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**PSYCHOLOGY EXAMINING BOARD MEETING**  
**Room 121A, 1400 East Washington Avenue, Madison, WI**  
**Contact: Dan Williams (608) 266-2112**  
**February 3, 2016**

*Notice: The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a description of the actions and deliberations of the Board.*

**9:00 A.M.**

**OPEN SESSION – CALL TO ORDER – ROLL CALL**

- A. Adoption of Agenda (1-3)**
- B. Approval of Meeting Minutes of November 11, 2015 (4-6)**
- C. 9:00 A.M. PUBLIC HEARING on Clearinghouse Rule 15-102 Relating to Licensure as a Psychologist**
  - 1) Review and Respond to Clearinghouse Report and Public Hearing Comments **(7-21)**
- D. Legislation and Administrative Rule Matters – Discussion and Consideration (22)**
  - 1) Proposals for Psy 3 Relating to the Private Practice of School Psychology
  - 2) Proposals for Psy 5 Relating to Unprofessional Conduct
  - 3) Update on Legislation and Pending or Possible Rulemaking Projects
- E. Administrative Matters – Discussion and Consideration (23-26)**
  - 1) Staff Update
  - 2) Election of Officers
  - 3) Appointment of Liaisons and Delegated Authorities
  - 4) Board Members – Term Expiration Date
    - a. Rebecca Anderson – 7/1/2018
    - b. Marcus Desmonde – 7/1/2017
    - c. Daniel Schroeder – 7/1/2015 (reappointed, not yet confirmed)
    - d. David Thompson – 7/1/2018
    - e. Public Member 1: Vacant since 2011
    - f. Public Member 2: Vacant since 2012
- F. Speaking Engagement(s), Travel, or Public Relation Request(s)- Discussion and Consideration**
  - 1) Association of State and Provincial Psychology Boards 2016 Mid-Year Meeting, May 4-7, 2016 in Anchorage, Alaska
- G. Informational Items – Discussion and Consideration**
  - 1) Mental Health Reform Committee

- H. Items Received After Preparation of the Agenda**
- 1) Introductions, Announcements and Recognition
  - 2) Election of Board Officers
  - 3) Appointment of Board Liaisons
  - 4) Administrative Matters
  - 5) Education and Examination Matters
  - 6) Credentialing Matters
  - 7) Practice Matters
  - 8) Legislation/Administrative Rule Matters
  - 9) Liaison Report(s)
  - 10) Informational Items
  - 11) Disciplinary Matters
  - 12) Presentations of Petitions for Summary Suspension
  - 13) Petitions for Designation of Hearing Examiner
  - 14) Presentation of Proposed Stipulations, Final Decisions and Orders
  - 15) Presentation of Proposed Final Decision and Orders
  - 16) Presentation of Interim Orders
  - 17) Petitions for Re-Hearing
  - 18) Petitions for Assessments
  - 19) Petitions to Vacate Orders
  - 20) Requests for Disciplinary Proceeding Presentations
  - 21) Motions
  - 22) Petitions
  - 23) Appearances from Requests Received or Renewed
  - 24) Speaking Engagement(s), Travel, or Public Relation Request(s)

**I. Public Comments**

**CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).**

**J. Deliberation on Division of Legal Services and Compliance (DLSC) Matters**

- 1) Monitoring
- 2) Administrative Warnings
- 3) Proposed Stipulations, Final Decisions and Orders
- 4) Case Closures

**K. Application Review**

- 1) Larisa Hutchins – Discipline Review (27-68)

**L. Deliberation of Items Received After Preparation of the Agenda**

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) Disciplinary Matters
- 4) Monitoring Matters
- 5) Professional Assistance Procedure (PAP) Matters
- 6) Petitions for Summary Suspensions
- 7) Petitions for Designation of Hearing Examiner
- 8) Proposed Stipulations, Final Decisions and Order
- 9) Administrative Warnings
- 10) Review of Administrative Warnings
- 11) Proposed Final Decisions and Orders
- 12) Matters Related to Costs/ Orders Fixing Costs
- 13) Case Closings
- 14) Proposed Interim Orders
- 15) Petitions for Assessments and Evaluations
- 16) Petitions to Vacate Orders
- 17) Remedial Education Cases
- 18) Motions
- 19) Petitions for Re-Hearings
- 20) Appearances from Requests Received or Renewed

**M. Consulting with Legal Counsel**

**RECONVENE INTO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION**

Vote on Items Considered or Deliberated on in Closed Session, If Voting is Appropriate

**ADJOURNMENT**

The next scheduled meeting is March 31, 2016

**PSYCHOLOGY EXAMINING BOARD  
MEETING MINUTES  
November 11, 2015**

**PRESENT:** Rebecca Anderson, Ph.D.; Marcus Desmonde, Psy.D.; Daniel Schroeder, Ph.D.; David Thompson, Ph.D.

**STAFF:** Dan Williams – Executive Director; Sharon Henes – Administrative Rules Coordinator; Nifty Lynn Dio – Bureau Assistant; and other Department Staff

**CALL TO ORDER**

Daniel Schroeder, called the meeting to order at 9:04 a.m. A quorum of four (4) members was confirmed.

