



GENERAL ASSEMBLY COMMONWEALTH OF KENTUCKY

2010 REGULAR SESSION

HOUSE BILL NO. 488

MONDAY, MARCH 8, 2010

The following bill was reported to the Senate from the House and ordered to be printed.

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TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY R. Allen

AN ACT relating to the Kentucky Board of Examiners of Psychology.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

1 ➔ Section 1. KRS 319.010 is amended to read as follows:

2 As used in this chapter unless the context requires otherwise:

- 3 (1) "Association" means the Kentucky Psychological Association;
- 4 (2) "Board" means the Kentucky Board of Examiners of Psychology;
- 5 (3) "Credential holder" means any person who is regulated by the board;
- 6 (4) "EPPP" means the Examination for Professional Practice in Psychology developed
- 7 by the Association of State and Provincial Psychology Boards;
- 8 (5) "IPC" means the Interjurisdictional Practice Certificate developed by the
- 9 Association of State and Provincial Psychology Boards;
- 10 (6) "License" means the credential issued by the board to a licensed psychologist,
- 11 licensed psychological practitioner, certified psychologist with autonomous
- 12 functioning, certified psychologist, or a licensed psychological associate;
- 13 ~~(7)~~(6) "Practice of psychology" means rendering to individuals, groups,
- 14 organizations, or the public any psychological service involving the application of
- 15 principles, methods, and procedures of understanding, predicting, and influencing
- 16 behavior, such as the principles pertaining to learning, perception, motivation,
- 17 thinking, emotions, and interpersonal relationships; the methods and procedures of
- 18 interviewing, counseling, and psychotherapy; and psychological testing in~~of~~
- 19 constructing, administering, and interpreting tests of mental abilities, aptitudes,
- 20 interests, attitudes, personality characteristics, emotion, and motivation. The
- 21 application of said principles in testing, evaluation, treatment, use of
- 22 psychotherapeutic techniques, and other methods includes, but is not limited to:
- 23 diagnosis, prevention, and amelioration of adjustment problems and emotional,
- 24 mental, nervous, and addictive disorders and mental health conditions of individuals
- 25 and groups; educational and vocational counseling; the evaluation and planning for

1 effective work and learning situations; and the resolution of interpersonal and social
2 conflicts;

3 ~~(8)~~~~(7)~~ "Psychotherapy" means the use of learning, conditioning methods, and
4 emotional reactions, in a professional relationship, to assist a person or persons to
5 modify feelings, attitudes, and behavior which are intellectually, socially, or
6 emotionally maladjustive or ineffectual; and

7 ~~(9)~~~~(8)~~ "Psychologist" means any person who holds himself or herself out by any title
8 or description of services incorporating the words "psychologic," "psychological,"
9 "psychologist," "psychology," "psychopractice," or any other term or terms that
10 imply he or she is trained, experienced, or an expert in the field of psychology.

11 ➔Section 2. KRS 319.015 is amended to read as follows:

12 Nothing in this chapter shall be construed to limit:

- 13 (1) The activities, services, and use of title on the part of a person in the employ of the
14 federal government;
- 15 (2) Persons~~[in the employ of accredited institutions of higher education]~~ from engaging
16 in the teaching of psychology, the conduct of psychological research, the provision
17 of consultation services to organizations or institutions, or the provision of expert
18 testimony, ***provided that such activities do not involve***~~[but not including]~~ the
19 delivery or supervision of direct psychological services to individuals or groups;
- 20 (3) Persons licensed, certified, or registered under any other provision of the Kentucky
21 Revised Statutes from rendering services consistent with the laws regulating their
22 professional practice and the ethics of their profession. ***The use of written or***
23 ***computerized interpretations of any psychological testing or the administration***
24 ***and use of symptomatic and behavioral assessments by a practitioner of the***
25 ***healing arts as defined in KRS 311.271(2), clinical social worker, marriage and***
26 ***family therapist, professional art therapist, advanced registered nurse***
27 ***practitioner, physician, physical therapist, or occupational therapist who uses***

1 these interpretations or administers and uses these assessments shall not be
2 limited. They shall not represent themselves to be psychologists or use the term
3 "psychological" in describing their services;

