

TEXAS STATE BOARD OF EXAMINERS OF PSYCHOLOGISTS



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Board Administrator

Texas State Board of Examiners of Psychologists Meeting Agenda

November 10, 2022, 10:00 a.m.

The November 10, 2022 meeting of the Texas State Board of Examiners of Psychologist will be held by videoconference call, as authorized under Texas Government Code section 551.127. One or more Board members may appear at the scheduled meeting via videoconference call, but the presiding member will be physically present at George H.W. Bush State Office Bldg. 1801 Congress Avenue, Ste. 7.301, Austin, Texas 78701. This location will be open to the public, but seating is limited to first come, first served. Due to health and safety concerns, as well as the size of the available meeting room, public seating will be limited to three (3) individuals.

Members of the public are encouraged to access and participate virtually in this meeting by entering the URL address <https://us02web.zoom.us/j/82516398163> into their web browser. Telephone access numbers and additional videoconference call access information can be found in the attached addendum. An electronic copy of the agenda and meeting materials will be made available at www.bhec.texas.gov prior to the meeting. An electronic copy of the agenda and meeting materials will be made available at www.bhec.texas.gov prior to the meeting. A recording of the meeting will be made available on the Council's YouTube channel after the meeting is adjourned. To obtain a copy of the recording, please contact the Council's public information officer at Open.Records@bhec.texas.gov.

For members of the public wishing to give public comment, once the public comment item is reached on the agenda after the meeting convenes, the presiding member will allow those who are attending in person to give public comment first and then ask those joining by computer to use the "raise hand" feature to indicate who would like to make a public comment. Those individuals who raise their hand will then be unmuted to give public comment. Once all individuals with raised hands have been given an opportunity to make public comment, the individuals appearing by telephone will be unmuted and asked whether they would like to make a public comment. Please note that public comment is not intended for a discussion or a question-and-answer session with the Board. Additionally, when making a public comment, please identify yourself and whether you are speaking individually or on behalf of an organization. All public comments will be limited to 3 minutes, unless otherwise directed by the presiding officer. In lieu of providing public comment during the meeting, you may submit written public comments by email through our [Contact Us](#) webpage in advance of the meeting. To submit an email simply click on the "[Email Us](#)" link on that page and select "Submission of Public Comment for Proposed Rule(s) or Open Meeting" from the drop-down menu. Please use the subject line "Public Comment for (enter date of meeting here) Meeting" to ensure your comments are identified as such and directed accordingly. Only those written public comments received by 5pm on the last business day prior to the meeting will be submitted to the

council members for their consideration. No written comments received will be read aloud during the meeting.

Please note that the Board may request input during the meeting from any interested parties or members of the public in attendance during its discussion of an agenda item.

If you are planning to attend this meeting and need auxiliary aids, services or materials in an alternate format, please contact the Board at least 5 working days before the meeting date. Phone: (512) 305-7700, [Click here](#) and select “**Administration and Executive Leadership**” from the drop-down menu to send an email, TTY/RELAY TEXAS: 711 or 1-800-RELAY TX.

The Board may go into Executive Session to deliberate any item listed on this agenda if authorized under Texas Open Meetings Act, Government Code, Ch. 551.

The Board may discuss and take action concerning any matter on the agenda and in a different order from what it appears herein.

Meeting Agenda for November 10, 2022, 10:00 a.m.

1. Call to Order – Roll Call
2. Public Comments - Public comment is limited to three (3) minutes per individual, unless otherwise directed by the Board Chair. Please note that the Board may not discuss or take action on any matter raised during public comment, except to decide whether to place the matter on the agenda of a future meeting. Limited public comment related to rulemaking may be allowed by the Chair, in his or her sole discretion, prior to the Board taking up any rulemaking topics on the agenda.
3. Chair’s Report
4. Board Administrator Report
 - A. Council Report - FY 2022-Q4 Measures Report
 - B. PSYPACT Update
 - C. ASPPB Update
 - i. Discussion about possible response or course of action following the October 28th announcement by ASPPB to begin requiring both Parts 1 and 2 of the EPPP examination in all member jurisdictions.
5. Enforcement Division
 - A. Enforcement Staff:
 - i. Review of Dismissals by Executive Director and Staff
 - ii. Status Reports - FY 2022 – Q4 and Annual
 - iii. Discussion on ISC Panels*
 - iv. Dismissals for Board ratification*
 - B. Agency Counsel:
 - i. Review of Agreed Orders Approved by Executive Director
 - ii. Agreed Orders for Board Ratification*

- iii. Review of Contested Cases from the State Office of Administrative Hearings (SOAH)*
- 6. Committee Reports
 - A. Applications Committee
 - i. Appeal of Application Denial* (Per 22 TAC 882.3(b))
 - ii. Application(s) for Licensure*
 - B. Compliance Committee
 - i. Review of Compliance with Agreed Orders
 - C. Jurisprudence Examination Committee
 - D. Rules Committee
- 7. Rulemaking
 - A. New Rules or Proposed Rule Changes Being Considered for Recommendation to the Executive Council*
 - B. Rules Published in the Texas Register and Awaiting Adoption Recommendations*
 - i. Rule 463.8, Licensed Psychological Associate
 - ii. Rule 463.9, Licensed Specialist in School Psychology
 - iii. Rule 463.10, Licensed Psychologists
 - iv. Rule 463.12, Temporary License
 - v. Rule 463.15, Criteria for Degrees Conferred Prior to 1979
 - vi. Rule 463.35, Professional Development (Repeal and Replace) The Board will also review and may take action with regards to the Office of the Governor, Regulatory Compliance Division's review of this proposed rule.
- 8. Discussion on TSBEP Insights Over Lunch potential dates and topics.
- 9. Discussion on Reciprocity with the Oklahoma State Board of Examiners of Psychologist
- 10. Recommendations for agenda items for the next Board meeting
- 11. Adjournment

Addendum: Additional Videoconference and Telephone Conference Call Information

Regular meeting of the Texas State Board of Examiners of Psychologists.

When: Nov 10, 2022 10:00 AM Central Time (US and Canada)

Topic: Texas State Board of Examiners of Psychologists November 10, 2022 Board Meeting

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/82516398163>

Or One tap mobile :

US: +13462487799,,82516398163# or +16694449171,,82516398163#

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Dial(for higher quality, dial a number based on your current location):

US: +1 346 248 7799 or +1 669 444 9171 or +1 669 900 9128 or +1 719 359 4580 or +1 253 215 8782 or +1 564 217 2000 or +1 646 558 8656 or +1 646 931 3860 or +1 301 715 8592 or +1 309 205 3325 or +1 312 626 6799 or +1 360 209 5623 or +1 386 347 5053

Webinar ID: 825 1639 8163

International numbers available: <https://us02web.zoom.us/j/82516398163>

4TH QUARTER PERFORMANCE MEASURES

FISCAL YEAR 2022

Submitted to the
Governor's Office of Budget and Planning
and the Legislative Budget Board

by

Texas Behavioral Health Executive Council

October 4, 2022


Executive Director


Date

Efficiency/Output Measures with Cover Page and Update Explanation
87th Regular Session, Performance Reporting
Automated Budget and Evaluation System of Texas (ABEST)

9/23/2022 12:52:45PM

Agency code: **510**

Agency name: **Behavioral Health Executive Council**

Type/Strategy/Measure	2022 Target	2022 Actual	2022 YTD	Percent of Annual Target	Target Range
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Output Measures

1-1-1 LICENSING

1 # NEW LICENSEES ISSUED

Quarter 1	7,800.00	2,544.00	2,544.00	32.62 % *	1,560.00 - 2,340.00
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Explanation of Variance: **FACTORS CAUSING THE VARIANCE:**

In its 2022-2023 LAR, the Council had to project targets that were representative of all four regulatory programs, based on limited information from the three HHSC programs, as these programs had no performance measures to account for under HHSC. For this specific measure, the Council projected that it would issue 7,800 new licenses per fiscal year, or 1,950 per quarter. During the first quarter of FY 22, the agency exceeded its target by 8%, issuing 2,544 new licenses.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

The number of new licenses issued during the first quarter of FY 21 was 1,789. This number has now increased to 2,544, all in the scope of one year, due to the dedication and efficiency of the licensing staff and the significant workforce shortage of behavioral health providers. The Council believes that its initial projection was too low, and will make adjustments during the next LAR.

* Varies by 5% or more from target.

Agency code: 510

Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2022 Target	2022 Actual	2022 YTD	Percent of Annual Target	Target Range
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Output Measures**1 # NEW LICENSEES ISSUED**

Quarter 2	7,800.00	2,205.00	4,749.00	60.88 % *	3,510.00 - 4,290.00
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Explanation of Variance: FACTORS CAUSING THE VARIANCE:

In its 2022-2023 LAR, the Council had to project targets that were representative of all four regulatory programs, based on limited information from the three HHSC programs, as these programs had no performance measures to account for under HHSC. For this specific measure, the Council projected that it would issue 7,800 new licenses per fiscal year, or 1,950 per quarter. During the second quarter of FY 22, the agency exceeded its target by issuing 2,205 for the quarter, for a total of 4,749 YTD new licenses.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

The number of new licenses issued during the second quarter of FY 21 was 1,997. This number has now increased to 2,205 all in the scope of one year, due to the dedication and efficiency of the licensing staff and the significant workforce shortage of behavioral health providers. The Council believes that its initial projection was too low, and will make adjustments during the next LAR.

* Varies by 5% or more from target.

Agency code: 510

Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2022 Target	2022 Actual	2022 YTD	Percent of Annual Target	Target Range
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Output Measures

1 # NEW LICENSEES ISSUED

Quarter 3	7,800.00	2,314.00	7,063.00	90.55 % *	5,460.00 - 6,240.00
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Explanation of Variance: FACTORS CAUSING THE VARIANCE:

In its 2022-2023 LAR, the Council had to project targets that were representative of all four regulatory programs, based on limited information from the three HHSC programs, as these programs had no performance measures to account for under HHSC. For this specific measure, the Council projected that it would issue 7,800 new licenses per fiscal year, or 1,950 per quarter. During the third quarter of FY 22, the agency exceeded its target by issuing 2,314 for the quarter, for a total of 7,063 YTD new licenses.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

The number of new licenses issued each quarter continue to average around 2,350 due to the dedication and efficiency of the licensing staff and the significant workforce shortage of behavioral health providers. The Council believes that its initial projection was too low, and will make adjustments during the next LAR.

* Varies by 5% or more from target.

Agency code: 510

Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2022 Target	2022 Actual	2022 YTD	Percent of Annual Target	Target Range
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Output Measures**1 # NEW LICENSEES ISSUED**

Quarter 4	7,800.00	2,984.00	10,047.00	128.81 % *	7,410.00 - 8,190.00
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Explanation of Variance: FACTORS CAUSING THE VARIANCE:

In its 2022-2023 LAR, the Council had to project targets that were representative of all four regulatory programs, based on limited information from the three HHSC programs, as these programs had no performance measures to account for under HHSC. For this specific measure, the Council projected that it would issue 7,800 new licenses per fiscal year, or 1,950 per quarter. During the fourth quarter of FY 22, the agency exceeded its target by issuing 2,984 for the quarter, for a total of 10,047 YTD new licenses.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

The number of new licenses issued each quarter continue to average around 2,350 due to the dedication and efficiency of the licensing staff and the significant workforce shortage of behavioral health providers. The Council believes that its initial projection was too low, and has requested this target be increased to 9,300 in its FY24-FY25 LAR.

2 # LICENSE RENEWALS

* Varies by 5% or more from target.

Efficiency/Output Measures with Cover Page and Update Explanation
87th Regular Session, Performance Reporting
Automated Budget and Evaluation System of Texas (ABEST)

9/23/2022 12:52:45PM

Agency code: 510

Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2022 Target	2022 Actual	2022 YTD	Percent of Annual Target	Target Range
Output Measures					
2 # LICENSE RENEWALS					
Quarter 1	42,000.00	7,564.00	7,564.00	18.01 % *	8,400.00 - 12,600.00

Explanation of Variance: FACTORS CAUSING THE VARIANCE:

In its 2022-2023 LAR, the Council had to project targets that were representative of all four regulatory programs, based on limited information from the three HHSC programs, as these programs had no performance measures to account for under HHSC. For this specific measure, the Council projected that it would renew 42,000 licenses per fiscal year, or 10,500 per quarter. During the first quarter of FY 22, the agency fell short of its target by 7%, renewing 7,564 licenses.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

All license renewals are required to be submitted online and are approved automatically by the online licensing system, unless they are under audit or the agency hasn't received their fingerprint criminal history results. Licensing staff have little control over how many licensees will choose to renew their license, and therefore how many renewals get processed. The Council believes that its initial projection was too high, and will make adjustments during the next LAR.

* Varies by 5% or more from target.

Agency code: 510

Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2022 Target	2022 Actual	2022 YTD	Percent of Annual Target	Target Range
Output Measures					
2 # LICENSE RENEWALS					
Quarter 2	42,000.00	6,751.00	14,315.00	34.08 % *	18,900.00 - 23,100.00

Explanation of Variance: FACTORS CAUSING THE VARIANCE:

In its 2022-2023 LAR, the Council had to project targets that were representative of all four regulatory programs, based on limited information from the three HHSC programs, as these programs had no performance measures to account for under HHSC. For this specific measure, the Council projected that it would renew 42,000 licenses per fiscal year, or 10,500 per quarter. During the second quarter of FY 22, the agency fell short of its target, renewing 6,751 licenses.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

All license renewals are required to be submitted online and are approved automatically by the online licensing system, unless they are under audit or the agency hasn't received their fingerprint criminal history results. Licensing staff have little control over how many licensees will choose to renew their license, and therefore how many renewals get processed. The Council believes that its initial projection was too high, and will make adjustments during the next LAR.

* Varies by 5% or more from target.

Agency code: 510

Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2022 Target	2022 Actual	2022 YTD	Percent of Annual Target	Target Range
Output Measures					
2 # LICENSE RENEWALS					
Quarter 3	42,000.00	6,833.00	21,148.00	50.35 % *	29,400.00 - 33,600.00

Explanation of Variance: FACTORS CAUSING THE VARIANCE:

In its 2022-2023 LAR, the Council had to project targets that were representative of all four regulatory programs, based on limited information from the three HHSC programs, as these programs had no performance measures to account for under HHSC. For this specific measure, the Council projected that it would renew 42,000 licenses per fiscal year, or 10,500 per quarter. During the third quarter of FY 22, the agency fell short of its target, renewing 6,833 licenses.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

All license renewals are required to be submitted online and are approved automatically by the online licensing system, unless they are under audit or the agency hasn't received their fingerprint criminal history results. Licensing staff have little control over how many licensees will choose to renew their license, and therefore how many renewals get processed. The Council believes that its initial projection was too high, and will make adjustments during the next LAR.

* Varies by 5% or more from target.

Agency code: 510

Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2022 Target	2022 Actual	2022 YTD	Percent of Annual Target	Target Range
Output Measures					
2 # LICENSE RENEWALS					
Quarter 4	42,000.00	7,457.00	28,605.00	68.11 % *	39,900.00 - 44,100.00

Explanation of Variance: FACTORS CAUSING THE VARIANCE:

In its 2022-2023 LAR, the Council had to project targets that were representative of all four regulatory programs, based on limited information from the three HHSC programs, as these programs had no performance measures to account for under HHSC. For this specific measure, the Council projected that it would renew 42,000 licenses per fiscal year, or 10,500 per quarter. During the fourth quarter of FY 22, the agency fell short of its target, renewing 7,457 licenses for a total of 28,605 YTD license renewals.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

All license renewals are required to be submitted online and are approved automatically by the online licensing system, unless they are under audit or the agency hasn't received their fingerprint criminal history results. Licensing staff have little control over how many licensees will choose to renew their license, and therefore how many renewals get processed. The Council believes that its initial projection was too high, and has requested this target be lowered to 29,000 in its FY24-FY25 LAR.

2-1-1 ENFORCEMENT

1 COMPLAINTS RESOLVED

* Varies by 5% or more from target.

Agency code: 510

Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2022 Target	2022 Actual	2022 YTD	Percent of Annual Target	Target Range
Output Measures					
1 COMPLAINTS RESOLVED					
Quarter 1	1,000.00	195.00	195.00	19.50 % *	200.00 - 300.00

Explanation of Variance: FACTORS CAUSING THE VARIANCE:

In its 2022-2023 LAR, the Council had to project targets that were representative of all four regulatory programs, based on limited information from the three HHSC programs, as these programs had no performance measures to account for under HHSC. For this specific measure, the Council projected that it would resolve 1,000 complaints per fiscal year, or 250 per quarter. During the first quarter of FY 22, the agency fell short of this measure by 5%, resolving 195 complaints.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

The number of complaints resolved during the first quarter of FY 21 was 104. This number has now increased to 195, due to the dedication and efficiency of the enforcement and legal staff. The Council believes that its initial projection was correct, and that its target will be met or exceeded by the end of the fiscal year, assuming the Council is able to maintain full or close-to-full staffing levels. However, the Council will monitor this target to determine if adjustments need to be made during the next LAR.

* Varies by 5% or more from target.

Efficiency/Output Measures with Cover Page and Update Explanation
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Agency code: 510

Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2022 Target	2022 Actual	2022 YTD	Percent of Annual Target	Target Range
Output Measures					
1 COMPLAINTS RESOLVED					
Quarter 2	1,000.00	89.00	284.00	28.40 % *	450.00 - 550.00

Explanation of Variance: FACTORS CAUSING THE VARIANCE:

In its 2022-2023 LAR, the Council had to project targets that were representative of all four regulatory programs, based on limited information from the three HHSC programs, as these programs had no performance measures to account for under HHSC. For this specific measure, the Council projected that it would resolve 1,000 complaints per fiscal year, or 250 per quarter. During the second quarter of FY 22, the agency fell short of this measure by resolving 89 complaints.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

At the beginning of FY 21, the agency inherited over 1,300 pending complaints. Due to the dedication and efficiency of the enforcement and legal staff, the pending complaints at the end of the second quarter of FY22 is down to 594. Additionally, the agency is projecting to receive around 500 complaints this year. Due to these two factors, the Council believes that its initial projection to resolve 1,000 complaints per year was too high for FY22, and will make adjustments during the next LAR.

