



## Notice of Intent to Adopt Rules

A copy of the proposed rules may be obtained at <https://rules.wyo.gov>

Revised June 2020

### 1. General Information

a. Agency/Board Name*			
b. Agency/Board Address	c. City	d. Zip Code	
e. Name of Agency Liaison	f. Agency Liaison Telephone Number		
g. Agency Liaison Email Address			
h. Date of Public Notice	i. Comment Period End Date		
j. Public Comment URL or Email Address:			
k. Program			

Amended Program Name ( <i>if applicable</i> ):
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\*  By checking this box, the agency is indicating it is exempt from certain sections of the Administrative Procedure Act including public comment period requirements. Please contact the agency for details regarding these rules.

**2. Legislative Enactment** For purposes of this Section 2, "new" only applies to regular non-emergency rules promulgated in response to a Wyoming legislative enactment not previously addressed in whole or in part by prior rulemaking and does not include rules adopted in response to a federal mandate.

a. Are these non-emergency regular rules new as per the above description and the definition of "new" in Chapter 1 of the Rules on Rules?

<input type="checkbox"/> No. <input type="checkbox"/> Yes. If the rules are new, please provide the Legislative Chapter Numbers and Years Enacted (e.g. 2015 Session Laws Chapter 154):
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**3. Rule Type and Information** For purposes of this Section 3, "New" means an emergency or regular rule that has never been previously created.

a. Provide the Chapter Number, Title and Proposed Action for Each Chapter. Please use the "Additional Rule Information" form to identify additional rule chapters.

Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
	Amended Chapter Name ( <i>if applicable</i> ):			
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
	Amended Chapter Name ( <i>if applicable</i> ):			
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
	Amended Chapter Name ( <i>if applicable</i> ):			
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
	Amended Chapter Name ( <i>if applicable</i> ):			
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
	Amended Chapter Name ( <i>if applicable</i> ):			
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
	Amended Chapter Name ( <i>if applicable</i> ):			



## Additional Rule Information

Revised June 2020

Include this page only if needed.

### **1. General Information**

a. Agency/Board Name*	Board of Psychology		
b. Agency/Board Address	2001 Capitol Ave, Room 105	c. City	Cheyenne
e. Name of Agency Liaison	JoAnn Reid	f. Agency Liaison Telephone Number	(307) 777-3507
g. Agency Liaison Email Address	joann.reid@wyo.gov		
h. Program	Psychology, Board of		
Amended Program Name (if applicable):			

### **2. Rule Type and Information, Cont.**

a. Provide the Chapter Number, Title, and Proposed Action for Each Chapter.

Chapter Number: 7	Chapter Name: Mental or Physical Impairment	<input type="checkbox"/> New	<input checked="" type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Amended Chapter Name (if applicable):				
Chapter Number: 9	Chapter Name: Fees	<input type="checkbox"/> New	<input checked="" type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Amended Chapter Name (if applicable):				
Chapter Number: 10	Chapter Name: Discipline or Adverse Actions	<input type="checkbox"/> New	<input checked="" type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Amended Chapter Name (if applicable): <i>Practice and Procedures for Disciplinary, Application, and Licensure Matters</i>				
Chapter Number: 11	Chapter Name: Applications, Complaints, and Hearing Procedures	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input checked="" type="checkbox"/> Repealed
Amended Chapter Name (if applicable):				
Chapter Number: 14	Chapter Name: Supervision	<input checked="" type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Amended Chapter Name (if applicable):				
Chapter Number: 15	Chapter Name: Ethics	<input checked="" type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Amended Chapter Name (if applicable):				
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Amended Chapter Name (if applicable):				
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Amended Chapter Name (if applicable):				
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Amended Chapter Name (if applicable):				

If Needed

#### **4. Public Comments and Hearing Information**

a. A public hearing on the proposed rules has been scheduled.  No.  Yes. Please complete the boxes below.

	Date:	Time:	City:	Location:
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b. What is the manner in which interested persons may present their views on the rulemaking action?

By submitting written comments to the Agency at the physical and/or email address listed in Section 1 above.

At the following URL: \_\_\_\_\_

	A public hearing will be held if requested by 25 persons, a government subdivision, or by an association having not less than 25 members. Requests for a public hearing may be submitted: <input type="checkbox"/> To the Agency at the physical and/or email address listed in Section 1 above. <input type="checkbox"/> At the following URL: _____
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c. Any person may urge the Agency not to adopt the rules and request the Agency to state its reasons for overruling the consideration urged against adoption. Requests for an agency response must be made prior to, or within thirty (30) days after adoption, of the rule, addressed to the Agency and Agency Liaison listed in Section 1 above.

#### **5. Federal Law Requirements**

a. These rules are created/amended/repealed to comply with federal law or regulatory requirements.  No.  Yes. Please complete the boxes below.

	Applicable Federal Law or Regulation Citation:  Indicate one (1): <input type="checkbox"/> The proposed rules meet, but do not exceed, minimum federal requirements.  <input type="checkbox"/> The proposed rules exceed minimum federal requirements.
	Any person wishing to object to the accuracy of any information provided by the Agency under this item should submit their objections prior to final adoption to:  <input type="checkbox"/> To the Agency at the physical and/or email address listed in Section 1 above.  <input type="checkbox"/> At the following URL: _____

#### **6. State Statutory Requirements**

a. Indicate one (1):

The proposed rule change *MEETS* minimum substantive statutory requirements.

The proposed rule change *EXCEEDS* minimum substantive statutory requirements. Please attach a statement explaining the reason that the rules exceed the requirements.

b.  The Agency has completed a takings assessment as required by W.S. 9-5-304. A copy of the assessment used to evaluate the proposed rules may be obtained:

By contacting the Agency at the physical and/or email address listed in Section 1 above.

At the following URL: \_\_\_\_\_

## **7. Additional APA Provisions**

a. Complete all that apply in regards to uniform rules:

- These rules are not impacted by the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j).
- The following chapters do not differ from the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j):

\_\_\_\_\_ (Provide chapter numbers)

- These chapters differ from the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j) (see Statement of Principal Reasons).

\_\_\_\_\_ (Provide chapter numbers)

b. Checklist

- The Statement of Principal Reasons is attached to this Notice and, in compliance with Tri-State Generation and Transmission Association, Inc. v. Environmental Quality Council, 590 P.2d 1324 (Wyo. 1979), includes a brief statement of the substance or terms of the rule and the basis and purpose of the rule.
- If applicable: In consultation with the Attorney General's Office, the Agency's Attorney General representative concurs that strike and underscore is not required as the proposed amendments are pervasive (Chapter 3, *Types of Rules Filings*, Section 1, Proposed Rules, of the Rules on Rules).

## **8. Authorization**

a. I certify that the foregoing information is correct.

<i>Printed Name of Authorized Individual</i>	
<i>Title of Authorized Individual</i>	
<i>Date of Authorization</i>	

## STATEMENT OF REASONS

The Wyoming Board of Psychology (Board) is authorized to adopt rules and regulations to implement the Board's practice act under W.S. 33-27-116. The Board regularly reviews its rules to correct inconsistencies, eliminate any repetition with its practice act, correct grammatical errors, and update the rules' requirements. As a result, the Board is proposing changes to nearly every chapter of its rules.

In Chapter 1, the Board is proposing to add definitions for psychological trainees, interns, and residents to clarify the responsibilities of bachelor's, master's, and doctoral graduates who are not yet licensed. The Board is also proposing to set a regular meeting on the first Friday in November. Finally, the Board is proposing to incorporate uniform public records fees and contested case rules by reference.

The Board is proposing to repeal Chapters 2 and 3. Many of Chapter 2's provisions duplicate provisions in the Board's practice act and are unnecessary. The other provisions, including provisions creating the Board's officers and setting meetings, have been moved to other chapters. Chapter 3's provisions have been simplified and moved to other chapters to consolidate provisions that relate to applying for licenses or certification.

In Chapter 4, the Board is proposing to eliminate the requirement that applicants for new licenses submit letters of recommendation because the Board has determined that letters of recommendation are of little practical benefit in assessing whether an applicant is qualified to practice psychology. The Board is also proposing to clarify the process of applying for a temporary license and to simplify the process of applying for a license by endorsement.

In Chapter 5, the Board is proposing to create requirements for psychologists from outside the United States to apply for licensure in Wyoming. The proposed rules require the applicant to ensure that their application materials and credentials have been translated into English and reviewed by an independent certifier. The Board is also proposing to eliminate a provisional license, a rarely-used license that is not authorized by the Board's practice act.

In both Chapter 5 and Chapter 6, provisions governing supervision of psychology graduates and certificate-holders have been transferred to a new chapter to make supervision requirements clear and consistent among the different license and certification types.

In Chapter 7, the Board has removed a provision requiring the Board to bear the cost of examining licensees or certificate-holders that the Board believes may be mentally or physically impaired. The Board removed this provision because in some cases, licensees may be able to bear the cost of these examinations.

In Chapter 9, the Board is proposing to pro-rate the fee for licensees or certificate-holders who apply for licensure or certification after July each year. The Board is proposing this change so that it no longer charges the full fee to a licensee whose license lasts less than a full license term.

The Board is proposing to repeal Chapter 11 and consolidate its provisions with Chapter 10. In Chapter 10, the Board is proposing to overhaul its chapter governing investigations and contested cases for discipline and license applications. The changes bring the Board's discipline chapter in line with the procedures other professional licensing boards use to clarify the investigation process and protect the due process rights of licensees.

The Board is proposing to create a new Chapter 14, combining provisions from the current Chapters 5 and 6, governing how psychologists supervise residents, certificate-holders, and psychologists working under limited licenses. The rules require supervisors to set written plans for the supervision, maintain contact with supervisees, and remain licensed for the duration of the supervision. The Board is proposing these rules to set clear standards for supervisors and supervisees and ensure that supervisors are providing effective oversight.

Finally, the Board is proposing to create new Chapter 15 to set rules governing the conduct of psychologists. The Board developed this chapter after reviewing model disciplinary rules from national psychological associations. The rules require psychologists to keep client information confidential, only practice in areas they are competent, maintain records, and protect their clients' welfare. The Board developed these rules to make ethical standards clear and consistent and put licensees on notice of what conduct is acceptable.

## **CHAPTER 1**

### **GENERAL PROVISIONS**

**Section 1. Statement of Purpose.** The Wyoming State Board of Psychology Rules and Regulations are set forth for the purpose of interpreting and implementing W.S. 33-27-113 through 33-27-123, establishing the Board and conferring upon it the responsibility for licensing psychologists, certifying psychological practitioners and specialists in school psychology, and regulating the practice of psychology in the State of Wyoming.

**Section 2. Citation.** The Wyoming State Board of Psychology Rules and Regulations shall be hereafter referred to as the “Rules”. The Wyoming State Board of Psychology shall be hereafter referred to as the “Board”.

**Section 3. Regulatory Authority.** These Rules are promulgated under the authority of W.S. 33-27-113 through 33-27-123.

**Section 4. Severability.** If any provisions of these Rules or the application thereof to any individual or circumstance is invalid, such invalidity shall not affect other provisions or application of these Rules which can be given effect without the invalid provision or application, and to this end the provisions of these Rules are declared to be severable.

**Section 5. Terms Defined by Statute.** Terms defined in W.S. 33-27-113 through 33-27-123 shall have the same meanings when used in these Rules unless the context or subject matter clearly requires a different interpretation.

**Section 6. Terms Defined Herein.** As used in these Rules, the following terms shall have the following meanings unless the context or subject matter clearly requires a different interpretation.

- (a) APA - American Psychological Association
- (b) ASPPB - Association of State and Provincial Psychology Boards
- (c) EPPP - Examination for Professional Practice in Psychology
- (d) NASP - National Association of School Psychologists
- (e) NCSP - Nationally Certified School Psychologist
- (f) NSPE - National School Psychology Examination
- (g) WPA - Wyoming Psychological Association
- (h) WSPA - Wyoming School Psychology Association

(i) “Psychological Trainee” means a person who holds a bachelor’s degree in psychology or related field, is pursuing an advanced degree in psychology, and is receiving practical experience under the supervision of a licensed psychologist.

(j) “Psychological Intern” means a person who holds a masters degree in psychology, is enrolled in a doctoral program, and is receiving practical experience under the supervision of a licensed psychologist.

(k) “Psychological Resident” means a person who holds a doctoral degree from a regionally accredited institution, who has joined the staff of an entity that provides psychological services as an employee to meet the experience requirement.

(l) “Regionally accredited” means accredited by one of the regional or national institutional accrediting bodies recognized by the Council for Higher Education Accreditation (CHEA).

(m) “Substantially equivalent” means equal to or exceeds.

**Section 7. Board.** The Board shall elect a Chairman and Vice-chairman at its annual meeting to be held the first Friday in November. The Board may meet at other times as deemed necessary to transact business.

**Section 8. Incorporation by Reference.** The Board hereby incorporates by reference the following:

(a) Each rule and code incorporated by reference is further identified as follows:

(i) Chapter 2 – Uniform Procedures, Fees, Costs, and Charges for Inspection, Copying, and Producing Public Records, adopted by the Department of Administration and Information and effective on September 6, 2016, available at <http://rules.wyo.gov>.

(ii) Chapter 2 – Uniform Rules for Contested Case Practice and Procedure, adopted by the Office of Administrative Hearings and effective on July 20, 2017, available at <http://rules.wyo.gov>.

(b) For these rules incorporated by reference:

(i) The Board has determined that incorporation of the full text in these rules would be cumbersome or inefficient given the length or nature of the rules;

(ii) The incorporation by reference does not include any later amendments or editions of the incorporated matter beyond the applicable date identified in subsection (a) of this section; and

(iii) The incorporated rules are maintained at the Board office and available for public inspection and copying at cost at the same location.

## **CHAPTER 2**

### **REPEALED**

**CHAPTER 3**

**REPEALED**

## **CHAPTER 4**

### **APPLICATION PROCEDURES**

#### **Section 1. Psychologist License Application Requirements.**

(a) Regular. Applicants for a regular license that do not meet the requirements for a license by endorsement shall submit the following:

- (i) A completed application form as provided by the Board;
- (ii) Official transcripts from each college or university attended sent directly to the Board by the respective college or university;
- (iii) Official verification of EPPP exam scores sent directly to the Board from the exam administrator;
- (iv) Supervised Pre-Doctoral Experience Verification form as provided by the Board documenting the nature of the supervised experiences and sent directly to the Board by the doctoral program training director;
- (v) Supervised Pre-doctoral Internship Experience verification form as provided by the Board documenting the nature of the supervised experiences and sent directly to the Board by the internship supervisor or institution or site;
- (vi) Supervised Post-Doctoral Work Experience Verification form as provided by the Board documenting the nature of the supervised experiences and sent directly to the Board by the supervisor, if required;
- (vii) License and certification verification from all other states where the applicant has been or is currently licensed or certified in any profession sent directly to the Board by the appropriate regulatory body;
- (viii) All appropriate fees; and
- (ix) Proof of Lawful Presence in the United States.

(b) Temporary. A temporary license is non-renewable and limited to two (2) per applicant. Every applicant for temporary licensure shall submit:

- (i) A completed application form as provided by the Board;
- (ii) License verification from a state where the applicant is currently licensed, sent directly to the Board by the appropriate regulatory body;
- (iii) All appropriate fees; and

- (iv) Proof of Lawful Presence in the United States.
- (c) Endorsement. Applicants for a license by endorsement shall submit:
  - (i) A completed application form as provided by the Board;
  - (ii) License and certification verification from all other states where the applicant has been or is currently licensed or certified in any profession sent directly to the Board by the appropriate regulatory body;
  - (iii) All appropriate fees; and
  - (iv) Proof of Lawful Presence in the United States.

## **Section 2. Certificate.**

- (a) Psychological Practitioner. Every applicant for certification must submit:
  - (i) A completed application form as provided by the Board;
  - (ii) Official transcripts from each college or university attended sent directly to the Board by the respective college or university;
  - (iii) Official verification of EPPP exam scores sent directly to the Board from the exam administrator;
  - (iv) Supervised Practicum or Internship Verification form as provided by the Board documenting the nature of the supervised experiences and sent directly to the Board by the practicum or internship supervisor or institution or site;
  - (v) If applicable, Supervised Post-Degree Work Experience form as provided by the Board and sent directly to the Board by the supervisor;
  - (vi) License and certification verification from all other states where the applicant has been or is currently licensed or certified in any profession sent directly to the Board by the appropriate regulatory body;
  - (vii) All appropriate fees; and
  - (viii) Proof of Lawful Presence in the United States.
- (b) Specialist in School Psychology. Every applicant for certification must submit:
  - (i) A completed application form as provided by the Board;

- (ii) All appropriate fees;
- (iii) Official transcripts from each college or university attended sent directly to the Board by the respective college or university;
- (iv) Supervised Internship Experience verification form as provided by the Board documenting the nature of the supervised experiences and providing the names and addresses of supervisors sent directly to the Board by the internship supervisor or institution or site;
- (v) Official verification of NSPE exam scores sent directly to the Board from the exam administrator:-;
- (vi) Official verification of certification as a school psychologist to practice in the public schools by the Professional Teachers Standards Board sent directly to the Board by the Department board:-;
- (vii) License and certification verification from all other states where the applicant has been or is currently licensed or certified in any profession sent directly to the Board by the appropriate regulatory body:-; and
- (viii) Proof of Lawful Presence in the United States.

**Section 3. Issuance of Licenses and Certificates.** The Board shall issue a wall document to each successful applicant bearing the full name of the holder, discipline designation, license or certification number, date of issuance, expiration date, and appropriate seal. Upon request and payment of duplicate fee, a second wall document may be issued.

## **CHAPTER 5**

### **LICENSURE REQUIREMENTS**

**Section 1. General Requirements.** A license as a psychologist shall be issued when the applicant has provided adequate evidence to the Board that the applicant:

- (a) Has a reputation for honesty, trustworthiness, integrity and competence and;
- (b) Has met the education, supervised or professional experience, and examination requirements as described below;
- (c) Possesses a current Certificate of Professional Qualification in Psychology (CPQ) in good standing issued by ASPPB;
- (d) Is a member of the National Register for Health Service Providers in Psychology or the American Board of Professional Psychology and licensed in good standing as a psychologist in another state, territory, or possession of the United States or a foreign jurisdiction with substantially equivalent licensing requirements to Wyoming; or
- (e) Holds a license in good standing in another jurisdiction including any state or, territory of the United States, whose requirements for licensure are equal to or exceed the requirements in Section 2 and has practiced continuously for the five (5) years immediately preceding the application for licensure.

**Section 2. Educational Requirements.** All applicants for licensure as a psychologist must possess a doctoral degree from a regionally accredited university.

- (a) The educational requirement may be met by the completion of a doctoral degree program in psychology accredited by the APA Commission on Accreditation (CoA) degree program in psychology at the time the applicant participated; or
- (b) A program that meets all of the criteria listed below:
  - (i) The doctoral degree program must include:
    - (A) A minimum of three academic years of full-time graduate study or the equivalent including at least forty semester hours, or sixty quarter hours, of graduate courses in curriculum areas described in subsection (2) of this section. Courses must be clearly identified by title and course content as being part of an integrated psychology program.
    - (B) One (1) year in residency as described in subsection (3) of this section;
    - (C) An organized, sequential and coordinated supervised professional training experience as described in Section 3.