4 (4) The activities of a student, intern, or resident in psychology, pursuing a course of
5 study approved by the department of psychology of an educational institution rated
6 acceptable by the board for qualifying training and experience, provided such
7 activities are recognized by transcript as a part of his or her supervised course of
8 study;

9 (5) The recognized educational activities of teachers in accredited public and private
10 schools, the authorized duties of guidance counselors who are certified by the
11 Education Professional Standards Board, or the activities of persons using
12 psychological techniques in business and industrial organizations for employment
13 placement, promotion, or job adjustment of their own officers and employees;

14 (6) Persons who are credentialed as school psychologists by the Education Professional
15 Standards Board from using the title "school psychologist" and practicing
16 psychology as defined in KRS 319.010, if their practice is restricted to regular
17 employment within a setting under the purview of the Education Professional
18 Standards Board. These individuals shall be employees of the educational
19 institution and not independent contractors providing psychological services to
20 educational institutions;

21 (7) A duly ordained minister, priest, rabbi, Christian Science practitioner, or other
22 clergyman from carrying out his or her responsibilities while functioning in a
23 ministerial capacity within a recognized religious organization serving the spiritual
24 needs of its constituency, if he or she does not hold himself or herself out as a
25 psychologist; or

26 (8) Any nonresident temporarily employed in this state from rendering psychological
27 services for not more than thirty (30) days every two (2) years, if he or she holds a

1 valid current license or certificate as a psychologist in his or her home state or
2 country and registers with the board prior to commencing practice in the
3 Commonwealth or if he or she holds a valid current IPC.

4 →Section 3. KRS 319.032 is amended to read as follows:

5 (1) The board shall promulgate administrative regulations:

- 6 (a) Establishing requirements, standards, and tests to determine the moral,
7 intellectual, educational, scientific, technical, and professional qualifications
8 of applicants for licensure; and preparing or selecting and administering
9 examinations on general psychological knowledge. Neither certified
10 psychologists, licensed psychological practitioners, nor licensed psychological
11 associates may participate in the examination of applicants for licensure as
12 licensed psychologists;
- 13 (b) Establishing and defining the scope of practice within the field of psychology;
- 14 (c) Setting the requirements for issuing, denying, suspending, restricting, and
15 revoking licenses, and placing credential holders on probation;
- 16 (d) Developing specific guidelines to follow upon receipt of an allegation of
17 sexual misconduct by a person credentialed by the board. The guidelines shall
18 include investigation, hearing officer, and hearing procedures which ensure
19 that the process does not revictimize the alleged victim or cause harm if a
20 credential holder is falsely accused;
- 21 (e) Requiring training for the board and investigators hired by the board on the
22 dynamics of sexual misconduct of professionals, including the nature of this
23 abuse of authority, characteristics of the offender, the impact on the victim,
24 the possibility and the impact of false accusations, investigative procedure in
25 sex offense cases, and effective intervention with victims and offenders;
- 26 (f) Establishing requirements for continuing education not to exceed thirty-nine
27 (39)~~thirty (30)~~ contact hours per three (3) year renewal period as a condition

1 for renewal of licenses, the increased requirement to be a condition for
2 renewal of licenses beginning with renewals occurring after June 30, 2013;

- 3 (g) Establishing and collecting reasonable fees for directories, transcribing,
4 transferring of records, and other services;
- 5 (h) Conducting hearings or appointing hearing officers to conduct hearings on any
6 matter under the jurisdiction of the board, in accordance with KRS Chapter
7 13B;
- 8 (i) Entering into reciprocal agreements with boards of examiners of psychology
9 of other states having qualifications and standards at least as high as those of
10 this state providing for reciprocal licensure;
- 11 (j) Employing personnel, including hearing officers which it considers necessary
12 for the performance of its functions, determining the duties of personnel, and
13 compensating them within the limits of funds available to the board;
- 14 (k) Investigating complaints or suspected violations of this chapter and notifying
15 proper law enforcement authorities. For the purpose of enforcing the
16 provisions of this chapter, the board shall have the authority to administer
17 oaths, receive evidence, interview persons, issue subpoenas, and require the
18 productions of books, papers, documents, or other evidence;
- 19 (l) Governing the supervision of certified psychologists and the supervision and
20 employment of licensed psychological associates and candidates for licensure;
- 21 (m) Developing specific guidelines to allow school psychologists who are dually
22 credentialed by the Education Professional Standards Board and the board to
23 obtain supervision acceptable to the board from a licensed psychologist who is
24 neither an employee nor contractor of the school system that employs the
25 school psychologist being supervised; and
- 26 (n) Notwithstanding the fee schedules specified in this chapter, increasing or
27 decreasing fees as it deems appropriate.

