

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

Our File No. 1170 05-0007-0486

RULE REVIEW CHECKLIST

DATE RULE RECEIVED 7-24-85
DATE FOR REVIEW 8-2-85
DATE DUE 8-7-85

Adopted w/a hearing _____
Adopted w/o hearing ✓
Temporary rule _____

Approved 8.2.85 mjc Disapproved _____ Returned to Agency _____

Resubmitted _____ Due _____
Approved _____ Disapproved _____ Returned to Agency _____

Date filed w/Secretary of State 8/2/85 Revisor approved _____ disapproved _____

✓ Rule as Adopted

✓ Rule as Proposed

✓ Order Adopting 7.19.85 Date

_____ Notice of Intent to Solicit Outside Opinion

✓ Order for rulemaking
N/A date of Hearing

✓ Certificate of Board's Authorizing Resolution

✓ Notice of rulemaking
✓ Sufficiency

✓ Affidavit of Mailing Notice or rulemaking
5.10.85 At least 30 days prior to ~~hearing~~/adoption

✓ Mailing list Certificate

✓ Publication in State Register
5.13.85 At least 30/~~20~~ days prior to ~~hearing~~/adoption

N/A Hearing Examiner's Report

_____ Chief Hearing Examiner's Report(s)
_____ Approving H.E.'s Report
_____ Approving agency action

_____ Agency's Findings of Fact

✓ LCRAR Report or agency Affidavit

✓ Certificate of Board's Resolution Adopting Rules

N/A Order Approving Incorporation by Reference

✓ Statement of Need and Reasonableness

N/A Petition for Adoption of a Rule

✓ Record (includes transcript or tape, exhibits, comments received by agency, requests for a hearing, and other relevant materials)

✓ Certificate of Compliance w/Rulemaking Procedures

✓ Affidavit of Mailing Notice of Submission to Attorney General

N/A Notice of Submission to the Attorney General

SF-00006-03

STATE OF MINNESOTA

DEPARTMENT ATTORNEY GENERAL

Office Memorandum

TO: LOIS E. MIZUNO, Executive Secretary
Minnesota Board of Psychology

DATE: 8-2-85

ATTN: AUDREY KAISER MANKA
Special Assistant Attorney General

FROM: MARTHA J. CASSERLY MJC
Special Assistant Attorney General

PHONE: 296-4692

SUBJECT: In the Matter of the Proposed Adoption of Rules of the Minnesota Board of Psychology Governing the Definition of a "Major in Psychology."

The above-referenced rule has been approved as to its legality by the Attorney General on August 2, 1985.

Enclosed is the agency's copy of the approved rule. This office has already filed two copies of the approved rule with the Secretary of State, who will forward one copy to the Revisor of Statutes. The fourth copy is being retained by this division of the Attorney General's Office for its records.

Also enclosed are any petitions, requests, submission or comments received by the agency and any extra copies of documents which the agency submitted to the Attorney General.

In order for a permanent rule without a hearing to become effective, your agency must publish a notice of adoption in the State Register in accordance with Minn. Stat. § 14.27. An emergency rule becomes effective five working days after approval by the Attorney General; however, the agency must publish a notice in the State Register in accordance with Minn. Stat. § 14.34.

If you have any questions in this regard, please contact me.

MJC:sz

Enclosures

cc: Maryanne Hruby
Executive Director
Legislative Commission to Review
Administrative Rules

Duane Harves
Chief Administrative Law Judge
Office of Administrative Hearings

AG copy.

Board of Psychology

Adopted Rule Relating to Licensure

Rule as Adopted

7200.1700 DEGREE MAJORS IN OTHER PROFESSIONS.

A degree major in any profession listed in Minnesota Statutes, section 148.97, subdivision 3, is a not a major in psychology as defined in parts 7200.1300, item C and 7200.1400, item C. This provision applies to applications for admission to examination received after September 1, 1985.

APPROVED AS TO FORM AND LEGALITY,
August 2 1985
HUBERT H. HUMPHREY, III
ATTORNEY GENERAL
BY MJ Cassedy
SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
AUG 2 1985
Joan Anderson Growe
Secretary of State
3:50
P.M.

