

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

RULE REVIEW CHECKLIST

File No. 1711 Docket No. 05000900486

DATE RECEIVED 6-1-90 ADOPTED W/O HEARING X

REVIEW DATE ~~6-10-90~~ 6-11-90 EMERGENCY RULE _____

DUE DATE 6-15-90 REVISOR APPROVED ✓

APPROVED _____ REVISOR DISAPPROVED _____

DISAPPROVED _____ FILED W/SEC. OF STATE 6-16-90

WITHDRAWN _____ RETURNED TO AGENCY _____

✓ Rule as adopted (4 copies)

_____ Notice to Solicit Outside Information/Opinion (if applicable)
- _____ Date published in State Register
- _____ Comments

_____ Petition for Adoption of a Rule (if applicable)

✓ Board's Authorizing Resolution
- Jan 5, 1990 Date adopted

✓ Proposed Rule
- ✓ Revisor's Certificate

_____ Notice of Intent to Adopt Rule
- 148.90 sub-2(4) Statutory Authority 148.98, 214.06 sub-2
- _____ Small Business Statement
- _____ Expenditure of public money statement
- March 19 1990 Signature

✓ Statement of Need and Reasonableness (if applicable)
- NA Small Business Statement
- ✓ Fees - § 16A.128 - no approval from Finance Bc 6-4-90

✓ Affidavit of Mailing Notice of Intent to Adopt Rule
- March 14, 1990 Date 30/25 days before adoption
- ✓ Notice attached
- _____ Copy of rule or summary attached

_____ Publication in State Register
- March 19 1990 Date 30/25 days before adoption

✓ 180-day deadline from:
- NA Effective date of law requiring rule (14.12) (both rules) ammends
- ✓ end of comment period (§ 14.26) (rules without hearing)
- _____ effective date of statutory authority (§ 14.29) (emergency rules)

✓ Resolution Adopting
- June 1, 1990 Date adopted

✓ Findings of Fact, Conclusions & Order Adopting
- June 1, 1990 Date

_____ Written requests, submissions or comments didn't submit Bc 6-1-90

_____ Declaration of attorney
- Penny Tipler Name of SAAG representing agency

_____ Notice of Submission to Atty. Gen. (if applicable)

_____ Aff. of Mailing Notice to Atty. Gen. (if applicable)

DEPARTMENT: Office of the Attorney General **STATE OF MINNESOTA**

OFFICE MEMORANDUM

DATE: June 14, 1990

TO: PENNY TROOLIN
Special Assistant Attorney General
525 Park Street, Suite 500 (55103)

FROM: MARTHA J. CASSERLY
Special Assistant Attorney General
525 Park Street, Suite 500 (55103)

PHONE: 296-6839

SUBJECT: In the Matter of the Adopted Permanent Rule Relating to Examination Fee Payment, Supervision of Pre- and Post-Degree Experience.

The above-referenced rule has been approved as to its legality by the Attorney General on June 12, 1990.

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

Also enclosed are any petitions, requests, submissions or comments along with any extra copies of documents which you submitted to the Attorney General.

Your next step is to arrange for publication of the Notice of Adoption in the State Register. In a day or two, you should receive from the Revisor's Office three copies of the notice of adoption of your rule. You should submit two copies of the Notice of Adoption to the State Register for publication. A permanent rule without a hearing does not become effective until five days after a notice of adoption is published 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:bbl
Enclosures
cc: William Brown, Chief Judge (memo only)
MaryAnn Hruby " "

Board of Psychology

Adopted Permanent Rules Relating to Examination Fee Payment, Supervision of Pre- and Post-Degree Experience

Rules as Adopted

7200.0300 REQUIREMENTS FOR ADMISSION TO EXAMINATION.

In order to be admitted to examination an applicant must:

A. file with the board a completed notarized application for admission to examination which includes an affirmation that the statements made on the application are true and correct to the best of the knowledge and belief of the applicant, and which is accompanied by the current nonrefundable examination application fee and a certified check or money order made payable to the national entity sponsoring the examination;

[For text of items B and C, see M.R.]

7200.1300 EDUCATIONAL REQUIREMENT FOR LICENSURE.

[For text of subps 1 to 3, see M.R.]

Subp. 4. **Degrees earned after June 30, 1991.** For both types of licensure based on degrees earned after June 30, 1991, the major must meet the following requirements:

A. The program offering the major must be certified to the board by the dean of the graduate school of the institution to be an organized sequence of study.

B. The transcript of the applicant must indicate:

(1) A minimum of three graduate quarter credits or their equivalent of course work earned in each of the core areas listed in units (a) to (g), or demonstrated equivalency as provided in part 7200.1410:

(a) scientific methods;

(b) theories of measurement;

(c) biological bases of behavior;

(d) cognitive-affective bases of behavior;

(e) social bases of behavior;

(f) personality theory and human

development; and

(g) professional ethics, standards of conduct, and issues of professional practice.

(2) A minimum of six additional graduate quarter credits or their equivalent of course work earned in the application of psychological principles to problem identification. The course work must be in the areas of assessment, evaluation, or data collection, or any combination of these areas.

(3) A minimum of six additional graduate quarter credits or their equivalent of course work in the application of psychological principles to problem solution. The course work must be in the areas of psychological intervention or data analysis or a combination of the two areas.

(4) A minimum of 2,000 hours for a doctoral degree or 600 hours for a master's degree of supervised practical field or laboratory experience in psychology related to the program of the applicant. The experience must meet the following criteria:

(a) Either the academic or the on-site supervisor must be a licensee of the board or an individual whose education and experience meet the standards imposed by Minnesota Statutes, section 148.91, and parts 7200.0100 to 7200.6000 and who is competent in the areas of practice in which supervision is provided.

(b) Reports by the trainee to consumers must be cosigned by a supervisor of the trainee or issued with a cover letter stating that the report has been reviewed and approved by the supervisor.

(c) The experience must include an average of at least two hours a week of regularly scheduled, formal face to face individual supervision for a placement of 40 hours per week, 1-1/2 hours for a placement of 30 hours per week, or one hour for a placement of 20 hours per week. The supervisor who is a licensee or licensable must provide an average of one hour a week of supervision, but may delegate other training to

appropriate agency staff members.

(d) The experience must be completed within 24 months in not more than three settings with at least 20 hours a week and no less than one-third of the total hours in each setting.

7200.2000 PROFESSIONAL EMPLOYMENT REQUIREMENTS.

To meet the requirements for professional employment, the employment of the applicant, which may include voluntary service, must:

[For text of items A and B, see M.R.]

C. Include at least four hours of regularly scheduled, formal face to face supervision for each two-week period at work, two hours of which must be with the supervisor as defined in part 7200.0100, subpart 10. The remaining two hours may be with other mental health professionals designated by the supervisor. Hours spent in supervision count as hours of employment for the purposes of part 7200.0600, item C.

D. Be performed competently as judged by the supervisor.

7200.2600 CREDITING PART-TIME EMPLOYMENT.

Part-time employment shall be credited by the board on a prorated basis, if the part-time employment consists of at least ten hours per week for a period of 12 consecutive weeks at the same agency or facility, and if the employment includes at least two hours of face to face supervision in a two-week period, for employment of less than 25 hours per week, all with the supervisor as defined in part 7200.0100, subpart 10.

7200.3000 EXAMINATIONS.

Subpart 1. **Three parts to examination.** The examination is composed of three parts:

A. a national standardized test in psychology, the cost of which is determined by the national entity sponsoring the examination;

B. a written, objective part covering the rules of

the Board of Psychology and Minnesota Statutes, sections 148.89 to 148.98, which may be taken after the education requirements for licensure have been met; and

C. an oral part in the applicant's field of practice conducted by members of the board or its duly authorized representatives after the application for licensure has been accepted by the board, provided that the employment required by Minnesota Statutes, section 148.91, will have been completed before the next board meeting.

Subp. 2. **Announcement of examination.** The date of the national standardized test shall be announced by the board. The announcement shall establish time, place, the amount of the examination application fees payable to the board and to the entity sponsoring the examination, and the date by which documentation for the application for admission to examination must be completed to qualify for the announced test.

Subp. 3. **Notification to admitted applicants.** The board shall notify in writing each applicant who has been admitted to a part of the examination. The notice shall state the date, time, and place where the applicant is scheduled to be examined. An applicant who fails to appear at the scheduled time for a part listed in subpart 1, item B or C, must submit a written request for deferment within 15 days after that date or forfeit the application fee. An applicant who fails to appear at the scheduled time for the part listed in subpart 1, item A, forfeits the application fee payable to the board.