* Varies by 5% or more from target.

Efficiency/Output Measures with Cover Page and Update Explanation
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Agency code: 510

Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2022 Target	2022 Actual	2022 YTD	Percent of Annual Target	Target Range
Output Measures					
1 COMPLAINTS RESOLVED					
Quarter 3	1,000.00	226.00	510.00	51.00 % *	700.00 - 800.00

Explanation of Variance: FACTORS CAUSING THE VARIANCE:

In its 2022-2023 LAR, the Council had to project targets that were representative of all four regulatory programs, based on limited information from the three HHSC programs, as these programs had no performance measures to account for under HHSC. For this specific measure, the Council projected that it would resolve 1,000 complaints per fiscal year, or 250 per quarter. During the third quarter of FY 22, the agency was within 9% of this target by resolving 226 complaints.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

At the beginning of FY 21, the agency inherited over 1,300 pending complaints. Due to the dedication and efficiency of the enforcement and legal staff, the pending complaints at the end of the third quarter of FY22 is down to 532. Additionally, the agency is projecting to receive around 500 complaints this year. Due to these two factors, the Council believes that its initial projection to resolve 1,000 complaints per year was too high for FY22, and will make adjustments during the next LAR.

* Varies by 5% or more from target.

Efficiency/Output Measures with Cover Page and Update Explanation
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Automated Budget and Evaluation System of Texas (ABEST)

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Agency code: 510

Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2022 Target	2022 Actual	2022 YTD	Percent of Annual Target	Target Range
Output Measures					
1 COMPLAINTS RESOLVED					
Quarter 4	1,000.00	219.00	729.00	72.90 % *	950.00 - 1,050.00

Explanation of Variance: FACTORS CAUSING THE VARIANCE:

In its 2022-2023 LAR, the Council had to project targets that were representative of all four regulatory programs, based on limited information from the three HHSC programs, as these programs had no performance measures to account for under HHSC. For this specific measure, the Council projected that it would resolve 1,000 complaints per fiscal year, or 250 per quarter. During the fourth quarter of FY 22, the agency was within 12% of this target by resolving 219 complaints. Total complaints resolved for FY22 was 749.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

At the beginning of FY 21, the agency inherited over 1,300 pending complaints. Due to the dedication and efficiency of the enforcement and legal staff, the pending complaints at the end of the third quarter of FY22 is down to 532. Additionally, the agency is projecting to receive around 500 complaints this year. The Council has requested this target be lowered to 400 in its FY24-FY25 LAR.

2 COMPLAINTS PENDING

* Varies by 5% or more from target.

Agency code: 510

Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2022 Target	2022 Actual	2022 YTD	Percent of Annual Target	Target Range
Output Measures					
2 COMPLAINTS PENDING					
Quarter 1	1,000.00	579.00	579.00	57.90 % *	950.00 - 1,050.00

Explanation of Variance: FACTORS CAUSING THE VARIANCE:

In its 2022-2023 LAR, the Council had to project targets that were representative of all four regulatory programs. This was based on limited information from the three HHSC programs, as these programs had no performance measures to account for under HHSC. For this specific measure, the Council projected that there would be 1,000 complaints pending during FY 2022. During the first quarter of FY 22, the agency exceeded this measure by only having 579 complaints pending.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

The number of complaints pending at the beginning of FY 21 was 1,379. This number has now decreased to 579, all in the scope of one year, due to the dedication and efficiency of the enforcement and legal staff. The Council believes that its initial projection was too high, and will make adjustments during the next LAR.

* Varies by 5% or more from target.

Agency code: 510

Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2022 Target	2022 Actual	2022 YTD	Percent of Annual Target	Target Range
Output Measures					
2 COMPLAINTS PENDING					
Quarter 2	1,000.00	594.00	594.00	59.40 % *	950.00 - 1,050.00

Explanation of Variance: FACTORS CAUSING THE VARIANCE:

In its 2022-2023 LAR, the Council had to project targets that were representative of all four regulatory programs. This was based on limited information from the three HHSC programs, as these programs had no performance measures to account for under HHSC. For this specific measure, the Council projected that there would be 1,000 complaints pending during FY 2022. During the second quarter of FY 22, the agency exceeded this measure by only having 594 complaints pending.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

The number of complaints pending at the beginning of FY 21 was over 1,300. This number has now decreased to 594, all in the scope of one year, due to the dedication and efficiency of the enforcement and legal staff. Additionally, the agency is projecting to only receive around 500 complaints this year. Due to these two factors, the Council believes that its initial projection of 1,000 complaints pending is too high for FY22, and will make adjustments during the next LAR.

* Varies by 5% or more from target.

Agency code: 510

Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2022 Target	2022 Actual	2022 YTD	Percent of Annual Target	Target Range
Output Measures					
2 COMPLAINTS PENDING					
Quarter 3	1,000.00	532.00	532.00	53.20 % *	950.00 - 1,050.00

Explanation of Variance: FACTORS CAUSING THE VARIANCE:

In its 2022-2023 LAR, the Council had to project targets that were representative of all four regulatory programs. This was based on limited information from the three HHSC programs, as these programs had no performance measures to account for under HHSC. For this specific measure, the Council projected that there would be 1,000 complaints pending during FY 2022. During the third quarter of FY 22, the agency bested this measure by only having 532 complaints pending.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

The number of complaints pending at the beginning of FY 21 was over 1,300. This number has now decreased to 532, all in the scope of one year, due to the dedication and efficiency of the enforcement and legal staff. Additionally, the agency is projecting to only receive around 500 complaints this year. Due to these two factors, the Council believes that its initial projection of 1,000 complaints pending is too high for FY22, and will make adjustments during the next LAR.

* Varies by 5% or more from target.

Efficiency/Output Measures with Cover Page and Update Explanation
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Agency code: 510

Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2022 Target	2022 Actual	2022 YTD	Percent of Annual Target	Target Range
Output Measures					
2 COMPLAINTS PENDING					
Quarter 4	1,000.00	467.00	467.00	46.70 % *	950.00 - 1,050.00

Explanation of Variance: FACTORS CAUSING THE VARIANCE:

In its 2022-2023 LAR, the Council had to project targets that were representative of all four regulatory programs. This was based on limited information from the three HHSC programs, as these programs had no performance measures to account for under HHSC. For this specific measure, the Council projected that there would be 1,000 complaints pending during FY 2022. During the fourth quarter of FY 22, the agency bested this measure by only having 467 complaints pending.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

The number of complaints pending at the beginning of FY 21 was over 1,300. This number has now decreased to 467, all in the scope of one year, due to the dedication and efficiency of the enforcement and legal staff. Additionally, the agency is projecting to only receive around 600 complaints this year. Due to these two factors, the Council believes that its initial projection of 1,000 complaints pending is too high for FY22, and has requested this target be lowered to 500 in its FY24-FY25 LAR.

Efficiency Measures

1-1-1 LICENSING

1 AVG TIME TO PROCESS APP (DAYS)

* Varies by 5% or more from target.

Agency code: 510

Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2022 Target	2022 Actual	2022 YTD	Percent of Annual Target	Target Range
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Efficiency Measures**1 AVG TIME TO PROCESS APP (DAYS)**

Quarter 1	60.00	54.39	54.39	90.65 % *	57.00 - 63.00
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Explanation of Variance: FACTORS CAUSING THE VARIANCE:

In its 2022-2023 LAR, the Council had to project targets that were representative of all four regulatory programs, based on limited information from the three HHSC programs, as these programs had no performance measures to account for under HHSC. For this specific measure, the Council projected the average issuance time for licenses would be 60 days. During the first quarter of FY 22, the agency exceeded this measure by having an average license issuance time of only 55 days.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

The average time for license issuance during the first quarter of FY 21 was 78 days. This number has now decreased to 55 days, all in the scope of one year, due to the dedication and efficiency of the licensing staff. The Council believes that its initial projection was correct, and that its target will continue to be met or exceeded assuming the Council is able to maintain full or close-to-full staffing levels. However, the Council will monitor this target to determine if adjustments need to be made during the next LAR.

* Varies by 5% or more from target.

Efficiency/Output Measures with Cover Page and Update Explanation
87th Regular Session, Performance Reporting
Automated Budget and Evaluation System of Texas (ABEST)

9/23/2022 12:52:45PM

Agency code: 510 Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2022 Target	2022 Actual	2022 YTD	Percent of Annual Target	Target Range
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Efficiency Measures

1 AVG TIME TO PROCESS APP (DAYS)

Quarter 2	60.00	47.74	51.26	85.43 % *	57.00 - 63.00
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Explanation of Variance: FACTORS CAUSING THE VARIANCE:

In its 2022-2023 LAR, the Council had to project targets that were representative of all four regulatory programs, based on limited information from the three HHSC programs, as these programs had no performance measures to account for under HHSC. For this specific measure, the Council projected the average issuance time for licenses would be 60 days. In the second quarter of FY 22, the agency exceeded this measure by having an YTD average license issuance time of only 48 days.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

The average time for license issuance specific to the second quarter of FY 21 was 95 days. This number has now decreased to 48 days, all in the scope of one year, due to the dedication and efficiency of the licensing staff. The Council believes that its initial projection was correct, and that its target will continue to be met or exceeded assuming the Council is able to maintain full or close-to-full staffing levels. However, the Council will monitor this target to determine if adjustments need to be made during the next LAR.

* Varies by 5% or more from target.

Efficiency/Output Measures with Cover Page and Update Explanation
87th Regular Session, Performance Reporting
Automated Budget and Evaluation System of Texas (ABEST)

9/23/2022 12:52:45PM

Agency code: **510**

Agency name: **Behavioral Health Executive Council**

Type/Strategy/Measure	2022 Target	2022 Actual	2022 YTD	Percent of Annual Target	Target Range
Efficiency Measures					
1 AVG TIME TO PROCESS APP (DAYS)					
Quarter 3	60.00	40.13	47.58	79.30 % *	57.00 - 63.00

Explanation of Variance: FACTORS CAUSING THE VARIANCE:

In its 2022-2023 LAR, the Council had to project targets that were representative of all four regulatory programs, based on limited information from the three HHSC programs, as these programs had no performance measures to account for under HHSC. For this specific measure, the Council projected the average issuance time for licenses would be 60 days. In the third quarter of FY 22, the agency bested this measure by having an YTD average license issuance time of only 48 days.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

The average time for license issuance specific to the third quarter of FY 21 was 76 days. This number has now decreased to 41 days, all in the scope of one year, due to the dedication and efficiency of the licensing staff. The Council believes that its initial projection was correct, and that its target will continue to be met or beat assuming the Council is able to maintain full or close-to- full staffing levels. However, the Council will monitor this target to determine if adjustments need to be made during the next LAR.

* Varies by 5% or more from target.

Agency code: 510

Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2022 Target	2022 Actual	2022 YTD	Percent of Annual Target	Target Range
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Efficiency Measures**1 AVG TIME TO PROCESS APP (DAYS)**

Quarter 4	60.00	39.55	45.18	75.30 % *	57.00 - 63.00
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Explanation of Variance: FACTORS CAUSING THE VARIANCE:

In its 2022-2023 LAR, the Council had to project targets that were representative of all four regulatory programs, based on limited information from the three HHSC programs, as these programs had no performance measures to account for under HHSC. For this specific measure, the Council projected the average issuance time for licenses would be 60 days. In the fourth quarter of FY 22, the agency bested this measure by having an YTD average license issuance time of only 40 days.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

The average time for license issuance for FY 21 was 75 days. This number has now decreased to 46 days, all in the scope of one year, due to the dedication and efficiency of the licensing staff. The Council believes that its initial projection was correct, and that its target will continue to be met or beat assuming the Council is able to maintain full or close-to-full staffing levels. The Council has requested this target be lowered to 55 days in its FY24-FY25 LAR.

2-1-1 ENFORCEMENT**1 AVG TIME/COMPLAINT RESOLUTION**

Quarter 1	750.00	783.16	783.16	104.42 %	712.50 - 787.50
Quarter 2	750.00	681.26	751.23	100.16 %	712.50 - 787.50

* Varies by 5% or more from target.

Agency code: 510

Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2022 Target	2022 Actual	2022 YTD	Percent of Annual Target	Target Range
Efficiency Measures					
1 AVG TIME/COMPLAINT RESOLUTION					
Quarter 3	750.00	542.53	658.75	87.83 % *	712.50 - 787.50

Explanation of Variance: FACTORS CAUSING THE VARIANCE:

In its 2022-2023 LAR, the Council had to project targets that were representative of all four regulatory programs. This was based on limited information from the three HHSC programs, as these programs had no performance measures to account for under HHSC. For this specific measure, the Council projected the average processing time for complaints would be 750 days. In the third quarter of FY 22, the agency bested this measure by having an YTD average processing resolution time of 659 days.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

The average time for complaint resolution specific to the third quarter of FY 21 was 837 days. This number has now decreased to 543 days, all in the scope of one year, due to the dedication and efficiency of the enforcement and legal staff. The Council believes that its initial projection for FY 22 was reasonably accurate, and that this target will continue to be met or beat assuming the Council is able to maintain full or close-to-full staffing levels. However, the Council will monitor this target to determine if adjustments need to be made during the next LAR.

* Varies by 5% or more from target.

Agency code: 510

Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2022 Target	2022 Actual	2022 YTD	Percent of Annual Target	Target Range
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Efficiency Measures**1 AVG TIME/COMPLAINT RESOLUTION**

Quarter 4	750.00	398.91	580.69	77.43 % *	712.50 - 787.50
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Explanation of Variance: FACTORS CAUSING THE VARIANCE:

In its 2022-2023 LAR, the Council had to project targets that were representative of all four regulatory programs. This was based on limited information from the three HHSC programs, as these programs had no performance measures to account for under HHSC. For this specific measure, the Council projected the average processing time for complaints would be 750 days. In the fourth quarter of FY 22, the agency bested this measure by having an YTD average processing resolution time of 399 days, for a total year to date of 581 days.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

The average time for complaint resolution for FY 21 was 856 days. This number has now decreased to 581 days, all in the scope of one year, due to the dedication and efficiency of the enforcement and legal staff. The Council believes that its initial projection for FY 22 was reasonably accurate, and that this target will continue to be met or beat assuming the Council is able to maintain full or close-to-full staffing levels. The Council has requested this target be lowered to 500 in its FY24-FY25 LAR.

* Varies by 5% or more from target.

ANNUAL PERFORMANCE MEASURES

FISCAL YEAR 2022

Submitted to the
Governor's Office of Budget and Planning
and the Legislative Budget Board

by

Texas Behavioral Health Executive Council

October 4, 2022


Executive Director


Date

Outcomes with Cover Page and Update Explanation
87th Regular Session, Performance Reporting
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/30/2022
TIME: 8:39:16AM
PAGE: 2 OF 2

Agency code: 510

Agency name: Behavioral Health Executive Council

Type/Objective/Measure	2022 Target	2022 YTD	Percent of Annual Target	Target Range
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1-1 ENSURE STANDARDS MET

1 % LICENSEES/NO VIOLATIONS	95.00 %	99.68 %	104.93 %	
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Prior YTD:

2-1 ENSURE COMPLIANCE

3 % COMPLAINTS RESOLVED - 6 MO.	15.00 %	30.00 %	200.00 % *	
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Explanation of Variance: FACTORS CAUSING THE VARIANCE:

In its 2022-2023 LAR, the Council had to project targets that were representative of all four regulatory programs. This was based on limited information from the three HHSC programs, as these programs had no performance measures to account for under HHSC. Moreover, the high percentage of complaints resolved within 6 months for FY 22 (30%) was due to the staffing levels, dedication, and efficiency of the enforcement and legal staff.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

While the actual percentage of complaints resolved within 6 months for FY22 (30%) greatly exceeds the targets for both FY21 and FY22, the Council believes the target should remain at 15% for FY24-FY25. The Council reasonably believes it will continue to experience high employee turnover, similar to the 21.1% experienced in FY21, without additional funding for staff salaries and training. As such, the Council is concerned that it will not be able to exceed a target of 15% for this measure if the high turnover rates again begin to affect its enforcement and legal staff, the latter of which are at significant risk of turnover due to low salaries.

Prior YTD:

* Varies by 5% or more from target.

Agency code: 510

Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2022 Target	2022 YTD	Percent of Annual Target
Explanatory/Input Measures			
<u>2-1-1 ENFORCEMENT</u>			
1 # OF COMPLAINTS	600.00	566.00	94.33 % *

Explanation of Variance: FACTORS CAUSING THE VARIANCE:

In its 2022-2023 LAR, the Council had to project targets that were representative of all four regulatory programs. This was based on limited information from the three HHSC programs, as these programs had no performance measures to account for under HHSC. The number of complaints received for FY 22 was 566, just 6% short of its target of 600.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

The Council has no control over the number of complaints that will be submitted each year from the public, or if the ones submitted will be jurisdictional complaints. However, since the complaints received in FY22 were within 6% of the original target set, the Council did not request a change in its FY24-FY25 LAR.

* Varies by 5% or more from target.

