



State of Wisconsin  
2021 - 2022 LEGISLATURE

LRB-1868/1  
JPC:wlj

## 2021 SENATE BILL 77

February 5, 2021 - Introduced by Senators STAFSHOLT, BERNIER, DARLING, NASS and LARSON, cosponsored by Representatives TITTL, KITCHENS, ARMSTRONG, BORN, CABRAL-GUEVARA, DITTRICH, JAGLER, KERKMAN, MOSES, MURPHY, NEYLON, ROZAR, SKOWRONSKI, SNYDER, SWEARINGEN, TRANEL and VANDERMEER. Referred to Committee on Insurance, Licensing and Forestry.

1     **AN ACT** *to repeal* 455.01 (4), 455.01 (7), 455.02 (2m) (h), 455.02 (3m) (title),  
2           455.045 (2), 455.065 (3), 455.07, 455.08 and 455.10; *to renumber and amend*  
3           455.02 (1m) and 455.02 (3m); *to amend* 15.405 (10m), 48.375 (2) (c), 48.375 (4)  
4           (b) 1m., 49.45 (30f), 50.06 (4), 51.30 (1) (b), 54.01 (27), 155.01 (1g) (a), 440.08 (2)  
5           (a) (intro.), 440.88 (3m), 455.01 (3m), 455.02 (1m) (title), 455.02 (2m) (d), 455.02  
6           (2m) (m), 455.03, 455.04 (title), 455.04 (1) (intro.), 455.04 (1) (b), 455.04 (1) (c),  
7           455.04 (1) (e), 455.04 (3), 455.04 (5), 455.045 (1), 455.065 (1), 455.065 (4),  
8           455.065 (5), 455.09 (3) and 905.04 (1) (e); *to repeal and recreate* 455.01 (5),  
9           455.01 (6), 455.02 (2m) (f), 455.02 (2m) (k), 455.04 (1) (d), 455.04 (4), 455.045 (3),  
10          455.06 and 455.09 (title); and *to create* 455.02 (2m) (o) to (s), 455.025, 455.04  
11          (2) and 455.065 (6) and (7) of the statutes; **relating to:** the practice of  
12          psychology, extending the time limit for emergency rule procedures, providing

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1 an exemption from emergency rule procedures, granting rule-making  
2 authority, and requiring the exercise of rule-making authority.

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***Analysis by the Legislative Reference Bureau***

Under current law, no person may engage in the practice of psychology without being licensed as a psychologist by the Psychology Examining Board. This bill makes various revisions to the laws governing the examining board and the practice of psychology. Significant changes are described as follows:

***Psychology Examining Board; composition***

Under current law, the examining board is required to be composed of six members, including four licensed psychologists and two public members. Current law requires that each psychologist member represent a different specialty area within the field of psychology. The bill eliminates the requirement that each psychologist member represent a different specialty area within the field of psychology and instead requires that the governor, to the extent possible, nominate to the examining board psychologists who represent different specialty areas within the field of psychology.

***Private practice school psychologists***

Under current law, no person may engage in the private practice of school psychology without a private practice school psychologist license. The bill allows private practice school psychologists who are licensed under current law to continue to renew their licenses and engage in the private practice of school psychology. However, the bill otherwise discontinues the licensure of private practice school psychologists. The bill continues to allow a person to work as a school psychologist in school settings without a license issued by the examining board if the person receives a school psychologist license from the Department of Public Instruction.

***Psychology; scope of practice and licensure requirements***

The bill revises the definition of the “practice of psychology,” revises various provisions that exempt certain types of individuals from the licensure requirement, and adds a number of additional exemptions.

The bill revises the licensure requirements that must be satisfied in order to be granted a psychologist license by the examining board. The changes include specifying the required hours of supervised experience and eliminating a prohibition on the examining board from promulgating rules to require an internship.

The bill eliminates the ability of the examining board to deny a license on the basis of an applicant’s arrest record.

