

Form #3

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STATE OF WEST VIRGINIA

Jenia M. Gost, Ed.D.
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 3, which describes the training requirements for licensure as a psychologist. The suggested revisions are to define the core coursework of acceptable psychology degrees; define an acceptable Master's degree internship; define who can be a psychometrician; update wording on the school psychology portions of this rule; update wording regarding supervision for school psychologist applicants; the addition of continuing education rules; add a section on psychological tests and assessments; and add wording referring to changes in Series 2 regarding the new supervision contract; update the standards for supervision; move from Series 2 the following: procedures for consideration of applications on the basis of ABPP certification and reciprocity, procedures for processing applications requiring written and oral examinations, a section on examinations that also changes the time to take and pass the examination to 2 years for all candidates, section on Temporary permits, and a section on renewal of licenses.

Sincerely,


Jeffrey Harlow, Ph.D.
Executive Director

STATE OF WEST VIRGINIA
BOARD OF EXAMINERS OF PSYCHOLOGISTS
P.O. BOX 3955 * CHARLESTON * WV * 25339-3955
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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

QUESTIONNAIRE

(Please include a copy of this form with each filing of your rule: Notice of Public Hearing or Comment Period; Proposed Rule, and if needed, Emergency and Modified Rule.)

DATE: 7/24/09

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: (Agency Name, Address & Phone No.) WV Board of Examiners of Psychologists
PO Box 3955
Charleston, WV 25339 304-558-3040
Street Address: 1205 Quarrier Street, Charleston, WV
25301

LEGISLATIVE RULE TITLE: ~~Title 17, Series 3, Qualifications for Licensure as a Psychologist~~
and/or School Psychologist

1. Authorizing statute(s) citation 30-21-6

2. a. Date filed in State Register with Notice of Hearing or Public Comment Period:

June 8, 2009

b. What other notice, including advertising, did you give of the hearing?

The Board sent a memo to all active psychologists, school psychologists, and supervised psychologists, this was posted to the state register and placed on the Board's web page for comment.

c. Date of Public Hearing(s) *or* Public Comment Period ended:

7/13/09 at 12pm

d. Attach list of persons who appeared at hearing, comments received, amendments, reasons for amendments.

Attached 22 Comments No comments received _____

- e. Date you filed in State Register the agency approved proposed Legislative Rule following public hearing: (be exact)

July 27, 2009

- f. Name, title, address and phone/fax/e-mail numbers of agency person(s) to receive all *written correspondence* regarding this rule: (Please type)

Kathleen Lynch, Administrative Assistant
WVBEP, PO Box 3955, Charleston, WV 25339
Phone: 304-558-3040
Fax: 304-558-0608
wvpsychologybd@mail.state.wv.us

cell: 304-552-7790

- g. **IF DIFFERENT FROM ITEM 'f'**, please give Name, title, address and phone number(s) of agency person(s) who wrote and/or has responsibility for the contents of this rule: (Please type)

Tina Yost, Ed.D., President
3 Markwood Drive
Fairmont, WV 26554

304-368-1053

3. If the statute under which you promulgated the submitted rules requires certain findings and determinations to be made as a condition precedent to their promulgation:

- a. Give the date upon which you filed in the State Register a notice of the time and place of a hearing for the taking of evidence and a general description of the issues to be decided.

N/A

b. Date of hearing or comment period:

N/A

c. On what date did you file in the State Register the findings and determinations required together with the reasons therefor?

N/A

d. Attach findings and determinations and reasons:

Attached N/A

A Brief Summary of the Proposed Rule

The changes to Title 17, Series 3 are to:

- a. Move wording from Series 2 into Series 3
- b. Update wording in various sections major changes to include:
 1. Define the core coursework of acceptable psychology degrees in 17-3-2.1.
 2. Define acceptable Master's degree internship in 17-3-5.4.
 3. Define who can be a psychometrician and degree requirements in 17-3-8.2.b.
 4. Add wording in 17-3-8.5 referring to the Supervision Contract to be added to Series 2.
 5. Update the Standards for Supervision in 17-3-9.
 6. Add from Series 2 procedures for consideration of applications on the basis of ABEPP certification and reciprocity, proposed in 17-3-12.
 7. Add from Series 2 procedures for processing applications requiring written and oral examinations, proposed in 17-3-13.
 8. Add from Series 2 a section on examinations which also changes the time to take and pass the examination to 2 years for all candidates, proposed in 17-3-14.
 9. Add from Series 2 a section on notification, proposed in 17-3-15.
 10. Update wording in proposed 17-3-16 and remove old wording regarding school psychologists.
 11. Update wording in proposed 17-3-17 regarding supervision for school psychologist applicants.
 12. Add from Series 2 a section on Temporary Permits proposed in 17-3-19.
 13. Add from Series 2 a section on Renewals proposed in 17-3-20.
 14. Add a section on continuing education in 17-3-21.3.
 15. Add a section on psychological assessment which explains specifically what psychological tests must be administered and interpreted by psychologists and what kinds of tests may be administered and interpreted by others licensed in their fields.

A Statement of Circumstances Which Require This Rule

Title 17 Series 3, Qualifications for Licensure as a Psychologist and/or School Psychologist

In conducting oral examinations and processing ethical complaints over the last five years it has become evident to the Board that to better meet its mission of protecting the public it needed to significantly improve the quality of supervision of candidates for licensure; more clearly define the requirements for continuing education; refine the oral examination process; specifically define the practice of psychology in regard to psychological assessment, more clearly describe the requirements for becoming licensed as a school psychologist or a school psychologist independent practitioner; and to make these improvements part of the Legislative Rule making process.

APPENDIX B
FISCAL NOTE FOR PROPOSED RULES

Rule Title: Title 17, Series 3 Qualifications for Licensure as a Psychologist and/or School Psy

Type of Rule: ☒ Legislative ☐ Interpretive ☐ Procedural

Agency: Board of Examiners of Psychologists

Address: PO Box 3955, Charleston, WV 25339
Street Address: 1205 Quarrier Street, Charleston, WV 25301

Phone Number: 304-558-3040 Email: wvpsychologybd@mail.state.wv.us

Fiscal Note Summary

Summarize in a clear and concise manner what impact this measure
will have on costs and revenues of state government.

None

Fiscal Note Detail

Show over-all effect in Item 1 and 2 and, in Item 3, give an explanation of
Breakdown by fiscal year, including long-range effect.

FISCAL YEAR			
Effect of Proposal	2005 Increase/Decrease (use "-")	2006 Increase/Decrease (use "-")	Fiscal Year (Upon Full Implementation)
1. Estimated Total Cost	0.00	0.00	0.00
Personal Services	0.00	0.00	0.00
Current Expenses	0.00	0.00	0.00
Repairs & Alterations	0.00	0.00	0.00
Assets	0.00	0.00	0.00
Equipment	0.00	0.00	0.00
Other	0.00	0.00	0.00
2. Estimated Total Revenues	0.00	0.00	0.00

Rule Title: Title 17, Series 3 Qualifications for Licensure as a Psychologist and/or School Psy

3. **Explanation of above estimates (including long-range effect):**
Please include any increase or decrease in fees in your estimated total revenues.

There will be no increase or decrease of fees.

MEMORANDUM

Please identify any areas of vagueness, technical defects, reasons the proposed rule **would not** have a fiscal impact, and/or any special issues **not** captured elsewhere on this form.

None

Date: 7/28/09

Signature of Agency Head or Authorized Representative

Jeff Hume, Ph.D.

**TITLE 17
LEGISLATIVE RULE
PSYCHOLOGISTS**

RECEIVED

SERIES 3

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

2009 JUN 27 PM 4:03

SECRETARY OF STATE
STATE OF WEST VIRGINIA

§17-3-1. General.

1.1. Scope. --~~This~~ These legislative rules ~~defines~~ define the rules of practice for licensed psychologists and/or school psychologists including professional ethics, responsibilities, and psychological testing. These legislative rules also define degree and training requirements, the application process, examinations, notifications, temporary permits, supervision, Continuing Education (CE), and renewals. qualifications of training, experience, supervision, professional ethics and responsibilities required for an individual to become a licensed as a psychologist and/or school psychologist.

1.2. Authority. -- W. Va. 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 and psychology, or in a university department with the official designation containing the words "psychology" or "psychological." Core graduate level coursework required to be considered as a potential candidate for independent licensure as a psychologist includes, but is not limited to, all of the following areas: clinical interviewing, diagnosis and treatment planning, psychopathology, biological bases of behavior, ethics, assessment of children and adults, individual psychotherapy, clinical practicum, clinical internship, and tests and measures. These core areas are deemed by the Board to be fundamental to the practice of psychology as defined in WV Code § 30-21-2.

2.2. The term "accredited institute of higher learning" is defined as colleges or universities that are accredited by one of the six nationally recognized regional accrediting agencies (North Central Association of Colleges and Schools, Western Association of Schools and Colleges, Southern Association of Colleges and Schools, New England Association of Schools and Colleges, Northwest Association of Schools and Colleges, Middle States Association of Schools and Colleges), or their successor associations. 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.

3.1. W. Va. Code §30-21-7 requires that master's level applicants hold a "master's degree in psychology." For this degree to be adequate, the program of study shall include a minimum of 60 semester hours of graduate credit. applicant shall have earned a minimum of twenty-four (24) semester hours of graduate credit in courses Coursework shall be clearly identified by title and course content as being psychological in nature. A Psychology master's degree course of study is adequate only if eighty percent (80%) or more of the required courses to earn the master's degree, excluding the practicum and masters thesis, are earned through on-campus classes of the degree granting university. The same core coursework requirements listed in §17-3-2.1. apply to all new applicants effective on January 1, 2012.

§17-3-4. Doctoral Level Training Requirements.

4.1. W. Va. Code §30-21-7 requires that doctoral level applicants possess a doctor of philosophy degree (Ph.D.), Psy.D., or the 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 shall 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 completed for credit beyond the masters degree, for those with an equivalency application, shall be clearly identified by title and course content as being psychological in nature, and must be shown to have been taught by a an individual with a graduate degree in psychology 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 shall render this opinion if it believes that the course is psychological in content and ~~it~~ has been taught by an individual with a graduate degree in psychology a psychologist.

4.3. The doctoral degree course study in psychology shall include a pre-doctoral or post-doctoral internship approved by the American Psychological Association or arranged through a program of study at an accredited institution of higher learning, its equivalent. The Board ~~may~~ shall require an applicant who has not completed ~~either a pre-doctoral or post-doctoral internship or their equivalent or completed an American Psychological Association approved pre-doctoral or post-doctoral internship~~ such an internship to have an additional year of Board-approved supervision beyond the required one year.

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

a. The internship shall be 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;

b. Its primary purpose shall be to assure breadth and quality of training;

c. There shall be a clearly designated licensed psychologist ~~who was~~ responsible for the integrity and quality of the internship program;

d. Internship supervision shall be provided by a staff member of the internship agency; ~~who was the staff member~~ is clinically responsible for the cases being supervised;

e. At least half of the internship supervision shall be provided by one (1) or more psychologists;

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

g. At least twenty-five percent (25%) of the intern's time shall involve direct contact with clients, agencies, or organizations seeking psychological services (minimum 500 hours);

h. The internship shall include a minimum of two (2) 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;

i. The intern shall participate in at least two (2) additional hours per week in learning activities such as case conferences, seminars, co-therapy, ~~and~~ group supervision, and additional individual

supervision;

j. The internship experience (~~minimum 2000 hours~~) shall be full time based on APA standards, and shall be completed within twenty-four (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 supervised-psychologist~~ shall be involved in the "practice of psychology," as defined in W. Va. Code §30-21-2 and shall perform competently at a professional level in order for the experience to be considered satisfactory in scope and quality. The Board shall not accept experience limited to essentially repetitious and routine tasks at the pre-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 principles made available during the applicant's formal professional education, e.g., administering and interpreting unstructured psychological tests; the psychological evaluation, prevention, and improvement of adjustment problems of individuals and groups; providing clients or patients assistance in solving their professional or personal problems; and other activities outlined in W.VA. Code §30-21-2. ~~designing original research projects; analyzing and reporting research data; or teaching a psychology course.~~ This acceptable experience shall be 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 shall be competent in the area of psychology in which the ~~applicant was supervised-psychologist~~ is engaged. The supervision shall be conducted according to the ethical standards described in Section 6 of this rule.

5.2. The term "year" is defined as twelve (12) average work months, including leaves for vacation with pay, during which the ~~applicant was supervised-psychologist~~ is 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 the case of full-time employment, the work schedule of the employing agency, clinic, institution or organization shall 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 prorated basis, in such a manner that the number of hours actually worked per week ~~will~~ shall 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 supervised-psychologist; for example, an applicant a supervised-psychologist~~ employed for sixteen (16) months, who worked twenty (20) hours per week would be given credit for eight (8) months of experience.

5.3 W. Va. Code §30-21-7a(4) specifies that masters degree applicants shall earn five (5) years of post-graduate Board-approved supervised experience. When applicants obtain ~~this the required supervised~~ experience while simultaneously pursuing graduate work toward the doctorate degree, some limits exist regarding the number of hours of supervised experience the Board shall credit per week of work as a supervised-psychologist. The ~~the~~ following guidelines apply. During the period in which an applicant was enrolled for ten to thirteen (10-13) semester hours, the Board may ~~allow credit up to twenty (20) hours per week of work performed as a supervised-psychologist toward licensure supervised experience;~~ and when an applicant was enrolled for six to nine (6-9) semester hours, the Board may credit up to forty (40) hours per week supervised experience. Midway through the five-year period of supervision, the supervisee shall submit for review by the Board three (3) work samples representative of the supervised practice. After review of the submitted work samples the Board shall make recommendations regarding the continuation of supervision, including areas requiring remediation or changes required by the Board to facilitate effective progress toward professional competency and independent licensure. Furthermore, if a masters degree applicant has completed an out-of-department six-month clinical practicum with subsequent out-of-department six-month full time clinical internship

arranged through a program of study at an accredited institution of higher learning, or full time one-year internship deemed equivalent by the Board, the applicant, with the supervisor's approval, may request to take the oral exam for licensure after four (4) years of post-graduate Board-approved supervised experience. The written request must be accompanied by a completed competency package to be reviewed by the Board. Upon review of the competency package the Board shall either recommend the individual schedule for the oral exam or complete the fifth year of supervision with some additional stipulations or requirements.

5.4. An acceptable internship shall meet the following criteria:

a. The internship shall be 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;

b. Its primary purpose shall be to assure breadth and quality of training;

c. There shall be a clearly designated licensed psychologist responsible for the integrity and quality of the internship program;

d. Internship supervision shall be provided by a staff member of the internship agency; the staff member is clinically responsible for the cases being supervised;

e. The internship supervision shall be provided by one (1) or more licensed psychologists;

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

g. At least 25 percent (25%) of the intern's time shall involve direct contact with clients, agencies, or organizations seeking psychological services (minimum 250 hours);

h. The internship shall include a minimum of two (2) 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;

i. The intern shall participate in at least two (2) additional hours per week in learning activities such as case conferences, seminars, co-therapy, and group supervision, and additional individual supervision;

j. The six-month internship shall include a minimum of 1000 hours of experience to be completed in no more than one year.

5.4. 5.5 When the applicant holds a Ph.D., Psy.D., or its the equivalent, W. Va. Code §30-21-7a(a)(4) requires at least 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 subsection 5.1 and 5.2 of this rule, the Board may count the work experience from the time that all requirements of the degree were met. In those cases the Board will shall request verification from the university's or college's department chairperson or program advisor.

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

§17-3-6. Professional Ethics.

The Board hereby adopts the ~~Code of Ethics~~ Ethical Principles of Psychologists and Code of Conduct of the American Psychological Association as part of this rule, and all provisions of this Code of Ethics have the same effect as if they were specifically promulgated rules of the Board. In addition to the APA Code of Ethics, School-Psychologists are also bound by the National Association of School Psychologists Principles for Professional Ethics.

§17-3-7. Responsibilities Of Licensees.

7.1. Licensees are responsible for familiarizing themselves with the provisions of W. Va. Code §30-21 and the Code of Ethics of the American Psychological Association and for practicing psychology in accordance with the law and this rule.

7.2. In accordance with W. Va. 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 the expiration of the license.~~

7.3. The licensee is responsible for keeping the Board's ~~Executive Director~~ informed of any changes in names, address, place of employment, types of psychological activities or any other pertinent changes.

