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**VIRTUAL/TELECONFERENCE  
PSYCHOLOGY EXAMINING BOARD  
Virtual, 4822 Madison Yards Way, Madison  
Contact: Brad Wojciechowski (608) 266-2112  
June 28, 2023**

*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 record of the actions of the Board.*

**AGENDA**

**9:00 A.M.**

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

**A. Adoption of Agenda (1-3)**

**B. Approval of Minutes of April 7, 2023 (4-6)**

**C. Reminders: Conflicts of Interest, Scheduling Concerns**

**D. Introductions, Announcements and Recognition**

**E. Administrative Matters**

- 1) Department, Staff and Board Updates
- 2) Board Members – Term Expiration Dates
  - a. Desmonde, Marcus P. – 7/1/2021
  - b. Greene, John N. – 7/1/2023
  - c. Jinkins, Mark A. – 7/1/2022
  - d. Schroeder, Daniel A. – 7/1/2019
  - e. Sorce, Peter I. – 7/1/2020
  - f. Thompson, David W. – 7/1/2022

**F. Legislative and Policy Matters – Discussion and Consideration (7)**

- 1) 2023 Senate Bill 193 **(8-48)**

**G. Administrative Rule Matters – Discussion and Consideration (49-92)**

- 1) Discussion: Psy 1 to 6, relating to implementation of Psychology Licensure Compact.
- 2) Discussion: Psy 1 and 2, relating to national examination
- 3) Pending and possible rulemaking projects **(93)**

**H. Speaking Engagements, Travel, or Public Relation Requests, and Reports – Discussion and Consideration (94)**

- 1) Travel Report: ASPPB Midyear meeting – Denver, CO – April 27 – 30, 2023 – Peter Sorce **(96-107)**

- 2) Consideration of Attendance: ASPPB Annual Meeting – Cleveland, OH – September 27 – October 1, 2023

I. Association of State and Provincial Psychology Boards (ASPPB) Matters – Discussion and Consideration

J. Education and Examination Matters – Discussion and Consideration

K. Deliberation on Items Added After Preparation of Agenda:

- 1) Introductions, Announcements and Recognition
- 2) Nominations, Elections, and Appointments
- 3) Administrative Matters
- 4) Election of Officers
- 5) Appointment of Liaisons and Alternates
- 6) Delegation of Authorities
- 7) Education and Examination Matters
- 8) Credentialing Matters
- 9) Practice Matters
- 10) Public Health Emergencies
- 11) Legislative and Administrative Rule Matters
- 12) Liaison Reports
- 13) Board Liaison Training and Appointment of Mentors
- 14) Informational Items
- 15) Division of Legal Services and Compliance (DLSC) Matters
- 16) Presentations of Petitions for Summary Suspension
- 17) Petitions for Designation of Hearing Examiner
- 18) Presentation of Stipulations, Final Decisions and Orders
- 19) Presentation of Proposed Final Decisions and Orders
- 20) Presentation of Interim Orders
- 21) Petitions for Re-Hearing
- 22) Petitions for Assessments
- 23) Petitions to Vacate Orders
- 24) Requests for Disciplinary Proceeding Presentations
- 25) Motions
- 26) Petitions
- 27) Appearances from Requests Received or Renewed
- 28) Speaking Engagements, Travel, or Public Relation Requests, and Reports

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. **DLSC Matters**

- 1) **Administrative Warning**
  - a. 23 PSY 009, G.D.D. (108-109)
- 2) **Case Closings**
  - a. 22 PSY 025 – A.M.S. (110-117)

N. Deliberation of Items Added After Preparation of the Agenda

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) DLSC Matters
- 4) Monitoring Matters
- 5) Professional Assistance Procedure (PAP) Matters
- 6) Petitions for Summary Suspensions
- 7) Petitions for Designation of Hearing Examiner
- 8) Proposed Stipulations, Final Decisions and Orders
- 9) Proposed Interim Orders
- 10) Administrative Warnings
- 11) Review of Administrative Warnings
- 12) Proposed Final Decisions and Orders
- 13) Matters Relating to Costs/Orders Fixing Costs
- 14) Case Closings
- 15) Board Liaison Training
- 16) Petitions for Assessments and Evaluations
- 17) Petitions to Vacate Orders
- 18) Remedial Education Cases
- 19) Motions
- 20) Petitions for Re-Hearing
- 21) Appearances from Requests Received or Renewed

O. Consulting with Legal Counsel

**RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION**

P. Vote on Items Considered or Deliberated Upon in Closed Session if Voting is Appropriate

Q. Open Session Items Noticed Above Not Completed in the Initial Open Session

**ADJOURNMENT**

**NEXT DATE: OCTOBER 4, 2023**

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 MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED  
 WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held virtually unless otherwise indicated. In-person meetings are typically conducted at 4822 Madison Yards Way, Madison, Wisconsin, unless an alternative location is listed on the meeting notice. In order to confirm a meeting or to request a complete copy of the board's agenda, please visit the Department website at <https://dsps.wi.gov>. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Requests for interpreters for the hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer, or reach the Meeting Staff by calling 608-267-7213.

**VIRTUAL/TELECONFERENCE  
PSYCHOLOGY EXAMINING BOARD  
MEETING MINUTES  
APRIL 7, 2023**

**PRESENT:** Marcus Desmonde, Psy.D.; John Greene, Ph.D. (*arrived at 9:16 a.m.*); Mark Jinkins; Daniel Schroeder, Ph.D.; Peter Sorce; David Thompson, Ph.D.

**STAFF:** Brad Wojciechowski, Executive Director; Whitney DeVoe, Legal Counsel; Sofia Anderson, Administrative Rules Coordinator; Dialah Azam, Bureau Assistant; and other Department Staff

**CALL TO ORDER**

Daniel Schroeder, Chairperson, called the meeting to order at 9:02 a.m. A quorum was confirmed with five (5) members present.

**ADOPTION OF AGENDA**

**MOTION:** Peter Sorce moved, seconded by David Thompson, to adopt the Agenda as published. Motion carried unanimously.

**APPROVAL OF MINUTES OF FEBRUARY 22, 2023**

**MOTION:** Mark Jinkins moved, seconded by Peter Sorce, to approve the Minutes of February 22, 2023 as published. Motion carried unanimously.

*(John Greene arrived at 9:16 a.m.)*

**ADMINISTRATIVE RULE MATTERS**

**Adoption order: CR 21-016 Psy 1, 2, and 5 relating to telehealth**

**MOTION:** David Thompson moved, seconded by Peter Sorce, to delegate authority to the Chairperson (or in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to approve the revised Adoption Order for Clearinghouse Rule CR 21-016, relating to telehealth. Motion carried unanimously.

**Pending or Possible Rulemaking Projects**

**MOTION:** Mark Jinkins moved, seconded by Peter Sorce, to delegate authority to the Chairperson (or in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to approve the Adoption Order for Clearinghouse Rule CR 21-080, relating to legislative update once the Joint Committee for Review of Administrative Rules jurisdiction ends. Motion carried unanimously.

## CLOSED SESSION

**MOTION:** Peter Sorce moved seconded by David Thompson, 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.). Daniel Schroeder, Chairperson, read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Marcus Desmonde-yes; John Greene-yes; Mark Jinkins-yes; Daniel Schroeder-yes; Peter Sorce-yes; and David Thompson-yes. Motion carried unanimously.

The Board convened into Closed Session at 9:45 a.m.

### DELIBERATION ON DIVISION OF LEGAL SERVICES AND COMPLIANCE MATTERS

#### Case Closings

##### *22 PSY 018– T.A.M.*

**MOTION:** David Thompson moved, seconded by Peter Sorce, to close DLSC Case Number 22 PSY 018, against T.A.M., for No Violation. Motion carried unanimously.

### CREDENTIALING MATTERS

#### Application Reviews

##### *Jeffrey Gross– Predetermination Applicant*

**MOTION:** David Thompson moved, seconded by Peter Sorce, to issue a determination that Jeffrey Gross is not disqualified from obtaining a psychology credential due to his conviction record as of the date of this determination. Motion carried. Marcus Desmonde abstained.

### RECONVENE TO OPEN SESSION

**MOTION:** Mark Jinkins moved, seconded by Peter Sorce, to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open Session at 10:03 a.m.

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

**MOTION:** Peter Sorce moved, seconded by David Thompson, to affirm all motions made and votes taken in closed session. Motion carried unanimously.

*(Be advised that any recusals or abstentions reflected in the closed session motions stand for the purposes of the affirmation vote.)*

## **ADJOURNMENT**


**MOTION:** David Thompson moved, seconded by Peter Sorce, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 10:05 a.m.

DRAFT

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

**AGENDA REQUEST FORM**

1) Name and title of person submitting the request: Brad Wojciechowski		2) Date when request submitted: 6/20/2023 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Psychology Examining Board			
4) Meeting Date: 6/28/2023	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Legislative and Policy Matters – Discussion and Consideration 1) 2023 Senate Bill 193	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session		8) Is an appearance before the Board being scheduled? <i>(If yes, please complete <a href="#">Appearance Request</a> for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <Appearance Name(s)> <input checked="" type="checkbox"/> No	
9) Name of Case Advisor(s), if applicable: <Click Here to Add Case Advisor Name or N/A>			
10) Describe the issue and action that should be addressed: <Click Here to Add Description>			
11) Authorization			
		6/20/2023	
Signature of person making this request		Date	
Supervisor (Only required for post agenda deadline items)		Date	
Executive Director signature (Indicates approval for post agenda deadline items)		Date	
Directions for including supporting documents: 1. This form should be saved with any other documents submitted to the <a href="#">Agenda Items</a> folders. 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.			



State of Wisconsin  
2023 - 2024 LEGISLATURE

LRB-2562/1  
MED:wlj

## 2023 SENATE BILL 193

April 3, 2023 - Introduced by JOINT LEGISLATIVE COUNCIL. Referred to Committee on Licensing, Constitution and Federalism.

1     **AN ACT to repeal** 440.992 (6), 452.10 (2) and 456.07 (1) and (3); **to renumber**  
2     440.08 (2) (d) and 440.08 (2) (e); **to renumber and amend** 440.08 (2) (a) 1. to  
3     37., 440.08 (2) (a) 37m., 440.08 (2) (a) 38. to 72., 440.08 (2) (c), 446.025 (3) (a)  
4     and 446.026 (3) (a); **to amend** 440.03 (14) (c), 440.03 (15), 440.032 (5), 440.08  
5     (2) (title), 440.08 (2) (a) (intro.), 440.08 (2) (b), 440.08 (4) (a), 440.09 (3) (a),  
6     440.26 (3), 440.26 (5m) (b), 440.313 (1), 440.415 (2) (a), 440.71 (3), 440.88 (4),  
7     440.905 (2), 440.91 (1) (c), 440.91 (1m) (c), 440.91 (4), 440.92 (1) (c), 440.972 (2),  
8     440.974 (2), 440.98 (6), 440.983 (1), 440.9935, 441.06 (3), 441.10 (6), 441.15 (3)  
9     (b), 442.083 (1), 442.083 (2) (a), 443.015 (1e), 443.07 (6), 443.08 (3) (b), 443.10  
10    (2) (e), 443.10 (5), 445.06 (1), 445.07 (1) (a) and (b), 445.095 (1) (c), 445.105 (3),  
11    446.02 (1) (b), 446.02 (4), 446.025 (3) (b), 446.026 (3) (b), 447.05 (1) (a), 447.055  
12    (1) (a), 447.055 (1) (b) 1., 447.055 (1) (b) 2., 447.056 (1) (intro.), 447.056 (3),  
13    447.058 (2) (b), 448.07 (1) (a), 448.13 (1) (a) 1., 448.13 (1) (a) 2., 448.13 (1m),  
14    448.55 (2), 448.65 (2) (intro.), 448.665, 448.86 (2), 448.9545 (1) (a), 448.9545 (1)



**SENATE BILL 193**

1 (b) (intro.), 448.955 (1), 448.955 (2) (a), 448.955 (3) (a), 448.956 (1) (c), 448.967  
 2 (2), 448.9703 (3) (a), 448.9706 (2), 448.974 (2) (a), 449.06 (1), 449.06 (2m), 450.08  
 3 (1), 450.08 (2) (a), 450.08 (2) (b), 450.085 (1), 451.04 (4), 452.12 (1), 452.12 (5)  
 4 (a), 452.132 (2) (c), 454.06 (8), 454.08 (9), 454.23 (5), 454.25 (9), 455.06 (1) (a),  
 5 455.065 (7), 456.07 (2), 456.07 (5), 457.20 (2), 457.22 (2), 458.09 (3), 458.11,  
 6 458.13, 458.33 (5), 459.09 (1) (intro.), 459.09 (1) (b), 459.24 (5) (intro.), 459.24  
 7 (5) (b), 460.07 (2) (intro.), 460.10 (1) (a), 462.05 (1), 466.04 (3) (a) (intro.),  
 8 470.045 (3) (b), 470.07 and 480.08 (5); **to repeal and recreate** 448.13 (title) and  
 9 456.07 (title); and **to create** 440.08 (2) (a) 1n., 2n., 3n. and 4n., 440.08 (2) (ag)  
 10 (intro.), 440.08 (2) (ar), 440.08 (2m) (title), 440.08 (2m) (b), 446.025 (3) (a) 2. and  
 11 446.026 (3) (a) 2. of the statutes; **relating to:** renewal dates and continuing  
 12 education requirements for certain credentials issued by the Department of  
 13 Safety and Professional Services and credentialing boards and granting  
 14 rule-making authority.

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***Analysis by the Legislative Reference Bureau***

This bill is explained in the NOTES provided by the Joint Legislative Council in the bill.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This draft was prepared for the Joint Legislative Council's Study Committee on Occupational Licenses.

Under current law, a two-year renewal period applies to many health and business credentials administered by the Department of Safety and Professional Services (DSPS) or a credentialing board. The renewal date for each two-year period is specified by statute. As part of a credential holder's renewal, some professions specify continuing education requirements by statute, while some professions may establish continuing education requirements by rule.

The bill revises each two-year renewal period in the health and business professions to four-year renewal periods. Where specified in the statutes, the bill doubles the corresponding credential's continuing education requirement.

**SENATE BILL 193**

The bill specifies that DSPS may, in cooperation with the credentialing boards, phase in the new four-year renewal periods in a manner that allows one two-year renewal to occur after the law takes effect. DSPS may also stagger the renewal dates among credential holders so that approximately half of renewals within a profession occur every two years.

The bill specifies that if the four-year renewal period is in place before revised renewal fees are approved by the Joint Committee on Finance, DSPS may double the two-year renewal fee. The bill also specifies the converse, that if a two-year renewal applies to an individual after a four-year renewal fee has been established, the individual is required to pay only one-half of the four-year renewal fee.

If DSPS implements measures to phase in four-year renewal periods or to stagger renewal dates within a profession, the bill requires DSPS to do so by administrative rule. The bill also grants emergency rulemaking authority to DSPS and the credentialing boards to implement the provisions of the bill without making a finding of emergency, and allows an emergency rule to remain in effect until May 1, 2025, or the date on which the permanent rule takes effect, whichever is sooner. Lastly, the bill specifies that its provisions take effect on the first day of the third month following enactment.

1           **SECTION 1.** 440.03 (14) (c) of the statutes is amended to read:

2           440.03 (14) (c) The renewal dates for certificates granted under par. (a) and  
3 licenses granted under par. (am) ~~are specified in~~ shall be as determined under s.  
4 440.08 (2) (a). Renewal applications shall be submitted to the department on a form  
5 provided by the department and shall include the renewal fee determined by the  
6 department under s. 440.03 (9) (a) and evidence satisfactory to the department that  
7 the person's certification, registration, or accreditation specified in par. (a) 1. a., 2.  
8 a., or 3. a. has not been revoked.

9           **SECTION 2.** 440.03 (15) of the statutes is amended to read:

10           440.03 (15) The department shall promulgate rules that establish the fees  
11 specified in ss. 440.05 (10) and 440.08 ~~(2) (d)~~ (2m) (c).

12           **SECTION 3.** 440.032 (5) of the statutes is amended to read:

13           440.032 (5) LICENSE RENEWAL. The renewal dates for licenses granted under  
14 sub. (3) ~~are specified in~~ shall be as determined under s. 440.08 (2) ~~(a)~~ 68e. Renewal  
15 applications shall be submitted to the department on a form provided by the  
16 department and shall include the renewal fee determined by the department under  
17 s. 440.03 (9) (a) and evidence satisfactory to the department that the person's

**SENATE BILL 193****SECTION 3**

1 certification or membership specified in sub. (3) that is required for the license has  
2 not been revoked or invalidated.

3 **SECTION 4.** 440.08 (2) (title) of the statutes is amended to read:

4 440.08 (2) (title) RENEWAL DATES, FEES AND APPLICATIONS.

5 **SECTION 5.** 440.08 (2) (a) (intro.) of the statutes is amended to read:

6 440.08 (2) (a) (intro.) Except as provided in par. (b) and in ss. 440.51, 442.04,  
7 444.03, 444.11, 447.04 (2) (c) 2., 447.05 (1) (b), 449.17 (1m) (d), 449.18 (2) (e), 455.06  
8 (1) (b), 463.10, 463.12, and 463.25 and subch. II of ch. 448, ~~the renewal dates for~~  
9 ~~credentials are as follows~~ all of the following apply with respect to renewals of  
10 credentials:

11 **SECTION 6.** 440.08 (2) (a) 1. to 37. of the statutes are renumbered 440.08 (2) (ag)  
12 1. to 37. and amended to read:

13 440.08 (2) (ag) 1. Accountant, certified public: December 15 of each every other  
14 odd-numbered year.

15 3. Accounting corporation or partnership: December 15 of each every other  
16 odd-numbered year.

17 4. Acupuncturist: July 1 of each every other odd-numbered year.

18 4m. Advanced practice nurse prescriber: October 1 of each every other  
19 even-numbered year.

20 5. Aesthetician: April 1 of each every other odd-numbered year.

21 6. Aesthetics establishment: April 1 of each every other odd-numbered year.

22 8. Aesthetics school: April 1 of each every other odd-numbered year.

23 9. Aesthetics specialty school: April 1 of each every other odd-numbered year.

24 9m. Substance abuse counselor, clinical supervisor, or prevention specialist:  
25 except as limited in s. 440.88 (4), March 1 of each every other odd-numbered year.

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- 1           10. Anesthesiologist assistant: October 1 of each every other even-numbered  
2 year.
- 3           10m. Appraisal management company: December 15 of each every other  
4 odd-numbered year.
- 5           11. Appraiser, real estate, certified general: December 15 of each every other  
6 odd-numbered year.
- 7           11m. Appraiser, real estate, certified residential: December 15 of each every  
8 other odd-numbered year.
- 9           12. Appraiser, real estate, licensed: December 15 of each every other  
10 odd-numbered year.
- 11           13. Architect: August 1 of each every other even-numbered year.
- 12           14. Architectural or engineering firm, partnership or corporation: February 1  
13 of each every other even-numbered year.
- 14           14d. Athlete agent: July 1 of each every other even-numbered year.
- 15           14f. Athletic trainer: July 1 of each every other even-numbered year.
- 16           14g. Auction company: December 15 of each every other even-numbered year.
- 17           14r. Auctioneer: December 15 of each every other even-numbered year.
- 18           15. Audiologist: February 1 of each every other odd-numbered year.
- 19           15m. Barber: April 1 of each every other odd-numbered year.
- 20           16. Barbering establishment: April 1 of each every other odd-numbered year.
- 21           19. Barbering school: April 1 of each every other odd-numbered year.
- 22           20m. Behavior analyst: December 15 of each every other even-numbered year.
- 23           21. Cemetery authority, licensed: December 15 of each every other  
24 even-numbered year.

**SENATE BILL 193****SECTION 6**

- 1           21m. Cemetery authority, registered: December 15 of each every other  
2 even-numbered year; \$10.
- 3           22. Cemetery preneed seller: December 15 of each every other even-numbered  
4 year.
- 5           23. Cemetery salesperson: December 15 of each every other even-numbered  
6 year.
- 7           23p. Chiropractic radiological technician: December 15 of each every other  
8 even-numbered year.
- 9           23s. Chiropractic technician: December 15 of each every other even-numbered  
10 year.
- 11          24. Chiropractor: December 15 of each every other even-numbered year.
- 12          24b. Cosmetologist: April 1 of each every other odd-numbered year.
- 13          24d. Cosmetology establishment: April 1 of each every other odd-numbered  
14 year.
- 15          24k. Cosmetology school: April 1 of each every other odd-numbered year.
- 16          24m. Crematory authority: January 1 of each every other even-numbered  
17 year.
- 18          25. Dental hygienist: October 1 of each every other odd-numbered year.
- 19          26. Dentist: October 1 of each every other odd-numbered year.
- 20          26m. Dentist, faculty member: October 1 of each every other odd-numbered  
21 year.
- 22          27. Designer of engineering systems: February 1 of each every other  
23 even-numbered year.
- 24          27m. Dietitian: November 1 of each every other even-numbered year.
- 25          29. Drug manufacturer: June 1 of each every other even-numbered year.

**SENATE BILL 193**

1           30. Electrologist: April 1 of each every other odd-numbered year.

2           31. Electrology establishment: April 1 of each every other odd-numbered year.

3           33. Electrology school: April 1 of each every other odd-numbered year.

4           34. Electrology specialty school: April 1 of each every other odd-numbered  
5 year.

6           35. Engineer, professional: August 1 of each every other even-numbered year.

7           36. Funeral director: December 15 of each every other odd-numbered year.

8           37. Funeral establishment: June 1 of each every other odd-numbered year.

9           **SECTION 7.** 440.08 (2) (a) 1n., 2n., 3n. and 4n. of the statutes are created to read:

10           440.08 (2) (a) 1n. Beginning with the first renewal after the initial issuance of  
11 a credential, the credential may be renewed every 4 years as provided in this  
12 paragraph.

13           2n. General renewal dates shall be as specified in par. (ag).

14           3n. The department may, if practical and expedient, stagger renewal dates  
15 among credential holders so that approximately half of renewals occur every 2 years.

16           4n. The department shall promulgate rules for the implementation of subds.  
17 1n. to 3n.

18           **SECTION 8.** 440.08 (2) (a) 37m. of the statutes, as created by 2021 Wisconsin Act  
19 251, is renumbered 440.08 (2) (ag) 37m. and amended to read:

20           440.08 (2) (ag) 37m. Genetic counselor: November 1 of each every other  
21 odd-numbered year.

22           **SECTION 9.** 440.08 (2) (a) 38. to 72. of the statutes are renumbered 440.08 (2)  
23 (ag) 38. to 72. and amended to read:

24           440.08 (2) (ag) 38. Hearing instrument specialist: February 1 of each every  
25 other odd-numbered year.

**SENATE BILL 193****SECTION 9**

1           38g. Home inspector: December 15 of each every other even-numbered year.

2           38h. Home medical oxygen provider: June 1 of each every other  
3 even-numbered year.

4           38i. Interior design firm, partnership, or corporation: February 1 of each every  
5 other even-numbered year.

6           38j. Juvenile martial arts instructor: September 1 of each every other  
7 even-numbered year.

8           38m. Landscape architect: August 1 of each every other even-numbered year.

9           39. Land surveyor, professional: February 1 of each every other  
10 even-numbered year.

11           39m. Limited X-ray machine operator: September 1 of each every other  
12 even-numbered year.

13           42. Manicuring establishment: April 1 of each every other odd-numbered year.

14           44. Manicuring school: April 1 of each every other odd-numbered year.

15           45. Manicuring specialty school: April 1 of each every other odd-numbered  
16 year.

17           46. Manicurist: April 1 of each every other odd-numbered year.

18           46m. Marriage and family therapist: March 1 of each every other  
19 odd-numbered year.

20           46r. Massage therapist or bodywork therapist: March 1 of each every other  
21 odd-numbered year.

22           46w. Midwife, licensed: July 1 of each every other even-numbered year.

23           46y. Mobile dentistry program registration: October 1 of each every other  
24 odd-numbered year.

25           47g. Naturopathic doctor: January 1 of each every other odd-numbered year.

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- 1           47h. Naturopathic doctor, limited-scope: January 1 of each every other  
2 odd-numbered year.
- 3           48. Nurse, licensed practical: May 1 of each every other odd-numbered year.
- 4           49. Nurse, registered: March 1 of each every other even-numbered year.
- 5           50. Nurse-midwife: March 1 of each every other even-numbered year.
- 6           51. Nursing home administrator: July 1 of each every other even-numbered  
7 year.
- 8           52. Occupational therapist: June 1 of each every other odd-numbered year.
- 9           53. Occupational therapy assistant: June 1 of each every other odd-numbered  
10 year.
- 11          54. Optometrist: December 15 of each every other odd-numbered year.
- 12          54m. Perfusionist: March 1 of each every other even-numbered year.
- 13          55. Pharmacist: June 1 of each every other even-numbered year.
- 14          56. Pharmacy, in-state and out-of-state: June 1 of each every other  
15 even-numbered year.
- 16          56m. Pharmacy technician: June 1 of each every other even-numbered year.
- 17          57. Physical therapist: March 1 of each every other odd-numbered year.
- 18          57m. Physical therapist assistant: March 1 of each every other odd-numbered  
19 year.
- 20          58. Physician, other than a physician who possesses the degree of doctor of  
21 osteopathy: November 1 of each every other odd-numbered year.
- 22          58m. Physician who possesses the degree of doctor of osteopathy: November  
23 1 of each every other odd-numbered year.
- 24          59. Physician assistant: March 1 of each every other even-numbered year.
- 25          60. Podiatrist: November 1 of each every other even-numbered year.



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1           61. Private detective: September 1 of each every other even-numbered year.

2           62. Private detective agency: September 1 of each every other odd-numbered  
3 year.

4           63. Private practice school psychologist: October 1 of each every other  
5 odd-numbered year.

6           63g. Private security person: September 1 of each every other even-numbered  
7 year.

8           63m. Professional counselor: March 1 of each every other odd-numbered year.

9           63u. Professional geologist: August 1 of each every other even-numbered year.

10          63v. Professional geology, hydrology, or soil science firm, partnership, or  
11 corporation: August 1 of each every other even-numbered year.

12          63w. Professional hydrologist: August 1 of each every other even-numbered  
13 year.

14          63x. Professional soil scientist: August 1 of each every other even-numbered  
15 year.

16          64. Psychologist: October 1 of each every other odd-numbered year.

17          64g. Radiographer, licensed: September 1 of each every other even-numbered  
18 year.

19          65. Real estate broker: December 15 of each every other even-numbered year.

20          66. Real estate business entity: December 15 of each every other  
21 even-numbered year.

22          67. Real estate salesperson: December 15 of each every other even-numbered  
23 year.

24          67m. Registered interior designer: August 1 of each every other  
25 even-numbered year.

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1           67v. Registered music, art or dance therapist: October 1 of each every other  
2 odd-numbered year.

3           67x. Registered music, art, or dance therapist with psychotherapy license:  
4 October 1 of each every other odd-numbered year.

5           68. Respiratory care practitioner: July 1 of each every other even-numbered  
6 year.

7           68b. Sanitarian: January 1 of each every other even-numbered year.

8           68c. Sign language interpreter: September 1 of each every other  
9 odd-numbered year.

10          68d. Social worker: March 1 of each every other odd-numbered year.

11          68h. Social worker, advanced practice: March 1 of each every other  
12 odd-numbered year.

13          68p. Social worker, independent: March 1 of each every other odd-numbered  
14 year.

15          68t. Social worker, independent clinical: March 1 of each every other  
16 odd-numbered year.

17          68v. Speech-language pathologist: February 1 of each every other  
18 odd-numbered year.

19          69g. Third-party logistics provider: July 1 of each every other even-numbered  
20 year.

21          69m. Transportation network company: March 1 of each every other  
22 odd-numbered year.

23          72. Wholesale distributor of prescription drugs: June 1 of each every other  
24 even-numbered year.

