

TEXAS STATE BOARD OF EXAMINERS OF PSYCHOLOGISTS



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Texas State Board of Examiners of Psychologists Meeting Agenda

January 12, 2023, 10:00 a.m.

The January 12, 2023 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/81549138705> 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. 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 [clicking here](#). 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 January 12, 2023, 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 2023-Q1 Measures Report
 - B. PSYPACT Update
 - C. ASPPB Update
 - D. TSBEP Insights Over Lunch Update
5. Selection of TSBEP Council Members - Professional Member*
6. Enforcement Division
 - A. Enforcement Staff:
 - i. Review of Dismissals by Executive Director and Staff
 - ii. Status Reports - FY 2023 – Q1
 - 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)*
7. 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
- 8. 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 463.11, Supervised Experience Required for Licensure as a Psychologist
- 9. Recommendations for agenda items for the next Board meeting
- 10. Adjournment

Addendum: Additional Videoconference and Telephone Conference Call Information

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

When: Jan 12, 2023 10:00 AM Central Time (US and Canada)

Topic: Texas State Board of Examiners of Psychologists January 12, 2023 Board Meeting

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/81549138705>

Or One tap mobile :

US: +13462487799,,81549138705# or +12532050468,,81549138705#

Or Telephone:

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

US: +1 346 248 7799 or +1 253 205 0468 or +1 253 215 8782 or +1 669 444 9171 or +1 669 900 9128 or +1 719 359 4580 or +1 689 278 1000 or +1 301 715 8592 or +1 305 224 1968 or +1 309 205 3325 or +1 312 626 6799 or +1 360 209 5623 or +1 386 347 5053 or +1 507 473 4847 or +1 564 217 2000 or +1 646 558 8656 or +1 646 931 3860

Webinar ID: 815 4913 8705

International numbers available: <https://us02web.zoom.us/j/81549138705>

1st QUARTER PERFORMANCE MEASURES

FISCAL YEAR 2023


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

by

Texas Behavioral Health Executive Council

December 20, 2022


Executive Director


Date

Agency code: 510

Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2023 Target	2023 Actual	2023 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	2,404.00	2,404.00	30.82 % *	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. These projections were 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 23, the agency exceeded its target by issuing 2,404 for the quarter.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

The number of new licenses issued each quarter continue to average around 2,400 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.

Agency code: 510
Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2023 Target	2023 Actual	2023 YTD	Percent of Annual Target	Target Range
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Output Measures

2 # LICENSE RENEWALS

Quarter 1

44,000.00

7,213.00

7,213.00

16.39 % *

8,800.00 - 13,200.00

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. These projections were 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 44,000 licenses per fiscal year, or 11,000 per quarter. During the first quarter of FY 23, the agency fell short of its target, renewing 7,213 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 the licensee is under audit or the agency hasn't received the licensee's 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	2023 Target	2023 Actual	2023 YTD	Percent of Annual Target	Target Range
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Output Measures

1 COMPLAINTS RESOLVED

Quarter 1	1,200.00	209.00	209.00	17.42 % *	240.00 - 360.00
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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. These projections were 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 1,200 complaints per fiscal year, or 300 per quarter. During the first quarter of FY 23, the agency fell short of its target by resolving 209 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 first quarter of FY 23 is down to 413. Additionally, the agency is projecting to receive around 600 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	2023 Target	2023 Actual	2023 YTD	Percent of Annual Target	Target Range
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Output Measures

2 COMPLAINTS PENDING

Quarter 1

800.00

413.00

413.00

51.63 % *

760.00 - 840.00

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. These projections were 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 800 complaints pending during FY 2023. During the first quarter of FY 23, the agency bested this measure by only having 413 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 413 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 800 complaints pending is too high for FY23, 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	2023 Target	2023 Actual	2023 YTD	Percent of Annual Target	Target Range
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Efficiency Measures

1 AVG TIME TO PROCESS APP (DAYS)

Quarter 1	50.00	37.37	37.37	74.74 % *	47.50 - 52.50
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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. These projections were 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 50 days. In the first quarter of FY 23, the agency bested this measure by having an average license issuance time of only 38 days.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

The average time for license issuance for FY 22 was 46 days. This number has now decreased to 38 days, due to the dedication and efficiency of the licensing staff. The Council believes 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 increased to 55 days in its FY24-FY25 LAR based upon baseline funding.

2-1-1 ENFORCEMENT

1 AVG TIME/COMPLAINT RESOLUTION

* Varies by 5% or more from target.

Agency code: 510

Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2023 Target	2023 Actual	2023 YTD	Percent of Annual Target	Target Range
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Efficiency Measures

I AVG TIME/COMPLAINT RESOLUTION					
Quarter 1	700.00	288.42	288.42	41.20 % *	665.00 - 735.00

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. These projections were 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 700 days. In the first quarter of FY 23, the agency bested this measure by having an average processing resolution time of 289 days.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

The average time for complaint resolution for FY 22 was 581 days. This number has now decreased to 289 days, due to the dedication and efficiency of the enforcement and legal staff. The Council believes 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 625 in its FY24-FY25 LAR.

* Varies by 5% or more from target.

PSYPACT



December 2022

Renewals

The Commission has voted to enact the right to charge a renewal fee for the APIT and TAP applications. This fee will be in effect starting in 2023. This will be a yearly fee, and will be

charged in conjunction with your E. Passport/IPC renewal. The process will be similar to the initial application process. The fee will be \$20 per PYPACT renewal. This means if you have an APIT and a TAP you will be charged \$20 for the APIT AND \$20 for the TAP. For more information, please email info@psypact.org.

Contact Information

PSYPACT Commission Staff would like to remind authorized providers to log into their psypro.org accounts and make sure their contact information is correct. It is actually in accordance to Rule 4.4 and 5.4 that PSYPACT providers maintain their contact information. Should PSYPACT Commission Staff need to reach a provider - they use the information found in their psypro.org account.

Office Closures

The offices will be closed December 23rd - January 3rd. As such there will be no processing of emails, contact forms, or applications. These will continue once the offices reopen on January 3rd.

Social Media

PSYPACT is on social media! Please follow us on Facebook, Twitter, or LinkedIn - our "handle" is @PSYPACT. We post a frequently asked question every Friday, and a More You Know Monday - that shares important or interesting facts about PSYPACT. We also post about states that have entered legislation and that have joined PSYPACT.



Meetings & Events

ASPPB's 62nd Annual Meeting of Delegates was held this past October in National Harbor, Maryland and we are happy to announce that it was a huge success! This year's theme was **A New Day: No More Business as Usual**, and we had the pleasure of hearing from our keynote speaker, Robert Otto Valdez, PhD, MHSM. We had an amazing turnout with great representation from our member jurisdictions.

