STATE OF ARIZONA

JANICE K. BREWER
GOVERNOR

EXECUTIVE OFFICE

July 13, 2009

The Honorable Kirk Adams
Speaker of the House
Arizona House of Representatives
1700 West Washington
Phoenix, Arizona 85007

Re: House Bill 2206: psychologist examiners board; omnibus

Dear Speaker Adams:

Today I signed House Bill 2206, which would require parties having complaints against family court-appointed psychologists for evaluation, *treatment or psychoeducation*, to first file the complaints with the Court and not the Board of Psychologist Examiners (Board). If the Court determines a "substantial basis" exists for the complaint, the Court may refer the complaint to the Board.

I am concerned that expanding those areas in which parties complaints against psychologists will first be heard by a Court instead of the regulatory board will increase the cost in time and money to the judiciary and to parties involved in family court cases. The Psychology Board is eminently qualified to determine complaints of standard of care and unprofessional behavior filed by members of the public.

I have been assured by Representative Barto that my concerns will be addressed next session. With this understanding, I have signed House Bill 2206.

Sincerely,

Janice K. Brewer

Janice K. Brewer
Governor

cc: The Honorable Robert Burns
The Honorable Nancy Barto
The Honorable David Bradley
The Honorable Ken Bennett

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House Engrossed

FILED
KEN BENNETT
SECRETARY OF STATE

State of Arizona
House of Representatives
Forty-ninth Legislature
First Regular Session
2009

CHAPTER 160

HOUSE BILL 2206

AN ACT

AMENDING SECTIONS 32-2061, 32-2067, 32-2071, 32-2071.01, 32-2074, 32-2075, 32-2081 AND 32-2086, ARIZONA REVISED STATUTES; RELATING TO THE BOARD OF PSYCHOLOGIST EXAMINERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 32-2061, Arizona Revised Statutes, is amended to read:

32-2061. Definitions

~~A.~~ In this chapter, unless the context otherwise requires:

1. "Active license" means a valid and existing license to practice psychology.

2. "Adequate records" means records containing, at a minimum, sufficient information to identify the client, the dates of service, the fee for service, the payments for service, the type of service given and copies of any reports that may have been made.

3. "Board" means the state board of psychologist examiners.

4. "Client" means a person or an entity that receives psychological services. A corporate entity, a governmental entity or any other organization may be a client if there is a professional contract to provide services or benefits primarily to an organization rather than to an individual. If an individual has a legal guardian, the legal guardian is the client for decision-making purposes, except that the individual receiving services is the client for:

(a) Issues that directly affect the physical or emotional safety of the individual, such as sexual or other exploitative relationships.

(b) Issues that the guardian agrees to specifically reserve to the individual.

5. "Exploit" means actions by a psychologist who takes undue advantage of the professional association with a client, student or supervisee for the advantage or profit of the psychologist.

6. "Health care institution" means a facility as defined in section 36-401. ~~, a person who is authorized to transact disability insurance pursuant to title 20, chapter 6, article 4 or 5 or a person who is issued a certificate of authority pursuant to title 20, chapter 4, article 9.~~

7. "Letter of concern" means an advisory letter to notify a psychologist that while there is insufficient evidence to support disciplinary action the board believes the psychologist should modify or eliminate certain practices and that continuation of the activities that led to the information being submitted to the board may result in action against the psychologist's license.

8. "Practice of psychology" means the psychological assessment, diagnosis, treatment or correction of mental, emotional, behavioral or psychological abilities, illnesses or disorders or purporting or attempting to do this consistent with section 32-2076.

9. "Psychological service" means all actions of the psychologist in the practice of psychology.

10. "Psychologically incompetent" means a person lacking in sufficient psychological knowledge or skills to a degree likely to endanger the health of clients.

11. "Psychologist" means a natural person holding a license to practice psychology pursuant to this chapter.

12. "Supervisee" means any person who functions under the extended authority of the psychologist to provide, or while in training to provide, psychological services.

13. "Unprofessional conduct" includes the following activities whether occurring in this state or elsewhere:

(a) Obtaining a fee by fraud or misrepresentation.

(b) Betraying professional confidences.

(c) Making or using statements of a character tending to deceive or mislead.

(d) Aiding or abetting a person who is not licensed pursuant to this chapter in representing that person as a psychologist.

(e) Gross negligence in the practice of a psychologist.

(f) Sexual intimacies or sexual intercourse with a current client or a supervisee or with a former client within two years after the cessation or termination of treatment. For the purposes of this subdivision, "sexual intercourse" has the same meaning prescribed in section 13-1401.

(g) Engaging or offering to engage as a psychologist in activities not congruent with the psychologist's professional education, training and experience.

(h) Failing or refusing to maintain and retain adequate business, financial or professional records pertaining to the psychological services provided to a client.

(i) Commission of a felony, whether or not involving moral turpitude, or a misdemeanor involving moral turpitude. In either case, conviction by a court of competent jurisdiction or a plea of no contest is conclusive evidence of the commission.

(j) Making a fraudulent or untrue statement to the board or its investigators, staff or consultants.

(k) Violating any federal or state laws or rules that relate to the practice of psychology or to obtaining a license to practice psychology.

(l) Practicing psychology while impaired or incapacitated to the extent and in a manner that jeopardizes the welfare of the client or renders the psychological services provided ineffective.

(m) Using fraud, misrepresentation or deception to obtain or attempt to obtain a psychology license or to pass or attempt to pass a psychology licensing examination or in assisting another person to do so.

(n) Unprofessional conduct in another jurisdiction that resulted in censure, probation or a civil penalty or in the denial, suspension, restriction or revocation of a certificate or license to practice as a psychologist.

(o) Providing services that are unnecessary or unsafe or otherwise engaging in activities as a psychologist that are unprofessional by current standards of practice.

(p) Falsely or fraudulently claiming to have performed a professional service, charging for a service~~,~~ or representing a service as the licensee's own when the licensee has not rendered the service or assumed supervisory responsibility for the service.

(q) Representing activities or services as being performed under the licensee's supervision if the psychologist has not assumed responsibility for them and has not exercised control, oversight and review.

(r) Failing to obtain a client's informed and written consent to release personal or otherwise confidential information to another party unless the release is otherwise authorized by law.

(s) Failing to make client records in the psychologist's possession promptly available to another psychologist licensed pursuant to this chapter on receipt of proper authorization to do so from the client, a minor client's parent, the client's legal guardian or the client's authorized representative or failing to comply with title 12, chapter 13, article 7.1.

(t) Failing to take reasonable steps to inform or protect a client's intended victim and inform the proper law enforcement officials in circumstances where the psychologist becomes aware during the course of providing or supervising psychological services that a client intends or plans to inflict serious bodily harm to another person.