1 (2) The board shall have the authority to promulgate other administrative regulations as
2 it deems necessary for the proper administration of this chapter.

3 (3) The board, at its discretion, may use funds as necessary to purchase liability
4 insurance for members and executive officers of the board, inspectors, examiners,
5 investigators, and staff members exempt from classified service of the state by KRS
6 18A.115.

7 →Section 4. KRS 319.050 is amended to read as follows:

8 (1) Before granting a license to practice psychology and to use the title "Licensed
9 Psychologist" the board shall require the applicant to pass an examination in
10 psychology and to fulfill all requirements for supervised experience.

11 (2) The applicant shall:

12 (a) Pay a fee not to exceed three hundred dollars (\$300);

13 (b) Have received a doctoral degree in psychology **that is acceptable to the board**
14 from a regionally accredited educational institution; provided, however, the
15 board may grant a license to an individual otherwise qualified under this
16 chapter who has received a doctoral degree in psychology **that is acceptable to**
17 **the board** from an educational institution outside the United States, if the
18 educational institution would otherwise be accredited by a regional accrediting
19 body if located in the United States; ~~and~~

20 (c) **Have passed the national EPPP examination at the doctoral level; and**

21 **(d)** Have had at least two (2) years of supervised professional experience
22 satisfactory to the board, one (1) year of which shall be **an**
23 **internship** ~~[postdoctoral]~~.

24 (3) Upon acceptance of the application to sit for the examination in psychology, the
25 applicant may practice psychology under the supervision of a licensed psychologist
26 under conditions of supervision and temporary licensure established by the board.
27 The board shall establish a grace period not to exceed sixty (60) days to allow for

1 the employment and supervision of the applicant by an agency from the time the
 2 applicant's degree requirements are completed to the submission of the complete
 3 application. During this period of supervision, the applicant for licensure may not
 4 supervise certified psychologists, licensed psychological associates, other applicants
 5 for licensure, or temporarily licensed persons, nor shall he engage in an independent
 6 practice, except under the employment of his supervising psychologist. Upon
 7 certification to the board of completion of the two (2) years~~one (1) full year~~ of
 8 supervision satisfactory to the board, the applicant shall be examined on
 9 psychological practice, ethical principles, and the law~~be examined in the practice~~
 10 ~~of psychology~~.

11 (4) The board shall grade and keep the examinations and results on file for one (1) year.
 12 Upon written request to the board, an applicant may arrange to discuss his or her
 13 performance on the examination.

14 (5) Upon successful completion of the examination process, the board shall issue a
 15 license to practice psychology and the applicant may use the title "Licensed
 16 Psychologist."

17 (6) Licensed psychologists may function independently without supervision. Licensed
 18 psychologists who have the designation "Health Service Provider" may retain
 19 that designation and may employ and supervise certified psychologists and licensed
 20 psychological associates. Licensed psychologists who have the designation
 21 "Health Service Provider" may supervise no more than a total of six (6) certified
 22 psychologists, licensed psychological associates, or applicants for licensure at one
 23 (1) time.

24 (7) (a) From the effective date of this Act until July 1, 2013, the designation
 25 "Health Service Provider" shall be made on the license of those licensed
 26 psychologists who have completed one (1) year of supervised experience
 27 under conditions of temporary licensure approved by the board or who have

1 completed one (1) year of supervised experience acceptable to the board
 2 after achieving licensure status as a licensed psychologist.