The Meetings and Events department would like to thank everyone who attended the event as our meeting attendees are what truly make our meetings amazing. The Continuing Education Certificates (CEC) for this event have been sent via email addresses that were used at the time of registration. If you attended this meeting but have not yet received your CEC, please contact John Mickley at, jmickley@asppb.org and he will gladly look into this for you!

Although it seems as if we just finished our Annual Meeting, the Meetings and Events department is already gearing up for the upcoming **Midyear Meeting which will be held in Denver, Colorado**. Please be on the lookout for future emails pertaining to this upcoming meeting.

Governance Updates

Changes are coming! At the October, 2022 Annual Meeting, elections were held to fill the ASPPB Board of Directors positions of President-Elect and Member-at-Large. The Association is pleased to congratulate **Dr. Michelle Paul** as the new President-Elect, and **Dr. Ramona Mellott** as the new Member-at-Large. **Dr. Herbert Stewart** will take on the role of President for 2023 and **Dr. Alan Slusky** will move into the Past Presidential slot. **Dr. Tomas Granados** will rotate off the Board with the completion of his term at the end of 2022. We would like to thank him for his service to the Association and wish him well in his future endeavors.

The next ASPPB Board of Directors' meeting will occur on December 9, 2022, at the ASPPB Central Office.



ASPPB Annual Meeting dinner reception. Gaylord National Resort and Convention Center, National Harbor MD.

The CEO Corner

It is hard to believe it is that time again when we are on the verge of a new year. As I reflect over the past year, I am reminded and thankful for the relationships that have flowed between ASPPB, and our members and liaisons. Specifically, I am appreciative of those who have taken the time during 2022 to share your thoughts, ideas, and your time and talents when volunteering with the Association. As I look toward 2023, I see abundant opportunities for us to continue to learn and work together as we sharpen our focus on successful ways to promote the health, safety, and welfare of those living within the 65 jurisdictions ASPPB is honored to serve.

May the new year bring you and yours, peace, joy, and happiness.

Sincerely,
Mariann Burnetti-Atwell, PsyD
Chief Executive Officer



PSYPACT

December 2022 Update

Happy Holidays from PSYPACT! It is unbelievable that 2022 is already ending. PSYPACT has had a big year with many changes. We are still waiting to discover if Massachusetts, New York, and Michigan will join PSYPACT this session. Regardless, we have had 8 jurisdictions join us this year! We already have several jurisdictions interested in introducing legislation in 2023. It is so exciting to see the PSYPACT family grow! We are at over 7,800 APIT providers and 380 TAP providers.

Enacted and Effective

Alabama	Minnesota
Arizona	Missouri
Arkansas	Nebraska
Colorado	Nevada
Connecticut	New Hampshire
Commonwealth of the Northern Mariana	New Jersey
Islands	North Carolina
Delaware	Ohio
District of Columbia	Oklahoma
Georgia	Pennsylvania
Idaho	Tennessee
Illinois	Texas
Indiana	Utah
Kansas	Virginia
Kentucky	Washington
Maine	West Virginia
Maryland	Wisconsin

Legislation Introduced

Massachusetts
Michigan
New York

Enacted not yet Effective

Rhode Island



We look forward to sharing additional updates with you as new states introduce and enact PSYPACT legislation. For more information about PSYPACT, please visit www.psypact.org or email us at info@psypact.org with any questions.

Second Edition of ASPPB InFocus 2021 and the Centre for Data Analysis on Psychology Licensure (Centre)

The Centre for Data and Analysis on Psychology Licensure

The primary purpose for the Centre for Data and Analysis on Psychology Licensure (the Centre) is to support psychology licensing boards in making informed licensure decisions through consistent data gathering, analysis and reporting. As part of the Centre's primary initiatives, ASPPB has presented the second edition of the ASPPB InFocus 2021, an annual report providing information on trending data regarding the number of licensees, jurisdictional licensure requirements, licensure portability and the interjurisdictional utilization of telepsychology.

Each participating jurisdiction's information is featured in aggregate data as well as individual jurisdictional snapshot pages and data summary pages. We hope you find this information useful and we look forward to continued collaboration with our member boards in the collection and analysis of data for the regulation of the profession of psychology.

In addition, ASPPB has started gathering data for the 2022 InFocus Publication. This is expected to be available in the Spring of 2023.

To learn more about the Centre for Data Analysis, please visit www.asppb.org. Questions? Email Stacey Camp: scamp@asppb.org



The Centre for Data and Analysis on Psychology Licensure is supported by the Health Resources and Services Administration (HRSA) of the U.S. Department of Health and Human Services (HHS) under Grant Number H1MRH24096 for Licensure Portability Program. Any information, content, or conclusions on this website are those of the authors and should not be construed as the official position or policy of, nor should any endorsements be inferred by HRSA, HHS or the U.S. Government.

A Note from the Board of Directors

It gives me great pleasure to again write to you and bring you up to speed on some of the many activities of your Board of Directors (BOD) over the past six months. It is impossible to capture all of the work in which the BOD has been involved however I will offer some highlights of the past several months. Since the last ASPPB newsletter the BOD and staff of the association have been hard at work with a strong focus on maintaining our liaison relationships, continuing to work on the Part 2-Skills of the EPPP, planning and holding our annual meeting, and bringing the work on our diagnostic project to the point of implementation.

"...we were so pleased with the strong turnout for the Annual Meeting and welcomed the opportunity to again meet with our member jurisdictions, liaisons, and invited guests in person."

During 2022, work has continued on the Part 2-Skills of the EPPP. Over the summer and fall, four townhalls were held to provide updates on the exam. These townhalls were offered to member jurisdictions, liaisons to ASPPB, and to representatives of American and Canadian ethnic minority psychology associations. During these events, time was set aside for discussion of the presentation and attendees were encouraged to share any additional questions or concerns they might have with ASPPB during the following month. In addition to offering responses to everyone who took the time to write to us, feedback from the townhalls and recommendations received from the Examination Stakeholder Technical Advisory were thoroughly reviewed by the BOD at its October meeting, prior to the ASPPB Annual Meeting.

At ASPPB's 62nd Annual Meeting of Delegates, held in National Harbor, Maryland during October 26-30, 2022, the BOD made the announcement that effective January 1, 2026, the EPPP will become one exam with two parts. Following this announcement, correspondence was shared with all jurisdictional boards to encourage them to contact ASPPB for any assistance they may require in making the necessary regulation or statute changes to move forward by this implementation date. The BOD continues to be both receptive and responsive to feedback and expressed concerns over this development, and we anticipate ongoing collaboration and dialogue with various members of the psychology community over the next several years.