(u) Failing to take reasonable steps to protect a client in circumstances where the psychologist becomes aware during the course of providing or supervising psychological services that a client intends or plans to inflict serious bodily harm to self.

(v) Abandoning or neglecting a client in need of immediate care without making suitable arrangements for continuation of the care.

(w) Engaging in direct or indirect personal solicitation of clients through the use of coercion, duress, undue influence, compulsion or intimidation practices.

(x) Engaging in false, deceptive or misleading advertising.

(y) Exploiting a client, student or supervisee.

(z) Failing to report information to the board regarding a possible act of unprofessional conduct committed by another psychologist licensed pursuant to this chapter unless this reporting violates the psychologist's confidential relationship with the client pursuant to section 32-2085. Any psychologist who reports or provides information to the board in good faith is not subject to an action for civil damages. FOR THE PURPOSES OF THIS SUBDIVISION, IT IS NOT AN ACT OF UNPROFESSIONAL CONDUCT IF A LICENSEE ADDRESSES AN ETHICAL CONFLICT IN A MANNER THAT IS CONSISTENT WITH THE ETHICAL STANDARDS CONTAINED IN THE DOCUMENT ENTITLED "ETHICAL PRINCIPLES OF PSYCHOLOGISTS AND CODE OF CONDUCT" AS ADOPTED BY THE AMERICAN PSYCHOLOGICAL ASSOCIATION AND IN EFFECT AT THE TIME THE LICENSEE MAKES THE REPORT.

(aa) Violating a formal board order, consent agreement, term of probation or stipulated agreement issued under this chapter.

(bb) Failing to furnish information in a timely manner to the board or its investigators or representatives if requested or subpoenaed by the board as prescribed by this chapter.

(cc) Failing to make available to a client or to the client's designated representative, on written request, a copy of the client's record, ~~excluding~~ INCLUDING raw test data, psychometric testing materials and other information as provided by law.

(dd) Violating an ethical standard adopted by the board.

~~B. A complaint against a psychologist arising out of a judicially ordered evaluation of a person charged with violating any provision of title 13, chapter 14 shall not be deemed by the board to present a charge of unprofessional conduct unless the court ordering the evaluation has found a substantial basis to refer the complaint for consideration by the board.~~

Sec. 2. Section 32-2067, Arizona Revised Statutes, is amended to read:

32-2067. Fees; alternative payment methods

A. The board, by a formal vote at its annual fall meeting, ~~shall~~ MAY establish fees and penalties that do not exceed:

1. Four hundred dollars for an application for an active license to practice psychology.

2. Two hundred dollars for an application for a temporary license to practice psychology.

3. Two hundred fifty dollars for reapplication for an active license.

4. Five hundred dollars for issuing an initial license. The board shall prorate this fee pursuant to subsection D of this section.

5. Fifty dollars for a duplicate license.

6. Five hundred dollars for biennial renewal of an active license.

7. Eighty-five dollars for biennial renewal of an inactive license.

8. Three hundred dollars for the reinstatement of an active or inactive license.

9. Three hundred fifty dollars for any additional examination.

10. Two hundred fifty dollars for delinquent compliance with continuing education requirements.

11. Five dollars for the sale of a duplicate renewal receipt.

12. Five dollars for the sale of a copy of the board's statutes and rules.

13. Two dollars for verification of a license.

14. Ten dollars for the sale of each audiotape of board meetings.

15. Five cents per name for the sale of computerized discs that contain the name of each licensee.

16. Twenty-five cents per name for the sale of computerized discs that contain the name and address of each licensee.

17. Thirty-five cents per name for the sale of customized computerized discs that contain additional licensee information that is not required by law to remain confidential.

18. Twenty-five cents per page for copying records, documents, letters, minutes, applications, files and policy statements. This fee includes postage.

B. The board may charge additional fees for services the board deems necessary and appropriate to carry out this chapter. These fees shall not exceed the actual cost of providing the service.

C. The board shall not refund fees except as provided in section 32-2073, subsection E. On special request and for good cause the board may return the license renewal fee.

D. The board shall prorate the fee for issuing an initial license by dividing the biennial renewal fee by twenty-four and multiplying that amount by the number of months that remain until the next biennial renewal date.

E. SUBJECT TO THE REQUIREMENTS OF SECTION 41-2544, THE EXECUTIVE DIRECTOR MAY ENTER INTO AGREEMENTS TO ALLOW LICENSEES TO PAY FEES BY ALTERNATIVE METHODS, INCLUDING CREDIT CARDS, CHARGE CARDS, DEBIT CARDS AND ELECTRONIC FUNDS TRANSFERS.

Sec. 3. Section 32-2071, Arizona Revised Statutes, is amended to read:

32-2071. Qualifications of applicant; education; training

A. An applicant for licensure shall have a doctoral degree from an institution of higher education in clinical or counseling psychology, school or educational psychology or any other subject area in applied psychology acceptable to the board and shall have completed a doctoral program in psychology from an educational institution that has:

1. Been accredited by one of the following regional accrediting agencies at the time of the applicant's graduation:

(a) The New England association of schools and colleges.

(b) The middle states association of colleges and schools.

(c) The north central association of colleges and schools.

(d) The northwest association of schools and colleges.

(e) The southern association of colleges and schools.

(f) The western association of schools and colleges.

2. A program that is identified and labeled as a psychology program and that stands as a recognized, coherent organizational entity within the institution with clearly identified entry and exit criteria for graduate students in the program.

3. An identifiable psychology faculty in the area of health service delivery and a psychologist responsible for the program.

4. A core program that requires each student to demonstrate competence by passing suitable comprehensive examinations or by successfully completing at least three or more graduate semester hours, ~~or the equivalent~~ FIVE OR MORE quarter hours OR SIX OR MORE TRIMESTER HOURS or by other suitable means in the following content areas:

(a) Scientific and professional ethics and standards in psychology.

(b) Research, which may include design, methodology, statistics and psychometrics.

(c) The biological basis of behavior, which may include physiological psychology, comparative psychology, neuropsychology, sensation and perception and psychopharmacology.

(d) The cognitive-affective basis of behavior, which may include learning, thinking, motivation and emotion.

(e) The social basis of behavior, which may include social psychology, group processes, CULTURAL DIVERSITY and organizational and systems theory.

(f) Individual differences, which may include personality theory, human development and abnormal psychology.

(g) Assessment, which includes instruction in interviewing and the administration, scoring and interpretation of psychological test batteries for the diagnosis of cognitive abilities and personality functioning.

(h) Treatment modalities, which include instruction in the theory and application of a diverse range of psychological interventions for the treatment of mental, emotional, psychological and behavioral disorders.

5. A psychology program that leads to a doctoral degree requiring at least the equivalent of three full-time academic years of graduate study, two years of which are at the institution from which the doctoral degree is granted.

