

**WEST VIRGINIA
SECRETARY OF STATE
NATALIE E. TENNANT
ADMINISTRATIVE LAW DIVISION**

Form #5

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2009 JUL 27 PM 4:05

SECRETARY OF STATE
STATE OF WEST VIRGINIA

**NOTICE OF AGENCY ADOPTION OF A PROCEDURAL OR INTERPRETIVE RULE
OR A LEGISLATIVE RULE EXEMPT FROM LEGISLATIVE REVIEW**

AGENCY: WV Board of Examiners of Psychologists TITLE NUMBER: 17

CITE AUTHORITY: 30-21-6

RULE TYPE: PROCEDURAL INTERPRETIVE

EXEMPT LEGISLATIVE RULE

CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW

AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 2

TITLE OF RULE BEING AMENDED: Organization and Procedures of the
Board of Examiners of Psychologists

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: _____

TITLE OF RULE BEING PROPOSED: _____

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE
EFFECTIVE DATE OF THIS RULE IS January 1, 2010

Diana M. G. [Signature]
Authorized Signature

STATE OF WEST VIRGINIA
BOARD OF EXAMINERS OF PSYCHOLOGISTS
P.O. BOX 3955 * CHARLESTON * WV * 25339-3955
TELEPHONE (304)558-3040 * WVPSYCHOLOGYBD@MAIL.STATE.WV.US * FAX (304) 558-0608
www.wvpsychbd.org

July 24, 2009

Natalie Tennant
Secretary of State's Office
Building 1, Suite 157-K
1900 Kanawha Blvd., East
Charleston, WV 25305-0770

Dear Secretary of State Tennant:

The Board of Examiners of Psychologists proposes to revise Title 17 Series 2, by adding a supervision contract.

Sincerely,


Jeffrey Harlow, Ph.D.
Executive Director

STATE OF WEST VIRGINIA
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Fellow Psychologists,

As the current Board became aware that certain legislative changes discussed by past Boards (e.g. changes such as requiring supervised psychologists to obtain CE units and timelines for taking the EPPP) had never been implemented, the last version of revisions was obtained and updated. The updating work was a collaborative effort and included both the current and the most recent past School Psychologist members who reworked the section pertaining directly to School Psychologists. Using the past Board's last revision of proposed updates as a base, the Board actively sought varying opinions, consulted and gained input from fellow psychologists and other relevant sources (including input from the Executive Director), and all worked together, conferencing, to make final modifications before unanimously approving the updates for public comment.

Previous Boards implemented a protocol for continuing, rather than failing, licensure candidates who were not prepared for independent licensure based on their competency products and presentations at the oral exams. The Board frequently has discussed the issue of individuals finding out years into supervision that they were not getting what they needed to prepare them to competently practice independently. It is clear that multiple supervisory experiences are more effective and the Board wishes to encourage internships. Furthermore, when an individual is continued at the oral exam, they are often required to obtain a new supervisor. Doctorate level applicants get scrutinized at oral exams after one to two years of supervision. For individuals completing five years of supervision such a lengthy lack of oversight, or being allowed to operate at a potentially poor level of competence for so long, is not compatible with the Board's duty of ensuring the public welfare. More timely oversight is paramount to that duty. Discovering and correcting any deficiencies at an earlier date is preferable and is more productive.

To meet the Board's obligation, a revised protocol was outlined and is presented in the final version of the Legislative Rule update. As part of this process, the Board was required to either hold a public hearing or to post the proposed updates for public comment. The Board followed protocol by submitting the updates for public comment, and made further efforts to gather and incorporate input and feedback. The Board actively sought and was gratified to receive constructive comments during the public comment period. The Board sent more than 700 notices to psychologists and requested WVPA cooperation in the call for public comments. All comments received by the Board were reviewed, discussed, and examined by the Board for feasibility. Key areas of comment involved the desire to see a greater increase in the number of hours required in the Master's level program of study and the Board's proposed protocol for more timely review of Master's level applicant's work products in the form of the competency package materials and subsequent oral exams once the applicant is deemed by the Board as ready for such. Clearly, the Board has no desire to lessen standards for licensure. The Board's intent is not to bestow licenses without merit, only to review competency in a timelier manner, correct any deficiencies, and license individuals when warranted. The Board, in line with its duty to protect, has determined it is in the best interest of both the public and the individual supervisee to require midway reviews for Master's level supervisees, increase the number of credit hours required in the Master's level

program of study, and to also require completion of a structured experiential component as part of the program of study. If necessary and appropriate, the Board may further stipulate an increase in the EPPP passing score for all examinees.

Conservatively, only individuals with one year of practicum and internship experience will be considered for licensure after four years of supervision. Such individuals must have their supervisor's consent for readiness and be recommended for oral exam by the Board after its review of the individual competency package, which must be submitted with the written request to sit for the oral exam. The Board also reserves the right to require the supervisee to complete the fifth year of supervision. All other Master's degree applicants must still complete five years supervised experience. Furthermore, it should be established that the Board's concern and duty is public protection and ensuring that individuals applying for licensure are competent; that they have gained the requisite skills and knowledge and can competently apply them. All revisions are for the sole purpose of protecting the public.

Regarding the Supervision Contract, the Board has determined that a change in language requiring on-site supervision is feasible. With the new language the supervisor is now required to provide at least one of the compulsory individual supervision sessions per quarter at the location(s) where the supervisee provides services, thus allowing more freedom in the supervision arrangement while still requiring direct contact with, and knowledge of, the practice setting by the supervisor. Again, the goal is greater oversight.

In closing, the Board wishes to thank those who put obvious effort into well considered and constructive comments. Upon submitting the previous version of updates for public comment in June, the Board allowed room for further refinement and distillation of the Rules to aid in its intent. With your help we have arrived at a final document to help us meet our goal of serving the people of the State of West Virginia by ensuring the public welfare. The final version of the Legislative Rule updates is available for review on the Board website. Again, the Board thanks all those of good intent and honest endeavor for their studied participation.

Sincerely and on behalf of the members of the West Virginia Board of Examiners of Psychologists,



Tina M. Yost, Ed.D.
President

Terry Sigley, MA, Secretary
Robert Martin, MA
Toni Parsons, Ph.D.
William Brezinski, MA
Father Jude Molnar, Lay Member
Michael Folio, Lay Member

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**TITLE 17
PROCEDURAL RULE
PSYCHOLOGISTS**

2009 JUL 27 PM 4:05

SECRETARY OF STATE
STATE OF WEST VIRGINIA

**SERIES 2
ORGANIZATION AND PROCEDURES OF THE BOARD
OF EXAMINERS OF PSYCHOLOGISTS**

' 17-2-1. General.

1.1. Scope. -- These procedural rules establish the organization of meetings and employees of the Board, the procedures and definitions for Board consideration and processing of applications for licensing, and the procedures for examinations, notification, temporary permits, renewals and registers.