In addition, we were so pleased with the strong turnout for the Annual Meeting and welcomed the opportunity to again meet with our member jurisdictions, liaisons, and invited guests in person. As we cautiously and

thoughtfully move beyond the restrictions imposed by Covid-19, we were once again able to hold some of the social events that have become so popular over time, including the Welcome Reception, President's Dinner, and President's Reception. These events were all well attended, and a good time was had by all. The focus of this meeting was on changes to how regulatory boards must now operate in a post-COVID world and included superb presentations by several individuals who spoke on changing workforce demands, challenges to gathering workforce data, exploring the regulatory role in social justice matters, updates on emerging types of service delivery and the regulatory implications of these developments, and the potential regulatory impact of several recent landmark legal decisions. I want to thank not only the speakers and members of the 2022 Annual Meeting Planning Committee but also all the attendees for making this such a stimulating and enjoyable meeting.

I wish to close this newsletter by recognizing two individuals whose relationship with ASPPB will be changing in the very near future.

Dr. Matt Turner has been the Senior Director of our examination service for the past decade and beginning in 2023 will be moving on to pursue new professional opportunities. Dr. Turner has done an exemplary job in shepherding our examination program and has always done so with tremendous skill and good humor. We will deeply miss Matt but wish him nothing but the best in his future endeavors. In addition, Dr. Jackie Horn, who has served as our Director of Educational Affairs for many years and was a prior ASPPB Board of Directors member and President, is also stepping away from this role but has agreed to remain on as a part-time consultant. Jackie's work over the years has touched a number of facets of the organization, most prominently our relationships with various education and training councils as well as the examination program. We are tremendously grateful to Jackie for bringing her expertise to this work over the years and appreciative of her willingness to remain involved with ASPPB.

In closing I want to thank the ASPPB Board of Directors and staff for supporting me in my presidential year and helping to make my time with this organization so enjoyable. ASPPB truly is a special place to volunteer and work. I encourage you all to consider volunteering some of your time to ASPPB and I look forward to my final year on the BOD with this wonderful group of colleagues.

I wish you all good health and happiness in the new year.

Respectfully,

Alan Slusky, Ph.D., C. Psych.

President



A Closer Look: Examination Services

The Examination for Professional Practice in Psychology (EPPP)

The EPPP was updated several years ago to include two parts; Part 1- Knowledge and Part 2- Skills as a comprehensive examination that allows jurisdictions to measure competency of candidates more thoroughly for licensure. Since the launch of the EPPP (Part 2-Skills), this portion of the exam has been delivered optionally in select jurisdictions. After careful consideration and in its commitment to assist its members with their primary responsibility of protecting the health, safety, and welfare of the public. The ASPPB Board Directors, during their October 2022 meeting, passed a motion that will discontinue partial use of the EPPP. Therefore, beginning January 1, 2026, the EPPP will be delivered as a two-part examination.

What does this mean for member jurisdictions?

Member jurisdictions may include the EPPP (Part 2 Skills) in their process immediately if they chose. However, a three-year window has been afforded to jurisdictions to allow time for any rule changes that might be needed. Most jurisdictions have indicated that no rule changes are needed because their rules include use of the EPPP and only the format of the exam has changed.

How does a jurisdiction switch from using just the Part 1- Knowledge portion of the EPPP to both portions?

The process of including the EPPP (Part 2-Skills) to your examination workflow in the ASPPB portal is quick and simple. Contact Christy Cogley at ccogley@asppb.org if you have any questions or if you would like to update your jurisdiction process to include access to the EPPP (Part 2-Skills).

Why should my jurisdiction switch to the two-part EPPP now?

In fulfilling your statutory requirements, each licensing authority must assess competency of individuals requesting to be licensed in their jurisdiction. The EPPP (Part 1- Knowledge) is a foundational knowledge exam. Jurisdictions not using the EPPP (Part 2- Skills) must measure competency through other methods. Most use letters of recommendation, oral exams, or through the counting of hours. All of these methods have known reliability issues. The comprehensive EPPP is a universal, responsible, and fair tool for regulators to ensure that their candidates demonstrate competency.

Where can I find information on the facts about the EPPP (Part 2-Skills)?

The ASPPB website has information on the EPPP including a factual overview, which addresses the main concerns that have been expressed by stakeholders. Please use the following link to access this information:

https://cdn.ymaws.com/www.asppb.net/resource/resmgr/eppp_/eppp_factual_overview.pdf



Consider allowing candidates to take the Part 1 earlier?

As jurisdictions initiate the use of two-part EPPP, ASPPB recommends that jurisdictions allow candidates to take the EPPP (Part 1- Knowledge) at the point of acquisition, after all coursework is completed. The EPPP (Part 2-Skills) would then be completed at the point of licensure. This process allows candidates to demonstrate knowledge earlier in the training process when it is most recently acquired. It is expected that higher pass rates will occur when the EPPP (Part-1) is taken earlier, and this would allow for remediation earlier in the process if needed.

Please reach out to Examination Services if you have any questions.
epppcomments@asppb.org

Closer Look:

ASPPB is excited to add this new section to the ASPPB Newsletter. This ongoing column will "dive deeper" into topics that may be of interest to you, our members. We will also solicit feedback from the membership about topics to highlight as well as ask for guest writers who want to share news from their jurisdictions.

Are you a board member and your term is about to expire?

Continue your association with ASPPB as an individual member!

[2022 ASPPB Individual Membership Application](#)

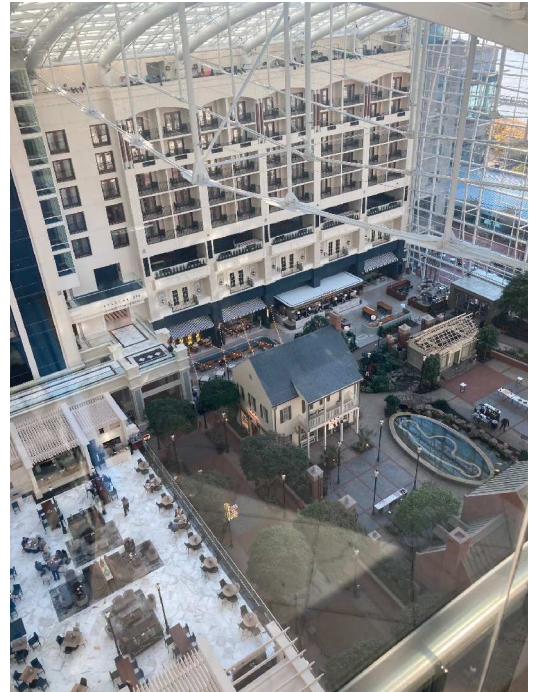


Follow us! ASPPB's Social Media Campaigns

In an effort to connect with the wider psychology community, ASPPB has launched two new social media campaigns. The first, **FAQ Friday**, will highlight a frequently asked question from one of our departments; PSYPACT or Examination Services for example.

