



Certification Page
Regular and Emergency Rules
Revised June 2020

☒ **Emergency Rules** (Complete Sections 1-3 and 5-6)

☐ **Regular Rules**

1. General Information

a. Agency/Board Name* Mental Health Professions Board			
b. Agency/Board Address 2001 Capitol Ave, Rm 127		c. City Cheyenne	d. Zip Code 82002
e. Name of Agency Liaison Greg Searls		f. Agency Liaison Telephone Number 307-777-7788	
g. Agency Liaison Email Address greg.searls@wyo.gov			h. Adoption Date 6/25/21
i. Program Mental Health Professions Licensing Board			

Amended Program Name (if applicable):

* ☐ 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 or regular rules new as per the above description and the definition of "new" in Chapter 1 of the Rules on Rules?

☒ **No.** ☐ **Yes.** If the rules are new, please provide the Legislative Chapter Numbers and Years Enacted (e.g. 2015 Session Laws Chapter 154):

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Chapter Number: 12	Chapter Name: Application Procedure	☐ New ☒ Amended ☐ Repealed
Amended Chapter Name (if applicable):		
Chapter Number: 13	Chapter Name: Fees	☐ New ☒ Amended ☐ Repealed
Amended Chapter Name (if applicable):		
Chapter Number: 14	Chapter Name: Renewal	☐ New ☒ Amended ☐ Repealed
Amended Chapter Name (if applicable):		
Chapter Number:	Chapter Name:	☐ New ☐ Amended ☐ Repealed
Amended Chapter Name (if applicable):		
Chapter Number:	Chapter Name:	☐ New ☐ Amended ☐ Repealed
Amended Chapter Name (if applicable):		
Chapter Number:	Chapter Name:	☐ New ☐ Amended ☐ Repealed
Amended Chapter Name (if applicable):		

4. Public Notice of Intended Rulemaking

a. Notice was mailed 45 days in advance to all persons who made a timely request for advance notice. ☐ No. ☐ Yes. ☒ N/A

b. A public hearing was held on the proposed rules. ☒ No. ☐ Yes. Please complete the boxes below.

Date:	Time:	City:	Location:

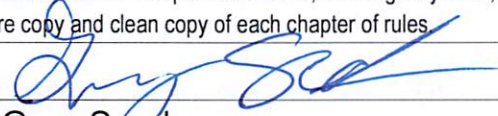
5. Checklist

a. ☐ For regular rules, the Statement of Principal Reasons is attached to this Certification 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

b. ☒ For emergency rules, the Memorandum to the Governor documenting the emergency, which requires promulgation of these rules without providing notice or an opportunity for a public hearing, is attached to this Certification.

6. Agency/Board Certification

The undersigned certifies that the foregoing information is correct. By electronically submitting the emergency or regular rules into the Wyoming Administrative Rules System, the undersigned acknowledges that the Registrar of Rules will review the rules as to form and, if approved, the electronic filing system will electronically notify the Governor's Office, Attorney General's Office, and Legislative Service Office of the approval and electronically provide them with a copy of the complete rule packet on the date approved by the Registrar of Rules. The complete rules packet includes this signed certification page; the Statement of Principal Reasons or, if emergency rules, the Memorandum to the Governor documenting the emergency; and a strike and underscore copy and clean copy of each chapter of rules.

Signature of Authorized Individual	
Printed Name of Signatory	Greg Searls
Signatory Title	Executive Director
Date of Signature	6/28/01

7. Governor's Certification

I have reviewed these rules and determined that they:

1. Are within the scope of the statutory authority delegated to the adopting agency;
2. Appear to be within the scope of the legislative purpose of the statutory authority; and, if emergency rules,
3. Are necessary and that I concur in the finding that they are an emergency.

Therefore, I approve the same.

Governor's Signature	
Date of Signature	

Wyoming Mental Health Professions Licensing Board

2001 Capitol Ave, Room 127 ♦ Cheyenne WY 82002 ♦ (307) 777-3628 ♦ Fax: (307) 777-3508

Email: WyoMHPLB@wyo.gov ♦ Web: <http://mentalhealth.wyo.gov>

To: Honorable Mark Gordon, Governor

From: Greg Searls, Executive Director
Wyoming Mental Health Professions Licensing Board

Subject: Proposed **Emergency** Rules for Chapters 12, 13, and 14
Wyoming Mental Health Professions Licensing Board

Date: June 28, 2021

Priority: **HIGH** – Signed as **soon as possible**

Summary: The Wyoming Mental Health Professions Licensing Board (Board) is proposing amendments to Chapter 12 - Application Procedure, Chapter 13 - Fees, and Chapter 14 - Renewal.