[For text of subps 4 and 5, see M.R.]

7200.4900 CLIENT WELFARE.

[For text of subps 1 to 9, see M.R.]

Subp. 10. **Complaints to board.** A psychologist, for purposes of this subpart the "first psychologist," shall file a complaint with the board when the first psychologist has reason to believe that a second psychologist is having or has had sexual contact with a client in violation of subpart 8, or has failed to report abuse of children or vulnerable adults in

violation of part 7200.4700, subpart 11. This requirement to file a complaint does not apply when the belief is based on information obtained by the first psychologist in the course of providing psychological services to the second psychologist. Nothing in this part relieves the first psychologist from the duty to file a report as required by Minnesota Statutes, section 626.556 or 626.557, regarding abuse of children and vulnerable adults.

[For text of subps 11 and 12, see M.R.]

7200.6100 FEES.

Fees for licensure of psychologists payable to the board are as follows:

A. application for admission to examination, $15;

B. application for licensure, $170;

C. renewal of license, $170; and

D. late renewal of license, $150.

APPROVED AS TO FORM AND LEGALITY

June 12 19 90

HUBERT H. HUMPHREY, III
ATTORNEY GENERAL
BY MJ Cassady
SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

JUN 13 1990 1:40 P.M.

Joan Anderson Growe
Secretary of State

Stat Authority

148.90 subd 2(4)

Designate the officers of the board, and pursuant to Chapter 14, prescribe rules as may be necessary to enable it to carry into effect the provisions of Laws 1973

148.98

The board shall adopt a code of ethics to govern appropriate practices or behavior ...

214.06 subd 2

~~Both~~

Notwithstanding any law to the contrary, each health-related and non-health-related licensing board shall promulgate rules providing for the renewal of license.

Rec 6-4-90 Findings of fact indicate there were comments we recd no comments

Rec 6-4-90 affadavit. Findings indicate letters were sent to House appropriations and Senate Finance = no bills. Since the rules don't require them to submit the bills I think the affadavits are O.K.

Rec 6-4-90 no appeal from Finance

DEPARTMENT : ATTORNEY GENERAL

STATE OF MINNESOTA

Office Memorandum

DATE : June 1, 1990

TO : **PATRICIA NOLTE**
Legal Assistant

FROM : **PENNY TROOLIN**
Special Assistant
Attorney General

PHONE : 297-5935

SUBJECT : In the Matter of the Proposed Adoption of Rules of the Minnesota Board of Psychology Relating to Examination Fees, Course Credit and Supervision Requirements, and Reporting Requirements

Enclosed for your review, pursuant to Minn. Stat. § 14.26 (1988) and Minn. Rules pt. 2010.0300 (1989), are the following documents to support the above-referenced rules:

1. Certificate of Board's Authorizing Resolution;
2. Rules as proposed with a certificate of approval as to form by the Revisor of Statutes attached;
3. Notice of Intent to Adopt Rules Without a Public Hearing (as mailed);
4. Statement of Need and Reasonableness (as submitted to LCRAR);
5. Affidavit of Mailing the Notice of Intent to Adopt Rules Without a Public Hearing and Certificate of Mailing List;
6. Notice of Intent to Adopt Rules Without a Public Hearing (as published in the State Register);
7. Rules as adopted (original and three copies);
8. Certificate of Board's Resolution Adopting Rules;
9. Findings of Fact, Conclusions, and Order Adopting Rules Without a Public Hearing;
10. Declaration of Counsel.

PT:dc

Enclosures

CERTIFICATE OF BOARD'S

AUTHORIZING RESOLUTION

I, David Baraga, 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 fifth day of January, 1990, 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 E. Mizuno, executive director 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 payment of examination fees, course credit and supervision requirements for the purpose of fulfilling requirements for licensure as a psychologist in the State of Minnesota, and reporting of certain rule violations to the Board, to sign the Notice thereof, and to perform any and all acts incidental thereto. In the event a public hearing becomes necessary, she is hereby 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 5 day of January, 1990.

David Baraga

David Baraga, Ph.D.

Isabel Harris

Attest by one other Board member

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE MINNESOTA

BOARD OF PSYCHOLOGY

In the Matter of the
Proposed Adoption of
Rules of the Minnesota
Board of Psychology
Relating to Examination
Fees, Course Credit and
Supervision Requirements,
and Reporting Requirements

NOTICE OF INTENT TO
ADOPT RULES WITHOUT
A PUBLIC HEARING

(1) Notice is hereby given that the Minnesota Board of Psychology, hereinafter "Board", intends to adopt the above-entitled rules without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in Minn. Stat. §§ 14.22 to 14.28 (1988). The statutory authority to adopt the rules is Minn. Stat. §§ 148.90, subd. 2(4), 148.98, and 214.06, subd. 2 (1988).

(2) All persons have 30 days in which to submit comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Comment is encouraged. (3) Each comment should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rules within the 30-day comment period. (4) 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 in writing. (6) Any person requesting a public hearing should state his or her name and address and is encouraged to identify the portion of the proposed rules addressed, the reason for the request, and any change proposed. (7) If a public hearing is required, the Board will proceed pursuant to Minn. Stat. §§ 14.131 to 14.20 (1988).

(5) Comments or written requests for a public hearing must be submitted to:

Lois E. Mizuno
Executive Director
Minnesota Board of Psychology
Suite 101
2700 University Avenue West
St. Paul, Minnesota 55114
Telephone: (612) 642-0587

(8) The proposed rules may be modified if the modifications are supported by data and views submitted to the Board and do not result in a substantial change in the proposed rules as noticed.

(11) A copy of the proposed rules is attached to this notice. In addition, a Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rules and identifies the data and information relied upon to support the proposed rules has been prepared and is available from Lois E. Mizuno upon request.

(9) If no hearing is required, upon adoption of the rules, the rules and the required supporting documents will be submitted to the Attorney General for review as to legality and form 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 adopted rules must submit the written request to Lois E. Mizuno at the above address.

Date: March 2, 1990

Lois E. Mizuno
LOIS E. MIZUNO
Executive Director
Minnesota Board of Psychology

The proposed rules follow.

Board of Psychology

Proposed Permanent Rules Relating to Examination Fee Payment, Supervision of Pre- and Post-Degree Experience

Rules as Proposed

7200.0300 REQUIREMENTS FOR ADMISSION TO EXAMINATION.

In order to be admitted to examination an applicant must:

A. file with the board a completed notarized application for admission to examination which includes an affirmation that the statements made on the application are true and correct to the best of the knowledge and belief of the applicant, and which is accompanied by the current nonrefundable examination application fee and a certified check or money order made payable to the national entity sponsoring the examination;

[For text of items B and C, see M.R.]

7200.1300 EDUCATIONAL REQUIREMENT FOR LICENSURE.

[For text of subps 1 to 3, see M.R.]

Subp. 4. Degrees earned after June 30, 1991. For both types of licensure based on degrees earned after June 30, 1991, the major must meet the following requirements:

A. The program offering the major must be certified to the board by the dean of the graduate school of the institution to be an organized sequence of study.

B. The transcript of the applicant must indicate:

(1) A minimum of three graduate ~~semester-or-four~~ quarter credits or their equivalent of course work earned in each of the core areas listed in units (a) to (g), or demonstrated equivalency as provided in part 7200.1410:

(a) scientific methods;

(b) theories of measurement;

(c) biological bases of behavior;

(d) cognitive-affective bases of behavior;

(e) social bases of behavior;

(f) personality theory and human development; and

(g) professional ethics, standards of conduct, and issues of professional practice.

(2) A minimum of six additional graduate ~~semester or eight~~ quarter credits or their equivalent of course work earned in the application of psychological principles to problem identification. The course work must be in the areas of assessment, evaluation, or data collection, or any combination of these areas.

(3) A minimum of six additional graduate ~~semester or eight~~ quarter credits or their equivalent of course work in the application of psychological principles to problem solution. The course work must be in the areas of psychological intervention or data analysis or a combination of the two areas.

(4) A minimum of 2,000 hours for a doctoral degree or 600 hours for a master's degree of supervised practical field or laboratory experience in psychology related to the program of the applicant. The experience must meet the following criteria:

(a) Either the academic or the on-site supervisor must be a licensee of the board or an individual whose education and experience meet the standards imposed by Minnesota Statutes, section 148.91, and parts 7200.0100 to 7200.6000 and who is competent in the areas of practice in which supervision is provided.

