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Title 46
PROFESSIONAL AND OCCUPATIONAL STANDARDS
Part LXIII. Psychologists

Preface and Foreword

Licensure of persons in Louisiana representing themselves to the public as psychologists and regulation of the practice of psychology is the responsibility of the State Board of Examiners of Psychologists. Act 347 of the 1964 Legislature, specifying the duties and powers of the board, as well as the requirements for licensure, has been codified as R. S. 37:2351-2367.

With the exception of some individuals licensed under the "grandfather clause" of the law, licensure indicates that an individual has met the legal requirements of age, citizenship, and residency, holds the doctoral degree in psychology from a school or college recognized by the board, has passed the prescribed written and oral examinations for licensure, and has completed at least two years of post-doctoral experience practicing under the supervision of a qualified psychologist.

In discharging its obligation to protect the public welfare, the board cooperates fully with official agencies of state government and the Professional Standards Review Committee of the Louisiana Psychological Association. Questions or complaints concerning any individual representing himself as a psychologist should be directed to the attention of the chairman of the board.

Chapter 1. Definitions

§101. Definition of Resident

A. A resident of the state of Louisiana for the purposes of this Act is a person who:

1. is domiciled in Louisiana; or
2. practices psychology in the state of Louisiana for a period of time exceeding 30 days in any calendar year.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 5:248 (August 1979).

§103. Definition of Applicant for Licensure

A. An applicant is a person who submits to the board the required application fee and the complete prescribed application which includes evidence that the person:

1. is at least 21 years of age; and
2. is of good moral character; and
3. is a citizen of the United States or has declared an intention to become a citizen. A statement by the person, under oath, to apply for citizenship upon becoming eligible

to make such application shall be sufficient proof of compliance with this requirement; and

4. holds a doctoral degree with a major in psychology from a university offering a full-time graduate course of study in psychology that is approved by the board with such requirements as designated in the board's rules and regulations; and

5. has a minimum of two years of experience practicing psychology under the supervision of a psychologist, one year of which may be a predoctoral internship as defined in the rules and regulations of the board and required as part of the doctoral degree in psychology as defined by the board and all other experience being postdoctoral; and

6. is not in violation of any of the provisions of R.S. 37:2351-2367 and the rules and regulations adopted thereunder; and

7. submits such number of full sets of fingerprints and fees and costs as may be incurred by the board in requesting or obtaining criminal history record information as authorized by R.S. 37:2372.1, and in the form and manner prescribed by the board's rules and regulations. The results of the criminal history record information search to be obtained, reviewed and considered acceptable by the board prior to admission to candidacy status.

B. Applicant status shall not be used for professional representation.

C. An applicant who is denied candidacy status, and thus licensure by the board based on the evidence submitted as required under §103.A, may reapply to the board after two years have elapsed, and having completed additional training meeting the requirements of the law and as defined in the rules and regulations adopted by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 5:248 (August 1979), amended LR 34:1406 (July 2008).

§105. Definition of Candidate for Licensure

A. A candidate for licensure is an applicant (as defined in the rules and regulations of the board) who:

1. has been judged by the board to have met the requirements set forth under the definition applicant; and
2. is therefore admitted to the written examination.

B. An applicant may be admitted to candidacy, and therefore may take the required written examination, prior to

completion of the two years of full-time supervised and documented postdoctoral experience which is required for licensure and as defined in the rules and regulations of the board.

C. A candidate for licensure may retake the written examination as frequently as it is offered by the board, however, the candidate shall not be allowed to take the examination more than three times without meeting the minimum criterion set by the board for successful completion.

D. A candidate shall have a maximum of four years to pass the written examination.

E. A candidate who fails to pass the written examination three times (as in §105.C) or within four years (as in §105.D) shall be removed from candidacy for licensure and shall not be issued a license to practice psychology in Louisiana.

F. The above requirements of a written examination shall not prohibit a modified administration of the examination to an otherwise qualified candidate who is handicapped and whose handicap would interfere with the ability of the candidate to demonstrate satisfactory knowledge of psychology as measured by the examination.

G. A candidate who successfully completes the written examination will be admitted to the oral examination before the board.

H. A candidate who successfully completes the oral examination, in the judgment of the board, shall be issued a license in psychology upon the completion of the two years of full-time supervised and documented postdoctoral experience which is required for licensure under R.S. 37:2351-2367 and as defined in the rules and regulations of the board.

I. A candidate denied licensure under the preceding provisions, may reapply to the board after more than two years have elapsed from the effective date of the notification by the board of such denial.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 5:248 (August 1979).

Chapter 2. Reciprocity

§201. Licensure of Psychologists through Reciprocity

A. Upon application thereof, accompanied by such fee as determined by the board, the board shall issue a license to any person who furnishes, upon a form and in such manner as the board prescribes, evidence satisfactory to the board that:

1. he/she meets all of the following:
 - a. is licensed as a psychologist by another member jurisdiction of the Association of State and Provincial Psychology Boards (ASPPB) if the requirements for such

licensure in that jurisdiction are the substantial equivalent of those required by LAC 46:LXIII.Chapter 3, and if that jurisdiction has entered into a similar agreement with this board providing for the licensure of Louisiana psychologists in that jurisdiction by reciprocity; and

- b. has met the requirements of such board including five years of satisfactory professional licensed experience in psychology; and

- c. has successfully passed written and oral examinations administered by such board; and

- d. his/her doctoral program involved at least one continuous academic year of full-time residency on the campus of the institution at which the degree was granted; and

- e. he/she has not been subject to any disciplinary action by a professional board, and does not have any pending complaints against him/her; or

2. he/she is a psychologist licensed in another state or territory of the U.S. or a Canadian province who has met the requirements for and holds a current Certificate of Professional Qualification in Psychology (CPQ) issued by the Association of State and Provincial Psychology Boards (ASPPB); or

3. that he/she is a psychologist licensed in another state or territory of the U.S. or a Canadian province who is a current Diplomat of the American Board of Professional Psychology (ABPP) in good standing.

B. Applicants for reciprocal licensing must pass the Louisiana Jurisprudence Examination prior to the issuance of a Louisiana license, and the Louisiana board may require a meeting with the applicant to review and verify his/her satisfactory character, current fitness, plans to practice, and specialty declaration.

C. Applicants for reciprocal licensing must submit such number of full sets of fingerprints, or other identifiable information, and fees and costs as may be incurred by the board in requesting or obtaining criminal history record information as authorized by R.S. 37:2372.1, and in the form and manner prescribed by the boards rules and regulations. The results of the criminal history record information search to be obtained, reviewed and considered acceptable by the board prior to admission to candidacy status.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 23:861 (July 1997), amended LR 27:723 (May 2001), LR 29:2075 (October 2003), LR 34:1406 (July 2008).

Chapter 3. Training and Credentials

§301. School

A. A "school" or "college" approved by the board is a university or other institution of higher learning which at the time of the granting of the doctorate has met §301.B, C, and D:

B. is an institution accredited by a regional body that is recognized by the U.S. Department of Education;

C. has achieved the highest level of accreditation or approval awarded by statutory authorities of the state in which the school or college is located;

D. offers a full-time graduate course of study in psychology as defined in the regulations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353 and R.S. 37:2356.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 6:489 (August 1980), amended by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 36:1005 (May 2010).

§303. Doctoral Programs in Psychology

A. A graduate of a doctoral program that is listed by the Association of State and Provincial Psychology Boards (ASPPB) and the National Register of Health Service Providers in Psychology's yearly joint publication of the Doctoral Psychology Programs Meeting Designation Criteria is recognized as holding a doctoral degree with a major in psychology from a university offering a full-time graduate course of study in psychology.

B. A graduate of a doctoral program that is accredited by the American Psychological Association is recognized as holding a doctoral degree with a major in psychology from a university offering a full-time graduate course of study in psychology. The criteria for accreditation serve as a model for professional psychology training.

C. A graduate of a doctoral program that is neither listed in Designate Doctoral Programs in Psychology nor accredited by the American Psychological Association must meet the criteria in Paragraphs C.1-11 below.

1. Training in professional psychology is doctoral training offered in a regionally accredited institution of higher education.

2. The program, wherever it may be administratively housed, must be clearly identified and labeled as a psychology program. Such a program must specify in pertinent institutional catalogs and brochures its intent to educate and train professional psychologists in an applied area of psychology recognized by the board.

3. The psychology program must stand as a recognizable, coherent organizational entity within the institution.

4. There must be a clear authority and primary responsibility for the core and specialty areas whether or not the program cuts across administrative lines.

5. The program must be an integrated, organized sequence of study.

6. There must be an identifiable psychology faculty and a psychologist responsible for the program.

7. The program must have an identifiable body of students who are matriculated in that program for a degree.

8. The program must include supervised practicum, internship, field or laboratory training appropriate to the practice of psychology, in an applied area of specialization recognized by the board.

9. The program shall be an internal degree program (as opposed to an external degree program unless it is either designated by the Association of State and Provincial Psychology Boards (ASPPB) and the National Register or it is accredited by the American Psychological Association.)

10. The doctoral program shall involve at least one continuous academic year of full-time residency on the campus of the institution at which the degree is granted.

11. The curriculum shall encompass a minimum of three academic years of full-time graduate study. The program of study shall typically include graduate coursework with a minimum of three semester hours (five quarter hours) in each of the following three areas: scientific and professional ethics and standards, research design and methodology, and statistics and methodology. In cases where the material from one of these areas was incorporated into other courses, the program director shall submit material to the board indicating the educational equivalence of this requirement. Additionally, the core program shall require each student to demonstrate competence in each of the following substantive areas. This requirement typically will be met by including a minimum of three or more graduate semester hours (five or more graduate quarter hours) in each of the four substantive content areas. Graduates who cannot document competence in all substantive content areas (§303.C.11.a-d below), may demonstrate competence by taking additional course work or examination, not to exceed one substantive content area:

a. biological bases of behavior—physiological psychology, comparative psychology, neuropsychology, sensation and perception, psychopharmacology;

b. cognitive-affective bases of behavior—learning, thinking, motivation, emotion;

c. social bases of behavior—social psychology, group processes, organizational and systems theory;

d. individual difference—personality theory, human development, abnormal psychology. In addition, all professional doctoral programs in psychology will include course requirements in specialty areas.