The proposed emergency ruled effectuate 2021 Sess. Laws Ch. 39, which requires the Wyoming Mental Health Professions Licensing Board to require background checks as part of the licensing and renewal process. This Act is effective July 1. Because the Act becomes effective before the Board can complete the regular rulemaking process, emergency rules are necessary to add the additional statutory background check requirement in rule.

The proposed emergency rules amend Chapter 12, Section 2 to include the necessary background check language for the initial application process. The Board is also requiring the applicant to allow continuous monitoring through the National Practitioners Data Base (NPDB) so that the Board will immediately be notified of any action taken against a Wyoming licensee by another jurisdiction. This is to help ensure the safety and wellbeing of the people of Wyoming.

The proposed rules also amend Chapter 13 to include the fees necessary to complete the background check and NPDB query and that those fees are required to complete an application to the Board.

The proposed rules amend Chapter 14, Sections 3, 5, and 6 to include the necessary background check language for the other renewal processes and NPDB Query.

Agency Contact Name: Greg Searls

Agency Contact Phone: 307-777-7788

Agency Contact Email: greg.searls@wyo.gov



Chapter 12

Application Procedure

Emergency rules are in effect no longer than 120 days after filing with the Registrar of Rules.

Section 1. Class of License and Certification.

(a) A separate and distinct license or certification shall be issued for each of the following disciplines:

- (i) Certified Addictions Practitioner (CAP)
- (ii) Certified Addictions Practitioner Assistant (CAPA)
- (iii) Certified Mental Health Worker (CMHW)
- (iv) Certified Social Worker (CSW)
- (v) Licensed Addictions Therapist (LAT)
- (vi) Licensed Clinical Social Worker (LCSW)
- (vii) Licensed Marriage and Family Therapist (LMFT)
- (viii) Licensed Professional Counselor (LPC)
- (ix) Provisional Addictions Therapist (PAT)
- (x) Provisional Clinical Social Worker (PCSW)
- (xi) Provisional Marriage and Family Therapist (PMFT)
- (xii) Provisional Professional Counselor (PPC)

(b) Initial licenses and certifications shall expire on the licensee's or certificate holder's birth date immediately following the second anniversary of the issue date. Thereafter, upon renewal, the license or certification shall be valid for two (2) years.

(c) Additional licenses and certifications issued to the same individual shall expire on the same date as the initial license or certification held by that individual. Thereafter, upon renewal, the license or certification shall be valid for two (2) years.

(d) An applicant shall clearly indicate the specific license or certification desired. An applicant who seeks licensure or certification in more than one discipline shall submit separate applications, appropriate fees and documentation for each license or certification sought.

(e) The Board shall not make any determination regarding an applicant's eligibility for license or certification status prior to receiving a completed application, fee, and all supporting documents.

Section 2. General Application Procedures. An individual is considered an applicant once he or she has submitted the following:

(a) A complete official application form accompanied by the application fee and appropriate proof of legal presence in the U.S.

(b) Official transcripts from all colleges and universities attended.

(c) A certificate of professional qualification in the discipline from a national credentials bank, approved by the Board, may be accepted by the Board for license by reciprocity. The Board may require the applicant to submit such supplemental information as it deems necessary to assure that the applicant meets the qualifications for licensure.

(d) All documents submitted in support of the application shall contain signature and be submitted directly to the office of the Board from the respondent and not forwarded through the applicant.

(e) Fingerprints and other information necessary for a criminal history record background check as required by Wyoming Statute 33-38-105 (j).

(f) The applicant acknowledges through submission of an application and fee the Board may perform an ongoing query of their licensure through the National Practitioners Data Base.

(g) Completion of all requirements for licensure or certification shall be documented within one (1) year of the date the application is received by the Board, otherwise the application will be deemed expired. If an application expires, an applicant shall be required to submit a new application including the payment of the required fees.

Section 3. Application for Licensure by Examination. In addition to the documents required in Section 2 of this chapter, the designated qualified clinical supervisor(s) of the applicant shall submit complete Verification and Evaluation of Supervised Experience forms within thirty (30) days of the conclusion of supervision.

Section 4. Application for Licensure by Reciprocity. The applicant shall request verification of licensure in good standing from jurisdictions where the applicant holds or has held a license in any mental health discipline. Additionally, the applicant shall submit official transcripts from all colleges and universities required by the application as well as verification

that the applicant has achieved a passing score on an accepted examination for the license. The Board may rely upon the documentation and verified data gathered and stored by not for profit organizations which share in the public protection mission of this Board including, but not limited, to Association of Social Work Boards.