6. A requirement that the student must successfully defend a dissertation, the content of which is primarily psychological, or an equivalent project acceptable to the board.

7. Official transcripts that have been prepared solely by the institution and not by the student and, except for manifest clerical errors or grade changes, have not been altered by the institution after the student's graduation.

8. Given the student credit only for course work listed on its official transcripts and that is obtained only at regionally accredited educational institutions as listed in paragraph 1 of this subsection and does not give credit for continuing education experiences or courses.

B. If the institution is located outside the United States, the applicant shall demonstrate that the program meets the requirements of subsection A, paragraphs 2 through 7 and subsections C through ~~K~~ M.

C. The applicant shall complete relevant didactic courses of the program required under subsection A, paragraph ~~5~~ 4 before starting the ~~internship or training program~~ SUPERVISED PROFESSIONAL EXPERIENCES AS DESCRIBED PURSUANT TO SUBSECTION F. ~~An applicant shall have completed a minimum of three thousand hours of supervised professional experience as prescribed pursuant to subsections D and E.~~

D. EACH APPLICANT FOR LICENSURE SHALL OBTAIN THREE THOUSAND HOURS OF SUPERVISED PROFESSIONAL WORK EXPERIENCES. THE APPLICANT SHALL DEMONSTRATE CLEARLY HOW THE APPLICANT MET THIS REQUIREMENT. THE APPLICANT SHALL OBTAIN A MINIMUM OF ONE THOUSAND FIVE HUNDRED HOURS THROUGH AN INTERNSHIP AS DESCRIBED IN SUBSECTION F. THE APPLICANT SHALL OBTAIN THE REMAINING ONE THOUSAND FIVE HUNDRED HOURS THROUGH ANY COMBINATION OF THE FOLLOWING:

1. SUPERVISED PREINTERNSHIP PROFESSIONAL EXPERIENCES AS DESCRIBED IN SUBSECTION E.

2. ADDITIONAL INTERNSHIP HOURS AS DESCRIBED IN SUBSECTION F.

3. SUPERVISED POSTDOCTORAL EXPERIENCES AS DESCRIBED IN SUBSECTION G.

E. IF THE APPLICANT CHOOSES TO INCLUDE UP TO ONE THOUSAND FIVE HUNDRED HOURS OF SUPERVISED PREINTERNSHIP PROFESSIONAL EXPERIENCE TO SATISFY A PORTION OF THE THREE THOUSAND HOURS OF SUPERVISED PROFESSIONAL EXPERIENCE, THE FOLLOWING REQUIREMENTS MUST BE MET:

1. THE APPLICANT'S SUPERVISED PREINTERNSHIP PROFESSIONAL EXPERIENCES SHALL REFLECT A FACULTY DIRECTED, ORGANIZED, SEQUENTIAL SERIES OF SUPERVISED EXPERIENCES OF INCREASING COMPLEXITY THAT FOLLOWS APPROPRIATE ACADEMIC COURSEWORK AND THAT PREPARES THE APPLICANT FOR AN INTERNSHIP.

2. THE APPLICANT'S SUPERVISED PREINTERNSHIP PROFESSIONAL EXPERIENCES SHALL FOLLOW APPROPRIATE ACADEMIC PREPARATION. THERE MUST BE A WRITTEN TRAINING PLAN BETWEEN THE STUDENT AND THE GRADUATE TRAINING PROGRAM. THE TRAINING PLAN FOR EACH SUPERVISED PREINTERNSHIP PROFESSIONAL EXPERIENCE TRAINING SITE MUST DESIGNATE AN ALLOTMENT OF TIME FOR EACH TRAINING ACTIVITY AND MUST ASSURE THE QUALITY, BREADTH AND DEPTH OF TRAINING EXPERIENCE THROUGH THE SPECIFICATION OF GOALS AND OBJECTIVES OF THE SUPERVISED PREINTERNSHIP PROFESSIONAL EXPERIENCE, THE METHODS OF EVALUATION OF THE STUDENT AND SUPERVISORY EXPERIENCES. IF SUPERVISION IS TO BE COMPLETED BY QUALIFIED SITE SUPERVISORS AT EXTERNAL SITES, THEIR APPROVAL MUST BE INCLUDED IN THE PLAN.

3. MORE THAN ONE PART-TIME SUPERVISED PREINTERNSHIP PROFESSIONAL EXPERIENCE PLACEMENT OF APPROPRIATE SCOPE AND COMPLEXITY OVER THE COURSE OF THE GRADUATE TRAINING MAY BE COMBINED TO SATISFY THE ONE THOUSAND FIVE HUNDRED HOURS OF SUPERVISED PREINTERNSHIP PROFESSIONAL EXPERIENCES.

4. EVERY TWENTY HOURS OF SUPERVISED PREINTERNSHIP PROFESSIONAL EXPERIENCE MUST INCLUDE THE FOLLOWING:

(a) AT LEAST FIFTY PER CENT OF THE SUPERVISED PREINTERNSHIP PROFESSIONAL EXPERIENCES MUST BE IN PSYCHOLOGICAL SERVICE-RELATED ACTIVITIES. PSYCHOLOGICAL SERVICE-RELATED ACTIVITIES MAY INCLUDE TREATMENT, ASSESSMENT, INTERVIEWS, REPORT WRITING, CASE PRESENTATIONS, SEMINARS ON APPLIED ISSUES PROVIDING COTHERAPY, GROUP SUPERVISION AND CONSULTATIONS.

(b) AT LEAST TWENTY-FIVE PER CENT OF THE SUPERVISED PREINTERNSHIP PROFESSIONAL EXPERIENCES MUST BE DEVOTED TO FACE-TO-FACE PATIENT-CLIENT CONTACT.

(c) AT LEAST ONE HOUR PER WEEK OF REGULARLY SCHEDULED CONTEMPORANEOUS FACE-TO-FACE INDIVIDUAL SUPERVISION PER TWENTY HOURS OF SUPERVISED PREINTERNSHIP PROFESSIONAL EXPERIENCE THAT ADDRESSES THE DIRECT PSYCHOLOGICAL SERVICES PROVIDED BY THE STUDENT.