25          **SECTION 10.** 440.08 (2) (ag) (intro.) of the statutes is created to read:

**SENATE BILL 193****SECTION 10**

1           440.08 (2) (ag) (intro.) For the purpose of par. (a), the general renewal dates and  
2 years for credentials to which this subsection applies are as follows:

3           **SECTION 11.** 440.08 (2) (ar) of the statutes is created to read:

4           440.08 (2) (ar) 1. Notwithstanding pars. (a), (ag), and (c) and chs. 440 to 480,  
5 the department may, in cooperation with credentialing boards, establish a system to  
6 transition credential holders from 2-year credential periods under chs. 440 to 480,  
7 2021 stats., to 4-year credential periods by phasing in the application of par. (a). The  
8 department shall promulgate rules to implement any transition system established  
9 under this paragraph, which shall not allow for more than one 2-year renewal of a  
10 credential after the effective date of this subdivision .... [LRB inserts date].

11           2. a. Notwithstanding the requirement to pay the renewal fee under par. (c),  
12 a person who renews a credential for 2 years pursuant to the transition system  
13 established under this paragraph is required to pay only one-half of the renewal fee  
14 that applies to a person renewing a credential for 4 years.

15           b. Notwithstanding the fees for credential renewals approved under s. 440.03  
16 (9), if the department transitions credential holders from 2-year credential periods  
17 under chs. 440 to 480, 2021 stats., to 4-year credential periods before revised  
18 renewal fees can be approved under s. 440.03 (9), the department may double the  
19 applicable renewal fee until a revised fee can be approved under s. 440.03 (9).

20           **SECTION 12.** 440.08 (2) (b) of the statutes is amended to read:

21           440.08 (2) (b) ~~The renewal fee for an apprentice, journeyman, student or~~  
22 ~~temporary credential is \$10. The renewal dates specified in par. (a) determined~~  
23 under pars. (a) to (ar) do not apply to apprentice, journeyman, student or temporary  
24 credentials.

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1           **SECTION 13.** 440.08 (2) (c) of the statutes is renumbered 440.08 (2m) (a) and  
2 amended to read:

3           440.08 **(2m)** (a) Except as provided in par. ~~(e)~~ (d) and sub. (3), renewal  
4 applications shall include the applicable renewal fee as determined by the  
5 department under s. 440.03 (9) (a) or as specified in par. (b).

6           **SECTION 14.** 440.08 (2) (d) of the statutes is renumbered 440.08 (2m) (c).

7           **SECTION 15.** 440.08 (2) (e) of the statutes is renumbered 440.08 (2m) (d).

8           **SECTION 16.** 440.08 (2m) (title) of the statutes is created to read:

9           440.08 **(2m)** (title) RENEWAL FEES AND APPLICATIONS.

10          **SECTION 17.** 440.08 (2m) (b) of the statutes is created to read:

11          440.08 **(2m)** (b) The renewal fee for an apprentice, journeyman, student, or  
12 temporary credential is \$10.

13          **SECTION 18.** 440.08 (4) (a) of the statutes is amended to read:

14          440.08 **(4)** (a) *Generally.* If the department or the interested examining board  
15 or affiliated credentialing board, as appropriate, determines that an applicant for  
16 renewal has failed to comply with sub. ~~(2)~~ ~~(e)~~ (2m) (a) or (3) or with any other  
17 applicable requirement for renewal established under chs. 440 to 480 or that the  
18 denial of an application for renewal of a credential is necessary to protect the public  
19 health, safety or welfare, the department, examining board or affiliated  
20 credentialing board may summarily deny the application for renewal by mailing to  
21 the holder of the credential a notice of denial that includes a statement of the facts  
22 or conduct that warrant the denial and a notice that the holder may, within 30 days  
23 after the date on which the notice of denial is mailed, file a written request with the  
24 department to have the denial reviewed at a hearing before the department, if the

**SENATE BILL 193****SECTION 18**

1 department issued the credential, or before the examining board or affiliated  
2 credentialing board that issued the credential.

3 **SECTION 19.** 440.09 (3) (a) of the statutes is amended to read:

4 440.09 (3) (a) A reciprocal credential granted under this section expires on the  
5 applicable renewal date ~~specified in~~ determined under s. 440.08 (2) (a), except that  
6 if the first renewal date ~~specified in s. 440.08 (2) (a)~~ after the date on which the  
7 credential is granted is within ~~180~~ 365 days of the date on which the credential is  
8 granted, the credential expires on the 2nd renewal date ~~specified in s. 440.08 (2) (a)~~  
9 after the date on which the credential is granted.

10 **SECTION 20.** 440.26 (3) of the statutes is amended to read:

11 440.26 (3) ISSUANCE OF LICENSES; FEES. Upon receipt and examination of an  
12 application executed under sub. (2), and after any investigation that it considers  
13 necessary, the department shall, if it determines that the applicant is qualified, grant  
14 the proper license upon payment of the initial credential fee determined by the  
15 department under s. 440.03 (9) (a). No license shall be issued for a longer period than  
16 ~~2~~ 4 years, and the license of a private detective shall expire on the renewal date of  
17 the license of the private detective agency, even if the license of the private detective  
18 has not been in effect for a full ~~2~~ 4 years. Renewals of the original licenses issued  
19 under this section shall be issued in accordance with renewal forms prescribed by the  
20 department and shall be accompanied by the applicable fees specified in s. 440.08 or  
21 determined by the department under s. 440.03 (9) (a). The department may not  
22 renew a license unless the applicant provides evidence that the applicant has in force  
23 at the time of renewal the bond or liability policy specified in this section.

24 **SECTION 21.** 440.26 (5m) (b) of the statutes is amended to read:

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1           440.26 **(5m)** (b) The renewal dates for permits issued under this subsection ~~are~~  
2           specified shall be as determined under s. 440.08 (2) ~~(a)~~. Renewal applications shall  
3           be submitted to the department on a form provided by the department and shall  
4           include the renewal fee determined by the department under s. 440.03 (9) (a).

5           **SECTION 22.** 440.313 (1) of the statutes is amended to read:

6           440.313 **(1)** The renewal date for licenses granted under this subchapter is  
7           specified ~~in~~ shall be as determined under s. 440.08 (2) ~~(a)~~. Renewal applications shall  
8           be submitted to the department on a form provided by the department and shall  
9           include the renewal fee determined by the department under s. 440.03 (9) (a).

10          **SECTION 23.** 440.415 (2) (a) of the statutes is amended to read:

11          440.415 **(2)** (a) The renewal date for a license granted under sub. (1) ~~is specified~~  
12          ~~in~~ shall be as determined under s. 440.08 (2) ~~(a)~~ ~~69m~~. A renewal application shall  
13          be submitted to the department on a form prescribed by the department and shall  
14          include any information required by the department by rule.

15          **SECTION 24.** 440.71 (3) of the statutes is amended to read:

16          440.71 **(3)** RENEWAL. Renewal applications shall be submitted to the  
17          department on a form provided by the department on or before the applicable  
18          renewal date specified determined under s. 440.08 (2) ~~(a)~~ and shall include the  
19          applicable renewal fee determined by the department under s. 440.03 (9) (a).

20          **SECTION 25.** 440.88 (4) of the statutes is amended to read:

21          440.88 **(4)** APPLICATIONS; CERTIFICATION PERIOD. An application for certification  
22          as a substance abuse counselor, clinical supervisor, or prevention specialist under  
23          this section shall be made on a form provided by the department and filed with the  
24          department and shall be accompanied by the initial credential fee determined by the  
25          department under s. 440.03 (9) (a). The renewal date for certification as a substance

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1 abuse counselor, clinical supervisor, or prevention specialist ~~is specified~~ shall be as  
2 determined under s. 440.08 (2) (a) and the renewal fee for such certifications is  
3 determined by the department under s. 440.03 (9) (a). Renewal of certification as a  
4 substance abuse counselor-in-training, a clinical supervisor-in-training, or a  
5 prevention specialist-in-training may be made only twice.

6 **SECTION 26.** 440.905 (2) of the statutes is amended to read:

7 440.905 (2) The board has rule-making authority and may promulgate rules  
8 relating to the regulation of cemetery authorities, cemetery salespersons, and  
9 cemetery preneed sellers. ~~The board may determine, by rule, a fee under s. 440.05~~  
10 ~~(1) (a) and under s. 440.08 (2) (a) 21. that is sufficient to fund the board's operating~~  
11 ~~costs.~~

12 **SECTION 27.** 440.91 (1) (c) of the statutes is amended to read:

13 440.91 (1) (c) The renewal dates for licenses granted under par. (b) ~~are specified~~  
14 ~~in~~ shall be as determined under s. 440.08 (2) (a) and the renewal fees for such licenses  
15 are determined by the department under s. 440.03 (9) (a).

16 **SECTION 28.** 440.91 (1m) (c) of the statutes is amended to read:

17 440.91 (1m) (c) The renewal date ~~and renewal fee for a registration granted~~  
18 ~~under par. (b) are specified in~~ shall be as determined under s. 440.08 (2). The  
19 department shall determine the renewal fee for a registration granted under par. (b)  
20 under s. 440.03 (9) (a).

21 **SECTION 29.** 440.91 (4) of the statutes is amended to read:

22 440.91 (4) Renewal applications shall be submitted to the board on a form  
23 provided by the board on or before the applicable renewal date ~~specified~~ determined  
24 ~~under s. 440.08 (2) (a) and shall include the applicable renewal fee determined by the~~  
25 ~~department under s. 440.03 (9) (a).~~

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1           **SECTION 30.** 440.92 (1) (c) of the statutes is amended to read:

2           440.92 (1) (c) Renewal applications shall be submitted to the board on a form  
3 provided by the board on or before the applicable renewal date ~~specified~~ determined  
4 under s. 440.08 (2) ~~(a)~~ and shall include the applicable renewal fee determined by the  
5 department under s. 440.03 (9) (a).

6           **SECTION 31.** 440.972 (2) of the statutes is amended to read:

7           440.972 (2) The renewal date for certificates granted under this section is  
8 ~~specified~~ shall be as determined under s. 440.08 (2) ~~(a)~~ ~~38g.~~, and the renewal fee for  
9 such certificates is determined by the department under s. 440.03 (9) (a).

10          **SECTION 32.** 440.974 (2) of the statutes is amended to read:

11          440.974 (2) The department shall promulgate rules establishing continuing  
12 education requirements for individuals registered under this subchapter. The rules  
13 promulgated under this subsection shall require the completion of at least 40 80  
14 hours of continuing education every ~~2~~ 4 years, except that the rules may not require  
15 continuing education for an applicant for renewal of a registration that expires on  
16 the 1st and ~~2nd~~ renewal dates date after the date on which the department initially  
17 granted the registration.

18          **SECTION 33.** 440.98 (6) of the statutes is amended to read:

19          440.98 (6) APPLICATIONS. An application for a sanitarian registration under this  
20 section shall be made on a form provided by the department and filed with the  
21 department and shall be accompanied by the initial credential fee determined by the  
22 department under s. 440.03 (9) (a). The renewal date for a sanitarian registration  
23 is ~~specified~~ shall be as determined under s. 440.08 (2) ~~(a)~~, and the renewal fee for such  
24 registration is determined by the department under s. 440.03 (9) (a).

25          **SECTION 34.** 440.983 (1) of the statutes is amended to read:



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1           440.983 (1) The renewal date for licenses granted under this subchapter is  
2 ~~specified in~~ shall be as determined under s. 440.08 (2) (a). Renewal applications shall  
3 be submitted to the department on a form provided by the department and shall  
4 include the renewal fee determined by the department under s. 440.03 (9) (a).

5           **SECTION 35.** 440.992 (6) of the statutes is repealed.

6           **SECTION 36.** 440.9935 of the statutes is amended to read:

7           **440.9935 Renewal.** The renewal date for certificates of registration issued  
8 under this subchapter is ~~specified in~~ shall be as determined under s. 440.08 (2) (a),  
9 and the renewal fee for such certificates is determined by the department under s.  
10 440.03 (9) (a). Renewal applications shall be submitted to the department on a form  
11 provided by the department.

12           **SECTION 37.** 441.06 (3) of the statutes is amended to read:

13           441.06 (3) A registered nurse practicing for compensation shall, on or before  
14 the applicable renewal date ~~specified~~ determined under s. 440.08 (2) (a), submit to  
15 the board on furnished forms a statement giving name, residence, and other facts  
16 that the board requires, with the nursing workforce survey and fee required under  
17 s. 441.01 (7) and the applicable renewal fee determined by the department under s.  
18 440.03 (9) (a).

19           **SECTION 38.** 441.10 (6) of the statutes is amended to read:

20           441.10 (6) On or before the applicable renewal date ~~specified~~ determined under  
21 s. 440.08 (2) (a), a licensed practical nurse practicing for compensation shall submit  
22 to the board, on forms furnished by the department, an application for license  
23 renewal, together with a statement giving name, residence, nature and extent of  
24 practice as a licensed practical nurse during the prior year and prior unreported  
25 years, the nursing workforce survey and fee required under s. 441.01 (7), and other

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1 facts bearing upon current competency that the board requires, accompanied by the  
2 applicable license renewal fee determined by the department under s. 440.03 (9) (a).

3 **SECTION 39.** 441.15 (3) (b) of the statutes is amended to read:

4 441.15 (3) (b) On or before the applicable renewal date ~~specified~~ determined  
5 under s. 440.08 (2) (a), a person issued a license under par. (a) and practicing  
6 nurse-midwifery shall submit to the board on furnished forms a statement giving his  
7 or her name, residence, and other information that the board requires by rule, with  
8 the applicable renewal fee determined by the department under s. 440.03 (9) (a). If  
9 applicable, the person shall also submit evidence satisfactory to the board that he or  
10 she has in effect the malpractice liability insurance required under the rules  
11 promulgated under sub. (5) (bm). The board shall grant to a person who pays the fee  
12 determined by the department under s. 440.03 (9) (a) for renewal of a license to  
13 practice nurse-midwifery and who satisfies the requirements of this paragraph the  
14 renewal of his or her license to practice nurse-midwifery and the renewal of his or  
15 her license to practice as a registered nurse.

16 **SECTION 40.** 442.083 (1) of the statutes is amended to read:

17 442.083 (1) The renewal dates for licenses issued under this chapter ~~are~~  
18 ~~specified~~ shall be as determined under s. 440.08 (2) (a), and the renewal fees for such  
19 licenses are determined by the department under s. 440.03 (9) (a). The department  
20 may not renew a license issued to a firm unless, at the time of renewal, the firm  
21 satisfies the requirements under s. 442.08 (2) and demonstrates, to the satisfaction  
22 of the department, that the firm has complied with the requirements under s.  
23 442.087.

24 **SECTION 41.** 442.083 (2) (a) of the statutes is amended to read:

**SENATE BILL 193****SECTION 41**

1           442.083 **(2)** (a) The examining board shall promulgate rules establishing  
2 continuing education requirements for renewal of licenses granted to individuals  
3 under this chapter. The rules promulgated under this paragraph may not require  
4 an individual to complete more than ~~80~~ 160 continuing education credits during the  
5 ~~2-year~~ 4-year period immediately preceding the renewal date ~~specified~~ determined  
6 under s. 440.08 (2) ~~(a)~~.

7           **SECTION 42.** 443.015 (1e) of the statutes is amended to read:

8           443.015 **(1e)** The rules promulgated under sub. (1) by the registered interior  
9 designer section of the examining board shall require a Wisconsin registered interior  
10 designer to complete at least ~~15~~ 30 hours of continuing education during the ~~2-year~~  
11 4-year period immediately preceding the renewal date ~~specified~~ determined under  
12 s. 440.08 (2) ~~(a)~~. At least ~~10~~ 20 of the ~~15~~ 30 hours shall be in subjects related to the  
13 practice of interior design that safeguard the public's health, safety, and welfare.

14           **SECTION 43.** 443.07 (6) of the statutes is amended to read:

15           443.07 **(6)** The renewal date for permits under this section is ~~specified~~ shall be  
16 as determined under s. 440.08 (2) ~~(a)~~, and the fee for renewal of such permits is  
17 determined by the department under s. 440.03 (9) (a).

18           **SECTION 44.** 443.08 (3) (b) of the statutes is amended to read:

19           443.08 **(3)** (b) The renewal date for certificates of authorization under this  
20 section is ~~specified~~ shall be as determined under s. 440.08 (2) ~~(a)~~, and the fee for  
21 renewal of such certificates is determined by the department under s. 440.03 (9) (a).

22           **SECTION 45.** 443.10 (2) (e) of the statutes is amended to read:

23           443.10 **(2)** (e) The renewal date dates for certificates of registration for  
24 architects, landscape architects, professional engineers, and Wisconsin registered  
25 interior designers is ~~specified~~ shall be as determined under s. 440.08 (2) ~~(a)~~, and the

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1 fee for renewal of such certificates is determined by the department under s. 440.03  
2 (9) (a).

3 **SECTION 46.** 443.10 (5) of the statutes is amended to read:

4 443.10 (5) FEES; RENEWALS. The professional land surveyor section shall grant  
5 a license to engage in the practice of professional land surveying to any applicant who  
6 has met the applicable requirements of this chapter. The renewal date for the license  
7 ~~is specified~~ shall be as determined under s. 440.08 (2) (a), and the renewal fee for the  
8 license is determined by the department under s. 440.03 (9) (a).

9 **SECTION 47.** 445.06 (1) of the statutes is amended to read:

10 445.06 (1) The renewal date for a funeral director's license ~~is specified~~ shall be  
11 as determined under s. 440.08 (2) (a), and the renewal fee for such license is  
12 determined by the department under s. 440.03 (9) (a).

13 **SECTION 48.** 445.07 (1) (a) and (b) of the statutes are amended to read:

14 445.07 (1) (a) For the renewal of a license that expires on the first renewal date  
15 after the date on which the examining board initially granted the license, completion  
16 of ~~4~~ 8 hours of continuing education subsequent to the date the applicant was  
17 granted the initial license. The examining board shall, in the rules promulgated  
18 under sub. (3), specify permitted or required subjects for the continuing education  
19 under this paragraph, which shall be subjects that the examining board determines  
20 prepare a new licensee for practice as a funeral director.

21 (b) For each renewal subsequent to the renewal described in par. (a),  
22 completion of ~~15~~ 30 hours of continuing education in the previous ~~2-year~~ 4-year  
23 licensure period.

24 **SECTION 49.** 445.095 (1) (c) of the statutes is amended to read:

**SENATE BILL 193****SECTION 49**

1           445.095 (1) (c) A certificate of apprenticeship issued under this section shall  
2 be renewable annually upon the payment on January 1 of each year of the renewal  
3 fee specified in s. 440.08 ~~(2)~~ (2m) (b).

4           **SECTION 50.** 445.105 (3) of the statutes is amended to read:

5           445.105 (3) Applications for funeral establishment permits shall be made on  
6 forms provided by the department and filed with the department and shall be  
7 accompanied by the initial credential fee determined by the department under s.  
8 440.03 (9) (a). The renewal date for a funeral establishment permit is ~~specified~~ shall  
9 be as determined under s. 440.08 (2) ~~(a)~~, and the renewal fee for such permit is  
10 determined by the department under s. 440.03 (9) (a).

11           **SECTION 51.** 446.02 (1) (b) of the statutes is amended to read:

12           446.02 (1) (b) Submits evidence satisfactory to the examining board that the  
13 person meets the requirements of continuing education for license renewal as the  
14 examining board may require, which requirements shall include current proficiency  
15 in the use of an automated external defibrillator achieved through instruction  
16 provided by an individual, organization, or institution of higher education approved  
17 under s. 46.03 (38) to provide such instruction. The person shall include the approval  
18 number assigned under sub. (5) (b) to each educational program completed by the  
19 person to satisfy the requirements of this paragraph. During the time between  
20 initial licensure and commencement of a full ~~2-year~~ licensure period, new licensees  
21 shall not be required to meet continuing education requirements. Any person who  
22 has not engaged in the practice of chiropractic for 2 years or more, while holding a  
23 valid license under this chapter, and desiring to engage in such practice, shall be  
24 required by the examining board to complete a continuing education course at a

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1 school of chiropractic approved by the examining board or pass a practical  
2 examination administered by the examining board or both.

3 **SECTION 52.** 446.02 (4) of the statutes is amended to read:

4 446.02 (4) The renewal date for all licenses granted by the examining board is  
5 specified shall be as determined under s. 440.08 (2) (a), and the renewal fee for such  
6 licenses is determined by the department under s. 440.03 (9) (a).

7 **SECTION 53.** 446.025 (3) (a) of the statutes is renumbered 446.025 (3) (a) 1. and  
8 amended to read:

9 446.025 (3) (a) 1. The renewal date and fees for a certificate issued under this  
10 section are specified in shall be as determined under s. 440.08 (2) (a).

11 **SECTION 54.** 446.025 (3) (a) 2. of the statutes is created to read:

12 446.025 (3) (a) 2. The renewal fees for a certificate issued under this section are  
13 determined by the department under s. 440.03 (9) (a).

14 **SECTION 55.** 446.025 (3) (b) of the statutes is amended to read:

15 446.025 (3) (b) A chiropractic radiological technician shall, at the time that he  
16 or she applies for renewal of a certificate under par. (a), submit evidence satisfactory  
17 to the examining board that he or she has completed at least ~~12~~ 24 continuing  
18 educational credit hours in programs established by rules promulgated by the  
19 examining board.

20 **SECTION 56.** 446.026 (3) (a) of the statutes is renumbered 446.026 (3) (a) 1. and  
21 amended to read:

22 446.026 (3) (a) 1. The renewal date and fees for a certificate issued under this  
23 section are specified in shall be as determined under s. 440.08 (2) (a).

24 **SECTION 57.** 446.026 (3) (a) 2. of the statutes is created to read:

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1           446.026 (3) (a) 2. The renewal fees for a certificate issued under this section are  
2 determined by the department under s. 440.03 (9) (a).

3           **SECTION 58.** 446.026 (3) (b) of the statutes is amended to read:

4           446.026 (3) (b) A chiropractic technician shall, at the time that he or she applies  
5 for renewal of a certificate under par. (a), submit evidence satisfactory to the  
6 examining board that he or she has completed at least ~~6~~ 12 continuing educational  
7 credit hours in programs established by rules promulgated by the examining board.

8           **SECTION 59.** 447.05 (1) (a) of the statutes is amended to read:

9           447.05 (1) (a) Except as provided in par. (b), renewal applications shall be  
10 submitted to the department on a form provided by the department on or before the  
11 applicable renewal date ~~specified~~ determined under s. 440.08 (2) (~~a~~) and shall include  
12 the applicable renewal fee determined by the department under s. 440.03 (9) (a).

13           **SECTION 60.** 447.055 (1) (a) of the statutes is amended to read:

14           447.055 (1) (a) 1. Except as provided in subs. (3) and (4), a person is not eligible  
15 for renewal of a license to practice dental hygiene, other than a permit issued under  
16 s. 447.02 (3), unless the person has taught, prepared, attended, or otherwise  
17 completed, during the ~~2-year~~ 4-year period immediately preceding the renewal date  
18 ~~specified~~ determined under s. 440.08 (2) (~~a~~), ~~12,~~ 24 credit hours of continuing  
19 education relating to the clinical practice of dental hygiene that is sponsored or  
20 recognized by a local, state, regional, national, or international dental, dental  
21 hygiene, dental assisting, or medical-related professional organization.

22           2. Notwithstanding subd. 1., the examining board may promulgate a rule  
23 requiring not more than ~~20~~ 40 nor less than ~~12~~ 24 credit hours of continuing  
24 education for eligibility for renewal of a license to practice dental hygiene.

25           **SECTION 61.** 447.055 (1) (b) 1. of the statutes is amended to read:

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1           447.055 (1) (b) 1. Basic life support or cardiopulmonary resuscitation. Not  
2 more than ~~2~~ 4 of the credit hours required under par. (a) may be satisfied by such  
3 training.

4           **SECTION 62.** 447.055 (1) (b) 2. of the statutes is amended to read:

5           447.055 (1) (b) 2. Infection control. Not less than ~~2~~ 4 of the credit hours required  
6 under par. (a) must be satisfied by such training.

7           **SECTION 63.** 447.056 (1) (intro.) of the statutes is amended to read:

8           447.056 (1) (intro.) Except as provided in subs. (2) to (4), a person is not eligible  
9 for renewal of a license to practice dentistry, other than a permit issued under s.  
10 447.02 (3), unless the person has taught, attended, or otherwise completed, during  
11 the ~~2-year~~ 4-year period immediately preceding the renewal date ~~specified~~  
12 determined under s. 440.08 (2) (a), ~~30~~ 60 credit hours of continuing education related  
13 to the practice of dentistry or the practice of medicine, including not less than ~~25~~ 50  
14 credit hours of instruction in clinical dentistry or clinical medicine. Not more than  
15 ~~4~~ 8 of the ~~30~~ 60 hours may be from teaching. Continuing education does not satisfy  
16 the requirements under this subsection unless the continuing education is one of the  
17 following:

18           **SECTION 64.** 447.056 (3) of the statutes is amended to read:

19           447.056 (3) Credit hours completed before the ~~2-year~~ 4-year period  
20 immediately preceding renewal of a license to practice dentistry may not be applied  
21 to fulfill the credit hours required under sub. (1).

22           **SECTION 65.** 447.058 (2) (b) of the statutes is amended to read:

23           447.058 (2) (b) A mobile dentistry program registrant shall submit an  
24 application for renewal, and the applicable renewal fee determined by the  
25 department under s. 440.03 (9) (a), to the department on a form provided by the



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1 department on or before the applicable renewal date ~~specified~~ determined under s.  
2 440.08 (2) (a).

3 **SECTION 66.** 448.07 (1) (a) of the statutes is amended to read:

4 448.07 (1) (a) Every person licensed or certified under this subchapter shall  
5 register ~~on or before November 1 of each odd-numbered year following issuance of~~  
6 ~~the license or certificate with the board on or before his or her renewal date~~  
7 determined under s. 440.08 (2). Registration shall be completed in such manner as  
8 the board shall designate and upon forms the board shall provide, except that  
9 registration with respect to a compact license shall be governed by the renewal  
10 provisions in s. 448.980 (7). The secretary of the board, ~~on or before October 1 of each~~  
11 ~~odd-numbered year~~, shall, at least 30 days prior to that date, mail or cause to be  
12 mailed to every person required to register a registration form. The board shall  
13 furnish to each person registered under this section a certificate of registration, and  
14 the person shall display the registration certificate conspicuously in the office at all  
15 times. No person may exercise the rights or privileges conferred by any license or  
16 certificate granted by the board unless currently registered as required under this  
17 subsection.

18 **SECTION 67.** 448.13 (title) of the statutes is repealed and recreated to read:

19 **448.13 (title) Continuing education and professional development.**

20 **SECTION 68.** 448.13 (1) (a) 1. of the statutes is amended to read:

21 448.13 (1) (a) 1. Continuing education programs or courses of study approved  
22 for at least ~~30~~ 60 hours of credit by the board within the ~~2~~ 4 calendar years preceding  
23 the calendar year for which the registration is effective.

24 **SECTION 69.** 448.13 (1) (a) 2. of the statutes is amended to read:

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1           448.13 (1) (a) 2. Professional development and maintenance of certification or  
2 performance improvement or continuing medical education programs or courses of  
3 study required by the board by rule under s. 448.40 (1) and completed within the ~~2~~  
4 4 calendar years preceding the calendar year for which the registration is effective.

5           **SECTION 70.** 448.13 (1m) of the statutes is amended to read:

6           448.13 (1m) The board shall, on a random basis, verify the accuracy of proof  
7 submitted by physicians under sub. (1) (a) and may, at any time ~~during the 2 calendar~~  
8 ~~years specified in sub. (1) (a)~~, require a physician to submit proof of any continuing  
9 education, professional development, and maintenance of certification or  
10 performance improvement or continuing medical education programs or courses of  
11 study that he or she has attended and completed ~~at that time during the 2 calendar~~  
12 years since he or she last registered under s. 448.07.

13           **SECTION 71.** 448.55 (2) of the statutes is amended to read:

14           448.55 (2) The renewal dates for licenses granted under this subchapter, other  
15 than temporary licenses granted under rules promulgated under s. 448.53 (2), ~~are~~  
16 ~~specified~~ shall be as determined under s. 440.08 (2) (a). Renewal applications shall  
17 be submitted to the department on a form provided by the department and shall  
18 include the renewal fee determined by the department under s. 440.03 (9) (a) and  
19 proof of compliance with the requirements established in any rules promulgated  
20 under sub. (3).