TEXAS BEHAVIORAL HEALTH EXECUTIVE COUNCIL
4th QUARTER MEASURES
FY 2022

Number of Licenses Renewed (from ald12)

LSSP	496
LIC	676
LPA	92
LPC	2617
MFTA	28
MFT	377
LBSW	421
LMSW	1326
LCSW	1410
AP	14

Total 7457

Number of Licenses Issued (from ald11 and BO)

LPA	12
PLP	86
LIC	102
LSSP	179
LPCA	767
LPC	135
LPC Upgrade	429
MFTA	91
MFT	59
MFT Upgrade	36
LBSW	59
LMSW	590
LCSW	178
AMEC Upgrade	0
LMSW Upgrade	30
LCSW Upgrade	217
TEMP SW	14

Total 2984

TEXAS BEHAVIORAL HEALTH EXECUTIVE COUNCIL
4th QUARTER MEASURES
FY 2022

Number of Complaints Resolved (from BO report)

LP/LPA	21
LSSP	1
LPC	126
MFT	24
SW	47
Total	219

Percent of Complaint Resolved Within Six Months (from BO report)

1 st Qtr	52/195 =	27%
2 nd Qtr	23/89 =	26%
3 rd Qtr	56/226 =	25%
4 th Qtr	87/219 =	40%
YTD	218/729 =	30%

Percent of Complaints Resolved resulting in Disciplinary Action (from BO report)

1 st Qtr	15/195 =	8%
2 nd Qtr	9/89 =	11%
3 rd Qtr	25/226 =	11%
4 th Qtr	19/219 =	9%
YTD	68/729 =	10%

Average Time for Complaint Resolution (from BO report)

1 st Qtr	152,716 days to resolve 195 complaints = 783.16 days
2 nd Qtr	60,632 days to resolve 89 complaints = 681.26 days
3 rd Qtr	122,612 days to resolve 226 complaints = 542.53 days
4 th Qtr	87,362 days to resolve 219 complaints = 398.91 days
YTD	423,322 days to resolve 729 complaints = 580.69 days

Average Time for Application Processing (from BO report) (**Bold averages only**)

1 st Qtr	130,155 days to process 2,393 applications =	54.39 days
2 nd Qtr	102,066 days to process 2,138 applications =	47.74 days
3 rd Qtr	89,892 days to process 2,240 applications =	40.13 days
4 th Qtr	113,928 days to process 2,881 applications =	39.55 days
YTD	436,041 days to process 9,652 applications =	45.18 days

Calculations reviewed by:

David Zinn

Date:

9/29/22

LPA Initial	497 days to process 8 applications =	62.13
LPA Final	3877 days to process 12 applications =	323.09
Old LIC Final	1341 days to process 2 applications =	670.50
LIC Initial	3600 days to process 84 applications =	42.86
LIC Final	13835 days to process 102 applications =	135.64
LSSP	9338 days to process 179 applications =	52.17
LPC Initial	10785 days to process 135 applications =	79.89
LPCA Initial	29816 days to process 767 applications =	38.88
LPC Upgrade	2145 days to process 429 applications =	5.00
MFTA Exam	3406 days to process 16 applications =	212.88
MFT License	4966 days to process 59 applications =	84.17
MFTA License	11507 days to process 91 applications =	126.45
MFTA Upgrade	344 days to process 36 applications =	9.56
SW License	18399 days to process 548 applications =	33.58
SW OOS License	18930 days to process 279 applications =	67.85
SW Upgrade	2791 days to process 247 applications =	11.30
Temp SW License	810 days to process 19 applications =	42.64

- Those in **BOLD** are the applications we have more control over (i.e. we are not waiting for them to take and pass a national exam).

**TEXAS BEHAVIORAL HEALTH EXECUTIVE COUNCIL
ANNUAL MEASURES
FY 2022**

Number of Jurisdictional Complaints Received (from BO report)	566
Number of Complaints Pending (from BO report)	467
Closed	11
Investigation Completed	123
Under Investigation	333

Percent of Licensees With No Recent Violations

Total	295 disciplinary actions
Less duplicates	-58 duplicates
Total unduplicated	237 disciplinary actions

Number of individuals (unduplicated) licensed as of 8/31/2021: 74,233

$$74,233 - 237 = 73,996$$


$$73,996/74,233 = 99.68\%$$

Recidivism Rate

Individuals with disciplinary actions FY 19 – FY 21	237
Individuals with 2 or more disciplinary actions	14

$$14/237 = 5.91\%$$

Calculation Reviewed by:


9/29/22

Date:



PSYPACT COMMISSION

NEWSLETTER

October 2022
Volume 3, Issue 3

**Reducing regulatory barriers.
Increasing access to mental healthcare.**

A Message from the Chair Don Meck

Welcome to Idaho and Indiana, both became effective PSYPACT participating states in July of this year. 2022 has been an active year for us since both Washington and Wisconsin joined towards the first of the year and Connecticut will join us in October. That is five new members and Rhode Island will join us in 2023. I look forward to meeting with all the new and old members of PSYPACT at the November 17, 2022 Commission Annual Meeting. Enjoy the newsletter.

Donald S. Meck, Ph.D., J.D., ABPP
Chair, PSYPACT Commission

Upcoming Meetings

- October 4, 2022 - PSYPACT Requirements Review Committee
- October 20, 2022 - PSYPACT Rules Committee
- November 1, 2022 - PSYPACT Elections Committee
- November 2, 2022 - PSYPACT Executive Board
- November 17, 2022 - PSYPACT Commission Annual Meeting
- November 28, 2022 - PSYPACT Finance Committee
- December 21, 2022 - PSYPACT Training and Public Relations Committee

PSYPACT Commissioners

Lori Rall <i>Alabama</i>	Gary Lenkeit <i>Nevada</i>
Heidi Paakkonen <i>Arizona</i>	Deborah Warner <i>New Hampshire</i>
Lisa Fitzgibbons <i>Arkansas</i>	To Be Named <i>New Jersey</i>
Nate Brown <i>Colorado</i>	Susan Hurt <i>North Carolina</i>
To Be Named <i>Connecticut (*effective 10/1/2022)</i>	Ronald Ross <i>Ohio</i>
Shauna Slaughter <i>Delaware</i>	Teanne Rose <i>Oklahoma</i>
LaTrice Herndon <i>District of Columbia</i>	Christina Stuckey <i>Pennsylvania</i>
Don Meck <i>Georgia</i>	To Be Named <i>Rhode Island (*effective date tentatively 1/1/2023)</i>
Katie Stuart <i>Idaho</i>	Mark Fleming <i>Tennessee</i>
Cecilia Abundis <i>Illinois</i>	Patrick Hyde <i>Texas</i>
Stephen Ross <i>Indiana</i>	Jennifer Falkenrath <i>Utah</i>
David Fye <i>Kansas</i>	Jaime Hoyle <i>Virginia</i>
Brenda Nash <i>Kentucky</i>	Leslie Cohn <i>Washington</i>
Jayne Boulos <i>Maine</i>	Scott Fields <i>West Virginia</i>
Lorraine Smith <i>Maryland</i>	Daniel Schroeder <i>Wisconsin</i>
Robin McLeod <i>Minnesota</i>	Mariann Burnetti-Atwell <i>ASPPB</i>
Pam Goose <i>Missouri</i>	
Kris Chiles <i>Nebraska</i>	



IMPORTANT ANNOUNCEMENT

The PSYPACT Commission is now active on social media sites.



We invite you to follow us on our Facebook, Twitter and LinkedIn pages.
Please click the links to be taken to our pages. We look forward to connecting with you!



New Commissioner Welcome

The PSYPACT Commission would like to officially welcome Dr. Stephen Ross as the newly appointed commissioner for the state of Indiana.

Updates from the Committees

Elections Committee: The Elections Committee met on July 25, 2022 and reviewed the elections process for the upcoming PSYPACT Executive Board elections at the November 2022 Annual Meeting. The Elections Committee will meet again on November 1, 2022.

Requirements Review Committee: The Requirements Review Committee met on August 5, 2022 and reviewed correspondence received as well as updates to the PSYPACT Bylaws. The Requirements Review Committee will meet again on October 4, 2022.

Finance Committee: The Finance Committee met on August 15, 2022 and reviewed the 2022 2nd Quarter Financials along with other updates for the Executive Board. The Finance Committee will meet again on November 28, 2022.

Rules Committee: The Rules Committee met on August 17, 2022 and presented the Executive Board with recommendations for consideration. The Rules Committee will meet again on October 20, 2022.

Training and Public Relations Committee: The Training and Public Relations Committee met August 24, 2022. The committee reviewed and approved a PSYPACT State Board Contact page to be posted on the PSYPACT website. The Training and Public Relations Committee also began working on items for the PSYPACT Annual Report. The next PSYPACT Training and Public Relations Committee meeting is scheduled for December 21, 2022.

Compliance Committee: The Compliance Committee met on August 29, 2022 in a closed session meeting. The Committee made recommendations to report to the Executive Board. This committee will meet on an as needed basis.

Executive Board: A meeting for the PSYPACT Executive Board was held on September 8, 2022. During the meeting, minutes from the June 17, 2022 meeting were approved and are available on the PSYPACT website. Additionally, PSYPACT Executive Director, Janet Orwig provided updates to the Executive Board. The PSYPACT Executive Board also approved reports from the Elections Committee, Requirements Review Committee, Finance Committee, Rules Committee, Training and Public Relations Committee and the Compliance Committee. The next PSYPACT Commission Executive Board meeting will be held on November 2, 2022.

PSYPACT Commission Mid Year Meeting July 14, 2022

A meeting for the PSYPACT Commission was held on July 14, 2022. During the meeting, minutes from the November 2021 PSYPACT Commission meeting were approved and are available on the PSYPACT website at www.psypact.org. Additionally, PSYPACT Executive Director Janet Orwig provided updates to the PSYPACT Commission. The PSYPACT Commission was presented with reports from the Compliance Committee, Finance Committee, Rules Committee, Requirements Review Committee and Training and Public Relations Committee. The PSYPACT Commission proposed rules which went out for public comment, the Commission will be voting on the adoption of these rules at the annual meeting in November. The PSYPACT Commission annual meeting will be held on November 17, 2022.

2022 PSYPACT Executive Board

Chair	Don Meck
Vice Chair	Pam Groose
Treasurer	Teanne Rose
Member at Large	Gary Lenkeit
Member at Large	Patrick Hyde
Ex Officio Member	Mariann Burnetti-Atwell

Committee Members

Rules Committee Patrick Hyde Pam Groose Deborah Warner Lorraine Smith Susan Hurt	Finance Committee Teanne Rose Jaime Hoyle Heidi Paakkonen
Training and Public Relations Committee Lori Rall Heidi Paakkonen Mariann Burnetti-Atwell	Requirements Review Committee Gary Lenkeit Christina Stuckey Ron Ross
Elections Committee Daniel Schroeder Jayne Boulos Jaime Hoyle	Compliance Committee Jaime Hoyle Scott Fields Lisa Fitzgibbons

Verification of PSYPACT Credentials

Available at www.verifypsypact.org, users of the site can search for all licensed psychologists who currently hold an active APIT or TAP.

Executive Director's Report

Janet Orwig

Hello to Autumn although here in Georgia it still feels like summer. I hope you all had a nice summer!

I am so excited to announce that all the PSYPACT committees are now operational and are conducting quarterly meetings. You will be able to hear more about the work of each committee at the November Commission meeting.

Since you will be receiving information from the PSYPACT Compliance Committee prior to the Commission meeting, I wanted to update you on their work now. The committee has reviewed all PSYPACT governing documents and created the PSYPACT Quarterly Compliance Report. Early in October, your jurisdiction will receive the first report for the 3rd quarter of 2022. These quarterly reports serve as a "report card" for how your jurisdiction is doing regarding the fulfillment with the elements of PSYPACT. For those that have some elements outside of compliance, we will be scheduling meetings to provide assistance.

More detailed information regarding the 3rd quarter reports will be provided at the Commission meeting.

As always, I cannot thank you enough for all you do for PSYPACT.

Janet P. Orwig, MBA, CAE
PSYPACT Executive Director

Communications Update



Interest in PSYPACT continues to grow! We hear daily from psychologists interested in learning more about the compact and how they can participate and use an email listserv to provide periodic updates about important application updates and information as new states introduce and enact PSYPACT legislation. To date, we have over 6,000 participants in the PSYPACT listserv. To sign up, email us at info@psypact.org or visit <https://psypact.org/page/Listserv>.

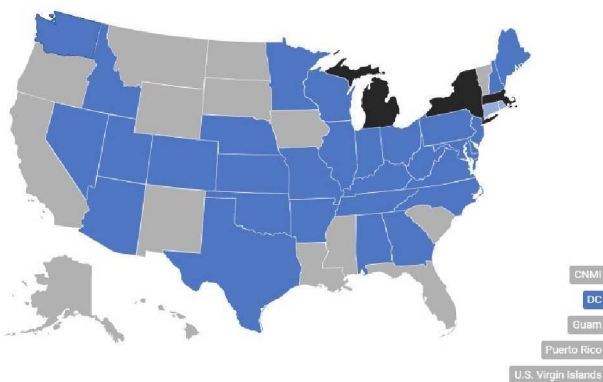


Did you know?

PSYPACT is available to host webinars and provide presentations for psychologists in your state to learn more about PSYPACT and how it works. If you are interested, contact us at info@psypact.org. Additional training materials can also be found on the PSYPACT website at www.psypact.org.

Legislative Activity

2022 Legislative Session Update



As we began the 3rd Quarter, Idaho and Indiana became effective PSYPACT participating states, making 31 effective PSYPACT participating states. The current PSYPACT participating states include: Alabama, Arizona, Arkansas, Colorado, Delaware, District of Columbia, Georgia, Idaho, Illinois, Indiana, Kansas, Kentucky, Maine, Maryland, Minnesota, Missouri, Nebraska, Nevada, New Hampshire, New Jersey, North Carolina, Ohio, Oklahoma, Pennsylvania, Tennessee, Texas, Utah, Virginia, Washington, West Virginia, Wisconsin, Connecticut (effective October 1, 2022) and Rhode Island (effective tentatively January 1, 2023). As the 2022 legislative sessions began, we saw legislation introduced in 7 states, we had carryover legislation in 5 states and enacted legislation in 6 states. We currently have legislation introduced in New York as NY S 9234 and NY A 10609. We also have carryover legislation in Massachusetts as MA S 2542 and Michigan as MI H 5489. Due to changes in the enacted South Carolina bill (SC H 3833), the PSYPACT Executive Board voted at its September meeting to not accept South Carolina as a participating state due to those changes. It is hoped that a new bill will be introduced in 2023 to correct this issue.

Staff Contact Information

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jorwig@asppb.org

Jessica Cheaves
PSYPACT Coordinator
jcheaves@asppb.org

Magan Spearing
PSYPACT Specialist
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PSYPACT by the Numbers

TELEPSYCHOLOGY

7682

ASPPB
E. Passports
Issued

7074

PSYPACT
APITs
Issued

TEMPORARY PRACTICE

446

ASPPB
IPCs Issued

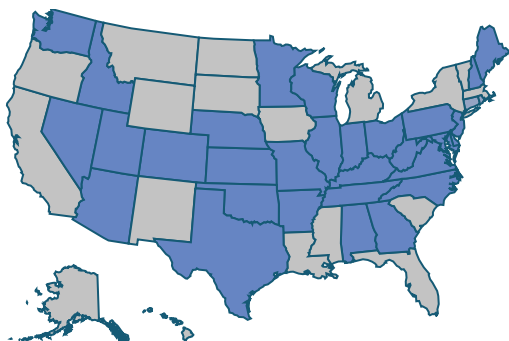
315

PSYPACT
TAPs Issued

STATE LEVEL BREAKDOWN

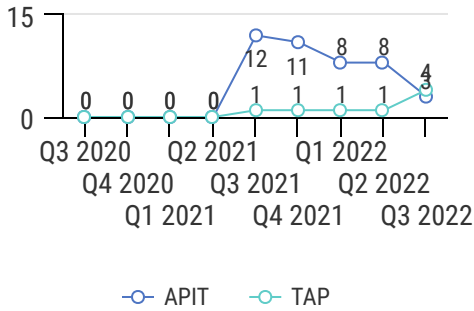
State	APITs	TAPs	State	APITs	TAPs
ALABAMA	42	8	NEVADA	97	7
ARIZONA	230	18	NEW HAMPSHIRE	95	5
ARKANSAS	14	3	NEW JERSEY	386	7
COLORADO	403	16	NORTH CAROLINA	326	8
CONNECTICUT	N/A	N/A	OHIO	279	10
DELAWARE	108	1	OKLAHOMA	58	3
DISTRICT OF COLUMBIA	235	7	PENNSYLVANIA	761	22
GEORGIA	345	18	RHODE ISLAND	N/A	N/A
IDAHO	10	1	TENNESSEE	117	5
ILLINOIS	695	27	TEXAS	715	46
INDIANA	38	1	UTAH	155	20
KANSAS	68	7	VIRGINIA	547	26
KENTUCKY	52	3	WASHINGTON	99	3
MAINE	42	1	WEST VIRGINIA	25	2
MARYLAND	643	17	WISCONSIN	34	2
MINNESOTA	163	5			
MISSOURI	235	13			
NEBRASKA	57	3			

