

**CERTIFICATE**

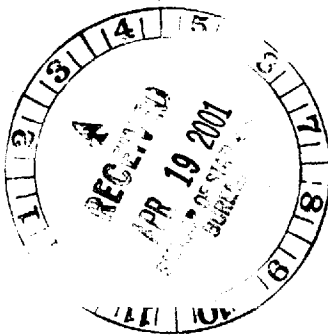
**STATE OF WISCONSIN  
DEPARTMENT OF REGULATION AND LICENSING**

**TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:**

***I, Kimberly Nania, Director, Bureau of Health Service Professions in the Wisconsin Department of Regulation and Licensing and custodian of the official records of the Psychology Examining Board, do hereby certify that the annexed rules were duly approved and adopted by the Psychology Examining Board on the 17<sup>th</sup> day of April, 2001.***

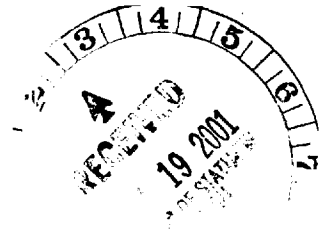
***I further certify that said copy has been compared by me with the original on file in this office and that the same is a true copy thereof, and of the whole of such original.***

***IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the board at 1400 East Washington Avenue, Madison, Wisconsin this 17<sup>th</sup> day of April, 2001.***



***Kimberly Nania, Director, Bureau of Health Service Professions, Department of Regulation and Licensing***

STATE OF WISCONSIN  
PSYCHOLOGY EXAMINING BOARD



-----  
IN THE MATTER OF RULE-MAKING : ORDER OF THE  
PROCEEDINGS BEFORE THE : PSYCHOLOGY EXAMINING BOARD  
PSYCHOLOGY EXAMINING BOARD : ADOPTING RULES  
: (CLEARINGHOUSE RULE 00-170)  
-----

ORDER

An order of the Psychology Examining Board to repeal Psy 4.02 (4) (b) and to create Psy 2.14, relating to continuing education and temporary practice.

Analysis prepared by the Department of Regulation and Licensing.

-----  
ANALYSIS

Statutes authorizing promulgation: ss. 15.08 (5) (b), 227.11 (2) and 455.08, Stats.

Statutes interpreted: ss. 455.03 and 455.065, Stats.

There has been confusion in the past related to the temporary practice provision of the psychological practice act, with persons practicing under the provision seeking to clarify whether "60 working days" means 480 hours or 60 calendar days. Also causing confusion is the situation where an out-of-state psychologist provides some services to a patient at a time when both are located within this state and some services to that patient when the patient is located in Wisconsin and the psychologist is located in his or her state of licensure. The proposed rule would make it clear both that "working day" means calendar day, and that the psychologist would be considered to be practicing in Wisconsin any time that the patient is located in this state.

Under s. 455.03, Stats., a psychologist who is licensed in another state may offer services as a psychologist in this state for not more than 60 working days in any year without holding a Wisconsin license. The objective of the rule would be to clarify that a "working day" is any day in which any psychological services are provided, regardless of the number of hours in that day that practice occurs. The rule would also make it clear that practice occurs in Wisconsin any time that the patient is located in Wisconsin, even if the out-of-state psychologist is located in his or her state of licensure and is providing the services by electronic or telephonic means.

Clearinghouse Rule 98-206 repealed and recreated the continuing education rules for purposes of simplification and the convenience of licensees. The previous rules establishing the requirements for approval of continuing education had evolved in a somewhat disorganized manner and were confusing to licensees and difficult for the board to administer. The board repealed and recreated the rule to remedy that situation by clarifying and simplifying the approval process. Due to a clerical oversight, s. Psy 4.02 (4) (a) was repealed, but s. Psy 4.02 (4) (b) remained in place. The objective of this rule is to correct that oversight.

---

TEXT OF RULE

SECTION 1. Psy 2.14 is created to read:

**Psy 2.14 Temporary practice.** The following apply to the temporary practice of psychology by a psychologist who is licensed or certified by a similar examining board of another state or territory of the United States or of a foreign country or province who offers services as a psychologist in this state under s. 455.03, Stats.

(1) Any portion of a calendar day in which the psychologist provides services in this state is considered one working day.

(2) A psychologist provides psychological services in this state whenever the patient or client is located in this state, regardless of whether the psychologist is temporarily located in this state or is providing services by electronic or telephonic means from the state where the psychologist is licensed.

SECTION 2. Psy 4.02 (4) (b) is repealed.


---

(END OF TEXT OF RULE)

---

The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin administrative register, pursuant to s. 227.22 (2) (intro.), Stats.

Dated 4/17/01

Agency   
Chairperson  
Psychology Examining Board

g:\rules\psy8.doc  
4/2/01



State of Wisconsin  
DEPARTMENT OF REGULATION AND LICENSING  
CORRESPONDENCE/MEMORANDUM

**DATE:** April 19, 2001  
**TO:** Gary Poulson  
Assistant Revisor of Statutes  
**FROM:** Pamela A. Haack, Paralegal  
Department of Regulation and Licensing  
Office of Administrative Rules  
**SUBJECT:** Final Order Adopting Rules



**Agency: Psychology Examining Board**

**Clearinghouse Rule 00-170**

Attached is a copy and a certified copy of a final order adopting rules relating to continuing education and temporary practice.

Please stamp or sign a copy of this letter to acknowledge receipt.

Thank you.