The second is called '**Where In the World is ASPPB?**' The photo here was taken during ASPPB's 62nd Annual Meeting in National Harbor Maryland. We'd love to see more photos! If you have some ASPPB swag, or a photo from one of our events, snap a pic and send it to asppbsocial@asppb.org. Just let us know how to credit the photo (your name/title, anonymous member, your board, etc), and we'll include it in our next post.

If you're not following ASPPB, you're missing out. Check out the links below to follow us on LinkedIn and Twitter!



FOLLOW US



2022 ASPPB Board of Directors

President: Alan B. Slusky, PhD, CPsych (Manitoba)

President-Elect: Herb L. Stewart, PhD (Virginia)

Past-President: Tomas R. Granados, PsyD (New Mexico)

Secretary-Treasurer: Cindy Olvey, PsyD (Arizona)

3rd Year Member-at-Large: Michelle G. Paul, PhD (Nevada)

2nd Year Member-at-Large: Hugh D. Moore, PhD, MBA (Tennessee)

1st Year Member-at-Large: Jennifer C. Laforce, PhD, CPsych (Manitoba)

1st Quarter Dismissals for TSBEP Board

Complaints Dismissed by Staff	Classification	Reason for Dismissal
1. 2021-00317	Standard of Care	Insufficient Evidence
2. 2020-00098	Standard of Care	Insufficient Evidence
3. 2020-00096	Standard of Care	Insufficient Evidence
4. 2022-00440	General Forensic	Conditional Precedent Not Met
5. 2022-00477	Standard of Care	Insufficient Evidence
6. 2022-00442	General Forensic	Untimely
7. 2022-00397	Standard of Care	Untimely
8. 2022-00455	Standard of Care	Insufficient Evidence
9. 2022-00248	Confidentiality	Remedial Plan
10. 2022-00331	Standard of Care	Insufficient Evidence
11. 2022-00330	Standard of Care	Insufficient Evidence
12. 2023-00046	Sexual Misconduct	Insufficient Evidence
13. 2023-00019	Sexual Misconduct	Lack of Jurisdiction
14. 2022-00538	Unlicensed Person	Lack of Jurisdiction
15. 2022-00514	Standard of Care	Insufficient Evidence
16. 2021-00284	Standard of Care	Remedial Plan
17. 2022-00545	Child Custody	Insufficient Evidence
18. 2022-00574	Unprofessional Conduct	Lack of Jurisdiction
19. 2022-00556	Standard of Care	Insufficient Evidence
20. 2022-00453	Unprofessional Conduct	Insufficient Evidence
21. 2022-00542	Record Keeping	Insufficient Evidence
22. 2022-00109	Confidentiality	Insufficient Evidence
23. 2023-00017	Unprofessional Conduct	Lack of Jurisdiction
24. 2023-00021	Unprofessional Conduct	Lack of Jurisdiction
25. 2021-00279	General Forensic	Insufficient Evidence
26. 2023-00025	General Forensic	Insufficient Evidence
27. 2023-00040	Unlicensed Person	Insufficient Evidence
28. 2022-00280	Record Keeping	Insufficient Evidence
29. 2022-00558	Unprofessional Conduct	Insufficient Evidence
30. 2023-00068	Standard of Care	Lack of Jurisdiction
31. 2023-00037	Record Keeping	Insufficient Evidence
32. 2023-00072	Unprofessional Conduct	Insufficient Evidence
33. 2023-00052	Previously Addressed	Insufficient Evidence
34. 2022-00491	Standard of Care	Insufficient Evidence
35. 2022-00061	Standard of Care	Corrective Action Taken

1st Quarter STATUS REPORT	1Q FY23 Sep 1, 2022 to Nov 30, 2022	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
Number of Pending Complaints	413	467	532	594
Pending Complaints per Member Board	TSBEP-145 TSBSWE-171 TSBEMFT-25 TSBEP-72	TSBEP-188 TSBSWE-169 TSBEMFT-30 TSBEP-80	TSBEP-235 TSBSWE-181 TSBEMFT-43 TSBEP-73	TSBEP-291 TSBSWE-171 TSBEMFT-54 TSBEP-78
Number of New Complaints Received	157	159	164	105
Pending Priority 1 Cases (Imminent Physical Harm)	2 TSBEP-1 TSBSWE-1 TSBEMFT-0 TSBEP-0	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
Pending Priority 2 Cases (Sexual Misconduct)	36 TSBEP-15 TSBSWE-14 TSBEMFT-3 TSBEP-4	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
Pending Priority 3 Cases (Applicants)	11 TSBEP-2 TSBSWE-7 TSBEMFT-1 TSBEP-1	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
Cases Resolved this Quarter	211	226	226	88
Agreed Orders Signed	25	19	25	9
Cases Dismissed by Staff	186	207	201	79
Cases Dismissed by member Boards	0	0	0	0
Cases Reviewed at an ISC this Quarter	32	16	17	3
Pending Cases by Fiscal Year				
FY2015	0	0	1	1
FY2016	0	3	3	3
FY2017	3	4	4	8
FY2018	0	0	2	6
FY2019	2	3	14	35
FY2020	26	44	82	167
FY2021	63	80	111	153
FY2022	183	333	315	221
FY2023	136			
Total	413	467	532	594

Informal Settlement Conference Panel List

<i>Conference Date:</i>	<i>Conference Panel:</i>	
On Call Dec 1 – Feb 29, 2024	???????????????? ???????????????? ????????????????	(Future)
On Call Sept 1 - Nov 30, 2023	Jamie Becker, Ph.D. Andoni Zagouris, M.A. John Bielamowicz	(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	(Current)
On-Call Sept 1 – Nov 30, 2022	Roxana Lambdin, Ph.D. Herman Adler, M.A. Jeanette Das Calhoun, Ph.D.	
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.	