***Interim license***

The bill requires the examining board to issue an interim license to an applicant who satisfies all of the requirements for a psychologist license other than the postdoctoral supervised experience requirement and the required written examination on the professional practice of psychology. An interim license is valid for two years or until the individual obtains a permanent license, subject to a

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hardship exemption prescribed by the examining board by rule that could allow renewals beyond two years.

***Continuing education***

The bill allows the examining board to establish criteria that would allow psychologists to substitute hours of professional activities to meet continuing education requirements. The bill also requires the examining board to grant exemptions from continuing education requirements on the grounds of prolonged illness or disability, or other grounds that constitute extreme hardship, and on the grounds of permanent retirement from the practice of psychology.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

1           **SECTION 1.** 15.405 (10m) of the statutes is amended to read:

2           15.405 (10m) PSYCHOLOGY EXAMINING BOARD. There is created in the  
3 department of safety and professional services a psychology examining board  
4 consisting of 6 members appointed for staggered 4-year terms. Four of the members  
5 shall be psychologists licensed in this state. ~~Each of the psychologist members shall~~  
6 ~~represent a different specialty area within the field of psychology.~~ Two members  
7 shall be public members. The governor shall, to the extent possible, nominate to the  
8 examining board psychologists who represent different specialty areas within the  
9 field of psychology.

10           **SECTION 2.** 48.375 (2) (c) of the statutes is amended to read:

11           48.375 (2) (c) “Counselor” means a physician including a physician specializing  
12 in psychiatry, a licensed psychologist, ~~as defined in s. 455.01 (4)~~ licensed under s.  
13 455.04 (1) or (2), or an ordained member of the clergy. “Counselor” does not include  
14 any person who is employed by or otherwise affiliated with a reproductive health  
15 care facility, a family planning clinic, or a family planning agency; any person  
16 affiliated with the performance of abortions, except abortions performed to save the

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1 life of the mother; or any person who may profit from giving advice to seek an  
2 abortion.

3 **SECTION 3.** 48.375 (4) (b) 1m. of the statutes is amended to read:

4 48.375 (4) (b) 1m. A physician who specializes in psychiatry or a licensed  
5 psychologist, ~~as defined in s. 455.01 (4),~~ licensed under s. 455.04 (1) or (2) states in  
6 writing that the physician or psychologist believes, to the best of his or her  
7 professional judgment based on the facts of the case before him or her, that the minor  
8 is likely to commit suicide rather than file a petition under s. 48.257 or approach her  
9 parent, or guardian or legal custodian, if one has been appointed, or an adult family  
10 member of the minor, or one of the minor's foster parents, if the minor has been placed  
11 in a foster home and the minor's parent has signed a waiver granting the  
12 department, a county department, or the foster parent the authority to consent to  
13 medical services or treatment on behalf of the minor, for consent.

14 **SECTION 4.** 49.45 (30f) of the statutes is amended to read:

15 49.45 (30f) PSYCHOTHERAPY AND ALCOHOL AND OTHER DRUG ABUSE SERVICES. The  
16 department shall include licensed mental health professionals, as defined in s.  
17 632.89 (1) (dm), and licensed psychologists, ~~as defined in s. 455.01 (4)~~ licensed under  
18 s. 455.04 (1) or (2), as providers of psychotherapy and of alcohol and other drug abuse  
19 services. Except for services provided under sub. (30e), the department may not  
20 require that licensed mental health professionals or licensed psychologists be  
21 supervised; may not require that clinical psychotherapy or alcohol and other drug  
22 abuse services be provided under a certified program; and, notwithstanding subs. (9)  
23 and (9m), may not require that a physician or other health care provider first  
24 prescribe psychotherapy or alcohol and other drug abuse services to be provided by  
25 a licensed mental health professional or licensed psychologist before the professional

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1 or psychologist may provide the services to the recipient. This subsection does not  
2 affect the department's powers under ch. 50 or 51 to establish requirements for  
3 facilities that are licensed, certified, or operated by the department.

