

STATE OF MAINE



Board of Examiners of Psychologists

RULES

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02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

415 BOARD OF EXAMINERS OF PSYCHOLOGISTS

Chapter 1. INTRODUCTION

SUMMARY: This chapter outlines the general provisions and organization of the Board.

Section 1. General Provisions

- A. **Rules Adopted.** The Board of Examiners of Psychologists hereby adopts Rules for conducting the business of the Board, including provisions for the organization of the Board (Chapter 1), definitions of terms used in these rules (Chapter 2), procedures for the processing of applications for licensure as Psychologists and Psychological Examiners (Chapter 3), provisions setting standards for the practice of psychology (Chapter 4), and procedures for enforcement and disciplinary action (Chapter 5), continuing professional education, (Chapter 6) fees, and (Chapter 7) enforcement and disciplinary procedures
- B. **Purpose of Rules.** These rules are for the purpose of defining standards and clarifying the procedures used by the Board in carrying out the provisions of law regulating the practice of psychology.

Section 2. Board Organization

- A. **Composition of the Board.** The Board consists of 9 members appointed by the Governor for terms of three (3) years under the provisions of Section 3821. The Board shall elect its Chair, Secretary and Treasurer at the Annual Meeting, or when necessary due to the resignation of an officer.
- B. **Meetings.** The first meeting of each calendar year shall constitute the Annual Meeting. In addition to the Annual Meeting, the Board shall meet at least quarterly. The Chair shall designate the date, time and place of each meeting of the Board. The Clerk shall give notice of each meeting to Board members at least seven (7) days before the meeting is to be held. However, in case of an emergency requiring the Board to meet before such notice can be given, verbal or telephone notification may be given no later than three (3) days before the meeting.
- C. **Board Records.** The official office of the Board shall be the Department of Professional and Financial Regulation, hereinafter referred to as the Department. All records of the Board shall be kept at that office. Information may be obtained by making written request to said office or its agent.

- D. Management of Funds. All moneys received by the Board shall be deposited in the Board's account administered through the Department.

AUTHORITY: 32 M.R.S.A. CHAPTER 56

EFFECTIVE DATE: September 10, 1979

AMENDED: April 30, 1984

REPEALED & REPLACED: March 30, 1986

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02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
415 BOARD OF EXAMINERS OF PSYCHOLOGISTS

Chapter 2. DEFINITIONS

SUMMARY: This chapter outlines definitions used by the Board.

Section 1. Applicability

The terms used in all chapters and sections of these rules shall be defined as provided below. These definitions shall also apply to the language used in the statute unless another meaning is given in the statute itself.

Section 2. Definitions

- A. PSYCHOLOGIST means a person who is licensed as a psychologist under the provisions of 32 MRSA Chapter 56.
- B. PSYCHOLOGICAL EXAMINER means a person who is licensed as a psychological examiner under the provisions of 32 MRSA Chapter 56.
- C. ACCREDITED INSTITUTION means an institution of higher learning accredited by a regional accrediting association approved by the National Commission on Accreditation, or a foreign institution which, in the opinion of the Board, meets equivalent standards.
- D. ASSESSMENT means determining, by, whatever means appropriate, the nature of important psychological variables in a person, situation or problem. Assessment frequently involves the use of formal psychological tests, but may also employ other psychological methods appropriate to the specific situation or problem, such as controlled observation, interview, examination of history, or the taking of reports. Assessment involves the examination of a situation in such a way as to yield information about the causes of behavior, problems, maladjustment, conflicts, delayed development and the like. Assessment includes the process of communicating the findings, conclusions and recommendations to the client and other persons.
- E. CONSULTATION means suggesting changes in the behavior of the parents, teachers, staff members, work supervisors, or other persons responsible for the care, education, or management of target individuals, groups or organizations which will lead to changes in the situation or in the behavior of the target individual, group or organization. Consultation may also be provided for the purpose of implementing a program of behavior management or social skills training.
- F. BEHAVIOR MANAGEMENT means arranging, or making suggestions to parents, teachers, staff members, work supervisors, or other persons responsible for the care, education, or management of target individuals, groups or organizations about arranging the situation in which a target

individual or target group lives, works, attends school, et cetera for the purposes of changing the behavior of the target individual, group or organization. Behavior management also includes the design and implementation of procedures which manipulate the environmental antecedents and consequences of a behavior.