**ADOPTION OF AGENDA**

**MOTION:** David Thompson moved, seconded by Marcus Desmonde, to adopt the agenda as published. Motion carried unanimously.

**APPROVAL OF MEETING MINUTES OF AUGUST 6, 2015**

**MOTION:** Marcus Desmonde moved, seconded by Rebecca Anderson, to approve the minutes of August 6, 2015 as published. Motion carried unanimously.

**LEGISLATION AND ADMINISTRATIVE RULE MATTERS**

**Adopt Psy 4 Relating to Continuing Education**

**MOTION:** David Thompson moved, seconded by Marcus Desmonde, to approve the Adoption Order for Clearinghouse Rule 13-103. Motion carried unanimously.

**CLOSED SESSION**

**MOTION:** Thompson moved seconded by Anderson, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85(1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.). Daniel Schroeder. read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Rebecca Anderson, Ph.D.-yes; Marcus Desmonde-yes; Daniel Schroeder-yes; David Thompson-yes. Motion carried unanimously.

The Board convened into Closed Session at 1:03 p.m.

**RECONVENE TO OPEN SESSION**

**MOTION:** Marcus Desmonde moved, seconded by Rebecca Anderson, to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open Session at 1:40 p.m.

## **VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION**

**MOTION:** Marcus Desmonde moved, seconded by Rebecca Anderson, to affirm all motions made in closed session. Motion carried unanimously.

## **EDUCATION AND EXAMINATION MATTERS**

### **Continuing Education Extension Request – Gerald Hollander, Ph.D.**

**MOTION:** David Thompson moved, seconded by Marcus Desmonde, to **grant** the request of Gerald Hollander, Ph.D. for a 180 day extension of the continuing education requirements of the 2013-2015 biennium, to be completed by June 28, 2016. Motion carried unanimously.

### **Continuing Education Waiver Request**

*Gary Loethen, Ph.D.*

**MOTION:** David Thompson moved, seconded by Marcus Desmonde, to **grant** the request of Gary Loethen, Ph.D. for a waiver of the continuing education requirements of the 2013-2015 biennium. Motion carried unanimously.

*Susan Sachsenmaier, Ph.D.*

**MOTION:** David Thompson moved, seconded by Rebecca Anderson, to **grant** the request of Susan Sachsenmaier, Ph.D. to accept the 15 continuing education credits as fulfillment of the requirements for the 2013-2015 biennium. Motion carried unanimously.

*Eric Anderson, Ph.D.*

**MOTION:** David Thompson moved, seconded by Marcus Desmonde, to **grant** the request of Eric Anderson, Ph.D. for a waiver of the continuing education requirements of the 2013-2015 biennium. Motion carried unanimously.

## **DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS**

### **Deliberation on Proposed Stipulations, Final Decisions and Orders**

*13 PSY 009 – Charlene Kavanagh*

**MOTION:** David Thompson moved, seconded by Marcus Desmonde, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Charlene Kavanagh, DLSC case number 13 PSY 009. Motion carried unanimously.

**MOTION:** Marcus Desmonde moved, seconded by David Thompson, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Michael Kotkin, Ph.D., DLSC case number 15 PSY 012. Motion carried unanimously.

### **APPLICATION REVIEWS**

#### **Dr. Carol Brown – Online Program**

**MOTION:** Rebecca Anderson moved, seconded by Marcus Desmonde, to **approve** the application of Dr. Carol Brown for a license to practice Psychology in the State of Wisconsin, once all requirements are met. Motion carried unanimously.

#### **Dr. Larisa Hutchins - Reciprocity**

**MOTION:** Marcus Desmonde moved, seconded by Rebecca Anderson, to table the application of Dr. Larisa Hutchins pending receipt of additional information. Motion carried unanimously.

### **ADJOURNMENT**

**MOTION:** Rebecca Anderson moved, seconded by Marcus Desmonde, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 1:42 p.m.

**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

<b>1) Name and Title of Person Submitting the Request:</b>  Sharon Henes Administrative Rules Coordinator		<b>2) Date When Request Submitted:</b>  25 January 2016  Items will be considered late if submitted after 12:00 p.m. on the deadline date: ▪ 8 business days before the meeting	
<b>3) Name of Board, Committee, Council, Sections:</b>  Psychology Examining Board			
<b>4) Meeting Date:</b>	<b>5) Attachments:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>6) How should the item be titled on the agenda page?</b> Public Hearing on Clearinghouse Rule 15-102 relating to licensure as a psychologist  Review and respond to Clearinghouse Report and Public Hearing comments	
<b>7) Place Item in:</b> <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	<b>8) Is an appearance before the Board being scheduled?</b>  <input type="checkbox"/> Yes ( <a href="#">Fill out Board Appearance Request</a> ) <input type="checkbox"/> No	<b>9) Name of Case Advisor(s), if required:</b>	
<b>10) Describe the issue and action that should be addressed:</b>  Hold Public Hearing at 9:00 a.m.  Discuss any public hearing comments. Review, discuss and respond to any Clearinghouse comments.			
<b>11) Authorization</b>			
<i>Sharon Henes</i>		<i>25 January 2016</i>	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date	
<b>Directions for including supporting documents:</b> 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