4 **SECTION 5.** 50.06 (4) of the statutes is amended to read:

5 50.06 (4) A determination that an individual is incapacitated for purposes of  
6 sub. (2) shall be made by 2 physicians, as defined in s. 448.01 (5), or by one physician  
7 and one licensed psychologist, ~~as defined in s. 455.01 (4)~~ licensed under s. 455.04 (1)  
8 or (2), who personally examine the individual and sign a statement specifying that  
9 the individual is incapacitated. Mere old age, eccentricity, or physical disability,  
10 either singly or together, are insufficient to make a finding that an individual is  
11 incapacitated. Neither of the individuals who make a finding that an individual is  
12 incapacitated may be a relative, as defined in s. 242.01 (11), of the individual or have  
13 knowledge that he or she is entitled to or has a claim on any portion of the individual's  
14 estate. A copy of the statement shall be included in the individual's records in the  
15 facility to which he or she is admitted.

16 **SECTION 6.** 51.30 (1) (b) of the statutes is amended to read:

17 51.30 (1) (b) "Treatment records" include the registration and all other records  
18 that are created in the course of providing services to individuals for mental illness,  
19 developmental disabilities, alcoholism, or drug dependence and that are maintained  
20 by the department; by county departments under s. 51.42 or 51.437 and their staffs;  
21 by treatment facilities; or by psychologists licensed under s. 455.04 (1) or (2) or  
22 licensed mental health professionals who are not affiliated with a county department  
23 or treatment facility. Treatment records do not include notes or records maintained  
24 for personal use by an individual providing treatment services for the department,

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1 a county department under s. 51.42 or 51.437, or a treatment facility, if the notes or  
2 records are not available to others.

3 **SECTION 7.** 54.01 (27) of the statutes is amended to read:

4 54.01 (27) "Psychologist" means a licensed psychologist, ~~as defined in s. 455.01~~  
5 ~~(4) licensed under s. 455.04 (1) or (2).~~

6 **SECTION 8.** 155.01 (1g) (a) of the statutes is amended to read:

7 155.01 (1g) (a) A licensed psychologist, ~~as defined in s. 455.01 (4) licensed~~  
8 ~~under s. 455.04 (1) or (2).~~

9 **SECTION 9.** 440.08 (2) (a) (intro.) of the statutes is amended to read:

10 440.08 (2) (a) (intro.) Except as provided in par. (b) and in ss. 440.51, 442.04,  
11 444.03, 444.11, 447.04 (2) (c) 2., 449.17 (1m) (d), 449.18 (2) (e), 455.06 (1) (b), 463.10,  
12 463.12, and 463.25 and subch. II of ch. 448, the renewal dates for credentials are as  
13 follows:

14 **SECTION 10.** 440.88 (3m) of the statutes is amended to read:

15 440.88 (3m) EXCEPTION. This section does not apply to a physician, as defined  
16 in s. 448.01 (5), a clinical social worker, as defined in s. 457.01 (1r), a licensed  
17 psychologist, ~~as defined in s. 455.01 (4) licensed under s. 455.04 (1) or (2)~~, a marriage  
18 and family therapist, as defined in s. 457.01 (3), or a professional counselor, as  
19 defined in s. 457.01 (7), who practices as a substance abuse clinical supervisor or  
20 provides substance abuse counseling, treatment, or prevention services within the  
21 scope of his or her licensure.

22 **SECTION 11.** 455.01 (3m) of the statutes is amended to read:

23 455.01 (3m) "Fee" "Fee," when used other than in reference to a fee for a  
24 credential, means direct or indirect payment or compensation, monetary or

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1 otherwise, including the expectation of payment or compensation whether or not  
2 actually received.

3 **SECTION 12.** 455.01 (4) of the statutes is repealed.

4 **SECTION 13.** 455.01 (5) of the statutes is repealed and recreated to read:

5 455.01 (5) (a) "Practice of psychology" means the observation, description,  
6 evaluation, interpretation, prediction, or modification of human behavior by the  
7 application of psychological principles, methods, or procedures for any of the  
8 following purposes, in exchange for a fee:

9 1. Preventing, eliminating, evaluating, assessing, or predicting symptomatic,  
10 maladaptive, or undesired behavior and promoting adaptive health maintaining  
11 behavior or psychological functioning.

