

State of Alaska
DEPARTMENT OF LAW

ETHICS ACT PROCEDURES FOR BOARDS & COMMISSIONS

All board and commission members and staff should be familiar with the Executive Branch Ethics Act procedures outlined below.

Who Is My Designated Ethics Supervisor (DES)?

Every board or commission subject to the Ethics Act¹ has several ethics supervisors designated by statute.

- The chair serves as DES for board or commission members.
- The chair serves as DES for the executive director.
- The executive director serves as DES for the staff.
- The governor is the DES for a chair.²

What Do I Have To Disclose?

The Ethics Act requires members of boards and commissions to disclose:

- Any matter that is a potential conflict of interest with actions that the member may take when serving on the board or commission.
- Any circumstance that may result in a violation of the Ethics Act.
- Any personal or financial interest (or that of an immediate family member) in a state grant, contract, lease or loan that is awarded or administered by the member's board or commission.
- The receipt of certain gifts.

The executive director of the board or commission and its staff, as state employees, must also disclose:

- Compensated outside employment or services.
- Volunteer service, if any compensation, including travel and meals, is paid or there is a potential conflict with state duties.

- For more information regarding the types of matters that may result in violations of the Ethics Act, board or commission members should refer to the guide, *"Ethics Information for Members of Boards and Commissions."* The executive director and staff should refer to the guide, *Ethics Information for Public Employees.* Both guides and disclosure forms may be found on the [Department of Law's ethics website](#).

How Do I Avoid Violations of the Ethics Act?

- Make timely disclosures!
- Follow required procedures!
- Provide all information necessary to a correct evaluation of the matter!³
- When in doubt, disclose and seek advice!
- Follow the advice of your DES!

What Are The Disclosure Procedures for Board and Commission Members?

The procedural requirements for disclosures by members are set out in AS 39.52.220 and 9 AAC 52.120. One goal of these provisions is to help members avoid violations of the Ethics Act. The procedures provide the opportunity for members to seek review of matters in advance of taking action to ensure that actions taken will be consistent with the Act.

Procedure for declaring actual or potential conflicts.

Members must declare potential conflicts and other matters that may violate the Ethics Act **on the public record and in writing to the chair**.

Disclosure on the public record. Members must identify actual and potential conflicts orally at the board or commission's public meeting **in advance** of participating in deliberations or taking any official action on the matter.

- A member must always declare a conflict and may choose to refrain from voting, deliberations or other participation regarding a matter.⁴
- If a member is uncertain whether participation would result in a violation of the Act, the member should disclose the circumstances and seek a determination from the chair.

Disclosure in writing at a public meeting. In addition to an oral disclosure at a board or commission meeting, members' disclosures must be made in writing.

- If the meeting is recorded, a tape or transcript of the meeting is preserved **and** there is a method for identifying the declaration in the record, an oral disclosure may serve as the written disclosure.
- Alternatively, the member must note the disclosure on the Notice of Potential Violation disclosure form and the chair must record the determination.

Confidential disclosure in advance of public meeting. Potential conflicts may be partially addressed in advance of a board or commission's public meeting based on the published meeting agenda or other board or commission activity.

- A member identifying a conflict or potential conflict submits a Notice of Potential Violation to the chair, as DES, in advance of the public meeting.
- This written disclosure is considered confidential.
- The chair may seek advice from the Attorney General.
- The chair makes a written determination, also confidential, whether the disclosed matter represents a conflict that will result in a violation of the Ethics Act if the member participates in official action addressing the matter.⁵
- If so, the chair directs the member to refrain from participating in the matter that is the subject of the disclosure.
- An oral report of the notice of potential violation and the determination that the member must refrain from participating is put on the record at a public meeting.⁶

Determinations at the public meeting. When a potential conflict is declared by a member for the public record, the following procedure must be followed:

- The chair states his or her determination regarding whether the member may participate.
- Any member may then object to the chair's determination.
- If an objection is made, the members present, excluding the member who made the disclosure, vote on the matter.
- *Exception:* A chair's determination that is made consistent with advice provided by the Attorney General may not be overruled.
- If the chair, or the members by majority vote, determines that a violation will exist if the disclosing member continues to participate, the member must refrain from voting, deliberating or participating in the matter.⁷

If the chair identifies a potential conflict, the same procedures are followed. If possible, the chair should forward a confidential written notice of potential violation to the Office of the Governor for a determination in advance of the board or commission meeting. If the declaration is first

made at the public meeting during which the matter will be addressed, the members present, except for the chair, vote on the matter. If a majority determines that a violation of the Ethics Act will occur if the chair continues to participate, the chair shall refrain from voting, deliberating or participating in the matter. A written disclosure or copy of the public record regarding the oral disclosure should be forwarded to the Office of the Governor for review by the chair's DES.

Procedures for Other Member Disclosures

A member's interest in a state grant, contract, lease or loan and receipt of gifts are disclosed by filling out the appropriate disclosure form and submitting the form to the chair for approval. The disclosure forms are found on the [Department of Law's ethics website](#).

What Are The Disclosure Procedures for Executive Directors and Staff?

Ethics disclosures of the executive director or staff are made in writing to the appropriate DES (chair for the executive director and the executive director for staff).

- Disclosure forms are found on the ethics website, noted above.

Notices of Potential Violations. Following receipt of a written notice of potential violation, the DES investigates, if necessary, and makes a written determination whether a violation of the Ethics Act could exist or will occur. A DES may seek advice from the Attorney General. If feasible, the DES shall reassign duties to cure a potential violation or direct divestiture or removal by the employee of the personal or financial interests giving rise to the potential violation.

- These disclosures are not required to be made part of the public record.
- A copy of a determination is provided to the employee.
- Both the notice and determination are confidential.

Other Disclosures. The DES also reviews other ethics disclosures and either approves them or determines what action must be taken to avoid a violation of the Act. In addition to the disclosures of certain gifts and interests in the listed state matters, state employees must disclose all outside employment or services for compensation.

- The DES must provide a copy of an approved disclosure or other determination the employee.

How Are Third Party Reports of Potential Violations or Complaints Handled?

Any person may report a potential violation of the Ethics Act by a board or commission member or its staff to the appropriate DES or file a complaint alleging actual violations with the Attorney General.

- Notices of potential violations and complaints must be submitted in **writing** and **under oath**.
- Notices of potential violations are investigated by the appropriate DES who makes a written determination whether a violation may exist.⁸
- Complaints are addressed by the Attorney General under separate procedures outlined in the Ethics Act.
- **These matters are confidential**, unless the subject waives confidentiality or the matter results in a public accusation.

What Are The Procedures for Quarterly Reports?

Designated ethics supervisors must submit copies of notices of potential violations received and the corresponding determinations to the Attorney General for review by the state ethics attorney as part of the quarterly report required by the Ethics Act.

- Reports are due in April, July, October and January for the preceding quarter.
- A sample report may be found on the Department of Law's ethics website.
- An executive director may file a quarterly report on behalf of the chair and combine it with his or her own report.
- If a board or commission does not meet during a quarter and there is no other reportable activity, the DES advises the Department of Law Ethics Attorney by e-mail at ethicsreporting@alaska.gov and no other report is required.

If the state ethics attorney disagrees with a reported determination, the attorney will advise the DES of that finding. If the ethics attorney finds that there was a violation, the member who committed the violation is not liable if he or she fully disclosed all relevant facts reasonably necessary to the ethics supervisor's or commission's determination and acted consistent with the determination.

How Does A DES or Board or Commission Get Ethics Advice?

A DES or board or commission may make a **written request** to the Attorney General for an opinion regarding the application of the Ethics Act. In practice, the Attorney General, through the state ethics attorney, also provides **advice by phone or e-mail** to designated ethics supervisors, especially when time constraints prevent the preparation of timely written opinions.

- A request for advice and the advisory opinion are confidential.
- The ethics attorney endeavors to provide prompt assistance, although that may not always be possible.
- The DES must make his or her determination addressing the potential violation based on the opinion provided.

It is the obligation of each board or commission member, as well as the staff, to ensure that the public's business is conducted in a manner that is consistent with the standards set out in the Ethics Act. We hope this summary assists you in ensuring that your obligations are met.

¹ The Act covers a board, commission, authority, or board of directors of a public or quasi-public corporation, established by statute in the executive branch of state government.

² The governor has delegated the DES responsibility to Guy Bell, Administrative Director of the Office of the Governor.

³ You may supplement the disclosure form with other written explanation as necessary. Your signature on a disclosure certifies that, to the best of your knowledge, the statements made are true, correct and complete. False statements are punishable.

⁴ In most, but not all, situations, refraining from participation ensures that a violation of the Ethics Act does not occur. Abstention does not cure a conflict with respect to a significant direct personal or financial interest in a state grant, contract, lease or loan because the Ethics Act prohibition applies whether or not the public officer actually takes official action.

⁵ The chair must give a copy of the written determination to the disclosing member. There is a determination form available on the Department of Law's ethics web page. The ethics supervisor may also write a separate memorandum.

⁶ In this manner, a member's detailed personal and financial information may be protected from public disclosure.

⁷ When a matter of particular sensitivity is raised and the ramifications of continuing without an advisory opinion from the Attorney General may affect the validity of the board or commission's action, the members should consider tabling the matter so that an opinion may be obtained.

⁸ The DES provides a copy of the notice to the employee who is the subject of the notice and may seek input from the employee, his or her supervisor and others. The DES may seek advice from the Attorney General. A copy of the DES' written determination is provided to the subject employee and the complaining party. The DES submits a copy of both the notice and the determination to the Attorney General for review as part of the DES' quarterly report. If feasible,

the DES shall reassign duties to cure a potential violation or direct divestiture or removal by the employee of the personal or financial interests giving rise to the potential violation.

6/14

The Attorney General and Department of Law staff may not provide legal advice to private citizens or organizations. Please contact an attorney if you need legal advice. The [Alaska Lawyer Referral Service](#) or your local bar association may be able to assist you in locating a lawyer.

Alaska Department of Law

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Ethics Disclosure Form

<p style="text-align: center;">CONFIDENTIAL REQUEST FOR ETHICS DETERMINATION</p>
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TO: _____, Designated Ethics Supervisor

(Identify Your Department, Agency, Public Corporation, Board, Commission)

I request advice regarding the application of the Executive Branch Ethics Act (AS 39.52.010 - .960) to my situation. The situation involves the following:

I have provided additional information in the attached document(s).

I believe the following provisions of the Ethics Act may apply to my situation:

- AS 39.52.120, Misuse of Official Position
- AS 39.52.130, Improper Gifts
- AS 39.52.140, Improper Use or Disclosure of Information
- AS 39.52.150, Improper Influence in State Grants, Contracts, Leases or Loans
- AS 39.52.160, Improper Representation
- AS 39.52.170, Outside Employment Restricted
- AS 39.52.180, Restrictions on Employment after Leaving State Service
- AS 39.52.190, Aiding a Violation Prohibited

I understand that I should refrain from taking any official action relating to this matter until I receive your advice. If the circumstances I described above may result in a violation of AS 39.52.110 - .190, I intend that this request serve as my disclosure of the matter in accordance with AS 39.52.210 or AS 39.52.220.

I certify to the best of my knowledge that my statement is true, correct, and complete. In addition to any other penalty or punishment that may apply, the submission of a false statement is punishable under AS 11.56.200 - AS 11.56.240.

(Signature)

(Date)

(Printed Name)

(Division, Board, Commission)

(Position Title)

(Location)

Designated Ethics Supervisor: Provide a copy of your written determination to the employee advising whether action is necessary under AS 39.52.210 or AS 39.52.220, and send a copy of the determination and disclosure to the attorney general with your quarterly report.

Ethics Disclosure Form

Receipt of Gift

TO: _____, Designated Ethics Supervisor, _____
(Agency, Public Corporation, Board,
Commission or Council)

This disclosure reports receipt of a gift with value in excess of \$150.00 by me or my immediate family member, as required by AS 39.52.130(b) or (f).

1. Is the gift connected to my position as a state officer, employee or member of a state board or commission?

Yes No

2. Can I take or withhold official action that may affect the person or entity that gave me the gift?

Yes No

(If you answer "No" to both questions, you do not need to report this gift. If the answer to either question is "Yes," or if you are not sure, you must complete this form and provide it to your designated ethics supervisor.)

The gift is _____

Identify gift giver by full name, title, and organization or relationship, if any:

Describe event or occasion when gift was received or other circumstance explaining the reason for the gift:

My estimate of its value is \$ _____ The date of receipt was _____

The gift was received by a member of my family. Who? _____

If you checked "Yes" to question 2 above, explain the official action you may take that affects the giver (attach additional page, if necessary):

I certify to the best of my knowledge that my statement is true, correct, and complete. In addition to any other penalty or punishment that may apply, the submission of a false statement is punishable under AS 11.56.200 - AS 11.56.240.

(Signature)

(Date)

(Printed Name)

(Division)

(Position Title)

(Location)

Ethics Supervisor Determination: Approve Disapproved

Designated Ethics Supervisor*

(Date)

**Designated Ethics Supervisor: Provide a copy of the approval or disapproval to the employee. If action is necessary under AS 39.52.210 or AS 39.52.220, attach a determination stating the reasons and send a copy of the determination and disclosure to the attorney general with your quarterly report.*

EXECUTIVE SESSION MOTION

I, _____, move that the Alaska State Board of Psychologists & Psychological Associates enter into executive session in accordance with AS 44.62.310(c), and Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing _____

Board staff member(s) _____ to remain during the session.

Off record: _____
On record: _____

Authority: AS 44.62.310(c), Government meetings public

The following subjects may be considered in executive session:

- matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity;
- **subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion;**
- **matters which by law, municipal charter, or ordinance are required to be confidential;**
- matters involving consideration of government records that by law are not subject to public disclosure.



THE STATE
of **ALASKA**

GOVERNOR MICHAEL J. DUNLEAVY

Department of Commerce, Community,
and Economic Development

DIVISION OF CORPORATIONS, BUSINESS, AND
PROFESSIONAL LICENSING
Anchorage Office

550 West Seventh Avenue, Suite 1500
Anchorage, AK 99501-3567
Main: 907.269.8160
Toll free fax: 907.269.8156

MEMORANDUM

DATE: April 26, 2019
TO: Alaska Board of Psychologists and Psychological Associates
THRU: Sonia Lipker, Senior Investigator *SL*
FROM: Erika Prieksat, Investigator *EP*
RE: Investigative Report for the May 9, 2019, Meeting

The following information was compiled as an investigative report to the Board for the period of January 18, 2019, through April 25, 2019. This report includes all investigations, complaints, and intake matters handled since the last report. The Division **opened zero (0) matter and closed four (4) matters. Two (2) matters** remains on going and/or under active investigation.

Matters opened by the Paralegal in Juneau, regarding continuing education audits and license action resulting from those matters are not covered in this report.

<u>CASE #</u>	<u>OPENED</u>	<u>COMPLAINT/INVESTIGATION</u>	<u>PROFESSION</u>
2018-001291	8/20/18	Unethical Conduct	Psychologist
2018-001129	9/25/18	Violating Professional Ethics	Psychologist

OPEN: TOTAL =2

INVESTIGATIVE ACTIONS CLOSED SINCE LAST MEETING

2019-000084	Violating Professional Ethics	Incomplete Complaint
2019-000085	Violating Professional Ethics	Incomplete Complaint
2018-000916	Standard of Care	No Action-Insufficient Evidence
2018-000917	Standard of Care	No Action-Insufficient Evidence

CLOSED: TOTAL = 4

END OF REPORT

EXECUTIVE SESSION MOTION

I, _____, move that the Alaska State Board of Psychologists & Psychological Associates enter into executive session in accordance with AS 44.62.310(c), and Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing _____

Board staff member(s) _____ to remain during the session.

Off record: _____
On record: _____

Authority: AS 44.62.310(c), Government meetings public

The following subjects may be considered in executive session:

- matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity;
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- **matters which by law, municipal charter, or ordinance are required to be confidential;**
- matters involving consideration of government records that by law are not subject to public disclosure.



Reducing Regulatory Barriers. Increasing Access to Mental Health Care.

FOR IMMEDIATE RELEASE

April 23rd, 2019

CONTACT

Janet Orwig, MBA, CAE
Executive Director, PSYPACT
(678) 216-1188
janet@asppb.org

PSYCHOLOGY INTERJURISDICTIONAL COMPACT (PSYPACT) BECOMES OPERATIONAL

GEORGIA – On April 23rd, 2019, Georgia Governor Brian Kemp signed GA HB 26 into law making Georgia the eighth state to enact the Psychology Interjurisdictional Compact (PSYPACT). Georgia joins seven other PSYPACT participating states including Arizona, Utah, Nevada, Colorado, Nebraska, Missouri, and Illinois. The compact, developed by the Association of State and Provincial Psychology Boards (ASPPB), is set to become operational as soon as it becomes effective in seven states. PSYPACT legislation in Illinois (IL HB 1853) included an effective date of January 1, 2020, and therefore, Illinois does not officially join PSYPACT until that date. As legislation in Georgia is effective upon approval by the Governor, Georgia has become the next PSYPACT participating state required to make PSYPACT operational.

ASPPB CEO Dr. Mariann Burnett-Atwell remarked, "ASPPB is excited to announce with the recent signing by Georgia's Governor Brian Kemp of GA HB 26, the much-awaited Psychology Interjurisdictional Compact is now ready to assist licensed psychologist to practice psychology across state lines. These are exciting times for the psychologist and for the individuals they will serve."

Psychology joins other healthcare professions utilizing interstate compacts to address the regulation of interstate practice. PSYPACT is an interstate compact specifically designed to facilitate the practice of telepsychology and the temporary face-to-face practice of psychology across state lines. Upon becoming operational, each PSYPACT participating state will select one Commissioner to serve as that state's representative on the PSYPACT Commission. The PSYPACT Commission is the governing body of PSYPACT and is responsible for the drafting and publication of PSYPACT Bylaws and Rules. Upon completion of these documents and finalization of requirements for the ASPPB E.Passport Certificate (for telepsychology) and Interjurisdictional Practice Certificate (for temporary practice), the process will open for licensed psychologists to apply for/begin using these certificates and practicing under the authority of PSYPACT.

According to ASPPB President Dr. Gerald O'Brien, "PSYPACT will promote further cooperation and standardization of requirements among psychology licensing boards, and consequently will improve access to psychological services while serving to protect consumers."

ASPPB is excited about the progress of PSYPACT and will be providing updates regarding developments of the PSYPACT Commission and the application process for the E.Passport and IPC. If you would like to join our PSYPACT email listserv to receive updates, please email info@psypact.org and request to join the listserv. If you would like more information about PSYPACT, please visit our website at www.psypact.org.

Psychology Interjurisdictional Compact (PSYPACT)

215 Market Road • PO Box 849 • Tyrone, Georgia • 30290 • (678) 216-1175 • www.psypact.org

Upon taking the advice of my paid professional EPPP consultant who also questions the validity of the EPPP, I have drafted this letter to describe my frustration and concern that the EPPP licensing exam is discriminatory on the basis of cultural and economic background as well as for individuals' with a diagnosis of a learning disability. The EPPP inaccurately reflects the amount of knowledge I have about the field of psychology. I know I would pass an oral exam with flying colors. My EPPP test consultant also agrees. I urge you to share this letter and my concerns which are the same as hundreds of others in your next board meeting. This below link is to one of the articles describing how the EPPP discriminates both culturally and financially:

<http://www.modernpsychologist.com/eppp-licensing-exam-discriminates-against-minorities/>

I hope your week is going well. I want you to know that I am an intelligent, empathic, creative, dedicated, and a loving individual. I currently work for the Department of Education providing therapeutic services to the youth of our world. Words cannot describe the emotional, physical, and financial pain the EPPP has caused in my life over the last three years. I have spent hundreds of hours dedicated to studying for the exam and basically put my entire life on hold since August of 2018 to try to attempt passing again for the 5th time. I have taken workshops, online seminars, had 4 different paid professional EPPP consultants, completed over a hundred full length practice exams, completed multiple domain quizzes on every content, listened to hundreds of hours of audio recordings, taken hundreds of pages of notes, have made and reviewed thousands of flash cards, and spent well over \$10,000 for various online EPPP review packages. The covers and pages of my AATBS EPPP books are falling apart because I have read them so many times and decorated them with every colored pen and highlighter imaginable. I have attached a photo.

