

Regulatory Analysis Form

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REVIEW COMMISSION

(1) Agency

Department of State, Bureau of Professional and Occupational Affairs, State Board of Psychology

(2) I.D. Number (Governor's Office Use)

16A-6314

IRRC Number:

2378

(3) Short Title

Notice Requirements

(4) PA Code Cite

49 Pa. Code, §§41.65 and 41.66

(5) Agency Contacts & Telephone Numbers

Primary Contact: Judith Pachter Schulder, Counsel
State Board of Psychology (717) 783-7200

Secondary Contact: Joyce McKeever, Deputy Chief
Counsel, Department of State (717) 783-7200

(6) Type of Rulemaking (check one)

Proposed Rulemaking
 Final Order Adopting Regulation
 Policy Statement

(7) Is a 120-Day Emergency Certification Attached?

No
 Yes: By the Attorney General
 Yes: By the Governor

(8) Briefly explain the regulation in clear and nontechnical language.

The regulation requires licensees to notify the Board of any felony or misdemeanor convictions and any disciplinary action taken by a licensing body in another jurisdiction. The regulation also required licensees, in addition to returning their license to the Board within 30 days of being actively suspended or revoked, to notify all of their current clients/patients and supervisees of the disciplinary action.

(9) State the statutory authority for the regulation and any relevant state or federal court decisions.

The amendments are proposed under the authority of Sections 3.2(2), 8 (a) (6)-(8), 8.1, 11(c) and 17 of the Professional Psychologists Practice Act, 63 P.S. §§ 1203.b(2), 1208(a)(6)-(8), 1208a, 1211(c) and 1217.

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(10) Is the regulation mandated by any federal or state law or court order, or federal regulation? If yes, cite the specific law, case or regulation, and any deadlines for action.

No.

(11) Explain the compelling public interest that justifies the regulation. What is the problem it addresses?

Reporting of crimes and disciplinary actions. Sections 8(a)(6) through 8(a)(8) of the Act, 63 P.S. §§1208(a)(6)-(8), authorize the Board to discipline licensees who have been convicted of or plead guilty or nolo contendere to either any felony or misdemeanor in the practice of psychology, disciplined by the licensing authority of another state, territory or country, or are unable to practice with reasonable skill and safety by reason of illness, drunkenness, excessive use of drugs, narcotics, chemicals or any other type of material. However, there is no provision in the Board's regulations which requires licensees to report pleas or convictions to the board in advance of biennial renewal. As such, the Board may not learn of the conviction/plea for almost 2 years. Similarly, although Section 11(c) of the Act, 63 P.S. §1211(c), requires licensees to return suspended and revoked licenses to the Board, there is no provision in the Board's regulations which requires that they be returned within a specified time. (continued on page 9)

(12) State the public health, safety, environmental or general welfare risks associated with nonregulation.

By requiring psychologist who have been convicted of felonies or misdemeanors or have been disciplined in another state to notify the Board within a set time of the action, the Board can, in a more timely manner, assure that the licensees who are providing psychological services are not a danger to their patients. Additionally, by requiring psychologists who have been actively suspended or revoked to notify their patients of the action, the patients can make an informed determination whether to continue to receive services, which may fall within the rubric of another recognized profession, from the psychologist. Supervisees too may arrange to obtain alternate supervision without causing an interruption of the supervised training required for licensure.

(13) Describe who will benefit from the regulation. (Quantify the benefits as completely as possible and approximate the number of people who will benefit.)

Individuals who receive psychological services from licenses psychologists will benefit from this regulation in that the Board will be better able to monitor its licensees and clients/patients will be informed within 30 days of any voluntary relinquishment, active suspension or revocation of their psychologist's license to practice.

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(14) Describe who will be adversely affected by the regulation. (Quantify the adverse effects as completely as possible and approximate the number of people who will be adversely affected.)

There are no perceived people or groups of people who will be adversely affected by the proposed regulations.

(15) List the persons, groups or entities that will be required to comply with the regulation. (Approximate the number of people who will be required to comply.)

Any licensee of the Board who has been convicted or entered into a plea to a felony or misdemeanor, has been disciplined by the licensing authority of another jurisdiction or has voluntarily surrendered a license in lieu of discipline or been actively suspended or revoked will be required to comply with the notice requirements. Currently, there are approximately 5,000 licensees of the Board.

(16) Describe the communications with and input from the public in the development and drafting of the regulation. List the persons and/or groups who were involved, if applicable.