(ii) Curriculum requirements: The applicant must demonstrate three or more semester hours, or five or more quarter hours (or their equivalent) of core study in each of the following content areas:

- (A) History and systems of psychology;
- (B) Research design and methodology;
- (C) Statistics and psychometrics;
- (D) Biological bases of behavior for example: Physiological psychology, comparative psychology, neural bases of behavior, sensation and perception, and biological bases of development;
- (E) Cognitive-affective bases of behavior for example: Learning, thinking, motivation, emotion, and cognitive development;
- (F) Social bases of behavior for example: Social psychology, organizational theory, community psychology, and social development;
- (G) Individual differences for example: Personality theory; developmental psychology, child development, adult development and aging;
- (H) Professional standards and ethics;
- (I) Cultural and individual diversity;
- (J) Psychopathology or dysfunctional behaviors;
- (K) Theories and methods of assessment and diagnosis;
- (L) Effective psychological intervention and evaluation of the efficacy of interventions; and
- (M) Consultation and supervision.

(iii) Academic Residency requirement:

(A) The doctoral degree program must involve at least one (1) continuous academic year of full-time physical residency at the institution that grants the degree or a minimum of 1,500 hours of student-faculty contact involving in person individual or group educational meetings.

(B) Educational meetings:

- (I) Must include both faculty-student and student-student face-to-face interaction;
- (II) Be conducted by the psychology faculty of the institution at least seventy-five percent of the time;
- (III) Be fully documented by the institution and the applicant; and
- (IV) Relate substantially to the program components specified.

**Section 3. Foreign Graduates.** An applicant for licensure whose application is based on graduation from an institution of higher education located outside the United States and its territories shall demonstrate that the applicant's formal education is equivalent to a doctoral degree in psychology from a regionally accredited educational institution.

(a) The Board shall find that the institution of higher education from which an applicant graduated is equivalent to a regionally accredited education institution only if the institution of higher education is included in one of the following:

- (i) International Handbook of Universities, published for the international Association of Universities by Stockton Press, 345 Park Avenue South, 10<sup>th</sup> floor, New York, NY 10010-1708;
- (ii) Commonwealth Universities Yearbook, published for the Association of Commonwealth Universities by John Foster House, 36 Gordon Square, London, England, WC1H OPF; or
- (iii) Another source the Board determines provides reliable information.

(b) The academic transcript of an applicant who graduated from an institution located outside the United States and its territories shall be translated into English and evaluated by a member organization of the National Association of Credential Evaluation Services (NACES). The applicant is responsible for paying all expenses incurred to obtain a translation and review of the academic transcript.

(c) When the credential review is completed, the NACES member organization shall submit the review report to the Board. The Board shall review the report and determine whether the applicant's education meets the standard.

(d) Upon written request, the Board may waive the credential review required for an applicant who graduated from a doctoral program that is accredited by the accreditation panel of the Canadian Psychological Association.

(e) After the Board determines that the formal education of an applicant is equivalent to a doctoral degree in psychology from a regionally accredited educational institution, the

applicant shall provide evidence to the Board that they have met all other requirements for licensure.

**Section 4. Experience Requirement.** The applicant must have completed 3,000 hours of supervised professional experience related to the practice of psychology, in no less than two (2) years. 1,500 hours of supervised professional experience is equal to one (1) year. The supervised professional experience shall include a pre-doctoral internship program which, at the time the applicant participated, was accredited by the APA Commission on Accreditation, or was a member of the Association of Psychology Postdoctoral and Internship Centers (APPIC) or documented equivalent experience. Additional supervised professional experience may be accumulated from the following:

(a) Pre-internship. Pre-internship training can include up to one year (1,500 hours) of supervised professional experience in practicum, clerkship, or other training activities required in the doctoral degree program. Pre-internship training is an organized, sequential series of supervised professional experiences of increasing complexity, serving to prepare the student for internship and partially meeting requirements for licensure. Training experiences shall follow appropriate academic preparation and shall be overseen by the graduate training program. Such training shall be an extension of the student's academic coursework and not the provision of services that are not within the scope of the education received:

(i) Before beginning a pre-internship training experience, the student, the doctoral program, and the pre-internship program must agree on and document the goals for the training experience, the student's expectations for the training experience, the nature of the pre-internship experience, and how the training experience will be evaluated.

(ii) At least sixty percent (60%) of the pre-internship experience must be direct client contact providing assessment and intervention services.

(iii) The pre-internship experience must be supervised by the person(s) responsible for the assigned casework.

(A) At least seventy-five percent (75%) of the supervision must be by a licensed psychologist.

(B) Up to twenty-five percent (25%) of the supervision may be completed by the following:

(I) A psychiatrist(s) with at least three (3) years experience beyond residency;

(II) A licensed mental health counselor(s) with at least three (3) years post-license experience;

(III) A licensed marriage and family therapist(s) with at least five (5) years post-license experience;

(IV) A licensed clinical social worker(s) with at least three (3) years post-license experience; or

(b) Post-Doctoral. If two (2) years of supervised professional experience has not been completed by the end of the doctoral degree program, then up to 1,500 hours of supervised post-doctoral experience can be used to satisfy the total requirement. This experience can be satisfied by completion of:

(i) A post-doctoral training program which, at the time the applicant participated, was accredited by the APA Commission on Accreditation, or was a member of the Association of Psychology Postdoctoral and Internship Centers (APPIC); or

(ii) Post-doctoral supervised professional experience that meets the following criteria:

(A) Question of timing of submission.

(B) The title "Psychological Resident" may be used only in conjunction with activities and services that are part of supervised training in order to fulfill the experience requirements for licensure.

(C) The term "Psychologist" may not be used by psychological residents and their names may not appear in advertising.

(D) With the approval of the supervisor, Psychological Residents may send announcements of their supervised practice, may have business cards, and may bill directly. However, the supervisory relationship must be indicated and the supervisor's name, address and telephone number must appear on all of these documents.

(E) All applicants shall submit a completed Supervision Verification Form as provided by the Board, signed by the supervisor(s) and sent directly to the Board which attests to the nature and quality of the supervisee's post-doctoral supervised professional experience and the satisfactory completion of that supervised professional experience by the supervisee.

(iii) Any individual who obtains the post-doctoral supervised professional experience outside the State of Wyoming must demonstrate that the post-doctoral supervised professional experience was substantially equivalent to the post-doctoral supervised professional experience required in the State of Wyoming.

**Section 5. Examination Requirement.** The examination accepted by the Board to determine eligibility for licensure shall be the current EPPP.

(a) To be considered for examination, the applicant shall submit a completed application form and accompanying documentation. The applicant shall be notified in writing whether the application has been approved for examination.

(b) Every applicant for licensure must achieve a passing score of at least 70 percent (70%) or a scaled score of 500 on the examination. The examination must be passed within two (2) years of the initial notification from the Board granting permission to take the examination. Applicants who are unable to pass the examination within two (2) years must wait an additional two (2) years to reapply for licensure.

(c) In the case of applicants who are not licensed in another state, but who have taken the EPPP within a five (5) year period preceding receipt of the application for licensure, the Board may waive retaking of the examination if the applicant achieved a passing score as defined above.

## **CHAPTER 6**

### **CERTIFICATION REQUIREMENTS**

#### **Section 1. Psychological Practitioner.**

(a) Certification Requirement. An individual must be certified with the Wyoming State Board of Psychology before practicing as a psychological practitioner.

(b) Education Requirements. All applicants shall have completed a minimum of forty-two (42) graduate hours in psychology, or the quarter hour equivalent, and hold a master's or doctoral degree in psychology from a college or university which was regionally accredited at the time the applicant was enrolled and graduated. In determining whether an applicant's academic program was appropriate, the board shall employ the following criteria:

(i) The program, wherever it may be housed administratively, must be clearly identified as a psychology program.

(ii) The program must be an integrated, organized sequence of study in psychology.

(iii) The psychology program must stand as a recognizable, coherent and organized entity within the institution.

(iv) There must be a clearly identified authority with primary responsibility for the core and specialty areas, whether or not the program cuts across administrative lines.

(v) There must be an identifiable psychology faculty and a psychologist formally responsible for the program.

(vi) The program must have an identifiable body of students who are matriculated in that program for a degree.

(vii) The program must specify in pertinent institutional catalogs and brochures its intent to educate and train individuals for the professional practice of psychology.

(c) Experience Requirement. Individuals may demonstrate fulfillment of the experience requirement by completion of 450 hours of supervised practicum or internship experience, in no more than two (2) placements, with supervision provided by a licensed psychologist, in the course of obtaining the degree.

(d) Examination Requirement. The examination accepted by the Board to determine eligibility for certification shall be the current EPPP.

(i) To be considered for examination, the applicant shall submit a completed application form and accompanying documentation. The applicant shall be notified in writing whether the application has been approved for examination.

(ii) Every applicant for certification must achieve a raw score of 130 or a scaled score of 450 on the examination.

(iii) In the case of applicants who are not certified in another state, but who have taken the EPPP within a five (5) year period preceding receipt of the application for certification, the Board may waive retaking of the examination if the applicant achieved a passing score as defined above.

(iv) A psychological practitioner certified in any other state, province, territory or possession may be eligible for certification without examination provided the requirements for such certification in such state, territory, or possession are substantially equivalent to certification requirements in Wyoming.

## **Section 2. Specialist in School Psychology.**

(a) Certification Requirement. An individual must be certified with the Wyoming State Board of Psychology before practicing as a specialist in school psychology.

(b) Any applicant who is NCSP certified, and who is certified as a School Psychologist by the Professional Teachers Standard Board in Wyoming shall be considered as having met the education, experience, and examination requirements for certification as a Specialist in School Psychology.

(c) All other applicants must meet the following criteria:

(i) Education Requirements. The applicant shall have completed a master's degree in school psychology plus thirty (30) graduate semester hours, or a higher level degree program in school psychology, with sixty (60) graduate semester hours minimum, consisting of course work, practicum, internship and culminating in a graduate degree in school psychology from an NASP accredited graduate degree program in school psychology. All other applicants must meet the current standards for graduate preparation approved by the National Association of School Psychologists (NASP) or its successor.

(ii) Internship Requirements. The applicant shall have successfully completed a 1,200 hour supervised internship in school psychology, of which 600 hours shall be in a school setting. The internship shall be recognized through institutional documentation (transcript) and must meet the current standards for graduate preparation approved by the National Association of School Psychologists (NASP) or its successor. Internships completed prior to December 31, 1994 which meet the above requirement are accepted without institutional documentation.

(iii) Examination Requirement. The applicant must pass the NSPE. A passing score is one which equals or exceeds the cut score determined by NASP for achieving the NCSP credential at the time the applicant took the NSPE.

### **Section 3. Scope of Practice.**

(a) Psychological Practitioner. A certified psychological practitioner shall practice under the supervision of a psychologist who is qualified by scope of practice to work in the area the psychological practitioner will be.

(i) The supervising psychologist shall maintain ultimate responsibility for the psychological activities of supervisees, the welfare of every client served by the psychological practitioner, and be fully accountable in the event that professional, ethical, or legal issues are raised.

(ii) Irrespective of any other training which the psychological practitioner may have completed, or any other certification or licensure which the psychological practitioner may possess, or any other professional title or label he or she may claim, anyone certified as a psychological practitioner is bound by the provisions of the act and the rules of the Board in providing psychological services.

(c) Specialist in School Psychology. A certified specialist in school psychology shall function under the supervision of a psychologist who has the appropriate training and experience to supervise individuals within the school psychology specialty scope of practice.

(i) Irrespective of any other training which the specialist in school psychology may have completed, or any other certification or licensure which the specialist in school psychology may possess, or any other professional title or label the individual may claim, anyone certified as a specialist in school psychology is bound by the provisions of the act and rules of the Board in providing school psychological services.

## **CHAPTER 7**

### **MENTAL OR PHYSICAL IMPAIRMENT**

#### **Section 1. Determination of Mental or Physical Impairment.**

(a) If the Board has reasonable grounds to suspect that an individual licensed or certified under this act or an applicant may be using controlled substances or lacks the mental or physical capacity to practice with reasonable skill and safety to patients or clients, the Board may:

(i) Order the individual to submit to a psychological evaluation by one of three psychologists designated by the Board and selected by the individual; and

(ii) Order the individual to submit to a physical or other medical evaluation by one of three physicians designated by the Board and selected by the individual.

(b) Refusal of an individual or applicant to submit to such examination within a reasonable time or to release the results of such examination shall be just cause for the denial of application, refusal to renew, suspension or limitation of the individual's license or certification until such an examination is completed and the Board has made a determination of fitness to practice with reasonable skill and safety.

(c) If the Board determines that the individual in question is not qualified to practice with reasonable skill and safety, then this finding shall constitute grounds for the revocation, suspension, or limitation of the license or certification to practice or the denial of the application to practice in this jurisdiction.

(d) Any individual whose license or certification to practice is denied, revoked, suspended or otherwise limited, or applicant whose application is denied due to a finding of mental or physical impairment has a right to appeal the action of the Board pursuant to the provisions of the Administrative Procedures Act.

(e) When mental or physical capacity to practice is at issue, every individual licensed or certified to practice in this jurisdiction or any applicant shall be deemed to have consented to submit to a mental or physical examination or any combination of such examinations and to waive all objections to the admissibility of such examinations or to previously adjudicated evidence of a mental or physical impairment.

## CHAPTER 9

### FEES

#### Section 1. General Information.

(a) Fees shall be payable in the exact amount for all services and shall be paid in advance of the services rendered.

(b) All fees collected by the Board are non-refundable.

**Section 2. Fees.** Services for which the Board charges a fee include but are not limited to the following:

(a)	Application Fee:	\$275
(b)	Temporary Application and License Fee:	\$150
(c)	Initial License or Certification Pro-rated Fee by month of issuance:	
	July	\$200
	August	\$183
	September	\$167
	October	\$150
	November	\$133
	December	\$117
	January	\$100
	February	\$83
	March	\$67
	April	\$50
	May	\$33
	June	\$17
(d)	Annual License or Certification Renewal Fee:	\$200
(e)	Late Fee for License or Certification Renewal:	\$200
(f)	Official License or Certification Verification Fee:	\$15
(g)	Replacement/Duplicate Document Fee:	\$25
(h)	Restoration of Expired License Fee:	\$200
(i)	Non-sufficient funds fee will be charged in accordance with W.S. 1-1-115	

## CHAPTER 10

### PRACTICE AND PROCEDURES FOR DISCIPLINARY, APPLICATION, AND LICENSURE MATTERS

**Section 1. Authority.** These rules are adopted under the Board's authority granted by Wyoming Statute 33-27-116.

#### **Section 2. Definitions.**

- (a) "ARC" means application review committee.
- (b) "IC" means investigative committee.

**Section 3. Statement of Purpose.** These Board Rules are adopted to implement the Board's authority to:

- (a) Conduct investigations, hearings, and proceedings concerning:
  - (i) Alleged violations of the Act or the Board Rules;
  - (ii) Petitions for modifying conditions or restrictions imposed upon a license;or
  - (iii) Actions relating to an application for a license including granting or denying.
- (b) Determine and administer appropriate disciplinary action against a licensee.
- (c) For the purposes of this chapter, "license" refers to any Board-issued license or certificate and "licensee" refers to any person holding a board issued license or certificate.

**Section 4. Grounds for Discipline.** The Board may take disciplinary action or refuse to issue or renew a license for any one (1) or more of the following acts or conduct:

- (a) Fraud, deception or misrepresentation in applying for a license or certificate, in taking an examination, or in rendering services;
- (b) Unprofessional or dishonorable conduct that would violate the provisions of this chapter or the Act, including W.S. 33-27-120(b);
- (c) Practicing psychology in a manner that endangers the welfare of clients or patients;
- (d) Harassment, intimidation or abuse - sexual or otherwise - of a client or patient;

- (e) Sexual exploitation of a client or patient as defined in W.S. 33-27-113(a)(viii);
- (f) Malpractice or negligence in the practice of psychology;
- (g) Aiding or abetting the practice of psychology by individuals not licensed or certified by the Board;
- (h) Conviction of fraud in filing Medicare or Medicaid claims or in filing claims to any third-party vendor;
- (i) Exercising undue influence to exploit a client, patient, student or supervisee for financial or other personal advantage to the practitioner or a third party;
- (j) The suspension, revocation, imposition of conditions, or any other adverse action against the licensee's license to practice psychology in another state. A certified copy of another state's order shall be conclusive evidence of the other state's action;
- (k) Refusal to appear before the Board after receiving an order to appear from the Board, its executive officer, or chairperson;
- (l) Making any fraudulent or untrue statement to the Board;
- (m) Inability to practice psychology with reasonable skill and safety to patients or clients because of illness, inebriation, misuse or impairment from drugs, narcotics, alcohol, chemicals, or any other substance, or as a result of any mental or physical condition;
- (n) Failure to meet the requirements for licensing or certification set forth in the Board's rules;
- (o) Revealing the content of privileged communications, except as required by an established court of law, or as stipulated in the Ethical Principles of Psychologists and Code of Conduct and as provided in W.S. 33-27-123; or
- (p) Conviction of any crime or offense that reflects the inability of the practitioner to practice psychology with due regard for the health and safety of clients or patients.
- (q) Practicing sexual orientation change efforts, popularly known as "conversion therapy." For the purpose of this subsection, "sexual orientation change efforts" includes the provision of treatment, interventions, counseling, or services intended to change a person's sexual orientation, gender identity, or gender expressions. "Sexual orientation change efforts" does not include treatment, interventions, counseling, or services provided to persons seeking to transition from one gender to another or that provide acceptance, social support, and identity exploration and development.
- (r) Assisting law enforcement officers in interrogations.

## **Section 5. Application Review and Investigation Process.**

(a) Application Review. In application matters:

(i) Every application for a license, certificate, or permit issued by the Board shall be subject to investigation to determine whether the requirements set forth in the Act and Board Rules are satisfied.

(ii) If any application, including renewals, reveals any information that merits further investigation, the matter shall be assigned to an Application Review Committee (ARC).

(b) ARC Action. The ARC may recommend:

(i) A license or permit be issued, renewed, relicensed, or reinstated;

(ii) A license be issued, renewed, relicensed, or reinstated subject to conditions, restrictions, or other disciplinary action;

(iii) Approval of a settlement agreement, which may include the issuance of a license or renewal with the imposition of restrictions, conditions, reprimand, or a combination thereof; or

(iv) Denial of the application.

(c) Notice of Intent. The ARC shall notify the applicant of its intent to recommend:

(i) Issuance of a license subject to conditions, restrictions, or other disciplinary action; or

(ii) Denial of a license.

(d) The Notice of Intent shall contain:

(i) A brief description of the facts or conduct that warrant denial or issuance of a license subject to conditions, restrictions, or other disciplinary action;

(ii) A statement of the nature of the actions that warrant denial or issuance of a license subject to conditions, restrictions, or other disciplinary action and a citation to the applicable statutory provisions or Board Rules involved;

(iii) An opportunity to show compliance with all lawful requirements for retention of the license or respond within fifteen (15) days from the date of mailing; and

(iv) Notice of the right to a hearing if the licensee submits a written request to the Board office and the Board receives it within thirty (30) days of the date the ARC mailed the Notice of Intent.

