claim of examination error.
Psy 2.08 Reexamination.
Psy 2.09 Requirements for licensure for those holding a doctoral degree in psychology.
Psy 2.12 Requirements for persons holding a license to practice psychology in another state.
Psy 2.13 Doctoral degrees in psychology outside the U.S. and Canada.
Psy 2.14 Temporary practice.

Psy 2.01 Application procedure. The board shall act on an application for licensure as a psychologist only after all of the following materials, which shall be documented in English, have been received:

(1) The properly completed and signed application form.

Note: Applications are available upon request to the board office at 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708.

(2) The application fee authorized by s. 440.05 (1), Stats.

(3) Official transcripts of graduate training, properly attested to by the degree granting institution and submitted by the institution directly to the board.

(4) Documentation of any additional relevant education and appropriate experience.

(5) The "Supervised Psychological Experience" form which has been filled out by a psychologist who has firsthand knowledge of the applicant's experience relating to psychology.

(6) The "Nature of Intended Practice of Psychology" form.

(7) Evidence of successful completion of an examination on the practice of psychology approved by the board.

(8) Proof of successful completion of the written examination on the elements of practice essential to the public health, safety or welfare.

(9) For applicants under s. Psy 2.13, as required by the board, documentation of additional supervised experience in the United States and documentation of English proficiency.

(10) Verification of the applicant's licensure in all states or countries in which the applicant has ever held a license.

(11) For applicants who have a pending criminal charge or have been convicted of a crime, all related information necessary for the board to determine whether the circumstances of the pending criminal charge or conviction are substantially related to the duties of the licensed activity.

(12) For applicants licensed in another state, proof of completion of continuing education requirements as specified in s. Psy 4.02.

History: Cr. Register, September, 1991, No. 429, eff. 10−1−91; am. (intro.), Register, August, 1993, No. 452, eff. 9−1−93; correction in (intro.) made under s. 13.93 (2m) (b) 7., Stats., Register, May, 1995, No. 473; am. (3), Register, January, 1997, No. 493, eff. 2−1−97; am. (1), (2) and (7), Register, June, 1999, No. 522, eff. 7−1−99; CR 02−124: am. (12) Register July 2003 No. 571, eff. 8−1−03; correction in (intro.) made under s. 13.93 (2m) (b) 7., Stats., Register July 2004 No. 583.

Psy 2.015 Application abandonment. An applicant who files an application but who does not comply with a request for information related to the application within one year of the date of the board's last request shall file a new application. An applicant who files an application but who does not fully complete the application within 3 years of the date of the application shall file a new application.

History: Cr., Register, January, 1997, No. 493, eff. 2−1−97.

Psy 2.02 Scheduling of examinations. (1) Examinations shall be held at least twice a year at a time and place designated by the board. Notice of the next scheduled examinations may be obtained by contacting the department.

(2) No applicant may be admitted to the examination on the professional practice of psychology unless the requirements stated in s. Psy 2.01 (1) to (3) have been met.

(3) No applicant may be admitted to the examination on the elements of practice essential to the public health, safety or welfare unless the requirements stated in s. Psy 2.01 (1) to (7) and (9) to (12) have been met at least 30 days prior to the board meeting preceding the date of the examination.

History: Cr. Register, September, 1991, No. 429, eff. 10−1−91; am. (2), Register, June, 1999, No. 522, eff. 7−1−99; CR 02−021: am. (2) and (3) Register August 2002 No. 560, eff. 9−1−02.

Psy 2.03 Unauthorized assistance. The board may withhold the score of an applicant who gives or receives unauthorized assistance during examinations. The board may consider this applicant for retesting at a future time.

History: Cr. Register, September, 1991, No. 429, eff. 10−1−91.

Psy 2.04 Controls. The board chairperson or proctor may announce time limits and other necessary controls prior to the examinations.

History: Cr. Register, September, 1991, No. 429, eff. 10−1−91.

Psy 2.05 Passing scores. (1) The passing scores set by the board represent the minimum competency required to protect public health and safety.

(2) The examination for professional practice of psychology and the examination on the elements of practice essential to the public health, safety or welfare are scored separately. An applicant shall achieve a passing score on each of the required examinations to qualify for licensure.

(3) The board accepts the recommendations of the association of state and provincial psychology boards for the passing score on the examination for professional practice of psychology.