(d) AFTER SEPTEMBER 1, 2013, AT LEAST TWO HOURS OF REGULARLY SCHEDULED CONTEMPORANEOUS SUPERVISION PER TWENTY HOURS OF SUPERVISED PREINTERNSHIP PROFESSIONAL EXPERIENCE THAT ADDRESSES THE DIRECT PSYCHOLOGICAL SERVICES PROVIDED BY THE STUDENT. AT LEAST FIFTY PER CENT OF THE SUPERVISION DURING THE TOTAL SUPERVISED PREINTERNSHIP PROFESSIONAL EXPERIENCE SHALL BE PROVIDED

THROUGH CONTEMPORANEOUS FACE-TO-FACE INDIVIDUAL SUPERVISION. NOT MORE THAN FIFTY PER CENT SHALL BE THROUGH GROUP SUPERVISION. AT LEAST SEVENTY-FIVE PER CENT OF THE SUPERVISION SHALL BE BY A PSYCHOLOGIST WHO IS LICENSED OR CERTIFIED TO PRACTICE PSYCHOLOGY AT THE INDEPENDENT LEVEL BY A LICENSING JURISDICTION OF THE UNITED STATES OR CANADA AND WHO IS DESIGNATED BY THE ACADEMIC PROGRAM. NOT MORE THAN TWENTY-FIVE PER CENT OF THE SUPERVISION SHALL BE BY A LICENSED MENTAL HEALTH PROFESSIONAL WHO IS LICENSED OR CERTIFIED BY A LICENSING JURISDICTION OF THE UNITED STATES OR CANADA, A PSYCHOLOGY INTERN CURRENTLY UNDER THE SUPERVISION OF A LICENSED PSYCHOLOGIST OR AN INDIVIDUAL COMPLETING A POSTDOCTORAL SUPERVISED EXPERIENCE CURRENTLY UNDER THE SUPERVISION OF A LICENSED PSYCHOLOGIST.

5. THE APPLICANT MUST PROVIDE TO THE BOARD THE WRITTEN TRAINING PLAN DEVELOPED BY THE APPLICANT'S PROGRAM AND DOCUMENTATION OF THE TOTAL HOURS ACCRUED BY THE APPLICANT DURING THE SUPERVISED PREINTERNSHIP PROFESSIONAL EXPERIENCE, INCLUDING THE NUMBER OF FACE-TO-FACE PATIENT-CLIENT CONTACT HOURS AND THE AMOUNT OF SUPERVISION AND QUALIFICATIONS OF THE SUPERVISORS FOR THE ENTIRE SUPERVISED PREINTERNSHIP PROFESSIONAL EXPERIENCES. DOCUMENTATION MUST INCLUDE AN ACKNOWLEDGEMENT THAT ETHICS TRAINING WAS INCLUDED THROUGHOUT THE SUPERVISED PREINTERNSHIP PROFESSIONAL EXPERIENCE.

6. SUPERVISED PROFESSIONAL PREINTERNSHIP EXPERIENCES MUST BE COMPLETED WITHIN SEVENTY-TWO MONTHS.

~~D.~~ F. The ~~first~~ APPLICANT SHALL HAVE one thousand five hundred hours of supervised professional experience, which shall ~~not include predoctoral experiences in clerkships or practicums, shall~~ be either an internship that is approved by the American psychological association committee on accreditation, an internship that is a member of the association of psychology postdoctoral and internship centers or an organized training program that is designed to provide the trainee with a planned, programmed sequence of training experience, the focus and purpose of which are to assure breadth and quality of training, and that meets the following requirements:

1. The training program has a clearly designated staff psychologist who is responsible for the integrity and quality of the training and who is licensed or certified to practice psychology at the independent level by any licensing jurisdiction of the United States or Canada in which the program exists.

2. The training program provides at least two psychologists on staff as supervisors, at least one of whom is licensed or certified ~~as a psychologist by the state board of psychologist examiners in the state~~ TO PRACTICE PSYCHOLOGY AT THE INDEPENDENT LEVEL BY A LICENSING JURISDICTION OF THE UNITED STATES OR CANADA in which the program exists and at least one of whom is directly available to the trainee in case of emergency.

3. Supervision is provided by the person who carries clinical responsibility for the cases being supervised. At least half of the training supervision shall be provided by one or more psychologists.

4. Training includes a range of assessment, consultation and treatment activities conducted directly with clients.

5. A minimum of twenty-five per cent of a trainee's ~~time is~~ SUPERVISED PROFESSIONAL EXPERIENCE HOURS IS in direct client OR PATIENT contact.

6. Training includes regular face-to-face, individual supervision conducted on a contemporaneous basis, with a minimum of one hour of face-to-face, individual supervision for each twenty hours of experience and with the specific intent of dealing with psychological services rendered directly by the trainee and at least two additional hours per week in other learning activities. NOT MORE THAN TWENTY PER CENT OF THE FACE-TO-FACE SUPERVISION MAY BE COMPLETED USING CONFIDENTIAL REAL TIME VISUAL TELECOMMUNICATION OR OTHER CONFIDENTIAL ELECTRONIC MEANS.

7. The training program includes interaction with other psychology trainees.

8. Trainees have a title that designates their trainee status.

9. The APPLICANT PROVIDES FROM THE training organization ~~has~~ a written statement that describes the goals and content of the training PROGRAM and ~~states~~ DOCUMENTS THAT clear expectations EXISTED for the BREADTH, DEPTH AND quality and quantity of a trainee's work AT THE TIME OF THE SUPERVISED PROFESSIONAL EXPERIENCE.

10. The ~~initial training~~ SUPERVISED PROFESSIONAL experience~~, which may be predoctoral, may be for a minimum of one thousand five hundred hours that shall be~~ IS completed within twenty-four consecutive months.

~~E.~~ G. ~~The second~~ NOT MORE THAN one thousand five hundred hours of supervised professional experience shall be postdoctoral and may start on written certification by the applicant's education program that the applicant has satisfied all requirements for the doctoral degree and on written certification that the applicant has completed an appropriate ~~training program~~ SUPERVISED PROFESSIONAL EXPERIENCE as required in subsection ~~D~~ F. The ~~second~~ one thousand five hundred hours of supervised professional experience shall meet the following requirements:

1. Supervision is conducted by a psychologist who is licensed or certified to practice psychology at the independent level in any licensing jurisdiction of the United States or Canada in which the supervision occurs or by a psychologist who is on full-time active duty in the United States armed services and who is licensed or certified by a board of psychologist examiners in a United States jurisdiction, who has been licensed or certified for at least two years and who is competent in the areas of ~~functioning of the applicant~~ PROFESSIONAL PRACTICE IN WHICH THE SUPERVISEE IS RECEIVING SUPERVISED PROFESSIONAL EXPERIENCE.

2. The supervisor takes full legal responsibility for the welfare of the client as well as the diagnosis, intervention and outcome of the intervention and takes reasonable steps to ensure that clients are informed of the supervisee's training and status and that clients may meet with the supervisor at the client's request.

3. The supervisor OR THE APPROPRIATE CUSTODIAN OF RECORDS is responsible for ensuring that adequate records of client contacts are maintained and that the client is informed that the source of access to this information in the future is the supervisor.

4. The supervisor is fully available for consultation in the event of an emergency and provides emergency consultation coverage for the supervisee.

