

Report From Agency

**STATE OF WISCONSIN
PSYCHOLOGY EXAMINING BOARD**

**IN THE MATTER OF RULEMAKING :
PROCEEDINGS BEFORE THE : REPORT TO THE LEGISLATURE
PSYCHOLOGY EXAMINING BOARD : CR 13-103**

I. THE PROPOSED RULE:

The proposed rule, including the analysis and text, is attached.

II. REFERENCE TO APPLICABLE FORMS:

None

III. FISCAL ESTIMATE AND EIA:

The Fiscal Estimate and EIA is attached.

IV. DETAILED STATEMENT EXPLAINING THE BASIS AND PURPOSE OF THE PROPOSED RULE, INCLUDING HOW THE PROPOSED RULE ADVANCES RELEVANT STATUTORY GOALS OR PURPOSES:

The purpose of the rule is to clarify and update the continuing education requirements to provide licensees with more continuing education opportunities. In addition, specific topic areas of continuing education are addressed by rule as required by statute.

V. SUMMARY OF PUBLIC COMMENTS AND THE BOARD'S RESPONSES, EXPLANATION OF MODIFICATIONS TO PROPOSED RULES PROMPTED BY PUBLIC COMMENTS:

The Psychology Examining Board held a public hearing on January 15, 2014. The following people either testified at the hearing, or submitted written comments:

Sarah Bowen representing the Wisconsin Psychological Association
Bruce Erdmann

The Psychology Examining Board summarizes the comments received either by hearing testimony or by written submission as follows:

The Wisconsin Psychological Association in general strongly supports the proposed changes, but had some questions about some of the features. A concern was raised regarding the weighting of continuing education activities which are less formalized and more easily abused.

Bruce Erdmann requested several changes based upon the Association of State and Provincial Psychology Boards' Guidelines for Continuing Professional Education. Recommended changes included peer consultation as continuing education; approved providers not included in draft rule; a limitation on self-directed/distance learning; providing supervision as continuing education; and various specified attestation forms for evidence of continuing education activities.

The Psychology Examining Board explains modifications to its rule-making proposal prompted by public comments as follows:

As the Board was discussing making modifications to the rule-making proposal prompted by the public comments, it was determined that the changes were substantial. A decision was made to work on the rule during the next few board meetings and then hold another public hearing.

The Psychology Examining Board held a second public hearing on August 27, 2014. The following people either testified at the hearing, or submitted written comments:

Sarah Bowen representing the Wisconsin Psychological Association (WPA)

The Psychology Examining Board summarizes the comments received either by hearing testimony or by written submission as follows:

The Wisconsin Psychological Association strongly supports the current draft. Highlights which the WPA believes are important improvements are the following: the expansion of the definition of "trainee"; expansion of recognized continuing education providers; increased scope of activities for earning continuing education; and the revised credit weighting of continuing education activities. The WPA believes the proposed revisions represent a valuable improvement to the current continuing education rules. The WPA does want to make it clear that their support is offered despite the fact that implementation of the rules may pose some serious challenges to their own organization's viability as a provider of continuing education. They are committed to doing so in recognition of the broader needs of the state's psychologists, the ongoing development of the profession of psychology and, ultimately, the protection of consumers of psychological services in the state.

The Psychology Examining Board explains modifications to its rule-making proposal prompted by public comments as follows:

The Board did not make any modifications prompted by public comments at the August 27, 2014 public hearing.

VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:

The Legislative Council staff recommendations are from the first version of the rule presented to the Clearinghouse. The vast majority of these comments was either accepted in whole or is no longer relevant due to revisions to the rule draft.

Prior to the second public hearing, the Board resubmitted the draft to the Clearinghouse for an informal report. The changes recommended by Legislative Council staff after that review have been accepted in whole with the exception of the following:

Comment: In Psy 4.025(3), remove the word “Wisconsin”.

Response: The Board believes the word “Wisconsin” provides necessary clarity. A licensee could be confused between initial licensure in Wisconsin and initial license obtained earlier in a different state.

VII. REPORT FROM THE SBRRB AND FINAL REGULATORY FLEXIBILITY ANALYSIS:

None. This rule will not affect small businesses.