

Dear Senators LODGE, Broadsword & Werk, and
Representatives BLOCK, Nielsen & Henbest:

The Legislative Services Office, Research and Legislation, has received the enclosed
rules of the Bureau of Occupational Licenses:

- I. IDAPA 24.12.01 - Board of Psychologist Examiners -
(Docket No. 24-1201-0801)
- II. IDAPA 24.14.01 - Board of Social Work Examiners-
(Docket No. 24-1401-0801 - Fee Rule).

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by the cochairmen or by two (2) or more members of the subcommittee giving oral or written notice to Research and Legislation no later than fourteen (14) days after receipt of the rules' analysis from Legislative Services. The final date to call a meeting on the enclosed rules is no later than 10-24-08. If a meeting is called, the subcommittee must hold the meeting within forty-two (42) days of receipt of the rules' analysis from Legislative Services. The final date to hold a meeting on the enclosed rules is 11-21-08.

_____The germane joint subcommittee may request a statement of economic impact with respect to a proposed rule by notifying Research and Legislation. There is no time limit on requesting this statement, and it may be requested whether or not a meeting on the proposed rule is called or after a meeting has been held.

To notify Research and Legislation, call 334-2475, or send a written request to the address or FAX number indicated on the memorandum enclosed.

MEMORANDUM

TO: Subcommittees for Administrative Rules Review of the Senate Health and Welfare Committee and the House Health and Welfare Committee

FROM: Eric Milstead, Principal Research Analyst

DATE: October 6, 2008

SUBJECT: Bureau of Occupational Licenses

I. Board of Psychologist Examiners - IDAPA 24.12.01 (Docket No. 24-1201-0801)

II. Board of Social Work Examiners- IDAPA 24.14.01 (Docket No. 24-1401-0801 - Fee Rule)

I. Board of Psychologist Examiners - IDAPA 24.12.01 (Docket No. 24-1201-0801)

The proposed rule makes a number of changes to the existing rule. These include, among other changes:

- Revisions to the continuing education provision to include four hours of ethics over a three-year period.
- Revisions to educational criteria to make the rule consistent with standards of the American Psychology Association standards.
- Revisions to the qualification relating to senior psychologists.
- Provides a new rule governing the responsibility of licensees and applicants to update files.
- Other revisions reflect changes in application deadlines and also a new provision governing the employment of unlicensed individuals.

The Bureau notes that negotiated rulemaking was not conducted because discussion regarding the proposed rules was held in open meeting of the Board and that the changes should not be controversial.

The proposed rules are within the authority granted to the Board under Section 54-2305, Idaho Code.

II. Board of Social Work Examiners- IDAPA 24.14.01 (Docket No. 24-1401-0801 – Fee Rule)

The proposed rule provides for an inactive license status, which is consistent with 2008 House Bill 361, which amended section 54-3204(5), Idaho Code. The proposed rule also provides for fees related to inactive licenses and also increases the application and original license fee, the endorsement and license fee, as well as renewal fees for various licensees including licensed clinical social workers, licensed masters social workers and licensed social workers. The Bureau of Occupational Licenses notes that the proposed fee increases are needed because the Board's expenses have been exceeding its revenues. The Bureau also notes that negotiated rulemaking was not conducted because the fee increases are needed to help balance the Board's annual budget.

The proposed rules are within the authority granted to the Board under Section 54-3204, Idaho Code.

cc: Tana Cory, Bureau Chief

IDAPA 24 - BUREAU OF OCCUPATIONAL LICENSES

24.12.01 - RULES OF THE IDAHO STATE BOARD OF PSYCHOLOGIST EXAMINERS

DOCKET NO. 24-1201-0801

NOTICE OF RULEMAKING - PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Section(s) 54-2305, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 15, 2008.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

Changes are being made to the rules in Sections 100, 125, 200, 260, 350, 401, 450, 500, and 600. These changes establish a deadline for applications and responsibility for updating files. They also clarify who sets the time and date of exams. These changes will help avoid confusion and also bring rules up to date. Changes are being made to senior psychologist qualifications to coincide with the law. The change to the code of ethics is being made since these are now available on the website. The continuing education rule is being changed to include 4 hours of ethics in a three year cycle. Language is being corrected and clarified in 450 to avoid confusion. The changes to the educational requirements are to bring the rules more in line with the American Psychology Association (APA) standards. The psychologist in training and psychologist under supervision rules are being clarified. Finally, a rule is being added for a guideline in employment of unlicensed individuals.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: N/A

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking: N/A

NEGOTIATED RULEMAKING: Pursuant to 67-5220(1), Idaho Code, negotiated rulemaking was not conducted because the discussion was held in an open meeting of the board and the changes should not be controversial.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Cherie Simpson at (208) 334-3233.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 22, 2008.

