



**VIRTUAL/TELECONFERENCE
PSYCHOLOGY EXAMINING BOARD
Virtual, 4822 Madison Yards Way, Madison
Contact: Brad Wojciechowski (608) 266-2112
October 2, 2024**

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 June 26, 2024 (4-6)**
- C. Reminders: Conflicts of Interest, Scheduling Concerns
- D. Introductions, Announcements and Recognition
- E. Administrative Matters**
 - 1) Department, Staff and Board Updates
 - 2) Delegation of Authorities **(7-20)**
 - 3) Board Members – Term Expiration Dates
 - a. Desmonde, Marcus P. – 7/1/2021
 - b. Greene, John N. – 7/1/2027
 - c. Schroeder, Daniel A. – 7/1/2019
 - d. Small, John – 7/1/2028
 - e. Sorce, Peter I. – 7/1/2020
 - f. Thompson, David W. – 7/1/2022
- F. Legislative and Policy Matters – Discussion and Consideration
- G. Administrative Rule Matters – Discussion and Consideration (21-30)**
 - 1) Discussion: Psy 2, relating to temporary practice. **(22-29)**
 - 2) Pending and possible rulemaking projects **(30)**
- H. Jurisprudence Exam Requirements – Discussion and Consideration (31)**
- I. Association of State and Provincial Psychology Boards (ASPPB) Matters – Discussion and Consideration (32-39)**

- 1) Proposed Amendment to ASPPB Bylaws relating to EPPP (33-39)

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. Deliberation on Division of Legal Services and Compliance Matters

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: NOVEMBER 6, 2024

Board Member Training November 15, 2024

 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
JUNE 26, 2024**

PRESENT: Marcus Desmonde; Daniel Schroeder; John Small; Peter Sorce

EXCUSED: John Greene; David Thompson

STAFF: Brad Wojciechowski, Executive Director; Whitney DeVoe, Legal Counsel; Sofia Anderson, Administrative Rules Coordinator; Dialah Azam, Board Administration Specialist; and other Department Staff

CALL TO ORDER

Daniel Schroeder, Chairperson, called the meeting to order at 9:03 a.m. A quorum was confirmed with four (4) members present.

ADOPTION OF AGENDA

MOTION: Peter Sorce moved, seconded by John Small, to adopt the Agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF APRIL 3, 2024

MOTION: Peter Sorce moved, seconded by John Small, to approve the April 3, 2024, as published. Motion carried unanimously.

**SPEAKING ENGAGEMENTS, TRAVEL, OR PUBLIC RELATION REQUESTS, AND
REPORTS**

ASPPB 64th Annual Meeting, Dallas, TX – October 30 – November 3, 2024

MOTION: John Small moved, seconded by Marcus Desmonde, to designate Daniel Schroeder and Peter Sorce to attend the ASPPB 64th Annual Meeting on October 30 – November 3, 2024 in Dallas, TX. Motion carried unanimously.

CLOSED SESSION

MOTION: Peter Sorce moved, seconded by John Small, 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; Daniel Schroeder-yes; John Small – yes; and Peter Sorce-yes. Motion carried unanimously.

The Board convened into Closed Session at 10:27 a.m.

DELIBERATION ON DIVISION OF LEGAL SERVICES AND COMPLIANCE MATTERS

Administrative Warnings

23 PSY 005– R.C.R.

MOTION: Peter Sorce moved, seconded by Marcus Desmonde, to issue an Administrative Warning in the matter of R.C.R., DLSC Case Number 23 PSY 005. Motion carried unanimously.

Case Closings

19 PSY 001– A.R.K.

22 PSY 043– A.R.K.

MOTION: John Small moved, seconded by Peter Sorce, to close DLSC Case Numbers 19 PSY 001 and 22 PSY 043, against A.R.K., for Lack of Jurisdiction (L2). Motion carried unanimously.

Proposed Stipulations, Final Decisions and Orders

21 PSY 005 – Megan M. Gliniecki

MOTION: Peter Sorce moved, seconded by John Small, to adopt the Proposed Decision and Order in the matter of disciplinary proceedings against Megan M. Gliniecki, DLSC Case Number 21 PSY 005. Motion carried unanimously.

21 PSY 017 – Laura C. Liguori

MOTION: John Small moved, seconded by Peter Sorce, to adopt the Proposed Decision and Order in the matter of disciplinary proceedings against Laura C. Liguori, DLSC Case Number 21 PSY 017. Motion carried unanimously.

23 PSY 030 – Jennifer L. Spotts

MOTION: Peter Sorce moved, seconded by John Small, to adopt the Proposed Decision and Order in the matter of disciplinary proceedings against Jennifer L. Spotts, DLSC Case Number 23 PSY 030. Motion carried unanimously.

CREENTIALING MATTERS

Application Reviews

Milena Gotra – Psychologist Applicant

MOTION: Peter Sorce moved, seconded by John Small, to approve the Psychologist application of Milena Gotra, once all requirements are met. Motion carried unanimously.

RECONVENE TO OPEN SESSION

MOTION: Peter Sorce moved, seconded by John Small, to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open Session at 10:57 a.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

MOTION: John Small moved, seconded by Peter Sorce, 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: Peter Sorce moved, seconded by John Small, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 10:59 a.m.

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

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Paralegal Richanda Turner, on behalf of Attorney Whitney DeVoe		2) Date when request submitted: 09/25/2024 <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: 10/02/2024	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Delegation of Authorities	
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 Appearance Request 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: N/A	
10) Describe the issue and action that should be addressed: The Board members need to review and consider the delegation of authorities as it relates to the Board Monitoring Liaison.			
11) Authorization <div style="display: flex; justify-content: space-between;"> <div style="width: 60%;"><i>Richanda Turner</i></div> <div style="width: 30%; text-align: right;"><i>09.25.24</i></div> </div> <hr/> <div style="display: flex; justify-content: space-between;"> <div style="width: 60%;">Signature of person making this request</div> <div style="width: 30%; text-align: right;">Date</div> </div> <hr/> <div style="display: flex; justify-content: space-between;"> <div style="width: 60%;">Supervisor (Only required for post agenda deadline items)</div> <div style="width: 30%; text-align: right;">Date</div> </div> <hr/> <div style="display: flex; justify-content: space-between;"> <div style="width: 60%;">Executive Director signature (Indicates approval for post agenda deadline items)</div> <div style="width: 30%; text-align: right;">Date</div> </div>			
Directions for including supporting documents: 1. This form should be saved with any other documents submitted to the Agenda Items 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 AND PROFESSIONAL SERVICES
CORRESPONDENCE / MEMORANDUM

DATE: January 9, 2024

TO: Board, Council, and Committee Members

FROM: Legal Counsel

SUBJECT: Liaison Definitions and Delegations Explanations

Overall Purpose of Liaison Appointments

Each Board/Section (Board) has inherent authority that is established in our Wisconsin Statutes. This authority may change from Board to Board. For further information on your Board's authority review Wis. Stat. ch. 15. Generally, each Board has authority to grant credentials, discipline credential holders, and set standards for education and examinations. Additionally, Liaisons assist with the operations of the Boards purpose by weighing in on legislative matters, traveling to national conferences, or communicating with stakeholders.

