

1 BOARDS AND COMMISSIONS

2 KENTUCKY BOARD OF EXAMINERS OF PSYCHOLOGY

3 (Amendment)

4 201 KAR 26:155. Licensed psychologist: application procedures and temporary license.

5 RELATES TO: KRS 319.050

6 STATUTORY AUTHORITY: 319.032(1) (a), (c)

7 NECESSITY, FUNCTION, AND CONFORMITY: KRS 319.032(1)(a) and (c) require the
8 board to promulgate administrative regulations establishing the requirements for an applicant for
9 licensure as a psychologist. This administrative regulation establishes the requirements for
10 applicants for licensure, and the conditions for a temporary license.

11 Section 1. Application. (1) After the requirements established in KRS 319.050(2) are met, an
12 application for a credential as a licensed psychologist or a temporarily licensed psychologist may
13 be submitted to the board, to an online application management system contracted by the board
14 for the purposes of application screening, or as the board directs.

15 (2) The application made to the board or to the online application management system shall
16 include:

17 (a) A certification by the applicant that the:

18 1. Information in the application is true, correct, and complete to the best of their knowledge and
19 belief; and

20 2. Applicant is aware that the board may take disciplinary action if the application contains a
21 misrepresentation or falsification.

1 (b) Payment of the application fee, which shall be:

2 1. Made payable to the Kentucky State Treasurer if the application is processed through the
3 board; or

4 2. Made to the online application management system as directed by the board.

5 (c) Three (3) recommendations from persons qualified to evaluate the applicant's professional
6 ability within five (5) years from the date of application, including two (2) persons who have
7 received a doctorate in psychology (Ph.D., PsyD., Ed.D.). The recommendations shall be
8 submitted on the Recommendation Form for Licensure as a Psychologist; and

9 (d) An official transcript for all levels of education required for licensure. Transcripts shall be
10 received in sealed envelopes or electronically directly from the school or a third-party
11 clearinghouse.

12 Section 2. Temporary Licensure. (1) Pending successful completion of required examinations,
13 an applicant may request permission to practice psychology at the doctoral level on a temporary
14 basis pursuant to KRS 319.050(3). The request for a temporary credential shall be cosigned by
15 the candidate and the proposed supervisor, who shall be a licensed psychologist with health
16 service provider certification approved by the board.

17 (2) Supervision during the period of temporary licensure shall be a minimum of one (1) hour of
18 individual, face-to-face supervision on a weekly basis.

19 (3) A report of supervision shall be submitted on a regular basis as required by 201 KAR 26:171,
20 Section 6.

21 (4) The candidate shall take the national EPPP within one (1) year of the board's written approval
22 of temporary licensure.

23 (5)(a) A temporary license shall be valid for one (1) year from the date of the notice of approval

1 by the board.

2 (b) During the period of temporary licensure, a candidate shall:

3 1. Successfully complete all credentials and examination procedures;

4 2. Pass the EPPP; and

5 3. Pass the Kentucky examinations as outlined in 201 KAR 26:230, Section 1(2), within one (1)
6 year of the date of the notice of approval by the board for a temporary license.

7 (6)(a) Under exceptional circumstances and upon written request cosigned by the board approved
8 supervisor, the board may approve an extension of the period of temporary licensure.

9 (b) If a temporary licensee requires an extension after one (1) year, the licensee may request a six
10 (6) month extension.

11 (c) After the six (6) months, a second extension may be requested for an additional six (6)
12 months.

13 (d) After a total of two (2) years of temporary licensure, the licensee may request a second
14 temporary license following the steps in this section.

15 (e) If after two (2) years on the second temporary license another extension is requested, the
16 licensee may request a third temporary license following the steps in this section.

17 (f) Licensees shall not exceed a total of six (6) years of extensions for all temporary licenses nor
18 hold a temporary license for longer than six (6) years.

19 (g) All extensions are provided by the board at the board's discretion.

20 (h) A licensee shall submit a completed Request for Extension of Temporary Licensure as a
21 Psychologist to request an extension.

22 Section 3. (1) An individual who submits an Application for Licensure as a Psychologist and
23 has been approved by another state to take the EPPP shall submit:

1 (a) The official notice of the results of the EPPP from the state psychology regulatory board that
2 approved the applicant to take the EPPP; or

3 (b) A request to ASPPB to release the results of the EPPP to the board and notify the board of the
4 submission of the request.

5 (2) The applicant shall submit the official notice or notification of the request to ASPPB to the
6 board within thirty (30) days of taking the examination.

