

**Administrative Rules
of the
Board of Psychological Examiners
Effective: November 19, 2012**

Table of Contents
(not a part of the Adopted Rules)

Part 1 General Information about the Board

- 1.1 The Board's Purpose
- 1.2 Business Location
- 1.3 Information Sources
- 1.4 Regular, Special, and Emergency Meetings
- 1.5 Laws that Govern the Board
- 1.6 The Rules
- 1.7 Need for a License
- 1.8 Temporary License
- 1.9 Emergency License
- 1.10 School Psychologists
- 1.11 Definitions

Part 2 Doctoral Level Licensure

- 2.1 Routes to Licensure
- 2.2 Licensure by Examination
- 2.3 Degree Requirement
- 2.4 Other Acceptable Degree Programs - Accreditation
- 2.5 Other Acceptable Degree Programs - Structure
- 2.6 Courses Required from "other acceptable degree programs" - approval
- 2.7 Interpretation
- 2.8 Documentation
- 2.9 Permitted Supplementation
- 2.10 Examination
- 2.11 Recent Examination Required - Effective July 1, 2014
- 2.12 Examination Report
- 2.13 Retaking the Examination
- 2.14 Supervised Practice
- 2.15 Exceptional Cases
- 2.16 Vermont Licensure Based on License from Another Jurisdiction
- 2.17 Licensure by Endorsement
- 2.18 Vermont Licensure Based on Current Diplomate Status
- 2.19 Vermont Licensure Based on Certification Programs
- 2.20 Reserved
- 2.21 Reserved
- 2.22 Change to Doctoral Level Licensure from Master's Level Licensure
- 2.23 Jurisprudence Examination

Part Master's Degree Level Licensure

- 3.1 Routes to Licensure
- 3.2 Licensure by Examination
- 3.3 Degree Requirement

- 3.4 Equivalent Programs
- 3.5 Equivalence Determinations
- 3.6 Documentation Needed
- 3.7 Courses Required for Licensure for Applicants Whose Degrees Are Approved under Rules 3.4 - 3.6 above
- 3.8 Permitted Supplementation
- 3.9 Interpretation
- 3.10 Examination
- 3.11 Recent Examination Required - Effective July 1, 2014
- 3.12 Examination Score Report
- 3.13 Re-taking the Examination
- 3.14 Supervised Practice
- 3.15 Licensure by Endorsement

Part 4 Post Graduate Degree: Supervised Practice for Applicants for Licensure

- 4.1 Explanation
- 4.2 Mandatory Registration for Supervised Practice in Vermont
- 4.3 Failure to Register, Penalties
- 4.4 Supervisor Prerequisites
- 4.5 Supervisor Responsibilities
- 4.6 Nature of Supervision
- 4.7 Situations Limiting Supervision
- 4.8 Identification of Those in Supervised Practice
- 4.9 Number of Supervisors Required
- 4.10 Type and Frequency of Supervision
- 4.11 Part Time Clinical Practice
- 4.12 Supervised Practice - Completion Time
- 4.13 Insufficient Supervision
- 4.14 Limits on Supervised Hours
- 4.15 Board Jurisdiction
- 4.16 Documentation of Supervision
- 4.17 Supervision Reports
- 4.18 Applicant's Summary of Supervised Experience

Part 5 Application Process

- 5.1 Application
- 5.2 Applications Expire
- 5.3 Approval to Sit for Examination
- 5.4 Procedure for Procession Applications
- 5.5 Right to a Written Decision
- 5.6 Right to Appeal

Part 6 Information for Licensed Psychologists

- 6.1 Change of Name or Address
- 6.2 Complete Title
- 6.3 Code of Ethics
- 6.4 Telepractice
- 6.5 Medication Recommendations to Prescribing Providers
- 6.6 Duty to Warn
- 6.7 Responsibility to Cooperate with Investigations
- 6.8 Disclosure of Information

Part 7 License Renewal and Reinstatement

- 7.1 Renewing Licenses Biennially
- 7.2 Late Renewal of a License
- 7.3 Lapses of Five Years or More

Part 8 Continuing Education

- 8.1 Continuing Education Renewal Requirements
- 8.2 Exemption
- 8.3 Content Goals and Requirements
- 8.4 Acceptable Continuing Educational Activities
- 8.5 Large Group Activities and Formal Presentations
- 8.6 Small Group Activities
- 8.7 Small Group Activities - Documentation
- 8.8 Individual Activities
- 8.9 Documentation
- 8.10 Forms
- 8.11 Pre-Approved Programs and Providers
- 8.12 Retention of Continuing Education Records
- 8.13 Compliance Audits

Part 9 Discipline

- 9.1 Compliant Procedure

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Administrative Rules of the Board of Psychological Examiners

Effective: November 19, 2012

Part 1 General Information about the Board

1.1 The Board's Purpose The Board of Psychological Examiners (referred to as "the Board" in this Rule) has been created and given certain powers by Vermont law. Its purpose is to protect the public health, safety, and welfare. It does this by setting standards, licensing applicants, and regulating licensed psychologists and psychological trainees and their practices.

1.2 Business Location The business location of the Board is the Office of the Secretary of State, Office of Professional Regulation, National Life Bldg., North, Fl. 2, Montpelier, VT 05620-3402, (the Office). The mailing address is Board of Psychological Examiners, Office of Secretary of State, Office of Professional Regulation, National Life Building, North Fl.2, Montpelier VT 05620-3402. The telephone number is (802) 828 - 1505.

1.3 Information sources Copies of these rules and more information about the Board and its requirements and procedures are available by contacting the Office or through the OPR website at <http://vtprofessionals.org>. Practitioners and applicants should periodically consult the website for matters of interest to the profession.

1.4 Regular, Special, and Emergency meetings

(a) The Board is required to hold at least two regular meetings a year, although it usually meets more often, as dictated by the volume of business to be conducted. If necessary, the Chair or any two members may call a special or emergency meeting.

(b) Three members of the Board constitute a quorum for all meetings. The Board may not take any formal action at any meeting unless a majority of the members present vote in favor of the action.

(c) Meeting dates and locations may be obtained from the Office. Notice of meetings may usually be found online at <http://vtprofessionals.org>.