I have a diagnosed learning disability and feel that the EPPP is discriminatory to individuals with learning disabilities. I have struggled with multiple choice exams my entire life no matter how much time and energy I put into the studying and reviewing of the material. Furthermore, it is upsetting that in order to assist in passing this exam I have to take prescription medication that I do not want to take which has negative effects on my health. However, because of my learning disability I need to take this medication to focus on the EPPP material. The EPPP does not accurately reflect the knowledge I have about the field of psychology and I know that I would pass an oral exam with flying colors.

I have reviewed recent articles which state that the EPPP is discriminatory both culturally and economically. I firmly believe this is accurate. I am also an online member of various EPPP support groups and there are hundreds of individuals that struggle and feel the same way I do. I am quite frankly disgusted that the field of psychology relies on such prehistoric methods to determine who can be licensed in our nation. If you review ASPPB's annual revenue gains you can see who is benefitting from charging outrageous prices for exams. In my opinion this exam is no longer about protecting the safety and rights of our clients but how much profit can be made. Now ASPPB wants to try to make it mandatory for individuals to have to pass 2 exams for completely unnecessary purposes other than money. Thank goodness the California Board of Psychology has elected not to participate in ASPPB's new proposed exam process at this point in time.

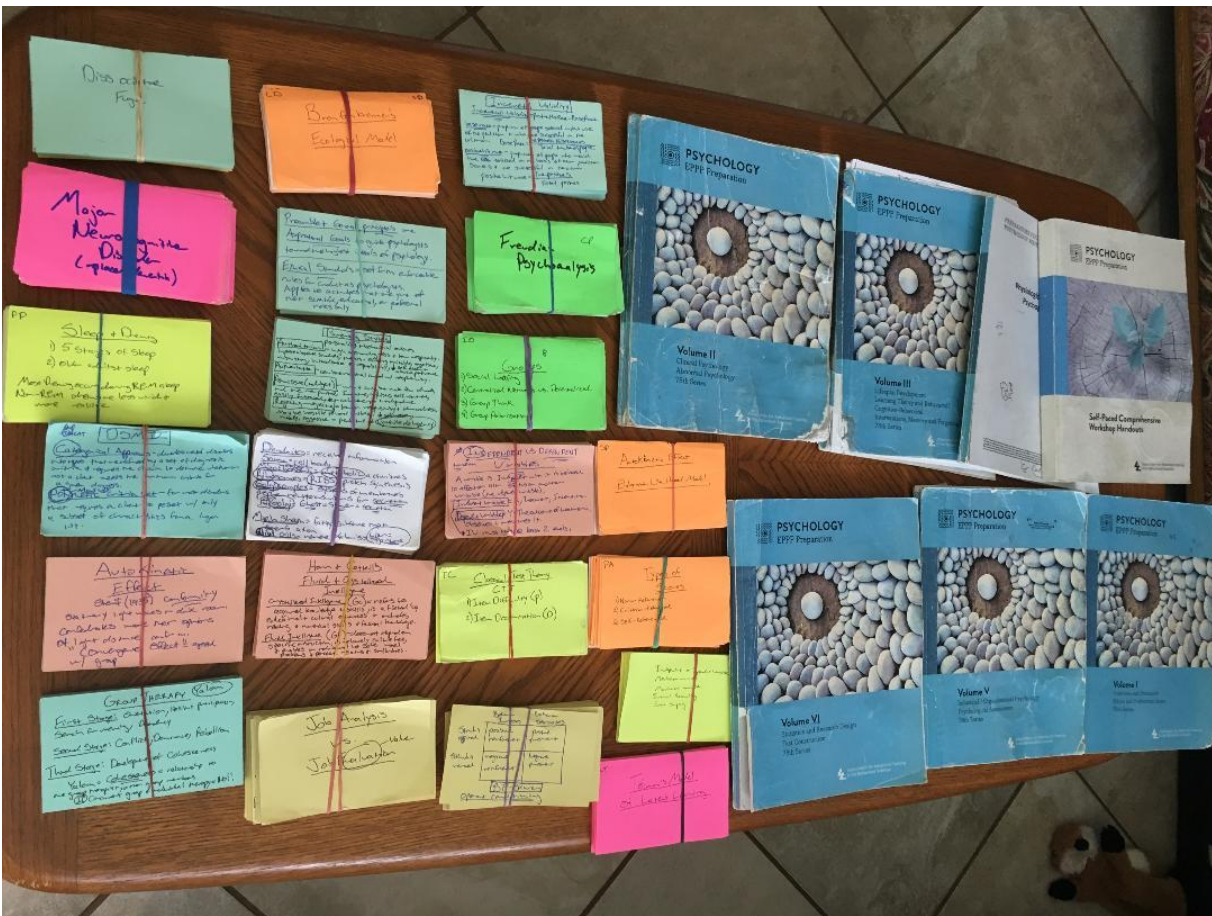
The first time I took the EPPP I scored a 498. Two points away from passing and becoming a licensed clinical psychologist. I have spent thousands of hours helping individuals' get healthier in my career and this is what the field of psychology has repaid me with: extreme student loan debt, years of unpaid modern slave-labor internships, and a final licensing exam which I question the validity of. Because of this EPPP exam I have spent over three years struggling financially living from paycheck to paycheck since I cannot get a job that pays decently without being licensed. I am struggling to help myself and yet I successfully help others every day of my life.

I never thought that I would have to leave the United States of America and seek citizenship elsewhere. I love my home, my family and my friends. However, because of this EPPP exam and the prolonged stress it has induced on my life I have researched and am contemplating moving to another country that will license me as a clinical psychologist without having to pass a multiple choice exam. I know that I am excellent at the work I do and love helping others. However, I am heart-broken to be in a field that stresses communication, empathy, and compassion and yet relies on a multiple choice computerized exam created by a profiting company to decide the fate of our career path.

Sincerely,

Dr. Steven Pappas

(415) 218-2964



Abnormal Psychology
Schizophrenia Spectrum and Other Psychotic Disorders

Psychology Written

Negative symptoms involve a restriction in the range and intensity of emotions and other functions and include blunted emotional expression, anhedonia (decreased ability to experience pleasure), social isolation (lack of interest in social interactions), avolition (diminished speech output), and avolition (restricted initiation of goal-directed behavior).

A. Delusional Disorder

The essential feature of Delusional Disorder is the presence of one or more delusions that last at least one month. Overall psychosocial functioning is not markedly impaired, and any impairment is directly related to the delusions (e.g., the person loses his job because he's afraid to leave the house and repeatedly misses work). The DSM-5 distinguishes between the following subtypes: (a) erotomanic (the person believes that someone is romantically in love with him/her); (b) grandiose (the person believes that he/she has great but unrecognized talents or abilities); (c) jealous (the person believes that his/her spouse or lover is unfaithful); (d) persecutory (the person believes that he/she is being harassed, cheated, spied on, poisoned, etc.); (e) somatic (the person believes that he/she has an abnormal bodily function or sensation); (f) mixed; and (g) unspecified.

Criteria for diagnosis: (a) delusions are bizarre and (b) the delusions are not shared by other people.

Course/Prognosis: The onset of Schizophrenia is usually between the late teens and early 30s, with the peak age of onset being in the early to mid-20s for males and the late 20s for females. The course is ordinarily chronic with complete remission being rare. A better prognosis is associated with good premorbid adjustment, a shorter duration of active-phase symptoms, a family history of a mood disorder, and no family history of Schizophrenia.

Etiology: Evidence of a genetic component is provided by twin and adoption studies and studies showing that the risk for Schizophrenia is substantially higher among first-degree biological relatives of people with this disorder than for people in the general population. Gottesman (1991) reported the following concordance rates for biological relatives:

Table 1: Concordance Rates for Schizophrenia (Gottesman, 1991)

Relationship to Person with Schizophrenia	Concordance Rate
Biological sibling	17%
Fraternal (dizygotic) twin	10%
Identical (monozygotic) twin	48%
Child of two parents with Schizophrenia	16%

Additional evidence for a genetic component is provided by studies showing that the relatives of individuals with Schizophrenia are not only at increased risk for Schizophrenia but also for other schizophrenia spectrum disorders, especially Schizotypal Personality Disorder (e.g., Cannon et al., 1994). Other disorders that may belong to the schizophrenia spectrum include the other psychotic disorders as well as Schizoid, Paranoid, and Avoidant Personality Disorders.

A number of brain abnormalities have been linked to Schizophrenia. Enlarged ventricles is the most common structural brain abnormality, and others include a smaller than normal hippocampus, amygdala, and globus pallidus. In terms of functional abnormalities, hypofrontality has been linked to the negative symptoms of Schizophrenia and poor performance on certain cognitive tasks (Andreasen et al., 1992; Weinberger, Berman, & Chase, 1988) and refers to lower-than-normal activity in the prefrontal cortex as measured by cerebral blood flow and glucose metabolism.

The dopamine hypothesis was the first biochemical explanation for Schizophrenia and attributes it to elevated dopamine levels or oversensitive dopamine receptors. The original dopamine hypothesis has been modified by research suggesting that the role of dopamine

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Psychology Written

Schizophrenia Spectrum and Other Psychotic Disorders

Abnormal Psychology

disorder and that misdiagnosis is due to the fact that African Americans are more likely to experience hallucinations and delusions as symptoms of depression and other disorders. Also, the World Health Organization's International Pilot Study of Schizophrenia compared patients with Schizophrenia in non-Western developing countries to those in Western industrialized countries and found that patients from developing countries were more likely to exhibit more acute onset of symptoms, a shorter clinical course, and a complete remission of symptoms (Lin & Kleinman, 1995).

Course/Prognosis: The onset of Schizophrenia is usually between the late teens and early 30s, with the peak age of onset being in the early to mid-20s for males and the late 20s for females. The course is ordinarily chronic with complete remission being rare. A better prognosis is associated with good premorbid adjustment, a shorter duration of active-phase symptoms, a family history of a mood disorder, and no family history of Schizophrenia.

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State Of Alaska
DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT
DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING

BOARD OF PSYCHOLOGIST AND PSYCHOLOGICAL ASSOCIATE EXAMINERS
January 31, 2019 & February 1, 2019

These are DRAFT minutes prepared by the staff of the Division of Corporation, Business and Professional Licensing. These minutes have not been reviewed or approved by the Board.

Written meeting minutes reflects a brief overview of the business conducted by the board during their meeting. For a more detailed account, please request a copy of the meeting recording.

Thursday, January 31, 2019

Agenda Item – Call to order and Roll call

Board Chair Al Levy called the meeting to order at 9:04 am.

Those present constituting a quorum of the Board:

Al Levy, Psychological Associate
Joel Wieman, Psychologist
Suzanne Dutson, Public Member
Richard Lazur, Psychologist

In attendance from the Department of Commerce, Community and Economic Development, Division of Corporations, Business and Professional Licensing were:

Renee Hoffard, Records and Licensing Supervisor
Sara Chambers, Director
Lacey Bartlett, Occupational Licensing Examiner
Erika Prieksat, Investigator III

Agenda Item – Review & Approve Agenda

The board reviewed the drafted agenda of the meeting. Suzanne Dutson stated agenda item #17.C – Telepsychology Website – was covered adequately by the last board meeting. She requested to amend item #17 to be able to discuss SB 74 and some concerns she had with it.

In a motion duly made by Joel Wieman and seconded by Suzanne Dutson, with unanimous consent, it was resolved to approve the agenda as amended.

Renee Hoffard noted due to being unable to schedule future meetings at this time, the Annual Report had been added to the agenda for review if the board would like. The report needs submitted by June 1st, 2019 so it needs to be reviewed and approved to the division. Board Chair Al Levy brought up challenges with the annual review as there has been a large turnover of new board members.

45 Board Chair Levy, discussed the upcoming meetings with legislators that have been scheduled while in
46 Juneau. The meetings scheduled were with Mia Costello, Matt Claman, Elvi Gray-Jackson, Tom Begich,
47 and Cathy Giessel. It will be discussed later who will attend what meeting. Board Chair Levy requested
48 to have the Exam Drafting removed from the agenda due to board staff turnover. It would be too
49 difficult to start that process and then start it over again with 2 new board members.

50

51 **In a motion duly made by Suzanne Dutson and seconded by Richard Lazur, with unanimous consent, it**
52 **was resolved to amend the agenda to remove item #21 – Exam Question Drafting – and replace it with**
53 **Legislative Meetings.**

54

55 **Agenda Item – Ethics Report**

56 Board Chair Al Levy gave a brief overview of the requirements of ethics reporting as a board member.
57 Hearing no violations or reports, Mr. Levy moved the board onto the next agenda item.

58

59 *Director Sarah Chambers joined at 9:10am.*

60

61 **Agenda Item – Board Training**

62

63 Division Director, Sara Chambers joined the meeting to provide board training. Director Chambers
64 discussed how well the board is able operate and work through conflict. Questions arose in regards to
65 how to interpret what is written in statute and regulation, how to work through gray areas, and what is
66 the board's authority to deviate/make decisions on what is written. The regulations had fallen behind
67 the times and how is the board supposed to respond?

68

69 Director Chambers assisted in explaining the elements to consider: you are erring in favor of the
70 applicant, you are not raising the bar ABOVE the current standards, and you are doing it consistently.
71 When a statute is outdated and causes issues to the process, it is the authority of the board to address it
72 and can take the steps to address the issue. And in the interim, what are the requirements to be more
73 attainable? The board was advised to identify the effect of the unintended consequences (outdated
74 standards) and come up with a more adaptive standards to achieve our professionals being able to work
75 in Alaska.

76

77 The Board and Director Chambers all agreed working together, communication, and monitoring needs
78 of our licensees are essential in supporting our professionals. Our collective goals are to get our
79 professionals to work. If regulations changes are necessary, the Board could start a regulations project
80 to address those needs. It was also agreed that with the new board members coming in, Director
81 Chambers would join additional meetings as needed for continued Board Training.

82

83 **In a motion duly made by Richard Lazur and seconded by Suzanne Dutson, with unanimous**
84 **consent, it was resolved to amend the agenda to move Division Update to 9:45am to make**
85 **best use of time.**

86 **Agenda Item – Division Update**

87

88 Board Chair Al Levy addressed Director Chambers and a few concerns he had regarding Board Member

89 turnover and administrative staffing turn over. Board Chair Levy was concerned current members
90 haven't been notified their term has been ended by the current administration or have been replaced.
91 Chair Levy stated it's the Governors prerogative to appoint anyone he wants for his administration but
92 HOW it is done and how it impacts the board are matters for concern. Director Chambers addressed
93 those concerns by stating she's receiving the same information as it comes in. She has expressed the
94 concern as a division to the Director of Boards and Commissions, and we would like to find out sooner
95 rather than later when board members are being replaced. It has been affecting our boards negatively
96 and how they're able to conduct business. The discussion continued around ensuring the productivity of
97 the board and to effectively pass leadership training onto new members. It was agreed that all will do
98 their best to communicate upcoming changes and work to manage the steep learning curve of our
99 incoming members.

100

101 *Erika Prieksat joined at 9:56am*

102

103 **Agenda Item – Investigative Report**

104

105 Investigator Erika Prieksat addressed the board with current investigation. There was 1 opened matter,
106 4 closed matters, and 4 remain ongoing. Information was relayed to Investigator Prieksat regarding
107 board member turnover and open investigations. It was advised to Investigator Prieksat any items
108 previously assigned to Dr. Chris Reynolds or Dr. Richard Lazur would need to be reassigned. Additional
109 training was also planned for future meetings when our new board members have joined so they fully
110 understanding their roles in investigations.

111

112 **Break 10:06am – 10:22am.**

113

114 **Agenda Item – Division Update**

115

116 Fiscal Year 2018 (FY18):

117 The board took in just over \$17,000, however the expenses were almost \$100,000. With a surplus from
118 past years, the program can remain in a positive fiscal position with a balance of \$318,694.

119

120 Fiscal Year 2019 (FY19) 2nd Quarter:

121 At the end of the 2nd quarter of FY19, the board income was approximately \$16,400 and the outgoing
122 has been just over \$45,500. Total revenue will increase as we're in a renewal cycle. The board was
123 informed it is tracking right along with previous years and overall is maintaining well. Ms. Chambers
124 reviewed the indirect vs direct expenses, how these expenses are figured, and what the boards past
125 trends have looked like.

126

127 Administrative staff changes were also extensively discussed. It was asked if there was a way to
128 reimburse the psychology board or shift cost from the board for administrative changes, such as,
129 removing the licensing examiner to another program. Could the financial responsibility be shifted to the
130 program that's receiving the licensing examiner? Director Chambers explained the division is focused on
131 maintaining work and the state's needs. The best is being done to mitigate costs and anticipate the
132 needs of all the boards. Director Chambers advised the board if they do have a remedy to the situation,
133 to please let her know. Board Chair Al Levy stated he would collect some information from other boards
134 and see what type of proposal could be submitted.

135

136

137 Proposed License Fees

138

139 Director Chambers discussed the proposed license fee decrease. Both the board and the division have
140 been working toward a more balanced income to expenditure ratio. The major concern raised regarded
141 having enough funds to cover unforeseen expenses, such as investigations. After extensive discussion
142 regarding the boards desire to maintain an adequate surplus, while also adapting to a more suitable
143 license fee based on income vs. expenditure, a \$500.00 license fee was proposed by the board.

144

145 **In a motion duly made by Richard Lazur, and seconded by Suzanne Dutson, with unanimous**
146 **consent, it was resolved to recommend a fee of \$500 for initial licensing.**

147

148 **Break 11:27am – 11:36am**

149

150 Agenda Item – Public Comments

151

152 There were no members of the public present that wished to provide public comments to the board.

153

154 **Lunch 11:40pm – 1:06pm**

155

156 Agenda Item – Review & Approve Meeting Minutes

157

158 The previous meeting minutes were reviewed by the board.

159

160 **In a motion duly made by Richard Lazur, and seconded by Suzanne Dutson, with unanimous**
161 **consent, it was resolved to approve the November 30, 2018 meeting minutes as written.**

162

163 Agenda Item – Application Review

164

165 The board reviewed 3 applications for licensure and 1 supervision extension request via OnBoard;
166 ballots were signed using electronic signature per division policy. Applicants will be notified of the
167 board's decision within 10 business days of the board meeting.

168

169 **Break 2:38pm - 2:48pm**

170

171 Agenda Item – Exam Scoring

172

173 **Upon a motion made by Richard Lazur, seconded by Suzanne Dutson, and approved**
174 **unanimously, it was resolved to enter into Executive Session in accordance with AS 44.62.310(c), and**
175 **Alaska constitutional right to privacy provisions for the purpose of discussing matters involving**
176 **matters which by law, municipal character, or ordinance are required to be confidential. Board staff**
177 **Renee Hoffard and Lacey Bartlett to remain in the room.**

178

179 **Off record at 2:49pm**

180 **On record at 3:58pm**

181

182 Board Chair Levy stated they have all done good work for the day and accomplished many items. Not
183 hearing any additional information to be discussed on the record, meeting was recessed.