The Department asks that each year the Boards make liaison appointments to assist the Board and Department to accomplish these tasks in an efficient manner. Your practical knowledge and experience, as an appointed member of a professional board, are essential in making determinations regularly. The Liaison positions below assist the Department to complete operations between Board meetings. In most cases, Liaisons can make decisions for the full Board in their designated area. These are determined through the delegation process. However, a Liaison may also decide to send the delegated issue to the full Board for consideration as appropriate. Delegations assist the Board in defining the roles and authorities of each Liaison.

Liaison Definitions

Credentialing Liaison: The Credentialing Liaison is empowered by the Board to review and make determinations regarding certain applications for credentials. The Credentialing Liaison may be called on by Department staff to answer questions that pertain to qualifications for licensure, which may include whether a particular degree is suitable for the application requirements, whether an applicant's specific work experience satisfies the requirements in statute or rule for licensure, or whether an applicant's criminal or disciplinary history is substantially related to the practice of the profession in such a way that granting the applicant a credential would create a risk of harm to the public. Questions will likely be sent by Department

staff to the Credentialing Liaison via email and may include application materials. The Credentialing Liaison serves a very important role in the credentialing process.

Monitoring Liaison: The Monitoring Liaison is empowered by the Board to make decisions on any credential that is limited either through a disciplinary order or initial licensure. The Department Monitors will send requests from credential holders to the Monitoring Liaison. These requests vary wildly. A common request could be to remove a limitation that has been placed on a credential or to petition for full licensure. The Monitoring Liaison can review these requests and make decisions on behalf of the Board. The Board has the authority to grant decision making latitude to their liaison to any degree. The specific monitoring delegations are found in the Monitoring Document attached to the agenda. If the Monitoring Liaison has a question on a request, it is advisable for the Liaison to consult further with Department staff or bring the matter to the full Board for consideration.

Professional Assistance Procedure (PAP) Liaison: PAP is a voluntary program open to credential holders with substance abuse issues who wish to seek help by being held accountable through treatment and monitoring by the Department and Board. As part of PAP, the credential holder enters into an agreement with the Department to undergo testing, counseling, or other rehabilitation. The PAP Liaison's role includes responding to credential holders' requests for modifications and terminations of provisions of the agreement. Similar to the Monitoring Liaison, the Department Monitors will send requests from credential holders to the PAP Liaison for further review.

Education and Examination Liaison: Some Boards are required by statute or rule to approve qualifying education and examinations. The Education and Examination Liaison provides guidance to Department staff to exercise authority of the Board to approve or decline examinations and educational programs. This determination requires a level of professional expertise and should be performed by a professional member of the Board. For some Boards, the Education and Examination Liaison will also be tasked with approving continuing education programs and courses.

Legislative Liaison: The Legislative Liaison is permitted to act and speak on the Board's behalf regarding pending and enacted legislation or actions being considered by the legislature outside of Board meetings. The Legislative Liaison is not the Board's designated lobbyist and should exercise their delegated authority carefully.

Travel Authorization Liaison: The Travel Authorization Liaison is authorized to approve a Board member to travel to events and speak or act on the Board's behalf between Board meetings. The Travel Authorization Liaison is called upon to make decisions when sufficient notice was not received, and the full Board could not determine a representative to travel. The Travel Authorization Liaison is tasked with making determinations if the Board appointed representative is not able to attend or if the Board becomes authorized to send additional members. As scholarship and funding streams can be unpredictable.

Communication Liaison: The Communication Liaison responds on behalf of the Board when questions arise that require a response from the Board. The Communication Liaison works with

the Department to cultivate an appropriate response. The Communication Liaison can be responsible for all types of communication on behalf of the Board. However, the Board can appoint a separate **Website Liaison** to work with DSPS staff to make changes and ensure the Board webpage contains updated and accurate information. Additionally, for the Boards that are required by statute to produce a newsletter or digest. The Board can appoint a separate **Newsletter/Digest Liaison** to assemble and approve content for those communications.

Screening Panel Members: The duties of the Screening panel are to review incoming complaints against credential holders and determine which complaints should be opened for investigation and which complaints should be closed without further action. The complexity and amount of work in this role depends substantially on your particular Board. As a member of the Screening panel you are asked to apply your professional expertise to determine if a complaint alleges unprofessional conduct.

Delegations Explanations

Credentialing Delegations

The overall purpose of credentialing delegations is to allow the credentialing process to proceed as efficiently and effectively as possible.

Delegation of Authority to Credentialing Liaison (Generic)

MOTION EXAMPLE: to delegate authority to the Credentialing Liaison(s) to serve as a liaison between the Department and the Board and to act on behalf of the Board in regard to credentialing applications or questions presented to them, including the signing of documents related to applications.

PURPOSE: To permit one representative of the Board to assist Department staff with credentialing applications and eliminate the need for the entire Board to convene to consider credential application content or questions. Additionally, it is most efficient to have the designated liaison who has assisted with the credentialing process to be able to effectuate decisions which require a signature.

Delegation of Authority to DSPS When Credentialing Criteria is Met

MOTION EXAMPLE: to delegate credentialing authority to the Department to act upon applications that meet all credentialing statutory and regulatory requirements without Board or Board liaison review.

PURPOSE: To permit Department staff to efficiently issue credentials and eliminate the need for Board/Section/Liaison review when all credentialing legal requirements are met in an application.

Delegation of Authority for Predetermination Reviews

MOTION EXAMPLE: to delegate authority to the Department Attorneys to make decisions regarding predetermination applications pursuant to Wis. Stat. § 111.335(4)(f).

PURPOSE: In general, the Wisconsin Fair Employment Act (codified in Wis. Stat. Ch. 111) prohibits licensing agencies from discriminating against applicants because of their arrest and/or conviction record. However, there are exceptions which permit denial of a license in certain circumstances. Individuals who do not possess a license have a legal right to apply for a determination of whether they are disqualified from obtaining a license due to their conviction record. This process is called “Predetermination”. Predeterminations must be completed within 30 days. This delegation allows Department Attorneys to conduct predetermination reviews and efficiently make these legal determinations without need for Board/Section/Liaison review.

