

**Rule Summary and Fiscal Analysis (Part A)****State Board of Psychology**

Agency Name

Division

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**4732-9-01**

Rule Number

**AMENDMENT**

TYPE of rule filing

Rule Title/Tag Line

**Requirements for admission to the examination for a  
psychologist license.****RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **Yes**

2. Are you proposing this rule as a result of recent legislation? **Yes**

Bill Number: **HB503**General Assembly: **127**Sponsor: **PETERSON,  
LETSON**

3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **119.03**

4. Statute(s) authorizing agency to adopt the rule: **4732.06**

5. Statute(s) the rule, as filed, amplifies or implements: **4732.06, 4732.10, 4732.15**

6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

This rule is being filed for amendment in response to AM HB503. The amended law states that "the board shall adopt guidelines for the kind of supervised professional experience which fulfills the requirement of (B)(5) of this section."

7. If the rule is an AMENDMENT, then summarize the changes and the content

of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE, then summarize the content of the rule:

This rule requires a series of amendments, all of which were approved by the Board in response to the recommendations of a statewide rules committee of approximately 12 stakeholder representatives, including representation from professional associations, doctoral academic programs, internship and post-doctoral training sites, and practicum/externship graduate program placement sites. Am HB503 changed the requirements for licensure as a psychologist, including making a pre-doctoral internship required and removing the requirement for a post-doctoral year of supervised experience, unless additional hours of experience are required after the internship has been completed.

The first change (adding the actual date of the last date that an "equivalent degree" application will be accepted) was done in order to pin down that date, as it is more descriptive than "3 years after the effective date of this rule," which, now that we are requesting new amendments, could become confusing. We have been advertising the May 1, 2010 deadline for nearly 3 years, but we would like to get the date in the rule regardless, please.

The remainder of the first paragraph serves to clarify and/or re-state the new law, which requires that psychologist license applicants earn degrees from doctoral programs with accreditation from one of the four (4) entities listed in ORC 4732.10 (B)(4)(a)(i)to(iv). Please note that this law is Ohio's adoption of a component of a new "model license act" published by the American Psychological Association. Ohio is approximately the 6th state to amend its licensure law in this same general way (to allow for all supervised experience to come at the pre-doctoral level of training instead of requiring at least one of the training years to be post-doctoral (the "post-doc," as it is called in the profession). Please note that, relative to the final proposed sentence in the first paragraph, we are proposing to recognize graduates of academic programs that earn accreditation or designation under (B)(4)(a) within two (2) years after the student graduates. This is important, because those who graduate within 2 years of accreditation or designation being earned actually ATTENDED an accredited program for the majority of their time. Also, those who begin and attend accredited or designated programs that then LOSE their accreditation or go on probationary status, etc. (i.e. the student start a program which then gets into trouble) will not lose out, if they can finish up their degree and get out within 2 years. We propose this rule largely as a matter of reality and fairness.

The new law retains in ORC 4732.10 (B)(4)(b) the "non-U.S, non-Canadian" degree pathway, which has the academic degree requirements addressed in OAC 4732-9-01.2, where we also left the reference to 4732-9-01 (H) as the appropriate rule governing the training and experience requirements for that group of applicants.

In 4732.10 (B)(4)(c) is a new law typically referred to as a "Senior Psychologist" provision, which is addressed in the final section of the new proposed 4732-9-01 in (J). The new law is intended to allow experienced psychologists to be license eligible in Ohio even if they do not meet all of the requirements for licensure in place for new graduates and psychologists with less than 10 years of experience. The rules under (J), again, were the product of the statewide rules committee, and set forth proposed requirements for those seeking licensure under this section of law.

The new law at ORC 4732.10 (B)(4)(d) is the "grandfather" law that gave students until June 2, 2009 ("60 days after the effective date of this bill") to be enrolled in a regionally accredited institution and to earn a non-accredited/non-designated doctoral degree in psychology within 8 years.

In the new law, ORC 4732.10 includes (B)(5), which contains a new requirement for 2 years of supervised experience, at least one of which must be a pre-doctoral internship. This therefore allows that pre-internship and/or post-internship supervised experience hours may be accrued toward the 3,600 hour requirement either pre-doctoral or post-doctoral, or through a combination. This replaces the old law which held that one of the two years must be post-doctoral.