- G. **SOCIAL SKILLS TRAINING** means working directly with clients for the purposes of education, training, habilitation, or rehabilitation. Social skills training is limited to training in specific identified basic self care skills, social skills, and activities of daily living appropriate to the clients' age groups.
- H. **GROUP COUNSELING** means an intervention based on psychological principles in which the provider assists the clients in the group in learning more appropriate methods of managing their personal behavior as well as social and interpersonal transactions, using a structured or educational format. For the purposes of these regulations such intervention activity shall routinely and regularly require the presence of a co-therapist who is a licensed mental health professional. Group counseling shall be distinguished from group psychotherapy by its instructional focus.
- I. **PSYCHOTHERAPY** means treatment based on psychological principles in which the treatment provider works directly with the client or client group and in which the personal relationship, verbal, or non-verbal interaction between the treatment provider and the client or client group is a primary vehicle for effecting change. Psychotherapy includes, but is not limited to traditional interaction-based psychodynamic therapy; individual, marriage, and family therapy, and group psychotherapy.
- J. **A LICENSED MENTAL HEALTH PROVIDER** shall be a licensed psychologist, a licensed physician practicing as a psychiatrist, a licensed clinical social worker, or a nurse certified as a psychiatric nurse clinical specialist by the American Nursing Association and so registered with the Maine Board of Registration of Nursing.
- K. **SUPERVISION** means meetings between the supervisor and the supervisee for purposes of review and consultation regarding current professional activities. Seminars not dealing with case material, telephone contacts, the review of recordings and written material, are not, in and of themselves, acceptable forms of supervision.
- L. **CLIENT** means the person, agency or organization requesting the services provided by the psychologist or psychological examiner. The client may or may not be the recipient of such services.

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02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

415 BOARD OF EXAMINERS OF PSYCHOLOGISTS

Chapter 3 LICENSURE

SUMMARY: This chapter outlines eligibility for licensure for psychologists and psychological examiners, application and exam procedures, types of licensure, and intervention privileges for examiners.

Section 1. Eligibility

A. Educational Requirements - General

1. Programs that were approved by the American Psychological Association (APA) or designated by joint effort of the National Register of Health Service Providers in Psychology and the Association of State and Provincial Psychology Boards (NR/ASPPB) at the time the degree was awarded are recognized as providing comprehensive training in psychology as required by section 3831. For programs not APA approved, APA approval shall serve as a model, but not necessarily the only model, for comprehensive training in psychology.
2. Programs in school psychology that met the standards of the National Association of School Psychologists (NASP) and were approved by the National Council for Accreditation of Teacher Education (NCATE) at the time the degree was awarded are also recognized as providing comprehensive training in psychology as required by Section 3831.
3. For applicants from programs which were not APA or NASP/NCATE approved at the time the degree was awarded, the following guidelines, based on standards recommended by the Association of State and Provincial Psychology Boards (ASPPB), are adopted to further clarify the educational eligibility requirements for licensure:
 - a. Comprehensive training in psychology is training obtained in a regionally accredited institution of higher learning.
 - b. The program, wherever it may be administratively housed, must be clearly identifiable as a psychology program.

- c. The psychology program must stand as a recognizable and coherent organizational entity within the institution.
- d. There must be clear authority and primary responsibility for the core and specialty areas whether or not the program cuts across administrative lines.
- e. The program must be an organized sequence of study planned to provide an integrated educational experience appropriate to the practice of psychology.
- f. There must be an identifiable psychology faculty on site sufficient in size and breadth to carry out its responsibilities and an identified psychologist responsible for the program.
- g. The program must have an identifiable body of students who are matriculated in the program for a degree. Because the quality of any educational program is partially dependent on the quality of its students, careful attention must be given that students meet appropriate standards of educational preparation for admission.
- h. The program must include practicum, internship, field, or laboratory training appropriate to the practice of psychology.