21           **SECTION 72.** 448.65 (2) (intro.) of the statutes is amended to read:

22           448.65 (2) (intro.) The renewal date for a license granted under this subchapter,  
23 other than a temporary license granted under rules promulgated under s. 448.63 (3),  
24 ~~is specified~~ shall be as determined under s. 440.08 (2) (a). Renewal applications shall

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1 be submitted to the department on a form provided by the department and shall be  
2 accompanied by all of the following:

3 **SECTION 73.** 448.665 of the statutes is amended to read:

4 **448.665 Continuing education.** The affiliated credentialing board shall  
5 promulgate rules establishing requirements and procedures for licensees to  
6 complete continuing education programs or courses of study in order to qualify for  
7 renewal of a license granted under this subchapter. The rules shall require a licensee  
8 to complete at least 30 hours of continuing education programs or courses of study  
9 within each ~~2-year~~ 4-year period immediately preceding the renewal date ~~specified~~  
10 determined under s. 440.08 (2) (a). The affiliated credentialing board may waive all  
11 or part of these requirements for the completion of continuing education programs  
12 or courses of study if the affiliated credentialing board determines that prolonged  
13 illness, disability or other exceptional circumstances have prevented a licensee from  
14 completing the requirements.

15 **SECTION 74.** 448.86 (2) of the statutes is amended to read:

16 448.86 (2) The renewal dates for certificates granted under this subchapter,  
17 other than temporary certificates granted under s. 448.80, ~~are specified~~ shall be as  
18 determined under s. 440.08 (2) (a). Renewal applications shall be submitted to the  
19 department on a form provided by the department and shall include the renewal fee  
20 determined by the department under s. 440.03 (9) (a).

21 **SECTION 75.** 448.9545 (1) (a) of the statutes is amended to read:

22 448.9545 (1) (a) To be eligible for renewal of a license issued under s. 448.953  
23 (1) or (2), a licensee shall, during the ~~2-year~~ 4-year period immediately preceding  
24 the renewal date ~~specified~~ determined under s. 440.08 (2) (a), complete not less than

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1     ~~30~~ 60 credit hours of continuing education in courses of study approved by the  
2     affiliated credentialing board.

3             **SECTION 76.** 448.9545 (1) (b) (intro.) of the statutes is amended to read:

4             448.9545 (1) (b) (intro.) No more than ~~10~~ 20 credit hours of the continuing  
5     education required under par. (a) may be on any of the following subject areas or  
6     combination of subject areas:

7             **SECTION 77.** 448.955 (1) of the statutes is amended to read:

8             448.955 (1) The renewal dates for licenses granted under this subchapter ~~are~~  
9     ~~specified~~ shall be as determined under s. 440.08 (2) (a).

10            **SECTION 78.** 448.955 (2) (a) of the statutes is amended to read:

11            448.955 (2) (a) Completed, during the ~~2-year~~ 4-year period immediately  
12     preceding the renewal date ~~specified in~~ determined under s. 440.08 (2) (a), the  
13     continuing education requirements specified in s. 448.9545.

14            **SECTION 79.** 448.955 (3) (a) of the statutes is amended to read:

15            448.955 (3) (a) A place for the licensee to describe his or her work history,  
16     including the average number of hours worked each week, for the ~~2-year~~ 4-year  
17     period immediately preceding the renewal date ~~specified in~~ determined under s.  
18     440.08 (2) (a).

19            **SECTION 80.** 448.956 (1) (c) of the statutes is amended to read:

20            448.956 (1) (c) A protocol established under par. (a) shall be updated no later  
21     than 30 days before the licensee's renewal date ~~specified in~~ s. 440.08 (2) (a) ~~14f~~.

22            **SECTION 81.** 448.967 (2) of the statutes is amended to read:

23            448.967 (2) The renewal dates for licenses granted under this subchapter ~~are~~  
24     ~~specified~~ shall be as determined under s. 440.08 (2) (a). Renewal applications shall  
25     be submitted to the department on a form provided by the department and shall

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1 include the renewal fee determined by the department under s. 440.03 (9) (a) and a  
2 statement attesting compliance with the continuing education requirements  
3 established in rules promulgated under s. 448.965 (1) (b).

4 **SECTION 82.** 448.9703 (3) (a) of the statutes is amended to read:

5 448.9703 (3) (a) Successfully completed at least ~~30~~ 60 hours of continuing  
6 education in the prior ~~2-year~~ 4-year period.

7 **SECTION 83.** 448.9706 (2) of the statutes is amended to read:

8 448.9706 (2) Except as provided in s. 448.9705, the renewal dates for licenses  
9 granted under this subchapter are ~~specified~~ determined under s. 440.08 (2) (a).  
10 Renewal applications shall be submitted to the department on a form provided by the  
11 department, and shall include the renewal fee ~~specified in s. 440.08 (2) (a)~~  
12 determined by the department under s. 440.03 (9) (a) and proof of compliance with  
13 the requirements established by rules promulgated by the board under s. 448.9703  
14 (3).

15 **SECTION 84.** 448.974 (2) (a) of the statutes is amended to read:

16 448.974 (2) (a) The renewal date for a license issued under this subchapter is  
17 ~~specified~~ shall be as determined under s. 440.08 (2) (a), and the renewal fees for such  
18 licenses are determined by the department under s. 440.03 (9) (a). Renewal of a  
19 license is subject to par. (b).

20 **SECTION 85.** 449.06 (1) of the statutes is amended to read:

21 449.06 (1) Persons practicing optometry shall, on or before the applicable  
22 renewal date ~~specified~~ determined under s. 440.08 (2) (a), ~~register with, submit a~~  
23 renewal application to the department, pay the applicable renewal fee determined  
24 by the department under s. 440.03 (9) (a), and provide evidence satisfactory to the

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1 examining board that he or she has complied with the rules promulgated under sub.  
2 (2m).

3 **SECTION 86.** 449.06 (2m) of the statutes is amended to read:

4 449.06 **(2m)** The examining board shall promulgate rules requiring a person  
5 who is issued a license to practice optometry to complete, during the ~~2-year~~ 4-year  
6 period immediately preceding the person's renewal date ~~specified in~~ determined  
7 under s. 440.08 (2) ~~(a)~~, not less than ~~30~~ 60 hours of continuing education. The rules  
8 shall include requirements that apply only to optometrists who are allowed to use  
9 topical ocular diagnostic pharmaceutical agents under s. 449.17 or who are allowed  
10 to use therapeutic pharmaceutical agents or remove foreign bodies from an eye or  
11 from an appendage to the eye under s. 449.18.

12 **SECTION 87.** 450.08 (1) of the statutes is amended to read:

13 450.08 **(1)** The renewal dates for all licenses and registrations granted by the  
14 board are ~~specified~~ determined under s. 440.08 (2) ~~(a)~~. Except as provided under sub.  
15 (2) (a), only a holder of an unexpired license or registration may engage in his or her  
16 licensed activity.

17 **SECTION 88.** 450.08 (2) (a) of the statutes is amended to read:

18 450.08 **(2)** (a) A pharmacist's license may be renewed by complying with  
19 continuing education requirements under s. 450.085 and paying the applicable fee  
20 determined by the department under s. 440.03 (9) (a) on or before the applicable  
21 renewal date ~~specified~~ determined under s. 440.08 (2) ~~(a)~~. Notwithstanding s. 440.08  
22 (3) (a), if a pharmacist fails to obtain renewal by that date, the board may suspend  
23 the pharmacist's license, and the board may require the pharmacist to pass an  
24 examination to the satisfaction of the board to restore that license.

25 **SECTION 89.** 450.08 (2) (b) of the statutes is amended to read:

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1           450.08 (2) (b) A pharmacy, pharmacy technician's, manufacturer's,  
2 distributor's, or home medical oxygen provider's license or registration may be  
3 renewed by paying the applicable fee determined by the department under s. 440.03  
4 (9) (a) on or before the applicable renewal date ~~specified~~ determined under s. 440.08  
5 (2) (a).

6           **SECTION 90.** 450.085 (1) of the statutes is amended to read:

7           450.085 (1) An applicant for renewal of a license under s. 450.08 (2) (a) shall  
8 submit proof that he or she has completed, within the ~~2-year~~ 4-year period  
9 immediately preceding the date of his or her application, ~~30~~ 60 hours of continuing  
10 education in courses conducted by a provider that is approved by the Accreditation  
11 Council for Pharmacy Education or in courses approved by the board. Courses  
12 specified in s. 450.035 (1r) and (2) are courses in continuing education for purposes  
13 of this subsection. This subsection does not apply to an applicant for renewal of a  
14 license that expires on the first renewal date after the date on which the board  
15 initially granted the license.

16           **SECTION 91.** 451.04 (4) of the statutes is amended to read:

17           451.04 (4) EXPIRATION AND RENEWAL. Renewal applications shall be submitted  
18 to the department on a form provided by the department on or before the applicable  
19 renewal date ~~specified~~ determined under s. 440.08 (2) (a) and shall include the  
20 applicable renewal fee determined by the department under s. 440.03 (9) (a).

21           **SECTION 92.** 452.10 (2) of the statutes is repealed.

22           **SECTION 93.** 452.12 (1) of the statutes is amended to read:

23           452.12 (1) EXPIRATION. A license granted by the board entitles the holder to act  
24 as a broker or salesperson, as the case may be, until the applicable renewal date  
25 ~~specified~~ determined under s. 440.08 (2) (a).

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1           **SECTION 94.** 452.12 (5) (a) of the statutes is amended to read:

2           452.12 (5) (a) Renewal applications for all licenses shall be submitted with the  
3           applicable renewal fee determined by the department under s. 440.03 (9) (a) on or  
4           before the applicable renewal date ~~specified~~ determined under s. 440.08 (2) (a). The  
5           department shall pay \$10 of each renewal fee received under this paragraph to the  
6           Board of Regents of the University of Wisconsin System for research and  
7           educational, public outreach, and grant activities under s. 36.25 (34).

8           **SECTION 95.** 452.132 (2) (c) of the statutes is amended to read:

9           452.132 (2) (c) Before a licensee becomes associated with the firm and at the  
10          beginning of each ~~biennial~~ 4-year licensure period, ensure that the licensee holds a  
11          valid license.

12          **SECTION 96.** 454.06 (8) of the statutes is amended to read:

13          454.06 (8) EXPIRATION AND RENEWAL. The renewal date for licenses issued under  
14          subs. (2) to (6) ~~is specified~~ shall be as determined under s. 440.08 (2) (a), and the  
15          renewal fees for such licenses are determined by the department under s. 440.03 (9)  
16          (a). The examining board may not renew a license issued to a person under subs. (2)  
17          to (6) unless the person certifies to the examining board that the person has reviewed  
18          the current digest under s. 454.125.

19          **SECTION 97.** 454.08 (9) of the statutes is amended to read:

20          454.08 (9) The renewal date for licenses issued under this section ~~is specified~~  
21          shall be as determined under s. 440.08 (2) (a), and the renewal fee for such licenses  
22          is determined by the department under s. 440.03 (9) (a).

23          **SECTION 98.** 454.23 (5) of the statutes is amended to read:

24          454.23 (5) EXPIRATION AND RENEWAL. The renewal date for a license granted  
25          under sub. (2) ~~is specified~~ shall be as determined under s. 440.08 (2) (a), and the



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1 renewal fee for that license is determined by the department under s. 440.03 (9) (a).  
2 The department may not renew a license granted to a person under this section  
3 unless the person certifies to the department that the person has reviewed the  
4 current digest under s. 454.267.

5 **SECTION 99.** 454.25 (9) of the statutes is amended to read:

6 454.25 (9) The renewal date for a barbering establishment license ~~is specified~~  
7 shall be as determined under s. 440.08 (2) (a), and the renewal fee for a barbering  
8 establishment license is determined by the department under s. 440.03 (9) (a).

9 **SECTION 100.** 455.06 (1) (a) of the statutes is amended to read:

10 455.06 (1) (a) Except as provided in par. (b), the renewal dates for licenses  
11 issued under this subchapter or under s. 455.04 (4), 2019 stats., ~~are specified~~ shall  
12 be as determined under s. 440.08 (2) (a), and the renewal fee for such licenses is  
13 determined by the department under s. 440.03 (9) (a).

14 **SECTION 101.** 455.065 (7) of the statutes is amended to read:

15 455.065 (7) Grant an exemption from the continuing education requirements  
16 under this section to a psychologist who certifies to the examining board that he or  
17 she has permanently retired from the practice of psychology. A psychologist who has  
18 been granted an exemption under this subsection may not return to active practice  
19 without submitting evidence satisfactory to the examining board of having  
20 completed the required continuing education credits within the ~~2-year~~ 4-year period  
21 prior to the return to the practice of psychology.

22 **SECTION 102.** 456.07 (title) of the statutes is repealed and recreated to read:

23 **456.07 (title) Renewal.**

24 **SECTION 103.** 456.07 (1) and (3) of the statutes are repealed.

25 **SECTION 104.** 456.07 (2) of the statutes is amended to read:

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1           456.07 (2) ~~The application for a new certificate of registration~~ The renewal date  
2 for a license issued under this subchapter shall be as determined under s. 440.08 (2).  
3 A renewal application shall include the applicable renewal fee determined by the  
4 department under s. 440.03 (9) (a), a report of any facts requested by the examining  
5 board on forms provided for such purpose, and evidence satisfactory to the examining  
6 board that during the biennial period immediately preceding ~~application for~~  
7 ~~registration~~ the renewal date, the applicant has attended a continuing education  
8 program or course of study. During the time between initial licensure and  
9 commencement of a full ~~2-year~~ licensure period, new licensees shall not be required  
10 to meet continuing education requirements. ~~All registration fees are payable on or~~  
11 ~~before the applicable renewal date specified under s. 440.08 (2) (a).~~

12           **SECTION 105.** 456.07 (5) of the statutes is amended to read:

13           456.07 (5) Only an individual who ~~has qualified as a~~ is licensed and registered  
14 as a nursing home administrator under this chapter and ~~who holds a valid current~~  
15 ~~registration certificate under this section for the current registration period~~ may use  
16 the title “Nursing Home Administrator”, and the abbreviation “N.H.A.” after the  
17 person’s name. No other person may use or be designated by such title or such  
18 abbreviation or any other words, letters, sign, card or device tending to or intended  
19 to indicate that the person is a licensed and registered nursing home administrator.

20           **SECTION 106.** 457.20 (2) of the statutes is amended to read:

21           457.20 (2) The renewal dates for certificates and licenses granted under this  
22 chapter, other than training certificates and licenses or temporary certificates or  
23 licenses, ~~are specified~~ shall be as determined under s. 440.08 (2) (a).

24           **SECTION 107.** 457.22 (2) of the statutes is amended to read:

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1           457.22 (2) The rules promulgated under sub. (1) may not require an individual  
2 to complete more than ~~30~~ 60 hours of continuing education programs or courses of  
3 study in order to qualify for renewal. The appropriate section of the examining board  
4 may waive all or part of the requirements established in rules promulgated under  
5 this section if it determines that prolonged illness, disability, or other exceptional  
6 circumstances have prevented the individual from completing the requirements.

7           **SECTION 108.** 458.09 (3) of the statutes is amended to read:

8           458.09 (3) The number of hours of attendance at and completion of continuing  
9 education programs or courses of study required under the rules promulgated under  
10 s. 458.085 (3) shall be reduced by one hour for each hour of attendance at and  
11 completion of, within the ~~2~~ 4 years immediately preceding the date on which the  
12 renewal application is submitted, continuing education programs or courses of study  
13 that the applicant has attended and completed in order to continue to qualify for  
14 employment as an assessor and that the department determines is substantially  
15 equivalent to attendance at and completion of continuing education programs or  
16 courses of study for certified general appraisers, certified residential appraisers or  
17 licensed appraisers, as appropriate.

18           **SECTION 109.** 458.11 of the statutes is amended to read:

19           **458.11 Expiration and renewal.** Renewal applications shall be submitted  
20 to the department on a form provided by the department on or before the applicable  
21 renewal date ~~specified~~ determined under s. 440.08 (2) (~~a~~) and shall include the  
22 applicable renewal fee determined by the department under s. 440.03 (9) (a).  
23 Renewal of an appraiser certificate automatically renews the individual's appraiser  
24 license without payment of the renewal fee for the appraiser license or completion  
25 of any additional continuing education requirements that would otherwise be

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1 required for renewal of the appraiser license. Renewal applications shall be  
2 accompanied by proof of completion of the continuing education requirements in s.  
3 458.13. Notwithstanding s. 458.06 (3) (b) 2. and (4) (b) 2., 1989 stats., and s. 458.08  
4 (3) (b) 2. and (c) 2., 1991 stats., the department may not renew a certificate that was  
5 granted under s. 458.06 (3) or (4) before May 29, 1993, unless the holder of the  
6 certificate submits evidence satisfactory to the department that he or she has  
7 successfully completed the applicable educational requirements specified in rules  
8 promulgated under s. 458.085 (1) and the department may not renew a certificate  
9 that was granted under s. 458.08 (3) before May 29, 1993, unless the holder of the  
10 certificate submits evidence satisfactory to the department that he or she has  
11 successfully completed the applicable education and experience requirements  
12 specified in rules promulgated under s. 458.085 (1) and (2).

13 **SECTION 110.** 458.13 of the statutes is amended to read:

14 **458.13 Continuing education requirements.** At the time of renewal of a  
15 certificate issued under this subchapter, each applicant shall submit proof that,  
16 within the ~~2~~ 4 years immediately preceding the date on which the renewal  
17 application is submitted, he or she has satisfied the continuing education  
18 requirements specified in the rules promulgated under s. 458.085 (3).

19 **SECTION 111.** 458.33 (5) of the statutes is amended to read:

20 458.33 (5) RENEWALS. A licensed appraisal management company shall submit  
21 a renewal application, along with the applicable renewal fee determined by the  
22 department under s. 440.03 (9) (a), but not to exceed \$2,000, to the department on  
23 a form prescribed by the department by the applicable renewal date specified  
24 determined under s. 440.08 (2) (a). A renewal under this subsection is subject to sub.  
25 (4).

**SENATE BILL 193****SECTION 112**

1           **SECTION 112.** 459.09 (1) (intro.) of the statutes is amended to read:

2           459.09 (1) (intro.) Each person issued a license under this subchapter shall, on  
3 or before the applicable renewal date ~~specified~~ determined under s. 440.08 (2) (a), do  
4 all of the following:

5           **SECTION 113.** 459.09 (1) (b) of the statutes is amended to read:

6           459.09 (1) (b) Submit with the renewal application proof that he or she  
7 completed, within the ~~2 years~~ 4-year period immediately preceding the date of his  
8 or her application, 20 hours of continuing education programs or courses of study  
9 approved or required under rules promulgated under s. 459.095. This paragraph  
10 does not apply to an applicant for renewal of a license that expires on the first  
11 renewal date after the date on which the examining board initially granted the  
12 license.

13           **SECTION 114.** 459.24 (5) (intro.) of the statutes is amended to read:

14           459.24 (5) EXPIRATION AND RENEWAL. (intro.) The renewal dates for licenses  
15 granted under this subchapter, other than temporary licenses granted under sub.  
16 (6), ~~are specified~~ shall be as determined under in s. 440.08 (2) (a). Renewal  
17 applications shall be submitted to the department on a form provided by the  
18 department and shall include all of the following:

19           **SECTION 115.** 459.24 (5) (b) of the statutes is amended to read:

20           459.24 (5) (b) Proof that the applicant completed, within the ~~2 years~~ 4-year  
21 period immediately preceding the date of his or her application, 20 hours of  
22 continuing education programs or courses of study approved or required under rules  
23 promulgated under sub. (5m). This paragraph does not apply to an applicant for  
24 renewal of a license that expires on the first renewal date after the date on which the  
25 examining board initially granted the license.

**SENATE BILL 193****SECTION 116**

1           **SECTION 116.** 460.07 (2) (intro.) of the statutes is amended to read:

2           460.07 (2) (intro.) Renewal applications shall be submitted to the department  
3 on a form provided by the department on or before the applicable renewal date  
4 ~~specified~~ determined under s. 440.08 (2) (a) and shall include all of the following:

5           **SECTION 117.** 460.10 (1) (a) of the statutes is amended to read:

6           460.10 (1) (a) Requirements and procedures for a license holder to complete  
7 continuing education programs or courses of study to qualify for renewal of his or her  
8 license. The rules promulgated under this paragraph may not require a license  
9 holder to complete more than 24 ~~48~~ hours of continuing education programs or  
10 courses of study in order to qualify for renewal of his or her license.

11           **SECTION 118.** 462.05 (1) of the statutes is amended to read:

12           462.05 (1) The renewal date for licenses and limited X-ray machine operator  
13 permits granted under this chapter ~~is specified in~~ shall be as determined under s.  
14 440.08 (2) (a). Renewal applications shall be submitted to the department on a form  
15 provided by the department and shall include the renewal fee determined by the  
16 department under s. 440.03 (9) (a).

17           **SECTION 119.** 466.04 (3) (a) (intro.) of the statutes is amended to read:

18           466.04 (3) (a) (intro.) The renewal date for licenses granted under this chapter  
19 ~~is specified~~ shall be as determined under s. 440.08 (2) (a). Renewal applications shall  
20 be submitted to the department on a form provided by the department. The  
21 application shall include all of the following in order for the license to be renewed:

22           **SECTION 120.** 470.045 (3) (b) of the statutes is amended to read:

23           470.045 (3) (b) The renewal date for certificates of authorization under this  
24 section ~~is specified~~ shall be as determined under s. 440.08 (2) (a), and the renewal  
25 fee for such certificates is determined by the department under s. 440.03 (9) (a).

**SENATE BILL 193****SECTION 121**

1           **SECTION 121.** 470.07 of the statutes is amended to read:

2           **470.07 Renewal of licenses.** The renewal dates for licenses granted under  
3 this chapter ~~are specified~~ shall be as determined under s. 440.08 (2) ~~(a)~~. Renewal  
4 applications shall be submitted to the department on a form provided by the  
5 department and shall include the renewal fee determined by the department under  
6 s. 440.03 (9) (a) and evidence satisfactory to the appropriate section of the examining  
7 board that the applicant has completed any continuing education requirements  
8 specified in rules promulgated under s. 470.03 (2).

9           **SECTION 122.** 480.08 (5) of the statutes is amended to read:

10           **480.08 (5) EXPIRATION AND RENEWAL.** The renewal date for certificates granted  
11 under this chapter, other than temporary certificates granted under sub. (7), is  
12 specified shall be as determined under s. 440.08 (2) ~~(a)~~, and the renewal fee for  
13 certificates granted under this chapter, other than temporary certificates granted  
14 under sub. (7), is determined by the department under s. 440.03 (9) (a). Renewal  
15 applications shall include evidence satisfactory to the department that the applicant  
16 holds a current permit issued under s. 77.52 (9). A renewal application for an  
17 auctioneer certificate shall be accompanied by proof of completion of continuing  
18 education requirements under sub. (6).

19           **SECTION 123. Nonstatutory provisions.**

20           (1) (a) In this subsection:

21           1. “Credentialing board” has the meaning given in s. 440.01 (2) (bm).

22           2. “Department” means the department of safety and professional services.

23           (b) The department and each credentialing board may promulgate emergency  
24 rules under s. 227.24 necessary to implement this act. Notwithstanding s. 227.24 (1)  
25 (c) and (2), emergency rules promulgated under this paragraph remain in effect until

**SENATE BILL 193****SECTION 123**

1 May 1, 2025, or the date on which permanent rules take effect, whichever is sooner.  
2 Notwithstanding s. 227.24 (1) (a) and (3), neither the department nor any  
3 credentialing board is required to provide evidence that promulgating a rule under  
4 this paragraph as an emergency rule is necessary for the preservation of the public  
5 peace, health, safety, or welfare or provide a finding of emergency for a rule  
6 promulgated under this paragraph.

7 **SECTION 124. Effective dates.** This act takes effect on the first day of the 3rd  
8 month beginning after publication, except as follows:

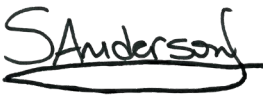
9 (1) The treatment of ss. 440.08 (2) (a) 37m., 448.9703 (3) (a), and 448.9706 (2)  
10 takes effect on May 1, 2023, or on the first day of the 3rd month beginning after  
11 publication, whichever occurs later.

12 (END)



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

**AGENDA REQUEST FORM**

<b>1) Name and title of person submitting the request:</b> Sofia Anderson, Administrative Rules Coordinator		<b>2) Date when request submitted:</b> 6/16/2023 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
<b>3) Name of Board, Committee, Council, Sections:</b> Psychology Examining Board			
<b>4) Meeting Date:</b> June 28, 2023	<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> Administrative Rules Matters – Discussion and Consideration: <ol style="list-style-type: none"> <li>1. Discussion: Psy 1 to 6, relating to implementation of Psychology Licensure Compact.</li> <li>2. Discussion: Psy 1 and 2, relating to national examination.</li> <li>3. Pending and possible rulemaking projects</li> </ol>	
<b>7) Place Item in:</b> <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	<b>8) Is an appearance before the Board being scheduled?</b> <i>(If yes, please complete <a href="#">Appearance Request</a> for Non-DSPS Staff)</i>  <input type="checkbox"/> Yes <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> Attachments: <ol style="list-style-type: none"> <li>1. 2021 WI Act 131 Memo</li> <li>2. Wisconsin Statutes chapter 455.</li> <li>3. Chapters 1 to 5 of Psychology Administrative Code.</li> <li>4. EPPP Part 1 and 2 Overview document</li> <li>5. Rule projects chart.</li> </ol>			
<b>11) Authorization</b>  <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="text-align: center;">   <hr/>                 Signature of person making this request             </div> <div style="text-align: right;">                 6/16/2023  <hr/>                 Date             </div> </div> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 10px;"> <div style="width: 60%;">Supervisor (if required)</div> <div style="width: 35%;">Date</div> </div> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 10px;"> <div style="width: 70%;">Executive Director signature (indicates approval to add post agenda deadline item to agenda)</div> <div style="width: 25%;">Date</div> </div>			
<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 Policy Development Executive 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>			

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# Wisconsin Legislative Council

## ACT MEMO

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**Prepared by:** Margit Kelley, Senior Staff Attorney

March 21, 2022

**2021 Wisconsin Act 131**  
[2021 Assembly Bill 537]

**Psychology Interjurisdictional Compact**

### **PSYCHOLOGY INTERJURISDICTIONAL COMPACT**

2021 Wisconsin Act 131 ratifies and enters Wisconsin into the Psychology Interjurisdictional Compact, which authorizes two types of practice outside the state from which a psychologist is licensed, and creates additional mechanisms for regulatory oversight. The act requires a criminal history background check for an initial license to practice psychology, but does not affect any other requirements for Wisconsin licensure.

#### **Telehealth Practice**

The act creates a process to allow a psychologist and patient who are located in different compact member states to participate in telehealth services under an “authorization to practice interjurisdictional telepsychology.”

To obtain an authorization to practice interjurisdictional telepsychology in another member state, a licensed individual must apply to the Association of State and Provincial Psychology Boards (ASPPB) for an “E.Passport” certificate. A two-step process is used for the “PsyPact commission” to then separately consider an applicant’s authorization to practice interjurisdictional telepsychology. When granted, an authorization is valid in all member states.

To qualify for the authorization, an individual must be licensed in good standing in the person’s home state and hold a graduate degree in psychology from a program that meets certain academic and practicum requirements. An applicant must provide attestations in regard to areas of intended practice, conformity with standards of practice, competence in telepsychology, criminal background, and knowledge and adherence to legal requirements in the home state and the other state.

#### **Temporary Practice in a Different State**

The act also creates a process to allow a psychologist to provide in-person, face-to-face psychological services in a compact member state for up to 30 days in a calendar year under a “temporary authorization to practice.”

To obtain a temporary authorization to practice in another member state, a licensed individual must apply to ASPPB for an interjurisdictional practice certificate (also referred to as an IPC). A two-step process is used for the PsyPact commission to then separately consider an applicant’s temporary authorization to practice. When granted, an authorization is valid in all member states, and a person may provide psychological services for up to 30 days per calendar year in each member state.