DATED this 18th day of August, 2008.

Tana Cory
Bureau Chief
Bureau of Occupational Licenses
1109 Main St. Ste. 220
Boise, ID 83702
(208) 334-3233 Ph. (208) 334-3945, fax

THE FOLLOWING IS THE TEXT OF DOCKET NO. 24-1201-0801

100. CREDENTIALS TO BE FILED BY ALL APPLICANTS (RULE 100).

01. Completed Application. An application shall be completed by all applicants for licensure upon a form prescribed by the State Board of Psychologist Examiners. No application shall be accepted or considered by the Board prior to the date the required doctoral degree was conferred upon the applicant. (3-20-04)

02. Official Transcripts. All applicants shall arrange for official transcripts of all credits earned, at each approved college or university, to be transmitted by the registrars of the educational institutions directly to the Board. (7-1-93)

03. Letters of Reference. Letters of reference, regarding the character, training, and experience of the applicant shall be returned to the Board by the references before decision is rendered on the application. (7-1-93)

04. Post Graduate Experience. One (1) of the two (2) years of post-graduate experience as required by Section 2307(b), Idaho Code, (not the internship) may be pre-doctoral. The second year must be post-doctoral work under appropriate supervision and must be verified by the appropriate supervisor. (3-15-02)

05. Official Documentation. Official documentation of meeting the requirements of Chapter 23, Title 54, Idaho Code and IDAPA 24.12.01, must be received by the Board directly from the entity or person responsible for providing such official documentation. Applicants are responsible for requesting the required documentation from the appropriate entities and persons. (3-15-02)

06. Applications on File. Applications on file with the Board for a period in excess of five (5) years from the date of receipt by the Bureau shall be terminated unless good cause is demonstrated to the Board. (3-20-04)

07. Deadline. To be considered by the Board, a properly completed application together with all supporting documentation and required fees must be received by the Bureau at least seven (7) calendar days prior to the next scheduled meeting of the Board. ()

101. -- ~~149~~24. (RESERVED).

125. FILE UPDATE RESPONSIBILITY (RULE 125).

The licensure applicant or any person licensed by the Board is responsible for keeping his or her file updated. All substantive changes in professional status must be reported to the Board in writing within ninety (90) days. Substantive changes would include any criminal charges or convictions of felonies or misdemeanors other than traffic violations; administrative adjudicative proceedings against the applicant or psychologist in other states or jurisdictions; adjudicated ethics violations or other sanctions levied against the applicant or psychologist by a professional association or specialty association related to the practice of psychology; any civil proceedings adjudicated against the applicant or psychologist that is clearly related to the practice of psychology. This file update requirement also applies to other material changes in the manner in which the applicant or psychologist is represented to the public, such as name changes. ()

126. -- 149. (RESERVED).

(BREAK IN CONTINUITY OF SECTIONS)

200. EXAMINATIONS (RULE 200).

01. Written Exam Required. The Board will require a written examination of applicants. The written examination will be the National Examination for Professional Practice In Psychology (EPPP). (3-20-04)

02. Passing Score. The Board has determined that a passing score on the EPPP shall be a raw score of one hundred forty (140) or, for examinations after April 1, 2001, a scaled score of five hundred (500) for licensure. (3-20-04)

03. Time and Place of Exam. The examination will be conducted at a time and place specified by the ~~Board~~ administrator of the national examination for professional practice in psychology (EPPP). (7-1-93)()

04. Failure of Exam. The first time the examination is failed the applicant may take it again the next time it is given upon application and payment of fees. If the examination has been failed twice, ~~the individual must wait at least one (1) year before taking it a third time.~~ The individual must wait at least one (1) year and petition the Board for approval to take the examination the ~~fourth~~ third time, ~~which~~ The petition shall include evidence satisfactory to the Board that the applicant has taken additional study in the field of Psychology before approval will be granted. (7-1-93)()