(e) Applicant's Request for Hearing.

(i) The applicant may request a hearing if the ARC recommends:

(A) Approval of the license subject to conditions, restrictions, or other disciplinary action; or

(B) Denial of the application.

(ii) The applicant shall submit a written request for hearing to the Board office and the Board must receive the request within thirty (30) days of the date of the ARC mailed the Notice of Intent.

(f) Applicant's Failure to Request a Hearing. If the applicant fails to timely request a hearing of the ARC's recommendation, the Board may:

(i) Approve the ARC's recommendation without a hearing;

(ii) Set a hearing; or

(iii) Dismiss the application.

## **Section 6. Petition for Modification of Conditions or Restrictions.**

(a) Petition to Modify Conditions or Restrictions.

(i) A licensee may petition the Board to modify conditions or restrictions imposed upon their license.

(ii) A licensee shall submit a petition for modification to the Board office in writing, which shall include documentation demonstrating that the licensee has complied with a previously entered Board order if applicable, that the modification is consistent with their treatment plan if applicable, and that the modification is sufficient to ensure the public is adequately protected.

(iii) A petition for modification shall be reviewed by a Disciplinary Committee (DC).

(b) Disciplinary Committee Recommendation.

(i) If the DC agrees with the requested modification, the parties may file a stipulated motion with the Board.

(ii) If the DC does not agree with the requested modification, the DC shall notify the licensee of its intent to recommend denial of the petition.

(c) Board Consideration.

(i) The Board shall consider the petition, the DC's recommendation, and/or a stipulated motion at its earliest convenience.

(ii) The Board may accept or reject the petition for modification.

## **Section 7. Complaint Review and Disciplinary Investigation Process.**

(a) Complaint Review. Every complaint submitted to the Board or initiated on behalf of the Board shall be investigated by a DC.

(b) Disciplinary Committee Action. The DC may recommend:

(i) Dismissal of a complaint;

(ii) Dismissal of a complaint with an advisory letter;

(iii) Approval of a settlement agreement, which may include voluntary surrender, suspension, imposition of restrictions or conditions, reprimand, or other discipline, or a combination thereof;

(iv) Disciplinary action against the licensee including revocation, suspension, reprimand, restrictions or conditions, or other discipline, or a combination thereof; or

(v) Summary suspension.

## **Section 8. Voluntary Surrender.**

(a) A licensee may petition the Board, in writing, to voluntarily surrender their license in lieu of discipline.

(b) The Board shall consider the petition at its earliest convenience.

(c) The Board may consider whether the licensee is under investigation and may accept or reject the petition.

## **Section 9. Summary Suspension.**

(a) Recommendation. If the DC recommends summary suspension, the Board shall conduct an expedited proceeding to determine whether the licensee's continued practice presents a clear and imminent danger to public health, safety, or welfare.

(b) Notice of Intent to Recommend Summary Suspension.

(i) The DC shall notify the licensee of its intent to recommend summary suspension;

(ii) The Notice of Intent shall contain:

(A) Copy of the complaint; and

(B) Notice that an expedited summary suspension proceeding shall be set at the earliest opportunity a quorum of Board members may be assembled;

(c) Notice of Expedited Proceeding. Upon confirmation of the date and time of the expedited proceeding, the DC shall notify the licensee in writing of the date and time of the proceeding.

(d) Scope of Expedited Proceeding. The scope of the expedited summary suspension proceeding shall be limited to a presentation of the evidence the investigating party believes warrants summary suspension and any information the licensee may present on his or her behalf. The board shall order summary suspension if it concludes probable cause exists that the charges, if proven, would imperatively require emergency action to protect the public health, safety, or welfare. The board shall incorporate a finding to that effect in its order granting summary suspension.

## **Section 10. Formal Proceedings for Disciplinary Action**

(a) Notice of Intent to Recommend Disciplinary Action.

(i) The DC shall notify the licensee of its intent to recommend disciplinary action.

(ii) The Notice of Intent shall:

(A) Include a brief description of the facts or conduct which warrant the intended action; and

(B) Provide the licensee an opportunity to show compliance or respond to the allegations for disciplinary action within fifteen (15) days of the date of mailing.

**Section 11. Petition.** Petition. The DC shall initiate formal proceedings for disciplinary action by serving a Petition to the last known address of the licensee by regular mail at least thirty (30) days prior to the date set for hearing.

## **Section 12. Notice of Hearing.**

(a) Upon receipt of a written request for hearing from an applicant or the commencement of formal proceedings for disciplinary action against a licensee, the Board shall conduct a hearing. The Board shall serve a Notice of Hearing on the applicant or licensee at least thirty (30) days prior to the hearing.

(b) Notice of Hearing. The notice of hearing shall contain:

- (i) The name and last known address of the licensee;
- (ii) A brief statement of the matters asserted:

(A) In application matters, the recommendation, the facts upon which the recommendation is based, and the statutory provisions or Board Rules the applicant is alleged to have violated; or

(B) In disciplinary matters, the nature of the Petition and Compliant, the facts upon which the Petition is based, and the statutory provisions or Board Rules the licensee is alleged to have violated;

- (iii) The time, place, and nature of the hearing;

- (iv) The legal authority and jurisdiction; and

(v) A statement indicating that failure to respond to the petition within twenty (20) days of its receipt may result in a default judgment.

**Section 13. Lawful Service.** There shall be a presumption of lawful service of a petition, notice of hearing, or any other communication required by these Board Rules if sent to the last known address of the licensee or applicant by regular mail.

#### **Section 14. Dismissal or Default.**

(a) The Board may dismiss an application where the applicant or the applicant's representative has not requested a hearing or appeared at a noticed hearing.

(b) The Board may enter an order of default judgment based on the allegations contained in the Petition in any case where the licensee or the licensee's representative has not answered the allegations contained in the Petition and has not appeared at a noticed hearing.

**Section 15. Contested Case.** The hearing officer shall preside over the formal contested case hearing which shall be conducted pursuant to the Wyoming Administrative Procedure Act and the Office of Administrative Hearings rules concerning contested case proceedings as referenced in Chapter 1.

#### **Section 16. Burden and Standard of Proof.**

(a) Application Matters. The applicant shall bear the burden to prove by a preponderance of the evidence that they meet the qualifications for licensure. The burden shall shift to the ARC to prove by clear and convincing evidence that the applicant should be denied a

license. The burden shall shift back to the applicant to persuade the Board that the ARC's grounds for denial or issuance of a license subject to conditions or restrictions are insufficient.

(b) Petition for Modification Matters. The licensee shall bear the burden to prove by a preponderance of evidence that the petition for modification of conditions should be granted.

(c) Disciplinary Matters. The DC shall bear the burden to prove by clear and convincing evidence that the licensee violated the Act, Board Rules, or both.

## **Section 17. Board Decision and Order.**

(a) Board Action. The Board may resolve a complaint by:

- (i) Approving the recommendations of the DC or ARC;
- (ii) Ruling in favor of a party on a dispositive motion;

(iii) Conducting a contested case hearing. Following the hearing and deliberation of all evidence admitted at a contested case hearing, the Board may:

- (A) Issue, renew, relicense, or reinstate a license;
- (B) Issue, renew, relicense, or reinstate a license with conditions, restrictions, or other disciplinary action;
- (C) Deny a license, renewal, reactivation, or reinstatement.
- (D) Approve or deny a petition;
- (E) Dismiss the complaint or Petition;
- (F) Dismiss the complaint or Petition with an advisory letter; or
- (G) Impose a reprimand, conditions, restrictions, suspension, revocation, other discipline, or a combination thereof.

(b) Board Order. The Board shall issue a written decision and order. The decision and order shall be sent to the applicant, licensee, or their representatives by certified or regular mail.

## **Section 18. Appeals.**

(a) Appeals from decisions of the Board are governed by the Wyoming Administrative Procedure Act and the Wyoming Rules of Appellate Procedure.

(b) Costs of transcripts and any reasonable costs assessed by the Board regarding the record on appeal shall be borne by the party making the appeal.

**CHAPTER 11**

**REPEALED**

## **CHAPTER 14**

### **SUPERVISION**

#### **Section 1. Applications.**

(a) Qualified supervision is required for those individuals who:

(i) Are psychological residents as defined by the Board for the practice of psychology under qualified supervision.

(ii) Are deemed by the Board, because of academic, experiential, professional, or personal background reasons or because of formal adjudication or stipulated agreement, to require supervision in the practice of psychology.

(iii) Are Psychological Practitioners or Specialists in School Psychology.

#### **Section 2. General Responsibilities in the Supervisory Arrangement.**

(a) The Board shall not assume responsibility for establishing supervisory relationships.

(b) A specific plan of supervision must be filed by the supervisor and the supervisee for approval by the Board prior to any delivery of services by the supervisee. The plan shall be individualized for the supervisee, protect the public interest, and increase and/or maintain the supervisee's level of professional skills.

(c) The plan of supervision must include the following:

(i) A clear definition of the area(s) of practice to be supervised, including the types of activities and the populations served.

(ii) The frequency and times of supervisory sessions and specific areas to be covered, i.e., individual/group psychotherapy, assessments, tests administered, etc., will be determined by the supervising Psychologist.

(iii) The plan shall be signed by both supervisor and supervisee.

(d) Exceptions or modifications to the plan shall be communicated to the Board within thirty (30) days.

(e) Should a supervisor and a supervisee have an unresolved disagreement regarding the plan of supervision, either party may initiate an appeal to the Board for resolution. For specialized areas in which the Board may lack expertise, the Board may appoint a committee of

at least two (2) experienced psychology professionals to review the matters in contention and make recommendations to the Board for the Board's decision.

(f) The supervisor shall establish and maintain a level of supervisory contact consistent with professional standards, insuring the welfare of the public, and the ethical and legal protection of the supervision process.

(g) A minimum of 1 hour of face-to-face supervision per week for supervisee licensure applicants who have not previously held a psychology license. There may be special circumstances, e.g., geographical or confirmed physical hardship, when a jurisdiction may consider a variance in the frequency of the supervision sessions while keeping with the principle of 1 hour per week for 20 hours of client or patient contact.

(h) While the Board recognizes that the number of persons supervised by a given Psychologist may vary, the Board reserves the right to require documentation by the Psychologist of the adequacy of supervision when one Psychologist is supervising multiple licensed or certified professionals or applicants for licensure. This rule does not apply to University of Wyoming faculty supervising doctoral students.

(i) The Identity and role of the supervisor should be clearly documented, with the supervisor's signature, in the clinical record of each person served. This is to notify users of the record that the case is being supervised and to acknowledge that the supervisor is aware of the supervisee's work in each case. (The Board does not require co-signature of progress notes; however, co-signature is one option for documenting supervision at the discretion of the supervisor.)

(j) The Board requires the supervisor to be reasonably aware of the professional skills, practices, ethics, and abilities of each person being supervised.

(k) Supervisors may only supervise those areas of practice in which they are competent by virtue of training and experience.

(l) A Psychologist may be disqualified by the Board as a supervisor should he/she fail to provide adequate supervision under the requirements of the Rules and Regulations of the Board.

(m) Supervising Psychologists shall be licensed for the practice of psychology and must be aware of and abide by the ethical principles and statutes pertaining to the practice of psychology in general and to supervision in particular. Supervisors have adequate training, knowledge and skill to render competently any psychological service that their supervisee undertakes. They shall not permit their supervisee to engage in any psychological practice that they cannot perform competently themselves. The supervisor has the responsibility to interrupt or terminate the supervisee's activities whenever necessary to ensure adequate training and the protection of the public. The supervisor must have at least 2 years of independent practice in the area in which they supervise to qualify as a supervisor and shall demonstrate adequate training, competence and skill to render competently any psychological services the supervisee

undertakes. The Board may evaluate the qualifications of any supervisor and take appropriate action.

(n) Supervision sessions should be documented giving dates, time spent, nature of the contact with the supervisor.

(o) The supervisor shall allow the supervisee to perform only those functions for which the supervisee has training and experience.

(p) When the post-doctoral work experience occurs in Wyoming (i.e. Psychological Resident), a Supervision Agreement form provided by the Board shall be submitted by the supervisor to the Board specifying the nature of the supervision arrangements and the name, address and telephone number of the supervisor and supervisee. Any changes in the agreement must be submitted in writing within ten (10) days to the Board.

### **Section 3. Requirements of Supervision.**

(a) Supervision of Provisional Licensure Applicants, Psychology Residents, Psychological Practitioners and specialists in School Psychology.

(i) All services provided by a provisional licensure applicant must be supervised by a qualified Psychologist, unless they are a candidate for licensure via reciprocity. The licensed Psychologist who provides supervision for the applicant will be clinically and professionally responsible for the work of the supervisee. The supervisor shall be accessible to the supervisee at any point during the supervisory relationship. The supervisor's relationship with the supervisee shall be separate from that of a consultant, who may be called in at the discretion of the applicant. The consultant will have no clinical or professional accountability for the services provided or for the welfare of the client/patient/consumer.

(ii) Public announcement of clinical services and fees, and contact with the lay or professional community shall be offered only in the name of the supervising Psychologist. Titles of applicants must clearly show their supervised status.

(iii) Users of the supervisee's services shall be informed of his/her status, and shall be given specific information about his/her qualifications and functions.

(iv) Clients/patients/consumers shall be informed that they may meet with the supervising Psychologist at their request or at the request of the service provider or the supervisor.

(v) Setting and receipt of a fee shall remain the sole responsibility of the employing agency or supervising Psychologist.

(vi) All written professional reports and communications shall be countersigned by the supervising Psychologist.

(vii) The supervisor shall establish and maintain a level of supervisory contact consistent with established professional standards, and be fully accountable in the event that professional, ethical, or legal issues are raised.

(viii) An ongoing record of supervision shall be maintained that details the types of activities in which the applicant is engaged.

(ix) Supervision Report Forms from the supervising Psychologist shall be mandatory during the period the applicant is practicing psychology without a license or if the license of the supervisee has been restricted by the Board. These reports shall be the joint responsibility of the supervisor and the supervisee. These reports shall be submitted to the Board on a quarterly basis. The Board will review these reports. Review responses shall be given to the supervisor and the supervisee as necessary to assure the Rules and Regulations of this Board are fulfilled.

(x) The supervisor shall keep records that will verify the training and evaluation of the supervisee, including the exact nature and number of hours of supervision and the exact nature and number of hours of acceptable post- doctoral supervised professional experience.

(xi) Following five (5) years of supervised experience as a certified psychological practitioner or certified specialist in school psychology, the required supervision by a psychologist may be reduced, as appropriate, to a minimum of weekly consultation with one (1) hour of face-to-face individual supervision provided on a monthly basis.

(b) Supervision of Technicians. The Psychologist shall employ ASPPB Supervision Guidelines and the guidelines for supervision outlined (on the website) in supervision of persons employed as Technicians. Failure to follow said guidelines in supervisory activities shall be considered a violation.

**Section 4. Board Review.** Failure of the supervisee or supervisor in the supervisory relationship to comply with these requirements and responsibilities shall be subject to Board review and possible disciplinary action.

## **CHAPTER 15**

### **ETHICS**

#### **Section 1. Authority and scope; violations.**

(a) The Board has the authority to promulgate these rules under Wyo. Stat. Ann. § 33-27-116(b).

(b) These rules govern the conduct of psychologists and applicants for licensure whenever they provide psychological services in any context.

(c) These rules do not supersede state or federal statutes regulating the practice of psychology.

(d) Violating any provision of this chapter constitutes unprofessional conduct and is sufficient grounds for disciplinary action.

#### **Section 2. Definitions.**

(a) “Client” means:

(i) A person who directly receives psychological services in the context of a professional psychologist-client relationship, including a child, adolescent, adult, couple, family, group, organization, community, or other populations, or other entities that receive psychological services.

(ii) An individual or entity that requests psychological services on behalf of another.

(iii) An organization that receives services directed primarily to the organization, rather than individuals associated with the organization.

(iv) An individual who has a legal guardian, including minors and legally incompetent adults, with respect to issues that directly affect the physical or emotional safety of the individual or any issues the legal guardian agrees are specifically reserved to the individual.

(b) “Confidential information” means information a client reveals or a psychologist otherwise obtains when a client has a reasonable expectation that, because of the relationship between the client and the psychologist or the circumstances under which the information is revealed or obtained, the psychologist shall not disclose the information without the client’s informed written consent.

(c) “Court order” means a written or oral communication from a judge or administrative official when such authority has been lawfully delegated to the judge or administrative official.

(d) “Licensed” means having a license issued by the Board or by another state’s psychology regulator.

(e) “Professional relationship” means a mutually-agreed upon relationship between a psychologist and a client or clients for the purpose of the client or clients being provided psychological services, or obtaining the psychologist’s professional expertise, or both.

(f) “Professional service” means any action a psychologist provides in the context of a professional relationship.

(g) “Supervisee” means any person who provides or trains to provide psychological services under a psychologist’s license.

### **Section 3. Rules of Conduct.**

(a) Competence.

(i) Psychologists shall limit practice and supervision to their areas of competence in which they have gained proficiency through education, training, and experience.

(ii) Psychologists shall maintain competency in the areas in which they practice through continuing professional development, consultation, or other procedures, conforming with current standards of scientific and professional knowledge and the Board’s rules.

(iii) Psychologists shall accurately represent their areas of competence, education, training, experience, and professional affiliations.

(iv) When developing competency in a service or technique, psychologists shall seek appropriate education and training in the new area and consult with other psychologists or relevant professionals. Psychologists shall inform clients when they are engaging in an innovative service and the known risks associated with such services.

(v) Psychologists shall recommend or refer clients to other professional, technical, or administrative resources when referral is clearly in the best interests of the client.

(vi) A psychologist shall not render a formal professional opinion about a person without direct and substantial professional contact with, or a formal assessment of, that person.

(vii) Psychologists shall maintain and retain records according to the following principles:

(A) Psychologists that render professional services to individual clients or dependents, or bill services to a third-party payor, shall maintain professional records that include:

(I) The name of the client and other pertinent identifying information;

(II) The presenting problems or reasons for providing services or diagnosis;

(III) The fee arrangement;

(IV) The date and substance of each billed or service-count contractor service;

(V) Any test results or other evaluative results and any basic test data from which test results were derived;

(VI) Notation and results of formal consultations with other providers;

(VII) Any communications through any medium;

(VIII) A copy of all testing or other evaluative reports the psychologist prepared as part of the professional relationship.

(B) Psychologists shall maintain all data entries in professional records for not less than five years after the last date that service was rendered or the records were accessed, whichever is later, or for a longer period if required by law. This includes any releases the client executes to meet the requirements of this rule.

(C) If a psychologist provides psychological services to minors, the psychologist shall maintain those records at least until the minor reaches the age of majority plus five years, or for a longer period if required by law.

(D) Psychologists shall store and dispose of records, regardless of their format or the media in which they are maintained, in such a manner as to ensure they remain confidential.

(I) Psychologists shall retain documentation of any records that are destroyed.