Section 5. Application for Certification by Examination. In addition to the documents required in section 2 of this chapter, the designated qualified clinical supervisor of the applicant shall submit a complete supervision agreement.

Section 6. Application for Certification by Reciprocity. The applicant shall request verification of certification in good standing from jurisdictions where the applicant holds or has held a certification in any mental health discipline. Additionally, the applicant shall submit official transcripts from all colleges and universities required by the application as well as verification that the applicant has achieved a passing score on an accepted examination for the certification. The board may rely upon the documentation and verified data gathered and stored by not for profit organizations which share in the public protection mission of this board including, but not limited, to Association of Social Work Boards.

Section 7. Issuance of License or Certification. The Board shall issue a wall certificate to the successful applicant bearing the full name of the holder, discipline designation, license or certification number, date of issuance, expiration date, and appropriate seal. The board may rely upon the documentation and verified data gathered and stored by not for profit organizations which share in the public protection mission of this board including, but not limited, to Association of Social Work Boards.

Section 8. Change of Name, Address or Telephone Number.

(a) Licensees and certificate holders shall register with the Board any change in their legal name, shall submit documentation demonstrating the change of name, appropriate fee and shall surrender the old wall certificate and a new wall certificate shall be issued by the Board.

(b) Each applicant, licensee and certificate holders shall file with the Board their current home and professional mailing addresses and telephone numbers and shall report to the Board in writing any change of addresses or telephone numbers, giving both old and new addresses and telephone numbers. A change in employment requires a revised disclosure statement.

(c) All changes shall be reported to the Board office within thirty (30) days of the change.

Section 9. Correction and Amendment. Any applicant, licensee or certificate holder may clarify erroneous, inaccurate or misleading information in their file by submitting a written statement to the Board which will be placed in their file.

Chapter 13

Fees

Emergency rules are in effect no longer than 120 days after filing with the Registrar of Rules.

Section 1. Fees. This fee schedule is adopted by the Board pursuant to W.S. 33-1-201.

(a) Application Fees:

- (i) Licensure by reciprocity \$350.00 per discipline
- (ii) Licensure by examination \$350.00 per discipline
- (iii) Licensure by completing provisional \$200.00 per discipline
- (iv) Certification by reciprocity \$300.00 per discipline
- (v) Certification by examination \$300.00 per discipline
- (vi) Provisional License \$150.00 per discipline

(b) Renewal Fees:

(i) License \$125.00 for the initial discipline and \$75.00 for every additional discipline.

(ii) Certification \$100.00 per discipline

(c) Re-Licensure Fee \$350.00 per discipline

(d) Re-Certification Fee \$300.00 per discipline

(e) Re-Instatement of license or certificate \$200.00 per discipline

(f) Non-sufficient Funds Fee: in accordance with W.S. 1-1-115

(g) Verification Fee: \$30.00 payable by cashier's check or money order only.

(h) Background Check Fee \$39.00 - required with initial application and renewal every 4 years.

(i) NPDB Fee \$4.00 - required with initial application and each renewal.

Section 2. Refunds. All fees collected by the Board are non-refundable.

Section 3. Applications Unaccompanied by Fees. No application shall be considered by the Board unless accompanied by all fees.

Section 4. Duplicate or Replacement Certificate and Pocket Card. Duplicate or replacement wall certificates and pocket cards may be issued by the Board. All requests for duplicate or replacement certificates shall be in writing and shall be accompanied by a \$20.00 fee for each duplicate or replacement. All requests for duplicate or replacement pocket cards shall be in writing and shall be accompanied by a \$10.00 fee for each duplicate or replacement.

Section 5. Requests for Roster of Licensees and Certificate Holders. The roster of current licensees and certificate holders shall be updated at least annually and made available electronically at no charge.

Chapter 14

Renewal

Emergency rules are in effect no longer than 120 days after filing with the Registrar of Rules.

Section 1. Statement of Purpose. These Board rules are adopted to implement the Board's authority to establish and enforce the requirements for applications for renewal, relicensure, and reinstatement of licenses.

Section 2. Definitions. Terms used in this section are defined as follows:

- (a) "Applicant" means a licensee or former licensee.
- (b) "ARC" means Application Review Committee which shall be comprised of one (1) or two (2) Board members or other individuals with assistance from a representative of the Attorney General's Office.
- (c) "Contact hour" means the actual number of hours during which instruction was received. A contact hour shall consist of not less than fifty (50) minutes of actual instruction or presentation. For academic courses, one (1) semester credit equals fifteen (15) contact hours. One (1) quarter credit equals ten (10) contact hours.
- (d) "CE" means continuing education contact hours used to complete coursework or classes that have significant intellectual or practical content, and the primary objective shall be to increase the participant's competence within each licensed or certified discipline. The scope of practice for each discipline in these rules and regulations shall be used as a basis of what knowledge and skills are acceptable to the Board as continuing education activities.
- (e) "License" means a license or certificate.