To qualify for the authorization, an individual must be licensed in good standing in the person’s home state and hold a graduate degree in psychology from a program that meets certain academic and practicum requirements. An applicant must provide attestations in regard to areas of intended practice and work experience.

## Regulatory Oversight

While providing telepsychology services or temporary in-person psychology services in another member state, a licensed individual is subject to that state's scope of practice, and that state may take action against the person's authorization to practice. A home state may take action against a licensed individual based on adverse action by another state against the person's temporary authorization to practice. A home state must investigate and take appropriate action on reported inappropriate conduct under an authorization to practice interjurisdictional telepsychology.

If a home state license or either of the practice authorizations is restricted, suspended, or otherwise limited, the authorization's corresponding E.Passport or interjurisdictional practice certificate are revoked and the person is not eligible to practice in a member state.

In addition, the act does all of the following:

- Allows member states' licensure boards to issue subpoenas that are enforceable in other member states.
- Creates a coordinated database and reporting system containing licensure and disciplinary action information on all licensed individuals in member states.
- Requires all applicants for initial licensure to submit to be fingerprinted, and requires an applicant's fingerprint cards to be submitted to the Federal Bureau of Investigation for a criminal history background check.

## Governance of the Compact

For governance of the compact, the act enters Wisconsin into the Psychology Interjurisdictional Compact Commission (PsyPact commission), which includes one member of the licensure boards of each member state. The commission has various powers and duties granted in the compact, including overseeing administration of the compact, enforcing the compact, adopting bylaws, promulgating binding rules to coordinate implementation and administration of the compact, and electing an executive board.

The act provides for dispute resolution, including a process for termination of a state's membership in the compact if a state defaults on its obligations under the compact. The act also permits a state to withdraw from the compact by repealing the statute authorizing the compact, to take effect six months after the effective date of the repeal.

The act allows the compact to be amended by the member states, to take effect after the amendment is enacted into the laws of all member states.

**Effective date:** February 6, 2022

MSK:jal

## CHAPTER 455

## PSYCHOLOGY

	SUBCHAPTER I	
	REGULATION OF PSYCHOLOGY	
455.01	Definitions.	
455.02	License required to practice; use of titles.	
455.025	Practice of medicine and surgery.	
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455.065	Continuing education requirements.
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	SUBCHAPTER II	
	PSYCHOLOGY INTERJURISDICTIONAL	
	COMPACT (PSYPACT)	
455.50	Psychology interjurisdictional compact.	
455.51	Implementation of the psychology interjurisdictional compact.	

**Cross-reference:** See definitions in s. 440.01.  
**Cross-reference:** See also *Psy*, Wis. adm. code.

## SUBCHAPTER I

## REGULATION OF PSYCHOLOGY

**455.01 Definitions.** In this subchapter:

(1) “Authority to practice interjurisdictional telepsychology” has the meaning given in s. 455.50 (2) (b).

(2) “Doctoral degree in psychology” means a doctoral degree in a study which involves the application of principles of the practice of psychology. A doctoral degree granted as the result of study involving one or more of the areas of psychological practice recognized by the American psychological association or in any other field recognized by the examining board shall be considered a doctoral degree in psychology.

(2m) “E.Passport” has the meaning given in s. 455.50 (2) (g).

(3) “Examining board” means the psychology examining board.

(3m) “Fee,” when used other than in reference to a fee for a credential, means direct or indirect payment or compensation, monetary or otherwise, including the expectation of payment or compensation whether or not actually received.

(3r) “Interjurisdictional practice certificate” has the meaning given in s. 455.50 (2) (im).

(5) (a) “Practice of psychology” means the observation, description, evaluation, interpretation, prediction, or modification of human behavior by the application of psychological principles, methods, or procedures for any of the following purposes, in exchange for a fee:

1. Preventing, eliminating, evaluating, assessing, or predicting symptomatic, maladaptive, or undesired behavior and promoting adaptive health maintaining behavior or psychological functioning.

2. Assisting in legal decision-making.

(b) “Practice of psychology” includes all of the following if done in exchange for a fee:

1. Psychological testing and the evaluation or assessment of a person’s characteristics, including intelligence; personality; cognitive, physical, or emotional abilities; skills; interests; aptitudes; or neuropsychological functioning.

2. Counseling, consultation, psychoanalysis, psychotherapy, hypnosis, biofeedback, behavior therapy, and applied behavior analysis.

3. The diagnosis, treatment, or management of mental and emotional disorders or disabilities, substance use disorders, disorders of habit or conduct, and the psychological aspects of physical illnesses, accidents, injuries, or disabilities.

4. Psychoeducational evaluation, therapy, or remediation.

5. Consultation with other psychologists, physicians, or other health care professionals and with a patient regarding all available treatment options with respect to the provision of care for a specific patient or client.

6. The supervision of anything specified in subds. 1. to 5.

(6) “Psychotherapy” means the diagnosis and treatment of mental, emotional, or behavioral disorders, conditions, or addictions through the application of methods derived from established psychological or systemic principles, including for the purpose of assisting individuals with modifying their behaviors, cognitions, emotions, or personality characteristics, or for the purpose of understanding unconscious processes or intrapersonal, interpersonal, or psychosocial dynamics.

(9) “Temporary authorization to practice” has the meaning given in s. 455.50 (2) (o).

**History:** 1977 c. 192, 273, 418; 1989 a. 243; 1995 a. 188; 2021 a. 22, 131.

**455.02 License required to practice; use of titles.**

(1m) LICENSE REQUIRED. (a) Except as provided in sub. (2m) and ss. 257.03 and 455.03, no person may engage in the practice of psychology, or attempt to do so or make a representation as authorized to do so, without a license issued by the examining board.

(b) Except as provided in sub. (2m) and ss. 257.03 and 455.03, only an individual licensed under s. 455.04 (1) or (2) may use the title “psychologist” or any similar title or state or imply that he or she is licensed to practice psychology. Except as provided in sub. (2m) and ss. 257.03 and 455.03, only an individual licensed under s. 455.04 (1) or (2) may represent himself or herself to the public by any description of services incorporating the word “psychological” or “psychology.”

(2m) EXCEPTIONS. A license under this subchapter is not required for any of the following:

(a) A person lawfully practicing within the scope of a license, permit, registration, certificate or certification granted by this state.

(b) A person providing psychological services as directed, supervised and inspected by a psychologist who has the power to direct, decide and oversee the implementation of the services provided.

(c) The performance of official duties by personnel of any of the armed services or federal health services of the United States.

(d) A person employed in a position as a psychologist or psychological assistant by a regionally accredited higher educational institution, if the person is performing activities that are a part of the duties for which he or she is employed, is performing those activities solely within the confines of or under the jurisdictions of the institution in which he or she is employed, and does not render or offer to render psychological services to the public for a fee over and above the salary that he or she receives for the performance of the official duties with the institution with which he or she is employed. An individual acting under this paragraph may teach the practice of psychology, conduct psychological research, present lectures on the practice of psychology, perform any con-

sultation required by his or her academic or research functions, or provide expert testimony in court related to his or her field of expertise. A person employed in a position under this paragraph may utilize or represent himself or herself by the academic or research title conferred upon him or her by the administration of the laboratory, school, college, or university or use the title “psychology professor” or “academic psychologist.”

(e) A person pursuing a course of study leading to a graduate degree in medicine, social work, marriage and family therapy or professional counseling at an accredited college or university while working in a training program, if the person’s activities and services constitute a part of his or her supervised course of study and the person is designated by a title that clearly indicates the training status appropriate to the person’s level of training.

(f) A person providing psychological services as part of a psychology training program, if his or her activities and services constitute a part of the supervised course of study and are performed under the supervision of a psychologist licensed under this subchapter and the person does not provide or offer to provide psychological services to the public for a fee over and above the salary that he or she may receive for the performance of the official duties with the employing agency or organization. A person providing services under this paragraph may use the title “psychology student,” “psychology intern,” or “psychology resident.”

(g) A person certified by the department of public instruction to provide psychological or counseling services, if the person is performing activities that are a part of the duties for which he or she is employed, is performing those activities solely within the confines of or under the jurisdiction of the school district by which he or she is employed and does not render or offer to render psychological services to the public for a fee over and above the salary that he or she receives for the performance of the official duties with the school district by which he or she is employed.

(i) An ordained member of the clergy of any religious denomination or sect who is associated with a church, synagogue or other religious organization, contributions to which are tax deductible for federal and state income tax purposes, if the member of the clergy is engaged in activities that are within the scope of his or her regular duties as a member of the clergy and that are not rendered to the public for a fee over and above the salary or other compensation that the member of the clergy receives for the performance of his or her official duties as a member of the clergy with the church, synagogue or religious organization with which he or she is associated.

(k) A person whose activities are limited to educational or vocational counseling or testing that is performed in a human resources, personnel, or educational setting.

(L) A mental health professional who has met all of the qualifications under s. DHS 61.96, Wis. Adm. Code, for employment as a mental health professional in an outpatient psychotherapy clinic certified by the department of health services under s. DHS 61.95, Wis. Adm. Code, if the person is performing activities that are a part of the duties for which he or she is employed by such a certified outpatient psychotherapy clinic and is performing those activities solely within the confines of or under the jurisdiction of the clinic by which he or she is employed.

(m) A person providing psychological services as an employee of a federal governmental agency, if the person is providing the psychological services as a part of the duties for which he or she is employed, is providing the psychological services solely within the confines of or under the jurisdiction of the agency by which he or she is employed, and does not provide or offer to provide psychological services to the public for a fee over and above the salary that he or she receives for the performance of the official duties with the agency by which he or she is employed.

(n) A person coordinating or participating in the activities of a nonprofit peer support group, if the person performs those activities solely within the confines of the peer support group and does

not render or offer to render psychological services to the public for a fee.

(o) A person providing psychological services as an employee of a state or local governmental agency, if the person is providing the psychological services as a part of the duties for which he or she is employed, is providing the psychological services solely within the confines of or under the jurisdiction of the agency by which he or she is employed, does not provide or offer to provide psychological services to the public for a fee over and above the salary that he or she receives for the performance of the official duties with the agency by which he or she is employed, and has received a master’s degree in psychology from a regionally accredited higher educational institution or has fulfilled requirements commensurate with a master’s degree, as determined by the examining board. The examining board may promulgate rules to further establish requirements for exemptions under this paragraph for persons who do not hold a master’s degree in psychology. A person providing services under this paragraph may use the title “psychological associate.”

(p) A person providing psychological services under the supervision of a psychologist licensed under this subchapter as part of a formal psychology fellowship program that meets the program standards of an organization as determined by the examining board. A person providing services under this paragraph may use the title “psychology fellow.”

(q) A person whose activities are limited to testifying in a court in this state regarding services rendered in another state.

(r) A person engaging in the private practice of school psychology who holds a valid private practice school psychologist license issued under s. 455.04 (4), 2019 stats. A person acting under this paragraph may use the title “private practice school psychologist.”

(s) A person who holds a doctoral degree in psychology but does not engage in the practice of psychology. A person described in this paragraph may use the title “psychologist” or “doctor of psychology.”

**History:** 1979 c. 162 ss. 30, 38 (7); 1989 a. 243; 1995 a. 27 ss. 9126 (19), 9145 (1); 1995 a. 188; 1995 a. 225 s. 466; 1997 a. 35, 261; 2001 a. 38, 104; 2005 a. 96; 2007 a. 20 s. 9121 (6) (a); 2009 a. 42, 180; 2021 a. 22, 131.

**455.025 Practice of medicine and surgery.** Nothing in this chapter shall be construed to authorize a psychologist to engage in the practice of medicine and surgery.

**History:** 2021 a. 22.

**455.03 Temporary practice; telepsychology. (1)** (a) In this subsection, “day” means any part of a day during which psychological services are rendered.

(b) 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 whose standards, in the opinion of the examining board, are equivalent to or higher than the requirements for licensure as a psychologist in s. 455.04 (1) may provide psychological services in this state on not more than 60 days in any year without holding a license issued under s. 455.04 (1). The psychologist shall report to the examining board the nature and extent of his or her practice in this state if it exceeds 20 days within a year.

(2) An individual who holds a valid interjurisdictional practice certificate may exercise the temporary authorization to practice in this state, subject to ss. 455.50 (5) and 455.51 (2) (a) 1. and (b) 1.

(3) An individual who holds a valid E.Passport may practice under the authority to practice interjurisdictional telepsychology as provided in and subject to ss. 455.50 (4) and (6) and 455.51 (2) (a) 2. and (b) 2.

**History:** 1989 a. 243; 2021 a. 22, 131.

**455.04 Licensure of psychologists. (1)** Subject to s. 455.09, the examining board shall grant a psychologist license to

an individual who submits an application for the license, pays the fee determined by the department under s. 440.03 (9), and satisfies all of the following requirements:

- (a) Be at least 18 years of age.
- (b) Subject to ss. 111.321, 111.322, and 111.335, not have a conviction record.
- (c) Hold a doctoral degree in psychology from a program accredited by an organization approved by the examining board, or have had other academic training that the examining board determines to be substantially equivalent on the basis of standards established by rule. The examining board may require examinations to determine the equivalence of training for individuals holding doctoral degrees in psychology from non-American universities.
- (d) Complete at least 3,000 hours of supervised graduate-level experience in the practice of psychology under conditions satisfactory to the examining board and established by rule. Supervised hours shall consist of all of the following:
  1. At least 1,500 hours of experience in a successfully completed internship, which shall be accrued after the completion of all doctoral level coursework.
  2. At least 1,500 hours of experience consisting of any combination of the following, as established by the examining board by rule:
    - a. Pre-internship hours that occur after the completion of the first year of the doctoral program or at any time while in a doctoral program after the completion of a master's degree in psychology or its equivalent, as defined by the examining board by rule.
    - b. Hours accrued in the internship described in subd. 1. that are in excess of the 1,500 hours required under subd. 1.
    - c. Post-internship hours accrued after the completion of the internship under subd. 1., but before the conferral of the doctoral degree.
    - d. Postdoctoral hours obtained after the conferral of the doctoral degree.
  - e. Pass the examination under s. 455.045 (1) (a).
  - f. Pass the examination under s. 455.045 (1) (b).

(2) Subject to s. 455.09, the examining board shall grant an interim psychologist license to an individual who submits an application for the license, pays the fee specified under s. 440.05 (6), and satisfies the requirements for a license under sub. (1) (a) to (c), (d) 1., and (f). An individual licensed under this subsection may provide psychological services only under the supervision of qualified supervisors, as determined by the examining board.

(3) The examining board may waive the requirements of sub. (1) (c) to (e) if an applicant holds a certificate or license of an examining board of some other state or territory or foreign country or province, if the standards of such other examining board are deemed by the members of this examining board to be substantially equivalent to the standards of this state.

(4) An individual who, on May 31, 2021, held a valid private practice school psychologist license under s. 455.04 (4), 2019 stats., may continue to renew that license as provided in s. 455.06. The examining board may not grant any initial private practice school psychologist license on the basis of an application received on or after June 1, 2021.

(5) Applicants for licensure under this section may be required to appear before the examining board in person prior to licensure to allow the examining board to make such inquiry of them as to qualifications and other matters as it considers proper.

**History:** 1971 c. 213 s. 5; 1975 c. 198; 1977 c. 192; 1981 c. 380; 1981 c. 391 s. 211; 1987 a. 403; 1989 a. 243 ss. 6 to 9, 12, 13; 1995 a. 27 s. 9145 (1); 1995 a. 188; 1997 a. 27; 2007 a. 20 s. 9121 (6) (a); 2021 a. 22.

**Cross-reference:** See also ch. Psy 2, Wis. adm. code.

**455.045 Examinations.** (1) In order to qualify for a psychologist license under s. 455.04 (1), an applicant must have passed all of the following examinations:

- (a) A written examination on the professional practice of psychology.
- (b) A written examination on state law related to the practice of psychology.

(3) The examining board shall set passing scores for examinations under sub. (1) (a) or (b). The examining board may adopt passing scores recommended by test developers.

**History:** 1989 a. 243; 2021 a. 22.

**Cross-reference:** See also ch. Psy 2, Wis. adm. code.

**455.06 Renewals.** (1) (a) Except as provided in par. (b), the renewal dates for licenses issued under this subchapter or under s. 455.04 (4), 2019 stats., are specified under s. 440.08 (2) (a), and the renewal fee for such licenses is determined by the department under s. 440.03 (9) (a).

(b) A license issued under s. 455.04 (2) is valid for 2 years or until the individual obtains a license under s. 455.04 (1) and may not be renewed, except that the examining board may promulgate rules specifying circumstances in which the examining board, in cases of hardship, may allow an individual to renew a license issued under s. 455.04 (2). Notwithstanding sub. (2), an individual holding a license issued under s. 455.04 (2) is not required to complete continuing education.

(2) An applicant for renewal of a license issued under this subchapter or under s. 455.04 (4), 2019 stats., shall include with his or her application proof in the form specified by the examining board that he or she has completed the hours of continuing education required under s. 455.065.

**History:** 1977 c. 29; 1979 c. 162; 1989 a. 243; 1991 a. 39; 1995 a. 188; 2007 a. 20; 2021 a. 22, 131.

**Cross-reference:** See also ch. Psy 4, Wis. adm. code.

**455.065 Continuing education requirements.** The examining board shall do all of the following:

(1) 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, and the criteria for the approval of the sponsors and cosponsors of those continuing education programs and courses. The examining board may establish criteria for the substitution of hours of professional activities to meet continuing education requirements.

(4) Approve continuing education programs and courses in accordance with the criteria established under sub. (1).

(5) Promulgate rules establishing the criteria for the substitution of uncompensated hours of professional assistance volunteered to the department of health services for some or all hours of continuing education credits required under sub. (1). The eligible substitution hours shall involve professional evaluation of community programs for the certification and recertification of community mental health programs, as defined in s. 51.01 (3n), by the department of health services.

(6) Grant a postponement of or waiver from the continuing education requirements under this section on the basis of prolonged illness or disability or on other grounds constituting extreme hardship. The examining board shall consider each application individually on its merits, and the examining board may grant a postponement, partial waiver, or total waiver of the requirement as the examining board deems appropriate.

(7) Grant an exemption from the continuing education requirements under this section to a psychologist who certifies to the examining board that he or she has permanently retired from the practice of psychology. A psychologist who has been granted an exemption under this subsection may not return to active practice without submitting evidence satisfactory to the examining board of having completed the required continuing education

credits within the 2-year period prior to the return to the practice of psychology.

**History:** 1989 a. 243; 1991 a. 39; 1993 a. 445; 1995 a. 27 s. 9126 (19); 1995 a. 188; 2007 a. 20 s. 9121 (6) (a); 2021 a. 22.

**Cross-reference:** See also ch. Psy 4, Wis. adm. code.

**455.09 Disciplinary proceedings and actions. (1)** Subject to the rules promulgated under s. 440.03 (1), the examining board may deny an application for a license, or may by order suspend for a period not exceeding one year, limit, revoke or impose probationary conditions upon a license, authority to practice interjurisdictional telepsychology, or temporary authorization to practice or reprimand a licensee or a holder of authority to practice interjurisdictional telepsychology or temporary authorization to practice if the applicant, licensee, or holder does any of the following:

- (a) Subject to ss. 111.321, 111.322 and 111.335, is a felon.
- (b) Subject to ss. 111.321, 111.322 and 111.34, engaged in the practice of psychology or the private practice of school psychology while his or her ability to practice was impaired by alcohol or other drugs.
- (c) Impersonates another person holding a license under this subchapter or allows another person to use his or her license, E.Passport, interjurisdictional practice certificate, authority to practice interjurisdictional telepsychology, or temporary authorization to practice.
- (d) Uses fraud or deception in applying for a license under this subchapter, an E.Passport, or an interjurisdictional practice certificate.
- (e) Accepts a commission, rebate or other form of fee for referring persons to other professionals.
- (f) Engages in the willful, unauthorized communication of information received in professional confidence.
- (g) Violates this subchapter or any rule of professional conduct promulgated under this subchapter.
- (h) Is grossly negligent in the practice of his or her profession.

**(2)** A suspended license is subject to the requirements for renewal of the license under s. 440.08. The renewal of a suspended license does not entitle the licensee to any rights, privileges or authority conferred by the license while the license remains suspended.

**(3)** A revoked license may not be renewed. An individual may, no sooner than one year after the date of revocation, apply for reinstatement of a license under this subchapter. The examining board may accept or reject an application for reinstatement. If reinstatement is granted under this subsection, the licensee shall pay a reinstatement fee in an amount equal to the renewal fee. This subsection does not apply to a license that is revoked under s. 440.12.

**History:** 1977 c. 125, 418; 1979 c. 162 s. 38 (7); 1981 c. 79 s. 17; 1981 c. 334 s. 25 (1); 1989 a. 243; 1991 a. 39; 1995 a. 188; 1997 a. 237; 2021 a. 22, 131.

**Cross-reference:** See also ch. Psy 5, Wis. adm. code.

Petitioner is not entitled to present expert evidence indicating he or she previously testified truthfully when denying misconduct under sub. (1) (g). *Davis v. Psychology Examining Board*, 146 Wis. 2d 595, 431 N.W.2d 730 (Ct. App. 1988).

Laches is not available in any proceeding brought by the state in its sovereign capacity to protect a public right. A disciplinary proceeding is brought by the state in its sovereign capacity to protect a right of the public—the right to have licensed psychologists comply with the requirements of their licenses. *Stein v. WI Psychology Examining Board*, 2003 WI App 147, 265 Wis. 2d 781, 668 N.W.2d 112, 02–2726.

Construing rules of professional conduct as applying to post-therapy conduct is necessary to effectuate the purpose of protecting the health, safety, or welfare of former clients. *Bar–Av v. Psychology Examining Board*, 2007 WI App 21, 299 Wis. 2d 387, 728 N.W.2d 722, 04–3251.

**455.11 Penalty.** Any person who violates this subchapter may be fined not more than \$200 or imprisoned not exceeding 6 months or both.

**History:** 2021 a. 131.

## SUBCHAPTER II

PSYCHOLOGY INTERJURISDICTIONAL  
COMPACT (PSYPACT)**455.50 Psychology interjurisdictional compact.**  
**(1) ARTICLE I — PURPOSE.**

Whereas, states license psychologists, in order to protect the public through verification of education, training and experience and ensure accountability for professional practice; and

Whereas, this compact is intended to regulate the day to day practice of telepsychology (i.e. the provision of psychological services using telecommunication technologies) by psychologists across state boundaries in the performance of their psychological practice as assigned by an appropriate authority; and

Whereas, this compact is intended to regulate the temporary in-person, face-to-face practice of psychology by psychologists across state boundaries for 30 days within a calendar year in the performance of their psychological practice as assigned by an appropriate authority;

Whereas, this compact is intended to authorize state psychology regulatory authorities to afford legal recognition, in a manner consistent with the terms of the compact, to psychologists licensed in another state;

Whereas, this compact recognizes that states have a vested interest in protecting the public's health and safety through their licensing and regulation of psychologists and that such state regulation will best protect public health and safety;

Whereas, this compact does not apply when a psychologist is licensed in both the home and receiving states; and

Whereas, this compact does not apply to permanent in-person, face-to-face practice, it does allow for authorization of temporary psychological practice.

Consistent with these principles, this compact is designed to achieve the following purposes and objectives:

- (a) Increase public access to professional psychological services by allowing for telepsychological practice across state lines as well as temporary in-person, face-to-face services into a state which the psychologist is not licensed to practice psychology;
- (b) Enhance the states' ability to protect the public's health and safety, especially client/patient safety;
- (c) Encourage the cooperation of compact states in the areas of psychology licensure and regulation;
- (d) Facilitate the exchange of information between compact states regarding psychologist licensure, adverse actions and disciplinary history;
- (e) Promote compliance with the laws governing psychological practice in each compact state; and
- (f) Invest all compact states with the authority to hold licensed psychologists accountable through the mutual recognition of compact state licenses.

**(2) ARTICLE II — DEFINITIONS.** (a) "Adverse action" means: Any action taken by a state psychology regulatory authority which finds a violation of a statute or regulation that is identified by the state psychology regulatory authority as discipline and is a matter of public record.

(am) "Association of State and Provincial Psychology Boards (ASPPB)" means: the recognized membership organization composed of state and provincial psychology regulatory authorities responsible for the licensure and registration of psychologists throughout the United States and Canada.

(b) "Authority to practice interjurisdictional telepsychology" means: a licensed psychologist's authority to practice telepsy-

chology, within the limits authorized under this compact, in another compact state.

(bm) “Bylaws” means: those bylaws established by the Psychology Interjurisdictional Compact Commission pursuant to sub. (10) for its governance, or for directing and controlling its actions and conduct.

(c) “Client/patient” means: the recipient of psychological services, whether psychological services are delivered in the context of healthcare, corporate, supervision, and/or consulting services.

(cm) “Commissioner” means: the voting representative appointed by each state psychology regulatory authority pursuant to sub. (10).

(d) “Compact state” means: a state, the District of Columbia, or United States territory that has enacted this compact legislation and which has not withdrawn pursuant to sub. (13) (c) or been terminated pursuant to sub. (12) (b).

(dm) “Coordinated licensure information system” also referred to as “coordinated database” means: an integrated process for collecting, storing, and sharing information on psychologists’ licensure and enforcement activities related to psychology licensure laws, which is administered by the recognized membership organization composed of state and provincial psychology regulatory authorities.

(e) “Confidentiality” means: the principle that data or information is not made available or disclosed to unauthorized persons and/or processes.

(em) “Day” means: any part of a day in which psychological work is performed.

(f) “Distant state” means: the compact state where a psychologist is physically present (not through the use of telecommunications technologies), to provide temporary in-person, face-to-face psychological services.

(g) “E.Passport” means: a certificate issued by the Association of State and Provincial Psychology Boards (ASPPB) that promotes the standardization in the criteria of interjurisdictional telepsychology practice and facilitates the process for licensed psychologists to provide telepsychological services across state lines.

(gm) “Executive board” means: a group of directors elected or appointed to act on behalf of, and within the powers granted to them by, the commission.

(h) “Home state” means: a compact state where a psychologist is licensed to practice psychology. If the psychologist is licensed in more than one compact state and is practicing under the authorization to practice interjurisdictional telepsychology, the home state is the compact state where the psychologist is physically present when the telepsychological services are delivered. If the psychologist is licensed in more than one compact state and is practicing under the temporary authorization to practice, the home state is any compact state where the psychologist is licensed.

(hm) “Identity history summary” means: a summary of information retained by the FBI, or other designee with similar authority, in connection with arrests and, in some instances, federal employment, naturalization, or military service.

(i) “In-person, face-to-face” means: interactions in which the psychologist and the client/patient are in the same physical space and which does not include interactions that may occur through the use of telecommunication technologies.

(im) “Interjurisdictional practice certificate (IPC)” means: a certificate issued by the Association of State and Provincial Psychology Boards (ASPPB) that grants temporary authority to practice based on notification to the state psychology regulatory authority of intention to practice temporarily, and verification of one’s qualifications for such practice.

(j) “License” means: authorization by a state psychology regulatory authority to engage in the independent practice of psychology, which would be unlawful without the authorization.

(jm) “Non-compact state” means: any state which is not at the time a compact state.

(k) “Psychologist” means: an individual licensed for the independent practice of psychology.

(km) “Psychology interjurisdictional compact commission” also referred to as “commission” means: the national administration of which all compact states are members.

(L) “Receiving state” means: a compact state where the client/patient is physically located when the telepsychological services are delivered.

(Lm) “Rule” means: a written statement by the Psychology Interjurisdictional Compact Commission promulgated pursuant to sub. (11) that is of general applicability, implements, interprets, or prescribes a policy or provision of the compact, or an organizational, procedural, or practice requirement of the commission and has the force and effect of statutory law in a compact state, and includes the amendment, repeal or suspension of an existing rule.

(m) “Significant investigatory information” means:

1. Investigative information that a state psychology regulatory authority, after a preliminary inquiry that includes notification and an opportunity to respond if required by state law, has reason to believe, if proven true, would indicate more than a violation of state statute or ethics code that would be considered more substantial than minor infraction; or

2. Investigative information that indicates that the psychologist represents an immediate threat to public health and safety regardless of whether the psychologist has been notified and/or had an opportunity to respond.

