

<h1>Regulatory Analysis Form</h1> <p>(Completed by Promulgating Agency)</p> <p>(All Comments submitted on this regulation will appear on IRRC's website)</p>		<p>INDEPENDENT REGULATORY REVIEW COMMISSION</p> <p>RECEIVED</p> <p>Independent Regulatory Review Commission</p> <p>May 15, 2025</p>	
<p>(1) Agency</p> <p>Department of State, Bureau of Professional and Occupational Affairs, State Board of Psychology</p>		<p>IRRC Number: 3437</p>	
<p>(2) Agency Number: 16A</p> <p>Identification Number: 6317</p>			
<p>(3) PA Code Cite:</p> <p>49 Pa. Code §§ 41.1, 41.12, 41.59</p>			
<p>(4) Short Title:</p> <p>Continuing Education</p>			
<p>(5) Agency Contacts (List Telephone Number and Email Address):</p> <p>Primary Contact: Jacqueline A. Wolfgang, Regulatory Counsel, Department of State, P.O. Box 69523, Harrisburg, PA 17106-9523 (phone 717-783-7200) (fax 787-0251) jawolfgang@pa.gov.</p> <p>Secondary Contact: Ronald K. Rouse, Board Counsel, State Board of Psychology, P.O. Box 69523, Harrisburg, PA 17106-9523 (phone 717-783-7200) (fax 717-787-0251) (rorouse@pa.gov).</p>			
<p>(6) Type of Rulemaking (check applicable box):</p> <p><input checked="" type="checkbox"/> Proposed Regulation</p> <p><input type="checkbox"/> Final Regulation</p> <p><input type="checkbox"/> Final Omitted Regulation</p>		<p><input type="checkbox"/> Emergency Certification Regulation;</p> <p><input type="checkbox"/> Certification by the Governor</p> <p><input type="checkbox"/> Certification by the Attorney General</p>	
<p>(7) Briefly explain the regulation in clear and nontechnical language. (100 words or less)</p> <p>The State Board of Psychology (Board) proposes to update, revise and clarify the continuing education requirements. The proposed amendments include updating and reorganizing definitions pertaining to continuing education; clarifying distance education requirements and changing “home study” to “distance education;” increasing the amount of permissible distance education from 15 contact hours to 30 contact hours; requiring treatment and management of suicide risks and diversity training as a part of the continuing education requirements; adding the Canadian Psychological Association (CPA) and its approved sponsors as an approved sponsor for continuing education; updating professional writing continuing education requirements, clarifying reactivation and reinstatement and waiver requirements; and deleting the provision that allows licensees to cure continuing education deficiencies.</p>			

(8) State the statutory authority for the regulation. Include specific statutory citation.

The Board has the authority to adopt and revise the regulations that govern its licensees under the authority granted to it by sections 3.2 and 15 of the Professional Psychologists Practice Act (act) (63 P.S. §§ 1203.2 and 1215). Section 3.2 of the act authorizes the Board to “adopt and, from time to time, revise such rules and regulations and policies not inconsistent with the law as may be necessary to carry into effect the provisions of this act.” Section 15 of the act authorizes the Board to establish by regulation the requirements for continuing education to be completed as a condition of biennial renewal.

The Matt Adler Suicide Prevention Continuing Education Act (63 P.S. §§ 1221-1224) requires the Board to promulgate regulations to effectuate that act. Under section 3, a licensing board shall provide that a licensee complete at least 1 hour of continuing education in the assessment, treatment and management of suicide risks as a portion of the total continuing education required for license renewal.

This proposed rulemaking is needed to conform with the distance education requirements of the act of December 22, 2021 (P.L. 488, No. 100) (63 Pa.C.S. § 3107.1 (relating to virtual operation)). Under 63 Pa.C.S. § 3107.1(c), “[e]ach licensing board... shall establish rules and regulations for continuing education that provides for distance education if continuing education is required for a license, certificate, registration or permit in a practice act.”

(9) Is the regulation mandated by any federal or state law or court order, or federal regulation? Are there any relevant state or federal court decisions? If yes, cite the specific law, case or regulation as well as, any deadlines for action.

To the extent that the regulation adds a requirement that the 30 contact hours of continuing education required as a condition of biennial license renewal shall include at least 1 contact hour in the assessment, treatment and management of suicide risks, the regulation is mandated by The Matt Adler Suicide Prevention Continuing Education Act. Otherwise, it is not mandated by any Federal or state law or court order, or Federal regulation.

(10) State why the regulation is needed. Explain the compelling public interest that justifies the regulation. Describe who will benefit from the regulation. Quantify the benefits as completely as possible and approximate the number of people who will benefit.

There are approximately 6,641 actively licensed psychologists that will benefit from the proposed amendments. The Board’s review and update of its continuing education regulations will benefit all licensees because the Board’s requirements and standards will be clarified and will reflect modernized approaches in continuing education. The amendments necessary to implement The Matt Adler Suicide Prevention Continuing Education Act, which requires at least 1 contact hour in the assessment, treatment and management of suicide risks as a condition of biennial license renewal benefit the profession because the regulations will accurately reflect this continuing education requirement. Further, the psychological profession and the public at large will benefit from the proposed requirement that psychologists be required to obtain 3 contact hours per biennium in diversity as a condition of biennial license renewal. The psychological profession needs to be competent to deal with increasing percentages of the population who belong to cultural minorities.

The Board believes that all licensed psychologists will benefit from the updates and enhanced clarity of the continuing education requirements. The proposed regulation would specifically include and define

distance education requirements. The Board's proposed regulations recognize that technology moves faster than the regulatory processes and that many courses are now available through one or more technological media and should be considered for continuing education requirements. This change benefits all licensees though licensees who prefer in-person learning may continue to earn contact hours in this manner.

In addition, instructors of a continuing education courses and authors of an articles included within an APA database or a chapter in a text or trade book for psychologists published by a commercial publisher or a state or National psychological association will now be able to receive full credit for being an instructor or author without having to divide the amount of credits earned among all the instructors or authors of the publication. This change more accurately reflects the amount of time that an instructor and an author of a publication puts into preparation and writing.

(11) 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 regulations.

There are no Federal standards applicable to the subject matter of the regulation.

(12) How does this regulation compare with those of the other states? How will this affect Pennsylvania's ability to compete with other states?

Contiguous state licensing boards require psychologists to complete continuing education. The Board requires 30 contact hours of continuing education. This proposed regulation would increase the amount of permissible distance education from 15 contact hours to 30 contact hours; require diversity training as a part of the continuing education requirements; add the Canadian Psychological Association (CPA) and its approved sponsors as an approved sponsor for continuing education; and delete the provision that allows licensees to cure continuing education deficiencies.

A summary of these contiguous state requirements for continuing education is as follows:

New Jersey

In New Jersey, psychologists are required to complete 40 hours of continuing education every two years, with 20 required from pre-approved providers. Only 10 of the 20 pre-approved provider courses are required to be completed with an opportunity for live or synchronous interaction. New Jersey regulations concerning psychologists do not restrict live interaction to either in-person or through technology. A minimum of 4 hours must include topics related to domestic violence every 2 years. A minimum of 1 hour must be on topics concerning prescription opioid drugs, including the risks and signs of opioid abuse, addiction, and diversion every 2 years. New Jersey regulations allow psychologists to submit continuing education waivers due to hardships when reported prior to the renewal deadline but does not have a provision that would allow licensees to cure continuing education deficiencies.

Delaware

In Delaware, psychologists must obtain 40 hours of continuing education during each biennial license period to be eligible to renew their Delaware license. A minimum of 10 hours of continuing education credit must be obtained via face to face or live webinar. The biennially required 40 hours of continuing education must include 3 hours of continuing education in ethics and 3 hours in cultural inclusion,

equity and diversity. Delaware regulations allow for an extension of time for accepted disabilities, illnesses, absences from jurisdiction and exceptional family responsibilities, but does not have a provision that would allow licensees to cure continuing education deficiencies. Retention of continuing education records are a minimum of 1 year.

Maryland

In Maryland, psychologists are required to take a minimum of 40 hours of continuing education each biennial license period, including 3 hours of ethics, 3 hours of cultural competence, 3 hours of managing risk and a one-time course in implicit bias. If psychologist supervises psychology associates, a minimum of 3 CE hours related to clinical supervision is required. The Maryland Board of Examiners of Psychologists accepts a maximum of 20 CE hours of independent study, which includes asynchronous distance education. Maryland regulations allow for modifications of CE requirements upon written request with evidence of disability or inability to access activities but does not have a provision that would allow licensees to cure continuing education deficiencies. The request must specify the procedure to obtain the required CE hours within the reporting period. Retention of continuing education records are a minimum of 4 years.

New York

In New York, psychologists must complete 36 hours of continuing education every 3 years beginning January 1, 2021. A minimum of 3 of the 36 hours must be in ethics. New York regulations concerning CE methods permit hours to be obtained through live instruction and interaction, regardless of method, from a pre-approved provider. Where instruction is not live or interactive, only 12 hours or 1/3 of the 36 hours are permitted for self-study or independent study. CE records must be retained for 6 years and no carry over of hours is permitted. Adjustments to CE hours are permitted for reasons of health, disability, military duty or good cause outside of registrant's control but does not have a provision that would allow licensees to cure continuing education deficiencies. New York CE regulations for licensed and registered psychologists also allow for a year extension, referred to as a conditional registration for the correction of CE deficiencies.