STATE OF WISCONSIN  
PSYCHOLOGY EXAMINING BOARD

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IN THE MATTER OF RULE-MAKING	:	PROPOSED ORDER OF THE
PROCEEDINGS BEFORE THE	:	PSYCHOLOGY EXAMINING BOARD
PSYCHOLOGY EXAMINING BOARD	:	ADOPTING RULES
	:	(CLEARINGHOUSE RULE )

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PROPOSED ORDER

An order of the Psychology Examining Board to repeal Psy 2.02, 2.03, 2.04, 2.05 (2) and (3), 2.08, 2.12 and 2.13; to amend Psy 2.05 (1) and 2.05 (3); to repeal and recreate Psy 2.01, 2.09 and 2.14; and to create Psy 2.013, 2.018, 2.05 (2m) and 2.10 relating to licensure as a psychologist.

Analysis prepared by the Department of Safety and Professional Services.

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ANALYSIS

**Statutes interpreted:** ss 455.03, 455.04, and 455.045, Stats.

**Statutory authority:** ss. 15.08 (5) (b) and 455.08, Stats.

**Explanation of agency authority:**

The examining board shall promulgate rules for its own guidance and for the guidance of the profession to which it pertains and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular profession. [s. 15.08 (5) (b)]

The examining board shall adopt such rules as are necessary under this chapter. [s. 455.08]

**Related statute or rule:**

**Plain language analysis:**

Section 1 repeals and recreates the application process. An applicant is required to file an application, pay a fee, provide evidence of education or equivalent academic training or experience, documentation of a one year experience in psychological work, pass the Examination for the Professional Practice in Psychology (EPPP), pass the jurisprudence exam, verification of credentials in another state and provide information relating to any pending criminal charge or conviction.

Section 2 creates a section on application by reciprocity. An applicant who holds an active license in another jurisdiction may apply for license by submitting an application, pay a fee, pass the jurisprudence exam and evidence of successful completion of an examination on the practice of psychology approved by the board or evidence of completion of at least 40 board approved continuing education hours within 2 years prior to application.

Section 3 creates a section on application by obtaining a diploma from the American Board of Professional Psychology. The applicant is required to pass an examination on the practice of psychology approved by the Board and the jurisprudence exam.

Section 4 repeals obsolete examination provisions relating to scheduling an examination, unauthorized assistance and time limits and other necessary controls.

Sections 5, 6, 7, and 8 updates the passing scores section to the passing grade on each exam is determined by the Board to represent minimum competence and the Board may adopt the provider's recommended passing grade.

Section 9 repeals the requirement limiting how many times the examination can be taken.

Section 10 is repealed and recreated the section relating to education and experience equivalent to a doctoral degree in psychology. The curriculum must include scientific psychology, scientific, methodical and theoretical foundations of practice, diagnosing or defining problems through psychological assessment and measurement and formulating and implementing intervention strategies, and a practicum, internship, field or laboratory training supervised by a person with a doctorate degree in psychology.

**Summary of, and comparison with, existing or proposed federal regulation:** None

**Comparison with rules in adjacent states:**

**Illinois:** Illinois applicants are required to have graduated from a doctoral program or a program equivalent to a clinical, school or counseling psychology program and two years of supervised clinical, school or counseling psychology experience. An equivalent program shall consist of the following curriculum: scientific and professional ethics, biological basis of behavior, cognitive-affective basis of behavior, social basis of behavior, individual differences, assessment and treatment modalities. In addition, the applicant shall take the EPPP and the minimum passing score is set by the testing entity. An applicant holding a license in another state may apply by reciprocity by submitting proof that the licensing standards in the state of original jurisdiction are substantially equivalent to those of Illinois. An applicant who is licensed for at least 20 years may apply under provisions for senior psychologists requiring proof of active licensure for 20 consecutive years and verification of a doctoral degree.

**Iowa:** Iowa applicants are required to have a doctoral degree, pass the EPPP and one year of supervised professional experience for no less than 1500 hours. An applicant may apply through endorsement by providing verification of a current Certificate of Professional Qualification issued by the Association of State and Provincial Psychology Boards or by providing verification of licensure in another jurisdiction with licensure requirements that are substantially equivalent to those required in Iowa. The board may enter into a reciprocal agreement with other jurisdictions.

**Michigan:** Michigan applicants are required to possess either a doctoral degree in psychology or in a closely related field and pass the EPPP. An applicant may apply through endorsement by

doing one of the following: licensed in another state for a minimum of 10 years, hold a current Certificate of Professional Qualification from the Association of State and Provincial Psychology Boards; or hold a current health service provider credential issued by the National Register of Health Service Psychologists.

**Minnesota:** Minnesota applicants are required to have a doctoral degree from a program that is an organized sequence of study in psychology, pass a national standardized examination in psychology specified by the board (passing score is the recommended score) and one full year of postdegree supervised employment consisting of a minimum of 1,800 hours of actual work experience that is accrued in no less than 12 months and in no more than 30 months. Applicants by mobility are required to show evidence of having a Certificate of Professional Qualification issued by the Association of State and Provincial Psychology Boards or a diplomate from the American Board of Professional Psychology or a health service provider in psychology.