1.5 Laws that Govern the Board

(a) The Board is governed by Title 26, Chapter 55 of the Vermont Statutes Annotated that establishes its responsibilities for setting standards, issuing licenses, and regulating the profession. Board powers are also conferred by subchapter III of Chapter 5 of Title 3 "Professional Regulation," the statutes creating and governing the Office of Professional Regulation (3 V.S.A. §§ 121-131).

(b) In addition, the Board is obligated to comply with several other state laws, including the Administrative Procedure Act (3 V.S.A. §§ 801-849); and the "Vermont Open Meeting Law" (1 V.S.A. §§ 311-314), and the "Public Records Law" (1 V.S.A. §§ 315-320). In contested cases, the Board follows the Vermont Rules of Evidence, as amended by the Administrative Procedure Act. These laws spell out the rights of an applicant, licensed psychologist, or member of the public. The complete text of these laws may be read at a town clerk's office or library, which should have a set of the Vermont Statutes Annotated. "The Vermont Statutes Online" are also available on the Internet at <http://www.leg.state.vt.us/statutesMain.cfm>.

1.6 The Rules The Board is authorized to make these rules by 26 V.S.A. § 3009a. These rules were approved by the Vermont Legislative Committee on Administrative Rules before adoption and are presumed valid. These rules have the force of law. 3 V.S.A. § 845(a). Violation of these rules can be unprofessional conduct. 3 V.S.A. § 129a(a)(3).

1.7 Need for a License 26 V.S.A. § 3002 states: "(a) A person who is not licensed under the Act shall not engage in the practice of psychology. (b) A person who is not licensed under the Act shall not use the title 'psychologist' or any title which contains that word."

1.8 Temporary License A person licensed with no disciplinary history and in good standing to practice psychology in another United States or Canadian jurisdiction may apply to the Board for a temporary license to practice in Vermont for no more than 10 days or 80 hours in any 12-month period. Information about temporary licenses and associated fees may be obtained from the Office. No applicant may be issued more than two temporary licenses.

1.9 Emergency License The Board may issue temporary emergency licenses during a declared state of emergency. The psychologist issued a temporary emergency license must be currently licensed, in good standing, and not subject to disciplinary proceedings in any other United States or Canadian jurisdiction. The temporary emergency license shall authorize the holder to practice in Vermont until the termination of the declared state of emergency or 90 days, whichever occurs first, as long as the licensee remains in good standing. There is no fee for an emergency licensure under this rule.

1.10 School Psychologists School psychologists are licensed by the Vermont Department of Education. A school psychologist who practices outside of his or her scope of school psychology practice may be considered to be engaged in the unauthorized practice of psychology and be subject to administrative penalties, civil action, and criminal prosecution.

1.11 Definitions Unless otherwise indicated, all words and phrases used in these rules have the same meaning as the terms defined in 26 V.S.A. Chapter 55. As used in these rules:

- (a) "APA" means the American Psychological Association.
 - (b) "CAMPP" means the Council of Applied Master's Programs in Psychology.
 - (c) "Disciplinary history" means disciplinary action resulting in a finding of unprofessional conduct.
 - (d) "Good standing" means that the professional holds a current, unrestricted license.
 - (e) "Jurisprudence Examination" means the examination of Vermont Statutes and Board Administrative Rules regarding the regulation of psychologists given by the Board as part of the registration and licensure process.
 - (f) "National Register" means the National Register of Health Service Providers in Psychology.
 - (g) "The Office" or "Office" means the Office of Professional Regulation.
 - (h) "Supervised practice" means pre or post degree clinical work that is supervised by a licensed psychologist who is familiar with the nature of the trainee's clinical activities and who monitors the quality of the work and contributes to the enhancement of the trainee's knowledge of self and of clinical work.
 - (i) "Unprofessional Conduct" means conduct defined by statute for which an applicant or licensee may be held accountable.
 - (j) "V.S.A." means the Vermont Statutes Annotated, the authorized compilation of Vermont legislative enactments.
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Part 2 Doctoral Level Licensure

2.1 Routes to Licensure

- (a) There are five ways to become licensed in Vermont as a psychologist at the doctoral level.
 - (1) **Examination:** An applicant may apply on the basis of education, licensing examination, and supervision;
 - (2) **Endorsement:** An applicant who is licensed in another jurisdiction may seek licensure on the basis of that license or certification.
 - (3) **Diplomate status;**
 - (4) **Certification from individual certification program; and**
 - (5) **"Up-grade" from master's level licensure.**
- (b) **Statutes and rules examination** All applicants must successfully complete the Board's jurisprudence (statutes and rules) examination before a license will be issued.

2.2 Licensure by Examination

To be eligible for licensure by examination, an applicant must:

- (a) have attained the age of 18 years;

- (b) hold a doctoral degree in psychology as defined below;
- (c) successfully complete the examinations specified below;
- (d) have completed 4,000 hours of supervised practice, of which no fewer than 2,000 hours were completed after the doctoral degree in psychology was received; and
- (e) complete the Board's jurisprudence examination.

2.3 Degree Requirement An applicant must hold a doctoral degree in psychology from:

- (a) a professional psychology training program regionally accredited by a body approved by the Council on Postsecondary Accreditation and the United States Office of Education, or
- (b) a Canadian institution which is a member of the Association of Universities and Colleges of Canada, and is
- (c) a doctoral program designated by the Joint Designation Committee of the Association of State and Provincial Psychology Boards and the National Register of Health Service Providers in Psychology; or
- (d) a doctoral program accredited by the American Psychological Association or the Canadian Psychological Association; or
- (e) "other acceptable degree programs" as defined below.

2.4 Other Acceptable Degree Programs - Accreditation A doctoral degree from a program, other than the ones specified in subsections (a) through (d) of Rule 2.3 must be:

- (a) from an American institution regionally accredited by a body approved by the Council on Postsecondary Accreditation and the United States Office of Education and meet the requirements of Rule 2.6 below; or
- (b) from a Canadian institution which is a member of the Association of Universities and Colleges of Canada, and meet the requirements of Rule 2.6 below; or
- (c) from a institution outside the United States or Canada whose educational requirements are equivalent to the standards of a professional psychology training program as defined by these rules; and,
 - (1) The institution must be accredited by the respective official organization having such authority.
 - (2) The Board will evaluate an applicant's academic credentials after the Board receives a report from a Board-approved credentials evaluation service.
 - (A) Applicants should consult the Board's Web page or contact the Board for a current list of acceptable services.
 - (B) Applicants are responsible for the costs of this evaluation.