D. Graduates of foreign programs will be evaluated according to the following.

1. Graduates of foreign programs must meet the "substantial equivalent" of criteria §303.C.1.-11. above. "Substantial equivalent" does not apply to graduates from colleges, universities, or professional schools in the United States, Canada, or any jurisdiction under the Association of State and Provincial Psychology Boards. The board may "assess" a foreign applicant to recover expenses incurred in reviewing unusual credentials.

2. Applicants for licensure whose applications are based on graduation from foreign universities shall provide

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the board with such documents and evidence to establish that their formal education is equivalent to a doctoral degree in psychology granted by a United States university that is regionally accredited. The applicant shall provide the board with the following:

- a. an original diploma or other certificate of graduation, which will be returned, and a photostatic copy of such a document, which shall be retained;
- b. a transcript or comparable document of all course work completed;
- c. a certified translation of all documents submitted in a language other than English;
- d. satisfactory evidence of supervised experience;
- e. evidence that the doctoral dissertation was primarily psychological in nature. In its discretion, the board may require an applicant to file a copy of the dissertation itself; and
- f. a statement prepared by the applicant based on the documents referred to in this Section, indicating the chronological sequence of studies and research. The format of this statement shall be as comparable as possible to a transcript issued by American universities.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353 and R.S. 37:2356.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 6:489 (August 1980), amended LR 13:180 (March 1987), amended by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 15:87 (February 1989), LR 27:1895 (November 2001), LR 36:1005 (May 2010).

§305. Specialty Areas

A. In applied healthcare areas such as counseling, clinical, clinical neuropsychology, and school psychology, preparation shall include early and continuing involvement of students in applied healthcare settings. Such experiences shall occur at two levels: practicum and internship.

1. The practicum level is an earlier, prerequisite phase of involvement, usually for academic credit, often on campus, with typical time commitment of 8 to 16 hours per week. Practicum settings should provide supervised training in interviewing, appraisal, modes of intervention and research skills or other skills appropriate to the student's level of experience and area of specialization. A minimum of 300 hours of practicum experience should precede the internship. This should include at least 100 hours of direct client contact and at least 50 hours of scheduled individual supervision.

2. The following will be used to identify organized psychology internship training programs.

a. An organized training program, in contrast to supervised experience or on-the-job training, is designed to provide the intern with a planned, programmed sequence of training experiences. The primary focus and purpose is assuring breadth and quality of training.

b. The internship agency had a clearly designated staff psychologist who was responsible for the integrity and quality of the training program and who was actively licensed/certified by the State/Provincial Board of Examiners in Psychology.

c. The internship agency had two or more psychologists on the staff as supervisors, at least one of whom was actively licensed as a psychologist by the State/Provincial Board of Examiners in Psychology.

d. Internship supervision was provided by a staff member of the internship agency or by an affiliate of that agency who carried clinical responsibility for the cases being supervised. At least half of the internship supervision was provided by one or more psychologists.

e. The internship provided training in a range of assessment and treatment activities conducted directly with clients seeking psychological services.

f. At least 25 percent of trainee's time was indirect client contact (minimum 375 hours).

g. The internship included a minimum of two hours per week (regardless of whether the internship was completed in one year or two) of regularly scheduled, formal, face-to-face individual supervision with the specific intent of dealing with psychological services rendered directly by the intern. There must also have been at least two additional hours per week in learning activities such as: case conferences involving a case in which the intern was actively involved; seminars dealing with clinical issues; co-therapy with a staff person including discussion; group supervision, additional individual supervision.

h. Training was post-clerkship, post-practicum and post-externship level.

i. The internship agency had a minimum of two interns at the internship level of training during the applicant's training period.

j. Trainee had title such as "intern," "resident," "fellow," or other designation of trainee status.

k. The internship agency had a written statement or brochure which described the goals and content of the internship, stated clear expectations for quantity and quality of trainee's work and was made available to prospective interns.

l. The internship experience (minimum 1,500 hours) was completed within 24 months.

B. In applied non-healthcare areas such as educational, developmental, experimental, social, or industrial-organization, psychology, internship training may take the form of post-doctoral supervised experience as defined in the regulations of the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353 and R.S. 37:2356.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 13:181 (March 1987), amended by the

Department of Health and Hospitals, Board of Examiners of Psychologists, LR 19:1323 (October 1993), LR 36:1005 (May 2010).

§307. Clinical Neuropsychology

A. Statement of Purpose. As each of the other specialty areas of psychology such as clinical psychology, counseling psychology, school psychology, and industrial-organizational psychology typically have their own clearly defined doctoral programs and curriculum, no separate guidelines beyond those established by these programs are deemed necessary to declare these particular specialty designations. Clinical neuropsychology has evolved into a specialty area as defined by LAC 46:LXIII.Chapter 17 in that it has become identified as having its own "history and tradition of service, research, and scholarship (and) to have a body of knowledge and set of skills related to that knowledge base, and which is discriminably different from other such specialties" (LAC 46:LXIII.1705.B). However, the evolution of clinical neuropsychology has cut across several applied areas, most notably clinical, counseling, and school psychology, resulting in the need for guidelines defining the minimal education and training requirements necessary for specialization in this area of clinical practice.

B. Definition of Practice. As implied by the term, clinical neuropsychology involves the application of both neurological and psychological knowledge and clinical skills in the assessment, treatment or intervention with individuals with known or suspected brain injury or disease.

1. Clinical neuropsychology differs from the general cognitive, perceptual, sensorimotor, intellectual or behavioral assessments of clinical, counseling, school or industrial-organizational psychology. Its purpose is to make clinical judgments regarding the functional integrity of the brain and of the specific effects of known brain pathology based on assessment and analysis of these functions.

2. Other psychologists, licensed under this law (R.S. 37:2356) and possessing appropriate education and training in the area of health care delivery, may also assess individuals with known or suspected brain pathology for the purpose of defining levels of academic or intellectual development; determining areas of relative strengths or weaknesses in cognitive, perceptual or psychomotor skills; identifying and categorizing behavioral or personality problems and their psychological origins; and making differential psychiatric diagnoses.

3. Clinical neuropsychologists, however, have as their purpose to assess and analyze cognitive, perceptual, sensorimotor and behavioral functions in order to identify and isolate specific, elementary neurobehavioral disturbances; differentiate neurological from possible psychological, cultural or educational contributions to the observed deficits; and finally, to clinically integrate this information into a neuroanatomically and/or neuropathologically meaningful syndrome. These impressions are then compared with the patient's known medical, psychiatric and neurological risk factors and

personal and behavioral history to arrive at a neuropsychological diagnosis. Because of their appreciation of specific neurobehavioral deficits and neurobehavioral syndromes in general, clinical neuropsychologists, as part of the evaluation process, are also called upon to make specific recommendations for the treatment and management of cognitive and neurobehavioral deficits resulting from brain injury or disease.

4. Clinical neuropsychological intervention includes, but is not limited to, developing strategies and techniques designed to facilitate compensation for or recovery from these various organically induced deficits based on the clinical neuropsychologist's understanding of brain-behavior relationships and the underlying neuropathology. It is also recognized that other psychologists, licensed under this law (R.S. 37:2356) and possessing appropriate education and training in the area of health care delivery, may also provide traditional psychotherapeutic intervention in assisting patients adjust to the emotional, social or psychological consequences of brain injury.

5. These regulations recognize the overlapping roles in certain aspects of clinical neuropsychological assessment and intervention of other professionals, such as behavioral neurologists, speech pathologists, and learning disability specialists, and are not meant to constrain or limit the practice of those individuals as affirmatively set forth in their relevant enabling statutes.

C. Training and Educational Requirements. The guidelines for licensure as a psychologist, as defined in LAC 46:LXIII.301 and 303, are also applicable as minimal requirements for consideration for the practice of clinical neuropsychology. However, in addition to one's basic training as a psychologist, specialty education and training is considered essential. The International Neuropsychological Society (INS) and Division 40 of the American Psychological Association (APA) have developed guidelines for specialty training in clinical neuropsychology. These guidelines represent the current recommendations for the education and training of psychologists who will engage in the delivery of clinical neuropsychological services to the public. It is recognized that many current practitioners of clinical neuropsychology were trained well before such specialty guidelines were devised and such educational and training opportunities were readily available. Additionally, it is recognized that there are many psychologists, who were not initially trained as clinical neuropsychologists, but who would like to respecialize and practice in this field. The purpose of these regulations is also to address the circumstances of these individuals. The minimum requirements set forth in the *Louisiana Administrative Code* for Psychologists will also apply to all candidates seeking a specialty designation in clinical neuropsychology.

1. Doctoral Training in Clinical Neuropsychology after 1993. Because of the diversity of training programs in clinical neuropsychology, some discretionary judgment as to the adequacy of any educational and training program must be left to the board. However, the basic model for training in clinical neuropsychology will be in keeping with the

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guidelines developed by INS/APA Division 40. These are as follows:

a. a basic core psychology curriculum as defined in LAC 46:LXIII.303.C.11;

b. a clinical core that includes psychopathology; didactic and practicum experiences in the assessment of individual differences (psychometric theory, interviewing techniques, intelligence and personality assessment); didactic and practicum experiences in psychotherapeutic intervention techniques; and professional ethics;

c. specific courses relating to training in clinical neuropsychology including, but not limited to: basic neurosciences such as advanced physiological psychology; advanced perception and cognition; research design and/or research practicum in neuropsychology; psychopharmacology; functional human neuroanatomy; neuropathology; didactic and practicum experiences in clinical neuropsychology and clinical neuropsychological assessment; and principles of clinical neuropsychological intervention;

d. specialty internship in clinical neuropsychology, followed by the completion of a formal post-doctoral fellowship (one year minimum) in clinical neuropsychology, or the equivalent of one full year (2,000 hours) of post-doctoral experience in clinical neuropsychology under the supervision of a qualified clinical neuropsychologist (as defined here and in LAC 46:LXIII.307.C.2, 3, and 4). The majority of these hours must involve clinical neuropsychological assessment, and some portion of the remaining hours should be related to rehabilitation of neuropsychological deficits. The supervision, as defined above, should involve a minimum of one hour of face-to-face supervision a week, though additional supervisory contact may be required during training phases and case discussions. The 2,000 total hours must be obtained in no more than two consecutive years;

e. as with any specialty area of psychology, being licensed to practice with a specialization in clinical neuropsychology will depend on the successful completion of both written and oral examinations as defined by the board.