**Summary of factual data and analytical methodologies:**

The Board reviewed their rules for statutory compliance and updated accordingly. In addition, the Board updated procedures and processes.

**Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis:**

This rule was posted for economic impact comments and none were received.

**Fiscal Estimate and Economic Impact Analysis:**

The Fiscal Estimate and Economic Impact Analysis is attached.

**Effect on small business:**

These proposed rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department's Regulatory Review Coordinator may be contacted by email at Eric.Esser@wisconsin.gov, or by calling (608) 267-2435.

**Agency contact person:**

Sharon Henes, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Board Services, 1400 East Washington Avenue, Room 151, P.O. Box 8366, Madison, Wisconsin 53708; telephone 608-261-2377; email at Sharon.Henes@wisconsin.gov.

**Place where comments are to be submitted and deadline for submission:**

Comments may be submitted to Sharon Henes, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, 1400 East Washington Avenue, Room 151, P.O. Box 8366, Madison, WI 53708-8366, or by email to

Sharon.Henes@wisconsin.gov. Comments must be received at or before the public hearing to be held on February 3, 2016 to be included in the record of rule-making proceedings.

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TEXT OF RULE

SECTION 1. Psy 2.01 is repealed and recreated to read:

**Psy 2.01 Application procedure.** An applicant for licensure as a psychologist shall submit all of the following:

- (1) The properly completed and signed application form.
- (2) The application fee authorized by s. 440.05 (1), Stats.
- (2) Evidence of one of the following:
  - (a) Official transcript indicating a doctoral degree in psychology from a college or university accredited by a regional accrediting agency approved by the state board of education in the state in which the college or university is located.
  - (b) Academic training or specialized experience which in the opinion of the board is equivalent to a doctoral degree in psychology.
  - (c) Documentation of academic credentials evaluated by the National Register of Health Service Psychologists or other credential evaluation organization approved by the Board.
- (3) Documentation of at least one year experience in psychological work meeting the requirements in Psy 2.10
- (4) Evidence of passing the Examination for the Professional Practice in Psychology (EPPP).
- (5) Evidence of passing the written Wisconsin examination on the elements of practice essential to the public health, safety or welfare approved by the board.
- (6) Verification of the applicant's credentials in all states or countries in which the applicant has ever held a credential.
- (7) For applicants who have a pending criminal charge or have been convicted of a crime, all related information necessary for the board to determine whether the circumstances of the pending criminal charge or conviction are substantially related to the practice of psychology.

SECTION 2. Psy 2.013 is created to read:

**Psy 2.013 Reciprocity.** An applicant who holds an active license in another state, territory, foreign country or province whose license standards are deemed by the board to be equivalent to the standards in this state may apply for license by submitting the following:

- (1) The properly completed and signed application form.
- (2) The application fee authorized by s. 440.05 (1), Stats.
- (3) Evidence of one of the following:
  - (a) Evidence of successful completion of an examination on the practice of psychology approved by the board.
  - (b) Evidence of completion of at least 40 board approved continuing education hours obtained within 2 years prior to application.
- (4) Evidence of successful completion of the written examination on the elements of practice essential to the public health, safety or welfare approved by the board.

SECTION 3. Psy 2.018 is created to read:

**Psy 2.018 American Board of Professional Psychology diploma.** An applicant who holds a diploma of the American Board of Professional Psychology may apply for a license by submitting the following:

- (1) The properly completed and signed application form.
- (2) The application fee authorized by s. 440.05 (1), Stats.
- (3) Evidence of successful completion of an examination on the practice of psychology approved by the board.
- (4) Evidence of successful completion of the written examination on the elements of practice essential to the public health, safety or welfare approved by the board.

SECTION 4. Psy 2.02, 2.03 and 2.04 are repealed.

SECTION 5. Psy 2.05(1) is amended to read:

**Psy 2.05 Passing scores.** (1) ~~The passing scores set grade on each examination is determined by the board to represent minimum competency required to protect public health and safety competence.~~

SECTION 6. Psy 2.05(2) and (3) are repealed.

SECTION 7. Psy 2.05(2m) is created to read:

**(2m)** The board may adopt the recommended passing score of the examination provider for the examination for professional practice of psychology.

SECTION 8. Psy 2.05(3) is amended to read:

~~(3) To pass the examination on the elements of practice essential to the public health, safety or welfare, the applicant shall receive a score determined by the board to represent minimum competency to practice.~~ The board shall make the determination of the passing score of the elements of practice essential to the public health, safety or welfare after consultation with subject matter experts who have reviewed a representative sample of the examination questions and available candidate performance statistics.

SECTION 9. Psy 2.08 is repealed.

SECTION 10. Psy 2.09 is repealed and recreated to read:

**Psy 2.09 Education and experience equivalent to a doctoral degree in psychology.** The equivalent to a doctorate in psychology is a doctorate degree which meets all of the following requirements:

- (1) The curriculum shall contain all of the following content:
  - (a) Scientific psychology, including all of the following:
    1. Biological aspects of behavior.
    2. Cognitive and affective aspects of behavior.
    3. Social aspects of behavior.