COMPLAINT NO. 2022-00140

IN THE MATTER OF

NEDRA HELANE FRANCIS

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**BEFORE THE TEXAS BEHAVIORAL
HEALTH EXECUTIVE COUNCIL**

**THE TEXAS STATE BOARD
OF EXAMINERS OF
PSYCHOLOGISTS**

AGREED ORDER

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 with the following Findings of Fact, Conclusions of Law, and Order of the Council, which have been approved and accepted by **Nedra Helane Francis** (“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 licensed as a Licensed Specialist in School Psychology (#6350) in the State of Texas and is, therefore, subject to the jurisdiction of the Council.
2. Respondent failed to complete evaluation reports in a timely manner.

CONCLUSIONS OF LAW

1. Respondent voluntarily received a license from the Council and, therefore, is bound by the provisions of Chapters 501 and 507 of the Texas Occupations Code and the Rules of the Council, 22 Texas Administrative Code Parts 21 and 41.
2. Violation of the Council’s Rules is unprofessional conduct and constitutes grounds for the imposition of sanctions under §§501.401, 507.301, and 507.351 of the Texas Occupations Code.
3. Based on the above Findings of Fact, the Council finds that Respondent violated Council Rules 465.22, 465.16 (e)(2), and (e)(3), and 465.38.
4. This Agreed Order is a Settlement Agreement under the Texas Rules of Evidence and is not admissible for the purposes of civil litigation. By entering into this Agreed Order, Respondent does not admit the foregoing Findings of Fact or Conclusions of Law, but agrees to resolve this matter to avoid the expense and uncertainty of further proceedings.

ORDER

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

1. Respondent's license is hereby REPRIMANDED.

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.

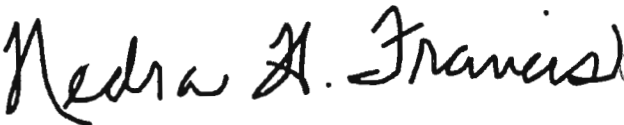
WAIVERS

On the underlying investigative file, Respondent has 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 Texas Government Code Chapter 2001, in exchange for the conditions set out in this Agreed Order.

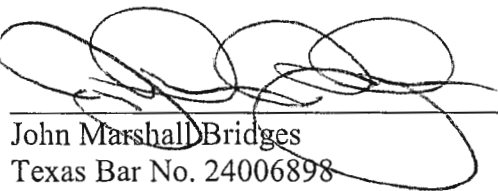
THE RESPONDENT, BY SIGNING THIS ORDER, AGREES TO ITS TERMS, ACKNOWLEDGES UNDERSTANDING OF THE FORMAL NOTICES, FINDINGS OF FACT, AND CONCLUSIONS OF LAW SET FORTH HEREIN AND COVENANTS TO SATISFACTORILY COMPLY WITH THE MANDATES OF THIS ORDER IN A TIMELY MANNER. RESPONDENT FURTHER ACKNOWLEDGES AND AGREES 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:

FOR THE STAFF OF THE COUNCIL:



Nedra Helane Francis
LSSP #6350

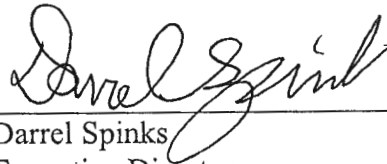


John Marshall Bridges
Texas Bar No. 24006898
Staff Attorney
Texas Behavioral Health Executive Council
1801 Congress Ave., Suite 7.300
Austin, TX 78701

DATE SIGNED: 11/07/2022

DATE SIGNED: 11/7/2022

APPROVED, RATIFIED, AND ENTERED THIS 8th DAY OF November, 2022.

A handwritten signature in cursive script, reading "Darrel Spinks", written over a horizontal line.

Darrel Spinks
Executive Director
Texas Behavioral Health Executive Council

COMPLAINT NO. 2021-00336

IN THE MATTER OF

SARA LYN VINSON

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**BEFORE THE TEXAS BEHAVIORAL
HEALTH EXECUTIVE COUNCIL**

**THE TEXAS STATE BOARD
OF EXAMINERS OF
PSYCHOLOGISTS**

AGREED ORDER

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 with the following Findings of Fact, Conclusions of Law, and Order of the Council, which have been approved and accepted by **Sara Lyn Vinson** ("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 licensed as a Licensed Specialist in School Psychology (#71929) in the State of Texas and is, therefore, subject to the jurisdiction of the Council.
2. Respondent allowed the improper dissemination of proprietary test materials.

CONCLUSIONS OF LAW

1. Respondent voluntarily received a license from the Council and, therefore, is bound by the provisions of Chapters 501 and 507 of the Texas Occupations Code and the Rules of the Council, 22 Texas Administrative Code Parts 21 and 41.
2. Violation of the Council's Rules is unprofessional conduct and constitutes grounds for the imposition of sanctions under §§501.401, 507.301, and 507.351 of the Texas Occupations Code.
3. Based on the above Findings of Fact, the Council finds that Respondent violated Council Rule 882.33.
4. This Agreed Order is a Settlement Agreement under the Texas Rules of Evidence and is not admissible for the purposes of civil litigation. By entering into this Agreed Order, Respondent does not admit the foregoing Findings of Fact or Conclusions of Law but agrees to resolve this matter to avoid the expense and uncertainty of further proceedings.

ORDER

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

1. Respondent's previous score on the Jurisprudence Examination shall be null and void. Respondent shall, within forty-five (45) days of the date this order is ratified, retake and pass the jurisprudence examination. If Respondent does not pass the Jurisprudence Examination within forty-five (45) days of the date of this order Respondent's license shall be suspended, without further hearings, judicial review, or informal settlement procedures, until Respondent passes the examination. Respondent shall be responsible for all costs associated with the examination.
2. Respondent's license shall be SUSPENDED for a period of two (2) years from the date Respondent successfully completes the Jurisprudence Examination. However, the two (2) years of suspension shall be PROBATED, so long as Respondent complies with all state and federal statutes and regulations pertaining to the practice of psychology. Although the suspension and probated suspension ordered herein will result in Respondent's license being restricted, Respondent shall take all steps necessary to renew and maintain Respondent's license while this order is in effect.
3. Respondent shall complete and submit proof of completion of fifteen (15) hours of professional development relating to professional ethics. 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.

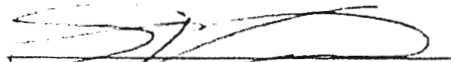
WAIVERS

On the underlying investigative file, Respondent has 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 Texas Government Code Chapter 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

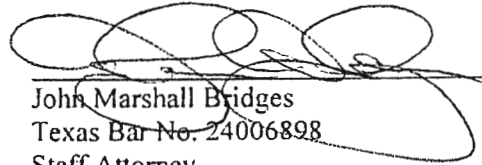
MANNER. RESPONDENT FURTHER ACKNOWLEDGES AND AGREES THAT HE OR SHE HAS AGREED TO THIS ORDER UPON THE ADVICE AND CONSENT OF COUNSEL, OR THAT HE OR SHE HAS HAD THE OPPORTUNITY TO HAVE THIS ORDER REVIEWED BY COUNSEL OF HIS OR HER CHOICE.