B. Educational Requirements - Psychologist

- 1. The basic educational requirements for licensure as a psychologist are stated in Section 3831.
- 2. The doctorate degree shall have been earned by completing a minimum of 72 credit hours of graduate work in psychology. The curriculum shall encompass a minimum of three academic years of full-time study or its equivalent.
- 3. Except for applicants whose program was approved by the APA, NR/ASPPB, or NASP/NCATE at the time the degree was awarded, 36 of the 72 credit hours must be in the seven core areas described below. For applicants from non-approved programs after June 1, 1994, twenty seven (27) of the seventy two (72) credit hours must be in seven core areas described below.
- 4. Except for applicants whose program was approved by the APA, NR/ASPPB, or NASP/NCATE at the time the degree was awarded, the curriculum must include at least three (3) graduate credit hours in each of the following seven core areas. For applicants from non-

approved programs after June 1, 1994, the curriculum must include graduate level course work in each of the following core areas with a minimum number of credit hours as shown:

	Minimum graduate level credit hours required
a. Professional Ethics and Standards of Practice	(3)
b. Research Design, Methodology and Statistics	(6)
c. Assessment (e.g., measurement theory psychological testing, clinical psychodiagnosis)	(6)
d. Biological Basis of Behavior (e.g., physiological psychology, comparative psychology, neuropsychology, sensation and perception, psychopharmacology)	(3)
e. Cognitive-Affective Basis of Behavior (e.g. learning, thinking, motivation, emotion)	(3)
f. Social Basis of Behavior (e.g., social psychology, group processes, organizational behavior, systems theory, family dynamics, cultural psychology)	(3)
g. Individual Differences (e.g., personality theory, human development, abnormal psychology)	(3)

C. Educational Requirements - Psychological Examiner

1. The basic educational requirements for licensure as a psychological examiner are stated in Section 3831.
2. The masters degree shall have been earned by completing a minimum of 36 credit hours of graduate work in psychology. Applicants after June 1, 1994, must have a minimum 48 credit hours of graduate work in psychology. The curriculum shall encompass a minimum of one academic year of full-time study or its equivalent.
3. Except for applicants whose program in psychology or school psychology was approved by NASP/NCATE at the time the degree was awarded, the curriculum must include at least three (3) graduate credit hours in each of the following areas. For applicants from non-approved programs, after June 1, 1994, the curriculum

must include graduate level course work in each of the following core areas with a minimum of credit hours as shown:

	Minimum graduate level credit hours required
a. Professional Ethics and Standards of Practice	(3)
b. Research Design, Methodology and Statistics	(6)
c. Assessment (e.g., measurement theory, psychological testing, clinical psychodiagnosis)	(6)
d. Biological Basis of Behavior (e.g., physiological psychology, comparative psychology, neuropsychology, sensation and perception, psychopharmacology)	(3)
e. Cognitive-Affective Basis of Behavior (e.g., learning, thinking, motivation, emotion)	(3)
f. Social Basis of Behavior (e.g., social psychology, group processes, organizational behavior, systems theory, family dynamics, cultural psychology)	(3)
g. Individual Differences (e.g., personality theory, human development, abnormal psychology)	(3)

D. Supervised Experience Requirements - General

1. One (1) year of experience shall consist of not less than 1,500 clock hours.
2. Supervised experience shall be credited only for practice in an organized public or private agency, school, institution, or organization which provides the opportunity for contact with other professional disciplines and work experience with a broad range of clients.
3. The applicant's supervised experience shall have been in the same or a similar field of psychology as the applicant's education and training, and shall be consistent with the areas in which the applicant intends to practice.

4. All supervisors of psychologists and psychological examiners must be psychologists who are licensed or certified for practice in the state in which the supervised experience is obtained.
5. A supervising psychologist must have overall responsibility for the applicant's professional growth. Specific skill training may be delegated to other specialists under the authority of the supervising psychologist.
6. Supervisors must be competent by training and experience to practice in the areas in which the supervisee has been trained and expects to practice. Supervisors must be competent to supervise by training or experience in supervising processes.
7. Supervisors shall so limit supervisory responsibilities as to be certain to maintain a -level of supervision consistent with professional standards in assuring the welfare of the supervisee and the client.
8. The Board recognizes that the specific nature and content of supervision will be determined between each trainee and his/her supervisor.
9. A licensed psychologist who provides supervision for a candidate for licensure is responsible for the work of the supervisee. The supervisor must be employed by or in contract status with the applicant's employer. The supervisor's relationship with the supervisee shall be clearly differentiated from that of a consultant who may be retained at the discretion of the consultee, but who has no legal, administrative, or professional accountability for the services performed by the consultee or for the welfare of the client.
10. Supervised experience which the supervisor deems was characterized by unacceptable performance by the supervisee shall not be credited toward the required period of supervised experience.