4. History and systems of psychology.
  5. Psychological measurement.
  6. Research methodology.
  7. Techniques of data analysis.
- (b) Scientific, methodical and theoretical foundations of practice in the substantive area of professional psychology in which the program has its training emphasis including all of the following:
1. Individual differences in behavior.
  2. Human development.
  3. Dysfunctional behavior or psychopathology.
  4. Professional standards and ethics.
- (c) Diagnosing or defining problems through psychological assessment and measurement and formulating and implementing intervention strategies including all of the following:
1. Theories and methods of assessment and diagnosis.
  2. Effective intervention.
  3. Consultation and supervision.
  4. Evaluating the efficacy of interventions.
- (d) Issues of cultural and individual diversity.
- (e) Skills essential for lifelong learning, scholarly inquiry and professional problem-solving as psychologists in the context of an evolving body of scientific and professional knowledge.
- (2) The doctorate degree shall include any of the following: practicum, internship, field or laboratory training. This experience shall be supervised by a person with a doctorate degree in psychology.

SECTION 11. Psy 2.10 is created to read:

**Psy 2.10 Supervised Psychological Experience.** A one year experience in psychological work after a doctoral degree in psychology or its equivalent under conditions satisfactory to the examining board shall include all of the following:

- (1) Completion of 2000 hours of the supervised psychological experience in no less than 24 months
- (2) Clients shall be informed that the psychological trainee is receiving supervision and that the client's case will be discussed in the context of required supervision. The trainee must inform potential clients in writing of his or her trainee status and lack of license.
- (3) A minimum of 25% of the experience required shall consist of face-to-face client contact.
- (4) A total of 65% of the experience required shall consist of the face-to-face client contact required under sub. (3) and direct service for the purpose of providing psychological service. For the purposes of this subsection direct service means those activities a psychologist performs that are directly related to providing psychological services to a client, including note and report writing, studying test results, case consultation and reviewing published works relating to the client's needs.
- (5) The primary supervisor shall be a licensed psychologist and shall have adequate training, knowledge and skill to render competently any psychological service that a psychological trainee undertakes. The primary supervisor shall have post-licensure experience and shall have had training or experience in supervision of psychological work. Supervisors shall not be an immediate relative by blood or marriage.

- (6) The supervisor’s responsibilities include all of the following:
- (a) Permit a trainee to engage in only psychological practice the supervisor can competently perform.
  - (b) Have sufficient knowledge of the trainee’s clients to ensure effective service. This may include ongoing face-to-face contact with the client.
  - (c) Monitor the progress of the work on a regular basis.
  - (d) Determine the adequacy of the trainee’s preparation for the tasks to be performed.
  - (e) Provide a written evaluation of the supervised experience. Prepared evaluations or reports of progress, including strengths and weakness, shall be written and discussed with the trainee on at least a semi annual basis and shall be made available to the board upon request.
  - (f) Be available or make appropriate provision for emergency consultation and intervention.
  - (g) Be legally and ethically responsible for the professional activities of the trainee.
  - (h) Be able to interrupt or stop the trainee from practicing in given cases.
  - (i) To terminate the supervised relationship if necessary.

SECTION 11. Psy 2.12 and 2.13 are repealed.

SECTION 12. Psy 2.14 is repealed and recreated to read:

**Psy 2.14 Temporary Practice.** In this section, “working days” is defined as any day in which the psychologist provides services.

- (1) A psychologist who is licensed by another state or territory of the United States or a foreign country or province whose standards, in the opinion of the board, are equivalent to or higher than than the requirements for licensure as a psychologist in s. 455.04(1) may offer services as a psychologist in this state for not more than 60 working days in any year without holding a license issued under s. 455.04(1).
- (2) The psychologist shall report to the board the nature and extent of his or her practice in this state if it exceeds 20 working days within a year.
- (3) A psychologist provides psychological services in this state whenever the patient or client is located in this state regardless of where the psychologist is located.

SECTION 13. EFFECTIVE DATE. The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin administrative register, pursuant to s. 227.22 (2) (intro.), Stats.

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(END OF TEXT OF RULE)  
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## ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

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1. Type of Estimate and Analysis

Original    Updated    Corrected

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2. Administrative Rule Chapter, Title and Number

Psy 2

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3. Subject

Psychologist licensure

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4. Fund Sources Affected

GPR    FED    PRO    PRS    SEG    SEG-S

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5. Chapter 20, Stats. Appropriations Affected

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6. Fiscal Effect of Implementing the Rule

No Fiscal Effect    Increase Existing Revenues    Increase Costs  
 Indeterminate    Decrease Existing Revenues    Could Absorb Within Agency's Budget  
 Decrease Cost

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7. The Rule Will Impact the Following (Check All That Apply)

State's Economy    Specific Businesses/Sectors  
 Local Government Units    Public Utility Rate Payers  
 Small Businesses (if checked, complete Attachment A)

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8. Would Implementation and Compliance Costs Be Greater Than \$20 million?

