

# TEXAS STATE BOARD OF EXAMINERS OF PSYCHOLOGISTS



## MEMBERS OF THE BOARD

John Bielamowicz, Chair

Herman B. Adler, M.A.

Ryan T. Bridges

Jamie Becker, Ph.D.

Jeanette Deas Calhoun, Ph.D.

Mark Cartwright, Ph.D.

Roxana Lambdin, Ph.D.

Sangeeta Singg, Ph.D.

Andoni Zagouris, M.A.

Diane Moore  
Board Administrator

## Texas State Board of Examiners of Psychologists Meeting Agenda

**January 11, 2024, 10:00 a.m.**

The January 11, 2024 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 1801 Congress Ave., Ste. 4.300, Austin, Texas 78701. In the event of internet connectivity problems, the physical meeting location will be moved to 1801 Congress Ave., Ste. 7.102 or 7.301, Austin, Texas 78701. These alternate locations will be open to the public, but seating is limited to first come, first served. Due to the size of these alternate meeting rooms, public seating will be limited by their relative occupancy ratings.

Members of the public are encouraged to access and participate virtually in this meeting by entering the URL address <https://us02web.zoom.us/j/85940965842> 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](http://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](mailto: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 <https://forms.office.com/r/rmE25DD36X>. 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, <https://fs2.formsite.com/S2vjlk/ptrmyhbxo/index.html> 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 11, 2024, 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 2024-Q1 Measures Report
  - B. PSYPACT Update
  - C. ASPPB Update
  - D. APA Commission on Accreditation Update
5. Selection of TSBEP Council Members - Public Member\*
6. Enforcement Division
  - A. Enforcement Staff:
    - i. Review of Dismissals by Executive Director and Staff
    - ii. Status Reports
    - iii. Discussion on ISC Panels and the selection process\*
    - 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\*
      - i. No rules for consideration under this topic.
    - B. Rules Published in the Texas Register and Awaiting Adoption Recommendations\*
      - i. Rule 463.9, Licensed Specialist in School Psychology
  - 9. Discussion on the EPPP Part 2
  - 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: Jan 11, 2024 10:00 AM Central Time (US and Canada)

Topic: Texas State Board of Examiners of Psychologists January 11, 2024 Board Meeting

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/85940965842>

Or One tap mobile :

+13462487799,,85940965842# US (Houston)

+16699009128,,85940965842# US (San Jose)

Or Telephone:

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

+1 346 248 7799 US (Houston)

+1 669 900 9128 US (San Jose)

+1 719 359 4580 US

+1 253 205 0468 US

+1 253 215 8782 US (Tacoma)

+1 669 444 9171 US

+1 386 347 5053 US

+1 507 473 4847 US

+1 564 217 2000 US

+1 646 558 8656 US (New York)

+1 646 931 3860 US

+1 689 278 1000 US

+1 301 715 8592 US (Washington DC)

+1 305 224 1968 US

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

+1 360 209 5623 US

Webinar ID: 859 4096 5842

International numbers available: <https://us02web.zoom.us/j/85940965842>

**1st QUARTER PERFORMANCE MEASURES  
FISCAL YEAR 2024**

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

by

**Texas Behavioral Health Executive  
Council**

  
\_\_\_\_\_  
Executive Director

**December 29, 2023**

  
\_\_\_\_\_  
Date

Agency code: 510

Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2024 Target	2024 Actual	2024 YTD	Percent of Annual Target	Target Range
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**Output Measures**

1-1-1 LICENSING

1 # NEW LICENSEES ISSUED

Quarter 1	9,300.00	2,721.00	2,721.00	29.26 %	1,860.00 - 2,790.00
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2 # LICENSE RENEWALS

Quarter 1	29,000.00	8,740.00	8,740.00	30.14 % *	5,800.00 - 8,700.00
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Explanation of Variance: FACTORS CAUSING THE VARIANCE:

The FY24 target for number of licenses renewed is 29,000, or 7,250 per quarter. During the first quarter of FY 24, the agency exceeded its target by renewing 8,740 licenses. As the agency's licensee population increases, the renewals will continue to increase.

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. However, the agency believes this target will continue to be met or exceeded during the biennium.

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	2024 Target	2024 Actual	2024 YTD	Percent of Annual Target	Target Range
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Output Measures

1 COMPLAINTS RESOLVED

Quarter 1	610.00	119.00	119.00	19.51 % *	122.00 - 183.00
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Explanation of Variance: FACTORS CAUSING THE VARIANCE:

The FY24 target for number of complaints resolved is 610, or 152 per quarter. During the first quarter of FY 24, the agency fell slightly short of its target by resolving 119 complaints.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

The agency had 431 pending complaints at the end of this quarter but is projected to receive 600 complaints throughout the fiscal year. While the investigatory time and resources needed to resolve a complaint vary according to the nature and type of complaint received, the agency believes it can meet, or closely approach, this target assuming it is able to maintain full or near-full staffing levels.

2 COMPLAINTS PENDING

Quarter 1	500.00	431.00	431.00	86.20 % *	475.00 - 525.00
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Explanation of Variance: FACTORS CAUSING THE VARIANCE:

The FY24 target for number of complaints pending is 500. During the first quarter of FY 24, the agency bested this measure by only having 431 complaints pending.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

The agency had 431 pending complaints at the end of this quarter but is projected to receive 600 complaints throughout the fiscal year. While the investigatory time and resources needed to resolve a complaint vary according to the nature and type of complaint received, the agency believes that this target will continue to be met or beat assuming the Council is able to maintain full or near-full staffing levels.

\* Varies by 5% or more from target.

Agency code: 510

Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2024 Target	2024 Actual	2024 YTD	Percent of Annual Target	Target Range
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**Efficiency Measures**

1-1-1 LICENSING

1 AVG TIME TO PROCESS APP (DAYS)

Quarter 1	55.00	28.16	28.16	51.20 % *	52.25 - 57.75
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Explanation of Variance: FACTORS CAUSING THE VARIANCE:

The FY24 target for the average time for license issuance is 55 days. In the first quarter of FY 24, the agency bested this measure by having an average license issuance time of only 29 days.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

The average time for license issuance for FY 23 was 36 days. This number has now decreased to 29 days, due to the dedication and efficiency of the licensing staff. The agency 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.

2-1-1 ENFORCEMENT

1 AVG TIME/COMPLAINT RESOLUTION

\* Varies by 5% or more from target.



Efficiency/Output Measures with Cover Page and Update Explanation  
88th Regular Session, Performance Reporting  
Automated Budget and Evaluation System of Texas (ABEST)

12/29/2023 12:34:34PM

Agency code: 510

Agency name: Behavioral Health Executive Council

Type/Strategy/Measure	2024 Target	2024 Actual	2024 YTD	Percent of Annual Target	Target Range
<b>Efficiency Measures</b>					
1 AVG TIME/COMPLAINT RESOLUTION					
Quarter 1	625.00	240.83	240.83	38.53 % *	593.75 - 656.25

Explanation of Variance: FACTORS CAUSING THE VARIANCE:

The FY24 target for the average time for complaint resolution is 625 days. In the first quarter of FY 24, the agency bested this measure by having an average processing resolution time of 241 days.

HOW THE AGENCY PLANS TO DEAL WITH THE VARIANCE:

The average time for complaint resolution for FY 23 was 303 days. This number has now decreased to 241 days, due to the dedication and efficiency of the enforcement and legal staff. The agency 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.

\* Varies by 5% or more from target.