7.4. As set forth 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.

7.5. Licensed Psychologists, ~~and~~ Licensed School Psychologists (Level I) and Licensed School Psychologists Independent Practitioners (Level II) shall notify, prior to utilizing a psychometrician who administers ~~and scores~~ or scores psychological tests, ~~notify~~ the Board's Executive Director that a psychometrician will be utilized and that the psychometrician has been properly trained and that the licensee shall provide the proper supervision of the psychometrician. ~~Only psychometricians who have obtained an Associate degree in psychology or higher will be granted Board approval to administer and score or score psychological tests.~~

7.6. When Licensed Psychologists, Licensed School Psychologists (Level I) or Licensed School Psychologists Independent Practitioner (Level II) use psychometricians to administer tests, the licensee shall identify the psychometrician in all reports generated on the basis of the test administration.

§17-3-8. Standards for the Supervision of Persons Working Under the Direct and Regular Supervision of Licensees.

8.1. All individuals who provide psychological services and who are not either currently licensed or specifically exempted under W. Va. Code §30-21-2 shall perform their work under the general supervision of a licensee. These persons shall 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 (1) of these three (3) ~~four (4)~~ categories;

a. Applicants for licensure who are obtaining the required supervised experience; a person in this category shall refer to himself or herself and sign all work as: Supervised-Psychologist.

b. ~~Technicians, or Psychometricians with less than a master's degree who would not qualify for psychology licensure; a person in this category~~ Psychometricians are individuals who administer and score psychological tests, and shall refer to himself or herself and sign all work as: Psychological Technician/or Psychometrician. A licensee shall supervise a person in this category at all times. Those individuals ineligible for licensure who have had their license revoked or rescinded, or otherwise discontinued by the Board due to ethical violations, or who have been discontinued from the licensure track by the Board and who have at any time been determined by the Board (as evidenced by a finding of probable cause or a letter to cease and desist) to have acted outside the scope of ethical standards, may not act as a psychometrician.

c. Students engaging in psychological activities as part of a course of study in an institution of higher learning; a person in this category, unless the Board has specifically issued a gold card allowing them to sign as a supervised-psychologist, shall refer to himself or herself and sign all work as: Student.

d. ~~Former applicants for licensure who have failed to pass the written examination in the required supervision period; a person in this category shall refer to himself or herself and sign all work as: Psychological Assistant. A licensee shall supervise a person in this category at all times.~~

8.3. Supervisors shall be licensed as a psychologist or school psychologist or granted a temporary permit by the West Virginia Board of Examiners of Psychologists. The Board may deny or rescind a licensee's supervision approval upon review and determination of reasonable evidence of incompetence. Incompetence may include, but is not limited to the following: failure to provide adequate supervision; or failure to provide prompt evaluation of the supervised performance. In addition, no licensee having had a substantiated complaint resulting in any type of censure, sanction, restriction, or reprimand may be granted the privilege of providing supervision.

8.4. The licensee shall assume supervision obligations only to an extent ~~which~~ that he or she can adequately manage. A licensee shall supervise no more than four (4) candidates for psychology or school psychology licensure, ~~or persons working as a psychological assistants, technicians, psychometricians or any combination thereof, unless otherwise exempted, as described in subsection 8.5 of this section.~~

~~8.5. A licensee who wishes to supervise more than four (4) persons, as specified in subsection 8.2 of this section, is required to obtain special exemption from the Board. The Board shall issue a written exemption, if the licensee has provided a written supervision program. The program of supervision shall specify the time, dates, and location of the supervision activity, as well as specify the availability of the licensee for supervision during the work time of the supervised person.~~

8.5. As stated in §17-2-5, Supervisors and their Supervisees shall sign and adhere to the Board's Supervision Contract, which is based on Legislative Rule, APA Ethics 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 supervised practice.

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

9.1. A licensee shall not enter into the direct and regular supervision of ~~applicants supervised-psychologists~~ unless he or she is satisfied that the ~~applicants supervised-psychologists~~ are meeting the standards for supervision set forth in this rule. Licensees shall cease supervision when ~~applicants supervised-psychologists~~ firms, or agencies employing ~~applicants supervised-psychologists~~ fail to comply with standards set forth in this rule. Licensees shall notify the Board, in writing, within ten (10) days, whenever he or she discontinues supervision of ~~an applicant a supervised-psychologist~~.

9.2. ~~Applicants Supervised-psychologists~~ shall meet the following standards of supervision. They shall 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. Supervisors shall 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. Individual supervision is defined as a face-to-face and private interaction between the supervising licensee and the supervised-psychologist applicant. When the supervisor is not a full-time employee of the same firm or agency as the applicant, this supervision shall occur at least twice in each calendar month. The supervisor shall be available to the applicant supervised-psychologist for telephone consultation at all times during regular business or professional practice hours. All psychological reports or other professional opinions rendered by applicants supervised-psychologists shall be countersigned by the supervisor.~~

9.3. ~~When applicants Supervised-psychologists do not supervise a psychological technician, psychological assistant, or a psychometrician, that supervision activity shall be discussed with the applicant's supervisor. The licensed supervisor is responsible for the quality of work produced by the applicant and the psychological technician, psychological assistant, or the psychometrician. When supervising psychological technicians, psychological assistants, or psychometricians, the applicant shall be a full-time employee of the agency or firm which employs the psychological technician, psychological assistant or psychometrician. The licensed supervisor shall use his or her best professional judgment in determining how much time is necessary for the applicant to spend with the psychological technician, psychological assistant, or psychometrician to assure the quality of the services provided.~~

9.4. The supervisor shall keep a diary listing the time and places of the individual supervision sessions and consultations for each applicant supervised-psychologist, 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 a licensee for the purpose of providing supervision shall also keep a diary listing the names of applicants supervised-psychologist and licensees and the times when the individual supervision has occurred.

9.4.a. The supervisor shall submit copies of supervision quarterly reporting forms, while maintaining the originals, to the Board on a quarterly basis as follows:

1. For the quarter beginning January 01 and ending March 31, the report shall be mailed by April 30;
2. For the quarter beginning April 01 and ending June 30, the report shall be mailed by July 31;
3. For the quarter beginning July 01 and ending September 30, the report shall be mailed by October 31;
4. For the quarter beginning October 01 and ending December 31, the report shall be mailed by January 31.

9.4.b. The applicant supervised-psychologist shall pay the annual supervision fee, as required in West Virginia Board of Examiners Rule, Fees, §17 CSR1 or the Board will sh all not process the applicant's supervised-psychologists supervision reports.

9.5. The Board may credit, either in part or in its entirety, supervision toward licensure in another state, which took place prior to application for licensure in West Virginia, if the supervision meets the

standards of the Board.

9.5.a. The Board shall not give an applicant a supervised-psychologist supervision credit for supervision work performed other than during supervision toward prior to its actual approval of the application for licensure.

9.6. After approval of the application for supervision toward licensure and upon the Board's approval of the submitted supervision reports from the preceding supervision periods, the Board shall, at the beginning of the new calendar year, issue a card identifying the applicant as a "Supervised-Psychologist Applicant for Psychology Licensure." The card is documentation that the applicant supervised-psychologist is in good standing with the Board. The card remains valid only as long as the applicant supervised-psychologist and the supervisor remain in compliance with this rule. An applicant A supervised-psychologist shall apply for a new card if he or she changes supervisors. The Board shall approve the new supervision before the applicant supervised-psychologist begins work under the new supervisor.

§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 their regularly assigned college or university functions shall be licensed. In all cases, instructors and students shall follow ethical principals and procedures in dealing with persons and with materials ~~which~~ that become part of course work.

§17-3-11. Reporting Supervisees and Standards for Supervision of Psychological Assistants, Psychological Technicians, or Psychometricians.

Every January 01, all licensees who supervise applicants supervised-psychologist for licensure, psychological assistants, psychological technicians and/or psychometricians, shall provide the Board with a list of those persons ~~whom he or she supervises supervised~~. Detailed logs of supervisory times and topics for technicians, psychometricians or assistants are not required. Individual quarterly supervision reports are also not required.

§17-3-12. Special Procedures And Definitions For Board Consideration Of Applications Made For Licensure On The Basis Of ABPP Certification And Reciprocity.

12.1. American Board of Professional Psychology.

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

b. A completed and notarized application form shall be required from the applicant to initiate consideration for licensure. Such applicants shall pay all appropriate fees and complete other forms as required.

c. Applicants certified by the American Board of Professional Psychology shall meet with the Board to discuss their practice intentions.

12.2 Reciprocity provision.

a. When a person applies for licensure under this provision, the West Virginia Board of Examiners shall assume responsibility for obtaining information from the state (s) having licensed the

psychologist to determine whether the requirements for obtaining such other license(s) or certificate(s) were at least as great as provided in the West Virginia Code.

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

c. Reciprocity agreements with other states are not automatic. All reciprocity applicants must submit documentation showing that they meet all the requirements of the West Virginia Board. Required documentation includes, but is not limited to, a completed and notarized application form, official transcripts from the applicant's graduate degree granting institution, national exam scores, documentation of supervision, and any correspondence from licensure granting board(s) pertaining to disciplinary actions taken against the applicant.

d. Reciprocity applicants shall pay all required fees.

e. Portability. -- The Board may waive any or all of the required documentation of education and training if the applicant for doctoral level licensure is currently a holder of the Certificate of Professional Qualifications issued by the Association of State and Provincial Psychology Boards or a certificate from the National Register. Such applicants must meet all other requirements as described in 30-21-7 and within Title 17, Series 3.

f. All reciprocity applicants must pass an oral examination.

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

§17-3-13. Procedures For Processing Of Applications Requiring Written and Oral Examinations.

13.1. A completed application file shall consist of the completed and notarized application form, official transcripts of all graduate work completed, endorser forms from two (2) psychologists familiar with the applicant's work experience, at least one (1) of whom must be a member of the West Virginia Psychological Association, the American Psychological Association and/or the American Psychological Society. If the application is for school psychology licensure, one endorser must be a member of the W.Va. School Psychology Association and/or the National Association of School Psychologists.

13.2. Once the application file is complete and the appropriate fees are received, the Board shall examine the transcript of every applicant to determine the adequacy of the applicant's graduate education as defined in Section 2 of the Legislative Rules, Series 3 of the Board.

13.3. The Board Secretary shall evaluate the acceptability of the professional experience presented by the applicant for consideration in keeping with Title 17, Series 3 of the Board's Legislative Rules. The Board Secretary shall also review the application materials and decide if the applicant qualifies to enter the licensure process as a psychologist. Qualified applicants are granted status as Supervised-Psychologists. The School Psychology Coordinator or the Board Secretary shall evaluate the application materials for those applying for a school psychology license. Qualifying applicants are granted status as Supervised School Psychologists.

13.4. Further procedures for processing applications under the standard provision are described in Section 14 of these rules, which follows.

§17-3-14. Examinations.

14.1. The Board adopts the examination provided by the Association of State and Provincial Psychology Boards, the Examination For Professional Practice In Psychology (EPPP), as part of its official examination.

14.2. Licensure requires a passing score on the EPPP. The Board shall determine and set a passing score in consideration of prevailing national standards and in consideration of ensuring the public welfare. As the need arises, the Board may from time to time update the passing score and the said updated passing score shall then be in force.

14.3. All Supervised-Psychologists are required to take the EPPP at least once during the first 12 months of their status as a supervised-psychologist. Supervised-psychologists must pass the EPPP within 2 years. Those that do not meet this 2 year requirement must cease all psychological practice and must stop using the title of "Supervised-Psychologist" until such time as they pass the examination. Individuals who have (a) not taken the EPPP within 12 months, or (b) not passed the EPPP within 2 years and have lost their status as Supervised-Psychologists are eligible to take the EPPP as often as they are able to do so during the succeeding 2 years. If they do not pass at the end of the designated period, they are no longer eligible to take the EPPP. Those who pass the EPPP within the designated periods can renew their "Supervised- Psychologist" status. Those who fail to pass the EPPP within the designated periods will no longer be eligible for independent practice.

14.4. Supervised-psychologists shall also take a Board-prepared written and/or oral examination, which shall cover such matters as professional ethics, legal issues, competency, professionalism, knowledge and judgment, and to assure that the applicant appropriately limits the scope of independent practice to the extent of the applicant's training and supervision experience.

14.5. The supervision log as required in 17-3-9.4 of the Board's Rules and Regulations must accompany all supervised-psychologists to their oral examination. After the examination the supervision logs shall be returned.

14.6. At the supervised-psychologist's oral examination, a minimum of three work samples, a final report of supervision, a demonstrable competency form (completed by the applicant and approved by his or her supervisor(s)) shall be submitted. Work Samples must be submitted in support of each major area of intended practice (i.e. adult therapy, child assessment) and for any areas of intended practice considered specialty areas within the profession (e.g. forensics, neuropsychology, medical psychology, gerontology). Taken together, the work samples must represent the full range of applicant's intended scope of practice. These materials, as well as performance on the oral and/or written examinations shall serve as the basis for the Board's determination of the supervised-psychologist's scope of independent practice. Licensees practice independently only within the specified Board approved scope of practice.

14.7. Once licensed, no additions or expansions to the specified scope of independent practice as delineated at the oral examination, can be initiated without prior Board approval. The licensee must submit to the Board a statement describing the new intended practice area(s), and documentation of educational and supervised experience sufficient to support the application for enhanced scope of practice. Unless waived by the Board, requests for expanded scope of practice shall require an oral examination by the Board or a Board committee. Applicants shall be notified in writing of Board action on such requests.

14.8. The written and/or oral examination for each applicant shall be scored on pass/fail basis by each member of the Board present at the examination.

14.9. A passing score of sixty percent (60%) on the written and/or oral examination derived from the ratings of all examiners shall be required for passing. Percentage of passing scores based on total Board members deliberating shall be rounded up to the next whole number (e.g. When seven Board members vote, 60% equals 4.2, meaning that 5 members must pass the examinee). The results shall be recorded as either P or F only. The Board may choose to continue an individual's oral examination as outlined in 14.11.

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

14.11. When the Board considers it warranted, an oral examination may be continued for a period up to one year. Such a continuation shall be accompanied by specific requirements for supervision activities and learning objectives that the candidate must complete during the period of the continuation. Obtaining a new supervisor may be a part of the requirements. The Board is not obligated to allow the additional time to prepare for licensure, but may do so if it so chooses. This grace period may be revoked at any time if the examinee fails to follow the Board requirements or directives.

14.12. Examinations shall normally be scheduled at least twice a year.

14.13. Those who fail the oral examination shall no longer be eligible for supervised practice or independent practice in the State of West Virginia.

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

14.15. If a licensee obtains an additional graduate degree, in most cases this shall 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, submit an official transcript from the university conferring the new degree and complete all other required materials. When, as a result of the additional educational achievement, a licensee intends to expand his or her scope of practice or other aspects of his/her professional practice, the applicant shall be required to sit for a new oral exam 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, to insure that the degree meets all statutory requirements, and to allow 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 himself or herself as the original degree licensee.

§17-3-15. Notification.

15.1. The Executive Director or Administrative Assistant shall notify each examinee by mail and in a timely manner of his or her success, failure, or continuance on the written or oral examination.

15.2. 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.

15.3. Furthermore, verbal communications with individual Board members are not official and binding. Official Board statements or notices are provided in writing and represent the Board as a body.

§17-3-12, §17-3-16. Licensure of School Psychologists.

~~12.1~~ 16.1. Definitions:

a. A "Level I 'Licensed School Psychologist' (Level I) is a 'licensed school psychologist' as defined in W. Va. Code §30-21-2; means a school psychologist who provides school psychology services on school board property and is a school board employee or contractee.

b. A "Level II 'Licensed School Psychologist Independent Practitioner' (Level II) is a 'licensed school psychologist independent practitioner' as defined in W. Va. Code §30-21-2; means a school psychologist who provides school psychology services to an individual or the public on school board or non-school board property, and provides such services for a fee or other compensation, or as a school board employee or contractee.

c. A "Licensed psychologist" is a person who has obtained a license to practice psychology independently through the provisions of the West Virginia Code §30-21-1 et seq.

d. An "applicant with a 'Certificate of Advanced Study' (CAS or Ed.S.) is a person who has earned an additional twenty-four (24) graduate course work credits including an internship beyond a masters degree, and the CAS (or Ed.S.) is a six (6) year academic degree.

e. A "Supervised-School-Psychologist" is one who has earned a masters, Ed.S. or Certificate of Advance study in an approved program from a regionally accredited institution of higher education and is applying for Level I or Level II licensure. Core coursework shall be relevant to the practice of school psychology as defined under WV Code §30-21-2.

f. "School board property" includes buildings or office space that 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 a Level I School Psychologist from providing 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.

g. School Psychology Representative Membership on the Board: W. Va. Code §30-21-5a indicates that "at least one member of the board shall be a licensed school psychologist." This can be a Level I or Level II school psychologist or a licensed psychologist who also possesses a school psychology license, provided that the licensed psychologist's practice is oriented primarily toward the practice of school psychology.

12.2. W. Va. Code §30-21-2(n) provides that a Level I school psychologist shall 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 a Level I School Psychologist from providing 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: W. Va. 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 from meeting the representation requirement.

