

Regulatory Analysis Form

This space for use by IRRC

(1) Agency
 Department of State, Bureau of Professional and Occupational Affairs, State Board of Psychology

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

16A-6313

IRRC Number: 2422

(3) Short Title
 Education Requirements

(4) PA Code Cite
 49 Pa. Code §§41.1 and 41.31.

(5) Agency Contacts & Telephone Numbers

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(6) Type of Rulemaking (check one)
 Proposed Rulemaking
 Final Order Adopting Regulation
 Final Order, Proposed Rulemaking Omitted

(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 applicants from United States, Canada and U.S. territories doctoral degree programs in psychology or a field related to psychology to obtain their doctoral degrees from programs that are awarded accreditation by the American Psychological Association (APA) or Canadian Psychological Association (CPA) or designation by the Association of State and Provincial Psychology Boards/National Register (ASPPB/National Register) within one year of the applicant's graduation. Doctoral degree holders from foreign colleges and universities would be required to meet the educational standards set out by ASPPB/National Register within that same timeframe.

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

The amendments are promulgated under the authority of Sections 3.2(1) and 6(a)(2) of the Professional Psychologists Practice Act (Act), 63 P.S. §§1203.2(1) and 1206(a)(2).

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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?

Currently, the regulations permit doctoral degrees from: (1) programs accredited by the American Psychological Association (APA); (2) programs designated by the Association of State and Provincial Psychology Boards/National Register Designation Committee (Designation Committee); and (3) programs which are neither accredited nor designated programs.

Programs in the latter category are reviewed by the Board on a case-by-basis using the criteria set out in subsection (c). This regulation deletes this latter category because:

(1) The majority of doctoral degree programs in psychology and a field related to psychology are accredited or designated. In 1991, when this provision was originally added, many programs were not accredited or designated. However, today, the vast majority of programs are accredited or designated. A list of those programs can be found on the APA's website at www.apa.org and on the ASPPB/National Register website at www.nationalregister.org;

(2) Non-accredited/designated programs do not meet the same standards. Since 1991, the Board has also reviewed numerous doctoral degree programs in the latter category. The Board has found that the standards at these programs vary significantly and that most do not meet the APA/CPA or ASPPB/National Register standards. In addition, because the Board is not capable of

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

Acceptable uniform education and review standards assure that psychologists receive quality education and training sufficient to practice on patient/clients in this Commonwealth and provides applicant with a bright-line standard for meeting the educational requirements.

(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 licensed psychologists benefit from this regulation in that the Board will be better able to monitor the education obtained by its licensees.

Applicants from accredited and/or designated programs will also benefit because their applications will be able to be reviewed by Board staff on an on-going basis instead of at monthly Board meetings. Applicants will also have a bright-line standard to determine if they have met the Board's educational requirements.

Regulatory Analysis Form

(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.)

Applicants for licensure from programs in the US, Canada, and US Territories who matriculate after the grandfathering period from programs that are not accredited or designated will be adversely affected by this regulation. Approximately 90 graduates apply to take the Pennsylvania portion of the licensure examination and 49 graduates apply to take the national portion of the U.S. and Canadian licensure examination each year.

No in-state psychology programs should be adversely affected by this change. Since proposed rulemaking, when the Board identified Chestnut Hill College, Marywood University and Gannon University as three in-state non-accredited/designated programs, Chestnut Hill College obtained APA accreditation in 2004 and Marywood University obtained designation in 2004. While not yet obtaining accreditation or designation, Gannon University is in the process of completing its self-study, a step in the accreditation process. Given the implementation timeframe established in the regulation, Gannon University will have at least 2½ years to complete this accreditation process.

(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.)

All applicants for licensure are required to comply with this regulation. A list of accredited doctoral programs can be found at: www.apa.org/ed/accreditation/doctoral.html. A list of designated programs can be found at: www.nationalregister.com/designatenew-howto.html.

Applicants who begin their doctoral degree programs or are awarded their degree before July 1st, 2 years after publication of the regulation will have their education reviewed under the current regulations. Applicants who enroll on or after July 1st, 2 years after publication, will have their education evaluated under the new rules.

(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.

Notice of proposed rulemaking was published at 34 Pa. B. 4903 (September 4, 2004). Publication was followed by a 30-day public comment period during which the Board received public comments from the Pennsylvania Psychological Association (PPA) and, upon request from the House Professional Licensure Committee (HPLC), the National Register. The HPLC, the Independent Regulatory Review Commission (IRRC) also commented. The Senate Consumer Protection and Professional Licensure Committee (SCP/PLC) did not comment.

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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.

The amendments do not generate savings or costs. Applications for licensure are currently reviewed by Board members following Board meetings. Since the Board members are paid a per diem for attending the Board meeting there is no additional cost for reviewing the applications. Hence, no additional fee has been suggested. The Board would continue to conduct its review for applicants with doctoral degrees from foreign colleges and universities at Board meetings. This review entails reviewing transcripts, courses, residencies and internships.

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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	N/A	N/A	N/A	N/A	N/A	N/A
Local Government						
State Government						
Total Savings						
COSTS:	N/A	N/A	N/A	N/A	N/A	N/A
Regulated						
Local Government						
State Government						
Total Costs						
REVENUE LOSSES:	N/A	N/A	N/A	N/A	N/A	N/A
Regulated						
Local Government						
State Government						
Total Revenue Losses						

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

N/A

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Regulatory Analysis Form

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

Program	FY -3 FY 01-02 Actual	FY -2 FY 02-03 Actual	FY -1 FY 03-04 Projected	Current FY FY 04-05 Budgeted
State Board of Psychology	474,294.78	541,378.66	571,037.42	631,000.00

(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 are be no adverse effects and costs associated with compliance. Psychology programs that are neither accredited nor designated may have costs associated with obtaining accreditation or designation, however, those costs would be borne by the program and passed on to the students.

(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.

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(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?

This regulation will not put Pennsylvania applicants at a competitive disadvantage with applicants from other states. The District of Columbia, Florida, Hawaii, Iowa, Louisiana, Maryland, Massachusetts, Missouri, Nevada, New Mexico, Oklahoma, Tennessee and Utah require that the doctoral degree be awarded from a program which is APA accredited or ASPPB/National Register designated. The remaining states require regional accreditation as a minimum standard.

(See attached education chart at page 9.)

(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 does 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 regulation and the discussions about the 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.

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(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.

The amendments decrease paperwork requirements and speed up the review process for applicants from programs in the United States, Canada and U.S. territories. These applicants are only be required to submit a Verification of Doctoral Program Approval Status completed by the program's Director of Clinical Training reflecting accreditation by the APA or CPA or designation by ASPPB/National Register and an official transcript from the Registrar. Because there would be no discretion involved, applications from accredited/designated programs will be reviewed by staff. Applicants from foreign colleges and universities will continue to submit an evaluation from a foreign education credential evaluator acceptable to the Board evidencing compliance with the educational requirements for degree holders from foreign colleges or universities in § 41.1.

(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 is effective for all newly matriculated applicants for licensure on or after July 1st, 2 years from the publication of the final-form rulemaking in the Pennsylvania Bulletin.

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

The Board continuously reviews its regulations.

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conducting site visits at these programs, the Board has been forced to rely on the documentary evidence provided.

Unlike the programs in the latter category, programs accredited by the APA or Canadian Psychological Association (CPA) or designated by ASPPB/National Register undergo a rigid review process. Following the completion of a comprehensive application, each program is subject to a review several-day site visit by a trained team of reviewers who consider the institution's administration, department and program faculty and students as well as the entire curriculum being offered in the program. The process also requires programs to correct deficiencies detected in the evaluation. Accredited and designated programs then undergo a continued review process.

The Board believes that in order to protect the citizens of the Commonwealth who receive psychological services, psychologists must receive uniform quality education. In the Board's view, this can only be accomplished if all doctoral degree programs are held to the same standards. Therefore, the Board is requiring that applicants earn their doctoral degrees programs that are either accredited by APA or CPA or designated by ASPPB/National Register within one year of the applicant's graduation.

Recognizing that there are no foreign equivalents to these reviewing bodies, but in order to ensure that qualified applicants from these foreign programs are not prohibited from obtaining a Pennsylvania license, under this proposal applicants from colleges and universities which are not located in the United States, Canada or the U.S. territories must comply with the National Register's standards which are identical to those required for ASPPB/National Register designation.

(3) Eliminating the third pathway provides applicants for licensure with a bright line standard to determine whether their education complies with the licensure requirements.

Currently, applicants for licensure learn whether their education at a non-accredited/designated program complies with the Board's requirements at the time of application for licensure through a case-by-case review. Many times, these applicants have spent a significant amount on their education only to learn that their doctoral degree program does not meet the requirements. Although many non-accredited/designated programs advise their students that they cannot guarantee that their education requirements will satisfy the licensure requirements, many students take the chance that their education will be found acceptable. By imposing this standard, applicants are aware, almost for the outset, where their degree program is in obtainin accreditation or designation and can choose based on that information.