1.2. Authority. -- W. Va. Code ' '30-21-5, 6(a)(6), 6(a)(7), 7(a)(5), 7(b)(1), 7(b)(2), 7(d), 8 and 9.

1.3. Filing Date. --

1.4. Effective Date. --

' 17-2-2. Organization Of Meetings Of The Board.

2.1. The Board shall hold its annual meeting each year in the Spring for the purpose of organizing for the following fiscal year.

2.2. All other meetings shall be called as provided for in the West Virginia Code.

2.3. The Board shall elect a President and secretary from its membership for the term of one (1) year, such election to occur at the annual meeting.

2.4. If, at a time that the Board is acting as an unassembled or oral-examination or investigation hearing body, either a member of the Board or an applicant before the Board judges that a member cannot act without partiality, that member of the Board may be excused from acting on that case.

2.5. No major action of the Board involving such matters as changes in the Rules and Regulations or approval or denial of licenses may be taken without the affirmative vote of a majority of the Board.

' 17-2-3. Employees Of The Board.

3.1. The President of the Board may employ a staff secretary, as funds permit, whose duty shall be to attend all meetings of the Board, to prepare formal minutes under the direction of the statutory secretary and to furnish such clerical assistance as may be required for the proper functioning of the Board.

3.1.1. The Board may employ or contract with an Executive Director to perform duties as set forth by the Board.

3.2. The President of the Board may, from time to time, on a per diem plus expenses basis, employ persons to function as consultants in such instances where the Board deems it necessary to obtain advice on substantive issues regarding the revocation of a license for reason of incompetence or malpractice.

'17-2-4. Special Procedures And Definitions For Board Consideration Of Applications Made For Licensing Under Provisions Other Than Standard, With Examination.

4.1. American Board of Examiners in Professional Psychology.

4.1.1. When a person applies for licensing under this provision, the West Virginia Board of Examiners shall communicate with the American Board of Examiners in Professional Psychology of the American Psychological Association to verify that the candidate has indeed been awarded a diploma by that body.

4.1.2. A completed and notarized application form shall be required from the applicant to initiate consideration for licensing.

4.2. Reciprocity provision.

4.2.1. When a person applies for licensing under this provision, the West Virginia Board of Examiners shall assume responsibility for obtaining information from the other state(s) needed to determine whether the requirements for obtaining such other license(s) or certificate(s) was (were) at least as great as provided in the West Virginia Code.

4.2.2. License or certificate is interpreted to mean only those granted by other states under statutory provisions.

4.2.3. A completed and notarized application form shall be required from the applicant to initiate consideration for licensing.

4.2.4. Even if the West Virginia Board has a reciprocity agreement with another state, such reciprocity is not automatic. All reciprocity applicants must submit documentation that shows that they meet all the requirements of the West Virginia Board, including, but not limited to, university transcripts, national exam scores, documentation of supervision, and any correspondence from licensure granting board(s) pertaining to limitations of disciplinary procedures.

4.3. Notification. -- When a decision has been reached by the Board, the applicant shall be informed, in keeping with the general procedure for such notification as provided for in the Rules and Regulations.

'17-2-5. Procedures For Processing Of Applications Made Under The Standard Provision, With Examination.

5.1. A completed application file shall consist of the completed and notarized application form, transcripts of all graduate work completed, endorser forms from two (2) psychologists who are familiar with the applicant's work experience, at least one (1) of whom must be a West Virginia and/or American Psychological Association member.

5.2. The Board shall examine the transcript of every applicant to determine whether his degree was awarded by an accredited institution of higher learning with adequate course study in psychology as defined in Section 2 of the Interpretive Rules (Series 3) of the Board.

5.3. The Board shall evaluate the acceptability of the professional experience presented by the applicant for consideration in keeping with Section 3 of the Interpretive Rules (Series 3) for the Board.

5.4. When the application file (5.1 of these rules) is complete and judged to be potentially acceptable by the Board, the applicant shall be notified in writing as to the time and place of the examinations. It shall be the duty of the applicant to inform the Board Executive Director in writing of their intent to appear for the examination(s), or to state the reasons why it is not feasible to appear at the time and place stated. If an applicant fails to appear after indicating he/she would do so, he/she will have to show reasons why the application should not be voided.

If a candidate is scheduled for the examination a second time and does not appear, without legitimate excused reasons, the candidate may lose eligibility for the examination.

5.5. Further procedures for processing applications under the standard provision are described in Section 6 of these rules, which follow.

' 17-2-6. Examinations.

6.1. The Board shall adopt the examination provided by the Association of State and Provincial Psychology Boards as part of its official examination. For licensure, the applicant must correctly answer seventy percent of the questions on the examination.

6.1.1 The Board, upon its discretion may approved a prior raw score of 70 % correct as a passing score on the written examination, provided the applicant petition the Board for consideration of the request.

6.1.2. Applicants are strongly urged to take the written examination the first time it is offered after application for licensure.

6.1.3 Approved applicants currently in the process who have not taken the written examination are strongly urged to take the examination the first time it is offered after the enactment of these rules unless otherwise excused from the examination by the Board. All approved applicants will have the applicable amount of time to pass the examination, that is, a master level candidate will have five (5) years and the doctoral candidate up to two (2) years to obtain a raw score of 140 on the examination.

6.2. Applicants shall also take a Board-prepared essay and/or oral examination, which shall cover such matters as professional ethics, determining the applicant's competency to conduct himself in a professional manner, to probe their knowledge and judgment and to assure that the applicant appropriately limit the scope of their independent practice to the extent of their training and supervision experience.

6.2.1 The supervision log (as required in 17-3-9.4 of Series 3 of the Board's Rules and Regulations) must accompany all applicant's to their oral examination. After the examination the supervision logs will be returned. All supervision logs created after the enactment date of these rules will be required at the applicant's oral examination.

6.2.2. At the applicant's oral examination, three work samples, a final report of supervision, a demonstrable competency form (completed by the applicant's supervisor/s) shall be submitted. These materials, will serve as the basis for the applicant's scope of independent practice.

6.2.3 If the licensee plans to change their scope of practice subsequent to licensure, the licensee shall notify the Board. The Board may request completion of new materials and another oral examination.

6.3. The essay and/or oral examination for each applicant shall be scored on a five (5) point scale by each member of the Board present at the examination, employing ratings as follows:

- 5.0 excellent
- 4.0 good
- 3.0 fair
- 2.0 poor
- 1.0 very poor

6.4. A mean score of three (3.0) on the essay and/or oral examination derived from the ratings of all examiners will be required for passing.

6.5. Consideration of the application form and supporting material submitted by the applicant or obtained by the Board shall be considered an unassembled examination.

6.6. Although the above criteria will serve as guidelines, the final decision of the Board will be based on all available information concerning the candidate's professional ability to function as a psychologist within the requirements of the law.