2. Respecialization for Psychologists with Other Designated Specialty Areas

a. The requirements for any given individual may vary depending on his or her previous education, training, supervised practica, and clinical experiences. Documentation of one's relevant training and clinical experience, along with a formal plan for respecialization in clinical neuropsychology, will be submitted to the board for approval.

b. Continuing education in clinical neuropsychology, regardless of its nature and content, will not be considered, in and of itself, sufficient for respecialization. Any such educational experiences must be supplemented by formal applied clinical experiences under the supervision of a qualified clinical neuropsychologist.

c. While a formal course of post-doctoral graduate training in clinical neuropsychology may be considered ideal, matriculation in such a graduate program may not be essential for someone already trained in an area of health care delivery psychology. Such an individual may undertake an informal course of studies outlined by the supervising clinical neuropsychologist. Such a program of studies should be designed to supplement whatever may be lacking from the basic educational requirements listed under LAC 46:LXIII.307.C.1.c and must be submitted to the board for prior approval.

d. In addition to whatever remedial didactic training is necessary, the candidate for respecialization in clinical neuropsychology, will complete either a formal, one year post-doctoral fellowship training program, or the equivalent of one full year (2,000 hours) of supervised experience in clinical neuropsychology as defined in LAC 46:LXIII.307.C.1.d.

e. Following the completion of this program, the candidate for respecialization will be required to pass an oral examination administered by the board or a committee of its choosing relating to the practice of clinical neuropsychology.

3. Psychologists Trained Prior to 1993 with Demonstrated Expertise in Clinical Neuropsychology

a. Those psychologists whose training and experience qualify them as having particular expertise in this field, may petition for a specialty designation in clinical neuropsychology. The following may be offered as evidence of such expertise:

i. diplomat status (ABPP/ABCN or ABN) in neuropsychology;

ii. formal training and supervised practicum experiences in clinical neuropsychology as defined in LAC 46:LXIII.307.C.1;

iii. extensive clinical practice in the area of clinical neuropsychology, such that one has a regional or national reputation among his or her peers as having competence in this field;

iv. in addition to the clinical practice of neuropsychology, one has significant scholarly publications in the area or teaches courses in clinical neuropsychology at a graduate level in an accredited psychology program.

b. These credentials would be subject to review and approval by the board.

c. After having met all other requirements for licensure under this Chapter, the candidate may be required to pass an oral examination administered by the board or a committee of its choosing relating to the practice of clinical neuropsychology.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353 and R.S. 37:2356.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 19:1323 (October 1993), amended LR 36:1006 (May 2010).

Chapter 5. Examinations

§501. Written Examination

A. Pursuant to R.S. 37:2353.C(1) and R.S. 37:2356.D, the written portion of the examination of the Louisiana State Board of Examiners of Psychologists shall be the Examination for the Professional Practice of Psychology as constructed by the American Association of State Psychology Boards.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353 and R.S. 37:2356.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 6:70 (February 1980).

§503. Criterion for Passing the Examination for the Professional Practice in Psychology (EPPP)

A. The Board of Examiners of Psychologists establishes the criterion for a passing score on the Examination for Professional Practice in psychology be 70 percent correct on the paper and pencil version or a scaled score of 500 on the computer administered version.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353 and 37:2356.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 9:551 (August 1983), amended LR 13:291 (May 1987), amended by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 27:835 (June 2001).

Chapter 6. Fees

§601. Licensing Fees

Licensing Fees	Amount
Application for Licensure	\$200
Application for Temporary Licensure	125
Oral Examination (Licensure, specialty change or additional specialty)	250
Jurisprudence Examination	75
License Renewal	320
Emeritus License Renewal	160
Reinstatement of Lapsed License (Application plus renewal fee)	570

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).

§603. Administrative/Other Fees

Administrative/Other Fees	Amount
Address List/Labels	\$100
License Verification	15
Disciplinary Action Report	25
Directory and Statutory Reference Book (bounded copy plus shipping)	50
Replacement License Certificate	25
Replacement Renewal Certificate	10
Photo ID Card	25
Paper processing fees (paper renewals)	15
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 33:648 (April 2007), amended LR 39:311 (February 2013).

Chapter 7. Supervised Practice Leading toward Licensure

§701. Preface

A. This document details reasonable minimal standards for supervised practice and establishes the legal, administrative and professional responsibility of the licensed psychologist designated as supervisor.

B. The supervisory function serves a multiplicity of purposes. Supervision provides guidance in administrative issues in the practice setting, continues and expands education in skills, offers emotional support, and provides evaluation for purposes of the supervisee's growth, as well as administrative judgment relative to the supervisee's capacity for autonomous professional function. The supervisor assigns work, sets realistic standards for achievement and offers evaluation of the supervisee's performance. The supervisor offers a perspective on the relationship between the supervisee's assignment, the rest of the setting and the facilities available outside of the setting in order that the supervisee's professional procedures are intelligently placed within the context of all of the systems affecting and influencing the client. In addition to all of this, the supervisor must deal with those personal characteristics of the supervisee which either enhance or interfere with work efficiency. The private actions and behaviors of the supervisee which are not relevant to nor expressed in the work setting shall not be dealt with in the supervisory relationship. The supervisor shall limit supervision to those areas in which he/she has professional expertise, as well as develop the specialized skills necessary to render competent supervision.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 5:249 (August 1979), amended LR 7:187 (April 1981).

§703. Duration and Setting of Supervised Practice

A. Two years of full-time (4,000 hours) supervised and documented experience shall be required for licensure. Up to one year full-time (2,000 hours) of an acceptable internship may be applied to this requirement, however all remaining supervision must be post-doctoral.

1. Credit shall not be granted for practice in connection with course work practicum experience for which predoctoral graduate credits are granted.

2. To be credited toward the two years full-time requirements each assignment in a setting or integrated program shall be of at least 500 hours in duration and at least half-time for that setting or integrated program. Supervised

practice must be completed within five calendar years, and for cause shown, the board may grant extensions.

3. Internship Programs. A predoctoral internship shall be credited toward the required two years of supervised experience if that experience was required as a part of the doctoral degree and meets the board's requirements under LAC 46:LXIII.305.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 5:249 (August 1979), amended LR 7:187 (April 1981), LR 13:180 (March 1987), amended by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 29:2075 (October 2003), LR 36:1007 (May 2010).

§705. Qualifications of Supervisors

A. Responsibility for the overall supervision of the supervisee's professional growth resides in the licensed psychologist. Supervising psychologists shall have training in the specific area of practice in which they are offering supervision. Specific skill training may be assigned to other specialists, under the authority of the supervising psychologist. The non-psychologist specialist shall have clearly established practice and teaching skills demonstrable to the satisfaction of both the supervising psychologist and the supervisee.

B. The supervisor shall limit the number of persons supervised so as to be certain to maintain a level of supervision and practice consistent with professional standards insuring the welfare of the supervisee and the client.

C. The supervisor shall not be a member of the supervisee's immediate family.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 5:249 (August 1979), amended LR 7:187 (April 1981).

§707. Amount of Supervisory Contact

A. There shall be one hour per week as a minimum for general professional supervision. Exceptions to the requirement must have prior approval by the board. Specific case discussion and skill training require additional supervisory contact. Supervision is to be conducted on a one-to-one basis, and shall not be substituted for by group seminars or consultation even though they may be excellent training procedures in their own right. It is likely that more than one hour per week would be required, especially with supervisees of lesser experience.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 5:249 (August 1979), amended LR 7:187 (April 1981).

§709. Conduct of Supervision

A. The board recognizes that the variability in preparation for practice of the trainee will require individually tailored supervision. The specific content of the supervision procedures will be worked out between the individual supervisor and the supervisee.

B. The licensed psychologist who provides supervision for the candidate for licensure must have legal functioning authority over and professional responsibility for the work of the supervisee. This means that the supervisor must be available to the supervisee at the point of the decision-making. The supervisor's relationship with the supervisee shall be clearly differentiated from that of consultant, who may be called in at the discretion of the consultee and who has no functional authority for, nor none of the legal or professional accountability for the services performed or for the welfare of the client.

C. The licensed psychologist is responsible for the delivery of services, the representation to the public of services, and the supervisor/supervisee relationship.

1. All clients will be informed of the availability or possible necessity of meetings with the supervising psychologist at the request of the client, the supervisee, or the psychologist. The supervisor will be available for emergency consultation and intervention.

2. All written communication will clearly identify the licensed psychologist as responsible for all psychological services provided. Public announcement of services and fees, and contact with the public or professional community shall be offered only by or in the name of the licensed psychologist. It is the responsibility of both the supervising psychologist and the supervisee to inform the client, to whatever extent is necessary for the client to understand, of the supervisory status and other specific information as to supervisee's qualifications and functions.

3. Billing and receipt of payment is the responsibility of the employing agency or the licensed psychologist. The setting and the psychological work performed shall be clearly identified as that of the licensed psychologist. The physical location where services are delivered may not be owned, leased, or rented by the supervisee.

4. The supervisor must be paid either directly by the client or by the agency employing the supervisee. The supervisee may not pay the supervisor for supervisory services, nor may the supervisee and/or his/her immediate family have any financial interest in the employing agency.

5. The supervising psychologist is responsible for the maintenance of information and files relevant to the client. The client shall be fully informed, to whatever extent is necessary for that client to understand, that the supervising psychologist or the employing agency is to be the source of access to this information in the future.

D. In the event the supervisee publicly represents himself/herself inappropriately, or supervision is not conducted according to LAC 46:LXIII.709, the board may

rule that any experience gained in that situation is not commensurate with ethical standards and thus not admissible as experience toward licensure. The board may further rule that any psychologist providing supervision under those circumstances is in violation of ethical standards which results in disciplinary action such as suspension or revocation of licensure.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 5:249 (August 1979), amended LR 7:187 (April 1981).

§711. Evaluation and Accreditation of Supervised Practice

A. The board shall require submission of information by the supervisor(s) which will enable it to evaluate and credit the extent and quality of the candidate's supervised practice. The form requesting such information shall cover the following:

1. name of supervisee;
2. educational level of supervisee;
3. supervisor's name, address, license number, date and state in which granted, and area of specialization;
4. name and nature of setting in which supervised practice took place;
5. dates of practice covered in this report;
6. number of practice hours during this period;
7. supervisee's duties;
8. number of one-to-one supervisory hours.