***TEXAS BEHAVIORAL HEALTH EXECUTIVE COUNCIL***  
***1st QUARTER MEASURES***  
***FY 2024***

Number of Licenses Renewed (from ald12)

LSSP	444
LIC	641
LPA	88
LPC	3541
MFT	449
LBSW	439
LMSW	1517
LCSW	1604
AP	17

Total 8,740

Number of Licenses Issued (from ald11 and BO)

LPA	14
PLP	99
LIC	121
LSSP	18
LPCA	685
LPC	154
LPC Upgrade	419
MFTA	80
MFT	46
MFT Upgrade	38
LBSW	52
LMSW	545
LCSW	126
LMSW Upgrade	32
LCSW Upgrade	282
TEMP SW	10

Total 2,721

**TEXAS BEHAVIORAL HEALTH EXECUTIVE COUNCIL**  
**1st QUARTER MEASURES**  
**FY 2024**

Number of Complaints Resolved (from BO report)

LP/LPA	22
LSSP	1
LPC	56
MFT	7
SW	33
Total	119

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

1 <sup>st</sup> Qtr	72/119 =	61%
2 <sup>nd</sup> Qtr		
3 <sup>rd</sup> Qtr		
4 <sup>th</sup> Qtr		
YTD	72/119 =	61%

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

1 <sup>st</sup> Qtr	26/119 =	22%
2 <sup>nd</sup> Qtr		
3 <sup>rd</sup> Qtr		
4 <sup>th</sup> Qtr		
YTD	26/119 =	22%

Average Time for Complaint Resolution (from BO report)

1 <sup>st</sup> Qtr	28,659 days to resolve 119 complaints = 240.83 days	
2 <sup>nd</sup> Qtr		
3 <sup>rd</sup> Qtr		
4 <sup>th</sup> Qtr		
YTD	28,659 days to resolve 119 complaints =	240.83 days

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

1 <sup>st</sup> Qtr	72,229 days to process 2,565 applications =	28.16 days
2 <sup>nd</sup> Qtr		
3 <sup>rd</sup> Qtr		
4 <sup>th</sup> Qtr		
YTD	72,229 days to process 2,565 applications =	28.16 days

Calculations reviewed by: \_\_\_\_\_

Date: \_\_\_\_\_

<b>LPA Initial</b>	<b>871 days to process 29 applications =</b>	<b>30.04</b>
LPA Final	2544 days to process 14 applications =	181.72
<b>LIC Initial</b>	<b>4591 days to process 109 applications =</b>	<b>42.12</b>
LIC Final	22633 days to process 120 applications =	188.61
<b>LSSP</b>	<b>675 days to process 18 applications =</b>	<b>37.50</b>
<b>Temp LIC</b>	<b>157 days to process 20 applications =</b>	<b>7.85</b>
<b>LPC Initial</b>	<b>8279 days to process 154 applications =</b>	<b>53.76</b>
<b>LPCA Initial</b>	<b>23400 days to process 685 applications =</b>	<b>34.16</b>
<b>LPC Upgrade</b>	<b>6809 days to process 419 applications =</b>	<b>16.25</b>
<b>MFT License</b>	<b>2462 days to process 46 applications =</b>	<b>53.53</b>
MFTA License	12493 days to process 80 applications =	156.17
<b>MFTA Upgrade</b>	<b>355 days to process 38 applications =</b>	<b>9.35</b>
<b>SW License</b>	<b>10460 days to process 554 applications =</b>	<b>18.88</b>
<b>SW OOS License</b>	<b>8245 days to process 169 applications =</b>	<b>48.79</b>
<b>SW Upgrade</b>	<b>5610 days to process 314 applications =</b>	<b>17.87</b>
<b>Temp SW License</b>	<b>315 days to process 10 applications =</b>	<b>31.50</b>

- 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).
- Highlighted **MFTA License** measure has been removed from those in **BOLD** effective FY24, as we no longer have any control over when these applicants take the MFT exam.

**TEXAS BEHAVIORAL HEALTH EXECUTIVE COUNCIL  
ANNUAL MEASURES  
FY 2024**

Number of Jurisdictional Complaints Received FY24 (from BO report)	142
Number of Complaints Pending (from BO report)	431
Closed	1
Investigation Completed	110
Under Investigation	320

Percent of Licensees With No Recent Violations

<i>Total</i>	<i>349 disciplinary actions</i>
<i>Less duplicates</i>	<i>-83 duplicates</i>
<i>Total unduplicated</i>	<i>266 disciplinary actions</i>

*Number of individuals (unduplicated) licensed as of 8/31/2023:* 77,429

$$77,429 - 266 = 77,163$$

$$77,163/77,429 = 99.66 \%$$

### Recidivism Rate

<i>Individuals with disciplinary actions FY 21 – FY 23</i>	266
<i>Individuals with 2 or more disciplinary actions</i>	18

$$18/266 = 6.77\%$$

Calculation Reviewed by: \_\_\_\_\_

Date: \_\_\_\_\_



# Commission News

VOL. 4, Issue 4

December 2023

## Message from The Chair: Patrick Hyde

I would like to express my sincere thanks and gratitude for all the hard work and dedication the outgoing chair of PSYPACT, Don Meck, has shown over these past years. Under his leadership PSYPACT was formed and grew to include 40 jurisdictions (40 enacted, 39 effective). His leadership as chair will be missed but thankfully his presence will not, since he will continue to serve as the Commissioner for Georgia. Additionally, PSYPACT extends a warm welcome to Vermont which is scheduled to become an active member of PSYPACT in July of 2024. Lastly, PSYPACT looks forward to the continued growth and prosperity of the Commission though the upcoming year as the Commission continues its strategic planning for the future.

Patrick Hyde  
Chair, PSYPACT Commission

## Upcoming Meetings

Finance Committee	1/22/24
Compliance Committee	1/31/24
Executive Board	3/05/24

## Executive Director Update: Janet Orwig

As 2023 comes to an end, I want to take this opportunity to say thank you for your assistance in making it a very productive year. A few noteworthy items are listed below.

- We started the year with 33 jurisdictions being enacted and effective and ended the year with 39 effective jurisdictions.
- The first PSYPACT Annual Report was released highlighting the work of the Commission for 2022.
- The Commission has issued over 11,900 APITs (that is up 4,200 at this time last year) and over 600 TAPs.
- APIT and TAP renewals were initiated in October and to date 1300 renewals have been processed.
- The creation of the first ever PSYPACT strategic plan has begun which included surveying authorization holders for feedback.

I want to give a special thank you to Don Meck, Commissioner from Georgia for serving as the first Chair of the PSYPACT Commission and to Teanne Rose, Commissioner from Oklahoma for serving as the first Treasurer for the PSYPACT Commission. Their leadership and knowledge of regulation helped to establish a firm foundation for us to continue to grow in the future. Thank you both so much and as you step down from your roles on the PSYPACT Executive Board, we look forward to continuing to work with you in your role as Commissioner.

As always, thank you all for your hard work and support. We look forward to continuing to work and grow with you in 2024.

Janet P. Orwig, MBA, CAE  
PSYPACT Executive Director

## PSYPACT Commissioners

Lori Rall Alabama	Gary Lenkeit Nevada
Heidi Paakkonen Arizona	Deborah Warner New Hampshire
Lisa Fitzgibbons Arkansas	Sean Evers New Jersey
Nate Brown Colorado	Susan Hurt North Carolina
Glenda S. George Commonwealth of the Northern Mariana Islands	Sara Quam North Dakota
Christian Andresen Connecticut	Ronald Ross Ohio
Shauna Slaughter Delaware	Teanne Rose Oklahoma
LaTrice Herndon District of Columbia	Steven Erickson Pennsylvania
Mary Denise O'Brien Florida	Peter Oppenheimer Rhode Island
Don Meck Georgia	Andrea Eaton South Carolina
Dawn Cureton Idaho	Mark Fleming Tennessee
TBD Illinois	Patrick Hyde Texas
Stephen Ross Indiana	Jana Johansen Utah
David Fye Kansas	TBD Vermont
Leslie Jenkins Kentucky	Jaime Hoyle Virginia
Jayne Boulos Maine	Leslie Cohn Washington
Lorraine Smith Maryland	Scott Fields West Virginia
Amy Gumbrecht Michigan	Daniel Schroeder Wisconsin
Robin McLeod Minnesota	JoAnn Reid Wyoming
Pam Groose Missouri	Mariann Burnetti-Atwell ASPPB
Dina Mekic Nebraska	

## Staff Contact Information:

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Gina Polk  
PSYPACT Specialist  
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## Legislation Updates:

Currently we have 39 effective PSYPACT participating states, soon to be 40. Vermont has a tentative effective date of 7/1/2024. Massachusetts and New York continued to have active PSYPACT legislation, throughout the 4th quarter. We are looking forward to seeing what 2024 brings.