6.7. Final determination of pass/fail will be based on the majority opinion of the Board.

6.8. Examinations will normally be scheduled not more than twice a year.

6.9. If an applicant fails the oral examination and expects to be engaged in psychological activities in the State of West Virginia, he must obtain supervision for his work, according to the specifications set down in Section 6 of the Interpretive Rules (Series 3) for the Board, until such time as he takes and passes the oral exam at a second sitting. If the applicant fails the oral exam the second time, if he wishes to take it a third time, he must petition the Board for permission to do so, supporting such petition with evidence that he has taken action to correct the deficiencies which resulted in the first two (2) failures.

6.9.1 If the applicant fails to pass the written examination within the allowed exempted supervision period (up to two (2) years for doctoral applicants and five (5) years for master applicants) the candidate will not longer be eligible for independent practice. Their work must be performed as a Psychological Assistant under the direct and regular supervision of a licensee as prescribed in Series Three of the Rules and Regulations. These individuals shall not supervise any work performed by other classifications of practitioners.

6.10. The Board may require an applicant to retake only part of the oral examination.

6.11 If an licensee obtains a graduate degree, in most cases this will be a master level licensee obtaining a doctoral degree, subsequent to being licensed, the licensee is required to make application to the Board, pay all required fees, complete all required materials, and set for an oral examination in order for the licensee to be considered licensed at the new degree level.

The purpose of the process is to approve the degree as acceptable to the Board, that the degree meets all statutory requirements, and for the licensee to present new or additional competencies and professional practice intentions. Until the process is successfully completed, the licensee shall continue to present themselves as the original degreed licensee.

17-2-7. Notification.

7.1. The Executive Director shall notify each applicant, by mail and in a timely manner of his or her success or failure on the written or oral examinations.

7.2. In the case of denial of a license, the letter shall include a statement of reasons the Board used in making its decision and a description of the appeal possibilities open to the applicant.

'17-2-8. Temporary Permits.

8.1. The secretary of the Board is authorized to issue a temporary permit when the application is considered to meet the requirements of W. Va. Code '30-21-7(a)1, 7(a)2, 7(a)3, 7(a)4, 7(a)6, and 7(a)7. Granting a temporary permit by the Secretary does not assure the future granting of a regular license.

8.2. For W. Va. Code '30-21-9(a)(1), in addition to the completed application form, a letter of request for a temporary permit must accompany the letter.

8.3. For W. Va. Code '30-21-9(a)(2) the regular application form for licensing will be required along with whatever endorsement procedures are required according to that person's credentials. The fee for a temporary permit must accompany the application form.

8.4. Except for unusual circumstances which have been specifically approved by the Board, holders of temporary permits under provision W. Va. Code '30-21-9(a)(1) will be required to qualify and take the examination at the next scheduled testing time.

Even though an applicant holds a license in another state, a temporary permit is not automatically granted. These applicants must first prove their applications for full licensure would meet the requirements of a standard or reciprocity provision. Thus, such applicants shall submit proof of the existing license(s), any letter they have received from their Boards pertaining to non-standard licensure provisions, appropriate university transcripts, and national examination scores.

8.5. Holders of temporary permits must have such permits available for inspection on request.

8.6. ABEPP and reciprocity applicants will also be required to obtain a temporary permit in order to practice in the state until the time that a regular license for the regular period can be issued.

'17-2-9. Renewals.

9.1. License periods shall be dated quarterly (first day of January, April, July and October) and shall expire two (2) years after the granting of the license.

9.2. Thirty (30) days prior to expiration date of each license, the secretary of the Board shall notify each licensee who is due for renewal. Failure to receive such a notice will not relieve the registrant of the responsibility of renewing their license if the licensee intends to continue the practice of psychology in West Virginia.

9.3. On each application for renewal the applicant must present to the Board documentary evidence of the completion of educational programs designed to improve the professional competence of the licensee. Licensed psychologists are required to acquire twenty (20) direct contact hours of Board-approved continuing education credits during their first two years of licensure and every two (2) years thereafter. Programs having the approval of the American Psychological Association and its affiliated regional organizations, or of the West Virginia Psychological Association will be approved by the Board. If a complaint has been received regarding the competency or ethics of the licensee or an investigation is in progress, the renewal will not be issued until the investigation is concluded in such a manner as to satisfy the Board concerning the competency and ethics of the

of the applicant.

9.3.1. Thirty (30) hours of continuing education credits or a valid National Certification card issued by the National Association of School psychologists are/is required for the renewal of a Level I or II School Psychology license. Programs having the approval of the National Association of School Psychologists and its affiliated regional organizations, or of the West Virginia School Psychologists Association will be approved by the Board.

9.4. The Board reserves the right to renew a license after the normal expiration date if the circumstances justify such action.

'17-2-10. Registers.

10.1. On or about July 1 of each year a register shall be prepared containing the names and occupational addresses of all persons who hold licenses or temporary permits in psychology. The register will also include the names, addresses, and supervisor/s of all approved candidates for psychology or school psychology licensure.

10.2. A charge per copy shall be made to all persons requesting a copy of the register.

'17-2-11. Supervision Contract.

11.1. The Board shall create, and update as needed, a Supervision Contract to be completed by the supervisor and supervisee prior to initiating supervision toward licensure. As noted in §17-3-8-, Supervisors and their Supervisees shall sign and adhere to the Board's Supervision Contract, which is based on Legislative Rule, APA Code as included in the Legislative Rules (see §17-3-6), and procedures determined by the Board to be fundamental to effective supervision. The Supervision Contract shall be signed and approved by the Board prior to initiation of the Supervised practice. The current Board Supervision Contract is as follows:

State of West Virginia
Board of Examiners of Psychologists
Supervision Contract

Purpose: As required under Title 17, Series 3 of the West Virginia Board of Examiners of Psychologists Legislative Rules, Psychologists and School Psychologists must complete a period of supervision prior to licensure. To clarify the rules of supervision and the roles of both the Supervisor and Supervisee, this contract serves as a written record verifying the agreement between the Supervisor and the Supervisee as approved by the Board of Examiners of Psychologists, hereafter referred to as The Board.

Imperative to the purpose of supervision and this contract are the following:

- 1) Ensuring the public welfare
- 2) Promoting learning and readiness for licensure
- 3) Monitoring and reporting the Supervisee's progress at regular intervals

- 4) Fulfilling all requirements of the applicable state codes and regulations in preparation for licensure as a Psychologist or School Psychologist in the State of West Virginia.
- 5) Discontinuing, or sanctioning, Supervisors who do not adhere to the rules imposed for the above purposes.