E. Supervised Experience Requirements - Psychologist

1. A candidate for licensure as a psychologist must have two (2) years of acceptable documented supervised experience. The supervised experience shall be credited only after the applicant has completed the equivalent of two (2) years of full-time graduate study in an integrated sequence of course work in psychology and has completed clerkships, practicums, and/or externships. For applicants who graduated prior to June 1, 1994, at least one year

shall have occurred after the completion of the academic course work for the degree (excepting that time utilized for dissertation research). For applicants who graduated on or after June 1, 1994, it least one year of supervised experience shall have been earned after the receipt of the doctoral degree.

2. The first year of supervised experience shall take place over a period of not more than two (2) calendar years. Applicants for licensure who have completed internships after September 1, 1994, will be required to have the first year of supervised experience in an organized psychology internship training program that is APA approved or has the following characteristics:
 - a. An organized training program, in contrast to supervised experience or on-the-job training, is designed to provide the intern with a planned, programmed sequence of training experiences. The primary focus and purpose is assuring breadth and quality of training.
 - b. The internship agency had a clearly designated staff psychologist who was responsible for the integrity and quality of the training program and who was actively licensed/certified by the State/Provincial Board of Examiners in Psychology or the equivalent.
 - c. The internship agency had two (2) or more psychologists on the staff as supervisors, at least one of whom was actively licensed/certified as a psychologist by the State/Provincial Board of Examiners in Psychology or the equivalent.
 - d. Internship supervision was provided by a staff member of the internship agency or by an affiliate of that agency who carried responsibility for the cases being supervised. At least half of the internship supervision was provided by one or more psychologists.
 - e. The internship provided training in a range of assessment and treatment activities conducted directly with clients seeking psychological services.
 - f. At least 25% of trainee's time was in direct client contact (minimum 375 hours).
 - g. Training was post-clerkship, post-practicum and/or post-externship level.

- h. The internship agency had a minimum of two interns at the internship level of training during applicant's training period.
 - i. Trainee had title such as "intern", "resident", "fellow", or other designation of trainee status.
 - j. The internship agency had a written statement or brochure which described the goals and content of the internship, stated clear expectations for quantity and quality of trainee's work, and was made available to prospective interns.
 - k. The internship experience (minimum 1500 hours) was completed within 24 months.
- 3. There shall be a minimum of three (3) hours of supervision per week, one (1) of which shall be regularly scheduled formal face-to-face individual supervision, regardless of whether the training is full or part-time. The individual supervision will be focused on the psychological services rendered directly by the intern. The two (2) additional hours per week of supervisory time may include learning activities such as: case conferences involving a case in which the intern was actively involved; seminars dealing with clinical discussion, cotherapy with a staff person including discussion; group supervision; additional individual supervision. Applicants completing internships after September 1, 1994, must have one year of internship experience with a minimum of four (4) hours of supervision, two (2) of which shall be regularly scheduled individual supervision and two (2) hours of other supervision as described above.
- 4. Internships that are accredited by the American Psychological Association shall be recognized as meeting the definition of an organized psychology training program.
- 5. For applicants completing the second year of supervised experience after September 1, 1994, the second year of supervised experience shall take place after award of the doctoral degree. The second year of supervised experience shall take place over a period of not more than two (2) calendar years. There shall be a minimum of three (3) hours per week of supervision. Those three (3) hours must include at least one (1) hour of individual supervision. The additional supervision time may include group discussions or seminars, et cetera.
- 6. Credit shall not be granted for work experience earned in connection with practicum courses for which graduate credit is

claimed to meet the minimum 72 semester hours as part of the educational requirements for licensure in Chapter 3 (B) (2).

F. Supervised Experience Requirements - Psychological Examiner

1. A candidate for licensure as a psychological examiner must have one (1) year of acceptable documented supervised experience.
2. The supervised experience shall take place over a period of not more than two (2) calendar years. Acceptable experience shall consist of continual periods of -not less than six months duration and not less than 16 hours per week distributed over at least two (2) days.
3. The supervised experience shall be credited only after the applicant has completed the equivalent of one (1) year of full-time graduate study in an integrated sequence of course work in psychology.
4. There shall be a minimum of three (3) hours of supervision per week, one (1) of which shall be regularly scheduled formal face-to-face individual supervision, regardless of whether the training is full or part-time. The additional two (2) additional hours of supervisory time shall include learning activities such as; case conferences involving a case in which the intern was actively involved; seminars dealing with clinical issues; co-therapy with a staff person including discussion; group supervision; additional individual supervision.
5. Credit shall not be granted for work experience in connection with practicum courses for which graduate credit is claimed to meet the minimum 60 semester hours as part of the educational requirements for licensure in Chapter 3 (C) (2) .