5. Regular face-to-face, individual supervision is conducted on a contemporaneous basis, with a minimum of one hour of face-to-face, individual supervision for each twenty hours of SUPERVISED PROFESSIONAL experience. At least six hundred hours of the supervisee's time shall be in direct contact with clients. NOT MORE THAN TWENTY PER CENT OF THE FACE-TO-FACE SUPERVISION MAY BE COMPLETED USING CONFIDENTIAL REAL TIME VISUAL TELECOMMUNICATION TECHNOLOGY OR OTHER CONFIDENTIAL ELECTRONIC MEANS.

6. The ~~training~~ SUPERVISED PROFESSIONAL experience ~~is for a minimum of one thousand five hundred hours and is completed~~ AS DESCRIBED IN THIS SUBSECTION IS COMPLETED within thirty-six consecutive months.

~~F.~~ H. In meeting the ~~work~~ SUPERVISED PREINTERNSHIP PROFESSIONAL experience ~~requirements of this section~~ AS DESCRIBED IN SUBSECTION E AND THE SUPERVISED PROFESSIONAL EXPERIENCE AS DESCRIBED IN SUBSECTIONS F AND G, an applicant shall not receive credit for more than forty hours of experience per week.

~~G.~~ I. An applicant who does not satisfy the ~~internship~~ SUPERVISED PROFESSIONAL experience requirements of subsection ~~D~~ F may qualify on demonstration of twenty years' licensed or certified practice as a psychologist in a jurisdiction of the United States or Canada.

~~H.~~ J. An applicant who does not satisfy the ~~postdoctoral~~ SUPERVISED PREINTERNSHIP PROFESSIONAL experience requirements of subsection E OR THE SUPERVISED PROFESSIONAL EXPERIENCE REQUIREMENTS OF SUBSECTION G, OR A COMBINATION OF SUBSECTIONS E AND G, may qualify on demonstration of ten years' licensed or certified practice as a psychologist in a jurisdiction of the United States or Canada.

~~I.~~ K. The applicant shall complete a residency at the institution that awarded the applicant's doctoral degree. The residency shall require the following:

1. The student's active participation and involvement in learning.

2. Direct regular contact with faculty and other matriculated doctoral students.

3. ~~Twenty-four~~ EIGHTEEN semester hours ~~taken on a full-time or part-time basis~~ OR THIRTY QUARTER HOURS OR THIRTY-SIX TRIMESTER HOURS COMPLETED WITHIN A TWELVE MONTH CONSECUTIVE PERIOD at the institution or a minimum of three hundred hours of student-faculty contact that involves face-to-face educational meetings conducted by the institution's psychology faculty and fully documented by the institution and the student. These meetings shall include interaction between the student and faculty and the student and other students and shall relate to the program content areas

specified in subsection A, paragraph 4. These meetings shall be in addition to the ~~practicum~~ SUPERVISED PREINTERNSHIP PROFESSIONAL EXPERIENCE, clerkship or externship supervision hours or dissertation hours. On request by the ~~applicant or the~~ board, the ~~institution~~ APPLICANT shall ~~provide~~ OBTAIN documentation FROM THE INSTITUTION showing how the applicant's performance was assessed and documented.

~~J.~~ L. To determine if an applicant satisfies the requirements of subsection A relating to subject areas in applied psychology, the board may require the applicant to complete a respecialization program in a program or professional school of psychology that has either an established American psychological association accredited doctoral program in clinical or counseling psychology or school or educational psychology or an established doctoral program that meets board rules. The applicant must also:

1. Meet all of the requirements of the new respecialization area. The board shall give the applicant credit for course work that the applicant has previously successfully completed and that meets the requirements of subsection A, paragraph 4.

2. Complete one thousand five hundred hours of supervised professional experience as prescribed in subsection ~~D~~ F.

3. Present a certificate or letter from the department head, training director or dean that verifies that the applicant completed the program and that identifies the specialty area of applied psychology the applicant completed.

~~K.~~ M. For the purposes of subsection A, paragraph 4, "other suitable means" means that an applicant demonstrates competence by being a diplomate of the American board of professional psychology or, if an applicant fails to demonstrate completion of course work in two content areas prescribed in subsection A, paragraph 4, the applicant has fulfilled the two deficient requirements by successfully passing a GRADUATE course in each deficient content area as a nonmatriculated student in a doctoral level psychology program at a university that is accredited pursuant to subsection A, paragraph 1.

Sec. 4. Section 32-2071.01, Arizona Revised Statutes, is amended to read:

32-2071.01. <u>Requirements for licensure; remediation; credentials</u>

A. An applicant for licensure shall demonstrate to the board's satisfaction that the applicant:

1. Has met the education and training qualifications for licensure prescribed in section 32-2071 or subsection ~~B~~ D of this section.

2. Has passed any examination or examinations required by section 32-2072.

3. Has a professional record that indicates that the applicant has not committed any act or engaged in any conduct that constitutes grounds for disciplinary action against a licensee pursuant to this chapter.

4. Has not had a license or a certificate to practice psychology refused, revoked, suspended or restricted by a state, territory, district or country for reasons that relate to unprofessional conduct.

5. Has not voluntarily surrendered a license in another regulatory jurisdiction in the United States or Canada while under investigation for conduct that relates to unprofessional conduct.

6. Does not have a complaint, allegation or investigation pending before another regulatory jurisdiction in the United States or Canada that relates to unprofessional conduct.

B. IF THE BOARD FINDS THAT AN APPLICANT COMMITTED AN ACT OR ENGAGED IN CONDUCT THAT WOULD CONSTITUTE GROUNDS FOR DISCIPLINARY ACTION IN THIS STATE, OR IF THE BOARD OR ANY JURISDICTION HAS TAKEN DISCIPLINARY ACTION AGAINST AN APPLICANT, THE BOARD MAY ISSUE A LICENSE IF THE BOARD FIRST DETERMINES TO ITS SATISFACTION THAT THE ACT OR CONDUCT HAS BEEN CORRECTED, MONITORED OR RESOLVED. IF THE ACT OR CONDUCT HAS NOT BEEN RESOLVED BEFORE ISSUING A LICENSE, THE BOARD MUST DETERMINE TO ITS SATISFACTION THAT MITIGATING CIRCUMSTANCES EXIST THAT PREVENT ITS RESOLUTION.

C. AN APPLICANT FOR LICENSURE MEETS THE REQUIREMENTS OF SECTION 32-2071, SUBSECTION A, PARAGRAPHS 1, 2, 3, 4, 5, 6 AND 8 IF THE APPLICANT EARNED A DOCTORAL DEGREE FROM A PROGRAM THAT WAS ACCREDITED BY THE AMERICAN PSYCHOLOGICAL ASSOCIATION, OFFICE OF PROGRAM CONSULTATION AND ACCREDITATION AT THE TIME OF GRADUATION.