Supervision Requirements:

- 1) Supervisors will provide a minimum of 1 hour of individual supervision per 20 hours of the Supervisee's clinical practice, with a minimum of 1 hour per week regardless of hours spent in practice. Individual supervision sessions must occur no less frequently than every 2 weeks.
- 2) In addition to a minimum of 6 hours per month of individual face-to-face supervision for Full Time Supervisees, group supervision and other venues of supervision such as grand rounds, and/or multidisciplinary supervision as delineated in the individual's supervision contract may constitute 2 hours per month of the total supervision experience.
- 3) Individual supervision is in person, face-to-face, unless express permission to do otherwise for a minimal portion of the supervision hours is granted by Board majority and is documented in this contract. At least once per quarter, one of the required individual face-to-face sessions shall occur at the location(s) where the Supervisee is providing services. Furthermore, supervision sessions do not occur in a public setting.
- 4) The Supervisee will be a W-2 employee of the Supervisor or the agency for which the Supervisee works. Only psychologists licensed for independent practice may provide services on a contract basis.
- 5) The Supervisee practices under the Supervisor. The Supervisor maintains legal and ethical responsibility for the Supervisee's actions and practice. Appropriate professional liability insurance coverage must be in place.
- 6) The Supervisee must sign all work with the designation "Supervised Psychologist".
- 7) The Supervisor is available to the Supervisee via phone or in person during the hours of supervisee practice.
- 8) Arrangements will be specified between the Supervisor and Supervisor for supervisory coverage during times when the supervisor is unavailable.
- 9) The Supervisee must practice only within certain herein specified areas in which the Supervisor is deemed competent to supervise.
- 10) When the Supervisee plans to practice outside the Supervisor's approved scope of practice, competent adjunctive supervision must be arranged in advance, Board approved, and included in this contract or an approved addendum to this contract.
- 11) The Supervisor will maintain familiarity with the Supervisee's clients' presenting concerns, treatment plans, treatment progress, and treatment termination plan.
- 12) The Supervisor will intervene appropriately when client welfare is at risk.
- 13) In addition to thorough review and co-signing of written work (e.g. notes, reports, or other written statements or documents), there must be sufficient observation of the Supervisee's work, whether in vivo or via recorded material, to enable the Supervisor to provide accurate assessment of the Supervisee's performance.
- 14) The Supervisor will provide timely and constructive feedback to the

- Supervisee. The Supervisor subsequently reassesses the work of the Supervisee in a reasonable time frame to make certain that the Supervisee is incorporating the feedback into practice.
- 15) Formal written evaluations of Supervisee performance will be completed by the Supervisor and reviewed and signed by both parties at least quarterly during the period of supervision and submitted to the Board.
 - 16) The Supervisor will maintain and submit to the Board, in a timely and accurate manner, a supervision log including, but not necessarily limited to, content of supervision sessions, training activities, and evaluation procedures and results. The supervision log, in written format approved by the Board, is to be co-signed by both Supervisor and Supervisee.
 - 17) Supervision sessions will include discussion of areas of concern, conflict, and/or failure of either party to abide by agreements and directives delineated in this supervision contract. If concerns cannot be resolved within the supervision process, either or both parties will contact the Board for assistance.
 - 18) Any Supervisor of record during the 12 months prior to the Supervisee's oral examination will be available for telephone consultation with the Board at the time of the Supervisee's initial oral examination. If continuation of Supervision is required, the Supervisor agrees to attend the Supervisee's subsequent Oral Exam by the Board.
 - 19) Clinical supervision shall not include any potentially problematic multiple relationships between the Supervisor and Supervisee. Any type of business relationship outside the parameters stated in this Supervision Contract is strictly prohibited between the Supervisor and Supervisee. Other potentially problematic relationships include, but are not limited to, therapeutic, familial, and financial.
 - 20) Supervisor and Supervisee understand and agree that sexual and/or romantic relationships between the two parties are always unethical and should never occur.
 - 21) Supervisors must obtain 14 hours of Board approved training in Supervision by January 2010.
 - 22) Supervision will not be limited to case discussion. Supervisors will employ a variety of strategies such as observation, reading assignments, or co-therapy.
 - 23) Both parties will maintain current knowledge of HIPAA and other pertinent legal, ethical, and regulatory guidelines and responsibilities.
 - 24) In case of emergency, Supervisee will contact Supervisor at locations specified herein.
 - 25) If applicable, fees for supervision shall be paid as designated in this contract.
 - 26) Either party can terminate this contract at any time, and both Supervisor and Supervisee will notify the Board in writing within ten (10) days of any such termination. In such case, both parties are responsible for making certain the supervisee's patients receive appropriate referrals so that any potential negative impact to treatment is held to a minimum.

INDIVIDUAL CONTRACT CONDITIONS
(TO BE COMPLETED BY SUPERVISEE AND SUPERVISOR)

Name and degree of Supervisee: _____

Name and degree of Supervisor: _____

Name and degree of Adjunctive Supervisor, if applicable: _____

Population(s) Supervisee will serve (And/or other related psychological activities):

Specific location(s) where Supervisee will provide service:

Specific location where individual face-to-face supervision will occur:

Supervisee's intended scope of supervised practice (For potential areas of supervised practice you may refer to the Demonstrable Competency form found on the Board's website):

Supervisor shall initial all areas of intended Supervisee practice in which Supervisee will engage and in which Supervisor is competent and approved to supervise.

Adjunctive supervisor, if applicable, scope of practice:

Adjunctive Supervisor shall initial all areas of intended Supervisee practice in which Adjunctive Supervisor will be supervising and is competent and approved to supervise.

Supervisors intended specific supervision strategies/approaches to be used:

In case of emergency, Supervisee will contact Supervisor(s) by the following means:

Supervisor:
Office telephone:
Home telephone:
Mobile telephone:
Pager:
Other means:

Adjunctive Supervisor:
Office telephone:
Home telephone:
Mobile telephone:
Pager:
Other means:

Other resources for emergency situations:

Fee for supervision, if applicable

Fee for supervision shall be paid by: _____ Supervisee

Other (identify): _____

Fee for supervision shall be (\$ _____) per hour to be paid on a _____
(weekly, monthly, quarterly, as billed) basis.

This supervision contract shall be subject to revision at any time, upon the request of Supervisor or Supervisee. A formal review and re-execution of this supervision contract shall be completed at least annually. Revisions shall only be implemented with consent and approval of both Supervisor and Supervisee and approval of The Board. The undersigned Supervisor and Supervisee agree to uphold the directives specified in this supervision contract and to conduct all professional activities and behavior in accordance with all applicable professional ethical standards and legal and regulatory requirements.

This contract shall be effective _____ and shall be terminated _____
(date) (date and/or conditions)

Supervisee

Supervisee Signature

Date

Supervisor

Supervisor Signature

Date

Adjunctive Supervisor

Adjunctive Supervisor Signature

Date

Supervision contract approved by West Virginia Board of Examiners of Psychologists (WVBEP).

