

State of Arizona
House of Representatives
Forty-ninth Legislature
First Regular Session
2009

HOUSE BILL 2206

AN ACT

AMENDING SECTIONS 32-2061, 32-2067, 32-2071, 32-2071.01, 32-2074, 32-2075, 32-2081 AND 32-2086, ARIZONA REVISED STATUTES; RELATING TO THE BOARD OF PSYCHOLOGIST EXAMINERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 32-2061, Arizona Revised Statutes, is amended to
3 read:

4 32-2061. Definitions

5 ~~A.~~ In this chapter, unless the context otherwise requires:

6 1. "Active license" means a valid and existing license to practice
7 psychology.

8 2. "Adequate records" means records containing, at a minimum,
9 sufficient information to identify the client, the dates of service, the fee
10 for service, the payments for service, the type of service given and copies
11 of any reports that may have been made.

12 3. "Board" means the state board of psychologist examiners.

13 4. "Client" means a person or an entity that receives psychological
14 services. A corporate entity, a governmental entity or any other
15 organization may be a client if there is a professional contract to provide
16 services or benefits primarily to an organization rather than to an
17 individual. If an individual has a legal guardian, the legal guardian is the
18 client for decision-making purposes, except that the individual receiving
19 services is the client for:

20 (a) Issues that directly affect the physical or emotional safety of
21 the individual, such as sexual or other exploitative relationships.

22 (b) Issues that the guardian agrees to specifically reserve to the
23 individual.

24 5. "Exploit" means actions by a psychologist who takes undue advantage
25 of the professional association with a client, student or supervisee for the
26 advantage or profit of the psychologist.

27 6. "Health care institution" means a facility as defined in section
28 36-401. ~~, a person who is authorized to transact disability insurance~~
29 ~~pursuant to title 20, chapter 6, article 4 or 5 or a person who is issued a~~
30 ~~certificate of authority pursuant to title 20, chapter 4, article 9.~~

31 7. "Letter of concern" means an advisory letter to notify a
32 psychologist that while there is insufficient evidence to support
33 disciplinary action the board believes the psychologist should modify or
34 eliminate certain practices and that continuation of the activities that led
35 to the information being submitted to the board may result in action against
36 the psychologist's license.

37 8. "Practice of psychology" means the psychological assessment,
38 diagnosis, treatment or correction of mental, emotional, behavioral or
39 psychological abilities, illnesses or disorders or purporting or attempting
40 to do this consistent with section 32-2076.

41 9. "Psychological service" means all actions of the psychologist in
42 the practice of psychology.

43 10. "Psychologically incompetent" means a person lacking in sufficient
44 psychological knowledge or skills to a degree likely to endanger the health
45 of clients.

1 11. "Psychologist" means a natural person holding a license to practice
2 psychology pursuant to this chapter.

3 12. "Supervisee" means any person who functions under the extended
4 authority of the psychologist to provide, or while in training to provide,
5 psychological services.

6 13. "Unprofessional conduct" includes the following activities whether
7 occurring in this state or elsewhere:

8 (a) Obtaining a fee by fraud or misrepresentation.

9 (b) Betraying professional confidences.

10 (c) Making or using statements of a character tending to deceive or
11 mislead.

12 (d) Aiding or abetting a person who is not licensed pursuant to this
13 chapter in representing that person as a psychologist.

14 (e) Gross negligence in the practice of a psychologist.

15 (f) Sexual intimacies or sexual intercourse with a current client or a
16 supervisee or with a former client within two years after the cessation or
17 termination of treatment. For the purposes of this subdivision, "sexual
18 intercourse" has the same meaning prescribed in section 13-1401.

19 (g) Engaging or offering to engage as a psychologist in activities not
20 congruent with the psychologist's professional education, training and
21 experience.

22 (h) Failing or refusing to maintain and retain adequate business,
23 financial or professional records pertaining to the psychological services
24 provided to a client.

25 (i) Commission of a felony, whether or not involving moral turpitude,
26 or a misdemeanor involving moral turpitude. In either case, conviction by a
27 court of competent jurisdiction or a plea of no contest is conclusive
28 evidence of the commission.

29 (j) Making a fraudulent or untrue statement to the board or its
30 investigators, staff or consultants.

31 (k) Violating any federal or state laws or rules that relate to the
32 practice of psychology or to obtaining a license to practice psychology.

33 (l) Practicing psychology while impaired or incapacitated to the
34 extent and in a manner that jeopardizes the welfare of the client or renders
35 the psychological services provided ineffective.

36 (m) Using fraud, misrepresentation or deception to obtain or attempt
37 to obtain a psychology license or to pass or attempt to pass a psychology
38 licensing examination or in assisting another person to do so.

39 (n) Unprofessional conduct in another jurisdiction that resulted in
40 censure, probation or a civil penalty or in the denial, suspension,
41 restriction or revocation of a certificate or license to practice as a
42 psychologist.

43 (o) Providing services that are unnecessary or unsafe or otherwise
44 engaging in activities as a psychologist that are unprofessional by current
45 standards of practice.

1 (p) Falsely or fraudulently claiming to have performed a professional
2 service, charging for a service, ~~or~~ or representing a service as the licensee's
3 own when the licensee has not rendered the service or assumed supervisory
4 responsibility for the service.

5 (q) Representing activities or services as being performed under the
6 licensee's supervision if the psychologist has not assumed responsibility for
7 them and has not exercised control, oversight and review.

8 (r) Failing to obtain a client's informed and written consent to
9 release personal or otherwise confidential information to another party
10 unless the release is otherwise authorized by law.

11 (s) Failing to make client records in the psychologist's possession
12 promptly available to another psychologist licensed pursuant to this chapter
13 on receipt of proper authorization to do so from the client, a minor client's
14 parent, the client's legal guardian or the client's authorized representative
15 or failing to comply with title 12, chapter 13, article 7.1.

16 (t) Failing to take reasonable steps to inform or protect a client's
17 intended victim and inform the proper law enforcement officials in
18 circumstances where the psychologist becomes aware during the course of
19 providing or supervising psychological services that a client intends or
20 plans to inflict serious bodily harm to another person.

21 (u) Failing to take reasonable steps to protect a client in
22 circumstances where the psychologist becomes aware during the course of
23 providing or supervising psychological services that a client intends or
24 plans to inflict serious bodily harm to self.

25 (v) Abandoning or neglecting a client in need of immediate care
26 without making suitable arrangements for continuation of the care.

27 (w) Engaging in direct or indirect personal solicitation of clients
28 through the use of coercion, duress, undue influence, compulsion or
29 intimidation practices.

30 (x) Engaging in false, deceptive or misleading advertising.

31 (y) Exploiting a client, student or supervisee.

32 (z) Failing to report information to the board regarding a possible
33 act of unprofessional conduct committed by another psychologist licensed
34 pursuant to this chapter unless this reporting violates the psychologist's
35 confidential relationship with the client pursuant to section 32-2085. Any
36 psychologist who reports or provides information to the board in good faith
37 is not subject to an action for civil damages. **FOR THE PURPOSES OF THIS
38 SUBDIVISION, IT IS NOT AN ACT OF UNPROFESSIONAL CONDUCT IF A LICENSEE
39 ADDRESSES AN ETHICAL CONFLICT IN A MANNER THAT IS CONSISTENT WITH THE ETHICAL
40 STANDARDS CONTAINED IN THE DOCUMENT ENTITLED "ETHICAL PRINCIPLES OF
41 PSYCHOLOGISTS AND CODE OF CONDUCT" AS ADOPTED BY THE AMERICAN PSYCHOLOGICAL
42 ASSOCIATION AND IN EFFECT AT THE TIME THE LICENSEE MAKES THE REPORT.**

43 (aa) Violating a formal board order, consent agreement, term of
44 probation or stipulated agreement issued under this chapter.