(II) Psychologists shall maintain the confidentiality of all records in their possession or under their control, except as otherwise provided by law or pursuant to a client's specific written or signed authorization to release the record.

(E) Psychologists shall provide for the confidential disposition of records in compliance with these rules in the event of the psychologist's retirement, incapacity, or death.

(F) Psychologists shall maintain records that shall include the type, place, and general content of supervision sessions for each person they professionally supervise for not less than five years after the last date of supervision.

(viii) Psychologists shall make arrangements for another appropriate professional or professionals to meet the emergency needs of their clients, as appropriate, during periods of their foreseeable unavailability.

(ix) Psychologists shall exercise appropriate supervision over supervisees, as set forth in Chapter 12 of these rules.

(x) Psychologists shall not delegate professional responsibilities to a person not appropriately licensed or otherwise qualified to provide such services.

(b) Multiple relationships.

(i) For purposes of these rules, “multiple relationship” means a psychologist’s previous or previous familial, social, emotional, financial, supervisory, political, administrative, or legal relationship with a client or a relevant person associated with or related to the client.

(ii) Psychologists shall take reasonable steps to ensure that if a multiple relationship occurs, it is not exploitative of a client or a relevant person associated with or related to the client.

(iii) A multiple relationship that is exploitative of a client or a relevant person associated with or related to the client is prohibited.

(iv) A multiple relationship that would not reasonably be expected to impair a psychologist’s judgment or objectivity or risk harm to a client or relevant person associated with or related to the client are not prohibited.

(c) Sexual relationships.

(i) Psychologists shall not terminate professional relationships to circumvent these rules.

(ii) Psychologists shall not engage in sexual intimacies of any kind with current clients.

(iii) Psychologists shall not engage in sexual intimacies of any kind with individuals they know to be close relatives of a current client or guardians of a current client or with any other person who has a significant relationship with a current client.

(iv) Psychologists shall not accept as clients any person with whom they have engaged in sexual intimacies of any kind.

(v) For two years after the last date psychologists provided psychological services of any kind to a client, psychologists shall not engage in sexual intimacies of any kind with former clients.

(vi) For two years after the last date psychologists provided psychological services to a client, psychologists shall not engage in sexual intimacies of any kind with individuals they know to be close relatives of a former client, guardians of a former client, or anyone else who has had a significant relationship with a former client, including, but not limited to, performing an assessment or rendering counseling, psychotherapeutic, or other professional psychological services.

(vii) The prohibitions set out in subsections (v) and (vi) of these rules shall extend indefinitely if the client is vulnerable, by reason of an emotional or cognitive disorder, to exploitation or influence by the psychologist.

(viii) Psychologists shall not engage in sexual intimacies of any kind with any student, trainee, intern, or resident for whom the psychologist has, or is likely to have, evaluative authority.

(d) Impairment. Psychologists shall not undertake or continue a professional relationship with a client when the psychologist is, or the board could reasonably expect the psychologist to be, impaired due to mental, emotional, cognitive, psychological, pharmacological, substance abuse, or induced conditions. If such a condition develops after a psychologist initiates a professional relationship, the psychologist shall terminate the relationship in an appropriate manner, notify the client in writing of the termination, and assist the client in obtaining services from another professional.

(e) Client welfare.

(i) Psychologists shall obtain informed consent from clients prior to providing psychological services.

(A) Psychologists shall give a truthful, understandable, and appropriate account of the client's condition to the client or to those responsible for the client's care.

(B) Psychologists shall keep the client fully informed as to the purpose and nature of any evaluation, treatment, or other procedures, and of the client's right to freely choose regarding the services provided.

(ii) Psychologists shall terminate a professional relationship when it is reasonably clear that the client is not benefitting from the relationship, or if mutually agreed upon goals have been met, and shall prepare the client appropriately for such termination if feasible. Psychologists may terminate a professional relationship when the client or a person associated with or related to the client threatens or otherwise endangers them. When terminating professional services, psychologists shall offer to help locate alternative sources of professional services of assistance if feasible.

(iii) Psychologists shall not impose any stereotypes regarding behavior, values, or roles related to age, gender, religion, race, disability, nationality, sexual orientation, or diagnosis on any client.

(iv) Psychologists shall not induce, pressure, or coerce clients to solicit business on the psychologists' behalf.

(v) Psychologists shall refer clients to another professional when a client requests referral if feasible.

(vi) Psychologists shall not engage in any verbal or physical behavior with clients which is seductive, demeaning, harassing, or exploitative in any way.

(f) Welfare of supervisees, research participants, and students.

(i) Psychologists shall not engage in any verbal or physical behavior with supervisees which is seductive, demeaning, harassing, or exploitative in any way.

(ii) Psychologists shall not engage in any verbal or physical behavior with research participants which is seductive, demeaning, harassing, or exploitative in any way. Psychologists shall respect the dignity and protect the welfare of their research participants and shall comply with all relevant statutes and administrative rules concerning research participant treatment.

(iii) Psychologists shall not engage in any verbal or physical behavior with students that is seductive, demeaning, harassing, or exploitative in any way.

(g) Protecting client confidences.

(i) Psychologists shall safeguard confidential information they obtain in the course of their practice, teaching, research, or other professional services. Psychologists shall disclose confidential information to others only with the informed consent of their clients unless otherwise required or permitted by law or these rules.

(ii) Psychologists may disclose confidential information without the informed consent of a client when the psychologist determines that disclosure is necessary to protect against a clear and substantial risk of imminent serious harm that the client will inflict on the client themselves or on another person. Psychologists shall limit disclosure of otherwise confidential information only to those persons necessary to protect the client or the person threatened. When the client is an organization, business, or other similar entity, the psychologist shall only disclose confidential information after the psychologist has made a reasonable attempt to have any threat of harm corrected within the organization.

(iii) When more than one party has an appropriate interest in the professional services a psychologist renders, prior to rendering professional services, the psychologist shall clarify to all parties involved the psychologist's duties related to keeping client information

confidential and the psychologist's professional responsibility with respect to those services. In particular, psychologists shall clarify the psychologist's duties and responsibilities when the client is a minor or an organization, business, or other similar entity.

(iv) When a psychologist renders services to more than one client during a session, at the beginning of the professional relationship, the psychologist shall clarify to all parties involved the manner by which the psychologist will address confidential information. The psychologist shall give all parties an opportunity to discuss and accept whatever limitations to confidentiality may attach to the professional relationship.

(v) When a psychologist renders services to a legally dependent client, the psychologist shall inform the legal dependent of any limits the law imposes on the dependent's right to confidentiality with respect to their communications with the psychologist. The psychologist shall provide such information to the extent possible in language the legal dependent can understand.

(vi) Psychologists shall limit access to client records to preserve their confidentiality. Psychologists shall ensure that all persons working under their authority shall comply with requirements for confidentiality of any client records.

(vii) Psychologists shall comply with any relevant law regarding reporting child abuse or vulnerable population abuse.

(viii) When rendering professional services as part of a team, or when interacting with other appropriate professionals concerning a client's welfare, psychologists may share confidential information provided that the psychologist takes reasonable steps to inform all persons receiving confidential information about the confidential nature of the information and ensure that the persons abide by rules to maintain the information's confidentiality. Psychologists shall disclose confidential information under this subsection only to the extent necessary to render professional services.

(ix) When a psychologist uses information from otherwise confidential records for teaching, research, publication, or any other public or professional purpose, the psychologist shall ensure that the information has been redacted to prevent client identification.

(x) Psychologists shall not allow record or allow others to observe a client without the client's informed written consent.

(xi) After a psychologist terminates a professional relationship with a client or a client dies, the psychologist shall continue to treat any information regarding that client as confidential.

(h) Representation of services.

(i) Psychologists shall display their current Wyoming license to practice psychological on the premises of their professional practice site.

(ii) Psychologists shall not misrepresent their professional qualifications, either directly or by implication.

(iii) Psychologists shall not misrepresent their affiliations or the purposes or characteristics of institutions or organizations with which they are affiliated, either directly or by implication.

(iv) Psychologists shall not include false or misleading information in public statements about the professional services they offer.

(v) Psychologists shall not associate with or permit their name to be used in connection with any services or products in such a way as to misrepresent the services or products, the degree of the psychologist's responsibility for the services or products, or the nature of the psychologist's association with the services or products.

(vi) Psychologists shall correct others who misrepresent the psychologist's professional qualifications or affiliations. When a psychologist becomes aware of false or misleading public information about the psychologist or their credentials, qualifications, or services, the psychologist shall make all reasonable attempts to correct the information, including displaying corrected information in a public medium.

(i) Fees and statements.

(i) As early as feasible in a professional relationship, psychologists shall inform the person who receives psychological services and the client how the psychologist is compensated and the client is billed.

(ii) Psychologists shall not exploit clients by charging excessive fees or entering into an exploitative bartering arrangement.

(j) Assessment procedures.

(i) When a psychologist assesses a person, the result or interpretation of any assessment is confidential information.

(ii) When communicating the results of an assessment to a client or the person who receives the assessment, the psychologist shall appropriately interpret or explain the results so that the client or person may understand and make decisions based on the results.

(iii) When reporting the results of a formal assessment procedure for which norms are available, the psychologist shall report limitations in the assessment norms for the individual assessed and any relevant reservations or qualifications which affect the validity, reliability, or interpretation of the results.

(iv) Psychologists shall not reproduce or describe in publications, lectures, presentations, or any other public disclosures any psychological tests or assessment measures or devices in ways that might compromise their security.

(v) Psychologists offering an assessment procedure or automated interpretation service to other professionals shall accompany that offer with a manual or other printed material that fully describes how the procedure or service was developed, the procedure's or service's rationale, evidence that shows the procedure's or service's validity and reliability, and characteristics of the normative population. The psychologist shall explicitly state the purpose and application for which the psychologist recommends the procedure or service and identify special qualifications to administer and interpret the procedure or service properly. The psychologist shall ensure that any advertisement for the procedure or service is factual and descriptive.

(k) Violations of law.

(i) Psychologists shall not violate any applicable statute or rule regulating the practice of psychology.

(ii) Psychologists shall not use fraud, misrepresentation, or deception to:

(A) Obtain a psychology license;

(B) Take a psychology licensing examination;

(C) Assist another individual to obtain a psychology license or take a psychology licensing examination;

(D) Bill clients or third-party payors;

(E) Provide psychological services;

(F) Report the results of psychological evaluations or services; or

(G) Conduct any other activity related to the practice of psychology.

(l) Aiding unauthorized practice.

(i) Psychologists shall not aid or abet another person in misrepresenting their professional credentials or illegally engaging in the practice of psychology.

(ii) Psychologists shall not delegate professional responsibilities to a person not appropriately licensed or otherwise qualified to provide such services.

(m) Reporting suspected violations.

(i) If a psychologist has reason to believe that another person has violated the Board's rules or practice act and that the violation may reasonably be expected to harm a client, the psychologist may report such a violation to the Board. Unless otherwise required by law, the psychologist may only provide the client's name with the written consent of the client.

(ii) When a client informs a psychologist of a possible violation of the Board's rules or practice act, or when a client asks how to file a complaint with the Board, the psychologist shall inform the client of the standards of practice of psychology relevant to the violation or complaint and how to file a complaint with the Board.

## **CHAPTER 1**

### **GENERAL PROVISIONS**

**Section 1. Statement of Purpose.** The Wyoming State Board of Psychology Rules and Regulations are set forth for the purpose of interpreting and implementing W.S. 33-27-113 through 33-27-123, establishing the Board and conferring upon it the responsibility for licensing psychologists, certifying psychological practitioners and specialists in school psychology, and regulating the practice of psychology in the State of Wyoming.

**Section 2. Citation.** The Wyoming State Board of Psychology Rules and Regulations shall be hereafter referred to as the “Rules”. The Wyoming State Board of Psychology shall be hereafter referred to as the “Board”.

**Section 3. Regulatory Authority.** These Rules are promulgated under the authority of W.S. 33-27-113 through 33-27-123.

**Section 4. Severability.** If any provisions of these Rules or the application thereof to any individual or circumstance is invalid, such invalidity shall not affect other provisions or application of these Rules which can be given effect without the invalid provision or application, and to this end the provisions of these Rules are declared to be severable.

**Section 45. Terms Defined by Statute.** Terms defined in W.S. 33-27-113 through 33-27-123 shall have the same meanings when used in these Rules unless the context or subject matter clearly requires a different interpretation.

**Section 56. Terms Defined Herein.** As used in these Rules, the following terms shall have the following meanings unless the context or subject matter clearly requires a different interpretation.

- (a) APA - American Psychological Association
- (b) ASPPB - Association of State and Provincial Psychology Boards
- (c) EPPP - Examination for Professional Practice in Psychology
- (d) NASP - National Association of School Psychologists
- (e) NCSP - Nationally Certified School Psychologist
- (f) NSPE - National School Psychology Examination
- (g) WPA - Wyoming Psychological Association
- (h) WSPA - Wyoming School Psychology Association

(i) Regionally accredited ~~Accredited by one of the regional or national institutional accrediting bodies recognized by the Council for Higher Education Accreditation (CHEA).~~ “Psychological Trainee” means a person who holds a bachelor’s degree in psychology or related field, is pursuing an advanced degree in psychology, and is receiving practical experience under the supervision of a licensed psychologist.

(j) Substantially equivalent ~~equal to or exceeds.~~ “Psychological Intern” means a person who holds a masters degree in psychology, is enrolled in a doctoral program, and is receiving practical experience under the supervision of a licensed psychologist.

(k) “Psychological Resident” means a person who holds a doctoral degree from a regionally accredited institution, who has joined the staff of an entity that provides psychological services as an employee to meet the experience requirement.

(l) “Regionally accredited” means accredited by one of the regional or national institutional accrediting bodies recognized by the Council for Higher Education Accreditation (CHEA).

(m) “Substantially equivalent” means equal to or exceeds.

**Section 7. Board.** The Board shall elect a Chairman and Vice-chairman at its annual meeting to be held the first Friday in November. The Board may meet at other times as deemed necessary to transact business.

**Section 8. Incorporation by Reference.** The Board hereby incorporates by reference the following:

(a) Each rule and code incorporated by reference is further identified as follows:

(i) Chapter 2 – Uniform Procedures, Fees, Costs, and Charges for Inspection, Copying, and Producing Public Records, adopted by the Department of Administration and Information and effective on September 6, 2016, available at <http://rules.wyo.gov>.

(ii) Chapter 2 – Uniform Rules for Contested Case Practice and Procedure, adopted by the Office of Administrative Hearings and effective on July 20, 2017, available at <http://rules.wyo.gov>.

(b) For these rules incorporated by reference:

(i) The Board has determined that incorporation of the full text in these rules would be cumbersome or inefficient given the length or nature of the rules;

(ii) The incorporation by reference does not include any later amendments or editions of the incorporated matter beyond the applicable date identified in subsection (a) of this section; and

(iii) The incorporated rules are maintained at the Board office and available for public inspection and copying at cost at the same location.

## CHAPTER 2

### **ORGANIZATION AND PROCEDURES OF THE BOARD~~REPEALED~~**

**Section 1. Structure of Board.** The Board is composed of six (6) psychologists, one (1) psychological practitioner and two (2) public members, who serve five (5) year staggered terms. Officers of the Board shall be elected annually, by majority vote of the Board, and comprise a Chair, Vice Chair, and Secretary.

#### **Section 2. Duties of Officers.**

(a) Chair. The Chair shall, when present, preside at all meetings. The Chair shall appoint all committees, subject to confirmation of the Board, sign the minutes of board meetings, and perform all other duties pertaining to this office as hereinafter prescribed. The Chair shall assist the Secretary in matters of advice and preparation of correspondence and reports as agreed upon by the Board.

(b) Vice Chair. The Vice Chair shall perform all of the duties prescribed for the Chair in the absence of the Chair.

(c) Secretary. The Secretary shall, with the assistance of such staff as may be required, conduct and care for all the correspondence of the Board, keep and sign the minutes of all the meetings, keep all books and records as herein provided, sign all certificates issued, and review all financial statements. The Secretary or staff shall be in possession of the official seal and shall affix the same to all certificates of licensure and other official documents. This officer or staff shall also provide notice of the time and place of all meetings of the Board, including an agenda of items to be discussed, to each member of the Board. This officer or staff shall prepare the annual report of the Board as required by law and cause the same to be distributed as the Board may direct.

#### **Section 3. Powers and Duties.** Specific duties vested in the Board are to:

(a) Examine, issue and renew licenses and certificates for individuals qualified to practice psychology in the State of Wyoming;

(b) Receive and investigate complaints regarding the practice of psychology;

(c) Conduct hearings for individuals regulated by this Board;

(d) Deny, revoke, refuse to renew, reprimand, censure, limit the scope of practice, place on probation with or without terms, conditions or limitations or suspend licenses for cause;

(e) Cause the prosecution and enjoinder of individuals violating the Psychology Act (W.S. 33-27-113 through 123);

(f) Make all rules which are reasonable and necessary for proper performance of its duties.

**Section 4. Board Seal.** This seal shall be applied to all licenses issued by the Board.

**Section 5. Board Meetings.**

(a) Meetings shall be open to the public and held in accordance with the Wyoming Administrative Procedure Act. The Board has the right to call executive sessions pursuant to W.S. 16-4-405.

(b) The Board shall hold at least one (1) meeting a year. Other meetings may be held at such times as may be deemed necessary by the Chair, the majority of its members, or upon request of the Governor. A quorum is necessary to conduct business.

(c) The Chair may conduct Board meetings via telephone conference calls or other electronic means.

(d) A quorum of the Board shall consist of a majority of the appointed members.

(e) On all issues presented to the Board, a majority vote of the quorum is required for passage.

## CHAPTER 3

### **LICENSE, CERTIFICATION, AND STATUS CLASSIFICATIONS REPEALED**

**Section 1. License Types.** The Board is authorized to issue three (3) types of Psychologist licenses to those applicants who meet the qualifications established by the Board and who substantiate those qualifications to the Board's satisfaction:

(a) Regular the license the Board issues to those persons who have met the requirements for licensing in W.S. 33-27-117(a), (b) and (c); and Board Rules Chapter 4, Section 1 and Chapter 5, Sections 1,2,3, and 4.

(b) Provisional a license authorized by W.S. 33-27-117(d) which the Board may issue to persons who do not meet all the requirements for a regular license upon finding a need for psychological services exists in a rural part of Wyoming and the applicant is employed by a state or community mental health center.

(c) Temporary a license to offer services as a psychologist in Wyoming for not more than thirty (30) days in any year authorized by W.S. 33-27-117(e) which the Board may issue to persons licensed or certified by a board of psychology of another United States state or territory, or of a foreign country or province whose standards are equal to or exceed the requirements for licensure as a psychologist in Wyoming.

**Section 2. Certification Types.** The Board is authorized to issue two (2) types of certificates to those applicants who meet the qualifications established by the Board and who substantiate those qualifications to the Board's satisfaction:

(a) Psychological Practitioner a person who has met the requirements of Board Rules Chapter 6, Section 1 and been issued a certificate from the Board.

(b) Specialist in School Psychology a person who has met the requirements of Board Rules Chapter 6, Section 2 and been issued a certificate from the Board.