Ohio

In Ohio, psychologists must complete 23 hours of continuing education every 2 years. A minimum of 4 of the 23 hours must be in one or more of the following: professional conduct; ethics; the role of culture, ethnic identity, or both in the provision of psychological assessment, consultation, or psychological intervention. There are no limitations on distance education hours. CE records must be retained for 3 years, and special provisions are provided for waiver or extension of CE regulations, on Board approval, for unusual circumstances, emergency, or special hardships. Ohio does have a provision that would allow licensees to cure continuing education deficiencies within the same calendar year as the September 30th biennial renewal.

West Virginia

In West Virginia, psychologists must complete 20 hours of continuing education every 2 years, a minimum of 10 of the 20 hours must be through an approved provider and the remainder may be obtained through self-study in an APA approved program. West Virginia regulations do not address the method of instruction for either of the 10-hour requirements. A minimum of 3 of the 20 hours must be in ethics, and 2 hours must be in mental health conditions common to veterans and family members of

veterans, every 2 years. CPA is an approved continuing education provider. No specific retention period, hardship processes or carry over allowances of CE hours were found specified on limited search of the West Virginia continuing education regulations.

Based on this information, the proposed regulation is comparable to contiguous states. The Board believes the Board's proposed regulation will put this Commonwealth at a competitive advantage because the proposed amendments will enhance and modernize continuing education and will ensure that psychologists are competent to deal with increasing percentages of the population who belong to cultural minorities.

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

This rulemaking does not affect other regulations of the Board or other state agencies.

(14) Describe the communications with and solicitation of input from the public, any advisory council/group, small businesses and groups representing small businesses in the development and drafting of the regulation. List the specific persons and/or groups who were involved. ("Small business" is defined in Section 3 of the Regulatory Review Act, Act 76 of 2012.)

The Board has been working on this regulation over the past few years and has actively engaged stakeholders. In accordance with the requirements of Executive Order 1996-1 (February 6, 1996). On April 16, 2024, the Board sent an exposure draft to interested parties and stakeholders.

Exposure draft comments were received on behalf of the Pennsylvania Psychological Association ("PPA"). In their comments, PPA commended the Board for mandating 3 continuing education credits in diversity training each biennium. They expressed support for the Board's decision to maintain the carry over provision which allows a licensee to carry over up to 10 credits per biennium and the Board's decision to allow presenters to get total credit for the workshops they present. PPA expressed concerns with the Board's proposal to allow licensees to obtain 100% of CE hours through asynchronous distance education. They suggested requiring at least 10 hours of synchronous distance education or in-person continuing education of the 30 total hours required.

The Board received an additional comment expressing support of the amendments, stating the proposed regulations will go a long way to reduce the confusion associated with the current regulations. The commentator indicated that the Board's regulations have been a source of confusion for licensed psychologists and even Board members for many years. The commentator commended the Board for proposing these changes.

(15) Identify the types and number of persons, businesses, small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012) and organizations which will be affected by the regulation. How are they affected?

There are approximately 6,641 actively licensed psychologists that will be affected by the amendments if/when they apply for biennial renewal of their license. In addition, all sponsors of continuing education courses will benefit from the clarity provided by the proposed amendments.

According to the Small Business Administration (SBA), there are approximately 1,131,036 small businesses in Pennsylvania, which is 99.6% of all Pennsylvania businesses. Of the 1,131,036 small

businesses, 228,272 are small employers (those with fewer than 500 employees) and the remaining 902,764 are non-employers. Thus, the vast majority of businesses in Pennsylvania are considered small businesses.

According to the Pennsylvania Department of Labor and Industry, in 2020 (the most recent year for which data is available) psychologists, including clinical, counseling and school psychologists; industrial-organizational psychologists; and psychologists, all other, held approximately 178,900 jobs, nationally. The largest employers of psychologists were self-employed (27%); elementary and secondary schools, state, local and private (25%); ambulatory health care services (20%); government (10%); hospitals, state, local and private (6%). Some psychologists work alone, doing independent research, consulting with clients, or counseling patients. Others work as part of a healthcare team, collaborating with physicians, social workers and others to treat illness and promote overall wellness.

Small businesses are defined in Section 3 of the Regulatory Review Act, (71 P.S. § 745.3) which provides that a small business is defined by the SBA's Small Business Size Regulations under 13 CFR Ch. 1 Part 121. These size standards have been established for types of businesses under the North American Industry Classification System (NAICS). In applying the NAICS standards to the types of businesses where psychologists may work, a small business classified under NAICS code elementary and secondary schools (NAICS code 611110) are considered small businesses if they have \$ 20.0 million or less in average annual receipts. Miscellaneous ambulatory health care services (NAICS code 621999) are considered small businesses if they have \$ 20.5 million or less in average annual receipts. General medical and surgical hospitals (NAICS code 622110) are considered small businesses if they have \$ 47 million or less in average annual receipts. The Board does not collect data relating to business size but believes that the majority of psychologists in the Commonwealth work in "small businesses" as the term is defined by the SBA and the Regulatory Review Act. The Board, likewise, does not collect information on the size of the businesses where its licensees are employed. However, for purposes of determining the economic impact on small businesses, the Board must assume that a large number of its licensees either are, or work for, small businesses as that term is defined by the SBA and Pennsylvania's Regulatory Review Act.

This rulemaking affects licensees who are required to complete continuing education. There are no additional costs to the regulated community related to this proposed rulemaking and the Board does not believe this regulation would adversely affect any business, be it large or small. Licensees are already required to complete 30 contact hours; this proposed regulation arguably could save money for licensees and any business that elects to pay for continuing education because the Board would now allow all of the continuing education to be completed through distance education, which could save on travel costs and may be a lower cost approach to completing continuing education hours.

(16) List the persons, groups or entities, including small businesses, that will be required to comply with the regulation. Approximate the number that will be required to comply.

This rulemaking will affect all licensed psychologists who apply for biennial renewal of their license.

(17) Identify the financial, economic and social impact of the regulation on individuals, small businesses, businesses and labor communities and other public and private organizations. Evaluate the benefits expected as a result of the regulation.

The Board is proposing amendments to update and clarify the continuing education requirements, as

such, there are no costs associated with the proposed rulemaking for licensees, businesses or other public/private organizations. The proposal benefits licensees and sponsors of continuing education courses by providing needed updates and clarification relating to the continuing education requirements. The modernization of the distance education requirements benefits all licensees and recognizes that there is value to interactive courses, even those delivered by electronic means. In addition, instructors of a continuing education course and authors of an article included within an APA database or a chapter in a text or trade book for psychologists published by a commercial publisher or a state or National psychological association will now be able to receive full credit for being an instructor or author without having to divide the amount of credits earned among all the instructors or authors of the publication. This change accurately reflects the amount of time that an instructor and an author of a publication puts into preparation and writing. Further, the psychological profession and the public at large will benefit by including the statutorily mandated continuing education that psychologists are required to obtain 1 contact hour per biennium in the assessment, treatment and management of suicide risks). Additionally, the Board anticipates a positive impact as a result of its proposed requirement that psychologists obtain 3 contact hours per biennium in diversity as a condition of biennial license renewal. The Board believes that requiring diversity training is in the public interest and will lead to a general increase in the quality of services to patients and clients.

(18) Explain how the benefits of the regulation outweigh any cost and adverse effects.

As there are no additional costs associated with the proposed rulemaking, the benefits identified herein outweigh any perceived adverse effects.

(19) Provide a specific estimate of the costs and/or savings to the regulated community associated with compliance, including any legal, accounting or consulting procedures which may be required. Explain how the dollar estimates were derived.

There are no additional costs or savings to the regulated community associated with compliance with the proposed rulemaking.

(20) Provide a specific estimate of the costs and/or savings to the local governments associated with compliance, including any legal, accounting or consulting procedures which may be required. Explain how the dollar estimates were derived.

There are no costs or savings to local governments associated with the proposed rulemaking.

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

There are no costs or savings to state government associated with the proposed rulemaking.

(22) For each of the groups and entities identified in items (19)-(21) above, submit a statement of legal, accounting or consulting procedures and additional reporting, recordkeeping or other paperwork, including copies of forms or reports, which will be required for implementation of the regulation and an explanation of measures which have been taken to minimize these requirements.

There are no additional reporting, recordkeeping or other paperwork requirements associated with the proposed rulemaking.

(22a) Are forms required for implementation of the regulation?

No new forms are required for implementation of this regulation.

(22b) If forms are required for implementation of the regulation, attach copies of the forms here. If your agency uses electronic forms, provide links to each form or a detailed description of the information required to be reported. Failure to attach forms, provide links, or provide a detailed description of the information to be reported will constitute a faulty delivery of the regulation.