1 (bb) Failing to furnish information in a timely manner to the board or
2 its investigators or representatives if requested or subpoenaed by the board
3 as prescribed by this chapter.

4 (cc) Failing to make available to a client or to the client's
5 designated representative, on written request, a copy of the client's record,
6 ~~excluding~~ INCLUDING raw test data, psychometric testing materials and other
7 information as provided by law.

8 (dd) Violating an ethical standard adopted by the board.

9 ~~B. A complaint against a psychologist arising out of a judicially
10 ordered evaluation of a person charged with violating any provision of title
11 13, chapter 14 shall not be deemed by the board to present a charge of
12 unprofessional conduct unless the court ordering the evaluation has found a
13 substantial basis to refer the complaint for consideration by the board.~~

14 Sec. 2. Section 32-2067, Arizona Revised Statutes, is amended to read:
15 32-2067. Fees; alternative payment methods

16 A. The board, by a formal vote at its annual fall meeting, ~~shall~~ MAY
17 establish fees and penalties that do not exceed:

18 1. Four hundred dollars for an application for an active license to
19 practice psychology.

20 2. Two hundred dollars for an application for a temporary license to
21 practice psychology.

22 3. Two hundred fifty dollars for reapplication for an active license.

23 4. Five hundred dollars for issuing an initial license. The board
24 shall prorate this fee pursuant to subsection D of this section.

25 5. Fifty dollars for a duplicate license.

26 6. Five hundred dollars for biennial renewal of an active license.

27 7. Eighty-five dollars for biennial renewal of an inactive license.

28 8. Three hundred dollars for the reinstatement of an active or
29 inactive license.

30 9. Three hundred fifty dollars for any additional examination.

31 10. Two hundred fifty dollars for delinquent compliance with continuing
32 education requirements.

33 11. Five dollars for the sale of a duplicate renewal receipt.

34 12. Five dollars for the sale of a copy of the board's statutes and
35 rules.

36 13. Two dollars for verification of a license.

37 14. Ten dollars for the sale of each audiotape of board meetings.

38 15. Five cents per name for the sale of computerized discs that contain
39 the name of each licensee.

40 16. Twenty-five cents per name for the sale of computerized discs that
41 contain the name and address of each licensee.

42 17. Thirty-five cents per name for the sale of customized computerized
43 discs that contain additional licensee information that is not required by
44 law to remain confidential.

1 18. Twenty-five cents per page for copying records, documents, letters,
2 minutes, applications, files and policy statements. This fee includes
3 postage.

4 B. The board may charge additional fees for services the board deems
5 necessary and appropriate to carry out this chapter. These fees shall not
6 exceed the actual cost of providing the service.

7 C. The board shall not refund fees except as provided in section
8 32-2073, subsection E. On special request and for good cause the board may
9 return the license renewal fee.

10 D. The board shall prorate the fee for issuing an initial license by
11 dividing the biennial renewal fee by twenty-four and multiplying that amount
12 by the number of months that remain until the next biennial renewal date.

13 E. SUBJECT TO THE REQUIREMENTS OF SECTION 41-2544, THE EXECUTIVE
14 DIRECTOR MAY ENTER INTO AGREEMENTS TO ALLOW LICENSEES TO PAY FEES BY
15 ALTERNATIVE METHODS, INCLUDING CREDIT CARDS, CHARGE CARDS, DEBIT CARDS AND
16 ELECTRONIC FUNDS TRANSFERS.

17 Sec. 3. Section 32-2071, Arizona Revised Statutes, is amended to read:
18 32-2071. Qualifications of applicant; education; training

19 A. An applicant for licensure shall have a doctoral degree from an
20 institution of higher education in clinical or counseling psychology, school
21 or educational psychology or any other subject area in applied psychology
22 acceptable to the board and shall have completed a doctoral program in
23 psychology from an educational institution that has:

24 1. Been accredited by one of the following regional accrediting
25 agencies at the time of the applicant's graduation:

- 26 (a) The New England association of schools and colleges.
- 27 (b) The middle states association of colleges and schools.
- 28 (c) The north central association of colleges and schools.
- 29 (d) The northwest association of schools and colleges.
- 30 (e) The southern association of colleges and schools.
- 31 (f) The western association of schools and colleges.

32 2. A program that is identified and labeled as a psychology program
33 and that stands as a recognized, coherent organizational entity within the
34 institution with clearly identified entry and exit criteria for graduate
35 students in the program.

36 3. An identifiable psychology faculty in the area of health service
37 delivery and a psychologist responsible for the program.

38 4. A core program that requires each student to demonstrate competence
39 by passing suitable comprehensive examinations or by successfully completing
40 at least three or more graduate semester hours, ~~or the equivalent~~ **FIVE OR**
41 **MORE** quarter hours **OR SIX OR MORE TRIMESTER HOURS** or by other suitable means
42 in the following content areas:

- 43 (a) Scientific and professional ethics and standards in psychology.
- 44 (b) Research, which may include design, methodology, statistics and
45 psychometrics.

1 (c) The biological basis of behavior, which may include physiological
2 psychology, comparative psychology, neuropsychology, sensation and perception
3 and psychopharmacology.

4 (d) The cognitive-affective basis of behavior, which may include
5 learning, thinking, motivation and emotion.

6 (e) The social basis of behavior, which may include social psychology,
7 group processes, CULTURAL DIVERSITY and organizational and systems theory.

8 (f) Individual differences, which may include personality theory,
9 human development and abnormal psychology.

10 (g) Assessment, which includes instruction in interviewing and the
11 administration, scoring and interpretation of psychological test batteries
12 for the diagnosis of cognitive abilities and personality functioning.

13 (h) Treatment modalities, which include instruction in the theory and
14 application of a diverse range of psychological interventions for the
15 treatment of mental, emotional, psychological and behavioral disorders.

16 5. A psychology program that leads to a doctoral degree requiring at
17 least the equivalent of three full-time academic years of graduate study, two
18 years of which are at the institution from which the doctoral degree is
19 granted.

20 6. A requirement that the student must successfully defend a
21 dissertation, the content of which is primarily psychological, or an
22 equivalent project acceptable to the board.

23 7. Official transcripts that have been prepared solely by the
24 institution and not by the student and, except for manifest clerical errors
25 or grade changes, have not been altered by the institution after the
26 student's graduation.

27 8. Given the student credit only for course work listed on its
28 official transcripts and that is obtained only at regionally accredited
29 educational institutions as listed in paragraph 1 of this subsection and does
30 not give credit for continuing education experiences or courses.

31 B. If the institution is located outside the United States, the
32 applicant shall demonstrate that the program meets the requirements of
33 subsection A, paragraphs 2 through 7 and subsections C through ~~K~~ M.