05. Waiver of Exam. Upon application, the examination may be waived to an applicant who is a diplomate in good standing of the American Board of Professional Psychology. (3-20-04)

(BREAK IN CONTINUITY OF SECTIONS)

260. SENIOR PSYCHOLOGY LICENSURE (RULE 260).

Any person who has maintained a valid Psychology license based on a doctoral degree in the United States or Canada for a period of not less than twenty (20) years, is of good moral character, has documented practice of psychology for five (5) of the last seven (7) years, has maintained continuing education, and has not been subject to disciplinary action the last seven (7) years may apply for an Idaho psychology license under Section 54-2312A, Idaho Code. (3-15-02)()

(BREAK IN CONTINUITY OF SECTIONS)

350. CODE OF ETHICS (RULE 350).

All licensees shall ~~be mailed a copy of the~~ have knowledge of the Ethical Principles of Psychologists and Code of Conduct, as published in the American Psychologist, as referenced in Section 004. (3-15-02)()

(BREAK IN CONTINUITY OF SECTIONS)

401. CONTINUING EDUCATION REQUIREMENTS FOR RELICENSURE IN PSYCHOLOGY (RULE 401).

01. Number of Hours Required. All licensed psychologists, in order to renew their license, must have accumulated twenty (20) hours per year of continuing education credits. At the time of renewal of the psychologists' licenses, they will certify that they are aware of the requirements for continuing education and that they have met those requirements for the preceding year. A minimum of four (4) hours credit in ethics, standards of care, and/or review of laws pertaining to the practice of psychology is required every three (3) years. Areas covered may include practice, consultation, research, teaching, and/or supervision. These units may be used as part of the continuing education credit required. (7-1-93)()

02. Professional Level of Continuing Education -- Time Period Records Kept - Audit. This continuing education experience must be at an appropriate level for professional training in psychology. The licensees have responsibility for demonstrating the relevance and adequacy of the educational experience they select. The licensees are also responsible for keeping an accurate record of their own personal continuing education hours

for a period of five (5) years. A random audit may be conducted to insure compliance. (7-1-93)

03. Newly Licensed Individuals. Newly licensed individuals will be considered to have satisfied the continuing education requirements for the remainder of the year in which their license is granted. (7-1-93)

04. Certificates of Satisfactory Attendance and Completion. Certificates of satisfactory attendance and completion, cancelled checks, participant lists, transcripts from universities, letters of certification on instructor's letterhead, and other reasonably convincing proof of the submitted activities may serve as documentation when persons audited are required to submit proof of continuing education. (7-1-93)

05. Licensees Who Do Not Fulfill the Continuing Education Requirements. Licensees who do not fulfill the continuing education requirements may be subject to disciplinary action. (7-1-93)

06. Carryover of Continuing Education Hours. Continuing education courses not claimed for CE credit in the current renewal year, may be credited for the next renewal year. A maximum of twenty (20) hours may be carried forward from the immediately preceding year. (5-3-03)

(BREAK IN CONTINUITY OF SECTIONS)

450. GUIDELINES FOR USE OF SERVICE EXTENDERS TO LICENSED PSYCHOLOGISTS (RULE 450).

The Board recognizes that licensed psychologists may choose to extend their services by using service extenders. The Board provides general rules to cover all service extenders as well as specific rules to cover service extenders with different levels of training and experience. (7-1-93)

01. General Provisions for Licensed Psychologists Extending Their Services Through Others. (7-1-93)

a. The licensed psychologist exercising administrative control for a service extender shall: (7-1-93)

i. Have the authority to cause termination of compensation for the service extender. (7-1-93)

ii. Have the authority to cause the suspension or removal of the service extender from his position as a service provider. (7-1-93)

b. The licensed psychologist exercising professional direction for a service extender shall: (7-1-93)

i. Within thirty (30) days after employing the service extender, formulate and provide to the Board a written supervisory plan for each service extender. The plan shall include provisions for supervisory sessions and chart review. If the psychologist requires tapes to be made of psychological services delivered by the service extender, then the plan shall also specify review and destruction of these tapes. The plan shall also specify the hours per calendar week that the licensed psychologist will be at the same physical location as the person extending the services of the licensed psychologist. The plan shall be accompanied by a completed application form and appropriate application fee. (3-19-07)