## Committee Updates:

### **Finance:** *Teanne Rose, Jaime Hoyle, Heidi Paakkonen*

The Finance Committee met on October 10, 2023, via Zoom. The Committee reviewed the 3rd quarter 2023 financial information and discussed updates on the investment initiatives and audit process/ accounting firm selection. The 2024 PSYPACT Budget draft was also reviewed.

### **Rules:** *Patrick Hyde, Pam Groose, Deborah Warner, Lorraine Smith, Susan Hurt*

The Rules Committee met on October 11, 2023, via Zoom. The Committee reviewed: the legal opinion regarding Home State, a response to inquiries regarding Scope of Practice, Public Comments for Rules 4.13 and 5.13, and discussed a policy for reporting violations made by Authorization Holders.

### **Executive Board:**

*Don Meck, Lori Rall, Teanne Rose, Gary Lenkeit, Patrick Hyde, Mariann Burnetti-Atwell*

The Executive Board met on October 16, 2023, via Zoom. The Committee reviewed updates from each committee, legal opinion regarding testifying and discussed the IRS Private Letter ruling request. The Committee also reviewed and voted on minutes from the previous meeting.

### **Requirements:** *Gary Lenkeit, Peter Oppenheimer, Teanne Rose, Ron Ross*

The Requirements Review Committee met on November 3, 2023, via Zoom. The committee reviewed survey results from PSYPACT Member Jurisdictions regarding eligibility requirements, and reviewed Policy 2.3 proposed revision.

### **Public Hearing and Annual Commission Meeting**

A Public Hearing and the Annual PSYPACT Commission Meeting was held on November 16 and 17 via zoom. During the public hearing (regarding the addition of Rules 4.13 and 5.13) public comments were heard and the Commission voted to approve the addition of Rules 4.13 and 5.13. Following the public hearing the annual PSYPACT Commission Meeting was held. The Commission reviewed the meeting minutes from the July 2023 meeting, received the Executive Directors Report, received the Executive Board Report, held an election, voted on a bylaw revision, and focused on strategic planning for the future of PSYPACT. Results of the election: Patrick Hyde was elected as the Chair, Heidi Paakkonen was elected Treasurer and Pam Groose was elected Member at Large.

## Executive Board Members

Chair - Patrick Hyde

Vice Chair - Lori Rall

Treasurer - Heidi Paakkonen

Member at Large - Gary Lenkeit

Member at Large - Pam Groose

Ex Officio Member - Mariann Burnetti - Atwell



# PSYPACT by the Numbers

## TELEPSYCHOLOGY

11070

ASPPB  
E. Passports  
Issued

10894

PSYPACT  
APITs  
Issued

## TEMPORARY PRACTICE

678

ASPPB  
IPCs Issued

611

PSYPACT  
TAPs Issued

## STATE LEVEL BREAKDOWN

State	APITs	TAPs	State	APITs	TAPs
ALABAMA	57	13	NEBRASKA	64	3
ARIZONA	265	28	NEVADA	107	12
ARKANSAS	38	7	NEW HAMPSHIRE	104	4
COLORADO	541	29	NEW JERSEY	704	21
CNMI	1	0	NORTH CAROLINA	460	27
CONNECTICUT	224	14	NORTH DAKOTA	14	0
DELAWARE	124	3	OHIO	425	19
DC	298	15	OKLAHOMA	64	5
FLORIDA	563	28	PENNSYLVANIA	989	37
GEORGIA	447	30	RHODE ISLAND	72	0
IDAHO	32	3	SOUTH CAROLINA	45	4
ILLINOIS	949	39	TENNESSEE	191	13
INDIANA	120	8	TEXAS	858	55
KANSAS	96	8	UTAH	185	28
KENTUCKY	95	7	VIRGINIA	666	42
MAINE	73	3	WASHINGTON	327	22
MARYLAND	845	28	WEST VIRGINIA	47	6
MICHIGAN	149	7	WISCONSIN	103	8
MINNESOTA	281	13	WYOMING	10	1
MISSOURI	261	21			

Active Authorizations as of 12/29/23



### Things to Look Forward to in 2024:

- Strategic Planning

### Reminder!

Make sure to sign your Conflict of Interest forms!



# Commission News

VOL. 4, Issue 3

October 2023



## Executive Director Update: Janet Orwig

Welcome to Fall!

I am so excited about the upcoming Commission's Annual Meeting. Again, this year, the meeting will be held virtually, and a good portion of the meeting will be devoted to working on the first-ever PSYPACT Strategic Plan. In preparation for the meeting, a survey was sent to various stakeholders such as authorization holders, PSYPACT Commissioners, PSYPACT state board staff, state psychological associations, and PSYPACT endorsing organizations regarding PSYPACT and the work we have done so far. We had a great response rate from all categories. The information contained in those survey responses will be instrumental in moving the strategic plan forward. Thank you to all who completed the survey! As always, I cannot thank you enough for all you do for PSYPACT.

Janet P. Orwig, MBA, CAE  
PSYPACT Executive Director

## Message from The Chair: Don Meck

As Chair, I have had the honor of participating in the growth and development of PSYPACT from seven states in 2019 to 40 states in 2023. Of those 40 states, 39 are effective (Vermont in 2024) and have licensed psychologists actively participating in either one or both of our programs (APIT, TAP). PSYPACT has developed into a viable and effective mode of providing necessary psychological services to underserved areas by allowing qualified psychologists the ability to practice across state lines. It is my hope that the growth and development of this organization continues in the future. Thanks for allowing me to be the Chair and the opportunity to serve you in that capacity.

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

## Upcoming Meetings

Finance Committee	10/10/23
Training and PR Committee	10/11/23
Rules Committee	10/11/23
Executive Board	10/16/23
Commission	11/16/23- 11/17/23

## PSYPACT Commissioners

Lori Rall Alabama	Stacy Waldron Nebraska
Heidi Paakkonen Arizona	Gary Lenkeit Nevada
Lisa Fitzgibbons Arkansas	Deborah Warner New Hampshire
Nate Brown Colorado	Sean Evers New Jersey
Christian Andresen Connecticut	Susan Hurt North Carolina
Glenda S. George Commonwealth of the Northern Mariana Islands	Sara Quam North Dakota
Shauna Slaughter Delaware	Ronald Ross Ohio
LaTrice Herndon District of Columbia	Teanne Rose Oklahoma
Mary Denise O'Brien Florida	Steven Erickson Pennsylvania
Don Meck Georgia	Peter Oppenheimer Rhode Island
Dawn Cureton Idaho	Andrea Eaton South Carolina
Cecilia Abundis Illinois	Mark Fleming Tennessee
Stephen Ross Indiana	Patrick Hyde Texas
David Fye Kansas	Jana Johansen Utah
Leslie Jenkins Kentucky	Jaime Hoyle Virginia
Jayne Boulos Maine	Leslie Cohn Washington
Lorraine Smith Maryland	Scott Fields West Virginia
Amy Gumbrecht Michigan	Daniel Schroeder Wisconsin
Robin McLeod Minnesota	JoAnn Reid Wyoming
Pam Groose Missouri	Mariann Burnetti-Atwell ASPPB

## Staff Contact Information:

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PSYPACT Specialist  
rpolk@asppb.org

## Legislation Updates:

The 3rd Quarter started off strong with Florida, Rhode Island, South Carolina, and North Dakota becoming effective PSYPACT participating States. Currently we have 39 effective PSYPACT participating states, soon to be 40. Vermont has a tentative effective date of 7/1/2024. Massachusetts and New York have active PSYPACT legislation.