Rule as Proposed (all new material)

7200.1700 DEGREE MAJORS IN OTHER PROFESSIONS.

A degree major in any profession listed in Minnesota Statutes, section 148.97, subdivision 3, is a not a major in psychology as defined in parts 7200.1300, item C and 7200.1400, item C. This provision applies to applications for admission to examination received after September 1, 1985.

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

LSJ

OFFICE OF THE REVISOR OF STATUTES

Proposed Rule

RD729

Agency: Board of Psychology

Division:

Agency Contact: Lois Mizuno 623-5419

Minnesota Rules: Part 7200.1700

Title: Proposed Rule Relating to Licensure

Type of Rules: Permanent

Incorporations by Reference: None

Steven C. Cross
Revisor of Statutes

Linda S. Jessen
Assistant Deputy Revisor
Phone: 297-2953
Date: April 22, 1985

STATE OF MINNESOTA

BOARD OF PSYCHOLOGY

In the Matter of the Proposed
Adoption of Rules of the
Minnesota Board of Psychology
Governing the Definition of a
"Major in Psychology"

ORDER ADOPTING RULES

Notice of the Minnesota Board of Psychology's intent to adopt the above-entitled rules without a public hearing was published in the State Register on May 13, 1985, and was sent by United States mail to all persons on the list maintained by the agency pursuant to Minn. Stat. § 14.14, subd. 1 on May 10, 1985. After affording interested and affected persons an opportunity to submit comments for 30 days after Notice, receiving fewer than twenty-five written requests for a public hearing within the 30-day comment period, reviewing and considering the comments, and determining the need for and reasonableness of the above-captioned rules,

NOW, THEREFORE, IT IS ORDERED that these rules identified as Minn. Rule 7200.1700 are adopted this 19th day of July, 1985, pursuant to authority vested in the Board.

STATE OF MINNESOTA

BOARD OF PSYCHOLOGY

Lois E. Mizuno

LOIS E. MIZUNO
Executive Secretary

STATE OF MINNESOTA

COUNTY OF HENNEPIN

BEFORE THE MINNESOTA

BOARD OF PSYCHOLOGY

In the Matter of a Proposed New Rule Part Relating to Education Requirements for Licensure

STATEMENT OF NEED

AND REASONABLENESS

The above captioned rule part is an amendment to the existing rules of the Minnesota Board of Psychology (hereinafter "Board").

1. The legal authority for promulgating this amendment to existing rules is contained in Minn. Stat. S 148.90, subd. 2(4) (1984), which grants the Board authority to make rules necessary to effectuate the provisions of the licensing law.

2. The Board has proposed this change to Chapter 7200 to further define a "degree with a major in psychology" to ensure that persons licensed to engage in the private practice of psychology are trained specifically for the field of psychology and not for some other profession.

3. It has been determined that Minn. Stat. SS 14.115, 14.11, subd. 2, 17.80 to 16.84 (sic), 115.43, subd. 1, 116.07, subd. 6, 144A.29 and 16A.128 do not apply to this proposed rule; therefore, the Statement of Need and Reasonableness does not address the topics referenced in those statutes.

Further need is set forth in the Statement of Reasonableness which is attached hereto and made a part thereof.

Dated: May 13, 1985

BEFORE THE MINNESOTA

BOARD OF PSYCHOLOGY

Lois E Mizuno

LOIS E. MIZUNO
Executive Secretary

Minnesota Board of Psychology

STATEMENT OF NEED AND REASONABLENESS

for Proposed Rule Part 7200.1700

In 1973-74 when the Board of Psychology first promulgated rules it recognized that academic programs designed to prepare students to be psychologists are often housed in departments not titled "psychology", and that titles of majors whose course content is clearly psychological may not include the word "psychology". For example, some institutions house educational psychology majors in the Education department. The transcripts for such majors frequently read "Master of Education", or "Major: Education", or "Ed.D." Harvard's Psychology department formerly was called "Social Relations".