(4) To pass the examination on the elements of practice essential to the public health, safety or welfare, the applicant shall receive a score determined by the board to represent minimum competence to practice. The board shall make the determination of the passing score after consultation with subject matter experts who have reviewed a representative sample of the examination questions and available candidate performance statistics.

History: Cr. Register, September, 1991, No. 429, eff. 10−1−91; r. and recr., Register, January, 1997, No. 493, eff. 2−1−97.

Psy 2.06 Failure and review. (1) An applicant who fails the examination on elements essential to health, safety and welfare may request a review of that examination. The applicant must file a written request to the board within 30 days of the date on which examination results were mailed or reported.

(2) The time for review shall be limited to time allowed for examination administration.

(3) The examination shall be reviewed only by the applicant and in the presence of the proctor.

(4) The proctor may not respond to inquiries by the applicant regarding allegations of examination error.

(5) Any comments or claims of error regarding specific questions or procedures in the examination may be placed in writing on the provided form. These comments shall be retained and made available to the applicant for use at a subsequent hearing.

(6) An applicant may review the examination only once.

History: Cr. Register, September, 1991, No. 429, eff. 10−1−91.

Psy 2.07 Claim of examination error. (1) An applicant wishing to claim examination error in the examination on elements essential to health, safety and welfare shall file a written request for board review in the board office within 30 days of the date the examination was reviewed. The request shall include all of the following:

(a) The applicant's name and address.

(b) The type of license applied for.

(c) A description of the perceived error, including specific questions or procedures claimed to be in error.

(d) The facts that the applicant intends to prove, including reference text citations or other supporting evidence for the applicant's claim.

(2) The board shall review the claim and notify the applicant in writing of the board's decision and any resulting grade changes.

(3) If the decision does not result in the applicant passing the examination, the applicant may request a hearing under s. SPS 1.05.

History: Cr. Register, September, 1991, No. 429, eff. 10−1−91; CR 02−124: am. (1) (intro.) Register July 2003 No. 571, eff. 8−1−03; correction in (3) made under s. 13.92 (4) (b) 7., Stats., Register November 2011 No. 671.

Psy 2.08 Reexamination. An applicant who fails to achieve a passing grade in the examinations required under this chapter may apply for reexamination on forms provided by the board and pay the appropriate fee for each reexamination as required in s. 440.05, Stats. An applicant who fails to achieve a passing grade may be reexamined 3 times at not less than 3−month intervals. If the applicant fails to achieve a passing grade on the third reexamination, the applicant may not be admitted to any further examination until the applicant reapplies to the board for permission to be reexamined and presents evidence satisfactory to the board of further professional training or education as the board may prescribe or approve following its evaluation of the applicant's specific case.

History: Cr. Register, September, 1991, No. 429, eff. 10−1−91; r. and recr., Register, May, 2000, No. 533, eff. 6−1−00.

Psy 2.09 Requirements for licensure for those holding a doctoral degree in psychology. (1) EDUCATIONAL REQUIREMENTS. An applicant for a license under this section shall possess a doctoral degree in psychology. A doctoral degree in psychology is either a degree granted by an accredited college or university as defined in s. 455.04 (1) (c), Stats., that is represented by an official transcript of credits as being a "doctoral degree in psychology," a doctoral degree with a major in psychology from a department of psychology, or a program which is designated by the board to be equivalent to a doctorate in psychology by meeting the following requirements:

(a) Training in professional psychology consisting of doctoral training offered in a regionally accredited institution of higher education.

(b) The program, wherever it may be administratively housed, must be clearly identified and labeled as a psychology program. Such a program must specify in pertinent institutional catalogs and brochures its intent to educate and train professional psychologists.

(c) The psychology program must stand as a recognizable, coherent organizational entity within the institution.

(d) There must be a clear authority and primary responsibility for the core and specialty areas whether or not the program cuts across administrative lines.

(e) The program must be an integrated, organized sequence of study.

(f) There must be an identifiable psychology faculty on site and a psychologist responsible for the program.

(g) The program must have an identifiable body of students who are matriculated in that program for a degree.

(h) The program must include supervised practicum, internship, field or laboratory training appropriate to the practice of psychology.