WVBEP Supervision Coordinator

WVBEP Supervision Coordinator Signature

Date



STATE OF WEST VIRGINIA
BOARD OF EXAMINERS OF PSYCHOLOGISTS
P.O. BOX 3955 * CHARLESTON * WV * 25339-3955
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STEP 5B OF LEGISLATIVE RULE MAKING PROCESS

The Board of Examiners of Psychologists proposes to amend Series 2 of Title 17 – Legislative Rule Psychologists – Organization and Procedures of the Board of Examiners of Psychologists

This Board elected to conduct a comment period. Beyond posting the proposed rule changes in the State Register, the Board (a) Placed the proposed rule changes on it's web site; (b) Mailed 719 notification postcards to all licensed psychologists and school psychologists, as well as all supervised-psychologists and supervised school psychologists; and (c) notified via email the West Virginia Psychological Association of proposed rule changes so it could make its members aware of them. By the conclusion of the comment period the Board had received the comments detailed on the following pages. In accordance with step 5B.2, each comment is included verbatim and is followed by the Board's response.

STEP 5B - 2. COMMENTS AND RESPONSES TO COMMENTS SERIES 2

A

Tom Stein,
Ed.D.

Public Hearing Request

Master's 3 year supervision

Behavioral Health Centers

A-COMMENT

Dear WVBOEP members,
I hope this finds each of you in good health and good spirits.
Today I write to express my personal discomfort with the magnitude of your proposed revisions for Series 2 and 3 of Title 17..
Having been a Board member myself who worked alongside others, and witnessed first hand the competence variability among licensure candidates at the time they presented for oral examination, I can easily recall the Board's decision to attempt to improve the supervision that supervised psychologists received.
Likewise I can recall the early subsequent efforts the Board made and the Board's decision to seek input from recognized experts in WV, the series of meetings and work sessions that ensued in that regard. And clearly I acknowledge that much additional efforts have been expended by Board members since my departure from the Board related to the goal of arriving at better supervised experiences for persons in the licensure tract who are working as supervised psychologists. I appreciate the Board sponsored supervision training recently held in Charleston. While personal and family issues combined to prevent me from attending the second day of that training event where perhaps greater explanations were provided to attendees by the Board, presently I find myself in the position of not fully understanding how all of the proposed revisions will work to achieve the ultimate desired outcome that I know the Board has related to supervision of supervised psychologists being better prepared for independent practice as a licensed psychologist. And since I had supervision courses as part of my doctoral studies, and also participated as a Board member in the early efforts to improve supervision, and likewise am presently involved as a supervisor of record for a supervised psychologist, I conclude that my lack of understanding must be less than what other licensed psychologists are likely experiencing. Therefore I would urge the Board to delay meeting with the Legislature to urge adoption of the proposed Rules, and to instead convene either a series of regional public hearings over the remainder of the summer in various parts of the state, or to request extended amount of time from the WVPA at it's scheduled Fall conference to allow the Board the opportunity to share it's reasoning as to how these proposed changes will likely achieve an improvement for supervised psychologists.

It should come as no surprise to any member, aside from the new school psychologist and new lay member, that I think the proposed changes related to education and training for both masters and doctoral programs of study, are severe mistakes. I find the Board's posture of trying to implement such dramatic changes highly suspicious given the complete lack of any public statement of rationale being pro-offered by the Board, and as the WVPA two year moratorium on any discussions within WVPA related to licensure law being prohibited is about to expire within a few months. If this Board attempts to comfort itself with the rationalization that it isn't addressing the "law", just some "rules", it saddens me. While I doubt this Board's ability to provide any data driven rationale that would support such dramatic changes, I urge this Board to put forward it's explanations of why such changes are warranted. And I would remind the Board members that it's principal responsibility is to protect the public, and not to make it easier for masters trained graduates to become licensed, nor easier for behavioral health centers to find persons to work for salaries far out of line with what licensed psychologists earn in other states.

Neither of these two principal areas have been adequately explained by the Board. Please delay presenting the proposed Rules changes to the Legislature. Instead, hold public hearings first.

BOARD RESPONSE

Public Hearing Request: In accordance with the "Step Procedures for Legislative Rule Making" a board must decide under Step 5 "whether it will hold a public hearing and/or comment period for the proposed rule." This Board elected to conduct a comment period. Beyond posting the proposed rule changes in the State Register, the Board (a) Placed the proposed rule changes on it's web site; (b) Mailed 719 notification postcards to all licensed psychologists and school psychologists, as well as all supervised-psychologists and supervised school psychologists; and (c) Notified via email the West Virginia Psychological Association of proposed rule changes so it could make its members aware of the proposed changes the call for public comment.

B

B-COMMENT

To the members of the Board of Examiners:

<p>Steve Cody, Ph.D.</p> <p><u>Off-Site Supervision</u></p> <p><u>Public Hearing Request</u></p>	<p>The rule revisions recently presented for public comment are in my view significant for both the number and the magnitude of some of the changes involved. For the most part the changes involving supervision are positive, though I have colleagues expressing concern over language that seems unclear in matters of off-site supervision and the practice/status of supervisors with respect to the supervisee's place of practice. On the whole, however, I'm all for improving supervision. I have more issues with the revisions involving educational requirements and definition of MA internships.</p> <p>I strongly urge the Board to take the time needed to consider the range of issues and concerns that are raised by the proposed revisions, if only because the revisions are significant and there are a significant number of things involved. I believe a public hearing is necessary in order for the range of issues to be recognized and perhaps to allow the Board to resolve some of those issues through its responses. It will take time to address all these items but it will be worth it to achieve a final product that will achieve desired results and avoid some serious consequences. Thank you for your attention.</p> <p><u>BOARD RESPONSE</u> <u>Off-Site Supervision:</u> Multiple respondents commented that requiring all supervision be provided on site would impede the provision of psychological services to West Virginia residents who live in rural areas. In light of this valid rationale, the Board decided to amend Series 2 and will now permit off site supervision as long as two of the required hours of face-to-face supervision shall occur on site at least once every quarter. <u>Public Hearing Request:</u> In accordance with the "Step Procedures for Legislative Rule Making" a board must decide under Step 5 "whether it will hold a public hearing and/or comment period for the proposed rule." This Board elected to conduct a comment period. Beyond posting the proposed rule changes in the State Register, the Board (a) Placed the proposed rule changes on it's web site; (b) Mailed 719 notification postcards to all licensed psychologists and school psychologists, as well as all supervised-psychologists and supervised school psychologists; and (c) Notified via email the West Virginia Psychological Association of proposed rule changes so it could make its members aware of the proposed changes the call for public comment.</p>
<p><u>C</u></p> <p>Neal Morris, Ed.D.</p> <p><u>Public Hearing Request</u></p>	<p><u>C Comment</u></p> <p>I think that considerable dialog may be appropriate; thus, I endorse the idea of multiple public hearings so that West Virginians, including licensed psychologists may fully appreciate these proposals within the context of Title 17 provisions. Thank you for consideration of these remarks.</p> <p><u>BOARD RESPONSE</u> <u>Public Hearing Request:</u> In accordance with the "Step Procedures for Legislative Rule Making" a board must decide under Step 5 "whether it will hold a public hearing and/or comment period for the proposed rule." This Board elected to conduct a comment period. Beyond posting the proposed rule changes in the State Register, the Board (a) Placed the proposed rule changes on it's web site; (b) Mailed 719 notification postcards to all licensed psychologists and school psychologists, as well as all supervised-psychologists and supervised school psychologists; and (c) Notified via email the West Virginia Psychological Association of proposed rule changes so it could make its members aware of the proposed changes the call for public comment.</p>
<p><u>D</u></p> <p>Marty Amerikaner, Ph.D.</p> <p><u>Off-site Supervision</u></p>	<p><u>D Comment</u></p> <p>Regarding Series 2 (the Supervision Contract), my primary concern has to do with the following wording:</p> <p><u>3) The Supervisor must practice at the site where the Supervisee is providing services, and the required minimum hours of face-to-face individual supervision will occur onsite, unless express permission to do otherwise granted by Board majority is documented in this contract.</u></p> <p>This wording is problematic, particularly for small agencies or practices and/or rural areas, where access to qualified supervisors can be problematic. What does "practice" mean in the first phrase? What is the rationale for requiring that the supervisor "practice" at the site? Does this require that the supervisor be a full time employee of the site or do all of their clinical practice at the same site as the supervisee? If so, it will strongly impede the possibility of sites with no licensees hiring new psychologists; given the desirable goal of the profession towards integrating psychological practice into other health care providing programs such as medical practices, this requirement seems to be unnecessarily restrictive. What is wrong with an approved supervising psychologist with appropriate competencies being a part time contractual supervisor with that agency (assuming appropriate arrangements for emergencies are in place)? This would allow him/her to deal with HIPPA issues, and provide supervision as</p>