To avoid the unwanted consequence of denying licensure to applicants trained in such departments or with such majors, the first rules included provisions for determining whether such majors are in fact psychology: a minimum number of course credits in courses which are predominantly psychological in content and a thesis or dissertation which is psychological in topic and method.

In 1982 when the Board adopted a new set of rules, it kept intact the original concept, reaffirming its conviction that a department or major need not be titled "psychology" to be in fact psychology. The criteria were refined and tightened, but the basic premise remained the same.

Now in 1985 the Board still holds that there is a need to recognize formally that a major with another title can be a major in psychology. Unfortunately, since the revised rules were adopted in August, 1982, the Board has been confronted with an increasing number of applications from individuals who were trained for other professions yet who claim

that their majors are in psychology on the basis of meeting the minimum course credit and thesis/dissertation standard.

It was never the intent of the Board to admit to the private practice of psychology persons who are educated and trained for other professions. It is fundamentally illogical for an attorney, for example, to be called a psychologist. An attorney may employ psychological techniques in his/her profession, it is true, but he/she is trained in law. A law degree, no matter how many psychology courses may be included, is not a degree in psychology. That there is a difference between the two professions is commonly recognized by professionals and lay persons alike. However, as the rules at present are drafted, it is theoretically possible for an attorney with a law degree to demonstrate that his/her degree included the requisite number of credits in courses which are predominantly psychological in content.

There are other professionals which have a much closer kinship with psychologists than attorneys do, for example, social workers and clergymen. With these types of professions, it is more than theoretically possible, it has actually happened, that course credits and thesis/dissertation were demonstrated as meeting the requirements of the rule.

The Board holds that the present rule related to education requirements unwittingly blurs the boundaries between professions sufficiently to contribute significantly to confusion in the minds of consumers about what type of professional provides what kind of services. The Board, therefore, sees a pressing need for the proposed rule.

Minn. Stat. SS 148.89, subd. 1, and 148.97, subd. 3, read as follows:

148.89 DEFINITIONS.

Subdivision 1. For the purpose of Laws 1973, Chapter 685 the term "private practice of psychology" means the application for a fee, monetary or otherwise, to the public of psychological principles in the description, prediction and modification of human behavior and emotional adjustment, including but not restricted to such practices as:

(1) Psychological assessment, including such functions as intelligence, personality, aptitude, and attitude appraisal;

(2) Psychological treatment of persons who have adjustment problems;

(3) Psychological counseling and guidance;

(4) Conducting behavioral research; and

(5) Teaching of psychology.

148.97 PENALTIES.

Subd. 3. (1) Nothing in Laws 1973, Chapter 685 shall be construed to limit the professional pursuits consistent with their training and code of ethics of professions such as teachers in recognized public and private schools, clergymen, physicians, social workers, alcohol or drug counselors, or optometrists or attorneys. However, in such performance any title used must be in accord with section 148.96.

(2) Persons preparing for the profession of psychology may perform as a part of their training any functions specified in section 148.89, but only under qualified supervision.

(3) Use of psychological techniques by business and industrial organizations for their own personnel purposes or by employment agencies or state vocational rehabilitation agencies for the evaluation of their own clients prior to recommendation for employment is also specifically allowed. However, no representative of an industrial or business firm or corporation may sell or offer for sale any psychological services as specified in section 148.89 unless such services are performed or supervised by individuals licensed under Laws 1973, Chapter 685.

It is obvious that the drafters of the Psychology Practice Act (Minn. Stat. SS 148.89 - 148.98) saw quite clearly that the Act should not be construed as prohibiting professionals in other fields from practicing their professions, even though in their professions they may employ one or more of the psychological principles or practices included in the definition of the private practice of psychology. The drafters seem to have grasped the concept that other professionals make use of psychological principles and practices yet are not practicing as psychologists.