**Section 3. Status Types.** The Board recognizes three status categories. Persons in these categories may practice psychology under the supervision and responsibility of a licensed psychologist.

(a) Psychological Trainee a person who holds a bachelor's degree in psychology or related field, is pursuing an advanced degree in psychology, and is receiving practical experience under the supervision of a licensed psychologist.

(b) Psychological Intern a person who holds a masters degree in psychology, is enrolled in a doctoral program, and is receiving practical experience under the supervision of a licensed psychologist.

(e) Psychological Resident a person who holds a doctoral degree from a regionally accredited institution, who has joined the staff of an entity which provides psychological services as an employee for a specified period to gain additional training.

## **CHAPTER 4**

### **APPLICATION PROCEDURES**

#### **Section 1. Psychologist License Application Requirements.**

(a) Regular. ~~Every applicants for a regular license that do not meet the requirements for a license by endorsement must shall submit the following unless additional criteria are met as stated in Chapter 5:~~

- (i) A completed application form as provided by the Board;
- (ii) Official transcripts from each college or university attended sent directly to the Board by the respective college or university;
- (iii) Official verification of EPPP exam scores sent directly to the Board from the exam administrator;
- (iv) Supervised Pre-Doctoral Experience Verification form as provided by the Board documenting the nature of the supervised experiences and sent directly to the Board by the doctoral program training director;
- (v) Supervised Pre-doctoral Internship Experience verification form as provided by the Board documenting the nature of the supervised experiences and sent directly to the Board by the internship supervisor or institution or site;
- (vi) Supervised Post-Doctoral Work Experience Verification form as provided by the Board documenting the nature of the supervised experiences and sent directly to the Board by the supervisor, if required;
- (vii) ~~Three (3) completed Professional Experience Reference forms as provided by the Board and sent directly to the Board by the reference;~~
- (viii) License and certification verification form as provided by the Board from all other states where ~~the~~ applicant has been or is currently licensed or certified in any profession sent directly to the Board by the appropriate regulatory body; and
- (viii) All appropriate fees; and
- (ix) Proof of Lawful Presence in the United States.

(b) ~~Provisional. Every applicant for a provisional psychologist license must submit:~~

- (i) A completed application form as provided by the Board;

(ii) ~~Official transcripts from each college or university attended sent directly to the Board by the respective college or university;~~

(iii) ~~Supervised Pre-Doctoral Internship Experience Verification form as provided by the Board documenting the nature of the supervised experiences and sent directly to the Board by the doctoral program training director;~~

(iv) ~~Supervised Internship Experience Verification form as provided by the Board documenting the nature of the supervised experiences and sent directly to the Board by the internship supervisor or institution or site;~~

(v) ~~Three (3) completed Professional Experience Reference forms as provided by the Board sent directly to the Board by the reference;~~

(vi) ~~License and certification verification form as provided by the Board from all other states where applicant has been or is currently licensed or certified in any profession sent directly to the Board by the appropriate regulatory body; and~~

(vii) ~~All appropriate fees.~~

(e)(b) Temporary. A temporary license is non-renewable and limited to two (2) per applicant. Every applicant for temporary licensure shall submit: A temporary license is available to an applicant who is licensed or certified by a similar regulatory board of another state or territory of the United States or of a foreign country or province whose standards are equivalent to or higher than the requirements for licensure as a psychologist in Wyoming. A temporary licensee may offer services as a psychologist in this state for not more than thirty (30) working days in any one (1) calendar year without holding a license issued under W.S. 33-27-117. The temporary licensee shall report the nature and extent of his or her practice in this state to the board if it exceeds twenty (20) working days in any one (1) calendar year.

(i) A completed application form as provided by the Board;

(ii) License verification from a state where the applicant is currently licensed, sent directly to the Board by the appropriate regulatory body;

(iii) All appropriate fees; and

(iv) Proof of Lawful Presence in the United States.

(c) Endorsement. Applicants for a license by endorsement shall submit:

(i) A completed application form as provided by the Board;

(ii) License and certification verification from all other states where the applicant has been or is currently licensed or certified in any profession sent directly to the Board by the appropriate regulatory body;

- (iii) All appropriate fees; and
- (iv) Proof of Lawful Presence in the United States.

## **Section 2. Certificate.**

- (a) Psychological Practitioner. Every applicant for certification must submit:
  - (i) A completed application form as provided by the Board;
  - (ii) Official transcripts from each college or university attended sent directly to the Board by the respective college or university;
  - (iii) Official verification of EPPP exam scores sent directly to the Board from the exam administrator;
  - (iv) Supervised Practicum or Internship Verification form as provided by the Board documenting the nature of the supervised experiences and sent directly to the Board by the practicum or internship supervisor or institution or site;
  - (v) If applicable, Supervised Post-Degree Work Experience form as provided by the Board and sent directly to the Board by the supervisor;
  - ~~(vi) Three (3) completed Professional Experience Reference forms as provided by the Board sent directly to the Board by the reference;~~
  - ~~(vii) Request for Verification of Licensure License and/or certification verification form as provided by the Board from all other states where the applicant has been or is currently licensed or certified in any profession sent directly to the Board by the appropriate regulatory body; and~~
  - (viii) All appropriate fees; and
  - Proof of Lawful Presence in the United States.
- (b) Specialist in School Psychology. Every applicant for certification must submit:
  - (i) A completed application form as provided by the Board;
  - (ii) All appropriate fees;
  - ~~(iii) Three (3) completed Professional Experience Reference forms as provided by the Board to be sent directly to the Board by each respective source;~~
  - ~~(iv) Official transcripts from each college or university attended sent directly to the Board by the respective college or university;~~

(iv) Supervised Internship Experience verification form as provided by the Board documenting the nature of the supervised experiences and providing the names and addresses of supervisors sent directly to the Board by the internship supervisor or institution or site;

(v) Official verification of NSPE exam scores sent directly to the Board from the exam administrator;\_

(vi) Official verification of certification as a school psychologist to practice in the public schools by the Professional Teachers Standards Board sent directly to the Board by the Department board;\_

(vii) License and certification verification form as provided by the Board from all other states where the applicant has been or is currently licensed or certified in any profession sent directly to the Board by the appropriate regulatory body; and

(viii) Proof of Lawful Presence in the United States.

**Section 3. When Eligibility is Unclear.**

(a) All applications for a license or certificate will be reviewed by the Board Application Review Committee (ARC).

(b) When the ARC is unable to ascertain from the documents submitted that the applicant meets the criteria for a license or certificate, it will request from the applicant whatever additional documentation or information is necessary to enable the ARC to make that decision. The ARC may also request the applicant to appear before it to clarify issues relating to his/her qualifications.

**Section 43. Issuance of Licenses and Certificates.** The Board shall issue a wall document to each successful applicant bearing the full name of the holder, discipline designation, license or certification serial number, date of issuance, expiration date, and appropriate seal. Upon request and payment of duplicate fee, a second wall document will may be issued if the individual has a need to display the document in more than one (1) place of business.

**Section 5. Notification of Applicants and Right of Appeal.**

(a) If an applicant is aggrieved by an Application Review Committee decision, a request for hearing may be filed with the Board and should clearly specify the basis of the applicant's grievance. A request for hearing must be received by the Board no later than thirty (30) days after the notification of denial of licensure or certification was mailed to the applicant.

(b) A contested case hearing pursuant to Chapter 11 of these rules will be scheduled.

## **CHAPTER 5**

### **LICENSURE REQUIREMENTS**

**Section 1. General Requirements.** A license as a psychologist shall be issued when the applicant has provided adequate evidence to the Board that the applicant:

- (a) Has a reputation for honesty, trustworthiness, integrity and competence and;
- (b) Has met the education, supervised or professional experience, and examination requirements as described below;
- (c) Possesses a current Certificate of Professional Qualification in Psychology (CPQ) in good standing issued by ASPPB; or
- (d) Is a member of the National Register for Health Service Providers in Psychology or the American Board of Professional Psychology and licensed in good standing as a psychologist in another state, territory, or possession of the United States or a foreign jurisdiction with substantially equivalent licensing requirements to Wyoming; or
- (e) Holds a license in good standing in another jurisdiction including any state or, territory of the United States, whose requirements for licensure are equal to or exceed the requirements in Section 2 and has practiced continuously for the five (5) years immediately preceding the application for licensure.

**Section 2. Educational Requirements.** All applicants for licensure as a psychologist must possess a doctoral degree from a regionally accredited university.

- (a) The educational requirement may be met by the completion of a doctoral degree program in psychology accredited by the APA Commission on Accreditation (CoA) degree program in psychology at the time the applicant participated; or
- (b) A program that meets all of the criteria listed below:
  - (i) The doctoral degree program must include:
    - (A) A minimum of three academic years of full-time graduate study or the equivalent including at least forty semester hours, or sixty quarter hours, of graduate courses in curriculum areas described in subsection (2) of this section. Courses must be clearly identified by title and course content as being part of an integrated psychology program.
    - (B) TwoOne (1) years in residency as described in subsection (3) of this section;
    - (C) An organized, sequential and coordinated supervised professional training experience as described in Section 3.

(ii) Curriculum requirements: The applicant must demonstrate three or more semester hours, or five or more quarter hours (or their equivalent) of core study in each of the following content areas:

- (A) History and systems of psychology;
- (B) Research design and methodology;
- (C) Statistics and psychometrics;
- (D) Biological bases of behavior for example: Physiological psychology, comparative psychology, neural bases of behavior, sensation and perception, and biological bases of development;
- (E) Cognitive-affective bases of behavior for example: Learning, thinking, motivation, emotion, and cognitive development;
- (F) Social bases of behavior for example: Social psychology, organizational theory, community psychology, and social development;
- (G) Individual differences for example: Personality theory; developmental psychology, child development, adult development and aging;
- (H) Professional standards and ethics;
- (I) Cultural and individual diversity;
- (J) Psychopathology or dysfunctional behaviors;
- (K) Theories and methods of assessment and diagnosis;
- (L) Effective psychological intervention and evaluation of the efficacy of interventions; and
- (M) Consultation and supervision.

(iii) Academic Residency requirement:

(A) The doctoral degree program must involve at least twoone (1) continuous academic years of full-time physical residency at the institution that grants the degree or a minimum of 1,500 hours of student-faculty contact involving in person ~~face to face~~ individual or group educational meetings.

(B) Educational meetings:

- (I) Must include both faculty-student and student-student face-to-face interaction;
- (II) Be conducted by the psychology faculty of the institution at least seventy-five percent of the time;
- (III) Be fully documented by the institution and the applicant; and
- (IV) Relate substantially to the program components specified.

**Section 3. Foreign Graduates.** An applicant for licensure whose application is based on graduation from an institution of higher education located outside the United States and its territories shall demonstrate that the applicant's formal education is equivalent to a doctoral degree in psychology from a regionally accredited educational institution.

- (a) The Board shall find that the institution of higher education from which an applicant graduated is equivalent to a regionally accredited education institution only if the institution of higher education is included in one of the following:
  - (i) International Handbook of Universities, published for the international Association of Universities by Stockton Press, 345 Park Avenue South, 10<sup>th</sup> floor, New York, NY 10010-1708;
  - (ii) Commonwealth Universities Yearbook, published for the Association of Commonwealth Universities by John Foster House, 36 Gordon Square, London, England, WC1H OPF; or
  - (iii) Another source the Board determines provides reliable information.
- (b) The academic transcript of an applicant who graduated from an institution located outside the United States and its territories shall be translated into English and evaluated by a member organization of the National Association of Credential Evaluation Services (NACES). The applicant is responsible for paying all expenses incurred to obtain a translation and review of the academic transcript.
- (c) When the credential review is completed, the NACES member organization shall submit the review report to the Board. The Board shall review the report and determine whether the applicant's education meets the standard.
- (d) Upon written request, the Board may waive the credential review required for an applicant who graduated from a doctoral program that is accredited by the accreditation panel of the Canadian Psychological Association.
- (e) After the Board determines that the formal education of an applicant is equivalent to a doctoral degree in psychology from a regionally accredited educational institution, the

applicant shall provide evidence to the Board that they have met all other requirements for licensure.

**Section 34. Experience Requirement.** The applicant must have completed ~~three thousand~~ (3,000) hours of supervised professional experience related to the practice of psychology, in no less than two (2) years. ~~Fifteen hundred~~ (1,500) hours of supervised professional experience is equal to one (1) year. The supervised professional experience shall include a pre-doctoral internship program which, at the time the applicant participated, was accredited by the APA Commission on Accreditation, or was a member of the Association of Psychology Postdoctoral and Internship Centers (APPIC) or documented equivalent experience. Additional supervised professional experience may be accumulated from the following:

(a) Pre-internship. Pre-internship training can include up to one year (1,500 hours) of supervised professional experience in practicum, clerkship, or other training activities required in the doctoral degree program. Pre-internship training is an organized, sequential series of supervised professional experiences of increasing complexity, serving to prepare the student for internship and partially meeting requirements for licensure. Training experiences shall follow appropriate academic preparation and shall be overseen by the graduate training program. Such training shall be an extension of the student's academic coursework and not the provision of services that are not within the scope of the education received:

(i) Before beginning a pre-internship training experience, the student, the doctoral program, and the pre-internship program must agree on and document the goals for the training experience, the student's expectations for the training experience, the nature of the pre-internship experience, and how the training experience will be evaluated.

(ii) ~~Every 20 hours of pre internship experience must include the following:~~

(A) ~~At least 2 hours of regularly scheduled, formal, face to face individual supervision that addresses the direct psychological services provided by the student; and~~

(B) ~~At least 2 hours of other learning activities such as case conferences, seminars on applied issues, conducting co-therapy with a staff person including discussion of the case, and group supervision.~~

(iii) At least sixty percent (60%) of the pre-internship experience must be direct client contact providing assessment and intervention services.

(iv) The pre-internship experience must be supervised by the person(s) responsible for the assigned casework.

(A) At least seventy-five percent (75%) of the supervision must be by a licensed psychologist.

(B) Up to twenty-five percent (25%) of the supervision may be completed by the following:

(I) A psychiatrist(s) with at least three (3) years experience beyond residency;

(II) A licensed mental health counselor(s) with at least three (3) years post-license experience;

(III) A licensed marriage and family therapist(s) with at least five (5) years post-license experience;

(IV) A licensed clinical social worker(s) with at least three (3) years post-license experience; or

(b) Post-Doctoral. If two (2) years of supervised professional experience has not been completed by the end of the doctoral degree program, then up to 1,500 hours of supervised post-doctoral experience can be used to satisfy the total requirement. This experience can be satisfied by completion of:

(i) A post-doctoral training program which, at the time the applicant participated, was accredited by the APA Commission on Accreditation, or was a member of the Association of Psychology Postdoctoral and Internship Centers (APPIC); or

(ii) Post-doctoral supervised professional experience that meets the following criteria:

(A) Question of timing of submission Two hours of supervision for every forty (40) hours of supervised professional experience, one (1) hour of which is individual face to face supervision with a psychologist. Other supervision shall be provided by a psychologist or a licensed allied mental health professional.

(B) The supervisor shall have practiced for a minimum of two (2) years and shall demonstrate adequate training, competence and skill to render competently any psychological services the supervisee undertakes. The Board may evaluate the qualifications of any supervisor and take appropriate action.

(C) The supervisor shall allow the supervisee to perform only those functions for which the supervisee has training and experience.

(D) When the post doctoral work experience occurs in Wyoming, a Supervision Agreement form provided by the board shall be submitted by the supervisor to the Board specifying the nature of the supervision arrangements and the name, address and telephone number of the supervisor and supervisee. Any changes in the agreement must be submitted in writing within ten (10) days to the Board.

~~(E) The supervisor shall keep records that will verify the training and evaluation of the supervisee, including the exact nature and number of hours of supervision and the exact nature and number of hours of acceptable post-doctoral supervised professional experience.~~

~~(F)~~(B) The title “Psychological Resident” may be used only in conjunction with activities and services that are part of supervised training in order to fulfill the experience requirements for licensure.

~~(G)~~(C) The term “Psychologist” may not be used by psychological residents and their names may not appear in advertising.

~~(H) The supervisor shall ensure that the Psychological Resident inform clients in writing of the supervised nature of their work and provide the name, address and telephone number of their supervisor.~~

~~(I) The supervisor must co-sign reports and correspondence of a professional nature intended for distribution outside the office or agency, including correspondence with this Board. The holder of a provisional license is exempt from this subsection.~~

~~(J)~~(D) With the approval of the supervisor, Psychological Residents may send announcements of their supervised practice, may have business cards, and may bill directly. However, the supervisory relationship must be indicated and the supervisor’s name, address and telephone number must appear on all of these documents.

~~(K)~~(E) All applicants shall submit a completed Supervision Verification Form as provided by the Board, signed by the supervisor(s) and sent directly to the Board which attests to the nature and quality of the supervisee’s post-doctoral supervised professional experience and the satisfactory completion of that supervised professional experience by the supervisee.

~~(L) The Board may limit the number of Psychological Residents that a supervisor may reasonably supervise at any one time.~~

(iii) Any individual who obtains the post-doctoral supervised professional experience outside the State of Wyoming must demonstrate that the post-doctoral supervised professional experience was substantially equivalent to the post-doctoral supervised professional experience required in the State of Wyoming.

**Section 45. Examination Requirement.** The examination accepted by the Board to determine eligibility for licensure shall be the current EPPP.

(a) To be considered for examination, the applicant shall submit a completed application form and accompanying documentation. The applicant shall be notified in writing whether the application has been approved for examination.

(b) Every applicant for licensure must achieve a passing score of at least 70 percent (70%) or a scaled score of 500 on the examination. The examination must be passed within two (2) years of the initial notification from the Board granting permission to take the examination. Applicants who are unable to pass the examination within two (2) years must wait an additional two (2) years to reapply for licensure.

(c) In the case of applicants who are not licensed in another state, but who have taken the EPPP within a five (5) year period preceding receipt of the application for licensure, the Board may waive retaking of the examination if the applicant achieved a passing score as defined above.

(d) ~~General information pertaining to the administration of the examinations will be given to applicants.~~

(e) ~~Following approval by the ARC to take the EPPP, the applicant shall follow the instructions provided by the current exam service.~~

(f) ~~Upon receipt of passing exam scores, the candidate's application will then be presented to the ARC for further action regarding licensure.~~

**Section 5. Provisional License.** The purpose of the provisional license is to allow mental health centers in rural Wyoming to employ individuals who have had an internship and obtained the appropriate doctoral degree but have not yet completed the supervised professional experience or examination requirement.

(a) The applicant shall meet the following qualifications:

(i) ~~The applicant is to be employed full-time by a community mental health center where there is no other psychologist employed.~~

(ii) ~~The applicant has met all qualifications for licensure except for supervised professional experience and the EPPP.~~

(A) ~~The required supervised professional experience must be completed in two (2) years;~~

(B) ~~Up to twenty percent (20%) of the total documented supervision hours may be by telephone;~~

(C) ~~A psychologist with a provisional license shall receive fifty two (52) hours of supervision, per year, documented and signed by a licensed psychologist in the state of Wyoming.~~

(b) ~~The EPPP must be successfully completed prior to the completion of the supervised post-doctoral professional experience.~~

(e) The provisional license expires one (1) year from date of issuance and may be renewed for one additional year in accordance with the guidelines specified in Chapter 8.