(Continued from No. 25)

Educational Standards by State

State	Educational Requirement
Alabama	Doctoral degree from department or school of psychology or closely allied field if training is substantially similar to doctorate in psychology.

State	Educational Requirement
Alaska	Doctoral degree in psychology.
Arkansas	Doctoral degree in psychology from regionally accredited institution.
Arizona	Ph.D., Psy.D., or Ed.D. in applied psychology from a regionally accredited institution. Program must meet requirements in board statute and rules.
California	Doctoral degree from a regionally accredited institution or from institutions approved by the California Bureau for Private Post-Secondary and Vocational standards.
Colorado	Doctoral degree in psychology or equivalent from a regionally accredited institution.
Connecticut	Doctoral degree in psychology from a regionally accredited school.
Delaware	Doctoral degree in psychology from an institution accredited by the U.S. Department of Education or by an accrediting agency recognized by the Council on Postsecondary Accreditation or its successor
District of Columbia	Doctoral degree in psychology from a regionally accredited institution and from a program that is APA/CPA accredited or ASPPB/NR designated.
Florida	Ph.D., Psy.D., or Ed.D. in psychology from APA-accredited program.
Georgia	Doctoral degree in psychology from a regionally accredited institution; program must be APA-accredited, ASPPB/NR designated or meet criteria set out in rule.
Hawaii	Doctoral degree in psychology or educational psychology from a regionally accredited institution or a doctoral degree from an APA-approved program in clinical psychology.
Idaho	Doctoral degree in psychology from a regionally accredited institution.
Illinois	Doctoral degree from a regionally accredited institution and from a program that is either APA-accredited, ASPPB/NR designated, or determined to be equivalent by the board or meeting criteria set out in statute.
Indiana	Ed.D., Ph.D., Psy.D. in psychology from regionally accredited school, if not APA-approved. APA- accredited program is preferred.
Iowa	Effective January 1, 2006, Doctoral degree in psychology from an APA/CPA accredited or ASPPB/NR designated program. Before January 1, 2006, Doctoral degree in psychology from a regionally accredited institution.
Kansas	Doctoral degree in psychology from regionally accredited institution and from program that is APA/CPA accredited or substantially equivalent of

State	Educational Requirement
	such program in both subject matter and extent of training.
Kentucky	Doctoral degree in psychology from a regionally accredited school.
Louisiana	A. A graduate of a doctoral program that is listed by ASPPB and the National Register in Designated Doctoral Programs in Psychology is recognized as holding a doctoral degree with a major in psychology from a university offering a full-time graduate course of study in psychology. B. A graduate of a doctoral program that is accredited by the American Psychological Association is recognized as holding a doctoral degree with a major in psychology from a university offering a full-time graduate course of study in psychology.
Maine	Doctoral degree in psychology from regionally accredited institution.
Maryland	Doctoral degree in psychology; program must meet ASPPB/NR designation criteria or be APA/CPA accredited.
Massachusetts	Doctoral degree in psychology from regionally accredited institution; (program must be ASPPB/NR designated).
Michigan	Doctoral degree in psychology from regionally accredited institution.
Minnesota	Doctoral degree with a major in psychology from a regionally accredited educational institution.
Mississippi	Doctoral degree in psychology from APA/CPA accredited or equivalent program.
Missouri	Doctoral degree in psychology from a regionally accredited institution and form a program that is either APA-accredited, or ASPPB/NR designated.
Montana	Doctoral degree in psychology from an accredited college or university; if program not APA-approved clinical psychology program, must be reviewed by board.
Nebraska	Doctoral degree in psychology from APA- accredited program or one that meets APA standards.
Nevada	Doctoral degree in psychology from a regionally accredited institution and from an APA-approved or equivalent program.
New Hampshire	Doctoral degree primarily psychological in nature from regionally accredited/government chartered institution.
New Jersey	Doctoral degree in psychology or in a field allied to psychology from regionally accredited institution.
New Mexico	Doctoral degree in psychology from an APA/CPA-accredited or ASPPB/NR-designated program.
New York	Doctoral degree in psychology from a New York State registered program or the substantial equivalent. Regional accreditation is a minimal

State	Educational Requirement
	requirement as well. Substantial equivalent is defined as meeting all of the requirements established for licensure qualifying programs.
North Carolina	Doctoral degree in psychology from regionally accredited institution and from program that is APA-accredited or meets board requirements; program must include practicum, internship, field experience or laboratory training supervised by a psychologist
North Dakota	Doctoral degree in psychology or equivalent from an APA accredited program or one that meets detailed equivalency criteria.
Ohio	Doctoral degree in psychology, school psychology or doctorate deemed equivalent by board from regionally accredited institution
Oklahoma	Doctoral degree in psychology from regionally accredited institution from ASPPB/NR designated program; if graduated after 1/1/1997 program must have been APA/CPA accredited
Oregon	Doctoral degree in psychology from APA- or regionally accredited institution.
Pennsylvania	Doctoral degree in psychology, or field related to psychology, from college or university accredited by recognized regionally accrediting association and/or an ASPPB or APA accredited institution or meets the standards of the APA/ASPPB based on a case-by-case review.
Rhode Island	Doctoral degree in psychology from regionally accredited institution; program must be APA/CPA accredited or equivalent as determined by board.
South Carolina	Doctoral degree in psychology. Degree from a program that is either APA/CPA accredited or ASPPB/NR designated is accepted, but not required.
South Dakota	Ed.D., Ph.D., or Psy.D. in psychology or equivalent from regionally accredited institution.
Tennessee	Doctoral degree in psychology from APA accredited, ASPPB/NR-designated, or NCATE-approved program.
Texas	Doctoral degree in psychology from regionally accredited institution
Utah	Doctoral degree in psychology from regionally accredited institution; if program not APA accredited, must satisfy course requirements in regulations.
Vermont	Doctoral degree in psychology from regionally accredited institution and program that is APA/CPA-accredited or ASPPB/NR-designated or equivalent.
Virginia	Doctoral degree in psychology from regionally accredited institution; if program not APA-accredited, must satisfy course requirements in regulations.

State	Educational Requirement
Washington	Doctoral degree in psychology from a regionally accredited institution. Recognizes APA/CPA accredited programs.
West Virginia	Doctoral degree in psychology or equivalent or master's degree in psychology from regionally accredited institution
Wisconsin	Doctoral degree in psychology from regionally accredited institution and meet requirements in statute.
Wyoming	Doctoral degree in clinical or counseling psychology from a regionally accredited institution.

16A-6313

Annex A
**TITLE 49. PROFESSIONAL AND VOCATIONAL
 STANDARDS**
PART I. DEPARTMENT OF STATE
**Subpart A. PROFESSIONAL AND
 OCCUPATIONAL AFFAIRS**
CHAPTER 29. STATE BOARD OF PODIATRY
LICENSURE APPLICATIONS

§ 29.51. Applicants.

On applications for licensure or the biennial renewal of a license, the applicant shall answer the following three questions:

(1) Using as a base the number of patients served in an annual period, what percentage of your practice is in Pennsylvania?

0% _____ 1— [50%] 20% _____ [51%]
 21% or more _____

(If the answer to question (1) is 0%, or if practicing only as a Federal [employe] employee, (2) and (3) need not be answered.)

* * * * *

§ 29.52. Requirements for applicants.

(a) Applicants for licensure or [licenses] licensees applying for biennial renewal, who practice in this Commonwealth, shall furnish satisfactory proof to the Board that they are complying with [the provisions of] the [Health Care Services Malpractice Act (40 P.S. §§ 1301.101—1301.1006)] Medical Care Availability and Reduction of Error (MCARE) Act (40 P.S. §§ 1303.101—1303.910), in that the applicant, if required by the act and the rules and regulations pertaining thereto, is maintaining the required amount of professional liability insurance or an approved self-insurance plan, and has paid the required fees and surcharges. [as set forth therein:

(1) Proof of coverage of 100,000/300,000, if more than 50% of his practice is conducted in this Commonwealth, and proof that his insurance company has paid the required surcharge into the Medical Professional Liability Loss Fund or that he has paid the \$50 fee to the office of the Administrator for Arbitration Panels for Health Care, should be furnished.

(2) Basic coverage insurance in the amount of 200,000/600,000 or an approved self-insurance plan is required if 50% or less of his practice is in this Commonwealth. The licensee is not required to pay the required surcharge nor is the licensee entitled to participate in the Medical Professional Liability Catastrophe Loss Fund. The licensee is required to pay the \$50 fee to the Administrator for Arbitration Panels for Health Care.

(3) [(b) Licensees practicing solely as Federal [employes] employees are not required to participate in the professional liability insurance program, nor are they required to comply with [the provisions of] the [Health Care Services Malpractice] MCARE Act.