Delegation of Authority for Conviction Reviews

MOTION EXAMPLE: to delegate authority to the Department Attorneys to review and approve applications with convictions which are not substantially related to the practice.

PURPOSE: As used here, “substantially related” is a legal standard that is used in the Wisconsin Fair Employment Act. The concept of what is “substantially related” is informed by case law. This delegation permits Department Attorneys to independently conduct conviction reviews and efficiently approve applications if convictions are not substantially related to the practice of the profession. Applications that contain conviction records that may be substantially related to the practice of a profession will still be submitted to the Credentialing Liaison for input.

Delegation to DSPS When Applicant’s History Has Been Previously Reviewed

MOTION EXAMPLE: to delegate authority to Department staff to approve applications where Applicant’s prior discipline has been approved for a previous credential and there is no new discipline.

PURPOSE: Some Boards offer progressive levels of credentials. This delegation eliminates the need for a re-review of discipline that has already been considered and approved by the Board/Section/Liaison for a lower-level credential.

Delegation to DSPS When Applicant’s Conviction History Has Been Previously Reviewed

MOTION EXAMPLE: to delegate authority to Department staff to approve applications where criminal background checks have been approved for a previous credential and there is no new conviction record.

PURPOSE: Some Boards offer progressive levels of credentials. This delegation eliminates the need for a re-review of conviction history that has already been reviewed and approved for a lower-level credential.

Delegation of Authority for Reciprocity Reviews

MOTION EXAMPLE: to delegate authority to the Department Attorneys to review and approve reciprocity applications in which the out of state license requirements meet Wisconsin license requirements. (specific legal standards are referenced in the motion depending on credential/profession type).

PURPOSE: Applications via reciprocity or endorsement require comparison of Wisconsin licensing requirements to the licensing requirements of another jurisdiction. These reviews consider the legal standard for reciprocity, which varies by profession, as well as the specified legal requirements to obtain licensure in the profession. This delegation permits Department Attorneys to independently conduct reciprocity reviews and efficiently approve applications if legal standards and requirements are met for licensure. Applications for which reciprocity may not be available will still be submitted to the Credentialing Liaison for input.

Delegation of Authority for Military Reciprocity Reviews

MOTION EXAMPLE: to delegate authority to the Department Attorneys to review and approve military reciprocity applications in which the individual meets the requirements of Wis. Stat. § 440.09.

PURPOSE: The law permits service members, former service members, and their spouses to be licensed if they hold licensure in other jurisdictions that qualify them to perform acts authorized by the credential they are seeking in Wisconsin. This is a shortened path to licensure that does not require meeting the specific requirements/standards for licensure/reciprocity in a profession. By law, the Department/Board must expedite the issuance of a reciprocal license via military reciprocity. This delegation permits Department Attorneys to independently conduct military reciprocity reviews and efficiently approve applications if legal standards and requirements are met for licensure. Applications for which reciprocity may not be available will still be submitted to the Credentialing Liaison for input.

Delegation of Authority for Application Denial Reviews

MOTION EXAMPLE: to delegate authority to the Department's Attorney Supervisors to serve as the Board designee for purposes of reviewing and acting on requests for hearing as a result of a denial of a credential.

PURPOSE: When an application is denied, the applicant has a legal right to appeal the denial determination. Applicants must meet a specified legal standard in order to have an appeal granted. Additionally, Wisconsin law sets specific time frames for appeal decisions. This delegation permits Department Attorney Supervisors to independently review and efficiently act on requests for hearing as a result of a denial of a credential.

Delegation to Department Attorneys to Approve Duplicate Legal Issue

MOTION EXAMPLE: to delegate authority to Department Attorneys to approve a legal matter in connection with a renewal application when that same/similar matter was already addressed by the Board and there are no new legal issues for that credential holder. Motion carried unanimously.

PURPOSE: The intent of this delegation is to be able to approve prior discipline by the Board for the renewal applicant. This delegation eliminates the need for a re-review of discipline that has already been considered and approved by the Board/Section/Liaison.

Monitoring Delegations

The overall purpose of monitoring delegations is to be able to enforce the Boards orders and limited licenses as efficiently and effectively as possible. Monitoring delegations have two categories: delegations to the monitoring liaison and delegations to the Department Monitor.

Delegation of Authority to Department Monitor

MOTION EXAMPLE: to delegate authority to the Department Monitor

- a. to grant full reinstatement of licensure if education is the only limitation and credential holder has submitted the required proof of course completion.
- b. to suspend the credential if the credential holder has not completed Board ordered education, paid costs, paid forfeitures, within the time specified by the Board Order.
- c. to lift a suspension when compliance with education and costs provisions have been met.

PURPOSE: These delegations allow for the Department Monitor to automatically act on requests when certain criteria are met or not met without needing to burden the Board Monitoring Liaison. The Board can set their own criteria for what actions they would like to be handled by the Department, the Monitoring Liaison and the full Board.

Delegation of Authority to Monitoring Liaison

MOTION EXAMPLE: to delegate authority to the Monitoring Liaison to approve or deny all requests received by the credential holder.

PURPOSE: These delegations allow the Board to set criteria for what decisions can be made by the Board member(s) serving as the Monitoring Liaison and what matters should be decided by the full Board. The Board has the authority to set specific criteria or to permit the liaison to make all determinations at their discretion.

Education and Exam Delegations

MOTION EXAMPLE: to delegate authority to the Education and Examination Liaison(s) to address all issues related to continuing education and examinations. Motion carried unanimously. (Differs by Board)

PURPOSE: Some Boards are responsible for approving qualifying educational programs or continuing education courses. A delegation is executed in order for a Board member to make these determinations on behalf of the Boards and with assistance of the Department. Additionally, some Boards review examinations and individual scores to qualify for a credential.

Miscellaneous Delegations

Document Signature

MOTION EXAMPLE: to delegate authority to the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to sign documents on behalf of the Board in order to carry out its duties. Motion carried unanimously.

MOTION EXAMPLE: in order to carry out duties of the Board, the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) has the ability to delegate signature authority for purposes of facilitating the completion of assignments during or between meetings. The members of the Board hereby delegate to the Executive Director, Board Counsel or DPD Division Administrator, the authority to sign on behalf of a Board member as necessary. Motion carried unanimously.

PURPOSE: In order to take the action approved at Board meetings, the Department may need to draft correspondence and/or Orders after the meetings have adjourned. These actions then need to be signed by a Board Member. This interaction usually takes place over email and a Board member can authorize the use of his/her signature that is kept on file.