7 Section 4. Grace Period for Submission of Credentials. To allow for processing of the
8 candidate's materials by the board, there shall be a grace period not to exceed sixty (60) days
9 within which candidates who have completed their degree requirements may begin to practice
10 psychology under supervision of a board-approved supervisor, as established in 201 KAR
11 26:190.

12 (1) Upon acceptance of employment or the beginning of the required period of supervision, the
13 candidate and the licensed psychologist who shall serve as his or her supervisor shall
14 immediately submit a letter of notice to the board indicating that he or she has begun to practice
15 in Kentucky and that application materials are forthcoming. Failure to submit this notice shall be
16 deemed as grounds for disciplinary action against the candidate and the supervisor.

17 (2) The candidate shall ensure that all materials are forwarded to the board within thirty (30)
18 days from the date of employment or supervision. Once the application is complete, the board
19 shall review the material at its next scheduled meeting and, if appropriate, issue either a
20 temporary or permanent credential. If the candidate does not meet the requirements for the
21 credential, or if the application material is insufficient to take any action, he or she shall be
22 notified by the board and directed to cease practice until the requirements are met or the
23 necessary documentation has been submitted.

1 (3) The grace period shall not be extended beyond sixty (60) days. Candidates who fail to
2 achieve approval within this timeframe shall not practice psychology until credentialed by the
3 board.

4 (4) Upon filing the notice set forth in Section 3(1) of this administrative regulation, the candidate
5 is deemed to be practicing psychology under the jurisdiction of the board, and shall comply with
6 KRS Chapter 319 and 201 KAR Chapter 26.

7 Section 5. Incomplete Application. An incomplete application shall be determined to be
8 expired one (1) year from the date of filing, and may be destroyed.

9 Section 6. Incorporation by Reference. (1) The following material is incorporated by
10 reference:

11 (a) "Application for Licensure as a Psychologist", ~~October~~^{March} 2021;

12 (b) "Recommendation Form for Licensure as a Psychologist", March 2021; and

13 (c) "Request for Extension of Temporary Licensure as a Psychologist", March 2021.

14 (2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at
15 the Board of Examiners of Psychology, 500 Mero Street, Frankfort, Kentucky 40601, Monday
16 through Friday, 8 a.m. to 4:30 p.m. The material is also available on the Board's website and the
17 address is: <https://psy.ky.gov>~~[Web site]~~.

201 KAR 26:155

Jean A. Deters, Psy. D.

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BOARD CHAIR

APPROVED BY AGENCY: November 8, 2021

PUBLIC HEARING AND PUBLIC COMMENT PERIOD:

A public hearing on this administrative regulation shall, if requested, be held on January 31, 2022 at 3:00 pm EST in Room 133, The Mayo-Underwood Building, 500 Mero Street, Frankfort, Kentucky 40601. All attendees shall comply with all Executive Orders relating to the State of Emergency as may be in effect on the date of the public hearing, which may be found at: <https://governor.ky.gov/covid-19>. Members of the public may utilize the following link to attend the meeting by video conference:

Join from PC, Mac, Linux, iOS or Android:

<https://us06web.zoom.us/j/89307082752?pwd=YnRKN3BtaStYNHZZOSSt2ZU5RY3VmZz09>
Password: 889205

Or Telephone:

Dial:

USA 713 353 0212

USA 8888227517 (US Toll Free)

Conference code: 931924

Find local AT&T Numbers:

<https://www.teleconference.att.com/servlet/glbAccess?process=1&accessNumber=8888227517&accessCode=931924>

Or an H.323/SIP room system:

H.323:

162.255.37.11 (US West)

162.255.36.11 (US East)

115.114.131.7 (India Mumbai)

115.114.115.7 (India Hyderabad)

213.19.144.110 (Amsterdam Netherlands)

213.244.140.110 (Germany)

103.122.166.55 (Australia Sydney)

103.122.167.55 (Australia Melbourne)

149.137.40.110 (Singapore)

64.211.144.160 (Brazil)

149.137.68.253 (Mexico)

69.174.57.160 (Canada Toronto)

65.39.152.160 (Canada Vancouver)

207.226.132.110 (Japan Tokyo)

149.137.24.110 (Japan Osaka)

Meeting ID: 893 0708 2752
Password: 889205

SIP: 89307082752@zoomcrc.com
Password: 889205

Individuals interested in attending this hearing shall notify this agency in writing by January 24, 2022, five (5) workdays prior to the hearing, of their intent to attend. If no notification of intent to attend is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who attends will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on this proposed administrative regulation until 11:59 pm EST on January 31, 2022. Send written notification of intent to attend the public hearing or written comments on the proposed administrative regulation to the contact person. Pursuant to KRS 13A.280(8), copies of the statement of consideration and, if applicable, the amended after comments version of the administrative regulation shall be made available upon request.