2.5 Other Acceptable Degree Programs - Structure A doctoral degree from a program other than the ones specified in subsections (a) through (d) of Rule 2.3 must, in the sole determination of the Board, be:

- (a) from a program that:

- (1) wherever it may be administratively housed, is clearly identified and labeled as a psychology program;
- (2) has an identifiable psychology faculty and a licensed psychologist responsible for the program;
- (3) is directed and taught predominantly by psychologists;
- (4) offers both training in the practice of psychology and a degree in psychology;
- (5) is specified in pertinent institutional catalogs and brochures that it is intended to educate and train professional psychologists in the area of psychology; and,

(b) the degree must be based on substantial course work that is primarily psychological in nature, meaning courses which:

- (1) are taught in the Department of Psychology or by an instructor with a graduate degree in psychology or with psychological training and experience appropriate to the content of the course;
- (2) include a review of the scholarly literature in the particular area of psychology involved; that is, a review of psychological theory, research methods, and applications, as distinguished from practice and field experience; and
- (3) are psychological in content, as distinguished from courses which ordinarily are the subject matter of another discipline that may incidentally draw on psychological theory or research.

(c) To qualify for consideration under this rule, degrees from programs, including acceptable foreign degree programs, must require a minimum of 400 hours in program and clinical courses, exclusive of internship, to be in person on campus.

2.6 Courses required from “other acceptable degree programs”- approval To be eligible for licensure an applicant must have successfully completed the following. An applicant whose degree does not meet these requirements may supplement as set forth in Rule 2.9.

(a) Assessment 9 credit hours

(1) Assessment refers to psychological theory, research, and methods concerning the measurement and assessment of an individual’s behavioral or psychological functioning. This section must include 3 credit hours of general foundation course(s) providing a general overview of the subject area. General foundation courses may include, but are not limited to:

- (A) Psychological Testing/Assessment;
- (B) Intellectual (Cognitive) Assessment;
- (C) Personality Testing/Assessment; and
- (D) Introduction to Psychometrics.

(2) Assessment course(s) may cover areas such as the assessment of psychopathology, personality characteristics, intellectual functioning, skills and interests, and neuropsychological functioning. Assessment courses may include, but are not limited to:

- (A) Specialized courses:
 - (i) Projective Testing;
 - (ii) Neuropsychological Testing;
 - (iii) Diagnostic Interviewing;
 - (iv) Minnesota Multiphasic Personality Inventory (MMPI); and
 - (v) Tests and Measurements.

(b) Intervention 9 credit hours. Intervention courses relate to psychological theory, research, and methods concerning the remediation, treatment, or prevention of behavior disorders, adjustment problems, and psychopathology, or other disturbances in psychological functioning. Examples of relevant courses may include, but are not limited to the following:

- (1) Cognitive Psychotherapy;

- (2) Family Therapy;
- (3) Group Therapy;
- (4) Psychoanalytic/Psychodynamic Therapy;
- (5) Community Psychology;
- (6) Prevention of Psychopathology.

(c) Psychopathology 9 credit hours.

(1) Psychopathology courses relate to psychological theory, research, and methods concerning the descriptive characteristics, diagnosis, and etiology of psychopathology, or mental and behavioral disorders of children and adults. This section must include 3 credit hours of foundation course(s) providing a general overview of the subject area. General foundation courses may include, but are not limited to:

- (A) Advanced Abnormal Psychology;
- (B) Child Psychopathology;
- (C) Adult Psychopathology;
- (D) DSM (Diagnostic and Statistical Manual of Mental Disorders) / ICD (International Classification of Diseases);

(2) Examples of relevant specialized courses in psychopathology may include, but are not limited to the following:

- (A) Mood Disorders;
- (B) Substance Abuse;
- (C) Eating Disorders;
- (D) Mental Retardation; and
- (E) Attention Deficit Hyperactivity Disorder (ADHD).

(d) Statistical Methods (Statistics or Research Methodology) 3 credit hours; and

(e) Professional Ethics 3 credit hours.

2.7 Interpretation In determining whether an applicant's training program has met course distribution requirements, the Board will accept a course as fulfilling the requirement of one area only. The Board will not accept subdivision of the credit hours of a course into two or more areas.

2.8 Documentation Applicants bear the responsibility to submit to the Board official or primary source documentation. This documentation permits the Board to determine whether an applicant's degree and education meet the requirements of these rules.

2.9 Permitted Supplementation Applicants whose transcripts show that they have not met all the requirements of Rule 2.6 may supplement their education as set forth herein.

(a) A doctoral degree in psychology which has not met all the requirements set forth in sections (a) - (e) of Rule 2.6 may be supplemented by up to six (6) hours of course work.

(b) No more than three credit hours of course work may be taken to supplement the requirements of any one section. Example: An applicant cannot take 2 courses (six hours) in intervention to supplement courses lacking in that category.

(c) Supplemented courses must be taken from a program meeting the requirements of Rule 2.6(a)-(e).

(d) Undergraduate courses and work experiences may not be substituted for course work under this section.

2.10 Examination Applicants must successfully complete the Examination for Professional Practice in Psychology (EPPP), prepared by the Association of State and Provincial Psychology Boards (ASPPB), or other examination(s) approved by the Board and made known through its website in advance. See, Application Process for timing of the examination. More information about the examination is available from the Office or by accessing the Board's Web page at <http://vtprofessionals.org/opr1/psychologists/>.

2.11 Recent Examination Required - Effective July 1, 2014 Applicants who have not previously been licensed must successfully complete the EPPP or other examination approved by the Board within 3 years of applying for licensure.

2.12 Examination Report

(a) The passing score is set by the ASPPB who reports the score to the Board.

(b) The Board will tell an applicant whether he or she successfully completed the examination.

2.13 Retaking the Examination Unsuccessful candidates may retake the examination as permitted by the examination provider.

2.14 Supervised Practice

(a) The post doctoral degree supervised practice may not be completed in less than one (1) year.

(b) The specific supervised practice requirements are contained in Part 4 of these rules.