B. Assessment of Supervisee's Performance

1. The board may also require the supervisee to submit reports.

2. Supervised practice time during which the supervisor deems the supervisee's performance to have been unacceptable shall not be credited toward the required supervised practice hours.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 5:249 (August 1979), amended LR 7:187 (April 1981).

Chapter 8. Continuing Education

§801. Preface

A. Pursuant to R.S. 37:2357(B), each licensed psychologist 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. Continuing professional development (CPD) activities:

1. are relevant to psychological practice, education and science;
2. enable psychologists to keep pace with emerging issues and technologies; and
3. allow psychologists to maintain, develop, and increase competencies in order to improve services to the public and enhance contributions to the profession.

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 16:769 (September 1990), amended LR 19:46 (January 1993), LR 32:1228 (July 2006), LR 36:1007 (May 2010), LR 39:2754 (October 2013).

§803. Requirements

A. For the reporting periods that begin July 2014 and July 2015, each psychologist is required to complete 30 hours or credits of continuing professional development within the biennial reporting period. The CPD credits must conform to the percentage distribution requirements listed below in Subsection C. For the reporting periods that begin July 2016 and July 2017 and henceforth, 40 credits of continuing professional development will be required in the biennial reporting period and the hours must conform to the distribution listed below in Subsection C.

B. Within each reporting period, two of the required hours or credits of continuing professional development must be within the area of ethics or law.

C. Within each reporting period, licenses must earn credits in at least two of the nine categories listed under Subsection D of this Section.

D. Licensees can accumulate continuing professional development credits in nine categories.

1. Professional

a. Peer Consultation (1 hour of peer consultation equals 1 credit). Examples include case consultation groups, journal clubs, regional research groups, mentoring, and shadowing a colleague. If learning is reciprocal, credit is split between both licensees.

i. If Requested, Documentation Required to Earn Credit—verification form providing evidence that it is a structured program of consultation with regularly scheduled meetings and showing the nature of the consultation. Additionally, the person providing the consultation must attest, by signature, to the description of the program, number of hours met and that the verification form has been completed.

b. Practice Outcome Monitoring (1 completed questionnaire equals 1 credit)—assessing patient/client outcomes via a questionnaire that is shown to be of empirical value.

i. If Requested, Documentation Required to Earn Credit—verification form providing number of hours spent

with patient/client and a de-identified copy of the patient/client questionnaire.

c. Professional Activities (1 year equals 10 credits)—serving on a national, regional, or state psychological association board or committee or board member of regulatory body related to the field of psychology.

i. If Requested, Documentation Required to Earn Credit—verification form and documentation from the professional organization confirming the service.

d. Conferences/Conventions (1 conference day equals 1 credit)—attendance at a conference related to the field of psychology or a conference, which aids in the licensee’s professional development.

i. If Requested, Documentation Required to Earn Credit—copy of registration materials. This credit is separate from traditional continuing education units that may be awarded at said conference.

2. Academic

a. Academic Courses (1 three-hour course or equivalent equals 20 credits)—graduate-level course related to psychologist’s discipline and practice taken for credit (not audit) from a regionally accredited university or one pre-approved by the board.

i. If Requested, Documentation Required to Earn Credit—course transcript.

b. Instruction (1 three-hour course equals 20 credits; 1 full-day workshop equals 10 credits)—teaching a course in a regionally accredited institution or full-day workshop presentation. Credit can only be received the first time teaching or presenting the material.

i. If Requested, Documentation Required to Earn Credit—syllabus or brochure. Materials used may be requested upon an audit.

c. Publications (1 article equals 10 credits; book chapter equals 10 credits)—author of an article for peer-reviewed publications or author, editor or co-editor of a book related to the field of psychology.

i. If Requested, Documentation Required to Earn Credit—copy of journal abstract or copy of the publication.

3. Traditional Continuing Education

a. Approved Sponsored CE (1 hour equals 1 credit)—workshops from a recognized approved sponsor (APA or any of its approved sponsors, academies of professional specialty boards, regionally accredited colleges or universities, continuing medical education in category 1 of AMA or its subsidiaries, including grand rounds). Home study, even with an approved CE sponsor, is considered self-directed learning.

i. If Requested, Documentation Required to Earn Credit—appropriate documentation from sponsor.

b. Self-directed Learning (1 hour equals 1 credit). Examples include reading, Internet, videos, and/or other unsponsored activities.

i. If Requested, Documentation Required to Earn Credit—completion of self-directed learning verification form.

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).

§805. Acceptable Sponsorship, Offerings and Activities

A. The board will recognize the following as acceptable sponsors of the continuing education requirements:

1. accredited institutions of higher education;
2. hospitals which have approved Regional Medical Continuing Education Centers;
3. hospitals which have APA approved doctoral internship training programs;
4. 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
7. activities sponsored by the Louisiana Department of Health and Hospitals or its subordinate units and approved by the chief psychologist of the sponsoring state office.

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), LR 22:1131 (November 1996), LR 25:1098 (June 1999), LR 32:1228 (July 2006), LR 36:1007 (May 2010).

§807. Unacceptable Offerings and/or Activities

A. The board will not recognize the following activities as fulfilling the continuing education requirements, even though such activities may be valuable for other professional purposes:

1. holding organizational or professional offices or performing editorial responsibilities by the licensee;
2. participating in or attending case conferences, grand rounds, informal presentations, or general continuing education programs sponsored by private and/or local hospitals;

3. participating in general continuing education programs sponsored only by divisions of continuing education or conferences and institutes without the sponsorship of university graduate training departments;

4. participating in informal self-study, self-selected reading, journal clubs, and/or audio/video tape review not awarded APA Category I continuing education credit;

5. personal psychotherapy.

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 LR19:47 (January 1993), LR 25:1098 (June 1999).

§808. Calculation of Credits Earned

A. Licensees can earn continuing education hours of credit equal to 10 times the credits given for completion of a graduate course, if the course meets the criteria of LAC 46:LXIII.803.D.1-2 and 805.A. (Example: 3 graduate course credits = 30 continuing education hours of credit.)

B. For auditing a graduate course that meets the criteria of LAC 46:LXIII.803.D.1-2 and 805.A, a licensee can earn 5 times the continuing education hours given for completion of such a course for credit. (Example: 3 graduate course credits = 15 continuing education hours of credit.)

C. Licensees can earn continuing education hours of credit for the preparation and teaching of a graduate level psychology course in an accredited institution of higher education, equal to 15 times the semester credit hours granted students. This continuing education credit may be claimed only once for a course. Subsequent teaching of the same course will not qualify for continuing education credit. (Example: 3 graduate course credits = 45 continuing education hours of credit). If a graduate course is taught by more than one person, the number of continuing education credits calculated shall be divided by the number of presenters.

D. Licensees can earn continuing education hours of credit as specified by the sponsor of continuing education activities which are conducted or approved by an acceptable institution or organization as defined in LAC 46:LXIII.805.A.1-7.

E. Licensees can earn continuing education hours of credit for the preparation and presentation of a workshop which has an acceptable sponsor and otherwise meets the criteria for acceptable continuing education, equal to four times the continuing education credits given participants. This continuing education credit/hours may be claimed only once for the initial presentation of a workshop. Repeated presentations of the same or similar workshops will not qualify for continuing education credit. (Example: 6 continuing education credits given to participants = 24 continuing education hours of credit for sole presenter of a workshop). If the workshop is presented by more than one person, the number of continuing education hours of credit calculated shall be divided by the number of presenters.

F. Licensees can earn three continuing education hours of credit for registered attendance at a professional meeting, conference, or convention which lasts one full day or longer. However, no more than 12 continuing education hours of credit may be earned this way per biennial period.

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 32:1229 (July 2006).

§809. Reporting Requirements

A. Each psychologist shall complete, at the end of reporting periods, the continuing professional development verification form and the continuing education report and file accordingly with the board.

B. Signature. By signing the report form, the licensee signifies that the report is true and accurate.

C. Documentation. Each licensee shall retain corroborative documentation of his or her continuing professional development for two years. Although this documentation is not routinely required as part of the licensee's submission, the board may, at its discretion, request such documentation. Any misrepresentation of continuing professional development will be cause for disciplinary action by the board.

D. Biennial Reporting Period. Psychologists holding even-numbered licenses must submit to the board, in even-numbered years, their continuing professional development report along with their license renewal form. Psychologists holding odd-numbered licenses must submit to the board, in odd-numbered years, their continuing professional development report along with their license renewal form. Continuing professional development reports shall be due July 1, and considered delinquent at the close of business July 31, in the year in which their continuing professional development report is due.

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 19:47 (January 1993), amended LR 32:1229 (July 2006), LR 39:2755 (October 2013).

§811. Extensions/Exemptions

A. Licensees on extended active military service outside the state of Louisiana during the applicable reporting period and who do not engage in delivering psychological services within the state of Louisiana may be granted in extension or an exemption if the board receives a timely confirmation of such status.

B. Licensees who are unable to fulfill the requirement because of illness or other personal hardship may be granted an extension or an exemption if timely confirmation of such status is received by the board.

C. Newly licensed psychologists are exempt from continuing professional development requirements for the

remainder of the year for which their license or certification is granted.

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), LR 39:2755 (October 2013).

§813. Noncompliance

A. Noncompliance shall include, in part, incomplete reports, unsigned reports, failure to file a report, and failure to report a sufficient number of acceptable continuing professional development credits as defined in LAC 46:LXIII.803.

B. Failure to fulfill the requirements of the continuing professional development rule shall cause the license to lapse pursuant to R.S. 37:2357.

C. If the licensee fails to meet continuing professional development requirements by the appropriate date, the license shall be regarded as lapsed at the close of business July 31 of the year for which the licensee is seeking renewal.

D. The state Board of Examiners of Psychologists shall serve written notice of noncompliance on a licensee determined to be in noncompliance. The notice will invite the licensees to request a hearing with the board or its representative to claim an exemption or to show compliance. All hearings shall be requested by the licensee and scheduled by the board in compliance with any time limitations of the Administrative Procedure Act.

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 19:47 (January 1993), amended LR 32:1229 (July 2006), LR 34:1406 (July 2008), LR 39:2756 (October 2013).

§815. Reinstatement

A. For a period of two years from the date of lapse of the license, the license may be renewed upon proof of fulfilling all continuing professional development requirements applicable through the date of reinstatement and upon payment of all fees due under R.S. 37:2357.