12.4. Applicants for licensure as a Level I or Level II school psychologist shall pass the National Association of School Psychologists (NASP) certification examination (National School Psychologist Examination). The applicant's score shall be a raw score of seventy percent (70%) correct.

~~12.5. Applicants for school psychology licensure are strongly encouraged to take the written exam as soon as it is possible after application for licensure.~~

~~12.6. Applicants for School psychology licensure shall successfully pass the school psychology written examination within thirty (30) months if he or she is a master, C.A.S., or Ed.S. applicant or ten (10) months if he or she is a doctoral applicant.~~

~~12.7. If the applicant does not pass the written examination for school psychology licensure within the specified time, the applicant is no longer eligible for Level I or Level II licensure. The person will be required to perform all work under the supervision of a licensed school psychologist or independent practitioner and sign all work as "School Psychologist Assistant."~~

16.2. To be eligible for licensure as a Level I or Level II, supervised-school-psychologists shall pass the National Association of School Psychologists (NASP) certification examination administered by the Educational Testing Service. The Board shall determine and set a passing score in consideration of prevailing national standards and in consideration of ensuring the public welfare. As the need arises, the Board may from time to time update the passing score and the said updated passing score shall then be in force.

16.3. Supervised-school-psychologists shall take the written exam within the first 12 months of their status as a supervised school psychologist if they have not already taken it prior to application for licensure.

16.4. Supervised-school-psychologists shall pass the school psychology written examination within 2 years of their application for licensure. Those who do not meet this 2 year requirement shall become ineligible for Level I licensure and must cease all independent/supervised practice of school psychology. The applicant may, however, retake the exam anytime in the subsequent two year period and may renew their "Supervised School Psychologist" status upon passing the exam during that period. Those who fail to pass the exam within the designated periods will no longer be eligible for independent/supervised practice.

~~§17-3-13- §17-3-17~~ Supervision Requirements for School Psychologist Applicants.

~~13.1. 17.1.~~ Level I School Psychology applicants shall be supervised by Level I, Level II, or when necessary licensed psychologists. The Board shall approve licensed psychologists to be supervisors only upon satisfactory documentation of school psychology experience.

~~13.2. 17.2.~~ Level II School Psychology applicants shall be supervised by Level II School Psychologists, or when necessary, licensed psychologists. The Board shall approve licensed psychologists to be supervisors only upon satisfactory documentation of school psychology or related practice expertise.

~~13.3. 17.3.~~ The supervision of ~~applicants for School Psychology licensure~~ supervised-school-psychologists shall consist of a minimum of one (1) hour of individual supervision for every twenty (20) hours of school psychology services provided by the ~~applicant~~ supervised-school-psychologist. Individual supervision is defined as face-to-face and private interaction between the ~~applicant~~ supervised-school-psychologist and the supervisor. When the supervisor is not located at the same work site, the supervisor and ~~applicant~~ supervised-school-psychologist still shall meet together for individual supervision sessions. The supervisor shall be available to the ~~applicant~~ supervised-school-psychologist

for telephone consultation during the work day. If the ~~applicant~~ supervised-school-psychologist is a contractor with the school board, all school psychological reports shall be co-signed by the supervisor. If the ~~applicant~~ supervised-school-psychologist is a full-time employee of a local school board, his or her reports shall be logged in the supervisor's diary and need not be co-signed. Regardless of the supervised-school-psychologist's employment status, the applicant shall represent themselves and sign all reports as "Supervised-School-Psychologist" and ~~However,~~ all work must be reviewed by the supervisor.

~~13.4.~~ 17.4. Specific Supervision Requirements for Level I Applicants as Described in W. Va. Code §30-21-7b: Supervision of ~~an applicant~~ a supervised-school-psychologist for Level I licensure shall include all aspects of the ~~applicant's~~ supervised-school-psychologist's professional practice. These aspects include, but are not limited to, evaluations, consultations, ethics, record keeping, and professional development. The ~~applicant~~ supervised-school-psychologist shall maintain all forms and submit reporting forms to the Board.

~~13.4. a.~~ Applicants Supervised-school-psychologists for the Level I School Psychology license who possess a master's, C.A.S., or Ed.S. degree shall be required to complete ~~thirty (30) months~~ 3 school calendar years of supervision. If an internship was required for the degree, ~~ten (10) months~~ then one school calendar year of supervision shall be accepted as part of the required ~~thirty (30) months~~ 3 school calendar years.

~~13.5.~~ 17.5. Applicants Supervised-school-psychologists for School Psychology Level II licensure who possess a master's, C.A.S., or Ed.S., degree shall complete ~~twenty (20) months~~ 2 additional school calendar years of supervision which shall include all aspects of the ~~applicants~~ supervised-school-psychologist's professional practice, as described in Section ~~13.4~~ 17.4. of this rule. The ~~applicant~~ supervised-school-psychologist shall be informed of the requirements of the provision of independent and private school psychology services. During the ~~twenty (20)~~ 2 additional school calendar years of supervision ~~months~~ required for the Level II license, the ~~applicant~~ supervised-school-psychologist shall receive supervised experience which provides competency in the following: record keeping, ~~emergency~~ psychology, in-school crisis intervention, duty issues, liability issues, abandonment concerns, confidentiality concerns, court concerns, business issues, supervision of other licensees, and professional practice ethics. The ~~applicant~~ supervised-school-psychologist may acquire these competencies either through actual private practice experience, interaction with his or her supervisor, or through formal instruction. The Board suggests, but does not require, that the ~~applicant~~ supervised-school-psychologist receive on-the-job experience in a private practice setting during the ~~twenty (20) month~~ 2 school calendar year period. If the ~~applicant~~ supervised-school-psychologist works in a private practice setting, all psychological work must be co-signed by the supervisor. It is the responsibility of the ~~applicant~~ supervised-school-psychologist and the supervisor to adequately prepare the applicant for Level II school psychology practice.

~~13.6.~~ 17.6. Applicants for School Psychology licensure at the doctoral level are required to complete those activities as described in sections ~~13.4 and 13.5~~ 17.4. and 17.5. of this rule. The amount of supervision time required for the doctoral ~~applicant~~ supervised-school-psychologist is one (1) school calendar year; if an internship was required, or two (2) school calendar years if an internship was not completed as part of the degree requirement.

~~13.7.~~ 17.7. A person who is certified as a school psychologist by the West Virginia State Board of Education and who is a full time employee of a local school board, 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 psychology services on a private or independent practice basis. Only those properly licensed can provide services on a contract basis.

§17-3-14. §17-3-18. School Psychology Continuing Education Requirements for Licensed Psychologists.

Licensed psychologists, who obtained their school psychology licensure under the grandfather provisions of the original school psychology law, shall maintain their school psychology license as long as he or she meets the renewal requirements for his or her psychology license.

§17-3-19. Temporary Permits.

19.1. 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.

19.2. For W. Va. Code '30-21-9(a)(1), a letter requesting a temporary permit must accompany the completed application.

19.3. For W. Va. Code '30-21-9(a)(2) the regular application form for licensure shall be required along with the specified endorsement procedures as required according to that person's credentials. The fee for a temporary permit must accompany the application form.

19.4. Except for unusual circumstances specifically approved by the Board, holders of temporary permits under provision W. Va. Code '30-21-9(a)(1) shall be required to qualify and appear before the Board at the next available meeting for an oral examination to present their demonstrable competencies and to declare their practice intentions. 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 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 and/or disciplinary actions, appropriate university transcripts, and national examination scores. Failure to provide documentation of any previous, current, or pending disciplinary actions may result in the license being denied or rescinded.

19.5. Applicants for temporary permits must meet the requirements of 30-21-7.

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

19.7. ABPP and reciprocity applicants, holders of a certificate from the National Register and/or holders of the Certificate of Professional Qualifications issued by the Association of State and Provincial Boards of Psychology shall also be required to obtain a temporary permit in order to practice in the state until a regular license can be issued.

§17-3-20. Renewals.

20.1. 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 for psychologists and three (3) years after granting of the license for a school psychologist.

20.2. Thirty (30) days prior to expiration date of each license, the Board shall notify each licensee due for renewal via a letter to the last address of record filed with the Board. Failure to receive such a notice shall not relieve the licensee of the responsibility of renewing the license if the licensee intends to continue the practice of psychology in West Virginia.

20.3. Continuing Education (CE) -- Continuing Education (post degree education) is required of all Licensed Psychologists, Supervised-Psychologists, Licensed School Psychologists, Licensed School Psychologist Independent Practitioners, and Supervised School-Psychologists. On each application for renewal, the above cited individuals must present to the Board documentary evidence of the completion of appropriate and adequate CE. The Board shall formulate Continuing Education Guidelines for licensees. These Guidelines shall from time to time be updated and the said updated Guidelines shall then be in force. Continuing Education shall meet the below described guidelines and be relevant to the profession of psychology and enhance the continuing competency and knowledge base of license holders and supervisees.

20.4. Authorization -- The Board provides for authorization of Continuing Education in West Virginia. Continuing Education programs are automatically accepted if they are approved by the American Psychological Association or any of its sponsors, as well as the Academies of the Specialty Boards of the American Board of Professional Psychology, the West Virginia Psychological Association, The National Association of School Psychologists, its affiliated regional organizations, and the West Virginia School Psychological Association.

20.5. Required CE Hours -- Licensed Psychologists and Supervised-Psychologists are required to obtain a minimum of twenty (20) Board approved Continuing Education hours per two year renewal cycle. Individuals holding licenses to practice psychology and school psychology may use the twenty hour (20) Continuing Education requirement to satisfy the Continuing Education requirements for both licenses. However, dually licensed psychologists shall obtain at least three (3) approved Continuing Education hours per renewal cycle in each area, both the primary and secondary areas.

20.6. A minimum of thirty (30) hours of Continuing Education credits per renewal period of three (3) years or a valid National Certification card issued by the National Association of School Psychologists are/is required for a renewal for Licensed School Psychologists and School Psychologist Independent Practitioners.

20.7. Specific Continuing Education Requirements -- Three (3) hours of Continuing Education in the area of ethics are required within each renewal period for all license holders and supervisees. Board members are granted six (6) Continuing Education hours, with three (3) of those hours in ethics, for each renewal cycle by virtue of their Board activities. The Board's Ethics Investigators who have received formal training shall be granted one (1) hour of Ethics CE hours per completed investigative report with a maximum of four (4) hours per renewal period, and The Board Executive Director is granted three (3) Continuing Education hours in ethics by virtue of Board activities, most notably direct involvement with the Ethics Committee.

20.8. A minimum of fifty (50) percent of Continuing Education must be obtained from professional associations identified in 20.4. The remainder of continuing Education can be obtained from programs or activities including: 1. Presentation by a psychologist or other professional who has obtained recognized expertise in the specific subject area and is relevant to the field of psychology. The subject area must be relevant to the field of psychology. 2. APA approved self-study programs. 3. Formal professional presentations given by a licensee to a recognized professional audience. Licensees may acquire up to six (6) continuing education hours for the initial presentation only. 4. Publications, Peer Reviewed Journals or Texts for up to six (6) Continuing Education hours. 5. Grand Rounds from a medical institution with a clearly psychological focus. 6. Post Graduate Programs as specified in the Guidelines including: a. teaching of a graduate/undergraduate class for the initial time, or b. successful completion of a graduate psychology course from a regionally accredited graduate institution. 7. Other options as noted in the Continuing Education Guidelines.

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

20.10 If an ethical inquiry has been received regarding the competency or ethics of the licensee or supervisee, such licensees or supervisees may not circumvent or prevent investigation and/or resolution of the ethical complaint by deactivating their license or supervised-psychologist status.

§17-3- 21. Psychological Assessment

21.1. In accordance with W. Va. Code §30-21-2(e) the practice of psychology includes psychological testing which includes the administration and interpretation of tests of intelligence, special abilities, aptitudes, interests, attitudes, personality characteristics, emotions, and motivation. The intent of this regulation is to provide a definition of psychological testing sufficient to allow this Board to regulate effectively this aspect of psychological practice. The ability to administer and interpret psychological testing requires formal academic training at the graduate level in statistics, test construction, sampling theory, tests and measurement, individual differences, and personality theory. In addition, the interpretation of psychological tests for diagnostic purposes requires formal academic training in the areas of abnormal psychology, psychopathology, mental health differential diagnosis, and in the case of neuropsychological assessment, training in neuropsychology. In addition to formal academic training at the graduate level, competent administration and interpretation of psychological tests also requires formal supervised practice experience.

21.2. "Psychological Testing" means the use of one or more standardized measurement instruments, devices, or procedures including the use of computerized psychological tests, to observe or record human behavior, and which require the application of appropriate normative data for interpretation or classification and includes the use of standardized instruments for the purpose of the diagnosis and treatment of mental and emotional disorders and disabilities, the evaluation or assessment of cognitive and intellectual abilities, personality and emotional states and traits, and neuropsychological functioning.

21.3. "Psychological Tests" means: individually administered tests for the evaluation of cognitive and intellectual abilities, examples of which are the current versions of The Wechsler Series; The Stanford-Binet; and The Kaufman Assessment Battery for Children.

a. Objective tests of personality, psychopathology, and emotional states and traits, which include but are not limited to: the current versions of The Minnesota Multiphasic Personality Inventory; The Millon Clinical Multiaxial Inventory; The Millon Adolescent Clinical Inventory and Personality Assessment Inventory.

b. Projective techniques, which include but are not limited to: The Rorschach Ink Blots; Thematic Apperception Test; and The Holtzman Ink Blots.

c. Individual tests of neuropsychological functioning, which include but are not limited to: The Halstead-Reitan Battery (original and expanded); The Luria-Nebraska Battery (original and expanded); The Lezak Battery or Kaplan Battery; and the current version of the NEPSY.

21.4. In accordance with W. Va. Code §30-21-3 services described as "Psychological Testing" in 21.2. of this legislative rule shall only be provided by persons licensed or credentialed by this board. "Psychological Tests" described in 21.3. et seq of this legislative rule shall only be administered and interpreted by persons licensed or credentialed by this Board or psychologists who meet the formal academic training and experience qualifications described above and who are otherwise exempt by statute (e.g. §30-21-2.)

21.5. Persons credentialed by this Board, as well as other licensed or certified professionals, may also use tests of language, education and achievement, as well as tests of abilities, interests, and aptitudes. With the exception of the test categories and psychological tests listed in 21.3. et seq of this legislative rule, the use of these other tests is not exclusively within the scope of this legislative regulation. These tests may also be used by other licensed or certified professionals. However, test categories and psychological tests listed in 21.2. and 21.3. et seq of this legislative rule shall only be used by persons credentialed by this Board.

21.6. Members of other professions may not train or supervise any person in the performance of psychological testing as defined in sections 21.2. and 21.3. et seq of this rule.

21.7. Current versions of psychological tests must be used no later than 18 months after their dates of publication. Psychologists do not use tests that are obsolete and not useful for the current purpose.



**STATE OF WEST VIRGINIA
BOARD OF EXAMINERS OF PSYCHOLOGISTS**

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STEP 5B OF LEGISLATIVE RULE MAKING PROCESS

The Board of Examiners of Psychologists proposes to amend Series 3 of Title 17 – Legislative Rule Psychologists – Requirements for Licensure As a Psychologist and/or School Psychologist.

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.