Urgent Matters

MOTION EXAMPLE: in order to facilitate the completion of urgent matters between meetings, the Board delegates its authority to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving Board member in that succession), to appoint liaisons to the Department to act in urgent matters. Motion carried unanimously.

PURPOSE: Allows for quick responses to urgent matters that may need Board approval or for which the Department requires guidance from the Board.

Delegation to Chief Legal Counsel

Due to Loss of Quorum

MOTION EXAMPLE: to delegate the review and authority to act on disciplinary cases to the Department's Chief Legal Counsel due to lack of/loss of quorum after two consecutive meetings. Motion carried unanimously.

PURPOSE: Sometimes Boards can struggle to meet quorum necessary to conduct business. This happens for a multitude of reasons but this delegation allows for the Boards to have disciplinary cases decided by Chief Legal Counsel if the Board fails to meet quorum for two consecutive meetings.

Stipulated Resolutions

MOTION EXAMPLE: to delegate to the Department's Chief Legal Counsel (CLC) the authority to act on behalf of the Board concerning stipulated resolutions providing for a surrender, suspension, or revocation of a credential, where the underlying merits involve serious and dangerous behavior, and where the signed stipulation is received between Board meetings. The Board further requests that CLC only act on such matters when the best interests of the Board, Department and the Public are best served by acting upon the stipulated resolution at the time the signed stipulation is received versus waiting for the next Board meeting. Motion carried unanimously.

PURPOSE: For matters of public safety, it may be necessary to take immediate action on a stipulated agreement rather than allowing a credential holder to continue practicing unencumbered until the next scheduled meeting. This delegation allows CLC to act on behalf of the Board when there is a stipulated agreement. A stipulated agreement is an agreement to which all relevant parties have consented to the terms.

Voluntary Surrenders

MOTION: to delegate authority to the assigned case advisor to accept or refuse a request for voluntary surrender pursuant to Wis. Stat. § 440.19 for a credential holder who has a pending complaint or disciplinary matter.

MOTION: to delegate authority to the Department to accept the voluntary surrender of a credential when there is no pending complaint or disciplinary matter with the Department pursuant to Wis. Stat. § 440.19.

PURPOSE: Credential holders can ask the Boards to surrender their credentials at any time. These delegations are in place for the different situations that arise from those requests. If a credential holder is seeking to surrender their credential because they wish to leave the profession that can be processed with this delegation by the Department if they have no pending disciplinary complaints. If the credential holder wishes to surrender while they have a pending disciplinary complaint that request is reviewed by the individual Board member assigned to the case.

DLSC Pre-screening

MOTION EXAMPLE: to delegate pre-screening decision making authority to the DSPS screening attorney for opening cases where the credential holder has failed to respond to allegations contained in the complaint when requested by intake (Case will be opened on failure to respond and the merits of the complaint).

PURPOSE: Pre-Screening delegations exist so the Board can define specific parameters where the Department can review disciplinary complaints and open those cases if they meet certain criteria. Boards also have the authority to set certain criteria that would allow the Department to review and close a case if the criteria is met.

Roles and Authorities Delegated for Monitoring

The Monitoring Liaison (“Liaison”) is a Board/Section designee who works with department monitors (“Monitor”) to enforce Board/Section orders as explained below.

Authorities Delegated to the Monitoring Liaison

The Liaison may take the following actions on behalf of the Board/Section:

1. Grant a temporary reduction in random drug screen frequency upon Respondent’s request if he/she is unemployed and is otherwise compliant with Board/Section order. The temporary reduction will be in effect until Respondent secures employment in the profession. The Department Monitor (“Monitor”) will draft an order and sign on behalf of the Liaison.
2. Grant a stay of suspension if Respondent is eligible per the Board/Section order. The Monitor will draft an order and sign on behalf of the Liaison.
3. Remove the stay of suspension if there are repeated violations or a substantial violation of the Board/Section order. In conjunction with removal of any stay of suspension, the Liaison may prohibit Respondent from seeking reinstatement of the stay for a specified period of time. The Monitor will draft an order and sign on behalf of the Liaison.
4. Grant or deny approval when Respondent proposes continuing/disciplinary/remedial education courses, treatment providers, mentors, supervisors, change of employment, etc. unless the order specifically requires full-Board/Section approval.
5. Grant full reinstatement of licensure if Respondent has fully complied with all terms of the order without deviation. The Monitor will draft an order and obtain written authorization from the Liaison to sign on their behalf.
6. Grant or deny a request to appear before the Board/Section in closed session.
7. The Liaison may determine whether Respondent’s petition is eligible for consideration by the full Board/Section.
8. Accept Respondent’s written request to surrender credential. If accepted by the Liaison, Monitor will consult with Board Counsel to determine if a stipulation is necessary. If a stipulation is not necessary, Monitor will draft an order and sign on behalf of the Liaison. If denied by the Liaison, the request to surrender credential will go to the full Board for review. (Except PHM, MED)

9. Grant Respondent's petition for a reduction in drug screens per the standard schedule, below. If approved, Monitor will draft an order and sign on behalf of the Liaison. Orders that do not start at 49 screens will still follow the same standard schedule.
 - a. Initial: 49 screens (including 1 hair test, if required by original order)
 - b. 1st Reduction: 36 screens (plus 1 hair test, if required by original order)
 - c. 2nd Reduction: 28 screens plus 1 hair test
 - d. 3rd Reduction: 14 screens plus 1 hair test
10. (*Dentistry only*) Ability to approve or deny all requests from a respondent.
11. The Liaison may approve or deny Respondent's request to be excused from drug and alcohol testing for work, travel, etc. (Applies only to these Boards: Dietitians, Massage/Bodywork Therapy Board, DEN, PAB, CHI, MED, RAD)
12. The Liaison may have full authority to approve or deny a request from a Respondent that otherwise would require the approval of the full Board if the request cannot be heard and voted on due to lack of/loss of quorum.
13. The Liaison may have full authority to terminate any treatment ONLY upon written request from Respondent and written recommendation from Respondents treater.

Authorities Delegated to the Department Monitor

The Monitor may take the following actions on behalf of the Board/Section, draft an order and sign:

1. Grant full reinstatement of licensure if education is the sole condition of the limitation and Respondent has submitted the required proof of completion for approved courses.
2. Suspend the license if Respondent has not completed Board/Section-ordered education and/or paid costs and forfeitures within the time specified by the Board/Section order. The Monitor may remove the suspension and issue an order when proof of completion and/or payment have been received.
3. Suspend the license (or remove stay of suspension) if Respondent fails to enroll and participate in an Approved Program for drug and alcohol testing within 30 days of the order, or if Respondent ceases participation in the Approved Program without Board approval. This delegated authority only pertains to respondents who must comply with drug and/or alcohol testing requirements.
4. Grant or deny approval when Respondent proposes treatment providers [mentors, supervisors, etc.] unless the Order specifically requires full-Board/Section or Board designee approval. (Except for MED)
5. Grant a maximum of one 90-day extension, if warranted and requested in writing by Respondent, to complete Board/Section-ordered continuing/disciplinary/remedial education.