~~B.~~ D. An applicant for licensure who is licensed to practice psychology at the independent level in another licensing jurisdiction of the United States or Canada meets the requirements of subsection A, paragraph 1 of this section if the applicant meets any of the following requirements:

1. Holds a certificate of professional qualification in psychology in good standing issued by the association of state and provincial psychology boards or its successor.

2. Is currently credentialed by the national register of health service providers in psychology or its successor and submits evidence of having practiced psychology independently at the doctoral level for a minimum of five years.

3. Is a diplomate of the American board of professional psychology.

Sec. 5. Section 32-2074, Arizona Revised Statutes, is amended to read:

32-2074. <u>Active license; issuance; renewal; expiration; continuing education; cancellation of active license</u>

A. If the applicant satisfies all of the requirements for licensure pursuant to this chapter, the board shall issue an active license and shall prorate the fee for issuing that license for the period remaining until May 1 of the next odd-numbered year.

B. Except as provided in section 32-4301, a person holding an active or an inactive license shall apply to renew the license before May 1 of each odd-numbered year. The application shall include any applicable renewal fee. Except as provided in section 32-4301, a license expires if the licensee

fails to renew the license before May 1 of that year. A licensee may reinstate an expired license by paying a reinstatement fee before July 1 of that year. From July 1 of that year until May 1 of the next year, a licensee may reinstate the license by paying a reinstatement fee and providing proof of competency and qualifications to the board. This proof may include continuing education, an oral examination, a written examination or an interview with the board. A licensee whose license is not reinstated by May 1 of the next even-numbered year may reapply for licensure as prescribed by this chapter. A notice to renew is fully effective by mailing the renewal application to the licensee's last known address of record in the board's file. Notice is complete at the time of deposit in the mail.

C. A person renewing a license shall attach to the completed renewal form a report of disciplinary actions or restrictions placed against the license by another state licensing or disciplinary board or disciplinary actions or sanctions imposed by a state or national psychology ethics committee or health care institution. The report shall include the name and address of the sanctioning agency or health care institution, the nature of the action taken and a general statement of the charges leading to the action.

D. A person who renews an active license to practice psychology in this state shall satisfy a continuing education requirement designed to provide the necessary understanding of current developments, skills, procedures or treatment related to the practice of psychology in the amount and during the period the board prescribes. The board shall prescribe documentation requirements.

E. ON REQUEST OF AN ACTIVE LICENSEE, THE BOARD MAY CANCEL THE LICENSE IF THE LICENSEE IS NOT PRESENTLY UNDER INVESTIGATION BY THE BOARD AND THE BOARD HAS NOT BEGUN ANY DISCIPLINARY PROCEEDING AGAINST THE LICENSEE.

Sec. 6. Section 32-2075, Arizona Revised Statutes, is amended to read:

32-2075. <u>Exemptions from licensure</u>

A. This chapter does not limit the activities, services and use of a title by the following:

1. A school psychologist employed in a common school, high school or charter school setting and certified to use that title by the department of education if the services or activities are a part of the duties of that person's common school, high school or charter school employment.

2. An employee of a government agency in a subdoctorate position who uses the word "assistant" or "associate" after the title and is supervised by a doctorate position employee who is licensed as a psychologist, including a temporary licensee.

3. A student of psychology pursuing an official course of graduate study at an educational institution accredited as provided in section 32-2071, if after the title the word "trainee", "intern" or "extern" appears and the student uses the title only in conjunction with activities and services that are a part of the supervised program.

4. A person who resides outside of this state and who is currently licensed or certified ~~as a psychologist in that state~~ TO PRACTICE PSYCHOLOGY AT THE INDEPENDENT LEVEL BY A LICENSING JURISDICTION OF THE UNITED STATES OR CANADA if the activities and services conducted in this state are within the psychologist's customary area of practice, do not exceed twenty days per year and are not otherwise in violation of this chapter and the client, public or consumer is informed of the limited nature of these activities and services and that the psychologist is not licensed in this state. A PERSON MAY EXCEED THE TWENTY DAY LIMITATION REQUIREMENT OF THIS PARAGRAPH TO ASSIST IN PUBLIC SERVICE THAT IS RELATED TO A DISASTER AS ACKNOWLEDGED BY THE BOARD.

5. A person in the employ of Arizona state university, northern Arizona university or the university of Arizona OR OTHER INSTITUTIONAL SERVICES if the services are a part of the faculty duties of that person's salaried position, the person has received a doctoral degree as provided in section 32-2071 and the person is participating in a postdoctoral program pursuant to section 32-2071, subsection ~~E~~ G.

6. A supervisee who is pursuing a ~~postdoctoral~~ SUPERVISED professional experience pursuant to section 32-2071, subsection ~~E~~ G if the services or activities are provided under the direct supervision of a licensed psychologist WHO IS LICENSED OR CERTIFIED FOR AT LEAST TWO YEARS AND WHO IS COMPETENT IN THE AREAS OF PROFESSIONAL PRACTICE IN WHICH THE SUPERVISEE IS RECEIVING SUPERVISED PROFESSIONAL EXPERIENCE, clients are informed of the training nature of the services provided and the supervisee has a title that designates that person's training status.

B. This chapter does not limit the use of the title "psychologist" by a person who possesses a doctoral degree from an educational institution as provided in section 32-2071 if that person is not engaged in the practice of psychology.

C. This chapter does not prevent a member of other recognized professions that are licensed, certified or regulated under the laws of this state from rendering services within that person's scope of practice and code of ethics if that person does not claim to be a psychologist.

Sec. 7. Section 32-2081, Arizona Revised Statutes, is amended to read:

32-2081. Grounds for disciplinary action; duty to report; immunity; proceedings; board action; notice requirements; civil penalty

A. The board, on its own motion, may investigate evidence that appears to show that a psychologist is psychologically incompetent, guilty of unprofessional conduct or mentally or physically unable to safely engage in the practice of psychology. A health care institution shall, and any other person may, report to the board information that appears to show that a psychologist is psychologically incompetent, guilty of unprofessional conduct or mentally or physically unable to safely engage in the practice of psychology.

B. THE BOARD SHALL NOT CONSIDER A COMPLAINT AGAINST A PSYCHOLOGIST ARISING OUT OF A JUDICIALLY ORDERED EVALUATION, TREATMENT OR PSYCHOEDUCATION OF A PERSON CHARGED WITH VIOLATING ANY PROVISION OF TITLE 13, CHAPTER 14 TO PRESENT A CHARGE OF UNPROFESSIONAL CONDUCT UNLESS THE COURT ORDERING THE EVALUATION HAS FOUND A SUBSTANTIAL BASIS TO REFER THE COMPLAINT FOR CONSIDERATION BY THE BOARD. THE BOARD SHALL NOT CONSIDER A COMPLAINT AGAINST A JUDICIALLY APPOINTED PSYCHOLOGIST ARISING OUT OF A COURT ORDERED EVALUATION, TREATMENT OR PSYCHOEDUCATION OF A PERSON TO PRESENT A CHARGE OF UNPROFESSIONAL CONDUCT UNLESS THE COURT ORDERING THE EVALUATION, TREATMENT OR PSYCHOEDUCATION HAS FOUND A SUBSTANTIAL BASIS TO REFER THE COMPLAINT FOR CONSIDERATION BY THE BOARD.