2.15 Exceptional Cases The Board may waive the education, experience, or examination requirement in exceptional cases when the applicant demonstrates appropriate qualification. Only one of the three requirements may be waived. In general, this section applies to individuals who by reason of research, teaching, or practice are nationally or internationally recognized as exceptional; that is, those individuals who, in the sole judgment of the Board, are generally recognized by the profession at large as having made a major contribution to the practice of psychology. In all other instances, success or failure in attaining a license shall depend on meeting the requirements of these rules and not on any waiver of educational or other requirements.

2.16 Vermont Licensure Based on License from Another Jurisdiction Psychologists licensed in another United States or Canadian Jurisdiction may be eligible for licensure in Vermont as set forth in the following rules.

2.17 Licensure by Endorsement

(a) Applicants who are licensed doctoral level psychologists in good standing in another jurisdiction in the United States or Canada may be licensed in Vermont upon showing that the jurisdiction's current licensing requirements are substantially equivalent to Vermont's. In determining substantial equivalence of supervised practice requirements, the Board will consider a state whose standards require no fewer than 1,500 hours of post-degree supervised practice to be substantially equivalent.

2.18 Vermont Licensure Based on Current Diplomate Status Applicants licensed in another United States or Canadian jurisdiction who demonstrate that they are diplomates in good standing in one of the academies of the American Board of Professional Psychology (ABPP) may be granted a license.

2.19 Vermont Licensure Based on Certification Programs Applicants licensed in another United States or Canadian jurisdiction who present evidence of professional qualification from an individual certification program acceptable to the Board may be granted a license. Applicants may contact the Board by accessing

its Web page for a list of acceptable individual certification programs.

2.20 Reserved

2.21 Reserved

2.22 Change to Doctoral Level Licensure from Master's Level Licensure

(a) A psychologist currently licensed by this Board as a psychologist-master, who has since earned a doctoral degree in psychology from a doctoral program meeting the requirements of these rules, may be eligible to upgrade the license to a psychologist-doctorate. To do so, the licensee must file a new application and submit certified copies of transcripts.

(b) Note: Licensees who change their level of licensure from the master's to doctoral level in this manner may not meet licensure requirements of other jurisdictions.

2.23 Jurisprudence Examination Applicants who have not taken the jurisprudence examination to become registered for Vermont supervised practice or for licensure at the master's level must also successfully complete the jurisprudence examination.

Part 3 Master's Degree Level Licensure

3.1 Routes to Licensure There are two ways to become licensed in Vermont as a psychologist at the master's level:

(a) **Examination** An applicant may apply on the basis of education, licensing examination, and supervision; or

(b) **Endorsement** An applicant who is licensed in another jurisdiction may seek licensure on the basis of that license or certification.

3.2 Licensure by Examination To become licensed at the master's level an applicant must:

(a) be at least 18 years of age;

(b) hold a master's degree in psychology (26 V.S.A. § 3011a(a)(3)(B)) as defined below;

(c) successfully complete the examinations specified in the rules that follow;

(d) have completed 4,000 hours of supervised practice, of which no fewer than 2,000 hours were completed after the master's degree in psychology was received; and

(e) complete the Board's jurisprudence examination.

3.3 Degree Requirement Applicants must possess a master's degree in psychology obtained through a professional psychology training program awarded by an institution of higher education. To qualify under this rule, the psychology training program must be offered by a full member of the Council of Applied Master's Programs in Psychology (CAMPP).

3.4 Equivalent Programs The Board may grant a master's level license to an applicant who has received a master's degree which is determined by the Board to be equivalent to that described in Rule 3.3 above.

3.5 Equivalence Determinations To be considered equivalent the degree must be from a university, professional school, or other institution of higher learning that:

(a) in the United States, is regionally accredited by bodies approved by the Council on Postsecondary Accreditation and the United States Office of Education;

(b) in Canada, holds a membership in the Association of Universities and Colleges of Canada; or

(c) in other countries, has educational requirements equivalent to the standards as defined by these rules; and

1) The institution must be accredited by the respective official organization having such authority.

(2) The Board will evaluate an applicant's academic credentials after the Board receives a report from a Board-approved credentials evaluation service.

(A) Applicants should consult the Board's Web page or contact the Board for current list of acceptable services.

(B) Applicants are responsible for the costs of this evaluation.

(d) In addition, the graduate training program must be a planned program of study which reflects an integration of the science and practice of psychology and includes courses in assessment, intervention, psychopathology, statistical methods, and professional ethics, as well as a supervised practicum and internship; and

(e) the program:

(1) wherever it may be administratively housed, is clearly identified and labeled as a Psychology program;

(2) has an identifiable psychology faculty and a licensed psychologist responsible for the program;

(3) is directed and taught predominantly by psychologists;

(4) offers both training in the practice of Psychology and a degree in Psychology; and,

(5) is specified in pertinent institutional catalogs and brochures that it is intended to educate and train professional psychologists in the area of Psychology; and,

(f) the degree is based on substantial course work that is primarily psychological in nature, meaning courses which:

(1) are taught in the Department of Psychology or by an instructor with a graduate degree in Psychology or with psychological training and experience appropriate to the content of the course;

(2) include a review of the scholarly literature in the particular area of Psychology involved; that is, a review of psychological theory, research methods, and applications, as distinguished from practice and field experience;

(3) are psychological in content, as distinguished from courses which ordinarily are the subject matter of another discipline that may incidentally draw on psychological theory or research; and

(4) the program is the equivalent to two years of full time academic study, no fewer than sixty (60) credit hours; and

(g) To qualify for consideration under this rule, degrees from programs, including acceptable foreign degree programs, must require a minimum of 275 hours in program and clinical courses, exclusive of internship, to be in person on campus..

3.6 Documentation Needed Applicants bear the responsibility to submit to the Board official or primary source documentation. This documentation permits the Board to determine whether an applicant's degree and education meet the requirements of these rules.

3.7 Courses Required for Licensure for Applicants Whose Degrees Are Approved under Rules 3.4 - 3.6 above To qualify for consideration under this rule, degrees from programs meeting the requirements of Rules 3.4 through 3.6 must include six (6) credit hours in each of the following areas:

(a) Assessment 6 credit hours

(1) Assessment refers to Psychological theory, research, and methods concerning the measurement and assessment of an individual's behavioral or psychological functioning. This section must include 3 credit hours of general foundation course(s) providing a general overview of the subject area. General foundation courses may include, but are not limited to:

- (A) Psychological Testing/Assessment;
- (B) Intellectual (Cognitive) Assessment;
- (C) Personality Testing/Assessment;
- (D) Introduction to Psychometrics.