6. Grant a maximum of one 90-day extension or payment plan for proceeding costs and/or forfeitures if warranted and requested in writing by Respondent.
7. Grant a maximum of one 90-day extension, if warranted and requested in writing by Respondent, to complete a Board/Section-ordered evaluation or exam.

Authorities Delegated to Board Legal Counsel

Board Legal Counsel may take the following actions on behalf of the Board/Section:

1. Sign Monitoring orders that result from Board/Section meetings on behalf of the Board/Section Chair.

Updated 03/13/2023

2022 Roles & Authorities

Delegation to Monitoring Liaison

MOTION: [Board Member Name] moved, seconded by [Board Member Name], to delegate authority to the Monitoring Liaison(s) to make any determination on Orders under monitoring and to refer to the Full Board any matter the Monitoring Liaison deems appropriate. Motion carried [] .

Delegation to Department Monitor

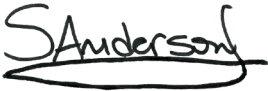
MOTION: [Board Member Name] moved, seconded by [Board Member Name], to delegate authority to the Department Monitor as outlined below:

1. to grant reinstatement of licensure if education and/or costs are the sole condition of the order and the credential holder has submitted the required proof of completion for approved courses and paid the costs.
2. to suspend the license if the credential holder has not completed Board ordered education and/or paid costs and forfeitures within the time specified by the Board order. The Department Monitor may remove the suspension and issue an order when proof of completion and/or payment has been received.
3. to suspend the license (or remove stay of suspension) if a credential holder fails to enroll and participate in an Approved Program for drug and alcohol testing within 30 days of the order, or if credential holder ceases participation in the Approved Program without Board approval. This delegated authority only pertains to respondents who must comply with drug and/or alcohol testing requirements.
4. to grant or deny approval when a credential holder proposes treatment providers, mentors, and supervisors unless the Order specifically requires full-Board or Board designee approval.
5. to grant a maximum of one 90-day extension, if warranted and requested in writing by a credential holder, to complete Board ordered continuing, disciplinary, or remedial education.
6. to grant a maximum of one 90-day extension or payment plan for proceeding costs and/or forfeitures if warranted and requested in writing by a credential holder.
7. to grant a maximum of one 90-day extension, if warranted and requested in writing by a credential holder, to complete a Board ordered evaluation or exam.

Motion carried [] .

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

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Sofia Anderson, Administrative Rules Coordinator		2) Date when request submitted: September 20, 2024 <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: October 2, 2024	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Administrative Rules Matters – Discussion and Consideration: 1. Discussion: Psy 2, relating to temporary practice. 2. Pending and possible rulemaking projects	
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 Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A	
10) Describe the issue and action that should be addressed: Attachments: 1. Chapter Psy 2 redlined with proposed changes after June meeting. 2. Psy 2 4-state analysis. 3. Rule projects chart.			
11) Authorization			
		09/20/2024	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date	
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

Chapter Psy 2

REQUIREMENTS FOR EXAMINATION AND LICENSURE OF PSYCHOLOGISTS

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 program accredited by any of the following organizations:
 1. American Psychological Association.
 2. Canadian Psychological Association.
 3. Any other organization approved by the examining board.
 - (b) Academic training that the examining board determines to be substantially equivalent to a doctoral degree in psychology on the basis of standards established in s. [Psy 2.09](#).
 - (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 completion of psychological work meeting the requirements in s. [Psy 2.10](#).
- (5) Evidence of passing the EPPP.

Note: As of January 1, 2026, the EPPP will consist of a 2-part exam, comprising of a knowledge-based part (Part 1) and a skills-based part (Part 2).
- (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.

(9) Fingerprint or other biometric-based information for the purpose of obtaining an applicant's criminal history information from the federal bureau of investigation and the Wisconsin department of justice in a manner directed by the department.

Psy 2.012 Interim Psychologist.

(1) Subject to s. [455.09](#), Stats., the examining board shall grant an interim psychologist license to an applicant who submits all of the following:

(a) A properly completed and signed application form.

(b) An application fee authorized by s. [440.05 \(6\)](#), Stats.

(c) Evidence of one of the following:

1. Official transcript indicating a doctoral degree in psychology from a program accredited by any of the following organizations:

a. American Psychological Association.

b. Canadian Psychological Association.

c. Any other organization approved by the examining board.

2. Academic training that the examining board determines to be substantially equivalent to a doctoral degree in psychology based on the standards established in s. [Psy 2.09](#).

(d) Evidence of a completed internship of at least 1,500 hours after the completion of all doctoral level coursework. Completion of all doctoral level coursework means all required courses associated with the doctoral degree are completed, unless otherwise determined by the board or its designee.

(e) Evidence of passing score on the jurisprudence exam.

(f) Documentation necessary for the Board to determine, subject to ss. [111.321](#), [111.322](#), and [111.335](#), Stats., whether any of the following apply:

1. 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.

2. The applicant has been convicted of a crime substantially related to the practice of a psychologist.

(g) Fingerprint or other biometric-based information for the purpose of obtaining an applicant's criminal history information from the federal bureau of investigation and the Wisconsin department of justice in a manner directed by the department.

(2) An interim psychologist license issued under s. [455.04 \(2\)](#), Stats., is valid for 2 years or until the individual obtains a psychologist license under s. [455.04 \(1\)](#), Stats, whichever is earlier. An individual holding an interim psychologist license is not required to complete continuing education.

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 examining board to be substantially 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.

(5) 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.

(6) Fingerprint or other biometric-based information for the purpose of obtaining an applicant's criminal history information from the federal bureau of investigation and the Wisconsin department of justice in a manner directed by the department.

Psy 2.014 Reciprocal credentials for service members, former service members, and their spouses. A reciprocal license to practice psychology shall be granted to a service member, former service member, or the spouse of a service member or former service member who the board determines meets all of the requirements under s. [440.09 \(2\)](#), Stats. Pursuant to s. [440.09 \(2m\)](#), Stats., the board may request verification necessary to make a determination under this section.

Note: Application forms are available from the Department of Safety and Professional Services' website at <http://dsps.wi.gov>.