Numbers current as of 09/30/2022

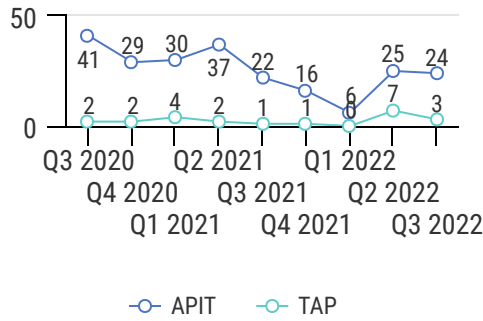


Looking at PSYPACT State Trends

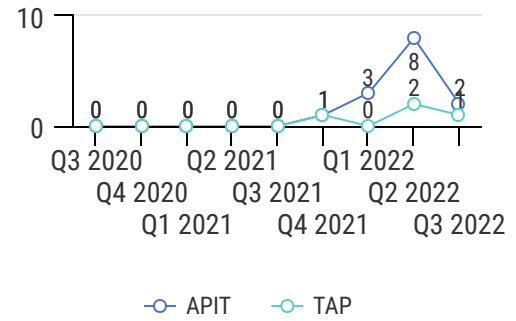
Alabama



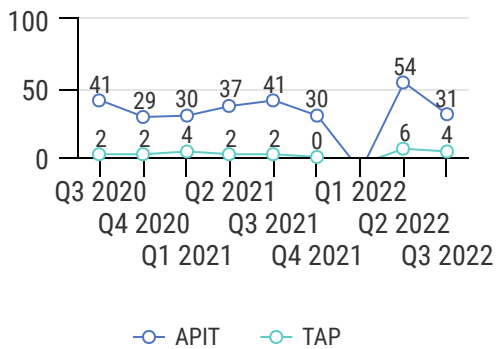
Arizona



Arkansas



Colorado



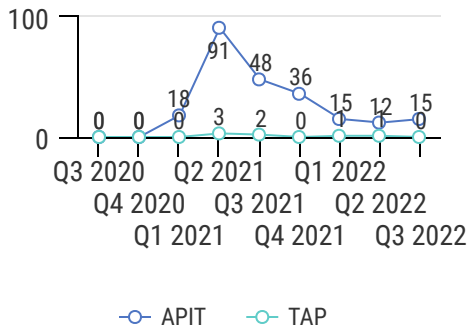
Connecticut

N/A

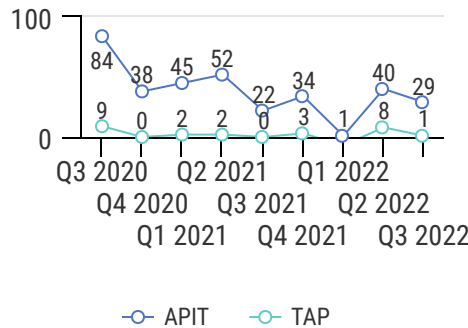
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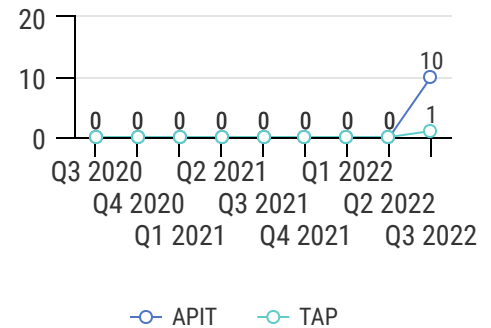
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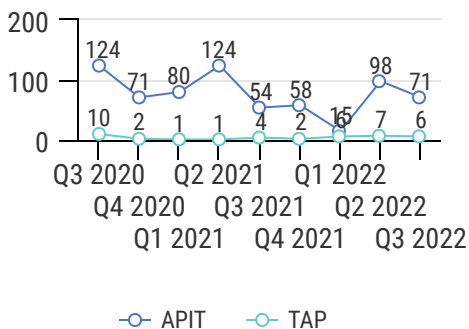
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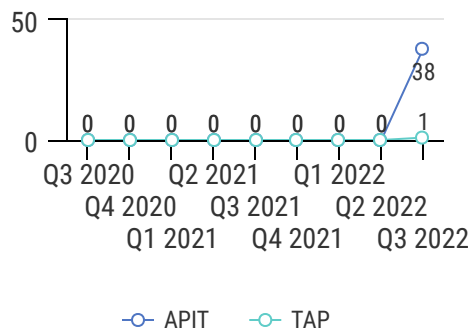
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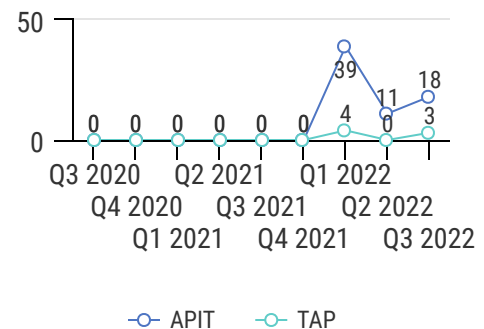
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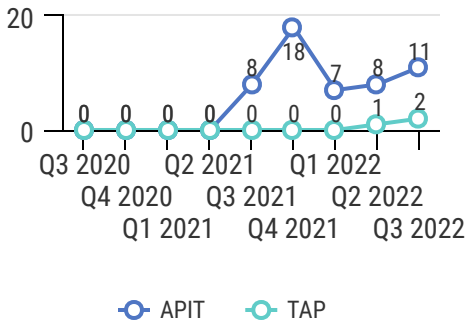


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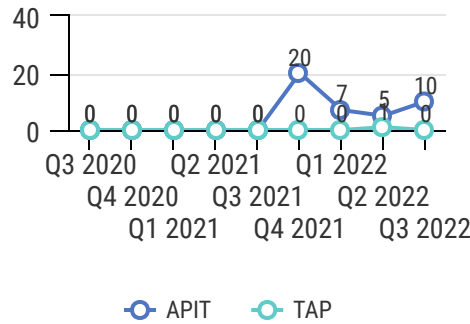


Looking at PSYPACT State Trends

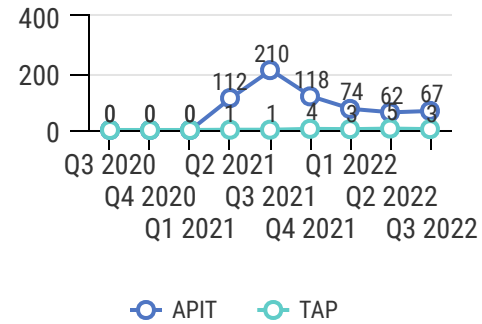
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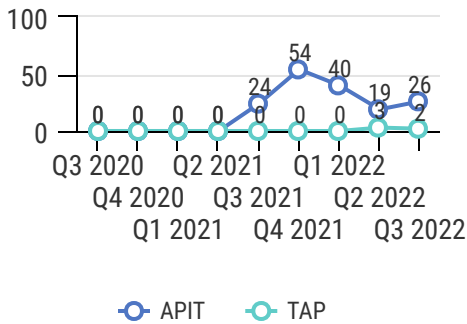
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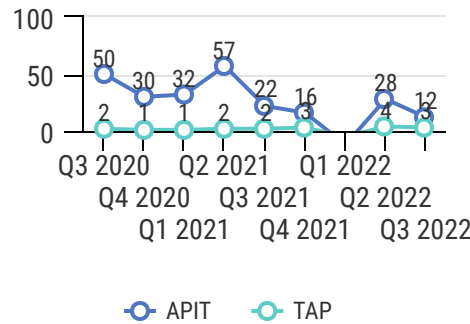
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Minnesota



Missouri



Nebraska



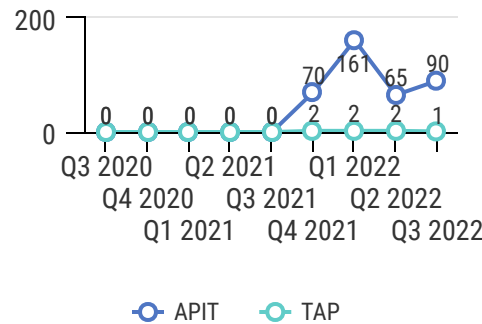
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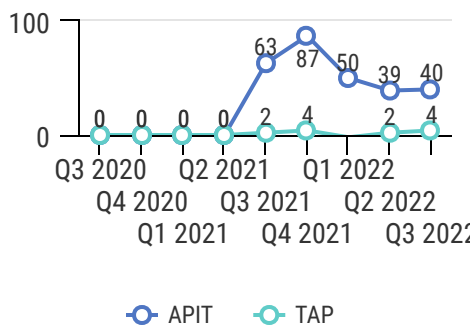
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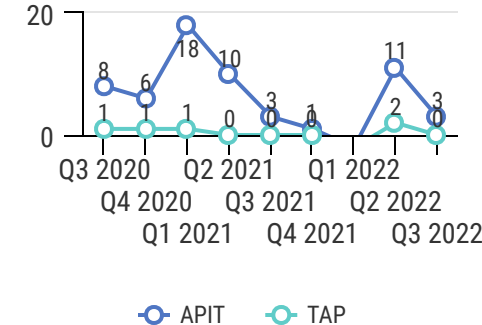
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Ohio

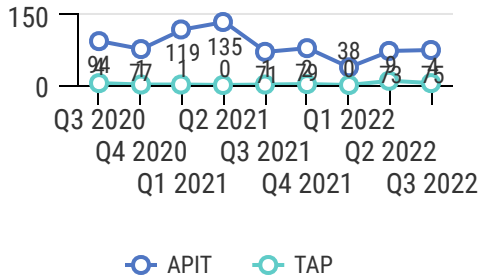


Oklahoma



Looking at PSYPACT State Trends

Pennsylvania



Rhode Island

N/A

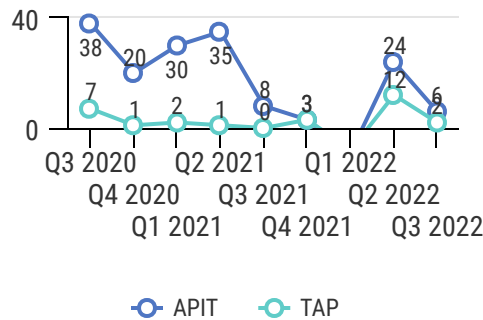
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Texas



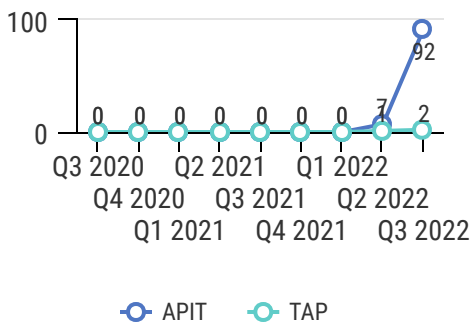
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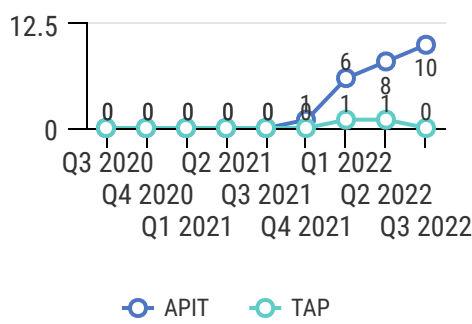
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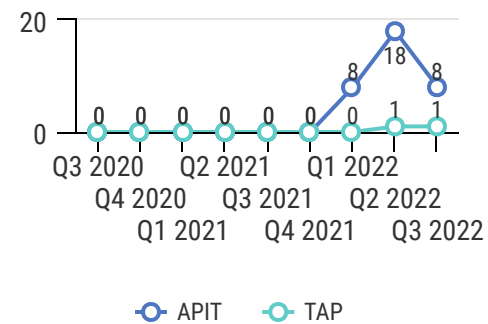
Washington



West Virginia



Wisconsin





Reducing Regulatory Barriers. Increasing Access to Mental Health Care.

Sent VIA EMAIL

October 13, 2022

Texas Behavioral Health Executive Council
1801 Congress Ave., Suite 7300
Austin, TX 78701

Re: Third Quarter PSYPACT Compliance Report

Good morning,

Attached, please find the first compliance report issued by the PSYPACT Commission. This report is for the third quarter of 2022. These reports will be generated each quarter going forward.

The key compliance factors correlate directly to the compliance areas identified in the PSYPACT Legislation, Bylaws, Rules, and Policies. Based on the review of the key compliance factors, your compliance report is summarized below:

Areas in compliance:

- Report Adverse Actions and reporting within the established timeframe
- Payment of the State Assessment Fees within 90 days of the invoice
- Appointment of the Commissioner

Areas not in compliance:

- Posting of PSYPACT Rules when out for public comment – Last rules from July 2022 were not posted on the Texas website

The following are offered as reminders:

- Report any significant investigatory information to the Commission within 10 days
- Report any alternative program participation within 10 days
- Conduct background checks at the point of licensure within 10 years of enacting PSYPACT legislation – Legislation enacted 6/10/2019
- Posting of PSYPACT Rules when out for public comment during the established timeframe

At this time, no action is required by your jurisdiction since the rules are no longer out for public comment.

Please let me know if you have any questions.

Thank you,

A handwritten signature in black ink, appearing to read "Janet Orwig". The signature is fluid and cursive, with the first name "Janet" and last name "Orwig" clearly distinguishable.

Janet Orwig, MBA, CAE
PSYPACT Executive Director

PSYPACT 3rd Quarter 2022 Compliance Report

Texas						
Area	Compliance Status	Key Compliance Factor Ranking	Notes			
Reporting of Any Adverse Actions	Compliant	Critical				
Reporting of Any Adverse Actions (within established timeframe)	Compliant	Moderate				
Reporting Significant Investigatory Information	No information entered	Moderate				
Reporting Significant Investigatory Information (within established timeframe)	No information entered	Low				
Reporting Alternative Program Participation	No information entered	Critical				
Reporting Alternative Program Participation (within established timeframe)	No information entered	Moderate				
Pay State Assessment Fees within 90 days	Compliant	Low				
Pay State Assessment Fees within 180 days	N/A	Moderate				

PSYPACT 3rd Quarter 2022 Compliance Report

State Assessment Fees Still Outstanding	N/A					
Conducts Background checks	Unknown	Critical				
PSYPACT Enactment Date	6/10/2019					
Commissioner Appointed	Compliant	Critical				
State Website Posting of Notice of PSYPACT Rules out for Public Comment	Not Compliant	Low				

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Senior Director of Examinations

Services

Matt Turner, PhD

Director of Educational Affairs

Jaqueline B. Horn, PhD

Director of Professional Affairs

Alex Siegel, JD, PhD

Business Director

Lisa M. Fagan, MBA

October 28, 2022

Dear ASPPB Member Boards:

The ASPPB Board of Directors ("Board") would like to update member jurisdictions on the status of the EPPP. As you know, the EPPP was updated to include two parts (knowledge and skills) as a comprehensive examination that allows jurisdictions to more completely measure competency of candidates for licensure. In 2018, the Board made the decision to allow jurisdictions to use the EPPP (Part 2- Skills) optionally with the promise to membership to revisit the future of the EPPP in 2022.

Over the past several years the Board has spent considerable time gathering feedback from its jurisdictional members, liaisons to ASPPB, and various other stakeholders in the psychology community. Some of these activities have included discussions about the EPPP at ASPPB membership meetings, jurisdictional question and answer sessions, engagement with the training and education community, and the creation of the collaborative Examination Stakeholder Technical Advisory Group (ESTAG). Most recently, ASPPB conducted four Town Hall meetings during the summer of 2022. During the meetings, ASPPB provided those in attendance with a summary of the rationale for the development for the EPPP (Part 2- Skills), and questions surrounding the exam that have been raised by ASPPB membership and other stakeholders. Time was taken to share how those questions have been and continue to be addressed, and an overview was provided on the examination development process. Lastly, comment periods were made available for those who attended the Town Halls to share their thoughts and concerns regarding anything they heard in the presentation. In an effort to extend access to this important information, a recording of the presentation is available at <https://vimeo.com/743463541/0991a45ead>. Attached is a factual overview of the EPPP processes related to the main concerns that have been reported to ASPPB.

ASPPB is guided by its mission to assist its members with their primary responsibility of protecting the health, safety, and welfare of the public. In this effort, the Board remains committed to the ongoing development, refinement, and use of a valid, reliable, state-of-the-art competency assessment for those individuals that are seeking licensure to practice psychology. Consistent with the above, during its October 2022 meeting, the Board unanimously passed the following motion:

Effective no later than January 1, 2026, the EPPP is one examination with two parts, EPPP (Part 1 – Knowledge) and EPPP (Part 2 – Skills).

This means the EPPP will only be offered as a two-part examination effective January 1, 2026. We are aware that a number of jurisdictions are ready to move to the two-part model

immediately. Indeed, some already have. The transition in the registration portal can be accomplished fairly quickly. If your jurisdiction is ready to move forward, please notify Dr. Matt Turner at mturner@asppb.org.

Thank you for your continued efforts to ensure safe and competent practice in all of our jurisdictions.

The ASPPB Board of Directors

Alan B. Slusky, PhD, CPsych, President
Tomás R. Granados, PsyD, Past President
Herbert L. Stewart, PhD, President-Elect
Cindy Olvey, PsyD, Secretary-Treasurer
Michelle G. Paul, PhD, Member-at- Large
Hugh D. Moore, PhD, MBA, Member-at-Large
Jennifer C. Laforce, PhD, CPsych, Member- at-Large



ASPPB

Association of State and Provincial Psychology Boards

An Update on the EPPP from ASPPB: A Factual Overview

The following information is provided to address misinformation and misunderstandings currently being circulated by communities outside of the regulatory community. First, ASPPB is committed to the development, refinement, and maintenance of a valid, fair, and equitable examination of competence to practice. ASPPB has taken the last five years, since the initial introduction of a two-part national examination in 2017, to listen, learn and move forward thoughtfully. Moreover, we anticipate positive collaboration in the years to come, with various members of the psychology community in these efforts. This document addresses the issues raised in a recent mass email campaign initiated by some in the education and training community. Please take a moment to review the information below and contact ASPPB with any questions, suggestions, or concerns you may have.

ASPPB is committed to addressing concerns raised by stakeholder groups regarding the examination of an individual's competence to practice psychology. ASPPB has taken many specific action steps to respond and will continue to do so on behalf of its members and the public they serve.

In 2020, ASPPB established the Examination Stakeholder Technical Advisory Group (ESTAG). ESTAG was charged with (a) providing information on issues/questions raised by the training community and collaborating on methods to address such issues/questions, (b) serving as an additional voice and resource to inform more substantive policy questions from or before EPPP committees, (c) serving as informal liaisons to and from their respective communities regarding the ASPPB Examination Program, and (d) serving as a "think tank" that provides potential research ideas for examination-related matters.