(i) The curriculum shall encompass a minimum of 3 academic years of full−time graduate study, at least one of which shall be in full−time residence at the site of the institution granting the degree. In addition to the instruction in scientific and professional ethics and standards, research design and methodology, statistics and psychometrics, the core program shall require each student to demonstrate competence in each of the following substantive content areas. This typically will be met by including a minimum of 3 or more graduate semester hours (5 or more graduate quarter hours) in each of these 4 substantive content areas: a) Biological bases of behavior: physiological psychology, comparative psychology, neuropsychology, sensation and perception, psychopharmacology; b) Cognitive−affective bases of behavior: learning, thinking, motivation, emotion; c) Social bases of behavior: social psychology, group processes, organizational and systems theory; and d) Individual differences: personality theory, human development, abnormal psychology, multicultural differences. In addition, all professional education programs in psychology will include course requirements in specialty areas.

(3) SUPERVISED EXPERIENCE REQUIREMENTS. (a) *Conditions of supervised experience.* 1. A psychological trainee shall complete 3,000 hours of supervised experience as a prerequisite to licensure as a psychologist. All 3,000 hours shall follow graduate work in psychology, either a master's in psychology or a minimum of 30 hours of doctoral level course work in psychology. These hours shall be accumulated at not less than 16 hours nor more than 40 hours per week. The 3,000 hours of experience shall be in a training setting and shall include the activities appropriate to the intended area of practice. It shall be the responsibility of the applicant to demonstrate the appropriateness of the setting and the activities to the intended area of practice.

2. The first 1,500 hours of the experience shall be under the direction of one licensed psychologist who satisfies the requirements of pars. (b) and (c) and who shall be responsible for the integrity and the quality of the training. It shall be planned, organized and integrated practice. There shall be a minimum of 2 hours per week of regularly scheduled formal face−to−face individual supervision with the specific intent of dealing with services rendered directly by the trainee. There shall also be at least 2 additional hours per week in learning activities such as: case conferences, seminars addressing practice issues, co−therapy with a staff person including discussion, group supervision or additional individual supervision.

3. The second 1,500 hours of the experience shall be under the direction of a licensed psychologist who satisfies the requirements of pars. (b) and (c) and who shall be responsible for the integrity and the quality of the training. It shall be planned, organized and integrated, and appropriate to the intended area of practice, and include a minimum of one hour per week of regularly scheduled formal face−to−face individual supervision with the specific intent of dealing with the services rendered directly by the trainee. For diversity of training, the supervisor of the pre−doctoral experience shall not continue as the primary supervisor of the post−doctoral experience.

4. A minimum of 1,500 hours must follow completion of all the requirements for the doctoral degree.

5. To obtain a diversity of training, supervised experience may be supervised by other licensed psychologists, with the understanding that the licensed psychologist specified in subds. 2. and 3. will continue to be responsible for the overall integrity and quality of the trainee's psychological work.

6. Hours obtained through practicum, clerkship or externship experiences are considered part of the educational process and may not be used to satisfy this requirement.

7. The supervisor shall have sufficient knowledge of the trainee's clients to ensure effective service. This may include ongoing face−to−face contact with the client. The progress of the work shall be monitored on a regular basis by the supervisor to ensure that legal, ethical, and professional responsibility is assumed by the supervisor for all services rendered, and the supervisor shall be able to intervene.

8. Clients shall be informed that the psychological trainee is receiving supervision and that the client's case will be discussed in the context of required supervision. 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.

9. The experience required shall consist of at least 25% face−to−face client contact and at least 40% direct service for the purpose of providing psychological service. For the purposes of this subsection direct service means those activities a psychologist performs that are directly related to providing psychological services to a client, such as note and report writing, studying test results, case consultation and reviewing published works relating to the client's needs.

10. There shall be multidisciplinary team membership with the trainees being teamed with other professional specialists in serving clients. It is desirable that trainees also be teamed with other psychologists and other trainees. It is the responsibility of the applicant to demonstrate that he or she had a variety of role models within the field of psychology.

11. The trainee should have experience in a range of direct services. The clients served should be consistent with the target population of intended practice addressing a broad spectrum of psychological problems. A variety of other service activities that are appropriate to the intended area of practice include, but are not limited to, those of the following: intake service, administration, case staffings, research activities, inservice program activities, organizational development and consultation.

(b) *Qualifications of supervisor.* The trainee's primary supervisor shall be a licensed psychologist and shall have adequate training, knowledge and skill to render competently any psychological service that a psychological trainee undertakes. The primary supervisor shall have at least 3 years of post−licensure experience and shall have had training or experience in supervision of psychological work. The supervisor may not permit a trainee to engage in any psychological practice that the supervising psychologist cannot competently perform. 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.