Section 3. Renewal of License.

- (a) Initial Licensure. An initial license shall be valid for a minimum of two (2) years and shall expire on the licensee's birthday immediately following that two (2) year period. If the licensee desires to continue to practice, the licensee shall seek renewal of their license.
- (b) Renewal Period and Expiration Date. A renewed license shall be valid for two (2) years. A license shall expire on a licensee's birthday at the end of that renewal period.
- (c) Renewal Procedure. A licensee shall seek renewal every two (2) years on or before their birthday. A licensee seeking renewal shall submit:
 - (i) A completed renewal application and payment of fee; and

(ii) Evidence of completion of forty-five (45) contact hours of CE that comply with Section 4.

(d) Renewal applications shall not be accepted if:

(i) Submitted more than one hundred twenty (120) days prior to the expiration date;

(ii) Received by the Board office which are postmarked after the expiration date or after the next business day in cases when the expiration date falls on a weekend or holiday; or

(iii) Electronically submitted after 11:59 p.m. on the expiration date.

(e) Fingerprints. Beginning July 1, 2021 applicants shall submit fingerprints and other information necessary for a criminal history record background check as required by Wyoming Statute 33-38-105(j) (2).

(f) The applicant acknowledges through submission of an application and fee the Board may perform an ongoing query of their licensure through the National Practitioners Data Base.

(g) Failure to Timely Renew. If a licensee fails to timely renew their license, then the license shall expire and the licensee shall not practice until appropriately licensed.

Section 4. Continuing Education Requirements.

(a) Renewal Period. CE shall be obtained during the current renewal period.

(b) Specific CE Requirements.

(i) Licensees shall complete at least three (3) contact hours of CE activities in each of the following:

(A) Professional ethics; and

(B) Suicide assessment or intervention.

(I) The requirement for suicide assessment or intervention shall not apply to renewals submitted prior to January 1, 2020.

(c) A licensee holding a LAT, CAP, or CAPA license shall complete at least fifteen (15) contact hours of CE in addictions specific topics.

(d) Earning CE. CE may be earned as follows:

- (i) Successful completion of college courses;
- (ii) Successful completion of continuing education classes or online courses;
- (iii) CE credit will be allowed for presenting at venues designed to increase other mental health professionals' knowledge base.

(A) One (1) hour of credit shall be allowed for each hour of presentation, up to a maximum of six (6) hours during each renewal period. Credit may be received only once for a particular presentation topic;

(B) Licensees employed by universities and colleges may not claim credit units for conducting courses that are a part of the regular course offering of those institutions, even if those courses are offered in the evening or summer, or for individuals enrolled in a degree program or vocational or technical schools; and

(iv) Attending a meeting of the Board. One (1) hour of credit will be allowed for each hour of attendance, up to a maximum of three (3) contact hours of CE during the renewal period.

(e) Record Keeping. Licensees and certificate holders shall be responsible for maintaining records used to support continuing education claimed on an application for two (2) years from the date of submitted for renewal. Copies shall be requested by the Board if the licensee is randomly selected for audit.

(i) Licensees shall maintain records used to support CE claimed on a renewal application for two (2) years. A licensee shall provide documentation upon request of the Board.

(ii) Proof of attendance shall contain the activity title, dates, contact hours attended, presenter, the name of the licensee, and shall be signed by the sponsor or the presenter.

(f) Compliance and Application Review Committee Review of Continuing Education.

(i) Every application shall be subject to audit verification for CE compliance. The ARC shall review an applicant's claimed CE and documentation.

(ii) The ARC shall send a Notice of Deficiency to an applicant if:

(A) An applicant is unable to provide satisfactory documentary evidence of compliance with this section, or

(B) ARC does not approve CE units or credits claimed by the applicant.

(iii) Within thirty (30) days from the date of the Notice of Deficiency, the applicant shall submit:

(A) Satisfactory documentary evidence of CE to correct the deficiency;

or

(B) A written request for the Board to review the ARC's denial of claimed CE units or credits.

(iv) If the applicant does not provide satisfactory documentary evidence or request Board review, the application shall be dismissed.

(v) CE earned and submitted in response to the Notice of Deficiency shall not be used to demonstrate competency in the next renewal.

