

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 21 - 080**

I. THE PROPOSED RULE:

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

II. REFERENCE TO APPLICABLE FORMS:

N/A

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 Psychology Examining Board is updating the rules governing the practice of psychology based upon passage of 2021 Wisconsin Act 22. Act 22 creates requirements for a new interim psychologist license, modifies the conditions for the supervised psychological experience requirement, and clarifies the terms of the temporary practice for out of state providers. This revision also includes a comprehensive review that updates and creates several definitions to chapter Psy 1 in order to comply with current standards of practice, and implements the reciprocal credential requirements for service members, former service members, and their spouses in accordance with 2019 Wisconsin Act 143.

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 November 17, 2021. We received public comments from Dr. Bruce Erdmann, representing the Wisconsin Psychological Association (WPA). The following is a summary of the comments received by hearing testimony and written submission:

- In Psy 2.01 (3) (a) and (b), and Psy 2.012 (c) (1), recommend naming the specific organizations here. Since the American Psychological Association is the only

current accrediting organization in the US, specifying it could be helpful. Adding the Canadian Psychological Association would be an option.

- In Psy 2.012 (d), suggest the internship should meet the standards of the Association of Psychology Postdoctoral and Internship Centers (APPIC), and should be listed in their directory.
- In Psy 2.10 (1) (a) and (b), strongly recommend to amend that all 1,500 hours be supervised by a licensed psychologist who meets the qualifications of a supervisor specified in 2.10 (5) and (6).
- In Psy 4.025, recommend adopting s. 440.09 (3) (a) as the rule for non-interim licenses since it would add consistency and reduce confusion in the renewal process.

The Psychology Examining Board made the following changes prompted by public comments:

- Psy 2.01 (3) (a) and (b), and Psy 2.012 (c) (1) was modified to list the American Psychological Association, Canadian Psychological Association, and any other organization approved by the examining board.

The Psychology Examining Board did not make modifications for the reasons below:

- Psy 2.012 (d): The Psychology Examining Board disagreed with following APPIC standards because many psychologists complete internship in non-APPIC listed sites and adopting their standards would systematically exclude them from licensure.
- Psy 2.10 (1) (a) and (b): The Psychology Examining Board disagrees with the necessity for interim licensee supervisor requirements.
- Psy 4.025: The Psychology Examining Board recognizes a need for consistency and clarity, however, acknowledges that the change recommended by WPA would require statutory change.

VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:

Clearinghouse comment 5b: The definition of “day” created in s. Psy 2.14 (1) is confusing, and could be read to mean that distinct parts of a day in which psychological services are rendered count as multiple days for the purposes of s. Psy 2.14, even though those distinct parts took place during a single calendar day. Consider retaining the current definition of “working days”.

Response: The Psychology Examining Board amended the rule proposal to include a reference to the definition of “day” in s. 455.03 (1) (a), Stats.

All of the remaining recommendations suggested in the Clearinghouse Report have been accepted in whole.

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