(b) Reports by the trainee to consumers must be cosigned by a supervisor of the trainee or issued with a cover letter stating that the report has been reviewed and approved by the supervisor.

(c) The experience must include an average of at least two hours a week of regularly scheduled, formal face

to face individual supervision for a placement of 40 hours per week, 1-1/2 hours for a placement of 30 hours per week, or one hour for a placement of 20 hours per week. The supervisor who is a licensee or licensable must provide an average of one hour a week of supervision, but may delegate other training to appropriate agency staff members.

(d) The experience must be completed within 24 months in not more than three settings with at least 20 hours a week and no less than one-third of the total hours in each setting.

7200.2000 PROFESSIONAL EMPLOYMENT REQUIREMENTS.

To meet the requirements for professional employment, the employment of the applicant, which may include voluntary service, must:

[For text of items A and B, see M.R.]

C. Include at least ~~two~~ four hours of regularly scheduled, formal face to face supervision ~~a week~~ for each week two-week period at work, ~~one-hour~~ two hours of which must be with the supervisor as defined in part 7200.0100, subpart 10. The remaining ~~hour~~ two hours may be with other mental health professionals designated by the supervisor. Hours spent in supervision count as hours of employment for the purposes of part 7200.0600, item C.

D. Be performed competently as judged by the supervisor.

7200.2600 CREDITING PART-TIME EMPLOYMENT.

Part-time employment shall be credited by the board on a prorated basis, if the part-time employment consists of at least ten hours per week for a period of 12 consecutive weeks at the same agency or facility, and if the employment includes at least ~~one-hour~~ two hours of face to face supervision ~~a week~~ in a two-week period, for employment of less than 25 hours per week, all with the supervisor as defined in part 7200.0100, subpart 10.

7200.3000 EXAMINATIONS.

Subpart 1. Three parts to examination. The examination is composed of three parts:

A. a national standardized test in psychology, the cost of which is determined by the national entity sponsoring the examination;

B. a written, objective part covering the rules of the Board of Psychology and Minnesota Statutes, sections 148.89 to 148.98, which may be taken after the education requirements for licensure have been met; and

C. an oral part in the applicant's field of practice conducted by members of the board or its duly authorized representatives after the application for licensure has been accepted by the board, provided that the employment required by Minnesota Statutes, section 148.91, will have been completed before the next board meeting.

Subp. 2. Announcement of examination. The date of the national standardized test shall be announced by the board. The announcement shall establish time, place, the amount of the examination application ~~fee~~ fees payable to the board and to the entity sponsoring the examination, and the date by which documentation for the application for admission to examination must be completed to qualify for the announced test.

Subp. 3. Notification to admitted applicants. The board shall notify in writing each applicant who has been admitted to a part of the examination. The notice shall state the date, time, and place where the applicant is scheduled to be examined. An applicant who fails to appear at ~~that~~ the scheduled time for a part listed in subpart 1, item B or C, must submit a written request for deferment within 15 days after that

date or forfeit the application fee. An applicant who fails to appear at the scheduled time for the part listed in subpart 1, item A, forfeits the application fee payable to the board.

[For text of subps 4 and 5, see M.R.]

7200.4900 CLIENT WELFARE.

[For text of subps 1 to 9, see M.R.]

Subp. 10. Complaints to board. A psychologist, for purposes of this subpart the "first psychologist," shall file a complaint with the board when the first psychologist has reason to believe that ~~another~~ a second psychologist is having or has ~~been-engaged-in-conduct-which-violates~~ had sexual contact with a client in violation of subpart 8, or has failed to report abuse of children or vulnerable adults in violation of part 7200.4700, subpart 11. This requirement to file a complaint does not apply when the belief is based on information obtained by the first psychologist in the course of ~~a-professional-relationship-with-a-client-who-is-the-other~~ providing psychological services to the second psychologist. Nothing in this part relieves ~~a~~ the first psychologist from the duty to file a report as required by Minnesota Statutes, section 626.556 or 626.557, ~~reporting~~ regarding abuse of children and vulnerable adults.

[For text of subps 11 and 12, see M.R.]

7200.6100 FEES.

Fees for licensure of psychologists payable to the board are as follows:

A. ~~The-fee-for~~ application for admission to examination ~~is-$150~~, $15;

B. ~~The-fee-for~~ application for licensure ~~is~~, $170~~;~~;

C. ~~The-fee-for~~ renewal of license ~~is~~, $170~~;~~ and

D. ~~The-fee-for~~ late renewal of license ~~is~~, $150.

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE MINNESOTA

BOARD OF PSYCHOLOGY

In the Matter of the
Proposed Adoption of
Rules of the Minnesota
Board of Psychology
Relating to Examination
Fees, Course Credit and
Supervision Requirements,
and Reporting Requirements

AFFIDAVIT OF MAILING
THE NOTICE OF INTENT
TO ADOPT RULES WITHOUT
A PUBLIC HEARING AND
CERTIFICATE OF MAILING LIST

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Lois E. Mizuno, being duly sworn, says:

I hereby certify that the list of persons and associations who have requested, pursuant to Minn. Stat. §§ 14.14, subd. 1(a) and 14.22 or 14.30, that their names be placed on the Board of Psychology's rulemaking mailing list is and was accurate, complete, and current as of the 14th day of March, 1990.

That on the 14th day of March, 1990, at the City of Minneapolis, County of Hennepin, State of Minnesota, I mailed the attached Notice of Intent to Adopt Rules Without a Public Hearing by depositing in the United States mail, a copy thereof, with postage prepaid, to all persons and associations on the aforementioned mailing list.

Lois E Mizuno

LOIS E. MIZUNO
Executive Director

Subscribed and sworn to before me
this 1st day of June, 1990.

Betty L Messerveg

NOTARY PUBLIC

BETTY L. MESSERVEY
NOTARY PUBLIC — MINNESOTA
DAKOTA COUNTY
MY COMMISSION EXPIRES AUGUST 23, 1995

MINNESOTA BOARD OF PSYCHOLOGY

NAME	HOME ADDRESS	BUSINESS ADDRESS
BARAGA, DAVID JOHN, PH.D.	33919 91st Ave. No. St. Joseph, MN 56374	Central MN. Mental Health Cl. 1321 No. 13th St. St. Cloud, MN 56301
1/91 (1st term) LCP	612/363-4596	612/ 252-5010
FLINT, PETER LEE, PH.D.	5655 Vagabond Lane Plymouth, MN 55446	4428 IDS Center Minneapolis, MN 55402
1/90 (1st term) LCP	612 /478-6388	612/ 338-8461
FULLER, LOU	3741 Grenada Court Oakdale, MN 55128	
1/94 (1st term) Public Member	612/777-8237	612/926-5626
GELB, EUNICE	2160 Upper St. Dennis Road St. Paul, MN 55116	2160 Upper St. Dennis Road St. Paul, MN 55116
1/91 (1st term) Public Member	612/699-7465	612/699-7465
HARRIS, M. ISABEL, Ph.D.	7201 York Ave. So., #206 Edina, MN 55435	7201 York Ave. So., #206 Edina, MN 55435
1/92 (2nd term) Public Member	612/ 893-0596	612/ 893-0596
HAWKINS, NANCY GAIL, M.S.	2345 Summer St. Lauderdale, MN 55113	D.H.S., CHEM. Dep. 444 Lafayette Road St. Paul, MN 55155-3823
1/92 (1st term) LP	612/644-8635	612/296-4606
HOFFMAN, ROBERT W., PH.D. 1/94 (remainder 2nd term R. Harlow) LCP	100 Thompson Lake Road Duluth, MN 55803	218/722-1254
KANTER, HOMMEY, M.A.	2836 London Road Duluth, MN 55804	2836 London Road Duluth, MN 55804
1/91 (1st term) LP	218/724-0225	218/724-0225
OGREN, SHERRYL CANTOR	6423 Minnetonka Blvd. St. Louis Park, Mn 55426	6200 Excelsior Blvd. St. Louis Park, Mn 55416
1/93 (2nd term) Public Member	612/929-9172	612/925-4639
ROSENBERG, PEARL, Ph.D.	1313 S.E. 5th St., #126A UTEC Building Minneapolis, MN 55414	1313 S.E. 5th St., #126A UTEC Building Minneapolis, MN 55414
1/93 (2nd term) LCP	612/ 645-4641 (home)	612/379-3912 or 379-3938
SELDIN, BARBARA, Ph.D.	6419 Stauder Circle Edina, Mn 55436	1405 Lilac Drive, #151 Golden Valley, MN 55422
1/94 (2nd term) LCP	612/936-0559 **unlisted**	612/544-6806
Lois E. Mizuno Executive Director	2093 Birch Street White Bear Lake, MN 55110 612/429-9581	2700 University Ave. West St. Paul, MN 55114-1095 612/ 642-0587
Grace C. Nelson Administrative Assistant	5818 Grand Ave. So. Minneapolis, MN 55419 612/ 861-6426	Same as above
Revised 1/90	Priv. Off. # 612/642-0588	