FOR THE RESPONDENT:


Sara Lyn Vinson, LSSP #71929

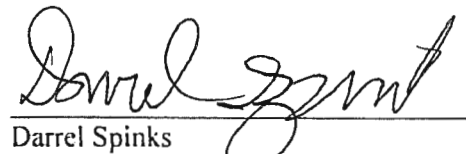
DATE SIGNED: 9/11/2022

FOR THE STAFF OF THE COUNCIL:


John Marshall Bridges
Texas Bar No. 24006898
Staff Attorney
Texas Behavioral Health Executive Council
333 Guadalupe, Ste. 3-900
Austin, Texas 78701

DATE SIGNED: 11/15/2022

APPROVED, RATIFIED, AND ENTERED THIS 15th DAY OF November, 2022.


Darrel 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 §463.11	Supervised Experience Required for Licensure as a Psychologist
ISSUE	10/21/2022
ACTION	Proposed

Preamble

Texas Admin Code Rule

(a)Required Supervised Experience. In order to qualify for licensure, an applicant must submit proof of a minimum of 3,500 hours of supervised experience, at least 1,750 of which must have been obtained through a formal internship that occurred within the applicant's doctoral degree program and at least 1,750 of which must have been received as a provisionally licensed psychologist (or under provisional trainee status under prior versions of this rule).

(1)A formal internship completed after the doctoral degree was conferred, but otherwise meeting the requirements of this rule, will be accepted for an applicant whose doctoral degree was conferred prior to September 1, 2017.

(2)The formal internship must be documented by the Director of Internship Training. Alternatively, if the Director of Internship Training is unavailable, the formal internship may be documented by a licensed psychologist with knowledge of the internship program and the applicant's participation in the internship program.

(3)Following conferral of a doctoral degree, 1,750 hours obtained or completed while employed in the delivery of psychological services in an exempt setting, while licensed or authorized to practice in another jurisdiction, or while practicing as a psychological associate or specialist in school psychology in this state may be substituted for the minimum of 1,750 hours of supervised experience required as a provisionally licensed psychologist if the experience was obtained or completed under the supervision of a licensed psychologist. Post-doctoral supervised experience obtained without a provisional license or trainee status prior to September 1, 2016, may also be used to satisfy, either in whole or in part, the post- doctoral supervised experience required by this rule if the experience was obtained under the supervision of a licensed psychologist.

(b)Satisfaction of Post-doctoral Supervised Experience with Doctoral Program Hours.

(1)Applicants who received their doctoral degree from a degree program accredited by the American Psychological Association (APA), the Canadian Psychological Association (CPA), Psychological Clinical Science Accreditation System (PCSAS), or a substantially equivalent degree program, may count the following hours of supervised experience completed as part of their degree program toward the required post-doctoral supervised experience:

(A)hours in excess of 1,750 completed as part of the applicant's formal internship; and

(B)practicum hours certified by the doctoral program training director (or the director's designee) as meeting the following criteria:

(i)the practicum training is overseen by the graduate training program and is an organized, sequential series of supervised experiences of increasing complexity, serving to prepare the student for internship and ultimately licensure;

(ii)the practicum training is governed by a written training plan between the student, the practicum training site, and the graduate training program. The training plan must describe how the trainee's time is allotted and assure the quality, breadth, and depth of the training experience through specification of the goals and objectives of the practicum, the methods of evaluation of the trainee's performance, and reference to jurisdictional regulations governing the supervisory experience. The plan must also include the nature of supervision, the identities of the supervisors, and the form and frequency of feedback from the agency supervisor to the training faculty. A copy of the plan must be provided to the Council upon request;

(iii)the supervising psychologist must be a member of the staff at the site where the practicum experience takes place;

(iv)at least 50% of the practicum hours must be in service-related activities, defined as treatment or intervention, assessment, interviews, report-writing, case presentations, and consultations;

(v)individual face-to-face supervision shall consist of no less than 25% of the time spent in service-related activities;

(vi)at least 25% of the practicum hours must be devoted to face-to-face patient or client contact;

(vii)no more than 25% of the time spent in supervision may be provided by a licensed allied mental health professional or a psychology intern or post-doctoral fellow; and

(viii)the practicum must consist of a minimum of 15 hours of experience per week.

(2)Applicants applying for licensure under the substantial equivalence clause must submit an affidavit or unsworn declaration from the program's training director or other designated leader familiar with the degree program, demonstrating the substantial equivalence of the applicant's degree program to an APA, PCSAS, or CPA accredited program at the time of the conferral of applicant's degree.

(3)An applicant and the affiant or declarant shall appear before the agency in person to answer any questions, produce supporting documentation, or address any concerns raised by the application if requested by a council or board member or the Executive Director. Failure to comply with this paragraph shall constitute grounds for denial of substantial equivalency under this rule.

(c)General Requirements for Supervised Experience. All supervised experience for licensure as a psychologist, including the formal internship, must meet the following requirements:

(1)Each period of supervised experience must be obtained in not more than two placements, and in not more than 24 consecutive months.

~~[(2)Gaps Related to Supervised Experience.]~~

~~[(A)Unless a waiver is granted by the Council, an application for a psychologist's license will be denied if a gap of more than seven years exists between the date an applicant's doctoral degree was officially conferred and the date of the application.]~~

~~[(B)The Council shall grant a waiver upon a showing of good cause by the applicant. Good cause shall include, but is not limited to:]~~

~~[(i)proof of continued employment in the delivery of psychological services in an exempt setting as described in §501.004 of the Psychologists' Licensing Act, during any gap period;]~~

~~[(ii)]proof of professional development, which at a minimum meets the Council's professional development requirements, during any gap period;~~

~~[(iii)]proof of enrollment in a course of study in a regionally accredited institution or training facility designed to prepare the individual for the profession of psychology during any gap period; or~~

~~[(iv)]proof of licensure as a psychologist and continued employment in the delivery of psychological services in another jurisdiction.~~

~~(2)~~~~[(3)]~~ A formal internship with rotations, or one that is part of a consortium within a doctoral program, is considered to be one placement. A consortium is composed of multiple placements that have entered into a written agreement setting forth the responsibilities and financial commitments of each participating member, for the purpose of offering a well-rounded, unified psychology training program whereby trainees work at multiple sites, but obtain training from one primary site with some experience at or exposure to aspects of the other sites that the primary site does not offer.