(2) Assessment course(s) may cover areas such as the assessment of psychopathology, personality characteristics, intellectual functioning, skills and interests, and neuropsychological functioning. Assessment courses may include, but are not limited to:

- (A) Specialized courses:
 - (i) Projective Testing;
 - (ii) Neuropsychological Testing;
 - (iii) Diagnostic Interviewing;
 - (iv) Minnesota Multiphasic Personality Inventory (MMPI);
 - (v) Tests and Measurements.

(b) Intervention 6 credit hours. Intervention courses relate to psychological theory, research, and methods concerning the remediation, treatment, or prevention of behavior disorders, adjustment problems, and psychopathology, or other disturbances in psychological functioning. Examples of relevant courses may include, but are not limited to the following:

- (1) Cognitive Psychotherapy;
- (2) Family Therapy;
- (3) Group Therapy;
- (4) Psychoanalytic/Psychodynamic Therapy;
- (5) Community Psychology; and
- (6) Prevention of Psychopathology

(c) Psychopathology 6 credit hours.

(1) Psychopathology courses relate to psychological theory, research, and methods concerning the descriptive characteristics, diagnosis, and etiology of psychopathology, or mental and behavioral disorders of children and adults. This section must include 3 hours of foundation course(s) providing a general overview of the subject area. General foundation courses may include, but are not limited to:

- (A) Advanced Abnormal Psychology;
- (B) Child Psychopathology;
- (C) Adult Psychopathology; and
- (D) DSM (Diagnostic and Statistical Manual of Mental Disorders) / ICD (International Classification of Diseases).

(2) Examples of relevant specialized courses in psychopathology may include, but are not

limited to the following:

- (A) Mood Disorders;
- (B) Substance Abuse;
- (C) Eating Disorders;
- (D) Mental Retardation; and
- (E) Attention Deficit Hyperactivity Disorder (ADHD).

(d) Statistical Methods (Statistics or Research Methodology) 3 credit hours; and

(e) Professional Ethics 3 credit hours.

(f) Undergraduate courses and work experiences may not be substituted for course work.

(g) A master's degree in psychology which has not met all the requirements set forth in sections (a) - (e) of Rule 3.7 may be supplemented by up to six (6) credit hours of course work.

3.8 Permitted Supplementation A master's degree in psychology which has not met all the requirements set forth in sections (a) - (e) of Rule 3.7 may be supplemented by up to six (6) hours of course work.

3.9 Interpretation In determining whether an applicant's training program has met course distribution requirements, the Board will accept a course as fulfilling the requirement of one area only. The Board will not accept subdivision of the credit hours of a course into two or more areas.

3.10 Examination

(a) Applicants must successfully complete the Examination for Professional Practice in Psychology (EPPP), prepared by the Association of State and Provincial Psychology Boards (ASPPB), or other examination(s) approved by the Board and made known through its website in advance.

(b) More information about the examination is available from the Office or by accessing the Board's Web page at <http://vtprofessionals.org/opr1/psychologists/>.

3.11 Recent Examination Required - Effective July 1, 2014 Applicants who have not previously been licensed must successfully complete the EPPP or other examination approved by the Board within 3 years of applying for licensure.

3.12 Examination Score Report

(a) The passing score is set by the ASPPB which reports the score to the Board.

(b) The Board will tell an applicant his or her score, and whether he or she successfully completed the examination.

3.13 Re-taking the Examination Unsuccessful candidates may retake the examination as permitted by examination service.

3.14 Supervised Practice

(a) The post master's degree supervised practice may not be completed in less than one (1) year.

(b) The specific supervised practice requirements are contained in Part 4 of these rules.

3.15 Licensure by Endorsement Applicants who are licensed psychologists at the master's level in another jurisdiction in the United States or Canada may be licensed in Vermont upon showing that the jurisdiction's current licensing requirements are substantially equivalent to Vermont's.

Part 4 Post Graduate Degree: Supervised Practice for Applicants for Licensure by Examination

4.1 Explanation “Supervised practice” means post graduate degree clinical work that is supervised by a licensed psychologist who is familiar with the nature of the trainee’s clinical activities and who monitors the quality of the work and contributes to the enhancement of the trainee’s knowledge of self and of clinical work. Supervised practice is always in person.

4.2 Mandatory Registration for Supervised Practice in Vermont Any person in the State of Vermont who wishes to engage in post degree supervised practice toward licensure as a psychologist must:

- (a) apply to the Board to be registered to engage in supervised practice. Registration forms are available from the office or on line;
- (b) pay the applicable registration fee; and
- (c) successfully complete the jurisprudence examination.
- (d) Both the supervisor and psychological trainee are responsible for verifying that the psychological trainee is properly registered with the Board.
- (e) No supervised practice may occur within the State of Vermont until the psychological trainee is registered and approved by the Board.

4.3 Failure to Register, Penalties

- (a) Unregistered supervised practice is unauthorized practice and may subject the trainee and the supervisor to disciplinary sanctions.
- (b) Unregistered supervised practice in Vermont will not be counted toward the supervised practice requirement.

4.4 Supervisor Prerequisites A supervisor of anyone engaged in supervised practice must:

- (a) possess a valid unencumbered psychologist’s license for the state in which the supervised practice occurs, and
- (b) **for supervision commencing after the effective date of these rules** have a minimum of three years licensed practice in good standing before supervision begins and be in good standing at all times during the period of supervision.
- (c) Clinical supervision must be limited to areas in which the supervisor has sufficient education, training, and experience to provide meaningful guidance and be consistent with ethical standards for practice.
- (d) Applicants and supervisors share responsibility for ensuring that supervision provided meets the requirements of these rules.

4.5 Supervisor Responsibilities A clinical supervisor assumes full professional and legal responsibility for a trainee's work. The clinical supervisor maintains a level of supervision and practice consistent with professional standards ensuring the trainee's welfare and that of the trainee's clients.

4.6 Nature of Supervision The supervisor may provide both administrative and clinical supervision. Both are necessary to ensure professional standards are maintained, however, only clinical supervision counts toward the supervised practice required by these rules.