Yes    No

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9. Policy Problem Addressed by the Rule

This rule brings the licensure into statutory compliance and updates the procedures to current practices.

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10. Summary of the businesses, business sectors, associations representing business, local governmental units, and individuals that may be affected by the proposed rule that were contacted for comments.

This rule was posted for 14 days for economic comments and none were received.

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11. Identify the local governmental units that participated in the development of this EIA.

None. This rule does not impact local governmental units.

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12. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)

This rule does not have an economic or fiscal impact on specific businesses, business sectors, public utility rate payers, local governmental units or the state's economy as a whole.

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13. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

The benefit of implementing the rule is to create clarity as well as bring the rule into statutory compliance with the licensure requirements.

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14. Long Range Implications of Implementing the Rule

The long range implication is a rule which is clear and conforms to statute.

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15. Compare With Approaches Being Used by Federal Government

None

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16. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

**Illinois:** Illinois applicants are required to have graduated from a doctoral program or a program equivalent to a clinical, school or counseling psychology program and two years of supervised clinical, school or counseling psychology experience. An equivalent program shall consist of the following curriculum: scientific and professional ethics, biological basis of behavior, cognitive-affective basis of behavior, social basis of behavior, individual differences, assessment and treatment modalities. In addition, the applicant shall take the EPPP and the minimum passing score is set

## ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

by the testing entity. An applicant holding a license in another state may apply by reciprocity by submitting proof that the licensing standards in the state of original jurisdiction are substantially equivalent to those of Illinois. An applicant who is licensed for at least 20 years may apply under provisions for senior psychologists requiring proof of active licensure for 20 consecutive years and verification of a doctoral degree.

**Iowa:** Iowa applicants are required to have a doctoral degree, pass the EPPP and one year of supervised professional experience for no less than 1500 hours. An applicant may apply through endorsement by providing verification of a current Certificate of Professional Qualification issued by the Association of State and Provincial Psychology Boards or by providing verification of licensure in another jurisdiction with licensure requirements that are substantially equivalent to those required in Iowa. The board may enter into a reciprocal agreement with other jurisdictions.

**Michigan:** Michigan applicants are required to possess either a doctoral degree in psychology or in a closely related field and pass the EPPP. An applicant may apply through endorsement by doing one of the following: licensed in another state for a minimum of 10 years, hold a current Certificate of Professional Qualification from the Association of State and Provincial Psychology Boards; or hold a current health service provider credential issued by the National Register of Health Service Psychologists.

**Minnesota:** Minnesota applicants are required to have a doctoral degree from a program that is an organized sequence of study in psychology, pass a national standardized examination in psychology specified by the board (passing score is the recommended score) and one full year of post degree supervised employment consisting of a minimum of 1,800 hours of actual work experience that is accrued in no less than 12 months and in no more than 30 months. Applicants by mobility are required to show evidence of having a Certificate of Professional Qualification issued by the Association of State and Provincial Psychology Boards or a diplomate from the American Board of Professional Psychology or a health service provider in psychology.

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17. Contact Name Sharon Henes	18. Contact Phone Number (608) 261-2377
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This document can be made available in alternate formats to individuals with disabilities upon request.

**ADMINISTRATIVE RULES**  
**Fiscal Estimate & Economic Impact Analysis**

**ATTACHMENT A**

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1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

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2. Summary of the data sources used to measure the Rule's impact on Small Businesses

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3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- Less Stringent Compliance or Reporting Requirements
  - Less Stringent Schedules or Deadlines for Compliance or Reporting
  - Consolidation or Simplification of Reporting Requirements
  - Establishment of performance standards in lieu of Design or Operational Standards
  - Exemption of Small Businesses from some or all requirements
  - Other, describe:
- 

4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

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5. Describe the Rule's Enforcement Provisions

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6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

- Yes    No
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## WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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Scott Grosz  
*Clearinghouse Director*

Terry C. Anderson  
*Legislative Council Director*

Margit S. Kelley  
*Clearinghouse Assistant Director*

Jessica Karls-Ruplinger  
*Legislative Council Deputy Director*

### CLEARINGHOUSE REPORT TO AGENCY

[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

#### CLEARINGHOUSE RULE 15-102

AN ORDER to repeal Psy 2.02, 2.03, 2.04, 2.05 (2) and (3), 2.08, 2.12 and 2.13; to amend Psy 2.05 (1) and (3); to repeal and recreate Psy 2.01, 2.09 and 2.14; and to create Psy 2.013, 2.018, 2.05 (2m) and 2.10, relating to licensure as a psychologist.

Submitted by **PSYCHOLOGY EXAMINING BOARD**

12-29-2015 RECEIVED BY LEGISLATIVE COUNCIL.

01-26-2016 REPORT SENT TO AGENCY.