N/A

(23) 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 24-25	FY +1 25-26	FY +2 26-27	FY +3 27-28	FY +4 28-29	FY +5 29-30
SAVINGS:						
Regulated Community	N/A	N/A	N/A	N/A	N/A	N/A
Local Government	N/A	N/A	N/A	N/A	N/A	N/A
State Government	N/A	N/A	N/A	N/A	N/A	N/A
Total Savings	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
COSTS:						
Regulated Community	N/A	N/A	N/A	N/A	N/A	N/A
Local Government	N/A	N/A	N/A	N/A	N/A	N/A
State Government	N/A	N/A	N/A	N/A	N/A	N/A
Total Costs	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
REVENUE LOSSES:						
Regulated Community	N/A	N/A	N/A	N/A	N/A	N/A
Local Government	N/A	N/A	N/A	N/A	N/A	N/A
State Government	N/A	N/A	N/A	N/A	N/A	N/A
Total Revenue Losses	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

(23a) Provide the past three year expenditure history for programs affected by the regulation.

Program	FY -3 2021-2022 (Actual)	FY -2 2022-2023 (Actual)	FY -1 2023-2024 (Estimated)	Current FY 2024-2025 (Budgeted)
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State Board of Psychology	\$541,600.73	\$525,401.02	\$527,098.43	\$658,000
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(24) For any regulation that may have an adverse impact on small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012), provide an economic impact statement that includes the following:

- (a) An identification and estimate of the number of small businesses subject to the regulation.
- (b) The projected reporting, recordkeeping and other administrative costs required for compliance with the proposed regulation, including the type of professional skills necessary for preparation of the report or record.
- (c) A statement of probable effect on impacted small businesses.
- (d) A description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation.

According to the Small Business Administration (SBA), there are approximately 1,131,036 small businesses in Pennsylvania, which is 99.6% of all Pennsylvania businesses. Of the 1,131,036 small businesses, 228,272 are small employers (those with fewer than 500 employees) and the remaining 902,764 are non-employers. Thus, the vast majority of businesses in Pennsylvania are considered small businesses. The Board does not collect data relating to business size or employment of licensees, but believes that the majority of psychologists in the Commonwealth work in “small businesses” as the term is defined by the SBA and the Regulatory Review Act.

There will not be an economic impact to the regulated community or small businesses. The Board does not believe this regulation is intrusive or costly and there are no less costly alternative methods.

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

No special provisions have been developed to meet the particular needs of any groups or persons.

(26) Include a description of any alternative regulatory provisions which have been considered and rejected and a statement that the least burdensome acceptable alternative has been selected.

The Board initially proposed to reduce the number of hours that a licensee can obtain for professional writing from 10 continuing education credits to 5 continuing education credits; however, at the recommendation of the PPA, the Board has decided to continue to allow licensees to obtain 10 continuing education credits for professional writing since many psychologists in academia use this section of the regulation to obtain continuing education. The Board also initially proposed to remove the carry-over provision at § 41.59(a)(1) because it has proven to be administratively burdensome to staff, making the audit process very cumbersome. At the recommendation of the PPA, the Board reconsidered its position because of the current trend to allow for carryover hours of continuing education credits.

The Board believes this proposal represents the least burdensome acceptable alternative.

(27) In conducting a regulatory flexibility analysis, explain whether regulatory methods were considered that will minimize any adverse impact on small businesses (as defined in Section 3 of the Regulatory

Review Act, Act 76 of 2012), including:

- a) The establishment of less stringent compliance or reporting requirements for small businesses;
- b) The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses;
- c) The consolidation or simplification of compliance or reporting requirements for small businesses;
- d) The establishment of performance standards for small businesses to replace design or operational standards required in the regulation; and
- e) The exemption of small businesses from all or any part of the requirements contained in the regulation.

a) & b) The Board did not consider less stringent compliance or reporting requirements for small businesses. The Board's continuing education requirements apply equally to all licensees.

c) There is no compliance or reporting requirement that can be consolidated or simplified. The Board's continuing education requirements apply equally to all licensees.

d) The regulations do not contain design or operational standards that need to be altered for small businesses.

e) To exclude any licensee from complying with the regulation would not be consistent with public health and welfare because the Board needs to ensure that individuals who are licensed as psychologists within the Commonwealth remain competent to practice through enforcement of the continuing education requirements. Regarding distance education, licensees may continue to take in person continuing education and are not required to use distance education.

(28) If data is the basis for this regulation, please provide a description of the data, explain in detail how the data was obtained, and how it meets the acceptability standard for empirical, replicable and testable data that is supported by documentation, statistics, reports, studies or research. Please submit data or supporting materials with the regulatory package. If the material exceeds 50 pages, please provide it in a searchable electronic format or provide a list of citations and internet links that, where possible, can be accessed in a searchable format in lieu of the actual material. If other data was considered but not used, please explain why that data was determined not to be acceptable.

No data, studies or references were used to justify the regulation.

(29) Include a schedule for review of the regulation including:

A. The length of the public comment period: 30 days

B. The date or dates on which any public meetings or hearings will be held:

No public hearings were scheduled or held. The Board

discusses its regulatory proposals at regularly scheduled meetings. This rulemaking was discussed at public board meetings for over 4 years and more recently during the meetings held on February 5, 2024, April 8, 2024, June 3, 2024, October 7, 2024.

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|---|----------------------------|
| C. The expected date of delivery of the final-form regulation: | Fall 2025 |
| D. The expected effective date of the final-form regulation: | Upon publication as final. |
| E. The expected date by which compliance with the final-form regulation will be required: | Upon publication as final. |
| F. The expected date by which required permits, licenses or other approvals must be obtained: | N/A |

(30) Describe the plan developed for evaluating the continuing effectiveness of the regulations after its implementation.

The Board continually reviews the efficacy of its regulations, as part of its annual review process under Executive Order 1996-1. The Board reviews its regulatory proposals at regularly scheduled public meetings. The Board will meet on the following remaining dates in 2025: April 14, June 16, August 18, October 20 and December 15. More information can be found on the Board's website at <https://www.pa.gov/agencies/dos/departments-and-offices/bpoa/boards-commissions/psychology.html>.

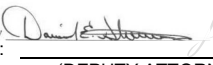


**FACE SHEET
FOR FILING DOCUMENTS
WITH THE LEGISLATIVE REFERENCE BUREAU**

(Pursuant to Commonwealth Documents Law)

RECEIVEDIndependent Regulatory
Review Commission

May 15, 2025

DO NOT WRITE IN THIS SPACE

<p>Copy below is hereby approved as to form and legality. Attorney General</p> <div style="display: flex; align-items: center;"><div style="flex: 1;"> BY: _____ (DEPUTY ATTORNEY GENERAL)</div><div style="flex: 1; font-size: 0.8em; margin-left: 10px;">Digitally signed by David E. Stover Date: 2025.05.01 13:20:24 -04'00'</div></div> <div style="text-align: center; margin-top: 20px;">May 1, 2025 _____ DATE OF APPROVAL</div> <div style="font-size: 0.8em;"><input type="checkbox"/> Check if applicable Copy not approved. Objections attached.</div>	<p>Copy below is hereby certified to be a true and correct copy of a document issued, prescribed or promulgated by:</p> <div style="text-align: center; margin-top: 10px;"><u>State Board of Psychology</u> (AGENCY)</div> <p>DOCUMENT/FISCAL NOTE NO. <u>16A-6317</u></p> <p>DATE OF ADOPTION: _____</p> <div style="display: flex; align-items: center;"><div style="flex: 1;"> BY: _____ Donald McAleer, Psy.D., ABPP</div><div style="flex: 1; margin-left: 10px;">TITLE <u>Chairman</u> (EXECUTIVE OFFICER, CHAIRMAN OR SECRETARY)</div></div>	<p>Copy below is hereby approved as to form and legality. Executive or Independent Agencies.</p> <div style="display: flex; align-items: center;"><div style="flex: 1;"> BY: _____ (Deputy General Counsel) (Chief Counsel, Independent Agency) (Strike inapplicable title)</div><div style="flex: 1; font-size: 0.8em; margin-left: 10px;">Digitally signed by Cynthia K. Montgomery DN: cn=Cynthia K. Montgomery, o, ou, email=cymontgome@pa.gov, c=US Date: 2025.04.10 15:07:54 -04'00'</div></div> <div style="text-align: center; margin-top: 20px;">April 10, 2025 _____ DATE OF APPROVAL</div> <div style="font-size: 0.8em;"><input type="checkbox"/> Check if applicable. No Attorney General approval or objection within 30 days after submission.</div>
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NOTICE OF PROPOSED RULEMAKING

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS
STATE BOARD OF PSYCHOLOGY**

49 PA. CODE CHAPTER 41 §§ 41.1, 41.12 and 41.59

CONTINUING EDUCATION

The State Board of Psychology (Board) proposes to amend §§ 41.1, 41.12 and 41.59 (relating to definitions; fees; and continuing education) to read as set forth in Annex A.