(mm) “State” means: a state, commonwealth, territory, or possession of the United States, the District of Columbia.

(n) “State psychology regulatory authority” means: the board, office or other agency with the legislative mandate to license and regulate the practice of psychology.

(nm) “Telepsychology” means: the provision of psychological services using telecommunication technologies.

(o) “Temporary authorization to practice” means: a licensed psychologist’s authority to conduct temporary in-person, face-to-face practice, within the limits authorized under this compact, in another compact state.

(om) “Temporary in-person, face-to-face practice” means: where a psychologist is physically present (not through the use of telecommunications technologies), in the distant state to provide for the practice of psychology for 30 days within a calendar year and based on notification to the distant state.

**(3) ARTICLE III — HOME STATE LICENSURE.** (a) The home state shall be a compact state where a psychologist is licensed to practice psychology.

(b) A psychologist may hold one or more compact state licenses at a time. If the psychologist is licensed in more than one compact state, the home state is the compact state where the psychologist is physically present when the services are delivered as authorized by the authority to practice interjurisdictional telepsychology under the terms of this compact.

(c) Any compact state may require a psychologist not previously licensed in a compact state to obtain and retain a license to be authorized to practice in the compact state under circumstances not authorized by the authority to practice interjurisdictional telepsychology under the terms of this compact.

(d) Any compact state may require a psychologist to obtain and retain a license to be authorized to practice in a compact state under circumstances not authorized by temporary authorization to practice under the terms of this compact.

(e) A home state’s license authorizes a psychologist to practice in a receiving state under the authority to practice interjurisdictional telepsychology only if the compact state:

1. Currently requires the psychologist to hold an active E.Passport;



2. Has a mechanism in place for receiving and investigating complaints about licensed individuals;

3. Notifies the commission, in compliance with the terms herein, of any adverse action or significant investigatory information regarding a licensed individual;

4. Requires an identity history summary of all applicants at initial licensure, including the use of the results of fingerprints or other biometric data checks compliant with the requirements of the federal bureau of investigation (FBI), or other designee with similar authority, no later than ten years after activation of the compact; and

5. Complies with the bylaws and rules of the commission.

(f) A home state's license grants temporary authorization to practice to a psychologist in a distant state only if the compact state:

1. Currently requires the psychologist to hold an active IPC;

2. Has a mechanism in place for receiving and investigating complaints about licensed individuals;

3. Notifies the commission, in compliance with the terms herein, of any adverse action or significant investigatory information regarding a licensed individual;

4. Requires an identity history summary of all applicants at initial licensure, including the use of the results of fingerprints or other biometric data checks compliant with the requirements of the federal bureau of investigation (FBI), or other designee with similar authority, no later than ten years after activation of the compact; and

5. Complies with the bylaws and rules of the commission.

**(4) ARTICLE IV — COMPACT PRIVILEGE TO PRACTICE TELEPSYCHOLOGY.** (a) Compact states shall recognize the right of a psychologist, licensed in a compact state in conformance with sub. (3), to practice telepsychology in other compact states (receiving states) in which the psychologist is not licensed, under the authority to practice interjurisdictional telepsychology as provided in the compact.

(b) To exercise the authority to practice interjurisdictional telepsychology under the terms and provisions of this compact, a psychologist licensed to practice in a compact state must:

1. Hold a graduate degree in psychology from an institute of higher education that was, at the time the degree was awarded:

a. Regionally accredited by an accrediting body recognized by the U.S. department of education to grant graduate degrees, or authorized by provincial statute or royal charter to grant doctoral degrees; or

b. A foreign college or university deemed to be equivalent to subd. 1. a. by a foreign credential evaluation service that is a member of the National Association of Credential Evaluation Services (NACES) or by a recognized foreign credential evaluation service; and

2. Hold a graduate degree in psychology that meets the following criteria:

a. 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 catalogues and brochures its intent to educate and train professional psychologists;

b. The psychology program must stand as a recognizable, coherent, organizational entity within the institution;

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

d. The program must consist of an integrated, organized sequence of study;

e. There must be an identifiable psychology faculty sufficient in size and breadth to carry out its responsibilities;

f. The designated director of the program must be a psychologist and a member of the core faculty;

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, or field training appropriate to the practice of psychology;

i. The curriculum shall encompass a minimum of three academic years of full-time graduate study for doctoral degree and a minimum of one academic year of full-time graduate study for master's degree;

j. The program includes an acceptable residency as defined by the rules of the commission.

3. Possess a current, full and unrestricted license to practice psychology in a home state which is a compact state;

4. Have no history of adverse action that violate the rules of the commission;

5. Have no criminal record history reported on an identity history summary that violates the rules of the commission;

6. Possess a current, active E.Passport;

7. Provide attestations in regard to areas of intended practice, conformity with standards of practice, competence in telepsychology technology; criminal background; and knowledge and adherence to legal requirements in the home and receiving states, and provide a release of information to allow for primary source verification in a manner specified by the commission; and

8. Meet other criteria as defined by the rules of the commission.

(c) The home state maintains authority over the license of any psychologist practicing into a receiving state under the authority to practice interjurisdictional telepsychology.

(d) A psychologist practicing into a receiving state under the authority to practice interjurisdictional telepsychology will be subject to the receiving state's scope of practice. A receiving state may, in accordance with that state's due process law, limit or revoke a psychologist's authority to practice interjurisdictional telepsychology in the receiving state and may take any other necessary actions under the receiving state's applicable law to protect the health and safety of the receiving state's citizens. If a receiving state takes action, the state shall promptly notify the home state and the commission.

(e) If a psychologist's license in any home state, another compact state, or any authority to practice interjurisdictional telepsychology in any receiving state, is restricted, suspended or otherwise limited, the E.Passport shall be revoked and therefore the psychologist shall not be eligible to practice telepsychology in a compact state under the authority to practice interjurisdictional telepsychology.

**(5) ARTICLE V — COMPACT TEMPORARY AUTHORIZATION TO PRACTICE.** (a) Compact states shall also recognize the right of a psychologist, licensed in a compact state in conformance with sub. (3), to practice temporarily in other compact states (distant states) in which the psychologist is not licensed, as provided in the compact.

(b) To exercise the temporary authorization to practice under the terms and provisions of this compact, a psychologist licensed to practice in a compact state must:

1. Hold a graduate degree in psychology from an institute of higher education that was, at the time the degree was awarded:

a. Regionally accredited by an accrediting body recognized by the U.S. department of education to grant graduate degrees, or authorized by provincial statute or royal charter to grant doctoral degrees; or

b. A foreign college or university deemed to be equivalent to subd. 1. a. by a foreign credential evaluation service that is a member of the National Association of Credential Evaluation Services

(NACES) or by a recognized foreign credential evaluation service; and

2. Hold a graduate degree in psychology that meets the following criteria:

a. 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 catalogues and brochures its intent to educate and train professional psychologists;

b. The psychology program must stand as a recognizable, coherent, organizational entity within the institution;

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

d. The program must consist of an integrated, organized sequence of study;

e. There must be an identifiable psychology faculty sufficient in size and breadth to carry out its responsibilities;

f. The designated director of the program must be a psychologist and a member of the core faculty;

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, or field training appropriate to the practice of psychology;

i. The curriculum shall encompass a minimum of three academic years of full-time graduate study for doctoral degrees and a minimum of one academic year of full-time graduate study for master's degree;

j. The program includes an acceptable residency as defined by the rules of the commission.

3. Possess a current, full and unrestricted license to practice psychology in a home state which is a compact state;

4. No history of adverse action that violate the rules of the commission;

5. No criminal record history that violates the rules of the commission;

6. Possess a current, active IPC;

7. Provide attestations in regard to areas of intended practice and work experience and provide a release of information to allow for primary source verification in a manner specified by the commission; and

8. Meet other criteria as defined by the rules of the commission.

(c) A psychologist practicing into a distant state under the temporary authorization to practice shall practice within the scope of practice authorized by the distant state.

(d) A psychologist practicing into a distant state under the temporary authorization to practice will be subject to the distant state's authority and law. A distant state may, in accordance with that state's due process law, limit or revoke a psychologist's temporary authorization to practice in the distant state and may take any other necessary actions under the distant state's applicable law to protect the health and safety of the distant state's citizens. If a distant state takes action, the state shall promptly notify the home state and the commission.

(e) If a psychologist's license in any home state, another compact state, or any temporary authorization to practice in any distant state, is restricted, suspended or otherwise limited, the IPC shall be revoked and therefore the psychologist shall not be eligible to practice in a compact state under the temporary authorization to practice.

**(6) ARTICLE VI — CONDITIONS OF TELEPSYCHOLOGY PRACTICE IN A RECEIVING STATE.** A psychologist may practice in a receiving state under the authority to practice interjurisdictional telepsychology only in the performance of the scope of practice for psychology as assigned by an appropriate state psychology regula-

tory authority, as defined in the rules of the commission, and under the following circumstances:

(a) The psychologist initiates a client/patient contact in a home state via telecommunications technologies with a client/patient in a receiving state;

(b) Other conditions regarding telepsychology as determined by rules promulgated by the commission.

**(7) ARTICLE VII — ADVERSE ACTIONS.** (a) A home state shall have the power to impose adverse action against a psychologist's license issued by the home state. A distant state shall have the power to take adverse action on a psychologist's temporary authorization to practice within that distant state.

(b) A receiving state may take adverse action on a psychologist's authority to practice interjurisdictional telepsychology within that receiving state. A home state may take adverse action against a psychologist based on an adverse action taken by a distant state regarding temporary in-person, face-to-face practice.

(c) If a home state takes adverse action against a psychologist's license, that psychologist's authority to practice interjurisdictional telepsychology is terminated and the E.Passport is revoked. Furthermore, that psychologist's temporary authorization to practice is terminated and the IPC is revoked.

1. All home state disciplinary orders which impose adverse action shall be reported to the commission in accordance with the rules promulgated by the commission. A compact state shall report adverse actions in accordance with the rules of the commission.

2. In the event discipline is reported on a psychologist, the psychologist will not be eligible for telepsychology or temporary in-person, face-to-face practice in accordance with the rules of the commission.

3. Other actions may be imposed as determined by the rules promulgated by the commission.

(d) A home state's psychology regulatory authority shall investigate and take appropriate action with respect to reported inappropriate conduct engaged in by a licensee which occurred in a receiving state as it would if such conduct had occurred by a licensee within the home state. In such cases, the home state's law shall control in determining any adverse action against a psychologist's license.

(e) A distant state's psychology regulatory authority shall investigate and take appropriate action with respect to reported inappropriate conduct engaged in by a psychologist practicing under temporary authorization practice which occurred in that distant state as it would if such conduct had occurred by a licensee within the home state. In such cases, distant state's law shall control in determining any adverse action against a psychologist's temporary authorization to practice.

(f) Nothing in this compact shall override a compact state's decision that a psychologist's participation in an alternative program may be used in lieu of adverse action and that such participation shall remain non-public if required by the compact state's law. Compact states must require psychologists who enter any alternative programs to not provide telepsychology services under the authority to practice interjurisdictional telepsychology or provide temporary psychological services under the temporary authorization to practice in any other compact state during the term of the alternative program.

(g) No other judicial or administrative remedies shall be available to a psychologist in the event a compact state imposes an adverse action pursuant to par. (c).

**(8) ARTICLE VIII — ADDITIONAL AUTHORITIES INVESTED IN A COMPACT STATE'S PSYCHOLOGY REGULATORY AUTHORITY.** In addition to any other powers granted under state law, a compact state's psychology regulatory authority shall have the authority under this compact to:

(a) Issue subpoenas, for both hearings and investigations, which require the attendance and testimony of witnesses and the

production of evidence. Subpoenas issued by a compact state's psychology regulatory authority for the attendance and testimony of witnesses, and/or the production of evidence from another compact state shall be enforced in the latter state by any court of competent jurisdiction, according to that court's practice and procedure in considering subpoenas issued in its own proceedings. The issuing state psychology regulatory authority shall pay any witness fees, travel expenses, mileage and other fees required by the service statutes of the state where the witnesses and/or evidence are located; and

(b) Issue cease and desist and/or injunctive relief orders to revoke a psychologist's authority to practice interjurisdictional telepsychology and/or temporary authorization to practice.

(c) During the course of any investigation, a psychologist may not change his/her home state licensure. A home state psychology regulatory authority is authorized to complete any pending investigations of a psychologist and to take any actions appropriate under its law. The home state psychology regulatory authority shall promptly report the conclusions of such investigations to the commission. Once an investigation has been completed, and pending the outcome of said investigation, the psychologist may change his/her home state licensure. The commission shall promptly notify the new home state of any such decisions as provided in the rules of the commission. All information provided to the commission or distributed by compact states pursuant to the psychologist shall be confidential, filed under seal and used for investigatory or disciplinary matters. The commission may create additional rules for mandated or discretionary sharing of information by compact states.

**(9) ARTICLE IX — COORDINATED LICENSURE INFORMATION SYSTEM.** (a) The commission shall provide for the development and maintenance of a coordinated licensure information system (coordinated database) and reporting system containing licensure and disciplinary action information on all psychologists individuals to whom this compact is applicable in all compact states as defined by the rules of the commission.

(b) Notwithstanding any other provision of state law to the contrary, a compact state shall submit a uniform data set to the coordinated database on all licensees as required by the rules of the commission, including:

1. Identifying information;
2. Licensure data;
3. Significant investigatory information;
4. Adverse actions against a psychologist's license;
5. An indicator that a psychologist's authority to practice interjurisdictional telepsychology and/or temporary authorization to practice is revoked;
6. Non-confidential information related to alternative program participation information;
7. Any denial of application for licensure, and the reasons for such denial; and
8. Other information which may facilitate the administration of this compact, as determined by the rules of the commission.

(c) The coordinated database administrator shall promptly notify all compact states of any adverse action taken against, or significant investigative information on, any licensee in a compact state.

(d) Compact states reporting information to the coordinated database may designate information that may not be shared with the public without the express permission of the compact state reporting the information.

(e) Any information submitted to the coordinated database that is subsequently required to be expunged by the law of the compact state reporting the information shall be removed from the coordinated database.

**(10) ARTICLE X — ESTABLISHMENT OF THE PSYCHOLOGY INTERJURISDICTIONAL COMPACT COMMISSION.** (a) The compact

states hereby create and establish a joint public agency known as the Psychology Interjurisdictional Compact Commission.

1. The commission is a body politic and an instrumentality of the compact states.

2. Venue is proper and judicial proceedings by or against the commission shall be brought solely and exclusively in a court of competent jurisdiction where the principal office of the commission is located. The commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings.

3. Nothing in this compact shall be construed to be a waiver of sovereign immunity.

(b) *Membership, voting, and meetings.* 1. The commission shall consist of one voting representative appointed by each compact state who shall serve as that state's commissioner. The state psychology regulatory authority shall appoint its delegate. This delegate shall be empowered to act on behalf of the compact state. This delegate shall be limited to:

- a. Executive director, executive secretary or similar executive;
- b. Current member of the state psychology regulatory authority of a compact state; or
- c. Designee empowered with the appropriate delegate authority to act on behalf of the compact state.

2. Any commissioner may be removed or suspended from office as provided by the law of the state from which the commissioner is appointed. Any vacancy occurring in the commission shall be filled in accordance with the laws of the compact state in which the vacancy exists.

3. Each commissioner shall be entitled to one (1) vote with regard to the promulgation of rules and creation of bylaws and shall otherwise have an opportunity to participate in the business and affairs of the commission. A commissioner shall vote in person or by such other means as provided in the bylaws. The bylaws may provide for commissioners' participation in meetings by telephone or other means of communication.

4. The commission shall meet at least once during each calendar year. Additional meetings shall be held as set forth in the bylaws.

5. All meetings shall be open to the public, and public notice of meetings shall be given in the same manner as required under the rulemaking provisions in sub. (6).

6. The commission may convene in a closed, non-public meeting if the commission must discuss:

- a. Non-compliance of a compact state with its obligations under the compact;
- b. The employment, compensation, discipline or other personnel matters, practices or procedures related to specific employees or other matters related to the commission's internal personnel practices and procedures;
- c. Current, threatened, or reasonably anticipated litigation against the commission;
- d. Negotiation of contracts for the purchase or sale of goods, services or real estate;
- e. Accusation against any person of a crime or formally censuring any person;
- f. Disclosure of trade secrets or commercial or financial information which is privileged or confidential;
- g. Disclosure of information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;
- h. Disclosure of investigatory records compiled for law enforcement purposes;

i. Disclosure of information related to any investigatory reports prepared by or on behalf of or for use of the commission or other committee charged with responsibility for investigation or determination of compliance issues pursuant to the compact; or

j. Matters specifically exempted from disclosure by federal and state statute.

7. If a meeting, or portion of a meeting, is closed pursuant to this provision, the commission's legal counsel or designee shall certify that the meeting may be closed and shall reference each relevant exempting provision. The commission shall keep minutes which fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken, of any person participating in the meeting, and the reasons therefore, including a description of the views expressed. All documents considered in connection with an action shall be identified in such minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release only by a majority vote of the commission or order of a court of competent jurisdiction.

(c) The commission shall, by a majority vote of the commissioners, prescribe bylaws and/or rules to govern its conduct as may be necessary or appropriate to carry out the purposes and exercise the powers of the compact, including but not limited to:

1. Establishing the fiscal year of the commission;
2. Providing reasonable standards and procedures:
  - a. For the establishment and meetings of other committees; and
  - b. Governing any general or specific delegation of any authority or function of the commission;
3. Providing reasonable procedures for calling and conducting meetings of the commission, ensuring reasonable advance notice of all meetings and providing an opportunity for attendance of such meetings by interested parties, with enumerated exceptions designed to protect the public's interest, the privacy of individuals of such proceedings, and proprietary information, including trade secrets. The commission may meet in closed session only after a majority of the commissioners vote to close a meeting to the public in whole or in part. As soon as practicable, the commission must make public a copy of the vote to close the meeting revealing the vote of each commissioner with no proxy votes allowed;
4. Establishing the titles, duties and authority and reasonable procedures for the election of the officers of the commission;
5. Providing reasonable standards and procedures for the establishment of the personnel policies and programs of the commission. Notwithstanding any civil service or other similar law of any compact state, the bylaws shall exclusively govern the personnel policies and programs of the commission;
6. Promulgating a code of ethics to address permissible and prohibited activities of commission members and employees;
7. Providing a mechanism for concluding the operations of the commission and the equitable disposition of any surplus funds that may exist after the termination of the compact after the payment and/or reserving of all of its debts and obligations;
8. The commission shall publish its bylaws in a convenient form and file a copy thereof and a copy of any amendment thereto, with the appropriate agency or officer in each of the compact states;
9. The commission shall maintain its financial records in accordance with the bylaws; and
10. The commission shall meet and take such actions as are consistent with the provisions of this compact and the bylaws.

(d) The commission shall have the following powers:

1. The authority to promulgate uniform rules to facilitate and coordinate implementation and administration of this compact. The rule shall have the force and effect of law and shall be binding in all compact states;
2. To bring and prosecute legal proceedings or actions in the name of the commission, provided that the standing of any state psychology regulatory authority or other regulatory body responsible for psychology licensure to sue or be sued under applicable law shall not be affected;

3. To purchase and maintain insurance and bonds;
4. To borrow, accept or contract for services of personnel, including, but not limited to, employees of a compact state;
5. To hire employees, elect or appoint officers, fix compensation, define duties, grant such individuals appropriate authority to carry out the purposes of the compact, and to establish the commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel, and other related personnel matters;
6. To accept any and all appropriate donations and grants of money, equipment, supplies, materials and services, and to receive, utilize and dispose of the same; provided that at all times the commission shall strive to avoid any appearance of impropriety and/or conflict of interest;
7. To lease, purchase, accept appropriate gifts or donations of, or otherwise to own, hold, improve or use, any property, real, personal or mixed; provided that at all times the commission shall strive to avoid any appearance of impropriety;
8. To sell, convey, mortgage, pledge, lease, exchange, abandon or otherwise dispose of any property real, personal or mixed;
9. To establish a budget and make expenditures;
10. To borrow money;
11. To appoint committees, including advisory committees comprised of members, state regulators, state legislators or their representatives, and consumer representatives, and such other interested persons as may be designated in this compact and the bylaws;
12. To provide and receive information from, and to cooperate with, law enforcement agencies;
13. To adopt and use an official seal; and
14. To perform such other functions as may be necessary or appropriate to achieve the purposes of this compact consistent with the state regulation of psychology licensure, temporary in-person, face-to-face practice and telepsychology practice.

(e) The executive board:

1. The elected officers shall serve as the executive board, which shall have the power to act on behalf of the commission according to the terms of this compact.
  - 1m. The executive board shall be comprised of six members:
    - a. Five voting members who are elected from the current membership of the commission by the commission;
    - b. One ex-officio, nonvoting member from the recognized membership organization composed of state and provincial psychology regulatory authorities.
  2. The ex-officio member must have served as staff or member on a state psychology regulatory authority and will be selected by its respective organization.
  3. The commission may remove any member of the executive board as provided in bylaws.
  4. The executive board shall meet at least annually.
  5. The executive board shall have the following duties and responsibilities:
    - a. Recommend to the entire commission changes to the rules or bylaws, changes to this compact legislation, fees paid by compact states such as annual dues, and any other applicable fees;
    - b. Ensure compact administration services are appropriately provided, contractual or otherwise;
    - c. Prepare and recommend the budget;
    - d. Maintain financial records on behalf of the commission;
    - e. Monitor compact compliance of member states and provide compliance reports to the commission;
    - f. Establish additional committees as necessary; and
    - g. Other duties as provided in rules or bylaws.
- (f) *Financing of the commission.* 1. The commission shall pay, or provide for the payment of the reasonable expenses of its establishment, organization and ongoing activities.

2. The commission may accept any and all appropriate revenue sources, donations and grants of money, equipment, supplies, materials and services.

3. The commission may levy on and collect an annual assessment from each compact state or impose fees on other parties to cover the cost of the operations and activities of the commission and its staff which must be in a total amount sufficient to cover its annual budget as approved each year for which revenue is not provided by other sources. The aggregate annual assessment amount shall be allocated based upon a formula to be determined by the commission which shall promulgate a rule binding upon all compact states.

4. The commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same; nor shall the commission pledge the credit of any of the compact states, except by and with the authority of the compact state.

5. The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the commission shall be audited yearly by a certified or licensed public accountant and the report of the audit shall be included in and become part of the annual report of the commission.

(g) *Qualified immunity, defense, and indemnification.* 1. The members, officers, executive director, employees and representatives of the commission shall be immune from suit and liability, either personally or in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused by or arising out of any actual or alleged act, error or omission that occurred, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties or responsibilities; provided that nothing in this paragraph shall be construed to protect any such person from suit and/or liability for any damage, loss, injury or liability caused by the intentional or willful or wanton misconduct of that person.

2. The commission shall defend any member, officer, executive director, employee or representative of the commission in any civil action seeking to impose liability arising out of any actual or alleged act, error or omission that occurred within the scope of commission employment, duties or responsibilities, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties or responsibilities; provided that nothing herein shall be construed to prohibit that person from retaining his or her own counsel; and provided further, that the actual or alleged act, error or omission did not result from that person's intentional or willful or wanton misconduct.

3. The commission shall indemnify and hold harmless any member, officer, executive director, employee or representative of the commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error or omission that occurred within the scope of commission employment, duties or responsibilities, or that such person had a reasonable basis for believing occurred within the scope of commission employment, duties or responsibilities, provided that the actual or alleged act, error or omission did not result from the intentional or willful or wanton misconduct of that person.

(11) **ARTICLE XI — RULEMAKING.** (a) The commission shall exercise its rulemaking powers pursuant to the criteria set forth in this subsection and the rules adopted thereunder. Rules and amendments shall become binding as of the date specified in each rule or amendment.

(b) If a majority of the legislatures of the compact states rejects a rule, by enactment of a statute or resolution in the same manner used to adopt the compact, then such rule shall have no further force and effect in any compact state.

(c) Rules or amendments to the rules shall be adopted at a regular or special meeting of the commission.

(d) Prior to promulgation and adoption of a final rule or rules by the commission, and at least sixty (60) days in advance of the meeting at which the rule will be considered and voted upon, the commission shall file a notice of proposed rulemaking:

1. On the website of the commission; and

2. On the website of each compact states' psychology regulatory authority or the publication in which each state would otherwise publish proposed rules.

(e) The notice of proposed rulemaking shall include:

1. The proposed time, date, and location of the meeting in which the rule will be considered and voted upon;

2. The text of the proposed rule or amendment and the reason for the proposed rule;

3. A request for comments on the proposed rule from any interested person; and

4. The manner in which interested persons may submit notice to the commission of their intention to attend the public hearing and any written comments.

(f) Prior to adoption of a proposed rule, the commission shall allow persons to submit written data, facts, opinions and arguments, which shall be made available to the public.

(g) The commission shall grant an opportunity for a public hearing before it adopts a rule or amendment if a hearing is requested by:

1. At least twenty-five (25) persons who submit comments independently of each other;

2. A governmental subdivision or agency; or

3. A duly appointed person in an association that has having at least twenty-five (25) members.

(h) If a hearing is held on the proposed rule or amendment, the commission shall publish the place, time, and date of the scheduled public hearing.

1. All persons wishing to be heard at the hearing shall notify the executive director of the commission or other designated member in writing of their desire to appear and testify at the hearing not less than five (5) business days before the scheduled date of the hearing.

2. Hearings shall be conducted in a manner providing each person who wishes to comment a fair and reasonable opportunity to comment orally or in writing.

3. No transcript of the hearing is required, unless a written request for a transcript is made, in which case the person requesting the transcript shall bear the cost of producing the transcript. A recording may be made in lieu of a transcript under the same terms and conditions as a transcript. This subdivision shall not preclude the commission from making a transcript or recording of the hearing if it so chooses.

4. Nothing in this paragraph shall be construed as requiring a separate hearing on each rule. Rules may be grouped for the convenience of the commission at hearings required by this paragraph.

(i) Following the scheduled hearing date, or by the close of business on the scheduled hearing date if the hearing was not held, the commission shall consider all written and oral comments received.

(j) The commission shall, by majority vote of all members, take final action on the proposed rule and shall determine the effective date of the rule, if any, based on the rulemaking record and the full text of the rule.

(k) If no written notice of intent to attend the public hearing by interested parties is received, the commission may proceed with promulgation of the proposed rule without a public hearing.

(L) Upon determination that an emergency exists, the commission may consider and adopt an emergency rule without prior

notice, opportunity for comment, or hearing, provided that the usual rulemaking procedures provided in the compact and in this paragraph shall be retroactively applied to the rule as soon as reasonably possible, in no event later than ninety (90) days after the effective date of the rule. For the purposes of this provision, an emergency rule is one that must be adopted immediately in order to:

1. Meet an imminent threat to public health, safety, or welfare;
2. Prevent a loss of commission or compact state funds;
3. Meet a deadline for the promulgation of an administrative rule that is established by federal law or rule; or
4. Protect public health and safety.

(m) The commission or an authorized committee of the commission may direct revisions to a previously adopted rule or amendment for purposes of correcting typographical errors, errors in format, errors in consistency, or grammatical errors. Public notice of any revisions shall be posted on the website of the commission. The revision shall be subject to challenge by any person for a period of thirty (30) days after posting. The revision may be challenged only on grounds that the revision results in a material change to a rule. A challenge shall be made in writing, and delivered to the chair of the commission prior to the end of the notice period. If no challenge is made, the revision will take effect without further action. If the revision is challenged, the revision may not take effect without the approval of the commission.

**(12) ARTICLE XII — OVERSIGHT, DISPUTE RESOLUTION AND ENFORCEMENT.** (a) *Oversight.* 1. The executive, legislative and judicial branches of state government in each compact state shall enforce this compact and take all actions necessary and appropriate to effectuate the compact's purposes and intent. The provisions of this compact and the rules promulgated hereunder shall have standing as statutory law.

2. All courts shall take judicial notice of the compact and the rules in any judicial or administrative proceeding in a compact state pertaining to the subject matter of this compact which may affect the powers, responsibilities or actions of the commission.