MSK:SM

**LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT**

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]  
Comment Attached      YES       NO
2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]  
Comment Attached      YES       NO
3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]  
Comment Attached      YES       NO
4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS [s. 227.15 (2) (e)]  
Comment Attached      YES       NO
5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]  
Comment Attached      YES       NO
6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL REGULATIONS [s. 227.15 (2) (g)]  
Comment Attached      YES       NO
7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]  
Comment Attached      YES       NO



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## WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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### CLEARINGHOUSE RULE 15-102

#### Comments

**[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Reference Bureau and the Legislative Council Staff, dated December 2014.]**

#### 2. Form, Style and Placement in Administrative Code

a. SECTION 8 of the proposed rule appears to treat s. Psy 2.05 (4), instead of s. Psy 2.05 (3). The treatment clause for the SECTION and the introductory clause for the proposed rule should be corrected to reflect the appropriate citation.

b. An entry should be inserted for the “related statutes or rules” section of the rule summary. [s. 1.02 (2) (a) (intro.), Manual.]

#### 5. Clarity, Grammar, Punctuation and Use of Plain Language

a. In the “plain language analysis” section of the rule summary, the joint description of SECTIONS 5, 6, 7, and 8 is confusing and could be revised for clarity.

b. In the “plain language analysis” section of the rule summary, the first sentence of the description of SECTION 10 should use the active voice.

c. In the “comparison with rules in adjacent states” section of the rule summary, under “Iowa”, should a verb such as “complete” be inserted before “one year of...”, for clarity?

d. In the “comparison with rules in adjacent states” section of the rule summary, under “Michigan”, the verb tense of the words “licensed” and “hold” should be revised for grammatical correctness.

e. In the “comparison with rules in adjacent states” section of the rule summary, under “Minnesota”, should a verb such as “complete” be inserted before “one full year...”, for clarity?

f. In s. Psy 2.01 (3) of the proposed rule, a period should be inserted at the end of the sentence.

g. Section Psy 2.10 (intro.) of the proposed rule describes the satisfactory conditions necessary for a "one year experience". However, s. Psy 2.10 (1) requires that 2,000 hours of the supervised psychological experience must be completed in "no less than 24 months". These time frames should be reconciled.

h. In s. Psy 2.10 (1) of the proposed rule, a period should be inserted at the end of the sentence.

**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

<b>1) Name and Title of Person Submitting the Request:</b>  Sharon Henes Administrative Rules Coordinator		<b>2) Date When Request Submitted:</b>  25 January 2016  Items will be considered late if submitted after 12:00 p.m. on the deadline date: ▪ 8 business days before the meeting	
<b>3) Name of Board, Committee, Council, Sections:</b>  Psychology Examining Board			
<b>4) Meeting Date:</b>  3 February 2016	<b>5) Attachments:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	<b>6) How should the item be titled on the agenda page?</b> Legislation and Rule Matters – Discussion and Consideration 1. Proposals for Psy 3 Relating to the Private Practice of School Psychology 2. Proposals for Psy 5 Relating to Unprofessional Conduct 3. Update on Legislation and Pending and Possible Rulemaking Projects	
<b>7) Place Item in:</b> <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	<b>8) Is an appearance before the Board being scheduled?</b>  <input type="checkbox"/> Yes ( <a href="#">Fill out Board Appearance Request</a> ) <input type="checkbox"/> No	<b>9) Name of Case Advisor(s), if required:</b>	
<b>10) Describe the issue and action that should be addressed:</b>			
<b>11) Authorization</b>			
<i>Sharon Henes</i>		<i>25 January 2016</i>	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date	
<b>Directions for including supporting documents:</b>			
1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

<b>1) Name and Title of Person Submitting the Request:</b>  Nifty Lynn Dio, Bureau Assistant		<b>2) Date When Request Submitted:</b>  12/23/15  Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting									
<b>3) Name of Board, Committee, Council, Sections:</b>  Psychology Examining Board											
<b>4) Meeting Date:</b>  02/03/2016	<b>5) Attachments:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>6) How should the item be titled on the agenda page?</b>  Administrative Updates 1. Election of Officers 2. Liaison Appointments and Delegated Authorities									
<b>7) Place Item in:</b> <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	<b>8) Is an appearance before the Board being scheduled?</b>  <input type="checkbox"/> Yes ( <a href="#">Fill out Board Appearance Request</a> ) <input checked="" type="checkbox"/> No	<b>9) Name of Case Advisor(s), if required:</b>  N/A									
<b>10) Describe the issue and action that should be addressed:</b>  1. Elect Officers for 2016 2. The Chair Appoints Liaisons 3. The Board should consider continuation or modification of previously delegated authorities											
<b>11) Authorization</b>  <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%; border-bottom: 1px solid black;"><b>Nifty Lynn Dio</b></td> <td style="width: 30%; border-bottom: 1px solid black; text-align: right;"><b>12/23/15</b></td> </tr> <tr> <td style="border-bottom: 1px solid black;">Signature of person making this request</td> <td style="border-bottom: 1px solid black; text-align: right;">Date</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Supervisor (if required)</td> <td style="border-bottom: 1px solid black; text-align: right;">Date</td> </tr> <tr> <td colspan="2" style="border-bottom: 1px solid black;">Executive Director signature (indicates approval to add post agenda deadline item to agenda)    Date</td> </tr> </table>				<b>Nifty Lynn Dio</b>	<b>12/23/15</b>	Signature of person making this request	Date	Supervisor (if required)	Date	Executive Director signature (indicates approval to add post agenda deadline item to agenda)    Date	
<b>Nifty Lynn Dio</b>	<b>12/23/15</b>										
Signature of person making this request	Date										
Supervisor (if required)	Date										
Executive Director signature (indicates approval to add post agenda deadline item to agenda)    Date											
<b>Directions for including supporting documents:</b> 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.											