~~(3)~~~~[(4)]~~ The supervised experience required by this rule must be obtained after official enrollment in a doctoral program.

~~(4)~~~~[(5)]~~ All supervised experience must be received from a psychologist licensed at the time supervision is received.

~~(5)~~~~[(6)]~~ The supervising psychologist must be trained in the area of supervision provided to the supervisee.

~~(6)~~~~[(7)]~~ Experience obtained from a psychologist who is related within the second degree of affinity or consanguinity to the supervisee may not be utilized to satisfy the requirements of this rule.

~~(7)~~~~[(8)]~~ All supervised experience obtained for the purpose of licensure must be conducted in accordance with all applicable Council rules.

~~(8)~~~~[(9)]~~ Unless authorized by the Council, supervised experience received from a psychologist practicing with a restricted license may not be utilized to satisfy the requirements of this rule.

~~(9)~~~~[(10)]~~ The supervisee shall be designated by a title that clearly indicates a supervisory licensing status such as "intern," "resident," "trainee," or "fellow." An individual who is a Provisionally Licensed Psychologist or a Licensed Psychological Associate may use that title so long as those receiving psychological services are clearly informed that the individual is under the supervision of a licensed psychologist. An individual who is a Licensed Specialist in School Psychology may use that title so long as the supervised experience takes place within a school, and those receiving psychological services are clearly informed that the individual is under the supervision of an individual who is licensed as a psychologist and specialist in school psychology. Use of a different job title is permitted only if authorized under §501.004 of the Psychologists' Licensing Act, or another Council rule.

(d) Formal Internship Requirements. The formal internship hours must be satisfied by one of the following types of formal internships:

(1) The successful completion of an internship program accredited by the American Psychological Association (APA) or Canadian Psychological Association (CPA), or which is a member of the Association of Psychology Postdoctoral and Internship Centers (APPIC); or

(2) The successful completion of an organized internship meeting all of the following criteria:

(A) It must constitute an organized training program which is designed to provide the intern with a planned, programmed sequence of training experiences. The primary focus and purpose of the program must be to assure breadth and quality of training.

(B)The internship agency must have a clearly designated staff psychologist who is responsible for the integrity and quality of the training program and who is actively licensed/certified by the licensing board of the jurisdiction in which the internship takes place and who is present at the training facility for a minimum of 20 hours a week.

(C)The internship agency must have two or more full-time licensed psychologists on the staff as primary supervisors.

(D)Internship supervision must be provided by a staff member of the internship agency or by an affiliate of that agency who carries clinical responsibility for the cases being supervised.

(E)The internship must provide training in a range of assessment and intervention activities conducted directly with patients/clients.

(F)At least 25% of trainee's time must be in direct patient/client contact.

(G)The internship must include a minimum of two hours per week of regularly scheduled formal, face-to-face individual supervision. There must also be at least four additional hours per week in learning activities such as: case conferences involving a case in which the intern was actively involved; seminars dealing with psychology issues; co-therapy with a staff person including discussion; group supervision; additional individual supervision.

(H)Training must be post-clerkship, post-practicum and post-externship level.

(I)The internship agency must have a minimum of two full-time equivalent interns at the internship level of training during applicant's training period.

(J)The internship agency must inform prospective interns about the goals and content of the internship, as well as the expectations for quantity and quality of trainee's work, including expected competencies; or

(3)The successful completion of an organized internship program in a school district meeting the following criteria:

(A)The internship experience must be provided at or near the end of the formal training period.

(B)The internship experience must require a minimum of 35 hours per week over a period of one academic year, or a minimum of 20 hours per week over a period of two consecutive academic years.

(C)The internship experience must be consistent with a written plan and must meet the specific training objectives of the program.

(D)The internship experience must occur in a setting appropriate to the specific training objectives of the program.

(E)At least 600 clock hours of the internship experience must occur in a school setting and must provide a balanced exposure to regular and special educational programs.

(F)The internship experience must occur under conditions of appropriate supervision. Field- based internship supervisors, for the purpose of the internship that takes place in a school setting, must be licensed as a psychologist and, if a separate credential is required to practice school psychology, must have a valid credential to provide psychology in the public schools. The portion of the internship which appropriately may take place in a non-school setting must be supervised by a psychologist.

(G)Field-based internship supervisors must be responsible for no more than two interns at any given time. University internship supervisors shall be responsible for no more than twelve interns at any given time.

(H)Field-based internship supervisors must provide at least two hours per week of direct supervision for each intern. University internship supervisors must maintain an ongoing relationship with field-based internship supervisors and shall provide at least one field- based contact per semester with each intern.

(I)The internship site shall inform interns concerning the period of the internship and the training objectives of the program.

(J)The internship experience must be systematically evaluated in a manner consistent with the specific training objectives of the program.

(K)The internship experience must be conducted in a manner consistent with the current legal- ethical standards of the profession.

(L)The internship agency must have a minimum of two full-time equivalent interns at the internship level during the applicant's training period.

(M)The internship agency must have the availability of at least two full-time equivalent psychologists as primary supervisors, at least one of whom is employed full time at the agency and is a school psychologist.

(e)Industrial/Organizational Requirements. Individuals from an Industrial/Organizational doctoral degree program are exempt from the formal internship requirement but must complete a minimum of 3,500 hours of supervised experience, at least 1,750 of which must have taken place after conferral of the doctoral degree and in accordance with subsection (a) of this section. Individuals who do not undergo a formal internship pursuant to this paragraph should note that Council rules prohibit a psychologist from practicing in an area in which they do not have sufficient training and experience, of which a formal internship is considered to be an integral requirement.

(f)Licensure Following Respecialization.

(1)In order to qualify for licensure after undergoing respecialization an applicant must demonstrate the following:

(A)conferral of a doctoral degree in psychology from a regionally accredited institution of higher education prior to undergoing respecialization;

(B)completion of a formal post-doctoral respecialization program in psychology which included at least 1,750 hours in a formal internship; and

~~[(C)completion of respecialization within the two-year period preceding the date of application for licensure under this rule; and]~~

~~(C)~~[(D)] upon completion of the respecialization program, at least 1,750 hours of supervised experience obtained as a provisionally licensed psychologist (or under provisional trainee status under prior versions of this rule).

(2)An applicant meeting the requirements of this subsection is considered to have met the requirements for supervised experience under this rule.

~~[(3)The rules governing the waiver of gaps related to supervised experience shall also govern any request for waiver of a gap following respecialization.]~~

(g)Remedy for Incomplete Supervised Experience.