ii. Establish and maintain a level of supervisory contact sufficient to be readily accountable in the event that professional, ethical, or legal issues are raised. There will be a minimum of one (1) hour of face-to-face supervisory contact by a licensed psychologist with the service extender for each one (1) to twenty (20) hours of services provided by the service extender during any calendar week. At least one half (1/2) of this face-to-face supervisory contact will be conducted individually, and up to one half (1/2) of this face-to-face supervisory contact may be provided using a group format. A written record of this supervisory contact, including the type of activities conducted by the service extender, shall be maintained by the licensed psychologist. Except under unusual circumstances, the supervisory contact will occur either during the week the services are extended or during the week following. In no case will services be extended more than two (2) weeks without supervisory contact between the

service extender and a licensed psychologist. (7-1-93)

iii. Provide the service extender a copy of the current Ethical Standards of the American Psychological Association, and obtain a written agreement from the service extender of his intention to abide by them. (7-1-93)

02. Qualifications for Service Extenders. (7-1-93)

a. Category I: A service extender will be placed in Category I if: (7-1-93)

i. The licensed psychologist wishing to employ the service extender verifies in writing to the satisfaction of the Board that the service extender holds a license issued by the state of Idaho to practice a specific profession, and that the issuance of that license requires the licensee hold a master's degree or its equivalent as determined by the Board; or (7-1-93)

ii. The service extender meets the criteria for Category II specified below and the licensed psychologist wishing to employ the service extender verifies in writing to the satisfaction of the Board that the service extender has satisfactorily functioned as a service extender to one (1) or more licensed psychologist for at least twenty (20) hours per calendar week over a period totaling two hundred sixty (260) weeks. (7-1-93)

b. Category II: A service extender will be placed in Category II if the licensed psychologist wishing to employ the service extender verifies in writing to the satisfaction of the Board that the service extender holds a master's degree from a program in psychology, counseling, or human development as determined by the Board. (7-1-93)

03. Conditions for Use of Service Extenders. (7-1-93)

a. All persons used to extend the services of a licensed psychologist shall be under the direct and continuing administrative control and professional direction of a licensed psychologist. These service extenders may not use any title incorporating the word "psychologist" or any of its variants or derivatives, e.g. "psychological," "psychotherapist," ~~etc.~~ (7-1-93)()

b. Work assignments shall be commensurate with the skills of the service extender and procedures shall be planned in consultation with the licensed psychologist under all circumstances. (7-1-93)

c. Public announcement of fees and services, as well as contact with lay or professional public shall be offered only in the name of the licensed psychologist whose services are being extended. However, persons licensed to practice professions other than psychology may make note of their status in such announcements or contacts. (7-1-93)

d. Setting and collecting of fees shall remain the sole domain of the licensed psychologist; excepting that when a service extender is used to provide services of the licensed psychologist, third party payers shall be informed of this occurrence in writing at the time of billing. Unless otherwise provided in these rules and regulations, licensed psychologists may neither claim or imply to service recipients or to third party payers an ability to extend their services through any person who has not been approved as a service extender to that psychologist as specified in this section. (7-1-93)

e. All service recipients shall sign a written notice of the service extender's status as a service extender for the licensed psychologist. A copy of the signed written notice will be maintained on file with the licensed psychologist. (7-1-93)

f. Within the first three (3) contacts, the licensed psychologist shall have face-to-face contact with each service recipient. (7-1-93)

g. A licensed psychologist shall be available to both the service extender and the service recipient for emergency consultation. (7-1-93)

h. Service Extenders shall be housed in the same service delivery site as the licensed psychologist

whose services they extend. Whatever other activities they may be qualified to perform, service extenders shall limit themselves to acting as service extenders of the licensed psychologist when providing direct services so long as they are physically located in the offices of the licensed psychologist. (7-1-93)

i. A service extender in Category I may deliver as much as, but not more than fifty percent (50%) of their service while the licensed psychologist is not physically present at the service delivery site. A service extender in Category II may deliver as much as, but not more than twenty-five percent (25%) of their service while the licensed psychologist is not physically present at the service delivery site. Service Extenders providing as many as, but no more than, three (3) hours of service extension per calendar week shall be exempted from ~~these~~ on-site provisions of Section 450 of this rule. Without notification to the Board, short term exemption from this rule for atypical circumstances, such as irregular travel by the licensed psychologist, may occur for periods as long as, but no longer than three (3) calendar weeks. Longer exemptions may be granted at the discretion of the Board on written request by the licensed psychologist to the Board. (~~7-1-93~~)()