(d) The provisional license shall terminate at the end of two years.

## **CHAPTER 6**

### **CERTIFICATION REQUIREMENTS**

#### **Section 1. Psychological Practitioner.**

(a) Certification Requirement. An individual must be certified with the Wyoming State Board of Psychology before practicing as a psychological practitioner.

(b) Education Requirements. All applicants shall have completed a minimum of forty-two (42) graduate hours in psychology, or the quarter hour equivalent, and hold a master's or doctoral degree in psychology from a college or university which was regionally accredited at the time the applicant was enrolled and graduated. In determining whether an applicant's academic program was appropriate, the board shall employ the following criteria:

(i) The program, wherever it may be housed administratively, must be clearly identified as a psychology program.

(ii) The program must be an integrated, organized sequence of study in psychology.

(iii) The psychology program must stand as a recognizable, coherent and organized entity within the institution.

(iv) There must be a clearly identified authority with primary responsibility for the core and specialty areas, whether or not the program cuts across administrative lines.

(v) There must be an identifiable psychology faculty and a psychologist formally responsible for the program.

(vi) The program must have an identifiable body of students who are matriculated in that program for a degree.

(vii) The program must specify in pertinent institutional catalogs and brochures its intent to educate and train individuals for the professional practice of psychology.

(c) Experience Requirement. Individuals may demonstrate fulfillment of the experience requirement by completion of ~~four hundred fifty~~ (450) hours of supervised practicum or internship experience, in no more than two (2) placements, with supervision provided by a licensed psychologist, in the course of obtaining the degree.

(d) Examination Requirement. The examination accepted by the Board to determine eligibility for certification shall be the current EPPP.

(i) To be considered for examination, the applicant shall submit a completed application form and accompanying documentation. The applicant shall be notified in writing whether the application has been approved for examination.

(ii) Every applicant for certification must achieve a raw score of 130 or a scaled score of 450 on the examination.

(iii) In the case of applicants who are not certified in another state, but who have taken the EPPP within a five (5) year period preceding receipt of the application for certification, the Board may waive retaking of the examination if the applicant achieved a passing score as defined by ASPPB above.

(iv) ~~Following approval by the Board to take the EPPP, the applicant shall follow the instructions provided by the current exam service.~~

(v) ~~Upon receipt of passing exam scores, the candidate's application will then be presented to the ARC for further action regarding certification.~~

(vi) A psychological practitioner certified in any other state, province, territory or possession may be eligible for certification without examination provided the requirements for such certification in such state, territory, or possession are substantially equivalent to certification requirements in Wyoming.

## **Section 2. Specialist in School Psychology.**

(a) Certification Requirement. An individual must be certified with the Wyoming State Board of Psychology before practicing as a specialist in school psychology.

(b) Any applicant who is NCSP certified, and who is certified as a School Psychologist by the Professional Teachers Standard Board in Wyoming shall be considered as having met the education, experience, and examination requirements for certification as a Specialist in School Psychology.

(c) All other applicants must meet the following criteria:

(i) Education Requirements. The applicant shall have completed a master's degree in school psychology plus thirty (30) graduate semester hours, or a higher level degree program in school psychology, with sixty (60) graduate semester hours minimum, consisting of course work, practicum, internship and culminating in a graduate degree in school psychology from an NASP accredited graduate degree program in school psychology. All other applicants must meet the current standards for graduate preparation approved by the National Association of School Psychologists (NASP) or its successor.

(ii) Internship Requirements. The applicant shall have successfully completed a ~~one thousand two hundred~~ (1,200) hour supervised internship in school psychology, of which ~~six hundred~~ (600) hours shall be in a school setting. The internship shall be recognized through

institutional documentation (transcript) and must meet the current standards for graduate preparation approved by the National Association of School Psychologists (NASP) or its successor. Internships completed prior to December 31, 1994 which meet the above requirement are accepted without institutional documentation.

(iii) Examination Requirement. The applicant must pass the NSPE. A passing score is one which equals or exceeds the cut score determined by NASP for achieving the NCSP credential at the time the applicant took the NSPE.

### **Section 3. Scope of Practice.**

(a) Psychological Practitioner. A certified psychological practitioner shall practice under the supervision of a psychologist who is qualified by scope of practice to work in the area the psychological practitioner will be.

(i) ~~Supervision of the certified psychological practitioner is the responsibility of the supervising psychologist. Such supervision shall include face to face consultation as required by the nature of the work of the psychological practitioner and which is consistent with accepted professional standards in psychology. The supervising psychologist is responsible for ensuring that the extent, kind, and quality of the services provided are consistent with the training and experience of the psychological practitioner.~~

(ii) ~~The supervising psychologist shall provide a minimum of one (1) hour of individual face to face supervision weekly with the psychological practitioner during the first five (5) years of practice (based upon twenty (20) hours of clinical work by the psychological practitioner). The amount of supervision provided shall be proportional to the amount of clinical work conducted by the psychological practitioner, based upon the formula of one (1) hour for every twenty (20) hours of documented clinical work. Additional supervision shall be provided as appropriate. Clinical issues and skills shall be the focus of supervision.~~

(iii) ~~Following five (5) years of supervised experience as a certified psychological practitioner, the required supervision by a psychologist may be reduced, as appropriate, to a minimum of weekly consultation with one (1) hour of face to face individual supervision provided on a monthly basis.~~

(iv) ~~The psychological practitioner shall submit to the Board a completed Supervision Agreement Form provided by the Board. Such arrangements must be reviewed and approved by the Board before supervision begins. Any change in the supervision plan must be reported by the psychological practitioner in writing on a Supervision Agreement Form within ten (10) days to the Board for review and approval.~~

(iv) ~~The psychological practitioner must maintain records documenting supervision contacts and must make them available to the Board for review at any time considered necessary by the Board.~~

(vi) The supervising psychologist shall maintain ultimate responsibility for the psychological activities of supervisees, the welfare of every client served by the psychological practitioner, and be fully accountable in the event that professional, ethical, or legal issues are raised.

(vii) ~~Clients shall be informed that the work of the psychological practitioner is supervised and be provided the name, address and telephone number of the supervising psychologist. The supervising psychologist shall be listed on all correspondence and billings as shall be the psychological practitioner. All reports written by the psychological practitioner must be co-signed by the supervising psychologist.~~

(viii) Irrespective of any other training which the psychological practitioner may have completed, or any other certification or licensure which the psychological practitioner may possess, or any other professional title or label he or she may claim, anyone certified as a psychological practitioner is bound by the provisions of the act and the rules of the Board in providing psychological services.

(ix) ~~A psychologist may supervise and/or employ a maximum of three (3) psychological practitioners.~~

(c) Specialist in School Psychology. A certified specialist in school psychology shall function under the supervision of a psychologist who has the appropriate training and experience to supervise individuals within the school psychology specialty scope of practice.

(i) ~~Supervision of the certified specialist in school psychology is the responsibility of the supervising psychologist. Such supervision shall include face to face consultation as required by the nature of the work of the specialist in school psychology and which is consistent with accepted professional standards in school psychology. The supervising psychologist is responsible for ensuring that the extent, kind, and quality of services provided are consistent with the training and experience of the specialist in school psychology.~~

(ii) ~~The supervising psychologist shall provide a minimum of one hour of individual face to face supervision for every twenty (20) clock hours of service delivery. Additional supervision shall be provided as appropriate.~~

(iii) ~~Following five (5) years of supervised experience as a certified specialist in school psychology, the required supervision by a psychologist may be reduced, as appropriate, to a minimum of one (1) hour of face to face individual supervision monthly.~~

(iv) ~~The specialist in school psychology shall submit to the Board a completed Supervision Agreement form provided by the Board. Such arrangements must be reviewed and approved by the Board before supervision begins. Any change in the supervision plan must be reported by the specialist in school psychology in writing on a Supervision Agreement form within ten (10) days to the Board for review and approval.~~

(v) The specialist in school psychology must maintain records documenting supervision contacts and must make them available to the Board for review at any time considered necessary by the Board.

(vi) The supervising psychologist shall maintain ultimate responsibility for the school psychological activities of supervisees, the welfare of every client served by the specialist in school psychology, and be fully accountable in the event that professional, ethical, or legal issues are raised.

(vii) Clients shall be informed that the work of the specialist in school psychology is supervised and be provided with the name, address, and telephone number of the supervising psychologist. The supervising psychologist shall be listed on all correspondence and billings as shall be the specialist in school psychology. All reports written by the specialist in school psychology shall be co-signed by the supervising psychologist.

(vi) Irrespective of any other training which the specialist in school psychology may have completed, or any other certification or licensure which the specialist in school psychology may possess, or any other professional title or label the individual may claim, anyone certified as a specialist in school psychology is bound by the provisions of the act and rules of the Board in providing school psychological services.

(ix) A psychologist may supervise and/or employ a maximum of three (3) specialists in school psychology.

## **CHAPTER 7**

### **MENTAL OR PHYSICAL IMPAIRMENT**

#### **Section 1. Determination of Mental or Physical Impairment.**

(a) If the Board has reasonable grounds to suspect that an individual licensed or certified under this act or an applicant may be using controlled substances or lacks the mental or physical capacity to practice with reasonable skill and safety to patients or clients, the Board may:

(i) Order the individual to submit to a psychological evaluation by one of three psychologists designated by the Board and selected by the individual; and

(ii) Order the individual to submit to a physical or other medical evaluation by one of three physicians designated by the Board and selected by the individual.

~~(b) The expense of such examinations shall be borne by the Board.~~

~~(e)(b)~~ Refusal of an individual or applicant to submit to such examination within a reasonable time or to release the results of such examination shall be just cause for the denial of application, refusal to renew, suspension or limitation of the individual's license or certification until such an examination is completed and the Board has made a determination of fitness to practice with reasonable skill and safety.

~~(d)(c)~~ If the Board determines that the individual in question is not qualified to practice with reasonable skill and safety, then this finding shall constitute grounds for the revocation, suspension, or limitation of the license or certification to practice or the denial of the application to practice in this jurisdiction.

~~(e)(d)~~ Any individual whose license or certification to practice is denied, revoked, suspended or otherwise limited, or applicant whose application is denied due to a finding of mental or physical impairment has a right to appeal the action of the Board pursuant to the provisions of the Administrative Procedures Act.

~~(f)(e)~~ When mental or physical capacity to practice is at issue, every individual licensed or certified to practice in this jurisdiction or any applicant shall be deemed to have consented to submit to a mental or physical examination or any combination of such examinations and to waive all objections to the admissibility of such examinations or to previously adjudicated evidence of a mental or physical impairment.

## CHAPTER 9

### FEES

#### Section 1. General Information.

(a) Fees shall be payable in the exact amount for all services and shall be paid in advance of the services rendered.

(b) All fees collected by the Board are non-refundable.

**Section 2. Fees.** Services for which the Board charges a fee include but are not limited to the following:

(a)	Application Fee:	\$275
(b)	Temporary Application and License Fee:	\$150
(c)	Initial License or Certification Pro-rated Fee by month of issuance:	
	<u>July</u>	\$200
	<u>August</u>	\$183
	<u>September</u>	\$167
	<u>October</u>	\$150
	<u>November</u>	\$133
	<u>December</u>	\$117
	<u>January</u>	\$100
	<u>February</u>	\$83
	<u>March</u>	\$67
	<u>April</u>	\$50
	<u>May</u>	\$33
	<u>June</u>	\$17
(d)	Initial Certification Fee:	\$200
(e)	Provisional License Fee:	\$200
(f)	Annual License or Certification Renewal Fee:	\$200
(g)	Annual Certification Renewal Fee:	\$200
(h)	Late Fee for License or Certification Renewal:	\$200
(i)	Official License or Certification Verification Fee:	\$15
(j)	Replacement/Duplicate Document Fee:	\$25

~~(k)(h)~~ Restoration of Expired License Fee: \$200

~~(l)(i)~~ Non-sufficient funds fee will be charged in accordance with W.S. 1-1-115

~~(k)(h)~~ Restoration of Expired License Fee: \$200

~~(l)(i)~~ Non-sufficient funds fee will be charged in accordance with W.S. 1-1-115

## CHAPTER 10

### **DISCIPLINE OR ADVERSE ACTIONS PRACTICE AND PROCEDURES FOR DISCIPLINARY, APPLICATION, AND LICENSURE MATTERS**

**Section 1. Ethics Authority.** These rules are adopted under the Board's authority granted by Wyoming Statute 33-27-116.

**Section 2. Definitions.**

(a) “ARC” means application review committee.

(b) “IC” means investigative committee.

(a) The protection of the public health, safety and welfare and the best interest of the public shall be the primary guide in determining the appropriate professional conduct of all individuals whose activities are regulated by the Board.

(b) The Ethical Principles of Psychologists and Code of Conduct as promulgated by the APA are hereby adopted and incorporated as Appendix B. Any violation of the Ethical Principles of Psychologists and Code of Conduct shall be a violation of these rules.

**Section 3. Statement of Purpose.** These Board Rules are adopted to implement the Board's authority to:

(a) Conduct investigations, hearings, and proceedings concerning:

(i) Alleged violations of the Act or the Board Rules;

(ii) Petitions for modifying conditions or restrictions imposed upon a license;

or

(iii) Actions relating to an application for a license including granting or denying.

(b) Determine and administer appropriate disciplinary action against a licensee.

(c) For the purposes of this chapter, “license” refers to any Board-issued license or certificate and “licensee” refers to any person holding a board issued license or certificate.

**Section 24. Disciplinary Sanctions/Grounds for Discipline.** The Board may deny, revoke, refuse to renew, reprimand, censure, limit the scope of practice, place on probation with or without terms, conditions or limitations or suspend licenses to practice psychology for any of the following acts or offenses take disciplinary action or refuse to issue or renew a license for any one (1) or more of the following acts or conduct:

- (a) Fraud, deception or misrepresentation in applying for a license or certificate, in taking an examination, or in rendering services;
- (b) ~~Immoral, Unprofessional or dishonorable conduct, which includes, but is not limited to, conduct which that~~ would violate the provisions of this chapter or the Act, including W.S. 33-27-120(b);
- (c) Practicing psychology in ~~such a manner as to that~~ endangers the welfare of clients or patients;
- (d) Conviction of a felony that interferes with the ability to practice psychology;
- (e)(d) Harassment, intimidation or abuse, sexual or otherwise, of a client or patient;
- (f)(e) Sexual exploitation of a client or patient as defined in W.S. 33-27-113(a)(viii);
- (g) ~~Practicing outside the areas of professional competence as established by education, training and experience;~~
- (h)(f) Malpractice or negligence in the practice of psychology;
- (i)(g) Aiding or abetting the practice of psychology by individuals not licensed or certified by the Board;
- (j)(h) Conviction of fraud in filing Medicare or Medicaid claims or in filing claims to any third-party ~~payor vendor~~;
- (k)(i) Exercising undue influence to exploit a client, patient, student or supervisee for financial or other personal advantage to the practitioner or a third party;
- (l)(j) ~~The suspension, or revocation, imposition of conditions, or any other adverse action against by another state of a the licensee's license to practice psychology in another state. A certified copy of the another state's order of suspension or revocation shall be conclusive evidence thereof of the other state's action;~~
- (m)(k) Refusal to appear before the Board after ~~having been ordered to do so in writing by receiving an order to appear from the Board, the its executive officer, or Chair of the Board chairperson;~~
- (n)(l) Making any fraudulent or untrue statement to the Board;
- (o) Violation of the Ethical Principles of Psychologists and Code of Conduct;

(p)(m) Inability to practice psychology with reasonable skill and safety to patients or clients by reason because of illness, inebriation, misuse or impairment from of drugs, narcotics, alcohol, chemicals, or any other substance, or as a result of any mental or physical condition;

(q)(n) Failure to meet the requirements for licensing or certification set forth herein in the Board's rules;

(r)(o) Revealing the content of privileged communications, except as required by an established court of law, or as stipulated in the Ethical Principles of Psychologists and Code of Conduct and as provided in W.S. 33-27-123-; or

(s)(p) Conviction of any crime or offense that reflects the inability of the practitioner to practice psychology with due regard for the health and safety of clients or patients.

(q) Practicing sexual orientation change efforts, popularly known as “conversion therapy.” For the purpose of this subsection, “sexual orientation change efforts” includes the provision of treatment, interventions, counseling, or services intended to change a person’s sexual orientation, gender identity, or gender expressions. “Sexual orientation change efforts” does not include treatment, interventions, counseling, or services provided to persons seeking to transition from one gender to another or that provide acceptance, social support, and identity exploration and development.

(r) Assisting law enforcement officers in interrogations.

## **Section 5. Application Review and Investigation Process.**

(a) Application Review. In application matters:

(i) Every application for a license, certificate, or permit issued by the Board shall be subject to investigation to determine whether the requirements set forth in the Act and Board Rules are satisfied.

(ii) If any application, including renewals, reveals any information that merits further investigation, the matter shall be assigned to an Application Review Committee (ARC).

(b) ARC Action. The ARC may recommend:

(i) A license or permit be issued, renewed, relicensed, or reinstated;

(ii) A license be issued, renewed, relicensed, or reinstated subject to conditions, restrictions, or other disciplinary action;

(iii) Approval of a settlement agreement, which may include the issuance of a license or renewal with the imposition of restrictions, conditions, reprimand, or a combination thereof; or

(iv) Denial of the application.

(c) Notice of Intent. The ARC shall notify the applicant of its intent to recommend:

(i) Issuance of a license subject to conditions, restrictions, or other disciplinary action; or

(ii) Denial of a license.

(d) The Notice of Intent shall contain:

(i) A brief description of the facts or conduct that warrant denial or issuance of a license subject to conditions, restrictions, or other disciplinary action;

(ii) A statement of the nature of the actions that warrant denial or issuance of a license subject to conditions, restrictions, or other disciplinary action and a citation to the applicable statutory provisions or Board Rules involved;

(iii) An opportunity to show compliance with all lawful requirements for retention of the license or respond within fifteen (15) days from the date of mailing; and

(iv) Notice of the right to a hearing if the licensee submits a written request to the Board office and the Board receives it within thirty (30) days of the date the ARC mailed the Notice of Intent.

(e) Applicant's Request for Hearing.

(i) The applicant may request a hearing if the ARC recommends:

(A) Approval of the license subject to conditions, restrictions, or other disciplinary action; or

(B) Denial of the application.

(ii) The applicant shall submit a written request for hearing to the Board office and the Board must receive the request within thirty (30) days of the date of the ARC mailed the Notice of Intent.

(f) Applicant's Failure to Request a Hearing. If the applicant fails to timely request a hearing of the ARC's recommendation, the Board may:

(i) Approve the ARC's recommendation without a hearing;

(ii) Set a hearing; or

(iii) Dismiss the application.

## **Section 6. Petition for Modification of Conditions or Restrictions.**

### **(a) Petition to Modify Conditions or Restrictions.**

(i) A licensee may petition the Board to modify conditions or restrictions imposed upon their license.

(ii) A licensee shall submit a petition for modification to the Board office in writing, which shall include documentation demonstrating that the licensee has complied with a previously entered Board order if applicable, that the modification is consistent with their treatment plan if applicable, and that the modification is sufficient to ensure the public is adequately protected.