B. After a period of two years from the date of lapse of the license, the license may be renewed by passing a new oral examination before the board and payment of a fee equivalent to the application fee and renewal fee.

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 19:47 (January 1993), LR 39:2756 (October 2013).

Chapter 9. Licensees

§900. License Renewal

A. A psychologist is eligible to renew their current license until July 31 of each year upon submission of the required renewal fee, renewal application form and

fulfillment of all continuing education requirements as defined in LAC 46:LXIII.Chapter 8.

B. A license may be valid for one year beginning August 1 through July 31 for each renewal period.

C. A person whose license has been suspended is not eligible for renewal. Reinstatement procedures of a suspended license may be established through a consent agreement, or after a period of two years from the date of suspension a person may reapply for licensure.

D. A person whose license has been revoked is not eligible for renewal. However, after a period of more than two years from the date of revocation, a person may reapply for licensure.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2354 and 37:2359.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 33:648 (April 2007).

§901. Reinstatement of Lapsed Licenses

A. If the licensee is not renewed by the end of July, due notice having been given, the license shall be regarded as lapsed for the year beginning with that August. Such lapsed license shall not be listed in the directory.

B. Within two years of the lapsing of such license, the licensee may submit an application for reinstatement for board review along with the payment of a reinstatement fee equal to the current application fee and the current renewal fee. Applicants who appear for reinstatement after 1 year of the lapsing of his/her license are required to submit to a criminal background check.

C. After two years of the lapsing of such license, the licensee may submit an application for reinstatement for board review along with the payment of a reinstatement fee equal to the current application fee and the current renewal fee provided that the person is in compliance with R.S. 37:2357.A and the rules and regulations of the board. Applicants for reinstatement received after two years are required to submit to a criminal background check and oral examination.

D. The person shall not practice psychology in Louisiana while the license is lapsed.

E. A lapsed license shall be reinstated as of the date all applicable requirements of R.S. 37:2357 have been met. However, the board retains the right to reinstate licenses retroactively in unusual circumstances as specified in the policy and procedures of the LSBEP.

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

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 6:489 (August 1980), amended LR 10:795 (October 1984), amended by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 29:2074 (October 2003), LR 33:648 (April 2007), LR 36:1007 (May 2010).

§903. Contact Information

A. A licensed psychologist shall notify the board within 30 days, with documentation, attesting to any change of contact information including mailing address, work address, telephone number and email address. This documentation notice shall include the psychologist's, full name, license number, and the old and new contact information.

B. Should a psychologist be displaced to a temporary location due to an emergency, the psychologist shall notify the board within 30 days, with documentation attesting to the temporary change in contact information. The documented notice shall include the psychologist's full name, license number, old and new temporary contact information.

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 32:1227 (July 2006), amended LR 39:2754 (October 2013).

Chapter 10. Temporary Registration**§1001. Registration of Out-of-State Psychologist**

A. Any nonresident licensed for independent practice as a doctoral-level psychologist in the state of his/her residence and which state will permit residents of this state a like and similar privilege as provided herein may practice as a psychologist for a period not to exceed 30 days in any one calendar year or the current expiration of his resident license, whichever comes first, to the same extent and manner as if licensed in this state.

B. Upon application for temporary registration, accompanied by such fee determined by the board, the board shall issue a certification of temporary registration to a psychologist not licensed in Louisiana, whose license is current, unrestricted, and at the doctoral-level in the jurisdiction of his/her residence, and who furnishes upon a form and in such manner the board prescribes, the following:

1. completed, notarized, registration form signed by the out-of-state psychologist, shall be submitted along with the appropriate fee, a copy of the respective current and unrestricted licenses, picture identification, and any other information pertaining to identification or fitness to practice as requested by the board;

2. documentation that the psychologist is engaged in a legitimate professional setting, and provides satisfactory documentation to the board of the location site(s) that he/she will be providing psychological services and dates of service;

3. a statement attesting to any prior disciplinary actions, felonies or convictions, participation in an impaired psychologist program, or any pending litigations or actions the licensee may be facing; and

4. documentation that the state in which the out-of-state psychologist resides provides a like and similar privilege to licensed Louisiana psychologists.

C. All applicants for temporary registration must successfully pass the Louisiana jurisprudence examination and pay the appropriate fee associated with such exam. Temporary applicants must pass the jurisprudence examination prior to the issuance of a certification of temporary registration. Jurisprudence exam scores will be valid for three years.

D. Upon issuance of the certification of temporary registration, the psychologist shall comply with the Louisiana licensing law for psychologists, R.S. title 37, chapter 28, the *Louisiana Administrative Code*, Title 46, Part LXIII and other applicable laws, as well as practice in good faith, and within the reasonable scope of his skills, training, and ability.

E. Should a qualified psychologist registered with the board thereafter fail to comply with any requirement or condition established by this Rule, the board may immediately terminate his/her registration. In addition, any known jurisdiction in which the psychologist holds a license will be notified of any complaint, investigation and/or disciplinary proceedings by this board.

F. In the event a psychologist fails to register with the board, but practices psychology, whether gratuitously or otherwise, then such conduct will be considered the unlawful practice of psychology and prosecuted accordingly.

G. Temporary registration may be granted no more than three consecutive years.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2365(D).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 33:459 (March 2007), amended LR 36:1007 (May 2010), LR 39:2756 (October 2013).

§1002. Emergency Temporary Registration for Psychologists

A. Pursuant to R.S. 29:769(E), licensed psychologists from other jurisdictions of the United States may respond to a declared public health emergency and be granted a temporary registration to engage in the practice of psychology as defined in R.S. 37:2352(5).

B. Prior to providing professional services in Louisiana a psychologist licensed at the doctoral level in another jurisdiction of the United States, shall apply for an emergency temporary registration (ETR). The application for ETR shall be made available via the board website or mailed upon request.

C. Applications for emergency temporary registration shall be processed as priority during a declared emergency.

D. Accordingly, additional requirements for an ETR may be imposed pursuant to the emergency declaration issued which more properly address the needs of the particular declared emergency.

E. A psychologist not licensed in Louisiana, whose license is current, unrestricted, and at the doctoral-level in the jurisdiction of his/her residence in the United States, and properly registers with the board may gratuitously provide psychological services if:

1. the psychologist is engaged in a legitimate relief effort during the emergency period, and provides satisfactory documentation to the board of the location site(s) that he/she will be providing psychological services;

2. the psychologist complies with the Louisiana licensing law for psychologists, R.S. title 37, chapter 28, the *Louisiana Administrative Code*, Title 46, Part LXIII and other applicable laws, as well as practice in good faith, and within the reasonable scope of his skills, training, and ability; and

3. the psychologist renders psychological services on a gratuitous basis with no revenue of any kind to be derived whatsoever from the provision of psychological services with the state of Louisiana.

F. The authority provided for the Emergency Rule shall be applicable for a period of time not to exceed 60 days at the discretion of the board, with the potential extension of up to two additional periods not to exceed 60 days for each extension as determined appropriate and necessary by the board.

G. All interested psychologists shall submit to the board a copy of their respective current and unrestricted licenses, picture identification, and any other information pertaining to identification or fitness to practice as requested by the board.

H. Should a qualified psychologist registered with the board thereafter fail to comply with any requirement or condition established by this Rule, the board may immediately terminate his/her registration. In addition, any known jurisdiction in which the psychologist holds a license will be notified of any complaint, investigation and/or disciplinary proceedings by this board.

I. In the event a psychologist fails to register with the board, but practices psychology, whether gratuitously or otherwise, then such conduct will be considered the unlawful practice of psychology and prosecuted accordingly.

AUTHORITY NOTE: Promulgated in accordance with R.S. 29:769(E).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 33:459 (March 2007), amended LR 36:1007 (May 2010), LR 39:2757 (October 2013).

§1003. Military Applicants

A. Any active member of the military or their spouse shall be granted expedited status for licensure upon an application for licensure, payment of the appropriate fee, and written request for expedited process.

B. Upon receipt of the above information and if the psychologist is licensed in any other state, he/she shall be considered for temporary license at the next regularly

scheduled board meeting. If the psychologist meets the requirements for licensure, he/she shall be granted a temporary license.

C. The temporary license may be extended while documentation for a full license is gathered, and so long as the application is active.

D. Upon issuance of the temporary license, the psychologist shall comply with the Louisiana licensing law for psychologists, R.S. title 37, chapter 28, the *Louisiana Administrative Code*, Title 46, Part LXIII and other applicable laws, as well as practice in good faith, and within the reasonable scope of his skills, training, and ability.

E. All military applicants will be required to submit to a criminal background check and pass a Louisiana jurisprudence examination before issuance of a permanent license.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2365(D).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 39:2757 (October 2013).

Chapter 11. Supervision of Assistants to Psychologists

§1101. Conditions for Utilization of Assistants

A. An assistant providing psychological services must be under the general and continuing professional supervision of a licensed psychologist. General supervision means the procedure is furnished under the psychologist's overall direction and control, but the psychologist's presence is not required during the performance of the procedure. Under general supervision, the training of the nonpsychologist personnel who actually performs the diagnostic procedure and the maintenance of the necessary equipment and supplies are the continuing responsibility of the psychologist.

B. In order to maintain ultimate legal and professional responsibility for the welfare of every client, a licensed psychologist must be vested with functional authority over the psychological services provided by assistants.

C. Supervisors shall have sufficient contact with clients, and must be empowered to contact any client in order to plan effective and appropriate services and to define procedures. They shall also be available for emergency consultation and intervention.

D. Work assignments shall be commensurate with the skills of the assistant and procedures shall under all circumstances be planned in consultation with the supervisor.

E. The supervisory contact with assistants shall occur in the service delivery setting, unless otherwise approved by the board of examiners.

F. Public announcement of fees and services and contact with lay or professional public shall not be offered in the name of the assistant.

G. Billing for psychological services shall not be in the name of an assistant.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 5:250 (August 1979), amended LR 36:1246 (June 2010).

§1103. Responsibilities of Supervisors

A. The supervisor is accountable for the planning, course and outcome of the work. The conduct of supervision shall insure the welfare of the client, and the ethical and legal protection of the assistant.

B. The supervisor shall establish and maintain a level of supervisory contact consistent with professional standards insuring the welfare of clients seen by the assistant, as well as sufficient contact so as to be accountable in the event that ethical or legal issues are raised.