j. The licensed psychologist shall employ no more than three (3) service extenders. (3-18-99)

k. When a licensed psychologist terminates employment of a service extender, the licensed psychologist will notify the Board in writing within thirty (30) days. (7-1-93)

l. At the time of license renewal the licensed psychologist shall submit for each service extender the appropriate fee together with certification to the Board that they possess: (3-19-07)

i. A written record of supervisory contact for the previous twelve (12) months; and (3-20-04)

ii. The percentage of time during the previous twelve (12) months that the service extender extended services while the licensed psychologist was at the service delivery site; and (3-20-04)

iii. An updated plan for the supervision of each of his service extenders. (3-20-04)

m. Documentation of supervisory ~~contact~~ notes, hours of supervision, number of hours of on-site while the service extender provided services, and plan of supervision shall be maintained by the supervisor for not less than three (3) years for each service extender and submitted to the Board upon request. (~~3-20-04~~)()

451. -- 499. (RESERVED).

500. EDUCATIONAL AND CREDENTIALING REQUIREMENTS FOR LICENSURE (RULE 500).

Applicants who receive a doctoral degree from a program accredited by the American Psychological Association are considered to have met all criteria outlined in Section 500. (5-3-03)

01. Training in Professional Psychology. Training in professional psychology is doctoral training offered in an institution of higher education accredited by: (7-1-93)

a. Middle States Association of Colleges and Schools. (7-1-93)

b. The New England Association of Schools and Colleges. (7-1-93)

c. The North Central Association of Colleges and Schools. (7-1-93)

d. The Northwest Association of Schools and Colleges. (7-1-93)

e. The Southern Association of Colleges and Schools. (7-1-93)

f. The Western Association of Schools and Colleges. (7-1-93)

02. Training Program. The training program must stand as a recognizable, coherent organizational entity within the institution. Programs that are accredited by the American Psychological Association or that meet the criteria for such accreditation are recognized as meeting the definition of a professional psychology program.

(5-3-03)

03. Authority and Primary Responsibility. There must be a clear authority and primary responsibility for the core and specialty areas by a designated leader who is a doctoral psychologist and is a member of the core faculty. (7-1-93)()

04. Content of Program. The program must be an integrated, organized sequence of study. (7-1-93)

05. There Must Be an Identifiable Training Faculty and a Psychologist Responsible for the Program. There must be an identifiable training faculty on site of sufficient size and breadth to carry out the training responsibilities. A faculty psychologist must be responsible for the program. (5-3-03)

06. Program Must Have an Identifiable Body. The program must have an identifiable body of students who are matriculated in that program for a degree. (7-1-93)

07. What the Program Must Include. The program must include supervised practicum, and pre-doctoral internship, ~~field or laboratory training~~ appropriate to the practice of psychology. Pre-doctoral internships must be completed at member sites of the Association of Psychology Postdoctoral and Internship Centers, or sites demonstrating an equivalent program. (5-3-03)()

08. Curriculum. The curriculum shall encompass a minimum of three (3) academic years of full time graduate study at least one (1) year of which is spent in full-time physical residence at the degree granting educational institution. In addition to instruction in professional areas of competence, which include assessment and diagnosis, intervention, consultation, and supervision, the core program shall require each student to demonstrate competence in specific substantive areas. Minimal competence is demonstrated by passing a three (3) credit semester graduate course (or a five (5) credit quarter graduate course) in each of the substantive areas listed below: (3-20-04)

a. Biological Bases of Behavior: Physiological psychology, comparative psychology, neuropsychology, sensation and perception, psychopharmacology. (7-1-93)

b. Cognitive-Affective Bases of Behavior: Learning, cognition, motivation, emotion. (3-20-04)

c. Social Bases of Behavior: Social psychology, group processes, organizational and systems theory. (7-1-93)

d. Individual Differences: Personality theory, human development, abnormal psychology. (7-1-93)

e. Scientific and Professional Standards and Ethics. (3-20-04)

f. Research Design and Methodology. (3-20-04)

g. Techniques of Data Analysis: statistics, multivariate statistics, factor analysis, multiple regression, non-parametric statistics. (3-20-04)

h. Psychological Measurement: psychometric principles, test theory, personality assessment, cognitive assessment. (3-20-04)

i. History and Systems of Psychology. (3-20-04)

j. Multiculturalism and Individual Diversity. (3-20-04)