## Committee Updates:

**Rules:** *Patrick Hyde, Pam Groose, Deborah Warner, Lorraine Smith, Susan Hurt*

The Rules Committee met on May 2, 2023, via Zoom. The Committee reviewed the legal opinion regarding the Commission Code of Ethics, the Policy or Rule regarding the renewal process, forensic evaluations, and the definition of telehealth and/or telecommunications.

**Finance:** *Teanne Rose, Jaime Hoyle, Heidi Paakkonen*

The Finance Committee met on September 7th via Zoom. The Committee reviewed the 2nd quarter 2023 financial information and discussed updates on the investment initiatives and audit process/ accounting firm selection. The 2nd quarter 2023 bank reconciliations were also reviewed.

**Requirements:** *Gary Lenkeit, Peter Oppenheimer, Teanne Rose, Ron Ross*

The Requirements Review Committee met on August 11th via Zoom. The Committee discussed pending complaints as indicated on APIT/TAP applications, use of the PSYPACT logo by Authorization holders, and the definition of authorization and/or Authorization Holders. The APA/CPA/Joint Designation Discussion from Commission meeting was also reviewed. The Committee also met on September 29 via Zoom to review the legal follow up regarding the use of the PSYPACT logo and the definition of Authorization/Authorization Holder. The Committee also reviewed conduct questions from the APIT/TAP application and discussed updated from the meeting with ASPPB Mobility Committee.

**Compliance:** *Jaime Hoyle, Lisa Fitzgibbons, Scott Fields*

The Compliance Committee met on May 15th via Zoom. The Committee reviewed the compliance data for the 2nd Quarter of 2023 and discussed next steps regarding non-compliance.

**Elections:** *Don Schroeder, Jayne Boulos, Jaime Hoyle*

The Elections Committee met on August 11th via Zoom. The Committee reviewed the upcoming 2023 Elections and all processes involved.

**Training and PR:** *Lori Rall, Heidi Paakkonen, Mariann Burnetti-Atwell*

The Compliance Committee met on August 18th via Zoom. The Committee reviewed inquiries received regarding advertising and job recruitment and well as reviewed and drafted an editorial document. The PSYPACT Website, social media and Listserv activities were also reviewed.

## Executive Board Members

Chair - Don Meck

Vice Chair - Lori Rall

Treasurer - Teanne Rose

Member at Large - Gary Lenkeit

Member at Large - Patrick Hyde

Ex Officio Member - Mariann Burnetti - Atwell



# PSYPACT by the Numbers

## TELEPSYCHOLOGY

10676 10316

ASPPB  
E. Passports  
Issued

PSYPACT  
APITs  
Issued

## TEMPORARY PRACTICE

622 561

ASPPB  
IPCs Issued

PSYPACT  
TAPs Issued

## STATE LEVEL BREAKDOWN

State	APITs	TAPs	State	APITs	TAPs
ALABAMA	56	9	NEBRASKA	63	3
ARIZONA	264	28	NEVADA	112	11
ARKANSAS	34	7	NEW HAMPSHIRE	104	6
COLORADO	523	26	NEW JERSEY	676	19
CNMI	1	0	NORTH CAROLINA	436	17
CONNECTICUT	199	10	NORTH DAKOTA	9	0
DELAWARE	123	3	OHIO	412	18
DC	277	11	OKLAHOMA	60	4
FLORIDA	409	15	PENNSYLVANIA	971	33
GEORGIA	437	29	RHODE ISLAND	40	0
IDAHO	30	3	SOUTH CAROLINA	33	3
ILLINOIS	932	38	TENNESSEE	178	12
INDIANA	111	8	TEXAS	843	52
KANSAS	93	8	UTAH	180	26
KENTUCKY	82	5	VIRGINIA	654	38
MAINE	70	2	WASHINGTON	280	22
MARYLAND	839	29	WEST VIRGINIA	43	4
MICHIGAN	116	5	WISCONSIN	91	7
MINNESOTA	276	13	WYOMING	10	1
MISSOURI	249	20			

Numbers as October 1, 2023



### Things to Look Forward to in 2023:

- Annual PSYPACT Meeting 11/16/23-11/16/23

### Reminder!

Make sure to sign your Conflict of Interest forms!



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Reducing Regulatory Barriers. Increasing Access to Mental Health Care.

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Sent VIA EMAIL

October 23, 2023

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

Re: Third Quarter PSYPACT Compliance Report

Good afternoon,

Attached is the third quarter 2023 compliance report issued by the PSYPACT Commission. These reports are generated each quarter to reflect compliance within the quarter reported.

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:**

- All areas are in compliance for 3<sup>rd</sup> quarter of 2023.

**Areas not in compliance:**

- None known

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

At this time, no action is required by your jurisdiction. Please let me know if you have any questions.

Thank you,

A handwritten signature in black ink that reads "Janet Orwig".

Janet Orwig, MBA, CAE  
PSYPACT Executive Director



Colleagues, please take some time to review the below session-by-session summary of the Annual Meeting sessions. In addition to the session summaries, all PowerPoint presentations have been uploaded to the ASPPB website at <https://www.asppb.net/page/2023AM>. The meeting agenda book is also available at the same link.

## 2023 Annual Meeting Session Summaries

### ASPPB Updates:

Centre for Data Analysis on Psychology Licensure - Janet Orwig, MBA, CAE - The Centre recently released the *ASPPB InFocus 2022* document as well as updated the [www.asppbcentre.org](http://www.asppbcentre.org) website. The Centre soon will begin the process of creating the *InFocus 2023* with the release of the PSY|Book survey to member boards.

ASPPB Model Act and Regulations Committee (MARC) – Alex Siegel, JD, PhD – The MARC has been reviewing and updating the ASPPB Model Act for Licensure and Registration of Psychologists, ASPPB Model Regulations for Licensure and Registration of Psychologists and the ASPPB Code of Conduct. A survey was sent to member boards for suggestions on areas that needed updating. From this survey, several areas were identified. They included, but were not limited to: gender language was updated to be non-specific, licensed psychologist was changed to licensee, and Board/College membership requirements were updated. The Code of Conduct was also updated looking at gender issues, prohibition on torture and informed consent. Once the documents have been finalized, it will be presented to the ASPPB Board of Directors for approval and sent out for public comment.

Equivalency Task Force – Michelle Paul, PhD - ASPPB endorses the position that graduation from an APA/CPA accredited program should be a minimum requirement for doctoral-level licensure for health service providers. Many jurisdictions, however, allow for licensure of individuals who graduated from programs that are deemed “equivalent” to APA- or CPA-CPA-accredited programs. For those jurisdictions tasked with conducting equivalency reviews, ASPPB established the Equivalency Task Force (ETF) with the charge of developing a resource document specific to Health Service Psychology training programs that would promote consistency across, and support, jurisdictions in this regard. The ETF completed a draft *Guidebook* in August and presented it to the Board of Directors at its Open Meeting on September 27, 2023. After feedback and discussion among attendees (e.g., liaisons, members of jurisdiction boards and colleges), the Board of Directors voted to release the *Guidebook* for public comment. During the ASPPB Annual Meeting, ETF Chairperson, Michelle Paul, Ph.D., reviewed the major elements of the *Guidebook* emphasizing how the *Guidebook* provides and organizes resources, information, considerations, and recommendations regarding APA- and CPA- accreditation standards. The *Guidebook* also provides a toolkit for jurisdictions to utilize as they develop or refine their equivalency review processes. The *Guidebook* will be released for public comment within the first two weeks of October.