3. The commission shall be entitled to receive service of process in any such proceeding, and shall have standing to intervene in such a proceeding for all purposes. Failure to provide service of process to the commission shall render a judgment or order void as to the commission, this compact or promulgated rules.

(b) *Default, technical assistance, and termination.* 1. If the commission determines that a compact state has defaulted in the performance of its obligations or responsibilities under this compact or the promulgated rules, the commission shall:

a. Provide written notice to the defaulting state and other compact states of the nature of the default, the proposed means of remedying the default and/or any other action to be taken by the commission; and

b. Provide remedial training and specific technical assistance regarding the default.

2. If a state in default fails to remedy the default, the defaulting state may be terminated from the compact upon an affirmative vote of a majority of the compact states, and all rights, privileges and benefits conferred by this compact shall be terminated on the effective date of termination. A remedy of the default does not relieve the offending state of obligations or liabilities incurred during the period of default.

3. Termination of membership in the compact shall be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate shall be submitted by the commission to the governor, the majority and minority leaders of the defaulting state's legislature, and each of the compact states.

4. A compact state which has been terminated is responsible for all assessments, obligations and liabilities incurred through the effective date of termination, including obligations which extend beyond the effective date of termination.

5. The commission shall not bear any costs incurred by the state which is found to be in default or which has been terminated from the compact, unless agreed upon in writing between the commission and the defaulting state.

6. The defaulting state may appeal the action of the commission by petitioning the U.S. District Court for the state of Georgia or the federal district where the compact has its principal offices. The prevailing member shall be awarded all costs of such litigation, including reasonable attorney's fees.

(c) *Dispute resolution.* 1. Upon request by a compact state, the commission shall attempt to resolve disputes related to the compact which arise among compact states and between compact and non-compact states.

2. The commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes that arise before the commission.

(d) *Enforcement.* 1. The commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of this compact.

2. By majority vote, the commission may initiate legal action in the United States District Court for the State of Georgia or the federal district where the compact has its principal offices against a compact state in default to enforce compliance with the provisions of the compact and its promulgated rules and bylaws. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing member shall be awarded all costs of such litigation, including reasonable attorney's fees.

3. The remedies herein shall not be the exclusive remedies of the commission. The commission may pursue any other remedies available under federal or state law.

**(13) ARTICLE XIII — DATE OF IMPLEMENTATION OF THE PSYCHOLOGY INTERJURISDICTIONAL COMPACT COMMISSION AND ASSOCIATED RULES, WITHDRAWAL, AND AMENDMENTS.** (a) The compact shall come into effect on the date on which the compact is enacted into law in the seventh compact state. The provisions which become effective at that time shall be limited to the powers granted to the commission relating to assembly and the promulgation of rules. Thereafter, the commission shall meet and exercise rulemaking powers necessary to the implementation and administration of the compact.

(b) Any state which joins the compact subsequent to the commission's initial adoption of the rules shall be subject to the rules as they exist on the date on which the compact becomes law in that state. Any rule which has been previously adopted by the commission shall have the full force and effect of law on the day the compact becomes law in that state.

(c) Any compact state may withdraw from this compact by enacting a statute repealing the same.

1. A compact state's withdrawal shall not take effect until six (6) months after enactment of the repealing statute.

2. Withdrawal shall not affect the continuing requirement of the withdrawing state's psychology regulatory authority to comply with the investigative and adverse action reporting requirements of this act prior to the effective date of withdrawal.

(d) Nothing contained in this compact shall be construed to invalidate or prevent any psychology licensure agreement or other cooperative arrangement between a compact state and a non-compact state which does not conflict with the provisions of this compact.

(e) This compact may be amended by the compact states. No amendment to this compact shall become effective and binding upon any compact state until it is enacted into the law of all compact states.

**(14) ARTICLE XIV — CONSTRUCTION AND SEVERABILITY.** This compact shall be liberally construed so as to effectuate the purposes thereof. If this compact shall be held contrary to the consti-

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tution of any state member thereto, the compact shall remain in full force and effect as to the remaining compact states.

**History:** 2021 a. 131; s. 35.17 correction in (4) (b) 1. a., b., (5) (b) 1. a., b., (10) (b) 1. b., (11) (a).

**455.51 Implementation of the psychology interjurisdictional compact. (1)** In this section:

(a) “Authority to practice interjurisdictional telepsychology” has the meaning given in s. 455.50 (2) (b).

(b) “Temporary authorization to practice” has the meaning given in s. 455.50 (2) (o).

**(2)** (a) 1. An individual who is exercising the temporary authorization to practice in this state shall comply with s. 440.03 (13) (am).

2. An individual who is practicing under the authority to practice interjurisdictional telepsychology shall comply with s. 440.03 (13) (am).

(b) 1. Subject to s. 455.50 and any rules promulgated thereunder, ss. 440.20 to 440.22 and the rules promulgated under s. 440.03 (1) shall apply to an individual who is exercising the temporary authorization to practice in this state in the same manner that they apply to holders of licenses issued under subch. I.

2. Subject to s. 455.50 and any rules promulgated thereunder, ss. 440.20 to 440.22 and the rules promulgated under s. 440.03 (1) shall apply to an individual who is practicing under the authority to practice interjurisdictional telepsychology in the same manner that they apply to holders of licenses issued under subch. I.

**History:** 2021 a. 131.

## Chapter Psy 1

### AUTHORITY AND DEFINITIONS

[Psy 1.01](#) Authority.

[Psy 1.02](#) Definitions.

**Psy 1.01 Authority.** The rules in chs. [Psy 1](#) to [5](#) are adopted pursuant to authority of ss. [15.08 \(5\) \(b\)](#), [227.11 \(2\)](#), [455.045 \(3\)](#), [455.065 \(1\)](#), [455.065 \(5\)](#), and [455.09 \(1\) \(g\)](#), Stats.

**Psy 1.02 Definitions.** As used in chs. [Psy 1](#) to [5](#):

- (1) "Applicant" means any person who applies for a license from the board.
- (2) "Board" means the psychology examining board.
- (3) "Client" means the individual, group, business, agency, school, organization, or association for whom the licensee of the board provides professional services for which the licensee is usually and customarily compensated. The term "client" includes the term and concept of "patient."
- (4) "Department" means the department of safety and professional services.
- (5) "Disciplinary proceeding" means a proceeding against one or more licensees in which the board determines whether or not to revoke or suspend a license, to reprimand a licensee, to limit a license, or refuse to renew a license.
- (5m) "Dual relationship" means a situation in which a psychologist provides professional services to a person with whom the psychologist has another relationship such as, but not limited to, relatives, close friends, employees or employers, students or other supervisees.
- (5s) "EPPP" means the Examination for the Professional Practice in Psychology which is the board approved examination on the practice of psychology.
- (6) "Gross negligence in the practice of psychology" means the performance of professional services that do not comply with an accepted standard of practice that has a significant relationship to the protection of the health, safety, or welfare of patient or public, and that are performed in a manner indicating that the licensee knew or should have known, but acted with indifference to or disregard of, the accepted standard of practice.
- (6m) "Jurisprudence exam" means the board approved examination on the elements of practice essential to the public health, safety, or welfare.
- (7) "One contact hour" means at least 50 minutes that the psychologist spends directly engaged in a continuing education activity approved by the board.



**(8)** “Private practice of school psychology” means providing psycho-educational evaluation and intervention for the prevention and treatment of educationally relevant problems. Intervention includes service to the student or consultation with persons who affect the student's education program.

**(9)** “Prohibited dual relationship” means a dual relationship which may impair objectivity or effectiveness, or permit exploitation, or create an actual, apparent or potential conflict of interest.

**(10)** “Psychological treatment” includes hypnosis used for therapeutic purposes other than smoking cessation or weight control.

**(11)** “ Telehealth” is defined under s. [440.01 \(1\) \(hm\)](#), Stats.

## Chapter Psy 2

### REQUIREMENTS FOR EXAMINATION AND LICENSURE OF PSYCHOLOGISTS

[Psy 2.01](#) Application procedure.

[Psy 2.013](#) Reciprocity.

[Psy 2.015](#) Application abandonment.

[Psy 2.05](#) Passing scores.

[Psy 2.09](#) Education and experience equivalent to a doctoral degree in psychology.

[Psy 2.10](#) Supervised psychological experience.

[Psy 2.14](#) Temporary practice.

**Psy 2.01 Application procedure.** An applicant for licensure as a psychologist shall submit all of the following:

- (1) The properly completed and signed application form.
- (2) The application fee authorized by s. [440.05 \(1\)](#), Stats.
- (3) Evidence of one of the following:
  - (a) Official transcript indicating a doctoral degree in psychology from a college or university accredited by a regional accrediting agency approved by the state board of education in the state in which the college or university is located.
  - (b) Academic training or specialized experience which in the opinion of the board is equivalent to a doctoral degree in psychology.
  - (c) Documentation of academic credentials evaluated by the National Register of Health Service Psychologists or other credential evaluation organization approved by the Board.
- (4) Documentation of at least one year experience in psychological work meeting the requirements in s. [Psy 2.10](#).
- (5) Evidence of passing the EPPP.
- (6) Evidence of passing the jurisprudence exam.
- (7) Verification of the applicant's credentials in all states or countries in which the applicant has ever held a credential.
- (8) Documentation necessary for the Board to determine, subject to ss. [111.321](#), [111.322](#), and [111.335](#), Stats., whether any of the following apply:

(a) The applicant has a pending charge for an exempt offense as defined in s. [111.335 \(1m\) \(b\)](#), Stats. or a violent crime against a child, as defined in s. [111.335 \(1m\) \(d\)](#), Stats., which is substantially related to the practice of a psychologist.

(b) The applicant has been convicted of a crime substantially related to the practice of a psychologist.

**Psy 2.013 Reciprocity.** An applicant who holds an active license in another state, territory, foreign country or province whose license standards are deemed by the board to be equivalent to the standards in this state may apply for license by submitting the following:

(1) The properly completed and signed application form.

(2) The application fee authorized by s. [440.05 \(1\)](#), Stats.

(4) Evidence of passing the jurisprudence exam.

**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.

**Psy 2.05 Passing scores.**

(1) The passing score on each examination is determined by the board to represent minimum competence.

(2m) The board may adopt the recommended passing score of the examination provider for the EPPP.

(4) The board shall make the determination of the passing score of the jurisprudence exam after consultation with subject matter experts who have reviewed a representative sample of the examination questions and available candidate performance statistics.

**Psy 2.09 Education and experience equivalent to a doctoral degree in psychology.** The equivalent to a doctorate in psychology is a doctorate degree which meets all of the following requirements:

(1) The curriculum shall contain all of the following content:

(a) Scientific psychology, including all of the following:

1. Biological aspects of behavior.

2. Cognitive and affective aspects of behavior.

3. Social aspects of behavior.

4. History and systems of psychology.
5. Psychological measurement.
6. Research methodology.
7. Techniques of data analysis.

**(b)** Scientific, methodical and theoretical foundations of practice in the substantive area of professional psychology in which the program has its training emphasis including all of the following:

1. Individual differences in behavior.
2. Human development.
3. Dysfunctional behavior or psychopathology.
4. Professional standards and ethics.

**(c)** Diagnosing or defining problems through psychological assessment and measurement and formulating and implementing intervention strategies including all of the following:

1. Theories and methods of assessment and diagnosis.
2. Effective intervention.
3. Consultation and supervision.
4. Evaluating the efficacy of interventions.

**(d)** Issues of cultural diversity and individual differences.

**(e)** Skills essential for lifelong learning, scholarly inquiry and professional problem-solving as psychologists in the context of an evolving body of scientific and professional knowledge.

**(2)** The doctoral degree shall include any of the following: practicum, internship, field or laboratory training. This experience shall be supervised by a person with a doctoral degree in psychology.

**Psy 2.10 Supervised psychological experience.** A one year experience in psychological work after a doctoral degree in psychology or its equivalent under conditions satisfactory to the examining board shall include all of the following:

- (1)** Completion of 2000 hours of the supervised psychological experience in no more than 24 months.
- (2)** 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 and lack of license.
- (3)** A minimum of 25% of the experience required shall consist of face-to-face client contact.

**(4)** A total of 65% of the experience required shall consist of the face-to-face client contact required under sub. [\(3\)](#) and 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, including note and report writing, studying test results, case consultation, and reviewing published works relating to the client's needs.

**(5)** The 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 post-licensure experience and shall have had training or experience in supervision of psychological work. Supervisors shall not be an immediate relative by blood or marriage.

**(6)** The supervisor's responsibilities include all of the following:

- (a)** Permit a trainee to engage in only psychological practice the supervisor can competently perform.
- (b)** Have sufficient knowledge of the trainee's clients to ensure effective service. This may include ongoing face-to-face contact with the client.
- (c)** Monitor the progress of the work on a regular basis.
- (d)** Determine the adequacy of the trainee's preparation for the tasks to be performed.
- (e)** Provide a written evaluation of the supervised experience. Prepared evaluations or reports of progress, including strengths and weakness, shall be written and discussed with the trainee on at least a semi annual basis and shall be made available to the board upon request.
- (f)** Be available or make appropriate provision for emergency consultation and intervention.
- (g)** Be legally and ethically responsible for the professional activities of the trainee.
- (h)** Be able to interrupt or stop the trainee from practicing in given cases.
- (i)** To terminate the supervised relationship if necessary.

#### **Psy 2.14 Temporary practice.**

**(1)** In this section, "working days" is defined as any day in which the psychologist provides services.

**(2)** A psychologist who is licensed by another state or territory of the United States or 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 in s. [455.04 \(1\)](#), Stats., may offer services as a psychologist in this state for not more than 60 working days in any year without holding a license issued under s. [455.04 \(1\)](#), Stats.

**(2m)** A psychologist practicing interjurisdictional telepsychology as established in s. [455.03 \(3\)](#), Stats.

**(3)** The psychologist shall report to the board the nature and extent of his or her practice in this state if it exceeds 20 working days within a year.

**(4)** A psychologist provides psychological services in this state whenever the patient or client is located in this state regardless of where the psychologist is located.

## Chapter Psy 4

### REQUIREMENTS FOR RENEWAL AND CONTINUING EDUCATION

[Psy 4.01](#) Biennial renewal.

[Psy 4.015](#) Definitions.

[Psy 4.017](#) Late renewal and reinstatement.

[Psy 4.025](#) Continuing education.

[Psy 4.035](#) Approved continuing education.

[Psy 4.04](#) Postponement, waiver, and exemptions.

[Psy 4.05](#) Record keeping and audits.

**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 4.025](#).

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

- (1) "Board" means Wisconsin Psychology Examining Board.
- (2) "Continuing education hour" means continuing education consisting of not less than 50 minutes.
- (3) "Ethics" means content consistent with one or more of the American Psychological Association's ethical principles of psychologists.
- (4) "Jurisprudence" means content relating to laws and regulations affecting the practice of psychology.
- (5) "Professional activity" means any of the following:
  - (a) Serving on the American Psychological Association or its affiliated state psychological association committee or board.
  - (b) Serving on a state Psychology Examining Board.
  - (c) Serving on the National Association of School Psychologists or its affiliated state association committee or board.
  - (d) Serving on the American Board of Professional Psychology committee or board.
  - (e) Serving on the Association of Psychology Postdoctoral Internship Centers committee or board.
  - (f) Serving on the Association of State and Provincial Psychology Boards committee or board.

(6) "Risk management" means content relating to the reduction of probability of incurring legal, regulatory or malpractice actions in the practice of psychology.

(7) "Trainee" means a person who is obtaining appropriate experience in psychological work under supervision pursuant to s. [455.04 \(1\) \(d\)](#), Stats.

**Psy 4.017 Late renewal and reinstatement.**

(1) General. A person renewing an expired license may not reapply for a license using the initial application process.

(2) Renewal within 5 years. A person renewing the license within 5 years shall do all of the following:

(a) Pay the renewal fee as determined by the department under s. [440.03 \(9\) \(a\)](#), Stats., and any applicable late renewal fee.

(b) Certify the completion of 40 hours of continuing education during the last biennium.

(3) Renewal after 5 years. This subsection does not apply to license holders who have unmet disciplinary requirements. A person renewing the license after 5 years shall do all of the following:

(a) Pay the renewal fee as determined by the department under s. [440.03 \(9\) \(a\)](#), Stats., and the renewal late fee.

(b) Evidence of one of the following:

1. An active credential in good standing in another state.

2. Completion of 80 hours of approved continuing education, including 12 hours of ethics, risk management, or jurisprudence, within the preceding 2 years.

(4) Reinstatement. A person who has unmet disciplinary requirements and failed to renew the license within 5 years or whose license has been surrendered or revoked may apply to have the license reinstated in accordance with all of the following:

(a) Evidence of completion of the requirements in sub. (3) if the license has not been active within 5 years.

(b) Evidence of completion of the disciplinary requirements, if applicable.

(c) Evidence of rehabilitation or change in circumstances warranting reinstatement.

**Psy 4.025 Continuing education.**

(1) Unless granted a postponement or waiver under s. [Psy 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 6 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 Wisconsin licensure and commencement of a full 2-year licensure period, licensees shall not be required to meet continuing education requirements.

**Psy 4.035 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)** Continuing education programs and courses sponsored by one of the following:

1. Wisconsin Psychological Association.
2. Wisconsin School Psychologists Association.

**(c)** 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.

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

**(e)** Graduate level courses of two semester or three quarter credits, or more, relevant to the professional practice of psychology offered by a regionally accredited college or university in which a person receives a passing grade shall be granted 20 continuing education hours.

**(2)** No more than eight hours of continuing education hours may be credited per day for courses and programs in sub. [\(1\) \(a\)](#) through [\(d\)](#).

- (3)** Continuing education hours shall be granted for teaching or 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 shall receive 2 continuing education hours for each hour of presentation with a maximum of 20 continuing education hours per biennium.
- (4)** Continuing education hours shall be granted for professional activity consisting of 1 year of service with a minimum of 6 total contact hours. A licensee shall receive 6 hours of continuing education for each professional activity, with a maximum of 12 continuing education hours per biennium.
- (5)** Continuing education hours shall be granted for serving as a reviewer for a peer reviewed publication. A licensee shall receive 3 hours per publication, with a maximum of 12 continuing education hours per biennium.
- (6)** 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 professional book or book chapter or peer-reviewed journal article. A licensee shall receive 10 continuing education hours per authorship, with a maximum of 20 continuing education hours per biennium.
- (7)** Continuing education hours shall be granted for earning board certification by the American Board of Professional Psychology. A licensee who successfully completes 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 at least six hours on those topics.
- (8)** Continuing education hours shall be granted for completion of a master's or doctoral degree in psychopharmacology from a regionally accredited college or university. 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.
- (9)** Continuing education hours shall be granted for providing supervision to one or more psychological trainees. The supervisor shall receive 1 continuing education hour for every 4 hours of supervision, with a maximum of 20 continuing education hours.

**(10)**

**(a)** Continuing education hours shall be granted for the evaluation of a community mental health program, 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 in training required by the department of health services, are equal to one continuing education hour for the purposes of this section.

**(b)** A licensee 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 applicants are received.

**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 chapter 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 chapter to a licensee who certifies to the board that the licensee has permanently retired from the practice of psychology or the private practice of school psychology.

**(3)** A licensee who has been granted an exemption from the requirements of this chapter based on retirement from the practice of psychology or the private practice of school psychology may not return to active practice without submitting evidence satisfactory to the board of having completed 40 credits of continuing education hours obtained within 2 years prior to the return to the practice of psychology.

**Psy 4.05 Record keeping and audits.**

**(1)** A licensee shall retain for a minimum period of 6 years and shall make available to the board or its agent upon request all the following proof of continuing education that applies to the licensee:

**(a)** Certificate of attendance issued by the program sponsor. The certificate shall include the name of the licensee, date of attendance, sponsor 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 of safety and professional services.

**(g)** Attestation form, provided by the department of safety and professional services, documenting supervision including the dates of supervision and total number of hours per day.

**(2)** The board may conduct an audit for compliance with continuing education requirements on any licensee who has a complaint made against the licensee.

## Chapter Psy 5

### CONDUCT

[Psy 5.01](#) Professional conduct.

[Psy 5.02](#) Telehealth.

**Psy 5.01 Professional conduct.** The practice of psychology is complex and varied and, therefore, allows for a broad range of professional conduct. The following acts constitute unprofessional conduct by applicants for licensure and licensees of the board and are prohibited. Complaints regarding these acts shall be investigated and may lead to disciplinary proceedings.

- (1) Engaging in false, fraudulent, misleading or deceptive advertising, or maintaining a professional relationship with one engaging in such advertising.
- (2) Gross negligence in the practice of psychology or private practice of school psychology.
- (2m) Engaging in conduct that falls below the standard of minimal competence within the practice of psychology or school psychology.
- (3) Misrepresentation of professional competency by offering to perform services that are unwarranted on the basis of education, training, or experience.
- (4) Performance of professional services inconsistent with training, education, or experience.
- (5) Conviction of a crime or violation of any law the circumstances of which substantially relate to the circumstances of the practice of psychology or private practice of school psychology.
- (6) Undertaking or continuing professional services after having been adjudged incompetent by a court of law.
- (7) Reporting distorted, erroneous, or misleading psychological information.
- (8) Engaging in false, fraudulent, exploitative, misleading, or deceptive billing practices.
- (9) Allowing professional judgment to be controlled by another.
- (10) Aiding or furthering discrimination on the basis of race, color, sex, creed, national origin, ancestry, handicap or sexual orientation by means of service given to a client.
- (11) Practicing or attempting to practice while the licensee has a physical or mental impairment, including impairment related to alcohol or other drugs, which is reasonably related to the licensee's ability to adequately undertake the practice of psychology in a manner consistent with the safety of client or public.
- (12) Revealing facts, data, information, records or communication received from a client in a professional capacity except in the following circumstances:
  - (a) With the informed consent of the client or the client's authorized representative.

**(b)** With prior notification to the client at the time the information was elicited of the use and distribution of the information.

**(c)** If necessary to prevent injury to the client or another person.

**(d)** Pursuant to the lawful order of a court of law.

**(e)** Use of case history material for teaching or research purpose, or in textbooks or other literature, provided that proper precautions are taken to conceal the identity of the client.

**(f)** Where otherwise permitted or required under ss. [51.30](#) and [146.82](#), Stats.

**(g)** When required by federal or state law.

**(12m)** Failing to have security protocols for access to facts, data, information, records, or communication received from a client in a professional capacity.

**(13)** Failure to obtain written, informed consent from the client or client's legal representative prior to the use of observation or electronic taping, recording or filming procedures.

**(14)** Engaging in sexual contact, sexual conduct, kissing, or any other behavior which could reasonably be construed as seductive, romantic, harassing, or exploitative, with any of the following:

**(a)** A client.

**(b)** A former client within 2 years of termination of professional services.

**(c)** A former client beyond 2 years of termination of professional services, unless the licensee can demonstrate that there has been no exploitation of the former client, and that the former client is not vulnerable by reason of emotional or cognitive disorder to exploitive influence by the psychologist, in light of all relevant factors, including:

1. The length of time which had passed between the termination of professional services and the conduct.

2. The nature and duration of the professional services.

3. The circumstances of termination.

4. The client's personal history.

5. The client's mental status at the time the conduct took place.

6. The likelihood of adverse impact on the client or others.

7. Statements or actions made by the licensee during the course of professional services suggesting or inviting the possibility of a post-termination sexual or romantic relationship with the client.

**(d)** A person to whom the licensee is providing teaching, supervisory or other instructional services.

- (14m)** Accepting as a client a person with whom the licensee has engaged in sexual contact or sexual conduct.
- (15)** Failure to provide clients a description of what may be expected in the way of tests, consultation, reports, fees, billing, therapeutic regimen or schedule.
- (16)** Failure to provide clients a description of possible effects of proposed treatment.
- (17)** Engaging in any prohibited dual relationship or any relationship which is reasonably likely to impair the licensee's objectivity in providing professional services.
- (19)** Employing or claiming to have available secret techniques or procedures that the licensee refuses to divulge.
- (20)** Engaging in experimental treatment or services without assuring objectivity through keeping adequate records and consulting with colleagues.
- (21)** In the conduct of research, failure to inform study participants of all features of the research that might reasonably be expected to influence willingness to participate; failure to ensure as soon as possible participants' understanding of the reasons and justification for methodological requirements of concealment or deception in the study; failure to protect participants from physical or mental discomfort, harm or danger, or to notify the participant of such danger; and failure to detect and remove any undesirable consequences to the participants resulting from research procedures.
- (22)** Failure to inform the client of financial interests which are not obvious and which might accrue to the licensee for referral to or for any use of service, product, or publication.
- (23)** Refusal upon request to advise the board of the nature of the specialties included within the licensee's practice.
- (24)** Failure to respond honestly and in a timely manner to a request for information by the board. Taking longer than 30 days to respond creates a rebuttable presumption that the response is not timely.
- (25)** Appropriation of the identity of another person holding a license issued by this or another board.
- (26)** Allowing another person to use one's license.
- (27)** Using fraud or deception in applying for a license.
- (28)** Violation of ch. [455](#), Stats., or any rule promulgated by the board.
- (29)** Failure to notify the board within 30 days of any disciplinary or adverse action taken by any other jurisdiction against a license, certificate, permit or registration granted for the practice of psychology or school psychology.
- (30)** For licensees of the board who are employed by a public agency and who also offer their services privately:
- (a)** Failure to inform the client that the client is entitled to the same service from the public agency.
  - (b)** Failure to inform the client that the licensee is an employee of that same public agency.

(c) Failure to avoid any prohibited dual relationship or any relationship which is reasonably likely to impair the licensee's objectivity in providing professional services.

(31) Failure to notify clients when service will be interrupted or terminated.

(32) Having a credential granted by another jurisdiction to practice psychology or school psychology denied, limited, suspended, surrendered, or revoked, or otherwise disciplined or adverse action taken, whether or not accompanied by findings of negligence or unprofessional conduct.

(33) Failure to maintain adequate records relating to services provided to a client in the course of a professional relationship. Each patient record entry shall be dated, shall identify the treating psychologist, and shall be sufficiently legible to be understood and to allow interventions by other professionals. Unless records are subject to a different records retention policy by an entity with an obligation to maintain treatment records, a licensee shall retain treatment records for at least 7 years.

(34) Violating any provision of an order of any board or jurisdiction that regulates the practice of psychology or school psychology.

#### **Psy 5.02 Telehealth.**

(1) The standards of practice and professional conduct under this chapter apply to a licensee regardless of whether health care service is provided in person or by telehealth.

(2) A psychologist who uses a telehealth visit to provide psychological services to a patient located in this state shall either be licensed as a psychologist by the board, or shall meet the requirements to exercise the authority to practice interjurisdictional telepsychology under s. [455.50 \(4\)](#), Stats.



# ASPPB

Association of State and  
Provincial Psychology Boards

Supporting member jurisdictions in fulfilling their responsibility of public protection

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October 28, 2022

Dear ASPPB Member Boards:

The ASPPB Board of Directors (“Board”) would like to update member jurisdictions on the status of the EPPP. As you know, the EPPP was updated to include two parts (knowledge and skills) as a comprehensive examination that allows jurisdictions to more completely measure competency of candidates for licensure. In 2018, the Board made the decision to allow jurisdictions to use the EPPP (Part 2- Skills) optionally with the promise to membership to revisit the future of the EPPP in 2022.

Over the past several years the Board has spent considerable time gathering feedback from its jurisdictional members, liaisons to ASPPB, and various other stakeholders in the psychology community. Some of these activities have included discussions about the EPPP at ASPPB membership meetings, jurisdictional question and answer sessions, engagement with the training and education community, and the creation of the collaborative Examination Stakeholder Technical Advisory Group (ESTAG). Most recently, ASPPB conducted four Town Hall meetings during the summer of 2022. During the meetings, ASPPB provided those in attendance with a summary of the rationale for the development for the EPPP (Part 2- Skills), and questions surrounding the exam that have been raised by ASPPB membership and other stakeholders. Time was taken to share how those questions have been and continue to be addressed, and an overview was provided on the examination development process. Lastly, comment periods were made available for those who attended the Town Halls to share their thoughts and concerns regarding anything they heard in the presentation. In an effort to extend access to this important information, a recording of the presentation is available at <https://vimeo.com/743463541/0991a45ead>. Attached is a factual overview of the EPPP processes related to the main concerns that have been reported to ASPPB.