Nancy E. Acker, M.A.
3727 Washburn Ave. No.
Minneapolis, MN 55412

William Madsen, Ph.D.
1417 W. California
Falcon Heights, MN 55108

MPA
Rebecca Buller
525 Park, #310
St. Paul, MN 55103

MWP
Carolyn McGinnis
Rebecca Biderman
15 Groveland Terrace
Minneapolis, MN 55403

Doris Burrows
2709 Park Ave., #204
Minneapolis, MN 55407

Joseph Meuwissen
10823 York Av. So.
Bloomington, MN 55431

Kay Cotter
DEMANN LTD.
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Mike Miller
Box 52, College of Ed.
Mankato State U
Mankato, MN 56001

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Charme Davidson
1409 Willow St., #400
Minneapolis, MN 55403

Eve Parker
134 Arthur Ave. SE
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1027 NW 7th St.
Rochester, MN 55901

MPPP
Phylis Phelan
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St. Paul, MN 55104

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Comm. Corrections/Psych.
A-509 Government Center
Minneapolis, MN 55487-0059

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Alexandria, MN 56308

Faye Kelly
9401 205th Ave. NE
Wyoming, MN 55092

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121 Metro Square
121 7th Place East
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Ramsey Clinic
1774 Cope Ave.
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6211 Oakgreen Ave. So.
Hastings, MN 55033

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1295 Bandana Blvd., #140

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117 University AVe.
St. Paul, MN 55155

Sister Mary Madonna Ashton
Minnesota Department of Health
717 S.E. Delaware St.
Minneapolis, MN 55440

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225 Luverne
Minneapolis, MN 55419

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2700 University Ave. West, #109
St. Paul, MN 55114-1055

Board of Medical Examiners
2700 University Ave. West
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444 Lafayette Road
St. Paul, MN 55155

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St. Paul, MN 55101-2520

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White Bear Lake, MN 55110

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Minneapolis, MN 55408

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Brookline, MA 02146

Ron Brand
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St. Paul, MN 55104

2770.9160 ACTION BY COMMISSIONER.

Subpart 1. **Filing of exceptions.** Within ten days from the date the arbitration panel's report is delivered to the commissioner, a party to the arbitration proceedings may file with the commissioner written exceptions and written arguments to the report.

Subp. 2. **Decision or order.** The commissioner shall render a decision within 30 days after the submission of the arbitration panel's report and subsequent exceptions and arguments under part 2770.9150. A copy of the decision and any applicable order shall be served upon each party or the party's representative, and the American Arbitration Association, by first class mail.

2770.9170 APPEAL.

A person aggrieved by an order under parts 2770.9010 to 2770.9170 shall have the right to appeal the order as provided in *Minnesota Statutes*, section 72A.327, paragraph (d).

Board of Psychology

Proposed Permanent Rules Relating to Examination Fee Payment, Supervision of Pre- and Post-Degree Experience

Notice of Intent to Adopt Rules without a Public Hearing

NOTICE IS HEREBY GIVEN that the Minnesota Board of Psychology, hereinafter "Board", intends to adopt the above-entitled rules without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in *Minnesota Statutes* §§ 14.22 to 14.28 (1988). The statutory authority to adopt the rules is *Minnesota Statutes* §§ 148.90, subd. 2(4), 148.98, and 214.06, subd. 2 (1988).

All persons have 30 days in which to submit comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Comment is encouraged. Each comment should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rules 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 in writing. Any person requesting a public hearing should state his or her name and address and is encouraged to identify the portion of the proposed rules addressed, the reason for the request, and any change proposed. If a public hearing is required, the Board will proceed pursuant to *Minnesota Statutes* §§ 14.131 to 14.20 (1988).

Comments or written requests for a public hearing must be submitted to:

Lois E. Mizuno
Executive Director
Minnesota Board of Psychology
Suite 101
2700 University Avenue West
St. Paul, Minnesota 55114
Telephone: (612) 642-0587

The proposed rules may be modified if the modifications are supported by data and views submitted to the Board and do not result in a substantial change in the proposed rules as noticed.

A copy of the proposed rules is attached to this notice. In addition, a **Statement of Need and Reasonableness** that describes the need for and reasonableness of each provision of the proposed rules and identifies the data and information relied upon to support the proposed rules has been prepared and is availble from Lois E. Mizuno upon request.

If no hearing is required, upon adoption of the rules, the rules and the required supporting documents will be submitted to the Attorney General for review as to legality and form 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 adopted rules must submit the written request to Lois E. Mizumo at the above address.

Dated: 2 March 1990

Lois E. Mizuno
Executive Director
Minnesota Board of Psychology

Rules as Proposed

7200.0300 REQUIREMENTS FOR ADMISSION TO EXAMINATION.

In order to be admitted to examination an applicant must:

A. file with the board a completed notarized application for admission to examination which includes an affirmation that the statements made on the application are true and correct to the best of the knowledge and belief of the applicant, and which is accompanied by the current nonrefundable examination application fee and a certified check or money order made payable to the national entity sponsoring the examination;

[For text of items B and C, see M.R.]

7200.1300 EDUCATIONAL REQUIREMENT FOR LICENSURE.

[For text of subps 1 to 3, see M.R.]

Subp. 4. **Degrees earned after June 30, 1991.** For both types of licensure based on degrees earned after June 30, 1991, the major must meet the following requirements:

A. The program offering the major must be certified to the board by the dean of the graduate school of the institution to be an organized sequence of study.

B. The transcript of the applicant must indicate:

(1) A minimum of three graduate ~~semester or four~~ quarter credits or their equivalent of course work earned in each of the core areas listed in units (a) to (g), or demonstrated equivalency as provided in part 7200.1410:

(a) scientific methods;

(b) theories of measurement;

(c) biological bases of behavior;

(d) cognitive-affective bases of behavior;

(e) social bases of behavior;

(f) personality theory and human development; and

(g) professional ethics, standards of conduct, and issues of professional practice.

(2) A minimum of six additional graduate ~~semester or eight~~ quarter credits or their equivalent of course work earned in the application of psychological principles to problem identification. The course work must be in the areas of assessment, evaluation, or data collection, or any combination of these areas.

(3) A minimum of six additional graduate ~~semester or eight~~ quarter credits or their equivalent of course work in the application of psychological principles to problem solution. The course work must be in the areas of psychological intervention or data analysis or a combination of the two areas.

(4) A minimum of 2,000 hours for a doctoral degree or 600 hours for a master's degree of supervised practical field or laboratory experience in psychology related to the program of the applicant. The experience must meet the following criteria:

(a) Either the academic or the on-site supervisor must be a licensee of the board or an individual whose education and experience meet the standards imposed by *Minnesota Statutes*, section 148.91, and parts 7200.0100 to 7200.6000 and who is competent in the areas of practice in which supervision is provided.

(b) Reports by the trainee to consumers must be cosigned by a supervisor of the trainee or issued with a cover letter stating that the report has been reviewed and approved by the supervisor.

(c) The experience must include an average of at least two hours a week of regularly scheduled, formal face to face individual supervision for a placement of 40 hours per week, 1-1/2 hours for a placement of 30 hours per week, or one hour for a placement of 20 hours per week. The supervisor who is a licensee or licensable must provide an average of one hour a week of supervision, but may delegate other training to appropriate agency staff members.

(d) The experience must be completed within 24 months in not more than three settings with at least 20 hours a week and no less than one-third of the total hours in each setting.

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.

7200.2000 PROFESSIONAL EMPLOYMENT REQUIREMENTS.

To meet the requirements for professional employment, the employment of the applicant, which may include voluntary service, must:

[For text of items A and B, see M.R.]

C. Include at least ~~two~~ four hours of regularly scheduled, formal face to face supervision ~~a week~~ for each ~~week~~ two-week period at work, ~~one hour~~ two hours of which must be with the supervisor as defined in part 7200.0100, subpart 10. The remaining ~~hour~~ two hours may be with other mental health professionals designated by the supervisor. Hours spent in supervision count as hours of employment for the purposes of part 7200.0600, item C.