It is logical and reasonable, then, to extend this clear distinction

between psychology and other professions which use psychological principlies to the formal training which must be completed in order to enter those professions. Put another way, simply because a person takes courses which involve the study of psychological principles does not mean that person, who is being trained for another profession, can or should also practice psychology. It should be clear that a physician or a social worker or an attorney is not considered a psychologist and is not practicing psychology even if psychological principles are employed in the professional setting. It then follows that the degree required for practicing any one of those professions should not be considered a degree with a major in psychology, regardless of whether some coursework may be predominantly psychological in content. To implement this recognized distinction between the profession of psychology and the other helping professions listed in Minn. Stat. S 148.97, subd. 3, (teachers, clergymen, physicians, social workers, alcohol/drug abuse counselors, optometrists, attorneys), the rules must exclude degree programs which are preparatory for these other professions from the definition of a major in psychology. Such exclusion is entirely in keeping with the Psychology Practice Act.

The proposed rule complements the Board's unchanged position with respect to what constitutes a major in psychology: not only programs housed in psychology departments or with "psychology" in the title, but also programs with other titles or housed in other departments, provided those programs meet the minimum course credit and thesis/ dissertation requirement, and provided they are not programs which

prepare a student for another profession.

The Board, however, is sensitive to the possibility that some individuals with degrees in these excluded professions may have been preparing themselves for licensure by engaging in the post-degree psychological employment required by law before licensure can be granted. It would be unfair to close the door to licensure when a good-faith effort to comply with the psychology licensure law is underway. The Board holds that it is reasonable to allow such individuals to apply for admission to the October 11, 1985, Examination for the Professional Practice of Psychology. The deadline for all applicants applying for the October examination is September 1, 1985. The Board, therefore, proposes that date as the deadline for application for those with degrees already earned in the professions which are excluded by this rule from being defined as degrees with a major in psychology.

STATE OF MINNESOTA

COUNTY OF HENNEPIN

BEFORE THE MINNESOTA

BOARD OF PSYCHOLOGY

In the Matter of the
Proposed Adoption of Rules
of the Minnesota Board of
Psychology Governing the
Definition of a "Major
in Psychology"

ORDER FOR NOTICE OF
INTENT TO ADOPT RULES
WITHOUT A PUBLIC HEARING

IT IS ORDERED this 24th day of April, 1985, that a Notice of Intent to Adopt Rules Without a Public Hearing in the above-entitled matter be given to all persons who have registered their names with the Minnesota Board of Psychology for that purpose and be published in the State Register.

STATE OF MINNESOTA

BOARD OF PSYCHOLOGY

Lois E. Mizuno

LOIS E. MIZUNO
Executive Secretary

CERTIFICATE OF BOARD'S

AUTHORIZING RESOLUTION

I, Norman James, Ph.D., do hereby certify that I am a member and the Chair of the Board of Psychology, a board duly authorized under the laws of the State of Minnesota, and that the following is a true, complete, and correct copy of a resolution adopted at a meeting of the Board of Psychology duly and properly called and held on the 12th day of April, 1985, that a quorum was present at said meeting, that a majority of those present voted for the resolution and that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified.

> "RESOLVED, that Lois Mizuno, executive secretary of the Board of Psychology, be and she hereby is granted the authority and directed to sign an Order of the Board directing that Notice be given of the Board's intent to adopt without a public hearing rules governing the definition of "major in psychology" for purposes of fulfilling the educational requirements for licensure as a psychologist in the State of Minnesota, to sign the Notice thereof, and to perform any and all acts incidental thereto. In the event a public hearing becomes necessary, she hereby is granted the authority and directed to call a hearing for the purpose of promulgating said rules as well as perform any and all acts incidental thereto, including but without being limited to signing an Order for Hearing and Notice of Hearing as well as acting as the Board's representative at all hearings."

IN WITNESS WHEREOF, I have hereunto subscribed my name this 12th day of April, 1985.

Norman James, Ph.D

NORMAN JAMES, Ph.D.