4.7 Situations Limiting Supervision

(a) Successful supervision requires that the future licensee and supervisor have a full and candid exchange regarding all aspects of the supervised practice. Treatment issues, for example, issues of sexual attraction and other matters between practitioner and client, and work conditions affecting practice, should be fully explored. Because full candor is needed, conflicts of interest between supervisor and future licensee must be avoided.

(b) Applicants and supervisors must avoid any situation that suggests a "multiple relationship," as defined in the APA Code of Conduct. Exploitive relationships or a potential or demonstrable conflict of interest may disqualify supervision from being credited.

(c) A licensee who personally financially gains from the practice of the psychological trainee is disqualified from providing clinical supervision to the trainee. Receipt of compensation for supervision is not barred by this rule.

4.8 Identification of Those in Supervised Practice Persons engaged in supervised experience toward licensure may only identify themselves as "psychological trainee" or "psychological intern" and may not hold themselves out as psychologists before becoming licensed by the Board.

4.9 Number of Supervisors Required The applicant/trainee must have no fewer than two supervisors during the course of supervised practice training. Each supervisor shall supervise no fewer than 500 hours of clinical practice for the supervision to be accepted.

4.10 Type and Frequency of Supervision

(a) No psychological trainee may practice more than forty hours without receiving 2 hours of supervision.

(b) One of the two hours of the supervision must be in a formal, individual, in person setting.

(c) The second hour of supervision may occur in a group supervision setting.

4.11 Part Time Clinical Practice Applicants who document less than 20 hours per week of clinical practice require individual supervision and may not count group supervision as satisfying the supervision requirement.

4.12 Supervised Practice - Completion Time

(a) Supervised practice, whether toward master's or doctoral level licensure, may not be completed in less than one (1) year.

(b) Absent exceptional unforeseen circumstances, a year which contains fewer than 700 hours of supervised practice will not count toward the supervised practice requirement.

(c) To ensure that an applicant's supervised practice reflects a current competence for licensure, only supervised practice hours acquired within 5 years of completion of the application for licensure will be counted.

4.13 Insufficient Supervision A ratio of one hour of supervision to 20 or fewer practice hours must be maintained. A trainee who receives more than one but less than two hours of supervision for 40 hours supervised practice may count only 20 hours toward the number of supervised hours required.

4.14 Limits on Supervised Hours No more than 40 hours of practice may count as “supervised practice” in any one week period.

4.15 Board Jurisdiction Persons engaged in supervised practice are subject to the jurisdiction of the Board and may be sanctioned for unprofessional conduct. Psychological trainees must comply with the disclosure requirements set forth in these rules.

4.16 Documentation of Supervision

(a) In addition to the Supervision Report in Rule 4.17, the supervisor shall create and maintain a record of the number and dates of one-to-one supervision hours and group supervision hours.

(1) This record shall be retained by the supervisor for four years and kept available for the Board's review.

(2) As part of the application process the Board may request that the supervisor submit the record to the Board for review.

(3) The Board may request this record as part of a random audit of supervision documents.

(b) The supervisor is not obligated to send this record to the Board unless and until it is requested.

4.17 Supervision Reports Each clinical supervisor must submit a supervision report. Supervision report template forms are available on line or from the Office. The report must contain the following and be sufficiently detailed to permit the Board to evaluate the trainee's supervised experience. Supervision reports shall include, but are not limited to:

(a) The trainee's name;

(b) The supervisor's name, signature, address, license number, jurisdiction(s) where granted, date granted, and areas of specialization;

(c) The name and nature of the trainee's practice setting, and a description of the client population served;

(d) The specific dates of practice covered in this report;

(e) The number of practice hours during this period (to include all duties);

(f) The trainee's specific duties;

(g) A detailed description and assessment of the trainee's performance which shall include, but is not limited to:

(1) The clinical skills supervised;

(2) The ethical practices reviewed; and

(3) The professional readings covered.

(h) A photocopy of the supervisor's license or licenses and;

(i) the supervisor's opinion of whether the applicant is prepared to meet the responsibilities of independent practice.

4.18 Applicant's Summary of Supervised Experience Each applicant shall submit as part of the application for licensure, on a form available from the Board, a "Summary of Supervised Experience." The summary shall document:

- (a) the practice setting and how the practice was supervised;
 - (b) the number of hours of supervised practice;
 - (c) the name of every person providing individual or group supervision of the applicant;
and
 - (d) the number of individual and group supervision hours acquired.
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Part 5 Application Process

5.1 Application

(a) Applications for a license, or registration as a psychological trainee, and information about the application process are available through the OPR website or from the Office. An applicant must file a completed application in sufficient time to allow the Board at least 60 days to review the application before the candidate sits for the examination.

(b) The Board will review an application following receipt of transcripts and other documentation to determine if the applicant's education meets the requirements of the rules.

(c) The Board will review supervision reports as they are received.

5.2 Applications Expire An application is deemed to have expired, if after three years the applicant does not provide the Board any report on progress towards licensure. If no updated information is provided to the Board within three years, the applicant must begin the application process anew. This will require a new application and application fee. The Board will then consider the application a new application.

5.3 Approval to Sit for Examination Once an applicant's education is approved, the applicant may sit for the examination. The applicant bears the responsibility of scheduling his or her examination.

5.4 Procedure for Processing Applications When the Board receives a completed application, the application is reviewed. Sometimes during the review process questions about the meaning or adequacy of some documents may arise. Rather than deny the application, the Board may request that the applicant submit additional or clarifying information. When that information is provided, the Board can then make a full assessment of the application. By asking for additional or clarifying information, the Board can avoid unnecessary denials of applications.

5.5 Right to a Written Decision When it appears from the application and accompanying documents that the applicant does not meet all of the requirements for licensure, the office on behalf of the Board will notify the applicant. This is called a preliminary denial. The preliminary denial letter will specify why the application is not approved. The applicant is notified of the right to file an appeal which is heard as a formal hearing by the Board. At the appeal hearing the burden of proof is on the applicant to show that the preliminary denial was in error. After that hearing the Board issues a final decision in writing.

5.6 Right to Appeal A person who is aggrieved by a final decision of the Board may appeal to an appellate officer within 30 days of the Board's decision. The appellate process is governed by Vermont law, 3 V.S.A. § 130a, and has its own procedural rules. Information about the appellate process is available from the Office.

Part 6 Information for Licensed Psychologists

6.1 Change of Name or Address Licensees are responsible for notifying the Office within 30 days of any name or address change.