184

185 **Recess at 3:59pm until 9:00 am on Friday, February 1, 2019.**

186

187 **Friday, February 1, 2019**

188

189 Board Chair Al Levy called the meeting to order at 9:08am

190

191 Those present, constituting a quorum of the Board:

192

193 Al Levy, Psychological Associate

194 Joel Wieman, Psychologist

195 Suzanne Dutson, Public Member

196 Richard Lazur, Psychologist

197

198 In attendance from Department of Commerce, Community, and Economic Development, Division of
199 Corporations, Business, and Professional Licensing were:

200

201 Lacey Bartlett, Licensing Examiner

202 Renee Hoffard, Records & Licensing Supervisor

203 Sarah Chambers, Division Director

204

205 Members of the Public in attendance:

206 Jana Zeedyk,

207

208 **Reconvene at 9:08am.**

209

210 Roll Call, present Al Levy, Joel Wieman, Suzanne Dutson, and Richard Lazur.

211

212 Board Staff Renee Hoffard and Lacey Bartlett.

213

214 **Agenda Item – Correspondence**

215

216 No correspondence was provided to the board for this meeting. Renee Hoffard addressed the board
217 regarding a question on a courtesy license compliance reporting. A psychologist had completed his
218 permanent license since receiving his courtesy license. Ms. Hoffard's question was to clarify if the
219 individual needed to submit his courtesy license report OR if his permanent license replaced the need
220 for the license report. It was requested to notate the file of his upgrade to permanent licensing and the
221 applicant submit a letter requesting early expiration of his courtesy license (as he was issued a
222 permanent license). Board Chair Levy requested this information be added to our procedure manual as
223 this situation will likely arise again and it was agreed to add to the division's training manual.

224

225 **In a motion duly made by Richard Lazur, seconded by Suzanne Dutson, with unanimous**
226 **consent, it was resolved to amend the agenda to move Old Business up to make best use of**
227 **time.**

228

229 **Agenda Item – Old Business**

230
231 Board member Suzanne Dutson presented her license category analysis. State of Alaska currently holds
232 4 license statuses. Ms. Dutson spoke of other states and their licensing categories. The goal would be
233 to add “Retired” status to the licensing categories, in order to reflect a more accurate status than an
234 individual who retires and their license goes to “Inactive”. Concerns have been raised regarding inactive
235 licenses and a potential negative connotation on them when reality is the professional has retired or
236 moved on from practice. Supervisor Hoffard advised the board that changes to add a license status
237 would require legislative action as the board only has authority to make changes on what is currently
238 written in statute. It was discussed how an individual would be able to go into retired status and how
239 that process would look. All changes and procedures would be included in a regulations project.

240
241 *Director Sarah Chambers entered 9:31am*

242
243 Board member Suzanne Dutson went on to discuss the PSYPact Interstate Agreement and how it could
244 benefit Alaska. PSYPact is a contract for specific, limited purpose, or particular policy issue - telehealth
245 and temporary in-person, face-to-face practice of psychology across jurisdictional boundaries. After
246 presenting the PSYPact information, questions were raised regarding how it would financially effect the
247 State. Overall the project would have positive benefits to Alaska and serving our rural population.
248 Additional questions requiring research are going to be addressed and clarified before presenting the
249 information to Legislators. Specifically questioned were annual fees to the state, what fees are collected
250 for processing PSYPact applications, how are investigations handled/funded, and what is the specific
251 time scope of practice for both telehealth and face-to-face practice under PSYPact.

252
253 Chair Al Levy notified Director Chambers of the 2 items the board is currently working on for the current
254 legislative session which were: 1. adding another licensing category and 2. pursue background checks for
255 applicants.

256
257 **Upon a motion made by Joel Wieman, seconded by Suzanne Dutson, and approved**
258 **unanimously, it was resolved to enter into executive session in accordance with AS**
259 **44.62.310(c), and Alaska Constitutional Right to privacy provisions for the purpose of**
260 **discussing subjects that tend to prejudice the reputation and character of any person,**
261 **provided the person may request a public discussion. Board staff Renee Hoffard, Lacey**
262 **Bartlett, and Sarah Chambers to remain in the room.**

263
264 **Off Record at 10:18am**
265 **On Record at 10:43am**

266
267 **Break 10:43am – 10:55am.**

268
269 **In a motion duly made by Suzanne Dutson, seconded by Richard Lazur, with unanimous**
270 **consent, it was resolved to amend the agenda to move AKPA call to 1:00pm.**

271
272 Board Chair Levy advised the board of their goals for speaking with legislators while in Juneau. The
273 board is seeking to require applicants to pass a background check to practice psychology in Alaska. It
274 was advised the board keep it simple when speaking to legislators and their staff. The board does not
275 have authority to require background checks and they are seeking authority to do so. Mr. Levy stated

276 they're trying to find a sponsor for the background legislation through these meetings. Member
277 Suzanne Dutson brought up SB74, instructing boards to implement things such as background checks.
278 Supervisor Renee Hoffard helped clarify what was written in SB74 and how the board can make only
279 make changes based on the diagnoses, prescriptions, treatments, or delivery of service. The Board
280 imposing background checks would be outside the scope of the items currently written.

281
282 The Editing of Supervised Practice Plan Forms was tabled to the next meeting when the 2 new board
283 members can be present.

284

285 **Agenda Item – New Business**

286

287 The board reviewed the updated regulations language for 12 AAC 60.010 & 12 AAC 60.030. The
288 recommended language was to correct and clarify needs for Courtesy Licenses and Letters of Reference.
289 After a brief discussion, the board decided to table 12 AAC 60.010 for further clarification and move
290 forward with 12 AAC 60.030.

291

292 **In a motion duly made by Richard Lazur, seconded by Suzanne Dutson, with a roll call vote, it**

293 **was resolved to amend add section B: 12 AAC 60.030. APPLICATION FOR LICENSURE BY**

294 **CREDENTIALS. (a) An applicant for licensure by credentials as a psychologist will be licensed**
295 **without examination if the applicant**

296 **(1) if applying under AS 08.86.150(1),**

297 **(A) complies with the application requirements of 12 AAC 60.010(a)(1), (2), (4), and (6);**

298 **(B) submits 5 letters of recommendation from three licensed psychologists, members of the**

299 **American Psychological Association, or diplomates of the American Board of Professional**

300 **Psychology; and two from other persons not related to the applicant; and**

301 **(C)**

302

303 **Al Levy – Yes**

304 **Joel Wieman – Yes**

305 **Suzanne Dutson – Yes**

306 **Richard Lazur – Yes**

307

308 Recap of the ASPPB October 2018 Meeting was tabled by Board Chair Al Levy for the next board
309 meeting. Member Joel Wieman did not have his notes with him to present.

310

311 **In a motion duly made by Suzanne Dutson, seconded by Richard Lazur, with unanimous**

312 **consent, it was resolved to amend the agenda to move agenda item Board Admin. Business up**

313 **to make best use of time.**

314

315 **Agenda Item – Board Admin Business**

316

317 The courtesy license report was presented to the board by Supervisor Renee Hoffard. Of the 5 Courtesy
318 Licenses addressed, 1 was out of compliance and the individual has been contacted. It was asked by
319 Board Chair Levy if there was a place online to file the courtesy report and the answer was no. There is
320 however potential in the future to add such a function to the division website.

321

322 In order to include the 2 new board members coming in, it was suggested by Board Chair Al Levy to
323 schedule the next meeting only so new members can have input for future meeting dates. The next
324 meeting was set for May 9th & 10th, 2019. Once administrative staff can be contacted, the SLEE will be
325 confirmed for some time during the week of April 15-19th, 2019.

326
327 The board discussed the upcoming ASPPB Midyear Meeting. Because board member Suzanne Dutson
328 has been working diligently on the PSYPact Compact and Licensing Categories, it was requested she
329 attend the ASPPB Midyear Meeting in April, 2019. It was also requested new Licensing Examiner Lacey
330 Bartlett attend to gain knowledge and training for her position, as well as the 2 new board members.

331
332 After discussing the upcoming annual reports due date to the division, it was requested by Chair Al Levy
333 to have the annual report review as its own agenda item for the May meeting. This would allow the
334 new board members to be present and provide input into the annual review.

335
336 Before recessing for lunch, the board discussed what board members would meet with which
337 legislators. It was also directed the board members would discuss seeking a legislative sponsor for the
338 additional licensing category and for seeking background checks for applicants.

339 **Lunch 11:37am – 1:03pm**

340

341 *Michael Reed & Jana Zeedyk joined 1:00pm.*

342

343 **Agenda Item – AKPA**

344

345 Michael Reed and Jana Zeedyk from AKPA reviewed the APA Licensing Act for the board. Dr. Zeedyk
346 explained they were working on finalizing the wording and information for the updated Model Licensing
347 Act (MLA). She was hoping to have the finalized product ready for submission in the very near future.
348 Dr. Zeedyk described how AKPA is proposing a revision to modernize the evolving opportunities of
349 licensure. The main areas of revision were additions for action on reciprocity using ASPPB, CPQ as the
350 credential. It was also presented, the hope to have applicants licensed after internship. Based on
351 recent research, its viewed applicants are reaching their required internship hours prior to reaching
352 their supervised post-doctoral internship. It was explained as a “resequencing of training hours”.
353 Finally, Dr. Zeedyk presented the additional licensing categories being sought: Federal/Tribal Personnel,
354 Inactive, Senior Psychologist, and Senior Psych. Associate. When questioned when they would like to
355 present the proposal to the legislature, the hope is to possibly make the current session but it is still
356 unclear at this time. After clarification of some details, Dr. Zeedyk and Mr. Reed were thanked for their
357 time. They also agreed to join the May board meeting to address our new board members and bring
358 everyone current with where the project currently stands.

359

360 **Agenda Item - Adjourn**

361

362 After a brief review of the legislative meetings which have already been held, Chair Al Levy thanked the
363 board for their hard work and completing very important tasks. Hearing no additional comments or
364 concerns from the board, it was moved to adjourn.

365

366 **Upon a motion made by Richard Lazur, seconded by Suzanne Dutson, and approved**
367 **unanimously, it was resolved to adjourn the meeting.**

368

369 **Chair Levy Adjourned the meeting at 1:26pm**

370 **Off record at 1:26pm**

371

372 Respectfully submitted,

373

374

375

376 _____
Lacey Bartlett

377 Occupational Licensing Examiner

378

379

380

381 _____
Allen Levy

382 Board Chair

383

384

_____ Date

_____ Date

DRAFT

12 AAC 60.065. REVIEW OF APPLICATION FOR COURTESY LICENSE. (a) An applicant who meets the requirements on the appropriate checklist established in this section has demonstrated the necessary qualifications for the courtesy license applied for and will be approved by the board's designee for issuance of that license. An applicant who does not meet the requirements on the appropriate checklist in this section will not be issued a courtesy license unless the board further reviews the application and determines that the applicant meets the qualifications in AS 08.86 and 12 AAC 60 for the courtesy license applied for.

(b) The form title "*Application Checklist for Psychology Courtesy License*," dated December 2004, is adopted by reference. This form is established by the board for use by an employee of the department in the completion of processing of an application for a courtesy license to practice psychology in this state.

12 AAC 60.010. APPLICATION FOR LICENSURE BY EXAMINATION. (a) An application for initial licensure by examination as a psychologist must be submitted on a form provided by the department with

- (1) a check or money order in the amount specified in 12 AAC 02.330;
- (2) official transcripts from all undergraduate and graduate schools attended by the applicant;
- (3) repealed 5/18/85;
- (4) a complete vita from the date of high school graduation to the time of application, including dates and places of residency;
- (5) repealed 5/18/85;
- (6) five letters of reference, one of which must be from the applicant's doctoral committee membership, preferably the chairperson; two from licensed psychologists, members of the American Psychological Association, or diplomates of the American Board of Professional Psychology; and two from other persons not related to the applicant; and
- (7) repealed

12 AAC 60.030. APPLICATION FOR LICENSURE BY CREDENTIALS. (a) An applicant for licensure by credentials as a psychologist will be licensed without examination if the applicant

- (1) if applying under AS 08.86.150(1),
 - (A) complies with the application requirements of 12 AAC 60.010(a)(1), (2), (4), and (6); and
 - (B) submits verification of
 - (i) a current license or certificate from another licensing jurisdiction issued based upon examination and qualification requirements essentially similar to or higher than those in this state at the time of application for the license from this state;
 - (ii) the applicant's score on the Examination for Professional Practice in Psychology (EPPP) created by the Association of State and Provincial Psychology Boards (ASPPB), unless the applicant was initially licensed in a licensing jurisdiction before that licensing jurisdiction required an applicant to sit and pass the EPPP examination; and
 - (iii) the present status of the applicant's license or certificate from all jurisdictions where the applicant holds or has ever held a license or certificate to practice psychology; and
 - (2) if applying under AS 08.86.150(2),
 - (A) complies with the application requirements of 12 AAC 60.010(a)(1), (4), and (6); and
 - (B) submits verification that the applicant is a diplomate in good standing of the American Board of Professional Psychology.
- (b) The verifications required by (a)(1)(B) and (a)(2)(B) of this section must be sent directly to the department from the licensing jurisdiction that issued the applicant's license or certificate, the American Board of Professional Psychology, or the Association of State and Provincial Psychology Boards.
- (c) An applicant is responsible for assuring that the department receives all application documents. An application will not be reviewed until all documents required by this section have been received.

Kevin Meyer
Lieutenant Governor
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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

MEMORANDUM

TO: Debbie Morgan
Department of Commerce, Community and Economic Development

FROM: April Simpson, Office of the Lieutenant Governor 
465.4081

DATE: April 12, 2019

RE: Filed Permanent Regulations: Department of Commerce Community and Economic
Development

Department of Commerce, Community, and Economic Development Regulations re: 12
AAC 02.330: Occupational Licensing Fees: Psychologists and Psychological Associates
(12 AAC 02.330)

Attorney General File:	2019200179
Regulation Filed:	4/12/2019
Effective Date:	5/12/2019
Print:	230, July 2019

cc with enclosures: Linda Miller, Department of Law
Judy Herndon, LexisNexis
Jun Maiquis, Regulations Specialist

ORDER ADOPTING CHANGES TO
REGULATIONS OF THE DEPARTMENT OF COMMERCE,
COMMUNITY, AND ECONOMIC DEVELOPMENT

The attached two pages of regulations, dealing with occupational licensing fees for professions regulated by the Board of Psychologist and Psychological Associate Examiners, are adopted and certified to be a correct copy of the regulation changes that the Department of Commerce, Community, and Economic Development adopts under the authority of AS 08.01.062, AS 08.01.065, AS 08.86.135, and AS 08.86.140, and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

In considering public comments, the Department of Commerce, Community, and Economic Development paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes adopted under this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

DATE: 4/2/19
Anchorage, Alaska


Julie Anderson, Commissioner
Department of Commerce, Community, and
Economic Development

FILING CERTIFICATION

I, Kevin Meyer, Lieutenant Governor for the State of Alaska, certify that on April 12, 2019 at 10:57 A., I filed the attached regulations according to the provisions of AS 44.62.040 – 44.62.120.


Kevin Meyer, Lieutenant Governor

Effective: May 12, 2019.

Register: 230, July 2019.

Chapter 02. General Occupational Licensing Functions.

12 AAC 02.330 is amended to read:

12 AAC 02.330. Board of Psychologist and Psychological Associate Examiners. The following fees are established for psychologists and psychological associates:

- (1) application fee for
 - (A) initial license, \$200;
 - (B) any courtesy psychologist license, [;] \$50;
- (2) credential review fee, \$100;
- (3) psychologist license fee for all or part of the initial biennial licensing period, **\$500** [\$775];
- (4) psychologist biennial license renewal fee, **\$500** [\$775];
- (5) temporary license fee, \$150;
- (6) psychological associate license fee for all or part of the initial biennial licensing period, **\$500** [\$775];
- (7) psychological associate biennial license renewal fee, **\$500** [\$775];
- (8) state examination fee, \$50;
- (9) Examination for Professional Practice in Psychology (EPPP), examination retest fee, \$25;
- (10) fee for any courtesy psychologist license, \$200. (Eff. 11/20/86, Register 100; am 10/1/88, Register 107; am 5/28/93, Register 126; am 2/13/94, Register 129; am 5/17/95, Register 134; am 4/20/97, Register 142; am 11/27/98, Register 148; am 5/5/99, Register 150; am 6/17/2001, Register 158; am 3/25/2004, Register 169; am 8/20/2004, Register 171; am 6/9/2007,

Register 230, July 2019 PROFESSIONAL REGULATIONS

Register 182; am 6/28/2009, Register 190; am 5/15/2013, Register 206; am 5/19/2017, Register 222; am 5 / 12 / 2019, Register 230)

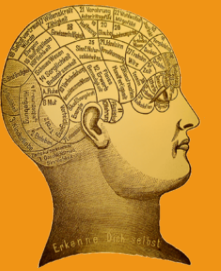
Authority: AS 08.01.062 AS 08.86.135 AS 08.86.140
AS 08.01.065

PsyPact for Alaska

Considerations of Practice in Alaska

Suzanne Dutson, MS Psy. (ok, ok Al , but I have to be able to write it sometime, and I chose now !! Just indulge me !! !)

1



Psychology Interjurisdictional Compact (PSYPACT)



Approved in February 2015 by the ASPPB Board of Directors, the Psychology Interjurisdictional Compact (PSYPACT) has been created to facilitate telehealth and temporary in-person, face-to-face practice of psychology across jurisdictional boundaries. PSYPACT is an interstate compact, which is an agreement between states to enact legislation and enter into a contract for a specific, limited purpose or address a particular policy issue.

E.Passport and Interjurisdictional Practice Certificate

Once seven states enact PSYPACT, licensed psychologists will be able to apply for and use ASPPB certificates, which include the E.Passport to practice telepsychology and the Interjurisdictional Practice Certificate (IPC) to conduct temporary in-person, face-to-face practice in PSYPACT states. Alaska has not enacted PsyPact, although the Psychologists and Psychological Associates Examiner's Board is currently engaged in discussions about PsyPact. According to Dr Alex Siegel (director of professional affairs at the Association of State and Provincial Psychology Boards (ASPPB) seven states have adopted PsyPact with another five or six expected in 2019 (Calkins, 2018).

3



Alaska Overview

4



Alaska presents unique challenges in access to and delivery of primary care services most notably because of the state's vast size, number of isolated communities, and the amount of Medically Underserved Areas (MUA) and Medically Underserved Populations (MUP). Cultural and linguistic variations also lend to this challenge. With an area of 663,268 square miles, Alaska is approximately one fifth the size of the contiguous United States and has the lowest population density of one person per square mile. Alaska has an estimated population of 737,6252 with the densest population area in Anchorage and the Matanuska-Susitna Valley.

Department of Labor and Workforce Development, Research and Analysis. 2015 Population By Borough/Census

Area and Economic Region. <http://laborstats.alaska.gov/pop/popest.htm>.

Alaska Overview cont'd

5



With the exception of the urban boroughs of Anchorage, Fairbanks, Juneau and Sitka, all of Alaska's boroughs and census areas are considered frontier by the State Offices of Rural Health. The frontier nature of Alaska, with the official nickname of The Last Frontier, presents additional challenges to delivery of primary care. Many communities are located at considerable distance from hospitals and without road access. For many small communities physicians, dentists, and mid-level providers are available on an itinerant basis only. These areas are referred to as Medically Underserved Areas in contemporary research literature and government documents. Treatment for serious conditions must occur at larger hospitals in urban centers for which air travel is necessary. According to the 2016 Data Source: SDMS Designation Demographic and Health Data Export (4/18/16) Alaska has 28 underserved census areas.