C. The board shall notify the psychologist about whom information has been received as to the content of the information within one hundred twenty days of receiving the information. A person who reports or provides information to the board in good faith is not subject to an action for civil damages. The board, if requested, shall not disclose the name of the person providing information unless this information is essential to proceedings conducted pursuant to this section. The board shall report a health care institution that fails to report as required by this section to the institution's licensing agency.

~~B.~~ D. A health care institution shall inform the board if the privileges of a psychologist to practice in that institution are denied, revoked, suspended or limited because of actions by the psychologist that appear to show that that person is psychologically incompetent, guilty of unprofessional conduct or mentally or physically unable to safely engage in the practice of psychology, along with a general statement of the reasons that led the health care institution to take this action. A health care institution shall inform the board if a psychologist under investigation resigns the psychologist's privileges or if a psychologist resigns in lieu of disciplinary action by the health care institution. Notification shall include a general statement of the reasons for the resignation.

~~C.~~ E. The board may require the licensee to undergo any combination of mental, physical or psychological competence examinations at the licensee's expense and shall conduct investigations necessary to determine the competence and conduct of the licensee.

~~D.~~ F. The ~~chairman~~ CHAIRPERSON of the board shall appoint a complaint screening committee of not less than three members of the board, including a public member. The complaint screening committee is subject to open meeting requirements pursuant to title 38, chapter 3, article 3.1. The complaint screening committee shall review all complaints, and based on the information provided pursuant to subsection A or ~~B~~ D of this section may take either of the following actions:

1. Dismiss the complaint if the committee determines that ~~the complaint is without merit~~ THERE IS NO EVIDENCE OF A VIOLATION OF LAW OR COMMUNITY STANDARDS OF PRACTICE. Complaints dismissed by the complaint

screening committee shall not be disclosed in response to a telephone inquiry or placed on the board's ~~web site~~ WEBSITE.

2. Refer the complaint to the full board for further review and action.

~~E.~~ G. If the board finds, based on the information it receives under subsection A or ~~B~~ D of this section, that the public health, safety or welfare requires emergency action, the board may order a summary suspension of a license pending proceedings for revocation or other action. If the board issues this order, it shall serve the licensee with a written notice of complaint and formal hearing pursuant to title 41, chapter 6, article 10, setting forth the charges made against the licensee and the licensee's right to a formal hearing before the board or an administrative law judge within sixty days.

~~F.~~ H. If the board finds that the information provided pursuant to subsection A or ~~B~~ D of this section is not of sufficient seriousness to merit direct action against the licensee, it may take any of the following actions:

1. Dismiss if the board believes ~~the information is without merit~~ THERE IS NO EVIDENCE OF A VIOLATION OF LAW OR COMMUNITY STANDARDS OF PRACTICE.

2. File a letter of concern.

3. Issue a nondisciplinary order requiring the licensee to complete a prescribed number of hours of continuing education in an area or areas prescribed by the board to provide the licensee with the necessary understanding of current developments, skills, procedures or treatment.

~~G.~~ I. If the board believes the information provided pursuant to subsection A or ~~B~~ D of this section is or may be true, it may request an informal interview with the psychologist. If the licensee refuses to be interviewed or if pursuant to an interview the board determines that cause may exist to revoke or suspend the license, it shall issue a formal complaint and hold a hearing pursuant to title 41, chapter 6, article 10. If as a result of an informal interview or a hearing the board determines that the facts do not warrant revocation or suspension of the license, it may take any of the following actions:

1. Dismiss if the board believes ~~the information is without merit~~ THERE IS NO EVIDENCE OF A VIOLATION OF LAW OR COMMUNITY STANDARDS OF PRACTICE.

2. File a letter of concern.

3. Issue a decree of censure.

4. Fix a period and terms of probation best adapted to protect the public health and safety and to rehabilitate or educate the psychologist. Probation may include temporary suspension for A PERIOD not to exceed twelve months, restriction of the license or restitution of fees to a client resulting from violations of this chapter. If a licensee fails to comply with a term of probation, the board may file a complaint and notice of

hearing pursuant to title 41, chapter 6, article 10 and take further disciplinary action.

5. Enter into an agreement with the licensee to restrict or limit the licensee's practice or activities in order to rehabilitate the psychologist, protect the public and ensure the psychologist's ability to safely engage in the practice of psychology.

6. Issue a nondisciplinary order requiring the licensee to complete a prescribed number of hours of continuing education in an area or areas prescribed by the board to provide the licensee with the necessary understanding of current developments, skills, procedures or treatment.

~~H.~~ J. If the board finds that the information provided pursuant to subsection A or ~~B~~ D of this section warrants suspension or revocation of a license, it shall hold a hearing pursuant to title 41, chapter 6, article 10. Notice of a complaint and hearing is fully effective by mailing a true copy to the licensee's last known address of record in the board's files. Notice is complete at the time of its deposit in the mail.

~~I.~~ K. The board may impose a civil penalty of at least three hundred dollars but not more than three thousand dollars for each violation of this chapter or a rule adopted under this chapter. The board shall deposit, pursuant to sections 35-146 and 35-147, all monies it collects from civil penalties pursuant to this subsection in the state general fund.

~~J.~~ L. If the board determines after a hearing that a licensee has committed an act of unprofessional conduct, is mentally or physically unable to safely engage in the practice of psychology or is psychologically incompetent, it may do any of the following in any combination and for any period of time it determines necessary:

1. Suspend or revoke the license.
2. Censure the licensee.
3. Place the licensee on probation.

~~K.~~ M. A licensee may submit a written response to the board within thirty days after receiving a letter of concern. The response is a public document and shall be placed in the licensee's file.

~~L.~~ N. A letter of concern is a public document and may be used in future disciplinary actions against a psychologist. A decree of censure is an official action against the psychologist's license and may include a requirement that the licensee return fees to a client.

~~M.~~ O. Except as provided in section 41-1092.08, subsection H, a person may appeal a final decision made pursuant to this section to the superior court pursuant to title 12, chapter 7, article 6.

~~N.~~ P. If during the course of an investigation the board determines that a criminal violation may have occurred involving the delivery of psychological services, it shall inform the appropriate criminal justice agency.