D. Be performed competently as judged by the supervisor.

7200.2600 CREDITING PART-TIME EMPLOYMENT.

Part-time employment shall be credited by the board on a prorated basis, if the part-time employment consists of at least ten hours per week for a period of 12 consecutive weeks at the same agency or facility, and if the employment includes at least ~~one hour~~ two hours of face to face supervision ~~a week~~ in a two-week period, for employment of less than 25 hours per week, all with the supervisor as defined in part 7200.0100, subpart 10.

7200.3000 EXAMINATIONS.

Subpart 1. **Three parts to examination.** The examination is composed of three parts:

A. a national standardized test in psychology, the cost of which is determined by the national entity sponsoring the examination;

B. a written, objective part covering the rules of the Board of Psychology and *Minnesota Statutes*, sections 148.89 to 148.98, which may be taken after the education requirements for licensure have been met; and

C. an oral part in the applicant's field of practice conducted by members of the board or its duly authorized representatives after the application for licensure has been accepted by the board, provided that the employment required by *Minnesota Statutes*, section 148.91, will have been completed before the next board meeting.

Subp. 2. **Announcement of examination.** The date of the national standardized test shall be announced by the board. The announcement shall establish time, place, the amount of the examination application ~~fee~~ fees payable to the board and to the entity sponsoring the examination, and the date by which documentation for the application for admission to examination must be completed to qualify for the announced test.

Subp. 3. **Notification to admitted applicants.** The board shall notify in writing each applicant who has been admitted to a part of the examination. The notice shall state the date, time, and place where the applicant is scheduled to be examined. An applicant who fails to appear at ~~that~~ the scheduled time for a part listed in subpart 1, item B or C, must submit a written request for deferment within 15 days after that date or forfeit the application fee. An applicant who fails to appear at the scheduled time for the part listed in subpart 1, item A, forfeits the application fee payable to the board.

[For text of subps 4 and 5, see M.R.]

7200.4900 CLIENT WELFARE.

[For text of subps 1 to 9, see M.R.]

Subp. 10. **Complaints to board.** A psychologist, for purposes of this subpart the "first psychologist," shall file a complaint with the board when the first psychologist has reason to believe that ~~another~~ a second psychologist is having or has ~~been engaged in conduct which violates~~ had sexual contact with a client in violation of subpart 8, or has failed to report abuse of children or vulnerable adults in violation of part 7200.4700, subpart 11. This requirement to file a complaint does not apply when the belief is based on information obtained by the first psychologist in the course of ~~a professional relationship with a client who is the other~~ providing psychological services to the second psychologist. Nothing in this part relieves ~~a~~ the first psychologist from the duty to file a report as required by *Minnesota Statutes*, section 626.556 or 626.557, ~~reporting~~ regarding abuse of children and vulnerable adults.

[For text of subps 11 and 12, see M.R.]

7200.6100 FEES.

Fees for licensure of psychologists payable to the board are as follows:

A. ~~The fee for~~ application for admission to examination ~~is $150.~~, $15;

B. ~~The fee for~~ application for licensure ~~is~~, $170~~.~~;

C. ~~The fee for~~ renewal of license ~~is~~, $170~~.~~; and

D. ~~The fee for~~ late renewal of license ~~is~~, $150.

CERTIFICATE OF THE

BOARD OF PSYCHOLOGY

RESOLUTION ADOPTING RULES

I, David J. Baraga, PhD, do hereby certify that I am a member and the chair of the Minnesota Board of Psychology (hereinafter "Board"), 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, duly and properly called and held on the 1st day of June, 1990, that a quorum was present, and that a majority of those present voted for the resolution which has not been rescinded or modified:

> RESOLVED, that the rules relating to examination fees, course credit and supervision requirements, and reporting requirements, are approved and adopted pursuant to authority vested in the Board by Minn. Stat. § 148.90, subd. 2(4), 148.98 and 214.06, subd. 2. Lois E. Mizuno, Executive Director of the Board, is authorized to sign the findings of fact, conclusions and order adopting the rules and further is authorized to modify the rules if necessary to obtain the approval of the rules by the Attorney General and to perform the necessary acts to provide that the rules shall have the force and effect of law.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 1st day of June, 1990.

David J. Baraga

DAVID J. BARAGA, PHD
Chair

Isabel Harris

Attest by one other Board member

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE MINNESOTA

BOARD OF PSYCHOLOGY

In the Matter of the
Proposed Adoption of
Rules of the Minnesota
Board of Psychology
Relating to Examination Fees,
Course Credit and Supervision
Requirements, and Reporting
Requirements

FINDINGS OF FACT,
CONCLUSIONS, AND ORDER
ADOPTING RULES WITHOUT
A PUBLIC HEARING

1 Notice of the Board of Psychology's (hereinafter "Board") intent to adopt the above-entitled rules was published in the State Register on March 19, 1990, and was sent by United States mail to all persons on the list maintained by the Board pursuant to Minn. Stat. §§ 14.14, subd. 1(a) and 14.22 on March 14, 1990. 2 The statement of need and reasonableness was prepared before the Notice of Intent to Adopt Rules Without a Public Hearing was mailed to all persons on the rulemaking mailing list and published in the State Register and was available to the public. 3 Before the notice was submitted to the State Register, a copy of the Notice of Intent to Adopt Rules Without a Public Hearing and the proposed rules were hand-delivered to the chairs of the house appropriations committee and senate finance committee.

4 All persons were given the opportunity to submit comment on the rules for 30 days after notice of proposed rulemaking. 5 The Board did not receive requests for a public hearing from 25 or more persons.

7 No requests for notice of submission to the Attorney General were received by the Board.

Based on the comments and evidence in the record before the Board, including the statement of need and reasonableness which is incorporated herein as the

Board's findings, the Board concludes that the above-captioned rules are both needed and reasonable.

NOW, THEREFORE, IT IS HEREBY ORDERED that the rules identified as parts 7200.0300, .1300, .2000, .2600, .3000, .4900, and .6100, are adopted this 1st day of June, 1990, pursuant to authority vested in the Board by Minn. Stat. §§ 148.90, subd. 2(4), 148.98, and 214.06, subd. 2.

Lois E Mizuno

LOIS E. MIZUNO
Executive Director

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE MINNESOTA

BOARD OF PSYCHOLOGY

In the Matter of the
Proposed Adoption of
Rules of the Minnesota
Board of Psychology
Relating to Examination Fees,
Course Credit and Supervision
Requirements, and Reporting
Requirements

DECLARATION OF COUNSEL

I, Penny Troolin, Special Assistant Attorney General, do hereby declare that I have examined the above-captioned rules and the supporting rulemaking record and that, based on my examination, the Administrative Procedure Act and Minn. Rules ch. 2010 have been followed. Any exceptions are listed below. For Attorney General billing purposes, the four-digit docket client code is .0486.

Dated: June 1, 1990

PENNY TROOLIN
Special Assistant
Attorney General

Board of Psychology

Proposed Permanent Rules Relating to Examination Fee Payment, Supervision of Pre- and Post-Degree Experience

Rules as Proposed

7200.0300 REQUIREMENTS FOR ADMISSION TO EXAMINATION.

In order to be admitted to examination an applicant must:

A. file with the board a completed notarized application for admission to examination which includes an affirmation that the statements made on the application are true and correct to the best of the knowledge and belief of the applicant, and which is accompanied by the current nonrefundable examination application fee and a certified check or money order made payable to the national entity sponsoring the examination;

[For text of items B and C, see M.R.]

7200.1300 EDUCATIONAL REQUIREMENT FOR LICENSURE.

[For text of subps 1 to 3, see M.R.]

Subp. 4. **Degrees earned after June 30, 1991.** For both types of licensure based on degrees earned after June 30, 1991, the major must meet the following requirements:

A. The program offering the major must be certified to the board by the dean of the graduate school of the institution to be an organized sequence of study.

B. The transcript of the applicant must indicate:

(1) A minimum of three graduate ~~semester-or-four~~ quarter credits or their equivalent of course work earned in each of the core areas listed in units (a) to (g), or demonstrated equivalency as provided in part 7200.1410:

(a) scientific methods;

(b) theories of measurement;

(c) biological bases of behavior;

(d) cognitive-affective bases of behavior;

(e) social bases of behavior;

(f) personality theory and human

Approved by Revisor

development; and

(g) professional ethics, standards of conduct, and issues of professional practice.

(2) A minimum of six additional graduate ~~semester or eight~~ quarter credits or their equivalent of course work earned in the application of psychological principles to problem identification. The course work must be in the areas of assessment, evaluation, or data collection, or any combination of these areas.