Note: Prior to October 1, 1999, supervisors were required to be licensed or license eligible. The requirement that the primary supervisor be a licensed psychologist applies to supervised experience commenced after October 1, 1999.

(c) *Responsibility of supervisor.* All supervisors shall be legally and ethically responsible for the activities of the psychological trainee. Supervisors shall be available or make appropriate provision for emergency consultation and intervention. Supervisors shall be able to interrupt or stop the trainee from practicing in given cases and to stop the supervisory relationship if necessary. All supervisors of the trainee shall be required to provide a written evaluation of the supervised experience and the trainee's competence. Prepared evaluations or reports of progress, including strengths and weaknesses, shall be written and discussed with the trainee on at least a quarterly basis and shall be made available to the board upon the board's request.

(d) *Qualifications of psychological trainee.* The psychological trainee shall have the background training and experience that is appropriate preparation for the supervised training activities. The supervisor is responsible for determining the adequacy of the trainee's preparation for the tasks to be performed.

Note: All supervisors of a psychological trainee are encouraged to register with the board to receive information on the supervisory responsibilities to share with a prospective psychological trainee.

(4) APPEARANCE BEFORE THE BOARD. The applicant may be required to appear before the board in person prior to licensure to allow the board to make such inquiry of them as to qualifications and other matters as it considers proper.

Note: An application may be obtained upon request to the board office located at 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin, 53708.

History: Cr. Register, September, 1991, No. 429, eff. 10−1−91; am. (2) (a) 1., 4. and 5., Register, November, 1992, No. 443, eff. 12−1−92; cr. (4), Register, August, 1993, No. 452, eff. 9−1−93; am. (1) (a), (3) (a) 2., 10., (b), (c) and (4)., r. (1) (j) and (2), Register, June, 1999, No. 522, eff. 7−1−99; correction in (5) made under s. 13.93 (2m) (b) 7., Stats., Register, June, 1999, No. 522; CR 02−124: am. (3) (a) 1. to 3., 5., 7., (b), and (c) Register July 2003 No. 571, eff. 8−1−03; CR 04−021: am. (1) (i), r. (5) Register July 2004 No. 583, eff. 8−1−04; **CR 12−055: am. (4) Register August 2013 No. 692, eff. 9−1−13.**

Psy 2.12 Requirements for persons holding a license to practice psychology in another state. (1) LICENSURE BY COMITY. Applicants who are licensed in another state shall meet the requirements of s. Psy 2.01.

(3) LICENSURE OF HOLDERS OF THE CERTIFICATE OF PROFESSIONAL QUALIFICATION. Applicants who are licensed in another state who hold the certificate of professional qualification in psychology issued by the Association of State and Provincial Psychology Boards shall meet the requirements of s. Psy 2.01 (1), (2), (6), (8), (10), (11) and (12).

(4) LICENSURE OF SENIOR PSYCHOLOGISTS. Applicants who have been licensed for 20 or more years in another licensing jurisdiction of the United States or Canada that had requirements for licensure substantially equivalent to the requirements for licensure in this state at the time of original licensure, and who have never been disciplined by the licensing board of any state or province, shall meet the requirements of s. Psy 2.01 (1), (2), (6), (8), (10), (11) and (12).

History: Cr. Register, September, 1991, No. 429, eff. 10−1−91; renum. to be Psy 2.12 (1), cr. (2), (3) and (4), Register, June, 1999, No. 522, eff. 7−1−99; CR 02−124: am. Register July 2003 No. 571, eff. 8−1−03; **CR 12−055: r. (2) Register August 2013 No. 692, eff. 9−1−13.**

Psy 2.13 Doctoral degrees in psychology outside the U.S. and Canada. In addition to the supervised experience requirements set forth in s. Psy 2.09 (3), all applicants with doctoral degrees in psychology from universities outside the United States and Canada may be required to submit documentation of additional supervised experience within the U.S. Applicants for licensure on the basis of degrees from colleges and universities from outside the United States shall also pass the examination for the professional practice of psychology and may also be required to pass an English proficiency examination approved by the board.

History: Cr. Register, September, 1991, No. 429, eff. 10−1−91**;** correction made under s. 13.93 (2m) (b) 7., Stats., Register, May, 1995, No. 473.