[(4)] (c) Licensees who have no practice in this Commonwealth are not required to [pay the arbitration

fees or] comply with the [provisional insurance requirements of the Health Care Services Malpractice] MCARE Act.

§ 29.53. Original license.

A podiatrist applying for his original license[,] to practice podiatry shall, within 90 days after receipt of [his] the podiatrist's original license, furnish the Board with the information required in § 29.51 (relating to applicants), and proof of professional liability insurance[,], the payment of the \$50 fee to the Administrator for Arbitration Panels for Health Care, and payment of the surcharge to the Medical Professional Liability Catastrophe Loss Fund] .

§ 29.54. Penalty.

Failure to comply with [the requirements of] the [Health Care Services Malpractice Act (40 P.S. §§ 1301.101—1301.1006)] MCARE Act (40 P.S. §§ 1303.101—1303.910), the regulations issued thereunder, and this subchapter shall result in a suspension or revocation of [his] the licensee's license after a formal hearing before the Board.

[Pa.B. Doc. No. 04-1638. Filed for public inspection September 3, 2004, 9:00 a.m.]

STATE BOARD OF PSYCHOLOGY

[49 PA. CODE CH. 41]

Education Requirements

The State Board of Psychology (Board) proposes to amend §§ 41.1 and 41.31 (relating to definitions; and qualifications for taking licensure examination) to read as set forth in Annex A.

A. Effective Date

This proposed rulemaking will be effective for applicants for licensure who first enrolled in a psychology or psychology related educational program at least 2 academic years from the publication of the final-form rulemaking in the *Pennsylvania Bulletin*. Applicants who are currently enrolled in a doctoral degree program on the date prior to publication of final-form rulemaking would qualify under existing language and would have 5 years from the effective date of the final-form rulemaking to obtain the requisite education to become eligible to sit for the license examination. Applicants who do not obtain the requisite education within the 5 years would be required to comply with the requirements set forth in this proposed rulemaking.

B. Statutory Authority

This proposed rulemaking is made under sections 3.2(1) and 6(a)(2) of the Professional Psychologists Practice Act (act) (63 P.S. §§ 1203.2(1) and 1206(a)(2)).

C. Purpose and Background

Section 6(a)(2) of the act mandates that applicants for licensure have a doctoral degree in psychology or a field related to psychology. The Board has defined "doctoral degree in psychology" and "doctoral degree in a field related to psychology" in § 41.1.

Currently, a doctoral degree must be accredited by the American Psychological Association (APA) or designated by the Association of State and Provincial Psychology Boards/National Register Designation Committee (ASPPB/National Register). Applicants who graduate from doctoral degree programs which are neither accredited or designated are reviewed on a case-by-basis under criteria in subsection (c).

In 1991, when this provision was amended, many psychology programs were either not accredited or designated. However, today the vast majority of programs are either accredited or designated. A list of those programs can be found on the APA's website: www.apa.org and on the National Register's website: www.nationalregister.org.

Programs accredited by the APA or Canadian Psychological Association (CPA) or designated by the ASPPB/National Register undergo a rigorous review process. Following a self-study and the completion of a comprehensive application, each program is subject to a several-day site visit by a trained team of reviewers who meet with the institution's administration, department and program faculty and students and review the entire curriculum being taught in the program as well as the self-study report. Doctoral and internship programs and postdoctoral residencies are reviewed annually by written report and undergo periodic review involving additional self-studies and site visits. The process also requires programs to correct deficiencies detected in the evaluation.

Since 1991, the Board has also reviewed numerous doctoral degree programs that are neither accredited nor designated. The Board has found that the standards at these programs vary significantly and that most do not meet the APA or the ASPPB/National Register standards. In addition, because the Board is not capable of conducting site visits at these programs, the Board has been forced to rely on the documentary evidence provided.

The Board believes that to protect the citizens of this Commonwealth who receive psychological services, psychologists must receive uniform quality education. In the Board's view, this can only be accomplished if all doctoral degree programs are held to the same standards. Therefore, the Board proposes that to obtain a license as a psychologist, the applicant must have earned a doctoral degree from a program that is either accredited by the APA or the CPA or designated by the ASPPB/National Register.

Recognizing that there are no foreign equivalents to these reviewing bodies, but to ensure that qualified applicants from these programs are not prohibited from obtaining a Pennsylvania license, under this proposed rulemaking, applicants from colleges and universities which are not located in the United States, Canada or the United States' territories must comply with standards identical to those required for ASPPB/National Register designation.

D. Description of Proposed Rulemaking:

1. Proposed § 41.1. Definition of "doctoral degree in a field related to psychology."

The Board proposes to amend subparagraphs (i) and (ii) of the definition to limit its application to a degree awarded by a program accredited by the APA or the CPA or designated by the ASPPB/National Register. The proposed rulemaking will limit its application to programs in foreign colleges or universities.

Currently, the definition requires that the foreign college or university be accredited. To avoid confusion as to

the required accreditation body, the Board proposes amending this subparagraph to indicate that a recognized accrediting body in the jurisdiction where the college or university is located must accredit the college or university.

Currently the definition requires that the program be comprised of an integrated, organized sequence of study. The Board proposes to amend this provision by adding the specific requirements necessary for an integrated, organized sequence of study: the breadth or foundations of scientific psychology; scientific, methodological and theoretical foundations of practice; diagnosing or defining problems; and supervised practicum and required specialty courses.

Currently the definition requires at least 60 graduate semester hours in the listed categories of educational subjects. Recognizing current educational requirements at APA or CPA accredited and ASPPB/National Register designated programs, the Board also proposes to require licensees to complete 3 full-time academic years of graduate study plus a dissertation prior to being awarded a doctoral degree. Two of the 3 academic years would have to be completed at the institution granting the degree.

Lastly, the Board proposes to clarify the residency requirement in the current definition. Applicants for licensure routinely and repeatedly question the Board about the length and contacts necessary to satisfy the residency requirement. The Board has consistently advised applicants that the program must require residency for a minimum of 2 academic semesters and that the program must provide opportunities for interaction between faculty and students in addition to instruction time to enhance the student's understanding of scholarship and provide socialization to the science and practice of psychology. Applicants have attempted to demonstrate that this requirement has been met by showing that students and faculty members meet 1 weekend per month for a set number of months. The Board has found that absent other substantive contacts, these monthly meetings are insufficient to meet the residency requirement. Because applicants have sought additional information about this residency requirement, the Board proposes amending the definition by clarifying that the residency must extend for "2 consecutive academic semesters as a full-time student physically present at a degree granting institution" and must "enhance understanding of scholarship and professional activities and provide socialization to the science and practice of psychology."

2. Proposed § 41.1. Definition of "doctoral degree in psychology."

The Board proposes to duplicate the amendments to the definition of a "doctoral degree in a field related to psychology" in the definition. The definition would be amended to also clarify that the degree must be from a program accredited by the APA or the CPA or designated by the ASPPB/National Register and would be amended to clarify that this provision only applies to foreign colleges or universities.

3. Proposed § 41.31. Qualifications for taking licensing examination.

The Board proposes to consolidate the requirements in subsection (b)(1), for applicants with doctoral degree in psychology, and subsection (b)(2), for applicants with doctoral degrees in fields related to psychology, as the qualification requirements for taking the examination would be the same for both degrees.

E. Fiscal Impact and Paperwork Requirements

The proposed rulemaking should have no fiscal impact in the Commonwealth. Board members would no longer be required to review transcripts, courses, residencies and internships for applicants who attended non-APA and non-ASPPB programs in the United States, Canada and United States territories, and Board staff would simply confirm that the doctoral degree program was accredited by the APA or the CPA or designated by the ASPPB/National Register. However, there were no costs associated with Board member review as that review was conducted at the end of the monthly Board meetings. Therefore, the change should not result in any discernible fiscal impact on the Board or the Commonwealth. The Board would continue to conduct its review for applicants with doctoral degrees from foreign colleges and universities.

The proposed rulemaking would decrease paperwork requirements for applicants from programs in the United States, Canada and United States territories. These applicants would only be required to submit a Verification of Doctoral Program Approval Status completed by the program's director of clinical training reflecting accreditation by the APA or the CPA or designation by the ASPPB and an official transcript from the registrar. Applicants from foreign colleges and universities would continue to submit an evaluation from a foreign education credential evaluator acceptable to the Board evidencing compliance with the educational requirements for degree holders from foreign colleges or universities in § 41.1.

F. Sunset Date

The Commission reviews the effectiveness of its regulations on an ongoing basis. Therefore, no sunset date has been assigned.

G. Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on August 23, 2004, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the Senate Consumer Protection and Professional Licensure Committee and the House Professional Licensure Committee. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections shall specify the regulatory review criteria which have not been met. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking, by the Board, the General Assembly and the Governor of comments, recommendations or objections raised.