ASPPB intentionally established ESTAG membership to include sharp critics of the EPPP, representatives from the education and training community, representatives from the regulatory community, and experts in test and measures development. There are 11 advisory members on ESTAG with the majority representing the school, counseling, and clinical education and training communities.

ESTAG met numerous times over the course of the last 2 years and conducted extensive work during and in between meetings. Over the summer months of 2022, the members worked to prepare and finalize a report with recommendations to the ASPPB Board of Directors (Board) regarding research options and communication strategies for the EPPP (Part 1- Knowledge) and (Part 2-Skills). Concurrently, ASPPB held four town hall meetings explicitly inviting regulatory, education, training, ethnic identifying, and other professional stakeholder groups to listen to updates regarding the Examination Program and to bring questions and concerns. Attendees asked questions and raised any concerns either during a live Q & A or by an option to send questions or concerns by email. Notably, very few concerns were raised either during, or in response to, these town hall meetings.

Unfortunately, during the town hall presentation, a remark was made indicating that the ESTAG had come to a consensus that the EPPP "met the Standards" [for Educational and Psychological Testing], when in fact the ESTAG's

discussion on this issue was more nuanced and complex. Moreover, the ESTAG had not yet submitted its formal report to the ASPPB Board and, therefore, the remark was a premature one. Board President Alan Slusky apologized (see Appendix) to the education and training community. A video recording of the town hall giving a comprehensive review of the status of the EPPP that had been distributed, was revised to remove this misstatement, and then redistributed: <https://vimeo.com/743463541/0991a45ead>. Unfortunately, two members of the ESTAG elected to resign following this misstatement.

The ESTAG submitted its final report on August 22, 2022 and it was reviewed by the ASPPB Board at its October Meeting. The ASPPB Board greatly appreciates the work of ESTAG and is moving to promptly implement actionable, detailed recommendations. The Board will nominate people to fill the two vacant positions as it expects ESTAG's ongoing work to contribute greatly to the evolution of the EPPP.

The ASPPB Examination Program's procedures and evidence are rigorous and align with all generally accepted licensure examination development standards, including critical and foundational standards outlined by the *Standards for Educational and Psychological Testing*.¹ An independent evaluation was recently conducted by the California Office of Professional Examination Services (OPES) as part of its mandate to ensure that all examination programs used in the California licensure process comply with psychometric and legal standards for the development of professional licensure exams. **This thorough independent review clearly stated that the EPPP (Part 1- Knowledge) and (Part 2- Skills) meets the Standards:**

OPES found that the procedures used to establish and support the validity and defensibility of the above examination program components of the EPPP Part 1 and Part 2 appear to meet professional guidelines and technical standards outlined in the Standards for Educational and Psychological Testing (2014) (Standards) and in California Business and Professions (B&P) Code § 139.

https://psychology.ca.gov/about_us/meetings/materials/20211022_materials.pdf pp. 103-143

A two-part examination will not create new barriers to practice. Rather, it promises to smooth the road to licensure amidst a national mental health crisis.

Amid a national mental health crisis driven in part by mental health provider shortages, the need for qualified providers has never been more important. ASPPB is committed to supporting an accessible, navigable, and efficient path to licensure for all qualified candidates. The EPPP (Part 2-Skills) was developed to assess the skills of individuals who desire to practice psychology. In other words, it assesses the work with which practitioners are actually tasked at the point of licensure. The methodology undertaken to develop the exam is sound, it involved over one hundred licensed psychologists in direct development, and it reflects the *minimum* level of skills that should be demonstrated to safely practice. Although all would agree that more mental health services are needed, the notion that the public should not expect these services to be delivered by individuals who have empirically demonstrated minimally competent knowledge and skills is dangerous.

Furthermore, prior to the development of the EPPP (Part 2- Skills), numerous jurisdictions had created their own versions of skills exams which varied significantly in terms of development, method, and content. Still other jurisdictions utilized oral examinations to assess skills, which risk being more subjective and subject to legal challenges. The EPPP (Part 2-Skills) provides for consistent assessment of skills across jurisdictions, based on industry standards. It is expected to *replace* current steps to licensure, *not* add to them. Nevada, for example, eliminated a state-specific skills exam by replacing it with the EPPP (Part 2-Skills).

Moreover, in service of supporting a streamlined approach to licensing qualified individuals, ASPPB's recommended timing for delivery of the EPPP (Part 1-Knowledge) is as soon as foundational coursework is completed and prior to or during internship. This timing allows candidates to take Part 1 of the exam at the point of knowledge acquisition (when pass rates are highest) ² as is done with other doctoral level health professions. Part 2 would then be delivered at the point of licensure (as is currently the case). Therefore, no additional delays in achieving licensure are anticipated.

The development of a fair, equitable, and accessible exam is a core value of ASPPB.

Significant time, energy, and resources have been put in place to develop processes and practices that reduce the chances of bias influencing exam performance ³. These efforts have included:

- Intentional inclusion of a diversity of backgrounds, including race, ethnicity, and other identities; areas of expertise; and training backgrounds on all examination committees
- Training all item-writers to consider, among other things, cultural and linguistic issues
- In-person implicit bias training for all EPPP (i.e., Part 1- Knowledge and Part 2- Skills) item writers
- Repeated subject matter expert review of each item prior to appearing on an exam form, at multiple levels by several independent committees
- Pre-testing and statistical evaluation of *each* item prior to use as a scored item
- A statistical analysis, Differential Item Functioning (DIF), for each item across demographic variables
- Creation of an Item Review Committee (IRC) in 2020 to review those items identified by the DIF analysis for possible bias

Differential Item Functioning (DIF) analysis has been conducted since 2018 on each form of the EPPP. So far, over 1300 EPPP items have been subjected to DIF analyses. This process identifies items that perform differentially across demographic groups.

Next, any items that have been identified or flagged by the DIF analysis are reviewed by the 10-member Item Review Committee (IRC), an independent committee of psychologists with expertise in cultural competence, and experience working with underrepresented and marginalized populations. This committee was selected from well over 150 applicants. Items are reviewed blindly by committee members, and those that they deem potentially biased are removed from the exams.

To date, more than 1,300 items have been reviewed by DIF analysis; 34 items were flagged for review by the IRC. Committee members conducted a blind review of these 34 items and determined that 7 items should be omitted from the exam and item pool. This is an ongoing process, and DIF analyses will be conducted on every EPPP exam form going forward.

Although the current data suggest limited evidence of bias, ASPPB recognizes its responsibility in ensuring fair and equitable exams. This work must be multifaceted, ongoing, and expanded to eliminate inequities along the entire professional journey, beginning at recruitment, continuing through admissions and training, and ending in licensure. ASPPB will conduct future research on factors that may influence performance on the exam, will support test-takers in giving their best test performance, and will truly partner with stakeholders on research aimed at elucidating “the why” of differential performance across demographic groups.

ASPPB has also demonstrated its responsiveness to diversity and equity through a number of other actions. Although the ASPPB Board recognizes that these actions only represent a starting point, we wish to highlight examples of this work here:

- Regular education and outreach to the American Psychological Association of Graduate Students (APAGS) to assist students from diverse groups in understanding the licensure and examination process, including three presentations in 2022
- Consultation to A. Mihecoby and J. Thomas, authors of “*Lighting the Path*” to *Psychology Licensure: EPPP Handbook for Native Candidates*” published by The Society of Indian Psychologists
- Active participation in, and financial support for, the conference that culminated in the development of the Council of Chairs of Training Councils (CCTC) *Socially Responsive Toolkit* (2020)
- Ongoing work with CCTC to develop a network of PSYPACT holders to provide low-cost mental health services to graduate students in health service psychology programs
- Consistent with its commitment, approving financial support for students and early career psychologists through the:
 - 2022 National Multicultural Conference and Summit
 - 2022 Inez Beverly Prosser Scholarship for Women of Color, sponsored by PsiChi, The International Honor Society in Psychology

The ASPPB Board is actively exploring additional avenues to support successful licensure of candidates from under-represented racial and ethnically diverse backgrounds.

A two-part examination of knowledge and skills ensures a thorough assessment of competence and is good for the protection of public health and welfare.

At the point of licensure, regulatory boards have the responsibility to assess each individual applicant in real-time, to determine if they can safely practice psychology. Psychology has been an outlier among health care professions in not having had a standardized assessment of competency. Skills are not measured universally or in a standardized manner but instead through other methods such as supervisor ratings and letters of recommendation. The EPPP (Part 2-Skills) does, in fact, finally provide the measure that has been lacking. No better universal measure currently exists to ensure that a candidate demonstrates the minimal level of skills to practice independently, at a single point in time, across all expected profession-wide competencies (e.g., intervention and assessment, professionalism). This is particularly important given notable concerns raised by the training community that psychology trainees’ development of skills has been increasingly inconsistent. Recent concerns expressed by the Association of Psychology Internship and Postdoctoral Centers (APPIC) over the lack of adequate preparation of students for internship highlight these concerns and further argue for the need for an independent measure of competence to safely practice psychology.

ASPPB is a non-profit organization that is mindful of cost and of responsibly stewarding its resources on behalf of the health and welfare of the public.

We agree that the cost of education, and subsequent substantial educational debt, are enormous problems for students and may disproportionately impact first generation and low-income candidates. In response to concerns raised by stakeholders, students, and member jurisdictions, the Board has taken steps over the past 3 years in service of reducing the financial burden for test-takers. These actions have included:

- A 25% reduction in the EPPP (Part-2 Skills) fee, with no current plans to increase that fee
- Practice examinations that are now provided at-cost, so that candidates may access both in-person and on-line exams at minimal expense

ASPPB also expects that administering the EPPP (Part 1-Knowledge) at the point of knowledge acquisition (as is now recommended) will result in significant cost-savings for students who would otherwise pay for expensive third-party test-preparation materials. As noted above, the two-part format will allow for early admittance to the EPPP (Part 1-Knowledge) exam at the time of knowledge acquisition, a time when our research shows that pass-rates are higher ². Higher initial pass rates and less reliance on expensive test preparation companies are expected to mitigate costs substantially. ASPPB also expects that students who do not pass the EPPP (Part 1-Knowledge) at the time of knowledge acquisition will benefit from remediation while they are still in the training phase, while still in their programs with access to that remediation. Further, training programs will benefit from real-time feedback regarding students' preparation in the foundational knowledge required for internship readiness at the individual level, and accreditation at the program level.

ASPPB appreciates this opportunity to outline these changes which we believe will serve the public interest and benefit the profession of psychology. We invite you to share additional questions or concerns you may have via email at asppb@asppb.org or telephone at (678) 216-1175. Thank you.

References

1. American Educational Research Association, American Psychological Association, and National Council on Measurement in Education, eds. (2014). *Standards for Educational and Psychological Testing*. Lanham, MD: American Educational Research Association.
2. Schaffer, J., Rodolfa, E., Owen, J., Lipkins, R., Webb, C., & Horn, J. (2012). The Examination for Professional Practice in Psychology: New data-practical implications. *Training and Education in Professional Psychology*. 6. 1-7. 10.1037/a0026823.
3. Turner, M. D., Hunsley, J., & Rodolfa, E. R. (2021). Appropriate validation standards for licensure examinations: Comment on Callahan et al. (2020). *American Psychologist*, 76(1), 165–166.



Supporting member jurisdictions in fulfilling their responsibility of public protection

President

Alan B. Slusky, PhD, CPsych

Chief Executive Officer

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Past President

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Director of Professional Affairs

Alex Siegel, JD, PhD

Business Director

Lisa M. Fagan, MBA

August 31, 2022

Dear Examination Stakeholder Advisory Group Members,

I am writing on behalf of the ASPPB Board of Directors to apologize for the recent incorrect and ill-timed statement made in ASPPB's video regarding the status of the EPPP. In one segment of the video, a remark was made that the ESTAG had come to consensus that the EPPP "met *The Standards*"¹, when in fact the ESTAG's discussion on this issue was more nuanced and complex. Moreover, the ESTAG had not yet submitted its formal report to the ASPPB Board and, therefore, the remark was a premature one. We also recognize that the names and affiliations of ESTAG members were displayed in the video without providing the courtesy of advance notice. Lastly, we recognize that some have expressed concern that a response recently issued from ASPPB fell short of an apology. We are hopeful that this letter clearly communicates our sincere apology over what has happened.

Understandably, the trust that is so critical for collaboration between ASPPB and members of the ESTAG (and the stakeholder groups they represent) has been fractured. While we believe that this remark was not ill intentioned or malicious, we nevertheless take responsibility and regret the subsequent negative impact on ESTAG's membership and cohesion. In response to these concerns the video in question was immediately taken down, edited, and reposted without the statement or names and affiliations of ESTAG members. Further, we are committed to improving our processes to ensure that the work of ASPPB's committees and advisory groups is fully considered and represented before actions are taken.

The ESTAG was born out of ASPPB's desire, and the wishes of the psychology education and training community, to collaborate and advise the ASPPB Board on the ongoing development and validation of the EPPP. ASPPB did its best to intentionally constitute this working group with those who have expertise in psychometrics and those who are most critical of the examination. While advisory in nature, it was (and continues to be) our hope that the ESTAG would provide valuable outside perspectives on the exam, to ensure it continues to be a valid, reliable, and fair assessment of entry level knowledge and competence, so essential to the safe and ethical practice of psychology. Toward this end, we hope this error will not jeopardize ESTAG's continued work to meet its goals.

We understand that two members of ESTAG have elected to withdraw from the group in response. While we certainly respect their decisions, we

sincerely hope that they might either reconsider their decision or support their respective organizations in nominating individuals to take their place on this advisory group. ASPPB values the contributions that ESTAG has made and, we hope, will continue to make to the development and maintenance of the EPPP.

Finally, we remain open to dialogue with all members of the ESTAG over this or any other concerns it may have with regards to its efforts. We sincerely hope our efforts to acknowledge the error will facilitate rebuilding trust with this very important advisory group as well as the stakeholder communities it represents.

Sincerely,



Alan Slusky, Ph.D., C. Psych.
President, ASPPB Board of Directors

CC:

Danielle Keenan-Miller, PhD

Association of Psychology Training Clinics Council of Chairs of Training Councils

Timothy Strauman, PhD

Council of University Directors of Clinical Psychology

¹American Educational Research Association, American Psychological Association, and National Council on Measurement in Education. (2014). Standards for educational and psychological testing. Washington, DC: Author.

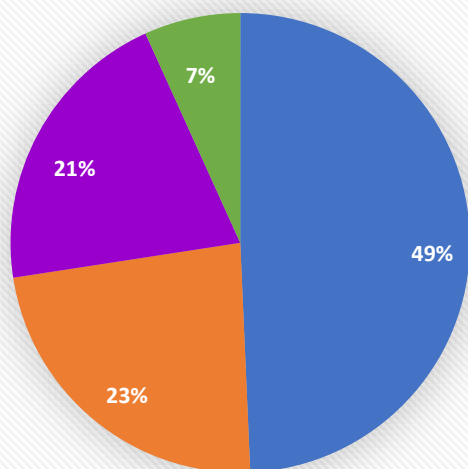
4th Quarter Dismissals for TSBEP Board

Complaints Dismissed by Staff	Classification	Reason for Dismissal
1. 2022-00203	Standard of Care	Insufficient Evidence
2. 2022-00257	Confidentiality	Insufficient Evidence
3. 2022-00275	Court Ordered Therapy	Lack of Jurisdiction
4. 2022-00276	Court Ordered Therapy	Lack of Jurisdiction
5. 2022-00274	Standard of Care	Lack of Jurisdiction
6. 2021-00436	General Forensic	Insufficient Evidence
7. 2022-00366	Standard of Care	Insufficient Evidence
8. 2021-00128	Standard of Care	Insufficient Evidence
9. 2022-00241	Standard of Care	Insufficient Evidence
10. 2022-00297	Billing Dispute	Insufficient Evidence
11. 2022-00290	Standard of Care	Insufficient Evidence
12. 2022-00378	Standard of Care	Insufficient Evidence
13. 2022-00174	Standard of Care	Insufficient Evidence
14. 2022-00117	Record Keeping	Insufficient Evidence
15. 2022-00296	Confidentiality	Insufficient Evidence
16. 2021-00367	Not Related to Licensed Activity	Insufficient Evidence
17. 2022-00384	Standard of Care	Insufficient Evidence
18. 2022-00382	Sexual Misconduct	Previously Addressed
19. 2022-00270	Standard of Care	Insufficient Evidence
20. 2022-00402	Standard of Care	Untimely
21. 2022-00147	Standard of Care	Insufficient Evidence

