

NOTICE OF INTENT

**Department of Health
Board of Examiners of Psychologists**

**Continuing Education, Exemptions and Fees
(LAC 46:LXIII. 601, 603, 803, 805, 806, 811, 905 and 4001)**

Notice is hereby given in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq, that the Board of Examiners of Psychologists intends to adopt sections 806 and 905 and amend sections 601, 603, 803, 805, 811, and 4001 related to the continuing education, exemptions and fees in accordance with the Louisiana Licensing Law for Psychologist 37:2353.C(1) 37:2357.C(4), 37:2352(7), and the Administrative Procedures Act §968 and 971.

**Title 46
OCCUPATIONAL AND PROFESSIONAL STANDARDS
Part LXIII. Psychologists
Subpart 1. General Provisions**

Chapter 6. Fees

§601. Licensing Fees

A. Licensing Fees

Licensing Fees	Amount
Application for Licensure	\$200
Application for Provisional Licensure	\$200
Application for Temporary Registration	\$200
Application for Authorization to Provide Telesupervision (Valid 1 year, per supervisor, per application)	\$25 for first supervisee, \$10 for each thereafter
Jurisprudence Examination Fee	\$75
Oral Examination (Licensure, specialty change or additional specialty)	\$250
License Renewal	\$400
License Renewal Fee for Psychologists Qualifying under R.S. 37:2354(E) for a reduced rate	\$200
Provisional License Renewal	\$100
Initial Application and Renewal of Emeritus Status (Retired)	\$100
Reinstatement of Lapsed License	Current Application Fee plus Current Renewal Fee
Processing Fees for Paper Renewals	\$50
License Renewal Extension Request	\$25

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2354.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 33:647 (April 2007), amended LR 39:311 (February 2013), LR 41:2618 (December 2015), amended the Department of Health, Board of Examiners of Psychologists, LR 43:1173 (June 2017), amended LR 48:

§603. Administrative/Other Fees

A. Administrative/Other Fees

Administrative/Other Fees	Amount
Address List/Labels	\$100
License Verification	\$15
Disciplinary Action Report	\$25
Replacement Renewal Certificate	\$15
Replacement License Certificate	\$25
Miscellaneous Copy Fee (other records)	\$1 page one, \$0.25 each page thereafter
Convenience Fee for Online Payments	2.9% plus .30/transaction
Sponsor Application for Pre-approval of Continuing Professional Development Workshop/Conference	\$100
Sponsor Application for Renewal of Continuing Professional Development Workshop/Conference	\$25
Psychologist Application for Pre-approval of Continuing Professional Development Workshop/Conference	\$25
Continuing Professional Development Activities (OPTIONAL) Board Sponsored	TBD not to exceed \$200 per offering

Chapter 8. Continuing Education

§803. Requirements

- A. Each psychologist is required to complete 40 hours or credits of continuing professional development within the biennial reporting period, which begins on July 1 and ends on June 30.
- B. Within each reporting period, two (2) of the required hours or credits of continuing professional development must be within the area of ethics or law in accordance with the limitations specified in §807.
- C. Within each reporting period, two (2) of the required hours or credits of continuing professional development must be within the area of multiculturalism or diversity in accordance with the limitations specified in §807.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:2357.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 16:770 (September 1990), amended LR 19:46 (January 1993), LR 32:1228 (July 2006), LR 39:2754 (October 2013), amended by the Department of Health, Board of Examiners of Psychologists, LR 42:1662 (October 2016), amended LR 48:

§805. Acceptable Sponsorship, Offerings and Activities

- A. Only those CPD offerings and activities approved by the Board shall satisfy the requirements for licensure set forth in §803.
- B. Acceptable CPD activities offered for credit by approved sponsors defined in this section and that meet the content criteria described in §801 of this Chapter are automatically approved by the Board.
- C. The board will recognize the following as acceptable sponsors of the continuing education requirements:
 - 1. accredited institutions of higher education;
 - 2. hospitals and medical centers which have approved regional medical continuing education centers;
 - 3. hospitals which have APA approved doctoral internship training programs;
 - 4. international, national, regional, or state professional associations, or divisions of such associations, which specifically offer or approve graduate or post-doctoral continuing education training;
 - 5. American Psychological Association (APA) approved sponsors and activities offered by APA (including home study courses);
 - 6. activities sponsored by the Board of Examiners of Psychologists; and activities sponsored by the Louisiana Department of Health or its subordinate units;
- D. The board will recognize the following activities offered by acceptable sponsors in Part C.1 above:
 - 1. Workshops – live workshops offered for credit. Live workshops may be presented in-person or by video conference/virtual format.
 - 2. Conference Workshops/Training activities – Conferences are trainings lasting longer than 1 day (8 hours). Conference training may be presented in-person or by video conference/virtual format.
- E. Sponsors of CPD approved under Part “B” of this section may not advertise a CPD as board-approved or endorsed or purport that the CPD satisfies the licensure requirements set forth in §803.

§806. Board approval of proposed CPD offerings and activities; CPD promotion and advertisement.

- A. Any individual or entity may apply for board approval of a proposed CPD offering or activity as follows:
 - 1. The individual or entity providing the proposed CPD offering or activity files a completed CPD Approval Application on the form provide by the Board.
 - 2. The individual or entity providing the proposed CPD offering or activity provides information sufficient to the Board that the CPD meets requirements set forth under §801; and
 - 3. Payment of the required application fee.
- B. Board approval of a proposed CPD pursuant to Part “E” of this section shall permit the individual or entity to offer the program one time. Subsequent offerings of the same activity shall require the individual or entity offering the CPD to submit an application for renewal of the approval on the form provided by the board with required renewal fee.
 - 1. Upon receipt of written documentation of Board CPD approval, the individual or entity providing the proposed CPD offering or activity may advertise as approved or endorsed by the Louisiana State Board of Examiners of Psychologists.
 - 2. Course and activities approved by the Board shall be posted on the Board website and shall indicate the maximum number of credits which may be earned and the classification of the course.
- C. CPD offerings and activities not approved by the Board under Part “B” or “E” of this section may generate acceptable CPD credits for licensees under the following circumstances:
 - 1. The licensee submits a complete application for preapproval of the course or activity using the form provided by the Board and payment of an application fee required under Chapter 6.
 - 2. The course or activity submitted for approval shall only be considered for the licensee who submits the approval.
 - 3. A licensee may not request approval of an activity after June 30th of their reporting year for the renewal of their license.
 - a. A provisionally licensed psychologist that fails to meet the CPD requirements by June 30th of their reporting year, including acceptable sponsorship, offerings and activities, shall be subject to the provisions of R.S. 37:2356.2
 - b. A Licensed Psychologist that fails to meet the CPD requirements by June 30th of their reporting year, including acceptable sponsorship, offerings and activities, shall be subject to the provisions of R.S.

37:2357.A(2)

D. The licensee may choose to apply for preapproval of the following unsponsored activities. These activities shall be limited to 10 credits:

1. Workshops/Conferences without approved sponsors.
2. Peer Consultation and Supervision- Acceptable consultation is regularly scheduled interactions with colleagues, licensed in a health care profession or other general applied psychology profession, in a structured and organized format. Examples include case consultation groups, journal clubs, research groups, and shadowing a colleague. Acceptable supervision is one-to-one general professional, specific case discussion, or skill training that is provided under Chapter 7 of this Part by a qualified supervisor. One hour of acceptable consultation or supervision equals one hour of credit. Documentation required to earn credit shall be a verification form providing evidence that it is a structured program of consultation with regularly scheduled meetings and showing the nature of the consultation; or in the case of supervision the Supervised Practice Plan approved by the board; and The person providing the consultation, or facilitating the case consultation group, must attest, by signature, to the description of the program, number of hours met and that the verification form has been completed.
3. Practice Outcome Monitoring - assessing patient/client outcomes via questionnaire(s) that is appropriate to the practice endeavor. One client equals one credit per reporting period. If requested, documentation required to earn credit shall be a verification form and a de-identified copy of the patient/client questionnaire.
4. Professional Activities - serving on an international, national, regional, or state psychological association board or committee; or board member of regulatory body related to the field of psychology. Professional activities shall not include lobbying activities. One year equals 10 credits.
5. Registered Attendance at Conferences/Conventions - attendance at a conference related to the field of psychology or a conference, that aids in the licensee's professional development. One conference day equals one credit. This credit is separate from traditional continuing education units that may be awarded by an approved sponsor at said conference. A certificate of attendance is required.
6. Academic Courses - a graduate-level course related to the psychologist's discipline and practice, taken for credit from a regionally accredited university or one pre-approved by the board. One three-hour course or equivalent equals 20 credits; or, one registered audit, documented by the university, equals five credits.
7. Instruction - preparation and teaching of a semester-long graduate or undergraduate course, related to psychology, in a regionally accredited institution; or continuing education workshop presentation. Credit can only be received the first time teaching or presenting the material.
 - a. Credit hours for preparing and teaching a workshop shall be calculated at four times the credit granted attendees, divided by the number of presenters.
 - b. Credit hours for teaching a university course shall be calculated at 10 times the number of credit hours awarded the students. Documentation required to earn credit shall be the course syllabus or brochure.
8. Publications - author of an article for peer-reviewed publications or author, editor or co-editor of a book/book chapter related to the field of psychology. One article equals 10 hours; one book/book chapter equals 10 credit hours. Documentation required to earn credit shall include a copy of journal abstract or a copy of the publication.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2357.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 16:770 (September 1990), amended LR 19:46 (January 1993), 22:1131 (November 1996), LR 25:1098 (June 1999), LR 32:1228 (July 2006), LR 36:1007 (May 2010), amended by the Department of Health, Board of Examiners of Psychologists, LR 42:1663 (October 2016), amended LR 48:

§811. Extensions/Exemptions

A. - C. ...

D. Licensees who meet the requirements for a reduced fee under R.S. 37:2354.E during the applicable reporting period and who are fully retired from the practice of psychology may be granted an exemption from continuing professional development requirements.

1. A licensee granted an exemption under this provision will be classified with the status "Emeritus" and may use the title "Psychologist Emeritus: Retired".
2. A licensee granted emeritus status under this provision shall be prohibited from engaging in the practice of psychology; rendering psychological services in any form; and/or engaging in any activity that might be construed as the practice of psychology within the state of Louisiana.
3. A Psychologist Emeritus: Retired, is subject to license renewal in accordance with the provisions of Chapter 9 of this Part.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2354.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 19:47 (January 1993), amended LR 32:1229 (July 2006), LR39:2755 (October 2013), LR 41:2617 (December 2015), amended by the Department of Health, Board of Examiners of Psychologists, LR 42:1664 (October 2016), amended LR 48:

Chapter 9. Licensees

§905. Psychologists Emeritus: Retired

A. A Psychologist Emeritus: Retired, is eligible to renew their emeritus status license provided they submit such renewal application along with the annual renewal fee at the reduced rate established under Chapter 6 of this Part; and are fully retired from the practice of psychology, not rendering psychological services in any form, and are not engaging in any activity that might be construed as the practice of psychology within the state of Louisiana.

B. A Psychologist Emeritus is eligible to renew their current license until July 31 of each year upon submission of the required renewal fee and renewal application form and on showing that the licensee:

1. has been a Licensed Psychologist for a minimum of 20 years.
2. has no outstanding complaints or ethical violations.
3. is subject to the LSBEP Ethics Code.
4. is retired from the practice of Psychology.
5. is only able to use the title Psychologist Emeritus: Retired
6. is not required to complete CPD unless they want to reinstate as specified in C below

C. A Psychologist Emeritus: Retired is eligible to reinstate their status to Licensed Psychologist and resume the independent practice of psychology in Louisiana upon submission of a Reinstatement Application for Licensure including the required reinstatement fee and fulfillment of all continuing professional development requirements as defined under this Chapter, provided they are not in violation of any of the provisions of the Louisiana Revised Statutes, Title 37 Chapter 28. Psychologists.

D. A Psychologist Emeritus returning to full practice after 5 or more years shall be subject to an Oral Examination prior to reinstatement to the status of Licensed Psychologist

E. A licensee who renews their emeritus status shall be exempt from continuing professional development requirements.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2357.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 48:

Subpart 2. Licensed Specialists in School Psychology

§3402. Program Requirements-Supervised Practica Prior to Internship

A.1 – A.4. ...