H. Public Comment

Interested persons are invited to submit written comments, recommendations or objections regarding the proposed rulemaking to Judith Pachter Schulder, Counsel, State Board of Psychology, Penn Center, 2601 North Third Street, P. O. Box 2649, Harrisburg, PA 17105-2649 within 30 days following publication of this proposed rulemaking in the *Pennsylvania Bulletin*.

ALEX M. SIEGEL, Ph.D., J.D.,
Chairperson

Fiscal Note: 16A-6313. No fiscal impact; (8) recommends adoption.

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
GENERAL**

§ 41.1. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

* * * * *

Doctoral degree in a field related to psychology—A degree awarded upon successful completion of a program which meets one of the following [criteria or which is approved by the Board under § 41.31(b)(3) (relating to qualifications for taking licensing examination)]:

(i) Is accredited by the American Psychological Association (APA) or the Canadian Psychological Association (CPA).

(ii) Is designated by the Joint Designation Committee of the Association of State and Provincial Psychology Boards (ASPPB).

(iii) Is offered by a foreign college or university which:

[(i)] (A) Offers training in [an accredited] a college or university accredited by a recognized accrediting body in the jurisdiction where the college or university is located.

[(ii)] (B) * * *

[(iii)] (C) * * *

[(iv)] (D) Comprises an integrated, organized sequence of study[.] that enables all students to acquire and demonstrate substantial understanding of and competence in the following areas:

[(v) Provides in its core program required instruction in ethics as they relate to scientific methods and professional standards, research design and methodology, statistics and psychometrics. In addition, requires students to demonstrate competence in each of the following four substantive content areas (this criterion will typically be met by requiring a minimum of three graduate semester hours in each area) biological:]

(i) The breadth or foundations of scientific psychology as exemplified by study in each of the following domains for a minimum of 3 graduate semester hours:

(-a-) Biological bases of behavior—for example, physiological psychology, comparative psychology, neuropsychology, sensation and perception, and psychopharmacology[; cognitive].

(-b-) Cognitive-affective bases of behavior—for example, learning, thinking, motivation[,] and emotion[; social].

(-c-) Social bases of behavior—for example, social psychology, group processes[,] and organizational and systems theory[; individual].

(-d-) History and systems of psychology.

(-e-) Psychological measurement.

(-f-) Research methodology.

(-g-) Techniques of data analysis.

(II) Scientific, methodological and theoretical foundations of the practice in the substantive domains of professional psychology by study in each of the following domains for a minimum of 3 graduate semester hours:

(-a-) Individual differences in behavior[—for example, human].

(-b-) Human development[, personality theory, abnormal psychology].

(-c-) Dysfunctional behavior or psychopathology.

(-d-) Professional standards and ethics.

(III) Diagnosing or defining problems through psychological assessment and measurement and formulating and implementing intervention strategies by study in each of the following domains for a minimum of 3 graduate semester hours:

(-a-) Theories and methods of assessment and diagnosis.

(-b-) Effective interventions.

(-c-) Consultation and supervision.

(-d-) Evaluating the efficacy of interventions.

[(vi)] (IV) [Includes supervised] Supervised practicum, internship, field or laboratory training appropriate to the practice of psychology.

[(vii)] Includes course requirements [Required courses in a specialty [areas] area of psychology.

[(viii)] Ensures that instruction, supervision and training in the areas enumerated in subparagraphs (v)—(vii) are appropriate to the practice of psychology. Considerations pertinent to this requirement are the psychological content and focus of courses and training, irrespective of title, and the psychological qualifications of the instructor—for example, professional identification, membership in professional organizations, licensure status.

(ix) (E) Requires degree candidates to complete a combined total of at least [60] 3 full-time academic years of graduate study (or the equivalent thereof), for example, 90 graduate semester hours or its equivalent in the areas described in [subparagraphs (v)—(vii)] subparagraph (iii)(D), and a dissertation prior to awarding the doctoral degree. At least 2 of the 3 academic years or the equivalent thereof must be at the institution from which the doctoral degree is granted.

[(x)] (F) Has a residency requirement that each degree candidate complete a minimum of two consecutive academic semesters as a [matriculated] full-time student physically present at the institution granting the degree which requires interaction with faculty and other students, other than in regular academic classes, that enhances understanding of scholarship

and professional activities and provides socialization to the science and practice of psychology.

Doctoral degree in psychology—A degree awarded upon successful completion of a program in psychology which [is accredited] meets one of the following criteria:

(i) Is accredited by the [American Psychological Association () APA()] or the CPA.

(ii) [which is designated] Is designated by [the American Association of State Psychology Board () ASPPB()] or by other designating groups acceptable to the Board; which is approved by the Board under § 41.31(b)(3); or which meets the following criteria]:

(iii) Is offered by a foreign college or university which:

[(i)] (A) Offers training in [an accredited] a college or university accredited by a recognized accrediting body in the jurisdiction where the college or university is located.

[(ii)] (B) ***

[(iii)] (C) ***

[(iv)] (D) Clearly demonstrates authority and primary responsibility for the required core program [(see subparagraph (viii))] and specialty areas [(see subparagraph (x))], and for the admission, evaluation and recommendation of students for degrees, whether or not the degree program cuts across administrative lines.

[(v)] (E) Comprises an integrated, organized sequence of study[.] that enables all students to acquire and demonstrate substantial understanding of and competence in the following areas:

(I) The breadth or foundations of scientific psychology as exemplified by study in each of the following domains for a minimum of 3 graduate semester hours:

(-a-) Biological bases of behavior, including physiological psychology, comparative psychology, neuropsychology, sensation and perception and psychopharmacology.

(-b-) Cognitive-affective bases of behavior, including learning, thinking, motivation and emotion.

(-c-) Social bases of behavior, including social psychology and organizational and systems theory.

(-d-) History and systems of psychology.

(-e-) Psychological measurement.

(-f-) Research methodology.

(-g-) Techniques of data analysis.

(II) Scientific, methodological and theoretical foundations of the practice in the substantive domains of professional psychology by study in each of the following domains for a minimum of 3 graduate semester hours:

(-a-) Individual differences in behavior.

(-b-) Human development.

(-c-) Dysfunctional behavior or psychopathology.

(-d-) Professional standards and ethics.

(III) Diagnosing or defining problems through psychological assessment and measurement and formulating and implementing intervention strategies by study in each of the following domains for a minimum of 3 graduate semester hours:

- (-a-) Theories and methods of assessment and diagnosis.
- (-b-) Effective interventions.
- (-c-) Consultation and supervision.
- (-d-) Evaluating the efficacy of interventions.

(IV) Required courses in a specialty of psychology.

(V) Supervised practicum and internship appropriate to the practice of psychology.

[(vi)] (F) ***

[(vii)] (G) ***

[(viii)] Provides in its core program required instruction in ethics as they relate to scientific methods and professional standards, research design and methodology, statistics and psychometrics. In addition, requires students to demonstrate competence in each of the following four substantive content areas (this criterion will typically be met by requiring a minimum of three graduate semester hours in each area): biological bases of behavior—for example, physiological psychology, comparative psychology, neuropsychology, sensation and perception, psychopharmacology; cognitive-affective bases of behavior—for example, learning, thinking, motivation, emotion; social bases of behavior—for example, social psychology, group processes, organizational and systems theory; individual differences—for example, human development, personality theory, abnormal psychology.

(ix) Includes supervised practicum, internship, field or laboratory training appropriate to the practice of psychology.

(x) Includes course requirements in specialty areas of psychology.

(xi) (H) Requires degree candidates to complete a combined total of at least [60] 3 full-time academic years of graduate study (or the equivalent thereof) for example, 90 graduate semester hours (or the equivalent) in the areas described in [subparagraphs (viii)—(x)] clause (E) and a dissertation prior to awarding the doctoral degree. At least 2 of the 3 academic years (or the equivalent thereof) must be at the institution from which the doctoral degree is granted.

[(xii)] (I) Has a residency requirement that each degree candidate complete a minimum of two consecutive academic semesters as a [matriculated] full-time student physically present at the institution granting the degree which requires interaction with faculty and other students, other than in regular academic classes, that enhances understanding of scholarship and professional activities and provides socialization to the science and practice of psychology.

* * * * *

§ 41.31. Qualifications for taking licensing examination.

* * * * *

(b) *Education.* Before an applicant seeking licensure under section 6 of the act; (63 P.S. § 1206) shall be permitted to take the licensing examination, the Board must be satisfied that the applicant has complied with the [education] requirements [of that section] for a doctoral degree in psychology or a field related to psychology as defined in § 41.1 (relating to definitions). The [Board will apply the] following [criteria to determine whether] documentation evidences compliance [occurred]:

(1) [The applicant has been awarded a doctoral] For degree [in psychology as defined in § 41.1 (relating to definitions)] holders from a program in the United States, Canada or United States territories [The applicant's official transcript or other documents provided by the degree-granting institution shall demonstrate the applicant's satisfactory completion of the core, specialty and practicum, internship, field or laboratory training requirements of the program], a Verification of Doctoral Program Approval Status completed by the program's Director of Clinical Training reflecting accreditation by the American Psychological Association (APA) or Canadian Psychological Association (CPA) or designation by the Association of State and Provincial Psychological Boards (ASPPB) and an official transcript from the Registrar.

