

Secretary of State
NOTICE OF PROPOSED RULEMAKING
A Statement of Need and Fiscal Impact accompanies this form.

BOARD OF PSYCHOLOGIST EXAMINERS

858

Agency

Administrative Rules Chapter Number

Debra Orman McHugh

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Rules Coordinator

Address

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RULE CAPTION

Modifies educational requirements for licensure and application procedures; adds licensure by endorsement; modifies investigation procedures.

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

RULEMAKING ACTION

AMEND: 858-010-0001, 858-010-0010, 858-010-0011, 858-010-0012, 858-010-0013, 858-010-0015, 858-010-0016, 858-010-0017, 858-010-0020, 858-010-0025, 858-010-0030, 858-010-0036, 858-010-0037, 858-010-0038, 858-010-0039 and 858-030-0005.

REPEAL: 858-020-0065 and 858-020-0095.

Stat. Auth.: ORS 675.010 - 675.150

Other Auth.:

Stats. Implemented: ORS 675.030, 675.065 & 675.110

RULE SUMMARY

Defines "practicum" and clarifies practicum experience requirement. Modifies the educational requirements for licensure for applicants who possess a doctoral degree from a program accredited by the American Psychological Association or the Canadian Psychological Association. Removes requirement that doctoral degree program must have authorization to operate in Oregon by the Office of Degree Authorization. Modifies and makes corrections to the standard application procedure. Removes the "non-standard" application procedure and replaces it with "Licensure by Endorsement." Creates new application procedures for applicants licensed as a psychologist in another jurisdiction. Removes incorrect references to "clinical" titles. Establishes that complete applications will be archived two years after approval. Establishes that a third failed Examination for Professional Practice (EPPP) in Psychology will result in application denial. Adds provision for refund of the jurisprudence exam fee in extraordinary circumstances. Repeals the complaint disposition procedures of 858-020-0065 and 858-020-0095. Also includes various minor housekeeping items.

The agency requests public comment on whether the options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

May 22, 2012 by close of business.

Last Day for Public Comment (Last day to submit written comments to the Rules Coordinator)

// Debra Orman McHugh

Debra Orman McHugh

April 5, 2012

Signature

Printed name

Date

Secretary of State
STATEMENT OF NEED AND FISCAL IMPACT
A Notice of Proposed Rulemaking Hearing accompanies this form.

BOARD OF PSYCHOLOGIST EXAMINERS

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In the Matter of: The amendment of OAR 858-010-0001, 858-010-0010, 858-010-0011, 858-010-0012, 858-010-0013, 858-010-0015, 858-010-0016, 858-010-0017, 858-010-0020, 858-010-0025, 858-010-0030, 858-010-0036, 858-010-0037, 858-010-0038, 858-010-0039 and 858-030-0005; and the repeal of OAR 858-020-0065 and 858-020-0095.

Rule Caption: Modifies educational requirements for licensure and application procedures; adds licensure by endorsement; modifies investigation procedures.

Stat. Auth.: ORS 675.010 - 675.150

Other Auth.:

Stats. Implemented: ORS 675.030, 675.065 & 675.110

Need for the Rule(s): Recent amendments in the rules regarding educational requirements for licensure resulted in unintended consequences such as effectively barring from licensure many highly qualified applicants, including those who have maintained psychologist licensure in other jurisdictions and applicants possessing doctoral degrees from programs accredited by the American Psychological Association or the Canadian Psychological Association. The proposed rules make various corrections to the educational requirements and application procedures which remove these barriers to licensure, as well as other necessary clarifications to the Board's procedural rules. The Board determined that establishing deadlines and limitations for candidates for licensure was necessary to encourage the candidates to complete the licensure process and avoid lingering application files. The Board is currently prohibited from refunding the jurisprudence exam fee, and determined that the need may arise in extraordinary circumstances. The Board determined that the complaint disposition procedures of 858-020-0065 and 858-020-0095 were unnecessary repetitions of the complaint processing procedures of ORS 676.160-.180 and Board's authority to take enforcement action under ORS 675.070, 675.085 and 675.100; these procedures implied artificial constraints on the Board's discretion.

Documents Relied Upon, and where they are available: OAR Chapter 858, Divisions 10, 20 & 30; available on the OBPE website at www.oregon.gov/OBPE/laws_rules.shtml.

Fiscal and Economic Impact: Changes have minimal or no fiscal impact.

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)): Changes have minimal or no fiscal impact. Additional workload resulting from implementation will be absorbed by current staff.
2. Cost of compliance effect on small business (ORS 183.336): None. There are no businesses subject to these rules.
 - a. Estimate the number of small businesses and types of business and industries with small businesses subject to the rule: None.

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services: None.

c. Equipment, supplies, labor and increased administration required for compliance: None.

How were small businesses involved in the development of this rule?: Small businesses were not involved.

Administrative Rule Advisory Committee consulted?: No.

If not, why?: These amendments are mainly corrective in purpose, uncomplicated in nature, and have negligible projected fiscal impact on stakeholders. The Board did not determine that an advisory committee would be of assistance in rule development.

// Debra Orman McHugh

Debra Orman McHugh

April 5, 2012

Signature

Printed name

Date