5. close supervision of students by program faculty and qualified practicum supervisors, including appropriate performance-based evaluation, to ensure that students are developing professional work characteristics and designated competencies.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2357.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 41:2623 (December 2015), amended LR 48

§3403. Program Requirements-Internship

A.1-A.2....

3. completion of activities and attainment of school psychology competencies that are consistent with the goals and objectives of the program and emphasize human diversity, and provision of school psychology services that result in direct, measurable, and children, families, schools, and/or other consumers;

A.4. inclusion of both formative and summative performance-based evaluations of interns that are completed by both program faculty and field-based supervisors, are systematic and comprehensive, and insure that interns demonstrate professional work characteristics and attain competencies needed for effective practice as school psychologists;

A.5. – A.10. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2357.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 41:2623 (December 2015), amended LR 48

Chapter 40. Continuing Education Requirements of Licensed Specialist in School Psychology

§4001. General Requirements

A. Pursuant to R.S. 37:2357 each licensed specialist in school psychology is required to complete continuing education hours within biennial reporting periods. Continuing education is an ongoing process consisting of learning activities that increase professional development.

B. Each licensed specialist in school psychology is required to complete 40 hours of credit of continuing education within a biennial reporting period beginning in July 1 and ending June 30.

1. Two of the above 40 hours of credit of continuing education must be in the areas of ethics or law.
2. Within each reporting period, LSSPs must earn credits in at least two of the nine categories listed

under §4002.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2357.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 48:

Family Impact Statement

The Board of Examiners of Psychologists hereby issues this Family Impact Statement as set forth in R.S. 49:972. The proposed Rule related to the licensing fees imposed by this agency are not anticipated to have an impact

on the stability of the family; authority and rights of parents regarding the education and supervision of their children; functioning of the family; behavior and personal responsibility of children as it relates to promptly facilitating the licensure of qualified professionals who may work with families and families of school aged children to promote their health, education and well-being; family earnings and family budget; or the ability of the family or a local government to perform the function as contained in the proposed rule. The proposed rules may positively impact the facilitation of qualified professionals who may work with families and families of school aged children.

Poverty Impact Statement

The proposed modifications impact psychologists, provisionally licensed psychologists, and specialist in school psychology in the interest of the health, safety and the welfare of the public. The rules do not have any known or foreseeable negative impact on any child, individual or family as defined by R.S. 49:973.B. Specifically, there is no known or foreseeable effect on: household income, assets, and financial security; early childhood development and preschool through postsecondary education development; employment and workforce development; taxes and tax credits; or, child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Provider Impact Statement

The proposed rule changes clarify continuing education requirements for licensed psychologists and specialists in school psychology; provide a framework for the aforementioned option review and approval of continuing education workshops/conferences; and create an emeritus license status for licensees of the LSBEP. The proposed rule changes also add a convenience fee for optional online payments. The proposed rules do not have any known or foreseeable impact on providers as defined by HCR 170 of 2014 Regular Legislative Session. Specifically, there is no known or foreseeable effect on: the staffing level requirements or qualifications required to provide the same level of service; the total direct or indirect cost to the providers to provide the same level of service; or the overall ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments to Jaime T. Monic, Executive Director, 4334 S. Sherwood Forest Blvd., Suite C-150, Baton Rouge, LA 70816. All comments must be submitted by 12 noon on October 10, 2022.

Public Hearing

LSBEP will conduct a Public Hearing at Noon on November 18, 2022, at the board office located at 4334 S. Sherwood Forest Blvd., Suite C-150, Baton Rouge, LA 70816. All interested persons are invited to attend and present data, views, comments, or arguments, orally or in writing.

Jaime T. Monic
Executive Director

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES**

Person Preparing Statement:	<u>Jaime T. Monic</u>	Department:	Health
Phone:	<u>225-295-8410</u>	Office:	LA Board of Examiners of Psychologists
Return Address:	<u>4334 S. Sherwood Forest Blvd. Suite C-150 Baton Rouge, LA 70816</u>	Rule Title:	Continuing Education, Exemptions and Fees Chapters 6, 8, 9 and 40
		Date Rule Takes Effect:	January 20, 2023

SUMMARY
(Use complete sentences)

In accordance with Section 953 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a fiscal and economic impact statement on the rule proposed for adoption, repeal or amendment. **THE FOLLOWING STATEMENTS SUMMARIZE ATTACHED WORKSHEETS, I THROUGH IV AND WILL BE PUBLISHED IN THE LOUISIANA REGISTER WITH THE PROPOSED AGENCY RULE.**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule changes will result in a one-time publication expense of \$1,428 for the LA State Board of Examiners of Psychologists (LSBEP) in FY 23.