1. There shall be one hour per week as a minimum for supervisory contact. Exceptions to this requirement must have prior approval of the board.

2. It is likely that more than one hour per week would be required for assistants of lesser experience.

3. The supervisor shall limit the number of assistants supervised so as to insure the above.

4. The supervisor shall be available for emergency consultation at the request of the assistant.

C. The supervisor shall have competence in the specific area of practice in which supervision is being given.

D. An ongoing record of supervision shall be maintained which details the types of activities in which the assistant is engaged and the level of competence in each. This record shall be kept in such form as may be prescribed by the board.

E. Neglect in maintaining the above standards of practice may result in suspension or revocation of the supervisor's license to practice.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 5:250 (August 1979), amended by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 36:1008 (May 2010).

Chapter 12. Criminal History Records Information

§1201. Scope of Chapter

A. The rules of this Chapter govern the collection and use of criminal history records information in connection with applications for an initial license, renewal, or reinstatement of a license of a psychologist in conformity with R.S. 37:2372.1

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2372.1.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 34:1406 (July 2008).

§1203. Definitions

A. As used in this Chapter, the following terms shall have the meanings specified.

Applicant—an individual who has made application to the board for the issuance or reinstatement of any license, permit, certificate, or registration which the board is authorized by law to issue.

Board—the Louisiana State Board of Examiners of Psychologists.

Bureau—the Louisiana Bureau of Criminal Identification and Information of the Office of State Police within the Department of Public Safety and Corrections.

Criminal History Record Information—information collected by the bureau or the Federal Bureau of Investigation of the United States Department of Justice or an individual consisting of detentions, indictments, bills of information, or any formal criminal charges and any disposition arising therefrom, including sentencing, criminal correctional supervision and release. Criminal history record information does not include information collected for intelligence or investigatory purposes nor does it include any identification information which does not indicate involvement of the individual in the criminal justice system.

FBI—the Federal Bureau of Investigation of the United States Department of Justice.

Licensure or License—any license, permit, certification, or registration which the board is authorized by law to issue.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2372.1.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 34:1406 (July 2008).

§1205. Criminal History Record Information Requirement

A. As a condition for eligibility for the issuance of an initial license or the reinstatement of any license, an applicant must submit such number of full sets of fingerprints, other identifiable information, and fees and costs as may be incurred by the board in requesting or obtaining criminal history record information, in the form and manner prescribed in §1209.

B. The board will use the fingerprints to request and obtain criminal history record information relative to the applicant as provided in R.S. 37:2372.1.

C. The application of an applicant who fails to comply with the requirements set forth in §1205.A shall be deemed incomplete and shall not be considered by the board unless and until such requirements have been satisfied.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2372.1.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 34:1406 (July 2008).

§1207. Effect of Application

A. The submission of an application for licensure to the board shall constitute and operate as an acknowledgement and authorization by the applicant to any state or federal agency, including, but not limited to, the bureau and the FBI, to disclose and release to the board any and all state, national, or foreign criminal history record information; the submission of an application for licensure to the board shall equally constitute and operate as a consent by the applicant for disclosure and release of such information and as a waiver by the applicant of any privilege or right of confidentiality which the applicant would otherwise possess with respect thereto.

B. The submission of an application for licensure to the board shall constitute and operate as an acknowledgement and authorization by the applicant for the board's utilization of criminal history record information to determine his or her suitability and eligibility for licensure, and whether just cause exists for the board to refuse to issue, suspend, revoke, or impose probationary or other terms, conditions, or restrictions on any license held or applied for by an applicant in the state of Louisiana for violation of any of the causes specified by R.S. 37:2359 or 37:2360, and the board's rules respecting any such health care provider as set forth in LAC 46:LXIII.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353, 37:2356 and 37:2372.1.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 34:1407 (July 2008).

§1209. Procedural Requirements

A. In conformity with the substantive requirements of §1205, an application for licensure, whether initial, by credential, or reinstatement to the board, shall be accompanied by each of the following:

1. two or such other number of fully completed fingerprint record cards, containing all identifiable information requested, as well as certified sets of fingerprints which have been affixed by a sheriff, police officer, or other law enforcement personnel;

2. a check in the amount of no less than \$50 in satisfaction of the fees and costs incurred by the board to process fingerprint cards and to request and to receive criminal history record information from the bureau and the FBI.

B. Fingerprint cards and instructions pertaining thereto will be supplied by the board upon application.

C. An applicant shall be responsible for any increase in the amounts specified in §1209.A.2, which may be assessed by any state or federal agency, including, but not limited to, the bureau and the FBI, or for the fees and costs which may

be incurred by the board in requesting and obtaining criminal history record information. An applicant shall also be responsible for payment of any processing fees and costs resulting from a fingerprint card being rejected by any state or federal agency, including, but not limited to, the bureau and the FBI.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2372.1.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 34:1407 (July 2008).

§1211. Falsification of Criminal Record Information

A. An applicant who denies the existence or extent of criminal history record information on an application, which is discovered by information, records, or documentation provided by the bureau, FBI, or any other state, national, or foreign jurisdiction shall, in addition to the potential disqualification of licensure for any of the causes specified in §1207.B, be deemed to have provided false, misleading, or deceptive information, or false sworn information on an application for licensure, and to have engaged in unprofessional conduct, providing additional cause for the board to suspend or revoke, refuse to issue, or impose probationary or other restrictions on any license held or applied for by an applicant in the state of Louisiana culpable of such violation, pursuant to R.S. 37:2359 and 37:2360.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2372.1.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 34:1407 (July 2008).

§1213. Confidentiality of Criminal History Record Information

A. Criminal history record information obtained by the board pursuant to R.S. 37:2372.1 and the rules of this Chapter, which is not already a matter of public record or to which the privilege of confidentiality has not otherwise been waived or abandoned, shall be deemed nonpublic and confidential information, restricted to and utilized exclusively by the board, its officers, members, investigators, employees, agents, and attorneys in evaluating the applicant's eligibility or disqualification for licensure. Criminal history record information shall not, except with the written consent of the applicant or by the order of a court of competent jurisdiction, be released or otherwise disclosed by the board to any other person or agency, provided, however, that any such information or documents which are admitted into evidence and made part of the administrative record in any adjudicatory proceeding before the board shall become public records upon the filing of a petition for judicial review of the board's final decision therein.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2372.1.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychology, LR 34:1407 (July 2008).

§1215. Exceptions to Criminal History Information Requirement

A. The criminal history record information requirements prescribed by this Chapter shall not be applicable to a psychologist applicant who seeks:

1. a temporary registration issued in accordance with LAC 46:LXIII.

B. The criminal history record information requirements prescribed by §§1201-1213 may be waived in such instances as the board, in its discretion, may deem necessary or appropriate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2372.1.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychology, LR 34:1407 (July 2008).

Chapter 13. Ethical Standards of Psychologists

§1301. Ethical Principles and Code of Conduct

A. The Board of Examiners of Psychologists incorporates by reference and maintains that Psychologists shall follow the APA Ethical Principles of Psychologists and Code of Conduct as adopted by the American Psychological Association's Council of Representatives during its meeting, August 21, 2002, and made effective beginning June 1, 2003. The Ethics Code and information regarding the code can be found on the APA web site, <http://www.apa.org/ethics>, or from the LSBEP web site at <http://www.lsbep.org>.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 6:66 (February 1980), amended LR 10:791 (October 1984), amended by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 29:703 (May 2003).

Chapter 15. Rules for Disciplinary Action

Subchapter A. Applicability; Processing Complaints

§1501. Applicability

A. These rules shall be applicable to any action of the Louisiana State Board of Examiners of Psychologists (board) to withhold, deny, revoke or suspend any psychologist's license on any of the grounds set forth in R.S. 37:2359 or under any other applicable law, regulation or rule, when such action arises from a complaint as defined in this section.

B. These rules shall not be applicable to the licensure of psychologists pursuant to R.S. 37:2356.

C. Unless otherwise provided by law, the board may delegate its authority and responsibility under these rules to a committee of one or more board members, to a hearing officer, or to other persons.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 9:461 (July 1983), amended LR 12:833 (December 1986), amended by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 36:1008 (May 2010).

§1503. Complaints

A. A complaint is defined as the receipt of any information by the board indicating that there may be grounds for disciplinary action against a psychologist, or any other individual, under the provisions of Title 37, Chapter 28 of the LA Revised Statutes, or other applicable law, regulation or rule.

B. Upon receipt of a complaint, the board may initiate and take such action as it deems appropriate.

C. Complaints may be initiated by the board, by any licensed psychologist or by any other person.

D. Upon receipt of complaints from other persons, the board will forward its Request for Investigation form to said person(s). Ordinarily, the board will not take additional action until the form is satisfactorily completed.

1. Except under unusual circumstances, the board will take no action on anonymous complaints.

2. If the information furnished in the Request for Investigation form is not sufficient, the board may request additional information before further considering the complaint.

E. All complaints received shall be assigned a sequentially ordered complaint code which shall be utilized in all official references.

F. The board shall determine whether the complaint warrants further investigation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 9:461 (July 1983), amended LR 12:833 (December 1986), amended by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 36:1008 (May 2010).

§1505. Investigation

A. If the board determines that a complaint warrants further investigation, the board shall notify the licensee or applicant against whom the complaint has been made (hereinafter referred to as "respondent"). The notice to the respondent shall include the following:

1. notice that a complaint has been filed;

2. a short and plain statement of the nature of the complaint;
3. a reference to the particular sections of the statutes, rules or ethical standards which may be involved;
4. copies of the applicable laws, rules and regulations of the board; and
5. a request for cooperation in obtaining a full understanding of the circumstances.

B. The respondent shall provide the board, within 30 days, a written statement giving the respondent's view of the circumstances which are the subject of the complaint.

C. The board may conduct such other investigation as it deems appropriate.

D. During the investigation phase, the board may communicate with the complainant and with the respondent in an effort to seek a resolution of the complaint satisfactory to the board without the necessity of a formal hearing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 12:833 (December 1986).

Subchapter B. Conduct of Formal Hearing

§1511. Formal Hearing

A. If, after completion of its investigation, the board determines that the circumstances may warrant the withholding, denial, revocation or suspension of a psychologist's license, the board shall initiate a formal hearing.