<p><u>Public Hearing Request</u></p>	<p>needed by the supervised psychologist. Without such a provision, there can be real “paralysis” at an agency or clinic. Is it reasonable to assume that the best supervisor for a specific supervisee is always an employee of that agency who already practices there? Further, the phrase “at the site” needs to be clarified? Is that specifying “in the same physical building as the supervisee? All the time? For a multi-site agency, this is quite problematic.</p> <p>The requirement that all face to face to supervision occur on site also seems overly restrictive. I can imagine a variety of very appropriate reasons why supervision might occur- at least periodically- at the full time office of the supervisor (who might have access to more extensive training materials or technology than is available at the supervisee’s practice site). Further, it is quite possible to do very acceptable “face to face” supervision using secure telehealth technology that allows for live, real time face to face interaction; it isn’t at all clear what the rationale would be to eliminate the utility of such technology just as it is gaining wider usage in rural and underserved areas such as in West Virginia.</p> <p>I genuinely appreciate the Board’s desire to improve the practice of psychology. However, the proposed changes to the Rules are extensive and yet no real rationale, data or other basis for the proposals are provided, and many of the specific wordings used are problematic for the reasons discussed above. I request and look forward to the opportunity of a public hearing or other communication vehicles to continue discussing approaches to improving our law and our rules to more fully protect the public.</p>
	<p><u>BOARD RESPONSE</u> <u>Off-Site Supervision:</u> Multiple respondents commented that requiring all supervision be provided on site would impede the provision of psychological services to West Virginia residents who live in rural areas. In light of this valid rationale, the Board decided to amend Series 2 and will now permit off site supervision as long as two of the required hours of face-to-face supervision shall occur on site at least once every quarter. <u>Public Hearing Request:</u> In accordance with the “Step Procedures for Legislative Rule Making” a board must decide under Step 5 “whether it will hold a public hearing and/or comment period for the proposed rule.” This Board elected to conduct a comment period. Beyond posting the proposed rule changes in the State Register, the Board (a) Placed the proposed rule changes on it’s web site; (b) Mailed 719 notification postcards to all licensed psychologists and school psychologists, as well as all supervised-psychologists and supervised school psychologists; and (c) Notified via email the West Virginia Psychological Association of proposed rule changes so it could make its members aware of the proposed changes the call for public comment.</p>
<p><u>E</u> Jeannie Sperry, Ph.D. <u>Public Hearing Request</u></p>	<p><u>E-COMMENT</u></p> <p>Thank you for accepting and reviewing my comments and concerns about the recently proposed changes to Series 2 and 3 of our Rules. Much effort has been expended on these proposed changes. I applaud the effort, and the intent to protect the public by carefully considering the practice of psychology in the state. There are aspects of the proposal that I support wholeheartedly and believe are overdo. There are other aspects that are concerns for me, and if implemented, I believe could result in unfortunate consequences to profession of psychology and the public we serve. Therefore, I request public hearings on this proposal be held in multiple locations throughout the state to address questions and concerns for psychologists and concerned citizens.</p> <p>My comments regarding the substance of the proposed changes are in <i>italics</i>. My comments are not all-inclusive as I will plan to attend public hearings as well.</p> <p><u>BOARD RESPONSE</u> <u>Public Hearing Request:</u> In accordance with the “Step Procedures for Legislative Rule Making” a board must decide under Step 5 “whether it will hold a public hearing and/or comment period for the proposed rule.” This Board elected to conduct a comment period. Beyond posting the proposed rule changes in the State Register, the Board (a) Placed the proposed rule changes on it’s web site; (b) Mailed 719 notification postcards to all licensed psychologists and school psychologists, as well as all supervised-psychologists and supervised school psychologists; and (c) Notified via email the West Virginia Psychological Association of proposed rule changes so it could make its members aware of the proposed changes the call for public comment.</p>
<p><u>F</u></p>	<p><u>F-COMMENT</u></p> <p>I wish to express several concerns about the proposed rule changes by the licensing board.</p>