34 C. The applicant shall complete relevant didactic courses of the
35 program required under subsection A, paragraph ~~5~~ 4 before starting the
36 ~~internship or training program~~ SUPERVISED PROFESSIONAL EXPERIENCES AS
37 DESCRIBED PURSUANT TO SUBSECTION F. ~~An applicant shall have completed a~~
38 ~~minimum of three thousand hours of supervised professional experience as~~
39 ~~prescribed pursuant to subsections D and E.~~

40 D. EACH APPLICANT FOR LICENSURE SHALL OBTAIN THREE THOUSAND HOURS OF
41 SUPERVISED PROFESSIONAL WORK EXPERIENCES. THE APPLICANT SHALL DEMONSTRATE
42 CLEARLY HOW THE APPLICANT MET THIS REQUIREMENT. THE APPLICANT SHALL OBTAIN A
43 MINIMUM OF ONE THOUSAND FIVE HUNDRED HOURS THROUGH AN INTERNSHIP AS DESCRIBED
44 IN SUBSECTION F. THE APPLICANT SHALL OBTAIN THE REMAINING ONE THOUSAND FIVE
45 HUNDRED HOURS THROUGH ANY COMBINATION OF THE FOLLOWING:

- 1 1. SUPERVISED PREINTERNSHIP PROFESSIONAL EXPERIENCES AS DESCRIBED IN
2 SUBSECTION E.
- 3 2. ADDITIONAL INTERNSHIP HOURS AS DESCRIBED IN SUBSECTION F.
- 4 3. SUPERVISED POSTDOCTORAL EXPERIENCES AS DESCRIBED IN SUBSECTION G.
- 5 E. IF THE APPLICANT CHOOSES TO INCLUDE UP TO ONE THOUSAND FIVE HUNDRED
6 HOURS OF SUPERVISED PREINTERNSHIP PROFESSIONAL EXPERIENCE TO SATISFY A
7 PORTION OF THE THREE THOUSAND HOURS OF SUPERVISED PROFESSIONAL EXPERIENCE,
8 THE FOLLOWING REQUIREMENTS MUST BE MET:
- 9 1. THE APPLICANT'S SUPERVISED PREINTERNSHIP PROFESSIONAL EXPERIENCES
10 SHALL REFLECT A FACULTY DIRECTED, ORGANIZED, SEQUENTIAL SERIES OF SUPERVISED
11 EXPERIENCES OF INCREASING COMPLEXITY THAT FOLLOWS APPROPRIATE ACADEMIC
12 COURSEWORK AND THAT PREPARES THE APPLICANT FOR AN INTERNSHIP.
- 13 2. THE APPLICANT'S SUPERVISED PREINTERNSHIP PROFESSIONAL EXPERIENCES
14 SHALL FOLLOW APPROPRIATE ACADEMIC PREPARATION. THERE MUST BE A WRITTEN
15 TRAINING PLAN BETWEEN THE STUDENT AND THE GRADUATE TRAINING PROGRAM. THE
16 TRAINING PLAN FOR EACH SUPERVISED PREINTERNSHIP PROFESSIONAL EXPERIENCE
17 TRAINING SITE MUST DESIGNATE AN ALLOTMENT OF TIME FOR EACH TRAINING ACTIVITY
18 AND MUST ASSURE THE QUALITY, BREADTH AND DEPTH OF TRAINING EXPERIENCE THROUGH
19 THE SPECIFICATION OF GOALS AND OBJECTIVES OF THE SUPERVISED PREINTERNSHIP
20 PROFESSIONAL EXPERIENCE, THE METHODS OF EVALUATION OF THE STUDENT AND
21 SUPERVISORY EXPERIENCES. IF SUPERVISION IS TO BE COMPLETED BY QUALIFIED SITE
22 SUPERVISORS AT EXTERNAL SITES, THEIR APPROVAL MUST BE INCLUDED IN THE PLAN.
- 23 3. MORE THAN ONE PART-TIME SUPERVISED PREINTERNSHIP PROFESSIONAL
24 EXPERIENCE PLACEMENT OF APPROPRIATE SCOPE AND COMPLEXITY OVER THE COURSE OF
25 THE GRADUATE TRAINING MAY BE COMBINED TO SATISFY THE ONE THOUSAND FIVE
26 HUNDRED HOURS OF SUPERVISED PREINTERNSHIP PROFESSIONAL EXPERIENCES.
- 27 4. EVERY TWENTY HOURS OF SUPERVISED PREINTERNSHIP PROFESSIONAL
28 EXPERIENCE MUST INCLUDE THE FOLLOWING:
- 29 (a) AT LEAST FIFTY PER CENT OF THE SUPERVISED PREINTERNSHIP
30 PROFESSIONAL EXPERIENCES MUST BE IN PSYCHOLOGICAL SERVICE-RELATED ACTIVITIES.
31 PSYCHOLOGICAL SERVICE-RELATED ACTIVITIES MAY INCLUDE TREATMENT, ASSESSMENT,
32 INTERVIEWS, REPORT WRITING, CASE PRESENTATIONS, SEMINARS ON APPLIED ISSUES
33 PROVIDING COTHERAPY, GROUP SUPERVISION AND CONSULTATIONS.
- 34 (b) AT LEAST TWENTY-FIVE PER CENT OF THE SUPERVISED PREINTERNSHIP
35 PROFESSIONAL EXPERIENCES MUST BE DEVOTED TO FACE-TO-FACE PATIENT-CLIENT
36 CONTACT.
- 37 (c) AT LEAST ONE HOUR PER WEEK OF REGULARLY SCHEDULED CONTEMPORANEOUS
38 FACE-TO-FACE INDIVIDUAL SUPERVISION PER TWENTY HOURS OF SUPERVISED
39 PREINTERNSHIP PROFESSIONAL EXPERIENCE THAT ADDRESSES THE DIRECT PSYCHOLOGICAL
40 SERVICES PROVIDED BY THE STUDENT.
- 41 (d) AFTER SEPTEMBER 1, 2013, AT LEAST TWO HOURS OF REGULARLY SCHEDULED
42 CONTEMPORANEOUS SUPERVISION PER TWENTY HOURS OF SUPERVISED PREINTERNSHIP
43 PROFESSIONAL EXPERIENCE THAT ADDRESSES THE DIRECT PSYCHOLOGICAL SERVICES
44 PROVIDED BY THE STUDENT. AT LEAST FIFTY PER CENT OF THE SUPERVISION DURING
45 THE TOTAL SUPERVISED PREINTERNSHIP PROFESSIONAL EXPERIENCE SHALL BE PROVIDED

1 THROUGH CONTEMPORANEOUS FACE-TO-FACE INDIVIDUAL SUPERVISION. NOT MORE THAN
2 FIFTY PER CENT SHALL BE THROUGH GROUP SUPERVISION. AT LEAST SEVENTY-FIVE PER
3 CENT OF THE SUPERVISION SHALL BE BY A PSYCHOLOGIST WHO IS LICENSED OR
4 CERTIFIED TO PRACTICE PSYCHOLOGY AT THE INDEPENDENT LEVEL BY A LICENSING
5 JURISDICTION OF THE UNITED STATES OR CANADA AND WHO IS DESIGNATED BY THE
6 ACADEMIC PROGRAM. NOT MORE THAN TWENTY-FIVE PER CENT OF THE SUPERVISION
7 SHALL BE BY A LICENSED MENTAL HEALTH PROFESSIONAL WHO IS LICENSED OR
8 CERTIFIED BY A LICENSING JURISDICTION OF THE UNITED STATES OR CANADA, A
9 PSYCHOLOGY INTERN CURRENTLY UNDER THE SUPERVISION OF A LICENSED PSYCHOLOGIST
10 OR AN INDIVIDUAL COMPLETING A POSTDOCTORAL SUPERVISED EXPERIENCE CURRENTLY
11 UNDER THE SUPERVISION OF A LICENSED PSYCHOLOGIST.