[(2)] The applicant has been awarded a doctoral degree in a field related to psychology as defined in § 41.1. The applicant's official transcript or other documents provided by the degree-granting institution shall demonstrate the applicant's satisfactory completion of the core, specialty and practicum, internship, field or laboratory training requirements of the program.

(3) The applicant is a graduate of] (2) For degree holders from a foreign college or university [who has successfully completed a program equivalent to a program acceptable under paragraph (1) or (2). A determination of equivalency shall be made by an agency], an evaluation from a foreign education credential evaluator acceptable to the Board evidencing compliance with the educational requirements for degree holders from foreign colleges or universities in § 41.1 (relating to definitions). [Final review of the applicant's satisfactory completion of the core, specialty and practicum, internship, field or laboratory training requirements of the program will be made by the] The Board will make a determination regarding the applicant's compliance based upon the evaluation.

[(4)] Notwithstanding the criteria in paragraphs (1)—(3), applicants] (3) Applicants who do not meet the criteria in paragraphs (1) and (2) shall be permitted to cure [the following] educational deficiencies [through postdoctoral study:

(i) A deficiency in no more than one of the four required instructional areas within the core program.

(ii) A deficiency in no more than one of the four substantive content areas within the core program.

(iii) Deficiencies beyond those specified in subparagraphs (i) and (ii) only in exceptional circum-

stances and with the approval of the Board. The applicant shall specify the exceptional circumstances in a written request to the Board. The Board will evaluate each request and each applicant's situation on a case-by-case basis. The granting of the request shall be at the Board's discretion] by completing a respecialization program accredited by the APA or the CPA or designated by ASPPB.

[(5)] (4) First-time applicants who were enrolled in a doctoral degree program prior to [March 23, 1991] _____ (*Editor's Note: The blank refers to a date 2 years after the effective date of adoption of this proposal rulemaking.*), will [have their education credentials] be evaluated under regulations in effect [at that time] on _____. (*Editor's Note: The blank refers to a date the effective date of the adoption of this proposed rulemaking.*) Reapplicants under subsection (a)(1) or § 41.42(b) (relating to reexamination) will be evaluated under regulations in effect at the time of reapplication.

* * * * *

[Pa.B. Doc. No. 04-1639. Filed for public inspection September 3, 2004, 9:00 a.m.]

STATE BOARD OF SOCIAL WORKERS, MARRIAGE AND FAMILY THERAPISTS AND PROFESSIONAL COUNSELORS

[49 PA. CODE CHS. 47—49]

Sexual Misconduct

The State Board of Social Workers, Marriage and Family Therapists and Professional Counselors (Board) proposes to adopt regulations regarding sexual misconduct committed by licensed social workers, licensed clinical social workers, licensed marriage and family therapists and licensed professional counselors by adding §§ 47.61—47.66, 48.21—48.26 and 49.21—49.26 to read as set forth in Annex A.

Effective Date

The proposed rulemaking will be effective upon publication of final-form regulations in the *Pennsylvania Bulletin*.

Statutory Authority

The Board is authorized to adopt regulations necessary for the administration of its enabling statute under section 6(2) of the Social Workers, Marriage and Family Therapists and Professional Counselors Act (act) (63 P. S. § 1906(2)).

Background and Purpose

This proposed rulemaking was developed as a result of increasing complaints of sexual misconduct against health care professionals who are licensed by the Department of State, Bureau of Professional and Occupational Affairs. In this proposal, the Board addresses issues concerning

sexual misconduct in the context of the provision of social work, clinical social work, marriage and family therapy and professional counseling services.

The proposed rulemaking seeks to better protect consumers of social work, marriage and family therapy and professional counseling services and to provide guidance to the licensees by defining terms such as "client/patient," "immediate family member," "professional relationship" and "sexual intimacies." The proposed rulemaking guides licensees by informing them that sexual intimacies between a social worker, clinical social worker, marriage and family therapist or professional counselor and a client or patient is prohibited. The proposed rulemaking guides social workers, clinical social workers, marriage and family therapists and professional counselors by informing them that their professional relationship with a client/patient exists for a time period beginning with the first professional contact or consultation and ends upon the last date of a professional service. The proposed rulemaking notifies social workers, clinical social workers, marriage and family therapists and professional counselors that the consent of an individual to engage in sexual intimacies cannot be a defense in a disciplinary proceeding before the Board and that a social worker, clinical social worker, marriage and family therapist and professional counselor who engages in conduct prohibited by the amendments will not be eligible for placement into an impaired professional program under the act.

Prior to drafting this proposed rulemaking, the Board invited interested associations, colleges and universities and individuals to comment on a preliminary draft. The Board reviewed and considered all comments and suggestions received by interested parties during the regulatory development process. The interested associations, colleges and universities, and individuals included the following: National Association of Social Workers, Association of Social Work Boards, Pennsylvania Alliance of Counseling Professionals, Council on Social Work Education, Pennsylvania Society for Clinical Social Work, University of Scranton, University of Southern Maine, American Association of State Counseling Boards, American Association of Marriage and Family Therapy, Pennsylvania Social Work Coalition, Pennsylvania Catholic Conference, California University of Pennsylvania, Indiana University of Pennsylvania, Millersville University of Pennsylvania, Shippensburg University of Pennsylvania, Slippery Rock University of Pennsylvania, West Chester University of Pennsylvania, Pennsylvania State University, University of Pittsburgh, Drexel University, University of Pennsylvania, Beaver College, Bucknell University, Eastern College, Gwynedd-Mercy College, Immaculata College, Lehigh University, Marywood University, Philadelphia College of Bible, Philadelphia University, University of Scranton, Villanova University, Westminster College, Duquesne University and Society for Social Work Leadership in Health Care.

Description of Proposed Rulemaking

Sections 47.61, 48.21 and 49.21 (relating to definitions) define "client/patient," "immediate family member," "professional relationship" and "sexual intimacies."

The term "client/patient" is defined to mean a person, group or family for whom a social worker, clinical social worker, marriage and family therapist or professional counselor provides professional services. In the case of individuals with legal guardians, including minors and legally incapacitated adults, the legal guardian is the client/patient for decision making purposes. The minor, legally incapacitated adult or other person actually re-

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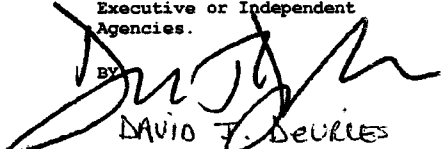
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BY: _____
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State Board of Psychology
(AGENCY)

BY: 
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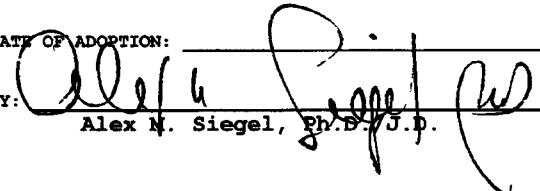
DOCUMENT/FISCAL NOTE NO. 16A-6313

NOV 23 2005

DATE OF APPROVAL

DATE OF ADOPTION: _____

DATE OF APPROVAL

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

EXECUTIVE
(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.

NOTICE OF FINAL RULEMAKING

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

The State Board of Psychology (Board) hereby amends §§ 41.1 and 41.31 (relating to definitions; and qualifications for taking licensure examination) to read as set forth in Annex A.

Statutory Authority

The amendments are made under the authority of sections 3.2(1) and 6(a)(2) of the Professional Psychologists Practice Act (act) (63 P.S. §§1203.2(1) and 1206(a)(2)).

Response to Public Comments and Regulatory Review

Notice of the proposed rulemaking was published at 34 *Pa. B.* 4903 (September 4, 2004). Publication was followed by a 30-day public comment period during which the Board received comments from the Pennsylvania Psychological Association (PPA), the Vice President of Academic Affairs of Chestnut Hill College and, upon request from the House Professional Licensure Committee (HPLC), Judy Hall, the Executive Director of the National Register. Following the close of the public comment period, the Board received comments from the HPLC and the Independent Regulatory Review Commission (IRRC). The Senate Consumer Protection and Professional Licensure Committee (SCP/PLC) did not comment.

The following part provides an analysis of the Board's response to those comments.

General comments

In both the definition of "doctoral degree in psychology" and "doctoral degree in a field related to psychology," the Board referred to designation by the Joint Designation Committee of the Association of State and Provincial Psychology Boards (ASPPB). The HPLC noted that the current name is the ASPPB/National Register Designation Project (ASPPB/National Register). In final form, the Board has changed the name. Also, for ease of reference the Board has added definitions for American Psychological Association (APA), ASPPB, Canadian Psychological Association (CPA) and National Register.