(iii) A petition for modification shall be reviewed by a Disciplinary Committee (DC).

### **(b) Disciplinary Committee Recommendation.**

(i) If the DC agrees with the requested modification, the parties may file a stipulated motion with the Board.

(ii) If the DC does not agree with the requested modification, the DC shall notify the licensee of its intent to recommend denial of the petition.

### **(c) Board Consideration.**

(i) The Board shall consider the petition, the DC's recommendation, and/or a stipulated motion at its earliest convenience.

(ii) The Board may accept or reject the petition for modification.

## **Section 7. Complaint Review and Disciplinary Investigation Process.**

(a) Complaint Review. Every complaint submitted to the Board or initiated on behalf of the Board shall be investigated by a DC.

### **(b) Disciplinary Committee Action. The DC may recommend:**

(i) Dismissal of a complaint;

(ii) Dismissal of a complaint with an advisory letter;

(iii) Approval of a settlement agreement, which may include voluntary surrender, suspension, imposition of restrictions or conditions, reprimand, or other discipline, or a combination thereof;

(iv) Disciplinary action against the licensee including revocation, suspension, reprimand, restrictions or conditions, or other discipline, or a combination thereof; or

(v) Summary suspension.

### **Section 8. Voluntary Surrender.**

(a) A licensee may petition the Board, in writing, to voluntarily surrender their license in lieu of discipline.

(b) The Board shall consider the petition at its earliest convenience.

(c) The Board may consider whether the licensee is under investigation and may accept or reject the petition.

### **Section 9. Summary Suspension.**

(a) Recommendation. If the DC recommends summary suspension, the Board shall conduct an expedited proceeding to determine whether the licensee's continued practice presents a clear and imminent danger to public health, safety, or welfare.

(b) Notice of Intent to Recommend Summary Suspension.

(i) The DC shall notify the licensee of its intent to recommend summary suspension;

(ii) The Notice of Intent shall contain:

(A) Copy of the complaint; and

(B) Notice that an expedited summary suspension proceeding shall be set at the earliest opportunity a quorum of Board members may be assembled;

(c) Notice of Expedited Proceeding. Upon confirmation of the date and time of the expedited proceeding, the DC shall notify the licensee in writing of the date and time of the proceeding.

(d) Scope of Expedited Proceeding. The scope of the expedited summary suspension proceeding shall be limited to a presentation of the evidence the investigating party believes warrants summary suspension and any information the licensee may present on his or her behalf. The board shall order summary suspension if it concludes probable cause exists that the charges, if proven, would imperatively require emergency action to protect the public health, safety, or welfare. The board shall incorporate a finding to that effect in its order granting summary suspension.

### **Section 10. Formal Proceedings for Disciplinary Action**

(a) Notice of Intent to Recommend Disciplinary Action.

(i) The DC shall notify the licensee of its intent to recommend disciplinary action.

(ii) The Notice of Intent shall:

(A) Include a brief description of the facts or conduct which warrant the intended action; and

(B) Provide the licensee an opportunity to show compliance or respond to the allegations for disciplinary action within fifteen (15) days of the date of mailing.

**Section 11. Petition.** Petition. The DC shall initiate formal proceedings for disciplinary action by serving a Petition to the last known address of the licensee by regular mail at least thirty (30) days prior to the date set for hearing.

**Section 12. Notice of Hearing.**

(a) Upon receipt of a written request for hearing from an applicant or the commencement of formal proceedings for disciplinary action against a licensee, the Board shall conduct a hearing. The Board shall serve a Notice of Hearing on the applicant or licensee at least thirty (30) days prior to the hearing.

(b) Notice of Hearing. The notice of hearing shall contain:

(i) The name and last known address of the licensee;

(ii) A brief statement of the matters asserted:

(A) In application matters, the recommendation, the facts upon which the recommendation is based, and the statutory provisions or Board Rules the applicant is alleged to have violated; or

(B) In disciplinary matters, the nature of the Petition and Compliant, the facts upon which the Petition is based, and the statutory provisions or Board Rules the licensee is alleged to have violated;

(iii) The time, place, and nature of the hearing;

(iv) The legal authority and jurisdiction; and

(v) A statement indicating that failure to respond to the petition within twenty (20) days of its receipt may result in a default judgment.

**Section 13. Lawful Service.** There shall be a presumption of lawful service of a petition, notice of hearing, or any other communication required by these Board Rules if sent to the last known address of the licensee or applicant by regular mail.

**Section 14. Dismissal or Default.**

(a) The Board may dismiss an application where the applicant or the applicant's representative has not requested a hearing or appeared at a noticed hearing.

(b) The Board may enter an order of default judgment based on the allegations contained in the Petition in any case where the licensee or the licensee's representative has not answered the allegations contained in the Petition and has not appeared at a noticed hearing.

**Section 15. Contested Case.** The hearing officer shall preside over the formal contested case hearing which shall be conducted pursuant to the Wyoming Administrative Procedure Act and the Office of Administrative Hearings rules concerning contested case proceedings as referenced in Chapter 1.

**Section 16. Burden and Standard of Proof.**

(a) Application Matters. The applicant shall bear the burden to prove by a preponderance of the evidence that they meet the qualifications for licensure. The burden shall shift to the ARC to prove by clear and convincing evidence that the applicant should be denied a license. The burden shall shift back to the applicant to persuade the Board that the ARC's grounds for denial or issuance of a license subject to conditions or restrictions are insufficient.

(b) Petition for Modification Matters. The licensee shall bear the burden to prove by a preponderance of evidence that the petition for modification of conditions should be granted.

(c) Disciplinary Matters. The DC shall bear the burden to prove by clear and convincing evidence that the licensee violated the Act, Board Rules, or both.

**Section 17. Board Decision and Order.**

(a) Board Action. The Board may resolve a complaint by:

(i) Approving the recommendations of the DC or ARC;

(ii) Ruling in favor of a party on a dispositive motion;

(iii) Conducting a contested case hearing. Following the hearing and deliberation of all evidence admitted at a contested case hearing, the Board may:

(A) Issue, renew, relicense, or reinstate a license;

(B) Issue, renew, relicense, or reinstate a license with conditions, restrictions, or other disciplinary action;

(C) Deny a license, renewal, reactivation, or reinstatement.

(D) Approve or deny a petition;

(E) Dismiss the complaint or Petition;

(F) Dismiss the complaint or Petition with an advisory letter; or

(G) Impose a reprimand, conditions, restrictions, suspension, revocation, other discipline, or a combination thereof.

(b) Board Order. The Board shall issue a written decision and order. The decision and order shall be sent to the applicant, licensee, or their representatives by certified or regular mail.

### **Section 18. Appeals.**

(a) Appeals from decisions of the Board are governed by the Wyoming Administrative Procedure Act and the Wyoming Rules of Appellate Procedure.

(b) Costs of transcripts and any reasonable costs assessed by the Board regarding the record on appeal shall be borne by the party making the appeal.

## CHAPTER 11

### **APPLICATIONS, COMPLAINTS, and HEARING PROCEDURES~~REPEALED~~**

#### **Section 1. Application Review Process.**

(a) Upon receipt of a complete application, the Board Office shall forward the application to the Application Review Committee (ARC).

(b) The ARC may:

(i) Approve the application if the applicant meets all requirements, or

(ii) Forward the application to the Attorney General for review if the application raises questions as to whether denial is appropriate.

(c) If, after review, the ARC and Attorney General recommend denial of an application:

(i) A preliminary denial letter shall be sent to applicant. The letter shall:

(A) State the basis for the denial including relevant statutes and rules; and

(B) Advise the applicant of the right to request reconsideration.

(ii) If the applicant fails to request reconsideration in writing within 30 days of the date of the preliminary denial letter, the preliminary denial becomes final.

(iii) If the applicant requests reconsideration within 30 days, a reconsideration conference shall be held with the ARC, the Attorney General, and the applicant.

(iv) Following a reconsideration conference, the ARC shall either approve or deny the application.

(v) If denied, the applicant must submit a written request for a hearing, within 30 days of the date of the denial letter.

(d) Application denial hearings:

(i) An application denial hearing is a formal contested case hearing conducted pursuant to the Wyoming Administrative Procedure Act.

(ii) The hearing is to be conducted in the presence of a quorum of the board, with a hearing officer presiding.

(iii) The applicant has the burden of proving that he/she meets all requirements for the license or certificate applied for.

## **Section 2. Information and Complaints.**

(a) Information. If information concerning a possible violation of the Act or rules is received or obtained by a board member or members of the staff, the Board may, on its own motion, initiate proceedings under the Act and in accordance with the Wyoming Administrative Procedure Act. The license or certificate holder will be notified of proceedings initiated under this section.

(b) Complaint. Persons or entities other than the Board may initiate a disciplinary action against a license or certificate holder by submitting a written complaint to the Board office. Nothing in the section shall be construed to prohibit the Board or the Board's staff from filing a written complaint. The written complaint should provide as much of the following information as may be applicable:

- (i) The name, address and other contact information for the complainant;
- (ii) The name, address, place of employment, and telephone number of the license or certificate holder against whom the charges are made;
- (iii) The specific conduct alleged to constitute the violation;
- (iv) The name and address of any other witnesses; and
- (v) The signature of the complainant.

## **Section 3. Review of Written Complaint.**

(a) Written complaints shall be referred to the Discipline Committee (DC). If the DC recommends, the Board may hire an independent investigator to conduct the investigation. The license or certificate holder will be advised of the investigation, the names of the DC members, and the nature of the complaint.

- (i) The DC members shall not take part in the consideration of any contested case.
- (ii) Members of the DC shall not by this rule be barred from attending any disciplinary hearing.

**Section 4. Investigations and Board Action.** The DC shall investigate those written complaints received by the Board which merit further investigation.

(a) Upon completion of the investigation, the DC shall prepare an investigative report.

(i) The report shall include:

(A) The findings of the committee;

(B) Recommended action;

(C) A list of statutes and/or Board rules believed to have been violated;

(D) Any additional information that is relevant to the report.

(b) Upon completion of the investigation, the committee may:

(i) Send the notice required by Section 5;

(ii) Prepare and file formal petition and notice of hearing with the Board, setting the matter for a contested case hearing;

(iii) Recommend an offer of conditional terms for settlement, which may include educational courses, to the Board;

(iv) Recommend the Board dismiss the complaint.

(c) The Board may resolve a complaint at any time by:

(i) Accepting a voluntary surrender of a license or permit;

(ii) Accepting conditional terms for settlement;

(iii) Dismissal.

#### **Section 5. Service of Notice and Opportunity to Show Compliance.**

(a) Prior to commencement of a formal hearing, the DC shall give notice by mail to the license or certificate holder of the facts or conduct which warrant its intended action. The notice shall give the license or certificate holder an opportunity to show compliance with all lawful requirements for retention of the license or certificate within twenty (20) days of the mailing of the notice. Such notice shall be sent to the license or certificate holder's last known address by certified mail with return receipt requested and by first class mail.

#### **Section 6. Formal Hearing Procedures.**

(a) Formal proceedings for a hearing before the board regarding action against a license or certificate holder shall be commenced by petition and notice of hearing, served in person, or by certified mail and first class mail sent to the address last known by the Board at least thirty (30) days prior to the date set for the hearing. The petition and notice shall contain at least:

- (i) The name and address of the license or certificate holder;
- (ii) A statement, in ordinary and concise language, of the nature of the complaint filed with the Board, and the facts upon which the complaint is based, as well as the specific statute(s) or Board rules and regulations alleged to have been violated;
- (iii) The time, place, and nature of the hearing;
- (iv) That the hearing is being held pursuant to the authority provided by W.S. 33-27-120; and
- (v) The license or certificate holder shall file an Answer or Notice of Appearance, which must be received by the Board at least ten (10) working days prior to the date set for hearing or the holder will be in default.

**Section 7. Continuance.** For good cause shown, extensions and continuances may be granted or denied at the discretion of the Board or the hearing officer.

**Section 8. Default.** The Board may enter an order based on the allegations in a petition in any case where the applicant, license, or certificate holder has not answered or appeared in writing ten (10) working days before the hearing, or in any case in which the applicant, license, or certificate holder or his/her representative has not appeared at a scheduled hearing for which they had notice.

**Section 9. Hearing Officer.** The Board may appoint a hearing officer to take evidence at the hearing or the Chairperson or a Board member may serve as the hearing officer.

**Section 10. Discovery.** In all formal proceedings before the Board, discovery shall be afforded in accordance with the Wyoming Administrative Procedure Act.

### **Section 11. Subpoenas.**

(a) A Board member or the hearing officer may issue subpoenas for the attendance of witnesses and for the production of books, records, documents and other evidence, and shall have the power to administer oaths.

(b) Service of a subpoena must be made at the expense of the party applying for it and shall be made in the manner provided by law for service of subpoenas in civil actions.

### **Section 12. Witnesses.**

- (a) All persons testifying at any hearing before the Board shall be administered a standard oath or affirmation.
- (b) No testimony will be received from a witness except under oath or affirmation.
- (c) The party calling a witness shall bear the costs associated with the witness's appearance.
- (d) The Board and hearing officer shall have an opportunity to examine any witness.

#### **Section 13. Representation.**

- (a) An applicant, licensee, or certificate holder may represent him/herself or be represented by counsel, provided that such counsel is licensed to practice law in the State of Wyoming, or is associated at the hearing with one or more attorneys license to practice law in the State of Wyoming.
- (b) In any case before the Board, an appearance in person or the filing of an answer or other pleading shall constitute an appearance of record by an attorney.
- (c) A request for withdrawal from representation by an attorney shall be submitted to the Board in writing.
- (d) A representative of the Attorney General's office may present all matters in a contested case on behalf of the IC or DC.

#### **Section 14. Prehearing Conference.**

- (a) The hearing officer may direct the parties to appear before him/her to consider:
  - (i) The simplification of the issues;
  - (ii) The necessity or desirability of amending the pleadings;
  - (iii) The possibility of obtaining admissions of fact and of documents to avoid unnecessary proof;
  - (iv) Formulating procedures to govern the hearing; or
  - (v) Such other matters as may aid in the disposition of the case.
- (b) Prehearing conferences shall be conducted informally. An order will be prepared which recites the actions taken at the conference, amendments allowed, agreements of the parties, and the issues to be determined at the hearing.

**Section 15. Order of Procedure at Hearing.** The hearing will be conducted in substantially the following order:

- (a) Opening announcements are made by the hearing officer, including case name and docket number, the issue(s) to be considered, parties and counsel present, and subpoenas issued;
- (b) Witnesses should be identified and sworn;
- (c) Opening statements may be made at the discretion of the hearing officer. In cases of license denial, the applicant should go first. In disciplinary cases the DC should go first;
- (d) Presentation of Evidence. The order above will be followed with each party, the hearing officer, and the Board having the opportunity to cross-examine the witnesses. Rebuttal evidence may be presented;
- (e) Exhibits offered in evidence by the applicant, license, or certificate holder will be marked with the letters of the alphabet. Those offered by the DC will be marked numerically;
- (f) Closing arguments may be made at the discretion of the hearing officer. Time may be limited, the order of presentation is as above, and brief rebuttal time may be allowed. The hearing and the evidence are then closed, unless reopened by the hearing officer for good cause shown.

**Section 16. Decisions.**

- (a) Proposed Decisions:
  - (i) At the discretion and direction of the Board, the parties may file proposed findings of fact, conclusions of law, and order after the hearing and before the deadline announced in the hearing's closing announcements.
  - (ii) At the discretion and direction of the Board, the hearing officer shall prepare proposed findings of fact, conclusions of law, and order.
- (b) Final Decisions. Proposed decisions will be given consideration but are not binding upon the Board. All final decisions will be issued by the Board and be based exclusively upon the evidence in the record and matters officially noticed. All final decisions issued by the Board will be served to all parties by first class mail.

**Section 17. Appeals.** A Petition for Judicial Review of the Board decision may be filed in the district court in accordance with the Wyoming Rules of Appellate Procedure.

**Section 18. Transcripts.** If a Petition for Judicial Review is filed in the district court, the petitioner shall arrange the preparation and pay for the transcript of the testimony, or reimburse the Board for the cost of the transcript if previously prepared at Board expense.

## **CHAPTER 14**

### **SUPERVISION**

#### **Section 1. Applications.**

(a) Qualified supervision is required for those individuals who:

(i) Are psychological residents as defined by the Board for the practice of psychology under qualified supervision.

(ii) Are deemed by the Board, because of academic, experiential, professional, or personal background reasons or because of formal adjudication or stipulated agreement, to require supervision in the practice of psychology.

(iii) Are Psychological Practitioners or Specialists in School Psychology.

#### **Section 2. General Responsibilities in the Supervisory Arrangement.**

(a) The Board shall not assume responsibility for establishing supervisory relationships.

(b) A specific plan of supervision must be filed by the supervisor and the supervisee for approval by the Board prior to any delivery of services by the supervisee. The plan shall be individualized for the supervisee, protect the public interest, and increase and/or maintain the supervisee's level of professional skills.

(c) The plan of supervision must include the following:

(i) A clear definition of the area(s) of practice to be supervised, including the types of activities and the populations served.

(ii) The frequency and times of supervisory sessions and specific areas to be covered, i.e., individual/group psychotherapy, assessments, tests administered, etc., will be determined by the supervising Psychologist.

(iii) The plan shall be signed by both supervisor and supervisee.

(d) Exceptions or modifications to the plan shall be communicated to the Board within thirty (30) days.

(e) Should a supervisor and a supervisee have an unresolved disagreement regarding the plan of supervision, either party may initiate an appeal to the Board for resolution. For specialized areas in which the Board may lack expertise, the Board may appoint a committee of

at least two (2) experienced psychology professionals to review the matters in contention and make recommendations to the Board for the Board's decision.

(f) The supervisor shall establish and maintain a level of supervisory contact consistent with professional standards, insuring the welfare of the public, and the ethical and legal protection of the supervision process.

(g) A minimum of 1 hour of face-to-face supervision per week for supervisee licensure applicants who have not previously held a psychology license. There may be special circumstances, e.g., geographical or confirmed physical hardship, when a jurisdiction may consider a variance in the frequency of the supervision sessions while keeping with the principle of 1 hour per week for 20 hours of client or patient contact.

(h) While the Board recognizes that the number of persons supervised by a given Psychologist may vary, the Board reserves the right to require documentation by the Psychologist of the adequacy of supervision when one Psychologist is supervising multiple licensed or certified professionals or applicants for licensure. This rule does not apply to University of Wyoming faculty supervising doctoral students.

(i) The Identity and role of the supervisor should be clearly documented, with the supervisor's signature, in the clinical record of each person served. This is to notify users of the record that the case is being supervised and to acknowledge that the supervisor is aware of the supervisee's work in each case. (The Board does not require co-signature of progress notes; however, co-signature is one option for documenting supervision at the discretion of the supervisor.)

(j) The Board requires the supervisor to be reasonably aware of the professional skills, practices, ethics, and abilities of each person being supervised.

(k) Supervisors may only supervise those areas of practice in which they are competent by virtue of training and experience.