B. The formal hearing shall be conducted in accordance with the adjudication procedures set forth in the Louisiana Administrative Procedure Act (R.S. 49:950 et seq.).

C. Upon completion of the adjudication hearing procedures set forth in the Louisiana Administrative Procedure Act, the board shall take such action as it deems appropriate on the record of the proceeding. Disciplinary action under R.S. 37:2359 requires the affirmative vote of at least four of the members of the board.

D. The form of the decision and order, application for rehearing and judicial review shall be governed by the provisions of the Louisiana Administrative Procedure Act.

E. The board shall have the authority at anytime to determine that a formal hearing should be initiated immediately on any complaint. The complaint and investigation procedures set forth above shall not create any due process rights for a respondent who shall be entitled only to the due process provided under the Louisiana Administrative Procedure Act.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 9:461 (July 1983), amended LR 12:833 (December 1986).

§1513. Impaired Psychologist Procedure

A. At any time during the investigation and hearing process, the board, at its sole discretion, shall have the authority to offer the respondent the opportunity to participate in the impaired psychologist procedure.

B. If the board determines that a respondent should be offered the opportunity to participate in the impaired psychologist procedure, the board shall give written notice to the respondent of the following two options.

1. The respondent may acknowledge "impairment" in a form provided by the board, and submit to evaluation and treatment as set forth below.

2. The respondent may reject the opportunity to participate in the impaired psychologist procedure, and the board will continue to process the complaint in accordance with the procedures set forth above.

C. If the respondent elects to participate in the impaired psychologist procedure, disciplinary action against the respondent shall be suspended so long as respondent cooperates fully in his/her evaluation and treatment as set forth below.

D. The impaired psychologist procedure shall include the following.

1. The respondent shall acknowledge his/her "impairment" on a form provided by the board, and the respondent shall agree to submit to an evaluation.

2. The respondent may be required to provide the board with proof that he/she has arranged appropriate referrals of patients or that he/she is receiving supervision from another psychologist who is aware of the impairment.

3. The respondent shall submit to an evaluation by an appropriate professional selected by the board. Unless waived by the board and the respondent, the evaluator shall not be either an associate of or a professional in direct competition with the respondent, and the evaluator will not treat the respondent if the evaluation yields positive findings. The respondent must agree to pay the evaluator for the evaluation.

4. The evaluator will be requested to render an opinion within 24 hours of the evaluation regarding whether the respondent appears to be impaired by some condition which may benefit from intervention. Such impairment is defined to include only the Axis I and/or Axis III diagnosis of the current Diagnostic and Statistical Manual of Mental Disorders. (Presently that manual is the Third Edition and will hereinafter be referred as DSM 111.) As subsequent Diagnostic and Statistical Manuals are anticipated, Axis I diagnoses are operationally defined as "Clinical Syndromes, Conditions not Attributable to a Mental Disorder that are a Focus of Attention or Treatment, and Additional Codes,"* and Axis III diagnoses are operationally defined as "Physical

Disorders and Conditions"* (*American Psychiatric Association; Desk Reference to the Diagnostic Criteria from Diagnostic and Statistical Manual of Mental Disorders, Third Edition, Washington, D.C., APA, 1982, page 5).

5. If the above respondent is found not to be impaired as defined above, the impaired psychologist procedure is terminated, and the board may renew disciplinary action.

6. If the respondent is found to be impaired as defined above the respondent shall have the option of undergoing treatment provided by a qualified professional. The treatment plan must be approved by the board, and may include the protections set forth in LAC 46:LXIII.1513.D.2. The treatment plan and protections may be revised from time to time as permitted or required by the progress of the respondent. Treatment will be at the expense of the respondent.

7. If the respondent rejects the recommendation for treatment or fails to cooperate fully with a treatment plan and other protections approved by the board (including any revisions thereof), disciplinary action may be renewed.

8. Upon successful completion of the treatment plan, based upon such reasonable evaluation as the board may require and upon determination that the respondent has the status and ability to function professionally without supervision, the disciplinary action based upon the former complaint shall be terminated, and no further action shall be taken with respect to that complaint.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 9:462 (July 1983), amended LR 12:834 (December 1986).

Chapter 17. Specialty Titles

§1701. Definition of Practice of Psychology

A. The definition of the practice of psychology, as contained in R.S. 37:2352(5), is a generic description, individuals certified under the provisions of R.S. 37:2351-2367 are licensed to practice psychology in accordance with that statute and the rules and regulations of the board adopted under the provisions of state statute.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 6:602 (October 1980).

§1702. Definition of Psychological Testing, Evaluation and Assessment

A. As contained in R.S. 37:2352(5), the practice of psychology includes, but is not limited to, psychological testing and evaluation or assessment of personal characteristics such as intelligence, personality, abilities, interests, aptitudes, and neuropsychological functioning. The Board of Examiners of Psychologists finds it necessary to formally define psychological testing in order to protect the

people of this state from the unlawful, unqualified and improper use of psychological tests. The intent of this rule is to provide a definition of psychological testing sufficient to allow this board to effectively regulate this aspect of psychological practice. The Board of Examiners of Psychologists recognizes that, except as otherwise provided by law, psychological testing may only be administered and interpreted by a person duly licensed as a psychologist by this board under R.S. 37:2351 et seq., or by a person under the direct supervision of a psychologist, provided that such supervision is in compliance with the regulations of this board.

B. Nothing in these regulations should be interpreted or construed as to limit or restrict the practice of physicians duly licensed to practice medicine by the Board of Medical Examiners. Also, nothing in this rule should be construed as having application to any persons licensed or certified under other laws of this state when acting within the legal scope of such licensure or certification in rendering services as expressly set forth under those relevant statutes.

C. Psychological testing, evaluation or assessment hereinafter referred to as "psychological testing," is defined as the administration and/or interpretation of measurement instruments, devices, or procedures for the purpose of treatment planning and/or diagnosis, classification or description of mental and emotional disorders and disabilities, disorders of personality or behavior, psychological aspects of physical illness, accident, injury or disability and neuropsychological impairment. The use of computerized psychological assessment procedures is also included in scope of this regulation.

D. Psychological testing explicitly includes the following three areas:

1. intellectual—which includes those normative-based individually administered instruments used to measure cognitive functions such as abstract reasoning, fund of knowledge and problem solving;

2. personality and emotional—which includes those normative-based instruments used to measure both trait and state aspects of personality and emotional characteristics and functioning;

3. neuropsychological—which includes those normative-based instruments used to make inferences about brain and behavior relationships. These relationships include, but are not limited to, sensorimotor functioning, attention and concentration skills, memory functioning, language function, concrete and abstract problem solving, and measures of cognitive flexibility and creativity;

E. Notwithstanding any provisions herein to the contrary, psychologists as well as other appropriately licensed or certified professionals may also administer or use tests of language, educational and achievement tests, adaptive behavioral tests, and symptom screening checklists or instruments, as well as tests of abilities, interests, and aptitudes. The administration and interpretation of these tests is not exclusively within the scope of this regulation.

F. Psychological testing within the independent practice of psychology must be performed in accordance with the requirements of LAC 46:LXIII.Chapter 13, Ethical Standards of Psychologists. The ability to competently interpret psychological testing assumes a doctoral degree in psychology with formal academic training in statistics, test construction, sampling theory, tests and measurement, individual differences, and personality theory. In addition, the interpretation of psychological tests for treatment planning, diagnostic, classification, or descriptive purposes assumes formal doctoral level academic training in the areas of abnormal psychology, psychopathology, psychodiagnosis and, in the case of neuropsychological diagnosis, additional formal training and/or demonstrated competence in the field of clinical neuropsychology. All training must be supervised by a licensed psychologist and must include formal supervised practical experience and internship training, when appropriate, involving the use of psychological tests with different patient populations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 19:496 (April 1993).

§1705. Use of Specialty Title

A. The use of any specialty title must be consistent with the board's "ethical standards" and with such additional standards as may be designated by other, professional but nonstatutory, boards which certify the use of such specialty titles by individuals who present appropriate qualifications to them.

B. The term "specialty" refers to an area within the profession of psychology which can be identified on the basis of a history and tradition of service, research, and scholarship to have a body of knowledge and a set of skills related to that knowledge base, and which is discriminably different from other such specialties.

C. "Special proficiency" recognizes the mastery of a special skill, special technique, or an in-depth knowledge of the needs of a specific population or problems of a specific setting. Such special proficiencies are not unique to any one specialty of psychology, and also may not be unique to the profession of psychology.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 6:602 (October 1980).

§1707. List of Specialties

A. As a service to both the public and those individuals licensed by the board, the board offers the opportunity for registering the licensee's area of competence, education, training, and experience within a limited list of recognized "specialties," as defined in §1705.B above. The board does not maintain a list of "special proficiencies," as defined in §1705.C above.

B. Those specialties which are currently recognized by the board are: clinical, clinical neuropsychology, counseling, school, educational, developmental, experimental, industrial-organization, and social.

C. The non-registration of such specialties shall not prevent licensed providers of psychological services from using the methods or dealing with the populations of any specialty, so long as the provision of such services is in accordance with the board's rules and regulations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 6:602 (October 1980), amended by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 19:1423 (November 1993).

§1709. Meeting Standards of Training and Credentials

A. For the registration of a specialty in an applied area of psychology, at the time the license is granted, the candidate must meet the standards described in the board's rules on "Training and Credentials," Chapter 3. Such supervised training experiences must be supported by appropriate graduate level education, as described in the board's rules and regulations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 6:602 (October 1980).

§1711. Registration after Licensure

A. The registration of each additional specialty or the registration of a specialty after licensure must meet all criteria described above, including both appropriate graduate or postgraduate education and appropriate supervised training experiences.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 6:602 (October 1980).

Chapter 19. Public Information

§1901. Public Display of License

A. The license of the psychologist shall be publicly displayed in the office where services are offered. When a psychologist works in two or more settings, the license should be publicly displayed in the primary office location.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 15:88 (February 1989).

§1903. Public Display of Board's Address

A. There shall at all times be prominently displayed in the place(s) of business of each licensee regulated under this law the official sign provided by the board containing the

name, mailing address, and telephone number of the board along with the following statement:

BE IT KNOWN THAT THE LOUISIANA STATE BOARD OF EXAMINERS OF PSYCHOLOGISTS RECEIVES QUESTIONS REGARDING THE PRACTICE OF PSYCHOLOGY.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 15:87 (February 1989), amended LR 22:980 (October 1996).