(g) Exemptions. An applicant may seek an exemption from all or part of the CE requirements. The applicant shall submit a petition to the Board demonstrating just cause for exemption. Just cause may include:

(i) Being called to active duty in the armed forces of the United States for a period of time exceeding one hundred and eighty (180) or more consecutive days in any calendar year; or

(ii) Experiencing a physical disability, illness or other disabling situation exceeding one hundred and eighty (180) or more consecutive days in any calendar year.

(iii) The number of hours exempted shall be in proportion to the length of deployment, disability or situation.

Section 5. Retired Status.

(a) Eligibility. A licensee may seek retired status if they are no longer receiving any remuneration from providing any of the services regulated by this Act.

(b) Application Procedure. A licensee seeking retired status shall submit a completed retirement application and pay for a replacement wall certificate.

(c) CE Exemption. While a license is retired, the licensee shall be exempt from the CE requirement for renewal of the license.

(d) Wall Certificate. A replacement wall certificate shall be issued identifying the licensee as retired. The licensee shall return the original wall certificate to the Board Office.

(e) Fingerprints. Beginning July 1, 2021 applicants shall submit fingerprints and other information necessary for a criminal history record background check as required by W.S. 33-38-105(j) (2).

(f) The applicant acknowledges through submission of an application and fee the Board may perform an ongoing query of their licensure through the National Practitioners Data Base.

(g) **Reactivation.** A retired licensee may return to active practice by completing forty-five (45) contact hours of CE within the two (2) years immediately preceding re-application, submitting a professional disclosure statement, and paying the full renewal fee for the remainder of the current license period.

Section 6. Relicensure.

(a) **Eligibility.** An applicant may seek relicensure if the application failed to timely renew their license or allowed the license to expire and has not held an active license in another jurisdiction.

(b) **Relicensure Procedure.** An applicant seeking relicensure shall submit:

(i) Completed relicensure application and payment of fees; and

(ii) Evidence of completion of forty-five (45) contact hours of CE that comply with Section 4 within the two (2) years immediately preceding the application for relicensure; or

(iii) If the license has been expired for more than five (5) years, then applicant shall retake and successfully pass the proper examination.

(iv) Fingerprints and other information necessary for a criminal history record background check as required by W.S. 7-19-201(a)(xxx).

(v) The applicant acknowledges through submission of an application and fee the Board may perform an ongoing query of their licensure through the National Practitioners Data Base.

(c) Certified Mental Health Workers shall not be eligible for relicensure.

Section 7. Reinstatement.

(a) **Eligibility.** An applicant may seek reinstatement if the license has been revoked, surrendered, suspended, conditioned, or restricted.

(b) **Reinstatement Procedure.** An applicant seeking reinstatement shall submit:

(i) A completed reinstatement applicant and payment of fees;

(ii) Evidence of meeting requirements of the previous Board's order or correcting the conduct underlying the Board's order that demonstrates the applicant's ability to

safely, skillfully, and competently practice; and

(iii) Evidence of completion of twenty (20) contact hours of CE that comply with Section 4 for each year since the applicant's last renewal, if applicable.

Chapter 12

Application Procedure

Emergency rules are in effect no longer than 120 days after filing with the Registrar of Rules.

Section 1. Class of License and Certification.

(a) A separate and distinct license or certification shall be issued for each of the following disciplines:

- (i) Certified Addictions Practitioner (CAP)
- (ii) Certified Addictions Practitioner Assistant (CAPA)
- (iii) Certified Mental Health Worker (CMHW)
- (iv) Certified Social Worker (CSW)
- (v) Licensed Addictions Therapist (LAT)
- (vi) Licensed Clinical Social Worker (LCSW)
- (vii) Licensed Marriage and Family Therapist (LMFT)
- (viii) Licensed Professional Counselor (LPC)
- (ix) Provisional Addictions Therapist (PAT)
- (x) Provisional Clinical Social Worker (PCSW)
- (xi) Provisional Marriage and Family Therapist (PMFT)
- (xii) Provisional Professional Counselor (PPC)

(b) Initial licenses and certifications shall expire on the licensee's or certificate holder's birth date immediately following the second anniversary of the issue date. Thereafter, upon renewal, the license or certification shall be valid for two (2) years.

(c) Additional licenses and certifications issued to the same individual shall expire on the same date as the initial license or certification held by that individual. Thereafter, upon renewal, the license or certification shall be valid for two (2) years.

(d) An applicant shall clearly indicate the specific license or certification desired. An applicant who seeks licensure or certification in more than one discipline shall submit separate applications, appropriate fees and documentation for each license or certification sought.

(e) The Board shall not make any determination regarding an applicant's eligibility for license or certification status prior to receiving a completed application, fee, and all supporting documents.

Section 2. General Application Procedures. An individual is considered an applicant once he or she has submitted the following:

(a) A complete official application form accompanied by the application fee and appropriate proof of legal presence in the U.S.