(BREAK IN CONTINUITY OF SECTIONS)

600. GUIDELINES FOR THE SUPERVISION IN THE EDUCATION OF PSYCHOLOGISTS (RULE 600).

The Board recognizes the importance of supervision in the education of psychologists, and that licensed psychologists within Idaho may be called on to provide supervision. It also recognizes that differing levels of supervision are appropriate for persons with differing levels of education and experience. Accordingly, the Board identifies ~~three~~ two (~~3~~2) levels within the education of psychologists, and specifies differing levels of supervision for each. These categories refer to persons pursuing a program of activities which, when completed, will allow them to meet the requirements for licensure as psychologists in Idaho. When providing supervision, the licensed supervising psychologist may receive compensation from the supervisee or other interested party, and shall be responsible to insure that supervision appropriate to the education and experience level of the supervisee is provided. Further, the licensed supervising psychologist shall also be responsible to insure that the appropriate documentation for a particular supervisee has been provided to the Board as specified below. The number of persons a psychologist may supervise within the ~~three~~ two (~~3~~2) educational levels does not limit the number of service extenders as specified under Subsection 450.03.j. (~~3-19-07~~)()

01. General Provisions. General provisions for licensed supervising psychologists. (7-1-93)

a. The licensed supervising psychologist exercising administrative control shall: (7-1-93)

i. Have the authority to cause termination of compensation for the supervisee when compensation is provided. (7-1-93)

ii. Have the authority to cause the suspension or removal of the supervisee from his position as a service provider. (7-1-93)

b. The licensed supervising psychologist exercising professional direction shall: (7-1-93)

i. Within thirty (30) days after initiating supervision, formulate a written supervisory plan for each supervisee. The plan shall include provisions for supervisory sessions and chart review. If the supervising psychologist requires tapes to be made of psychological services delivered by the supervisee, then the plan shall also specify review and destruction of these tapes. The plan shall also specify the hours per calendar week that the licensed psychologist will be at the same physical location as the supervisee. (7-1-93)

ii. Establish and maintain a level of supervisory contact sufficient to be readily accountable in the event that professional, ethical, or legal issues are raised. There will be a minimum of one (1) hour of face-to-face individual supervisory contact by a licensed psychologist with the supervisee for each one (1) to twenty (20) hours of services provided by the supervisee during any calendar week. A written record of this supervisory contact, including the type of activities conducted by the supervisee, shall be maintained by the licensed supervising psychologist. Except under unusual circumstances, the supervisory contact will occur either during the week the services are provided or during the week following. In no case will services be provided more than two (2) weeks without supervisory contact between the supervisee and a licensed supervising psychologist. (7-1-93)

iii. Provide the supervisee a copy of the current Ethical Standards of the American Psychological Association, and obtain a written agreement from the supervisee of his intention to abide by them. (7-1-93)

02. Category II -- Psychologist in Training. (~~7-1-93~~)()

a. Definition: A person having submitted an application for licensure to the Idaho Board of Psychologist Examiners and who has been found by the Board to have either: (7-1-93)

i. Obtained a doctoral degree ~~after completing~~ from a program accredited by the American Psychological Association or from an educational program which satisfies all the requirements of Section 500; or (~~7-1-93~~)()

ii. Obtained a doctoral degree and submitted a plan, approved by the Board for the completion of any deficiencies in their doctoral education with regard to the requirements of Section 500. (7-1-93)

b. Verification: The State Board of Psychologist Examiners has reviewed the application of the person in question and either: (7-1-93)

i. Verifies that the applicant has obtained a doctoral degree ~~after completing~~ from a program accredited by the American Psychological Association or from an educational program which satisfies all the requirements of Section 500; or (7-1-93)()

ii. Verified the applicant obtained a doctoral degree and approved a plan submitted by the applicant for the completion of any deficiencies in his doctoral education with regard to the requirements of Section 500. (7-1-93)

c. Supervision Requirements: (7-1-93)

i. Psychologists in Training must be under the direct and continuing administrative control and professional direction of the licensed supervising psychologist when providing psychological services. (7-1-93)