Psy 2.14 Temporary practice. The following apply to the temporary practice of psychology by a psychologist who is licensed or certified by a similar examining board of another state or territory of the United States or of a foreign country or province who offers services as a psychologist in this state under s. 455.03, Stats.

(1) Any portion of a calendar day in which the psychologist provides services in this state is considered one working day.

(2) A psychologist provides psychological services in this state whenever the patient or client is located in this state, regard-

less of whether the psychologist is temporarily located in this state or is providing services by electronic or telephonic means from the state where the psychologist is licensed.

History: Cr. Register, June, 2001, No. 546, eff. 7−1−01.

STATE OF WISCONSIN
PSYCHOLOGY EXAMINING BOARD

IN THE MATTER OF RULEMAKING	:	PROPOSED ORDER OF THE
PROCEEDINGS BEFORE THE	:	PSYCHOLOGY EXAMINING BOARD
PSYCHOLOGY EXAMINING BOARD	:	ADOPTING RULES
	:	(CLEARINGHOUSE RULE)

PROPOSED ORDER

An order of the Psychology Examining Board to renumber and amend Psy 4.03; amend Chapter Psy 4 (title); repeal and recreate Psy 4.02; and create Psy 4.015, 4.03, 4.04, and 4.05 relating to psychology continuing education.

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted: §§ 455.06 and 455.065, Wis. Stats.

Statutory authority: §§ 15.08(5)(b) and 455.065(1) and (3), Wis. Stats.

Explanation of agency authority:

The examining board shall promulgate rules for its own guidance and for the guidance of the profession to which it pertains and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular profession.

Specifically, the board shall promulgate rules establishing the minimum number of hours of continuing education, the topic areas that the continuing education must cover, the criteria for the approval of continuing education programs and courses required for renewal of a license, the criteria for the approval of the sponsors and cosponsors of those continuing education programs and courses, and the criteria for the approval of continuing education programs and courses required for the exemptions from the examination requirements under s. 455.04(1)(e) and (4)(f).

Related statute or rule: § 455.06, Wis. Stats.

Plain language analysis:

The rule reorganizes and clarifies the continuing education requirements for psychologists.

Section 1 inserts the words “continuing education” into the title in order to provide an easy reference for licensees.

Section 2 creates a definition section.

Section 3 repeals the current continuing education requirements in order to reorganize and create clarity. This section is recreated to include the general continuing education requirements.

Section 4 moves the current Psy 4.03 section to the end of the chapter. In addition, the section is amended to specify the number of continuing education hours which must be completed to renew a license which expired less than five years from the application for renewal.

Section 5 creates three new sections. The first section specifies approved continuing education. A psychologist may obtain continuing education as follows: completing courses from an organization approved by the American Psychological Association or National Association of School Psychologists; category I courses approved by the American Medical Association or the American Osteopathic Association; courses approved in another state the licensee holder also holds a license; teaching and presenting programs or courses; serving on a professional board or committee; authorship of a book, book chapter or article in peer reviewed journal; board certification; completion of a master's or doctoral degree in psychopharmacology; providing supervision to trainees and evaluation of community outpatient mental health programs. The second section provides postponement, waiver and exemptions to the continuing education requirements based upon hardship or retirement. The third section specifies records of continuing education must be kept for a minimum period of six years. In addition, current rule requires a continuing education audit every biennium and this rule changes it to an audit may be done.

Summary of, and comparison with, existing or proposed federal regulation:

None

Comparison with rules in adjacent states:

Illinois: Illinois requires 24 hours of continuing education and of those 24 hours at least 3 hours must be related to the ethics. Continuing education may be earned by participating in a course or program by an approved continuing education sponsor; postgraduate training programs and for teaching in the field of psychology in an accredited college, university, graduate school or as an instructor of a program by approved sponsors. Postgraduate course and teaching courses do have maximums as to the number to be counted towards the required 24 hours. Continuing education records are to be maintained for the previous 8 years. Illinois does have provisions for waivers of continuing education for hardship.

Iowa: Iowa requires 40 hours of continuing education each biennium. For the second renewal period, licensees' continuing education shall include 6 hours in either Iowa mental health laws and regulations or risk management. For all subsequent renewals, licensees' continuing education shall include 6 hours in any of the following: ethics, federal mental health laws, Iowa mental health laws or risk management. Board members may obtain continuing education hours based upon attendance and participation at board meetings. Continuing education may be earned as follows: mandatory reporter training; programs sponsored by the American Psychological Association or Iowa Psychological Association; approved workshops, conferences or symposiums; academic coursework; home study or electronically transmitted courses; scholarly

research published in recognized professional publication; and preparing and teaching courses or programs. Iowa does not have provisions on hardship waivers.