EPPP Update – Hao Song, PhD – Dr. Song, Associate Executive Officer of Examination Services, reported on the EPPP (Part 1-Knowledge) and the EPPP (Part 2-Skills) administration and performance. Correlation analysis of the first-attempt Part 1 and Part 2 scores showed that they are moderately correlated indicating these two parts are distinctive and complement each other for a better assessment of the competency of Psychologists. Dr. Song also presented the ASPPB eligibility recommendations for candidates to take Part 1 and Part 2.

The ASPPB recommended passing standards for Independent and Supervised Practice Licensure on the EPPP Parts 1 and 2 are 500 and 450 scaled scores, respectively. All 66 jurisdictions have adopted the recommended standard of 500 for Independent Practice licensure. Most jurisdictions that offer Supervised Practice licensure have adopted the 450 standard, some with small variations at 500, 440, or 400. Caution should be taken for arbitrarily lowering the Supervised Practice passing score to a significant extent which will render it less defensible, and candidates will lose mobility across jurisdictions.

ASPPB has put out calls for volunteers for representative and diverse groups for its Item Review Committee and for the Standard Setting panel for the EPPP (Part 2-Skills) to take place in the Spring of 2024. A Job Task Analysis Advisory Committee and Job Task Analysis Task Force will be formed to conduct a Job Task Analysis for the EPPP (Part 1-Knowledge) in the Fall of 2024.

### **Session 1: Mock Disciplinary Hearing**

Case Presentation - Patrick Hyde, JD; Sarah Ledgerwood, Esq.; Barry Sullivan, JD; C. Gerald O'Brien, PhD; Hugh Moore, MBA, PhD; Shirley Vickery, PhD – This session began with the mock disciplinary hearing of Dr. Gerald who came before the Board due to a complaint from Mrs. Shirley, grandparent, whose grandson had been evaluated by Dr. Gerald in a custody matter. Mrs. Shirley was concerned about the fact that Dr. Gerald conducted his evaluation without all of the information. Dr. Gerald was represented by counsel, Mr. Barry Sullivan. Ms. Sarah Ledgerwood represented the Board. The Board proceeded first, Ms. Ledgerwood made an opening statement on behalf of the Board and called two witnesses, the complainant, Mrs. Shirley, and the reviewing psychologist, Dr. Hugh. Mrs. Shirley, the paternal grandmother of the child at the heart of the custody matter, testified about why she filed the complaint, her family, her grandson, and her experience with Dr. Gerald when he evaluated her as part of the custody matter. Dr. Hugh testified regarding his review of Dr. Gerald's evaluation of the family. His testimony included his credentials, work and educational history, and the deficiencies he identified in Dr. Gerald's report. Mr. Sullivan cross-examined both witnesses. The Board rested its case. Mr. Sullivan made an opening statement on behalf of Dr. Gerald. Mr. Sullivan called Dr. Gerald, who testified about his education, credentials, and work history. He also testified about his evaluation of the child and family, his rationale for the evaluation and amendments, and his process. Ms. Ledgerwood cross-examined Dr. Gerald and both Mr. Sullivan and Ms. Ledgerwood made closing statements.

Panel of Attorneys: Bailey Warren, JD; Zimra Yetnikoff, JD; James Wakely, AAG; Patrick Hyde, JD – The panel of attorneys discussed how their respective jurisdictions would investigate and prosecute a complaint such as the one discussed during the mock trial. Some of the issues concerned what evidence would be helpful or necessary for the prosecution of similar complaints; how experts could be selected and utilized for complaints, especially for violations involving general standards of practice; how a particular jurisdiction balances the goals of public protection and fairness towards the licensee in the investigation and prosecution of a complaint; and how jurisdictional laws and rules, and any codes of ethics, such as the APA or CPA codes, could impact the adjudication of a complaint.

During table discussions, the following questions were addressed: Given the facts in the case, what do you think your jurisdiction would be likely to do? Do you think your jurisdiction would have had anything less than a formal hearing, given



the facts of the case? What factors would you consider (e.g., ethics codes, standards of practice, etc.) in making that decision? Why would you make that decision?

The session ended with the Board Attorney who had actually represented his board in the case presented during the Mock Hearing telling attendees the outcome and why that outcome was decided in the way it was.

## **Session 2: Application for Licensure/Registration Language Regarding DEI&A Issues**

David Sitzler, PhD, Chair of the National Council of Schools and Programs of Professional Psychology (NCSPP) Disability Committee, provided a presentation on Detecting Implicit Bias within State and Provincial Licensure Application Questions. The NCSPP conducted a study of applications focused on inquiries related to the impairment of function in the ability to practice. The statistics and findings are summarized in the PowerPoint, however, the key takeaways were that difficulty of access can limit the student pipeline, applications can be discriminatory and this can limit the range of diversity among psychologists available to serve the public. Attendees were asked to bring their licensure applications to this session to review during the table discussion portion of the session.

There was time given to table discussions with the following questions provided: Are there any questions that might inadvertently be experienced or perceived as a barrier to licensure for any groups? Do you think any of the questions inadvertently communicate notions of stigma or the marginalization of certain groups of people? If so, do those questions need to be asked? If that information is required, is there a better way to get the information? Are those questions asked at license renewal as well? If not, why not?

## **Session 3: Legislative Updates**

Mariann Burnetti-Atwell, PsyD – moderator; Lori Rall, Executive Director, Alabama Board of Examiners in Psychology; Dan Collins, JD, Executive Director, North Carolina Psychology Board; Ron Ross, PhD, Executive Director, Ohio Board of Psychology - The presenters shared information related to a variety of legislative activities that have recently impacted their jurisdictions, Board responses to those legislative efforts, and the outcomes of those issues. Details about each of the following issues can be found in the PowerPoint slides that accompany this.

- The Alabama Vulnerable Child Compassion and Protection Act – prohibits the “performance of a medical procedure or the prescription of medication... that is intended to alter the minor child’s gender or delay puberty...” for “...minors who are experiencing discomfort with their biological sex.”
- Occupational Licensing Boards placed under the Secretary of State
- The aPA (Alabama Psychological Association) and the RxP Movement Toward Prescriptive Authority
- Master’s-level licenses have been issued in Sweet Home Alabama
- Main legislative issue in North Carolina - changes to the Master’s-Level Supervision Requirements
- Ohio SB131: Licensure Reciprocity, effective December 28, 2023 – essentially requires the Board to grant a license to any applicant who has held a psychology license in another jurisdiction for a year, has actively been engaged in the profession, and who has had no discipline against their license.
- Ohio HB509—provides for regulatory reform

## **Session #4: Report from the ASPPB Master’s Task Force**

Alex Siegel, JD, PhD – moderator; Lori Rall; Susan Hurt, JD, PhD; Peter Oppenheimer, PhD; Heidi Paakkonen; Stacy Waldron, PhD - This panel was comprised of a small writing group that is part of the larger Potential Regulatory Implications for

Licensing Master's Trained Individuals Task Force (PRI-LM). The Task Force was given the responsibility of surveying member jurisdictions to determine regulatory implications for licensure at the master's level and, based on survey results, developing recommendations for jurisdictions wishing to work toward master's-level licensure in the future.

The writing group has been working weekly to identify the elements that should be considered for a model document that can be used by jurisdictions considering licensing HSP master's-trained professionals. Goals have included keeping a balance between the need for public protection while broadening access to psychological care.

The panel presented factors that need to be present for a jurisdiction to be able to change or add a new licensure category. They also discussed the issues that could arise during the process of moving to a master's-level license and how to address those issues.

Tables were asked to answer the following questions: What do you think about what you've heard from the ASPPB PRI-LM Task Force so far (any suggestions for the TF)? If your jurisdiction is considering licensing at the master's level, would you consider waiting until the final PRI-LM TF recommendations are made? What would need to happen if your jurisdiction decided to license at the master's level? Has your jurisdiction experienced any pressure from the government to license master's-level psychology practitioners as a way of increasing access to care/meeting the mental health needs in your jurisdiction? What challenges or obstacles do you anticipate if your jurisdiction were to decide to license at the master's level or change the requirements for licensure at the master's level? Jurisdictions provided comments that the writing group will utilize for further improvements for the model document. Once completed, the document will be presented to the ASPPB Board of Directors for review and approval.