<p>Joe Wyatt, Ph.D.</p> <p><u>Off-Site Supervision</u></p> <p><u>Part-Time Supervision</u></p>	<p>1. The first concerns this proposal: "The Supervisor must practice at the site where the supervisee is providing services and the required minimum hours of face-to-face individual supervision will occur onsite..."</p> <p>The board has provided no rationale for either of these proposals, although I assume it wishes to prevent sloppy, or poorly done supervision. Surely the board's concern is that a given supervisor must be available to his or her supervisee. However, physical presence at a practice site is not equivalent to availability. Numerous smaller agencies, and satellite offices of larger agencies may employ one or only a few professionals. The proposed change would severely, and in my view without adequate rationale, limit delivery of services.</p> <p>Moreover, the proposed rule change fails to define the term "site." For example, if a supervised psychologist and his supervisor work at a given community mental health center, but the supervisor mostly remains at the central office while the supervisee works mainly at a satellite office, do they work at the same site?</p> <p>Another problematic portion of this proposal is that it would eliminate a supervisee obtaining supervision from a part-time supervisor. Why would the board assume that a part-time supervisor would provide less adequate services than a supervisor who works full-time at the site? A part-time supervisor may possess expertise that an on-site supervisor does not have. For example, consider areas such as neuropsychology, behavioral therapies, and consider populations such as the developmentally disabled and geriatric individuals. Not every supervisor can provide supervision for every population or problem behavior. The board should recognize that, as it already recognizes the vast array of competencies, and drop this proposal.</p> <p>Within an agency, where a supervisor and supervisor work under the same roof, at the same fairly large site such as a hospital where fairly large physical distance may make phone consultation quite beneficial, would a brief telephone consult of five or ten minutes be considered face-to-face? If so, why wouldn't such a phone consultation be useful and legitimate for the supervisor and supervisee who are separated by several miles?</p> <p>In the proposal there is a provision that exceptions may be made with "express permission" of the board. That seems like an invitation to disputes, accusations of double standards and the like, when the board attempts to apply it to individual cases.</p> <p>This "practice at the same site" provision is problematic to the extent that I recommend it either be dropped or quite powerfully justified.</p>
	<p><u>BOARD RESPONSE</u></p> <p><u>Off-Site Supervision:</u> Multiple respondents commented that requiring all supervision be provided on site would impede the provision of psychological services to West Virginia residents who live in rural areas. In light of this valid rationale, the Board decided to amend Series 2 and will now permit off site supervision as long as two of the required hours of face-to-face supervision shall occur on site at least once every quarter.</p> <p><u>Exceptions:</u> The clause to which the author is referring appears in Series 2. It will not be amended. The Board reserves the right to deal with unique situations on a case by case basis.</p>
<p><u>G.</u></p> <p>Ken Devlin, MA</p> <p><u>Off-Site Supervision</u></p>	<p><u>G-COMMENT</u></p> <p>I have been actively involved in the provision of telehealth for the past three yrs. as well as the promotion of this service delivery vehicle to better reach WV consumers. The provision of these services is now ongoing through some of the behavioral centers.</p> <p>My concerns include:</p> <ul style="list-style-type: none"> • The absence of any standard procedural or ethical guidelines • The involvement of supervised psychologists re the physical location of their supervisor during the provision of these services <p>I testified in court yesterday where the judge seemed satisfied with the position of another licensed psychologist who recalled his supervision being provided on a weekly basis by a supervisor in, I presume, another program but geographically distant.</p>

Under current guidelines (lack thereof), a supervised psychologist could possibly provide services via a cell phone with video to a recipient with a cell phone with video if medical confidentiality was protected (also no standards) & supervised at the end of the week by someone somewhere else? Although the cell phone is probably an exaggeration, it falls within the realm of what could be & some provider groups are likely to find what is the smallest investment to capture the billable service.

It would be very helpful if the Board took a lead in this issue that is no longer in the future. I can offer input from Medicaid & possibly the Insurance Commission.

BOARD RESPONSE

Off-Site Supervision: Multiple respondents commented that requiring all supervision be provided on site would impede the provision of psychological services to West Virginia residents who live in rural areas. In light of this valid rationale, the Board decided to amend Series 2 and will now permit off site supervision as long as two of the required hours of face-to-face supervision shall occur on site at least once every quarter.

H.

Sarah Jarvis,
MA

Public Hearing

Off-Site
Supervision

H-COMMENT

Dear WVPA Members,

Attached with this document is my letter regarding the proposed changes to Series 2 and Series 3. My letter represents a student's perspective to the proposed changes. As a student and hopeful future psychologist in West Virginia, I feel thankful and appreciative that the Board of Examiners has given us the opportunity for open feedback on such an important issue. I feel that this action by the Board shows how deeply vested each member is to the betterment of psychology in West Virginia and I hope that other student members will review these proposed changes and comment as they see fit. Additionally, I support others in a call for an open public forum to further discuss these important issues. Thank you all for the time.

Finally, I am considered about the proposed requirement for supervisors to be onsite, as outlined in Series 2, Number 3. Within West Virginia, there is already a tremendous need for psychologists, particularly in some of our state's more rural regions. In hopes of helping meet these needs, my doctoral program in particular prides itself in its ability to serve some of these patients via our rural practicum, while at the same time receiving high quality training in clinical psychology. While on these practicum rotations, our students are paired with an onsite preceptor who serves as a liaison between the site and university (by providing feedback on the student's performance), assists in crisis intervention, and other activities. We then met face-to-face with a licensed psychologist for individual supervision, 1hour/per week and take part in group supervision with a licensed psychologist (faculty member) 1.25 hours/per week to discuss cases and didactics. If the Board were to approve of their proposed measure, I can foresee unfortunate consequences for students, agencies who currently appreciate the services we provide and the alliance they have with the university, and would further limit the care rural, underserved patients receive. I feel like I cannot stress enough how this would impact the level of training we receive and affect those we serve via this avenue. I do appreciate and value the idea of having a licensed psychologist at the site; however, I am not sure this is practical.

BOARD RESPONSE

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Off-Site Supervision: Multiple respondents commented that requiring all supervision be provided on site would impede the provision of psychological services to West Virginia residents who live in rural areas. In light of this valid rationale, the Board decided to amend Series 2 and will now permit off site supervision as long as two of the required hours of face-to-face supervision shall occur on site at least once every quarter.