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. Except as provided in s. [Psy 2.013](#), an applicant for licensure as a psychologist shall complete at least 3,000 hours of supervised graduate-level experience in the practice of psychology under conditions satisfactory to the examining board and shall include all of the following:

(1) Evidence of the following supervised hours shall be provided:

(a) A completed internship of at least 1,500 hours after the completion of all doctoral level coursework. Completion of all doctoral level coursework means all required courses associated with the doctoral degree are completed, unless otherwise determined by the board or its designee.

(b) Additional 1,500 hours accrued by any of the following or combination of any of the following:

1. Any aggregated pre-internship hours completed after the first year of a doctoral program of study leading to a doctorate in psychology or its equivalent, or completed during the first year of such doctoral program of study if the applicant has completed a master's degree in psychology or its equivalent.

2. Any excess hours after the completion of the 1,500 hours during the internship under par. (a).

3. Hours accrued after the internship under par. (a) but accumulated before the conferral of the doctoral degree.

4. Hours acquired after the conferral of the doctoral degree.

(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.

(2) Except as provided in ss. Psy 2.15 and Psy 2.16, Aa 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 provide psychological services in this state not more than 60 days in any calendar year without holding a license issued under s. 455.04 (1), Stats.

(a) The board considers the standards of any state or territory of the United States that is part of the Psychology Interjurisdictional Compact to be equivalent to or higher than the requirements for licensure as a psychologist in s. 455.04 (1), Stats.

(b) A psychologist licensed in any state or territory of the United States that is not a part of the Psychology Interjurisdictional Compact shall submit an application for board review.

Note: Application instructions are available at the Department of Safety and Professional Services' website at <http://dsps.wi.gov>.

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

Note: Instructions on how to report to the board are available at the Department of Safety and Professional Services' website at <http://dsps.wi.gov>.

(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.

Psy 2.15 Temporary authorization to practice. A psychologist who is intending to practice in this state under a temporary authorization to practice, as defined in s. [455.50 \(2\) \(o\)](#), Stats., and is licensed in another compact state or territory of the United States must hold an active IPC as established in s. [455.03 \(2\)](#), Stats.

Psy 2.16 Authority to practice interjurisdictional telepsychology. A psychologist who is intending to practice telepsychology in this state and is licensed in another compact state or territory of the United States must hold an active E.Passport as established in s. [455.03 \(3\)](#), Stats.

Psy 2 Temporary Practice

Illinois

Illinois requires a temporary permit for psychologist coming from another jurisdiction and want to practice in the state. This permit authorizes the rendering of clinical psychological services in the state for up to 10 calendar days per year, consecutively or in aggregate. In order to obtain this permit, a licensed psychologist must apply by submitting satisfactory proof that they have an unencumbered doctoral level license in good standing in another state of territory and that they are able to practice independently. [225 ILCS 15/11.5]

Iowa

Iowa allows an out of state licensed psychologist to practice in the state for a period not to exceed 10 consecutive business days or 15 business days in any 90-day period. To qualify for this provision, the psychologist must give the board a summary of their intention to practice. Additionally, the board requires the psychologist to come from a state or territory that has equivalent requirements for licensing as Iowa. If the psychologist resides in a state or territory that does not certify or license psychologist, the board will have to review the person's professional qualifications and determine if they are equivalent to Iowa's requirements for licensing. [Iowa Admin Code 154B.3]

Michigan

Michigan does not have a provision for temporary practice for out of state licensed psychologists besides the temporary authorization to practice established by the PSYPACT. A psychologist who wants to practice in Michigan and is licensed in another state or territory would have to apply for licensure by endorsement or through PSYPACT.

Minnesota


Minnesota requires a guest licensure for nonresidents who are not seeking licensure in Minnesota but want to practice in the state. In order to obtain this license, an applicant must have an unencumbered license, certification, or registration to practice psychology in another jurisdiction, hold a doctoral degree from a regionally accredited institution, pay a fee, and pass a professional responsibility examination designated by the board. [MN Stats. 148.916]

**Psychology Examining Board
Rule Projects (updated 09/20/2024)**

Clearinghouse Rule Number	Scope #	Scope Expiration	Code Chapter Affected	Relating clause/Synopsis	Current Stage	Next Step
	017-24	08/12/2026	Psy 2	<p>Temporary Practice. The objective of this rule project is to review the temporary practice requirements in chapter Psy 2 pursuant s. 455.03, Stats. The Board might consider revising this section to provide clearer guidelines for out-of-state providers wanting to practice temporarily in Wisconsin.</p>	Drafting rule.	EIA Comment Period, Clearinghouse Review, and Public Hearing.


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

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Brad Wojciechowski, Executive Director		2) Date when request submitted: 9/18/2024 Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections: Psychology Examining Board			
4) Meeting Date: 10/2/2024	5) Attachments: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	6) How should the item be titled on the agenda page? Jurisprudence Exam Requirements – Discussion and Consideration	
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 Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <Appearance Name(s)> <input 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: This topic was introduced during the June 26, 2024 meeting. The Board decided to address this during the October 2, 2024 meeting.			
11) Authorization			
		9/18/2024	
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: <ol style="list-style-type: none"> 1. This form should be saved with any other documents submitted to the Agenda Items 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**

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Brad Wojciechowski, Executive Director		2) Date when request submitted: 9/24/2024 <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: 10/2/2024	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Association of State and Provincial Psychology Boards (ASPPB) Matters – Discussion and Consideration 1) Proposed Amendment to ASPPB Bylaws relating to EPPP	
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 Appearance Request 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: Please review the attached letter sent by the ASPPB			
11) Authorization			
 Signature of person making this request		9/24/2024 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 Agenda Items 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.			



ASPPB

Association of State and
Provincial Psychology Boards

Supporting member jurisdictions in fulfilling their responsibility of public protection

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September 23, 2024

Dear ASPPB Members,

As we prepare for the upcoming Annual Meeting in Dallas, Texas, on October 30 – November 3, 2024, the ASPPB Board of Directors (Board) wanted to share with you some important information about the proposed amendment to the ASPPB bylaws that will come up for vote during the meeting. By now, you have probably heard about the amendment, which has been proposed by one jurisdiction as a direct reaction to ASPPB's implementation of a skills-based section of the Examination for Professional Practice in Psychology (EPPP). The Board's goal is to ensure that, prior to this important and unprecedented vote, all voting delegates have the benefit of complete and accurate information about the development and purpose of the skills component of the EPPP, as well as the potential detrimental effects and

unintended consequences of the proposed amendment. ([attached here for your convenience](#)).

In addition to the information provided below, the Board will be hosting an **information and discussion session for ASPPB jurisdictional and individual members on October 30 from 3:00 - 5:00 pm** at the site of the Annual Meeting, during which the Board will provide additional information about the EPPP (Part 2-Skills) and the implications of the proposed amendment, as well as field questions from ASPPB members about these issues. You are strongly encouraged to attend.