Effective Date

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

Statutory Authority

The proposed rulemaking is authorized by sections 3.2 and 15 of the Professional Psychologists Practice Act (act) (63 P.S. §§ 1203.2 and 1215). Section 3.2 of the act authorizes the Board to “adopt and, from time to time, revise such rules and regulations and policies not inconsistent with the law as may be necessary to carry into effect the provisions of this act.” Section 15 of the act authorizes the Board to establish by regulation the requirements for continuing education to be completed as a condition of biennial renewal.

The Matt Adler Suicide Prevention Continuing Education Act (63 P.S. §§ 1221—1224) requires the Board to promulgate regulations to effectuate that act. Under section 3, a licensing board shall provide that a licensee complete at least 1 hour of continuing education in the assessment, treatment and management of suicide risks as a portion of the total continuing education required for license renewal.

This proposed rulemaking is also needed to conform with the distance education requirements of the act of December 22, 2021 (P.L. 488, No. 100) (Act 100 of 2021) (63 Pa.C.S. § 3107.1 (relating to virtual operation)). Under 63 Pa.C.S. § 3107.1(c), “[e]ach licensing board... shall establish rules and regulations for continuing education that provides for distance education

if continuing education is required for a license, certificate, registration or permit in a practice act.”

Background and Purpose

Section 15 of the act (63 P.S. § 1215) grants the Board the authority to require a designated number of hours of approved courses of continuing education as a condition of biennial renewal. In accordance with section 15, the Board promulgated regulations in 1992 requiring psychologists to complete 30 contact hours of continuing education as a condition of biennial licensure renewal. Since that date, the continuing education regulations have been amended three times – in 1997, 2002 and 2023. In 1997, the Board added the requirement that psychologists complete at least 3 contact hours in ethical issues and provided for the carry-over of up to 10 contact hours from one biennium to the next. It also amended the paperwork requirements, clarified the approved sponsors of continuing education and added additional approved activities (instruction and professional writing).

In 2002, minor amendments were made to the continuing education regulations to clarify the Board’s carry-over provision in response to licensee questions regarding the length of the carry-over and whether ethics hours may be carried over. At that time, the Board clarified that contact hours may only be carried over from one biennium to the next biennium; and that although ethics contact hours could be carried over, they could only be used to satisfy the general requirement for the next biennium and not the ethics requirement. That is, a licensee is required to complete at least 3 contact hours in ethics during each biennial period, carry-over notwithstanding. In 2023, the Board updated child abuse continuing education requirements.

The Board, in its effort to continually review the efficacy of its regulations, has again reviewed the continuing education regulations and has determined that amendments are needed to update, revise and clarify the continuing education requirements. The proposed amendments include updating and reorganizing definitions pertaining to continuing education; clarifying distance education requirements and changing “home study” to “distance education;” increasing the amount of permissible distance education from 15 contact hours to 30 contact hours; requiring treatment and management of suicide risks and diversity training as a part of the continuing education requirements; adding the Canadian Psychological Association (CPA) and its approved sponsors as an approved sponsor for continuing education; updating professional writing continuing education requirements, clarifying reactivation and reinstatement and waiver requirements; and deleting the provision that allows licensees to cure continuing education deficiencies.

In compliance with Executive Order 1996-1, on April 18, 2024, the Board sent an exposure draft to interested parties and stakeholders, and invited comments on the draft. The Board received two comments, which the Board considered at its June 3, 2024, board meeting. The Pennsylvania Psychological Association supports the regulation but expressed some concern about allowing licensees to obtain 100% of continuing education through asynchronous distance education. Another commentator expressed full support of the Board’s proposed amendments, stating that they will go a long way to reduce the confusion associated with the current regulations. The Board remains in support of allowing asynchronous education for all of the required continuing education. The Board does not believe in-person continuing education provides any additional benefit over distance education. Allowing asynchronous education provides flexibility to licensees and yet still allows for the in-person component for those who

wish to accomplish continuing education in that manner. The Board is reluctant to place a burden on licensees when there is not a compelling reason to do so.

Description of Proposed Amendments

The Board proposes to amend § 41.1 by moving the definitions related to continuing education (biennium and contact hour) from § 41.59(a) (relating to continuing education) to the general definitions section. The Board proposes to clarify the term “contact hour” to simply refer to a minimum of 50 minutes of psychology instruction or activity, excluding breaks and meal periods. The Board proposes to delete the definition of “CEU” (continuing education unit) from § 41.59(a) and does not propose to include it in § 41.1 because it is no longer commonly used by the Board with reference to continuing education courses and activities. The Board also proposes to add definitions for “asynchronous distance education,” “distance education,” “diversity training,” and “synchronous distance education.” The Board proposes to define the terms synchronous and asynchronous distance education as those terms are used in the definition of distance education. The term “distance education” would be defined as instruction offered by any means where the licensee is in a separate physical location from the instructor and communication is accomplished through one or more technological media. The term includes real-time or delayed interaction using voice, video, data or text, including instruction provided online, by means of correspondence or interactive video. The term includes synchronous and asynchronous distance education.

Finally, the term “diversity training” is being defined because the Board proposes with this rulemaking to add a requirement that licensees be required to take 3 contact hours per biennium in diversity training. In 2000, the Pennsylvania Psychological Association (PPA)

submitted a position paper to the Board, recommending that the Board mandate continuing education in diversity every renewal period in the interest of the public. The PPA opined then that cultural minorities will make up 50% of the United States population by the year 2050. The Board agrees with the PPA that culture has a huge impact on behavior, including parenting, health seeking behavior, relationships with friends and family members, and even in the manifestation of mental illnesses. Although psychologists generally appreciate the impact of culture on behavior, most psychologists have not had extensive education on this topic. The psychological profession needs to be competent to deal with increasing percentages of the population who belong to cultural minorities. For that reason, mandating that licensees take 3 contact hours of continuing education per biennium in diversity training is in the public interest and will lead to a general increase in the quality of services to patients and clients.

One minor amendment is proposed for § 41.12. The description of the application fee for continuing education sponsor approval is being amended to clarify the Board's practice of approving sponsors of continuing education.

Section 41.59 is being amended and updated. First, the definitions currently located in subsection (a) would be relocated to the general definitions section in § 41.1. In subsection (b) the Board proposes to restructure it and break the content up into two paragraphs and also removes the term "program" to reflect the proposed amendments in subsection (d.1). In paragraph (1), the Board proposes to amend the carry over provision relating to ethics continuing education. The proposed regulation would not allow for carry over of ethics continuing education credits. The Board believes that ethics education is time-sensitive and evolving and that credit for ethics should only be given in the biennium in which it was completed. This will help ensure

that licensees stay up to date with current and emerging issues. The Board also proposes to add a requirement necessitated by The Matt Adler Suicide Prevention Continuing Education Act, to require that the 30 contact hours of continuing education required as a condition of biennial license renewal shall include at least 1 contact hour in the assessment, treatment and management of suicide risks. In addition, at the recommendation of the PPA, the Board would add in paragraph (1) the requirement that the 30 contact hours of continuing education shall include at least 3 contact hours per biennium in diversity training. Consistent with excess hours in ethical issues, paragraph (1) clarifies that excess hours in the assessment, treatment and management of suicide risks and diversity may be counted toward the total 30 contact hours in the biennium in which they are completed but may not be carried over. That is, a licensee is required to complete at least 3 contact hours in ethics, 1 contact hour in the assessment, treatment, and management of suicide risks, and 3 contact hours in diversity training during each biennial period. The Board proposes to add paragraph (2) to clarify that continuing education contact hours used to reactivate or reinstate a license cannot subsequently be used to satisfy the requirements for biennial renewal.

The Board proposes to delete subsection (d) and restructure it in subsections (d.1) and (d.2). In subsection (d.1), the Board proposes to address approved sponsors within three paragraphs. Paragraph (1) addresses pre-approved sponsors and contains the list of preapproved sponsors. Paragraph (1)(ii) adds the CPA (Canadian Psychological Association) and their approved sponsors as an approved sponsor for continuing education. This provision is for an additional alternative that did not previously exist in this Commonwealth. Paragraph (2) sets forth the process for other entities and organizations to apply for Board approval. Paragraph (3)

sets forth requirements that must be met by all sponsors of continuing education. These requirements were previously set forth at § 41.59(d)(4), except for paragraph (3)(iii), which is new. Paragraph (3)(iii) notifies sponsors of continuing education courses that they must identify on the certificates or transcripts awarded the number of contact hours devoted to substantive issues; the number of contact hours devoted to ethics, child abuse recognition and reporting, the assessment, treatment and management of suicide risks, and diversity training; and the method by which the course was provided. This information is necessary to enable licensees and the Board's administrative staff to determine that the requisite number of contact hours of continuing education have been completed each biennium, and that the method by which the course was completed complies with the requirements relating to number of contact hours that may be obtained through instruction or professional writing. Finally, paragraph (4) provides notification to sponsors of continuing education that the Board may withdraw its approval of a sponsor for cause. This notification was previously set forth at § 41.59(d)(5). Paragraph (5) is new and would require that the continuing education sponsor provide each registrant with certification or documented evidence of attendance and satisfactory completion of the course. The sponsor shall maintain records, including documentation of the teacher or instructor's education and experience, for a minimum of 4 years.