ASPPB is guided by its mission to assist its members with their primary responsibility of protecting the health, safety, and welfare of the public. In this effort, the Board remains committed to the ongoing development, refinement, and use of a valid, reliable, state-of-the-art competency assessment for those individuals that are seeking licensure to practice psychology. Consistent with the above, during its October 2022 meeting, the Board unanimously passed the following motion:

***Effective no later than January 1, 2026, the EPPP is one examination with two parts, EPPP (Part 1 – Knowledge) and EPPP (Part 2 – Skills).***

**This means the EPPP will only be offered as a two-part examination effective January 1, 2026. We are aware that a number of jurisdictions are ready to move to the two-part model**



immediately. Indeed, some already have. The transition in the registration portal can be accomplished fairly quickly. If your jurisdiction is ready to move forward, please notify Dr. Matt Turner at [mturner@asppb.org](mailto:mturner@asppb.org).

Thank you for your continued efforts to ensure safe and competent practice in all of our jurisdictions.

#### The ASPPB Board of Directors

Alan B. Slusky, PhD, CPsych, President  
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# ASPPB

Association of State and  
Provincial Psychology Boards

## **An Update on the EPPP from ASPPB: A Factual Overview**

The following information is provided to address misinformation and misunderstandings currently being circulated by communities outside of the regulatory community. First, ASPPB is committed to the development, refinement, and maintenance of a valid, fair, and equitable examination of competence to practice. ASPPB has taken the last five years, since the initial introduction of a two-part national examination in 2017, to listen, learn and move forward thoughtfully. Moreover, we anticipate positive collaboration in the years to come, with various members of the psychology community in these efforts. This document addresses the issues raised in a recent mass email campaign initiated by some in the education and training community. Please take a moment to review the information below and contact ASPPB with any questions, suggestions, or concerns you may have.

**ASPPB is committed to addressing concerns raised by stakeholder groups regarding the examination of an individual's competence to practice psychology. ASPPB has taken many specific action steps to respond and will continue to do so on behalf of its members and the public they serve.**

In 2020, ASPPB established the Examination Stakeholder Technical Advisory Group (ESTAG). ESTAG was charged with (a) providing information on issues/questions raised by the training community and collaborating on methods to address such issues/questions, (b) serving as an additional voice and resource to inform more substantive policy questions from or before EPPP committees, (c) serving as informal liaisons to and from their respective communities regarding the ASPPB Examination Program, and (d) serving as a “think tank” that provides potential research ideas for examination-related matters.

ASPPB intentionally established ESTAG membership to include sharp critics of the EPPP, representatives from the education and training community, representatives from the regulatory community, and experts in test and measures development. There are 11 advisory members on ESTAG with the majority representing the school, counseling, and clinical education and training communities.

ESTAG met numerous times over the course of the last 2 years and conducted extensive work during and in between meetings. Over the summer months of 2022, the members worked to prepare and finalize a report with recommendations to the ASPPB Board of Directors (Board) regarding research options and communication strategies for the EPPP (Part 1- Knowledge) and (Part 2-Skills). Concurrently, ASPPB held four town hall meetings explicitly inviting regulatory, education, training, ethnic identifying, and other professional stakeholder groups to listen to updates regarding the Examination Program and to bring questions and concerns. Attendees asked questions and raised any concerns either during a live Q & A or by an option to send questions or concerns by email. Notably, very few concerns were raised either during, or in response to, these town hall meetings.

Unfortunately, during the town hall presentation, a remark was made indicating that the ESTAG had come to a consensus that the EPPP “met the Standards” [for Educational and Psychological Testing], when in fact the ESTAG’s

discussion on this issue was more nuanced and complex. Moreover, the ESTAG had not yet submitted its formal report to the ASPPB Board and, therefore, the remark was a premature one. Board President Alan Slusky apologized (see Appendix) to the education and training community. A video recording of the town hall giving a comprehensive review of the status of the EPPP that had been distributed, was revised to remove this misstatement, and then redistributed: <https://vimeo.com/743463541/0991a45ead>. Unfortunately, two members of the ESTAG elected to resign following this misstatement.

The ESTAG submitted its final report on August 22, 2022 and it was reviewed by the ASPPB Board at its October Meeting. The ASPPB Board greatly appreciates the work of ESTAG and is moving to promptly implement actionable, detailed recommendations. The Board will nominate people to fill the two vacant positions as it expects ESTAG's ongoing work to contribute greatly to the evolution of the EPPP.

The ASPPB Examination Program's procedures and evidence are rigorous and align with all generally accepted licensure examination development standards, including critical and foundational standards outlined by the *Standards for Educational and Psychological Testing*.<sup>1</sup> An independent evaluation was recently conducted by the California Office of Professional Examination Services (OPES) as part of its mandate to ensure that all examination programs used in the California licensure process comply with psychometric and legal standards for the development of professional licensure exams. **This thorough independent review clearly stated that the EPPP (Part 1- Knowledge) and (Part 2- Skills) meets the Standards:**

OPES found that the procedures used to establish and support the validity and defensibility of the above examination program components of the EPPP Part 1 and Part 2 appear to meet professional guidelines and technical standards outlined in the Standards for Educational and Psychological Testing (2014) (Standards) and in California Business and Professions (B&P) Code § 139.

[https://psychology.ca.gov/about\\_us/meetings/materials/20211022\\_materials.pdf](https://psychology.ca.gov/about_us/meetings/materials/20211022_materials.pdf) pp. 103-143

**A two-part examination will not create new barriers to practice. Rather, it promises to smooth the road to licensure amidst a national mental health crisis.**

Amid a national mental health crisis driven in part by mental health provider shortages, the need for qualified providers has never been more important. ASPPB is committed to supporting an accessible, navigable, and efficient path to licensure for all qualified candidates. The EPPP (Part 2-Skills) was developed to assess the skills of individuals who desire to practice psychology. In other words, it assesses the work with which practitioners are actually tasked at the point of licensure. The methodology undertaken to develop the exam is sound, it involved over one hundred licensed psychologists in direct development, and it reflects the *minimum* level of skills that should be demonstrated to safely practice. Although all would agree that more mental health services are needed, the notion that the public should not expect these services to be delivered by individuals who have empirically demonstrated minimally competent knowledge and skills is dangerous.

Furthermore, prior to the development of the EPPP (Part 2- Skills), numerous jurisdictions had created their own versions of skills exams which varied significantly in terms of development, method, and content. Still other jurisdictions utilized oral examinations to assess skills, which risk being more subjective and subject to legal challenges. The EPPP (Part 2-Skills) provides for consistent assessment of skills across jurisdictions, based on industry standards. It is expected to *replace* current steps to licensure, *not* add to them. Nevada, for example, eliminated a state-specific skills exam by replacing it with the EPPP (Part 2-Skills).

Moreover, in service of supporting a streamlined approach to licensing qualified individuals, ASPPB’s recommended timing for delivery of the EPPP (Part 1-Knowledge) is as soon as foundational coursework is completed and prior to or during internship. This timing allows candidates to take Part 1 of the exam at the point of knowledge acquisition (when pass rates are highest) <sup>2</sup> as is done with other doctoral level health professions. Part 2 would then be delivered at the point of licensure (as is currently the case). Therefore, no additional delays in achieving licensure are anticipated.

### **The development of a fair, equitable, and accessible exam is a core value of ASPPB.**

Significant time, energy, and resources have been put in place to develop processes and practices that reduce the chances of bias influencing exam performance <sup>3</sup>. These efforts have included:

- Intentional inclusion of a diversity of backgrounds, including race, ethnicity, and other identities; areas of expertise; and training backgrounds on all examination committees
- Training all item-writers to consider, among other things, cultural and linguistic issues
- In-person implicit bias training for all EPPP (i.e., Part 1- Knowledge and Part 2- Skills) item writers
- Repeated subject matter expert review of each item prior to appearing on an exam form, at multiple levels by several independent committees
- Pre-testing and statistical evaluation of *each* item prior to use as a scored item
- A statistical analysis, Differential Item Functioning (DIF), for each item across demographic variables
- Creation of an Item Review Committee (IRC) in 2020 to review those items identified by the DIF analysis for possible bias

Differential Item Functioning (DIF) analysis has been conducted since 2018 on each form of the EPPP. So far, over 1300 EPPP items have been subjected to DIF analyses. This process identifies items that perform differentially across demographic groups.

Next, any items that have been identified or flagged by the DIF analysis are reviewed by the 10-member Item Review Committee (IRC), an independent committee of psychologists with expertise in cultural competence, and experience working with underrepresented and marginalized populations. This committee was selected from well over 150 applicants. Items are reviewed blindly by committee members, and those that they deem potentially biased are removed from the exams.

To date, more than 1,300 items have been reviewed by DIF analysis; 34 items were flagged for review by the IRC. Committee members conducted a blind review of these 34 items and determined that 7 items should be omitted from the exam and item pool. This is an ongoing process, and DIF analyses will be conducted on every EPPP exam form going forward.

Although the current data suggest limited evidence of bias, ASPPB recognizes its responsibility in ensuring fair and equitable exams. This work must be multifaceted, ongoing, and expanded to eliminate inequities along the entire professional journey, beginning at recruitment, continuing through admissions and training, and ending in licensure. ASPPB will conduct future research on factors that may influence performance on the exam, will support test-takers in giving their best test performance, and will truly partner with stakeholders on research aimed at elucidating “the why” of differential performance across demographic groups.

ASPPB has also demonstrated its responsiveness to diversity and equity through a number of other actions. Although the ASPPB Board recognizes that these actions only represent a starting point, we wish to highlight examples of this work here:

- Regular education and outreach to the American Psychological Association of Graduate Students (APAGS) to assist students from diverse groups in understanding the licensure and examination process, including three presentations in 2022
- Consultation to A. Mihecoby and J. Thomas, authors of “*Lighting the Path*” to Psychology Licensure: *EPPP Handbook for Native Candidates*” published by The Society of Indian Psychologists
- Active participation in, and financial support for, the conference that culminated in the development of the Council of Chairs of Training Councils (CCTC) *Socially Responsive Toolkit* (2020)
- Ongoing work with CCTC to develop a network of PSYPACT holders to provide low-cost mental health services to graduate students in health service psychology programs
- Consistent with its commitment, approving financial support for students and early career psychologists through the:
  - 2022 National Multicultural Conference and Summit
  - 2022 Inez Beverly Prosser Scholarship for Women of Color, sponsored by PsiChi, The International Honor Society in Psychology

The ASPPB Board is actively exploring additional avenues to support successful licensure of candidates from under-represented racial and ethnically diverse backgrounds.

**A two-part examination of knowledge and skills ensures a thorough assessment of competence and is good for the protection of public health and welfare.**

At the point of licensure, regulatory boards have the responsibility to assess each individual applicant in real-time, to determine if they can safely practice psychology. Psychology has been an outlier among health care professions in not having had a standardized assessment of competency. Skills are not measured universally or in a standardized manner but instead through other methods such as supervisor ratings and letters of recommendation. The EPPP (Part 2-Skills) does, in fact, finally provide the measure that has been lacking. No better universal measure currently exists to ensure that a candidate demonstrates the minimal level of skills to practice independently, at a single point in time, across all expected profession-wide competencies (e.g., intervention and assessment, professionalism). This is particularly important given notable concerns raised by the training community that psychology trainees’ development of skills has been increasingly inconsistent. Recent concerns expressed by the Association of Psychology Internship and Postdoctoral Centers (APPIC) over the lack of adequate preparation of students for internship highlight these concerns and further argue for the need for an independent measure of competence to safely practice psychology.

**ASPPB is a non-profit organization that is mindful of cost and of responsibly stewarding its resources on behalf of the health and welfare of the public.**

We agree that the cost of education, and subsequent substantial educational debt, are enormous problems for students and may disproportionately impact first generation and low-income candidates. In response to concerns raised by stakeholders, students, and member jurisdictions, the Board has taken steps over the past 3 years in service of reducing the financial burden for test-takers. These actions have included:

- A 25% reduction in the EPPP (Part-2 Skills) fee, with no current plans to increase that fee
- Practice examinations that are now provided at-cost, so that candidates may access both in-person and on-line exams at minimal expense

ASPPB also expects that administering the EPPP (Part 1-Knowledge) at the point of knowledge acquisition (as is now recommended) will result in significant cost-savings for students who would otherwise pay for expensive third-party test-preparation materials. As noted above, the two-part format will allow for early admittance to the EPPP (Part 1-Knowledge) exam at the time of knowledge acquisition, a time when our research shows that pass-rates are higher <sup>2</sup>. Higher initial pass rates and less reliance on expensive test preparation companies are expected to mitigate costs substantially. ASPPB also expects that students who do not pass the EPPP (Part 1-Knowledge) at the time of knowledge acquisition will benefit from remediation while they are still in the training phase, while still in their programs with access to that remediation. Further, training programs will benefit from real-time feedback regarding students' preparation in the foundational knowledge required for internship readiness at the individual level, and accreditation at the program level.

ASPPB appreciates this opportunity to outline these changes which we believe will serve the public interest and benefit the profession of psychology. We invite you to share additional questions or concerns you may have via email at [asppb@asppb.org](mailto:asppb@asppb.org) or telephone at (678) 216-1175. Thank you.

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## References

1. American Educational Research Association, American Psychological Association, and National Council on Measurement in Education, eds. (2014). *Standards for Educational and Psychological Testing*. Lanham, MD: American Educational Research Association.
2. Schaffer, J., Rodolfa, E., Owen, J., Lipkins, R., Webb, C., & Horn, J. (2012). The Examination for Professional Practice in Psychology: New data–practical implications. *Training and Education in Professional Psychology*, 6. 1-7. 10.1037/a0026823.
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August 31, 2022

Dear Examination Stakeholder Advisory Group Members,

I am writing on behalf of the ASPPB Board of Directors to apologize for the recent incorrect and ill-timed statement made in ASPPB's video regarding the status of the EPPP. In one segment of the video, a remark was made that the ESTAG had come to consensus that the EPPP "met *The Standards*"<sup>1</sup>, when in fact the ESTAG's discussion on this issue was more nuanced and complex. Moreover, the ESTAG had not yet submitted its formal report to the ASPPB Board and, therefore, the remark was a premature one. We also recognize that the names and affiliations of ESTAG members were displayed in the video without providing the courtesy of advance notice. Lastly, we recognize that some have expressed concern that a response recently issued from ASPPB fell short of an apology. We are hopeful that this letter clearly communicates our sincere apology over what has happened.

Understandably, the trust that is so critical for collaboration between ASPPB and members of the ESTAG (and the stakeholder groups they represent) has been fractured. While we believe that this remark was not ill intentioned or malicious, we nevertheless take responsibility and regret the subsequent negative impact on ESTAG's membership and cohesion. In response to these concerns the video in question was immediately taken down, edited, and reposted without the statement or names and affiliations of ESTAG members. Further, we are committed to improving our processes to ensure that the work of ASPPB's committees and advisory groups is fully considered and represented before actions are taken.

The ESTAG was born out of ASPPB's desire, and the wishes of the psychology education and training community, to collaborate and advise the ASPPB Board on the ongoing development and validation of the EPPP. ASPPB did its best to intentionally constitute this working group with those who have expertise in psychometrics and those who are most critical of the examination. While advisory in nature, it was (and continues to be) our hope that the ESTAG would provide valuable outside perspectives on the exam, to ensure it continues to be a valid, reliable, and fair assessment of entry level knowledge and competence, so essential to the safe and ethical practice of psychology. Toward this end, we hope this error will not jeopardize ESTAG's continued work to meet its goals.

We understand that two members of ESTAG have elected to withdraw from the group in response. While we certainly respect their decisions, we

sincerely hope that they might either reconsider their decision or support their respective organizations in nominating individuals to take their place on this advisory group. ASPPB values the contributions that ESTAG has made and, we hope, will continue to make to the development and maintenance of the EPPP.

Finally, we remain open to dialogue with all members of the ESTAG over this or any other concerns it may have with regards to its efforts. We sincerely hope our efforts to acknowledge the error will facilitate rebuilding trust with this very important advisory group as well as the stakeholder communities it represents.

Sincerely,



Alan Slusky, Ph.D., C. Psych.  
President, ASPPB Board of Directors

CC:

Danielle Keenan-Miller, PhD  
Association of Psychology Training Clinics Council of Chairs of Training Councils  
Timothy Strauman, PhD  
Council of University Directors of Clinical Psychology

<sup>1</sup>American Educational Research Association, American Psychological Association, and National Council on Measurement in Education. (2014). Standards for educational and psychological testing. Washington, DC: Author.





# ASPPB

Association of State and  
Provincial Psychology Boards

# THE EPPP

*One Exam, Two Parts:*

*EPPP (Part 1-Knowledge) and EPPP (Part 2-Skills)*

**The EPPP will be a two-part exam that more thoroughly assesses the totality of competency of candidates for licensure. This will include:**

## EPPP (Part 1-Knowledge)

The EPPP (Part 1-Knowledge) is the foundational knowledge exam that is presently in place in all jurisdictions.

This is a critical assessment as it provides licensure boards with information on their candidates general knowledge of psychology. This includes important psychological theories in areas such as cognition, affect, development and general knowledge of intervention and assessment, research, factors impacting psychological functioning as well as many other aspects of the foundational knowledge that psychologists are taught in graduate school.

This will become the prerequisite for the skills-based portion of the EPPP.

### EPPP (Part 1-Knowledge): Domains and Weights

1. Biological Bases of Behavior (10%)
2. Cognitive-Affective Bases of Behavior (13%)
3. Social and Cultural Bases of Behavior (11%)
4. Growth and Lifespan Development (12%)
5. Assessment and Diagnosis (16%)
6. Treatment, Intervention, Prevention and Supervision (15%)
7. Research Methods and Statistics (7%)
- 8: Ethical/Legal/Professional Issues (16%)

## EPPP (Part 2-Skills)

The EPPP (Part 2-Skills) is used to evaluate the skills of a candidate applying for licensure in Psychology.

This skills-based assessment includes questions about applied, real world situations that psychologists face in practice. This provides valuable information to licensing board as it assesses the candidate's ability to show what they would DO in an applied setting. This has never been assessed through a universal standard across different jurisdictions.

The EPPP (Part 2-Skills) assesses the following areas:

### EPPP (Part 2-Skills): Domains and Weights

1. Scientific Orientation (6%)
2. Assessment and Intervention (33%)
3. Relational Competence (16%)
4. Professionalism (11%)
5. Ethical Practice (17%)
6. Collaboration, Consultation, Supervision (17%)

Visit [www.asppb.net](http://www.asppb.net) for information on our other programs:

### CPQ

Certificate of Professional  
Qualification in Psychology

### IPC

Interjurisdictional  
Practice Certificate

### PLUS

Psychology Licensing  
Universal System

### PSYPACT

[www.psypact.org](http://www.psypact.org)

### EPPP

Score Transfers

### PEP

Psychopharmacology Exam  
for Psychologists



## Format of the EPPP (Part 2-Skills)

The EPPP (Part 2-Skills) provides information on candidate understanding of how to proceed in applied situations. This is done by presenting case situations, or real world information, in a variety of item formats including:

- Multiple Choice:** Candidate must choose the best choice of 3 responses.
- Multiple Choice/  
Multiple Response:** Candidate will be allowed to choose more than one response from a series of possible answers. For example, select 2 of 5 options.
- Scenarios:** Presents information from an applied situation. Scenarios have up to 3 “Exhibits” which present additional information. This can be an animation, a description of an interview, a test protocol, or other data that adds information. Each Exhibit can have up to 5 questions that pertain to that part of the scenario.
- Point and Click:** A graphical image is presented (ie. A test protocol, a business card, an advertisement, a letter, etc.) and the candidate may select one or more areas on the image to indicate a response to the question.
- Drag and Drop:** Matching multiple appropriate stimuli on the left side of the screen to an appropriate response on the right side of the screen.

### The EPPP (Part 2-Skills):

**Questions: 170**

**Exam Time: 4 hr 15 min**

### Exam Breakdown:

Multiple Choice or Multiple Choice Multiple Response:	45%
Scenario Based Questions:	45%
Other Item Types:	10%



# ASPPB

Association of State and  
Provincial Psychology Boards

# THE EPPP

*One Exam, Two Parts:*

*EPPP (Part 1-Knowledge) and EPPP (Part 2-Skills)*



## Why is the EPPP (Part 2-Skills) needed?

Psychology and most regulated professions have embraced the move to competency and the assessment of competence. Until now, the universal standard across all jurisdictions has been the EPPP (Part 1-Knowledge). This has served its purpose very well for over 50 years. However, adding the EPPP (Part 2-Skills) provides a more thorough assessment of competence.

Skills assessment has been left to each individual jurisdiction to determine based on their own rules. This is most often done by requiring a number of supervised hours, oral examinations, and letters of recommendation. All of these methods have known reliability concerns.

Licensing Boards are charged with ensuring that candidates approved for licensure are competent to practice. Many jurisdictions would like better information about the skill set of their candidates. The EPPP (Part 1-Knowledge) allows candidates to demonstrate a universal standard of foundational knowledge. The EPPP (Part 2-Skills) provides a valid, reliable, and legally defensible measure for regulators to assess their candidates' demonstration of a universal standard of skills.

**Jurisdictions interested in adopting the EPPP (Part 2-Skills) are encouraged  
to contact Matt Turner at [mturner@asppb.org](mailto:mturner@asppb.org)**



# ASPPB

Association of State and  
Provincial Psychology Boards

# THE EPPP

*One Exam, Two Parts:*

*EPPP (Part 1-Knowledge) and EPPP (Part 2-Skills)*



## Validity of the EPPP (Part 2-Skills)

Because the EPPP (Part 2-Skills) is a new assessment, ASPPB has received many questions regarding the validity of the exam. The process of development of both the EPPP (Part 1-Knowledge) and the EPPP (Part 2-Skills) follows a rigorous content validation methodology that complies with the Guidelines for the Standards in Educational Testing described by American Psychological Association (APA), American Educational Research Association (AERA), and the National Council on Measurement in Education (NCME).

### Overview of the Process

**Job Task Analysis (JTA)** - A comprehensive study that involves Subject Matter Experts (SMEs) who are licensed psychologists that establish the knowledge and skills that are required for practice in psychology. The resulting requirements are sent via survey to thousands of licensed psychologists throughout the United States and Canada. The survey respondents indicate which areas are important for entry level practice. The results establish the test specifications (blue print) for the exam. Essentially, the expertise of licensed psychologists establishes what should be assessed by the exam.

**Item Writing** - SMEs write exam items according to the test specifications established from the JTA. All writers for the EPPP (Part 2-Skills) are licensed in the United States or Canada.

**Item Review** - Each item is reviewed by an Item Development Committee (IDC) SME in that Domain who is an established expert in that specific area. Items are reviewed in an iterative process between the reviewer and the item writer until the item is acceptable to both or discarded.

**Exam Form Review** - Each item is again reviewed prior to being placed on an exam by the Examination Committee. This committee is comprised of 10 SMEs who are psychologists that have particular expertise in each of the domains on the exam and represent various areas of psychology practice and training. Items that have been approved by the IDC are again reviewed for accuracy, relevancy to practice, clarity, and freedom from bias, among other factors.

**Psychometric Review** - Once approved by the Examination Committee, each item is pretested (or beta tested) prior to being an active item that is scored item on an exam. Items that do not perform well during pretesting, according to psychometric standards, are not included on a candidate's overall scores.

**Standard Setting** - The pass point of the exam is established through a rigorous review process called a standard setting. This involves a committee of SMEs who are licensed psychologists, most of whom are typically early career psychologists. These SMEs review the exam form item by item and provide rating data on difficulty. The data is analyzed to determine the appropriate pass point which represents the minimal knowledge or skills required for entry level practice.


*These multiple levels of review by Psychologists and the ongoing analysis of psychometric data ensures that the examination is accurate, relevant, valid and legally defensible.*

**Psychology Examining Board  
Rule Projects (updated 6/16/2023)**

Clearinghouse Rule Number	Scope #	Scope Expiration	Code Chapter Affected	Relating clause/Synopsis	Current Stage	Next Step
21-080	060-21	12/21/2023	Psy 1, 2, and 4 (permanent)	<b>Legislative Update (2021 WI Act 22).</b> Act 22 creates requirements for a new interim psychologist license; modifies the conditions for the supervised psychological experience requirement; and clarifies the terms of the temporary practice for out of state providers. Also includes updates to chapter Psy 1 in order to comply with current standards of practice; and implements the reciprocal credential requirements for service members, former service members, and their spouses in accordance with 2019 Wisconsin Act 143.	Rule will be effective on July 1, 2023.	N/A
21-016	130-20	4/12/2023	Psy 1, 2, and 5	<b>Telehealth.</b> This rule will include a definition of telehealth, and specify psychologists are to hold a Wisconsin license in order to diagnose and treat patients located in Wisconsin and are held to the same standards of conduct regardless of whether the services are provided in person or by telehealth.	Rule effective as of June 1, 2023.	N/A
	019-23	9/27/2025	Psy 1 to 6	<b>Implementation of Psychology Licensure Compact.</b> The objective of this rule is to implement the statutory changes from 2021 Wisconsin Act 131, which establishes Wisconsin as a member of the Psychology Interjurisdictional Compact or PSYPACT.	Scope implemented	Drafting rule
			Psy 1 and 2	<b>National Examination.</b> The Board will review chapters Psy 1 and 2 to potentially update the national examination requirement in light of ASPPB's decision to make the EPPP a two-part exam as of January 1 <sup>st</sup> , 2026.	Scope implemented	Drafting rule

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

**AGENDA REQUEST FORM**

1) Name and title of person submitting the request: Brad Wojciechowski, on behalf of Peter Sorce		2) Date when request submitted: 6/14/2023 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Psychology Examining Board			
4) Meeting Date: 06/28/2023	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Speaking Engagements, Travel, or Public Relation Requests, and Reports – Discussion and Consideration  1) Travel Report: ASPPB Midyear meeting – Denver, CO – April 27 – 30, 2023 – Peter Sorce 2) Consideration of Attendance: ASPPB Annual Meeting – Cleveland, OH – September 27 – October 1, 2023	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <i>(If yes, please complete <a href="#">Appearance Request</a> for Non-DSPS Staff)</i>  <input type="checkbox"/> Yes <Appearance Name(s)> <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if applicable: <Click Here to Add Case Advisor Name or N/A>	
10) Describe the issue and action that should be addressed: <Click Here to Add Description>			
11) Authorization			
		06/14/2023	
Signature of person making this request		Date	
Supervisor (Only required for post agenda deadline items)		Date	
Executive Director signature (Indicates approval for post agenda deadline items)		Date	
Directions for including supporting documents: 1. This form should be saved with any other documents submitted to the <a href="#">Agenda Items</a> folders. 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.			

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



# ASPPB

Association of State and  
Provincial Psychology Boards

**ASPPB 2023 Midyear Meeting**  
**April 27 – 30, 2023**  
**Session-by-Session Summary**

The theme of the 2023 Midyear Meeting was ***Hot Topics in Psychology Regulation*** with the entire first day of the meeting focused on all things tele- - tele-supervision, tele-assessment, tele-therapy, and tele-therapy “businesses,” and how this “virtual-ness” is impacting psychology regulation. The other “hot topics” covered were the APA and CPA Ethics Codes and how they are addressing social justice issues as well as telepsychology; and the potential regulatory implications of licensing master’s-level practitioners as APA is now beginning to accredit master’s programs in psychology and as Canada is moving to the doctoral standard for licensure. There were Updates on the ASPPB Equivalency Task Force that is creating guidelines for jurisdictions to use as an aid in determining whether candidates for licensure who did not graduate from accredited programs meet educational standards for licensure in those jurisdictions; the ASPPB Strategic Plan that evolved from the “deep dive” that ASPPB has been involved in for the past two years; progress on the EPPP (Part 2-Skills); and PSYFACT.