### **Session 5: Continuing Professional Development Models (CPD) vs. Continuing Education Models (CE)**

Janet Orwig, MBA, CAE; Stacy Waldron PhD; Tony DeBono, MBA, PhD, CPsych - The purpose of this session was to present the similarities and differences between Continuing Professional Development (CPD) and Continuing Education. Attendees were then able to have table discussions to determine how their jurisdictions would be able to implement a CPD model based on the information provided.

The session started with a presentation of ASPPB's history of first creating *Continuing Education* and then *Continuing Professional Development Guidelines* for regulatory bodies to use. The rationale and steps taken to draft the *2014 ASPPB Guidelines for Continuing Professional Development* were presented as well as the approach that is now being taken to update those *Guidelines*.

Following the presentation about the creation of the CPD *Guidelines*, representatives from several ASPPB jurisdictions discussed steps taken by their jurisdictions to broaden the definition of CE to include CPD; to revise their regulations to incorporate CPD into the types of experiences accepted for license renewal; the "why" of using continuing professional development, a more expansive concept, rather than continuing education; the importance of reflective practice, especially when establishing professional development goals; the importance of concerted efforts to integrate jurisprudence and social justice into the reflection process; and the need to engage in a continuous quality improvement mindset when determining what experiences to approve for CPD credit.

Tables addressed the following questions: What would it take to change to a CPD vs. a CE model to maintain competence? What modifications would be required for your jurisdiction to make this change? Do you foresee any barriers to making this change? Will this model interfere with any tools used to submit CE to your board or college (e.g., CE Broker)?, and generally reported very positive feedback about the possibilities for their jurisdictions to expand to the broader CPD model as a way of helping to ensure maintenance of licensees' competence.



## Session 6 – Video Report from the Governance Expert

Mariann Burnett-Atwell, PsyD – moderator - This session included a video presentation from Mr. Mark Engle and Ms. Erin Volland with the Association Management Center (AMC). AMC has been contracted by ASPPB to review and make recommendations about the current governance processes in place. Mr. Engle reviewed some leading practices in governance and how to measure board effectiveness. Ms. Volland reviewed the project charter and opportunity statement and the goals of this project. ASPPB's goal statement is:

*To serve as a nimble and effective governing body for the field and strengthen governance structure and practices, keeping in mind the concepts of fearlessness and self-evaluation. Capturing the right blend of analysis and education to help the association enhance its Board performance from both a structural and cultural perspective.*

Ms. Volland then reviewed the methodology that will be used to help reach the goals. Once all steps have been completed, several sets of recommendations for improvements will be presented to the ASPPB Board of Directors, with options ranging from incremental changes to significant changes. The entire video is available for the next thirty days [here](#).

## Session 7: Bringing to your attention...

We take this time at each membership meeting to let our membership know what is happening in nationally, in both the U.S. and Canada. If an individual jurisdiction has not yet faced the particular issues “brought to your attention,” we think the issues are important enough to let everyone know what might be coming. This session, we focused on three issues that are having, or will likely have, significant regulatory implications and impact.

Re-specialization and licensure – Whitney Owens, PsyD - Jurisdictions may have been or may be experiencing applicants who have re-specialized to become a Health Service Psychologist (HSP). Pathways for re-specialization include a formal re-specialization process resulting in a certificate of completion, or a more informal process for obtaining “significantly similar” education and training to become a psychologist. Several options for evaluating candidates who have gone through re-specialization were discussed and resources were shared for conducting these evaluations. Caution was advised for conducting a thorough evaluation, especially for those candidates who have engaged in more informal processes of re-specialization, to ensure substantial equivalency.

APA doctoral competencies – Peter Oppenheimer, PhD - This presentation shared a video created by the APA BEA/BPA Task Force on Doctoral Competencies about their work to develop a new model for doctoral-level competencies. Discussion described how this model of competency will differ from the current model and how it may pose a challenge to regulators to apply. Catherine Grus, PhD, APA's Chief of Education shared additional information with attendees.

Broadening Approved CE Sponsors – Alan Slusky, PhD, CPsych - This presentation was developed in response to a request from an ethnic minority psychological association, that expressed concerns regarding the challenges associated with becoming an APA-approved sponsor of continuing education activities. Information presented in this session reviewed the process potential CE sponsors must go through in order to become an APA- or CPA- approved sponsor of CE activities. After reviewing that information, the presentation turned to the types of CE activities typically accepted by jurisdictions, discussed the pros and cons of adopting a more flexible approach to approving providers of CE activities, and concluded with a recommendation to consider broadening the types of activities and providers approved in jurisdictions. It is hoped that by doing so, we can ensure the provision of quality continuing education activities but also avoid disenfranchising smaller providers and those whose credentials may emphasize lived experience over academic achievement.



## The CEO Corner

Greetings,

Thank you in advance for taking the time to read through the ASPPB October 2023 Newsletter. I hope that this edition will provide you with a look into what has been occurring within the Association over the past few months and what is coming in the near future.

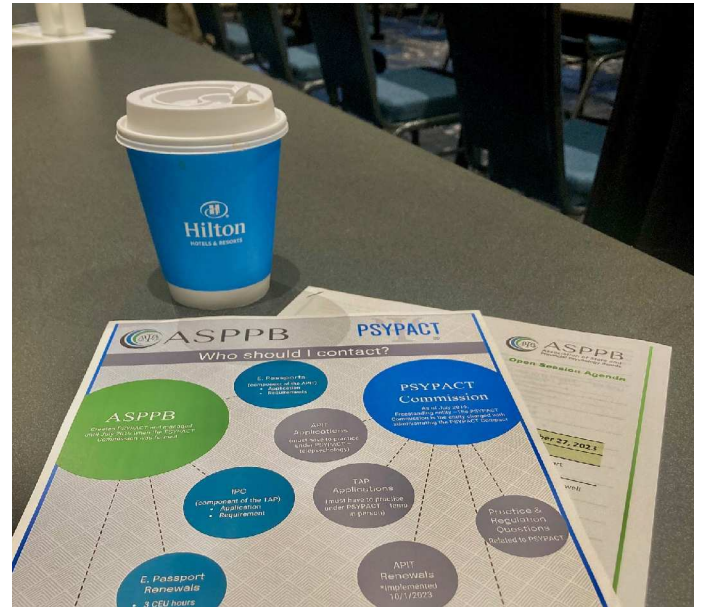
I also want to take a moment to thank all of you who were able to attend ASPPB's 63rd Annual Meeting in Cleveland, Ohio. As I think back to the event, I am reminded of the robust content presented throughout the meeting, the many opportunities to connect with friends and colleagues, and the chances to meet those attending for the first time. For these and so many other reasons, I think it would only be fair to say, that the 63rd Annual Meeting was a huge success.

As we move into the last few months of 2023, I encourage you to take some time to reflect on the prior months. This year, like previous years, has been busy, along with being filled with opportunities and challenges. However, through your hard work and commitment to your boards and colleges, and your unselfish approach to sharing your time and talents by volunteering with ASPPB, positive outcomes have occurred with the focus of public protection being at the core of each activity.

Thank you for all that you do and for allowing ASPPB to be on this journey with you. It is an honor to serve you and I believe through our joint efforts, we will look back at 2023 and see that it too was a success.

Warm regards,  
Mariann Burnetti-Atwell, PsyD  
Chief Executive Officer

Rock and Roll Hall of Fame,  
Cleveland, Ohio



## Meetings & Events

We have just concluded our 63rd Annual Meeting of Delegates which took place in Cleveland, Ohio the last week in September. The theme for this year's meeting was The Nuts and Bolts of Regulation: Practical Skills and Strategies. There was a great lineup of speakers who provided enchanting and thought-provoking presentations.