ii. Work assignments shall be commensurate with the skills of the Psychologist in Training and procedures shall be planned in consultation with the licensed supervising psychologist. (7-1-93)

iii. Psychologists in Training shall be housed in the service delivery site of the licensed supervising psychologist, and at least fifty percent (50%) of the Psychologist in Training's service delivery will occur while the licensed supervising psychologist is physically present on site; excepting that where Psychologists in Training are employed by agencies or corporations financed by public funds, licensed supervising psychologists may apply for exemption of this requirement. Exemptions will be made on review of the written supervisory plan, and granted at the discretion of the Board. (7-1-93)

iv. Public announcement of fees and services, and contact with lay or professional public shall be offered only by and in the name of the licensed supervising psychologist or his institutional affiliate. (7-1-93)

v. Setting and collecting of fees shall remain the sole domain of the licensed supervising psychologist or his institutional affiliate, excepting that when a supervisee provides psychological services, third party payers shall be informed of this occurrence in writing at the time of billing. (7-1-93)

vi. All persons receiving services from a Psychologist in Training shall sign a written notice indicating their understanding that the service provider is a Psychologist in Training and that the licensed supervising psychologist is responsible for their activity. A copy of the signed written notice will be maintained on file with the licensed supervising psychologist. (7-1-93)

vii. The licensed supervising psychologist's proficiencies will be commensurate with the services provided by the Category ~~II~~ Psychologist in Training. (7-1-93)()

03. Category ~~II~~ -- Psychologist Under Supervision. (7-1-93)()

a. Definition: A person having submitted an application for licensure to the Idaho Board of Psychologist Examiners and who has been found by the Board to have: (7-1-93)

i. Obtained a doctoral degree, ~~and completed~~ from a program accredited by the American Psychological Association or from an educational program which satisfies all the requirements of Section 500; and (7-1-93)()

ii. Completed the EPPP examination with a passing score. (7-1-93)

b. Verification: The State Board of Psychologist Examiners has reviewed the application and: (7-1-93)

i. Verified the applicant has obtained a doctoral degree ~~and completed~~ from a program accredited by the American Psychological Association or from an educational program which satisfies all the requirements of

Section 500; and (7-1-93)()

ii. Verified the applicant has completed the EPPP examination with a passing score. (7-1-93)

c. Supervision Requirements: (7-1-93)

i. Psychologists Under Supervision shall be under the continuing professional direction, though not necessarily administrative control, of the licensed supervising psychologist when providing psychological services. (7-1-93)

ii. Work assignments shall be commensurate with the skills of the Psychologist Under Supervision and procedures shall be planned in consultation with the licensed supervising psychologist. (7-1-93)

iii. Public announcement of fees and services, and contact with lay or professional public shall be offered only by and in the name of the supervising licensed psychologist or his institutional affiliate. However, if the Psychologist Under Supervision is employed by either a privately financed agency or corporation or a publicly funded agency or corporation; then public announcement of fees and services with lay or professional public may be offered in the name of those organizations as long as the supervised status of the Psychologist Under Supervision and the name, address and telephone number of the licensed supervising psychologist are made clear to the public. (7-1-93)

iv. Setting and collecting of fees shall remain the sole domain of the licensed supervising psychologist or his institutional affiliate. However, if the Psychologist Under Supervision is employed by either a privately financed agency or corporation or a publicly funded agency or corporation; then the setting and collecting of fees may be offered in the name of those organizations as long as the supervised status of the Psychologist Under Supervision and the name, address and telephone number of the supervising psychologist are made clear to the public; and with the exception that when a supervisee provides psychological services, third party payers shall be informed of this occurrence in writing at the time of billing. (7-1-93)

v. All persons receiving services from a Psychologist Under Supervision shall sign a written notice indicating their understanding that the service provider is a Psychologist Under Supervision and that the licensed supervising psychologist is responsible for their activity. A copy of the signed written notice will be maintained on file with the licensed supervising psychologist. (7-1-93)

vi. The licensed supervising psychologist's proficiencies will be commensurate with the services provided by the Category II Psychologist Under Supervision. (7-1-93)()

601. -- ~~649~~24. (RESERVED).