12 2. Assisting in legal decision-making.

13 (b) "Practice of psychology" includes all of the following if done in exchange for  
14 a fee:

15 1. Psychological testing and the evaluation or assessment of a person's  
16 characteristics, including intelligence; personality; cognitive, physical, or emotional  
17 abilities; skills; interests; aptitudes; or neuropsychological functioning.

18 2. Counseling, consultation, psychoanalysis, psychotherapy, hypnosis,  
19 biofeedback, behavior therapy, and applied behavior analysis.

20 3. The diagnosis, treatment, or management of mental and emotional disorders  
21 or disabilities, substance use disorders, disorders of habit or conduct, and the  
22 psychological aspects of physical illnesses, accidents, injuries, or disabilities.

23 4. Psychoeducational evaluation, therapy, or remediation.

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1           5. Consultation with other psychologists, physicians, or other health care  
2 professionals and with a patient regarding all available treatment options with  
3 respect to the provision of care for a specific patient or client.

4           6. The supervision of anything specified in subds. 1. to 5.

5           **SECTION 14.** 455.01 (6) of the statutes is repealed and recreated to read:

6           455.01 (6) "Psychotherapy" means the diagnosis and treatment of mental,  
7 emotional, or behavioral disorders, conditions, or addictions through the application  
8 of methods derived from established psychological or systemic principles, including  
9 for the purpose of assisting individuals with modifying their behaviors, cognitions,  
10 emotions, or personality characteristics, or for the purpose of understanding  
11 unconscious processes or intrapersonal, interpersonal, or psychosocial dynamics.

12           **SECTION 15.** 455.01 (7) of the statutes is repealed.

13           **SECTION 16.** 455.02 (1m) (title) of the statutes is amended to read:

14           455.02 (1m) (title) LICENSE REQUIRED TO PRACTICE.

15           **SECTION 17.** 455.02 (1m) of the statutes is renumbered 455.02 (1m) (a) and  
16 amended to read:

17           455.02 (1m) (a) Except as provided in ~~s. sub. (2m) and ss. 257.03 and 455.03,~~  
18 no person may engage in the practice of psychology ~~or the private practice of school~~  
19 ~~psychology,~~ or attempt to do so or make a representation as authorized to do so,  
20 without a license issued by the examining board.

21           **SECTION 18.** 455.02 (2m) (d) of the statutes is amended to read:

22           455.02 (2m) (d) A person employed in a position as a psychologist or  
23 psychological assistant by an a regionally accredited college, junior college or  
24 ~~university or other academic or research~~ higher educational institution, if the person  
25 is performing activities that are a part of the duties for which he or she is employed,



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1 is performing those activities solely within the confines of or under the jurisdictions  
2 of the institution in which he or she is employed, and does not render or offer to  
3 render psychological services to the public for a fee over and above the salary that  
4 he or she receives for the performance of the official duties with the institution with  
5 which he or she is employed. An individual acting under this paragraph may,  
6 ~~without obtaining a license under s. 455.04 (1) or (4), disseminate research findings~~  
7 ~~and scientific information to others, such as accredited academic institutions or~~  
8 ~~governmental agencies, or may offer lecture services for a fee. teach the practice of~~  
9 ~~psychology, conduct psychological research, present lectures on the practice of~~  
10 ~~psychology, perform any consultation required by his or her academic or research~~  
11 ~~functions, or provide expert testimony in court related to his or her field of expertise.~~  
12 ~~A person employed in a position under this paragraph may utilize or represent~~  
13 ~~himself or herself by the academic or research title conferred upon him or her by the~~  
14 ~~administration of the laboratory, school, college, or university or use the title~~  
15 ~~“psychology professor” or “academic psychologist.”~~

16 **SECTION 19.** 455.02 (2m) (f) of the statutes is repealed and recreated to read:

17 455.02 **(2m)** (f) A person providing psychological services as part of a  
18 psychology training program, if his or her activities and services constitute a part of  
19 the supervised course of study and are performed under the supervision of a  
20 psychologist licensed under this chapter and the person does not provide or offer to  
21 provide psychological services to the public for a fee over and above the salary that  
22 he or she may receive for the performance of the official duties with the employing  
23 agency or organization. A person providing services under this paragraph may use  
24 the title “psychology student,” “psychology intern,” or “psychology resident.”