12 5. THE APPLICANT MUST PROVIDE TO THE BOARD THE WRITTEN TRAINING PLAN
13 DEVELOPED BY THE APPLICANT'S PROGRAM AND DOCUMENTATION OF THE TOTAL HOURS
14 ACCRUED BY THE APPLICANT DURING THE SUPERVISED PREINTERNSHIP PROFESSIONAL
15 EXPERIENCE, INCLUDING THE NUMBER OF FACE-TO-FACE PATIENT-CLIENT CONTACT HOURS
16 AND THE AMOUNT OF SUPERVISION AND QUALIFICATIONS OF THE SUPERVISORS FOR THE
17 ENTIRE SUPERVISED PREINTERNSHIP PROFESSIONAL EXPERIENCES. DOCUMENTATION MUST
18 INCLUDE AN ACKNOWLEDGEMENT THAT ETHICS TRAINING WAS INCLUDED THROUGHOUT THE
19 SUPERVISED PREINTERNSHIP PROFESSIONAL EXPERIENCE.

20 6. SUPERVISED PROFESSIONAL PREINTERNSHIP EXPERIENCES MUST BE COMPLETED
21 WITHIN SEVENTY-TWO MONTHS.

22 ~~D.~~ F. The ~~first~~ APPLICANT SHALL HAVE one thousand five hundred hours
23 of supervised professional experience, which shall ~~not include predoctoral~~
24 ~~experiences in clerkships or practicums, shall~~ be either an internship that
25 is approved by the American psychological association committee on
26 accreditation, an internship that is a member of the association of
27 psychology postdoctoral and internship centers or an organized training
28 program that is designed to provide the trainee with a planned, programmed
29 sequence of training experience, the focus and purpose of which are to assure
30 breadth and quality of training, and that meets the following requirements:

31 1. The training program has a clearly designated staff psychologist
32 who is responsible for the integrity and quality of the training and who is
33 licensed or certified to practice psychology at the independent level by any
34 licensing jurisdiction of the United States or Canada in which the program
35 exists.

36 2. The training program provides at least two psychologists on staff
37 as supervisors, at least one of whom is licensed or certified ~~as a~~
38 ~~psychologist by the state board of psychologist examiners in the state~~ TO
39 PRACTICE PSYCHOLOGY AT THE INDEPENDENT LEVEL BY A LICENSING JURISDICTION OF
40 THE UNITED STATES OR CANADA in which the program exists and at least one of
41 whom is directly available to the trainee in case of emergency.

42 3. Supervision is provided by the person who carries clinical
43 responsibility for the cases being supervised. At least half of the training
44 supervision shall be provided by one or more psychologists.

1 4. Training includes a range of assessment, consultation and treatment
2 activities conducted directly with clients.

3 5. A minimum of twenty-five per cent of a trainee's ~~time is~~ SUPERVISED
4 PROFESSIONAL EXPERIENCE HOURS IS in direct client OR PATIENT contact.

5 6. Training includes regular face-to-face, individual supervision
6 conducted on a contemporaneous basis, with a minimum of one hour of
7 face-to-face, individual supervision for each twenty hours of experience and
8 with the specific intent of dealing with psychological services rendered
9 directly by the trainee and at least two additional hours per week in other
10 learning activities. NOT MORE THAN TWENTY PER CENT OF THE FACE-TO-FACE
11 SUPERVISION MAY BE COMPLETED USING CONFIDENTIAL REAL TIME VISUAL
12 TELECOMMUNICATION OR OTHER CONFIDENTIAL ELECTRONIC MEANS.

13 7. The training program includes interaction with other psychology
14 trainees.

15 8. Trainees have a title that designates their trainee status.

16 9. The APPLICANT PROVIDES FROM THE training organization ~~has~~ a written
17 statement that describes the goals and content of the training PROGRAM and
18 ~~states~~ DOCUMENTS THAT clear expectations EXISTED for the BREADTH, DEPTH AND
19 quality and quantity of a trainee's work AT THE TIME OF THE SUPERVISED
20 PROFESSIONAL EXPERIENCE.

21 10. The ~~initial training~~ SUPERVISED PROFESSIONAL experience, ~~which may~~
22 ~~be predoctoral, may be for a minimum of one thousand five hundred hours that~~
23 ~~shall be~~ IS completed within twenty-four consecutive months.

24 ~~E. G. The second~~ NOT MORE THAN one thousand five hundred hours of
25 supervised professional experience shall be postdoctoral and may start on
26 written certification by the applicant's education program that the applicant
27 has satisfied all requirements for the doctoral degree and on written
28 certification that the applicant has completed an appropriate ~~training~~
29 ~~program~~ SUPERVISED PROFESSIONAL EXPERIENCE as required in subsection ~~D. F.~~
30 The ~~second~~ one thousand five hundred hours of supervised professional
31 experience shall meet the following requirements:

32 1. Supervision is conducted by a psychologist who is licensed or
33 certified to practice psychology at the independent level in any licensing
34 jurisdiction of the United States or Canada in which the supervision occurs
35 or by a psychologist who is on full-time active duty in the United States
36 armed services and who is licensed or certified by a board of psychologist
37 examiners in a United States jurisdiction, who has been licensed or certified
38 for at least two years and who is competent in the areas of ~~functioning of~~
39 ~~the applicant~~ PROFESSIONAL PRACTICE IN WHICH THE SUPERVISEE IS RECEIVING
40 SUPERVISED PROFESSIONAL EXPERIENCE.

41 2. The supervisor takes full legal responsibility for the welfare of
42 the client as well as the diagnosis, intervention and outcome of the
43 intervention and takes reasonable steps to ensure that clients are informed
44 of the supervisee's training and status and that clients may meet with the
45 supervisor at the client's request.

1 3. The supervisor **OR THE APPROPRIATE CUSTODIAN OF RECORDS** is
2 responsible for ensuring that adequate records of client contacts are
3 maintained and that the client is informed that the source of access to this
4 information in the future is the supervisor.

5 4. The supervisor is fully available for consultation in the event of
6 an emergency and provides emergency consultation coverage for the supervisee.

7 5. Regular face-to-face, individual supervision is conducted on a
8 contemporaneous basis, with a minimum of one hour of face-to-face, individual
9 supervision for each twenty hours of **SUPERVISED PROFESSIONAL** experience. At
10 least six hundred hours of the supervisee's time shall be in direct contact
11 with clients. **NOT MORE THAN TWENTY PER CENT OF THE FACE-TO-FACE SUPERVISION**
12 **MAY BE COMPLETED USING CONFIDENTIAL REAL TIME VISUAL TELECOMMUNICATION**
13 **TECHNOLOGY OR OTHER CONFIDENTIAL ELECTRONIC MEANS.**

14 6. The ~~training~~ **SUPERVISED PROFESSIONAL** experience ~~is for a minimum of~~
15 ~~one thousand five hundred hours and is completed~~ **AS DESCRIBED IN THIS**
16 **SUBSECTION IS COMPLETED** within thirty-six consecutive months.