STATUS REPORT 4th Quarter	4Q FY22 June 1, 2022 to Aug 31, 2022	3Q FY22 Mar 1, 2022 to May 31, 2022	2Q FY22 Dec 1, 2021 to Feb 28, 2022	1Q FY22 Sep 1, 2021 to Nov 30, 2021
Number of Pending Complaints	467	532	594	579
Pending Complaints per Member Board	TSBEP-188 TSBSWE-169 TSBEMFT-30 TSBEP-80	TSBEP-235 TSBSWE-181 TSBEMFT-43 TSBEP-73	TSBEP-291 TSBSWE-171 TSBEMFT-54 TSBEP-78	TSBEP-266 TSBSWE- 191 TSBEMFT-54 TSBEP-68
Number of New Complaints Received	159	164	105	148
Pending Priority 1 Cases (Imminent Physical Harm)	1 TSBEP-1 TSBSWE-0 TSBEMFT-0 TSBEP-0	1 TSBEP-0 TSBSWE-1 TSBEMFT-0 TSBEP-0	4 TSBEP-2 TSBSWE-1 TSBEMFT-1 TSBEP-0	6 TSBEP-2 TSBSWE-3 TSBEMFT-1 TSBEP-0
Pending Priority 2 Cases (Sexual Misconduct)	59 TSBEP-33 TSBSWE-19 TSBEMFT-4 TSBEP-3	57 TSBEP-28 TSBSWE-26 TSBEMFT-0 TSBEP-3	52 TSBEP-25 TSBSWE-24 TSBEMFT-1 TSBEP-3	52 TSBEP-24 TSBSWE-24 TSBEMFT-2 TSBEP-2
Pending Priority 3 Cases (Applicants)	19 TSBEP-7 TSBSWE-10 TSBEMFT-1 TSBEP-1	12 TSBEP-4 TSBSWE-8 TSBEMFT-0 TSBEP-0	15 TSBEP-4 TSBSWE-8 TSBEMFT-1 TSBEP-2	11 TSBEP-1 TSBSWE-6 TSBEMFT-2 TSBEP-2
Cases Resolved this Quarter	226	226	88	197
Agreed Orders Signed	19	25	9	15
Cases Dismissed by Staff	207	201	79	182
Cases Dismissed by member Boards	0	0	0	0
Cases Reviewed at an ISC this Quarter	16	17	3	22
Pending Cases by Fiscal Year				
FY2015	0	1	1	2
FY2016	3	3	3	5
FY2017	4	4	8	11
FY2018	0	2	6	8
FY2019	3	14	35	56
FY2020	44	82	167	199
FY2021	80	111	153	163
FY2022	333	315	221	135
Total	467	532	594	579

Texas Behavioral Health Executive Council
Enforcement Actions
FINAL TOTALS-FY 2022
09/01/2021 – 08/31/2022

576 Complaints Received



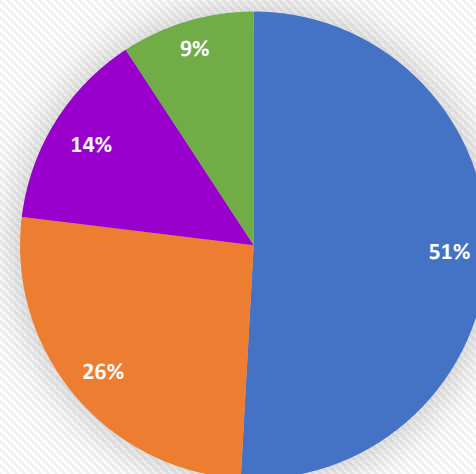
■ TSBEPC 284 ■ TSBSWE 134 ■ TSBEP 119 ■ TSBMFT 39

Complaints Received by Board

TSPEC 284 TSBSWE 134

TSBEP 119 TSBMFT 39

737 Complaints Closed



■ TSBEPC 375 ■ TSBSWE 192 ■ TSBEP 102 ■ TSBMFT 68

Complaints Resolved by Board

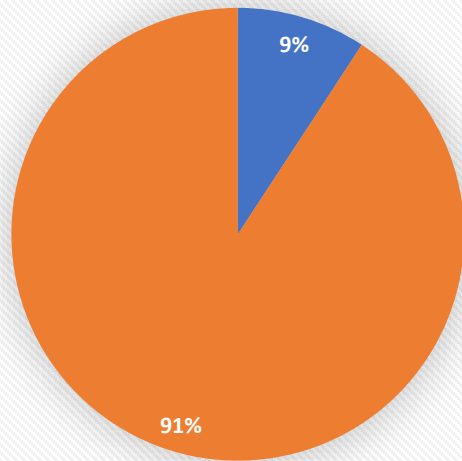
TSBEPC 375

TSBSWE 192

TSBEP 102

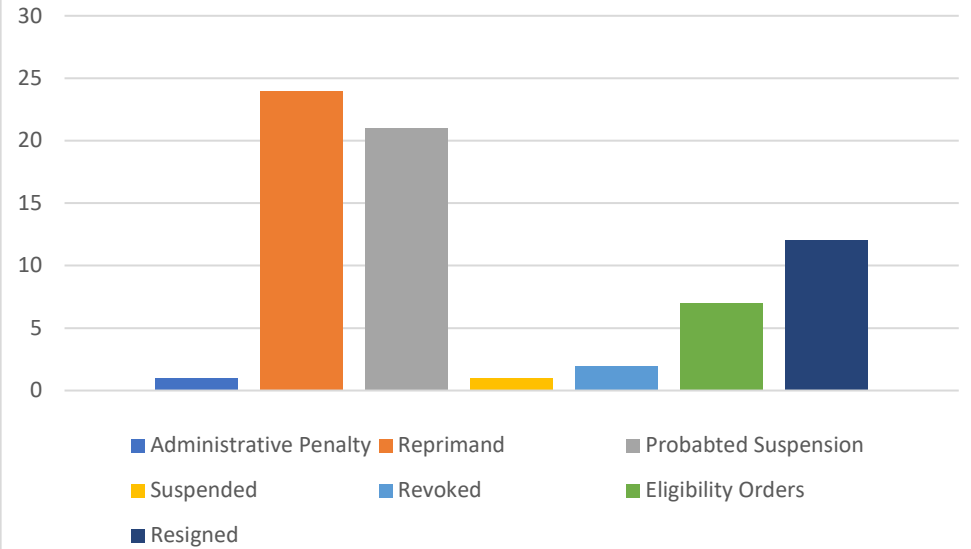
TSBMFT 68

737 Complaints Resolved



■ Disciplinary Actions 68 ■ Dismissed 669

68 Disciplinary Actions Imposed



Complaint Resolution

Disciplinary Actions 68

Dismissed 669

Disciplinary Actions

Administrative Penalty 1

Suspended 1

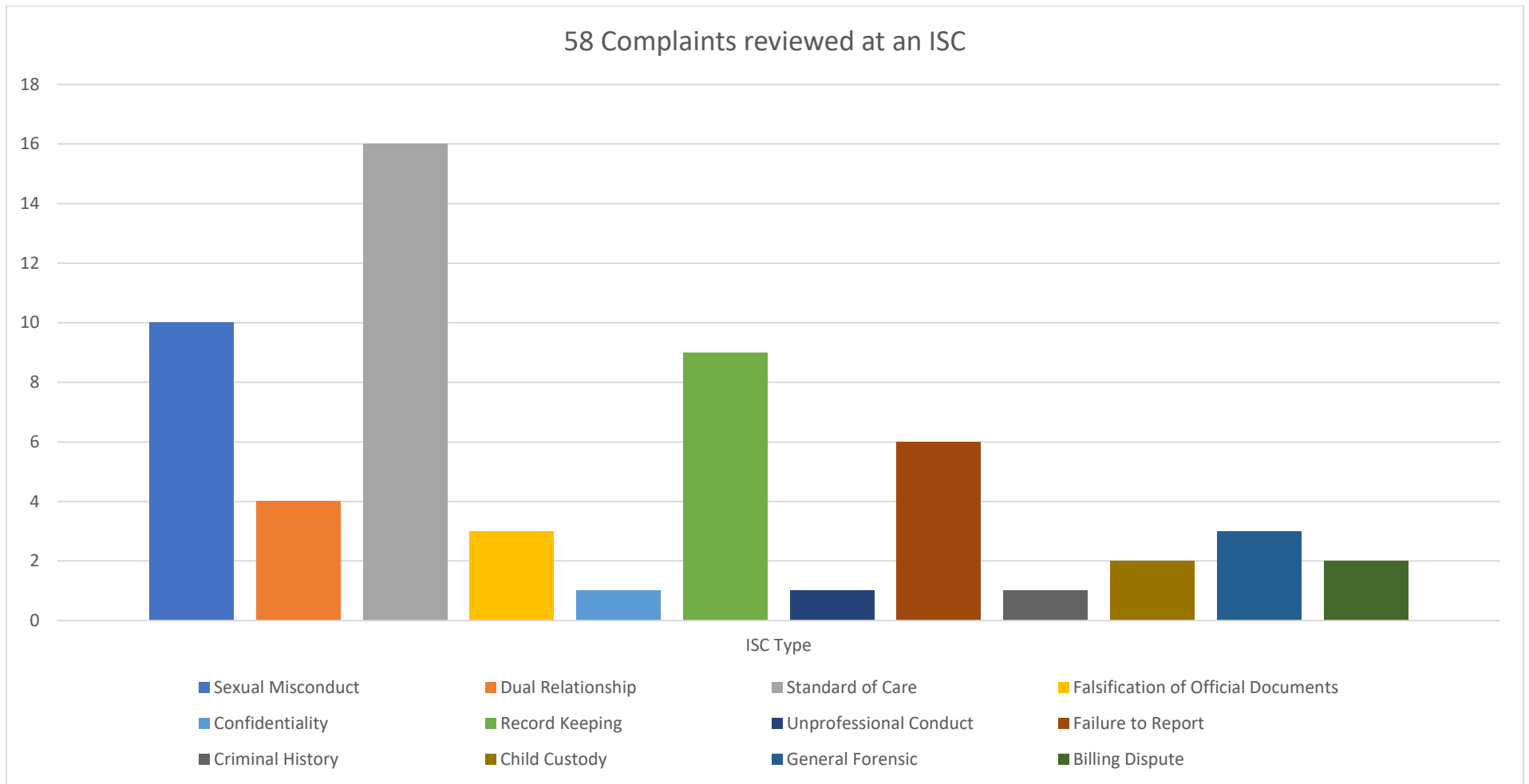
Reprimands 24

Revoked 2

Resigned 12

Probated Suspension 21

Eligibility Orders 7



ISC Complaint Types

Sexual Misconduct 10	Dual Relationship 4	Standard of Care 16	Falsification of Official Documents 3	Confidentiality 1
Record Keeping 9	Unprofessional Conduct 1	Failure to Report 6	Criminal History 1	Child Custody 2
Billing Dispute 1				General Forensic 3

Informal Settlement Conference Panel List

<i>Conference Date:</i>	<i>Conference Panel:</i>	
On Call Sept 1 - Nov 30, 2023	???????????????? ???????????????? ????????????????	(Future)
On Call June 1- August 31, 2023	Jamie Becker, Ph.D. Andoni Zagouris, M.A. Ryan T. Bridges	(Future)
On-Call March 1 – May 31, 2023	Mark Cartwright, Ph.D. Herman Adler, M.A. John Bielamowicz	(Future)
On-Call Dec 1 – Feb 28, 2023	Mark Cartwright, Ph.D. Andoni Zagouris, M.A. Ryan T. Bridges	(Future)
On-Call Sept 1 – Nov 30, 2022	Roxana Lambdin, Ph.D. Herman Adler, M.A. Jeanette Das Calhoun, Ph.D.	(Current)
On-Call June 1 – August 31, 2022	Sangeeta Singg, Ph.D. Andoni Zagouris, M.A. John Bielamowicz	
On-Call March 1 – May 31, 2022	Jamie Becker, Ph.D. Herman Adler, M.A.* Ryan T. Bridges	
On-Call Dec 1 – Feb 28, 2022	Jamie Becker, Ph.D. Herman Adler, M.A. John Bielamowicz	
On-Call Sept 1 -Nov 30,2021	Susan Fletcher, Ph.D. Andoni Zagouris, M.A. Jeanette Deas Calhoun, Ph.D.	
August 10-11, 2021	Ronald Palomares, Ph.D. Herman B. Adler, M.A. Ryan T. Bridges	

COMPLAINT NO. 2022-00449

IN THE MATTER OF

LISA ELEANOR MARTINEZ

§
§
§
§
§

BEFORE THE TEXAS BEHAVIORAL
HEALTH EXECUTIVE COUNCIL

THE TEXAS STATE BOARD OF
EXAMINERS OF PSYCHOLOGISTS

AGREED ORDER FOR ELIGIBILITY

Pursuant to the authority under §507.305 of the Texas Occupations Code, §2001.056 of the Government Code, and 22 Texas Administrative Code §884.12(e), the Executive Director for the Texas Behavioral Health Executive Council ("Council") hereby approves, ratifies, and enters this Agreed Order for Eligibility with the following Findings of Fact, Conclusions of Law, and Order of the Council, which have been approved and accepted by **Lisa Eleanor Martinez** ("Respondent") and which constitutes a full settlement and compromise of the complaint(s) currently pending against Respondent before the Council in the above-referenced and numbered matter(s).

FINDINGS OF FACT

1. Respondent is currently an applicant for licensure as a Licensed Specialist in School Psychology and is, therefore, subject to the jurisdiction of the Council under the Act.
2. Respondent practiced without a license for a year after she allowed her license to expire on 1/31/2021.

CONCLUSIONS OF LAW

1. Respondent voluntarily submitted an application to the Council and, therefore, is bound by the provisions of the Acts (Tex. Occ. Code Chs. 501 and 507) and the Rules of the Council (22 Tex. Admin. Code pts. 21 and 41).
2. Respondent's practice without a license constitutes a violation of Council Rules 882.23(a), 882.21(g), and Texas Occupation Code §501.401(5)(B).
3. Based on the above-stated Findings of Fact, Respondent's application is subject to abatement for up to 180 days, pursuant to Council Rule §882.10, before the Council must render a decision upon the application.

ORDER

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

1. Upon Respondent meeting all requirements for the issuance of a license, as a specialist in school psychology, Respondent's license shall be issued and hereby REPRIMANDED.
2. Respondent is assessed and shall pay, within one-hundred and twenty (120) days of the effective date of this order, an administrative penalty in the total amount of \$2,000.00, of which \$1,500.00 represents administrative costs and \$500.00 represents administrative penalty.
3. Respondent shall, within one-hundred and twenty (120) days of the effective date of this order, complete and submit proof of completion of six (6) hours of professional development relating to professional ethics or Council rules, or any combination thereof. This professional development is in addition to the professional development hours required for license renewal. Respondent will pay all costs of the coursework.

WARNING

RESPONDENT'S FAILURE TO COMPLY WITH ONE OR MORE TERMS OF THIS ORDER MAY CONSTITUTE A VIOLATION OF 22 TEXAS ADMINISTRATIVE CODE §884.55 REQUIRING FURTHER DISCIPLINARY ACTION.

WAIVERS

On the underlying licensing/professional/investigative file, Respondent has freely and voluntarily waived his or her right to an informal settlement conference, a formal hearing before an Administrative Law Judge at the State Office of Administrative Hearings (SOAH), and judicial review pursuant to Tex. Gov't Code Ann., Ch. 2001, in exchange for the conditions set out in this Agreed Order.

THE RESPONDENT, BY SIGNING THIS ORDER, AGREES TO ITS TERMS, ACKNOWLEDGES UNDERSTANDING OF THE FORMAL NOTICES, FINDINGS OF FACT, AND CONCLUSIONS OF LAW SET FORTH HEREIN AND COVENANTS TO SATISFACTORILY COMPLY WITH THE MANDATES OF THIS ORDER IN A TIMELY MANNER. RESPONDENT FURTHER ACKNOWLEDGES AND AGREES THAT HE OR SHE HAS AGREED TO THIS ORDER UPON THE ADVICE AND CONSENT OF COUNSEL, OR THAT HE OR SHE HAS HAD THE OPPORTUNITY TO HAVE THIS ORDER REVIEWED BY COUNSEL OF HIS OR HER CHOICE.

FOR THE RESPONDENT:

Lisa Eleanor Martinez
Lisa Eleanor Martinez, LSSP
License #71046

DATE SIGNED: 25 JULY 2022

FOR THE STAFF OF THE BOARD:

John Marshall Bridges
John Marshall Bridges
Texas Bar No. 24006898
Staff Attorney
Texas Behavioral Health Executive Council
1801 Congress Ave., Ste. 7-300
Austin, Texas 78701

DATE SIGNED: 7/27/2022

APPROVED, RATIFIED, AND ENTERED THIS 29th DAY OF July, 2022.

Darrel D. Spinks
Darrel D. Spinks
Executive Director, Texas Behavioral Health
Executive Council

Texas Register

TITLE 22	EXAMINING BOARDS
PART 21	TEXAS STATE BOARD OF EXAMINERS OF PSYCHOLOGISTS
CHAPTER 463	APPLICATIONS AND EXAMINATIONS
SUBCHAPTER B	LICENSING REQUIREMENTS
RULE §463.8	Licensed Psychological Associate
ISSUE	09/30/2022
ACTION	Proposed

Preamble

Texas Admin Code
Rule

(a)Licensure Requirements. An applicant for licensure as a psychological associate must:

(1)hold a graduate degree in psychology from a regionally accredited institution of higher education;

(2)provide documentation of at least six (6) semester credit hours of practicum, internship or other structured experience within the applicant's graduate degree program under the supervision of a licensed psychologist or under the supervision of an individual that holds both a license as a specialist in school psychology and a license as a psychological associate;

(3)pass all examinations required by the Council and meet each of the criteria listed in §501.2525(a)[~~(a)(2)~~](a)(~~3~~)-(9) of the Occupations Code; and

(4)demonstrate graduate level coursework in each of the following areas:

(A)Psychological Foundations:

(i)the biological bases of behavior;

(ii)the acquired or learned bases of behavior, including learning, thinking, memory, motivation and emotion;

(iii)the social, cultural, and systemic bases of behavior;

(iv)the individual or unique bases of behavior, including personality theory, human development, and abnormal behavior;

(B)Research and Statistics:

(i)the methodology used to investigate questions and acquire knowledge in the practice of psychology;

(ii)coursework in research design and methodology, statistics, critical thinking, and scientific inquiry;

(C)Applied Psychology:

(i)the history, theory, and application of psychological principles;

(ii)the application of psychological theories to individuals, families, and groups;

(D)Assessment:

(i)intellectual, personality, cognitive, physical, and emotional abilities, skills, interests, and aptitudes;

(ii)socio-economic, including behavioral, adaptive, and cultural assessment;

(E)Interventions:

(i)the application of therapeutic techniques;

(ii)behavior management;

(iii)consultation; and

(F)Scientific and Professional, Legal, and Ethical Issues.

(b)Degree Requirements.