(b) Official transcripts from all colleges and universities attended.

(c) A certificate of professional qualification in the discipline from a national credentials bank, approved by the Board, may be accepted by the Board for license by reciprocity. The Board may require the applicant to submit such supplemental information as it deems necessary to assure that the applicant meets the qualifications for licensure.

(d) All documents submitted in support of the application shall contain signature and be submitted directly to the office of the Board from the respondent and not forwarded through the applicant.

(e) Fingerprints and other information necessary for a criminal history record background check as required by Wyoming Statute 33-38-105 (j).

(f) The applicant acknowledges through submission of an application and fee the Board may perform an ongoing query of their licensure through the National Practitioners Data Base.

(ge) Completion of all requirements for licensure or certification shall be documented within one (1) year of the date the application is received by the Board, otherwise the application will be deemed expired. If an application expires, an applicant shall be required to submit a new application including the payment of the required fees.

Section 3. Application for Licensure by Examination. In addition to the documents required in Section 2 of this chapter, the designated qualified clinical supervisor(s) of the applicant shall submit complete Verification and Evaluation of Supervised Experience forms within thirty (30) days of the conclusion of supervision.

Section 4. Application for Licensure by Reciprocity. The applicant shall request verification of licensure in good standing from jurisdictions where the applicant holds or has held a license in any mental health discipline. Additionally, the applicant shall submit official transcripts from all colleges and universities required by the application as well as verification

that the applicant has achieved a passing score on an accepted examination for the license. The Board may rely upon the documentation and verified data gathered and stored by not for profit organizations which share in the public protection mission of this Board including, but not limited, to Association of Social Work Boards.

Section 5. Application for Certification by Examination. In addition to the documents required in section 2 of this chapter, the designated qualified clinical supervisor of the applicant shall submit a complete supervision agreement.

Section 6. Application for Certification by Reciprocity. The applicant shall request verification of certification in good standing from jurisdictions where the applicant holds or has held a certification in any mental health discipline. Additionally, the applicant shall submit official transcripts from all colleges and universities required by the application as well as verification that the applicant has achieved a passing score on an accepted examination for the certification. The board may rely upon the documentation and verified data gathered and stored by not for profit organizations which share in the public protection mission of this board including, but not limited, to Association of Social Work Boards.

Section 7. Issuance of License or Certification. The Board shall issue a wall certificate to the successful applicant bearing the full name of the holder, discipline designation, license or certification number, date of issuance, expiration date, and appropriate seal. The board may rely upon the documentation and verified data gathered and stored by not for profit organizations which share in the public protection mission of this board including, but not limited, to Association of Social Work Boards.

Section 8. Change of Name, Address or Telephone Number.

(a) Licensees and certificate holders shall register with the Board any change in their legal name, shall submit documentation demonstrating the change of name, appropriate fee and shall surrender the old wall certificate and a new wall certificate shall be issued by the Board.

(b) Each applicant, licensee and certificate holders shall file with the Board their current home and professional mailing addresses and telephone numbers and shall report to the Board in writing any change of addresses or telephone numbers, giving both old and new addresses and telephone numbers. A change in employment requires a revised disclosure statement.

(c) All changes shall be reported to the Board office within thirty (30) days of the change.

Section 9. Correction and Amendment. Any applicant, licensee or certificate holder may clarify erroneous, inaccurate or misleading information in their file by submitting a written statement to the Board which will be placed in their file.

Chapter 13

Fees

Emergency rules are in effect no longer than 120 days after filing with the Registrar of Rules.

Section 1. Fees. This fee schedule is adopted by the Board pursuant to W.S. 33-1-201.

(a) Application Fees:

- (i) Licensure by reciprocity \$350.00 per discipline
- (ii) Licensure by examination \$350.00 per discipline
- (iii) Licensure by completing provisional \$200.00 per discipline
- (iv) Certification by reciprocity \$300.00 per discipline
- (v) Certification by examination \$300.00 per discipline
- (vi) Provisional License \$150.00 per discipline

(b) Renewal Fees:

(i) License \$125.00 for the initial discipline and \$75.00 for every additional discipline.

(ii) Certification \$100.00 per discipline

(c) Re-Licensure Fee \$350.00 per discipline

(d) Re-Certification Fee \$300.00 per discipline

(e) Re-Instatement of license or certificate \$200.00 per discipline

(f) Non-sufficient Funds Fee: in accordance with W.S. 1-1-115

(g) Verification Fee: \$30.00 payable by cashier's check or money order only.

(h) Background Check Fee \$39.00 - required with initial application and renewal every 4 years.