17 ~~F.~~ **H.** In meeting the ~~work~~ **SUPERVISED PREINTERNSHIP PROFESSIONAL**
18 experience ~~requirements of this section~~ **AS DESCRIBED IN SUBSECTION E AND THE**
19 **SUPERVISED PROFESSIONAL EXPERIENCE AS DESCRIBED IN SUBSECTIONS F AND G,** an
20 applicant shall not receive credit for more than forty hours of experience
21 per week.

22 ~~G.~~ **I.** An applicant who does not satisfy the ~~internship~~ **SUPERVISED**
23 **PROFESSIONAL** experience requirements of subsection ~~D~~ **F** may qualify on
24 demonstration of twenty years' licensed or certified practice as a
25 psychologist in a jurisdiction of the United States or Canada.

26 ~~H.~~ **J.** An applicant who does not satisfy the ~~postdoctoral~~ **SUPERVISED**
27 **PREINTERNSHIP PROFESSIONAL** experience requirements of subsection **E** **OR THE**
28 **SUPERVISED PROFESSIONAL EXPERIENCE REQUIREMENTS OF SUBSECTION G, OR A**
29 **COMBINATION OF SUBSECTIONS E AND G,** may qualify on demonstration of ten
30 years' licensed or certified practice as a psychologist in a jurisdiction of
31 the United States or Canada.

32 ~~I.~~ **K.** The applicant shall complete a residency at the institution
33 that awarded the applicant's doctoral degree. The residency shall require
34 the following:

35 1. The student's active participation and involvement in learning.

36 2. Direct regular contact with faculty and other matriculated doctoral
37 students.

38 3. ~~Twenty-four~~ **EIGHTEEN** semester hours ~~taken on a full-time or~~
39 ~~part-time basis~~ **OR THIRTY QUARTER HOURS OR THIRTY-SIX TRIMESTER HOURS**
40 **COMPLETED WITHIN A TWELVE MONTH CONSECUTIVE PERIOD** at the institution or a
41 minimum of three hundred hours of student-faculty contact that involves
42 face-to-face educational meetings conducted by the institution's psychology
43 faculty and fully documented by the institution and the student. These
44 meetings shall include interaction between the student and faculty and the
45 student and other students and shall relate to the program content areas

1 specified in subsection A, paragraph 4. These meetings shall be in addition
2 to the ~~practicum~~ SUPERVISED PREINTERNSHIP PROFESSIONAL EXPERIENCE, clerkship
3 or externship supervision hours or dissertation hours. On request by the
4 ~~applicant or the~~ board, the ~~institution~~ APPLICANT shall ~~provide~~ OBTAIN
5 documentation FROM THE INSTITUTION showing how the applicant's performance
6 was assessed and documented.

7 ~~J.~~ L. To determine if an applicant satisfies the requirements of
8 subsection A relating to subject areas in applied psychology, the board may
9 require the applicant to complete a respecialization program in a program or
10 professional school of psychology that has either an established American
11 psychological association accredited doctoral program in clinical or
12 counseling psychology or school or educational psychology or an established
13 doctoral program that meets board rules. The applicant must also:

14 1. Meet all of the requirements of the new respecialization area. The
15 board shall give the applicant credit for course work that the applicant has
16 previously successfully completed and that meets the requirements of
17 subsection A, paragraph 4.

18 2. Complete one thousand five hundred hours of supervised professional
19 experience as prescribed in subsection ~~D~~ F.

20 3. Present a certificate or letter from the department head, training
21 director or dean that verifies that the applicant completed the program and
22 that identifies the specialty area of applied psychology the applicant
23 completed.

24 ~~K.~~ M. For the purposes of subsection A, paragraph 4, "other suitable
25 means" means that an applicant demonstrates competence by being a diplomate
26 of the American board of professional psychology or, if an applicant fails to
27 demonstrate completion of course work in two content areas prescribed in
28 subsection A, paragraph 4, the applicant has fulfilled the two deficient
29 requirements by successfully passing a GRADUATE course in each deficient
30 content area as a nonmatriculated student in a doctoral level psychology
31 program at a university that is accredited pursuant to subsection A,
32 paragraph 1.

33 Sec. 4. Section 32-2071.01, Arizona Revised Statutes, is amended to
34 read:

35 32-2071.01. Requirements for licensure; remediation;
36 credentials

37 A. An applicant for licensure shall demonstrate to the board's
38 satisfaction that the applicant:

39 1. Has met the education and training qualifications for licensure
40 prescribed in section 32-2071 or subsection ~~B~~ D of this section.

41 2. Has passed any examination or examinations required by section
42 32-2072.

43 3. Has a professional record that indicates that the applicant has not
44 committed any act or engaged in any conduct that constitutes grounds for
45 disciplinary action against a licensee pursuant to this chapter.

1 4. Has not had a license or a certificate to practice psychology
2 refused, revoked, suspended or restricted by a state, territory, district or
3 country for reasons that relate to unprofessional conduct.

4 5. Has not voluntarily surrendered a license in another regulatory
5 jurisdiction in the United States or Canada while under investigation for
6 conduct that relates to unprofessional conduct.

7 6. Does not have a complaint, allegation or investigation pending
8 before another regulatory jurisdiction in the United States or Canada that
9 relates to unprofessional conduct.

10 B. IF THE BOARD FINDS THAT AN APPLICANT COMMITTED AN ACT OR ENGAGED IN
11 CONDUCT THAT WOULD CONSTITUTE GROUNDS FOR DISCIPLINARY ACTION IN THIS STATE,
12 OR IF THE BOARD OR ANY JURISDICTION HAS TAKEN DISCIPLINARY ACTION AGAINST AN
13 APPLICANT, THE BOARD MAY ISSUE A LICENSE IF THE BOARD FIRST DETERMINES TO ITS
14 SATISFACTION THAT THE ACT OR CONDUCT HAS BEEN CORRECTED, MONITORED OR
15 RESOLVED. IF THE ACT OR CONDUCT HAS NOT BEEN RESOLVED BEFORE ISSUING A
16 LICENSE, THE BOARD MUST DETERMINE TO ITS SATISFACTION THAT MITIGATING
17 CIRCUMSTANCES EXIST THAT PREVENT ITS RESOLUTION.

18 C. AN APPLICANT FOR LICENSURE MEETS THE REQUIREMENTS OF SECTION
19 32-2071, SUBSECTION A, PARAGRAPHS 1, 2, 3, 4, 5, 6 AND 8 IF THE APPLICANT
20 EARNED A DOCTORAL DEGREE FROM A PROGRAM THAT WAS ACCREDITED BY THE AMERICAN
21 PSYCHOLOGICAL ASSOCIATION, OFFICE OF PROGRAM CONSULTATION AND ACCREDITATION
22 AT THE TIME OF GRADUATION.

23 ~~B.~~ D. An applicant for licensure who is licensed to practice
24 psychology at the independent level in another licensing jurisdiction of the
25 United States or Canada meets the requirements of subsection A, paragraph 1
26 of this section if the applicant meets any of the following requirements:

27 1. Holds a certificate of professional qualification in psychology in
28 good standing issued by the association of state and provincial psychology
29 boards or its successor.