To the Board's knowledge, this is the first and only time a member jurisdiction has proposed a bylaws amendment for delegate vote. Given the importance and unprecedented nature of this vote, ASPPB has engaged an independent, professional parliamentarian to guide ASPPB and its membership during the Annual Meeting and to ensure a fair and transparent process. ASPPB's outside counsel from the law firm Baker McKenzie will also attend.

In the meantime, the Board thought it important to share the below information to address some of the questions that have been raised by member jurisdictions and to correct some of the significant misinformation that appears to be circulating.

1. What is the purpose of the proposed bylaws amendment?

The bylaws amendment was proposed by the Texas Behavioral Health Executive Council (BHEC), which oversees the Texas State Board of Examiners of Psychologists (an ASPPB member). Although the wording of the proposed amendment is somewhat unclear and imprecise, and although the Board cannot speak for the BHEC, it appears from the BHEC's public statements that its primary goal in proposing the amendment is to avoid having to use in the State of Texas the updated version of the EPPP that includes a skills-based component. The proposed amendment goes far beyond that singular goal, however, and seeks to remove ASPPB's fundamental authority over the development and administration of the EPPP and other test-related operational decisions.

2. What is the ASPPB Board's view of the proposed bylaws amendment?

The Board strongly opposes the proposed amendment. In the Board's view, the proposed amendment is highly unusual, unnecessary, and detrimental to the continued development and administration of the licensure exam. The proposed amendment also has unintended consequences, including potentially impeding ASPPB's ability to ensure that the EPPP remains a valid and fair exam, as well as its ability to defend the psychometric validity of the exam against future challenges. Additionally, the proposed amendment is entirely inconsistent with the very role of ASPPB and existing bylaws language, which charges ASPPB with the responsibility to "[d]evelop, maintain and offer examination programs for psychologists . . ." ([See Bylaws Article III\(E\)](#)).

In its public communications about the proposed amendment, the BHEC concedes that ASPPB's members "supported ASPPB's efforts to develop a skills exam." ([See BHEC "Explanation of Texas-proposed ASPPB Bylaw Amendment"](#)). But the BHEC contends that the member jurisdictions never requested that ASPPB actually require the jurisdictions to *use* that exam. This point of view is misguided and mischaracterizes the history of the development of the skills-based component of the exam. It also **disregards** ASPPB's mission of public protection—including its obligation to continuously improve the EPPP so as to ensure the exam provides the most up-to-date measure of minimum entry-level competence, in keeping with well-established educational and assessment standards. This viewpoint also ignores the long-recognized benefits of a uniform national licensure exam that promotes license portability and ensures a consistent measure of entry-level competence across jurisdictions.

Perhaps most importantly, the BHEC proposal incorrectly argues that the addition of a skills-based component to the EPPP somehow deprives member jurisdictions of their decision-making power and sovereignty. That is

simply not the case. No jurisdiction is required to use the EPPP or to be a member of ASPPB. But if a jurisdiction does choose to use the EPPP as one of its licensure requirements, it should rely upon the assessment and exam-development expertise of ASPPB and its psychometric staff, who are charged with studying and implementing well-established educational and assessment standards in the development of the EPPP. As has been the case for decades, ASPPB and its staff can be trusted to provide a valid and reliable licensure examination—even when that exam must evolve over time, in keeping with up-to-date assessment industry standards.

3. The Board may be opposed to the bylaws amendment, but isn't it harmless?

Unfortunately, the passage of the proposed amendment would have detrimental effects on the EPPP and broader, unintended consequences for ASPPB, its membership, and the global profession of organized psychology. Additionally, much of the language in the proposed amendment delves into operational and administrative details and decision making, which is highly unusual content not ordinarily found in an organization's bylaws and governing documents.

Please see the following comments on the specific proposed language of the amendment:

- **Proposed Bylaws Language:** *“No member jurisdiction shall be required, whether as a condition of membership or otherwise, to participate (sic) or utilize any services or programs offered by the Association.”*
- This language is unnecessary because, currently, no member jurisdiction is required to participate in any ASPPB offerings or to use any ASPPB services. ASPPB has never required any jurisdiction to use the skills- or knowledge-based components of the EPPP in order to maintain its membership. Of course, if a member jurisdiction chooses to use the EPPP as its licensure examination, it does so in reliance on the exam-development expertise of ASPPB and subject to ASPPB's exam-related policies, procedures and decisions.
- **Proposed Bylaws Language:** *“The Association shall not make access or availability of a service or program contingent on a member jurisdiction participating (sic) or utilizing another service or program.”*

This language is confusingly worded but appears to be directed at the upcoming 2026 transition to an EPPP that includes the Part 2 Skills-based component. This proposed language wrongly treats that skills-based component of the exam as an entirely different “service or program.” As ASPPB's psychometric staff can attest, the skills-based portion of the exam is intended to be an additional component of a comprehensive assessment of the test-taker's ability to satisfy minimum standards of competency. The member jurisdictions

nearly 15 years ago requested that ASPPB begin studying and developing a skills-based component, in recognition that the assessment of theoretical knowledge alone is not sufficient to assess competency. The EPPP (Part 2-Skills) was born from consensus among ASPPB's member jurisdictions and the professional education and training communities on the need to evolve the existing knowledge-based exam to a reliable, valid, legally defensible, and comprehensive competency-based licensing exam. You can find more details about the history of the development of the EPPP in our prior letter dated [July 1, 2024](#).

- **Proposed Bylaws Language:** *“The Association may offer multiple exams as part of its examination program. At a minimum, the Association shall offer a knowledge-based exam separate from any skill-based exam.”*

This language again misconstrues the EPPP as a series of exams, as opposed to a single, comprehensive assessment of competence. It also undermines the very purpose for which the member jurisdictions requested the development of a skills-based component so many years ago. If adopted, this language would also strip ASPPB and its expert psychometric staff of its decision-making ability regarding the development and administration of the EPPP, potentially undermining the very validity of the exam. As a practical matter, the language would also restrict ASPPB's future decisions regarding how and when to administer the exam—for example, ASPPB would be prohibited from administering the entire EPPP on a single occasion, even if this were the most cost-effective, fair and secure method of administering the exam.

- **Proposed Bylaws Language:** *“Each exam offered by the Association must be administered on a single occasion. For purpose of this subsection, multiple consecutive days of exam administration may constitute a single occasion.”*

This language is vague and unclear but appears to mandate and restrict how and under what circumstances the EPPP may be administered. Undoubtedly, such a restriction could have unintended consequences in the future, as the EPPP, technology, and assessment standards continue to evolve. Once incorporated into the bylaws, this mandate becomes part of ASPPB's governing documents, with limited opportunities for revision or rescission. It is highly unusual to impose such operational mandates in an organization's governing documents.