(1)For purposes of this rule:

(A)a graduate degree in psychology means the name of the candidate's major or program of studies contains the term "psychology;"

(B)a specialist degree shall be treated as a graduate degree; and

(C)one semester credit hour equals one and one-half quarter credit hours.

(2)A degree utilized to meet the requirements of this rule must consist of at least sixty (60) semester credit hours, with no more than twelve (12) semester credit hours of practicum, internship, or structured experience being counted toward the total degree hour requirement.

(3)Applicants must demonstrate proof of the graduate level coursework required in subsection (a)(2) and [(a)] (4) of this section by identifying which courses or training listed on their transcripts satisfy the required areas of study. Applicants may be required to provide the Council with an official course catalogue or description from their university or training program to verify whether a course meets the requirements of this rule.

(c)Supervision Requirements.

(1)A licensed psychological associate must practice under the supervision of a licensed psychologist and may not practice independently.

(2)Notwithstanding paragraph (1) of this subsection and subject to the limitations set out in paragraph (3) of this subsection, a licensed psychological associate may practice independently if:

(A)the licensee can demonstrate at least 3,000 hours of post-graduate degree experience in the delivery of psychological services under the supervision of one or more licensed psychologists;

(B)the supervised experience was obtained in not less than 24 consecutive months, but not more than 48 consecutive months, and in not more than three placements; and

(C)the licensee submits an application for independent practice evidencing proof of the required supervised experience.

(3)A licensed psychological associate meeting the requirements of paragraph (2) of this subsection shall be approved for independent practice, but remains subject to all Council rules, including Council rule §465.9 (relating to Competency).

(4) Applicants shall not utilize any supervised experience obtained from a psychologist with a restricted license or to whom they are related within the second degree of affinity or consanguinity to satisfy the requirements of this rule.

(5) Applicants licensed as specialists in school psychology or as a provisionally licensed psychologist may utilize experience acquired under that license if the experience was supervised by a licensed psychologist.

~~[(d) Notwithstanding subsection (c)(3) of this section, an application for independent practice may be denied if a gap of more than two years exists between the completion of the supervised experience required for independent practice and the date of application for independent practice. The rules governing the waiver of gaps related to supervised experience found in Council rule §463.11 shall govern any request for a waiver under this rule.]~~

~~(d)~~~~(e)~~ The correct title for a person licensed under this rule shall be "licensed psychological associate" or "psychological associate."

~~(e)~~~~(f)~~ A licensed psychological associate authorized to practice independently under this rule must inform all patients and clients as part of the informed consent process, whether the licensee holds a master's, specialist or doctoral degree, and provide the patient with a current copy of any informational pamphlet or brochure published by the Council describing the differences between the levels of training and education received in master's, specialist, and doctoral degree programs. In lieu of providing each patient or client with a copy of the required pamphlet or brochure, licensees may publish in a conspicuous manner, the pamphlet or brochure on their website or provide a link to the pamphlet or brochure on the Council's website.

~~(f)~~~~(g)~~ Continuation of Prior Law.

(1) Notwithstanding subsection (b)(2) of this section, a person who began a graduate program before August 31, 2019, leading to a degree in psychology, that otherwise meets the requirements of subsection (a)(1) of this section, shall be considered to have met the requirements of subsection (b)(2) if the individual has completed 42 semester credit hours.

(2) Applicants with degrees consisting of less than 42 semester credit hours may utilize a maximum of 12 semester credit hours from another graduate degree program in psychology to achieve the total of 42 semester credit hours to meet the requirement of subsection (g)(1) of this section.

~~[(1) Notwithstanding subsection (b)(1)(A) of this section, a person who begins a graduate program leading to a degree required by subsection (a)(1) of this section before August 31, 2019, shall be considered to have met the requirements of that subsection if the individual's degree is primarily psychological in nature. This subsection expires on August 31, 2021.]~~

~~[(2) Notwithstanding subsection (b)(2) of this section, a person who begins a graduate program leading to a degree required by subsection (a)(1) of this section before August 31, 2019, shall be considered to have met the requirements of that subsection if the individual has completed 42 semester credit hours with at least 27 of those hours in psychology. Applicants with degrees consisting of less than 42 semester credit hours may utilize a maximum of 12 semester credit hours from another graduate degree program in psychology to achieve the total of 42 semester credit hours. This subsection expires on August 31, 2021.]~~

(g) Remedy for Incomplete Licensure Requirements.

(1) An applicant who has completed a graduate degree in psychology, from a regionally accredited institution of higher education, that consists of at least sixty (60) semester credit hours, or meets the requirements of subsection (f) of this section, and who does not meet all of the qualifications for licensure set out in subsection (a)(2) and (4) of this section may petition for permission to remediate an area of deficiency. An applicant may not petition for the waiver or modification of the requisite degree or passage of the requisite examinations.

(2)The Council may allow an applicant to remediate a deficiency identified in paragraph (1) of this subsection if the applicant can demonstrate:

(A)the prerequisite is not mandated by federal law, the state constitution or statute, or 22 TAC Part 41; and

(B)the remediation would not adversely affect the public welfare.

(3)The Council may approve or deny a petition under this subsection, and in the case of approval, may condition the approval on reasonable terms and conditions designed to ensure the applicant's education, training, and experience provide reasonable assurance that the applicant has the knowledge and skills necessary for entry-level practice as a licensed psychological associate.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on September 15, 2022

TRD-202203712

Darrel D. Spinks

Executive Director

Texas State Board of Examiners of Psychologists

Earliest possible date of adoption: October 30, 2022

For further information, please call: (512) 305-7706

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Texas Register

TITLE 22	EXAMINING BOARDS
PART 21	TEXAS STATE BOARD OF EXAMINERS OF PSYCHOLOGISTS
CHAPTER 463	APPLICATIONS AND EXAMINATIONS
SUBCHAPTER B	LICENSING REQUIREMENTS
RULE §463.9	Licensed Specialist in School Psychology
ISSUE	09/30/2022
ACTION	Proposed

Preamble

Texas Admin Code
Rule

(a)License Requirements. An applicant for licensure as a specialist in school psychology must:

- (1)hold an appropriate graduate degree;
- (2)provide proof of specific graduate level coursework;
- (3)provide proof of an acceptable internship;
- (4)provide proof of passage of all examinations required by the Council; and
- (5)meet the requirements imposed under §501.2525(a)(3) - (9) of the Occupations Code.

(b)Applicants who hold active certification as a Nationally Certified School Psychologist (NCSP) are considered to have met all requirements for licensure under this rule except for passage of the Jurisprudence Examination. Applicants relying upon this subsection must provide the Council with their NCSP certification number.

(c)Applicants who graduated from a training program accredited or approved by the National Association of School Psychologists or accredited in School Psychology by the American Psychological Association are considered to have met all training and internship requirements for licensure under this rule. Applicants relying upon this subsection must submit an official transcript indicating the degree and date the degree was awarded or conferred.

(d)Appropriate Graduate Degrees.

(1)Applicants who do not hold active NCSP certification, or who did not graduate from a training program accredited or approved by the National Association of School Psychologists or accredited in School Psychology by the American Psychological Association, must have completed a graduate degree in psychology from a regionally accredited institution of higher education. For purposes of this rule, a graduate degree in psychology means the name of the candidate's major or program of study is titled psychology.

(2)Applicants applying under this subsection must have completed, either as part of their graduate degree program or after conferral of their graduate degree, at least 60 graduate level semester credit hours from a regionally accredited institution of higher education. A maximum of 12 internship hours may be counted toward this requirement. [For purposes of this rule, a graduate degree in psychology means the name of the candidate's major or program of studies is titled psychology.]

(3)An applicant who holds a graduate degree that does not qualify under subsection (d)(1) but meets the requirements of subsection (d)(2) is considered to have an appropriate graduate degree if the applicant holds a

certificate of completion from a graduate-level training program designed to train individuals from related disciplines in the practice of school psychology.

~~[(d)Applicants who do not hold active NCSP certification, or who did not graduate from a training program approved by the National Association of School Psychologists or accredited in School Psychology by the American Psychological Association, must have completed a graduate degree in psychology from a regionally accredited institution of higher education. Applicants applying under this subsection must have completed, either as part of their graduate degree program or after conferral of their graduate degree, at least 60 graduate level semester credit hours from a regionally accredited institution of higher education. A maximum of 12 internship hours may be counted toward this requirement. For purposes of this rule, a graduate degree in psychology means the name of the candidate's major or program of studies is titled psychology.]~~

(e)Applicants applying under subsection (d) of this section must submit evidence of graduate level coursework as follows:

(1)Psychological Foundations, including:

- (A)biological bases of behavior;
- (B)human learning;
- (C)social bases of behavior;
- (D)multi-cultural bases of behavior;
- (E)child or adolescent development;
- (F)psychopathology or exceptionalities;

(2)Research and Statistics;

(3)Educational Foundations, including any of the following:

- (A)instructional design;
- (B)organization and operation of schools;
- (C)classroom management; or
- (D)educational administration;

(4)Assessment, including:

- (A)psychoeducational assessment;
- (B)socio-emotional, including behavioral and cultural, assessment;

(5)Interventions, including:

- (A)counseling;
- (B)behavior management;
- (C)consultation;

(6)Professional, Legal and Ethical Issues; and

(7)A Practicum.

(f)Applicants applying under subsection (d) of this section must have completed an internship with a minimum of 1200 hours and that meets the following criteria:

(1)At least 600 of the internship hours must have been completed in a public school.

(2)The internship must be provided through a formal course of supervised study from a regionally accredited institution of higher education in which the applicant was enrolled; or the internship must have been obtained in accordance with Council §463.11(d)(1) and (d)(2)(C) of this section.

(3)Any portion of an internship completed within a public school must be supervised by a Licensed Specialist in School Psychology, and any portion of an internship not completed within a public school must be supervised by a Licensed Psychologist.

(4)No experience which is obtained from a supervisor who is related within the second degree of affinity or consanguinity to the supervisee may be utilized.

(5)Unless authorized by the Council, supervised experience received from a supervisor practicing with a restricted license may not be utilized to satisfy the requirements of this rule.

(6)Internship hours must be obtained in not more than two placements. A school district, consortium, and educational co-op are each considered one placement.

(7)Internship hours must be obtained in not less than one or more than two academic years.

(8)An individual completing an internship under this rule must be designated as an intern.

(9)Interns must receive no less than two hours of supervision per week, with no more than half being group supervision. The amount of weekly supervision may be reduced, on a proportional basis, for interns working less than full-time.

(10)The internship must include direct intern application of assessment, intervention, behavior management, and consultation, for children representing a range of ages, populations and needs.

(g)Provision of psychological services in the public schools by unlicensed individuals.

(1)An unlicensed individual may provide psychological services under supervision in the public schools if:

(A)the individual is enrolled in an internship, practicum or other site based training in a psychology program in a regionally accredited institution of higher education; or

(B)the individual has completed an internship that meets the requirements of this rule, and has submitted an application for licensure as a Licensed Specialist in School Psychology to the Council that has not been denied or returned.

(2)An unlicensed individual may not provide psychological services in a private school setting unless the activities or services provided are exempt under §501.004 of the Psychologists' Licensing Act.

(3)An unlicensed individual may not engage in the practice of psychology under paragraph (1)(B) of this subsection for more than forty-five days following receipt of the application by the Council.

(4)The authority to practice referenced in paragraph (1)(B) of this subsection is limited to the first or initial application filed by an individual under this rule, but is not applicable to any subsequent applications filed under this rule.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on September 15, 2022

TRD-202203713

Darrel D. Spinks

Executive Director

Texas State Board of Examiners of Psychologists

Earliest possible date of adoption: October 30, 2022

For further information, please call: (512) 305-7706

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TITLE 22	EXAMINING BOARDS
PART 21	TEXAS STATE BOARD OF EXAMINERS OF PSYCHOLOGISTS
CHAPTER 463	APPLICATIONS AND EXAMINATIONS
SUBCHAPTER B	LICENSING REQUIREMENTS
RULE §463.10	Licensed Psychologists
ISSUE	09/30/2022
ACTION	Proposed

Preamble

Texas Admin Code
Rule

(a)Licensure Requirements. An applicant for licensure as a psychologist must:

(1)hold a doctoral degree in psychology from a college or university accredited by a regional accrediting organization;

(2)pass all examinations required by the agency;

(3)submit documentation of supervised experience from a licensed psychologist which satisfies the requirements of Council §463.11 of this title; and

(4)meet all other requirements of §501.2525 of the Occupations Code.

(b)Degree Requirements.

(1)For those applicants with a doctoral degree conferred on or after January 1, 1979, the transcript must state that the applicant has a doctoral degree that designates a major in psychology.

(2)For those applicants with a doctoral degree conferred prior to January 1, 1979, the transcript must reflect a doctoral degree that designates a major in psychology or the substantial equivalent of a doctoral degree in psychology in both subject matter and extent of training. A doctoral degree will be considered the substantial equivalent to a doctoral degree in psychology if the training program meets the criteria of Council rule §463.15 of this title. [-following criteria:]

~~[(A)Post-baccalaureate program in a regionally accredited institution of higher learning. The program must have a minimum of 90 semester hours, not more than 12 of which are credit for doctoral dissertation and not more than six of which are credit for master's thesis.]~~

~~[(B)The program, wherever it may be administratively housed, must be clearly identified and labeled. Such a program must specify in pertinent institutional catalogs and brochures its intent to educate and train professional psychologists.]~~

~~[(C)The program must stand as a recognizable, coherent organizational entity within the institution. A program may be within a larger administrative unit, e.g., department, area, or school.]~~

~~[(D)There must be a clear authority and primary responsibility for the core and specialty areas whether or not the program cuts across administrative lines. The program must have identifiable faculty and administrative heads who are psychologists responsible for the graduate program. Psychology faculty are individuals who are licensed or certified psychologists, or specialists of the American Board of Professional Psychology (ABPP), or hold a doctoral degree in psychology from a regionally accredited institution.]~~

~~[(E)The program must be an integrated, organized sequence of studies, e.g., there must be identifiable curriculum tracks wherein course sequences are outlined for students.]~~

~~[(F)The program must have an identifiable body of students who matriculated[in the program].~~

~~[(G)The program must include supervised practicum, internship, field or laboratory training appropriate to the practice of psychology. The supervised field work or internship must have been a minimum of 1,500 supervised hours, obtained in not less than a 12-month period nor more than a 24-month period. Further, this requirement cannot have been obtained in more than two placements or agencies.]~~

~~[(H)The curriculum shall encompass a minimum of two academic years of full-time graduate studies for those persons have enrolled in the doctoral degree program after completing the requirements for a master's degree. The curriculum shall encompass a minimum of four academic years of full-time graduate studies for those persons who have entered a doctoral program following the completion of a baccalaureate degree and prior to the awarding of a master's degree. It is recognized that educational institutions vary in their definitions of full-time graduate studies. It is also recognized that institutions vary in their definitions of residency requirements for the doctoral degree.]~~

~~[(I)The following curricular requirements must be met and demonstrated through appropriate course work:]~~

~~[(i)Scientific and professional ethics related to the field of psychology.]~~

~~[(ii)Research design and methodology, statistics.]~~

~~[(iii)The applicant must demonstrate competence in each of the following substantive areas. The competence standard will be met by satisfactory completion at the B-level of a minimum of six graduate semester hours in each of the four content areas. It is recognized that some doctoral programs have developed special competency examinations in lieu of requiring students to complete course work in all core areas. Graduates of such programs who have not completed the necessary semester hours in these core areas must submit to the Council evidence of competency in each of the four core areas.]~~

~~[(I)Biological basis of behavior: physiological psychology, comparative psychology, neuropsychology, sensation and perception, psycho-pharmacology.]~~

~~[(II)Cognitive-affective basis of behavior: learning, thinking, motivation, emotion.]~~

~~[(III)Social basis of behavior: social psychology, group processes, organizational and system theory.]~~

~~[(IV)Individual differences: personality theory, human development, abnormal psychology.]~~

~~[(J)All educational programs which train persons who wish to be identified as psychologists will include course requirements in specialty areas. The applicant must demonstrate a minimum of 24 hours in his/her designated specialty area.]~~

~~[(3)Any person intending to apply for licensure under the substantial equivalence clause must file with the Council an affidavit showing:]~~

~~[(A)Courses meeting each of the requirements noted in paragraph (2) of this subsection verified by official transcripts;]~~

~~[(B)Appropriate, published information from the university awarding the degree, demonstrating that the requirements noted in paragraph (2) of this subsection have been met.]~~

(c)An applicant who holds an active Certificate of Professional Qualification in Psychology (CPQ) is considered to have met all requirements for licensure under this rule except for passage of the Jurisprudence Examination. Applicants relying upon this subsection must request that documentation of their certification be

sent directly to the Council from the Association of State and Provincial Psychology Boards (ASPPB), be submitted to the Council in the sealed envelope in which it was received by the applicant from ASPPB, or be submitted to the Council as directed by agency staff.

(d)An applicant who holds an active specialist certification with the American Board of Professional Psychology (ABPP) is considered to have met all requirements for licensure under this rule except for passage of the EPPP and Jurisprudence Examination. Applicants relying upon this subsection must request that documentation of their specialist certification be sent directly to the Council from ABPP, be submitted to the Council in the sealed envelope in which it was received by the applicant from ABPP, or be submitted to the Council as directed by agency staff.

(e)The requirement for documentation of supervised experience under this rule is waived for an applicant who is actively licensed as a doctoral-level psychologist in good standing and has been practicing psychology in another jurisdiction for at least five years or can affirm that the applicant has received at least 3,000 hours of supervised experience from a licensed psychologist in the jurisdiction where the supervision took place. At least half of those hours (a minimum of 1,500 hours) must have been completed within a formal internship, and the remaining one-half (a minimum of 1,500 hours) must have been completed after the doctoral degree was conferred. Applicants relying upon this subsection must request that verification of their out-of-state licensure be sent directly to the Council from the other jurisdiction, be submitted to the Council in the sealed envelope in which it was received by the applicant from the other jurisdiction, or be submitted to the Council as directed by agency staff.