30 2. Is currently credentialed by the national register of health
31 service providers in psychology or its successor and submits evidence of
32 having practiced psychology independently at the doctoral level for a minimum
33 of five years.

34 3. Is a diplomate of the American board of professional psychology.

35 Sec. 5. Section 32-2074, Arizona Revised Statutes, is amended to read:

36 32-2074. Active license; issuance; renewal; expiration;
37 continuing education; cancellation of active license

38 A. If the applicant satisfies all of the requirements for licensure
39 pursuant to this chapter, the board shall issue an active license and shall
40 prorate the fee for issuing that license for the period remaining until May 1
41 of the next odd-numbered year.

42 B. Except as provided in section 32-4301, a person holding an active
43 or an inactive license shall apply to renew the license before May 1 of each
44 odd-numbered year. The application shall include any applicable renewal fee.
45 Except as provided in section 32-4301, a license expires if the licensee

1 fails to renew the license before May 1 of that year. A licensee may
2 reinstate an expired license by paying a reinstatement fee before July 1 of
3 that year. From July 1 of that year until May 1 of the next year, a licensee
4 may reinstate the license by paying a reinstatement fee and providing proof
5 of competency and qualifications to the board. This proof may include
6 continuing education, an oral examination, a written examination or an
7 interview with the board. A licensee whose license is not reinstated by May
8 1 of the next even-numbered year may reapply for licensure as prescribed by
9 this chapter. A notice to renew is fully effective by mailing the renewal
10 application to the licensee's last known address of record in the board's
11 file. Notice is complete at the time of deposit in the mail.

12 C. A person renewing a license shall attach to the completed renewal
13 form a report of disciplinary actions or restrictions placed against the
14 license by another state licensing or disciplinary board or disciplinary
15 actions or sanctions imposed by a state or national psychology ethics
16 committee or health care institution. The report shall include the name and
17 address of the sanctioning agency or health care institution, the nature of
18 the action taken and a general statement of the charges leading to the
19 action.

20 D. A person who renews an active license to practice psychology in
21 this state shall satisfy a continuing education requirement designed to
22 provide the necessary understanding of current developments, skills,
23 procedures or treatment related to the practice of psychology in the amount
24 and during the period the board prescribes. The board shall prescribe
25 documentation requirements.

26 E. ON REQUEST OF AN ACTIVE LICENSEE, THE BOARD MAY CANCEL THE LICENSE
27 IF THE LICENSEE IS NOT PRESENTLY UNDER INVESTIGATION BY THE BOARD AND THE
28 BOARD HAS NOT BEGUN ANY DISCIPLINARY PROCEEDING AGAINST THE LICENSEE.

29 Sec. 6. Section 32-2075, Arizona Revised Statutes, is amended to read:
30 32-2075. Exemptions from licensure

31 A. This chapter does not limit the activities, services and use of a
32 title by the following:

33 1. A school psychologist employed in a common school, high school or
34 charter school setting and certified to use that title by the department of
35 education if the services or activities are a part of the duties of that
36 person's common school, high school or charter school employment.

37 2. An employee of a government agency in a subdoctorate position who
38 uses the word "assistant" or "associate" after the title and is supervised by
39 a doctorate position employee who is licensed as a psychologist, including a
40 temporary licensee.

41 3. A student of psychology pursuing an official course of graduate
42 study at an educational institution accredited as provided in section
43 32-2071, if after the title the word "trainee", "intern" or "extern" appears
44 and the student uses the title only in conjunction with activities and
45 services that are a part of the supervised program.

1 4. A person who resides outside of this state and who is currently
2 licensed or certified ~~as a psychologist in that state~~ TO PRACTICE PSYCHOLOGY
3 AT THE INDEPENDENT LEVEL BY A LICENSING JURISDICTION OF THE UNITED STATES OR
4 CANADA if the activities and services conducted in this state are within the
5 psychologist's customary area of practice, do not exceed twenty days per year
6 and are not otherwise in violation of this chapter and the client, public or
7 consumer is informed of the limited nature of these activities and services
8 and that the psychologist is not licensed in this state. A PERSON MAY EXCEED
9 THE TWENTY DAY LIMITATION REQUIREMENT OF THIS PARAGRAPH TO ASSIST IN PUBLIC
10 SERVICE THAT IS RELATED TO A DISASTER AS ACKNOWLEDGED BY THE BOARD.

11 5. A person in the employ of Arizona state university, northern
12 Arizona university or the university of Arizona OR OTHER INSTITUTIONAL
13 SERVICES if the services are a part of the faculty duties of that person's
14 salaried position, the person has received a doctoral degree as provided in
15 section 32-2071 and the person is participating in a postdoctoral program
16 pursuant to section 32-2071, subsection ~~E- G~~.

17 6. A supervisee who is pursuing a ~~postdoctoral~~ SUPERVISED professional
18 experience pursuant to section 32-2071, subsection ~~E- G~~ if the services or
19 activities are provided under the direct supervision of a licensed
20 psychologist WHO IS LICENSED OR CERTIFIED FOR AT LEAST TWO YEARS AND WHO IS
21 COMPETENT IN THE AREAS OF PROFESSIONAL PRACTICE IN WHICH THE SUPERVISEE IS
22 RECEIVING SUPERVISED PROFESSIONAL EXPERIENCE, clients are informed of the
23 training nature of the services provided and the supervisee has a title that
24 designates that person's training status.

25 B. This chapter does not limit the use of the title "psychologist" by
26 a person who possesses a doctoral degree from an educational institution as
27 provided in section 32-2071 if that person is not engaged in the practice of
28 psychology.

29 C. This chapter does not prevent a member of other recognized
30 professions that are licensed, certified or regulated under the laws of this
31 state from rendering services within that person's scope of practice and code
32 of ethics if that person does not claim to be a psychologist.

33 Sec. 7. Section 32-2081, Arizona Revised Statutes, is amended to read:
34 32-2081. Grounds for disciplinary action; duty to report;
35 immunity; proceedings; board action; notice
36 requirements; civil penalty

37 A. The board, on its own motion, may investigate evidence that appears
38 to show that a psychologist is psychologically incompetent, guilty of
39 unprofessional conduct or mentally or physically unable to safely engage in
40 the practice of psychology. A health care institution shall, and any other
41 person may, report to the board information that appears to show that a
42 psychologist is psychologically incompetent, guilty of unprofessional conduct
43 or mentally or physically unable to safely engage in the practice of
44 psychology.

1 B. THE BOARD SHALL NOT CONSIDER A COMPLAINT AGAINST A PSYCHOLOGIST
2 ARISING OUT OF A JUDICIALLY ORDERED EVALUATION, TREATMENT OR PSYCHOEDUCATION
3 OF A PERSON CHARGED WITH VIOLATING ANY PROVISION OF TITLE 13, CHAPTER 14 TO
4 PRESENT A CHARGE OF UNPROFESSIONAL CONDUCT UNLESS THE COURT ORDERING THE
5 EVALUATION HAS FOUND A SUBSTANTIAL BASIS TO REFER THE COMPLAINT FOR
6 CONSIDERATION BY THE BOARD. THE BOARD SHALL NOT CONSIDER A COMPLAINT AGAINST
7 A JUDICIALLY APPOINTED PSYCHOLOGIST ARISING OUT OF A COURT ORDERED
8 EVALUATION, TREATMENT OR PSYCHOEDUCATION OF A PERSON TO PRESENT A CHARGE OF
9 UNPROFESSIONAL CONDUCT UNLESS THE COURT ORDERING THE EVALUATION, TREATMENT OR
10 PSYCHOEDUCATION HAS FOUND A SUBSTANTIAL BASIS TO REFER THE COMPLAINT FOR
11 CONSIDERATION BY THE BOARD.