Michigan: Michigan does not require continuing education for psychologists.

Minnesota: Minnesota requires 40 hours of continuing education each biennium. Continuing education may be earned as follows: developing and teaching an academic course; attending courses or presentations based on scientific, practice or professional standards foundations; graduate level courses in psychology; developing presentation, or taped or computerized materials based on scientific, practice or professional standards foundations; and authoring, editing or reviewing a psychological publication. Continuing education records must be maintained for 8 years after the renewal date. Variances may be granted for completion of continuing education outside the biennium. The board randomly audits a percentage of renewing licensees each month for compliance with continuing education.

Summary of factual data and analytical methodologies:

The Board considered the Association of State and Provincial Psychology Board's recommendations for continuing education and the continuing education requirements of other states. In addition, the Board reviewed the recent audit results to determine what issues required clarification for the credential holders.

Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis:

This rule was posted for 14 days for economic comments and none were received.

Fiscal Estimate and Economic Impact Analysis:

The Fiscal Estimate and Economic Impact Analysis is attached.

Effect on small business:

These proposed rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department's Regulatory Review Coordinator may be contacted by email at Tom.Engels@wisconsin.gov, or by calling (608) 266-8608.

Agency contact person:

Sharon Henes, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, 1400 East Washington Avenue, Room 151, P.O. Box 8935, Madison, Wisconsin 53708; telephone 608-261-2377; email at Sharon.Henes@wisconsin.gov.

Place where comments are to be submitted and deadline for submission:

Comments may be submitted to Sharon Henes, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, 1400 East Washington Avenue, Room 151, P.O. Box 8366, Madison, WI 53708-8935, or by email to Sharon.Henes@wisconsin.gov. Comments must be received on or before January 15, 2013 to be included in the record of rule-making proceedings.

TEXT OF RULE

SECTION 1. Chapter Psy 4 (title) is amended to read:

REQUIREMENTS FOR RENEWAL AND CONTINUING EDUCATION

SECTION 2. Psy 4.015 is created to read:

Psy 4.015 Definitions. In this chapter:
(1) "Board" means Wisconsin Psychology Examining Board.
(1) "Continuing education hour" means a period of continuing education consisting of not less than 50 minutes.
(2) "Ethics" means content consistent with one or more of the American Psychological Association's ethical principles of psychologists.
(3) "Jurisprudence" means content relating to state and federal laws and regulations affecting the practice of psychology.
(4) "Risk management" means content relating to the reduction of probability of incurring regulatory or malpractice actions in the practice of psychology.
(5) " Trainee" means a personobtaining appropriate experience in psychological work under supervision per s. 455.04, Wis. Stats.
SECTION 3. Psy 4.02 is repealed and recreated to read:

Psy 4.02 Continuing education. (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 supervision or suicide prevention shall be calculated as 1.5 times the numbers of continuing education hours obtained.
(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 initial 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.

SECTION 4. Psy 4.03 is renumbered to Psy 4.06 and amended to read:

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~~ 40 continuing education hours.
(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.

SECTION 5. Psy 4.03, 4.04 and 4.05 are created to read:

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 by an organization approved by one of the following:
1. American Psychological Association
2. National Association of School Psychologists
3. Canadian 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) Continuing education courses approved by the psychology licensing board in another state where the psychologist is also licensed.
(d) Graduate level courses of three semester or five quarter credits or more relevant to the professional practice of psychology offered by accredited colleges and universities.
(e) No more than eight hours of continuing education hours may be credited per day for courses and programs in par. (a) through (c).