National Data on Mental Healthcare Shortages

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Behavioral health practitioners by county type Providers per 100,000 people

Census division	Psychiatrists	Psychologists	Psychiatric NPs
Overall US	15.6	30.0	2.1
Metropolitan	17.5	33.2	2.2
Non-metropolitan	5.8	13.7	1.6
Non-core	3.4	9.1	0.9

Non-core are counties whose major city or clusters of cities have populations of < 10K or do not have a substantial population center

Source: American Journal of Preventive Medicine, 2018

Facts about the State of Mental Healthcare in Alaska

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Facilities

- Southeast Alaska hospitals are virtually the only Alaska Hospitals with Designated Evaluation and Treatment beds
- Providence Hospital Anchorage has few mental health beds available
- Alaska Psychiatric Hospital (API) is the state's only psychiatric hospital and is often at capacity
- Patients often wait days in Emergency Departments of Hospitals across the state for a MH bed
- 40% of Dept of Corrections admissions suffer behavioral health disorders

Anchorage Daily News, 2017

Providers and Consumers

- Alaska experienced a 31.9-40.6% change in suicide rates from 1999 to 2016 (CDC data)
- According to SAMHSA, 2015, Alaska's rates of mental health disorders were higher than the national average in all domains measured
- Alaska Dept of Corrections is the largest Mental Health Provider in the state (Moras, 2004). 22% of the Alaska Corrections population in SFY 2012 experienced a mental health disorder, SOA H&SS, (2018)

Here's what it can do for Alaska

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Benefits of PsyPact

- Increases client/patient access to care
- Facilitates continuity of care when client or patient travels/moves/etc.
- Certifies that professionals meet quality standards (training/background/service provision)
- Promotes interjurisdictional cooperation between PsyPact and licensure/regulatory entities
- Increases interjurisdictional consumer protection
- Enhances the impact of SB 74

How PsyPact Impacts Psychologists

- Psychologists practice in Psypact states under one license vs multi-state licenses
- Psychologists can practice in under-served or geographically isolated areas
- Standardizes temporary licensure regulations in PsyPact states
- Decreases time burdens of waiting for licensure in each state to be approved

Average Cost per State to Adopt PsyPact

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- ASPPB has reported to this board that the only costs associated with adoption of legislation are the costs associated with legislative administrative fees and/or lobbyist fees paid by states whose boards are permitted to use those services.
- This is a cost neutral (ongoing) action with potential for much needed provider access in return

Here's what PsyPact can't do for Alaska

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- Can't restrict geographic telepsychology service provision in Alaska
- Can't prohibit service provision in areas without robust safety infrastructure, but does call upon professionals to assess local infrastructure in support of client/patient/community safety
- Can't alter infrastructure deficiencies that cause areas to be designated as MUAs/MUPs
- Can't assure that providers are familiar with the unique limitations in resources/infrastructure/staffing/access in MUA areas in Alaska

Here's what the board can do to help

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- Maintain close relationship with ASPPB and it's PsyPact divisions to remain informed and seek options to increasing Alaska's ability to take full advantage of PsyPact under current conditions
- Maintain close relationship with Alaska legislators who can assist in efforts to create a favorable environment for PsyPact success
- Learn more about Alaska's Telemedicine rules and regulations (SB 74) to understand if quality and safety improvement suggestions to existing legislation may be forwarded to legislators
- Create and maintain relationships with other boards and agencies involved in Alaska Telepsychology services
- Create and disseminate a "local infrastructure safety screening tool" to provide to PsyPact providers and other telemedicine providers for use in their Informed Consent Documents. This tool will be provided to Legislators in a separate modality.

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AKPA Model Licensing Committee White Paper
on
Psychologist License Classifications

BACKGROUND

A review of minutes of the Board of Psychologist and Psychological Associate Examiners (the Board) dated July 2015, indicated members of the Board are aware that current wording of “lapsed” or “surrendered” licenses had a negative connotation in some jurisdictions and that some consideration of license designations of “inactive” and “retired” might be more appropriate. A review of the current statutes authorizing the Board and its work indicates the definitions and use of the terms “inactive” and “retired” are not now in use.

In the past year, a member of AKPA, Dr. Martin Atrops, brought this very issue to the Board of Directors (BOD) of AKPA. Upon consideration of the issue and recognizing that AKPA has plans to potentially provide a legislative vehicle for statute changes needed to support this licensing classification change, the license classification issue was referred to the model licensing committee for further development. Dr. Jana Zeedyk, President of AKPA, reported to the Licensing Board at a previous Board meeting that AKPA was interested in pursuing the matter. This white paper is a follow-up to that previous communication.

A preliminary review of licensing classifications in other states indicates that inactive and/or retired licenses are fairly common. Definitions and statutes or regulations supporting the classifications vary widely though. In general, inactive license classifications provided a pathway for resumption of active provision of psychological services. There was typically a continuing education requirement as well as various attestations required by the Board. Retired licenses did not provide for a pathway to return to practice. In the states reviewed, these license classifications were associated with a substantially lower fee. The ASPPB model licensing language includes both inactive and retired designations following the model of a pathway back to active practice for inactive and not for retired. The model licensing act promulgated by APA includes reference to inactive status with a pathway back to active status. The APA model act does not address a retired classification. After reviewing all materials, the committee put forth two proposals relating to psychology license classifications.

PROPOSALS AND RATIONALE

Proposal #1 - Adding an Inactive License Classification

AKPA proposes adding a new license classification to statutes governing the practice of psychology titled “Inactive.” The APA Model Licensing Act notes “psychologists who are on military assignment outside the state, suffering from health problems, on sabbatical, retired, or who move to another state may wish to be on inactive status. Relieving the psychologist from paying the fee will make it possible for that person to remain in good standing without being an

active practitioner.” AKPA’s MLA Committee believes that Alaska’s psychologists and psychological associates could benefit from an opportunity to step away from professional practice without a penalty for any number of personal reasons. The opportunity offers a compassionate chance for license holders to step away when life brings other priorities than professional practice. By affording this opportunity to providers of psychological services, a way becomes available to step away when there are overwhelming issues competing with the ability to provide direct service. Because so many of life challenges as well as opportunities also carry financial burdens, it is recommended that the inactive status license fee be minimal. We also recommend the easiest possible pathway to returning to active license status. Below is possible language for legislation and regulation development. The committee notes that the ASPPB’s limit on an inactive license of three years total may or may not be a viable option for Alaska given our biennial re-licensing period.

Here is APA’s suggested statute language:

A psychologist in good standing who will not be practicing in the state for at least one year may petition the Board to have his or her license placed on inactive status without a penalty. When such psychologists wish to return to practice, an application shall be made to the Board, which shall reinstate him or her upon payment of the registration fee for the current year.

Here is ASPPB’s suggested regulatory language:

Inactive License

- a) A licensee with an active license may apply to the Board for inactive licensure status by submitting a written request. A psychologist on inactive status is required to pay the renewal fee for an inactive license.*
- b) If there are any unresolved professional or ethical complaints, inactive status will be denied. A licensee may not use inactive status to circumvent the authority of the Board.*
- c) A psychologist who holds an inactive license may not practice psychology but may continue to use the title “psychologist”.*
- d) A psychologist who holds an inactive license continues to be subject to the statute and/or regulations of the Board.*
- e) Inquiries concerning the credentials of a psychologist who holds an inactive license shall be honored by the Board.*
- f) Inactive status must be at least one (1) year but not longer than three (3) years. The Board may for good cause reactivate a license that has been inactive for less than one (1) year with the payment of applicable fees. If less than three (3) years has passed, in addition to meeting all current requirements governing reactivation of an inactive license, the licensee shall take and pass the jurisprudence examination. A licensee may reactivate his/her license by making application to the Board. The Board shall reactivate the license based on:
 - i. Documentation of compliance with the CPD requirements during the renewal period immediately preceding the request for reinstatement.*
 - ii. A signed statement certifying that the licensee has neither practiced psychology nor violated any of the statutes or regulations of the Board since the date on which**

- the license was first placed on inactive status.*
- iii. Proof of no criminal conviction or any disciplinary action taken against the licensee by any licensing Board or agency during the period of inactivity.*
 - iv. Proof of no violations of applicable statutes and/or regulations.*
 - v. Completion of a criminal history background check and/or child abuse clearance.*
 - vi. Payment of any outstanding administrative fines.*
 - vii. Payment of applicable reactivation fees.*
- g) After three (3) years, an inactive license expires.*

The committee notes there are a number of states that do not place an arbitrary three year limit on inactive licenses. It would seem that if the inactive licensee is able comply with reinstatement requirements, there is no need for an arbitrary limit of 3 years. Language from Texas' licensing statutes/regulations reflects this:

The inactive status may be extended for additional increments of two years if, prior to the end of each two-year period, the person notifies the Board in writing that an extension is requested and submits proof to the Board of continuous licensure by a psychology licensing board in this or another jurisdiction for the past two-year period and payment of all required fees. Licensees may indefinitely remain on inactive status if he/she is licensed in this or another jurisdiction and complies with the extension requirements set forth in this paragraph. Any licensee wishing to reactivate his/her license that has been on inactive status for four years or more must take and pass the Jurisprudence Exam with the minimum acceptable score as set forth in Board rule §463.14 of this title (relating to Written Examinations) unless the licensee holds another license on active status with this Board.

Proposal #2 - Add a Senior Psychologist License Classification

Our proposal is to create a “senior” license category that would require no changes other than a substantially reduced licensing fee for older licensees who meet certain age and practice criteria. The aim of the reduced fee is to allow longtime practicing psychologists and psychological associates to continue to practice psychology and to use the title “psychologist” or “psychological associate” irrespective of the number of hours the licensee engages in practice prospectively.

Many psychologist and psychological associates spend decades developing a professional identity while they serve the public by providing an assortment of psychological services. A major aim of professional psychology education relates to socializing students into the profession as they develop required competencies by way of supervision, teaching, and consultation. Being available to students and trainees in these roles requires licensure. It is a mainstay of professional training to assume that a strong professional identity leads to greater competency in the delivery of services. In this sense, protection of the public is enhanced when practitioners have a strong professional identity in addition to requisite knowledge and skills. As psychologists and psychological associates age within the profession, an immense wealth of knowledge regarding the delivery of psychology services in Alaska accrues. At the same time,

psychologists and psychological associates may find themselves wanting to make plans to practice less as they age, but find there is no middle ground between being licensed and not licensed. The fee reduction proposal for senior-level licensees creates that middle ground.

Alaska has done well in developing a strong tittle/practice act that does a good job of defining the profession and protecting the public. However, the definition of the practice of psychology is so broad as to mean that individuals wanting to turn their attention from direct to service to other directions within the profession of psychology have the potential of running afoul of the definitions of the practice of psychology. As the “retired” license status was considered, it became clear it would be a license in name only, that individuals having such a license would essentially be prohibited from sharing or using their accumulated wealth of knowledge unless they had an active license to practice in Alaska. Activities such as speaking engagements regarding psychology, support of professional associations, organizational contributions like board memberships, serving on municipal boards and commissions would be prohibited if the individual were to opine on issues of applying professional psychology interventions or research, or even to casually refer to her/himself as “Dr. *****, Psychologist.” at any time in Alaska.

Rather than limit the contributions such psychologists and psychological associates can continue to make to the benefit of Alaska and Alaskans, the committee is suggesting:

Upon reaching the age of 65, and after practicing as a licensed psychologist or psychological associate in Alaska for at least ten years with no history of adjudicated license infractions while licensed to practice psychology or a related profession in any jurisdiction at any time since first licensed in any jurisdiction (including resignations from licensure when facing a credible threat of adjudication for a license infraction), psychologists and psychological associates shall pay a license fee discounted 50% from the license fee for younger colleagues licensed as psychologists and psychological associates, respectively. Psychologists and psychological associates qualifying for this discount shall meet all other requirements for license renewal including but not limited to continuing education requirements.

Such a system would keep the protection of the title and practice in place, assure ongoing competence, and would reduce the financial burden that might prohibit “senior” psychologist and psychological associates from being available to the benefit of the public. No statutory or regulatory language is for such a policy is available from APA or ASPPB.

Financial Rationale for License Fee Reduction (licensed 10+ years; 65-yoa):

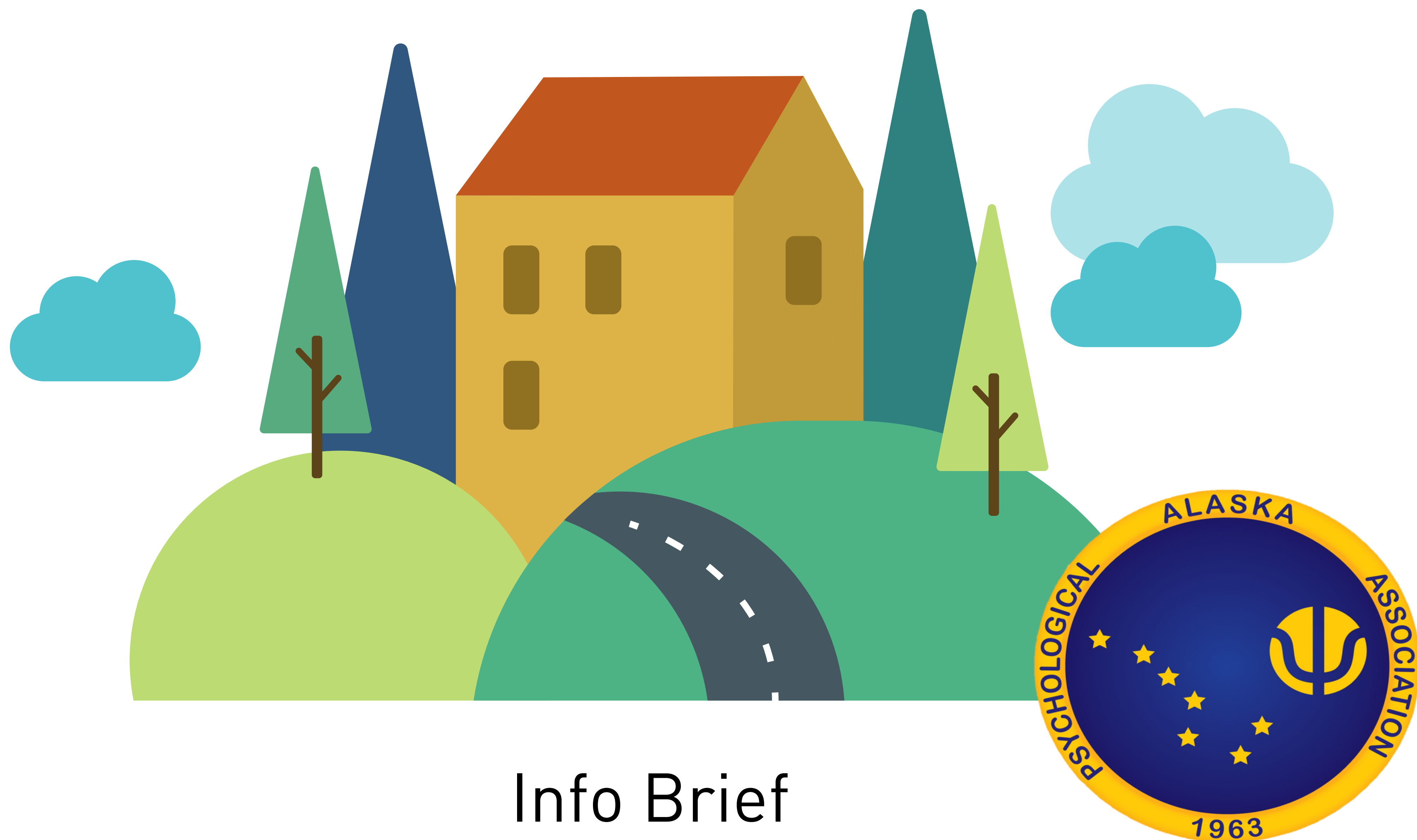
The license fee paid to the State of Alaska is designed to pay the actual costs associated with administering the license. Historically a significant portion of the license fee has resulted from adjudicating alleged license violations. Psychologists and psychological associates who have paid the full licensing fee for a decade or more and who have never been adjudicated as having violated any terms of any mental-health related license throughout their career have not been a source of this portion of the administrative expense for licensure and are unlikely to become a

source of this administrative expense - to the extent past behavior is predictive of future behavior.

A reduced licensing fee for older psychologists who want to maintain a license is in the State's best interest for many reasons and is premised on sensible accounting principles.

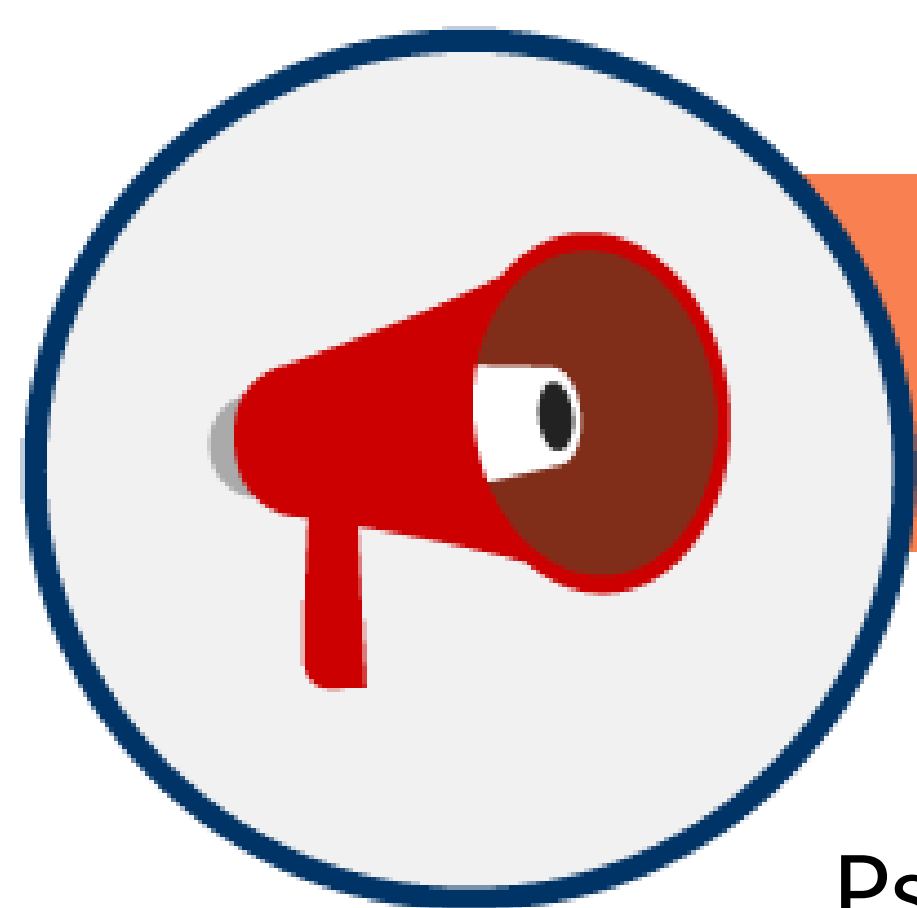
CONCLUSION

Bringing these proposals to fruition would provide options for both actively practicing psychologists and psychological associates at any point in their career, as well as supporting those who are nearing the end of their professional arc. National professional organizations support an inactive license classification and have offered model legislative and regulatory language to facilitate such a classification. Numerous states have such a license classification and it appears that this has become a "standard of practice."



Info Brief

APA's Model Licensure Act



17 states have already adopted the Model Licensure Act (MLA)

The American Psychological Association (APA) and The Association of State and Provincial Psychology Boards (ASPPB) have developed codes of ethical behavior and model licensure acts.

This is the 5th iteration of the Model Act - which is a prototype for creating state legislation that regulates the practice of psychology. The current MLA was approved by the APA Council in 2010.

The MLA documents provides a roadmap, including policies, to inform state licensure law. The MLA is a guide to support state licensing boards in drafting their own rules and regulations.

Continue reading...

To view the APA Model Act for State Licensure of Psychologists please visit:
www.apa.org/about/policy/model-act-2010.pdf

Get bachelors degree

Graduate school & Internship

Get doctorate

Post Doc? Supervised Practice

Get Licensed





Why adopt the MLA?

The MLA can be adopted in part or in full. It is meant to act as a guide and support. At least 17 states (i.e., Connecticut, Washington, Ohio, Pennsylvania, Wyoming) have already adopted these licensure requirements.

Why be in favor this change?