(1)An applicant who has completed at least 1,500 hours of supervised experience in a formal internship, 1,500 hours of supervised experience following conferral of a doctoral degree, and who does not meet all of the supervised experience qualifications for licensure set out in subsections (a), (c), and (d) of this section or §465.2

of this title (relating to Supervision), may petition for permission to remediate an area of deficiency. An applicant may not however, petition for the waiver or modification of the requisite doctoral 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 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.

Filed with the Office of the Secretary of State on October 7, 2022

TRD-202204024

Darrel D. Spinks

Executive Director

Texas State Board of Examiners of Psychologists

Earliest possible date of adoption: November 20, 2022

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

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Texas Register Preamble

The Texas Behavioral Health Executive Council proposes amendments to §463.11, relating to Supervised Experience Required for Licensure as a Psychologist.

Overview and Explanation of the Proposed Rule. The proposed amendment to subsection (b) adds the Psychological Clinical Science Accreditation System to the list of accredited programs where an applicant can count supervised experience obtained in excess of the 1,750 hours required as part of the applicant's internship. Subsection (c)(2) is proposed to be deleted, doing away with any time requirements between when a degree is awarded and when the individual applies for licensure. Corresponding amendments have been made in subsection (f) because of the deletion of subsection (c)(2).

Fiscal Note. Darrel D. Spinks, Executive Director of the Executive Council, has determined that for the first five-year period the proposed rule is in effect, there will be no additional estimated cost, reduction in costs, or loss or increase in revenue to the state or local governments as a result of enforcing or administering the rule. Additionally, Mr. Spinks has determined that enforcing or administering the rule does not have foreseeable implications relating to the costs or revenues of state or local government.

Public Benefit. Mr. Spinks has determined for the first five-year period the proposed rule is in effect there will be a benefit to licensees, applicants, and the general public because the proposed rule will provide greater clarity and consistency in the Executive Council's rules. Mr. Spinks has also determined that for each year of the first five years the rule is in effect, the public benefit anticipated as a result of enforcing the rule will be to help the Executive Council protect the public.

Probable Economic Costs. Mr. Spinks has determined for the first five-year period the proposed rule is in effect, there will be no additional economic costs to persons required to comply with this rule.

Small Business, Micro-Business, and Rural Community Impact Statement. Mr. Spinks has determined for the first five-year period the proposed rule is in effect, there will be no adverse effect on small businesses, micro-businesses, or rural communities.

Regulatory Flexibility Analysis for Small and Micro-Businesses and Rural Communities. Mr. Spinks has determined that the proposed rule will have no adverse economic effect on small businesses, micro-businesses, or rural communities. Thus, the Executive Council is not required to prepare a regulatory flexibility analysis pursuant to §2006.002 of the Tex. Gov't Code.

Local Employment Impact Statement. Mr. Spinks has determined that the proposed rule will have no impact on local employment or a local economy. Thus, the Executive Council is not required to prepare a local employment impact statement pursuant to §2001.022 of the Tex. Gov't Code.

Requirement for Rules Increasing Costs to Regulated Persons. The proposed rule does not impose any new or additional costs to regulated persons, state agencies, special districts, or local governments; therefore, pursuant to §2001.0045 of the Tex. Gov't Code, no repeal or amendment of another rule is required to offset any increased costs. Additionally, no repeal or amendment of another rule is required because the proposed rule is necessary to protect the health, safety, and welfare of the residents of this state and because regulatory costs imposed by the Executive Council on licensees is not expected to increase.

Government Growth Impact Statement. For the first five-year period the proposed rule is in effect, the Executive Council estimates that the proposed rule will have no effect on government growth. The proposed rule does not create or eliminate a government program; it does not require the creation or elimination of employee positions; it does not require the increase or decrease in future legislative appropriations to this

agency; it does not require an increase or decrease in fees paid to the agency; it does not create a new regulation; it does not expand an existing regulation; it does not increase or decrease the number of individuals subject to the rule's applicability; and it does not positively or adversely affect the state's economy.

Takings Impact Assessment. Mr. Spinks has determined that there are no private real property interests affected by the proposed rule. Thus, the Executive Council is not required to prepare a takings impact assessment pursuant to §2007.043 of the Tex. Gov't Code.

REQUEST FOR PUBLIC COMMENTS. Comments on the proposed rule may be submitted by mail to Brenda Skiff, Executive Assistant, Texas Behavioral Health Executive Council, 1801 Congress Ave., Ste. 7.300, Austin, Texas 78701 or via the Council's Contact Us webpage (<https://www.bhec.texas.gov/contact-us/index.html>). To submit a comment via the Contact Us webpage 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 rule number here)" to ensure your comments are associated with the correct rule and directed accordingly. The deadline for receipt of comments is 5:00 p.m., Central Time, on November 21, 2022, which is at least 30 days from the date of publication of this proposal in the *Texas Register*.

Statutory Authority. The rule is proposed under Tex. Occ. Code, Title 3, Subtitle I, Chapter 507, which provides the Texas Behavioral Health Executive Council with the authority to make all rules, not inconsistent with the Constitution and Laws of this State, which are reasonably necessary for the proper performance of its duties and regulations of proceedings before it.

Additionally, the Executive Council proposes this rule pursuant to the authority found in §507.152 of the Tex. Occ. Code which vests the Executive Council with the authority to adopt rules necessary to perform its duties and implement Chapter 507 of the Tex. Occ. Code.

In accordance with §501.1515 of the Tex. Occ. Code the Texas State Board of Examiners of Psychologists previously voted and, by a majority, approved to propose this rule to the Executive Council. The rule is specifically authorized by §501.1515 of the Tex. Occ. Code which states the Board shall propose to the Executive Council rules regarding the qualifications necessary to obtain a license; the scope of practice, standards of care, and ethical practice; continuing education requirements for license holders; and a schedule of sanctions for violations of this chapter or rules adopted under this chapter.

The Executive Council also proposes this rule in compliance with §507.153 of the Tex. Occ. Code. The Executive Council may not propose and adopt a rule regarding the qualifications necessary to obtain a license; the scope of practice, standards of care, and ethical practice for a profession; continuing education requirements; or a schedule of sanctions unless the rule has been proposed by the applicable board for the profession. In this instance, the underlying board has proposed this rule to the Executive Council. Therefore, the Executive Council has complied with Chapters 501 and 507 of the Texas Occupations Code and may propose this rule.

Lastly, the Executive Council proposes this rule under the authority found in §2001.004 of the Tex. Gov't Code which requires state agencies to adopt rules of practice stating the nature and requirements of all available formal and informal procedures.

No other code, articles or statutes are affected by this section.