(3) A minimum of six additional graduate ~~semester or eight~~ quarter credits or their equivalent of course work in the application of psychological principles to problem solution. The course work must be in the areas of psychological intervention or data analysis or a combination of the two areas.

(4) A minimum of 2,000 hours for a doctoral degree or 600 hours for a master's degree of supervised practical field or laboratory experience in psychology related to the program of the applicant. The experience must meet the following criteria:

(a) Either the academic or the on-site supervisor must be a licensee of the board or an individual whose education and experience meet the standards imposed by Minnesota Statutes, section 148.91, and parts 7200.0100 to 7200.6000 and who is competent in the areas of practice in which supervision is provided.

(b) Reports by the trainee to consumers must be cosigned by a supervisor of the trainee or issued with a cover letter stating that the report has been reviewed and approved by the supervisor.

(c) The experience must include an average of at least two hours a week of regularly scheduled, formal face to face individual supervision <u>for a placement of 40 hours per week, 1-1/2 hours for a placement of 30 hours per week, or one hour for a placement of 20 hours per week</u>. The supervisor who is a licensee or licensable must provide an average of one hour a week of supervision, but may delegate other training to

Approved by Revisor _____

appropriate agency staff members.

(d) The experience must be completed within 24 months in not more than three settings with at least 20 hours a week and no less than one-third of the total hours in each setting.

7200.2000 PROFESSIONAL EMPLOYMENT REQUIREMENTS.

To meet the requirements for professional employment, the employment of the applicant, which may include voluntary service, must:

[For text of items A and B, see M.R.]

C. Include at least ~~two~~ four hours of regularly scheduled, formal face to face supervision ~~a-week~~ for each ~~week~~ two-week period at work, ~~one-hour~~ two hours of which must be with the supervisor as defined in part 7200.0100, subpart 10. The remaining ~~hour~~ two hours may be with other mental health professionals designated by the supervisor. Hours spent in supervision count as hours of employment for the purposes of part 7200.0600, item C.

D. Be performed competently as judged by the supervisor.

7200.2600 CREDITING PART-TIME EMPLOYMENT.

Part-time employment shall be credited by the board on a prorated basis, if the part-time employment consists of at least ten hours per week for a period of 12 consecutive weeks at the same agency or facility, and if the employment includes at least ~~one-hour~~ two hours of face to face supervision ~~a-week~~ in a two-week period, for employment of less than 25 hours per week, all with the supervisor as defined in part 7200.0100, subpart 10.

7200.3000 EXAMINATIONS.

Subpart 1. **Three parts to examination.** The examination is composed of three parts:

A. a national standardized test in psychology, the cost of which is determined by the national entity sponsoring the examination;

Approved
by Revisor _____

B. a written, objective part covering the rules of the Board of Psychology and Minnesota Statutes, sections 148.89 to 148.98, which may be taken after the education requirements for licensure have been met; and

C. an oral part in the applicant's field of practice conducted by members of the board or its duly authorized representatives after the application for licensure has been accepted by the board, provided that the employment required by Minnesota Statutes, section 148.91, will have been completed before the next board meeting.

Subp. 2. **Announcement of examination.** The date of the national standardized test shall be announced by the board. The announcement shall establish time, place, the amount of the examination application ~~fee~~ fees payable to the board and to the entity sponsoring the examination, and the date by which documentation for the application for admission to examination must be completed to qualify for the announced test.

Subp. 3. **Notification to admitted applicants.** The board shall notify in writing each applicant who has been admitted to a part of the examination. The notice shall state the date, time, and place where the applicant is scheduled to be examined. An applicant who fails to appear at ~~that~~ the scheduled time for a part listed in subpart 1, item B or C, must submit a written request for deferment within 15 days after that date or forfeit the application fee. An applicant who fails to appear at the scheduled time for the part listed in subpart 1, item A, forfeits the application fee payable to the board.

[For text of subps 4 and 5, see M.R.]

7200.4900 CLIENT WELFARE.

[For text of subps 1 to 9, see M.R.]

Subp. 10. **Complaints to board.** A psychologist, for purposes of this subpart the "first psychologist," shall file a complaint with the board when the first psychologist has reason to believe that ~~another~~ a second psychologist is having or has ~~been-engaged-in-conduct-which-violates~~ had sexual contact with a

Approved by Revisor _____

client in violation of subpart 8, or has failed to report abuse of children or vulnerable adults in violation of part 7200.4700, subpart 11. This requirement to file a complaint does not apply when the belief is based on information obtained by the first psychologist in the course of ~~a professional relationship with a client who is the other~~ providing psychological services to the second psychologist. Nothing in this part relieves ~~a~~ the first psychologist from the duty to file a report as required by Minnesota Statutes, section 626.556 or 626.557, ~~reporting~~ regarding abuse of children and vulnerable adults.

[For text of subps 11 and 12, see M.R.]

7200.6100 FEES.

Fees for licensure of psychologists payable to the board are as follows:

A. ~~The fee for~~ application for admission to examination ~~is $150.~~, $15;

B. ~~The fee for~~ application for licensure ~~is~~, $170~~.~~;

C. ~~The fee for~~ renewal of license ~~is~~, $170~~.~~; and

D. ~~The fee for~~ late renewal of license ~~is~~, $150.

Approved
by Revisor _____

Office of the Revisor of Statutes

Administrative Rules

TITLE: Proposed Permanent Rules Relating to Examination Fee Payment, Supervision of Pre- and Post-Degree Experience

AGENCY: Board of Psychology

MINNESOTA RULES: Chapter 7200

The attached rules are approved for publication in the State Register

Carla M. Riehle
Assistant Revisor

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE MINNESOTA

BOARD OF PSYCHOLOGY

In the Matter of the
Proposed Adoption of
Rules of the Minnesota
Board of Psychology
Relating to Examination
Fees, Course Credit and
Supervision Requirements,
and Reporting Requirements

STATEMENT OF NEED
AND REASONABLENESS

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STATEMENT OF NEED AND REASONABLENESS

INTRODUCTION

The Minnesota Board of Psychology is proposing amendments to existing rules to modify the method of paying examination fees, course credit requirements, pre- and post-degree supervision requirements, and reporting of certain rule violations to the Board. The existing rules are Minnesota Rules, Chapter 7200 (1989).

Generally speaking, the proposed rules offer changes intended to correct provisions which have been found to be more restrictive than the Board expected them to be when they were adopted in July, 1989, and to take the cost of the national examination out of the budget process to facilitate more predictable spending patterns.

No internal references will be affected by the proposed changes.

Small business considerations are addressed in the section following the Statement of the Board's Statutory Authority, and that is followed by the Statement of Need and Reasonableness.

STATEMENT OF BOARD'S STATUTORY AUTHORITY

The Board's statutory authority to adopt and amend rules relating to licensure requirements and professional conduct is set forth in Minn. Stat. SS 148.90, subd. 2(4), 148.98, and 214.06, subd. 2 (1986). Section 148.90, subdivision 2(4) grants the Board the authority to prescribe rules as may be necessary to effectuate the provisions of the licensing law, including rules governing licensure requirements. Section 148.98 directs the Board to adopt a code of ethics to govern appropriate practices and behavior. Section 214.06, subdivision 2 requires each health-related and non-health-related board to promulgate rules providing for the renewal of licenses. Under these statutes, the Board has the authority to amend its licensure and conduct rules.

SMALL BUSINESS CONSIDERATIONS

Minn. Stat. § 14.115 requires administrative agencies, when proposing a rule or an amendment to an existing rule, to consider various methods for reducing the impact of the proposed rule or amendment on small businesses and to provide opportunity for small businesses to participate in the rulemaking process. It is the Board's opinion that Minn. Stat. Section 14.115 does not apply to these proposed rule amendments.

However, in the event of disagreement with the Board's position, the Board has reviewed the five suggested methods listed in section 14.115, subdivision 2, for reducing the impact of the rules on small businesses. The five suggested methods enumerated in subdivision 2 are as follows:

(a) the establishment of less stringent compliance or reporting requirements for small businesses;

(b) the establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses;

(c) the consolidation or simplification of compliance or reporting requirements for small businesses;

(d) the establishment of performance standards for small businesses to replace design or operational standards required in the rule; and

(e) the exemption of small businesses from any or all requirements of the rule.

As part of its review the Board considered the feasibility of implementing each of the five suggested methods, and considered whether implementing any of the five methods would be consistent with the statutory objectives that are the basis for this rulemaking.