<u>A.</u> Barry Edelstein, Ph.D. <u>Psychotherapy Models</u>	<u>A-COMMENT</u> Thank you for the opportunity to comment on Title 17, Series 3. In the coursework requirement, you might consider making it clear whether individual courses are required or whether the areas you have listed can be covered in the context of a single course or multiple courses. That has been an interpretation issue with which clinical programs have struggled when attempting to meet the APA accreditation criteria. Second, if the focus is on individual courses, I see no reason to require a course on models of psychotherapy. As one of many who regularly conduct APA accreditation site visits, I have found few doctoral programs in recent years that require a course on models/theories of psychotherapy. A few models are often covered in the psychotherapy courses; more recently those that are evidence based (e.g., cognitive behavior therapy, behavior therapy, interpersonal therapy). In light of that, the models of psychotherapy coursework requirement is often redundant with the individual therapy requirement. Thus, there is no need for separate courses in models and psychotherapy. Third, you might consider using something like *contemporary models/theories of treatment/intervention* with the emphasis on contemporary. It is noteworthy that in the EPPP rubric, the following is used under the heading Treatment, Intervention, and Prevention: "contemporary theories/models of treatment/intervention." Thanks again for the opportunity to comment. Thanks Kathy. I thought the changes the Board made, with the exception I noted, were excellent and badly needed. The members deserve pats on their backs. Barry <u>BOARD RESPONSE</u> <u>Psychotherapy Models:</u> The Board decided to delete this specific course from the list. Rationale – As noted by Dr. Edelstein, Models of Psychotherapy are typically offered as parts of other courses.
<u>B.</u> Karen Edgell, MA <u>School Psych Ethics Code</u> <u>Psycho-Metrician</u> <u>Sch Psych Ethics Code</u> <u>Praxis (NASP) Score</u> <u>Ethics CE's</u> <u>NASP Certification</u>	<u>B-COMMENT</u> Below I have listed some comments/concerns about certain changes: 17-3-6 Professional Ethics The Board adopts the Ethical Principles of the APA Code of Conduct. Should not ht board also adopt the NASP Code of Conduct for use when dealing with Licensed School Psychologi8ts? While "ethics are ethics," there are certain sections in each Code that pertain exclusively to the practice of psychologists or school psychologists. When visiting with the Board in the past, we addressed this concern: perhaps it was just over-looked in this revision. 17-3-7.5 School psychologist cannot use psychometricians or their work to make any school related decisions (please refer to Federal Law). Please delete school psychologist from this section. 17-3-8.5 Need to add NASP Code of Ethics as stated previously. 17-3-16.2 What is a "passing" score? 17-3-20.7 Why is the Board of Examiner Executive Director "granted" 3 continuing ed credits hours in ethics? It would seem to me that this person would need to continue to grow and be abreast of any concerns in this area and that obtaining these hours through normal channels would be desirable. Note of Concern: In the past, licensed school psychologists who are nationally certified school psychologists (granted through NASP after completing 75 hours of continuing education every 3 year)

	were given automatic renewal of their WV License. Their renewal was supposed to be on the same cycle as their national certification renewals. I could find no mention of this provision. Did I just overlook it? <u>BOARD RESPONSE</u> <u>School Psychology Ethics Code:</u> The proposed rules are amended to clarify that school psychologists are bound by the NASP principles for professional ethics. Rational - This was an oversight. Obviously, school psychologists should adhere to their own code of professional ethics along with the ethical principles and code of conduct which applies to all psychologists. <u>Psychometrician:</u> The psychologist making this comment indicated that school psychologists were barred from using psychometricians due to Federal Law. The board was unable to locate this particular section of Federal Law nor did it discover any state laws which would prohibit this practice. Certainly, school psychologist independent practitioners are permitted to use psychometricians, as are individuals who hold both psychology and school psychology licenses. <u>Praxis (NASP) Score:</u> The author of this comment questions what is the passing score. Just as the passing score of the EPPP is not specifically set by this legislative rule, the Praxis passing score is not specifically set. Rationale - On occasion, the prevailing national standard for setting these specific scores change. Thus, in response to this altered prevailing national standard the Board can set the passing score in a prompt fashion. <u>Ethics CE's:</u> This suggested change was not made because the Executive Director devotes a significant portion of his time processing ethical complaints. This includes but is not limited to reviewing ethical inquiries and ethical principles, communicating with the Board's attorney, analyzing ethical issues, writing documents pertinent to ethical inquiries, and analyzing ethical issues. <u>NASP Certification:</u> It is noted that in the past licensed school psychologists were given credit for their CE hours earned through NASP. This rule remains intact in Series 3.
<u>C.</u> Tom Stein, Ed.D. <u>Public Hearing Request</u> <u>Master's</u>	<u>C-COMMENT</u> 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

<u>3 year supervision</u> <u>Behavioral Health Centers</u>	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. Master's 3 Year Supervision: In regard to this issue an amendment was made. The original three year option was proposed in response to the fact that multiple Master's level candidates have been unprepared to pass their oral examinations at the end of the five year supervision period. This indicates that some or all of their supervision experience has been inadequate. To better address this issue the amendment provides for tow revisions: (1) A <u>Midway Review</u> will be conducted when the supervised psychologist has completed 2 and 1/2 years of supervision. The Board will determine what the proper focus and direction should be during the remainder of supervision. (2) <u>Four Year Oral Examination Readiness Reviews</u> will be conducted for supervisees who (a) have attained additional practical experience via a six month practicum followed by a six month internship completed as part of their program of study; (b) have already passed the EPPP, and (c) their supervisors attest that they are prepared to pass the oral examination. For individuals meeting the above requirements, they must (d) submit for review, the four year mark competency package application for the oral examination. After review of the application material, the Board will either recommend sitting for the oral examination or stipulate completion of the fifth year of supervision with requirements to correct any deficiencies. Behavioral Health Centers - Low Salaries for Psychologists: The Board's proposed changes discussed in the previous section are designed to address the issue of master's level candidates who don't pass the oral examination after five years of supervision. It was not in response to the needs of Behavioral Health Centers.
<u>D.</u> Ken Devlin, MA <u>Master's Hours</u> <u>Supervisees Required CE Hours</u>	D-COMMENT I appreciate the openness & transparency of the BOE's efforts in this update: a refreshing experience. Overall, I find that needed changes are addressed & appear reasonable to me although I lack the perspective and detailed knowledge of board members. I think that adequate detail clarifying expectations leads to a more level playing field for licensure candidates and better protection of the public. I do have two comments regarding qualifications for Masters & Ph.D.'s: 1. To remain credible, the number of credit hrs for a qualifying MA should be congruent with national trends. I'm not sure what the standard is in other states, but WV's should be high since the recipient can eventually qualify for licensure. I also realize that setting this number higher would involved degree granting institutions who may or may not be inclined to enthusiastic cooperation. Nevertheless, I would support setting the bar high in WV because of the licensing opportunity & protection of the public. Alternately I suppose a pre-degree/pre-licensure CEU requirement could be

<u>Doctoral Hours Not Required</u>	introduced including distance learning options. If CEU's are acceptable for ongoing professional qualifications, they should be acceptable for this purpose. 2. Although the MA requirements defines a minimum number of credits required, I did not see that a similar criteria was set for the PhD option. My perspective is that requirements for both should include the same general parameters if at all possible. Thank you for your level of professionalism and efforts. <u>BOARD RESPONSE</u> <u>Master's Hours Requirement Too Low:</u> An amendment was made in response to several individuals who registered this concern. The rule is now modified to indicate that Master's candidates must have earned a minimum of 60 semester hours in their total program of study. Thus the 60 hour figure includes practicum, internships, research projects, etc. The new section reads as follows: "For this degree to be adequate, the program of study shall include a minimum of 60 semester hours of graduate credit. Coursework shall be clearly identified by title and course content as being psychological in nature." <u>Supervisees Required CE Hours:</u> It is a sound argument that supervised-psychologists would benefit from continuing education. Therefore, these proposed rules include such a requirement. <u>Doctoral Hours Requirement Not Delineated:</u> Such hours are not delineated in the rules because the vast majority of doctoral candidates for licensure have obtained a doctoral degree from an APA approved program. Therefore, such candidates have met the high standards set by the APA in terms of the number of hours and the quality of coursework. However, most Master's degree programs are not APA approved and there is some variability in terms of the number of hours of coursework required to graduate and as well as the specific types of courses. Therefore, the Board found it necessary to specify the minimum number of hours necessary for the Master's degree to be considered adequate.
<u>E.</u> Mike Morrello, MA <u>Master's Hours</u> <u>On-Line Master's Programs</u>	<u>E-COMMENT</u> One aspect that I feel needs to be addressed by the board is the number of hours required for Master's Level Training. Thirty seems quite low to me when most programs require at least 40. Also, I believe the statment that 80% or more of the required courses to earn a master's degree through on-campus classes of the degree granting university is both vague and archaic. On-campus is not defined. Does that mean if they go to the class electronically that they are on campus? There is not an equivalent stipulation for a doctoral candidates. I feel we need to move away from such conservative standards and focus on what is in the best interest of the clients. On-line training can be just as good as classroom training and it is more convenient. The more well trained people we have practicing psychology the less clients will be going to less trained individuals. I will forward more comments as I have time. <u>BOARD RESPONSE</u> <u>Master's Hours Requirement Too Low:</u> An amendment was made in response to several individuals who registered this concern. The rule is now modified to indicate that Master's candidates must have earned a minimum of 60 semester hours in their total program of study. Thus the 60 hour figure includes practicum, internships, research projects, etc. The new section reads as follows: "For this degree to be adequate, the program of study shall include a minimum of 60 semester hours of graduate credit. Coursework shall be clearly identified by title and course content as being psychological in nature." <u>On-Line Master's Programs:</u> After consideration of this issue, the Board decided to continue requiring that Master's degree programs be on campus and not online. It is believed by the Board that the thorough and intensive psychological education provided by on site involvement with psychology professors gives the best assurance that Master's candidates will be qualified to provide the public with high quality services.
<u>F.</u> Steve Cody, Ph.D. <u>Off-Site</u>	<u>F-COMMENT</u> To the members of the Board of Examiners: 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

<u>Supervision</u> <u>Biological Basis of Behavior Course</u> <u>Psy.D.</u> <u>2000 Hour Internship</u> <u>Master's Internships</u> <u>Public Hearing Request</u>	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. The proposed areas of core study do not include biological bases of behavior, and in my view this is a significant omission. That may be a little parochial, since I am a neuropsychologist, but I note also the absence of a requirement regarding ethics. In the language regarding doctoral degree requirements, I suggest introducing the Doctor of Psychology degree (Psy.D.) along with the Ph.D. since it is nationally recognized and it is the degree offered by one of the state's doctoral programs. I urge that you reconsider the number of hours in a doctoral internship. Since many places calculate hours on the basis of a 37.5-hour week, a conventional internship will have 1800 hours. It will be fully compliant with APA standards but might leave fully qualified applicants in a problematic position. Finally, I urge reconsidering the language regarding internships at the MA level. There are references to APA approved internships that make no sense in this context since there are no such internships and slots in APA approved internships are not available to MA students. There is apparent willingness to equate APA approved programs with experiences "arranged through a regionally accredited program of study" that is troublesome in the absence of further definition. I'd also like to hear something about the rationale for the stuff about internships and reduced experience required for licensure. The language appears to mirror quite precisely language in the handbook for the WVU clinical MA program, and it disturbs me that we seem to have a situation in which the Board is writing rules to accommodate a specific program. 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. <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>Biological Basis of Behavior Course:</u> It is argued that this course is a significant component of psychological education. Therefore, an amendment has been made and this course has been included in 17.3.2.1. To better protect the public it was decided to also require an Ethics Course. <u>Psy.D.:</u> This doctoral level degree has become a nationally recognized degree and many Psy.D. doctoral programs are APA approved. Thus, 17.3.4.1 has been amended to reflect these facts. <u>2000 Hour Internship:</u> This requirement has been deleted and the rules have been amended to indicate "the internship experience shall be full time based on APA standards." The emphasis is congruent with APA language requiring "full time" status. APA language on approved Internships does not stipulate a specific number of hours. In addition, it was pointed out that there is a national shortage of internships and it was decided not to impede students in their efforts to obtain internships. <u>Master's Internships:</u> The Board took into account the comments to the effect that there were no APA approved internships at the Master's level. The wording was changed to a six month internship "arranged through a program of study at a regionally accredited institute of higher learning." <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.
<u>G.</u> Neal Morris,	<u>G-COMMENT</u> I have read the proposed revisions you have posted. I have a number of questions and several reactions to reading Title 17. First, as one who has a separate pre-doctoral masters degree in

<u>Ed.D.</u> <u>Master's Hours</u> <u>Master's Internship</u> <u>2000 Hour Internship</u> <u>Psy.D.</u> <u>Ed.D.; Sc.D.</u> <u>Master's 3 year Supervision</u> <u>Pass / Fail</u> <u>Public Hearing Request</u>	psychology I was shocked to read the current requirement of only 24 hours of formal study. I certainly agree with the raising the standard requirement tho I believe it should be raised still further. When I think back to my own experience of completing a 60 hour masters degree I recall a feeling of unease as a brand new psychologist relative to all the things I needed to know in order to do a good job. Secondly, I am confused about the 1/2 year internship which the Board is proposing as one route to lowering the number of years of supervision needed from 5 to 3 years for masters degree applicants. I don't find any definition of what such an experience might include except that it be an "out-of-department" opportunity. Predoctoral APA approved internships are detailed learning experiences which I believe contribute to a student's range of knowledge and practical experience. Does the Board intend to use the APA-type model as a standard for assessing these proposed 1/2 year internships for masters level applicants? The number of hours for APA approved internships is typically 1800 - is there a reason the Board selected 2000 hours as the criterion? The use of "...doctor of philosophy..." in Section 4.1 seems awkward compared to the language used to reference masters degree holders. Is there some reason the Board retained this language instead of using a general term such as "doctoral degree" or specifying Ph.D., Psy.D., Ed.D., Sc.D.? Also, I noticed some instances where the term "applicant" would be changed to "supervised-psychologist". Is there some reason the Board choose to change many, but not all of these references? Perhaps, this was an unintended oversight? Section 5.3 reads to me as though it is tailor-made for some particular existing or proposed program. I would like to understand the Board's rationale and the supporting data as to how this proposal contributes to a student's course of study particularly given there is just 30 hours of formal study. In Series 2 Section 6.3 a "5 point scale" is described with 3.0 defined as passing. Later in Section 14.9 the Board refers to a "Pass-Fail" standard - which will the Board use if these revisions are approved? I have other questions I'd like to get clarified. 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.
	<u>BOARD RESPONSE</u> <u>Master's Hours Requirement Too Low:</u> An amendment was made in response to several individuals who registered this concern. The rule is now modified to indicate that Master's candidates must have earned a minimum of 60 semester hours in their total program of study. Thus the 60 hour figure includes practicum, internships, research projects, etc. The new section reads as follows: "For this degree to be adequate, the program of study shall include a minimum of 60 semester hours of graduate credit. Coursework shall be clearly identified by title and course content as being psychological in nature." <u>Master's Internships:</u> The Board took into account the comments to the effect that there were no APA approved internships at the Master's level. The wording was changed to a six month internship "arranged through a program of study at a regionally accredited institute of higher learning." <u>2000 Hour Internship:</u> This requirement has been deleted and the rules have been amended to indicate "the internship experience shall be full time based on APA standards." The emphasis is congruent with APA language requiring "full time" status. APA language on approved Internships does not stipulate a specific number of hours. In addition, it was pointed out that there is a national shortage of internships and it was decided not to impede students in their efforts to obtain internships. <u>Psy.D.:</u> This doctoral level degree has become a nationally recognized degree and many Psy.D. doctoral programs are APA approved. Thus, 17.3.4.1 has been amended to reflect these facts. <u>Ed.D.; Sc.D.:</u> As they always have, the Ed.D. and Sc.D. degrees will be considered under the equivalency provision of the law and rules. <u>Master's 3 Year Supervision:</u> In regard to this issue an amendment was made. The original three year option was proposed in response to the fact that multiple Master's level candidates have been unprepared to pass their oral examinations at the end of the five year supervision period. This indicates that some or all of their supervision experience has been inadequate. To better address this issue the amendment provides for tow revisions: (1) A <u>Midway Review</u> will be conducted when the supervised psychologist has completed 2 and 1/2 years of supervision. The Board will determine what the proper focus and direction should be during the remainder of supervision. (2) <u>Four Year Oral Examination Readiness Reviews</u> will be conducted for supervisees who (a) have attained additional practical experience via a six month practicum followed by a six month internship completed as part of their program of study; (b) have already passed the EPPP, and (c) their supervisors attest that they are prepared to pass the oral examination. For individuals meeting the above requirements, they must (d) submit for review, the four year mark competency package application for the oral examination. After review of the application material, the Board will either recommend sitting for the oral examination or stipulate completion of the fifth year of supervision with requirements to correct any deficiencies.