The Meetings and Events department is now going to finish out the year with a few in-house meetings, and then we will set our sights on the meeting to take place in 2024! We look forward to seeing you at our 2024 Midyear Meeting in Boston, Massachusetts and at our Annual Meeting in Dallas, Texas.





## PSYPACT *September 2023 Update*

Greetings from PSYPACT! The 3rd Quarter started off strong with 40 Enacted and 39 Effective PSYPACT Participating States. During this quarter Florida, Rhode Island, South Carolina, and North Dakota became effective. Massachusetts and New York still have active legislation. We are currently working hard to process all the new applications and preparing for APIT and TAP renewals to begin in October 2023.

### Enacted and Effective

Alabama  
Arizona  
Arkansas  
Colorado  
Commonwealth of  
the Northern  
Mariana Islands  
Connecticut  
Delaware  
District of Columbia  
Florida  
Georgia

Idaho  
Illinois  
Indiana  
Kansas  
Kentucky  
Maine  
Maryland  
Michigan  
Minnesota  
Missouri  
Nebraska  
Nevada  
New Hampshire  
New Jersey  
North Carolina

North Dakota  
Ohio  
Oklahoma  
Pennsylvania  
Rhode Island  
South Carolina  
Tennessee  
Texas  
Utah  
Virginia  
Washington  
West Virginia  
Wisconsin  
Wyoming

**Active  
Legislation**  
Massachusetts  
New York

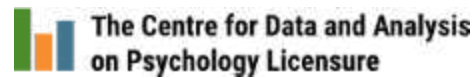
**Enacted not yet  
Effective**  
Vermont



The PSYPACT Commission continues to issue authorizations to practice under PSYPACT. As of September 22, 2023, 10,820 Authority to Practice Interjurisdictional Telepsychology (APITs) have been issued and 583 Temporary Authorizations to Practice (TAPs) have also been issued by the PSYPACT Commission.

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](http://www.psypact.org) or email us at [info@psypact.org](mailto:info@psypact.org) with any questions.

## Third Edition of ASPPB InFocus 2022 and the Centre for Data Analysis on Psychology Licensure (Centre)



The InFocus 2022 report is available for download. To view the report, visit: [The Centre](https://www.thecentre.org)

The primary purpose of the Centre for Data and Analysis is on Psychology Licensure (the Centre) is to support psychology licensing boards in making informed licensure decisions through consistent data gathering, analysis and reporting. You'll find a wealth of information and data, including:

- **Spotlight:** A big-picture view of psychology licensure with a spotlight on the number of licenses, education, supervised experience, exams, fees, renewals, continuing education/professional development and other pertinent information about psychology licensure
- **Snapshot:** A closer look at education, supervision, examination, renewals and continuing professional development/education
- **Focus:** A closer look at PSYPACT, EPPP and DDS

Through the work of the ASPPB's Centre for Data & Analysis on Psychology Licensure (The Centre), this year's ASPPB InFocus includes information on 60 jurisdictions. ASPPB wants to thank our member boards for their participation, and we look forward to continued collaboration in the collection and analysis of data for the regulation of the profession of psychology.

Have questions? Email Stacey Camp, Director for the Centre at [scamp@asppb.org](mailto: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.



## Exam Updates: EPPP Eligibility

### ASPPB recommends:

The **EPPP (Part 1 – Knowledge)** may be taken prior to degree conferral, after completion of foundational coursework, excluding practicum, dissertation, and internship.

The **EPPP (Part 2 - Skills)** shall not be taken prior to the successful completion of the **EPPP (Part 1 - Knowledge)**, degree conferral, and completion of supervised experience as determined by the jurisdictional licensing or registration authority.

Licensure Use	ASPPB Recommended Passing Standards (in Scaled Scores)	
	EPPP (Part 1-Knowledge)	EPPP (Part 2-Skills)
Independent Licensure	500	500
Supervised Licensure	450	450

ASPPB has established the passing standard recommendations on both parts of the EPPP using diverse and representative panelists and following sound psychometric methods and rigorous standard setting processes. For Independent practice, the recommended passing scaled score is 500, and for supervised practice, the recommended passing scaled score is 450. All 66 jurisdictions adopt the recommended standard of 500 for Independent Practice licensure. Most jurisdictions that offer Supervised Practice licensure adopt the 450 standard, some with small variations at 500, 440, or 400. Please be cautioned that arbitrarily lowering the Supervised Practice passing score to a significant extent will render it less defensible, and candidates lose mobility across jurisdictions.

## Greetings from Governance

The ASPPB Board of Directors would like to thank everyone who attended the Annual Meeting in Cleveland, Ohio this past week. We are happy to announce the results of the election that was held during the meeting.

**Please join us in congratulating Dr. Hugh D. Moore, (TN) as our incoming President-Elect and Dr. Stacy Waldron, (NE) as the first-year Member-at-Large. Their terms will begin in January of 2024.**

The Board would also like to thank all of the candidates for their time and attention during the election process and encourage anyone who is interested in running for a position next year to please reach out to a Board Member or ASPPB staff if you have any questions. Nomination forms will be available in the first quarter of the year.

Also, during the Annual Meeting, there were a few requests for access to the video that was shared from the Association Management Center in Session 6. You can find it for the next thirty days at the following link:

[Video Link](#).

As always, if you have any questions, please don't hesitate to reach out.

### Upcoming Exam Activities in 2024:

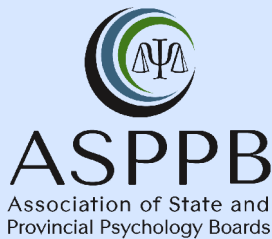
- ASPPB recently put out a call for volunteers for representative and diverse groups for its Item Review Committee and for the Standard Setting panel for the EPPP (Part 2-Skills) to take place in the Spring of 2024.
- A Job Task Analysis Advisory Committee and Job Task Analysis Task Force will be formed to conduct a Job Task Analysis for the EPPP (Part 1-Knowledge) in the Fall of 2024.
- There will be bank maintenance and item review meetings for both the EPPP (Part 1-Knowledge) and the EPPP (Part 2-Skills) to ensure item content and references are relevant and up to date.
- ASPPB will also update the current Psychopharmacology Examination for Psychologists (PEP) exam and add a new form next year.





## A Closer Look: ASPPB and The PSYPACT Commission

The PSYPACT Commission and ASPPB, while closely linked, are actually two separate entities that work together to support the PSYPACT Compact. In this 'Closer Look' edition we'll explore the differences and the structure of each.



The Association of State and Provincial Psychology Boards is a membership organization comprised of psychology regulatory boards throughout the United States and Canada, as well as individual members who formerly served on or worked for these regulatory boards.

ASPPB works to meet the needs of its members through the provision of services such as the Examination for Professional Practice in Psychology (EPPP), model legislation, mobility programs, consultation, and topics related to psychology regulation such as graduate training, supervised experience, telepsychology, and continuing professional development.

ASPPB's mission is; to support member jurisdictions in fulfilling their responsibility of public protection.

### ASPPB Issues:

#### IPC

(Interjurisdictional Practice Certificate)

Temporary  
In-Person Practice

#### E. Passport

Telepsychology



The Psychology Interjurisdictional Compact Commission is the entity charged with administering the PSYPACT Compact. The Commission provides oversight of PSYPACT as well as create and enforce the rules and policies governing the operation of PSYPACT. Commission is established to fulfill the objectives of the Compact through a means of joint cooperative action among the Member States. The Commission will serve to provide a mechanism to solve interstate matters.

The Commission is composed of one representative from each Compact state (as of October 2023, there are 39 PSYPACT states). While the Commission issues the authority to practice under PSYPACT, it does not issue individual psychology licenses. Licenses are issued by the state psychology boards, not by the Commission.