1. <u>It would not be feasible to incorporate any of the five suggested methods into these proposed rule amendments.</u>

Methods (a)-(c) of subdivision 2 relate to lessening compliance or reporting requirements for small businesses either by (a) establishing less stringent requirements, (b) establishing less stringent schedules or deadlines for compliance with the requirements, or (c) consolidating or simplifying the requirements. Since the Board is not proposing any compliance or reporting requirements for either small or large businesses, it follows that there are no such requirements for the Board to lessen with respect to small businesses. If, however, these proposed amendments are viewed

as compliance or reporting requirements for businesses, then the Board finds that it would be unworkable to lessen the requirements for those psychologists who practice in a solo or clinic setting of fewer than 50 employees, since that would include the vast majority of psychologists. Method (d) suggests replacing design or operational standards with performance standards for small businesses. The Board's amendments do not propose design or operational standards for businesses, and therefore there is no reason to implement performance standards for small businesses as a replacement for design or operational standards that do not exist. Finally, method (e) suggests exempting small businesses from any or all requirements of the rules. Under the Board's view that these proposed rule amendments do not in any way regulate the business operation of psychologists, there are no rule requirements from which to exempt small businesses. However, if these proposed amendments are viewed as regulating businesses insofar as they regulate psychologists, then it would hardly make sense for the Board to exempt from its rules those psychologists who practice in a solo or clinic setting with fewer than 50 employees, since they constitute the vast majority of psychologists. For all of these reasons, it is not feasible for the Board to incorporate into its proposed amendments any of the five methods specified in subdivision 2 of the small business statute.

2. Reducing the impact of the proposed amendments on small businesses would undermine the objectives of the Minnesota licensing law for psychologists.

Pursuant to the Minnesota licensing law for psychologists, Minn. Stat. §§ 148.88 to 148.98, the Board was created for the purpose of establishing requirements for licensure and adopting a code of ethics governing appropriate practices or behavior for psychologists. Pursuant to Minn. Stat. § 148.90, subd. 2(4), the Board is specifically mandated to "prescribe rules as may be necessary to enable it

to carry into effect" the Minnesota licensing law for psychologists. Given these statutory mandates, it is the Board's duty to establish licensure qualifications and ethical standards which apply to and govern all applicants and licensees, regardless of the nature of their practice. As it has been stated above, it is the Board's position that the proposed amendments will not affect small businesses, and certainly do not have the potential for imposing a greater impact on psychologists in a solo or small practice than on psychologists practicing in a large business setting. It has also been explained above that the Board considers it infeasible to implement any of the five suggested methods enumerated in subdivision 2 of the small business statute. Nonetheless, to the extent that the proposed rule amendments may affect the business operation of a psychologist or group of psychologists, and to the extent it may be feasible to implement any of the suggested methods for lessening the impact on small businesses, the Board believes it would be unwise and contrary to the purposes to be served by these rules for the Board to exempt one group of psychologists - indeed, the majority of psychologists - from the requirements of these rules. Similarly, the Board believes it would be unwise and contrary to its statutory mandate for the Board to adopt one set of licensure requirements for those psychologists who work in a large business setting and adopt another, less stringent, set of licensure requirements to be applied to those psychologists who practice in a solo or small clinic practice. It is the Board's view that these rule amendments must apply equally to all psychologists, if the public whom they serve is to be adequately protected.

March 19, 1990

STATEMENT OF NEED AND REASONABLENESS

7200.0300 REQUIREMENTS FOR ADMISSION TO EXAMINATION

Because this is the first part affected by the proposed amendment relating to the concept of removing the cost of the objective part of the examination from the budget process, the need and reasonableness of the concept will be discussed here and not repeated. As each rule part affected by amendments related to the concept is encountered, the need and reasonableness of that particular amendment as it relates to the concept will be discussed.

The need for better predictability with respect to Board income and expenditures has long been recognized by the Board. State agencies are required to set their biennial budgets two years in advance of the biennium. In the past two or three years revenue and expenditures relating to examination application fees have varied extremely from one year to the next, making accurate predictions virtually impossible. Revenue varies according to the number of applicants. Expenditures vary according to the numbers of persons taking the examination. Of late the numbers taking the examination have greatly exceeded predictions, due to factors outside the control of the Board. For example, rumors in the profession that master's level applicants will no longer be licensed caused a tremendous upsurge in applicants. The Board also has no control over how many applicants pay the fee to take the examination in one fiscal year but defer taking it to the next fiscal year. That number recently has been in excess of 50. It is not difficult to see that, for these applicants, revenue comes in one year, expenditure is made in the next.

Another factor causing the upsurge was the Board's setting the passing score at 70 percent, when prior to 1987 the passing score was 60 percent. As a result, a larger number of applicants fail the examination and most of those repeat.

Because so much of the examination fee - $135 of the $150 fee - is the Board's cost for the examination, it can readily be seen that a difference of 100 examinees over predictions drains the Board's spending authority by $13,500, an amount which then cannot be spent on other needs.

Removing the cost of the examination from the examination fee paid to the Board will greatly reduce the

disastrous effect a too-low prediction of examinees has on the Board's spending authority. When the proposed rules become effective, a difference of 100 examinees over prediction will not affect the Board's spending authority at all, and will increase the Board's income by only $1500.

In actual fact, the Board has had to request a deficiency appropriation in fiscal year 1990 of $38,000 in order to be able to pay the vendor $10,000 which could not be paid in FY 1989 for examinations which exceeded predictions, and to be able to pay for examinations in April, 1990, because the October, 1989, examination used up the funds allotted for this purpose for the whole fiscal year. Having to defer such a large payment is embarrassing. It is also illogical when revenues could have covered the cost. Having to request a deficiency appropriation is expensive and time-comsuming. All of these negative consequences can be eliminated by means of the proposed rule changes.

The concept is reasonable because the applicant is not required to pay a higher fee. The existing examination fee is split into a fee of $15 to the Board and $135 to the vendor. If the cost of the examination is increased by the vendor, it will have no effect on the Board's spending authority. It is also reasonable because it is a method of charging for the cost of examination which is used by other regulatory boards, such as, for example, the board of Podiatric Medicine. That Board's rules do not include any reference to the examination fee.

Paragraph A. The proposed amendment requires payment of a certified check or money order made payable to the national entity sponsoring the examination. The amendment is needed in order to be consistent with the concept explained above. Requiring a certified check or money order is reasonable because the Board needs to be assured that the sponsor/vendor can recover the cost of the examination without delays due to checks written without sufficient funds to cover.

7200.1300 EDUCATIONAL REQUIREMENTS FOR LICENSURE

Subpart 4. The proposed amendment to paragraph B(1) of this subpart changes the credit requirements for core psychology courses to three quarter credits in place of the three semester or four quarter credits adopted on 7/14/89. The change is proposed as a result of requests from deans of graduate programs in schools in which trimesters or quarters are used. Trimesters are not equal to either semesters or quarters in length. The words "or their equivalent", therefore, become meaningless. Furthermore, most quarter-system courses are for three credits. The result for

students in both types of schools is that two three-credit courses would have to be completed in order to acquire four quarter credits in a core course. The proposed amendment is needed to avoid an undue academic (and financial) burden on applicants for licensure with degrees from such schools. The proposed amendment is reasonable because it does not increase the educational requirements for licensure and still maintains the core courses considered essential preparation for generic licensure. The Board recognizes that the proposed change will reduce the number of credits required for each core course for applicants from some schools, but considers it a reasonable alternative to unfairly penalizing applicants who happen to earn their degrees from quarter or trimester system schools.

The proposed amendment to paragraph B(2) changes the requirement of six semester or eight quarter credits in each applied psychology area to six quarter credits. The same need and reasonableness arguments apply to this proposed change as apply to the core course credit requirement change.

The proposed amendment to paragraph B(4)(c) provides a pro-rated amount of supervision related to the number of hours per week engaged in practical pre-degree experience required for licensure. The rule as adopted on 7/14/89 required two hours of supervision per week, regardless of the number of hours per week the student would be engaged in completing the required practical experience. The amendment is needed to avoid penalizing applicants whose practical experience would have been less than full-time with supervision of less than two hours per week. The proposed amendment is reasonable because the proposed hours of supervision bear a rational relationship to the hours per week engaged in obtaining practical experience. Under the proposed amendment, all applicants will be required to have one-half hour of supervision for every ten hours per week of practical experience, which puts all applicants on an equal footing.