In compliance with Executive Order 1996-1, the Commission extended an invitation to the following individuals and associations to preliminarily review and comment on the Board's draft regulatory proposal: Academy of Psychologists Engaged in Private Practice in Lehigh Valley; Berks Area Psychological Society; Central Pennsylvania Psychological Association; Delaware County Association of School Psychologists; Delaware Valley Association of Black Psychologists; Greater Pittsburgh Psychological Association; Lancaster/Lebanon Psychological Association; Laurel Mountains Psychological Association; Lehigh Valley Psychological Association; Mideast PA School Psychological Association; Northeastern PA Psychological Association; Northwestern PA Psychological Association; Philadelphia Society of Clinical Psychologists; Philadelphia Neuropsychology Society; National Association of School Psychologists; Association of School Psychologists of Pennsylvania; Pennsylvania Mental Health Consumer's Association; Pennsylvania Psychological Association; Harrisburg Area Psychological Association; Hospital Association of Pennsylvania; Mental Health Association in PA; National Alliance for the Mentally Ill of PA; Richard Dumaresq, Ed.D.; Pennsylvania Association of Private School Administrators; Paul Bartoli; Laura Greenlee, MS, Ph.D.; Marsha V. Hammond, Ph.D.; Cheryl V. Mack; Bill Burrichter, and Jed A. Yalof, Psy.D.

In formulating this proposal, the Commission reviewed and considered the comments and suggestions it received from the Pennsylvania Psychological Association to the proposed regulation.

(17) Provide a specific estimate of the costs and/or savings to the regulated community associated with compliance, including any legal, accounting or consulting procedures which may be required.

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(18) Provide a specific estimate of the costs and/or savings to local governments associated with compliance, including any legal, accounting or consulting procedures which may be required.

N/A

(19) Provide a specific estimate of the costs and/or savings to state government associated with the implementation of the regulation, including any legal, accounting, or consulting procedures which may be required.

There are no costs or savings to state government associated with the implementation of this regulation. Currently, the Board learns through a variety of avenues that a licensee had been disciplined in another state or has been convicted or entered plea to a felony or misdemeanor. Licensees are asked to report felonies or misdemeanor actions to the Board when they renew their licenses. Disciplinary actions are posted on the National Practitioner's Data Bank. This regulation provides licensees with a time frame when this information must be reported to the Board in order for the Board to take timely appropriate action, where necessary.

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(20) In the table below, provide an estimate of the fiscal savings and costs associated with implementation and compliance for the regulated community, local government, and state government for the current year and five subsequent years.

	Current FY Year	FY +1 Year	FY +2 Year	FY +3 Year	FY +4 Year	FY +5 Year
SAVINGS:	\$	\$	\$	\$	\$	\$
Regulated Community	N/A	N/A	N/A	N/A	N/A	N/A
Local Government						
State Government						
Total Savings						
COSTS:						
Regulated Community						
Local Government						
State Government						
Total Costs						
REVENUE LOSSES:						
Regulated Community						
Local Government						
State Government						
Total Revenue Losses						

(20a) Explain how the cost estimates listed above were derived.
N/A

Regulatory Analysis Form

(20b) Provide the past three year expenditure history for programs affected by the regulation.

Program	FY99-00	FY00-01	PROJECTED FY01-02	BUDGET FY 02-03
State Board of Psychology	\$355,791.54	\$396,549.30	\$441,377.32	\$418,000.00

(21) Using the cost-benefit information provided above, explain how the benefits of the regulation outweigh the adverse effects and costs.

In that there are no additional costs associated with this regulation, there should be no adverse effects and costs associated with compliance.

(22) Describe the nonregulatory alternatives considered and the costs associated with those alternatives. Provide the reasons for their dismissal.

Nonregulatory alternatives were not considered because policy statements on any of the issues covered by the amendments would not have the force or effect of law.

(23) Describe alternative regulatory schemes considered and the costs associated with those schemes. Provide the reasons for their dismissal.

No other regulatory schemes were considered.

Regulatory Analysis Form

(24) Are there any provisions that are more stringent than federal standards? If yes, identify the specific provisions and the compelling Pennsylvania interest that demands stronger regulation.

There are no federal licensure standards.

(25) How does this regulation compare with those of other states? Will the regulation put Pennsylvania at a competitive disadvantage with other states?