Contact Person: Kevin Winstead
Title: Commissioner, Department of Professional Licensing
Address: 500 Mero Street
Phone: (502) 782 - 8805 (office)
Fax: (502) 564-3969
Email: KevinR.Winstead@ky.gov

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation No. 201 KAR 26:155

Contact Person: Kevin Winstead
Title: Commissioner, DPL
Address: 500 Mero Street
Phone: (502) 782 - 8805 (office)
Fax: (502) 564-3969
Email: KevinR.Winstead@ky.gov

(1) Provide a brief summary of:

(a) What this administrative regulation does:

KRS 319.032 authorizes the Kentucky Board of Examiners of Psychology to promulgate administrative regulations consistent with KRS Chapter 319, regulating the practice of psychology. This administrative regulation establishes the fees for licensure and examination.

(b) The necessity of this administrative regulation:

This administrative regulation is required by KRS 319.032.

(c) How this administrative regulation conforms to the content of the authorizing statutes:

KRS 319.032 authorizes the Kentucky Board of Examiners of Psychology to promulgate administrative regulations consistent with KRS Chapter 319, regulating the practice of psychology. This administrative regulation establishes the fees for licensure and examination.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:

This regulation assists in the effective administration of KRS Chapter 319 by carrying out the legislative mandate for the board to establish regulations for the practice of psychology.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation:

(b) The necessity of the amendment to this administrative regulation: See (1)(b).

(c) How the amendment conforms to the content of the authorizing statutes: See (1)(c).

(d) How the amendment will assist in the effective administration of the statutes: See (1)(d).

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:

This regulation will affect 1,772 licensed psychologists practicing in the Commonwealth of Kentucky, as well as an unknown number of their patients who depend on their psychologist remaining current with their training.

(4) Provide an analysis of how the entities identified in the previous question will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions each of the regulated entities have to take to comply with this regulation or amendment: This regulation will provide updated procedures for clinical supervision of certified psychologist, licensed psychological associate, candidate for licensure, a credential holder sanctioned by the board, or a credential holder under disciplinary action, and clarifies that this type of supervision is clinical, not administrative or business supervision..

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities: This regulation should add no additional cost to the licensed psychologist.

(c) As a result of compliance, what benefits will accrue to the entities: This regulation will allow psychologists to have an updated understanding of procedures for clinical supervision of certified psychologist, licensed psychological associate, candidate for licensure, a credential holder sanctioned by the board, or a credential holder under disciplinary action, and clarifies that this type of supervision is clinical, not administrative or business supervision..

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: This administrative regulation does not create a cost for the administrative body.

(b) On a continuing basis: This administrative regulation does not create a cost for the administrative body

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: The Kentucky Board of Examiners of Psychology is self-funded through the fees paid by licensees. No additional funding is necessary for the implementation and enforcement of this administrative regulation.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: No increases in fees or funding is necessary to implement the amendment to this administrative regulation.

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: No increases in fees or funding is necessary to implement this administrative regulation.

(9) TIERING: Is tiering applied? Tiering is not applied because similarly situated licensees are treated similarly under this administrative regulation.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation No. 201 KAR 26:155

Contact Person: Kevin Winstead
Title: Commissioner, DPL
Address: 500 Mero Street
Phone: (502) 782 - 8805 (office)
Fax: (502) 564-3969
Email: KevinR.Winstead@ky.gov

(1) What units, parts or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation?

This administrative regulation impacts the Kentucky Board of Examiners of Psychology.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 319.032(1).

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? This administrative regulation does not generate revenue for the Board.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? None.

(c) How much will it cost to administer this program for the first year? There are no additional costs.

(d) How much will it cost to administer this program for subsequent years? See 3(c).

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-):

Expenditures (+/-):

Other Explanation:

SUMMARY OF CHANGES TO MATERIAL INCORPORATED BY REFERENCE

Regulation No. 201 KAR 26:155

Contact Person: Kevin Winstead
Title: Commissioner, DPL
Address: 500 Mero Street
Phone: (502) 782 - 8805 (office)
Fax: (502) 564-3969
Email: KevinR.Winstead@ky.gov

"Application for Licensure as a Psychologist", October 2021, is a ten (10) page form used to apply for licensure. It amends the previous March 2021 version by: 1) clarifying how to report information regarding the practicum; and 2) changing the revision date.

"Recommendation Form for Licensure as a Psychologist", March 2021 version is a one page form used to recommend someone for licensure. There are no proposed changes to the form.

"Request for Extension of Temporary Licensure as a Psychologist", March 2021 version is a one page form used to request an extension of a temporary license. There are no proposed changes to the form.