Section 2. Licensure Procedure and Applications

A. Overview of Procedures

1. Licensure as a psychologist or psychological examiner ordinarily involves the following sequence of steps:
 - a. submit an application and supporting documents evidencing the applicants education, supervised experience and professional character.
 - b. receive Board approval of the application and supporting documents.

- c. take and pass the written examination.
 - d. take and pass the oral examination.
2. Applicants who wish to practice prior to completing the examination process must apply for temporary or conditional licensure as provided in Section 4 below.
 3. The licensing process must be completed within three (3) years from the date the application is received by the Board . The application and all submitted materials become invalid after the expiration of this period, and the file is closed. Further consideration by the Board requires that a new application be filed, and new supporting materials must be submitted.
 4. It is the responsibility of the applicant to notify the Board of changes in his/her address or name during the application and examination process.

B. Application Procedure

1. Application forms and other required materials are obtained from the Board.
2. Applicants should anticipate that the approval of credentials will take a minimum of three (3) months.
3. in order for the Board to review an application, the following materials must be received:
 - a. a completed application form, properly signed and notarized.
 - b. the non-refundable application fee.
 - c. official transcripts of all graduate work.
 - d. three (3) acceptable letters of recommendation, on forms supplied by the Board, from qualified professionals who are familiar with the applicant's current work. Two (2) must be from licensed psychologists.
 - e. documentation of required supervised experience, on forms supplied by the Board.

4. The application and all necessary supporting documents must be filed with the Board before any action can be taken. Under no circumstances will the Board rule on an applicant's eligibility before all required materials are on file. It is the applicant's responsibility to confirm that all necessary materials have been received by the Board.
5. After all necessary materials have been submitted, the Board will review the application at its next regularly scheduled meeting.
6. The Board will vote on each completed application and record the date and the action of the Board in the applicant's folder. A favorable vote will indicate that the applicant's education, supervised experience, and professional character meet the requirements for licensure stated in Section 3831. The applicant will be notified in writing of the Board's action.
7. If found eligible, the applicant will be notified to take the next required examination. Such notice does not constitute permission to practice as a Psychologist or Psychological Examiner, even with supervision. Any person who wishes to so practice before completing all requirements for licensure must obtain a temporary or conditional license as provided below in Section 4.

Section 3. Examinations.

A. General Provisions.

1. Except as provided elsewhere in these rules, all applicants must demonstrate current competence in the broad principles of the science and profession of psychology, as well as their capacity to apply these principles.
2. The written examination provides the basis for establishing the applicant's competence in the generic science and profession of psychology.
3. The oral examination will assess the applicant's knowledge of Maine law regulating the practice of psychology, as well as his or her understanding of ethics and standards of practice. At the Board's discretion, part of the examination may be conducted by means of supplemental written examination administered by the Board.

4. The Board may, at its discretion, grant exemption from the written examination, or the oral examination requirements for practitioners who meet all other requirements for licensure with respect to education, supervised experience, and professional character. The criteria for such a waiver will be based on standards utilized in determining Fellow status within the American Psychological Association. Regardless of such waiver, however, each applicant for licensure must appear in person before the Board.

B. Written Examination.

1. For psychologists and psychological examiners, the examination shall be the Examination for Professional Practice in Psychology (EPPP).
2. The written examinations are administered by the Board twice each year in April and October. In order for an applicant to be considered for the written exam, a completed application must be received by February 1st, for the April exam, and August 1st for the October exam.
3. After an applicant is notified of eligibility for examination, it is the applicant's responsibility to register with the Board to take the written examination on a particular date.
4. The written examination fee must be paid to the Board at the time of registration. Registered applicants will receive an admission letter advising them of the date, time and location of the written examination.
5. The written examination is administered by the Board in accordance with procedures specified by the examination service designated by ASPPB.
6. For licensure as a psychologist, the passing score on the written examination shall be 70% of items correct.
7. For licensure as a psychological examiner, the passing score on the written examination shall be 65% of items correct.
8. The Board will notify each applicant of his or her score and of his/her passing or failing of the examination.
9. In case of failure, an applicant may apply for a second examination by notifying the Board and paying the examination fee.