The proposed amendment in subsection (d.2) sets forth the standards for acceptable courses currently found at § 41.59(d), with minor clarity revisions. The Board proposes to amend subsection (e). First, the Board proposes to amend the term "home study" and replace it with "distance education." The Board proposes to remove the 15 contact hour limit on distance education. The Board considered input from numerous stakeholders who support allowing

licensees to fulfill all of the required hours of continuing education requirements through distance education. The Board also considered the Pennsylvania Psychological Association's (PPA) concern relating to removing the in-person requirement; PPA suggests that it may be detrimental to practitioners who work in remote locations because in-person education provides interaction with the profession and instructors which may not occur otherwise for practitioners who work in remote locations. The Board's proposed rulemaking would allow licensees to continue taking in-person education though they would no longer be required to do so. Some commentors conveyed hardships in being required to take in-person education and even synchronous distance education. The Board believes that its proposed amendments will continue to protect the public and at the same time provide a more flexible way for licensees to maintain competency and licensure. Therefore, the Board's amendment in subsection (e) would allow licensees to fulfill 100 % of continuing education requirements through distance education.

In subsection (f), the Board proposes to clarify that this section applies to teachers as well as course instructors and replace the term workshop with course. In paragraph (1), the Board clarifies that courses taught in a regionally accredited college or university must be housed within a school of medicine or a psychology department. The existing regulations provide that the number of hours of continuing education granted is determined by dividing the total number of contact hours by the number of instructors. For example, if two instructors were delivering a 4-hour continuing education course, each instructor would be granted 2 contact hours of continuing education credit. As proposed, paragraph (3) would grant instructors and teachers the equivalent number of contact hours as are granted for attending the course, regardless of the number of instructors participating in the delivery of the course. The Board believes that this

change accurately reflects the amount of time that the instructor puts into preparation and presenting the course.

The Board proposes to amend subsection (g). Currently, subsection (g) allows a psychologist to accrue up to 10 contact hours of continuing education through professional writing. The Board proposes to clarify that credit will be granted for articles included in an American Psychological Association (APA) database as opposed to a journal abstracted in PSYCHLIT. PSYCHLIT was a CD-ROM version of Psychological Abstracts that contained citations and abstracts to journal articles, and summaries of English-language chapters and books in psychology. PSYCHLIT was merged into the PsycINFO online database, produced by the American Psychological Association in 2000. In paragraph (2), the Board proposes new language, at the recommendation of the PPA, that would grant authors of professional writing the equivalent number of contact hours for professional writing regardless of the number of authors who participated in writing the article or chapter. This change is consistent with the change for instructors of continuing education courses, and accurately reflects the amount of time that an author of an article or chapter puts into that writing.

The Board proposes to amend subsection (h) by deleting the reference to 3.75 contact hours being equivalent to (.375 CEU). As previously explained, “CEU” is no longer used by the Board with reference to continuing education courses and activities.

The Board proposes to amend subsection (i) by clarifying that this section pertains to reactivation and reinstatement. Paragraph (1) addresses reactivation of licensure. As proposed, the Board clarifies that as a condition of reactivation of a lapsed or inactive license an individual must demonstrate completion of 30 contact hours of continuing education during the 2 years

immediately preceding the request for reactivation. Paragraph (2) addresses reinstatement of a license after suspension or revocation. Paragraph (2) notifies individuals who petition for reinstatement after suspension or revocation that they must show compliance with the continuing education requirement by completing the continuing education hours that would have been required under subsection (b) if the individual had maintained current licensure.

In subsection (j), the Board proposes to clarify the requirements for waiver and adds a provision requiring waiver requests to be filed with the Board by September 1 of the renewal year, unless the applicant for the waiver shows good cause for failing to meet this deadline. This provision is being added to allow the Board enough time to consider waiver requests and provide notice to the applicant of the Board's decision prior to the end of the biennium.

Finally, the Board is proposing to delete subsection (k). This provision has been used as means for a licensee facing administrative disciplinary proceedings for failing to complete continuing education hours to avoid sanction by applying for leave to cure a deficiency. This was not the Board's intent. Further, there are no standards in the existing regulations for evaluating such requests, making it an administrative burden to review plans for curing deficiencies. Last, the Board believes that this provision is inconsistent with the requirement that all psychologists complete 30 hours of continuing education as a condition of biennial license renewal. Psychologists that are unable to complete their continuing education because of illness, emergency or hardship may still apply to the Board for a waiver of all or part of the continuing education requirement under subsection (j).

Fiscal Impact and Paperwork Requirements

The proposed amendments should have no fiscal impact on the Commonwealth or its

political subdivisions. Because the amendments are updating and clarifying current regulations, there should be no fiscal impact on the regulated community. The proposed amendments should not result in any additional legal, accounting or reporting requirements for the Commonwealth or the regulated community.

Sunset Date

The Board continuously monitors the effectiveness of its regulations. Therefore, no sunset date has been assigned.

Regulatory Review

Under Section 5(a) of the Regulatory Review Act (71 P.S. §745.5(a)), on May 15, 2025, 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 House Professional Licensure Committee and the Senate Consumer Protection and 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 in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b) 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.

Public Comment

Interested persons are invited to submit written comments, suggestions or objections regarding the proposed amendments to Regulatory Counsel, Department of State, P. O. Box

69523, Harrisburg, PA 17106-9523, or by email at RA-STregulatorycounsel@pa.gov, within 30 days following publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Please reference No. 16A-6317 (Continuing Education), when submitting comments.

Donald McAleer, Psy.D., ABPP

Chairperson

ANNEX

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:

* * * * *

Act—The Professional Psychologists Practice Act (63 P. S. § § 1201—1218).

Asynchronous distance education—A form of distance education that does not provide for real-time video and audio communication between the learner and instructor.

Biennium—The period from December 1 of an odd-numbered year to November 30 of the next odd-numbered year.

Board—The State Board of Psychology of the Commonwealth.

* * * * *

Client/patient—A person, system, organization, group or family for whom a psychologist provides psychological services. In the case of individuals with legal guardians, including minors and legally incapacitated adults, the legal guardian shall be the client/patient for decisionmaking purposes. The minor, legally incapacitated adult or other person actually receiving the service shall be the client/patient for issues

specifically reserved to the individual, such as confidential communications in a therapeutic relationship and issues directly affecting the physical or emotional safety of the individual, such as sexual or other exploitive dual relationships.

Contact hour – A minimum of 50 minutes of psychology instruction or activity, excluding breaks and meal periods.

Delegated supervisor—A person to whom the primary supervisor has delegated up to 1 hour of the 2 hours of required weekly supervision who holds a current license, certificate or registration from a health related board within the Bureau of Professional and Occupational Affairs or a person who is exempt from licensure under section 3(4)—(8) of the act (63 P. S. § 1203(4)—(8)), who meets the requirements in § 41.33(a) and (b) (relating to supervisors).

Distance education – Instruction offered by any means where the licensee is in a separate physical location from the instructor and communication is accomplished through one or more technological media. The term includes real-time or delayed interaction using voice, video, data or text, including instruction provided online, by means of correspondence or interactive video. The term includes synchronous and asynchronous distance education.

Diversity training – Training in the discipline of psychology that establishes an understanding of factors associated with age, gender, gender identity, race, ethnicity, culture, national origin, religion, sexual orientation, disability, language or socioeconomic status.

Doctoral degree in a field related to psychology—A degree awarded upon successful completion of a program which, within 1 year from the aware of the doctoral degree, meets one of the following:

- (i) Is accredited by the APA or the CPA.
- (ii) Is designated by the ASPPB/National Register Designation Project.
- (iii) Is offered by a foreign college or university whose standards are equivalent to the ASPPB/National Register Designation Project criteria.

* * * * *

Sexual intimacies—Romantic, sexually suggestive, sexually demeaning or erotic behavior. Examples of this behavior include, but are not limited to, sexual intercourse, nontherapeutic verbal communication or inappropriate nonverbal communications of a sexual or romantic nature, sexual invitations, soliciting a date from a client/patient, masturbating in the presence of a client/patient (or encouraging a client/patient to masturbate in the presence of the psychologist), exposure, kissing or hugging, touching, physical contact or self-disclosure of a sexual or erotic nature.

Synchronous distance education—A form of distance education that provides for real-time video and audio interaction between the learner and instructor.

LICENSES

§ 41.12. Fees

The schedule of fees charged by the Board is as follows:

* * * * *

Application fee—continuing education sponsor[/provider] approval.....\$165

* * * * *

MISCELLANEOUS

§ 41.59. Continuing education.

(a) *[Definitions.* The following words and terms, when used in this section, have the following meanings, unless the context clearly indicates otherwise:

Biennium—The period from December 1 of an odd-numbered year to November 30 of the next odd-numbered year.

CEU—Continuing Education Unit—A unit for measuring contact hours of continuing education. One CEU equals 10 contact hours.

Contact hour—A unit of measure equaling 50 to 60 minutes of participation in an approved continuing education course or program.] {Reserved}.