Chapter 21. Disclosure of Financial Interests and Prohibited Payments

§2101. Scope and Purpose of Chapter

A. The rules of this Chapter interpret, implement and provide for the enforcement of R.S. 37:1744 and R.S. 37:1745 requiring disclosure of a psychologist's financial interest in another health care provider to whom or to which the psychologist refers a patient, and prohibiting certain payments in return for referral or soliciting patients. It is the purpose of these rules to prevent payments by or to a psychologist as a financial incentive for the referral of patients to a psychologist or other health care provider for diagnostic or therapeutic services or items. These rules should be interpreted, construed and applied so as to give effect to such purposes and intent.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1744 and R.S. 37:1745.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 21:1335 (December 1995).

§2103. Definitions

A. For the purpose of this Chapter, the following terms are defined as follows:

Board—the Louisiana State Board of Examiners of Psychologists.

Financial Interest—a significant ownership or investment interest established through debt, equity or other means and held, directly or indirectly, by a psychologist or a member of the psychologist's immediate family, or any form of direct or indirect remuneration of referral.

Group Practice—a group of two or more psychologists, operating in whole or in part as psychologists, legally organized as a general partnership, registered limited liability partnership, professional psychological corporation, limited liability company, foundation, nonprofit corporation or similar organization or association, including a faculty practice plan.

Health Care Item—any substance, product, device, equipment, supplies or other tangible good or article which may be used or is useful in the provision of health care.

Health Care Provider—any person licensed by a department, board, commission or other agency of the state of Louisiana to provide, or which does in fact provide,

preventative, diagnostic, or therapeutic health care services or items.

Immediate Family—as respects a psychologist, the psychologist's spouse, children, grandchildren, parents, grandparents and siblings.

Investment Interests—a security issued by an entity, including, without limitation, shares in a corporation, interests in or units of a partnership, bonds, debentures, notes or other debt instruments.

Payment—the tender, transfer, exchange, distribution or provision of money, goods, services or anything of economic value.

Person—a natural person or a partnership, corporation, organization, association, facility, institution or any governmental subdivision, department, board, commission or other entity.

Psychologist—any individual licensed to practice psychology by the Louisiana State Board of Examiners of Psychologists.

Psychologist Applicant/Candidate—a graduate of an approved doctoral program in psychology who has applied to the board for licensure and who is practicing under the supervision of a licensed psychologist under applicable provisions of LAC Title 46, Part LXIII.

Referral—any direction, recommendation or suggestion given by the psychologist to a patient, directly or indirectly, which is likely to determine, control or influence the patient's choice of another health care provider for the provision of health care services or items.

Remuneration for Referral—any arrangement or scheme, involving any remuneration, directly or indirectly, in cash or in kind, between a psychologist, or an immediate family member of such psychologist, and another health care provider which is intended to induce referrals by the psychologist to the health care provider or by the health care provider to the psychologist, other than the amount paid by an employer to an employee who has a bona fide employment relationship with the employer, for employment in the furnishing of any health care item or service.

B. Construction. As used here and after in this Chapter, the term *psychologist* is deemed to likewise incorporate psychologist applicant/candidate as defined herein.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1744 and R.S. 37:1745.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 21:1335 (December 1995).

Subchapter A. Disclosure of Financial Interest in Third-Party Health Care Providers

§2105. Required Disclosure of Financial Interests

A. Mandatory Disclosure. The psychologist shall not make any referral of a patient outside of the psychologist's

group practice for the provision of health care items or services by any health care provider in which the referring psychologist has a significant financial interest unless, in advance of such referral, the referring psychologist discloses to the patient, in accordance with relative provision of this Chapter, the existence and nature of financial interests.

B. Definition: Significant Ownership or Investment Interest. For the purpose of these regulations, an ownership or investment interest shall be considered "significant" within the meaning of §2105.A, if such interest satisfies any of the following tests:

1. such interests, in dollar amount or value, represents 5 percent or more of the gross assets of the health care provider in which an interest is held;
2. such interest represents 5 percent or more of the voting securities of the health care provider in which such interest is held.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1744 and R.S. 37:1745.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 21:1335 (December 1995).

§2107. Prohibited Arrangements

A. Any arrangement or scheme including cross referral arrangements, which the psychologist knows, or should know has a principal purpose of ensuring or inducing referrals by the psychologist to another health care provider which, if made directly by the psychologist, would be a violation of §2105 shall be deemed a violation of §2105.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1744 and R.S. 37:1745.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 21:1335 (December 1995).

§2109. Form of Disclosure

A. Required Contents. The disclosure required by §2105 of this Chapter shall be made in writing, shall be furnished to the patient, or the patient's authorized representative, prior to or at the time of making the referral, and shall include:

1. the psychologist's name, address and phone number;
2. the name and address of the health care provider to whom the patient is being referred by the psychologist;
3. the nature of the items or services which the patient is to receive from the health care provider to which the patient is being referred; and
4. the existence and nature of the psychologist's financial interest in the health care provider to whom or to which the patient is being referred.

B. Permissible Contents. The form of disclosure required by §2105 of this Chapter may include a signed acknowledgment by the patient or the patient's authorized representative that the required disclosure has been given.

C. Approved Form. Notice to a patient given substantially in the form of Disclosure of Financial Interest, found at the end of this Chapter, shall be presumptively deemed to satisfy the disclosure requirements of this Subchapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1744 and R.S. 37:1745.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 21:1335 (December 1995).

Subchapter B. Illegal Payments

§2111. Prohibition of Remuneration for Referrals

A. A psychologist shall not knowingly or willfully make or offer to make any payment, directly or indirectly, overtly or covertly, in cash or in kind, to induce another person to refer an individual to the psychologist for the furnishing or arranging of the furnishing of any health care item or service.

B. A psychologist shall not knowingly or willfully solicit, receive or accept any payment, directly or indirectly, overtly or covertly, in cash or in kind, or in return for referring a patient to a health care provider for the furnishing or arranging for the furnishing of any health care item or service.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1744 and R.S. 37:1745.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 21:1335 (December 1995).

§2113. Exceptions

A. A Proportional Return on Investment. Payments or distributions by any entity representing a direct return on investment based upon a percentage of ownership shall not be deemed a payment prohibited by R.S. 37:1745.B or by §2111 of these rules provided that:

1. the amount of payment to an investor in return for the investment interest is directly proportional to the amount or value of the capital investment, including the fair market value of any pre-operational services rendered of that investor;
2. the terms on which an investment interest was or is offered to an investor who is in a position to make or influence referrals to, furnish items or services to, or otherwise generate business for the entity must be no different than the terms offered to other investors;
3. the terms which an investment interest was or is offered to an investor who is in a position to make or influence referrals to, furnish items or services to or otherwise generate for the entity must not be related to the previous expected volume of referrals, items or services furnished or the amount of business otherwise generated by that investor to the entity;
4. there is no requirement that an investor make referrals to, be in a position to make or influence referrals to, furnish items or services to, or otherwise generate business

for the entity as a condition of becoming or remaining an investor;

5. the entity or other investor does not market or furnish the entity's items or services to investors differently than to non-investors; and

6. the entity does not loan funds to or guarantee a loan for an investor who is in a position to make or influence referrals to, furnish items or services to, or otherwise generate business for the entity if the investor uses any part of such loan to obtain the investment interest.

B. General Exceptions. Any payment, remuneration, practice or arrangement which is not prohibited by or unlawful under §1128.B(b) of the Federal Social Security Act (Act), 42 U.S.C. §1320a-7b(b), as amended, with respect to health care items or services for which payment may be made under Title XVIII or Title XIX of the Act, including those payments and practices sanctioned by the secretary of the United States Department of Health and Human Services, through regulations promulgated at 42 C.F.R. §1001.952, shall not be deemed a payment prohibited by R.S. 37:1745.B or by §2111 of these rules with respect to health care items or services for which payment may be made by any patient or third-party payers, whether a governmental or private payer, on behalf of a patient.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1744 and R.S. 37:1745.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 21:1335 (December 1995).

§2115. Effect of Violation

A. Any violation of or failure of compliance with the prohibitions and provisions of §2105 and/or §2111 of this Chapter shall be deemed grounds for disciplinary proceedings against a psychologist, providing cause for the board to deny, revoke, suspend, restrict, refuse to issue or impose probationary or other restrictions on any license held or applied for by a psychologist found guilty of such violation.

B. Administrative Sanctions. In addition to the sanctions provided for by §2115.A, the board may order the additional sanctions or penalties described below.

1. Upon proof of a violation of §2105 of this Chapter by a psychologist, the board may order that all or any portion of any amounts paid by a patient, and/or any third-party payer on behalf of the patient, for health care items or services furnished upon a referral by the psychologist in violation of §2105 be refunded by the psychologist to such patient and/or third-party payer together with legal interest on such payment at the rate prescribe by law calculated from the date on which any such payment was made by the patient and/or third-party payers.

2. Upon proof of a violation of §2111 of this Chapter by a psychologist, the board may order a fine of not more than \$500 for each count or separate offense, plus administrative costs.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1744 and R.S. 37:1745.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 21:1335 (December 1995).

§2117. Disclosure of Financial Interest

(Name of Psychologist or Group)
(Address)
(Telephone Number)

DISCLOSURE OF FINANCIAL INTEREST

As Required by R.S. 37:1744; R.S. 37:1745, and
LAC 46:LXIII.2101-2115

TO: _____ Date: _____
(Name of Patient to be Referred)

(Patient Address)

Louisiana law requires psychologists and other health care providers to make certain disclosures to a patient when they refer a patient to another health care provider or facility in which the psychologist has a significant financial interest. (I am/we are) referring you, or the named patient for whom you are legal representative, to:

(Name and Address of Provider to Whom Patient is Referred)

to obtain the following health care services, products or items:

(Purpose of the Referral)

(I/we) have a financial interest in the health care provider to whom we are referring you, the nature and extent of which are as follows:

PATIENT ACKNOWLEDGMENT

I, the above named patient, or legal representative of such patient, hereby acknowledge receipt, on the date indicated and prior to the described referral, of a copy of the foregoing Disclosure of Financial Interest.

(Signature of Patient or Patient's Representative)

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1744 and R.S. 37:1745.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 21:1335 (December 1995).