Ann Meissner PhD

Attest by one other Board member

STATE OF MINNESOTA

COUNTY OF HENNEPIN

BEFORE THE MINNESOTA

BOARD OF PSYCHOLOGY

In the Matter of the
Proposed Adoption of Rules
of the Minnesota Board of
Psychology Governing the
Definition of a "Major
in Psychology"

NOTICE OF INTENT TO
ADOPT RULES WITHOUT
A PUBLIC HEARING

Notice is hereby given that the Minnesota Board of Psychology proposes to adopt the above-entitled rules without a public hearing. The Board has determined that the proposed adoption of these rules will be noncontroversial in nature and has elected to follow the procedures set forth in Minnesota Statutes, sections 14.22 to 14.28. The specific statutory authority to adopt the rule is found at Minn. Stat. §§ 148.90, subd. 2 (1984).

Persons interested in this rule shall have 30 days to submit comments in support of or in opposition to the proposed rule, and that comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

The proposed rule may be modified if the modifications are supported by the data and views submitted to the agency and do not result in a substantial change in the proposed language.

Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and

any change proposed. If a public hearing is required, the agency will proceed pursuant to Minnesota Statutes, sections 14.131 to 14.20.

Persons who wish to submit comments or a written request for a public hearing should submit such comments or requests to:

Lois E. Mizuno
Executive Secretary
Minnesota Board of Psychology
717 Delaware Street Southeast
Minneapolis, Minnesota 55414

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from Lois Mizuno upon request at the above listed address.

If no hearing is required, upon adoption of the rule, the rule and the required supporting documents will be delivered to the Attorney General for review as to form and legality, to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the final rule as proposed for adoption, should submit a written statement of such request to Lois E. Mizuno at the above address.

A copy of the proposed rule is attached to this Notice.

STATE OF MINNESOTA

BOARD OF PSYCHOLOGY

Lois E. Mizuno

LOIS E. MIZUNO
Executive Secretary
Board of Psychology

STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

Lois E. Mizuno, being first duly sworn upon oath, deposes and says:

That at the City of Minneapolis, county and state aforementioned, on the 10th day of May, 1985, she served the attached Notice of Intent to Adopt Rules Without a Public Hearing by depositing in the United States mail at said city, a true and correct copy thereof, properly enveloped, with first class postage prepaid, and addressed to:

The attached address list

Lois E. Mizuno

Subscribed and sworn to before me
this 10th day of May, 1985.

Alice D. Hummer

ALICE D. HUMMER
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
MY COMMISSION EXPIRES NOVEMBER 18, 1988

Re:

STATE OF MINNESOTA

COUNTY OF HENNEPIN

BEFORE THE MINNESOTA

BOARD OF PSYCHOLOGY

In the Matter of the Proposed
Adoption of Rules of the
Minnesota Board of Psychology
Governing the Definition of a
"Major in Psychology"

MAILING LIST
CERTIFICATE

I hereby certify that the list of persons, associations, and other interested groups who have requested, pursuant to Minn. Stat. § 14.14, subd. 1, that their names be placed on file with and maintained by the Board of Psychology for the purpose of receiving notice of the proposed adoption of rules by this Board is accurate and complete as of 8 a.m. the 10th day of May, 1985.

STATE OF MINNESOTA

BOARD OF PSYCHOLOGY

Lois E. Mizuno

LOIS E. MIZUNO
Executive Secretary

Shirley Corrigan
7033 Newton Ave. So.
Minneapolis, Mn 55423

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Department of Health
717 Delaware St. S.E.
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(4) a detailed budget for the first year and projected budgets for future years.

C. The applicant shall document fiscal responsibility and the ability to complete the construction, acquisition, or modification of the structure and to maintain the structure in accordance with its funded use for a specific period of time.

Subp. 2. For structures. To be eligible for selection for a grant, a proposed temporary housing structure must satisfy the following requirements:

A. The structure must provide temporary housing for persons and families of low and moderate income.

B. The structure must provide a physical environment that is responsive to the needs of the population to be served.

C. The structure must comply with applicable state and local codes, zoning ordinances, land use provisions, and laws.

D. The structure must be located in Minnesota.

4900.1703 SELECTION CRITERIA FOR GRANTS.

The agency shall take the following criteria into consideration when determining which applications will be funded:

A. the extent to which the grant is combined with funds or in-kind contributions from other public and private sources;

B. the availability and source of funds to pay the cost of acquisition, construction, or rehabilitation of the structure not funded by the grant;