IRRC questioned whether the Board's accreditation requirement would negatively affect the development of new programs. PPA commented that new programs would be stifled as a result of the regulation. The Board acknowledges that this regulation imposes additional requirements on non-accredited/designated programs. However, the Board believes that this regulation is necessary for two reasons. First, it provides a bright-line standard for applicants for licensure—if you graduate from a program that is or becomes accredited or designated within one year of when your degree is awarded, you have satisfied the educational requirements for licensure. The Board has learned through applications and testimony provided by applicants from non-accredited/designated programs that many erroneously believed that they too would not have any impediments

to licensure. By removing this pathway, the Board has eliminated this uncertainty for applicants who have spent thousands of dollars to obtain their degree.

Second, this regulation sets minimum standards for graduate degree programs in psychology. When the regulation was initially promulgated many programs in the Commonwealth were neither accredited nor designated. Therefore, there was a need for the third pathway. Given the number of programs currently accredited and designated, this stopgap measure is no longer necessary. A list of Pennsylvania APA accredited programs is available at <http://www.apa.org/ed/accreditation/doctoral.html>. A list of Pennsylvania ASPPB/National Register designated programs is available at http://www.nationalregister.org/designate_PA.htm.

Despite the additional requirements on non-accredited/designated programs, the Board does not believe that the development of new programs will be negatively affected. By accepting designation in addition to accreditation, the Board has, in many instances, reduced the timeframe for acceptance. Unlike the APA/CPA accreditation process, which requires a site visit and, as a prerequisite, a graduation class in order to apply, the ASPPB/National Register designation process is a paper review that permits application each Spring once a program has been fully developed (including standards for enrollees and the selection of instructors and curriculum). Additionally, unlike APA/CPA that limits accreditation to the specific specialties of clinical psychology, school psychology, counseling psychology and combined professional-scientific psychology, ASPPB/National Register designate additional specialties in psychology. Once a designated program has graduated a class and met the other accreditation requirements, it can obtain APA/CPA accreditation. APA/CPA accredited programs receive automatic designation by the ASPPB/National Register.

The HPLC questioned whether the Board has communicated its new education requirements to doctoral degree programs that do not meet the new requirements. Prior to publication of the Proposed Rulemaking, the Board solicited pre-draft input from stakeholders including doctoral degree programs that currently do not meet the new requirements. In addition, after publication in the *Pennsylvania Bulletin*, the Board will post the new requirements on its web site. This additional notice should alert programs and applicants that the new educational requirements will apply to all students who enroll two years from the publication date.

Section 41.1—“Doctoral degree in psychology” and “Doctoral degree in a field related to psychology.”

Section 41.1(iii), in both definitions of “doctoral degree in psychology” and “doctoral degree in a field related to psychology”, sets out the standards for a doctoral degree from foreign colleges or universities. The Executive Officer of the National Register suggested that the Board incorporate the designation criteria required by the ASPPB/National Register by reference rather than insert a partial list of the requirements if the Board intends to accept the ASPPB/National Register criteria. Because it is the

Board's intent to impose the same requirements on all doctoral degree programs regardless of the country where the program is being offered, the Board has amended both definitions to require that foreign degree programs satisfy standards equivalent to the ASPPB/National Register standards. These doctoral degree standards are posted at <http://www.nationalregister.org/doctoraldegrees.html>.

The Board has removed provisions in subsection (iii) dealing with foreign accrediting bodies, individual differences in behavior courses, dissertations and appropriate standard for practicum and internship, which were the subject of inquiry by the HPLC, IRRC and PPA. As such, the Board will not address these comments. Like provisions in many other jurisdictions, the provisions require compliance with the ASPPB/National Register criteria rather than Board-developed requirements.

The Executive Officer of the National Register also suggested that the Board clarify that the doctoral degree standards must be met at the time of graduation and not some later date when the program obtains accreditation or designation. In proposed form, the regulation imposed an "at graduation" standard. However, upon further consideration, the Board determined that that timeframe was too narrow.

During the Board's September 13, 2005 meeting, the Board contacted the Director of Accreditation at the APA and the Executive Officer of the National Register. Regarding APA/CPA accreditation, the Board learned that the accreditation date is not the date when the decision is made to award accreditation, but rather the date when the site visit was conducted, often months earlier. The Board also learned that accreditation reviews and awards occur year round.

Regarding ASPPB/National Register designation, the Board learned: (1) the designation date is the date that the decision is made; (2) designation reviews and awards occur one time a year; (3) applications are accepted until February 1; (4) the Designation Committee reviews those applications from April 1 through early summer and, where there are no deficiencies, awards designation; (5) where there are easily curable deficiencies, the Designation Committee permits programs to cure the deficiencies within several months, and where applicable, awards designation; and (6) many state Psychology Boards accept after the fact designation for a set period of time.

When these timeframes were considered in light of the customary award of doctoral degrees in December and May, the Board determined that the "at graduation" date originally proposed would severely disadvantage recent graduates of newly accredited/designated programs. The Board believes that in order to include those graduates and, at the same time, achieve the Board's goal of assuring minimum standards for education, the Board should allow a one-year timeframe. This additional one-year will also be advantageous for newly emerging programs as it will provide them with additional time to obtain accreditation or designation. Therefore, in final form, the Board has amended this provision to clarify that the program must be either accredited or designated within one year of the applicant's award of the doctoral degree.

Section 41.31—Qualifications for taking licensing examination.

Proposed § 41.31(b)(1) required the Clinical Training Director to submit a Verification of Doctoral Program Approval Status. The Executive Director of the National Register suggested that the Board remove the reference to “Clinical” as programs are designated in clinical, counseling and school psychology. The Board found this suggestion reasonable and amended this provision by replacing “Clinical Training Director” with “Program Director.”

In proposed form § 41.31(b)(2) required that the foreign credential evaluator be acceptable to the Board. IRRC questioned what the criteria the Board was going apply to make this determination. The Board has learned from the National Register that it reviews foreign education to determine equivalency with education deemed acceptable to the ASPPB/National Register. The equivalency standards are available at <http://www.nationalregister.org/foreigndegrees.htm>. The Maryland Board of Examiners in Psychology is currently using this method. Because the National Register’s review is psychology-specific, as opposed to that of the Pennsylvania Department of Education approved foreign credential evaluators who review doctoral programs generally, the Board amended this provision. In final form, the provision specifies that the National Register will make the initial equivalency determination and then the Board will assess the applicant’s compliance.

Section 41.31(b)(3) addresses an applicant from a foreign college or university’s ability to cure a deficiency in subsection (b)(2). In proposed form, the Board required the applicant to complete an APA/CPA/ASPPB respecialization program. The Executive Director for the National Register commented that specialization programs are typically 2 year programs, one of which is an internship and that some applicants may not require that extensive of a sequence of education and training. In its place, it was recommended that the Board permit the accredited/designated doctoral program to evaluate the deficiency, require supplemental education and/or experience and following completion of the deficiency certify that the supplemental education/experience makes the applicant equivalent to a graduate of the program. The Board found this recommendation reasonable and has amended this provision accordingly.

Several comments were raised about § 41.31(b)(4) in connection with the effective date of the regulations. The HPLC and IRRC asked the Board to clarify this date in its final-form regulations. PPA questioned how the effective date would be applied to applicants who have obtained a degree but have not yet applied for a license. Additionally, the Vice President of Academic Affairs for Chestnut Hill College suggested that the Board grandfather programs that are in the process of attaining APA accreditation when the regulations are published. He also recommended that the Board provide a 5-7 year window for emerging programs to obtain accreditation.

The Board has revised the subsection as follows. Applicants for licensure who were enrolled in a doctoral degree program in psychology before, at the time of, or up to two years after publication of the regulation in the *Pennsylvania Bulletin*, will have their

education evaluated under the regulations in effect at the time of enrollment. Applicants who enroll on or after the effective date of the regulations will have their education evaluated under these new requirements. Enrollment, as has been interpreted by the Board, is the date when the applicant has been accepted into the doctoral degree program and is registered for courses. This standard was applied by the Board when it grandfathered masters degree holders under former Section 20 of the Act.

On proposed, the Board established the effective date as two years after publication, however, upon consideration of the designation timeframe previously mentioned, the Board determined that the effective date should be extended until on or after July 1, two years following publication in the *Pennsylvania Bulletin*. The Executive Director of the National Register advised that designation awards are only made in the late-Spring and early-Summer. Extending this date provides non-accredited/designated programs with two full opportunities to avail themselves of the designation process prior to the effective date.

Because APA awards accreditation to programs on the date of the site visit, the Board declined to implement the recommendation that programs in the process of APA accreditation be automatically grandfathered. The Board believes that as written the regulation provides non-accredited/designated programs at least three years to comply with the new requirements—two years for the regulations to become effective plus another year after graduation. Based on the Board's understanding of APA and National Register processes, the Board believes that doctoral degree programs will be able to comply with the Board's requirements.