## Psychology Examining Board

2015 OFFICER ELECTION RESULTS	
<b>Board Chair</b>	Daniel Schroeder, Ph.D.
<b>Vice Chair</b>	Marcus Desmonde, Psy.D.
<b>Secretary</b>	Rebecca Anderson, Ph.D.

### Appointment Of Liaisons And Committee Members

The Chair appoints the following members to:

2015 LIAISON APPOINTMENTS	
<b>Monitoring Liaison(s)</b>	Rebecca Anderson, Ph.D.
<b>Professional Assistance Procedure (PAP) Liaison(s)</b>	Rebecca Anderson, Ph.D.
<b>Credentialing Liaison(s)</b>	Rebecca Anderson, Ph.D. Marcus Desmonde, Psy.D. Daniel Schroeder, Ph.D. David Thompson, Ph.D.
<b>Continuing Education Liaison</b>	Marcus Desmonde, Psy.D.
<b>Legislative Liaison</b>	Daniel Schroeder, Ph.D.
<b>Screening Panel Liaisons January-December 2015</b>	Rebecca Anderson, Ph.D. David Thompson, Ph.D.

### DELEGATION MOTIONS

**MOTION:** David Thompson, Ph.D. moved, seconded by Rebecca Anderson, Ph.D., the Board delegates authority to the Chair to sign documents on behalf of the Board. In order to carry out duties of the Board, the Chair has the ability to delegate this signature authority to the Board's Executive Director for purposes of facilitating the completion of assignments during or between meetings. Motion carried unanimously.

**MOTION:** Rebecca Anderson, Ph.D. moved, seconded by David Thompson, Ph.D., in order to facilitate the completion of assignments between meetings, the Board delegates its authority by order of succession to the Chair, to appoint liaisons to the Department to act where knowledge or experience in the profession is required to carry out the duties of the Board in accordance with the law. Motion carried unanimously.

- MOTION:** Rebecca Anderson, Ph.D. moved, seconded by David Thompson, Ph.D., to delegate authority to the Credentialing Liaisons to address all issues related to credentialing matters. Motion carried unanimously.
- MOTION:** Marcus Desmonde, Psy.D. moved, seconded by David Thompson, Ph.D., to delegate authority to the Continuing Education Liaison(s) to address all issues related to continuing education. Motion carried unanimously.
- MOTION:** Marcus Desmonde, Psy.D. moved, seconded by David Thompson, Ph.D., to adopt the “Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor” document as included in the 2/4/2015 meeting agenda materials. Motion carried unanimously.

## **Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor**

The Monitoring Liaison (“Liaison”) is a Board/Section designee who works with department monitors to enforce Board/Section orders as explained below.

### **Current Authorities Delegated to the Monitoring Liaison**

The Liaison may take the following actions on behalf of the Board/Section:

1. Grant a temporary reduction in random drug screen frequency upon Respondent’s request if he/she is unemployed and is otherwise compliant with Board/Section order. The temporary reduction will be in effect until Respondent secures employment in the profession. The Department Monitor (“Monitor”) will draft an order and sign on behalf of the Liaison.
2. Grant a stay of suspension if Respondent is eligible per the Board/Section order. The Monitor will draft an order and sign on behalf of the Liaison.
3. Remove the stay of suspension if there are repeated violations or a substantial violation of the Board/Section order. In conjunction with removal of any stay of suspension, the Liaison may prohibit Respondent from seeking reinstatement of the stay for a specified period of time. The Monitor will draft an order and sign on behalf of the Liaison.
4. Grant or deny approval when Respondent proposes continuing/remedial education courses, treatment providers, mentors, supervisors, change of employment, etc. unless the order specifically requires full-Board/Section approval.
5. Grant a maximum of one 90-day extension, if warranted and requested in writing by Respondent, to complete Board/Section-ordered continuing education.
6. Grant a maximum of one extension or payment plan for proceeding costs and/or forfeitures if warranted and requested in writing by Respondent.
7. Grant full reinstatement of licensure if Respondent has fully complied with all terms of the order without deviation. The Monitor will draft an order and obtain the signature or written authorization from the Liaison.
- 8. Grant or deny a request to appear before the Board/Section in closed session.**

### **Current Authorities Delegated to the Department Monitor**

The Monitor may take the following actions on behalf of the Board/Section, draft an order and sign:

1. Grant full reinstatement of licensure if CE is the sole condition of the limitation and Respondent has submitted the required proof of completion for approved courses.
2. Suspend the license if Respondent has not completed Board/Section-ordered CE and/or paid costs and forfeitures within the time specified by the Board/Section order. The Monitor may remove the suspension and issue an order when proof completion and/or payment have been received.