C. the availability and source of funds to pay the ongoing costs of the support services;

D. the distribution of funds to service a variety of populations, including but not limited to, families with children, couples, single persons, and persons leaving a shelter for family abuse;

E. the geographic distribution of the funded applications within the state;

F. the immediacy of the need documented for temporary housing in the area in which the structure is located;

G. the capacity of the applicant to proceed promptly with the acquisition, construction, or rehabilitation of the structure;

H. the amount of the grant requested as compared to the total resources available for these grants;

I. the extent to which the application receives the support and participation of the local community;

J. the geographic location of the structure in relation to support services, recreational facilities, medical facilities, and transportation;

K. the reasonableness of the acquisition, construction, or rehabilitation cost with preference given to applications that minimize the cost per temporary housing units produced;

L. the extent to which the application uses innovative cost-effective support services that are appropriate to the needs of the population served; and

M. the experience of the applicant in developing or managing housing, providing support services, and servicing the specific target population of homeless persons.

Department of Natural Resources Trails and Waterways

Withdrawal of Proposed Rules Relating to Snowmobiles, Makers Identification Number

The proposed amendment to Minnesota Rule 6 MCAR (1.0057 C.1), which would change to provide an alternative method to affix vehicle identification numbers to snowmobile, as published in the *State Register* on November 12, 1984 (9 S.R. 1037-1038), is withdrawn.

Board of Psychology

Proposed Rule Relating to Licensure

Notice of Intent to Adopt Rules without a Public Hearing

Notice is hereby given that the Minnesota Board of Psychology proposes to adopt the above-entitled rules without a public hearing. The Board has determined that the proposed adoption of these rules will be noncontroversial in nature and has elected to follow the procedures set forth in Minnesota Statutes, sections 14.22 to 14.28. The specific statutory authority to adopt the rule is found at Minn. Stat. §§ 148.90, subd. 2 (1984).

Persons interested in this rule shall have 30 days to submit comments in support of or in opposition to the proposed rule, and that comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

The proposed rule may be modified if the modifications are supported by the data and views submitted to the agency and do not result in a substantial change in the proposed language.

Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to Minnesota Statutes, sections 14.131 to 14.20.

Persons who wish to submit comments or a written request for a public hearing should submit such comments or requests to:

Lois E. Mizuno
Executive Secretary
Minnesota Board of Psychology
717 Delaware Street Southeast
Minneapolis, Minnesota 55414

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from Lois Mizuno upon request at the above listed address.

If no hearing is required, upon adoption of the rule, the rule and the required supporting documents will be delivered to the Attorney General for review as to form and legality, to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the final rule as proposed for adoption, should submit a written statement of such request to Lois E. Mizuno at the above address.

A copy of the proposed rule is attached to this notice.

Lois E. Mizuno
Executive Secretary
Board of Psychology

Rule as Proposed (all new material)

7200.1700 DEGREE MAJORS IN OTHER PROFESSIONS.

A degree major in any profession listed in Minnesota Statutes, section 148.97, subdivision 3, is not a major in psychology as defined in parts 7200.1300, item C and 7200.1400, item C. This provision applies to applications for admission to examination received after September 1, 1985.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

CERTIFICATE OF BOARD'S

RESOLUTION ADOPTING RULES

I, Norman James, PhD, do hereby certify that I am a member and the chair of the Board of Psychology, a board duly authorized under the laws of the State of Minnesota, and that the following is a true, complete, and correct copy of a resolution adopted at a meeting of the Board of Psychology, duly and properly called and held on the 19th day of July, 1985, that a quorum was present at said meeting, that a majority of those present voted for the resolution, and that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified.

> RESOLVED, that the rules relating to the definition of a "major in psychology" be and they hereby are approved and adopted, pursuant to authority vested in us by Minnesota Statutes § 148.90, subd. 2 and that Lois Mizuno is the Executive Secretary of the Board of Psychology, be and hereby is authorized to sign an order adopting these rules and further is authorized to perform the necessary acts to provide that these rules shall have the force and effect of law.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 19th day of July, 1985.