	Pass / Fail: The Board has decided to use this scoring system which is within the directives of the psychology licensure law which states: "shall...prepare...oral examination of applicants for licensure and determine the satisfactory score thereon..." 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.
H. Ja'me Brandish, MA <u>Changes Retroactive?</u>	H-COMMENT I have a few questions if anyone could help me with I would appreciate it. I have my Gold card now for the past year and a half under supervision (Master's level). There are several changes proposed that would affect me as I continue seeking licensure and I need some clarification on these points if you could. First off, in 17-3-2 there are graduate level coursework proposed. I am planning on supplementing my Master's Degree by taking some extra graduate classes to meet these requirements, but unfortunately may not be able to obtain them all. Will this affect my application for license? Also in 17-3-14. 14.3 There is a discussion about taking the EPPP within the first two years of supervision. As I am approaching the two year mark should I prepare to take this exam now? I had planned on taking it during the third year of supervision originally, but do not want to fall behind with these new standards. Finally CEU's when would we need to begin obtaining these. As it states that you must have 20 CEU's per two years. As the two year mark would be approaching in 2010 would this be required at that time? I know that you are probably getting a lot of questions regarding these changes and I appreciate you taking the time to respond. I want to make sure that I continue to stay in good standing with my supervision and therefore want to anticipate these changes. Thank You. BOARD RESPONSE Are Rule Changes Retroactive? These changes in Series 3 Rules are not retroactive and will go into effect on the date that the legislature deems that they become effective.
I. Marty Amerikaner, Ph.D. <u>Core Courses</u>	I-COMMENT Please accept these comments and questions concerning the recently proposed changes to Series 2 and 3 of our Rules. While I have no doubt that the Board's intent is to improve the practice of psychology in the state and there are aspects of the proposal that I support, the proposal raises a series of questions and concerns for me that I believe the Board should consider before moving forward to the Legislature. First, I think that any proposed changes should be accompanied by a clear rationale. In particular, since the Board's mission is protection of the public, there should be a clear rationale (and supportive data if any is available) presented as to how any change will improve or strengthen this public protection function. Of course psychologists or others may disagree with the Board's rationale or underlying premises, but at least we'd be aware what your goals are, what problems you are trying to solve and why these proposed changes are considered the best way to accomplish them. Regarding the substance of the proposed changes themselves, I'll comment on several individually. (My comments are in bold) Regarding §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 and psychology, or in a university department with the official designation containing the words "psychology" or "psychological." <u>Core graduate level coursework required to be considered as a potential candidate for independent licensure as a psychologist includes, but is not limited to, all of the following clinical areas:</u>

<u>I.O. and Sport Psychology</u> <u>Generic License</u> <u>Master's Hours</u> <u>Psy.D.</u>	<u>clinical interviewing, diagnosis and treatment planning, psychopathology, assessment of children and adults, individual psychotherapy, clinical practicum, clinical internship, models of psychotherapy, and tests and measures.</u> It is not clear how or why these particular courses were chosen as "core". From the list, it appears that the Board intends to redefine the license in WV as a clinical license, even though our licensing law is a general or "generic" one, intended to provide a licensing opportunity to psychologists with varied professional backgrounds. Examples of non- clinical/counseling psychology programs whose graduates might seek licensure include Industrial Organizational, Applied Developmental or Sport Psychology. All are quite legitimate fields of psychology, but their curricula might not include the specified coursework. On the other hand, there are other sources of possible lists of "core" content areas in the discipline of psychology which are not addressed in your proposed list. These sources would include APA's discussion of core areas for accredited programs and the description of core areas covered by the EPPP exam (available on the ASPBB web site). If the Board perceives a need to narrowly focus the license on clinical psychology, then that should be made explicit and the rationale provided. If, on the other hand, it is in the state's interest to continue to have a generic license, then my belief is that the applicant should be required to demonstrate that s/he has an appropriate degree in psychology (without the currently allowable "equivalency" options) and then demonstrate that his or her graduate coursework and training is appropriate (i.e. consistent with accepted professional standards) for any proposed type of work and declared competency areas. Regarding: 3.1. W. Va. Code §30-21-7 requires that master's level applicants hold a "master's degree in psychology." For this degree to be adequate, the applicant shall have earned a minimum of twenty-four (24) thirty (30) semester hours of graduate credit in courses clearly identified by title and course content as being psychological in nature. A Psychology master's degree course study is adequate only if eighty percent (80%) or more of the required courses to earn the master's degree, excluding the practicum and masters thesis, are earned through on-campus classes of the degree granting university. <u>The same core coursework requirements listed in §17-3-2.1. apply.</u> I strongly support raising the minimum credit requirements for an acceptable masters degree from the archaic 24 to a higher, more appropriate number. However, it isn't clear why you chose 30. That seems very low and not consistent with what most modern clinical psychology MA programs require. I'm not familiar with any program that requires fewer than 36 semester credit hours for a masters degree and as an additional point of reference, the graduate credit requirement for the LPC credential is far higher than the 30 proposed here for psychologists. Regarding: 4.1. W. Va. Code §30-21-7 requires that doctoral level applicants possess a doctor of philosophy degree (Ph.D.), or its 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 <u>shall</u> 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 Since the wording to the rule is now open (but the wording to the law itself is not), I suggest that that the second sentence be changed from "The Board or its Committee shall evaluate all equivalency applications" to " The Board interprets this requirement to mean " applicants must possess a doctoral degree in psychology from a regionally accredited institution of higher education". In modern practice, there is no basis for requiring that applicants with a Psy. D. degree from accredited universities to be required to go through an equivalency review process. The Psy D is a recognized degree, it is the degree issued by one of the 2 doctoral institutions in the state, and should be explicitly recognized in the wording rather than fall under the "equivalency" clause. I would also suggest dropping or rewording the equivalency clause to severely limit the possibility of "equivalency" for graduates of programs not clearly designated as "psychology"; whereas when the law was written, there may have been justification for allowing graduates of
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<u>Internship Regionally Accredited</u>	related fields to be credentialed as psychologists, I don't believe that the same justification continues to exist. We should be insisting that anyone claiming to be a psychologist has legitimate academic training in our discipline, from a program recognized as "psychology". Regarding: 4.3 The doctoral degree course study in psychology shall include a pre-doctoral or post-doctoral internship approved by the American Psychological Association or <u>arranged through a regionally accredited program of study</u> its equivalent. The Board may <u>shall</u> require an applicant who has not completed either a pre-doctoral or post-doctoral internship or their equivalent or completed an American Psychological Association approved pre-doctoral or post-doctoral internship <u>such an internship</u> to have an additional year of Board-approved supervision beyond the required one year. " It is not clear what is meant by an internship arranged through a "regionally accredited program of study." Neither internships nor "programs of study" are "regionally accredited" as that term is used in higher education. Perhaps what is intended here is to recognize an internship that is arranged and approved by a doctoral program housed in a regionally accredited university?
<u>2000 Hour Internship</u>	Regarding: 4.4 j. The internship experience (minimum 2000 hours) shall be completed within twenty-four (24) months, although the Board may waive this requirement under exceptional circumstances. I suggest reconsidering the 2000 clock hour minimum. As you probably are aware, there is a severe national shortage of internship slots in the country- this is a topic of ongoing discussion at the national training level- and it would be very unfortunate if doctoral graduates completed an otherwise acceptable internship only to find that the Board disallowed it b/c of this requirement. It is a higher number than what is required in other contexts, and thus might unduly harm the state's ability to attract otherwise very qualified psychologists, and/or harm new graduates who complete excellent doctoral programs if their internships are, for example, 1800 clock hours. One of the key national organizations involved in internships for professional psychology (Association of Psychology Postdoctoral and Internship Centers or APPIC) requires any internship that they recognize to be at least 1500 hours; this seems low to me and probably refers to school psych internships that may only cover 9 months. However, I'd encourage the Board to consider 1800 hours as the minimum. At many agencies, 37.5 hours is a full time week. Multiplied by 48 (which is a likely minimum for a "full year" of training), this totals 1800 hours.
<u>Research and Teaching</u>	Regarding: §17-3-5. Adequacy of Supervised Experience 5.1providing clients or patients assistance in solving their professional or personal problems; and other activities outlined in W.VA. Code §30-21-2. designing original research projects; analyzing and reporting research data; or teaching a psychology course. I am very concerned about the elimination of research and teaching as legitimate supervised experience. First of all, psychologists trained in a science/practitioner model assume that research (including a full range of applied research work) and teaching are legitimate parts of their professional roles. A person completing a Post Doctoral Fellowship year may well have teaching and research responsibilities. Why would that work not count towards the post doctoral year of supervised experience? Second, new faculty members at universities will have an exceptionally difficult time earning a license if they cannot count their teaching and research work. It could take them many years to become licensed, even though their job requires that they be licensed. The Board has always included a full range of psychological work as acceptable, with the accompanying burden on the applicant to show that s/he is competent to do the work that s/he claims as areas of competency. Why would that change now? Again, there is a need here for a compelling rationale for the proposed change. Regarding: 5.3 ". <u>Furthermore, if a masters degree applicant has completed an out-of-department six-</u>

**3 Years
Master's
Supervision**

month clinical practicum with subsequent out-of-department six-month full time clinical internship through a regionally accredited, or APA approved, program; APA approved one-year internship; or one-year internship deemed equivalent by the Board, only three (3) years of post-graduate Board-approved supervised experience is required.

This new wording is problematic for several reasons. First, in terms the specific wording used here, internships are not regionally accredited as that term is used in higher education, and MA students are not eligible to be interns in APA accredited (not "approved") internships, nor are they students in APA accredited programs of study, since APA does not accredit masters level programs. It may be possible for MA students to complete an MA internship at a site that also houses an APA accredited internship, but that is very clearly not the same thing as completing an APA accredited internship.

At a conceptual level, it appears that this proposal "privileges" one very specific approach to labeling and sequencing clinical training experiences with absolutely no rationale or data provided to support the implied claim that this model is so much more effective at preparing psychological practitioners that it warrants a decrease of 2 years of otherwise required supervised experience. At the MA level of graduate training, expectations for practicum and internship experiences vary widely across universities. Since there is no national accrediting body and there are no clearly accepted professional norms for MA training, there is no clear basis upon which to conclude that one MA training model is either the professionally accepted or preferred approach, or that one is superior to another in terms of the length of post degree supervision needed for independent licensure. In most universities, practica are scheduled by semester units or credit hours, not months. 6 months seems arbitrary; why not 9 or 12? 6 months could require 5 hours per week or 20 hours per week. At some universities, the MA practicum requirement is 2 semesters (which would typically be approximately 9 months in calendar time) with one additional semester of what is called "internship"; at others, this pattern is reversed. Others have still a different model, and label their training experiences with different terminology. Again, the basic question is, on what basis is the Board asserting that the public is best served by shortening the post degree supervision period for one specific MA training model- one that is, perhaps coincidentally, employed by only one university in this region?

Alternatively, it seems to me that the Board is attempting, through this section of the rule, to recognize the importance of APA accreditation and of extensive and intensive internship training and I strongly support this goal.

Regarding Series 2 (the Supervision Contract), my primary concern has to do with the following wording:

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.

**Off-site
Supervision**

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 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.

Public Hearing
Request

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.

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.

BOARD RESPONSE

Core Course Requirements: This list of core courses was not created to make the license clinical and exclude other types of degrees, such as Industrial and Sport psychology degrees. This list of courses was created because some Master's level candidates were applying for licensure on the basis of General Psychology and other non-clinical degrees. For such applicants to qualify to become supervised-psychologists it was decided that a list of courses be established to assure that all applicants have completed core courses fundamental to the practice of psychology as determined by law. This set of courses doesn't specify the doctoral degree because it is assumed they will be included in APA approved Ph.D. and Psy.D. programs.

I.O. and Sport Psychology: In the history of the Board it has granted two sport psychology and one industrial psychology licenses. These specialty licenses were granted after the candidates were granted after the candidates passed oral examinations during which the uniqueness of their scopes of practice were carefully considered and limited. These rules don't prevent future licensure of such candidates.

Generic License: There is nothing in these rule changes that prevents the Board from granting licenses to non-clinical degree candidates under the equivalency provisions of the law. In the history of the Board it has granted two sport psychology and one industrial psychology licenses.

Master's Hours Requirement Too Low: An amendment was made in response to several individuals who registered this concern. The rule is now modified to indicate that Master's candidates must have earned a minimum of 60 semester hours in their total program of study. Thus the 60 hour figure includes practicum, internships, research projects, etc. The new section reads as follows: "For this degree to be adequate, the program of study shall include a minimum of 60 semester hours of graduate credit. Coursework shall be clearly identified by title and course content as being psychological in nature."

Psy.D.: This doctoral level degree has become a nationally recognized degree and many Psy.D. doctoral programs are APA approved. Thus, 17.3.4.1 has been amended to reflect these facts.

Ed.D.; Sc.D.: As they always have, the Ed.D. and Sc.D. degrees will be considered under the equivalency provision of the law and rules.

Internship Regionally Accredited: A correction was made in light of Dr. Amerikaner's input that neither internships nor programs of study are accredited. The language was a typographical error and has been corrected to read: "a program of study at a regionally accredited institute of higher learning."

2000 Hour Internship: This requirement has been deleted and the rules have been amended to indicate "the internship experience shall be full time based on APA standards." The emphasis is congruent with APA language requiring "full time" status. APA language on approved Internships does not stipulate a specific number of hours. In addition, it was pointed out that there is a national shortage of internships and it was decided not to impede students in their efforts to obtain internships.

Research and Teaching: These areas, teaching and research are specifically excluded from the definition of the practice of psychology under WV Code and do not require licensure.

Master's 3 Year Supervision: In regard to this issue an amendment was made. The original three year option was proposed in response to the fact that multiple Master's level candidates have been unprepared to pass their oral examinations at the end of the five year supervision period. This indicates that some or all of their supervision experience has been inadequate. To better address this issue the amendment provides for two revisions: (1) A Midway Review will be conducted when the

	supervised psychologist has completed 2 and 1/2 years of supervision. The Board will determine what the proper focus and direction should be during the remainder of supervision. (2) <u>Four Year Oral Examination Readiness Reviews</u> will be conducted for supervisees who (a) have attained additional practical experience via a six month practicum followed by a six month internship completed as part of their program of study; (b) have already passed the EPPP, and (c) their supervisors attest that they are prepared to pass the oral examination. For individuals meeting the above requirements, they must (d) submit for review, the four year mark competency package application for the oral examination. After review of the application material, the Board will either recommend sitting for the oral examination or stipulate completion of the fifth year of supervision with requirements to correct any deficiencies. 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. 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.
J. Chris Baker Citizen <u>On-Line Master's Program</u>	J-COMMENT I am a clinician working with adults with disabilities in southern WV. I obtained an MS degree in 2007 through distance learning. I would like to encourage the board to consider distance learning degrees as appropriate for licensure in the future. I am 39 years old raising three children and needed the help of family to get through classes and exams which precluded me from moving back to Morgantown or other university campuses. I worked very hard studying more than I ever did on campus and was able to achieve a higher degree of understanding of the different fields of practice since our professors were literally from across the United States serving varying positions lending to a greater understanding of the scope of psychology practiced today. My professors were incredibly professional and knowledgeable. Today's business world is changing to allow for greater family oriented alternatives since life styles have changed considerably over the years, I am hoping that other entities will follow this example. Currently I am sought out for my expertise and abilities to help those in need but cannot provide services because of the licensure issue. Please take this under advisement. Thank you for your time and consideration. BOARD RESPONSE On-Line Master's Programs: After consideration of this issue, the Board decided to continue requiring that Master's degree programs be on campus and not online. It is believed by the Board that the thorough and intensive psychological education provided by on site involvement with psychology professors gives the best assurance that Master's candidates will be qualified to provide the public with high quality services.
K. Jeff Boggess, Ph.D.	K-COMMENT 5.3 W. Va. Code §30-21-7a(4) specifies that masters degree applicants shall earn five (5) years of post-graduate Board-approved supervised experience. When applicants obtain <u>this the required supervised experience while simultaneously pursuing graduate work toward the doctorate degree, some limits exist regarding the number of hours of supervised experience the Board shall credit per week of work as a supervised-psychologist. The</u> the following guidelines apply. During the period in which an applicant was enrolled for ten to thirteen (10-13) semester hours, the Board may <u>allow credit up to twenty (20) hours per week of work performed as a supervised-psychologist toward licensure supervised experience; and when an applicant was enrolled for six to nine (6-9) semester hours, the Board may credit up to forty (40) hours per week supervised experience. Furthermore, if a masters degree applicant has completed an out-of-department six-month clinical practicum with subsequent out-of-department six-month full time clinical internship through a regionally accredited, or APA approved, program; APA approved one-year internship; or one-year internship deemed equivalent by the Board, only three (3) years of post-graduate Board-approved supervised experience is required.</u>

<u>3 Year Master's Supervision</u> <u>Regionally Accredited Internship</u>	While I have never been a supporter of full (autonomous) licensure at the Master's Degree level, I find it disheartening that the board would be considering lessening the standards for that particular license requirement. The above paragraph (section) is problematic on many levels. First, why would supervised clinical experience count toward licensure at the master's level when they would not count toward the one year requirement for the doctoral license? Especially when much of the clinical experience obtained in APA approved doctoral programs is APA accredited. This would hold true for out of department clinical internships as well. Second, if the standards are to be lessened, what defines a "regionally accredited" internship? Third , why would it be necessary for the board to determine if an internship is "equivalent" if the standard is already set by the APA (either use the APA guideline, or ignore it). One year APA accredited internships obtained prior to the doctoral degree do not currently count for supervision requirements for the doctoral license. Why would they be accepted prior to the obtainment of the master's degree? Currently, West Virginia has the lowest standard of any state with regards to the <u>autonomous licensure</u> of psychologists. What is the justification for lowering the standard even further? <u>BOARD RESPONSE</u> <u>Master's 3 Year Supervision:</u> In regard to this issue an amendment was made. The original three year option was proposed in response to the fact that multiple Master's level candidates have been unprepared to pass their oral examinations at the end of the five year supervision period. This indicates that some or all of their supervision experience has been inadequate. To better address this issue the amendment provides for tow revisions: (1) A <u>Midway Review</u> will be conducted when the supervised psychologist has completed 2 and 1/2 years of supervision. The Board will determine what the proper focus and direction should be during the remainder of supervision. (2) <u>Four Year Oral Examination Readiness Reviews</u> will be conducted for supervisees who (a) have attained additional practical experience via a six month practicum followed by a six month internship completed as part of their program of study; (b) have already passed the EPPP, and (c) their supervisors attest that they are prepared to pass the oral examination. For individuals meeting the above requirements, they must (d) submit for review, the four year mark competency package application for the oral examination. After review of the application material, the Board will either recommend sitting for the oral examination or stipulate completion of the fifth year of supervision with requirements to correct any deficiencies. <u>Internship Regionally Accredited:</u> A correction was made in light of Dr. Amerikaner's input that neither internships nor programs of study are accredited. The language was a typographical error and has been corrected to read: "a program of study at a regionally accredited institute of higher learning."
<u>L.</u> Jeannie Sperry, Ph.D. <u>Core Course Requirements</u>	<u>L-COMMENT</u> 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. 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. §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 and psychology, or in a university department with the official designation containing the words "psychology" or "psychological." <u>Core graduate level coursework required to be considered as a potential candidate for independent licensure as a psychologist includes, but is not limited to, all of the following clinical areas: clinical interviewing, diagnosis and treatment planning, psychopathology, assessment of children and adults, individual psychotherapy, clinical practicum, clinical internship, models of psychotherapy, and tests and measures.</u>

It appears that our generic license may become a clinical license. If this is the rationale for this change, then notable requirements missing are biological basis of behavior, ethical and legal issues, and research design and data analysis.