25 **SECTION 20.** 455.02 (2m) (h) of the statutes is repealed.

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1           **SECTION 21.** 455.02 (2m) (k) of the statutes is repealed and recreated to read:

2           455.02 **(2m)** (k) A person whose activities are limited to educational or  
3 vocational counseling or testing that is performed in a human resources, personnel,  
4 or educational setting.

5           **SECTION 22.** 455.02 (2m) (m) of the statutes is amended to read:

6           455.02 **(2m)** (m) A person providing psychological services as an employee of  
7 a federal, ~~state or local~~ governmental agency, if the person is providing the  
8 psychological services as a part of the duties for which he or she is employed, is  
9 providing the psychological services solely within the confines of or under the  
10 jurisdiction of the agency by which he or she is employed, and does not provide or offer  
11 to provide psychological services to the public for a fee over and above the salary that  
12 he or she receives for the performance of the official duties with the agency by which  
13 he or she is employed.

14           **SECTION 23.** 455.02 (2m) (o) to (s) of the statutes are created to read:

15           455.02 **(2m)** (o) A person providing psychological services as an employee of a  
16 state or local governmental agency, if the person is providing the psychological  
17 services as a part of the duties for which he or she is employed, is providing the  
18 psychological services solely within the confines of or under the jurisdiction of the  
19 agency by which he or she is employed, does not provide or offer to provide  
20 psychological services to the public for a fee over and above the salary that he or she  
21 receives for the performance of the official duties with the agency by which he or she  
22 is employed, and has received a master's degree in psychology from a regionally  
23 accredited higher educational institution or has fulfilled requirements  
24 commensurate with a master's degree, as determined by the examining board. The  
25 examining board may promulgate rules to further establish requirements for

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1 exemptions under this paragraph for persons who do not hold a master's degree in  
2 psychology. A person providing services under this paragraph may use the title  
3 "psychological associate."

4 (p) A person providing psychological services under the supervision of a  
5 psychologist licensed under this chapter as part of a formal psychology fellowship  
6 program that meets the program standards of an organization as determined by the  
7 examining board. A person providing services under this paragraph may use the  
8 title "psychology fellow."

9 (q) A person whose activities are limited to testifying in a court in this state  
10 regarding services rendered in another state.

11 (r) A person engaging in the private practice of school psychology who holds a  
12 valid private practice school psychologist license issued under s. 455.04 (4), 2019  
13 stats. A person acting under this paragraph may use the title "private practice school  
14 psychologist."

15 (s) A person who holds a doctoral degree in psychology but does not engage in  
16 the practice of psychology. A person described in this paragraph may use the title  
17 "psychologist" or "doctor of psychology."

18 **SECTION 24.** 455.02 (3m) (title) of the statutes is repealed.

19 **SECTION 25.** 455.02 (3m) of the statutes is renumbered 455.02 (1m) (b) and  
20 amended to read:

21 455.02 (1m) (b) Except as provided in ~~s. sub. (2m) and ss. 257.03 and 455.03,~~  
22 only an individual licensed under s. 455.04 (1) or (2) may use the title "psychologist"  
23 or any similar title or state or imply that he or she is licensed to practice psychology,  
24 ~~and only an individual licensed under s. 455.04 (4) may use the title "private practice~~  
25 ~~school psychologist" or any similar title or state or imply that he or she is licensed~~

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1 to engage in the private practice of school psychology. Except as provided in s. sub.  
2 (2m) and ss. 257.03 and 455.03, only an individual licensed under s. 455.04 (1) or (4)  
3 (2) may represent himself or herself to the public by any description of services  
4 incorporating the word “psychological” or “psychology”.”.”