Fiscal Impact and Paperwork Requirements

The amendments should have no fiscal impact on the Commonwealth. Board members would no longer be required to review transcripts, courses, residencies and internships for applicants who attended non-APA and non-ASPPB/National Register programs in the United States, Canada and territories, and Board staff would simply confirm that the doctoral degree program was accredited by APA or CPA or designated by ASPPB/National Register within one year of graduation. However, there were no costs associated with Board member review as that review was conducted following monthly Board meetings. Therefore, the change should not result in any discernible fiscal impact on the Board or the Commonwealth. The Board would continue to conduct its review for applicants with doctoral degrees from foreign colleges and universities.

The amendments would decrease paperwork requirements for applicants from programs in the United States, Canada and U.S. territories. These applicants would be required to submit only a Verification of Doctoral Program Approval Status completed by the program's Director reflecting accreditation by the APA or CPA or designation by ASPPB/National Register and an official transcript from the Registrar. Applicants from foreign colleges and universities would continue to submit an evaluation from the ASPPB/National Register to the Board evidencing compliance with the educational

requirements for degree holders from foreign colleges or universities in § 41.1 (relating to definitions).

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 August 23, 2004, the Board submitted a copy of the notice of proposed rulemaking, published at 34 *Pa. B.* 4903 (September 4, 2004), to IRRC, and the Chairpersons of the HPLC and 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 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 Christina Stuckey, Administrative Assistant, State Board of Psychology, P.O. Box 2649, Harrisburg, PA 17105-2649, <http://www.state.pa.us/bpoa>.

Findings

The Commission 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.* 4903 (September 4, 2004).

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

Order

The Board, acting under its authorizing statute, 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

GENERAL

§41.1 Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

* * *

APA—AMERICAN PSYCHOLOGICAL ASSOCIATION.

ASPPB—ASSOCIATION OF STATE AND PROVINCIAL PSYCHOLOGY BOARDS.

* * *

CPA—CANADIAN PSYCHOLOGICAL ASSOCIATION.

Doctoral degree in a field related to psychology – A degree awarded upon successful completion of a program which, WITHIN ONE YEAR FROM THE AWARD OF THE DOCTORAL DEGREE, meets one of the following [criteria or which is approved by the Board under § 41.31(b)(3) (relating to qualifications for taking licensing examination)]:

(i) Is accredited by the ~~American Psychological Association (APA)~~ or the ~~Canadian Psychological Association (CPA)~~.

~~(ii) Is designated by the Joint Designation Committee of the Association of State and Provincial Psychology Boards (ASPPB)/NATIONAL REGISTER DESIGNATION PROJECT.~~

~~(iii) Is offered by a foreign college or university which WHOSE STANDARDS ARE EQUIVALENT TO THE ASPPB/NATIONAL REGISTER DESIGNATION PROJECT CRITERIA.~~

~~[(i)] (A) Offers training in [an accredited] a college or university accredited by a recognized accrediting body in the jurisdiction where the college or university is located.~~

~~[(ii)] (B) Wherever the program is administratively housed and regardless of what it is called or what other disciplines it encompasses, clearly demonstrates to the satisfaction of the Board, in pertinent institutional catalogs and brochures, that it provides education and training appropriate to the practice of psychology.~~

~~[(iii)] (C) Stands as a recognized sequence within the overall program or department.~~

~~[(iv)] (D) Comprises an integrated, organized sequence of study[.] that enables all students to acquire and demonstrate substantial understanding of and competence in the following areas:~~

[(v) Provides in its core program required instruction in ethics as they relate to scientific methods and professional standards, research design and methodology, statistics and psychometrics. In addition, requires students to demonstrate competence in each of the following four substantive content areas (this criterion will typically be met by requiring a minimum of three graduate

semester hours in each area): biological]

~~(I) The breadth or foundations of scientific psychology as exemplified by study in each of the following domains for a minimum of 3 graduate semester hours:~~

~~(a) Biological bases of behavior for example, physiological psychology, comparative psychology, neuropsychology, sensation and perception, and psychopharmacology[;cognitive];~~

~~(b) Cognitive affective bases of behavior for example, learning, thinking, motivation[,] and emotion[;social];~~

~~(c) Social bases of behavior for example, social psychology, group processes[,] and organizational and systems theory[; individual];~~

~~(d) History and systems of psychology.~~

~~(e) Psychological measurement.~~

~~(f) Research methodology.~~

~~(g) Techniques of data analysis.~~

~~(II) Scientific, methodological, and theoretical foundations of the practice in the substantive domains of professional psychology by study in each of the following domains for a minimum of 3 graduate semester hours:~~

~~(a) Individual differences in behavior [--for example, human]~~

~~(b) Human development [, personality theory, abnormal psychology];~~

~~(c) Dysfunctional behavior or psychopathology.~~

~~(d) Professional standards and ethics.~~

~~(III) Diagnosing or defining problems through psychological assessment and measurement and formulating and implementing intervention strategies by study in each of the following domains for a minimum of 3 graduate semester hours:~~

~~(a) Theories and methods of assessment and diagnosis.~~

~~(b) Effective interventions.~~

~~(c) Consultation and supervision.~~

~~(d) Evaluating the efficacy of interventions.~~

~~[(vi)] (IV) [Includes supervised] Supervised practicum, internship, field or laboratory training appropriate to the practice of psychology.~~

~~[(vii) Includes course requirements] Required courses in a specialty [areas] area of psychology.~~

[(viii) Ensures that instruction, supervision and training in the areas enumerated in subparagraphs (v)—(vii) are appropriate to the practice of psychology. Considerations pertinent to this requirement are the psychological content and focus of courses and training, irrespective of title, and the psychological qualifications of the instructor—for example, professional identification, membership in professional organizations, licensure status.

~~(ix)] (E) Requires degree candidates to complete a combined total of at least [60] 3 full time academic years of graduate study (or the equivalent thereof), for example, 90 graduate semester hours or its equivalent in the areas described in~~

~~[subparagraphs (v) – (vii)] subparagraph (iii)(D), and a dissertation prior to awarding the doctoral degree. At least 2 of the 3 academic years or the equivalent thereof must be at the institution from which the doctoral degree is granted.~~

~~[(x)] (F) Has a residency requirement that each degree candidate complete a minimum of two consecutive academic semesters as a [matriculated] full time student physically present at the institution granting the degree which requires interaction with faculty and other students, other than in regular academic classes, that enhances understanding of scholarship and professional activities and provides socialization to the science and practice of psychology.~~

Doctoral degree in psychology – A degree awarded upon successful completion of a program in psychology which, WITHIN ONE YEAR FROM THE AWARD OF THE DOCTORAL DEGREE, [is accredited] meets one of the following criteria :

(i) Is accredited by the [American Psychological Association (APA()] or the CPA.

(ii) [which is designated] Is designated by [the American Association of State Psychology Boards (THE ASPPB/ NATIONAL REGISTER DESIGNATION PROJECT)] or by other designating groups acceptable to the Board; which is approved by the Board under § 41.31(b)(3); or which meets the following criteria].

(iii) Is offered by a foreign college or university which: WHOSE STANDARDS ARE EQUIVALENT TO THE ASPPB/NATIONAL REGISTER DESIGNATION PROJECT CRITERIA.

~~[(i)] (A) Offers training in [an accredited] a college or university accredited by a recognized accrediting body in the jurisdiction where the college or university is located.~~

~~[(ii)] (B) Is clearly identified and labeled as a psychology program, wherever it is administratively housed. Pertinent institutional catalogs and brochures shall specify the intent of the program to educate and train professional psychologists.~~

~~[(iii)] (C) Stands as a recognizable, coherent organizational entity within the institution.~~

~~[(iv)] (D) Clearly demonstrates authority and primary responsibility for the required core program [(see subparagraph viii)] and specialty areas [(see subparagraph (x))], and for the admission, evaluation and recommendation of students for degrees, whether or not the degree program cuts across administrative lines.~~

~~[(v)] (E) Comprises an integrated, organized sequence of study[.] that enables all students to acquire and demonstrate substantial understanding of and competence in the following areas:~~

~~(I) The breadth or foundations of scientific psychology as exemplified by study in each of the following domains for a minimum of 3 graduate semester hours:~~

~~(a) Biological bases of behavior, including physiological psychology, comparative psychology, neuropsychology, sensation and perception and psychopharmacology.~~

~~(b) Cognitive-affective bases of behavior, including learning, thinking, motivation and emotion.~~

~~(c) Social bases of behavior, including social psychology and organizational and systems theory.~~

~~(d) History and systems of psychology.~~

~~(e) Psychological measurement.~~

~~(f) Research methodology.~~

~~(g) Techniques of data analysis.~~

~~(II) Scientific, methodological and theoretical foundations of the practice in the substantive domains of professional psychology by study in each of the following domains for a minimum of 3 graduate semester hours:~~