§17-3-3. Masters Level Training Requirements.

Master's Hours

3.1. W. Va. Code §30-21-7 requires that master's level applicants hold a "master's degree in psychology." For this degree to be adequate, the applicant shall have earned a minimum of ~~twenty-four (24)~~ thirty (30) semester hours of graduate credit in courses clearly identified by title and course content as being psychological in nature. A Psychology master's degree course study is adequate only if eighty percent (80%) or more of the required courses to earn the master's degree, excluding the practicum and masters thesis, are earned through on-campus classes of the degree granting university. The same core coursework requirements listed in §17-3-2.1. apply.

This is an inordinately low number of hours for a terminal masters program.

Psy.D.

§17-3-4. Doctoral Level Training Requirements.

4.1. W. Va. Code §30-21-7 requires that doctoral level applicants possess a doctor of philosophy degree (Ph.D.), or its 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~~ shall 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.

The PsyD is nationally recognized as doctoral training and should be included here.

3 Year Master's Supervision

5.3 W. Va. Code §30-21-7a(4) specifies that masters degree applicants shall earn five (5) years of post-graduate Board-approved supervised experience. When applicants obtain this the required supervised experience while simultaneously pursuing graduate work toward the doctorate degree, some limits exist regarding the number of hours of supervised experience the Board shall credit per week of work as a supervised-psychologist. The the following guidelines apply. During the period in which an applicant was enrolled for ten to thirteen (10-13) semester hours, the Board may allow credit up to twenty (20) hours per week of work performed as a supervised-psychologist toward licensure supervised experience; and when an applicant was enrolled for six to nine (6-9) semester hours, the Board may credit up to forty (40) hours per week supervised experience. Furthermore, if a masters degree applicant has completed an out-of-department six-month clinical practicum with subsequent out-of-department six-month full time clinical internship through a regionally accredited, or APA approved, program; APA approved one-year internship; or one-year internship deemed equivalent by the Board, only three (3) years of post-graduate Board-approved supervised experience is required.

This section is unclear, as there is no APA-approved program or internship for terminal masters training. Without a national accrediting body reviewing a proposed internship, the term "internship" loses meaning and devalues this essential component of training. If this section reflects someone who has completed all doctoral requirements except for the dissertation, completes an APA-approved internship, and then does not finish the dissertation so has to apply for Master's level licensure, then there appears to be some rationale for reducing years of supervised practice on a case-by-case basis for an ABD-level applicant. Otherwise, this proposal is confusing, as it appears to be at odds with the Boards' charge of protecting the public.

Student

§17-3-8. Standards for the Supervision of Persons Working Under the Direct and Regular Supervision of Licensees.

c. Students engaging in psychological activities as part of a course of study in an institution of higher learning; a person in this category shall refer to himself or herself and sign all work as: Student.

There is an additional category that was put in place by the Board recently for trainees in doctoral or

ABPP

post-doctoral programs that are granted a gold card in order to complete clinical training in medical settings. These persons meet licensure requirements in WV and are in a training program requiring a gold card in order to perform clinical work. Designating them as "students" would prohibit their clinical training in these settings.. I am assuming that "supervised psychologist" still applies in this category, but would like clarification.

§17-3-12. Special Procedures And Definitions For Board Consideration Of Applications Made For Licensure On The Basis Of ABEPP Certification And Reciprocity.

12.1. American Board of Examiners in Professional Psychology.

18 Month New
Test Use

I cannot find any current reference to this term (ABEPP). I think that ABPP is the current term. Otherwise, this section appears very appropriate for WV regarding persons with ABPP status.

§17-3- 21. Psychological Assessment

21.7. Current versions of psychological tests must be used no later than 18 months after their dates of publication.

This may not be necessary in all settings (i.e., when used mainly for training in test administration; when used to compare premorbid test results with current functioning). Perhaps this should be encouraged but not mandated?

Again, I look forward to the opportunity of public hearings to continue discussing this proposal and other issues pertinent to improving our law and our rules to better protect the public.

BOARD RESPONSE

Core Course Requirements: This list of core courses was not created to make the license clinical and exclude other types of degrees, such as Industrial and Sport psychology degrees. This list of courses was created because some Master's level candidates were applying for licensure on the basis of General Psychology and other non-clinical degrees. For such applicants to qualify to become supervised-psychologists it was decided that a list of courses be established to assure that all applicants have completed core courses fundamental to the practice of psychology as determined by law. This set of courses doesn't specify the doctoral degree because it is assumed they will be included in APA approved Ph.D. and Psy.D. programs.

Master's Hours Requirement Too Low: An amendment was made in response to several individuals who registered this concern. The rule is now modified to indicate that Master's candidates must have earned a minimum of 60 semester hours in their total program of study. Thus the 60 hour figure includes practicum, internships, research projects, etc. The new section reads as follows: "For this degree to be adequate, the program of study shall include a minimum of 60 semester hours of graduate credit. Coursework shall be clearly identified by title and course content as being psychological in nature."

Psy.D.: This doctoral level degree has become a nationally recognized degree and many Psy.D. doctoral programs are APA approved. Thus, 17.3.4.1 has been amended to reflect these facts.

Ed.D.; Sc.D.: As they always have, the Ed.D. and Sc.D. degrees will be considered under the equivalency provision of the law and rules.

Master's 3 Year Supervision: In regard to this issue an amendment was made. The original three year option was proposed in response to the fact that multiple Master's level candidates have been unprepared to pass their oral examinations at the end of the five year supervision period. This indicates that some or all of their supervision experience has been inadequate. To better address this issue the amendment provides for two revisions: (1) A Midway Review will be conducted when the supervised psychologist has completed 2 and 1/2 years of supervision. The Board will determine what the proper focus and direction should be during the remainder of supervision. (2) Four Year Oral Examination Readiness Reviews will be conducted for supervisees who (a) have attained additional practical experience via a six month practicum followed by a six month internship completed as part of their program of study; (b) have already passed the EPPP, and (c) their supervisors attest that they are prepared to pass the oral examination. For individuals meeting the above requirements, they must (d) submit for review, the four year mark competency package application for the oral examination. After

	review of the application material, the Board will either recommend sitting for the oral examination or stipulate completion of the fifth year of supervision with requirements to correct any deficiencies. Student: It is noted that section 17-3-8.c of the proposed rule changes would hinder "trainees in doctoral and post-doctoral programs that are granted a gold card in order to complete clinical training in medical settings. This reasoning is sound and the rule was amended accordingly. ABPP: The use of ABEPP was a typographical error. It has been corrected. 18 Month New Test Use: This guideline for using new tests is included in the rules because it is in accordance with section 9.08(b) of the APA code, "Psychologists do not use tests that are obsolete and not useful for the current purpose." 18 months is a generous grace period. Obviously, the Board would grant a rare exception to this rule if the psychologist proves that such exception is justified, i.e. the test was never normed.
<u>M.</u> Brian Bailey, MA	<u>M-COMMENT</u> I would like to suggest that the Board consider adoption of the Professional Psychologist Certification Board criteria (attached) as the definition of acceptable masters training for psychologist licensure in WV. Many of the criticisms currently being expressed about the rule changes and the absence of standardization pertaining to masters programs could be negated by adoption of the National Certified Psychologist standard. Thank you for your consideration of this issue. <u>Board Response:</u> Please see the last item.
<u>N.</u> Ed Morgret, Ph.D. <u>Differentiation Psychologists School Psychology</u>	<u>N-COMMENT</u> I am writing in response to the proposed changes to Title 17, Series 2 and Series 3 rules. Specifically, with respect to Series 3, it is unclear as to which sections apply to school psychologists. Obviously, Articles 17-3-16, 17-3-17, and 17-3-18 which include the words "School Psychologists" or "School Psychology" in the headings apply to school psychologists. However, some of the other sections do not appear to apply to school psychologists. For example, in Article 17-3-2.1, the description of core coursework in psychology includes the terms "clinical practicum" and "clinical internship, but does not include "school psychology practicum" or "school psychology internship." Are school psychologists exempt from certain sections of these rules? If so, a statement of exemption should be included. For consistency, I would recommend that the rules be rewritten to either reflect (a) a separate parallel version for school psychologists, or (b) an integrated generic version that would apply to all specialty fields within the broad discipline of psychology that would encompass the various fields such as clinical, school, industrial, developmental, and sports psychology. <u>BOARD RESPONSE</u> <u>Differentiation of Rules Between Psychologists and School Psychologists:</u> Some clarifying language has been added in places where the wording may have been ambiguous. The new wording addresses the issue of core coursework for school psychologists.
<u>O.</u> Joe Wyatt, Ph.D. <u>Off-Site Supervision</u> <u>Part-Time Supervision</u>	<u>O-COMMENT</u> I wish to express several concerns about the proposed rule changes by the licensing board. 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..." 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. 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? 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

<u>Exceptions</u> <u>3 Year Master's Supervision</u> <u>Research and Teaching</u> <u>Psy.D.</u>	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. Within an agency, where a supervisor and supervisee 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? 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. This "practice at the same site" provision is problematic to the extent that I recommend it either be dropped or quite powerfully justified. 2. Next concerns the notion that an MA applicant with a six-month clinical practicum along with a subsequent six-month internship or one year internship, should have a three-year supervision period, instead of the usual five year supervision period. How does a six-month practicum (which probably equates to three months of full-time practice) plus six months of internship equate to two years of practice? I suggest that practica should not count at all toward the supervision years, while internship should reduce the five year requirement on a month-for-month basis, assuming the internship is full-time. That would seem fair and uncomplicated, and similar to the doctoral provision that internship may reduce the two-year supervision requirement to one year. 3. Third, the Board suggests removal of "...designing original research projects; analyzing and reporting research data; or teaching a psychology course..." from the list of activities that may be "counted" as psychological practice. The problem with this proposal is that these are legitimate, and highly desirable, areas of psychologists' practice. Such activities that do not involve therapy or assessment, such as didactics, are required in any internship that is APA approved. Thus, the Board's proposal seems to be in conflict with another of its proposals (that internship be counted as supervised experience). As an alternative, I suggest that the board require a minimum number of client treatment/assessment hours be accomplished as part of the supervised experience. 4. Finally, the Board would do well to add "doctor of psychology (Psy.D)" to sections where "doctor of philosophy (Ph.D.)" presently is used as a defining term.
	<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>Part-Time Supervision Prohibition:</u> There is no such prohibition of part time supervision in the proposed rules. Part time supervision will be permitted when it is approved by the Board. <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. <u>Master's 3 Year Supervision:</u> In regard to this issue an amendment was made. The original three year option was proposed in response to the fact that multiple Master's level candidates have been unprepared to pass their oral examinations at the end of the five year supervision period. This indicates that some or all of their supervision experience has been inadequate. To better address this issue the amendment provides for two revisions: (1) A <u>Midway Review</u> will be conducted when the supervised psychologist has completed 2 and 1/2 years of supervision. The Board will determine what the proper focus and direction should be during the remainder of supervision. (2) <u>Four Year Oral</u>

	<u>Examination Readiness Reviews</u> will be conducted for supervisees who (a) have attained additional practical experience via a six month practicum followed by a six month internship completed as part of their program of study; (b) have already passed the EPPP, and (c) their supervisors attest that they are prepared to pass the oral examination. For individuals meeting the above requirements, they must (d) submit for review, the four year mark competency package application for the oral examination. After review of the application material, the Board will either recommend sitting for the oral examination or stipulate completion of the fifth year of supervision with requirements to correct any deficiencies. <u>Research and Teaching:</u> These areas, teaching and research are specifically excluded from the definition of the practice of psychology under WV Code and do not require licensure. <u>Psy.D.:</u> This doctoral level degree has become a nationally recognized degree and many Psy.D. doctoral programs are APA approved. Thus, 17.3.4.1 has been amended to reflect these facts. <u>Ed.D.; Sc.D.:</u> As they always have, the Ed.D. and Sc.D. degrees will be considered under the equivalency provision of the law and rules.
<u>P.</u> Ken Devlin, MA <u>Guidelines for Tele-Video Services</u> <u>Off-Site Supervision</u>	<u>P-COMMENT</u> Re: telehealth 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. My concerns include: • 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 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. 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. Incidentally, there is no reason why public meetings could not be telvideo to give folks an experience with the limitations & demands of this delivery system. <u>BOARD RESPONSE</u> <u>Guidelines for Tele-Video Services:</u> The necessity for such guidelines is a valid point. The Board plans to develop them in the future. However, there is not enough time to create them within the timelines of this legislative rule making process. <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>Q.</u> Sarah	<u>Q-COMMENT</u> Dear WVPA Members, Attached with this document is my letter regarding the proposed changes to

Jarvis, MA <u>Public Hearing</u> <u>Master's Hours</u> <u>Psy.D.</u> <u>3 Year Master's Supervision</u> <u>Off-Site Supervision</u>	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. Sincerely, My name is Sarah Jarvis and I am currently a doctoral student. I would first like to sincerely thank you all for allowing those interested in the betterment of psychology in West Virginia the opportunity to respond to your proposed changes. As a student and hopeful future psychologist in West Virginia, I would like the opportunity to share some of my concerns regarding the proposed changes. I think that my stated concerns may be somewhat different than those you have received from current supervisees and licensed supervisors. With that being said, my goal is to provide you with my impressions about how these changes could impact the future of psychology in West Virginia, from a student's perspective. First, Section 3.1 of Series 3, suggests that a person with 30 graduate hours in psychology is adequate training for a Master's level provider. From my experience, 30 hours is simply not enough time to receive adequate training in clinical psychology. I know from experience that Marshall University's Master's program offers a MA degree with clinical emphasis, which requires 24 hours of core classes (Immediate Stats, Biological Bases for Behavior, Cognitive, Advance Social Psych, Psychometrics, Ethics, and a MA seminar), and 23 hours of courses with clinical emphasis (listings may be found on their website, but are similar in nature to "core" curricula outlined in section 2.1). Please, note that this represents the minimum required hours. The board may want to reconsider their numbers given the national and local precedent standard. Second, Section 4.1 of Series 3, mentions Ph.D., but fails to mention a Psy.D., which is an APA recognized degree. A Psy.D. or Doctor of Psychology degree is recognized at the same level as a Ph.D. nationally. Persons with Psy.D. degrees are just as eligible for APA accredited internships, and certifications, such as ABPP. I would like to request that Ph.D. and Psy.D. be mentioned together, like Ph.D./Psy.D. as opposed to referring to one as an "equivalency." As a student in a Psy.D. program in West Virginia, that is accredited by the APA and as an intern at an APA approved internship site, referring to as an equivalency does not feel like my doctorate is held in the same esteem as a Ph.D. Third, Section 5.3 of Series 3, discusses the requirements for MA-level internships. APA accredited internship sites do not recognize MA-level applicants. They require, depending on the site, some form of doctorate degree, such as Ph.D./Psy.D. Having this as a requirement for MA-level applicants would not be possible. Secondly, what does "out of department six-month clinical practicum" refer to? In order to complete a clinical practica for a degree you must be a student within a psychology department, otherwise it is considered work or additional clinical experience for a vitae, but does not count towards degree completion. What would be the specific training, supervision, and didactic requirements for an "out of department clinical practicum?" Also, how would these training experiences cancel out several years of supervision? If these experiences will cancel out their years of supervision, would the board consider waiving the year of post-doctoral supervision, after completing a doctoral level internship and considering the years of clinical practicum gained throughout the time in a doctoral program? 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
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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.