(l) A Psychologist may be disqualified by the Board as a supervisor should he/she fail to provide adequate supervision under the requirements of the Rules and Regulations of the Board.

(m) Supervising Psychologists shall be licensed for the practice of psychology and must be aware of and abide by the ethical principles and statutes pertaining to the practice of psychology in general and to supervision in particular. Supervisors have adequate training, knowledge and skill to render competently any psychological service that their supervisee undertakes. They shall not permit their supervisee to engage in any psychological practice that they cannot perform competently themselves. The supervisor has the responsibility to interrupt or terminate the supervisee's activities whenever necessary to ensure adequate training and the protection of the public. The supervisor must have at least 2 years of independent practice in the area in which they supervise to qualify as a supervisor and shall demonstrate adequate training, competence and skill to render competently any psychological services the supervisee

undertakes. The Board may evaluate the qualifications of any supervisor and take appropriate action.

(n) Supervision sessions should be documented giving dates, time spent, nature of the contact with the supervisor.

(o) The supervisor shall allow the supervisee to perform only those functions for which the supervisee has training and experience.

(p) When the post-doctoral work experience occurs in Wyoming (i.e. Psychological Resident), a Supervision Agreement form provided by the Board shall be submitted by the supervisor to the Board specifying the nature of the supervision arrangements and the name, address and telephone number of the supervisor and supervisee. Any changes in the agreement must be submitted in writing within ten (10) days to the Board.

### **Section 3. Requirements of Supervision.**

(a) Supervision of Provisional Licensure Applicants, Psychology Residents, Psychological Practitioners and specialists in School Psychology.

(i) All services provided by a provisional licensure applicant must be supervised by a qualified Psychologist, unless they are a candidate for licensure via reciprocity. The licensed Psychologist who provides supervision for the applicant will be clinically and professionally responsible for the work of the supervisee. The supervisor shall be accessible to the supervisee at any point during the supervisory relationship. The supervisor's relationship with the supervisee shall be separate from that of a consultant, who may be called in at the discretion of the applicant. The consultant will have no clinical or professional accountability for the services provided or for the welfare of the client/patient/consumer.

(ii) Public announcement of clinical services and fees, and contact with the lay or professional community shall be offered only in the name of the supervising Psychologist. Titles of applicants must clearly show their supervised status.

(iii) Users of the supervisee's services shall be informed of his/her status, and shall be given specific information about his/her qualifications and functions.

(iv) Clients/patients/consumers shall be informed that they may meet with the supervising Psychologist at their request or at the request of the service provider or the supervisor.

(v) Setting and receipt of a fee shall remain the sole responsibility of the employing agency or supervising Psychologist.

(vi) All written professional reports and communications shall be countersigned by the supervising Psychologist.

(vii) The supervisor shall establish and maintain a level of supervisory contact consistent with established professional standards, and be fully accountable in the event that professional, ethical, or legal issues are raised.

(viii) An ongoing record of supervision shall be maintained that details the types of activities in which the applicant is engaged.

(ix) Supervision Report Forms from the supervising Psychologist shall be mandatory during the period the applicant is practicing psychology without a license or if the license of the supervisee has been restricted by the Board. These reports shall be the joint responsibility of the supervisor and the supervisee. These reports shall be submitted to the Board on a quarterly basis. The Board will review these reports. Review responses shall be given to the supervisor and the supervisee as necessary to assure the Rules and Regulations of this Board are fulfilled.

(x) The supervisor shall keep records that will verify the training and evaluation of the supervisee, including the exact nature and number of hours of supervision and the exact nature and number of hours of acceptable post- doctoral supervised professional experience.

(xi) Following five (5) years of supervised experience as a certified psychological practitioner or certified specialist in school psychology, the required supervision by a psychologist may be reduced, as appropriate, to a minimum of weekly consultation with one (1) hour of face-to-face individual supervision provided on a monthly basis.

(b) Supervision of Technicians. The Psychologist shall employ ASPPB Supervision Guidelines and the guidelines for supervision outlined (on the website) in supervision of persons employed as Technicians. Failure to follow said guidelines in supervisory activities shall be considered a violation.

**Section 4. Board Review.** Failure of the supervisee or supervisor in the supervisory relationship to comply with these requirements and responsibilities shall be subject to Board review and possible disciplinary action.

## **CHAPTER 15**

### **ETHICS**

#### **Section 1. Authority and scope; violations.**

(a) The Board has the authority to promulgate these rules under Wyo. Stat. Ann. § 33-27-116(b).

(b) These rules govern the conduct of psychologists and applicants for licensure whenever they provide psychological services in any context.

(c) These rules do not supersede state or federal statutes regulating the practice of psychology.

(d) Violating any provision of this chapter constitutes unprofessional conduct and is sufficient grounds for disciplinary action.

#### **Section 2. Definitions.**

(a) “Client” means:

(i) A person who directly receives psychological services in the context of a professional psychologist-client relationship, including a child, adolescent, adult, couple, family, group, organization, community, or other populations, or other entities that receive psychological services.

(ii) An individual or entity that requests psychological services on behalf of another.

(iii) An organization that receives services directed primarily to the organization, rather than individuals associated with the organization.

(iv) An individual who has a legal guardian, including minors and legally incompetent adults, with respect to issues that directly affect the physical or emotional safety of the individual or any issues the legal guardian agrees are specifically reserved to the individual.

(b) “Confidential information” means information a client reveals or a psychologist otherwise obtains when a client has a reasonable expectation that, because of the relationship between the client and the psychologist or the circumstances under which the information is revealed or obtained, the psychologist shall not disclose the information without the client’s informed written consent.

(c) “Court order” means a written or oral communication from a judge or administrative official when such authority has been lawfully delegated to the judge or administrative official.

(d) "Licensed" means having a license issued by the Board or by another state's psychology regulator.

(e) "Professional relationship" means a mutually-agreed upon relationship between a psychologist and a client or clients for the purpose of the client or clients being provided psychological services, or obtaining the psychologist's professional expertise, or both.

(f) "Professional service" means any action a psychologist provides in the context of a professional relationship.

(g) "Supervisee" means any person who provides or trains to provide psychological services under a psychologist's license.

### **Section 3. Rules of Conduct.**

#### **(a) Competence.**

(i) Psychologists shall limit practice and supervision to their areas of competence in which they have gained proficiency through education, training, and experience.

(ii) Psychologists shall maintain competency in the areas in which they practice through continuing professional development, consultation, or other procedures, conforming with current standards of scientific and professional knowledge and the Board's rules.

(iii) Psychologists shall accurately represent their areas of competence, education, training, experience, and professional affiliations.

(iv) When developing competency in a service or technique, psychologists shall seek appropriate education and training in the new area and consult with other psychologists or relevant professionals. Psychologists shall inform clients when they are engaging in an innovative service and the known risks associated with such services.

(v) Psychologists shall recommend or refer clients to other professional, technical, or administrative resources when referral is clearly in the best interests of the client.

(vi) A psychologist shall not render a formal professional opinion about a person without direct and substantial professional contact with, or a formal assessment of, that person.

(vii) Psychologists shall maintain and retain records according to the following principles:

(A) Psychologists that render professional services to individual clients or dependents, or bill services to a third-party payor, shall maintain professional records that include:

(I) The name of the client and other pertinent identifying information;

(II) The presenting problems or reasons for providing services or diagnosis;

(III) The fee arrangement;

(IV) The date and substance of each billed or service-count contractor service;

(V) Any test results or other evaluative results and any basic test data from which test results were derived;

(VI) Notation and results of formal consultations with other providers;

(VII) Any communications through any medium;

(VIII) A copy of all testing or other evaluative reports the psychologist prepared as part of the professional relationship.

(B) Psychologists shall maintain all data entries in professional records for not less than five years after the last date that service was rendered or the records were accessed, whichever is later, or for a longer period if required by law. This includes any releases the client executes to meet the requirements of this rule.

(C) If a psychologist provides psychological services to minors, the psychologist shall maintain those records at least until the minor reaches the age of majority plus five years, or for a longer period if required by law.

(D) Psychologists shall store and dispose of records, regardless of their format or the media in which they are maintained, in such a manner as to ensure they remain confidential.

(I) Psychologists shall retain documentation of any records that are destroyed.

(II) Psychologists shall maintain the confidentiality of all records in their possession or under their control, except as otherwise provided by law or pursuant to a client's specific written or signed authorization to release the record.

(E) Psychologists shall provide for the confidential disposition of records in compliance with these rules in the event of the psychologist's retirement, incapacity, or death.

(F) Psychologists shall maintain records that shall include the type, place, and general content of supervision sessions for each person they professionally supervise for not less than five years after the last date of supervision.

(viii) Psychologists shall make arrangements for another appropriate professional or professionals to meet the emergency needs of their clients, as appropriate, during periods of their foreseeable unavailability.

(ix) Psychologists shall exercise appropriate supervision over supervisees, as set forth in Chapter 12 of these rules.

(x) Psychologists shall not delegate professional responsibilities to a person not appropriately licensed or otherwise qualified to provide such services.

(b) Multiple relationships.

(i) For purposes of these rules, “multiple relationship” means a psychologist’s previous or previous familial, social, emotional, financial, supervisory, political, administrative, or legal relationship with a client or a relevant person associated with or related to the client.

(ii) Psychologists shall take reasonable steps to ensure that if a multiple relationship occurs, it is not exploitative of a client or a relevant person associated with or related to the client.

(iii) A multiple relationship that is exploitative of a client or a relevant person associated with or related to the client is prohibited.

(iv) A multiple relationship that would not reasonably be expected to impair a psychologist’s judgment or objectivity or risk harm to a client or relevant person associated with related to the client are not prohibited.

(c) Sexual relationships.

(i) Psychologists shall not terminate professional relationships to circumvent these rules.

(ii) Psychologists shall not engage in sexual intimacies of any kind with current clients.

(iii) Psychologists shall not engage in sexual intimacies of any kind with individuals they know to be close relatives of a current client or guardians of a current client or with any other person who has a significant relationship with a current client.

(iv) Psychologists shall not accept as clients any person with whom they have engaged in sexual intimacies of any kind.

(v) For two years after the last date psychologists provided psychological services of any kind to a client, psychologists shall not engage in sexual intimacies of any kind with former clients.

(vi) For two years after the last date psychologists provided psychological services to a client, psychologists shall not engage in sexual intimacies of any kind with individuals they know to be close relatives of a former client, guardians of a former client, or anyone else who has had a significant relationship with a former client, including, but not limited to, performing an assessment or rendering counseling, psychotherapeutic, or other professional psychological services.

(vii) The prohibitions set out in subsections (v) and (vi) of these rules shall extend indefinitely if the client is vulnerable, by reason of an emotional or cognitive disorder, to exploitation or influence by the psychologist.

(viii) Psychologists shall not engage in sexual intimacies of any kind with any student, trainee, intern, or resident for whom the psychologist has, or is likely to have, evaluative authority.

(d) Impairment. Psychologists shall not undertake or continue a professional relationship with a client when the psychologist is, or the board could reasonably expect the psychologist to be, impaired due to mental, emotional, cognitive, psychological, pharmacological, substance abuse, or induced conditions. If such a condition develops after a psychologist initiates a professional relationship, the psychologist shall terminate the relationship in an appropriate manner, notify the client in writing of the termination, and assist the client in obtaining services from another professional.

(e) Client welfare.

(i) Psychologists shall obtain informed consent from clients prior to providing psychological services.

(A) Psychologists shall give a truthful, understandable, and appropriate account of the client's condition to the client or to those responsible for the client's care.

(B) Psychologists shall keep the client fully informed as to the purpose and nature of any evaluation, treatment, or other procedures, and of the client's right to freely choose regarding the services provided.

(ii) Psychologists shall terminate a professional relationship when it is reasonably clear that the client is not benefitting from the relationship, or if mutually agreed upon goals have been met, and shall prepare the client appropriately for such termination if feasible. Psychologists may terminate a professional relationship when the client or a person associated with or related to the client threatens or otherwise endangers them. When terminating professional services, psychologists shall offer to help locate alternative sources of professional services of assistance if feasible.

(iii) Psychologists shall not impose any stereotypes regarding behavior, values, or roles related to age, gender, religion, race, disability, nationality, sexual orientation, or diagnosis on any client.

(iv) Psychologists shall not induce, pressure, or coerce clients to solicit business on the psychologists' behalf.

(v) Psychologists shall refer clients to another professional when a client requests referral if feasible.

(vi) Psychologists shall not engage in any verbal or physical behavior with clients which is seductive, demeaning, harassing, or exploitative in any way.

(f) Welfare of supervisees, research participants, and students.

(i) Psychologists shall not engage in any verbal or physical behavior with supervisees which is seductive, demeaning, harassing, or exploitative in any way.

(ii) Psychologists shall not engage in any verbal or physical behavior with research participants which is seductive, demeaning, harassing, or exploitative in any way. Psychologists shall respect the dignity and protect the welfare of their research participants and shall comply with all relevant statutes and administrative rules concerning research participant treatment.

(iii) Psychologists shall not engage in any verbal or physical behavior with students that is seductive, demeaning, harassing, or exploitative in any way.

(g) Protecting client confidences.

(i) Psychologists shall safeguard confidential information they obtain in the course of their practice, teaching, research, or other professional services. Psychologists shall disclose confidential information to others only with the informed consent of their clients unless otherwise required or permitted by law or these rules.

(ii) Psychologists may disclose confidential information without the informed consent of a client when the psychologist determines that disclosure is necessary to protect against a clear and substantial risk of imminent serious harm that the client will inflict on the client themselves or on another person. Psychologists shall limit disclosure of otherwise confidential information only to those persons necessary to protect the client or the person threatened. When the client is an organization, business, or other similar entity, the psychologist shall only disclose confidential information after the psychologist has made a reasonable attempt to have any threat of harm corrected within the organization.

(iii) When more than one party has an appropriate interest in the professional services a psychologist renders, prior to rendering professional services, the psychologist shall clarify to all parties involved the psychologist's duties related to keeping client information

confidential and the psychologist's professional responsibility with respect to those services. In particular, psychologists shall clarify the psychologist's duties and responsibilities when the client is a minor or an organization, business, or other similar entity.

(iv) When a psychologist renders services to more than one client during a session, at the beginning of the professional relationship, the psychologist shall clarify to all parties involved the manner by which the psychologist will address confidential information. The psychologist shall give all parties an opportunity to discuss and accept whatever limitations to confidentiality may attach to the professional relationship.

(v) When a psychologist renders services to a legally dependent client, the psychologist shall inform the legal dependent of any limits the law imposes on the dependent's right to confidentiality with respect to their communications with the psychologist. The psychologist shall provide such information to the extent possible in language the legal dependent can understand.

(vi) Psychologists shall limit access to client records to preserve their confidentiality. Psychologists shall ensure that all persons working under their authority shall comply with requirements for confidentiality of any client records.

(vii) Psychologists shall comply with any relevant law regarding reporting child abuse or vulnerable population abuse.

(viii) When rendering professional services as part of a team, or when interacting with other appropriate professionals concerning a client's welfare, psychologists may share confidential information provided that the psychologist takes reasonable steps to inform all persons receiving confidential information about the confidential nature of the information and ensure that the persons abide by rules to maintain the information's confidentiality. Psychologists shall disclose confidential information under this subsection only to the extent necessary to render professional services.

(ix) When a psychologist uses information from otherwise confidential records for teaching, research, publication, or any other public or professional purpose, the psychologist shall ensure that the information has been redacted to prevent client identification.

(x) Psychologists shall not allow record or allow others to observe a client without the client's informed written consent.

(xi) After a psychologist terminates a professional relationship with a client or a client dies, the psychologist shall continue to treat any information regarding that client as confidential.

(h) Representation of services.

(i) Psychologists shall display their current Wyoming license to practice psychological on the premises of their professional practice site.

(ii) Psychologists shall not misrepresent their professional qualifications, either directly or by implication.

(iii) Psychologists shall not misrepresent their affiliations or the purposes or characteristics of institutions or organizations with which they are affiliated, either directly or by implication.

(iv) Psychologists shall not include false or misleading information in public statements about the professional services they offer.

(v) Psychologists shall not associate with or permit their name to be used in connection with any services or products in such a way as to misrepresent the services or products, the degree of the psychologist's responsibility for the services or products, or the nature of the psychologist's association with the services or products.

(vi) Psychologists shall correct others who misrepresent the psychologist's professional qualifications or affiliations. When a psychologist becomes aware of false or misleading public information about the psychologist or their credentials, qualifications, or services, the psychologist shall make all reasonable attempts to correct the information, including displaying corrected information in a public medium.

(i) Fees and statements.

(i) As early as feasible in a professional relationship, psychologists shall inform the person who receives psychological services and the client how the psychologist is compensated and the client is billed.

(ii) Psychologists shall not exploit clients by charging excessive fees or entering into an exploitative bartering arrangement.

(j) Assessment procedures.

(i) When a psychologist assesses a person, the result or interpretation of any assessment is confidential information.

(ii) When communicating the results of an assessment to a client or the person who receives the assessment, the psychologist shall appropriately interpret or explain the results so that the client or person may understand and make decisions based on the results.

(iii) When reporting the results of a formal assessment procedure for which norms are available, the psychologist shall report limitations in the assessment norms for the individual assessed and any relevant reservations or qualifications which affect the validity, reliability, or interpretation of the results.

(iv) Psychologists shall not reproduce or describe in publications, lectures, presentations, or any other public disclosures any psychological tests or assessment measures or devices in ways that might compromise their security.

(v) Psychologists offering an assessment procedure or automated interpretation service to other professionals shall accompany that offer with a manual or other printed material that fully describes how the procedure or service was developed, the procedure's or service's rationale, evidence that shows the procedure's or service's validity and reliability, and characteristics of the normative population. The psychologist shall explicitly state the purpose and application for which the psychologist recommends the procedure or service and identify special qualifications to administer and interpret the procedure or service properly. The psychologist shall ensure that any advertisement for the procedure or service is factual and descriptive.

(k) Violations of law.

(i) Psychologists shall not violate any applicable statute or rule regulating the practice of psychology.

(ii) Psychologists shall not use fraud, misrepresentation, or deception to:

(A) Obtain a psychology license;

(B) Take a psychology licensing examination;

(C) Assist another individual to obtain a psychology license or take a psychology licensing examination;

(D) Bill clients or third-party payors;

(E) Provide psychological services;

(F) Report the results of psychological evaluations or services; or

(G) Conduct any other activity related to the practice of psychology.

(l) Aiding unauthorized practice.

(i) Psychologists shall not aid or abet another person in misrepresenting their professional credentials or illegally engaging in the practice of psychology.

(ii) Psychologists shall not delegate professional responsibilities to a person not appropriately licensed or otherwise qualified to provide such services.

(m) Reporting suspected violations.

(i) If a psychologist has reason to believe that another person has violated the Board's rules or practice act and that the violation may reasonably be expected to harm a client, the psychologist may report such a violation to the Board. Unless otherwise required by law, the psychologist may only provide the client's name with the written consent of the client.

(ii) When a client informs a psychologist of a possible violation of the Board's rules or practice act, or when a client asks how to file a complaint with the Board, the psychologist shall inform the client of the standards of practice of psychology relevant to the violation or complaint and how to file a complaint with the Board.