10. Additional information on the content and format of the written examination may be obtained directly from the examination service designated by the ASPPB.
11. At the Board's discretion, eligibility, to take the written examination after two failures will be permitted only after the applicant shall have obtained and documented additional appropriate education and experience.
12. Candidates who have passed the EPPP examination must have written notification of the date and score of the examination provided directly to the Board from the examination service designated by ASPPB.

C. Oral Examination.

1. The oral examination will be conducted at least quarterly.
2. All applicants are expected to be familiar with Maine laws regulating the practice of psychology. Copies of the licensure law may be obtained from the Board. A listing of the statutory citations for other relevant laws is enclosed in the application packet.
3. All applicants are expected to be familiar, and practice in accordance, with the Ethical Principles of Psychologists of the American Psychological Association, as well as with other relevant standards and guidelines for professional practice. All licensees will also show professional behavior consistent with the Rules of Conduct of the Association of State and Provincial Psychology Boards.
4. Questions on these legal, regulatory, professional and ethical matters may be asked at the oral examination, or may be assessed by the use of a supplemental written examination administered by the Board prior to the oral examination.
5. The Board will determine, either by written vote or through the use of rating forms, whether the applicant has passed or failed the oral examination. If passed, and the written examination was passed previously, a permanent license will be issued after payment of the fee.
6. In case of failure, the Board will inform the applicant in writing of the specific deficiencies which resulted in failure. The applicant may not practice as a psychologist or psychological examiner after

a failure. Supervised practice as a trainee is permitted. A licensed psychological examiner who fails the oral examination for licensure as a psychologist may continue to practice as a psychological examiner.

7. Application for re-examination following initial failure may be made by notifying the Board in writing and by paying an additional oral re-examination fee. The oral re-examination may not be held until six (6) months have elapsed from the date of failure.
8. Following two failures of the oral examination, the Board requires that an applicant obtain and document additional appropriate education and/or experience prior to finding them eligible for an additional oral re-examination.

Section 4. Types of Licensure

A. Permanent Licensure

1. Upon a majority vote of the Board that the applicant has met all of the eligibility requirements set forth in the statute and these rules, and has passed the written and oral examinations, a license shall be issued and become effective upon payment of the license fee.
2. The license shall be generic (general) . No area of specialty in psychology shall be listed on the license. However, ethical principles dictate that the licensee practice only within areas consistent with training and competence and as the candidate informs the Board at the time of the oral examination,

B. Temporary Licensure

1. As provided by Section 3824, temporary licensure allows a qualified applicant to practice as a psychologist or psychological examiner under supervision prior to completing the examination process.
2. Temporary licensure can be applied for at any time except if applicant has failed any exam.
3. Before a temporary license can be issued to applicants, not licensed or certified elsewhere the applicant must have been found eligible for licensure as provided above and must pass the oral examination. The temporary license shall be valid for a period of one (1) year from the date of issue, unless the oral exam is failed. If the oral exam is failed, the license shall become void.

4. After the Board approves an application for temporary licensure, the Board will notify the applicant in writing of the approval. Subsequently the applicant will be notified in writing of the date and time of the scheduled oral examination.
5. Upon successful completion of the oral examination, a temporary license shall be issued and become effective upon payment of the license fee. The temporary license shall be effective for one year.
6. Supervision
 - a. A licensed psychologist must provide supervision for a temporary licensee and is responsible for the work of the supervisee. Before the temporary license can be issued, the Board must approve a Letter of Agreement signed by both the supervising psychologist and the temporary licensee. This letter shall acknowledge the provisions of these regulations relevant to practice under temporary licensure.
 - b. The supervisor's relationship with the supervisee shall be clearly differentiated from that of a consultant who may be retained at the discretion of the consultee, but who has no legal, administrative, or professional accountability for the services performed by the consultee or for the welfare of the client.
 - c. The supervisor will provide supervision on a schedule appropriate to the nature and extent of the temporary licensee's practice. Ordinarily, a minimum of one (1) hour per week of supervision will be provided. Additional supervisory time may be required to meet individual needs.
 - d. The supervising psychologist and the temporary licensee will notify the Board of any significant interruptions to, or termination of, supervisory arrangements. In the temporary absence of the supervising psychologist, such as during a vacation, the responsibility of supervising the temporary licensee must be transferred to another licensed psychologist who agrees in writing to accept such responsibility.
 - e. Psychologists practicing under temporary licensure may not serve as supervisors under this section.