(b) *Continuing education requirement for biennial renewal.*

(1) As a condition of biennial renewal, a psychologist shall have completed during the preceding biennium a minimum of 30 contact hours [(3 CEUs)] of continuing education in acceptable courses [, **programs**] or activities which shall include at least 3 contact hours per biennium in ethical issues; 1 contact hour per biennium in the assessment, treatment and management of suicide risks; and 3 contact hours per biennium in diversity training. [At] In addition, at least 2 of the required contact hours shall be completed in approved courses relating to child abuse recognition and reporting, in accordance with § 41.77(b) (relating to child abuse recognition and reporting--mandatory training requirement). The Board will accept child abuse courses approved in accordance with § 41.78 (relating to child abuse recognition and reporting course approval process) without regard to whether the course otherwise meets the Board's standards for

acceptable courses[, **programs**] and sponsors in subsection (d). Up to 10 contact hours in excess of 30 from the immediately preceding biennium may be carried over from one biennium to the next. Excess hours in ethical issues, **[or] the assessment, treatment and management of suicide risks or diversity training** **[may not be used to satisfy the ethics requirement for the succeeding biennium but may be credited toward the total requirement] may be counted only toward the total 30 contact hours in the biennium in which they are completed.** Excess hours in child abuse recognition and reporting may be counted toward the total 30 contact hours in the biennium in which they are completed but may not be carried over.

(2) Contact hours for continuing education courses used to reactivate or reinstate a license in accordance with subsection (i) may not thereafter be used to satisfy the requirements for biennial renewal.

(c) *Reports to the Board.* A psychologist shall certify to compliance with the contact hours requirement at the time of biennial renewal. A psychologist shall retain for at least two bienniums, certificates, transcripts or other documentation showing completion of the prescribed number of contact hours. These records are subject to audit by the Board.

(d) *[Approved sponsors; acceptable courses and programs.*

(1) Courses and programs approved by Board-approved sponsors will be accepted as satisfying all or part of the continuing education requirement. It is the responsibility of the psychologist to ascertain the approval status of the sponsor before undertaking a continuing education activity.

(2) Irrespective of the sponsor, the Board reserves the right to reject a continuing education course/program submitted by a psychologist if it is outside the scope of practice of psychology or is otherwise unacceptable because of presentation or content. The Board will not accept courses/programs which are unrelated to the actual practice of psychology—for example, instruction in office management or practice building. A psychologist will be notified of a rejected course/program in writing, along with the reason for the rejection.

(3) The Board has approved the following sponsors:

(i) Accredited colleges or universities as long as the course/program corresponds to the scope of practice of psychology and generates semester/quarter hour credit.

(ii) The American Psychological Association (APA) and APA-approved sponsors.

(iii) Sponsors approved by the American Medical Association who meet the criteria of paragraph (4). Programs offered by these sponsors shall relate to the practice of psychology.

(4) The Board will consider for approval, on a biennial basis, National and regional professional associations which offer courses and programs for psychologists, and sponsors approved by these associations. An association seeking Board approval for itself or its sponsors shall submit an application to the Board. The applicant will be notified of approval or disapproval in

writing. Notifications of disapproval will set forth reasons. The Board will not approve a sponsor unless it:

- (i) Offers courses/programs with specific learning objectives.
- (ii) Has a procedure for determining consumers' perceptions of the extent to which the objectives have been met.

(5) The Board may withdraw approval of a sponsor for cause. The sponsor will be notified in writing of the reasons for withdrawal of approval.]
{Reserved}.

(d.1) Approved sponsors.

(1) Pre-approved sponsors. The Board has pre-approved the following sponsors:

- (i) Accredited colleges or universities, so long as the course relates to the practice of psychology and generates semester or quarter hour credit.
- (ii) APA and CPA and their approved sponsors.
- (iii) American Medical Association approved-sponsors, so long as the course relates to the practice of psychology.

(2) Board-approved sponsors. The Board will consider for approval, on a biennial basis, applications by sponsors, including professional associations representing, and organizations providing, mental health services in Pennsylvania that offer courses for psychologists. Applicants seeking Board approval shall submit an application to the Board. The applicant will be

notified of approval or disapproval in writing. If the application is disapproved, the Board will set forth the reasons for disapproval.

(3) Responsibilities of sponsors. All sponsors, including pre-approved sponsors, shall:

(i) Offer courses with specific learning objectives.

(ii) Have a procedure for determining learners' perceptions of the extent to which the objectives have been met.

(iii) Identify on the certificates or transcripts the number of contact hours devoted to substantive issues; the number of contact hours devoted to ethics, child abuse recognition and reporting, the assessment, treatment and management of suicide risks and diversity training; and the method by which the course was provided.

(4) Withdrawal of approval. The Board may withdraw approval of a sponsor for cause. The sponsor will be notified in writing of the reasons for withdrawal of approval.

(5) A sponsor shall provide each registrant with certification or documented evidence of attendance and satisfactory completion of the course. The sponsor shall maintain records, including documentation of the teacher or instructor's education and experience, for a minimum of 4 years.

(d.2) Acceptable courses.

(1) Except as provided in paragraph (2), courses provided by Board-approved sponsors will be accepted as satisfying all or part of the continuing education requirement. It is the responsibility of the psychologist to

ascertain the approval status of the sponsor before undertaking a continuing education activity.

(2) Irrespective of the sponsor, the Board reserves the right to reject a continuing education course submitted by a psychologist if it is outside the scope of practice of psychology or is otherwise unacceptable because of presentation or content. The Board will not accept courses which are unrelated to the actual practice of psychology—for example, instruction in office management or practice building. A psychologist will be notified of a rejected course in writing, along with the reason for the rejection.

(e) [*Home study.*] **Distance education.** A psychologist may accrue [up to 15 of] **all of** the required contact hours in [home study] **distance education** courses offered by approved sponsors as long as the course has specific learning objectives and the sponsor evaluates the extent of learning that has taken place.

(f) *Instruction.*

(1) A psychologist may accrue up to 15 of the required contact hours by [offering] **serving as a teacher or course instructor in** one of the following:

(i) A course in psychology **housed within a school of medicine or a psychology department** for a regionally accredited college or university if the course generates semester/quarter hour credit.

(ii) A [workshop for] **course offered by** an approved sponsor.

(2) A clock hour of instruction equals 1 contact hour.

(3) An individual course **[or workshop]** may be credited to the instructor only once every 4 years. **[The hours of continuing education granted to a psychologist who participates as a workshop instructor will be determined by dividing the number of continuing education hours granted for the workshop by the number of instructors participating in the workshop.]** **A teacher or course instructor will receive continuing education contact hours equal to the number of contact hours granted for attending the course.**

(g) Professional writing.

(1) A psychologist may accrue the equivalent of up to 10 of the required contact hours by writing **[one of the following:]** **an article included within an APA database or at least a chapter in a textbook or trade book for psychologists which is published by a commercial publisher or a state or National psychological association.**

(i) [An article published in a journal abstracted in PSYCHLIT] **{Reserved}**.

(ii) [A chapter, or more, in a text or trade book for psychologists published by a commercial publisher or a state or National psychological association.] **{Reserved}**.

(2) **[No more than 10 contact hour equivalents of professional writing may be granted for one]** **Credit will be awarded during the biennium in which an** article or chapter **is** published **[during the preceding biennium. Ten hours per publication, divided by the number of authors, will result in the number of contact hours granted per person per publication].** **A psychologist**

will receive continuing education contact hours for professional writing regardless of the number of authors who participated in writing the article or chapter.

(h) *Exemptions and prorations.*

(1) With the exception of the 2 hours of mandatory training in child abuse recognition and reporting required under § 41.77(b), the Board will exempt from the continuing education requirement a psychologist who received a license within 2 years of the psychologist's first application for biennial renewal.

(2) A psychologist who is licensed under § 41.52 (relating to persons licensed in other states) shall comply with the continuing education requirement, including completion of at least 2 hours of mandatory training in child abuse recognition and reporting, but the psychologist's contact hours will be prorated on a quarterly basis from the date of licensure in this Commonwealth to the next biennial renewal date. Each quarter will consist of 3 months. Beginning with the quarter immediately following license in this Commonwealth, at least 3.75 contact hours [(375 CEU)] shall be earned for each quarter.