625. EMPLOYMENT OF UNLICENSED, NON-EXEMPT INDIVIDUALS (RULE 625).
Psychologists may employ unlicensed, non-exempt individuals only to perform services which do not constitute the practice of psychology or the activities and services of another licensed profession. The psychologist assumes full responsibility for the services provided by the employee. ()

626. -- 649. (RESERVED).

IDAPA 24 - BUREAU OF OCCUPATIONAL LICENSES

24.14.01 - RULES OF THE STATE BOARD OF SOCIAL WORK EXAMINERS

DOCKET NO. 24-1401-0801 (FEE RULE)

NOTICE OF RULEMAKING - PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Section(s) 54-3204, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 15, 2008.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

The Board of Social Work Examiners operates on fees paid by its licensees. The Board's expenses have been exceeding its revenues. This fee increase will help balance the Board's annual budget.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased:

Section 225 adds an inactive status as allowed by passage of H361 in the 2008 session. Section 300 increases fees for application, original license, and renewal fees by \$10; increases endorsement fee by \$5; and finally, establishes renewal fees for inactive status for Licensed and Licensed Masters Social Worker at \$30 and Licensed Clinical Social Worker at \$35.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking:

This fee would have a positive impact on dedicated funds of approximately \$33,970 based on 2,997 licensees and approximately 400 applications per year. The fiscal impact to dedicated funds for inactive status would be dependant on how many people choose an inactive status over an active license or over not renewing.

NEGOTIATED RULEMAKING: Pursuant to 67-5220(1), Idaho Code, negotiated rulemaking was not conducted because the increase is needed to help balance the Board's annual budget.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Cherie Simpson at (208) 334-3233.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 22, 2008.

DATED this 18th day of August, 2008.

Tana Cory
Bureau Chief
Bureau of Occupational Licenses
1109 Main St. Ste. 220
Boise, ID 83702
(208) 334-3233 Ph. (208) 334-3945, fax

THE FOLLOWING IS THE TEXT OF DOCKET NO. 24-1401-0801

203. -- ~~249~~24. (RESERVED).

225. INACTIVE STATUS (RULE 225).

01. Request for Inactive Status. Each person requesting an inactive status during the renewal of their active license must submit a written request and pay the established fee. ()

02. Inactive License Status. ()

a. All continuing education requirements will be waived for any year or portion thereof that a licensee maintains an inactive license and is not actively practicing or supervising in Idaho ()

b. Inactive license renewal notices and licenses will be marked "Inactive." ()

c. When the licensee desires active status, he must show acceptable fulfillment of continuing education requirements for the previous twelve (12) months and submit a fee equivalent to the difference between the inactive and active renewal fee. ()

d. Licensees shall not practice in Idaho while on inactive status. ()

226. -- 249. (RESERVED).

(BREAK IN CONTINUITY OF SECTIONS)

300. FEES (RULE 300).

To administer and carry out the provisions of this Act, the following fees are established: (7-1-93)

01. Application and Original License Fee. Application and Original License Fee for licensed clinical social worker or licensed masters social worker or licensed social worker - ~~Fifty~~ sixty dollars (\$~~50~~60). (~~5-3-03~~)()

02. Examination Fee. Examination fee will be set by the Board in concordance with the testing service fees. (7-1-93)

03. Endorsement and License Fee. Endorsement and License Fee for licensed clinical social worker or licensed masters social worker or licensed social worker - ~~Fifty-five~~ sixty dollars (~~\$55~~60). (~~5-3-03~~)()

04. Renewal Fee. Renewal Fee: (7-1-93)

a. Licensed Clinical Social Worker -- ~~Sixty~~ Seventy dollars (\$~~60~~70). (~~5-3-03~~)()

b. Licensed Masters Social Worker -- ~~Fifty~~ Sixty dollars (\$~~50~~60). (~~5-3-03~~)()

c. Licensed Social Worker -- ~~Fifty~~ Sixty dollars (\$~~50~~60). (~~5-3-03~~)()

d. Inactive Licensed Clinical Social Worker -- Thirty-five dollars (\$35). ()

e. Inactive Licensed Masters Social Worker -- Thirty dollars (\$30). ()

f. Inactive Licensed Social Worker -- Thirty dollars (\$30). ()

- 05. Reinstatement Fee.** Reinstatement fees in accordance with Section 67-2614, Idaho Code. (7-1-93)
- 06. All Fees Under This Act Are Non-Refundable.** All fees under this Act are non-refundable.
(7-1-93)