- It reflects the increasing number of **supervised hours for students** in doctoral programs; schools better preparing students
- Hours required for licensure are not decreasing, instead there is **flexibility** in when these hours can be accumulated and accounted for
- The experience students gain during predoctoral training is not necessarily more valuable than postdoctoral hours
- Allows **students to be licensed earlier**

- The **quality** of licensees and prospective licensee remains the same
- Early career psychologists (ECPs) can begin **billing and earning income sooner**
- **Institutions benefit** because ECPs can bill insurance for services
- **Greater mobility** for psychologists in other states
- Help fill the **demand** for psychologists in rural areas

APA - www.apa.org/careers/early-career/licensure/guidance.aspx



Provides much needed **financial relief** to ECPs who graduate with debt, median debt for PhD graduates (75k) and PsyD graduates (200k)

How do I learn more?

The Alaska Psychological Association (AK-PA), your state psychological association, has started a committee to inform psychologists and members across the state about the MLA .

We have also begun critical advocacy work and are communicating with our state psychology board. In those states who have already initiated the MLA, the proposed changes in licensure were not significantly opposed. However, the process required collaboration with stakeholders, review of regulations, and developing a strategic plan.

You can read more about the process and experiences of other states that have recently updated their licensure requirements at: www.apa.org/careers/early-career/licensure/case-studies.aspx

Stages of the Process

APA has provided a guidance document that outlines the key stages of the process, informed by the case studies and experiences of other states. On average, it took 1.5 years for states to go through these stages if they chose to adopt all or parts of the MLA.

We have summarized the APA's guidance document here, but to read the document in its entirety please visit: www.apa.org/careers/early-career/licensure/guidance.aspx

1: Contemplation

Research MLA. Beginning discussions about changing licensure requirements in collaboration with stakeholders. Form a committee/task force.

2: Preparation

Prepare data and evidence to support decision for changing. Identify suggested regulatory changes. Obtain testimonials (e.g., graduate students, ECPs). Stakeholders agree with strategic plan. Connect with legislators.

3: Action

Articulate strong argument. Engage legislators and lobbyists to push for adoption of change and get amendment/bill adopted. Timelines are critical.

4: Implementation/ Maintenance

Once passed, regulations can be updated. Communicate with regulators on the process and set milestones within a timeline.

The easiest way to get involved with any of the work being done by AK-PA's committees is to send us an email letting us know you're interested!

www.ak-pa.org/about/get-involved/



Contact Us!
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American Psychological Association

Model Act for State Licensure of Psychologists **Adopted by Council as APA Policy 2/20/2010**

As APA policy, the Model Act serves as a prototype for drafting state legislation regulating the practice of psychology. State legislatures are encouraged to use the language of this document and the policies that it espouses as the model for their own state licensure law. Inevitably each state law will reflect compromises and changes particular to that state, but the APA Model Act is meant to serve as a guide for those involved in the drafting process. State licensing boards must develop their own rules and regulations to supplement the legislation proposed here. This document also serves to educate legislatures about psychology training and practice and serves to synthesize APA policies that bear on the education, training, and practice of professional psychology.

This is the fifth set of guidelines for state legislation regulating the practice of psychology that has been developed by the American Psychological Association (APA). The first model for such regulation was developed and adopted as APA policy in 1955 (APA, 1955).

The 1955 guidelines stood for 12 years, during which the number of states enacting licensure legislation grew from 9 to 32. In 1967 the APA Committee on State Legislation (COSL) prepared the first revision of the guidelines. That revision was more comprehensive, provided more detailed guidance, and covered more issues relating to regulation of the practice of psychology, while reaffirming the basic concept found in the 1955 model (APA, 1967).

By 1977 all states and the District of Columbia had enacted licensure legislation. APA's Council of Representatives then determined that the model approved in 1967 was outdated and directed COSL to undertake a revision. However, in January 1979 the Council of Representatives failed to approve the revised model guidelines, leaving the 1967 guidelines to remain as APA policy. In 1984 the Council of Representatives directed the Board of Professional Affairs (BPA) to develop another revision of the existing 1967 model for the Council's consideration. BPA, in turn, directed its Committee on Professional Practice (COPP) to prepare it.

This document was approved by the Council of Representatives in February, 1987.

In 2006, at the recommendation of the Board of Professional Affairs and the Committee for the Advancement of Professional Practice, the APA Board of Directors and Council of Representatives funded a Task Force to undertake the revision of the 1987 model act. The existing model act did not reflect the developments in professional practice that had occurred over the preceding 20 years. Specific developments included some psychologists obtaining prescriptive authority, changes in the provision of industrial/organizational and consulting psychology that could make it desirable for those psychologists to be licensed, and changes in the recommended sequence of education and training for psychologists. The Task Force undertook this effort beginning with a comprehensive review of the 1987 document as well as relevant APA policies and other documents. Draft revisions were circulated for review and a 90-day public comment period ensued. Changes were made to the document based on commentary received. A second public comment period ensued and another review by governance groups followed by additional changes to the document occurred prior to the document being approved by Council in February 2010.

Each section of the proposed Model Act is introduced by commentary, the purpose of which is to explain the rationale for the proposed section that follows. To differentiate between the commentary and the proposed statutory language, the latter is *italicized*.

A. Declaration of Policy

This section declares that the intent of legislation for state licensure of psychologists is to ensure the practice of psychology in the public interest. The consumer should be assured that psychological services will be provided by

licensed and qualified professionals according to the provisions of this act. The public must also be protected from the consequences of unprofessional conduct by persons licensed to practice psychology.

The practice of psychology in (name of state) is hereby declared to affect the public health, safety, and welfare, and to be subject to regulation to protect the public from the practice of psychology by unqualified persons and from unprofessional conduct by persons licensed to practice psychology.

B. Definitions

Definitions provide consistent interpretation throughout the Act without unnecessary repetition of terms. Thus “Board,” once defined in this section, can subsequently be cited with the same meaning as presented in the definition.

In defining “institution of higher education,” it is further recognized that many foreign institutions prepare psychologists for professional practice, and provision should be made to accommodate them in Board regulations.

Psychological services should be described adequately and specified in order to identify clearly the areas of psychological services, provided to individuals, groups of individuals, or organizations, that require qualified and sound professional psychology practice. There can be a legitimate use for technology-supported services, such as electronic or telephonic means. All such activities must operate according to appropriate APA Ethical guidelines and Board regulations.

1. “Board” means the (name of state) State Psychology Board.
2. “Institution of higher education” means any regionally accredited institution of higher education in the United States, including a professional school, that offers a full-time doctoral course of study in psychology that is acceptable to the Board. For Canadian universities, it means an institution of higher education that is provincially or territorially chartered.
3. “Practice of psychology” is defined as the observation, description, evaluation, interpretation, and modification of human behavior by the application of psychological principles, methods, and procedures, for the purposes of (a) preventing, eliminating, evaluating, assessing, or predicting symptomatic, maladaptive, or undesired behavior; (b) evaluating, assessing, and/or facilitating the enhancement of individual, group, and/or organizational effectiveness – including personal effectiveness, adaptive behavior, interpersonal relationships, work and life adjustment, health, and individual, group, and/or organizational performance, or (c) assisting in legal decision-making.

The practice of psychology includes, but is not limited to, (a) psychological testing and the evaluation or assessment of personal characteristics, such as intelligence; personality; cognitive, physical, and/or emotional abilities; skills; interests; aptitudes; and neuropsychological functioning; (b) counseling, psychoanalysis, psychotherapy, hypnosis, biofeedback, and behavior analysis and therapy; (c) diagnosis, treatment, and management of mental and emotional disorder or disability, substance use disorders, disorders of habit or conduct, as well as of the psychological aspects of physical illness, accident, injury, or disability; (d) psychoeducational evaluation, therapy, and remediation; (e) consultation with physicians, other health care professionals, and patients regarding all available treatment options, including medication, with respect to provision of care for a specific patient or client; (f) provision of direct services to individuals and/or groups for the purpose of enhancing individual and thereby organizational effectiveness, using psychological principles, methods, and/or procedures to assess and evaluate individuals on personal characteristics for individual development and/or behavior change or for making decisions about the individual, such as selection; and (g) the supervision of any of the above. The practice of psychology shall be construed within the meaning of this definition without regard to whether payment is received for services rendered. (See Section G for Limitation of Practice and Maintaining and Expanding Competence and Section J for Exemptions.)

4. “Psychologist” means (a) any person licensed as a psychologist under this Act and (b) any general applied psychologist (see 5b below) whose practice areas are specifically exempted under this act, and includes a person representing himself or herself to be a psychologist if that person uses any title or description of services incorporating the words psychology, psychological, or psychologist, or if he or she uses any term that implies that

he or she possesses expert qualification in any area of psychology, or if that person offers to the public or renders to individuals or groups of individuals services defined as the practice of psychology in this Act. The title "psychologist" is also used by psychologists who are exempt from licensure as specified in Section J of this Act in their roles as teachers, researchers and/or general applied psychologists acting outside the licensed scope of practice.

5. "Applied psychologist" is one who provides services to individuals, groups, and/or organizations. Within this broad category there are two major groupings – those who provide health-related services to individuals and those who provide other services to individuals and/or services to organizations. Although licensure is generic, some of the Board's Rules and Regulations need to account for variations in relevant training, supervision, and practice.

a. "Health service provider" (HSP)

Psychologists are certified as health service providers if they are duly trained and experienced in the delivery of preventive, assessment, diagnostic, therapeutic intervention and management services relative to the psychological and physical health of consumers based on: 1) having completed scientific and professional training resulting in a doctoral degree in psychology; 2) having completed an internship and supervised experience in health care settings; and 3) having been licensed as psychologists at the independent practice level.

b. "General applied psychologist"

General applied psychologists provide psychological services outside of the health and mental health field and shall include: 1) the provision of direct services to individuals and groups, using psychological principles, methods, and/or procedures to assess and evaluate individuals on personal abilities and characteristics for individual development, behavior change, and/or for making decisions (e.g., selection, individual development, promotion, reassignment) about the individual, all for the purpose of enhancing individual and/or organizational effectiveness; and 2) the provision of services to organizations that are provided for the benefit of the organization and do not involve direct services to individuals, such as job analysis, attitude/opinion surveys, selection testing (group administration of standardized tests in which responses are mechanically scored and interpreted), selection validation studies, designing performance appraisal systems, training, organization design, advising management on human behavior in organizations, organizational assessment, diagnosis and intervention of organizational problems, and related services.

6. "Specialty" is a defined area of psychological practice which requires advanced knowledge and skills acquired through an organized sequence of education and training. The advanced knowledge and skills specific to a specialty are obtained subsequent to the acquisition of core scientific and professional foundations in psychology.

7. "Developed areas of practice" have all of the following characteristics:

- National recognition of the practice area by a national organization(s) whose purpose includes recognizing or representing and developing the practice area, by relevant divisions of the APA, or by involvement in similar umbrella organizations;
- An accumulated body of knowledge in the professional literature that provides a scientific basis for the practice area including empirical support for the effectiveness of the services provided;
- Representation by or in a national training council that is recognized, functional, and broadly accepted;
- Development and wide dissemination by the training council of doctoral educational and training guidelines consistent with the Accreditation Guidelines & Principles;
- Existence of the practice area in current education and training programs;
- Geographically dispersed psychology practitioners who identify with the practice area and provide such services.

8. "Emerging area of practice" is one that meets some but not all of the six requirements for a developed area of practice, or does not meet some of the requirements completely (e.g., there is some professional literature providing a scientific basis, but not an "accumulated body of knowledge" in that literature).

9. "Client" or "patient" is used to refer to the direct recipients of psychological services, which may include child, adolescent, adult, older adult, couple, family, group, organization, community, or any other individual. In many situations there are important and valid reasons for using such terms as consumer or person in place of client or

patient to describe the recipients of services. In some circumstances (e.g., an evaluation that is court-ordered, requested by an attorney, an agency, or other administrative body), the client may be the retaining party and not the examinee.

C. State Psychology Board

Legislation concerning the membership of the State Psychology Board should designate a sufficient number of members to accomplish the work of the Board, as well as make provisions for the appointment of public members. The appointing authority shall ensure that specialties in psychology are represented, as well as trainers and practitioners, both in health care and general applied psychology. A minimum of six psychologists plus one public member is recommended.

Public (consumer) members on boards is a recognition of the impact of consumerism on the current functioning of boards. A public member is recommended in order to ensure the representation of the public; that is, the recipient of psychological services. Members should be appointed at staggered times so that the entire group of members is not replaced at any one time.

There is hereby created the (name of state) State Psychology Board. The Board shall consist of minimally six licensed psychologists and one public member. Members should be representative of teaching, training, and the professional practice of psychology. Psychologist Board members shall be licensed to practice in this state. Each psychologist serving on the Board shall have a minimum of five years of post-licensure experience. Board members shall reflect a diversity of practice specialties, both in health care and other applications.

Board members shall be appointed who are free from conflicts of interest in performing the duties of the Board. A public member shall not be a psychologist, an applicant or former applicant for licensure as a psychologist, a member of another health profession, or a member of a household that includes a psychologist, or otherwise have conflicts of interest or the appearance of such conflicts with duties as Board members. Appointments to the Board shall be made by the duly constituted appointing authority in this state. The appointing authority in this state shall solicit nominations from psychological organizations and licensed psychologists in this state. The term of office shall be five years, with provision for reappointment for one additional term. Lengths of terms of Board members shall be staggered.

It is clear that the Board will need, from time to time, to adopt or delete rules and regulations to carry out the provisions of the Act that establish and enable the Board to operate. It is wise to have this authority clearly established within the Act.

In addition to the powers set forth elsewhere in this Act, the Board may adopt rules and regulations to carry out the provisions of this Act.

In general it is desirable for the Board to be self-supporting. Self-generated fees should be sufficient to cover all costs. This avoids the necessity of the Board's returning to the budgetary authority for approval each time fees must be increased in order for the Board to remain self-supporting. Boards should consider carefully the various elements of expense in establishing fees. Items such as overhead, examination costs, travel and per diem, disciplinary proceedings, and other expenses should be considered.

The Board shall, from time to time, establish reasonable fees for the issuance and renewal of licenses and its other services. Fees shall be set so as to defray the cost of administering the provisions of this Act, including applications, examinations, enforcement, and the cost of maintaining the Board.

It is important to have within the Act a statement that a member of the Board shall not be civilly liable for any act performed in good faith and within the scope of duties of the Board. It should be noted that such a statement does not pertain to any criminal charges brought against a member of the Board. Though individual members of the Board will not be held civilly liable, individuals may pursue legal action against the Board under any applicable state laws, such as, for example, under any administrative procedure act.

A member of the Board or any employee or agent of the Board shall not be held civilly liable for any act performed in good faith and within the scope of the duties of the Board.

D. Requirements for Licensure

There is a core of basic theory, principles, and accumulated knowledge that all professional psychologists should possess. Each practitioner must also master the specific skills and knowledge appropriate for the competent performance of psychological practice. The language of the model requires the Board to specify its criteria for acceptable professional education in psychology. In this regard, the Board will be guided by national standards.

All applicants for licensure must minimally be graduates of a regionally accredited institution of higher education, or a Canadian university that is provincially or territorially chartered, and must have completed a planned program of study which reflects an integration of the science and practice of psychology. **A formal training program accredited by the American Psychological Association or Canadian Psychological Association is required.** For areas of psychology where APA or CPA program accreditation does not exist, psychology programs must meet all the requirements listed below (D1).

The law recognizes that new doctoral programs may be developed in newly or already recognized specialties of professional psychology. In such instances, the law affords those programs an eight-year period in which to achieve accreditation or to meet the standards described in D1, during which the graduates of those programs may sit for licensure.

1. Educational requirements

The Act recognizes the doctorate as the minimum educational requirement for entry into professional practice as a psychologist.

Applicants for licensure shall possess a doctoral degree in psychology from a regionally accredited institution of higher education or from a Canadian university that is provincially or territorially chartered. The degree shall be obtained from a recognized program of graduate study in psychology as defined by the rules and regulations of the Board.

Applicants for licensure shall have completed a doctoral program in psychology that is accredited by the American Psychological Association (APA) or Canadian Psychological Association (CPA) or where APA or CPA program accreditation does not exist for that area of professional psychology, then the applicant must show that his or her doctoral program in psychology meets all of the following requirements:

1. Training in professional psychology is doctoral training offered in a regionally accredited institution of higher education. A regionally accredited institution is an institution with regional accreditation in the United States or an university that is provincially or territorially chartered in Canada.

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 catalogues and brochures its intent to educate and train professional psychologists.

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 sufficient in size and breadth to carry out its responsibilities 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 individual's chosen area of practice of psychology.

9. The curriculum shall encompass a minimum of three academic years of full time graduate study and a minimum of one year's residency or the equivalent thereof at the educational institution granting the doctoral degree. The core program shall require every student to demonstrate competence in each of the following substantive areas. Some content areas may appropriately be taught by integrating content across the curriculum, or this requirement may be met through substantial instruction in each of these foundational areas, as demonstrated by evidence of an integrated curriculum or a minimum of three graduate semester hours, 4.5 or more graduate quarter hours (when an academic term is other than a semester, credit hours will be evaluated on the basis of fifteen hours of classroom instruction per semester hour), or the equivalent:

a. scientific and professional ethics and standards;

b. research design and methodology;

c. statistics;

d. psychometric theory;

e. biological bases of behavior: such as physiological psychology, comparative psychology, neuropsychology, sensation and perception, physical ergonomics, or psychopharmacology;

f. cognitive-affective bases of behavior: such as learning, thinking, motivation, emotion, memory, cognitive information processing, or social cognition;

g. social bases of behavior: such as social psychology, group processes, organizational and systems theory; and

h. individual differences: such as personality theory, human development, personnel psychology, or abnormal psychology.

10. All professional education programs in psychology shall include course requirements in developed practice areas/specialties.

11. The program must demonstrate that it provides training relevant to the development of competence to practice in a diverse and multicultural society.

When a new area of professional psychology is recognized as being a developed practice area and within the accreditation scope of the APA, doctoral programs within that area will be afforded a transition period of eight years from their first class of students to the time of their accreditation. During that transition period, graduates of such programs may sit for licensure examination whether or not the program has been accredited. The same principle applies as well to new doctoral programs in traditional practice areas previously recognized within the scope of APA accreditation.

Applicants trained in institutions outside the United States shall meet requirements established by the Board.

Psychologists trained in an area that falls outside the scope of APA accreditation (e.g., experimental, developmental, social) and who intend to practice in a traditional or developed practice area must complete a retraining program and/or appropriate supervised experience (e.g., internship in the developed practice area). Similarly, psychologists trained in HSP programs who intend to practice in general applied psychology non-exempt areas and psychologists trained in general applied psychology areas who intend to provide health services must first acquire the appropriate training and supervision.

2. Experience requirements

APA recommends that legislation requires the equivalent of two full-time years of sequential, organized, supervised, professional experience prior to obtaining the license. This training may be completed prior or subsequent to the granting of the doctoral degree. For applicants prepared for practice in the health services domain of psychology, one of those two years of supervised professional experience shall be a predoctoral internship which may be completed as a part-time intern over a two-year period provided that the total experience is the equivalent of one year of full-time experience. By seven years post adoption of these regulations, all licensure applicants prepared for

practice in the health services domain must minimally have completed an APA or CPA accredited (or equivalent) predoctoral internship. For applicants prepared for practice in the general applied (non-HSP) domain of psychology, whose graduate programs may not have formal internships, the option to obtain all supervision post doctorally should be available. In rules and regulations, the Board must define acceptable supervised experience at the predoctoral and postdoctoral levels as well as mechanisms for evaluation of this experience. Boards are encouraged to create definitions that are flexible and capture the variety of training and supervisory models that are appropriate for both HSP and GAP practice. Psychologists are required to limit their practice to their demonstrated areas of professional competence. Experience should be compatible with training.