(i) [Reinstatement] **Reactivation or reinstatement** of licensure. [Reinstatement]

Reactivation or reinstatement of licensure shall be subject to the following conditions:

(1) [A person] **As a condition of reactivation under § 41.13 (relating to reactivation of licensure), an individual** whose license has lapsed or been inactive shall show compliance with the continuing education requirement **by completing 30 contact hours required in subsection (b)** during the [biennium] **2 years** immediately preceding the request for [reinstatement] **reactivation.**

- (2) [A person whose license has been suspended or restricted] As a condition of reinstatement of a license after suspension or revocation, in addition to meeting all of the licensing qualifications as set forth in section 16 of the act (63 P.S. § 1216), an individual shall show compliance with the continuing education requirement during the entire period of suspension or restriction by completing the continuing education hours that would have been required under subsection (b) if the individual had maintained current licensure.
- (j) *Waivers.* [A psychologist who cannot meet the continuing education requirement may apply to the Board in writing for a waiver. The request shall] The Board may waive all or part of the continuing education requirement upon proof that the licensee seeking the waiver is unable to fulfill the requirement because of illness, emergency or hardship. Waiver requests shall include a description of circumstances sufficient to show why compliance is impossible and be filed with the Board before September 1 of the renewal year (odd-numbered year) unless the applicant for the waiver shows good cause why the applicant was unable to do so. Waiver requests will be evaluated by the Board on a case-by-case basis and will be approved or disapproved at its discretion.
- (k) [*Curing deficiencies.* A psychologist with a deficiency in contact hours may apply to the Board in writing for leave to make up the contact hours in arrears. The request shall include an explanation of why the deficiency occurred and a plan, along with the estimated time needed, for curing it. Requests will be evaluated by

the Board on a case-by-case basis and will be approved or disapproved at its discretion.] {Reserved}.



**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS
STATE BOARD OF PSYCHOLOGY**

**Post Office Box 2649
Harrisburg, PA 17105-2649
(717) 783-7155**

May 15, 2025

The Honorable George D. Bedwick, Chairman
INDEPENDENT REGULATORY REVIEW COMMISSION
14th Floor, Harristown 2, 333 Market Street
Harrisburg, PA 17101

Re: Proposed Rulemaking
State Board of Psychology
16A-6317: Continuing Education

Dear Chairman Bedwick:

Enclosed is a copy of a proposed rulemaking package of the State Board of Psychology pertaining to Continuing Education.

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 cursive script, reading "Donald McAleer Psy.D.", written in dark ink.

Donald McAleer, Psy.D., ABPP, Chairman
State Board of Psychology

DM/JAW/dps
Enclosure

cc: Arion Claggett, Acting Commissioner of Professional and Occupational Affairs
K. Kalonji Johnson, Deputy Secretary for Regulatory Programs
Robert Beecher, Policy Director, Department of State
Andrew LaFratte, Deputy Policy Director, Department of State
Jason C. Giurintano, Deputy Chief Counsel, Department of State
Jacqueline A. Wolfgang, Senior Regulatory Counsel, Department of State
Ronald K. Rouse, Counsel, State Board of Psychology
State Board of Psychology

From: [Nicole Sidle](#)
To: [Solomon, Douglas](#); [Cindy Sauder](#)
Cc: [Abelson, Addie](#); [Rizzi, Alicia \(GC\)](#); [Keys, Jaclyn \(GC\)](#); [GC, Regulations](#); [Giurintano, Jason](#); [Davis, Thomas](#); [Wolfgang, Jacqueline](#); [Rouse, Ronald](#); [Worthington, Amber](#); [Fuhrman, Rebecca](#); [Roland, Joel](#); [DeLaurentis, Carolyn](#); [Hong, Anthony](#); [Farrell, Marc](#)
Subject: RE: [EXTERNAL]: DELIVERY NOTICE REGULATION # 16A-6317 (Continuing Education)
Date: Thursday, May 15, 2025 11:46:59 AM
Attachments: [image001.png](#)

RECEIVED

Independent Regulatory
Review Commission

This has been received.

May 15, 2025

From: Solomon, Douglas <dousolomon@pa.gov>
Sent: Thursday, May 15, 2025 8:43 AM
To: Nicole Sidle <Nsidle@pahousegop.com>; Cindy Sauder <Csauder@pahousegop.com>
Cc: Abelson, Addie <adabelson@pa.gov>; Rizzi, Alicia (GC) <arizzi@pa.gov>; Keys, Jaclyn (GC) <jackkeys@pa.gov>; GC, Regulations <RA-GCREGULATIONS@pa.gov>; Giurintano, Jason <jgiurintan@pa.gov>; Davis, Thomas <tmdavis@pa.gov>; Wolfgang, Jacqueline <jawolfgang@pa.gov>; Rouse, Ronald <rrouse@pa.gov>; Worthington, Amber <agontz@pa.gov>; Fuhrman, Rebecca <refuhrman@pa.gov>; Roland, Joel <joeroland@pa.gov>; DeLaurentis, Carolyn <cdelaurent@pa.gov>; Hong, Anthony <anhong@pa.gov>; Farrell, Marc <marcfarrel@pa.gov>
Subject: [EXTERNAL]: DELIVERY NOTICE REGULATION # 16A-6317 (Continuing Education)
Importance: High

Please provide a written (email) confirmation of receipt of delivery of the attached proposed rulemaking.

Please be advised that the State Board of Psychology is delivering the below proposed rulemaking.

- **16A-6317 (Continuing Education) – State Board of Psychology**
 - This proposed rulemaking of the State Board of Psychology (Board) proposes to update, revise and clarify the continuing education requirements. The proposed amendments include updating and reorganizing definitions pertaining to continuing education; clarifying distance education requirements and changing “home study” to “distance education;” increasing the amount of permissible distance education from 15 contact hours to 30 contact hours; requiring treatment and management of suicide risks and diversity training as a part of the continuing education requirements; adding the Canadian Psychological Association (CPA) and its approved sponsors as an approved sponsor for continuing education; updating professional writing continuing education requirements, clarifying reactivation and reinstatement and waiver requirements; and deleting the provision that allows licensees to cure continuing education deficiencies.

Thank you for your attention to this matter.

May 15, 2025



Doug P. Solomon | Legal Assistant 2
Office of Chief Counsel | Department of State
Governor's Office of General Counsel
2400 Thea Drive
P.O. Box 69523 | Harrisburg, PA 17106-9523
Office Phone 717.783.7200 | Fax 717.787.0251
dousolomon@pa.gov | www.dos.pa.gov

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From: [Monoski, Jesse](#)
To: [Solomon, Douglas](#); [Dimm, Ian](#); [joseph.kelly](#); [Vazquez, Enid](#)
Cc: [Abelson, Addie](#); [Rizzi, Alicia \(GC\)](#); [Keys, Jaclyn \(GC\)](#); [GC, Regulations](#); [Giurintano, Jason](#); [Davis, Thomas](#); [Wolfgang, Jacqueline](#); [Rouse, Ronald](#); [Worthington, Amber](#); [Fuhrman, Rebecca](#); [Roland, Joel](#); [DeLaurentis, Carolyn](#); [Hong, Anthony](#); [Farrell, Marc](#)
Subject: Re: DELIVERY NOTICE REGULATION # 16A-6317 (Continuing Education)
Date: Thursday, May 15, 2025 8:52:34 AM
Attachments: [image001.png](#)

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Review Commission

Received.

May 15, 2025

-Jesse Monoski

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From: Solomon, Douglas <dousolomon@pa.gov>
Sent: Thursday, May 15, 2025 8:51:18 AM
To: Monoski, Jesse <jesse.monoski@pasenate.com>; Dimm, Ian <Ian.Dimm@pasenate.com>; Kelly, Joseph <joseph.kelly@pasenate.com>; Vazquez, Enid <enid.vazquez@pasenate.com>
Cc: Abelson, Addie <adabelson@pa.gov>; Rizzi, Alicia (GC) <arizzi@pa.gov>; Keys, Jaclyn (GC) <jackkeys@pa.gov>; GC, Regulations <RA-GCREGULATIONS@pa.gov>; Giurintano, Jason <jgiurintan@pa.gov>; Davis, Thomas <tmdavis@pa.gov>; Wolfgang, Jacqueline <jawolfgang@pa.gov>; Rouse, Ronald <rrouse@pa.gov>; Worthington, Amber <agontz@pa.gov>; Fuhrman, Rebecca <refuhrman@pa.gov>; Roland, Joel <jroerland@pa.gov>; DeLaurentis, Carolyn <cdelaurent@pa.gov>; Hong, Anthony <anhong@pa.gov>; Farrell, Marc <marcfarrel@pa.gov>
Subject: DELIVERY NOTICE REGULATION # 16A-6317 (Continuing Education)

■ EXTERNAL EMAIL ■

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- **16A-6317 (Continuing Education) – State Board of Psychology**
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requirements, clarifying reactivation and reinstatement and waiver requirements; and deleting the provision that allows licensees to cure continuing education deficiencies.

Thank you for your attention to this matter.



Doug P. Solomon | Legal Assistant 2
Office of Chief Counsel | Department of State
Governor's Office of General Counsel
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P.O. Box 69523 | Harrisburg, PA 17106-9523
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May 15, 2025

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From: [Orchard, Kari L.](#)
To: [Solomon, Douglas](#); [Barton, Jamie](#); [Brett, Joseph D.](#)
Cc: [Abelson, Addie](#); [Rizzi, Alicia \(GC\)](#); [Keys, Jaclyn \(GC\)](#); [GC, Regulations](#); [Giurintano, Jason](#); [Davis, Thomas](#); [Wolfgang, Jacqueline](#); [Rouse, Ronald](#); [Worthington, Amber](#); [Fuhrman, Rebecca](#); [Roland, Joel](#); [DeLaurentis, Carolyn](#); [Hong, Anthony](#); [Farrell, Marc](#)
Subject: RE: DELIVERY NOTICE REGULATION # 16A-6317 (Continuing Education)
Date: Thursday, May 15, 2025 9:21:30 AM
Attachments: [image001.png](#)

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May 15, 2025

Received. Thanks!