(i) NPDB Fee \$4.00 - required with initial application and each renewal.

Section 2. Refunds. All fees collected by the Board are non-refundable.

Section 3. Applications Unaccompanied by Fees. No application shall be considered by the Board unless accompanied by ~~the application fee~~ all fees.

Section 4. Duplicate or Replacement Certificate and Pocket Card. Duplicate or replacement wall certificates and pocket cards may be issued by the Board. All requests for duplicate or replacement certificates shall be in writing and shall be accompanied by a \$20.00 fee for each duplicate or replacement. All requests for duplicate or replacement pocket cards shall be in writing and shall be accompanied by a \$10.00 fee for each duplicate or replacement.

Section 5. Requests for Roster of Licensees and Certificate Holders. The roster of current licensees and certificate holders shall be updated at least annually and made available electronically at no charge.

Chapter 14

Renewal

Emergency rules are in effect no longer than 120 days after filing with the Registrar of Rules.

Section 1. Statement of Purpose. These Board rules are adopted to implement the Board's authority to establish and enforce the requirements for applications for renewal, relicensure, and reinstatement of licenses.

Section 2. Definitions. Terms used in this section are defined as follows:

- (a) "Applicant" means a licensee or former licensee.
- (b) "ARC" means Application Review Committee which shall be comprised of one (1) or two (2) Board members or other individuals with assistance from a representative of the Attorney General's Office.
- (c) "Contact hour" means the actual number of hours during which instruction was received. A contact hour shall consist of not less than fifty (50) minutes of actual instruction or presentation. For academic courses, one (1) semester credit equals fifteen (15) contact hours. One (1) quarter credit equals ten (10) contact hours.
- (d) "CE" means continuing education contact hours used to complete coursework or classes that have significant intellectual or practical content, and the primary objective shall be to increase the participant's competence within each licensed or certified discipline. The scope of practice for each discipline in these rules and regulations shall be used as a basis of what knowledge and skills are acceptable to the Board as continuing education activities.
- (e) "License" means a license or certificate.

Section 3. Renewal of License.

- (a) Initial Licensure. An initial license shall be valid for a minimum of two (2) years and shall expire on the licensee's birthday immediately following that two (2) year period. If the licensee desires to continue to practice, the licensee shall seek renewal of their license.
- (b) Renewal Period and Expiration Date. A renewed license shall be valid for two (2) years. A license shall expire on a licensee's birthday at the end of that renewal period.
- (c) Renewal Procedure. A licensee shall seek renewal every two (2) years on or before their birthday. A licensee seeking renewal shall submit:
 - (i) A completed renewal application and payment of fee; and

(ii) Evidence of completion of forty-five (45) contact hours of CE that comply with Section 4.

(d) Renewal applications shall not be accepted if:

(i) Submitted more than one hundred twenty (120) days prior to the expiration date;

(ii) Received by the Board office which are postmarked after the expiration date or after the next business day in cases when the expiration date falls on a weekend or holiday; or

(iii) Electronically submitted after 11:59 p.m. on the expiration date.

(e) Fingerprints. Beginning July 1, 2021 applicants shall submit fingerprints and other information necessary for a criminal history record background check as required by Wyoming Statute 33-38-105(j) (2).

(f) The applicant acknowledges through submission of an application and fee the Board may perform an ongoing query of their licensure through the National Practitioners Data Base.

(eg) Failure to Timely Renew. If a licensee fails to timely renew their license, then the license shall expire and the licensee shall not practice until appropriately licensed.

Section 4. Continuing Education Requirements.

(a) Renewal Period. CE shall be obtained during the current renewal period.

(b) Specific CE Requirements.

(i) Licensees shall complete at least three (3) contact hours of CE activities in each of the following:

(A) Professional ethics; and

(B) Suicide assessment or intervention.

(I) The requirement for suicide assessment or intervention shall not apply to renewals submitted prior to January 1, 2020.

(c) A licensee holding a LAT, CAP, or CAPA license shall complete at least fifteen (15) contact hours of CE in addictions specific topics.

(d) Earning CE. CE may be earned as follows:

- (i) Successful completion of college courses;
- (ii) Successful completion of continuing education classes or online courses;
- (iii) CE credit will be allowed for presenting at venues designed to increase other mental health professionals' knowledge base.

(A) One (1) hour of credit shall be allowed for each hour of presentation, up to a maximum of six (6) hours during each renewal period. Credit may be received only once for a particular presentation topic;

(B) Licensees employed by universities and colleges may not claim credit units for conducting courses that are a part of the regular course offering of those institutions, even if those courses are offered in the evening or summer, or for individuals enrolled in a degree program or vocational or technical schools; and

(iv) Attending a meeting of the Board. One (1) hour of credit will be allowed for each hour of attendance, up to a maximum of three (3) contact hours of CE during the renewal period.