(f)Provisional License.

(1)An applicant who has not yet passed the required examinations or is seeking to acquire the supervised experience required under Council §463.11 of this title may practice under the supervision of a licensed psychologist as a provisionally licensed psychologist for not more than two years if the applicant meets all other licensing requirements.

(2)A provisional license will be issued to an applicant upon proof of provisional license eligibility. However, a provisional license will not be issued to an applicant who was issued a provisional license in connection with a prior application.

(3)A provisionally licensed psychologist is subject to all applicable laws governing the practice of psychology.

(4)A provisionally licensed psychologist may be made the subject of an eligibility or disciplinary proceeding. The two-year period for provisional licensure shall not be tolled by any suspension of the provisional license.

(5)A provisional license will expire after two years if the person does not qualify for licensure as a psychologist.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

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Darrel D. Spinks

Executive Director

Texas State Board of Examiners of Psychologists

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For further information, please call: (512) 305-7706

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TITLE 22	EXAMINING BOARDS
PART 21	TEXAS STATE BOARD OF EXAMINERS OF PSYCHOLOGISTS
CHAPTER 463	APPLICATIONS AND EXAMINATIONS
SUBCHAPTER B	LICENSING REQUIREMENTS
RULE §463.12	Temporary License
ISSUE	09/30/2022
ACTION	Proposed

Preamble

Texas Admin Code
Rule

(a)A temporary license may be issued to an applicant seeking to practice in this state for a limited time and purpose. To be eligible for temporary licensure, an applicant must:

- (1)submit a completed application for temporary licensure, setting forth a brief description of the type of psychological services to be provided;
- (2)pay the application fee;
- (3)submit proof that the applicant is actively licensed, certified, or registered as a psychologist or psychological associate by another jurisdiction having requirements substantially equal to those prescribed by the Psychologists' Licensing Act;
- (4)submit documentation [~~directly from the jurisdiction in which the applicant is licensed~~] indicating that the applicant is in good standing with that jurisdiction;
- (5)be supervised (sponsorship) by a psychologist licensed in this state; and
- (6)provide documentation that the applicant has passed the Examination for Professional Practice of Psychology at the Texas cut-off for the type of temporary license sought.

(b)Substantial equivalency of another jurisdiction's requirements may be documented by the applicant providing a copy of the other jurisdiction's regulations with the pertinent sections highlighted to indicate training and exam requirements for a particular type of license. The material is then reviewed for substantial equivalency by the Council. An applicant need not demonstrate substantial equivalency if the applicant is licensed in a jurisdiction with which the Council has reciprocity.

(c)Applicants for temporary licensure who hold a current Certificate of Professional Qualification in Psychology, status as a National Health Service Provider, or designation as a specialist from the American Board of Professional Psychology may have documentation from the credentialing entity sent directly to the Council as compliance with and in lieu of subsection (a)(3) and (6) of this section.

(d)For a psychologist practicing under a temporary license issued pursuant to this rule, the supervision required by subsection (a)(5) of this section shall consist of sponsorship by a psychologist licensed in this state. The sponsoring psychologist must be available for consultation with the temporary licensee, but otherwise has no supervisory responsibility for the temporary license holder or the services provided under the temporary license.

(e)Applicants meeting the requirements for temporary licensure shall be granted a temporary license authorizing the delivery of psychological services for no more than thirty days. Upon utilization of the full

thirty days, or the expiration of one year from the date of licensure, whichever occurs first, the temporary license shall expire.

(f)~~Upon utilization of the full thirty days, or the expiration of one year from the date of licensure, whichever occurs first, the [A] temporary licensee must submit written notification to the Council of the dates the licensee delivered psychological services in this state. [intends to deliver psychological services in this state, at least 24 hours prior to the delivery of those services. Psychological services may not be provided in this state under a temporary license on any date not approved by the Council.]~~

(g)Temporary licensees are subject to all applicable laws governing the practice of psychology in this state, including the Psychologists' Licensing Act and Council rules.

(h)An applicant for permanent licensure in this state is not eligible for temporary licensure. Upon receipt of an application for permanent licensure by a temporary license holder, any temporary license held by an applicant shall expire without further action or notice by the Council.

(i)A temporary license holder may not receive another temporary license until the expiration of one year from the date of issuance of their last temporary license, regardless of whether that license is active or expired.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

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Darrel D. Spinks

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TITLE 22	EXAMINING BOARDS
PART 21	TEXAS STATE BOARD OF EXAMINERS OF PSYCHOLOGISTS
CHAPTER 463	APPLICATIONS AND EXAMINATIONS
SUBCHAPTER B	LICENSING REQUIREMENTS
RULE §463.15	Criteria for Degrees Conferred Prior to 1979
ISSUE	09/30/2022
ACTION	Proposed

Preamble

No Rule Available

(a)For applicants for licensure as a psychologist with a doctoral degree conferred prior to January 1, 1979, the transcript must reflect a doctoral degree that designates a major in psychology or the substantial equivalent of a doctoral degree in psychology in both subject matter and extent of training. A doctoral degree will be considered the substantial equivalent to a doctoral degree in psychology if the training program meets the following criteria:

(1)Post-baccalaureate program in a regionally accredited institution of higher learning. The program must have a minimum of 90 semester hours, not more than 12 of which are credit for doctoral dissertation and not more than six of which are credit for master's thesis.

(2)The program, wherever it may be administratively housed, must be clearly identified and labeled. Such a program must specify in pertinent institutional catalogs and brochures its intent to educate and train professional psychologists.

(3)The program must stand as a recognizable, coherent organizational entity within the institution. A program may be within a larger administrative unit, e.g., department, area, or school.

(4)There must be a clear authority and primary responsibility for the core and specialty areas whether or not the program cuts across administrative lines. The program must have identifiable faculty and administrative heads who are psychologists responsible for the graduate program. Psychology faculty are individuals who are licensed or certified psychologists, or specialists of the American Board of Professional Psychology (ABPP), or hold a doctoral degree in psychology from a regionally accredited institution.

(5)The program must be an integrated, organized sequence of studies, e.g., there must be identifiable curriculum tracks wherein course sequences are outlined for students.

(6)The program must have an identifiable body of students who matriculated in the program.

(7)The program must include supervised practicum, internship, field or laboratory training appropriate to the practice of psychology. The supervised field work or internship must have been a minimum of 1,500 supervised hours, obtained in not less than a 12 month period nor more than a 24 month period. Further, this requirement cannot have been obtained in more than two placements or agencies.

(8)The curriculum shall encompass a minimum of two academic years of full-time graduate studies for those persons have enrolled in the doctoral degree program after completing the requirements for a master's degree. The curriculum shall encompass a minimum of four academic years of full-time graduate studies for those persons who have entered a doctoral program following the completion of a baccalaureate degree and prior to the awarding of a master's degree. It is recognized that educational institutions vary in their definitions of full-

time graduate studies. It is also recognized that institutions vary in their definitions of residency requirements for the doctoral degree.

(9)The following curricular requirements must be met and demonstrated through appropriate course work:

(A)Scientific and professional ethics related to the field of psychology.

(B)Research design and methodology, statistics.

(C)The applicant must demonstrate competence in each of the following substantive areas. The competence standard will be met by satisfactory completion at the B level of a minimum of six graduate semester hours in each of the four content areas. It is recognized that some doctoral programs have developed special competency examinations in lieu of requiring students to complete course work in all core areas. Graduates of such programs who have not completed the necessary semester hours in these core areas must submit to the Council evidence of competency in each of the four core areas.

(i)Biological basis of behavior: physiological psychology, comparative psychology, neuropsychology, sensation and perception, psycho-pharmacology.

(ii)Cognitive-affective basis of behavior: learning, thinking, motivation, emotion.

(iii)Social basis of behavior: social psychology, group processes, organizational and system theory.

(iv)Individual differences: personality theory, human development, abnormal psychology.

(10)All educational programs which train persons who wish to be identified as psychologists will include course requirements in specialty areas. The applicant must demonstrate a minimum of 24 hours in his/her designated specialty area.

(b)Any person intending to apply for licensure under the substantial equivalence clause must file with the Council an affidavit showing:

(1)Courses meeting each of the requirements noted in subsection (a) of this rule verified by official transcripts; and

(2)Appropriate, published information from the university awarding the degree, demonstrating that the requirements noted in subsection (a) of this rule have been met.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

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Texas State Board of Examiners of Psychologists

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CHAPTER 463	APPLICATIONS AND EXAMINATIONS
SUBCHAPTER F	PROFESSIONAL DEVELOPMENT
RULE §463.35	Professional Development
ISSUE	10/07/2022
ACTION	Proposed Repeal

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[Texas Admin Code
Rule](#)

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

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Darrel D. Spinks

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TITLE 22	EXAMINING BOARDS
PART 21	TEXAS STATE BOARD OF EXAMINERS OF PSYCHOLOGISTS
CHAPTER 463	APPLICATIONS AND EXAMINATIONS
SUBCHAPTER F	PROFESSIONAL DEVELOPMENT
RULE §463.35	Requirements for Professional Development
ISSUE	10/07/2022
ACTION	Proposed

Preamble

Texas Admin Code
Rule

(a) Minimum Professional Development Hours Required

(1) A licensee must complete 40 hours of professional development during each renewal period that they hold a license. The 40 hours of professional development must include 6 hours in ethics and 6 hours in cultural diversity or competency.

(2) A licensee may carry forward to the next renewal period, a maximum of 10 hours accrued during the current renewal period if those hours are not needed for renewal.

(b) Acceptable ethics hours include, but are not limited to professional development on:

(1) state or federal laws, including agency rules, relevant to the practice of psychology;

(2) practice guidelines established by local, regional, state, national, or international professional organizations;

(3) training or education designed to demonstrate or affirm the ideals and responsibilities of the profession; and

(4) training or education intended to assist licensees in determining appropriate decision-making and behavior, improve consistency in or enhance the professional delivery of services, and provide a minimum acceptable level of practice.

(c) Acceptable cultural diversity or competency hours include, but are not limited to professional development regarding age, disability, ethnicity, gender, gender identity, language, national origin, race, religion, culture, sexual orientation, and socio-economic status.

(d) Acceptable Professional Development Activities.

(1) All professional development hours must have been received during the renewal period unless allowed under subsection (a)(2) of this section, and be directly related to the practice of psychology;

(2) The Council shall make the determination as to whether the activity claimed by the licensee is directly related to the practice of psychology;

(3) Except for hours claimed under subsection (g), all professional development hours obtained must be designated by the provider in a letter, email, certificate, or transcript that displays the licensee's name, topic covered, date(s) of training, and hours of credit earned; and

(4) Multiple instances or occurrences of a professional development activity may not be claimed for the same renewal period.

(e)Licensees must obtain at least fifty percent of their professional development hours from one or more of the following providers:

(1)an international, national, regional, state, or local association of medical, mental, or behavioral health professionals;

(2)public school districts, charter schools, or education service centers;

(3)city, county, state, or federal governmental entities;

(4)an institution of higher education accredited by a regional accrediting organization recognized by the Council for Higher Education Accreditation, the Texas Higher Education Coordinating Board, or the United States Department of Education;

(5)religious or charitable organizations devoted to improving the mental or behavioral health of individuals; or

(6)any provider approved or endorsed by a provider listed herein.

(f)Licensees shall receive credit for professional development activities according to the number of hours designated by the provider, or if no such designation, on a one-for-one basis with one credit hour for each hour spent in the professional development activity.

(g)Notwithstanding subsection (e) above, licensees may claim professional development credit for each of the following activities:

(1)Passage of the jurisprudence examination. Licensees who pass the jurisprudence examination may claim 1 hour of professional development in ethics.

(2)Preparing and giving a presentation at a professional development activity. The maximum number of hours that may be claimed for this activity is 5 hours.

(3)Authoring a book or peer reviewed article. The maximum number of hours that may be claimed for this activity is 5 hours.

(4)Teaching or attending a graduate level course. The maximum number of hours that may be claimed for this activity is 5 hours.

(5)Self-study. The maximum number of hours that may be claimed for this activity is 1 hour.

(6)Successful completion of a training course on human trafficking prevention described by §116.002 of the Occupations Code. Licensees who complete this training may claim 1 hour of professional development credit.

(7)Providing supervision to supervisees delivering psychological services to individuals residing in a rural mental health discipline Health Professional Shortage Area (HPSA) identified by the U.S. Health Resources & Services Administration (HRSA). The maximum number of hours that may be claimed for this activity is 20 and hours claimed may not be counted toward the ethics or cultural diversity or competency requirements.

(h)The Council does not pre-evaluate or pre-approve professional development providers or hours.

(i)Licensees shall maintain proof of professional development compliance for a minimum of 3 years after the applicable renewal period.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

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Darrel D. Spinks

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Texas State Board of Examiners and Psychologists

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Agreement of Reciprocity for the Licensing of Psychologists
between the
Texas Behavioral Health Executive Council
and the
Oklahoma State Board of Examiners of Psychologists

This agreement of reciprocity for the licensing of psychologists is hereby entered into in order to establish reciprocity by and between the State of Texas, through the Texas Behavioral Health Executive Council (Council), which administers and oversees the Texas State Board of Examiners of Psychologists (TSBEP), and the State of Oklahoma, through the Oklahoma State Board of Examiners of Psychologists (OSBEP), for the purpose of facilitating professional mobility through mutual recognition of the licensing standards necessary to achieve licensure as a psychologist in each of the signatory jurisdictions.

WHEREAS, the Council has the exclusive authority to issue a psychologist license within the State of Texas pursuant to Chapter 501 of the Texas Occupations Code, also known as the Psychologists' Licensing Act; and

WHEREAS, the OSBEP has the exclusive authority to issue a psychologist license within the State of Oklahoma pursuant to Title 59, Oklahoma Statutes, Sections 1351-1376, Professions and Occupations, also known as the Psychologists Licensing Act; and

WHEREAS, pursuant to Section 501.262 of the Texas Occupations Code, the Council is authorized to enter into and implement agreements with other jurisdictions for the issuance of a license by reciprocity if the other jurisdiction's requirements for licensing, certification, or registration are substantially equal to the requirements of Chapter 501 of the Texas Occupations Code; and

WHEREAS, legal counsel for the Council has made such affirmative determination with respect to the licensure of psychologists in the State of Oklahoma; and

WHEREAS, pursuant to (cite to RELEVANT OK STATUTORY AUTHORITY), the OSBEP is authorized to enter into and implement agreements with other jurisdictions for the issuance of a license by reciprocity if the other jurisdiction's requirements for licensing, certification, or registration are substantially equal to the requirements of (cite to OK Psychologists Licensing Act); and

WHEREAS, legal counsel for the OSBEP has made such affirmative determination with respect to the licensure of psychologists in the State of Texas; and

WHEREAS, reciprocity between the State of Texas and the State of Oklahoma is thus supported by the laws of both states;

NOW, THEREFORE, each party does hereby agree to license as a psychologist, all applicants licensed as psychologists in the other jurisdiction, if each of the following criteria are met:

1. The applicant submits the required application, together with any required fee;
2. The applicant submits written verification in a manner satisfactory to the receiving party, that he or she is actively licensed and in good standing in the other jurisdiction.
3. The applicant submits a self-query report from the National Practitioner Data Bank (NPDB) in a manner satisfactory to the receiving party, reflecting no disciplinary history, other than disciplinary history related to continuing education or professional development;
4. The applicant undergoes any criminal history check required by the jurisdiction, and has not been convicted of a crime which would disqualify the applicant under the receiving state's laws;
5. The applicant passes any jurisprudence examination required by the jurisdiction;
6. The applicant has attained the age of 18;
7. The applicant is physically and mentally competent to provide psychological services with reasonable skill and safety, is not afflicted with a mental or physical disease or condition that would impair the applicant's competency to provide psychological services, and does not use drugs or alcohol to an extent that affects the applicant's professional competency;
8. The applicant has not conducted or aided or abetted the unlicensed practice of psychology.
9. For applicants coming from Texas, the applicant must possess a doctoral degree conferred from a program in psychology accredited by the American Psychological Association or the Canadian Psychological Association; and
10. The applicant submits any other documentation or information requested in the application or which the jurisdiction deems necessary in order to ensure the public's safety when processing the application.

If an applicant fails to meet any of the above requirements, or misrepresents or falsifies any qualifications or information, his or her application may be denied.

Both parties to this agreement agree to inform each other of any disciplinary action taken against an individual licensed under this agreement, and to cooperate with each other in disciplinary actions and investigations involving a mutual licensee, to the extent permissible under the law in each jurisdiction. A jurisdiction will be considered as having met its duty to inform the other jurisdiction of any disciplinary action taken against a licensee by reporting any such action to the Association of State and Provisional Psychology Boards' Disciplinary Databank and the NPDB.

The parties agree to promptly inform each other of any changes in their law affecting the practice of psychology that could reasonably constitute a departure from the substantially equal nature of their licensing laws. To assist with such a determination, the parties agree that a change to any of the following shared licensing requirements would constitute a departure from substantial equivalency:

- A doctoral degree in psychology.
- A cutoff score on the EPPP of at least 70%, or a scaled score of 500.
- A formal doctoral-level internship consisting of at least one year or 1,500 hours of supervised experience under a licensed psychologist.
- An informal year of experience consisting of at least one year or 1,500 hours of post-doctoral supervised experience under a licensed psychologist.

In the event of a change in any of the foregoing shared licensing requirements, this agreement may be canceled without prior notice.

This agreement shall become effective on the date of the final signature and shall continue in full force and effect until modified by agreement or canceled or withdrawn by either or both parties.

On Behalf of the State of Texas

On Behalf of the State of Oklahoma

Gloria Canseco, M.A., Chair
Texas Behavioral Health Executive Council

Date: _____

Date: _____