### The PSYPACT Commission Issues:

#### TAP

(Temporary Authorization to Practice)

#### APIT

(Authorization to Practice  
Interjurisdictional Psychology)

# ASPPB's STRATEGIC PLAN - October 2023 Update

At the recent Annual Meeting, CEO Mariann Burnetti-Atwell delivered a comprehensive update on ASPPB's ambitious [strategic plan](#). A significant piece of that update included the results of ASPPB's summer survey, which sought refining guidance from members on planned innovations in legislative affairs, communications/thought leadership, how ASPPB is governed, whether a new layer of engagement such as a regional network is desired, and matters pertaining to diversity, equity, and inclusion. Your participation in the survey yielded meaningful insights. For those who couldn't attend the Annual Meeting, we will soon (and separately) share the analysis that was conveyed then, as well as highlight the first report from the firm ASPPB has hired to examine and improve its governance structures. In the meantime, here are additional news items related to the strategic plan's progress. As always, please feel free to get in touch via [strategicplan@asppb.org](mailto:strategicplan@asppb.org).

## ANTICIPATE

- ASPPB has hired a firm to reimagine [www.asppb.org](http://www.asppb.org) to enable greater ease of use when it comes to wayfinding and transactional activities, as well as to establish a new space for insightful, original content—or thought leadership—that members can use in their work. Earlier this fall, the team completed in-depth activities in “journey mapping,” a critical process that charts the experiences of stakeholder groups to ensure ASPPB's platforms respond nimbly and fully to their needs. The team is now building a new information architecture in accordance with those results.

## COLLABORATE

- To establish a more close-knit relationship between ASPPB and its membership, Mariann Burnetti-Atwell announced that she will launch a rotation of CEO jurisdictional visits in 2024. The goal of this new program is to convene at least one formal, in-depth engagement with each of ASPPB's 66 jurisdictions every five years. And within each meeting to cultivate an exchange of information and ideas that better apprises ASPPB as to the needs of jurisdictions and where they would like the Association to focus or innovate, as well as for ASPPB to inform jurisdictions of the short- and long-term objectives it's pursuing on their behalf.

## PROTECT

- At the Annual Meeting, the members of the Long Range Planning Committee (LRPC) were announced. As a reminder, the LRPC has a three-part mandate:
  1. To reset and redefine ASPPB's role with APA/CPA, in particular on the three pillars of regulation: education, exam, and experience;
  2. To design a sound structure of stewardship for major initiatives that steers them in a collaborative way, generates wider awareness/buy-in across constituencies, and helps repair the splintered nature of psychology across the guild, training, and regulator communities; and
  3. To refocus on mobility, uniformity, and competency by taking the lead on a “Uniform Psychology Act” similar to the exemplar Uniform Accountancy Act.

We offer warm congratulations to the LRPC's inaugural members: Joseph Comaty (individual member, two-year term) and T. Shavaun Sam (delegate member, one-year term) of Louisiana; Darrel Spinks of Texas (BARC delegate, two-year term); and Stacy Waldron of Nebraska (BCCC delegate, one-year term). They join individual committee members internal to the Association: Chair and CEO Mariann Burnetti-Atwell, Past President Alan Slusky (one-year term), and Board President Herb Stewart (one-year term). The first meeting of the LRPC is planned for October.



## Follow us! Check out our latest Twitter activity:

If you're on Twitter (now known as X), make sure you're following ASPPB. We use this platform to share valuable information about the world of psychology, and updates on ASPPB. We also try to answer questions that the public might have about who we are and what we do.

If you have a suggestion for FAQ Friday, please email [asppbsocial@asppb.org](mailto:asppbsocial@asppb.org).

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

### FAQ FRIDAY: What is ASPPB?

*The Association of State and Provincial Psychology Boards is a membership organization comprised of psychology regulatory boards throughout the United States and Canada, as well as individual members who formerly served on or worked for these regulatory boards.*

ASPPB works to meet the needs of its members through the provision of services such as the Examination for Professional Practice in Psychology (EPPP), model legislation, mobility programs, consultation, and topics related to psychology regulation such as graduate training, supervised experience, telepsychology, and continuing professional development.

*For 62 years ASPPB has been providing these essential services.*



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"If you feed the brain what it needs every day, you will provide it needs for excellent functioning."



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## 2023 ASPPB Board of Directors

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**1st Year Member-at-Large:** Ramona N. Mellott, PhD (AZ)

# TSBEP

Complaints Dismissed	Classification	Reason for Dismissal
2023-00519	Unlicensed Person	Lack of Jurisdiction
2023-00511	Unlicensed Person	Lack of Jurisdiction
2023-00507	Unlicensed Person	Lack of Jurisdiction
2023-00506	Unlicensed Person	Lack of Jurisdiction
2023-00514	Unlicensed Person	Lack of Jurisdiction
2023-00513	Unlicensed Person	Lack of Jurisdiction
2023-00274	General Forensic	Conditional Precedent Not Met
2023-00278	General Forensic	Conditional Precedent Not Met
2023-00503	Unlicensed Person	Lack of Jurisdiction
2023-00516	Unlicensed Person	Lack of Jurisdiction
2023-00500	Unlicensed Person	Untimely
2023-00517	Unlicensed Person	Lack of Jurisdiction
2023-00505	Unlicensed Person	Lack of Jurisdiction
2023-00512	Unlicensed Person	Lack of Jurisdiction
2023-00521	Unlicensed Person	Lack of Jurisdiction
2023-00520	Unlicensed Person	Lack of Jurisdiction
2023-00509	Unlicensed Person	Lack of Jurisdiction
2023-00482	Standard of Care	Lack of Jurisdiction
2023-00539	Sexual Misconduct	Insufficient Evidence
2023-00284	Criminal History	Insufficient Evidence
2022-00521	Unlicensed Person	Corrective Action Taken



# 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	09/22/2023
ACTION	Proposed

Preamble

Texas Admin Code  
Rule

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(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.

(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.]

(A)the applicant holds a certificate of completion from a graduate-level training course designed to train individuals from related disciplines in the practice of school psychology;

(B)the applicant holds a graduate degree in a discipline related to psychology from a regionally accredited institution of higher education;

(C)the applicant is licensed, certified, or registered in good standing to practice school psychology in another jurisdiction; or

(D)the applicant was licensed, certified, or registered to practice school psychology in another jurisdiction within the previous ten years before application for licensure and was not subject to any administrative or disciplinary actions during that same time period.

(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)School-based Assessment, including:

(A)psychoeducational assessment;

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

(5)School-based Interventions, including:

(A)counseling;

(B)behavior management;

(C)consultation;

(6)Professional, Legal and Ethical Issues; and

(7)A School-based 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 title.

(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 8, 2023

**TRD-202303312**

Darrel D. Spinks

Executive Director

Texas State Board of Examiners of Psychologists

Earliest possible date of adoption: October 22, 2023

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

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## Texas Register Preamble

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The Texas Behavioral Health Executive Council proposes amendments to §463.9, relating to Licensed Specialist in School Psychology.

**Overview and Explanation of the Proposed Rule.** The proposed rule amendments allow applicants who were licensed in other states to provide school psychological services or applicants with graduate degrees in related disciplines to psychology to be eligible to apply for licensure as an LSSP so long as the applicant also meets the coursework, examinations, and internship requirements.

**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, consistency, and efficiency 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 <https://www.bhec.texas.gov/proposed-rule-changes-and-the-rulemaking-process/index.html>. The deadline for receipt of comments is 5:00 p.m., Central Time, on October 22, 2023, which is at least 30 days from the date of publication of this proposal in the *Texas Register*.

**Applicable Legislation.** This rule is proposed pursuant to the specific legal authority granted to the Executive Council by H.B. 1501, 86th Leg., R.S. (2019).

**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.