The proposed rule changes may result in a nominal expenditure increase for the LSBEP, as they include a new, optional process of reviewing and approving continuing professional development workshops and conferences, however these costs are expected to be mitigated through the use of electronic communications; further, such expenditures will be absorbed and/or defrayed by new fees included in the proposed rule changes (see Part II).

The proposed rule changes clarify continuing education requirements for licensed psychologists and specialists in school psychology; provide a framework for the aforementioned option review and approval of continuing education workshops/conferences; and create an emeritus license status for licensees of the LSBEP. The proposed rule changes also add a convenience fee for optional online payments.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule changes will have an indeterminable net effect on SGR collections for the LSBEP. Included in the proposed rule changes are new fees for an emeritus status license (\$100 annually) for LSBEP licensees, as well as new fees for the optional pre-approval of Continuing Professional Development (CPD) (\$25). Additionally, companies and individuals who sponsor and offer CPD workshops and conferences are also offered the option to seek pre-approval (\$100) and renewal (\$25) of workshops and conferences offered to licensees. The aggregate net effect of the aforementioned fees is dependent upon the number of entities seeking approval of their workshops/conferences, as well as the individual activity of persons licensed by the LSBEP (see below).

The revenue increase associated with the new fees for workshop/conference reviews and approvals is indeterminable because the number of entities that will seek such approval is unknown. However, any revenues raised from entities seeking workshop/conference approval will be used to defray any costs associated with reviewing the workshop/conference (see Part I).

Furthermore, the net effect on revenues associated with the new emeritus license status is dependent upon retired licensees either maintaining an active license at a reduced cost of \$200 annually with the ability to practice part-time, or lapse their license should they wish to fully retire. In the case that a retired licensee allows their license to lapse, the LSBEP would realize reduced revenues of \$200 per license. In the case that a fully retired licensee maintains an emeritus status license, the LSBEP would realize reduced revenues of \$100 per licensee but would also maintain a revenue flow of \$100 per fully retired licensee that would otherwise be lost. The net effect on revenues, as a result of adding the emeritus license status fee, is therefore indeterminable because it is dependent upon the behavior of each individual licensee, which cannot be predicted.

Finally, the proposed convenience fee will mitigate costs to the LSBEP for offering and maintaining the software and technology required to process payments by credit card.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NON-GOVERNMENTAL GROUPS (Summary)

The proposed rule changes benefit LSBEP licensees, as they clarify requirements and qualifying courses for continuing education requirements.

The proposed rule changes create a new emeritus status for licensees, which may benefit retired licensees to the extent they maintain an active license but do not practice. Persons holding an emeritus license would realize a savings of \$300 annually in the aforementioned case, and would be able to revert to an active license if desired after meeting continuing education requirements and paying all associated fees.

The proposed rule changes may benefit entities that host continuing professional development events, as they may now submit their materials for an optional LSBEP review and endorsement as a qualifying continuing education event for LSBEP licensees to be used in advertisements. However, entities seeking such endorsement must submit a \$100 fee for initial review and a \$25 fee for subsequent course reviews.

The proposed convenience fee will be assessed to any individual who opts to pay via credit card for fees assessed by the LSBEP. No additional fees are required for payment by check or money order.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

Entities who seek and receive optional approval of their workshop/conference from the LSBEP may gain competitiveness over those that do not seek such approval. However, the aggregate effect on competition is unknown and dependent upon LSBEP licensees seeking approved courses in lieu of those that are not approved.

The proposed rule changes are not anticipated to affect employment.



Signature of Agency Head or Designee

Jaime T. Monic, Executive Director
Typed Name & Title of Agency Head or Designee

10/6/2022

Date of Signature



Legislative Fiscal Officer or Designee

10/7/22

Date of Signature