Norman L James, Ph.D
Officer of the Board

Jean Zilisch Ph. D.
Attest by one other Board member

STATE OF MINNESOTA

COUNTY OF HENNEPIN

BEFORE THE MINNESOTA

BOARD OF PSYCHOLOGY

In the Matter of the Proposed
Adoption of Rules of the
Minnesota Board of Psychology
Governing the Definition of a
"Major in Psychology"

STATE OF COMPLIANCE
WITH RULEMAKING PROCEDURES

I, Special Assistant Attorney General Audrey Kaiser Manka, do hereby declare that I have examined the rules and all related documents and that, based on my examination and my personal familiarity with the applicable procedures, the Administrative Procedure Act, the rules of the Office of Administrative Hearing, and the rules of the Attorney General have been followed. Any exceptions are noted below.

Audrey Kaiser Manka

AUDREY KAISER MANKA
Special Assistant
Attorney General

Dated: July 19, 1985

STATE OF MINNESOTA

COUNTY OF HENNEPIN

BEFORE THE MINNESOTA

BOARD OF PSYCHOLOGY

In the Matter of the Proposed Adoption of Rules of the Minnesota Board of Psychology Governing the Definition of a "Major in Psychology"

AFFIDAVIT OF LOIS E. MIZUNO

STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

Lois E. Mizuno, Executive Secretary of the Minnesota Board of Psychology, being first duly sworn, deposes and says:

That as of the 19th day of July, 1985, no persons or associations requested notice that the rules in the above-entitled matter were being submitted to the Attorney General.

Lois E Mizuno

LOIS E. MIZUNO
Executive Secretary

Subscribed and sworn to before me
this 19th day of July, 1985.

Alice D. Hummer

ALICE D. HUMMER
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
MY COMMISSION EXPIRES NOVEMBER 18, 1988

HUBERT H. HUMPHREY, III
ATTORNEY GENERAL

STATE OF MINNESOTA

OFFICE OF THE ATTORNEY GENERAL

ST. PAUL 55155

ADDRESS REPLY TO:
SUITE 136
2829 UNIVERSITY AVENUE S.E.
MINNEAPOLIS, MN 55414
TELEPHONE: (612) 341-7272

July 24, 1985

RECEIVED
JUL 24 1985
ATTORNEY GENERAL
ADMINISTRATIVE AGENCIES

Mr. Michael Miles
Assistant Attorney General
204 Administration Building
50 Sherburne Avenue
St. Paul, Minnesota 55155

Re: In the Matter of the Minnesota Board of Psychology Rules Governing the Definition of "Major in Psychology," Minn. Rule pt. 7200.1700

Dear Mr. Miles:

Enclosed for review by the Attorney General's Office pursuant to Minn. Stat. § 14.26 please find the following items:

A. Certificate of Board's Resolution adopting a rule, when applicable;

B. Order for Notice of Intent to Adopt a Rule Without a Public Hearing;

C. Certificate of Board's Authorizing Resolution ordering notice;

D. Mailing List Certificate and mailing list;

E. Statement of Need and Reasonableness;

F. All written comments and requests for a public hearing received by the agency;

G. Certificate of Compliance with Rulemaking Procedures;

H. Affidavit that no one requested notice of submission to Attorney General's Office;

I. Notice of Intent to Adopt a Rule Without a Public Hearing;

J. Affidavit of Mailing Notice of Intent to Adopt a Rule Without a Public Hearing;

K. Copy of the State Register including Notice of Intent to Adopt a Rule Without a Public Hearing and the rule as proposed;

L. The original and three copies of the rule as adopted;

M. Two copies of the Order Adopting the Rule.

Because no changs were made in the rule as proposed, no Findings of Fact have been drafted or submitted with this rule.

The Board hopes to have this rule published by August 26, 1985, since September 1, 1985, is the date after which applications for admission to examination will be affected.

Very truly yours,

Audrey Kaiser Manka

AUDREY KAISER MANKA
Special Assistant
Attorney General

AKM:lb

Enclosures

cc: Lois Mizuno