5 **SECTION 26.** 455.025 of the statutes is created to read:

6 **455.025 Practice of medicine and surgery.** Nothing in this chapter shall  
7 be construed to authorize a psychologist to engage in the practice of medicine and  
8 surgery.

9 **SECTION 27.** 455.03 of the statutes is amended to read:

10 **455.03 Temporary practice.** A psychologist who is licensed or certified by  
11 a similar examining board of another state or territory of the United States or of a  
12 foreign country or province whose standards, in the opinion of the examining board,  
13 are equivalent to or higher than the requirements for licensure as a psychologist in  
14 s. 455.04 (1) may ~~offer~~ provide psychological services as a psychologist in this state  
15 ~~for~~ on not more than 60 working days in any year without holding a license issued  
16 under s. 455.04 (1). The psychologist shall report to the examining board the nature  
17 and extent of his or her practice in this state if it exceeds 20 working days within a  
18 year. In this section, “day” means any part of a day during which psychological  
19 services are rendered.

20 **SECTION 28.** 455.04 (title) of the statutes is amended to read:

21 **455.04 (title) Licensure of psychologists and private practice school**  
22 **psychologists.**

23 **SECTION 29.** 455.04 (1) (intro.) of the statutes is amended to read:

24 455.04 (1) (intro.) ~~The department~~ Subject to s. 455.09, the examining board  
25 shall ~~issue~~ grant a psychologist license to an individual who submits an application

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1 for the license to the department on a form provided by the department, pays the fee  
2 specified in s. 440.05 (1) or, if sub. (3) applies, the fee specified in s. 440.05 (2)  
3 determined by the department under s. 440.03 (9), and is found by the examining  
4 board to meet satisfies all of the following requirements:

5 **SECTION 30.** 455.04 (1) (b) of the statutes is amended to read:

6 455.04 (1) (b) Subject to ss. 111.321, 111.322, and 111.335, not have an arrest  
7 or a conviction record.

8 **SECTION 31.** 455.04 (1) (c) of the statutes is amended to read:

9 455.04 (1) (c) Hold a doctoral degree in psychology from a college or university  
10 ~~accredited by a regional accrediting agency approved by the state board of education~~  
11 ~~in the state in which the college or university is located~~ program accredited by an  
12 organization approved by the examining board, or have had other academic training  
13 or specialized experience, which in the opinion of that the examining board is  
14 determines to be substantially equivalent thereto on the basis of standards  
15 established by rule. The examining board may require examinations to determine  
16 the equivalence of such training and experience and may also require examinations  
17 for individuals holding doctoral degrees in psychology from non-American  
18 universities.

19 **SECTION 32.** 455.04 (1) (d) of the statutes is repealed and recreated to read:

20 455.04 (1) (d) Complete at least 3,000 hours of supervised graduate-level  
21 experience in the practice of psychology under conditions satisfactory to the  
22 examining board and established by rule. Supervised hours shall consist of all of the  
23 following:

24 1. At least 1,500 hours of experience in a successfully completed internship,  
25 which shall be accrued after the completion of all doctoral level coursework.

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1           2. At least 1,500 hours of experience consisting of any combination of the  
2 following, as established by the examining board by rule:

3           a. Pre-internship hours that occur after the completion of the first year of the  
4 doctoral program or at any time while in a doctoral program after the completion of  
5 a master's degree in psychology or its equivalent, as defined by the examining board  
6 by rule.

7           b. Hours accrued in the internship described in subd. 1. that are in excess of  
8 the 1,500 hours required under subd. 1.

9           c. Post-internship hours accrued after the completion of the internship under  
10 subd. 1., but before the conferral of the doctoral degree.

11           d. Postdoctoral hours obtained after the conferral of the doctoral degree.