~~(a) Individual differences in behavior.~~

~~(b) Human development.~~

~~(c) Dysfunctional behavior or psychopathology.~~

~~(d) Professional standards and ethics.~~

~~(III) Diagnosing or defining problems through psychological assessment and measurement and formulating and implementing intervention strategies by study in each of the following domains for a minimum of 3 graduate semester hours:~~

~~(a) Theories and methods of assessment and diagnosis.~~

~~(b) Effective interventions.~~

~~(c) Consultation and supervision.~~

~~(d) Evaluating the efficacy of interventions.~~

~~(IV) Required courses in a specialty of psychology.~~

~~(V) Supervised practicum and internship appropriate to the practice of psychology.~~

~~[(vi)] (F) Has an identifiable psychology faculty who provide basic instruction in psychology and a psychologist who is responsible for the program.~~

~~[(vii)] (G) Has an identifiable body of students who are matriculated in the program for the purpose of qualifying for a degree.~~

[(viii)] Provides in its core program required instruction in ethics as they relate to scientific methods and professional standards, research design and methodology, statistics and psychometrics. In addition, requires students to demonstrate competence in each of the following four substantive content areas (this criterion will typically be met by requiring a minimum of three graduate semester hours in each area): biological bases of behavior—for example, physiological psychology, comparative psychology, neuropsychology, sensation and perception, psychopharmacology; cognitive-affective bases of behavior—for example, learning, thinking, motivation, emotion; social bases of behavior—for example, social psychology, group processes, organizational and systems theory; individual differences—for example, human development, personality theory, abnormal psychology.

(ix) Includes supervised practicum, internship, field or laboratory training appropriate to the practice of psychology.

(x) Includes course requirements in specialty areas of psychology.

(xi) ~~(H)~~ Requires degree candidates to complete a combined total of at least [60] 3 full time academic years of graduate study (or the equivalent thereof) for example, 90 graduate semester hours (or the equivalent) in the areas described in [subparagraphs (viii) – (x)] clause (E) and a dissertation prior to awarding the doctoral degree. At least 2 of the 3 academic years (or the equivalent thereof) must be at the institution from which the doctoral degree is granted.

[(xii)] ~~(I)~~ Has a residency requirement that each degree candidate complete a minimum of two consecutive academic semesters as a [matriculated] full time student physically present at the institution granting the degree which requires interaction with faculty and other students, other than in regular academic classes, that enhances understanding of scholarship and professional activities and provides socialization to the science and practice of psychology.

* * * *

NATIONAL REGISTER--COUNCIL FOR THE NATIONAL REGISTER OF HEALTH
SERVICE PROVIDERS.

* * * *

§ 41.31. Qualifications for taking licensing examination.

* * * *

(b) *Education.* Before an applicant seeking licensure under section 6 of the act (63 P.S. §1206) shall be permitted to take the licensing examination, the Board must be satisfied that the applicant has complied with the [education] requirements [of that section] for a doctoral degree in psychology or a field related to psychology as defined in § 41.1 (relating to

definitions). The [Board will apply the] following [criteria to determine whether] documentation evidences compliance [occurred]:

(1) [The applicant has been awarded a doctoral] For degree [in psychology as defined in § 41.1 (relating to definitions)] holders from a program in the United States, Canada or United States territories [The applicant's official transcript or other documents provided by the degree-granting institution shall demonstrate the applicant's satisfactory completion of the core, specialty and practicum, internship, field or laboratory training requirements of the program], a Verification of Doctoral Program Approval Status completed by the program's Director of Clinical Training reflecting accreditation by the American Psychological Association (APA) or Canadian Psychological Association (CPA) or designation by the Association of State and Provincial Psychological Boards (ASPPB/NATIONAL REGISTER DESIGNATION PROJECT) WITHIN ONE YEAR FROM THE AWARD OF THE DOCTORAL DEGREE, and an official transcript from the Registrar.

[(2) The applicant has been awarded a doctoral degree in a field related to psychology as defined in § 41.1. The applicant's official transcript or other documents provided by the degree-granting institution shall demonstrate the applicant's satisfactory completion of the core, specialty and practicum, internship, field or laboratory training requirements of the program.

(3) The applicant is a graduate of] (2) For degree holders from a foreign college or university [who has successfully completed a program equivalent to a program acceptable under paragraph (1) or (2). A determination of equivalency shall be made by an agency], an evaluation from a foreign education credential evaluator acceptable to the

~~Board~~ COMPLETED BY THE NATIONAL REGISTER evidencing compliance with the educational requirements for degree holders from foreign colleges or universities in § 41.1 (relating to definitions). [Final review of the applicant's satisfactory completion of the core, specialty and practicum, internship, field or laboratory training requirements of the program will be made by the] The Board will make a determination regarding the applicant's compliance based upon the evaluation.

[~~(4)~~ Notwithstanding the criteria in paragraphs (1)-(3), applicants] ~~(3)~~ Applicants AN APPLICANT who de DOES not meet the criteria in paragraphs (1) and PARAGRAPH (2) shall ~~be permitted to cure~~ [the following] ~~educational deficiencies~~ [through postdoctoral study:

(i) A deficiency in no more than one of the four required instructional areas within the core program.

(ii) A deficiency in no more than one of the four substantive content areas within the core program.

(iii) Deficiencies beyond those specified in subparagraphs (i) and (ii) only in exceptional circumstances and with the approval of the Board. The applicant shall specify the exceptional circumstances in a written request to the Board. The Board will evaluate each request and each applicant's situation on a case-by-case basis. The granting of the request shall be at the Board's discretion]

~~by completing a respecialization program~~ COMPLETE SUPPLEMENTAL EDUCATION OR TRAINING, OR BOTH, FROM A PROGRAM accredited by the APA or the CPA or designated by ASPPB/NATIONAL REGISTER DESIGNATION PROJECT BASED UPON AN EVALUATION OF THE

DEFICIENCY BY THE PROGRAM. THE PROGRAM DIRECTOR SHALL CERTIFY THAT THE SUPPLEMENTAL COURSEWORK OR EXPERIENCE, OR BOTH, MAKES THE APPLICANT EQUIVALENT TO A GRADUATE OF THAT PROGRAM.

[(5)] (4) First-time applicants who ~~were enrolled~~ ENROLL in a GRADUATE ~~doctoral~~ degree program IN PSYCHOLOGY ON OR AFTER ~~prior to~~ [March 23, 1991] JULY 1, _____ (Editor's Note: The blank refers to a year 2 years after the effective date of adoption of this rulemaking), will [have their education credentials] be evaluated under THESE regulations. APPLICANTS ENROLLED PRIOR TO THIS DATE (~~Editor's Note: The blank refers to a date 2 years after the effective date of adoption of this rulemaking~~) WILL BE EVALUATED UNDER REGULATIONS in effect {at ~~that~~ THE time OF ENROLLMENT.} ~~prior to the effective date of this regulation~~. Reapplicants under subsection (a)(1) or § 41.42(b) (relating to reexamination) will be evaluated under regulations in effect at the time of reapplication.

* * *

LIST OF COMMENTATORS SENT COPY OF ANNEX FOR 16A-6313

Samuel Knapp, Ed.D.
Rachael Baturin, M.P.H., J.D.
Pennsylvania Psychological Association
416 Forster Street
Harrisburg, PA 17102-1748

William T. Walker, Ph.D.
Chestnut Hill College
9601 Germantown Avenue
Philadelphia, PA 19118

Judy E. Hall, Ph.D.**
Executive Officer
National Register
1120 G Street NW, Suite 330
Washington, DC 20005

** Comment sent to Karen Dalton, House Professional Licensure Committee and emailed to Board Counsel



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

February 23, 2006

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

Re: Final Regulation
State Board of Psychology
16A-6313: Education Requirements

Dear Chairman McGinley:

Enclosed is a copy of a final rulemaking package of the State Board of Psychology as well as a commentator list pertaining to education 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: Albert H. Masland, 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-6313
SUBJECT: State Board of Psychology: Education Requirements
AGENCY: DEPARTMENT OF STATE

TYPE OF REGULATION

- Proposed Regulation
- X 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

FILING OF REGULATION

DATE	SIGNATURE	DESIGNATION
2/23/06	<i>Sandra Harper</i>	HOUSE COMMITTEE ON PROFESSIONAL LICENSURE
2/23/06	<i>Mary Walmer</i>	SENATE COMMITTEE ON CONSUMER PROTECTION & PROFESSIONAL LICENSURE
2/23/06	<i>Dr. Helmut</i>	INDEPENDENT REGULATORY REVIEW COMMISSION
		ATTORNEY GENERAL (for Final Omitted only)
		LEGISLATIVE REFERENCE BUREAU (for Proposed only)