To obtain licensure, applicants shall demonstrate that they have completed the equivalent of two full-time years of sequential, organized, supervised professional experience. For applicants prepared for practice in the health services domain of psychology, one of those two years of supervised professional experience shall be an APA or CPA accredited (or equivalent) predoctoral internship. For applicants prepared for practice in the general applied domain of psychology, whose graduate programs may not have formal internships, the option to obtain all supervision post doctorally should be available. The criteria for appropriate supervision shall be in accordance with regulations to be promulgated by the Board. Experience shall be compatible with the knowledge and skills acquired during formal doctoral and/or postdoctoral education in accordance with professional requirements and relevant to the intended area of practice. General Applied (non-HSP) Psychologist trainees may be supervised by an appropriate licensed psychologist outside the supervisee's place of employment so long as (a) the supervisee's employer engages the licensed supervisor to provide the required supervision; and (b) the supervisor assumes responsibility for the training of the supervisee. Applicants shall be required to show evidence of good character, e.g., that they have not been convicted of a criminal offense that bears directly on the fitness of the individual to be licensed.

3. Examinations

APA recommends that the Act specify the requirements for examination and the conditions under which the Board is authorized to waive examination. All examinations serve the purpose of verifying that a candidate for licensure has acquired a basic core of knowledge in the discipline of psychology and can apply that knowledge to the problems confronted in the practice of psychology within the applicant's area of practice as a health service provider or general applied psychologist. While written examinations typically evaluate the applicant's basic core of knowledge, any additional examinations such as oral examinations or work samples shall be representative of the applicant's area of practice. Boards should clearly specify the conditions under which the endorsement of another license will be granted.

The Board shall administer examinations to qualified applicants on at least an annual basis. The Board shall determine the subject matter and scope of the examination and shall require a written, and may require an oral, examination of each candidate for licensure. The written examination shall evaluate the basic core of knowledge in the discipline of psychology necessary to practice while any oral exams or work samples shall be representative of the applicant's area of practice as either a health service provider or general applied psychologist. The Board at its discretion, according to rules and regulations promulgated by the Board, may waive said examination of candidates for licensure. It is recommended that individuals applying for licensure be eligible to sit for the examination upon completion of all the requirements of the doctoral degree.

4. Prior credentials

APA recommends that the Act provide for continued licensure of persons already licensed as a psychologist at the time of enactment of a new law.

A person who is licensed as a psychologist under the provisions of (cite relevant section(s) of previous licensing law) as of the effective date of this Act shall be deemed to have met all requirements for licensure under this Act and shall be eligible for renewal of licensure in accordance with the provisions of this Act.

5. Applications from individuals licensed in other jurisdictions

Jurisdictions are strongly encouraged to adopt regulations to facilitate the mobility and portability of licensure. Jurisdictions may set criteria to determine conditions under which verification of education, experience, and examination requirements will be waived. These criteria may include holding a credential that verifies education and experiences of individuals (e.g. American Board of Professional Psychology (ABPP), National Register of

Health Service Providers in Psychology, Association of State and Provincial Psychology Boards' Certificate of Professional Qualification in Psychology (ASPPB's CPQ)), or Board determination that the criteria of the other jurisdiction are comparable to the Board's criteria, or other specified mechanism.

An individual applying for licensure with the Board who holds an active psychology license in another jurisdiction and shows evidence of good character is considered an eligible candidate for licensure in the jurisdiction. The Board may waive verifying the education, experience, and examination requirements for individuals who meet these criteria and for whom the Board's mechanism for verifying comparability of education, experience, and examination requirements is met. The Board retains the right to administer any required jurisdiction-specific examinations (written, oral, jurisprudence) prior to awarding the license.

E. Interstate Practice of Psychology

Psychologists may have legitimate interests in practicing in another jurisdiction for a limited amount of time. This section provides for limited practice in a jurisdiction other than the state in which the psychologist is licensed. This is not intended to eliminate the necessity for licensure for those who are setting up a regular professional practice in that jurisdiction. The psychologist must have an earned doctoral degree and be licensed in another jurisdiction.

Interjurisdictional practice is particularly critical for the practice of general applied psychology as frequently this involves activities crossing jurisdictional lines, such as engaging with employees of organizations operating in several jurisdictions. For those activities that fall under the licensed scope of practice of psychology, the provider of general applied psychological services should indeed be licensed. However, since increasingly, the provision of such services frequently does not involve face-to-face meetings but rather, these services are being provided telephonically and electronically across state lines, this section recognizes this practice and permits the provision of general applied psychological services in this manner provided that the provider of the services is licensed in at least one jurisdiction and is not using this section to avoid the requirement of licensure entirely.

Mechanisms may be developed to alleviate some of these difficulties and provide for easy interstate recognition of licensure. Jurisdictions are encouraged to adopt and implement such mechanisms as appropriate.

Nothing in this Act shall be construed to prohibit the practice of psychology in this state by a person holding an earned doctoral degree in psychology from an institution of higher education who is licensed or certified as a psychologist under the laws of another jurisdiction, provided that the aggregate of sixty (60) days per year of professional services as a psychologist under the provision of this subsection is not exceeded. Prior to providing services in this state, a doctoral level licensed psychologist from another jurisdiction should provide written notice to the Board of the type of services to be provided, approximate duration of such services along with documentation of licensure and consent to operating under the jurisdiction, law, and regulations of this state. Notice does not require approval of the Board prior to delivery of service if the aggregate of 60 days of services is maintained and the individual does not establish an ongoing, regular, professional practice in the jurisdiction.

Nothing in this Act shall be construed to prohibit an individual not domiciled in the state who does not practice psychology in an office or other place of business in the state from providing general applied psychological services telephonically and electronically if the individual holds an earned doctoral degree in psychology from an institution of higher education and is licensed or certified as a psychologist under the laws of another jurisdiction. Written notice is not required for the interjurisdictional provision of general applied psychological services that are delivered solely by telephonic or electronic means.

In disaster situations the time frame and conditions under which psychologists will provide disaster services in the jurisdiction will be defined by the Board.

To the extent that the jurisdiction has adopted the Uniform Emergency Volunteer Health Practitioners Act, it will apply in times of disaster.

F. Temporary Authorization to Practice


This portion of the Act provides for the conditions under which a licensed psychologist may practice until obtaining licensure in another jurisdiction. Jurisdictions are encouraged to adopt regulations to facilitate the mobility and portability of licensure. Provision is also made for the Board to waive examination if the requirements met by the psychologist in the original jurisdiction are judged to be equivalent to those in this state.

A psychologist holding a current, active license or certification under the laws of another jurisdiction may be authorized by the Board to practice psychology as defined in this Act for a maximum of one year, provided that the psychologist has made application to the Board for licensure and has met the educational and experience requirements for licensure in this state. Denial of licensure terminates this authorization. The Board may choose to waive examination if a psychologist is licensed in another jurisdiction on the basis of qualifications that are not less than those required for licensure in this state.

G. Limitation of Practice; Maintaining and Expanding Competence

This provision of the Act is intended to ensure licensed psychologists who provide services will not practice outside the limits of their competence. The burden of proof is on the applicant to provide evidence, acceptable to the Board, that the applicant has obtained the training necessary to engage in the practice of psychology in the specified area of competence. The Board may wish to develop forms that provide for the specification of the intended area of practice and the evidence necessary to document competence. The Board should recognize that training in psychology includes broad and general training in scientific psychology and in the foundations of practice. Practice areas include: clinical psychology, counseling psychology, school psychology, industrial-organizational psychology, and other developed practice areas.

Psychologists provide services to populations and in areas within the boundaries of their competence, based on their education, training, supervised experience, consultation, study, or professional experience and do not practice beyond their areas of competence. The Board develops requirements or structures (e.g., continuing education in general areas of practice as well as in specific areas such as ethics, domestic violence, and multicultural competence; declaration and documentation of competence) to ensure that psychologists undertake ongoing efforts to identify, develop, and maintain competence and ethical practice. Boards may choose to require applicants for licensure and renewal of licensure to self-declare their areas of practice competence. Should a psychologist's area of practice change, then the psychologist shall be required to provide documentation of the training, supervision, and/or mentoring undertaken to achieve competence in the new area at the time of license renewal. Psychologists practicing in emerging areas take reasonable steps to ensure the competence of their work by using relevant research, training, consultation, or study.

The Board shall ensure through regulations and enforcement that licensees limit their practice to demonstrated areas of competence as documented by relevant professional education, training, and experience. The Board shall develop structures to ensure that psychologists undertake ongoing efforts to maintain competence and ethical practice. The Board adopts as its standard of conduct the  Ethical Principles of Psychologists and Code of Conduct of the American Psychological Association.

H. Inactive Status

A psychologist who is on military assignment outside the state, suffering from health problems, on sabbatical, retired, or who moves to another state may wish to be on inactive status. Relieving the psychologist from paying the fee will make it possible for that person to remain in good standing without being an active practitioner.

A psychologist in good standing who will not be practicing in the state for at least one year may petition the Board to have his or her license placed on inactive status without penalty. When such psychologist wishes to return to practice, an application shall be made to the Board, which shall reinstate him or her upon payment of the registration fee for the current year.

I. Practice Without a License

The Act must clearly specify what constitutes a violation of law and what penalties may be imposed for practice without a license or for misrepresentation of oneself as a psychologist. State legislatures have the latitude to determine penalties for such illegal activities. Boards are provided with the authority to suspend or revoke licenses and to prescribe conditions for reinstatement.

It shall be a violation of this Act for any person not licensed in accordance with the provisions of this Act to represent himself or herself as a psychologist. It shall be a violation of this Act for any person not licensed in accordance with the provisions of this Act to engage in the practice of psychology as defined in this Act, whether practicing as an individual, firm, partnership, corporation, agency, or other entity.

Any person who shall represent himself or herself as a psychologist in violation of this Act, or who shall engage in the practice of psychology in violation of this Act, shall be guilty of a misdemeanor and shall be fined not less than _____dollars and not more than _____dollars and, in addition thereto, may be imprisoned for not more than _____months. Each day such person shall practice psychology without meeting all the requirements of all laws now in force and of this Act shall constitute a separate offense. Any person filing or attempting to file, as his or her own, a diploma or license of another or a forged affidavit of identification shall be guilty of a felony and shall be subject to the punishment prescribed for forgery in the second degree.

Whenever a license to practice as a psychologist in the state has been suspended or revoked, it shall be unlawful for the person whose license has been so suspended or revoked to practice psychology in this state. The Board may issue, with or without reexamination, a new license whenever it deems such course safe and just.

The Board on its own motion may investigate any evidence or allegation that appears to show that any person is or may be in violation of any provision of this Act.

J. Exemptions

1. There should be an exemption from licensure for persons engaged solely in teaching in academic institutions, or research in academic and/or research institutions. In addition, those general applied (non-HSP) psychologists who provide services for the benefit of the organization as described in B.5.b.2 but not as described in B.5.b.1 and not involving direct services to individuals should be exempt from licensure and be allowed to refer to themselves as psychologists. The exemption should not be determined on the basis of work setting or place of primary employment, but on the basis of the purpose of the activity as defined in Section B3 (Practice of psychology). The exemption should not be allowed if the individual engages in the direct delivery or supervision of psychological services to individuals or groups of individuals in any setting. Persons engaged in teaching or research should not be excluded from licensure if they meet the statutory requirements for licensure.

Nothing in this Act shall be construed to prevent the teaching of psychology or the conduct of psychological research, provided that such teaching or research does not involve the delivery or supervision of direct psychological services. Nothing in this Act shall prevent the provision of general applied psychological services to organizations so long as those services are for the benefit of the organization, and does not involve direct service to individuals. Nothing in this Act shall prevent the provision of expert testimony by psychologists who are otherwise exempted by this Act. Persons holding a doctoral degree in psychology from an institution of higher education may use the title "psychologist" in conjunction with the activities permitted by this subsection.

2. Members of other established professions, such as physicians, attorneys, and clergy, may provide services that are similar or related to the scope of practice of psychology. They should be exempted from licensure on the condition that they not represent themselves to be psychologists.

Nothing in this Act shall be construed to prevent members of other recognized professions that are licensed, certified, or regulated under the laws of this state from rendering services consistent with their professional training and code of ethics, provided that they do not represent themselves to be psychologists. Duly recognized members of the clergy shall not be restricted from functioning in their ministerial capacity, provided that they do not represent themselves to be psychologists.

3. The prior version of this Model Act included an exemption for the use of the terms school psychologist or certified school psychologist for all individuals credentialed by the state agency regulating practice in public schools. This version acknowledges the authority of the relevant state education agency to credential individuals to provide school psychological services in settings under their purview and continues to restrict those individuals to practice within those settings. Additionally, the title so conferred, which must include the word “school”, is to be used solely while engaged in employment within those settings.

Nothing in this Act shall be construed to prevent (cite relevant state education authority or statutory provisions) from credentialing individuals to provide school psychological services in those settings that are under the purview of the state education agency. Such individuals shall be restricted in their practice and the use of the title so conferred, which must include the word "school", to employment within those settings.

This provision is not intended to restrict the activities of licensed psychologists.

4. Graduate students, interns, unlicensed postdoctoral trainees, and applicants for licensure are permitted to function under the supervision of a licensed psychologist, as are assistants not eligible for licensure in some states. None may use the title psychologist, but titles such as psychological trainee, psychological intern, psychological resident, or psychological assistant would be permissible under this exemption. The supervising psychologist is responsible for the professional actions of the student, trainee, or assistant. The Board is required to adopt regulations defining the nature and extent of training for qualified assistants and supervision for each category.

Nothing in this Act shall be construed to prevent persons under the supervision of a licensed psychologist from engaging in activities defined as the practice of psychology, provided that such persons shall not represent themselves by the title "psychologist," in accordance with regulations promulgated by the Board. Such persons who are preparing for the profession of psychology may use terms such as "psychological trainee," "psychological intern," "psychological resident." Other persons may use terms such as "psychological assistant," "psychological technician," "psychological associate." All such persons must perform their activities under the supervision and responsibility of a licensed psychologist in accordance with regulations promulgated by the Board.

Nothing in this section shall be construed to apply to any person other than:

(a) a matriculated graduate student in psychology whose activities constitute a part of the course of study for a graduate degree in psychology at an institution of higher education;
(b) an unlicensed individual pursuing postdoctoral training or experience in psychology, including persons seeking to fulfill the requirements for licensure under the provisions of this Act; or
(c) a qualified assistant, technician, or associate employed by, or otherwise directly accountable to, a licensed psychologist. Such individuals may, among other things, administer and score neuropsychological tests at the request of the supervising psychologist, but may not interpret such tests. The Board in regulations shall determine the number of assistants, technicians and associates that a psychologist may employ and the conditions under which they will be supervised.

5. This provision clarifies that the focus of licensure is the individual providing the services. Where the individual providing the services is duly licensed and qualified to provide the services, the goal of assuring the public that the services will be provided by licensed and qualified professionals is served.

Nothing in this Act shall be construed to require a license under this Act in order for a firm, partnership, corporation, limited liability company or other entity to provide general applied psychological services where such services are performed by an individual: (a) duly licensed in this state or otherwise authorized to provide general applied psychological services under this Act; or (b) supervised by a licensed psychologist in this state and permitted to provide general applied psychological services with such supervision under this Act.

6. Individuals who were previously unable to obtain licensure because of exemptions or exclusions in the previous version of this Act or where fulfilling requirements for licensure has been prohibitive (in some instances this has included I-O, human factors, and consulting psychologists), but are now expected to become licensed under the new regulations, a provision for extending licensure to those psychologists should be enacted.

All who have been practicing for 5 years or more exclusively outside of the health care psychology area and who were previously unable to obtain licensure because of exemptions or exclusions in the previous version of this Act or where fulfilling requirements has been prohibitive shall be grandparented, with the following requirements:

- a. Candidates should have graduated from a regionally accredited institution with a doctoral degree in I-O, consulting, or other recognized program in general applied psychology.*
- b. Attestation from the candidate that documents at least 5 years of relevant work history in I-O, consulting, or other general applied psychology practice. This should include written support from at least two licensed psychologists in good standing within that jurisdiction or APA Fellows in the same or similar area of practice that attests to the candidate's work history, quality of work, ethical practice and lack of any disciplinary action.*
- c. Completion of the jurisprudence examination of that jurisdiction with a passing grade.*

Individuals must have applied for this grandparenting option within two years from the enactment of this Act. After that date, the individual must comply with the regular licensing laws.

K. Grounds for Suspension or Revocation of Licenses

In order to have an effective law, the Board must have the power to suspend and revoke a license. Actions that are a violation of the enforceable standards of the APA Ethical Principles of Psychologists and Code of Conduct in effect at the time of the activities and other standards subscribed to by the Board should be clearly stated in the licensing law. Two considerations are specified below that refer to specific points in the text that follows:

Concerning Numbers 6 and 7

The Board shall specify, in rules and regulations, criteria for determining how long or under what conditions an individual or group of individuals remains a patient or a client.

Concerning Number 17

In this section, physical condition shall be differentiated from physical disability. There is no intent to obstruct physically disabled candidates' entry into the profession of psychology nor from practicing their profession after licensure as long as they practice with reasonable skill and safety to patients or clients.

A psychologist and anyone under his or her supervision shall conduct his or her professional activities in conformity with the ethical and professional standards of the APA Ethical Principles of Psychologists and Code of Conduct and those standards promulgated by the Board under its rules and regulations.

The Board shall have the power and duty to suspend, place on probation, or require remediation for any psychologist for a specified time, to be determined at the discretion of the Board, or to revoke any license to practice psychology or to take any other action specified in the rules and regulations whenever the Board shall find by a preponderance of the evidence that the psychologist has engaged in any of the following acts or offenses:

- 1. fraud in applying for or procuring a license to practice psychology;*
- 2. immoral, unprofessional, or dishonorable conduct as defined in the rules and regulations promulgated by the Board;*
- 3. practicing psychology in such a manner as to endanger the welfare of clients or patients;*
- 4. conviction of a felony (a copy of the record of conviction, certified to by the clerk of the court entering the conviction shall be conclusive evidence);*
- 5. conviction of any crime or offense that reflects the inability of the practitioner to practice psychology with due regard for the health and safety of clients or patients;*
- 6. harassment, intimidation, or abuse, sexual or otherwise, of a client or patient;*
- 7. engaging in sexual intercourse or other sexual contact with a client, patient or the individual who is the direct recipient of psychological services (where services are provided to an organization, client refers only to the individuals who are direct recipients of psychological services);*
- 8. use of repeated untruthful or deceptive or improbable statements concerning the licensee's qualifications or the effects or results of proposed treatment, including functioning outside of one's professional competence established by education, training, and experience;*
- 9. gross malpractice or repeated malpractice or gross negligence in the practice of psychology;*
- 10. aiding or abetting the practice of psychology by any person not licensed by the Board;*

11. conviction of fraud in filing Medicare or Medicaid claims or in filing claims to any third party payor (a copy of the record of conviction, certified to by the clerk of the court entering the conviction, shall be conclusive evidence);
12. exercising undue influence in such a manner as to exploit the client, patient, student, or supervisee for financial or other personal advantage to the practitioner or a third party;
13. the suspension or revocation by another state of a license to practice psychology (a certified copy of the record of suspension or revocation of the state making such a suspension or revocation shall be conclusive evidence thereof);
14. refusal to appear before the Board after having been ordered to do so in writing by the executive officer or chair of the Board;
15. making any fraudulent or untrue statement to the Board;
16. violation of the APA Ethical Principles of Psychologists and Code of Conduct and other standards adopted in the rules and regulations of the Board; and
17. inability to practice psychology with reasonable skill and safety to patients or clients by reason of illness, inebriation, misuse of drugs, narcotics, alcohol, chemicals, or any other substance, or as a result of any mental or physical condition.

When the issue is whether or not a psychologist is physically or mentally capable of practicing psychology with reasonable skill and safety to patients or clients, then, upon a showing of probable cause to the Board that the psychologist is not capable of practicing psychology with reasonable skill and safety to patients or clients, the Board may petition a court of competent jurisdiction to order the psychologist in question to submit to a psychological examination by a psychologist to determine psychological status and/or a physical examination by a physician to determine physical condition. Such psychologist and/or physician is to be designated by the Board. The expense of such examination shall be borne by the Board. Where the psychologist raises the issue of mental or physical competence or appeals a decision regarding his or her mental or physical competence, the psychologist shall be permitted to obtain his or her own evaluation at the psychologist's expense. If the objectivity or adequacy of the examination is suspect, the Board may complete an examination by its designated practitioners at its own expense. When mental or physical capacity to practice is at issue, every psychologist licensed to practice psychology in the state shall be deemed to have given consent to submit to a mental or physical examination or to any combination of such examinations and to waive all objections to the admissibility of the examination, or to previously adjudicated evidence of mental incompetence.