7200.2000 PROFESSIONAL EMPLOYMENT REQUIREMENTS

It is proposed that Paragraph C. be amended to require four hours of supervision in a two-week period instead of two hours of supervision per week, for full-time post-degree employment in preparation for licensure. The amendment is needed to cover circumstances in which some degree of irregularity in hours per week of direct supervision results from such factors as temporary absence or unavailability of the supervisor, or from the supervisor's uneven work schedule, which may permit more time to devote to direct supervision in one week than in another. Such factors are outside the control of the supervisee. They should,

therefore, not impact negatively on work experience which would otherwise meet licensure requirements. The proposed change is reasonable because the same amount of direct, formal supervision is required but in a more flexible manner.

7200.2600 CREDITING PART-TIME EMPLOYMENT

The proposed amendment to this subpart parallels the proposed amendment to part 7200.2000 (above), requiring two hours of direct supervision in a two-week period for employment of less than 25 hours per week, instead of one hour per week as is required in existing rules. The need for and reasonableness of this proposed change is found in the rule part above.

7200.3000 EXAMINATIONS

Subpart 1, paragraph A. The proposed amendment makes it clear that the cost of the national standardized test is determined by the national sponsor/vendor. This proposed change relates to the concept discussed with respect to part 7200.0300. The change is needed so that applicants have a clear understanding that the Board has no role in determining the cost to the applicant for taking the national examination and cannot be held responsible for any cost increase. At present the cost of the examination is hidden within the examination fee paid to the Board. Applicants have conistently expressed surprise when told that the examination costs $135. The proposed change is reasonable because it provides information to applicants but imposes no added financial burden upon them.

Subpart 2. The proposed amendment requires the Board to include in announcements of the national tests the amounts of examination fees paid to the Board and to the test sponsor/vendor. The amendment is needed to ensure that prospective applicants are informed before they apply of the amount of each fee and that the fee paid to the sponsor/vendor is separate and distinct from the fee paid to the Board. The amendment is reasonable because it imposes no additional burden on applicants for admission to examination.

Subpart 3. The amendment provides that no deferment of the national examination will be granted and that failure to appear for the examination results in forfeiture of the fee paid to the Board. The change is needed to differentiate the national examination from the other two parts of the examination (oral and written tests covering field of practice and the Board's law and rules) with respect to deferment policy. The cost of administering both of the tests other than the national examination is included in the application for licensure fee. If there were no deferment

possible for these tests, the entire licensure fee would be forfeited (currently $170) if the applicant could not keep the test appointment. An applicant who does not appear for the national examination forfeits only the fee paid to the Board. The fee made payable to the sponsor/vendor is returned to the applicant if the examination is not taken. Therefore, deferment is not needed, and in fact, would require the Board to keep custody of the certified checks/money orders for an extended period. The change is reasonable because the modest fee paid to the Board must cover the cost of staff time, postage, supplies, etc., whether or not the applicant takes the examination.

7200.4900 CLIENT WELFARE

Subpart 10. The proposed amendment to this subpart clarifies the reporting requirements imposed on licensees regarding another licensee's sexual contact with a client or failure to report abuse of a minor or vulnerable adult. The proposed amendment does not change reporting requirements. The need for the amendment arose from the discovery during oral examinations that applicants are uniformly confused about the meaning of this rule. The proposed amendment is needed to make it clear that a psychologist has a duty to report certain rule violations to the Board under certain circumstances. The proposed amendment is also needed to make it clear that in addition to reporting another psychologist's failure to report (to authorities) abuse of a minor or vulnerable adult, the reporting psychologist must him/herself report that abuse to authorities. The proposed amendment is reasonable because it imposes no new reporting duties and spells out in clearer language the requirement to report.

7200.6100 FEES

The proposed amendment adds the words "payable to the board" to the fee statement and changes the fee for application for admission to examination from existing $150 to $15. The remaining proposed changes merely alter the structure of the rule without altering the fees. The amendment is needed to ensure that the fee paid to the Board and the fee paid to the sponsor/vendor are clearly differentiated. It is also needed to adjust the fee paid to the Board for processing the examination application to exclude the amount paid to the sponsor/vendor. The proposed change is reasonable because no new or increased fees are imposed on any applicant or licensee.

RECEIVED

MAY 10 1990

Office of the Attorney General
Government Services Section
Capitol Office Bldg., Suite 500
525 Park Street
St. Paul, MN 55103

DEPARTMENT : ATTORNEY GENERAL - Health

STATE OF MINNESOTA

Office Memorandum

DATE : June 4, 1990

TO : **PATRICIA NOLTE**
Legal Assistant

FROM : **PENNY TROOLIN**
Special Assistant
Attorney General

PHONE : 297-5935

SUBJECT : In the Matter of the Proposed Adoption of Rules of the Minnesota Board of Psychology Relating to Examination Fees, Course Credit and Supervision Requirements, and Reporting Requirements

In addition to the documents supplied to you on June 1, 1990, for your review pursuant to Minn. Stat. § 14.26 (1988) and Minn. Rules pt. 2010.0300 (1989), I am forwarding the following documents to support the above-referenced rules:

1. Letter from the Commissioner of Finance approving the modifications to licensure fees, as required by Minn. Stat. § 16A.128, subd. 1a (1988);

2. Affidavits of Hand-Delivering Proposed Rules and Notice of Intent to the Chairs of the House Appropriations and Senate Finance Committees; and

3. All written requests, submissions or comments on the rules received by the Board.

PT:dc

Enclosures

SF-00006-05 (4/86)

STATE OF MINNESOTA

Office Memorandum

DEPARTMENT : of Finance

DATE : April 3, 1990

TO : Lois E. Mizuno, Executive Director
Board of Psychology

FROM : Bruce J. Reddemann, Director BJR
Budget Operations and Support

PHONE : 296-5188

SUBJECT : Change in Fees



The following change in fees is approved:

	1990	1991
Examination Application Fee	$150	$15

The above fee in fiscal year 1990 includes the cost of the national standardized test. The above fee in fiscal year 1991 does not include the cost of the national standardized test. In fiscal year 1991 the cost of the test must be made payable to the entity sponsoring the examination.

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE MINNESOTA

BOARD OF PSYCHOLOGY

In the Matter of the Proposed Adoption of Rules of the Minnesota Board of Psychology Relating to Examination Fees, Course Credit and Supervision Requirements, and Reporting Requirements

AFFIDAVIT OF HAND-DELIVERING PROPOSED RULES AND NOTICE OF INTENT TO THE CHAIR OF THE HOUSE APPROPRIATIONS COMMITTEE

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Lois E. Mizuno, being duly sworn says:

I hereby certify that, pursuant to Minn. Stat. § 16A.128 (1988), on the 5th day of March, 1990, at the State Office Building, City of St. Paul, County of Ramsey, State of Minnesota, I hand-delivered the attached Notice of Intent to Adopt Rules Without a Public Hearing upon the Chair of the House Appropriations Committee by handing to and leaving with Paula Hoover, Secretary to Rep. Wayne Simoneau, a true and correct copy thereof.

Lois E Mizuno

LOIS E. MIZUNO
Executive Director

Subscribed and sworn to before me
this 5th day of March, 1990.

Betty L Messervey

BETTY L. MESSERVEY
NOTARY PUBLIC-MINNESOTA
DAKOTA COUNTY
MY COMMISSION EXPIRES AUGUST 23, 1995

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE MINNESOTA

BOARD OF PSYCHOLOGY

In the Matter of the Proposed Adoption of Rules of the Minnesota Board of Psychology Relating to Examination Fees, Course Credit and Supervision Requirements, and Reporting Requirements

AFFIDAVIT OF HAND-DELIVERING PROPOSED RULES AND NOTICE OF INTENT TO THE CHAIR OF THE SENATE FINANCE COMMITTEE

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Lois E. Mizuno, being duly sworn says:

I hereby certify that, pursuant to Minn. Stat. § 16A.128 (1988), on the 5th day of March, 1990, at the State Capitol Building, City of St. Paul, County of Ramsey, State of Minnesota, I hand-delivered the attached Notice of Intent to Adopt Rules Without a Public Hearing upon the Chair of the Senate Finance Committee by handing to and leaving with Marge Collins, Secretary to Sen. Gene Merriam, a true and correct copy thereof.

Lois E. Mizuno
LOIS E. MIZUNO
Executive Director

Subscribed and sworn to before me
this 5th day of March, 1990.

Betty L. Missevey

BETTY L. MISSEVEY
NOTARY PUBLIC MINNESOTA
DAKOTA COUNTY
MY COMMISSION EXPIRES AUGUST 23, 1995