Kari Orchard

Executive Director (D) | House Professional Licensure Committee

Chairman Frank Burns, 72nd Legislative District

From: Solomon, Douglas <dousolomon@pa.gov>
Sent: Thursday, May 15, 2025 8:47 AM
To: Orchard, Kari L. <KOrchard@pahouse.net>; Barton, Jamie <JBarton@pahouse.net>; Brett, Joseph D. <JBrett@pahouse.net>
Cc: Abelson, Addie <adabelson@pa.gov>; Rizzi, Alicia (GC) <arizzi@pa.gov>; Keys, Jaclyn (GC) <jackkeys@pa.gov>; GC, Regulations <RA-GCREGULATIONS@pa.gov>; Giurintano, Jason <jgiurintan@pa.gov>; Davis, Thomas <tmdavis@pa.gov>; Wolfgang, Jacqueline <jawolfgang@pa.gov>; Rouse, Ronald <rrouse@pa.gov>; Worthington, Amber <agontz@pa.gov>; Fuhrman, Rebecca <refuhrman@pa.gov>; Roland, Joel <joeroland@pa.gov>; DeLaurentis, Carolyn <cdelaurent@pa.gov>; Hong, Anthony <anhong@pa.gov>; Farrell, Marc <marcfarrel@pa.gov>
Subject: DELIVERY NOTICE REGULATION # 16A-6317 (Continuing Education)
Importance: High

Please provide a written (email) confirmation of receipt of delivery of the attached proposed rulemaking.

Please be advised that the State Board of Psychology is delivering the below proposed rulemaking.

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education deficiencies.

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May 15, 2025

Thank you for your attention to this matter.



Doug P. Solomon | Legal Assistant 2
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P.O. Box 69523 | Harrisburg, PA 17106-9523
Office Phone 717.783.7200 | Fax 717.787.0251
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From: [Smeltz, Jennifer](#)
To: [Solomon, Douglas](#)
Subject: RE: DELIVERY NOTICE REGULATION # 16A-6317 (Continuing Education)
Date: Thursday, May 15, 2025 9:02:58 AM
Attachments: [image001.png](#)

Independent Regulatory
Review Commission

May 15, 2025

Received.

*Jennifer Smeltz, Executive Director
Consumer Protection and Professional Licensure Committee
Office of Senator Pat Stefano
Phone: (717) 787-7175*

From: Solomon, Douglas <dousolomon@pa.gov>
Sent: Thursday, May 15, 2025 9:00 AM
To: Smeltz, Jennifer <jmsmeltz@pasen.gov>
Cc: Abelson, Addie <adabelson@pa.gov>; Rizzi, Alicia (GC) <arizzi@pa.gov>; Keys, Jaclyn (GC) <jackkeys@pa.gov>; GC, Regulations <RA-GCREGULATIONS@pa.gov>; Giurintano, Jason <jgiurintan@pa.gov>; Davis, Thomas <tmdavis@pa.gov>; Wolfgang, Jacqueline <jawolfgang@pa.gov>; Rouse, Ronald <rrouse@pa.gov>; Worthington, Amber <agontz@pa.gov>; Fuhrman, Rebecca <refuhrman@pa.gov>; Roland, Joel <jroerland@pa.gov>; DeLaurentis, Carolyn <cdelaurent@pa.gov>; Hong, Anthony <anhong@pa.gov>; Farrell, Marc <marcfarrel@pa.gov>
Subject: DELIVERY NOTICE REGULATION # 16A-6317 (Continuing Education)
Importance: High

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May 15, 2025

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May 15, 2025

From: [Bulletin](#)
To: [Solomon, Douglas](#); [Leah Brown](#); [Adeline E. Gaydosh](#)
Cc: [Abelson, Addie](#); [Rizzi, Alicia \(GC\)](#); [Keys, Jaclyn \(GC\)](#); [GC, Regulations](#); [Giurintano, Jason](#); [Davis, Thomas](#); [Wolfgang, Jacqueline](#); [Rouse, Ronald](#); [Worthington, Amber](#); [Fuhrman, Rebecca](#); [Roland, Joel](#); [DeLaurentis, Carolyn](#); [Hong, Anthony](#); [Farrell, Marc](#)
Subject: [External] Re: DELIVERY NOTICE REGULATION # 16A-6317 (Continuing Education)
Date: Thursday, May 15, 2025 9:12:25 AM
Attachments: [image001.png](#)

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Good morning Douglas!

Thank you for submitting this proposed rulemaking. Someone in our office will be in touch regarding the publication date in the Pennsylvania Bulletin.

Have a great day!

Leah D. Brown

Legal Assistant

Pa. Code and Bulletin Office

647 Main Capitol Building

Harrisburg, PA

(717) 783-2272

From: Solomon, Douglas <dousolomon@pa.gov>

Sent: Thursday, May 15, 2025 8:38 AM

To: Bulletin <bulletin@palrb.us>; Leah Brown <lbrown@palrb.us>; Adeline E. Gaydosh <agaydosh@palrb.us>

Cc: Abelson, Addie <adabelson@pa.gov>; Rizzi, Alicia (GC) <arizzi@pa.gov>; Keys, Jaclyn (GC) <jackkeys@pa.gov>; GC, Regulations <RA-GCREGULATIONS@pa.gov>; Giurintano, Jason <jgiurintan@pa.gov>; Davis, Thomas <tmdavis@pa.gov>; Wolfgang, Jacqueline <jawolfgang@pa.gov>; Rouse, Ronald <rorouse@pa.gov>; Worthington, Amber <agontz@pa.gov>; Fuhrman, Rebecca <refuhrman@pa.gov>; Roland, Joel <jjoeroland@pa.gov>; DeLaurentis, Carolyn <cdelaurent@pa.gov>; Hong, Anthony <anhong@pa.gov>; Farrell, Marc <marcfarrel@pa.gov>

Subject: DELIVERY NOTICE REGULATION # 16A-6317 (Continuing Education)

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Please be advised that the State Board of Psychology is delivering the below proposed rulemaking.

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Thank you for your attention to this matter.



Doug P. Solomon | Legal Assistant 2
Office of Chief Counsel | Department of State
Governor’s Office of General Counsel
2400 Thea Drive
P.O. Box 69523 | Harrisburg, PA 17106-9523
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May 15, 2025

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From: [Bulletin](#)
To: [Solomon, Douglas](#)
Cc: [Abelson, Addie](#); [Rizzi, Alicia \(GC\)](#); [Keys, Jaclyn \(GC\)](#); [GC, Regulations](#); [Giurintano, Jason](#); [Davis, Thomas](#); [Wolfgang, Jacqueline](#); [Rouse, Ronald](#); [Worthington, Amber](#); [Fuhrman, Rebecca](#); [Roland, Joel](#); [DeLaurentis, Carolyn](#); [Hong, Anthony](#); [Farrell, Marc](#); [Alyssa M. Burns](#)
Subject: [External] RE: DELIVERY NOTICE REGULATION # 16A-6317 (Continuing Education)
Date: Thursday, May 15, 2025 11:26:05 AM
Attachments: [image001.png](#)

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Review Commission

Good morning,

May 15, 2025

Thank you for your official submission of this proposed rulemaking. It has been scheduled for the May 31, 2025, issue of the *Pennsylvania Bulletin*.

Have a great day,

Alyssa Burns | Legal Assistant

aburns@palrb.us | 717.783.1531

Legislative Reference Bureau

Pennsylvania Code & Bulletin Office

647 Main Capitol Building

Harrisburg, PA 17120

From: Solomon, Douglas <dousolomon@pa.gov>

Sent: Thursday, May 15, 2025 8:39 AM

To: Bulletin <bulletin@palrb.us>; Leah Brown <lbrown@palrb.us>; Adeline E. Gaydosh <agaydosh@palrb.us>

Cc: Abelson, Addie <adabelson@pa.gov>; Rizzi, Alicia (GC) <arizzi@pa.gov>; Keys, Jaclyn (GC) <jackkeys@pa.gov>; GC, Regulations <RA-GCREGULATIONS@pa.gov>; Giurintano, Jason <jgiurintan@pa.gov>; Davis, Thomas <tmdavis@pa.gov>; Wolfgang, Jacqueline <jawolfgang@pa.gov>; Rouse, Ronald <rorouse@pa.gov>; Worthington, Amber <agontz@pa.gov>; Fuhrman, Rebecca <refuhrman@pa.gov>; Roland, Joel <jroerland@pa.gov>; DeLaurentis, Carolyn <cdelaurent@pa.gov>; Hong, Anthony <anhong@pa.gov>; Farrell, Marc <marcfarrel@pa.gov>

Subject: DELIVERY NOTICE REGULATION # 16A-6317 (Continuing Education)

Importance: High

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Doug P. Solomon | Legal Assistant 2
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Governor’s Office of General Counsel
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