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MICHAEL PATRICK MCGEEHAN

PROFESSIONAL LICENSURE COMMITTEE
MAJORITY CHAIRMAN



107 IRVIS OFFICE BUILDING
P.O. BOX 202173
HARRISBURG, PENNSYLVANIA 17120-2173
PHONE: (717) 772-4031
FAX: (717) 772-9862

7731 FRANKFORD AVENUE
PHILADELPHIA, PENNSYLVANIA 19136
PHONE: (215) 333-9760
FAX: (215) 333-5891

House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

June 9, 2009

Karen W. Edelstein, Psy.D.,
Chairperson
State Board of Psychology
Post Office Box 2649
Harrisburg, PA 17105

RE: Proposed Regulation
State Board of Psychology
16A-6315: Qualifications

Dear Chairperson Edelstein:

The House Professional Licensure Committee on this date voted to take no formal action on Regulation 16A-6315 until final regulation is promulgated and submit the following comments:

1. The Committee requests the rationales in Section 41.30 (b)(ii)(iii) for only having the applicable law enforcement agency in the jurisdiction where an out of state applicant resides complete a criminal background check and only having the Pennsylvania Department of Public Welfare complete a Child Abuse History Clearance on an applicant for licensure in Pennsylvania. The Committee suggests the board include in the background check the appropriate state or territory in which the person has resided in or used as a primary residence. For example, a student may have resided in PA for school purposes but the student's permanent address could be in New York, therefore the board may want to check the applicant's criminal background in New York as well as PA. Also, an applicant may have resided in PA for 2 years and prior to that, 5 years in New York, therefore the board may want to check the applicant's criminal background in New York as well as PA.
2. The Committee requests that the reference to Section 41.31(a)(1) in proposed Subsection 41.31(4) be changed to Section 41.41(c). Section 41.31 (a)(1) is deleted in the proposed rulemaking and its language is found in the new Section 41.41 (c).

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3. The Committee requests the following change: A reference to Section 41.31(a)(1) is found in existing Section 41.31(b) (5) which is not being amended. Subsection 41.31(b)(5) should be amended so that the reference is made to the new Section 41.41(c).
4. The Committee requests an explanation for the limited flexibility of a primary supervisor being able to delegate only one (1) hour per week of supervision over the psychology resident to a delegated supervisor and suggests the board consider more flexibility.
5. The Committee requests the Board clarify language in Section 41.32 (4)(v). If a primary or delegated supervisor is subject to active discipline by the board, what is considered active discipline and when does it begin- at the time an Order to Show Cause is served, when the Board adjudicates the disciplinary matter, or some other time?
6. The Committee requests an explanation about repercussions for the psychology resident for the failure of a primary or delegated supervisor to notify her/him immediately of disciplinary action as required by Section 41.32(4)(v) and what happens to the number of hours accrued by the resident toward those required for licensure. The Committee suggests this information be included in the regulation.
7. The Committee suggests the board specify how long a psychology resident may continue to work without becoming licensed. If there is a specific time limit, it should be explicitly expressed.
8. The Committee suggests that language in Section 41.41(c) be amended to “fails to report for both examinations” rather than “fails to report for both the first examination and the one subsequent to it” and “will be considered withdrawn” rather than “will be considered to have been withdrawn.”

* Regarding Comment 1, the Committee recognizes that applicants for licensure from the State Board of Psychology may have attended college or university in Pennsylvania or have worked to gain supervised experience in Pennsylvania or both, but they have resided in another state while doing so; criminal background checks and Child Abuse History Clearances should be done in all jurisdictions in which applicants have lived in the last ten (10) years as well as the Commonwealth where they studied and worked for eligibility for licensure.

Sincerely,



Michael P. McGeehan
Chairman, House Professional Licensure Committee