

Form #6

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HB 100 authorizing, **Title 17, Series 3, Qualifications for Licensure as a Psychologist**, passed the Legislature on **May 26, 1993**. It is now awaiting the Governor's signature.

You have sixty (60) days after the Governor signs HB 100, to final file the legislative rule with the Secretary of State's office. To final file your legislative rule, fill in the blanks on the enclosed form #6, the "Final Filing" form and file the form with our office. Authorization for your legislative rule is cited in **HB 100** section **64-9-21(d)**. The agency may set the effective date of the legislative rule up to ninety (90) days from the date the legislative rule is final filed with the Secretary of State's office. Please have an authorized signature on the bottom line.

*****IMPORTANT: IF YOUR AGENCY HAS COMPLETED THE LEGISLATIVE RULE ON A COMPUTER SYSTEM THAT USES A 3 1/2" OR 5 1/4" DISK, PLEASE SUBMIT A CLEAN COPY, WITH ALL UNDERLINING AND STRIKE-THROUGHS TAKEN OUT, TO OUR OFFICE WHEN FINAL FILING THE RULE. STATE ON THE DISK THE FORMAT THE RULE IS IN AND THE TITLE IT IS FILED UNDER. THIS WILL MAKE IT QUICKER FOR US TO ENTER YOUR RULES ON THE LEGISLATIVE DATA BASE. REMEMBER THE TEXT OF THE COMPUTER FILED RULE MUST BE IDENTICAL - WORD FOR WORD, COMMA FOR COMMA, WITH ALL UNDERLINING AND STRIKE-THROUGHS TAKEN OUT, AS THE HARD COPY AUTHORIZED BY THE LEGISLATURE.**

After the final rule is entered into the legislative data base, the rule will be sent to the agency for review and proofing. Following confirmation or corrections, as the case may be, the Secretary of State shall submit to the agency a final version of the rule for their records.

If you have any questions or need any assistance, please do not hesitate to call our office.

Thank You
Administrative Law Division

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TITLE 17
LEGISLATIVE RULES
PSYCHOLOGISTS
SERIES 3

QUALIFICATIONS FOR LICENSURE AS A PSYCHOLOGIST
AND/OR A SCHOOL PSYCHOLOGIST

17-3-1. General.

1.1 Scope. -- this legislative rule defines the qualifications of training, experience, supervision, professional ethics and responsibilities required for an individual to become licensed as a psychologist and/or school psychologist.

1.2 Authority. -- West Virginia Code 30-21-6

1.3 Filing Date. --

1.4 Effective Date. --

17-3-2. Requirements of Graduate Degree Granting Institutions.

2.1. A degree is in psychology if the applicant took the course of study in a department of psychology, a department of educational psychology, or a department of education in psychology, or in a university department with the official designation containing the words "psychology" or "psychological".

2.2. The term "accredited institute of higher learning" means universities that meet standards such as the North Central Association of Schools and Colleges. In any case, the degree must come from a university with academic standards no lower than those of the state of West Virginia's two (2) graduate degree-granting institutions: West Virginia University and Marshall University. The Board reserves the right to investigate the credentials of any university in order to evaluate an applicant's training.

17-3-3. Masters Level Training Requirements.

West Virginia Code 30-21-7 requires that master's level applicants hold a "masters degree in psychology". For this degree to be adequate a minimum of twenty-four (24) semester hours of graduate

credit must be earned in courses clearly identified by title and course content as being psychological in nature. Psychology masters degree course study is adequate if 80 percent of the required courses to earn the masters degree, excluding the practicum and masters thesis, are earned through on-campus classes of the degree granting university.

17-3-4. Doctoral Level Training Requirements.

4.1. West Virginia Code 30-21-7 requires that doctoral level applicants possess a doctor of philosophy degree (Ph.D.), or it's equivalent. The Board or its Committee shall evaluate all equivalency applications. It is the responsibility of equivalency applicants to prove that their degrees are equivalent to a Ph.D. degree in psychology. The Board will not automatically grant equivalency status. Applications based on an equivalent degree may require more time to process because of the need to obtain more information.

4.2 At least half of the doctoral courses earned beyond the masters degree shall be clearly identified by title and course content as being psychological in nature, and must be shown to have been taught by a psychologist. The Board may interpret a specific course to be psychological in nature even though it is not labeled as a psychology course. The Board renders this opinion if it believes that the course is psychological in content and it has been taught by a psychologist.