(e) Record Keeping. Licensees and certificate holders shall be responsible for maintaining records used to support continuing education claimed on an application for two (2) years from the date of submitted for renewal. Copies shall be requested by the Board if the licensee is randomly selected for audit.

(i) Licensees shall maintain records used to support CE claimed on a renewal application for two (2) years. A licensee shall provide documentation upon request of the Board.

(ii) Proof of attendance shall contain the activity title, dates, contact hours attended, presenter, the name of the licensee, and shall be signed by the sponsor or the presenter.

(f) Compliance and Application Review Committee Review of Continuing Education.

(i) Every application shall be subject to audit verification for CE compliance. The ARC shall review an applicant's claimed CE and documentation.

(ii) The ARC shall send a Notice of Deficiency to an applicant if:

(A) An applicant is unable to provide satisfactory documentary evidence of compliance with this section, or

(B) ARC does not approve CE units or credits claimed by the applicant.

(iii) Within thirty (30) days from the date of the Notice of Deficiency, the applicant shall submit:

(A) Satisfactory documentary evidence of CE to correct the deficiency;

or

(B) A written request for the Board to review the ARC's denial of claimed CE units or credits.

(iv) If the applicant does not provide satisfactory documentary evidence or request Board review, the application shall be dismissed.

(v) CE earned and submitted in response to the Notice of Deficiency shall not be used to demonstrate competency in the next renewal.

(g) Exemptions. An applicant may seek an exemption from all or part of the CE requirements. The applicant shall submit a petition to the Board demonstrating just cause for exemption. Just cause may include:

(i) Being called to active duty in the armed forces of the United States for a period of time exceeding one hundred and eighty (180) or more consecutive days in any calendar year; or

(ii) Experiencing a physical disability, illness or other disabling situation exceeding one hundred and eighty (180) or more consecutive days in any calendar year.

(iii) The number of hours exempted shall be in proportion to the length of deployment, disability or situation.

Section 5. Retired Status.

(a) Eligibility. A licensee may seek retired status if they are no longer receiving any remuneration from providing any of the services regulated by this Act.

(b) Application Procedure. A licensee seeking retired status shall submit a completed retirement application and pay for a replacement wall certificate.

(c) CE Exemption. While a license is retired, the licensee shall be exempt from the CE requirement for renewal of the license.

(d) Wall Certificate. A replacement wall certificate shall be issued identifying the licensee as retired. The licensee shall return the original wall certificate to the Board Office.

(e) Fingerprints. Beginning July 1, 2021 applicants shall submit fingerprints and other information necessary for a criminal history record background check as required by W.S. 33-38-105(j) (2).

(f) The applicant acknowledges through submission of an application and fee the Board may perform an ongoing query of their licensure through the National Practitioners Data Base.

(ge) **Reactivation.** A retired licensee may return to active practice by completing forty-five (45) contact hours of CE within the two (2) years immediately preceding re-application, submitting a professional disclosure statement, and paying the full renewal fee for the remainder of the current license period.

Section 6. Relicensure.

(a) **Eligibility.** An applicant may seek relicensure if the application failed to timely renew their license or allowed the license to expire and has not held an active license in another jurisdiction.

(b) **Relicensure Procedure.** An applicant seeking relicensure shall submit:

(i) Completed relicensure application and payment of fees; and

(ii) Evidence of completion of forty-five (45) contact hours of CE that comply with Section 4 within the two (2) years immediately preceding the application for relicensure; or

(iii) If the license has been expired for more than five (5) years, then applicant shall retake and successfully pass the proper examination.

(iv) Fingerprints and other information necessary for a criminal history record background check as required by W.S. 7-19-201(a)(xxx).

(v) The applicant acknowledges through submission of an application and fee the Board may perform an ongoing query of their licensure through the National Practitioners Data Base.

(c) Certified Mental Health Workers shall not be eligible for relicensure.

Section 7. Reinstatement.

(a) **Eligibility.** An applicant may seek reinstatement if the license has been revoked, surrendered, suspended, conditioned, or restricted.

(b) **Reinstatement Procedure.** An applicant seeking reinstatement shall submit:

(i) A completed reinstatement applicant and payment of fees;

(ii) Evidence of meeting requirements of the previous Board's order or correcting the conduct underlying the Board's order that demonstrates the applicant's ability to

safely, skillfully, and competently practice; and

(iii) Evidence of completion of twenty (20) contact hours of CE that comply with Section 4 for each year since the applicant's last renewal, if applicable.