12           **SECTION 33.** 455.04 (1) (e) of the statutes is amended to read:

13           455.04 (1) (e) Pass the examination under s. 455.045 (1) (a). ~~This paragraph~~  
14 ~~does not apply to an applicant who is licensed as a psychologist in another state if~~  
15 ~~the applicant submits proof of completion of continuing educational programs or~~  
16 ~~courses approved under s. 455.065 (4) for the minimum number of hours required in~~  
17 ~~the rules promulgated under s. 455.065 (3).~~

18           **SECTION 34.** 455.04 (2) of the statutes is created to read:

19           455.04 (2) Subject to s. 455.09, the examining board shall grant an interim  
20 psychologist license to an individual who submits an application for the license, pays  
21 the fee specified under s. 440.05 (6), and satisfies the requirements for a license  
22 under sub. (1) (a) to (c), (d) 1., and (f). An individual licensed under this subsection  
23 may provide psychological services only under the supervision of qualified  
24 supervisors, as determined by the examining board.

25           **SECTION 35.** 455.04 (3) of the statutes is amended to read:

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1           455.04 (3) The examining board may waive the requirements of sub. (1) (c) and  
2           (d) ~~to (e) if a candidate holds a diploma of the American board of examiners in~~  
3           ~~professional psychology, or an applicant holds a certificate or license of an examining~~  
4           board of some other state or territory or foreign country or province, if the standards  
5           of such other examining board are deemed by the members of this examining board  
6           to be substantially equivalent to the standards of this state ~~and like reciprocity is~~  
7           ~~extended to holders of licenses issued by this state.~~

8           **SECTION 36.** 455.04 (4) of the statutes is repealed and recreated to read:

9           455.04 (4) An individual who, on the day before the effective date of this  
10          subsection .... [LRB inserts date], held a valid private practice school psychologist  
11          license under s. 455.04 (4), 2019 stats., may continue to renew that license as  
12          provided in s. 455.06. The examining board may not grant any initial private  
13          practice school psychologist license on the basis of an application received on or after  
14          the effective date of this subsection .... [LRB inserts date].

15          **SECTION 37.** 455.04 (5) of the statutes is amended to read:

16          455.04 (5) Applicants for licensure under ~~subs. (1) and (4)~~ this section may be  
17          required to appear before the examining board in person prior to licensure to allow  
18          the examining board to make such inquiry of them as to qualifications and other  
19          matters as it considers proper.

20          **SECTION 38.** 455.045 (1) of the statutes is amended to read:

21          455.045 (1) ~~The examining board shall administer~~ In order to qualify for a  
22          psychologist license under s. 455.04 (1), an applicant must have passed all of the  
23          following examinations for psychologist licensure ~~at least semiannually at times and~~  
24          ~~places determined by the examining board:~~

25          (a) A written examination on the professional practice of psychology.

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1 (b) A written examination ~~in the elements of practice essential to the public~~  
2 ~~health, safety or welfare~~ on state law related to the practice of psychology.

3 **SECTION 39.** 455.045 (2) of the statutes is repealed.

4 **SECTION 40.** 455.045 (3) of the statutes is repealed and recreated to read:

5 455.045 (3) The examining board shall set passing scores for examinations  
6 under sub. (1) (a) or (b). The examining board may adopt passing scores  
7 recommended by test developers.

8 **SECTION 41.** 455.06 of the statutes is repealed and recreated to read:

9 **455.06 Renewals. (1)** (a) Except as provided in par. (b), the renewal dates for  
10 licenses issued under this chapter or under s. 455.04 (4), 2019 stats., are specified  
11 under s. 440.08 (2) (a), and the renewal fee for such licenses is determined by the  
12 department under s. 440.03 (9) (a).

13 (b) A license issued under s. 455.04 (2) is valid for 2 years or until the individual  
14 obtains a license under s. 455.04 (1) and may not be renewed, except that the  
15 examining board may promulgate rules specifying circumstances in which the  
16 examining board, in cases of hardship, may allow an individual to renew a license  
17 issued under s. 455.04 (2). Notwithstanding sub. (2), an individual holding a license  
18 issued under s. 455.04 (2) is not required to complete continuing education.