4.3. For doctoral applicants, course study is adequate if 80 percent of the required courses to earn the doctoral degree were earned through on-campus classes of the degree granting university, excluding internship, practicum, master thesis, and dissertation hours. To be adequate, Ph.D. course study in psychology must include a pre-doctoral or post-doctoral internship. The Board may require an applicant who has not earned an internship or its equivalent to have an additional year of Board approved supervision.

4.4. An acceptable formal one-year internship or its equivalent must meet all the following criteria:

4.4.1. The internship was an organized training program, in contrast to supervised experience or on-the-job training, designed to provide the intern with a planned, programmed sequence of training experiences;

4.4.2. It's primary purpose is assuring breadth and quality of training;

4.4.3. There was a clearly designated licensed psychologist who was responsible for the integrity and quality of the internship program;

4.4.4. Internship supervision was provided by a staff member of the internship agency who was clinically responsible for the cases being supervised;

4.4.5. At least half of the internship supervision was provided by one or more psychologists;

4.4.6. The internship provided training in a range of assessment and treatment activities conducted directly with patients, agencies, or organizations seeking psychological services;

4.4.7. At least 25 percent of the intern's time involved direct contact with clients, agencies, or organizations seeking psychological services (minimum 375 hours);

4.4.8. The internship includes a minimum of two hours per week (40-hour work week) of regularly scheduled, formal, face-to-face, individual supervision with the specific intent of dealing with psychological services rendered directly by the intern;

4.4.9. The intern must have participated in at least two additional hours per week in learning activities such as case conferences, seminars, co-therapy, and group supervision, and additional individual supervision;

4.4.10. The internship experience (minimum 2000 hours) was completed within 24 months, although the Board may waive this requirement under exceptional circumstances.

17-3-5. Adequacy of Supervised Experience.

5.1. To meet the requirement of acceptable supervised experience the applicant must have been involved in the "practice of psychology" as defined in West Virginia Code 30-21-2 and must have performed competently at a professional level in order for the experience to be considered satisfactory in scope and quality. The Board will not accept experience limited to essentially repetitious and routine tasks at the professional level, e.g., administering and scoring structured tests, computing statistics by hand or machine, or assisting an instructor in psychology courses. Satisfactory professional experience includes tasks which depend upon the application of skills, concepts and principals made available during the applicant's formal professional education, e.g., administering and interpreting unstructured psychological tests; providing clients or patients assistance in solving their professional or personal problems; designing original research projects; analyzing and reporting research data; or teaching a psychology course. This acceptable experience must have been performed under the supervision of a licensed psychologist or by a psychologist with training and experience equivalent to that required by this state for licensure. The supervising psychologist must have been competent in the area of psychology in which the applicant was engaged. The supervision must also have been conducted according to the ethical standards described in Section 6 of this rule.

5.2. The term "year" means twelve (12) average work months, including leaves for vacation with pay, during which the applicant was engaged in employment on a full-time per week basis, except that in the case of academic employment the term "year" means the number of months normally associated with full-time employment in that institution. In cases of full-time employment the work schedule of the employing agency, clinic, institution, or organization will be accepted by the Board as meeting the requirement. In the case of part-time employment, the Board shall extend credit for such periods

of employment on a pro-rated basis, in such a manner that the number of hours actually worked per week will be divided by forty (40), and the resulting fraction shall be applied to the number of months of employment to determine the number of months credited to the applicant. For example, an applicant employed for sixteen (16) months, who worked twenty (20) hours per week would be given credit for eight (8) months of experience.

5.3. West Virginia Code 30-21-7 (a)(4) specifies that masters degree applicants must earn five (5) years of post-graduate Board approved supervised experience. When applicants obtain this experience while simultaneously pursuing graduate work toward the doctorate degree, the following guidelines apply. During the period in which an applicant was enrolled for ten (10) to thirteen (13) semester hours, the Board may credit up to twenty (20) hours per week supervised experience; and when enrolled for six (6) to nine (9) semester hours, the Board may credit up to forty (40) hours per week supervised experience.

5.4. When the applicant holds a Ph.D. or it's equivalent, West Virginia Code 30-21-7(a)(4) requires one year of Board approved supervised experience. If all requirements have been met for a degree and the only reason that awarding of the degree has been delayed is that the university's scheduled time for conferring degrees is one (1) or more months later, and if the applicant has begun work which meets the standards described in sub-section 5.1 and 5.2 of these rules, the Board may count the work experience from the time that all requirements of the degree were met. In such cases the Board will request verification from the department chairperson or program advisor.