12 C. The board shall notify the psychologist about whom information has
13 been received as to the content of the information within one hundred twenty
14 days of receiving the information. A person who reports or provides
15 information to the board in good faith is not subject to an action for civil
16 damages. The board, if requested, shall not disclose the name of the person
17 providing information unless this information is essential to proceedings
18 conducted pursuant to this section. The board shall report a health care
19 institution that fails to report as required by this section to the
20 institution's licensing agency.

21 ~~B-~~ D. A health care institution shall inform the board if the
22 privileges of a psychologist to practice in that institution are denied,
23 revoked, suspended or limited because of actions by the psychologist that
24 appear to show that that person is psychologically incompetent, guilty of
25 unprofessional conduct or mentally or physically unable to safely engage in
26 the practice of psychology, along with a general statement of the reasons
27 that led the health care institution to take this action. A health care
28 institution shall inform the board if a psychologist under investigation
29 resigns the psychologist's privileges or if a psychologist resigns in lieu of
30 disciplinary action by the health care institution. Notification shall
31 include a general statement of the reasons for the resignation.

32 ~~C-~~ E. The board may require the licensee to undergo any combination
33 of mental, physical or psychological competence examinations at the
34 licensee's expense and shall conduct investigations necessary to determine
35 the competence and conduct of the licensee.

36 ~~D-~~ F. The ~~chairman~~ CHAIRPERSON of the board shall appoint a complaint
37 screening committee of not less than three members of the board, including a
38 public member. The complaint screening committee is subject to open meeting
39 requirements pursuant to title 38, chapter 3, article 3.1. The complaint
40 screening committee shall review all complaints, and based on the information
41 provided pursuant to subsection A or ~~B-~~ D of this section may take either of
42 the following actions:

43 1. Dismiss the complaint if the committee determines that ~~the~~
44 ~~complaint is without merit~~ THERE IS NO EVIDENCE OF A VIOLATION OF LAW OR
45 COMMUNITY STANDARDS OF PRACTICE. Complaints dismissed by the complaint

1 screening committee shall not be disclosed in response to a telephone inquiry
2 or placed on the board's ~~web-site~~ WEBSITE.

3 2. Refer the complaint to the full board for further review and
4 action.

5 ~~E-~~ G. If the board finds, based on the information it receives under
6 subsection A or ~~B-~~ D of this section, that the public health, safety or
7 welfare requires emergency action, the board may order a summary suspension
8 of a license pending proceedings for revocation or other action. If the
9 board issues this order, it shall serve the licensee with a written notice of
10 complaint and formal hearing pursuant to title 41, chapter 6, article 10,
11 setting forth the charges made against the licensee and the licensee's right
12 to a formal hearing before the board or an administrative law judge within
13 sixty days.

14 ~~F-~~ H. If the board finds that the information provided pursuant to
15 subsection A or ~~B-~~ D of this section is not of sufficient seriousness to
16 merit direct action against the licensee, it may take any of the following
17 actions:

18 1. Dismiss if the board believes ~~the information is without merit~~
19 THERE IS NO EVIDENCE OF A VIOLATION OF LAW OR COMMUNITY STANDARDS OF
20 PRACTICE.

21 2. File a letter of concern.

22 3. Issue a nondisciplinary order requiring the licensee to complete a
23 prescribed number of hours of continuing education in an area or areas
24 prescribed by the board to provide the licensee with the necessary
25 understanding of current developments, skills, procedures or treatment.

26 ~~G-~~ I. If the board believes the information provided pursuant to
27 subsection A or ~~B-~~ D of this section is or may be true, it may request an
28 informal interview with the psychologist. If the licensee refuses to be
29 interviewed or if pursuant to an interview the board determines that cause
30 may exist to revoke or suspend the license, it shall issue a formal complaint
31 and hold a hearing pursuant to title 41, chapter 6, article 10. If as a
32 result of an informal interview or a hearing the board determines that the
33 facts do not warrant revocation or suspension of the license, it may take any
34 of the following actions:

35 1. Dismiss if the board believes ~~the information is without merit~~
36 THERE IS NO EVIDENCE OF A VIOLATION OF LAW OR COMMUNITY STANDARDS OF
37 PRACTICE.

38 2. File a letter of concern.

39 3. Issue a decree of censure.

40 4. Fix a period and terms of probation best adapted to protect the
41 public health and safety and to rehabilitate or educate the psychologist.
42 Probation may include temporary suspension for A PERIOD not to exceed twelve
43 months, restriction of the license or restitution of fees to a client
44 resulting from violations of this chapter. If a licensee fails to comply
45 with a term of probation, the board may file a complaint and notice of

1 hearing pursuant to title 41, chapter 6, article 10 and take further
2 disciplinary action.

3 5. Enter into an agreement with the licensee to restrict or limit the
4 licensee's practice or activities in order to rehabilitate the psychologist,
5 protect the public and ensure the psychologist's ability to safely engage in
6 the practice of psychology.

7 6. Issue a nondisciplinary order requiring the licensee to complete a
8 prescribed number of hours of continuing education in an area or areas
9 prescribed by the board to provide the licensee with the necessary
10 understanding of current developments, skills, procedures or treatment.

11 ~~H.~~ J. If the board finds that the information provided pursuant to
12 subsection A or ~~B~~ D of this section warrants suspension or revocation of a
13 license, it shall hold a hearing pursuant to title 41, chapter 6, article 10.
14 Notice of a complaint and hearing is fully effective by mailing a true copy
15 to the licensee's last known address of record in the board's files. Notice
16 is complete at the time of its deposit in the mail.

17 ~~I.~~ K. The board may impose a civil penalty of at least three hundred
18 dollars but not more than three thousand dollars for each violation of this
19 chapter or a rule adopted under this chapter. The board shall deposit,
20 pursuant to sections 35-146 and 35-147, all monies it collects from civil
21 penalties pursuant to this subsection in the state general fund.

22 ~~J.~~ L. If the board determines after a hearing that a licensee has
23 committed an act of unprofessional conduct, is mentally or physically unable
24 to safely engage in the practice of psychology or is psychologically
25 incompetent, it may do any of the following in any combination and for any
26 period of time it determines necessary:

- 27 1. Suspend or revoke the license.
- 28 2. Censure the licensee.
- 29 3. Place the licensee on probation.

30 ~~K.~~ M. A licensee may submit a written response to the board within
31 thirty days after receiving a letter of concern. The response is a public
32 document and shall be placed in the licensee's file.

33 ~~L.~~ N. A letter of concern is a public document and may be used in
34 future disciplinary actions against a psychologist. A decree of censure is
35 an official action against the psychologist's license and may include a
36 requirement that the licensee return fees to a client.

37 ~~M.~~ O. Except as provided in section 41-1092.08, subsection H, a
38 person may appeal a final decision made pursuant to this section to the
39 superior court pursuant to title 12, chapter 7, article 6.

40 ~~N.~~ P. If during the course of an investigation the board determines
41 that a criminal violation may have occurred involving the delivery of
42 psychological services, it shall inform the appropriate criminal justice
43 agency.