(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 any subsequent presentations of the same program or course. A teacher or presenter may receive 2 continuing education hours for each hour of presentation with a maximum of 20 continuing education hours.
(3) Professional activity shall be awarded six hours of continuing education for each professional activity, however, no more than a total of 12 continuing education hours may be granted for professional activity. Continuing education hours shall be granted for the following professional activities:
(a) Serving on the American Psychological Association or its affiliated state psychological association board or committee.
(b) Serving on the Psychology Examining Board.
(c) Serving on the National Association of School Psychologists or its affiliated state association board or committee.
(d) Serving on the American Board of Professional Psychology board or committee.
(e) Serving on the Association of Psychology Postdoctoral Internship Centers board or committee.
(f) Serving on the Association of State and Provincial Psychology Boards committee or board.
(4) Continuing education hours shall be granted for first or second authorship of a publication relevant to psychology if the publication is contained in an academic or professionalbook or book chapter or peer-reviewed journal article. Authors shall receive ten continuing education hours per authorship, but not more than a total of 20 continuing education hours may be granted for authorship.
(5) Continuing education hours shall be granted for earning board certification recognized by the American Board of Professional Psychology. Licensees who successfully complete board certification shall receive 40 continuing education hours. The ethics, risk management or jurisprudence requirement may 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 may not be met unless the coursework included those topics.
(7) Continuing education hours shall be granted for providing supervision to one or more psychological trainees. Continuing education hours for providing supervision shall be calculated as .25 times the number of hours of supervision. No more than 20 continuing education hours may be obtained for supervision.
(8) (a) Continuing education hours shall be granted for 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 a form 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.

Psy 4.04 Postponement, Waiver and Exemptions (1) 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.
(2) 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.
(3) 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 licensee 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 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) Verification from the organization, on organization letterhead, documenting professional activities including the dates of service.
(e) Documentation of board certification from the American Board of Professional Psychology.
(f) Documentation verifying the dates and number of hours of voluntary, uncompensated services provided in assisting the department of health services using a form provided by the department.
(g) Attestation form documenting supervision including the dates of supervision and total number of hours per day.
(2) The board may conduct a random audit of licenseeson a biennial basis for compliance with continuing education requirements. The board may conduct an audit on any licensee who has come under investigation by the board for alleged misconduct.

SECTION 6. EFFECTIVE DATE. The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin administrative register, pursuant to s. 227.22 (2) (intro.), Stats.

(END OF TEXT OF RULE)

Dated _____ Agency _____

Member of the Board
Psychology Examining Board

Remaining Discussion Points

- List of approved continuing education organizations
- Number of credit hours per day
- Peer consultation
- Additional service such as on a governmental (federal, state or local) task force, study committee or commission designed to address psychosocial issues
- Verification from ASPPB Credentials Bank

Bruce Erdmann
Chairperson

Daniel Schroeder
Vice Chairperson

Rebecca Anderson
Secretary

WISCONSIN PSYCHOLOGY EXAMINING BOARD

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April 24, 2014

ATTN: Emelyn East

Association of State and Provincial Psychology Boards
P. O. Box 3079
Peachtree City, GA 30269

RE: Nomination of Dr. Don Crowder for ASPPB President-Elect

Dear Nominating Committee:

I am pleased to nominate Dr. Don Crowder for the position of President-Elect of the ASPPB Board of Directors. Don was Chair of Wisconsin's Psychology Examining Board (PEB) where he continued the tradition of leadership demonstrated by earlier PEB chairs who filled leadership posts with ASPPB, Dr. Asher Pacht and Dr. Barbara Van Horne.

Don has a distinguished career in leadership positions. Before earning his Doctorate, he held positions on a Michigan governmental task forces and a commission. After his doctorate Wisconsin, he held several leadership positions in the Wisconsin Psychological Association where he helped in reconfiguring its structure and advocate for psychology with governmental agencies and committees. In 1996, he received the Karl F. Heiser Award presented at the American Psychological Association annual meeting, an award honors psychologists who have voluntarily helped define the discipline of psychology in state or federal laws or regulations through advocacy.

Don was a vital member of the Psychology Examining Board. He helped the board negotiate changes through the first decade of the millennium, becoming PEB chair in 2005. He was a welcoming presence when I first joined the board in 2007, and he encouraged my participation in ASPPB.

Dr. Crowder was long active ASPPB, attending meetings in 2004, 2006, 2007, 2010. Since his election to the Board of Directors in 2012, he served on or chaired the Mobility committee, the Licensure of Consulting and IO Psychologists Task Force, the Common Rules Task Force, the Behavior Analysis Task Force, Model Act and Regulations Committee, and the Portability Task Force.

It is with great enthusiasm that I nominate Dr. Don Crowder for the position of President-Elect of ASPPB.

Sincerely,

Bruce R Erdmann PhD

Bruce R. Erdmann, Ph.D.
Chair, Psychology Examining Board
Psychology Internship Director,
Wisconsin Department of Corrections
License number 1478-057