5.5. Independent private practice does not meet the requirements for supervised experience. Independent means private practice wherein the psychologist does not maintain regular consultative relationships in regard to the management of his or her case load.

17-3-6. Professional Ethics.

The Board hereby adopts the Code of Ethics of the American Psychological Association as part of its rules, and all provisions of this Code of Ethics have the effect as if they were specifically promulgated regulations of the Board.

17-3-7. Responsibility of Licensees.

7.1. Licensees are responsible for familiarizing themselves with the provisions of West Virginia Code 30-21 and the Code of Ethics of the American Psychological Association and for practicing psychology in accordance with these documents.

7.2. In accordance with West Virginia Code 30-21-8, the licensee shall conspicuously display the license at his or her principal place of practice. The licensee is responsible for submitting a letter requesting renewal of his or her license together with the appropriate fee at least one (1) month prior to expiration of the license.

7.3. The licensee is responsible for keeping the Board Secretary informed of any changes in names, addresses, places of employment, types of psychological activities, or any other pertinent changes.

7.4. As described in Section 9 of this rule, the licensee is responsible for submitting information and reports in regard to persons for whom he or she is providing supervision.

17-3-8. Standards for Supervision of Individuals Working Under Direct and Regular Supervision of Licensees.

8.1. All individuals who provide psychological services and who are not either currently licensed or specifically exempted by West Virginia Code 30-21-2 must be supervised by a licensee. These individuals must provide psychological services under the critical observation of a licensee who is competent to evaluate those services.

8.2. Individuals requiring supervision by a licensee fall into one of these three categories:

8.2.1. Applicants for licensure who are obtaining the required supervised experience;

8.2.2. Assistants, technicians, or psychometricians with less than a masters degree who would not qualify for psychology licensure;

8.2.3. Students engaging in psychological activities as part of a course of study at an institution of higher learning.

8.3. Supervisors must be licensed or granted a temporary permit by the West Virginia Board of Examiners of Psychologists. The Board may revoke supervision privileges upon review of reasonable evidence of incompetence. Examples of incompetence include failure to provide adequate supervision or to provide prompt evaluation of the supervised individual's performance. A licensee shall limit supervision obligations to an extent which can be adequately managed.

17-3-9. Standards for Supervision of Applicants for Licensure

9.1. A licensee shall not enter into direct and regular supervision of applicants unless he or she is satisfied that the applicants are meeting the standards for supervision set forth in this rule. Licensees shall cease supervision when applicants, firms, or agencies employing applicants fail to comply with standards set forth in this rule. Licensees shall notify the Board in writing whenever they discontinue supervision for any reason with notification to be made within ten (10) days of the discontinuation of supervision.

9.2. Applicants must meet the following standards of supervision. They must be supervised directly by a licensee. For every twenty (20) hours of psychological activities, a minimum of one (1) hour of individual supervision is required. When the supervisor is not a full-time employee of the same firm or agency as the applicant, this supervision must occur at least twice in each calendar month. The supervisor, moreover, shall be available to the applicant for telephone consultation at all times during regular business hours. All psychological reports or other professional

opinions rendered by applicants shall be countersigned by the supervisor.

9.3. When applicants supervise a technician or assistant, this process must be discussed with the applicant's supervisor. The licensed supervisor is ultimately responsible for the quality of work produced by both the applicants and the technician or assistant. When supervising technicians or assistants, the applicant must be a full-time employee of the agency or firm which employs the assistant or technician. The licensed supervisor has the responsibility being informed of all psychological activities of the assistant or technician. The licensed supervisor must use his or her best professional judgment in determining how much time is necessary for the applicant to spend with the assistant or technician to assure quality of services provided.

9.4. The supervisor shall keep a diary listing the time and places of supervision separately for each applicant, as well as a brief notation of the subject matter, without identification of characteristics of the client or clients who may have been discussed during supervision. Firms or agencies employing licensees for the purpose of providing supervision shall keep a diary listing the names of applicants and licensees and the times when supervision has occurred. The supervisor shall submit a "report" of initiation of supervision form to the Board. In addition, the supervisor shall send supervision update forms to the Board on a semi-annual basis as follows: (1) September 1 to February 28th or 29th - report of activities due on April 1; (2) March 1 to August 31-report of activities due on October 1. When supervision is terminated, the supervisor must submit a final report within thirty (30) days of the termination of supervision. The final report may also serve as one of the semi-annual reports.