L. Board Hearings and Investigations

In the interest of protecting the public, the Board must have authority to regulate the practice of psychology. This section specifies the powers and duties of the Board to conduct investigations, hold hearings, consider evidence or allegations brought against a psychologist, and to discipline a licensee for violation of law or regulation. Both the Board and licensee are required to follow due process standards in any disciplinary proceeding.

The Board on its own motion may investigate or cause to be investigated any allegation or evidence that appears to show that a psychologist licensed to practice in this state is, or may be, in violation of this Act or of any of the acts, offenses, or conditions set forth by the Board in rules and regulations. Investigations will be limited to the allegation or evidence upon which they were initially based, except in situations when the investigation uncovers evidence of serious misconduct on the part of the psychologist that is unrelated to the initial allegation or evidence.

1) Any accusation filed against a psychologist licensed to practice in this state shall be filed within three years from the date the Board discovers the alleged act or omission that is the basis for disciplinary action, or within seven years from the date the alleged act or omission that is the basis for disciplinary action occurred, whichever occurs first. If an alleged act or omission involves a minor, the seven-year limitations period provided for shall be tolled until the minor reaches the age of majority.

2) The following are exceptions to the limitations period in paragraph (1):

- a. acts or offenses involving a violation of Sections K(1), K(13), or K(15) ;
- b. acts or offenses involving a violation of Sections K4, where there is an element of dishonesty or fraud, and Section K5;

- c. acts or offenses involving fraudulent, deceptive or dishonest conduct that adversely affects the persons' ability or fitness to practice psychology;
- d. acts or offenses involving allegations of sexual misconduct with a psychotherapy client, or with a former psychotherapy client for a period of two years following the date of the last professional contact with the former client.

The Board shall have the power and duty to suspend, place on probation, or require remediation for a licensee for a specified time, to be determined at the discretion of the Board, or to revoke any license to practice psychology, whenever the licensee shall be found by the Board, by a preponderance of the evidence, to have engaged in conduct prohibited by this Act or rules and regulations duly promulgated pursuant thereto.

Any psychologist holding a license to practice in this state is required to report to the Board any information such a psychologist in good faith may have that appears to show that any psychologist holding a license to practice in this state may be in violation of this Act or guilty of any of the acts, offenses, or conditions set forth by the Board and such violation has substantially harmed or is likely to substantially harm a person or organization, unless such intervention would violate confidentiality rights under this statute or when the knowledge comes from a peer review process qualifying under the state peer review statute or when the psychologist has been retained to review the work of that psychologist whose professional conduct is in question. Any psychologist who in good faith makes such a report to the Board shall be absolutely immune from civil liability to any person and/or entity for any statement or opinion made in such report.

If, in the opinion of the majority of the Board, there is probable cause that the information provided to it under the provisions of this section may be valid, the Board shall request by registered mail a formal interview with the psychologist. If the psychologist who is ordered to a formal interview before the Board refuses to appear for such interview, such refusal shall be considered grounds for the Board, at its discretion, to suspend or revoke the license of such psychologist. Any proceeding for suspension or revocation of a license to practice as a psychologist in this state shall be conducted in accordance with procedures established by the Board. In the event that these provisions conflict with the state's general administrative procedures, these specific provisions will take precedence. The psychologist shall be informed of his or her rights concerning Board hearings and investigations:

1. the right to a hearing within a reasonable period of time after the Board receives the allegation or evidence that serves as the basis for an investigation by the Board and 30-days notice of the hearing;
2. the right to notice that a complaint has been filed and a copy of the complaint within 120 days of receipt of the complaint and the licensed psychologist and the complainant is provided notification, at least every three months as to the status of any outstanding complaint unless the Board makes an affirmative determination that the disclosure would prejudice the investigation of the complaint and notifies the licensee of the determination or disposes of the complaint within 120 days of the date of receipt of the complaint;
3. the right to see a signed (electronically or otherwise) complaint (non anonymous);
4. the right to have access to the Board's rules and procedures;
5. the right to self-representation or representation by counsel;
6. the right to discovery: each side can request from the other side relevant documents, a list of witnesses, and for any expert witnesses, the name, C.V. and a detailed report of the expert's expected testimony;
7. the right to compel the attendance of, and produce, witnesses and to confront and cross examine opposing witnesses, and to have witnesses testify under oath;
8. the right to a written decision setting forth the violation, findings of fact, sanctions, and reasons for the sanctions, within a reasonable period following the hearing;
9. a determination of the size of the vote necessary to find a violation;
10. a determination whether the hearing will be closed or open to the public;
11. the right not to have Board members who were on the investigative committee also appear on the formal hearing panel.
12. the right to an appeal to an administrative board of review and/or to a court of competent jurisdiction.

The licensee may knowingly and voluntarily waive in writing his or her right to the formal adversary proceeding described in this section.

The Board shall have the right to conduct an ex parte hearing if, after due notice, the individual fails or refuses to appear. The Board shall have the right to issue subpoenas for production of documents and witnesses and to administer oaths. The Board shall have the right to apply to a court of competent jurisdiction to take appropriate action should a subpoena not be obeyed.

The Board shall temporarily suspend the license of a psychologist without a hearing simultaneously with the institution of proceedings for a hearing provided under this section if the Board finds that evidence in its possession indicates that the psychologist's continuation in practice may constitute an immediate danger to the public. Appropriate officials may petition the court for an injunction barring further practice unless or until the person is properly licensed. The injunction may be issued in addition to, or in lieu of, the criminal sanctions provided for in this section.

A psychologist may surrender his or her license when such person is charged with unethical conduct and upon receipt of that charge, that person decides to surrender the license, such surrender and acceptance by the Board shall constitute acknowledgment by the psychologist of guilt as charged.

A psychologist may request in writing to the Board that a restriction be placed upon his or her license to practice as a psychologist. The Board, in its discretion, may accept a surrender or grant such a request for restriction and shall have the authority to attach such restrictions to the license of the psychologist to practice psychology within this state or otherwise to discipline the licensee.

Subsequent to the holding of a hearing and the taking of evidence by the Board as provided for in this section, if a majority of the Board finds that a psychologist is in violation of this Act or guilty of any of the acts, offenses, or conditions as enumerated by the Board, the following actions may be taken:

- 1. The Board may revoke or suspend the license and impose a monetary penalty.*
- 2. The Board may suspend imposition of a revocation or suspension of a license and/or a monetary penalty.*
- 3. The Board may impose revocation or suspension of a license and/or a monetary penalty, but suspend enforcement thereof by placing the psychologist on probation, which probation shall be revocable if the Board finds the conditions of the probation order are not being followed by the psychologist.*
- 4. The Board may require the psychologist to submit to care, counseling, or treatment by a professional designated by the Board. Such action may, but is not required to, be a condition of probation. The expense of such action shall be borne by the psychologist.*
- 5. The Board may, at any time, modify the conditions of the probation and may include among them any reasonable condition for the purpose of the protection of the public, or for the purpose of the rehabilitation of the probationer, or both.*
- 6. The Board shall have the power to require restitution when necessary,*
- 7. The Board shall have the power to assess the costs of the disciplinary proceeding.*

M. Privileged Communication

This section regulates and limits the powers of the judicial system. The courts or other administrative agencies with subpoena power have the right to make use of all relevant information in the judicial fact-finding process unless this right of access to information is specifically limited. Historically, courts and legislatures have been charged with fact-finding in order to seek truth and administer justice. At the same time they have attempted to maintain the integrity of the confidential and private relationship between psychologist and patient or client. However, some societal issues have emerged, such as child abuse and sexual abuse, that have changed the absolute nature of privileged communication. Though the privilege is not absolute, it is designed to be sufficiently broad to cover all situations except those specifically enumerated. It is a privilege "owned" by the patient or client, who may assert it or waive it, although the psychologist may assert it for a patient or client who wishes to maintain such privilege of communication. It is understood that the privilege encompasses only communications between the patient or client and the psychologist in a professional relationship. The provisions herein relate only to the disclosure of confidential communications in judicial, legislative, and administrative proceedings. They do not speak to the disclosure of confidential communications in other context, such as, for example, disclosures required or permitted by law or disclosures relating to consultations. Disclosure of confidential communications outside of judicial proceedings are governed by the relevant sections of the APA Ethics Code.

In judicial proceedings, whether civil, criminal, or juvenile; in legislative and administrative proceedings; and in proceedings preliminary and ancillary thereto, a patient or client, or his or her guardian or personal representative, may refuse to disclose or prevent the disclosure of confidential information, including information contained in administrative records, communicated to a psychologist licensed or otherwise authorized to practice psychology under the laws of this jurisdiction, or to persons reasonably believed by the patient or client to be so licensed, or to students, interns, and trainees under the supervision of a licensed psychologist, and their agents, for the purpose of diagnosis, evaluation, or treatment of any mental or emotional condition or disorder. In the absence of evidence to the contrary, the psychologist is presumed authorized to claim the privilege on the patient's or client's behalf.

This privilege may not be claimed by the patient or client, or on his or her behalf by authorized persons, in the following circumstances:

- 1. where abuse or harmful neglect of children, older adults, or disabled or incompetent individuals is known or reasonably suspected;*
- 2. where the validity of a will of a former patient or client is contested;*
- 3. where such information is necessary for the psychologist to defend against a malpractice action brought by the patient or client;*
- 4. where an immediate threat of physical violence against a readily identifiable victim is disclosed to the psychologist;*
- 5. in the context of civil commitment proceedings, where an immediate threat of self-inflicted damage is disclosed to the psychologist;*
- 6. in any proceeding in which the party relies upon his or her mental or emotional condition as an element of the party's claim or defense;*
- 7. where the patient or client is examined pursuant to court order; or*
- 8. in the context of investigations and hearings brought by the patient or client and conducted by the Board, where violations of this Act are at issue.*

N. Severability

As with any law, one provision may be subject to court challenge and ruled invalid or unconstitutional. For example, it is not legally clear whether state licensing boards can regulate persons working for federal agencies. Thus, if any provision is ruled invalid or unconstitutional, it is important that the entire Act not be affected. This can only be achieved by inserting a clause at the end of the Act stating that each provision of the Act is severable from all other provisions and that the declaration that one section is invalid or unconstitutional will not affect the constitutionality or enforceability of any other section.

If any section in this Act or any part of any section thereof shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of any section or part thereof.

O. Effective Date

In any law regulating a profession there needs to be a specific date establishing when the law shall become effective. Thus, the final paragraph states:

This Act shall become effective upon the date it is signed by the Governor or on the date it otherwise becomes effective by operation of law.

REFERENCES

- American Psychological Association. (2002). Ethical principles of psychologists and code of conduct. *American Psychologist*, 57, 1060-1073.
- American Psychological Association. (1987). Model act for state licensure of psychologists. *American Psychologist*, 42, 696-703.
- APA Committee on Legislation. (1955). Joint report of the APA and CSPA (Conference of State Psychological Associations). *American Psychologist*, 10, 727-756.
- APA Committee on Legislation. (1967). A model for state legislation affecting the practice of psychology 1967: Report of the APA Committee on Legislation. *American Psychologist*, 22, 1095-1103.

Annual Report

Fiscal Year 2018

BOARD OF PSYCHOLOGIST AND PSYCHOLOGICAL ASSOCIATE LICENSING EXAMINERS



**Department of Commerce, Community
and Economic Development**

**Division of Corporations, Business
and Professional Licensing**

This annual performance report is presented in accordance with
Alaska statute AS 08.01.070(10).

Its purpose is to report the accomplishments, activities, and the
past and present needs of the licensing program.

**BOARD OF PSYCHOLOGIST AND PSYCHOLOGICAL ASSOCIATE LICENSING EXAMINERS
FY 2018 Annual Report**

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**BOARD OF PSYCHOLOGIST AND PSYCHOLOGICAL ASSOCIATE LICENSING EXAMINERS
FY 2018 Annual Report**

Identification of the Board

Board Member	Duty Station	Date Appointed	Term Expires
Allen Levy, LPA Psychological Associate Board Chair	Anchorage	Mar 1, 2012	Mar 1, 2020
Sarah Angstman, Ph.D Psychologist	Bethel	Jan 1, 2016	Mar 1, 2019
Joel Wieman, Ph.D Psychologist	Anchorage	Mar 1, 2012	Mar 1, 2020
Paul Dukarm, Ph.D Psychologist	Fairbanks	Mar 1, 2018	Dec 1, 2022
Suzanne Dutson Public Member	Juneau	Sep 9, 2016	Mar 1, 2020
Deborah Gideon, Ph.D Psychologist	Anchorage	Mar 1, 2017	Mar 1, 2021 Resigned Feb 2018

**BOARD OF PSYCHOLOGIST AND PSYCHOLOGICAL ASSOCIATE LICENSING EXAMINERS
FY 2018 Annual Report**

Identification of Staff

Rissa Teske – Licensing Examiner

Department of Commerce, Community & Economic Development
Division of Corporations, Business and Professional Licensing
Post Office Box 110806
Juneau, Alaska 99811-0806
(907) 465-2550

Chris Francis – Licensing Examiner

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(907) 465-2550

Chase Parkey – Records and Licensing Supervisor

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Renee Hoffard – Records and Licensing Supervisor

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Sonia Lipker, Nina Akers, Brian Howes – Investigator

Department of Commerce, Community & Economic Development
Division of Corporations, Business and Professional Licensing
550 West 7th Avenue, Suite 1500
Anchorage, Alaska, 99501 – 3567
(907) 269-8437

BOARD OF PSYCHOLOGIST AND PSYCHOLOGICAL ASSOCIATE LICENSING EXAMINERS FY 2018 Annual Report

Narrative Statement

The FY 2018 report of activities is based on Board of Psychologist & Psychological Associate Examiners (PSY) Board Meetings held between July 1, 2017 and June 30, 2018. During that period, the board held four meetings for a total of eight days. Meetings were held in Anchorage on August 3-4 2017, November 16-17, 2017, and May 10-11, 2018; in Juneau on February 2-3 2018.

The board continues with the goals and purposes of protection of: the public; ensuring the public of continued competency of licensed psychology professionals; ensuring psychological care is offered by professionally qualified persons; and ensuring qualified psychology practitioners are available. The board has approved applicants for licensure as Psychologists and Psychological Associates, as well as monitored continuing education requirements.

Board Chair, Allen Levy, attended the Annual Meeting of Delegates for the Association of State and Provincial Psychology Boards (ASPPB) on October 18-23, 2018 in Waikaloa, HI. Public Member, Suzanne Dutson, and Licensing Examiner, Rissa Teske, attended the ASPPB mid-year conference in Savanna, GA on April 12-15, 2018. Attending these conferences is necessary for maintaining the competence of the board. ASPPB provides valuable training, resources and support. Board members have the opportunity to remain informed about key issues relating to licensure, enforcement, ethics and even Supreme Court decisions that directly impact board functions and responsibilities. Attendance at the ASPPB annual and mid-year conferences by as many Board members as possible in FY 2019 continues to be an extremely high priority; due to the turnover in Board members, licensing examiners and investigator the board experienced in FY 2018. The board cannot afford to lose these valuable training opportunities.

The efficient and effective functioning of this board has been compromised and disrupted by repeated turnover in the licensing examiners assigned to this board. The inability to hold on to and train a licensing examiner has been a serious problem for the past seven years. The board understands and accepts the circumstances that contributed to this instability; nevertheless this frequent turnover in licensing examiners has resulted in a loss in institutional memory, added costs, and serious delays and disruptions in critical functions of this board. The board experienced another turnover in licensing examiners in FY 2018. Fortunately, this turnover resulted in fewer disruptions due to the fine work of our previous examiner, Renee Hoffard, in assisting with the transition. The board is continuing to rebuild the test bank for the State Law and Ethics Exam. This is slow, tedious work that requires much discussion and attention to detail. The board has been spending significant time in meetings working to reconstruct this examination.

The board experienced difficulties in getting necessary travel approved due, in part, to budgetary limitations imposed statewide across all departments and state functions.

With the support of the Department of Commerce and the Director of Boards and Commissions, the board invested significant time in training and improving board functioning, processes, communication and decision making. This support was greatly appreciated and well-received by the board.

On a positive note, the board is now fully staffed and our new licensing examiner comes to us with a great deal of experience, competence, and dedication. We are looking forward to FY 2019 as a year of continued progress and opportunity.

FY 2018 Narrative Statement (continued)

Membership

There have been significant changes to the board's membership in FY 2018. Board Member Deborah Gideon, PhD submitted her resignation in January 2018. She was replaced by Paul Dukarm, PhD. Unfortunately Dr. Dukarm's continued tenure on the board is in question, as he may be moving out of state due to family issues that require his presence. As of this, inquiries are under way to see if he may continue to serve.

Investigations

Autumn Roark became the board's investigator in the second half of FY 2018. An investigator has attended each of our board meetings, either in person or by phone, and has provided comprehensive and timely updates regarding investigative matters. Investigators actively sought consultation and advice on matters that came before them. Investigative matters appear to have been handled effectively and efficiently.

Testing and Test Items

The State Law and Ethics (SLE) Exam is an essential tool in the board's mission of protecting the public and assuring a qualified pool of psychology practitioners. The board has been continuing the process of rebuilding the lost SLE exam by creating new items for the exam. The board has set aside time at each meeting to accomplish this high priority task. All scheduled tests were successfully administered.

Statute and Regulation Changes

The board is engaged in an ongoing process of updating its regulations. In the fall of 2015, the board received training and consultation from the ASPPB lawyer, Alex Siegel. Mr. Siegel pointed out areas in the regulations that were in need of being updated. The board has continued the process of updating and reviewing its regulations.

Future Board Meetings

The board is continuing to hold the majority of its meetings in Anchorage, in the interest of holding down costs. However, the board also recognizes that there is value in making meetings accessible to stakeholders in different parts of the state. Therefore, the board plans to hold its January meeting in Juneau to coincide with the opening of the legislative session. The board will continue to meet four times per year.

**BOARD OF PSYCHOLOGIST AND PSYCHOLOGICAL ASSOCIATE LICENSING EXAMINERS
Fiscal Year 2018 Annual Report**

Budget Recommendations for FY 2019

The Budget Recommendations section anticipates the board’s fiscal priorities for the upcoming year. Please complete all parts of this section with details about anticipated meetings, conferences, memberships, supplies, equipment, to other board requests. Meeting expenses that are being funded through third-party reimbursement or direct booking must be identified separately from expenses paid through license fees (receipt-supported services or RSS). Be sure to explain any items listed as “other” so they may be tracked appropriately.

#1 Rank

(Rank board meetings in order of importance)

Board Meeting Date	Location	# Board	# Staff
August 2018	Anchorage	5	1
<input checked="" type="checkbox"/> Airfare:			\$600.00
<input checked="" type="checkbox"/> Hotel:			\$800.00
<input checked="" type="checkbox"/> Ground:			\$300.00
<input checked="" type="checkbox"/> Other:			\$430.00
Total Estimated Cost:			\$2,130.00

#2 Rank

(Rank board meetings in order of importance)

Board Meeting Date	Location	# Board	# Staff
November 2018	Anchorage	5	1
<input checked="" type="checkbox"/> Airfare:			\$600.00
<input checked="" type="checkbox"/> Hotel:			\$800.00
<input checked="" type="checkbox"/> Ground:			\$300.00
<input checked="" type="checkbox"/> Other:			\$430.00
Total Estimated Cost:			\$2,130.00

#3 Rank

(Rank board meetings in order of importance)

Board Meeting Date	Location	# Board	# Staff
January/February 2019	Juneau	5	1
<input checked="" type="checkbox"/> Airfare:			\$1,850.00
<input checked="" type="checkbox"/> Hotel:			\$3,000.00
<input checked="" type="checkbox"/> Ground:			\$200.00
<input checked="" type="checkbox"/> Other:			\$430.00
Total Estimated Cost:			\$5,480.00

**BOARD OF PSYCHOLOGIST AND PSYCHOLOGICAL ASSOCIATE LICENSING EXAMINERS
Fiscal Year 2018 Annual Report**

Budget Recommendations for FY 2019

The Budget Recommendations section anticipates the board’s fiscal priorities for the upcoming year. Please complete all parts of this section with details about anticipated meetings, conferences, memberships, supplies, equipment, to other board requests. Meeting expenses that are being funded through third-party reimbursement or direct booking must be identified separately from expenses paid through license fees (receipt-supported services or RSS). Be sure to explain any items listed as “other” so they may be tracked appropriately.