44 Q. IF THE BOARD FINDS THAT IT CAN TAKE REHABILITATIVE OR DISCIPLINARY
45 ACTION AT ANY TIME DURING THE INVESTIGATIVE OR DISCIPLINARY PROCESS, IT MAY

1 ENTER INTO A CONSENT AGREEMENT WITH THE PSYCHOLOGIST TO LIMIT OR RESTRICT THE
2 PSYCHOLOGIST'S PRACTICE OR TO REHABILITATE THE PSYCHOLOGIST IN ORDER TO
3 PROTECT THE PUBLIC AND ENSURE THE PSYCHOLOGIST'S ABILITY TO SAFELY ENGAGE IN
4 THE PRACTICE OF PSYCHOLOGY. THE BOARD MAY ALSO REQUIRE THE PSYCHOLOGIST TO
5 SUCCESSFULLY COMPLETE A BOARD APPROVED REHABILITATIVE, RETRAINING OR
6 ASSESSMENT PROGRAM AT THE PSYCHOLOGIST'S EXPENSE.

7 Sec. 8. Section 32-2086, Arizona Revised Statutes, is amended to read:
8 32-2086. Treatment and rehabilitation program

9 A. The board may establish a CONFIDENTIAL program for the treatment
10 and rehabilitation of psychologists who are impaired. This program may
11 include education, intervention, therapeutic treatment and posttreatment
12 monitoring and support.

13 B. The board may contract with other organizations to operate the
14 program established pursuant to subsection A of this section. A contract
15 with a private organization shall include the following requirements:

- 16 1. Periodic reports to the board regarding treatment program activity.
- 17 2. Release to the board on demand of all treatment records.
- 18 3. Quarterly reports to the board regarding each psychologist's
19 diagnosis, prognosis and recommendations for continuing care, treatment and
20 supervision.

21 4. Immediate reporting to the board of the name of an impaired
22 psychologist whom the treating organization believes to be a danger to the
23 public or to the psychologist.

24 5. Reports to the board, as soon as possible, of the name of a
25 psychologist who refuses to submit to treatment or whose impairment is not
26 substantially alleviated through treatment.

27 C. The board may allocate an amount of not more than twenty dollars
28 from each fee it collects from the biennial renewal of active licenses
29 pursuant to section 32-2067 for the operation of the program established by
30 this section.

31 D. A psychologist who is impaired and who does not agree to enter into
32 a stipulated order with the board shall be placed on probation or shall be
33 subject to other action as provided by law.

34 E. IN ORDER TO DETERMINE THAT A PSYCHOLOGIST WHO HAS BEEN PLACED ON A
35 PROBATION ORDER OR WHO HAS ENTERED INTO A STIPULATION ORDER PURSUANT TO THIS
36 SECTION IS NOT IMPAIRED BY ALCOHOL OR ILLEGAL SUBSTANCES AFTER THAT ORDER IS
37 NO LONGER IN EFFECT, THE BOARD OR ITS DESIGNEE MAY REQUIRE THE PSYCHOLOGIST
38 TO SUBMIT TO BODILY FLUID EXAMINATIONS AND OTHER EXAMINATIONS KNOWN TO DETECT
39 THE PRESENCE OF ALCOHOL OR ILLEGAL SUBSTANCES AT ANY TIME WITHIN THE FIVE
40 CONSECUTIVE YEARS FOLLOWING TERMINATION OF THE PROBATIONARY OR STIPULATED
41 ORDER.

42 F. A PSYCHOLOGIST WHO IS IMPAIRED BY ALCOHOL OR ILLEGAL SUBSTANCES AND
43 WHO WAS UNDER A BOARD STIPULATION OR PROBATIONARY ORDER THAT IS NO LONGER IN
44 EFFECT MUST ASK THE BOARD TO PLACE THE PSYCHOLOGIST'S LICENSE ON INACTIVE
45 STATUS WITH CAUSE. IF THE PSYCHOLOGIST FAILS TO DO THIS, THE BOARD SHALL

1 SUMMARILY SUSPEND THE LICENSE PURSUANT TO SECTION 32-2081. IN ORDER TO
2 REACTIVATE THE LICENSE THE PSYCHOLOGIST MUST SUCCESSFULLY COMPLETE A BOARD
3 APPROVED LONG-TERM CARE RESIDENTIAL TREATMENT PROGRAM, AN INPATIENT HOSPITAL
4 TREATMENT PROGRAM OR AN INTENSIVE OUTPATIENT TREATMENT PROGRAM AND SHALL MEET
5 THE REQUIREMENTS OF SECTION 32-2074. AFTER THE PSYCHOLOGIST COMPLETES
6 TREATMENT THE BOARD SHALL DETERMINE IF IT SHOULD REACTIVATE THE LICENSE
7 WITHOUT RESTRICTIONS OR REFER THE MATTER TO A FORMAL HEARING FOR THE PURPOSE
8 OF SUSPENDING OR REVOKING THE LICENSE OR TO PLACE THE PSYCHOLOGIST ON
9 PROBATION WITH RESTRICTIONS NECESSARY TO ENSURE THE PUBLIC'S SAFETY.

10 G. THE BOARD MAY REVOKE THE LICENSE OF A PSYCHOLOGIST IF THAT
11 PSYCHOLOGIST IS IMPAIRED BY ALCOHOL OR ILLEGAL SUBSTANCES AND WAS PREVIOUSLY
12 PLACED ON PROBATION PURSUANT TO SUBSECTION F OF THIS SECTION. IF THE
13 LICENSEE IS NO LONGER ON PROBATION, THE BOARD MAY ACCEPT THE SURRENDER OF THE
14 LICENSE IF THE PSYCHOLOGIST ADMITS IN WRITING TO BEING IMPAIRED BY ALCOHOL OR
15 ILLEGAL SUBSTANCES.

16 H. AN EVALUATOR, TREATMENT PROVIDER, TEACHER, SUPERVISOR OR VOLUNTEER
17 IN THE BOARD'S SUBSTANCE ABUSE TREATMENT AND REHABILITATION PROGRAM WHO ACTS
18 IN GOOD FAITH WITHIN THE SCOPE OF THAT PROGRAM IS NOT SUBJECT TO CIVIL
19 LIABILITY, INCLUDING MALPRACTICE LIABILITY, FOR THE ACTIONS OF A PSYCHOLOGIST
20 WHO IS ATTENDING THE PROGRAM PURSUANT TO BOARD ACTION.

21 Sec. 9. Psychology board; temporary alternative qualifications
22 of applicants

23 Notwithstanding any law to the contrary, until September 1, 2010, an
24 applicant for licensure pursuant to title 32, chapter 19.1, Arizona Revised
25 Statutes, may satisfy the requirements of section 32-2071, subsection G,
26 paragraph 5, Arizona Revised Statutes, as amended by this act, by receiving
27 at least one hour per week of regularly scheduled contemporaneous supervision
28 per twenty hours of postdoctoral supervised professional experience. At
29 least fifty per cent of the supervision during the total postdoctoral
30 supervised professional experience must be provided through face-to-face
31 individual supervision. At least six hundred hours of the supervisee's time
32 must be in direct contact with clients. Not more than twenty per cent of the
33 face-to-face supervision may be completed using confidential real time visual
34 telecommunication technology or other confidential electronic means.