Missouri and Nebraska licensees are required to disclose any sanctions to all their patients. Ohio requires licensees to insure for "continuity of care" for patients of suspended or revoked licensees. New York licensees are not required to report, but all suspensions and revocations are followed up by their Office of Professional Discipline. The regulation will not put Pennsylvania at a competitive disadvantage.

(26) Will the regulation affect existing or proposed regulations of the promulgating agency or other state agencies? If yes, explain and provide specific citations.

The regulation will not affect any regulations of the Board or other state agencies.

(27) Will any public hearings or informational meetings be scheduled? Please provide the dates, times, and locations, if available.

In light of the extensive public outreach already conducted in promulgating this proposed regulation and the discussions about the proposed regulation at the Board's regular meetings which are open to the public, the Board has not scheduled any public meetings or hearings regarding the regulation.

Regulatory Analysis Form

(28) Will the regulation change existing reporting, record keeping, or other paperwork requirements? Describe the changes and attach copies of forms or reports which will be required as a result of implementation, if available.

This regulation changes the timeframes for reporting adverse actions against licenses. Instead of reporting felony or misdemeanor convictions or pleas only at biennial renewal, licensees will have 30 days to do so. Similarly, instead of by Board Order, licensees will be required by Board regulation to return the licensure documents within 30 days. This regulation imposes an additional regulatory reporting requirement on licensees who have voluntarily surrendered their licenses in lieu of discipline or have been suspended or revoked by the Board. Currently, Board adjudications require these licensees to notify their client/patients of suspensions and revocations. The amendment codifies this notification provision into a regulation.

(29) Please list any special provisions which have been developed to meet the particular needs of affected groups or persons including, but not limited to, minorities, elderly, small businesses, and farmers.

The Board is aware of no special needs of any subset or group which should be excepted.

(30) What is the anticipated effective date of the regulation; the date by which compliance with the regulation will be required; and the date by which any required permits, licenses or other approvals must be obtained?

The regulation will be effective upon publication as an Order of Final Rulemaking in the Pennsylvania Bulletin. Compliance will be required as of that date.

(31) Provide the schedule for continual review of the regulation.

The Board continuously reviews its regulations.

11. (con't) *Notice of active suspension or revocation.* Section 8.1 of the Act, 63 P.S. §1208a, prohibits suspended and revoked licensees from providing any service which falls within the practice of psychology. However, Section 3 of the Act, 63 P.S. §1203, carves out numerous exemptions from the licensure requirements, including one for qualified members of other recognized professions. As such, a suspended or revoked psychologist who provides services that also fall within the practice of another recognized profession may continue to provide that service to his or her clients/patients without any interruption. The Board believes that in order to properly protect the clients/patients of actively suspended or revoked licensees, the licensees must advise their clients/patients of the disciplinary action so that the client/patients can make an informed decision about continuing to receive service from the provider. The licensees are also required to notify any individuals on the service from the provider. The licensees are also required to notify any individuals on the licensure track who are receiving supervision from the disciplined licensee so that the supervisee will be able to obtain another supervisor.

FACE SHEET
FOR FILING DOCUMENTS
WITH THE LEGISLATIVE REFERENCE BUREAU

(Pursuant to Commonwealth Documents Law)

201001-1 11:57
REVIEW COMMISSION

2378

DO NOT WRITE IN THIS SPACE

Copy below is hereby approved as to form and legality. Attorney General

Copy below is hereby certified to be a true and correct copy of a document issued, prescribed or promulgated by:

Copy below is approved as to form and legality. Executive or Independent Agencies.

BY: _____
(DEPUTY ATTORNEY GENERAL)

State Board of Psychology

(AGENCY)

BY: Tanya C. Gable

DOCUMENT/FISCAL NOTE NO. 16A-6314

7.27.04

DATE OF APPROVAL

DATE OF ADOPTION: _____

DATE OF APPROVAL

BY: Alex M. Siegel, Ph.D. J.D.

Asst.
(Deputy General Counsel
(Chief Counsel,
Independent Agency
~~Strike inapplicable~~
title)

TITLE: Chairman
(EXECUTIVE OFFICER, CHAIRMAN OR SECRETARY)

[] Check if applicable
Copy not approved.
Objections attached.

[] Check if applicable. No Attorney General approval or objection within 30 day after submission.