6.2 Complete Title Under 26 V.S.A. § 3016(2) a licensee is required to indicate a complete title (that is, psychologist-doctorate, or psychologist-master) on all signs, business cards, letterhead, promotional materials, and other professional uses. A licensee whose name appears in an advertisement listing individuals in a practice must include his or her full professional title in the listing, clearly indicating licensure as a psychologist-doctorate or psychologist-master. This rule applies wherever the professional listing occurs.

6.3 Code of Ethics

(a) It is the licensee's responsibility to become familiar with the "Ethical Principles of Psychologists and Code of Conduct," of the American Psychological Association, Inc., and the "ASPPB Code of Conduct" as guides to conduct and practice. Conduct which violates these ethical principles and codes, or their successor principles and codes, constitutes unprofessional conduct under 26 V.S.A. § 3016(9) and § 3016(10).

(b) Copies of the "Ethical Principles" are available on line through the American Psychological Association and may be obtained from the American Psychological Association directly. Copies of the "ASPPB Code of Conduct" may be obtained from the Association of State and Provincial Psychology Boards or on line. However, licensees are responsible for staying current with any successor versions of either code.

6.4 Telepractice

(a) Telepractice is governed by statute, 26 V.S.A. § 3018. Professionals who provide service via the Internet or other electronic means should provide as much information as possible to individuals who access their services.

(b) Psychologists from other jurisdictions providing telepractice services to persons in Vermont are deemed to be practicing in Vermont. They must be licensed by the Board and must comply with the disclosure requirements of Rule 6.8.

(c) Vermont licensed psychologists who provide telepractice services to clients outside of Vermont remain under the jurisdiction of the Board. They shall comply with the disclosure requirements of Rule 6.8 and shall specifically disclose:

- (1) Name, location, and telephone number of the psychologist;
- (2) What the psychologist is licensed and trained to do; and
- (3) The limits and limitations of Internet practice and service delivery.

6.5 Medication Recommendations to Prescribing Providers A psychologist may offer a medication recommendation to the prescribing provider about a patient the psychologist has evaluated when such recommendation is an informed opinion based on the psychologist's education, training, and professional experience. The psychologist's opinion may inform the physician's medication decision.

6.6 Duty to Warn Psychological trainees and licensees must be aware of and comply with Vermont mandatory reporting requirements. Among them are 33 V.S.A. § 4913 (Reporting Child Abuse and Neglect) and 33 V.S.A. § 6903 (Reporting suspected abuse, neglect, and exploitation of vulnerable adults). Practitioners should also be aware that common law imposes a duty to warn in certain circumstances. See, e.g. *Peck v. Counseling Service of Addison County, Inc.*, 146 Vt. 61, 499 A.2d 422, 425 (1985). The Board cannot provide legal advice to practitioners. Those with questions regarding their duty to report should consult their legal advisors.

6.7 Responsibility to Cooperate with Investigations

(a) Each licensed psychologist has a responsibility to cooperate with investigations by the Board.

(b) When an investigation seeks confidential client information, the psychologist, whether or not the subject of the investigation, has a duty to request that the client release the information to the Board's investigators.

6.8 Disclosure of Information

(a) Each psychologist shall disclose to each client, whether residing in Vermont or elsewhere, the following information, printed or typed in easily readable format:

(1) The psychologist's professional qualifications and experience, including:

(A) all relevant graduate programs attended and all graduate degrees and certificates earned, including the full legal name of the granting institution;

(B) a brief description of any special qualifications and areas of practice; and

(C) if providing direct human services in a service or technique that is new to the profession, clear and concise information about the innovative nature of and known risks associated with the services, so that the client can exercise freedom of choice concerning such services.

(D) A psychologist providing services under subsection (C) above shall also provide the Board with a copy of the written information provided to the client.

(2) A copy of the statutory definitions of unprofessional conduct (26 V.S.A. § 3016 and 3 V.S.A. § 129a); and,

(3) Information on the process for filing a complaint with, or making a consumer inquiry to, the Director of the Office of Professional Regulation. Sample disclosure forms are available from the Office.

(b) Disclosure means, at a minimum,

(1) posting the information and informing the client where the information is posted, or

(2) having the information printed, displaying the printed information in an easily accessible location, and informing the client where the information is displayed, or

(3) having the information printed and directly handing a copy of the information to the client.

(c) Not later than the third professional contact, the psychologist shall present to the client for signature a document stating that the information required to be disclosed in paragraphs (1), (2), and (3) above has been disclosed to the client. The psychologist shall also sign the document and shall prepare and shall retain the signed original. If, by the third professional contact, disclosure cannot be made, or the client declines to sign, the psychologist shall prepare and sign a written statement explaining the omission, which shall be retained in place of the signed copy.

(d) When the client is not able to understand the disclosure, as in the case of a minor or an adult who is under the supervision of a guardian, the disclosure shall be made to a suitable parent or guardian.

(e) If no guardian has been appointed, but a guardianship application has been made, the disclosure should be to the person named in the petition. If the guardianship petition is contested or soon to be awarded, the licensee may either wait or have the client sign and then subsequently, if a guardian is appointed, have the guardian sign.

(f) When the client is a patient or resident in an institution, including a hospital, nursing home, school, correctional facility, or community mental health center, psychologists providing care are excused from obtaining a signed receipt of disclosure so long as the information required in (a) above is readily available from the institution. The psychologist must make individual disclosure as provided in (a) and (b) above in cases where the institution's disclosure is inadequate.

(g) Psychologists employed by or belonging to a private practice group (partnership or corporation) or managed care group (corporation or other form of business organization) are considered to be practicing independently and subject to the disclosure requirements of these rules.

(h) Employees or persons under contract with an institution which is under the oversight of a governmental agency are exempt from the disclosure requirements of these rules but must inform clients that the information listed in Rule 6.8 above is available upon request.

(i) At its discretion, the Board may inspect and audit a licensee's records of information disclosure. The Board will inspect only general materials relating to information disclosure and will not inspect individual client records or notes, unless a complaint has been filed by or concerning a particular client. Individuals to be audited are selected on a random basis or in response to a complaint.

6.9 Record Retention

(a) 3 V.S.A. § 129a requires that client records be retained for seven (7) years.

