

STATEMENT OF SCOPE

PSYCHOLOGY EXAMINING BOARD

Rule No.: Psy 4

Relating to: Renewal and reinstatement of licenses

Rule Type: Emergency and Permanent

1. Finding/nature of emergency (Emergency Rule only):

The Psychology Board has concluded that preservation of health, safety, or welfare necessitates placing a rule into effect prior to the time it could be effective if the agency were to comply with rule making procedures. The emergency rule is required to correct a drafting error in CR 19-117 reducing the number of continuing education hours for late licensure renewal from 40 hours to 30 hours. The intent of the Psychology Board was to maintain the current 40 hour continuing education requirement whether the licensee renews at the proper time or if they renew late. CR 19-117 will go into effect on January 1, 2021. The result if this emergency rule does not go into effect is that those licensees who report on time will be penalized by having to report 10 continuing education hours more than those who are tardy. This will create an inequity in the rule and confusion among licensees. Pursuant to s. 440.08 (2) (a) 64., Stats., the next license renewal date for psychologists is October 1, 2021.

2. Detailed description of the objective of the proposed rule:

The objective of the emergency and permanent rule is to correct a drafting error in Psy 4 in CR 19-117, relating to renewal and reinstatement of licenses. CR 19-117 erroneously reduces the number of continuing education hours for late licensure renewal from 40 hours to 30 hours. The result is that licensees who renew their licenses late must report only 30 continuing education credits. Those who renew at the proper time must report 40 continuing education hours. The proposed rule will correct the error and restore equity between those who renew in a timely fashion and those who renew late.

3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

The emergency and permanent rule will correct a drafting error made in CR 19-117 ensuring accuracy and consistency in the Psychology Board administrative rules.

4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):

15.08 (5) (b) Each examining board shall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains, and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession.

440.08 (3) (b) The department or the interested examining board or affiliated credentialing board, as appropriate, may promulgate rules requiring the holder of a credential who fails to renew the credential within 5 years after its renewal date to complete requirements in order to restore the credential, in addition to the applicable requirements for renewal established under chs. 440 to 480, that the department, examining board or affiliated credentialing board determines are necessary to protect the public health, Rev. 3/6/2012

safety or welfare. The rules may not require the holder to complete educational requirements or pass examinations that are more extensive than the educational or examination requirements that must be completed in order to obtain an initial credential from the department, the examining board or the affiliated credentialing board.

5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule :

80 hours

6. List with description of all entities that may be affected by the proposed rule :

Psychologists renewing their license after the statutory deadline.

7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule :

None.

8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):

None. Any economic impact would have been reflected under CR 19-117.

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