FINAL RULEMAKING
COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS
STATE BOARD OF PSYCHOLOGY
49 Pa. Code, Chapter 41
Notice Requirements

The State Board of Psychology (Board) hereby amends Chapter 41 to add §§ 41.91 and 41.92 (relating to reporting of crimes and disciplinary actions; and notice of active suspension or revocation) to read as set forth in Annex A.

Statutory Authority

The amendments are authorized under the authority of sections 3.2(2), 8(a)(6)-(8), 8.1, 11(c) and 17 of the Professional Psychologists Practice Act (act) (63 P.S. §§1203.2(2), 1208(a)(6)-(8), 1208.1, 1211(c) and 1217).

Response to Public Comments and Regulatory Review and Amendments in Final Form Rulemaking

Notice of the proposed rulemaking was published at 34 *Pa.B.* 60 (January 3, 2004). Publication was followed by a 30-day public comment period during which the Board received comment from the Pennsylvania Psychological Association (PPA). The House Professional Licensure Committee (HPLC) and the Independent Regulatory Review Commission (IRRC) also submitted comments. The Senate Consumer Protection and Professional Licensure Committee (SCP/PLC) did not comment.

§ 41.91 Reporting of crimes and disciplinary actions.
Subsection (a)

Subsection (a) requires licensees to notify the Board of any felony or misdemeanor convictions. The HPLC, IRRC and PPA questioned why the Board did not limit the misdemeanor notification to misdemeanors committed in the practice of psychology. In addition to authorizing the Board to discipline licenses for misdemeanor convictions related to the practice of psychology, Section 8(a) of the act (63 P.S. 1208(a)), authorizes the Board to impose discipline for other misdemeanors if they fall within other enumerated categories, such as immoral conduct in paragraph (11) or submitting an insurance claim for services not actually provided in paragraph (14). In that the determination of whether a misdemeanor conviction falls within Section 8(a) of the act (63 P.S. 1208(a)) is fact-specific, the Board believes that it is prudent for licensees to report all misdemeanors rather than risk failing to report. This provision parallels other licensing boards' reporting requirements.

PPA questioned whether a licensee would be required to report the conviction if it has been appealed. Under the regulation, licensees would be required to report the conviction but may advise the Board that the conviction is on appeal.

Section 8(a)(6) of the act (63 P.S. 1208(a)(6)) defines "conviction" as including findings of guilt, pleas, dispositions without verdict and accelerated rehabilitative dispositions. The HPLC, IRRC and PPA recommended that the Board track the language in Section 8(a)(6) of the act or reference the act in subsection (a). Owing to this concern,

the Board amended subsection (a) by deleting guilty and nolo contendere pleas and inserting a reference to the act.

IRRC also suggested that the Board add the following clause to subsection (a): “or on the biennial renewal application, whichever is sooner” to parallel subsection (b). The Board concurs with this suggestion and has added this clause.

Finally IRRC questioned why the Board used the terms “provincial board of psychology” instead of “country” as referenced in the act. Although the regulated community of psychologists refers to “provincial boards of psychology” when referring to foreign boards rather than “country,” the Board has replaced “provincial boards of psychology” with “country” to track the statute.

Subsection (b)

Subsection (b) requires that all disciplinary actions be reported to the Board within 30 days. IRRC correctly comments that the act permits the reports within 90 days. Accordingly, the Board has amended Subsection (b) in conformity with section 8.1 of the act (63 P.S. 1208.1).

Additionally, in proposed form, subsection (b) referred to disciplinary actions by “provincial boards of psychology.” IRRC recommended that the Board track the language in sections 8 and 8.1 of the act. Although the Board understands that licensing jurisdictions in other countries refer to themselves as “provincial boards of psychology,” the Board has amended the language in subsection (b) to track the act.

§ 41.92. Notice of active suspension or revocation.

In addition to requiring licensees who have been actively suspended or revoked to return their license to the Board within 30 days, in proposed form, § 41.92 required licensees to advise their current clients/patients of the disciplinary action in writing. In final form, the Board identified another group of individuals who should be advised of the licensee’s active suspension or revocation—Ph.D. and Psy.D. holders on the licensure track who are obtaining their supervised experience with the disciplined licensee. Under § 41.32(8) (relating to standards for supervisors) a supervisor may not be the subject of a disciplinary action. Timely notification to the supervisees will allow the supervisees to find a replacement for the disciplined licensee.