I am very grateful to have been given the amazing opportunity to receive high quality training from both my APA- accredited program and internship site, both of which are in West Virginia. Having had this educational background and a deep appreciation for my Appalachian heritage, I am again hopeful to provide services as a licensed psychologists here, for these reasons I am very grateful to the Board for allowing us to voice our concerns about this matter and I join with others in requesting a public forum to further discuss the proposed changes. I feel that as a field, we have so much talent within the state and that by coming together and discussing the ways in which we can promote the practice of psychology in West Virginia we can collaboratively improve the environment in which we seek training, supervision, and licensure. I strongly value my clinical experiences and the supervision I have received and believe that modifications may need to be made to the current laws regulating licensure; however, I am not sure the proposed changes are the direction we may want to go. Thank you for your time and consideration in this matter, your openness to receive feedback is encouraging and admirable.

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.

Master's Hours Requirement Too Low: An amendment was made in response to several individuals who registered this concern. The rule is now modified to indicate that Master's candidates must have earned a minimum of 60 semester hours in their total program of study. Thus the 60 hour figure includes practicum, internships, research projects, etc. The new section reads as follows: "For this degree to be adequate, the program of study shall include a minimum of 60 semester hours of graduate credit. Coursework shall be clearly identified by title and course content as being psychological in nature."

Psy.D.: This doctoral level degree has become a nationally recognized degree and many Psy.D. doctoral programs are APA approved. Thus, 17.3.4.1 has been amended to reflect these facts.

Ed.D.; Sc.D.: As they always have, the Ed.D. and Sc.D. degrees will be considered under the equivalency provision of the law and rules.

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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.

R.

Bill Phelps,

R-COMMENT

Public hearings would seem to be important as well as more discussion at WVA Business meetings.
Bill Phelps

MA, MS	<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.
<u>S.</u> Marc Haut, Ph.D. <u>Core Courses</u> <u>18 Month</u> <u>New Test Use</u> <u>Research and</u> <u>Teaching</u> <u>Neuropsych</u> <u>Requirements</u> <u>ABPP</u> <u>Student</u>	<u>S-COMMENT</u> I am writing in response to the proposed changes to the licensure laws for Psychologists here in WV. I am respectfully requesting a series of public hearings around the state to allow for an open discussion of the proposed changes. The changes are many and the reasoning behind some of the changes is not clear to me. I have a number of concerns regarding some of the changes and it may be that clarification of the reasoning is all that is needed for some changes, but others are more fundamentally concerning to me. For example, I am not sure how the core courses were chosen and why biological bases of behavior, ethics, research methods and design/statistics are not included when they are all core areas to APA approved programs (2.1). For 21.7, I think it is wrong to require that a newer test be adopted as there are many instances when newer tests have not been properly validated at the time of publication. For example, when the 3rd edition of the Wechsler Memory Scale was published a number of neuropsychologists, my self included, continued to use the previous version because of problems with the new test. While a one year grace period may result in some changes in the validation of a test, some tests that are published are never fully validated and thus not adopted. In area 5.3, a 6 month internship is described that can be regionally accredited or APA approved. As a site visitor of internships for APA for the last 15 years I am not aware of any body other than APA that accredits internships and am not aware of any 6 month internships that are APA accredited. In addition, why would 6 months of internship translate into 2 less years of required supervision before becoming fully licensed? For 5.1, why are research and teaching, no longer acceptable activities. I clearly understand the need for a primary clinical focus for a license, but clinical research in particular would seem an appropriate activity. For example, let's say you are participating in a clinical trial examining the difference between cognitive-behavior therapy versus interpersonal therapy for the treatment of depression. Would the hours providing this treatment as part of a research protocol not qualify for appropriate activity? The same could be said for a study examining a new drug to treat Alzheimer's disease that requires cognitive assessments. Under 21.3c Neuropsychological tests are referenced but there is no comment on the qualifications required to administer these tests, such as the Houston Conference Guidelines Under 17-3-12 The American Board of Examiners in Professional Psychology is referenced. The correct designation is the American Board of Professional Psychology. The name was changed in 1947 and the organization, of which I am a member, is independent of APA. Finally, under 17.3.8 the requirement of the use of the term student needs to be clarified. Does this refer only to students who do not hold a gold card form the board? Requiring the use of the term student for the interns and postdoctoral residents in our training programs would not be permitted by our compliance department at our hospital. The use of the term student would mean that these individuals would not be allowed to see patients without a licensed psychologist present for the entire procedure and would in all likelihood result in the closure of these programs. Thank you for your consideration and I look forward to further discussions on these issues. Please acknowledge receipt of this email.
	<u>BOARD RESPONSE</u>

	Core Course Requirements: This list of core courses was not created to make the license clinical and exclude other types of degrees, such as Industrial and Sport psychology degrees. This list of courses was created because some Master's level candidates were applying for licensure on the basis of General Psychology and other non-clinical degrees. For such applicants to qualify to become supervised-psychologists it was decided that a list of courses be established to assure that all applicants have completed core courses fundamental to the practice of psychology as determined by law. This set of courses doesn't specify the doctoral degree because it is assumed they will be included in APA approved Ph.D. and Psy.D. programs. 18 Month New Test Use: This guideline for using new tests is included in the rules because it is in accordance with section 9.08(b) of the APA code, "Psychologists do not use tests that are obsolete and not useful for the current purpose." 18 months is a generous grace period. Obviously, the Board would grant a rare exception to this rule if the psychologist proves that such exception is justified, i.e. the test was never normed. Research and Teaching: These areas, teaching and research are specifically excluded from the definition of the practice of psychology under WV Code and do not require licensure. Neuropsychology Requirements: The Board determines which psychologists are qualified to administer neuropsychology test and test batteries via oral examinations. Such examinations limit psychologists to practicing psychology within their domains of expertise. Thus, it isn't necessary to list qualifications necessary to administer neuropsychology tests in section 21.3. ABPP: The use of ABEPP was a typographical error. It has been corrected. Student: It is noted that section 17-3-8.c of the proposed rule changes would hinder "trainees in doctoral and post-doctoral programs that are granted a gold card in order to complete clinical training in medical settings. This reasoning is sound and the rule was amended accordingly.
<u>I.</u> Kevin Larkin, Ph.D. <u>I.O. and Sport Psychologists</u> <u>Master's Hours</u> <u>Regionally</u>	<u>T-COMMENT</u> Dear Colleagues: Thank you for the thoughtful consideration you are giving to the Rules and Regulations of the WV Board of Examiners of Psychologists. It is clear that the changes you are proposing are motivated by a desire to improve the quality of the practice of psychology in our state. I have not had time to review the proposed changes with as much detail as you obviously have, but have perused them, particularly with attention to the qualifications for licensure as psychologists. My review prompted a few comments that I wanted to share with you. §17-3-2. Requirements of Graduate Degree Granting Institutions 2.1. Given that licensing occurs as a "psychologist" in WV and not as a "clinical psychologist," the added sentence in this section is not well justified. I would recommend dropping this sentence, particularly when evaluating industrial-organizational psychologists or sports psychologists who may pursue licensure. §17-3-3. Masters Level Training Requirements 3.1. This is an appropriate change if the Board is interpreting the 30 hours as being graduate level courses independent of hours for practicum and internship. As graduate courses in some programs contain practical components, however, it may be difficult for the Board to discern coursework from practicum in these cases. I have site visited training programs where the assessment sequence involves a combination of courses and practicum (e.g., Assessment I, Assessment II). In these cases, I believe the Board will have difficulty separating courses from practicum. It might be easier for the Board to adopt an even higher number of credit hours (40+) in Rule 3.1 and base it on the total number of graduate hours acquired rather than just course work. Given that several respondents have commented that a rationale be provided regarding how the number of hours was selected, the Board might consider stating that a qualified program involves at least 4 semesters of full-time graduate study; based on a standard definition of full time graduate work as 9 credit hours, this would result in a minimal requirement of 36 hours. I am certain that both the WVU and Marshall programs would meet this requirement and I doubt there would be any objection to it. Personally, I'd probably add 3 credits during each summer semester to arrive at a minimum of 42 hours, but I don't have the experience the Board has in evaluating programs of study and this may prevent some otherwise qualified candidates from pursuing licensure in our state. §17-3-4. Doctoral Level Training Requirements

<u>Accredited Internship</u>	4.3. Internships for doctoral training program are either accredited by the American Psychological Association or members of APPIC, or both. Many are not housed within the regionally accredited educational institutions listed in the Section 2.2. It is unclear what is meant by "a regionally accredited program of study." I recommend the Board consider using APA accreditation and/or APPIC membership as indicators of appropriate internships for doctoral students.
<u>Research and Teaching</u>	§17-3-5. Adequacy of Supervised Experience 5.1. I am opposed to the decision to remove research and teaching as part of the supervised experience for new licensees. There are several states that have adopted this rule, and it only serves to disenfranchise psychologists working in academic settings from their practitioner colleagues. Over the past two decades, I have worked hard to encourage my academic colleagues to become licensed, even though many of them do not need to do so to carry out their work as psychologists. I believe this has fostered generally positive relationships between academic psychologists and those in practice settings in WV. Should the Board adopt this rule change, it will virtually guarantee that WV psychologists working in academic settings will no longer pursue licensure. In the long run, this would have a very negative effect on the practice of psychology in WV. I believe that both research and teaching are valuable work activities that only serve to enhance the quality of practice and would hate to see WV move in this direction.
<u>Master's Internships</u>	5.3. I am pleased to see the Board defining criteria for "acceptable" internships for masters degree applicants for licensure. Because APA and APPIC have stated criteria for internships, creating rules to define what constitutes an acceptable internship is far more important for masters than doctoral candidates. There is some confusion in the proposed wording, however, because master's level candidates will not be able to complete APA approved or APPIC internships.
<u>Off-Site Supervision</u>	§17-3-9. Standards for Supervision of Applicants for Licensure 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...).
<u>Tele-Video Supervision</u>	§17-3-20. Renewals. 20.3. Bravo! I am glad the Board is requiring Supervised-Psychologists and Supervised School-Psychologists to complete CE.
<u>18 Month New Test Requirement</u>	§17-3-12. Special Procedures And Definitions For Board Consideration Of Applications Made For Licensure On The Basis Of ABEPP Certification And Reciprocity. Thank you for adding this section. Obtaining Board certification is a significant step in becoming identified as a specialist and ought to be encouraged. Facilitating portability of licensure is a step in this direction. §17-3- 21. Psychological Assessment 21.7. I don't understand the rationale for this item. Why should we routinely discontinue using versions of psychological tests after 18 months publication. In many cases, use of older tests may be warranted. For example, documenting change in functioning over longer periods of time when the patient was administered a test decades ago. Alternatively, use of an older version of a test

may be warranted when the patient has been recently exposed to newer test stimuli. I believe the statement in our Code of Ethics, Section 9.08, regarding use of older tests is adequate and there is no need to include it in the WV rules.

From what I can determine, the proposed changes have prompted a good bit of attention and I am sure you will take time to wade through all the comments submitted regarding these proposed changes. As always, should you have any questions regarding my comments, feel free to contact me. I'd be happy to provide any information you might need from me as Director of Clinical Training at WVU or any clarification of my comments above.

BOARD RESPONSE

I.O. and Sport Psychology: In the history of the Board it has granted two sport psychology and one industrial psychology licenses. These specialty licenses were granted after the candidates were granted after the candidates passed oral examinations during which the uniqueness of their scopes of practice were carefully considered and limited. These rules don't prevent future licensure of such candidates.

Master's Hours Requirement Too Low: An amendment was made in response to several individuals who registered this concern. The rule is now modified to indicate that Master's candidates must have earned a minimum of 60 semester hours in their total program of study. Thus the 60 hour figure includes practicum, internships, research projects, etc. The new section reads as follows: "For this degree to be adequate, the program of study shall include a minimum of 60 semester hours of graduate credit. Coursework shall be clearly identified by title and course content as being psychological in nature."

Internship Regionally Accredited: A correction was made in light of Dr. Amerikaner's input that neither internships nor programs of study are accredited. The language was a typographical error and has been corrected to read: "a program of study at a regionally accredited institute of higher learning."

Research and Teaching: These areas, teaching and research are specifically excluded from the definition of the practice of psychology under WV Code and do not require licensure.

Master's Internships: The Board took into account the comments to the effect that there were no APA approved internships at the Master's level. The wording was changed to a six month internship "arranged through a program of study at a regionally accredited institute of higher learning."

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.

Recommended Tele-Video Supervision: To assure the highest quality of supervision and to better protect the public the Board has decided that supervision shall be face to face.

18 Month New Test Use: This guideline for using new tests is included in the rules because it is in accordance with section 9.08(b) of the APA code, "Psychologists do not use tests that are obsolete and not useful for the current purpose." 18 months is a generous grace period. Obviously, the Board would grant a rare exception to this rule if the psychologist proves that such exception is justified, i.e. the test was never normed.

U.

Robin Muir,
Ph.D.

U-COMMENT

Good morning,

I would like to register agreement with several issues raised by other members regarding the proposed revisions to the supervision law.

I definitely agree that the economic climate impacts supervision. My income for the first half of 2009 is down 23% from the first half of 2008. Not all of that loss is from the change in reimbursement rates, but some proportion of it certainly is. Considering there was not a lot of time for supervision previously, scrambling to add clients and find other sources of revenue makes supervision pretty much impossible. Fortunately, I do not have any West Virginia supervisees at this time.

Supervision Requirement too Rigorous

Actually, I probably will no longer take on any West Virginia supervisees. I do not find that the model of supervision required (either here or in our neighboring state of Ohio) address the needs of the people I supervise. They are not traditional age, nor do they necessarily provide services through the traditional model. They are all middle age, and some have more experience in the field than I do. They provide limited, specific, targeted services to specific populations. They are really caught in the rivalry between the types of licenses and training courses available to people who want to be in the helping fields. Several have opted not to seek psychology licensure in our state, because the process is both too

	intimidating and too expensive, and the return on their monetary and time investments is minimal. So, between the rigorous requirements for supervision, which do not meet the needs of the supervisees (and may serve to limit the public's access to services that can be provided by competent clinicians because it is so limiting and daunting they do not pursue licensure), the very daunting current economic picture, and concerns about how health care provision will change in the near future (due to federal issues), I will not be taking on any new supervisees. That saddens me, because it is a source of diversification for my practice, a chance for me to teach, and a chance for me to receive in a way I cannot with my clients. It saddens me, also, because (not to be arrogant), I feel I have a valuable fund of knowledge, with nobody to pass it down to. It is also detrimental to mental health care in this area of the state (Wheeling), where we do not have large graduate programs with lots of trainees and supervisors in academic settings, and where our entering professionals are often middle aged, with diverse backgrounds, bringing a wealth of knowledge and skills from prior experiences to bear on their new clinical careers. There are several of us in Wheeling (I do not speak for any of them, nor do they know I am writing this) who are "getting up there" in age and will probably be retiring within the next five to ten years. This will be a real loss to the area. I do not know if they feel as I do, but I feel the rigid legislative climate and models of supervision being proposed will further hinder the passing down of our knowledge to others. Thanks for "listening." I hope this venting spurs more fruitful discussions. <u>BOARD RESPONSE</u> <u>Supervision Requirement too Rigorous:</u> After more than 20 years of conducting oral examinations and determining that multiple supervised psychologists failed their oral examinations and were unprepared by the supervision process to practice competently; the Board found it necessary to make the supervision process rigorous. The Board is a national leader among all the Boards in this regard. Apparently the OH licensure Board to which you referred is of like mind. The Board strongly believes that making supervision process more rigorous is a crucial action toward fulfilling its primary mission, which is protection of the public.
<u>V.</u> David Blair, Ph.D. <u>On-Line</u> <u>Doctoral</u> <u>Programs</u> <u>Public</u> <u>Hearing</u> <u>Request</u>	<u>V-COMMENT</u> Dear Board Members: 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. 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. 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 interest.

