

Memorandum

To: Psychologists and Other Interested Parties
From: Kris Chiles, Section Administrator
Date: January 12, 2005

PSYCHOLOGY

Regulation Changes and Other Information

Effective **October 30, 2004**, the Regulations Governing Psychology (172 NAC 155) have changed. This memorandum provides you with a summary of the major changes to the regulations; this is not inclusive of every change, therefore, we have enclosed a copy for your review.

DEFINITIONS

1. Provides additional or revised definitions, such as CPQ, Direct Service, Non-Direct Service, Supervising Licensed Psychologist, Supervision.
2. Limits the number of individuals a supervisor can supervise (i.e.: up to 4 persons holding either a provisional psychology license or a provisional mental health practitioner license)

RENEWAL & REINSTATEMENT

1. Requires the applicant to sign the renewal application, however, the signature no longer has to be notarized.
2. Includes additional methods/sources to obtain continuing competency (continuing education).
3. The renewal, revocation, and reinstatement process has been standardized for all professions.

INITIAL LICENSURE

1. Applicant/supervisor signatures no longer need to be notarized.
2. Delineates the criteria for internships, which are not accredited by the American Psychological Association:
 - (a) Is at least 12 months in duration, consisting of at least 1,500 or more hours in not more than 24 months. School psychology internships may be 10 months in duration;
 - (b) The purpose of the internship is to train psychologists for the independent provision of direct psychology services;
 - (c) It is directed by a Licensed Psychologist;
 - (d) It is sequentially organized (progressively increases levels of responsibility and skills);
 - (e) Requires 4 hours of supervision per week, 2 of the 4 hours must be individual face-to-face with 2 or more supervising licensed psychologists on-site;
 - (f) Must include positions for 2 or more psychology interns;
 - (g) The transcript must show completion of practica prior to entering internship; and
 - (h) The psychology staff must include a minimum of 3 on-site supervising licensed psychologists.
3. Delineates the requirements relating to 1 year of postdoctoral supervised experience:
 - (a) Registered with the Department prior to commencement;
 - (b) Under the supervision of a licensed psychologist (a special licensed psychologist can not supervise);
 - (c) 1,500 or more hours in total duration, including 1,000 or more hours of direct service hours earned in not more than 24 months;
 - (d) Meets the standards of supervision specified in the definitions; and
 - (e) Compatible with the knowledge and skills acquired during formal doctoral or postdoctoral education in accordance with professional requirements and relevant to the intended area of practice;

4. We will require primary source verification of the Doctoral Degree by requiring transcripts be submitted directly by the institution of higher education issuing the transcript or ASPPB's credentialing data bank or the National Register.
5. Notice of supervision termination; if a supervisor or provisional licensee terminates his/her supervision, the supervisor must immediately notify the Department of said termination.
6. The Board-developed jurisprudence examination may be administered either orally or in writing and the passing score has been raised from 75% to 80%;

RECIPROCITY LICENSURE

1. An applicant for licensure by reciprocity will now be able to qualify for licensure under the following methods:
 - (a) Holding the ASPPB Certificate of Professional Qualification (CPQ);
 - (b) Licensure in a state participating in the ASPPB Reciprocity Agreement;
 - (c) A current credential at the doctoral level as a Health Service Provider by the National Register of Health Service Providers; or
 - (d) Meeting the requirements for initial licensure.
2. Successfully pass of the Board-developed jurisprudence examination with a score of at least 80%; and
3. Have been in the active and continuous practice under license or certification in the State, territory, or District of Columbia from which s/he comes for at least one year; and have been actively engaged in the practice under such license or certificate or in an accepted residency or graduate training program for at least one of the three years immediately preceding the application for licensure.

FEES

The fees have been lowered; see 172 NAC 158 (enclosed).

ADMINISTRATIVE PENALTIES

Practice Prior to Licensure: An individual who practices prior to issuance of a license is subject to assessment of an Administrative Penalty of \$10 per day up to \$1,000, or such other action as provided in the statutes and regulations governing the credential.

Practice after Renewal Expiration: An individual who practices after expiration of his/her license (renewal date of January 1 odd numbered years), is subject to assessment of an Administrative Penalty of \$10 per day up to \$1,000, or such other action as provided in the statutes and regulations governing the credential.

GROUND FOR DISCIPLINE

The grounds for discipline have been updated to comply with changes in the Uniform Licensing Law.

CONVICTIONS

While the following information is not new, we would like to take this opportunity to provide a reminder of the requirements.

A license to practice a profession may be denied, refused renewal, limited, revoked, or suspended or have other disciplinary measures taken against it in accordance with section 71-155 when the applicant, licensee, or registrant is guilty of any of the acts or offenses listed in 71-147 or 71-148. One of these grounds which is commonly unreported is:

Conviction of a misdemeanor or felony under state law, federal law, or the law of another jurisdiction and which, if committed within this state, would have constituted a misdemeanor or felony under state law and which has a rational connection with the applicant's, licensee's, certificate holder's, or registrant's fitness or capacity to practice the profession;

If you have ever had a misdemeanor or felony conviction, or have been disciplined by another state Board, you are required to report this information in writing. Failure to report or disclose is also grounds for discipline. If you are not sure if a ticket or arrest resulted in a misdemeanor or felony conviction, we suggest you contact the county court where the action was taken to assure you are reporting all convictions.

In addition to reporting the conviction or disciplinary action in writing, you are also required to submit the following:

- Official Court Record, which includes charges and disposition;
- Copies of arrest records;
- A letter from the licensee/certificate holder explaining the nature of the conviction;
- All addiction/mental health evaluations and proof of treatment, if the conviction involved a drug and/or alcohol related offense and if treatment was obtained and/or required; and
- A letter from the probation officer addressing probationary conditions and current status, if the licensee/certificate holder is currently on probation.
- If your license/certificate in health care in another state has been revoked, suspended, limited or disciplined in any way, an official copy of the disciplinary action, including charges and disposition.

NOTE: If you have any criminal charges or license disciplinary actions pending that results in conviction or license discipline, you are required to report such actions to this department within 30 days.

WEB SITE

We are currently working on expanding the Psychology website, which provides you with licensing information, board information, a copy of the regulations/statutes, how to file a complaint, etc. The web site is:
<http://www.hhs.state.ne.us/crl/profindex1.htm>

You can also check the licensee records and print a verification of a license (which is considered primary source verification) at: <http://www.hhs.state.ne.us/lis/lis.asp>

CONTACT FOR QUESTIONS

If you have any questions, contact Cindy Kelley 402-471-4905 or cindy.l.kelley@hhs.ne.gov