IRRC questioned whether licensees who voluntarily surrender their licenses would also be required to notify their client/patients. The Board believes that where the licensee has voluntarily surrendered the license in lieu of further discipline, notification is necessary. However, where the licensee has surrendered the license not in connection with discipline, for example, because the licensee is retiring or moving to another state, the Board does not believe that the requirements of this section should apply. Accordingly, the Board has amended this provision to include voluntary surrenders in lieu of discipline.

The HPLC and PPA asked the Board to clarify “actively suspended or revoked.” Among the disciplinary sanctions the Board may impose are suspension and revocation. Unless the suspension has been stayed, in both active suspensions and revocations, licensees are prohibited from engaging in the practice of psychology for a specified period of time. In the case of revocations, the statutory prohibition from practice is at least 5 years. The length of an active suspension is set out in the Board’s disciplinary Order. Because stayed suspensions do not prohibit a licensee from practice, the Board limited this mandatory notification requirement to active suspensions and revocations.

IRRC asked the Board to explain its requirement that actively suspended or revoked licensees assist current clients/patients with transferring records and obtaining alternative professional resources. In order to ensure continuity of treatment for clients/patients, especially ones who has been treating with the same psychologist for many years, the Board believes that the actively suspended or revoked licensee must make referrals to other appropriate professionals and provide treatment records. The Board believes that simply immediately ending treatment without these necessary steps would be harmful to the patient, especially in cases where the patient has abandonment and separation issues.

Finally, IRRC asked the Board to explain how this provision would affect school psychologists. School psychologists fit within two categories: certified school psychologists who are not licensed by the Board and licensed school psychologists. As with all other regulations of the Board, school psychologists who are only certified school psychologists and not also licensed school psychologists are not within the Board’s jurisdiction and are not required to comply with these regulations. Licensed school psychologists are within the Board’s jurisdiction and would have to comply. Because the licensed school psychologists are employed by the school districts directly or as independent contractors, these licenses would be required to notify the school district because the school district is their client.

Fiscal Impact and Paperwork Requirements

The amendments have no fiscal impact on the Commonwealth, its political subdivisions, the public or the regulated community. The amendments create additional reporting requirements on those licensees who voluntarily relinquish their license in lieu of discipline or who are actively suspended or revoked by the Board in that they are required to notify their patients of the Board’s disciplinary action. Because the act currently requires all licensees to report nolo or guilty pleas and licensees with multiple licenses to report discipline taken in other states, there are no new legal, reporting or other paperwork requirements on these licensees.

Sunset Date

The Board continually monitors the effectiveness of its regulations through communication with the regulated population; accordingly, no sunset date has been set.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on December 17, 2003, the Board submitted a copy of this proposed rulemaking, published at 34 *Pa. B.* 60, to IRRC and the Chairpersons of the House Professional Licensure Committee (HPLC) and the Senate Consumer Protection and Professional Licensure Committee (SCP/PLC) for review and comment.

Under section 5(c) of the Regulatory Review Act, IRRC, the HPLC and the SCP/PLC were provided with copies of the comments received during the public comment period, as well as other documents when requested. In preparing the final-form rulemaking, the Board has considered all comments from IRRC, the HPLC, the SCP/PLC and the public.

Under section 5.1(j.2) of the Regulatory Review Act (71 P.S. § 745.5a(j.2)), on _____, the final-form rulemaking was approved by the HPLC. On _____, the final-form rulemaking was deemed approved by the SCP/PLC. Under section 5.1(e) of the Regulatory Review Act, IRRC met on _____, and approved the final form rulemaking.

Contact Person

Further information may be obtained by contacting Christine Stuckey, Administrative Assistant, State Board of Psychology, P.O. Box 2649, Harrisburg, PA 17105-2649, www.state.pa.us/bpoa/psyc/mainpage.

Findings

The Board finds that:

(1) Public notice of proposed rulemaking was given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201 and 1202) and the regulations promulgated thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) A public comment period was provided as required by law and all comments were considered.

(3) This final form rulemaking does not enlarge the purpose of proposed rulemaking published at 34 *Pa. B.* 60 on January 3, 2004.

(4) This final-form rulemaking is necessary and appropriate for administering and enforcing the authorizing acts identified in this Preamble.

Order

The Board, acting under its authorizing statutes, orders that:

(a) The regulations of the Board, 49 Pa. Code Chapter 41, are amended to read as set forth in Annex A.

(b) The Board shall submit this order and Annex A to the Office of General Counsel and the Office of Attorney General as required by law.

(c) The Board shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(d) This order shall take effect on publication in the *Pennsylvania Bulletin*.