	7-6-09 C. David Blair, Ph.D. 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. 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. Thank you for your time in considering this feedback and suggestions.
	<u>BOARD RESPONSE</u> <u>On-Line Doctoral Programs:</u> In 2007 the Board notified psychologists and the public that it would accept doctoral degrees from distance learning institutions if such institutions were regionally accredited; and/or if the doctoral program from that institution was APA approved. <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.
<u>W.</u> David Clayman, Ph.D. <u>Public Hearing Request</u>	<u>W-COMMENT</u> 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. <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.
<u>M.</u> Brian Bailey, MA <u>Master's Program Standards</u>	<u>M-COMMENT</u> I would like to suggest that the Board consider adoption of the Professional Psychologist Certification Board criteria (attached) as the definition of acceptable masters training for psychologist licensure in WV. Many of the criticisms currently being expressed about the rule changes and the absence of standardization pertaining to masters programs could be negated by adoption of the National Certified Psychologist standard. Thank you for your consideration of this issue. <u>BOARD RESPONSE</u> <u>Master's Program Standards:</u> The Board appreciates the submission of these standards and will take these under consideration.

To be eligible for application to the Professional Psychologist Certification Board (PPCB) for NCP certification, the master's degree *must meet* the following definitions:

- The graduate degree is awarded by an institution of higher learning in the public or private sector and is regionally and/or MPAC accredited. The accrediting bodies are: New England Association of Schools and Colleges; North Central Association of Colleges and Schools;

Northwest Association of Schools and Colleges; Southern Association of Colleges and Schools; Middle States Association of Colleges and Schools; Western Association of Schools and Colleges; and Master's in Psychology Accreditation Council (MPAC).

- The graduate program should be *labeled and advertised as a psychology program*. (In some rare instances there may be programs that do not identify psychology in the program title, yet meet all the other requirements. These programs will be considered on a case-by-case basis.)
- The graduate faculty is primarily trained in, and identifies, psychology as their major field of study. This faculty holds the primary responsibility for designing and delivering the course of study in a manner that utilizes the established principles of psychology and emphasizes a scientific approach.
- The coursework will be comprised of *at least 40 graduate semester hours* or the equivalent. Examples of acceptable coursework are included in the Qualification Check Sheet.

CERTIFICATION QUALIFICATION CHECK SHEET

This tool is to be used as a quick screening device in qualifying NCP applicants from **typical** *Masters Psychology* programs. Other programs that are less common in make-up will need to be reviewed by the PPCB on a case-by-case basis, and their course content will be evaluated against that of other recognized and established programs in the field. Applicants must have completed graduate coursework in 6 of these 8 domains of knowledge and Ethics* is required either as part of the coursework or in workshop form (within 2 years of being NCP certified if not on transcript).

Sample coursework
Semester/Date

Univ

1. APPLIED PSYCHOLOGY

- ☐ Art Therapy
- ☐ Career Counseling
- ☐ Crisis Intervention
- ☐ Family Counseling
- ☐ Group Counseling
- ☐ Health Psychology
- ☐ Human Resource Planning
- ☐ Individual Counseling
- ☐ Introduction to Counseling
- ☐ Organizational Psychology
- ☐ Personnel Selection
- ☐ Play Therapy
- ☐ Psychology of Stress & Coping
- ☐ Special Problems in Psychology
- ☐ Sports Psychology
- ☐ Theories & Tech of Counseling
(or specific therapeutic techniques
such as Adlerian, Gestalt, etc)
- ☐ Vocational Psychology

Total number of credits _____

Sample coursework _____ Univ _____ Dept/Course # _____

Semester/Date

Sample coursework _____ Univ _____ Dept/Course # _____

Semester/Date

5. INDIVIDUAL DIFFERENCES

- ☐ Abnormal Psychology
- ☐ Psy of Exceptional Children
- ☐ Psychopathology
- ☐ Theories of Personality

Total number of credits _____

2. BIOLOGICAL BASES OF BEHAVIOR

- ☐ Behavioral medicine
- ☐ Drugs and Behavior
- ☐ Neuropsychology
- ☐ Physiological Psychology
- ☐ Psychopharmacology

Total number of credits _____

3. DEVELOPMENTAL PSYCHOLOGY

- ☐ Adolescent Psychology
- ☐ Child Development
- ☐ Developmental/Lifestyle Psychology
- ☐ Psychology of Aging

Total number of credits _____

4. ETHICS

*Ethics component required. If not completed as part of graduate coursework, an Ethics *workshop or post-graduate* course consisting of at least 3 hours must be completed within 2 years after NCP certification date.

Total number of credits _____

6. METHODOLOGY

- ☐ Experimental Psychology
- ☐ History and Systems of Psy
- ☐ Psychological Statistics
- ☐ Research Methods

Total number of credits _____

7. PSYCHOMETRIC METHODS

☐ Intelligence Testing	Univ	Dept/Course #
Sample coursework		
Semester/Date		

8. SOCIAL/COGNITIVE/AFFECTIVE BASES OF BEHAVIOR

- ☐ Educational Psychology
- ☐ Ethnic/cultural Psychology
- ☐ Neuropsychological Assessment
- ☐ Personality Assessment
- ☐ Vocational Assessment

Total number of credits _____

- ☐ Group Dynamics
- ☐ Learning Theory
- ☐ Motivational Psychology
- ☐ Psychology of Cognition
- ☐ Psy of Human Performance
- ☐ Psychology of Memory
- ☐ Psychology of Mood/emotion
- ☐ Psychology of Perception
- ☐ Psychology of the Sexes
- ☐ Social Psychology

Total number of credits _____

I have completed coursework that meets requirements from the following domains of knowledge:

- ☐ APPLIED PSYCHOLOGY
- ☐ BIOLOGICAL BASES OF BEHAVIOR
- ☐ DEVELOPMENTAL PSYCHOLOGY
- ☐ ETHICS
- ☐ INDIVIDUAL DIFFERENCES
- ☐ METHODOLOGY
- ☐ PSYCHOMETRIC METHODS
- ☐ SOCIAL/COGNITIVE/AFFECTIVE BASES OF BEHAVIOR

Number of domains met _____

PLEASE COMPLETE AND RETURN WITH NCP APPLICATION

APPLICANT NAME _____

STEP 5B 3 AND 4

AMENDMENTS MADE TO PROPOSED TITLE 17, SERIES 3 AS A RESULT OF COMMENTS OR OTHER INFORMATION RECEIVED AND REASONS FOR THE AMENDMENTS.

2.1 Requirements of Graduate Degree Granting Institutions – CORE COURSES

TEXT AMENDMENT

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 and psychology, or in a university department with the official designation containing the words "psychology" or "psychological." Core graduate level coursework required to be considered as a potential candidate for independent licensure as a psychologist includes, but is not limited to, all of the following areas: clinical interviewing, diagnosis and treatment planning, psychopathology, biological bases of behavior, ethics, assessment of children and adults, individual psychotherapy, clinical practicum, clinical internship, and tests and measures. These core areas are deemed by the Board to be fundamental to the practice of psychology as defined in WV Code § 30-21-2.

REASONS PERTINENT TO SPECIFIC COMMENT TOPICS

Biological Basis of Behavior Course: It is argued that this course is a significant component of psychological education. Therefore, an amendment has been made and this course has been included in 17.3.2.1. **Ethics Course:** To better protect the public it was decided to also require an Ethics Course. **Psychotherapy Models:** The Board decided to delete this specific course from the list. Rationale – As noted by Dr. Edelstein, Models of Psychotherapy are typically offered as parts of other courses. **Core Course Requirements:** These core areas are deemed by the Board to be fundamental to the practice of psychology as defined in WV Code § 30-21-2. This list of core courses was not created to make the license clinical and exclude other types of degrees, such as Industrial and Sport psychology degrees. This list of courses was created because some Master's level candidates were applying for licensure on the basis of General Psychology and other non-clinical degrees. For such applicants to qualify to become supervised-psychologists it was decided that a list of courses be established to assure that all applicants have completed core courses fundamental to the practice of psychology as determined by law. This set of courses doesn't specify the doctoral degree because it is assumed they will be included in APA approved Ph.D. and Psy.D. programs.

3. Masters Level Training Requirements – THIRTY HOURS

TEXT AMENDMENT

3.1. W. Va. Code §30-21-7 requires that master's level applicants hold a "master's degree in psychology." For this degree to be adequate, the program of study shall include a minimum of 60 semester hours of graduate credit. ~~applicant shall have earned a minimum of twenty-four (24) semester hours of graduate credit in courses~~ Coursework shall be clearly identified by title and course content as being psychological in nature. A Psychology master's degree course of study is adequate only if eighty percent (80%) or more of the required courses to earn the master's degree, excluding the practicum and masters thesis, are earned through on-campus classes of the degree granting university. The same core coursework requirements listed in §17-3-2.1. apply to all new applicants effective on January 1, 2012.

REASONS PERTINENT TO SPECIFIC COMMENT TOPICS

Master's Hours Requirement Too Low: An amendment was made in response to several individuals who registered this concern. The rule is now modified to indicate that Master's candidates must have earned a minimum of 60 semester hours in their total program of study. Thus, the 60-hour figure includes practicum, internships, research projects, etc. The new section reads as follows: "For this degree to be adequate, the program of study shall include a minimum of 60 semester hours of graduate credit. Coursework shall be clearly identified by title and course content as being psychological in nature." **Not Retroactive** These changes in Series 3 Rules are not retroactive and will go into effect on the date the legislature deems.

4. Doctoral Level Training Requirements – PSY.D.

TEXT AMENDMENT

4.1. W. Va. Code §30-21-7 requires that doctoral level applicants possess a doctor of philosophy degree (Ph.D.), Psy.D., or the 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 shall 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.

REASONS PERTINENT TO SPECIFIC COMMENT TOPICS

Psy.D.: This doctoral level degree has become a nationally recognized degree and many Psy.D. doctoral programs are APA approved. Thus, 17.3.4.1 has been amended to reflect these facts. **Ed.D.; Sc.D.:** As they always have, the Ed.D. and Sc.D. degrees will be considered under the equivalency provision of the law and rules. **Generic License:** There is nothing in these rule changes that prevents the Board from granting licenses to non-clinical degree candidates under the equivalency provisions of the law. In the history of the Board it has granted two sport psychology and one industrial psychology licenses. **Are Rule Changes Retroactive?** These changes in Series 3 Rules are not retroactive and will go into effect on the date the legislature deems.

4.3. Doctoral Level Training Requirements – INTERNSHIP

TEXT AMENDMENT

4.3. The doctoral degree course study in psychology shall include a pre-doctoral or post-doctoral internship approved by the American Psychological Association or arranged through a program of study at an accredited institution of higher learning. ~~its equivalent.~~ The Board ~~may~~ shall require an applicant who has not completed ~~either a pre-doctoral or post-doctoral internship or their equivalent or completed an American Psychological Association approved pre-doctoral or post-doctoral internship~~ such an internship to have an additional year of Board-approved supervision beyond the required one year.

REASON

A correction was made in light of the comment that neither internships nor programs of study are accredited. The language was a typographical error and has been corrected to read: "a program of study at a regionally accredited institute of higher learning."

4.4.j. Doctoral Level Training Requirements – 2000 HOUR INTERNSHIP

TEXT AMENDMENT

4.4.j. The internship experience (~~minimum 2000 hours~~) shall be full time based on APA standards, and shall be completed within twenty-four (24) months, although the Board may waive this requirement under exceptional circumstances.

REASON

This requirement has been deleted and the rules have been amended to indicate "the internship experience shall be full time based on APA standards." The emphasis is congruent with APA language requiring "full time" status. APA language on approved internships does not stipulate a specific number of hours. In addition, it was pointed out that there is a national shortage of internships and it was decided not to impede students in their efforts to obtain internships.

5.3 Adequacy of Supervised Experience – THREE YEAR SUPERVISION

TEXT AMENDMENT

W. Va. Code §30-21-7a(4) specifies that masters degree applicants shall earn five (5) years of post-graduate Board-approved supervised experience. When applicants obtain this the required supervised experience while simultaneously pursuing graduate work toward the doctorate degree, some limits exist regarding the number of hours of supervised experience the Board shall credit per week of work as a supervised-psychologist. The the following guidelines apply. During the period in which an applicant was enrolled for ten to thirteen (10-13) semester hours, the Board may allow credit up to twenty (20) hours per week of work performed as a supervised-psychologist toward licensure supervised experience; and when an applicant was enrolled for six to nine (6-9) semester hours, the Board may credit up to forty (40) hours per week supervised experience. Midway through the five-year period of supervision, the supervisee shall submit for review by the Board three (3) work samples representative of the supervised practice. After review of the submitted work samples the Board shall make recommendations regarding the continuation of supervision, including areas requiring remediation or changes required by the Board to facilitate effective progress toward professional competency and independent licensure. Furthermore, if a masters degree applicant has completed an out-of-department six-month clinical practicum with subsequent out-of-department six-month full time clinical internship arranged through a program of study at an accredited institution of higher learning, or full time one-year internship deemed equivalent by the Board, the applicant, with the supervisor's approval, may request to take the oral exam for licensure after four (4) years of post-graduate Board-approved supervised experience. The written request must be accompanied by a completed competency package to be reviewed by the Board. Upon review of the competency package the Board shall either recommend the individual schedule for the oral exam or complete the fifth year of supervision with some additional stipulations or requirements.

REASON

In regard to this issue an amendment was made. The original three year option was proposed in response to the fact that multiple Master's level candidates have been unprepared to pass their oral examinations at the end of the five year supervision period. This indicates that some or all of their supervision experience has been inadequate. To better address this issue the amendment provides for tow revisions: (1) A Midway Review will be conducted when the supervised psychologist has completed 2 and 1/2 years of supervision. The Board will determine what the proper focus and direction should be during the remainder of supervision. (2) Four Year Oral Examination Readiness Reviews will be conducted for supervisees who (a) have attained additional practical experience via a six month practicum followed by a six month internship completed as part of their program of study, (b) have already passed the EPPP, and (c) their supervisors attest that they are prepared to pass the oral examination. For individuals meeting the above requirements, they must (d) submit for review,

the four year mark competency package application for the oral examination. After review of the application material, the Board will either recommend sitting for the oral examination or stipulate completion of the fifth year of supervision with requirements to any correct deficiencies.

5.5 – Adequacy of Supervised Experience – EQUIVALENCY AND PSY.D.

TEXT AMENDMENT

5.5 When the applicant holds a Ph.D., Psy.D., or ~~its~~ the equivalent, W. Va. Code §30-21-7a(a)(4) requires at least 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 subsection 5.1 and 5.2 of this rule, the Board may count the work experience from the time that all requirements of the degree were met. In those cases the Board ~~will~~ shall request verification from the university's or college's department chairperson or program advisor.

REASON

This amendment makes this section of the rule consistent with the inclusion of Psy.D. in 4.1.

6. Professional Ethics – SCHOOL PSYCHOLOGY ETHICS CODE

TEXT AMENDMENT

The Board hereby adopts the ~~Code of Ethics~~ Ethical Principles of Psychologists and Code of Conduct of the American Psychological Association as part of this rule, and all provisions of this Code of Ethics have the same effect as if they were specifically promulgated rules of the Board. In addition to the APA Code of Ethics, School-Psychologists are also bound by the National Association of School Psychologists Principles for Professional Ethics.

REASON

The proposed rules are amended to clarify that school psychologists are bound by the NASP principles for professional ethics. Rational - This was an oversight. Obviously, school psychologists should adhere to their own code of professional ethics along with the ethical principles and code of conduct that applies to all psychologists.

8.2.c. Standards for the Supervision of Persons Working under the Direct and Regular Supervision of Licensees. – STUDENT GOLD CARD

TEXT AMENDMENT

Students engaging in psychological activities as part of a course of study in an institution of higher learning; a person in this category, unless the Board has specifically issued a gold card allowing them to sign as a supervised-psychologist, shall refer to himself or herself and sign all work as: Student.

REASON

It is noted that section 17-3-8.c of the proposed rule changes would hinder "trainees in doctoral and post-doctoral programs that are granted a gold card in order to complete clinical training in medical settings. This reasoning is sound and the rule was amended accordingly.

16.1.c. Licensure of School Psychologists – CORE COURSEWORK

TEXT AMENDMENT

A "Supervised-School-Psychologist" is one who has earned a masters, Ed.S. or Certificate of Advance study in an approved program from a regionally accredited institution of higher education and is applying for Level I or Level II licensure. Core coursework shall be relevant to the practice of school psychology as defined under WV Code §30-21-2.

REASON

Differentiation of Rules Between Psychologists and School Psychologists: Some clarifying language has been added in places where the wording may have been ambiguous. The new wording addresses the issue of core coursework for school psychologists.

21.7. Psychological Assessment – EIGHTEEN MONTH NEW TEST USE

TEXT AMENDMENT

Current versions of psychological tests must be used no later than 18 months after their dates of publication. Psychologists do not use tests that are obsolete and not useful for the current purpose.

REASON

This guideline for using new tests is included in the rules because it is in accordance with section 9.08(b) of the APA code, "Psychologists do not use tests that are obsolete and not useful for the current purpose." 18 months is a generous grace period. Obviously, the Board would grant a rare exception to this rule if the psychologist proves that such exception is justified, i.e. the test was never normed.