9.5. Supervision toward licensure in another state which took place prior to the date on applicant files for licensure in West Virginia may be partially or entirely credited to the applicant's record if this supervision meets the standards of the Board.

17-3-10. Standards for Supervision of Students

Students shall work directly under supervision of the course instructor. Instructors who function only within their regularly assigned college or university functions are not required to be licensed. Those instructors who provide psychological services outside of these limitations must be licensed. In all cases, instructors and students shall follow ethical principals and procedures in dealing with individuals and materials which become part of course work.

17-3-11. Standards for Supervision of Assistances, Technicians, or Psychometricians

8.9. On the semi-annual schedule described in Section 6.5, the licensee shall provide the Board with a list of assistants or technicians being supervised by him or her, along with a brief description of the principle responsibilities of each assistant or technician. Detailed logs of supervisory times and topics for technicians or assistants are not required. Individual semi-annual supervision reports are also not required.

17-3-12 Licensure of School Psychologists.

12.1 DEFINITIONS:

12.1.1. A Level I school psychologist means a "licensed school psychologist" as defined in West Virginia Code 30-21-(2).

12.1.2. Level II school psychologist means a "school psychologist independent practitioner" as defined in West Virginia Code 30-21-(2).

12.1.3. "Licensed psychologist" means a psychologist who has become licensed under the standard licensure provisions of the West Virginia Code.

12.1.4. Applicants with a "Certificate of Advanced Study" (CAS) means applicants who have earned an additional twenty-four (24) graduate course work credits including an internship beyond a

masters degree, and the CAS (or EDS) is a six (6) year academic degree.

12.1.5. "Level I license or licensure" means the requirements have been met and the license has been granted to the individual to practice school psychology as a licensed school psychologist.

12.1.6. "Level II license or licensure" means the requirements have been met and they license has been granted to the individual to practice school psychology as a school psychologist independent practitioner.

12.2. West Virginia Code 30-21-2(N) provides that a Level I school psychologist must provide his or her services on school property. School property includes buildings or office space which is owned, rented, or leased by the county school board or the West Virginia Board of Education. It also includes donated office space or buildings and private or parochial school facilities. This rule does not prohibit the provision of school psychology services in the Student's home (i.e., home bound services) when the services are part of the school psychologist's contract with the school board.

12.3 School Psychology Representative Membership on the Board: West Virginia Code 30-21-5a indicates that "at least one member of the board shall be a licensed school psychologist". This does not exclude Level II school psychologists from serving on the Board. Furthermore, it does not exclude a licensed psychologist who also possesses a Level I or Level II school psychology license.

12.4 Written Examination: Applicants for licensure as a Level I or Level II school psychologist must pass the National Association of School Psychologists (NASP) certification examination (National School Psychologists Examination). The minimum passing score applicants must obtain must be equal to or above one-half of one standard deviation below the mean (rounded up) for certificate of advanced study examinees or their equivalents.

17.3-13. Supervision Requirements for School Psychologist Applicants

13.1. Providers of Supervision for Level I Applicants: Supervised experience for Level I licensure shall be provided by Level I, Level II, or when necessary licensed psychologists. The Board will approve licensed psychologists to be supervisors only upon satisfactory documentation of school psychology experience.

13.2. Providers of Supervision for Level II Applicants: Supervised experience for Level II licensure shall be provided by Level II school psychologists, or when necessary licensed psychologists. The Board will approve licensed psychologists to be supervisors only upon satisfactory documentation of school psychology expertise.

13.3. General Supervision Requirements for Level I and Level II Applicants: Supervised experience referred to in West Virginia Code 31-21-7b and "Board approved supervision" referred to in West Virginia Code 30-21-7c consists of a minimum of one (1) hour of individual supervision for every twenty (20) hours of school psychology services provided by the applicant. When the supervisor is not located at the same work site, the supervisor and applicant must meet together for supervision sessions. The supervisor shall be available to the applicant for telephone consultation during the work day. If the applicant is a contractor with the school board, the reports must be co-signed by the supervisor. If the applicant is a full-time employee, his or her reports may be logged in the supervision record and need not be co-signed. However, all work must be reviewed by the supervisor.