19 **(2)** An applicant for renewal of a license issued under this chapter or under s.  
20 455.04 (4), 2019 stats., shall include with his or her application proof in the form  
21 specified by the examining board that he or she has completed the hours of  
22 continuing education required under s. 455.065.

23 **SECTION 42.** 455.065 (1) of the statutes is amended to read:

24 455.065 (1) Promulgate rules establishing the minimum number of hours of  
25 continuing education, the topic areas that the continuing education must cover, the



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1 criteria for the approval of continuing education programs and courses required for  
2 renewal of a license, and the criteria for the approval of the sponsors and cosponsors  
3 of those continuing education programs and courses. The examining board may  
4 establish criteria for the substitution of hours of professional activities to meet  
5 continuing education requirements.

6 **SECTION 43.** 455.065 (3) of the statutes is repealed.

7 **SECTION 44.** 455.065 (4) of the statutes is amended to read:

8 455.065 (4) Approve continuing education programs and courses in accordance  
9 with the criteria established under ~~subs. sub. (1) and (3).~~

10 **SECTION 45.** 455.065 (5) of the statutes is amended to read:

11 455.065 (5) Promulgate rules establishing the criteria for the substitution of  
12 uncompensated hours of professional assistance volunteered to the department of  
13 health services for some or all hours of continuing education credits required under  
14 ~~subs. sub. (1) and (3).~~ The eligible substitution hours shall involve professional  
15 evaluation of community programs for the certification and recertification of  
16 community mental health programs, as defined in s. 51.01 (3n), by the department  
17 of health services.

18 **SECTION 46.** 455.065 (6) and (7) of the statutes are created to read:

19 455.065 (6) Grant a postponement of or waiver from the continuing education  
20 requirements under this section on the basis of prolonged illness or disability or on  
21 other grounds constituting extreme hardship. The examining board shall consider  
22 each application individually on its merits, and the examining board may grant a  
23 postponement, partial waiver, or total waiver of the requirement as the examining  
24 board deems appropriate.

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1           (7) Grant an exemption from the continuing education requirements under  
2 this section to a psychologist who certifies to the examining board that he or she has  
3 permanently retired from the practice of psychology. A psychologist who has been  
4 granted an exemption under this subsection may not return to active practice  
5 without submitting evidence satisfactory to the examining board of having  
6 completed the required continuing education credits within the 2-year period prior  
7 to the return to the practice of psychology.

8           **SECTION 47.** 455.07 of the statutes is repealed.

9           **SECTION 48.** 455.08 of the statutes is repealed.

10          **SECTION 49.** 455.09 (title) of the statutes is repealed and recreated to read:

11          **455.09 (title) Disciplinary proceedings and actions.**

12          **SECTION 50.** 455.09 (3) of the statutes is amended to read:

13          455.09 (3) A revoked license may not be renewed. ~~One year from the date of~~  
14 ~~revocation~~ An individual may, no sooner than one year after the date of revocation,  
15 apply for reinstatement of a license under this chapter, ~~application may be made for~~  
16 ~~reinstatement.~~ The examining board may accept or reject an application for  
17 reinstatement. If reinstatement is granted under this subsection, the licensee shall  
18 pay a reinstatement fee in an amount equal to the renewal fee. This subsection does  
19 not apply to a license that is revoked under s. 440.12.

20          **SECTION 51.** 455.10 of the statutes is repealed.

21          **SECTION 52.** 905.04 (1) (e) of the statutes is amended to read:

22          905.04 (1) (e) “Psychologist” means a licensed psychologist, ~~as that term is~~  
23 ~~defined in s. 455.01 (4)~~ licensed under s. 455.04 (1) or (2), or a person reasonably  
24 believed by the patient to be a psychologist.

25          **SECTION 53. Nonstatutory provisions.**