- **Proposed Bylaws Language:** *“For each exam, the Association may recommend, but shall not require, qualifications to sit for an exam, timing for administration of an exam, and passing scores.”*

Once again, the proposed bylaws language attempts to restrict ASPPB's ability to make key decisions regarding the exam it develops and administers and improperly attempts to address operational decision making in ASPPB's governing documents. In addition to being highly unusual content for an organization's bylaws, the

proposed language undermines ASPPB’s ability to ensure that the exam is psychometrically valid, secure and reliable.

For example, currently, both the member jurisdictions and ASPPB have a role in determining who can access the EPPP and under what circumstances. By giving member jurisdictions the sole authority to make those decisions, the amendment would prohibit ASPPB from applying some of its important existing exam security protocols, such as the limits on the number of times an individual can sit for the exam within a 12-month period and the ability to suspend a test taker’s access to the exam when exam security violations occur. Additionally, the proposed amendment broadly removes ASPPB’s ability to dictate the timing of exam administrations in all circumstances, which is also problematic. That’s because the timing of a candidate’s exam administration must be determined by taking into account the purpose and design of the exam and security protocols and directly relates to the proper use of an exam and interpretation of exam results. Thus, prohibiting ASPPB from making certain decisions about exam administration timing potentially threatens the integrity, equity and fairness of the exam and may also compromise exam security—for example, if one jurisdiction’s timing for exam administrations is materially after another jurisdiction’s administrations, risking the exposure of exam forms to later test takers.

Additionally, ASPPB’s recommended passing standards are established through lengthy and rigorous standard-setting procedures designed to identify the criterion-referenced standards representing the minimum level of knowledge and skills required for psychologists. And using a well-recognized process called “equating,” ASPPB’s recommended cut scores are applied to multiple forms of the exam across multiple years to ensure that test takers encounter exams of equivalent difficulty and fairness. The proposed amendment would replace this well-established and well-recognized assessment approach with the potentially arbitrary decision making by each jurisdiction regarding passing scores. This would result in cut scores that are sample-dependent, are not established through rigorous standard-setting processes, and do not take into account the purpose and design of the exam or how it relates to job requirements, the format of the exam, item difficulty and other important factors. This undercuts the validity of the exam and destroys any notion that the exam is of equivalent difficulty across jurisdictions. As a result, the member jurisdictions become even more vulnerable to arguments that the regulation of psychologists in their jurisdiction is unreliable and unnecessary.

4. What’s wrong with letting each member decide what is best for its own jurisdiction?

Each jurisdictional licensing board or college (and its government) remains the sole authority with respect to what is required to obtain and maintain a license in that jurisdiction. No jurisdiction is required to use the EPPP as a prerequisite to licensure, nor is use of the EPPP required in order to be a member of ASPPB (although ASPPB recognizes that some jurisdictions may have to undergo legislative or regulatory changes if a decision is made to stop using the EPPP). But those jurisdictions that do choose to use the EPPP do so in

reliance on the psychometric and assessment expertise of ASPPB and agree to abide by ASPPB’s policies and procedures governing the administration of the exam. In turn, the member jurisdictions get all of the benefits of a uniform standard for measuring minimum competence.

5. What about those who say that the EPPP is racially biased, is too costly and contributes to the shortage of mental health service providers—and that the addition of a skills-based component will only exacerbate these problems?

It is true that some individuals have made these kinds of unfounded accusations about the EPPP, based on incorrect and incomplete information. To the extent these individuals are affiliated with professional associations or academia, they tend to disregard that ASPPB, and its member jurisdictions serve a mission of public protection, as opposed to being advocates for the profession. Indeed, it is because of this mission of public protection that licensure examinations are nearly always developed and maintained by associations of jurisdictional licensing boards, rather than professional associations. ASPPB has taken extensive measures to ensure that the EPPP is fair and unbiased, consistent with well-established educational and assessment standards. Additionally, ASPPB has always strived to strike a balance between covering the costs of developing and delivering the EPPP and ensuring that the exam is financially accessible. For more on the Board’s perspective on these unfounded criticisms of the EPPP and historic backdrop of the EPPP’s skills component, please reference our July 1, 2024 letter to ASPPB members ([reattached here for your convenience](#)).

6. Will the ASPPB delegates have the opportunity to discuss the proposed amendment? How will voting on the amendment take place?

Voting on the proposed amendment will take place during the business portion of the Annual Meeting on October 31, 2024. Like any other motion, the proposed amendment will be presented and voted upon in accordance with the ASPPB bylaws, governing parliamentary procedure and applicable law. Among other things, this means the delegates will have the opportunity for a period of discussion prior to voting on the amendment. Voting will be by secret ballot, consistent with ASPPB’s historical practice. As noted above, an independent, professional parliamentarian will guide ASPPB and its membership during the meeting and will help to ensure a fair and transparent process.

7. The Texas Behavioral Health Executive Council has publicly circulated a complaint letter it sent to the Federal Trade Commission (FTC) about ASPPB and the EPPP, accusing ASPPB of violating federal antitrust law. Has ASPPB been sued? Is ASPPB under investigation by the FTC?

Like you, the Board has seen a copy of the complaint letter that the Texas BHEC says it has delivered to the FTC. This represents the first time in ASPPB’s history that a member jurisdiction has accused ASPPB of

unlawful conduct and has urged a federal regulator to take action against the organization. To date, however, the FTC has not contacted ASPPB about the BHEC's complaints, nor is the Board aware of any lawsuit that has been filed against ASPPB. When and if the FTC contacts ASPPB about the EPPP, ASPPB will be happy to answer the FTC's questions.

In the meantime, not only are BHEC's unfounded allegations very disruptive to ASPPB and its membership, but they disregard the long development history and justifications behind the evolution of the EPPP. Perhaps most importantly, as ASPPB has been advised by its outside antitrust counsel, BHEC's arguments also reflect a fundamental misunderstanding and misapplication of antitrust law principles. For more on the Board's response to this accusation, please see our Announcement dated July 3, 2024 ([attached here for your convenience](#)).

8. How can I learn more about the potential consequences of the proposed bylaws amendment?

As mentioned above, ASPPB members should attend the in-person discussion session hosted by the Board at the Annual Meeting on October 30, 2024 from 3:00 - 5:00 pm. During that session, the Board will elaborate upon the points made in this letter and will respond to member questions.

Sincerely,

The ASPPB Board of Directors