13.4. Specific Supervision Requirements for Level I Applicants as Described in West Virginia Code 30-21-7b: Supervision of an applicant for at Level I licensure shall include all aspects of the applicant's professional practice. These aspects include, but are not limited to, evaluations, consultations, ethics, record keeping, and professional development. It is the applicant's

responsibility to maintain all forms and submit reporting forms to the Board. The duration of supervision is thirty (30) months.

13.5. Specific Supervision Requirements for Level II Applicants as Described in West Virginia Code 30-21-7.c: Supervision of an applicant for licensure at Level II shall include all aspects of the applicant's professional practice, as described in subdivision 13.4 of this rule. The applicant shall also receive supervision in the provision of independent (private) practice services. During the twenty (20) additional supervision months required for the Level II license, the applicant must receive supervised experience which provides competency in the following: record keeping, emergency psychology, duty issues, liability issues, abandonment concerns, confidentiality concerns, court concerns, business issues, supervision of other licensees, and professional practice ethics. The applicant may acquire these competencies either through actual private practice experience or through supervision preparation. The Board suggests, but does not require, that the applicant receive on-the-job experience in a private practice setting during the supervised experience. If the applicant works in a private practice setting, all creative work must be co-signed by the supervisor. It is the responsibility of the applicant and the supervisor to adequately prepare the applicant for Level II practice.

13.6. Supervision of Doctoral Applicants for Licensure as a Level II School Psychologist: The required supervision for doctoral applicants includes the activities as described in subdivision 13.4 and 13.5 of this rule. The amount of supervised time required for the doctoral applicant is one (1) year if an internship was completed and two (2) years if an internship was not completed.

13.7. All Applicants Shall Submit Supervision Report Forms on a Quarterly Basis.

17-3-14. Grandfathering of Applicants for Level I or Level II School Psychology License

14.1. Grandfathering Certified School Psychologist Applicants for Level I Licensure: The Board shall issue a Level I license to all certified school psychologists who have been practicing

school psychology for a period equaling three (3) academic years, who possess a Certificate of Advance Study or it's equivalent, and who apply for licensure prior to July 1, 1992 if the applicant passes the oral examination as required by the West Virginia Code 30-21-7-d.

14.2. Grandfathering Licensed Psychologist Applicants for Level I Licensure: Licensed psychologists may apply for Level I licensure if they have been approved by the State Department of Education to provide school psychology services to the schools. Level I licensure is recommended for these individuals if they perform services to schools but do not refer to themselves as "school psychologists". School psychological services provided by these licensees are limited by their areas of documented competence and experience, the adequacy of which shall be determined by the Board. As required by West Virginia Code 30-21-7.d, these applicants are required to pass an oral examination given by the Board.

14.3. Grandfathering of Certified School Psychologist Applicants for Level II Licensure: As required by West Virginia Code 30-21-7.d(2), no individual seeking eligibility for Level II licensure shall be grandfathered without first having met the requirements of West Virginia Code 30-21-7.b and having completed two (2) years of additional supervised experience. This experience is the experience described in sub-division 13.5 of this rule, or the equivalent thereof.

14.4. Grandfathering of Licensed Psychologist Applicants for Level II Licensure:

4.1. Licensed psychologists who are certified school psychologists possess eligibility for Level II by virtue of their license to practice psychology. They are not "seeking eligibility" as independent practitioners as described in 30-21-7d (2). The Board may grant these individuals a Level II license provided they pass an oral examination given by the Board.

4.2. Licensed psychologists who are not certified school psychologists but who practice as school psychologists in a private practice setting already possess eligibility for independent practice by virtue of their standard license to practice psychology. They are not "seeking eligibility" as independent practitioners as described in 30-21-7d (2). These applicants shall provide the Board with satisfactory documentation of training experience and are required to pass an oral examination given by the Board.

14.5. Exemption for County School Board Employed Certified School Psychologist: As described in West Virginia Code 30-21-2.g(3), a certified school psychologist who is employed as described in West Virginia Code 30-21-2k need not be licensed as a Level I or Level II school psychologist. However, these individuals shall not refer to themselves as "licensed" nor may they offer services under contract to any other county school board nor shall they offer school psychological services on a private or independent practice basis.

17-3-15

14.G. School Psychology Continuing Education Requirements for Licensed Psychologists:

Licensed psychologists who are grandfathered via sub-divisions 14.2 and 14.4 of this rule shall maintain their continuing education renewal requirements for their license to practice psychology in order to maintain their Level I or Level II license.