Each major presentation was followed by a half hour Q&A to give attendees ample time to ask questions and comment on the topics and issues that had been discussed. Each of those 30-minute sessions was full of lively discussion that was hard to capture, but the summary below includes many of the things that were brought up during the Q&A times.

All PowerPoint presentations for the 2023 Midyear Meeting can be found in the Agenda Book available at <https://www.asppb.net/page/2023MYM> , and I recommend having the Agenda Book open while reading the 2023 Midyear Meeting Summary to get a fuller picture of the depth and breadth of information that was presented.

And so, without further ado, the session-by-session summary of the CE sessions at the 2023 Midyear Meeting follows.

### **Session #1: Keynote Address – *The Ever-Evolving State of Telehealth Competency***

The keynote presentation set the stage for the first day of the 2023 Midyear Meeting. Aside from defining “telehealth” (the integration of tele-communications with psychology), this presentation highlighted the research that has been done about the use of tele-practice; the



importance of having not only competence in the service(s) being delivered, but competence in the *means* of service delivery; and the implications for psychology regulation of the explosion in the use of tele-means in practice.

We all know the value of tele-practice – it can occur almost anywhere, using many modalities, with people experiencing varying psychological issues, and it can be used successfully for any of the things that psychologists might do in their practices. But tele-practice does create practice, ethical and legal considerations for regulatory boards.

First, tele-practice, especially video tele-practice, is not likely to be used by certain communities who might not have access to privacy when using video, so this might not be the “great equalizer” we once thought it would be. Additionally, because of COVID, psychologists started using tele-means to practice without having had training to foster telehealth competency (and they never received training throughout the COVID pandemic) and now are continuing to practice using tele-means still without having ever received training to obtain the competencies necessary to ensure safe and ethical practice. The above raises issues of social justice, confidentiality, informed consent, interruption of services, and competence. This has significant regulatory implications.

Psychologists clearly are not going back to only seeing people in offices or other places where everyone is in the same room at the same time, but are psychologists evaluating who is appropriate for services using only telehealth or some hybrid model and who might not be appropriate for services delivered in those ways? Evidence suggests that psychologists might be maintaining tele-practice because it is more convenient for *them* and not necessarily because it is the best modality for their clients or patients.

Dr. Perle reminded us that tele-practice is not going away – in fact, every day there are newer and more advanced tools for practicing tele-psychology. As regulators, we want to be sure that our licensees are practicing within their areas of competence and if they are practicing telehealth, then we want to be sure they are doing it in a way that is best for the public.

Certain themes, as you will see, were echoed throughout the day – the pros and cons of using tele-means to practice psychology; the importance of having competence in using tele-means; the necessity of assessing whether someone/the situation/the issue/etc. is appropriate for using tele-modalities for practice (one size doesn’t fit all); and social justice and access issues inherent especially when using video components of tele-practice.

## **Session #2: Regulation in a Virtual World – Part 1**

This session began an in-depth look at different aspects of tele-practice with presenters from Louisiana, Arizona, and Mississippi. All uses of tele-means for conducting therapy, supervision, and assessment became widespread during the pandemic and seem to be remaining even as jurisdictions return to post-COVID procedures.

Tele-supervision – there are benefits to using both tele- and in-person supervision. From the trainee’s perspective, tele-supervision is easier and provides more flexibility about when people can meet, it saves time and money (e.g., any expenses that leaving home and going to a separate meeting space might entail), and it meets or exceeds trainees’ expectations for

supervision. In-person supervision, however, provides more opportunities for professional socialization (an important part of becoming a psychologist), makes it easier to assess a trainee's competence, and allows for a better assessment of important non-verbal aspects of interaction (which are easier to miss when only using tele-means to supervise trainees).

Because of some of the limitations of tele-supervision, both APA and CPA have instituted, for accredited programs, a number of requirements, including limits on how much of supervision can be provided through tele-means and the requirement for formal policies that detail how programs will ensure tele-supervision is being used appropriately and will maintain privacy and confidentiality of both the trainee and what or who is being discussed in supervision.

Louisiana began amending their telepsychology guidelines in 2019 after being asked by a licensee whether tele-supervision was allowed in LA. In March of this year, both "telepsychology" and "tele-supervision" were written into regulation and published. The *Guidelines* can be found at: <https://lsbep.org/wp-content/uploads/Telepsych-Guidelines-Rev11-2019.pdf>.

Tele-therapy Considerations – As with every presentation so far, this one began with advantages of using tele-therapy for both psychologists and their clients or patients. For psychologists, aside from reduced costs associated with maintaining a practice, tele-practice gives them access to a greater client base (and given the push in most jurisdictions to increase access to psychological care, this is a major advantage). For clients or patients, tele-therapy allows for access to a psychologist who is competent to deal with the particular issues that are the focus of treatment, or to a psychologist who is familiar with their culture or their particular experiences. Tele-therapy also reduces costs associated with meeting with a psychologist in person and reduces the potential stigma of seeing a mental health professional, especially if the client or patient lives in a small community. As was mentioned previously, though, there might be social justice issues inherent in tele-therapy and privacy/confidentiality concerns as well.

Arizona has developed regulations (R4-26-109; R4-26-110 at [www.azsos.gov](http://www.azsos.gov)) that identify how tele-therapy can be conducted in the state that include requirements of the licensee, informed consent requirements, and what must be included in the records of anyone being seen via tele-means.

Tele-assessment and How to Regulate It (specifically for Forensic and other Applied Psychology work) – After outlining the types of assessment that are conducted by psychologists in the forensic area (i.e., competency to stand trial, mental status at the time of the offense, assessing damages, disability assessment) and general applied psychology area (e.g., pre-employment screening, fitness for duty) and detailing when psychological testing might be most likely used in conducting those assessments, the message was clear: at a minimum, tests need to be relevant to what's being assessed and reliable; and the evaluator needs to be competent to administer and interpret those assessment measures *and* needs to be competent to administer them through tele-means if that is the mode of service.

### **Session #3: Regulation in a Virtual World – Part 2**

This session continued the day-long look at all things tele- with an eye toward the future. Presenters from Alabama, Tennessee, and Manitoba discussed the “good” and the “bad” about the advent of tele-practices.

PSYPACT and Beyond – As many of you know, PSYPACT was created prior to the pandemic as a potential way to help with the shortage of psychological services especially in rural and other underserved areas of the U.S. The pandemic, however, created a need that resulted in the flourishing of PSYPACT. By the date of the Midyear Meeting, PSYPACT was active in 35 states, had been enacted in 2 additional states with activation dates this year, and had 4 additional states with active legislation.

PSYPACT allows participating states to preserve their administrative management and their initial authority over their participating licensees’ scope of practice; requires that psychologists practicing outside of their home states through PSYPACT operate within the scope of practice in the remote state where the client lives; and preserves each state’s discretionary and police powers.

The advantages of PSYPACT participation include, among others, that specialist care is more available and accessible; workforce problems can be ameliorated; continuity of care can be maintained; and there is interstate cooperation to ensure competent and ethical practice. The downsides of PSYPACT are the same as with other tele-practice – assessing to make sure that tele-practice is appropriate in the situation; ensuring privacy and confidentiality; and potential disadvantages for some communities, especially as more visual means of tele-practice are used.

Emerging Technologies – According to the World Health Organization, 1 in 4 people will be affected by mental illness, but we know that many people who might need psychological services will never present for those services. Although all of psychology pivoted to tele-practice due to COVID, psychologists now are continuing to use tele-means to provide service to those populations who might have had limited access or who might not have ever presented in someone’s office for services.

Technology is constantly evolving, and as it does so, new ways of practicing are enhancing the therapy experience and improving health outcomes in general. So, what is emerging? Virtual reality therapy is being used to treat post-traumatic stress, anxiety, and depression; artificial intelligence has been shown to be helpful in improving diagnosis and treatment by providing, in some cases, 24-hour support to help people manage some of their most distressing symptoms; and wearable technology, such as smart watches and fitness trackers, can help monitor and predict mental health symptoms.

There are challenges and limitations, however, with the use of these emerging technologies. The lack of consistent regulations, guidelines, and laws for using technology in mental health treatment and assessment creates confusion; technical issues can interfere with service delivery and quality of service delivered; and again, technologically- assisted practice is not for everyone, not for every problem, and not for every circumstance, yet it is constantly being touted as the “end all, be all” for tele-psychological practice; and tele-practice raises a number of potential ethical issues, especially regarding privacy and informed consent.

Online Therapy ‘Businesses’ and Implications for Regulation – To begin with, these online businesses that promote therapy throughout our nations have mass appeal – they promise quick access to a therapist when needed; and for therapy providers, they can ease administrative burdens and help build the practices of people just starting out. These businesses offer many different types of service, from access to therapy to access to medication. Companies vary greatly in the care and effort they take to ensure that practitioners providing services under their auspices are appropriately providing such services, however, and this can result in a “buyer beware” situation rather than what is best for any potential client or patient.

For psychology regulators, these businesses pose a number of issues: are people who are not psychologists presenting themselves as psychologists? Do potential clients know who their providers are? Are psychologists practicing within the jurisdiction(s) where they are licensed? Are people upholding appropriate standards of practice, and are they practicing ethically? How can regulatory boards ensure that the people practicing in their jurisdictions are actually licensed to practice within their jurisdiction?

#### **Session #4: APA and CPA Ethics Codes Updates**

CPA Update – The CPA *Code of Ethics for Psychologists* is for all psychologists and is primarily aspirational. Therefore, each Canadian province has its own Code of Conduct that regulators use in adjudicating disciplinary cases. The CPA *Code* is organized around four principles (that are ranked with statements and a list of values under each). When faced with conflicting principles, the aim is to Respect for the Dignity of Persons and People (Principle 1). The other three Principles are: Responsible Caring, Integrity in Relationships, and Responsibility to Society.

Although the CPA *Code* has not been updated since 2017, as can be seen in the Principles named above, it already addresses some of the “hot topics” that have been discussed at the Midyear Meeting. For example, in the Preamble to the *Code*, concepts related to social justice, such as moral and civil rights, unjust discrimination, and treatment of vulnerable people or groups, are used to anchor the *Code* and specify how Canadian psychologists should go about behaving in an ethical manner and how they can discern whether they are acting ethically.

Technology is treated in the same way as social justice is treated in the CPA *Code*. Although technology is not mentioned specifically, the *Code* spells out that, although it is intended to guide only those behaviors a psychologist engages in “by virtue of being a psychologist,” personal behavior can be of concern if such behavior might undermine public trust in the discipline as a whole or raises questions about a particular psychologist’s ability to appropriately carry out their responsibilities as a psychologist.

And last, the Association of Canadian Psychology Regulatory Organizations (ACPRO) has published its own statement regarding DEIA issues that can be found at <https://acpro-aocrp.ca/association-of-canadian-psychologyregulatory-organizations-acpro-supports-equity-diversity-andinclusion-through-the-promotion-of-health-equity-and-culturalhumility/>.

APA Update – In 2018 APA created an Ethics Task Force charged with “retaining what is good about the current *Code* and then creating a code that is “visionary and transformational.” Since that time, the Task Force has been meeting to update the APA *Code* and to include in it 17 major issues that had not been a part of previous codes. Those new aspects of the code will look at: Personal vs. Professional Behaviors, Presence of the Environment, Recognition of Work Settings, Parameters Around Sexual Contact with Clients, Power Dynamics, and Expansion of Discrimination Categories.

Creation of the new *Code* has included a process of working with many groups, including ASPPB, with many avenues for comments and feedback. The Task Force hopes to have the initial draft completed by the end of the summer. The new code will include a more collectivist approach, with social justice issues imbedded throughout; will have a clear social justice and human rights emphasis focused on improving the human condition (with each Principle connected to a place in the *Code*); will give guidance for a broad range of work settings; will attend to the globalization of psychology; will address advances in technology with the inclusion of a new section, but will also appear in other parts of the *Code*; will give attention to diversity and address the impact of culture and sociohistorical context on both the meaning and implementation of ethics.

The presenters of the APA Ethics Update provided a link for comments and feedback that is open to everyone - <https://www.apa.org/ethics/taskforce> - and asked attendees to please visit the site and provide feedback.

### **Session #5: Hot Off the Press...**

Equivalency Task Force – As you probably know, many ASPPB jurisdictions require either program accreditation for licensure or that candidates have graduated from a program “equivalent” to an accredited program. Historically, the method for determining equivalency has been to require that certain courses have been taken that “matched” courses required in accredited programs. Recently, establishing “equivalency” has been challenging due to APA’s new *Standards of Accreditation* that moved from a course-driven curriculum to a competency-driven curriculum; and to Canada’s Free Trade Agreement that requires anyone who is licensed in *one* province as a “Psychologist” to be able to be licensed in *any* province as a psychologist – with CPA revising its *Standards of Accreditation* at the time of this meeting.

In 2021, ASPPB surveyed its member jurisdictions to ask if it would be helpful for them if ASPPB established an Equivalency Task Force (ETF) that might be able to address the challenges of establishing equivalency. Fifty of the 65 jurisdictions responded to that survey saying that it would be useful to them if ASPPB could provide guidance to assist them in their equivalency reviews, and of the 28 jurisdictions that said a set of guidelines would be useful to them, all were willing to send a volunteer to help in the process.

The ETF began meeting in the Spring of 2022 and is creating a *Guidebook* that will include, for both the U.S. and Canada, elements to “walk through” when establishing equivalence. The *Guidebook* will include the general requirements of an accredited program - curriculum, practicum experiences, and internship training. There have been some “sticky” spots, particularly when looking at “residency” and curriculum requirements. The *Guidebook*

will also include elements for determining competence, as well as suggestions for possible outcomes of an educational review.

The goal is to give jurisdictions a consistent process for review and application during each review. A draft of the *Guidebook* was presented to the ASPPB Board at their April meeting; the ETF will address suggestions made by the Board of Directors and expect to have the *Guidebook* completed before the end of the year and ready for jurisdictional feedback and comments.

ASPPB Strategic Plan – Those of you who have been attending ASPPB Membership Meetings for a while know about the “deep dive” ASPPB has taken to reach out to the membership and other stakeholders to take a serious look at who the organization is, how the organization is perceived, what is expected of the association, what the association is doing well, and what the organization is not doing well. Four themes emerged from the “deep dive”, and those themes have been incorporated into a new five-year *Strategic Plan*.

The themes were Anticipate, Collaborate, Participate, and Protect, and ASPPB has determined what the organization will do to achieve those themes. ASPPB will be reaching out to membership for feedback every step of the way as it begins to implement its Strategic Plan, asking for your participation and your feedback. Even at the Midyear Meeting four questions were asked that attendees had the opportunity to answer, but ASPPB will be sending out a survey to the entire membership so that your feedback can be incorporated as the Strategic Plan is implemented. Additionally, ASPPB will give updates at every membership meeting about where we are in implementation of the Strategic Plan and will highlight what is happening in each quarterly newsletter.

Overview and Update on the Examination for Professional Practice in Psychology (EPPP) – As most of you know, the EPPP is continuously being updated with quality improvement in mind at each step. The EPPP has been in existence since 1965 when it was created to test the foundational *knowledge* that candidates for licensure as psychologists should have. The EPPP remained exclusively a knowledge exam until 2021 when a skills part of the exam was launched.

The skills part of the exam was created for several reasons: there had been concern that the EPPP was only measuring *knowledge*, and the processes for determining *skills* of applicants for licensure had known problems, including lack of validity and reliability. After years of studying whether a skills part of the EPPP could be created and determining that ASPPB could create such an exam, ASPPB began developing the EPPP (Part 2-Skills).

At its October 2022 meeting, the ASPPB Board of Directors voted unanimously that, as of January 2026, the EPPP would be one exam with two parts, one part that tests the *knowledge* that new licensees should have in order to practice independently, and one part that tests the *skills* that new licensees should have in order to practice independently. This revised and updated EPPP would provide all jurisdictions with a standardized way to measure the full breadth of competence. ASPPB compared the EPPP (Part 1-Knowledge) with the (Part 2-Skills) and found that the scores on the EPPP Parts 1 and 2 had a moderately positive correlation ( $r = .30$ ), indicating that the Part 1 and Part 2 are measuring two distinct constructs and complement each other.

In April, the new *Licensing Exam Scores by Doctoral Program (2017-2022)* was completed and is on the ASPPB website at <https://www.asppb.net/resource/resmgr/eppp/asppbdoctoralreport2023.pdf>. This report, as you will see, is divided into pre-COVID and during COVID years. Going forward, the report will be updated annually for the most recent 5-year span. Additionally, two new Sample (Practice) Exams for the Part 1-Knowledge and one new Sample (Practice) Exam for the Part 2-Skills are available for candidates to take either online or at a Pearson Testing Center to experience what the real-life examination process will entail.

Please see the PowerPoint presentation included in the Agenda Book for more details about efforts to prevent bias, both in the test development process and in an item review process based on performing a differential item analysis. Based on some questions from attendees, there still seems to be some misunderstanding about test bias and about what “legally defensible” means. If your jurisdiction has any questions about the EPPP (Part 2-Skills), please contact Hao Song, PhD, at [hsong@asppb.org](mailto:hsong@asppb.org).

**PSYPACT** – As you know, PSYPACT is an interstate compact designed to regulate telepsychology practice between participating jurisdictions and temporary in-person practice between participating jurisdictions for up to 30 days annually.

As said previously in this summary, as of the end of March, PSYPACT was enacted in 36 states, with 35 of them being active currently. PSYPACT is run by a commission that operates separately from ASPPB, but that has a Memorandum of Understanding (MOU) with ASPPB that outlines services that ASPPB provides for the Commission. Each PSYPACT member state has a seat on the Commission. Since the Commission is a quasi-governmental group, all Commission and committee meetings are open to the public, receive public comments, and provide a schedule of Commission and committee meetings on the PSYPACT website at <https://psypact.org/page/Meetings>. Currently, the Commission has approved 9,016 authorizations to practice (APIT) and 458 certificates for temporary practice (TAP). Visit the PSYPACT website where you will find the *Annual Report 2022* and answers to any questions about PSYPACT (<https://www.psypact.org>).

### **Session #6: Regulation and Master’s-Level Training**

A little over a year ago, ASPPB brought to the Board Administrators and the Board and College Chairs that APA had decided to accredit master’s programs in psychology and had created a task force to look at title and scope of practice for people trained at the master’s level. Both the Board Administrators and Board and College Chairs thought issues of title and scope were the purview of regulatory boards, not the APA, so given those sentiments, ASPPB created the Potential Regulatory Implications of Licensing Masters Task Force (PRI-LM). Since ASPPB wanted to inform the APA workgroup and did not want to be “in competition with”, or “at odds with” the workgroup, an APA staff member was asked to be a liaison to the ASPPB Task Force. This session presented an in-depth look at “the master’s issue.”

**Overview of the Issues** – As most of you know, some years ago, the U.S. Federal Trade Commission issued a ruling that involved the North Carolina Dental Board changing the way

that board could do business, because the FTC determined that the licensees on the NC Dental Board were “acting as market participants” and not as regulators. So, for the master’s discussion, we need to think as regulators, not as market participants.

Some history - about 70 years ago, the APA determined that the doctoral degree was the degree that allowed someone to be called “Psychologist.” Before that time, master’s-trained practitioners were also psychologists, but after APA made that statement and included it in their Model Act, the master’s route to psychology licensure all but went away in most states. In the 17 states that have master’s licensure, there is considerable variability - from independent practice with the title “Psychologist” to career-long supervision by a doctoral-level psychologist and a title such as “psychology associate.” By not accepting master’s-level practitioners under psychology licensing boards, the door was opened for non-psychology trained people to become Marriage and Family Therapists and Licensed Professional Counselors and to practice independently. (By 2030, master’s level clinicians not trained by psychologists will significantly outnumber psychiatrists and psychologists combined.)

The CPA had not weighed in on that issue, but then determined that the doctoral degree was the necessary degree for one to be a psychologist. Prior to the CPA determination, some provinces had doctoral-level only psychologists and some included master’s-trained people who could be psychologists. The CPA announcement, as well as the Free Trade Agreement in Canada, prompted ACPRO, the organization of Canadian psychology regulators, to agree to a doctoral standard for licensure as a psychologist. The move to a doctoral standard, decided upon 10 years ago by ACPRO, has not been easy and has not been completely successful.

So, we were urged to approach this issue as *regulators*, not as guild members, and we were encouraged to enter into any discussions trying to find solutions. At the same time, we need to be thoughtful about where we are going and about what we want to do regarding “the master’s issue.”

The APA BPA/BEA Task Force on Master’s Scope and Title – APA has a summit each year on the future of education and practice. At their 2013 meeting, the issue was brought up about creating a space for master’s-level “psychologists.” It was decided that nothing needed to be done at that time; but by 2016, Counseling Psychologists were being dismissed from academic programs in Counseling that were housed in schools or departments of education because their degrees were in psychology, not counseling, and they had been trained in psychology programs, not counseling programs. This issue was again brought to the APA Council of Representatives and APA made the decision to accredit master’s programs in psychology. As an outgrowth of that decision, APA determined that it should also define doctoral-level competencies as distinct from master’s-level competencies, and that it should create a section in its Model Act to deal with title and scope of master’s-trained practitioners.

The 20-member workgroup focused on title and scope has only four members, including liaisons from ASPPB and BPA, with regulatory experience; so those four people have been educating the APA Task Force about what is possible in regulation, and have communicated to the PRI-LM Task Force that the APA group seems to be more aspirational than the PRI-LM Task Force. (Two members of the APA Task Force and the ASPPB liaison to the APA Task Force are on the PRI-LM Task Force.)



The APA Workgroup looking at title and scope has six “guiding principles”: master’s-trained practitioners should be part of health service psychology, they should have a pathway to independent practice, they should be competitive in the marketplace, they should be distinct from other master’s-level mental health practitioners, they should protect the public, and they should meet public health needs.

The APA Workgroup also determined that the master’s title will *not* include the word “psychologist,” and that the title should distinguish the master’s in psychology from other master’s-level professions and from doctoral-level psychology. Both regulatory and professional concerns arise from the “master’s issue,” not the least of which have to do with the expansion of other professions’ master’s-level practitioners into assessment and forensics and the impact that might have on those trained in psychology.

Update on the Potential Regulatory Implications for Master’s Licensure (PRI-LM) Task Force - As was mentioned previously, the PRI-LM Task Force was formed based on a request from the Board Administrators and Board and College Chairs during the 2022 Midyear Meeting. The PRI-LM Task Force has been meeting biweekly, and weekly during the writing phase, to prepare a process for licensing master’s-level practitioners trained in psychology, and to suggest a title and scope of practice for those people should regulatory boards wish to license at the master’s level. Once the Task Force has developed model regulatory language for a title and scope of practice for master’s-trained practitioners, their recommendations will be forwarded to the ASPPB Board of Directors for review and approval.

Here is the thinking so far of the PRI-LM Task Force: there should be three tracks for licensure for master’s-level practitioners trained in psychology – therapy, assessment, and a combination of the two for working in school settings. The thought is that there should be a basic education in therapy and assessment, but that practicum experiences and supervised practice (internship and post-degree experience) would be focused on one of the three tracks. The Task Force has not decided on a title yet, but has been considering several options, including “Psychology Associate” (but a number of jurisdictions are already using that title to distinguish people in training), “Associate Psychologist” (but that might be confusing to the public), and “Psychology Practitioner.”

The Task Force plans to share their recommendations and findings with the APA Workgroup once the model regulations have been approved by the ASPPB Board and made available to the ASPPB membership.

Regulation of Master’s-Prepared Registrants in Canada: Exploring the Benefits and Challenges – This presentation looked particularly at registration in Saskatchewan, Canada, to highlight some of the benefits and challenges that have been faced in Canada regarding licensure of master’s-level practitioners. In the early 1960’s, the Saskatchewan Psychological Association (now the Saskatchewan College of Psychologists) developed the *Registered Psychologists Act* that specified that only those with doctoral degrees were eligible for registration as psychologists. There was an exemption, however, for master’s-prepared people to use the title if they were working for the government, in universities, or for the schools. In 1997, the *Psychologists Act* permitted doctoral-level *and* master’s-level practitioners to be

licensed as psychologists. (Interestingly, nowhere in the Act does it say practicum or supervised hours are needed.)

Although APA is moving toward accrediting master's training in psychology, there is no movement by CPA to accredit master's programs in psychology. Canadian regulators are moving toward a national standard, the doctoral degree, and the majority of Canadian provinces have agreed to move toward that goal. But, in Saskatchewan, currently 50% of the "psychologists" are master's-trained people. There is no difference in the scope of practice nor essentially in the title for people practicing at the master's from the doctoral level. That said, this varies from province to province (see <https://cpa.ca/accreditation/ptlicensingrequirements/>).

The Canadian Free Trade Agreement (which has been mentioned previously) created more of an impetus for the movement by Canadian regulators to create a national standard for licensure. There *is* benefit to registering master's-level practitioners (e.g., improved ability to meet growing mental health needs of the population), but there have been significant problems as well (e.g., the public doesn't know that there is a difference in training, and that doctoral-level psychologists have more extensive training and specialization; currently, master's-level psychologists claim expertise in neuropsychology and forensic psychology, as well as in clinical, counseling and school psychology.) These problems persist and create risk for the public.

Jurisdictional Updates – The Jurisdictional Updates are usually not included in the meeting summary, but there were some exciting updates, so...

- NE – board administrator just retired after 40 years, and the board is "feeling it" – no history of Board actions, etc.
- NV – passed regulations to move the EPPP (Part 1-Knowledge) earlier (after coursework has been completed), and the first person has taken the EPPP (Part 1-Knowledge) at that earlier time and passed.
- KS – helping retired psychologists come back into practice more easily to help serve the mental health needs of the population.
- NS – currently allow registration at the master's level but have also adopted the Canadian national standard toward doctorate. They have been moving toward a doctoral standard for 17 years, but the population needs continue to outweigh implementing the doctoral standard.
- OR – the only Psychological Associate in the state has now retired, so this is no longer a licensure category; the Board circulated a questionnaire asking licensees about OR joining PSYPACT and moving to implement the EPPP (Part 2-Skills) – both are getting positive responses from licensees.
- ON – Dr. Jordan Peterson case (look it up) has been taking up much of the College's time with social media platforms rife with misinformation about what the College is doing and how they are treating Dr. Peterson (which, as you know, the College cannot comment on).
- AB – to be licensed in AB, an individual must have a master's degree, it must be in psychology, courses must be taught by psychologists; has formed a committee to enter into an MOU with academic institutions located in AB to have certain things thought;

want to work with the undergraduate population as well; a Psychotherapist College has been created to regulate psychotherapists/counselors (not psychologists) across Canada.

- ND – PSYPACT has passed and is now in effect; the Board is in the process of getting information to people in rural areas to let them know they can access psychologists outside of ND through PSYPACT; interns don't get paid for services by insurance, but ND will write it into their laws and regulations giving a "stamp of approval" for trainees to be paid.
- TX – recognize master's-level school psychologists and they have that title; have developed a pathway to licensure for people who meet basic standards but had a small thing that they could not overcome (e.g., no history and systems class); since the Uvalde school shooting, there has been a huge mental health call to action and funding as a result; the psychology board is going through all their laws and regulations to make sure there are no undue impediments to licensure.
- SK – college approached by a conglomeration of therapists – art, music, etc., about forming their own college to regulate those different therapists.
- OR – dealing with the issue of psilocybin assisted therapy which does not require a degree or a license.
- MN – two years ago, the MN legislature proposed the formation of a "culturally informed task force" to look at issues like recruitment of mental health professionals, barriers to licensure (and the EPPP was one of the barriers). That legislation was defeated then, but it's back. MN is requesting that, with regard to the EPPP, ASPPB please be transparent about differences between groups and releasing those data; all mental health boards in MN are being more aggressive regarding life coaches, including some efforts that are moving through district courts to stop the practice; all mental health boards are facing the problem of people who've lost their licenses but are still practicing (not billing insurance, not calling themselves 'psychologist', etc.), but this is partly where "life coach" is problematic.
- LA – developing rules to be able to register psychological assistants; board will start registering school psychologists at the request of the state Department of Education; still have an oral exam but will be doing away with it once they begin using the EPPP (Part 2-Skills); specialty titles in LA that are causing problems – LA was going to take those categories out of rules, but they may keep them, given the master's discussion earlier.