#4 Rank

(Rank board meetings in order of importance)

Board Meeting Date	Location	# Board	# Staff
April/May 2019	Anchorage or Fairbanks	5	1
<input checked="" type="checkbox"/> Airfare:			\$600.00
<input checked="" type="checkbox"/> Hotel:			\$800.00
<input checked="" type="checkbox"/> Ground:			\$300.00
<input checked="" type="checkbox"/> Other:			\$430.00
Total Estimated Cost:			\$2,130.00

Travel Required to Perform Examinations

Not applicable

Date	Location	# Board	# Staff
<input type="checkbox"/> Airfare:			\$0.00
<input type="checkbox"/> Hotel:			\$0.00
<input type="checkbox"/> Ground:			\$0.00
<input type="checkbox"/> Conference:			\$0.00
<input type="checkbox"/> Other:			\$0.00
Describe “Other” (break out all sections):			
Total Estimated Cost:			\$0.00

Out-of-State Meetings and Additional In-State Travel

Not applicable

Date	Location	# Board	# Staff	
October 17-21, 2018	Salt Lake City, UT	2	1	
Description of meeting and its role in supporting the mission of the Board: ASPPB provides valuable training, resources and support. Board members have the opportunity to remain informed about key issues relating to licensure, enforcement, ethics and even Supreme Court decisions that directly impact board functions and responsibilities. Attendance at ASPPB annual and mid-year conferences by as many board members as possible in FY 2019 is mission critical.				
Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input checked="" type="checkbox"/> Airfare:	\$3,000.00	\$0.00	\$0.00	\$3,000.00
<input checked="" type="checkbox"/> Hotel:	\$1,600.00	\$0.00	\$0.00	\$1,600.00
<input checked="" type="checkbox"/> Ground:	\$170.00	\$0.00	\$0.00	\$170.00
<input checked="" type="checkbox"/> Conference:	\$1,740.00	\$0.00	\$0.00	\$1,740.00
<input checked="" type="checkbox"/> Other	\$500.00	\$0.00	\$0.00	\$500.00
Describe "Other" (break out all sections):				
Net Total:	\$7,010.00	\$0.00	\$0.00	\$7,010.00

Out-of-State Meetings and Additional In-State Travel

Date	Location	# Board	# Staff	
April 8-14, 2019	Santa Fe, NM	2-5	1	
Description of meeting and its role in supporting the mission of the Board: ASPPB provides valuable training, resources and support. Board members have the opportunity to remain informed about key issues relating to licensure, enforcement, ethics and even Supreme Court decisions that directly impact board functions and responsibilities. Attendance at ASPPB annual and mid-year conferences by as many board members as possible in FY 2019 is mission critical.				
Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input checked="" type="checkbox"/> Airfare:	\$3,000.00	\$0.00	\$0.00	\$3,000.00
<input checked="" type="checkbox"/> Hotel:	\$1,600.00	\$0.00	\$0.00	\$1,600.00
<input checked="" type="checkbox"/> Ground:	\$170.00	\$0.00	\$0.00	\$170.00
<input checked="" type="checkbox"/> Conference:	\$1,740.00	\$0.00	\$0.00	\$1,740.00
<input checked="" type="checkbox"/> Other	\$500.00	\$0.00	\$0.00	\$500.00
Describe "Other" (break out all sections):				
Net Total:	\$7,010.00	\$0.00	\$0.00	\$7,010.00

BOARD OF PSYCHOLOGIST AND PSYCHOLOGICAL ASSOCIATE LICENSING EXAMINERS
Fiscal Year 2018 Annual Report

Budget Recommendations for FY 2019 (continued)

Non-Travel Budget Requests

- | | | |
|--|------------------------------------|---------------------------------------|
| <input type="checkbox"/> Not Applicable | <input type="checkbox"/> Resources | <input type="checkbox"/> Examinations |
| <input checked="" type="checkbox"/> Membership | <input type="checkbox"/> Training | <input type="checkbox"/> Other |

Product or Service	Provider	Cost Per Event
ASPPB Annual Membership Dues	Association of State and Provincial Psychology Boards (ASPPB)	\$1,100.00

Description of item and its role in supporting the mission of the Board:

Essential to maintain nation’s organizational membership.

Summary of FY 2019 Fiscal Requests

Board Meetings and Teleconferences:	\$11,870.00
Travel for Exams:	\$0.00
Out-of-State and Additional In-State Travel:	\$14,020.00
Dues, Memberships, Resources, Training:	\$1,100.00
Total Potential Third-Party Offsets:	-\$0.00
Other:	\$0.00
Total Requested:	\$26,990.00

BOARD OF PSYCHOLOGIST AND PSYCHOLOGICAL ASSOCIATE LICENSING EXAMINERS
Fiscal Year 2018 Annual Report

Legislation Recommendations Proposed Legislation for FY 2019

No Recommendations

The Board has no recommendations for proposed legislation at this time.

Recommendations

The Board has the following recommendations for proposed legislation:

1. Authorization to conduct criminal background checks of applicants.
2. Authorization to create licensing categories/types (e.g., retired, inactive)
3. Psychology Interjurisdictional Compact (PSYPACT): ASPPB is developing a program of interstate compacts that will assist us in compliance with the requirements of the recently passed telehealth bill. Participation in PSYPACT will require legislative action.

**BOARD OF PSYCHOLOGIST AND PSYCHOLOGICAL ASSOCIATE LICENSING EXAMINERS
Fiscal Year 2018 Annual Report**

Regulation Recommendations Proposed Legislation for FY 2019

No Recommendations

The Board has no recommendations for proposed regulations at this time.

Recommendations

The Board has the following recommendations for proposed regulations:

The board has a regulations project underway to review and update regulations as needed. Currently, there is a regulation change in the works regarding continuing education.

BOARD OF PSYCHOLOGIST AND PSYCHOLOGICAL ASSOCIATE LICENSING EXAMINERS

Fiscal Year 2018 Annual Report

Goals and Objectives

Part I

FY 2018's goals and objectives, and how they were met:

1. To enforce the Psychology Practice Act by:

- (a) Requesting to hold meetings for FY 2018 and to hold teleconference meetings as deemed necessary.

The board met four times in FY 2018. All meetings held a quorum. During those meetings, the board evaluated and approved license applications, conducted evaluations, and proposed regulatory changes consistent with the growing and changing needs of the public.

- (b) Maintaining board activity and involvement in review of investigative matters, regarding the practice of psychology. Maintaining an annual update of the list of expert witnesses that the Division of Corporations, Business and Professional Licensing, Investigative Section, may use for investigative matters.

The board received an investigative report during each meeting. The board assured that the investigator had convenient and timely access to qualified board members to review data collected during the investigative process. The board is prepared to provide the investigator with appropriate referrals to well qualified Psychologists, should their expertise be required.

- (c) Requesting that the Division of Corporations, Business and Professional Licensing, Investigative Section, continue to provide statistics reflecting the number of cases investigated, provide a projected cost of those investigations, provide the Department of Law expenses so that the board can be aware of the project expenses, and advised annually of the projected cost with updates given quarterly.

Communication and cooperation with investigations Unit during FY 2018 were positive and productive.

- (d) Adhering to statutes and regulations in awarding licenses to applicants.

All applications received by the board were reviewed and acted on, consistent with current statutes and regulations. The board worked to improve forms and applications.

- (e) To continue to review AS. 08.86.204 – grounds for imposition of disciplinary sanctions and to recommend statutes or regulations as deemed necessary.

The board did not find a need to recommend statutory or regulatory changes related to imposition of disciplinary sanctions during FY 2018.

2. To ensure continued competency of licensed psychology professionals by:

- (a) Providing review in improved procedures to document continuing education of licensees for the June 2019 renewal.

The June 2017 renewals were offered electronically, rather than only through paper applications. Renewals went smoothly. Work continues on implementing ASPPB's PLUS Program as an option for applicants.

**BOARD OF PSYCHOLOGIST AND PSYCHOLOGICAL ASSOCIATE LICENSING EXAMINERS
Fiscal Year 2018 Annual Report**

Goals and Objectives (continued)

Part I (continued)

FY 2018's goals and objectives, and how they were met:

- (b) Continuing to encourage the Alaska Psychological Association (AK-PA) to communicate matters of interest or concern with the board, regarding competency, licensing, continuing education or other information relevant to the practice of psychology in the State of Alaska.

The board and AK-PA communicated effectively on issues of interest while maintaining appropriate boundaries.

- (c) Review continuing education (CE) audits for the June 30, 2017 renewal.

The CE audits went smoothly.

3. To assure the public that persons offering psychological care throughout the State of Alaska are professionally qualified by:

- (a) Reviewing of AS 08.86.130 (licensing requirements) and recommend statutory or regulation changes as deemed necessary.

The board reviewed AS 08.86.130 and associated regulations on an ongoing basis while reviewing applications for new licenses.

- (b) Maintaining board knowledge of issues and licensing.

Activity #1: To send all board members and the licensing examiner to ASPPB annual and midyear conferences.

Board Chair Allen Levy attended the ASPPB Annual meeting in October 2017. Board member Suzanne Dutson and Licensing Examiner Rissa Teske attended the ASPPB Mid-Year Meeting in April 2018.

Activity #2: Making online training available through the Council on Licensure, Enforcement and Regulation to each Board member annually.

Former Licensing Examiner, Renee Hoffard, attended the CLEAR conference in FY 2018. She gave a detailed briefing to the board and explained available resources.

4. To ensure the public that qualified psychology providers are available by:

- (a) Continuing to review applications for licensure and issue licenses in accordance with statutes and regulations.

All applications were processed and reviewed by the board in a timely manner in accordance with statutes and regulations.

- (b) Conducting four jurisprudence examinations for FY 2018

The board conducted four jurisprudence examinations in FY 2018.

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Goals and Objectives (continued)

Part I (continued)

FY 2018's goals and objectives, and how they were met:

- (c) Reviewing and updating the current pool of questions for the State Law and Ethics (SLE) Examination.

The Board made significant progress on this goal in the second half of FY 2018.

- (d) Maintaining good relations and professional relationships with training programs and professional associations.

Two professors from University of Alaska Anchorage asked for, and were given, time on the agenda for the November 2017 meeting to discuss issues related to supervision. It was a productive discussion. The board regularly receives questions from local colleges, universities and internships in regards to licensure, law and regulation. The board responds in a timely manner to all such requests for information.

5. To promote high professional standards of psychology practice by:

- (a) Assessing the impact of continuing education requirements for the license renewal process.

- (b) Educating the public regarding the practice of psychology and the purpose of the board by:

Activity #1: Advertise meetings of the board.

All board meetings were properly noticed.

Activity #2: Include public comment on agendas at the board meetings.

A time for public comment is included on every agenda. Agendas are made public in advance of each meeting.

Activity #3: Hold public hearings to consider regulatory changes.

Improvements to the board's web site have been made. The board holds public hearings and allows for public comment on all regulatory matters and proposed changes. The board complies with the Open Meetings Act.

- (c) Maintaining good relations and appropriate distinctions between the State Medical Board, Board of Clinical Social Work Examiners, the Board of Marital and Family Therapy, the Board of Professional Counselors, and other boards as appropriate; to work on areas of mutual interest by participating in joint meetings as appropriate.

The board communicates with allied boards on issues of mutual interest.

- (d) Maintaining good relations and ongoing communications with the legislative, executive and judicial branches of the State of Alaska government.

During the February 2018 meeting in Juneau, board members made contact with legislators and their staff on issues of importance to the board. The board completed its sunset audit in FY 2018. Participating board members actively cooperated and engaged in the audit process. The audit was successful and resulted in a full renewal of the board's mandate, with only minor recommendations for improvement.

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Goals and Objectives

Part II

FY 2019's goals and objectives, and proposed methods to achieve them.

Describe any strengths, weaknesses, opportunities, threats and required resources:

1. To enforce the Psychology Practice Act by:

- a. Requesting to hold meetings for FY 2019 and to hold teleconference meetings as deemed necessary.
- b. Maintaining board activity and involvement in review of investigative matters regarding the practice of psychology. To maintain an annual update of the list of expert witnesses that the Division of Corporations, Business and Professional Licensing, Investigative Section, may use for investigative matters.
- c. Requesting that the Division of Corporations, Business and Professional Licensing, Investigative Section, continued to provide statistics reflecting the number of cases investigated, provide a projected cost of those investigations, provide the Department of Law expenses so that the board can be aware of the project expenses, and advised annually of the projected cost with updates given quarterly.
- d. Adhering to statutes and regulations in awarding licenses to applicants.
- e. Continuing to review AS. 08.86.204 – grounds for imposition of disciplinary sanctions and to recommend statutes or regulations as deemed necessary.

An area of strength in which there is always the need and opportunity for improvement by increasing the number of board members attending ASPPB annual and midyear conferences, as well as attending CLEAR conferences and online trainings. It is imperative that as many board members as possible and the licensing examiner attend both the ASPPB Annual and Midyear conferences in FY 2019.

2. To ensure continued competency of licensed psychology professionals by:

- a. Continuing to review and update as needed regulations regarding continuing education.
An area of strength and opportunity as the board is actively engaged in this process.
- b. Continuing to encourage the Alaska Psychological Association (AK-PA) to communicate matters of interest or concern with the Board regarding competency, licensing, continuing education or other information relevant to the practice of psychology in the State of Alaska.

This is an area of strength and opportunity as AK-PA's leadership has been actively attending board meetings.

3. To assure the public that persons offering psychological care throughout the State of Alaska are professionally qualified by:

- a. Reviewing AS 08.86.130 (licensing requirements) and recommend statutory or regulation changes as deemed necessary.

An area of strength.

- b. Maintaining board knowledge of issues and licensing.

Activity #1: To send as many board members as possible and the licensing examiner to ASPPB annual and midyear conferences.

An area of challenge and opportunity. Although the State continues to wrestle with fiscal issues, the board continues to operate with a significant budget surplus. This board can afford to send all of its members to these essential training opportunities. The board cannot afford to operate with inadequate training. We count ourselves fortunate to have Rissa Teske as our current licensing examiner. She appears to be on track in mastering the steep learning curve for her highly demanding position, but she needs the training opportunities afforded by attendance at ASPPB's conferences. In addition to our new licensing examiner, we have a new Board member—Paul Dukarm Ph.D was recently appointed as our newest psychologist member. He also needs training.

There are four issues of concern that the board needs to be monitoring, educating itself and preparing for. Failure to stay involved and current on these issues could have long term negative consequences for this Board and the practice of psychology in Alaska.

1. PLUS

Psychology Licensing Universal System (PLUS). The PSY Board voted to participate in ASPPB's PLUS program. There are numerous benefits and cost savings to our participation in this program. We will be able to offer applicants a streamlined application process with the added benefit of credential banking. The PLUS program provides verification of original documents.

Participation in PLUS does not require any statutory or regulatory action on the board's part. We need to have one of our board members attending PLUS seminars and meeting with ASPPB's representatives, in order to continue moving forward with implementation. Additionally, we would like our licensing examiner to attend so that she can receive direct training on the PLUS program.

2. PSYPACT

ASPPB is developing a program of interstate compacts that will assist us in being in compliance with the requirements of the recently passed telehealth bill.

Participation in PSYPACT will require legislative action. We need to have a board member fully informed on PSYPACT in order for the board, to decide whether or not to participate and pursue the necessary legislative changes.

3. EPPP 2

We require psychology applicants to have passed the Examination for Professional Practice in Psychology (EPPP).

The EPPP-2 represents a significant change in the testing intended to assure that psychology applicants have not only the knowledge but the competence to practice. The test is due to be implemented in 2020. The implementation of the EPPP-2 presents significant questions and challenges. It is essential that our board stay informed on this issue. We need to have a board member designated as the lead person to stay informed on this issue.

4. Antitrust issues

The 2014 Supreme Court ruling in the North Carolina State Board of Dental Examiners v. Federal Trade Commission put all licensing boards on notice to be paying attention to antitrust and unfair restriction of trade. The board needs to make sure that its regulatory efforts comply with this ruling. We need to have a board member designated as the lead person on this issue.

There are more issues than can reasonably be addressed by one person attending a conference. These are on-going issues that the board needs to stay actively involved in and fully informed about. We are fortunate in that our budget is healthy. We have been paying down a large surplus for some years and we have every reason to believe that our budget will continue to be healthy. We have a steadily growing population of licensed practitioners. Having as many board members as possible in attendance at the next few ASPPB conferences is essential to our continued growth and success.

Activity #2: Making online training available through the Council on Licensure, Enforcement and Regulation (CLEAR) to each board member annually.

This is an area that will see growth and improvement as the board does more with this valuable resource.

4. To ensure the public that qualified psychology providers are available by:

- a. Continuing to review applications for licensure and issue licenses in accordance with statutes and regulations. This has shown itself to be an area of continued improvement.

We expect this improvement to continue as our newer board members gain knowledge and experience.

- b. Conducting four jurisprudence examinations for FY 2019. This is an area of strength as the board has continued to offer the examination as required, while continuing to add and develop new test items.
- c. Reviewing and updating the current pool of questions for the State Law and Ethics (SLE) Examination. An area in which we expect to see continued growth and improvement, but will require the board spending extra time on this project.
- d. Maintaining good relations and professional relationships with training programs and professional associations.

An area of strength.

5. To promote high professional standards of psychology practice by:

- a. Assessing the impact of continuing education requirements for the license renewal process.
- b. Educating the public regarding the practice of psychology and the purpose of the board by:

Activity #1: Advertising meetings of the board.

Activity #2: Including public comment on agendas at the board meetings.

Activity #3: Holding public hearings to consider regulatory changes.

This is an area of opportunity and strength. The board is actively working on improving its web site and improving its ability to reach the public, to make the public more aware of the board as an instrument for protection of the public.

- c. Maintaining good relations and appropriate distinctions between the State Medical Board, Board of Clinical Social Work Examiners, the Board of Marital and Family Therapy, the Board of Professional Counselors, and other boards as appropriate; to work on areas of mutual interest by participating in joint meetings as appropriate.

This an area with great opportunity. The board will continue its communication with allied professional boards.

- d. Maintaining good relations and ongoing communications with the legislative, executive and judicial branches of the State of Alaska government.

This is an area of growing strength as the board is scheduling one meeting a year in Juneau and is taking more initiative in reaching out to various departments and branches of government.

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Sunset Audit Recommendations

Date of Last Legislative Audit: 2018
Board Sunset Date: June 30, 2026

Audit Recommendation: The Division of Corporations, Business, and Professional Licensing in consultation with the board, should reduce fees.

Action Taken: The board and the division consulted and agreed to a fee review prior to the next licensing period. A sooner review is not feasible.

Next Steps: The next step fee review will take place prior to the next licensing renewal in 2019

Date Completed: Scheduled for 2019

Audit Recommendation: Division of Corporations, Business, and Professional Licensing's director should develop procedures to ensure courtesy licensees comply with monthly reporting requirements.

Action Taken: Improved reporting and tracking procedures have been implemented.

Next Steps: Maintain compliance

Date Completed: Fall 2017