Please note that because the "degree deemed equivalent" language was retained (appropriately, so that students could complete degrees with adequate forewarning) at the end of ORC 4732.10 (B) (4) (d), large sections of this rule remain unchanged and must remain unaltered in order to "clear out" the final "equivalent degree" applications (ending May 1, 2010 pursuant to 4732-9-01.1) from persons seeking a review of his or her application for a determination as to whether they have a doctoral degree deemed equivalent to a doctorate in psychology or school psychology. Those sections [4732-9-01 (A) through (G)] relate to whether the degree is to be deemed equivalent to a doctorate in psychology OR school psychology AND whether the degree was completed pre-1982 or post-1982, and also contains two sections related to a degree-granting program that holds "candidate for institutional accreditation" status when the degree was awarded. This narrative is intended to explain why there are so many lengthy and similar-appearing rules being retained. These will be candidates for deletion shortly after May 1, 2010, when their utility will be gone.

After (G) comes (H), which is the current supervised experience rule, and which is being retained in order to have a series of training requirements for those: 1) being grandparented for the next 8 years under the "old law" pursuant to ORC 4732.10 (B)(4)(d); and, 2) for those with a degree earned outside of the U.S. or Canada in perpetuity (these groups will continue to require a post-doc year of supervised experience and we cannot change that because, by definition, a degree from an institution outside of the U.S. or Canada cannot meet the new requirements under ORC 4732.10 (B) (4) (i) through (iv). So, (H) still stands for the grandparented applicants for almost 8 more years and for non-US, non-Canadian degree applicants

for the future.

The primary rule amendments recommended by the statewide rules committee, after 30 hours of in-meeting time over the course of 9 months, and approved by the unanimous vote of the board of Psychology, are contained in (I).

First, please note that the first (and only) sentence of the "old" (I) is proposed to be stricken because it was judged to be related to the original grand-parenting process that ended in 1977, five (5) years after the Board was constituted. The stricken text essentially states that you cannot have practiced psychology without a license and get credit for it toward the supervised experience requirements. Not only was it there for the grand-parenting process, but it is simply redundant, because numerous supervision rules and Rules of Professional Conduct already prohibit that. Therefore, (I) is now proposed to be reserved explicitly for the new proposed rules to implement Am HB503 relative to the supervised experience requirements.

The proposed 4732-9-01 (I) can be summarized as containing the specific requirements for a given psychological training experience to be deemed to fulfill the requirements of division (B)(5) of ORC 4732.10.

First, paragraph (I)(1) represents the consensus of the Rules Committee and the full Board as it relates to the requirements for the pre-doctoral internship. Under (a) and (b), respectively, internships are acceptable if holding certain status/recognition by APA or the association of psychology internship and postdoctoral centers (APPIC), or, in (b), if the experience meets the requirements listed for internships not covered under (a). The requirements in (I)(1)(b) were written after considerable Rules Committee research and are based on the membership criteria for internship training sites that belong to APPIC, with some modifications to allow for training experiences to be developed by Ohio psychologists to meet the needs of certain interns.

Second, in paragraph (I)(2) are the proposed amendments to implement Am HB503 which relate specifically to the non-internship training, which can be met through full-time or part-time training experiences which occur BEFORE the internship during the doctoral program (practicum or field placements), AFTER the internship but prior to graduation (e.g., while the student is completing the dissertation), or AFTER the degree is conferred (these would represent post-doctoral placements, which although not required by the new law, are still acceptable and will be required by many students who do not get the 3,600 hours completed by the end of the internship. Accredited post-docs would be automatically acceptable based on the proposed (I)(2)(a), as would be experiences that mirror the internship requirements [(I)(2)(b)], as would a series of doctoral program training placements [(I)(2)(c)]. Finally, in (I)(2)(d) it is proposed that persons not accumulating the required 3,600 hours must complete one or more post-internship experiences with their own requirements listed as (d) (i) through (x).

Please note that all of the 'ratios' of supervision time to 'placement' time detailed above, in addition to the need for didactic activities and a certain number of face-to-face client hours were agreed to by the Rules Committee (and then the full Board) based on benchmarks from a number of professional groups, including APA and APPIC.

Finally, the 'Senior Psychologist' statute in ORC 4732.10 (B)(4)(c) has proposed rules to implement the new law in (J) (1) through (6).

8. If the rule incorporates a text or other material by reference and the agency claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

*This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.*

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

*This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.*

10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation of why filing the text or other material was infeasible:

*Not Applicable.*

11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so:

*Not Applicable.*

12. 119.032 Rule Review Date: **10/23/2009**

(If the rule is not exempt and you answered NO to question No. 1, provide the scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

NOTE: If the rule is not exempt at the time of final filing, two dates are required: the current review date plus a date not to exceed 5 years from the effective date for Amended rules or a date not to exceed 5 years from the review date for No Change rules.

**FISCAL ANALYSIS**

13. Estimate the total amount by which *this proposed rule* would **increase / decrease** either **revenues / expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will have no impact on revenues or expenditures.

0

Not Applicable

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

Not Applicable

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

Not Applicable

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **No**