Q. IF THE BOARD FINDS THAT IT CAN TAKE REHABILITATIVE OR DISCIPLINARY ACTION AT ANY TIME DURING THE INVESTIGATIVE OR DISCIPLINARY PROCESS, IT MAY

ENTER INTO A CONSENT AGREEMENT WITH THE PSYCHOLOGIST TO LIMIT OR RESTRICT THE PSYCHOLOGIST'S PRACTICE OR TO REHABILITATE THE PSYCHOLOGIST IN ORDER TO PROTECT THE PUBLIC AND ENSURE THE PSYCHOLOGIST'S ABILITY TO SAFELY ENGAGE IN THE PRACTICE OF PSYCHOLOGY. THE BOARD MAY ALSO REQUIRE THE PSYCHOLOGIST TO SUCCESSFULLY COMPLETE A BOARD APPROVED REHABILITATIVE, RETRAINING OR ASSESSMENT PROGRAM AT THE PSYCHOLOGIST'S EXPENSE.

Sec. 8. Section 32-2086, Arizona Revised Statutes, is amended to read:

32-2086. Treatment and rehabilitation program

A. The board may establish a CONFIDENTIAL program for the treatment and rehabilitation of psychologists who are impaired. This program may include education, intervention, therapeutic treatment and posttreatment monitoring and support.

B. The board may contract with other organizations to operate the program established pursuant to subsection A of this section. A contract with a private organization shall include the following requirements:

1. Periodic reports to the board regarding treatment program activity.

2. Release to the board on demand of all treatment records.

3. Quarterly reports to the board regarding each psychologist's diagnosis, prognosis and recommendations for continuing care, treatment and supervision.

4. Immediate reporting to the board of the name of an impaired psychologist whom the treating organization believes to be a danger to the public or to the psychologist.

5. Reports to the board, as soon as possible, of the name of a psychologist who refuses to submit to treatment or whose impairment is not substantially alleviated through treatment.

C. The board may allocate an amount of not more than twenty dollars from each fee it collects from the biennial renewal of active licenses pursuant to section 32-2067 for the operation of the program established by this section.

D. A psychologist who is impaired and who does not agree to enter into a stipulated order with the board shall be placed on probation or shall be subject to other action as provided by law.

E. IN ORDER TO DETERMINE THAT A PSYCHOLOGIST WHO HAS BEEN PLACED ON A PROBATION ORDER OR WHO HAS ENTERED INTO A STIPULATION ORDER PURSUANT TO THIS SECTION IS NOT IMPAIRED BY ALCOHOL OR ILLEGAL SUBSTANCES AFTER THAT ORDER IS NO LONGER IN EFFECT, THE BOARD OR ITS DESIGNEE MAY REQUIRE THE PSYCHOLOGIST TO SUBMIT TO BODILY FLUID EXAMINATIONS AND OTHER EXAMINATIONS KNOWN TO DETECT THE PRESENCE OF ALCOHOL OR ILLEGAL SUBSTANCES AT ANY TIME WITHIN THE FIVE CONSECUTIVE YEARS FOLLOWING TERMINATION OF THE PROBATIONARY OR STIPULATED ORDER.

F. A PSYCHOLOGIST WHO IS IMPAIRED BY ALCOHOL OR ILLEGAL SUBSTANCES AND WHO WAS UNDER A BOARD STIPULATION OR PROBATIONARY ORDER THAT IS NO LONGER IN EFFECT MUST ASK THE BOARD TO PLACE THE PSYCHOLOGIST'S LICENSE ON INACTIVE STATUS WITH CAUSE. IF THE PSYCHOLOGIST FAILS TO DO THIS, THE BOARD SHALL

1 SUMMARILY SUSPEND THE LICENSE PURSUANT TO SECTION 32-2081. IN ORDER TO
2 REACTIVATE THE LICENSE THE PSYCHOLOGIST MUST SUCCESSFULLY COMPLETE A BOARD
3 APPROVED LONG-TERM CARE RESIDENTIAL TREATMENT PROGRAM, AN INPATIENT HOSPITAL
4 TREATMENT PROGRAM OR AN INTENSIVE OUTPATIENT TREATMENT PROGRAM AND SHALL MEET
5 THE REQUIREMENTS OF SECTION 32-2074. AFTER THE PSYCHOLOGIST COMPLETES
6 TREATMENT THE BOARD SHALL DETERMINE IF IT SHOULD REACTIVATE THE LICENSE
7 WITHOUT RESTRICTIONS OR REFER THE MATTER TO A FORMAL HEARING FOR THE PURPOSE
8 OF SUSPENDING OR REVOKING THE LICENSE OR TO PLACE THE PSYCHOLOGIST ON
9 PROBATION WITH RESTRICTIONS NECESSARY TO ENSURE THE PUBLIC'S SAFETY.
10 G. THE BOARD MAY REVOKE THE LICENSE OF A PSYCHOLOGIST IF THAT
11 PSYCHOLOGIST IS IMPAIRED BY ALCOHOL OR ILLEGAL SUBSTANCES AND WAS PREVIOUSLY
12 PLACED ON PROBATION PURSUANT TO SUBSECTION F OF THIS SECTION. IF THE
13 LICENSEE IS NO LONGER ON PROBATION, THE BOARD MAY ACCEPT THE SURRENDER OF THE
14 LICENSE IF THE PSYCHOLOGIST ADMITS IN WRITING TO BEING IMPAIRED BY ALCOHOL OR
15 ILLEGAL SUBSTANCES.
16 H. AN EVALUATOR, TREATMENT PROVIDER, TEACHER, SUPERVISOR OR VOLUNTEER
17 IN THE BOARD'S SUBSTANCE ABUSE TREATMENT AND REHABILITATION PROGRAM WHO ACTS
18 IN GOOD FAITH WITHIN THE SCOPE OF THAT PROGRAM IS NOT SUBJECT TO CIVIL
19 LIABILITY, INCLUDING MALPRACTICE LIABILITY, FOR THE ACTIONS OF A PSYCHOLOGIST
20 WHO IS ATTENDING THE PROGRAM PURSUANT TO BOARD ACTION.
21 Sec. 9. Psychology board; temporary alternative qualifications
22 of applicants
23 Notwithstanding any law to the contrary, until September 1, 2010, an
24 applicant for licensure pursuant to title 32, chapter 19.1, Arizona Revised
25 Statutes, may satisfy the requirements of section 32-2071, subsection G,
26 paragraph 5, Arizona Revised Statutes, as amended by this act, by receiving
27 at least one hour per week of regularly scheduled contemporaneous supervision
28 per twenty hours of postdoctoral supervised professional experience. At
29 least fifty per cent of the supervision during the total postdoctoral
30 supervised professional experience must be provided through face-to-face
31 individual supervision. At least six hundred hours of the supervisee's time
32 must be in direct contact with clients. Not more than twenty per cent of the
33 face-to-face supervision may be completed using confidential real time visual
34 telecommunication technology or other confidential electronic means.

APPROVED BY THE GOVERNOR JULY 13, 2009.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JULY 13, 2009.