Alex M. Siegel, J.D./Ph.D., Chairman
State Board of Psychology

ANNEX A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS
PART I. DEPARTMENT OF STATE
Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS
CHAPTER 41. STATE BOARD OF PSYCHOLOGY

* * *

NOTICE REQUIREMENTS

§41.91. Reporting of crimes and disciplinary actions.

(a) A licensee shall notify the Board of having been convicted , AS DEFINED IN SECTION 8(A)(6) OF THE ACT (63 P.S. § 1208(A)(6)), of , or having pleaded guilty or nolo contendere to, a felony or misdemeanor, within 30 days of the conviction, verdict or plea OR ON THE BIENNIAL RENEWAL APPLICATION, WHICHEVER IS SOONER.

(b) A licensee shall notify the Board of disciplinary action in the nature of a final order taken against the licensee by the licensing authority of another state, territory or provincial board of psychology COUNTRY within 30 90 days of receiving notice of the disciplinary action, or on the biennial renewal application, whichever is sooner.

§41.92. Notice of active suspension or revocation.

A licensee WHO HAS VOLUNTARILY SURRENDERED A LICENSE IN LIEU OF DISCIPLINE OR whose license has been actively suspended or revoked by the Board shall return the suspended or revoked license to the Board and notify all current

clients/patients AND ANY INDIVIDUALS OBTAINING SUPERVISION FOR LICENSURE FROM THE LICENSEE of the disciplinary action in writing within 30 days of receiving notice of the disciplinary action. The notice shall contain the following:

- (a) The sanction imposed.
- (b) The effective date and length of the sanction.
- (c) The nature of the violation.
- (d) A statement that the licensee will assist patients in obtaining alternative professional resources and in transferring psychological records.



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS
STATE BOARD OF PSYCHOLOGY
Post Office Box 2649
Harrisburg, Pennsylvania 17105-2649
(717) 783-7155

October 1, 2004

The Honorable John R. McGinley, Jr., Chairman
INDEPENDENT REGULATORY REVIEW COMMISSION
14th Floor, Harrisstown 2, 333 Market Street
Harrisburg, Pennsylvania 17101

Re: Final Regulation
State Board of Psychology
16A-6314: Notice Requirements

Dear Chairman McGinley:

Enclosed is a copy of a final rulemaking package of the State Board of Psychology pertaining to notice requirements.

The Board will be pleased to provide whatever information the Commission may require during the course of its review of the rulemaking.

Sincerely,

A handwritten signature in black ink that reads "Alex M. Siegel".

Alex M. Siegel, Ph.D./J.D., Chairperson
State Board of Psychology

AMS:JPS:apm

Enclosure

cc: Linda C. Barrett, Chief Counsel
Department of State
Basil L. Merenda, Commissioner
Bureau of Professional and Occupational Affairs
Joyce McKeever, Deputy Chief Counsel
Department of State
Cynthia Montgomery, Regulatory Counsel
Department of State
Gerald S. Smith, Senior Counsel in Charge
Department of State
Judith Pachter Schulder, Counsel
State Board of Psychology
State Board of Psychology

**TRANSMITTAL SHEET FOR REGULATIONS SUBJECT TO THE
REGULATORY REVIEW ACT**

I.D. NUMBER: 16A-6314
SUBJECT: State Board of Psychology - Notice Requirements
AGENCY: DEPARTMENT OF STATE

TYPE OF REGULATION

- Proposed Regulation
- Final Regulation
- Final Regulation with Notice of Proposed Rulemaking Omitted
- 120-day Emergency Certification of the Attorney General
- 120-day Emergency Certification of the Governor
- Delivery of Tolled Regulation
- a. With Revisions b. Without Revisions

RECEIVED
10/11/04 11:00 AM

FILING OF REGULATION

DATE	SIGNATURE	DESIGNATION
10/1/04	<i>Sandra Hayes</i>	HOUSE COMMITTEE ON PROFESSIONAL LICENSURE
10/1/04	<i>Mary Walmer</i>	SENATE COMMITTEE ON CONSUMER PROTECTION & PROFESSIONAL LICENSURE
10/1/04	<i>Steph F. Hoff</i>	INDEPENDENT REGULATORY REVIEW COMMISSION
		ATTORNEY GENERAL (for Final Omitted only)
		LEGISLATIVE REFERENCE BUREAU (for Proposed only)

August 18, 2004