(b) Non-regulatory considerations may dictate retaining client records for longer than the seven years required for licensing purposes. Licensees and trainees should consult with their legal advisors or insurers to determine how long they should retain client records.

Part 7 License Renewal and Reinstatement

7.1 Renewing Licenses Biennially Licenses are renewed on a two year cycle set by the Office. Before the expiration date, the Office will send a renewal notice. If the renewal application and fee are not received by the Office by the expiration date, the license will expire automatically.

7.2 Late Renewal of a License An expired license can be renewed by applying to the Board for renewal and paying the appropriate fees. As a condition of renewal, applicants must document that they have acquired 60 hours of continuing education as required by these rules within 24 months of the renewal application.

7.3 Lapses of Five Years or More

(a) A person whose Vermont license has lapsed for more than five years and who has not practiced under a license from another U.S. or Canadian jurisdiction during that time must, in addition to submitting a renewal application and paying the required fees:

- (1) complete the jurisprudence examination;
- (2) complete the continuing education required for license renewal;
- (3) obtain Board approval and be registered as a psychological trainee; and
- (4) complete 1,000 hours of supervised practice as set forth in Part 4 of these rules.

(b) upon completion and Board approval of the completed supervised practice, the applicant's license will be fully renewed.

Part 8 Continuing Education

8.1 Continuing Education Renewal Requirements At each renewal, each licensee must document attendance or participation in 60 hours of continuing education.

- (a) No fewer than 6 of those hours must be specially devoted to professional psychologist ethics.
- (b) No more than 30 hours may be dedicated to any one topic.
- (c) Self-help activities and programs or activities that are designed to increase income or office efficiency will not be counted toward the continuing education requirement.
- (d) No license will be renewed until the licensee submits a verification of compliance with the continuing education requirements

8.2 Exemption Required accumulation of continuing education hours shall begin on the first day of the first full biennial licensing period following initial licensure.

8.3 Content Goals and Requirements Continuing education is required so the public can be assured that psychologists maintain continued competence to practice. It permits the public to benefit from practitioners who are exposed to the most current and effective standards of professional practice. Specifically:

- (a) Continuing education is the study and review of psychological concepts and techniques, and the acquisition of new knowledge or skills relevant to the practice of psychology.
- (b) Continuing education should contribute to the growth of professional knowledge and practice competence.
- (c) Continuing education must be related to generally accepted fields of psychology.

8.4 Acceptable Continuing Educational Activities Continuing education may be obtained via:

- (a) large group and formal presentations;
- (b) small group activities; and
- (c) individual activities.

8.5 Large Group Activities and Formal Presentations Continuing education may be obtained via group activities such as:

- (a) Formal academic courses and in-person live lectures which may include attendance at professional or scientific meetings relevant to the practice;
- (b) Interactive programs such as symposia, presentations, workshops, institutes, formal panel discussions, invited speaker sessions, webinars, or other formats that allow for a live exchange among participants.

(c) No fewer than 24 hours of the 60 hours must be obtained from large group and formal presentation activities.

8.6 Small Group Activities Small group activities means in-person meetings or meetings conducted via electronic visual media of small groups, 3 to 8 people, of professional peers. To be counted toward continuing educational requirements, these networking activities must be pre-planned meetings among psychologists and other mental health professionals which:

(a) review current issues in psychology; or

(b) discuss the practice of psychology; or

(c) provide clinical case conceptualizations and review, including on-going case consultation and/or supervision; and

(d) which may include group professional book or journal clubs.

8.7 Small Group Activities - Documentation Each participant claiming credit for small group activities must document each session or meeting. Licensees are encouraged to use the small group activity documentation forms available from the Board's website.

Documentation must include:

(a) list or number of participants;

(b) hours of attendance;

(c) a description of the topic(s) covered;

(d) the way in which the meeting was conducted; and

(e) an assessment of how the meeting contributed to professional development.

8.8 Individual Activities Continuing education may be obtained via individual activities such as:

(a) independent study, e.g. professional readings, audiotapes, videotapes, CD's, DVD's, on line continuing education courses, professional writing, or speaking (including preparation of courses and formal presentations) not more than once for the subject matter covered);

(b) scholarship research;

(c) journals; and

(d) the study of alternative paradigms in the field of psychology. Documentation for alternative paradigm study will include a thorough critique (two or three pages) of the new paradigm.

(e) During any 2 year licensing period, the Board may determine that successful completion of the Vermont Jurisprudence Examination may be counted for one hour of continuing education credit.

(f) No minimum number of individual activities is required, but no more than 24 hours of the 60 hours may be obtained via individual activities.

8.9 Documentation Licensees are responsible for proper documentation of all continuing education

activities. Documentation must show hours of attendance and participation, process and product including relevant readings, activities, research procedures, and products. For small group and individual activities documentation shall include a brief critique of the material.

8.10 Forms Licensees are encouraged to use the continuing educational documentation forms available from the Board's website. Licensees shall be prepared to provide supporting documentation to enable a full review of the continuing educational activity claimed.

8.11 Pre-Approved Programs and Providers Continuing education programs sponsored by the American Psychological Association and the Vermont Psychological Association are pre-approved by the Board. The Board may pre-approve other specific providers or programs. A list of those approvals will be kept by the Board and be available from the Board's website.

8.12 Retention of Continuing Education Records Documents pertaining to continuing education programs shall be retained by the licensee for four years.

8.13 Compliance Audits

(a) The Board will conduct continuing education audits of currently conditioned licensees and randomly selected licensees. The Board may also audit late renewing licensees and licensees who in any of the preceding 2 renewal cycles were initially found to have not met continuing education renewal requirements.

(b) If an audit shows that the licensee has not acquired 60 hours of acceptable continuing education, the Board will inform that licensee. The licensee will be given 90 days to develop and complete a corrective plan to correct the deficiencies. Failure to comply with a corrective plan may lead to disciplinary action.

Part 9 Discipline

9.1 Complaint Procedure

(a) Unprofessional conduct is defined by 3 V.S.A. § 129a and 26 V.S.A. § 3016. Unprofessional conduct includes "(3) Failing to comply with provisions of federal or state statutes or rules governing the practice of the profession." 3 V.S.A. § 129a(a)(3).

(b) The Board follows the Office procedure for receiving complaints, conducting investigations, and resolving charges of unprofessional conduct. Copies of the procedure are available from the Office and on the website <http://vtprofessionals.org>.

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