<p>I</p> <p>Bill Phelps, MA, MS</p> <p><u>Public Hearing Request</u></p>	<p><u>I-COMMENT</u></p> <p>Public hearings would seem to be important as well as more discussion at WVPA Business meetings. Bill Phelps</p> <hr/> <p><u>BOARD RESPONSE</u></p> <p><u>Public Hearing Request:</u> In accordance with the "Step Procedures for Legislative Rule Making" a board must decide under Step 5 "whether it will hold a public hearing and/or comment period for the proposed rule." This Board elected to conduct a comment period. Beyond posting the proposed rule changes in the State Register, the Board (a) Placed the proposed rule changes on it's web site; (b) Mailed 719 notification postcards to all licensed psychologists and school psychologists, as well as all supervised-psychologists and supervised school psychologists; and (c) Notified via email the West Virginia Psychological Association of proposed rule changes so it could make its members aware of the proposed changes the call for public comment.</p>
<p>J.</p> <p>Kevin Larkin, Ph.D.</p> <p><u>Off-Site Supervision</u></p>	<p><u>J-COMMENT</u></p> <p>§17-3-9. Standards for Supervision of Applicants for Licensure</p> <p>9.2. Although traditionally, supervision has been defined as face-to-face contact between the supervising psychologist and the applicant, there are emerging technologies that will enable supervision over secured video systems. I would hope the Board would have the foresight to allow for these emerging technologies in their rules, as they may be of great value for a rural state like WV. I also noted that the proposed revisions require the supervisor to be a full-time employee of the same firm or agency as the applicant. The Board should give this some serious thought. Such a requirement might have the unintended consequence of preventing provision of psychological services at rural sites that have no full time licensed psychologist employees to serve as supervisors. In these cases, it would seem prudent for the law to at least permit supervision by a licensed psychologist with clinical privileges at that site (e.g., access to the facility, medical records, authority to sign charts, etc...).</p> <hr/> <p><u>BOARD RESPONSE</u></p> <p><u>Off-Site Supervision:</u> Multiple respondents commented that requiring all supervision be provided on site would impede the provision of psychological services to West Virginia residents who live in rural areas. In light of this valid rationale, the Board decided to amend Series 2 and will now permit off site supervision as long as two of the required hours of face-to-face supervision shall occur on site at least once every quarter.</p>
<p>K.</p> <p>David Blair, Ph.D.</p> <p><u>On-Line Doctoral Programs</u></p> <p><u>Public Hearing Request</u></p>	<p><u>K-COMMENT</u></p> <p>Dear Board Members:</p> <p>I am writing in response to your request for feedback and public comment regarding the proposed revisions to the psychology licensing law and hope you will accept these comments and concerns in the spirit of improving the practice of psychology in West Virginia and offering the highest levels of professional care to our citizens. The Board has no doubt put a good deal of time and energy into examining the existing law, and your efforts are appreciated. The proposal, however, has raised a number of questions and concerns that I believe the Board should consider before offering any changes to the Legislature, as would be expected with any change in legislation.</p> <p>As others have noted, these proposals will have a significant impact in a variety of areas, including the definitions of acceptable training and continuing education, the practice of supervision and its impact on practitioners at various levels of training, the process by which applicants are evaluated for competency to enter practice in our state, the quality and process of oral examination, qualifications to perform specialty practice such as neuropsychology or forensic psychology, and at what point psychological tests should be considered outdated, and others. Of particular concern is the level of training required for licensure and an effective means for guaranteeing the level of quality of training from programs that exist out of the mainstream, notably Internet-based degree-granting programs and programs that are not affiliated with face-to-face doctoral-level training. It would also be useful to explore the fit between the proposed revisions and both the ASPPB practicum guidelines for licensure and APA's work on its revised model licensing act.</p> <p>If the licensing law is to define the practice of psychology, it must do so with clarity and thoughtfulness, and be in keeping with national standards and current best practices. We, the practitioners and the public, need for a clear and understandable rationale for any proposed changes, as they relate to the protection of the public and the support of best professional practices in the state. Without this information, we cannot be aware of what problems the Board has determined would need to be fixed, and why the particular changes proposed were considered to be the best solutions, in the public</p>

	<p>interest. 7-6-09 C. David Blair, Ph.D.</p> <p>The next step is to ensure an open and continuing dialog between the Board and those affected by the licensing law, by holding public hearings. The potential impact of the proposed changes on the future of psychological services provided to the people of West Virginia is significant, and this will give the Board an opportunity inform both providers and citizens of the potential changes and answer questions that both groups may have. This is a crucial step and should not be avoided.</p> <p>I believe we all appreciate the efforts that the Board is making to be aware of changes that may affect the practice of psychology, and the work that has gone into the current set of proposed changes. After hearing and discussing the rationale for the proposed changes at the future public hearings, I will be in a better position to understand and comment upon the revisions you are suggesting.</p> <p>Thank you for your time in considering this feedback and suggestions.</p> <p><u>BOARD RESPONSE</u></p> <p><u>Public Hearing Request:</u> In accordance with the "Step Procedures for Legislative Rule Making" a board must decide under Step 5 "whether it will hold a public hearing and/or comment period for the proposed rule." This Board elected to conduct a comment period. Beyond posting the proposed rule changes in the State Register, the Board (a) Placed the proposed rule changes on it's web site; (b) Mailed 719 notification postcards to all licensed psychologists and school psychologists, as well as all supervised-psychologists and supervised school psychologists; and (c) Notified via email the West Virginia Psychological Association of proposed rule changes so it could make its members aware of the proposed changes the call for public comment.</p>
<p><u>L</u></p> <p>David Clayman, Ph.D.</p> <p><u>Public Hearing Request</u></p>	<p><u>L-COMMENT</u></p> <p>Please be advised that I request that a public hearing be held regarding the proposed rule changes. No rationale has been provided for these changes and I am concerned that while some of the changes are worthwhile, others will lower qualifications. This is not good in the only state that continues to license Master's level psychology providers equal to Doctoral. Others have provided specific comments that can be expanded upon at the hearing.</p> <p><u>BOARD RESPONSE</u></p> <p><u>Public Hearing Request:</u> In accordance with the "Step Procedures for Legislative Rule Making" a board must decide under Step 5 "whether it will hold a public hearing and/or comment period for the proposed rule." This Board elected to conduct a comment period. Beyond posting the proposed rule changes in the State Register, the Board (a) Placed the proposed rule changes on it's web site; (b) Mailed 719 notification postcards to all licensed psychologists and school psychologists, as well as all supervised-psychologists and supervised school psychologists; and (c) Notified via email the West Virginia Psychological Association of proposed rule changes so it could make its members aware of the proposed changes the call for public comment.</p>

STEP 5B 3 AND 4

AMENDMENTS MADE TO PROPOSED TITLE 17, SERIES 2 AS A RESULT OF COMMENTS OR OTHER INFORMATION RECEIVED AND REASONS FOR THE AMENDMENTS.

Supervision Contract – Supervision Requirements

TEXT AMENDMENT

3. Individual supervision is in person, face-to-face, unless express permission to do otherwise for a minimal portion of the supervision hours is granted by Board majority and is documented in this contract. At least once per quarter, one of the required individual face-to-face sessions shall occur at the location(s) where the Supervisee is providing services. Furthermore, supervision sessions do not occur in a public setting.

REASONS PERTINENT TO SPECIFIC COMMENT TOPICS

This statement was moved from position 4 to position 3. Regarding comments, multiple respondents commented that requiring all supervision be provided on site would impede the provision of psychological services to West Virginia residents who live in rural areas. In light of this valid rationale, the Board decided to amend Series 2 and will now permit off site supervision as long as two of the required hours of face-to-face supervision shall occur on site at least once every quarter.

Supervision Contract – Supervision Requirements

TEXT AMENDMENT

4. The Supervisee will be a W-2 employee of the Supervisor or the agency for which the Supervisee works. Only psychologists licensed for independent practice may provide services on a contract basis.

REASONS

4. There were no changes or comments to this statement but it was moved from number 3 to number 4.