3 (b) Beginning July 1, 2013,~~[The board shall after examination issue a license to~~
 4 ~~practice psychology.]~~ the designation "Health Service Provider" shall be made
 5 on the license of those licensed psychologists who have completed one (1)
 6 additional year of supervised experience satisfactory to the board in health
 7 care service delivery. This year of supervised experience shall be in addition
 8 to the supervised experience requirement for licensure as a licensed
 9 psychologist. Health service providers may provide supervision of direct
 10 health care services by applicants for licensure, certified psychologists, and
 11 licensed psychological associates. Health service providers may supervise no
 12 more than a total of six (6) certified psychologists, licensed psychological
 13 associates, or applicants for licensure at one (1) time~~[who perform activities~~
 14 ~~which include the delivery or supervision of direct health care services to~~
 15 ~~individual or groups who are intended beneficiaries of such services and who~~
 16 ~~have completed appropriate training and supervised experience, including an~~
 17 ~~internship, in health service delivery at the doctoral level].~~

18 ➔Section 5. KRS 319.053 is amended to read as follows:

19 (1) A person holding a credential as a certified psychologist or as a licensed
 20 psychological associate may apply for a license to perform certain functions within
 21 the practice of psychology without supervision and to use the title of "licensed
 22 psychological practitioner" when all of the following conditions are met:

23 (a) Submission of three (3) letters of endorsement to the board to sit for the
 24 examination;

25 1. One (1) of the letters shall be from the applicant's current board-
 26 approved supervisor of record and shall include a statement describing
 27 the scope of practice demonstrated in the clinical experience of the

1 applicant; and

2 2. Two (2) letters shall be from licensed mental health professionals who
3 are acceptable to the board and who are familiar with the clinical work
4 of the applicant;

5 (b) Payment of a fee not to exceed two hundred dollars (\$200);

6 (c) Documentation of at least sixty (60) semester hours of graduate study in
7 psychology or a related field or its equivalent acceptable to the board; and

8 (d) Completion, after credentialing by the board as a certified psychologist,
9 psychological associate, or licensed psychological associate, of the equivalent
10 of five (5) full-time years of professional experience under the supervision of
11 a board-approved licensed psychologist.

12 (2) An applicant for licensure under this section shall not have been subject to
13 disciplinary action by the board. An applicant who has been the subject of
14 disciplinary action may appeal to the board for an exception.

15 (3) An applicant for licensure under this section shall be required by the board to pass
16 the national objective examination known as the EPPP, with a score equal to or
17 exceeding the score required for passage for a licensed psychologist candidate at the
18 doctoral level at the time the examination is taken. The board shall accept the
19 applicant's previous examination results for the objective EPPP examination if the
20 original test score satisfied the licensure requirement at the doctoral level in effect at
21 the time of that test administration. If the applicant's previous score does not meet
22 this criterion, the applicant may retake the examination until the score obtained
23 equals or exceeds the score required for independent practice at the doctoral level at
24 the time the examination is taken.

25 (4) The board shall require an applicant for licensure under this section to pass an ~~oral~~
26 examination on psychological practice, ethical principles, and the law. The ~~oral~~
27 examination shall be conducted **in accordance with procedures established in**

1 **administrative regulations promulgated by the board in accordance with KRS**
2 **Chapter 13A** ~~by an examination team that is designated by the board and that~~
3 ~~consists of at least one (1) licensed psychologist and either one (1) certified~~
4 ~~psychologist with autonomous functioning or one (1) licensed psychological~~
5 ~~practitioner]. The[~~oral~~] examination shall be evaluated using the same criteria as~~
6 ~~the[~~oral~~] examination for licensed psychologist candidates.~~

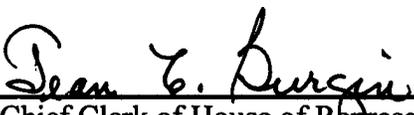
- 7 (5) The applicant may continue to function under the supervision of a board-approved
8 licensed psychologist until the applicant successfully completes the requirements
9 for licensure as a licensed psychological practitioner.
- 10 (6) The board shall grade and keep the examinations and results on file for one (1) year.
11 Upon written request to the board, an applicant may arrange to discuss his or her
12 performance on the examinations.
- 13 (7) Upon successful completion of all requirements, the board shall issue to the
14 applicant a license to perform certain functions within the practice of psychology
15 without supervision and to use the title "licensed psychological practitioner."
- 16 (8) The licensee under this section shall not supervise certified psychologists, licensed
17 psychological practitioners, or licensed psychological associates.



Speaker House of Representatives



President of Senate

Attest: 

Chief Clerk of House of Representatives

Approved 

Governor

Date March 30, 2010