7. A temporary license may not be renewed, reissued or extended for any reason. Only one (1) temporary license will be issued to any applicant.
8. The temporary license shall set forth the fact that the licensee's practice is subject to supervision and that the license is applicable only to work performed under such supervision. The supervisor's name shall appear on the temporary license.

C. Conditional Licensure

1. As provided by Section 3836, conditional licensure allows a qualified applicant who is licensed in another state to practice in Maine.
2. Applicants for conditional licensure must meet all educational, supervised experience; and professional character requirements regardless of licensure in other states and, except as provided below, must demonstrate their current competence to practice through the oral examination.
3. Applicants who have been found eligible for licensure as provided above, who currently hold a valid license or certificate from another state, and who have passed the Examination for Professional Practice in Psychology (EPPP) at the level currently required for licensure in Maine, may obtain conditional licenses upon payment of the license fee. The applicants must also provide verification of passing the EPPP exam, documentation of a valid license, and verification of licensure. The oral examination must be passed during the term of the conditional license. The conditional license shall be effective for one year. If the oral examination is failed, the license becomes void.
4. Supervision
 - a. A licensed psychologist must provide supervision for a conditional license and is responsible for the work of the supervisee. Before the conditional license can be issued, the Board must approve a Letter of Agreement signed by both the supervising psychologist and the conditional licensee. This letter shall acknowledge the provisions of these rules relevant to practice under conditional licensure.
 - b. The supervisor's relationship with the supervisee shall be clearly differentiated from that of a consultant who may be retained at the discretion of the consultee, but who has no

legal, administrative, or professional accountability for the services performed by the consultee or for the welfare of the client.

- c. Psychologists practicing under conditional licensure may not serve as supervisors under this section.
 - d. The supervisor will provide supervision on a schedule appropriate to the nature and extent of the conditional licensee's practice. Ordinarily, a minimum of one (1) hour per week of supervision will be provided. Additional supervisory time may be required to meet individual needs.
 - e. The supervising psychologist and the conditional licensee will notify the Board of any significant interruptions to, or termination of, supervisory arrangements. In the temporary absence of the supervising psychologist, such as during a vacation, the responsibility of supervising the temporary licensee must be transferred to another licensed psychologist who agrees in writing to accept such responsibility.
- 5. A conditional license may not be renewed, reissued or extended for any reason. Only one (1) conditional license will be issued to any applicant.
 - 6. The conditional license shall set forth the fact that the licensee's practice is subject to supervision and that the license is applicable only to work performed under such supervision. The supervisor's name shall appear on the conditional license.

Section 5. Intervention Services by Psychological Examiners

- A. **Authorization Required.** Prior to providing intervention services under supervision, a psychological examiner must be authorized to do so by the Board.
- B. **Definition.** Intervention services means consultation, behavior management, social skills training, and group counseling as defined herein, and other specific services authorized by the Board. Intervention services does not include psychotherapy, as defined herein. For purposes of regulating intervention services provided by psychological examiners under supervision, the Board may determine which specific forms of intervention constitute psychotherapy.

C. Application Procedures

1. Application to provide intervention services under supervision may be made by licensed psychological examiners at any time following licensure, or may be made at the time of initial application for licensure. If application for such privileges is not made at the time of the original license application, an additional oral examination must be scheduled and an additional oral reexamination fee will be charged.
2. The psychological examiner (or examiner applicant) must apply to the Board on a form supplied for this purpose.
3. The application shall document the specific services for which supervised intervention privileges are sought, as well as the specific education, training and/or supervised experience which qualifies the psychological examiner to provide such services.
4. Prior to authorizing supervised intervention privileges to a psychological examiner, the Board shall determine that the psychological examiner is qualified by education, training and/or experience, to provide the specific services under supervision. The Board shall make such determinations on the basis of a review of credentials and an oral examination covering the knowledge of principles and practices in the areas in which intervention privileges are being sought.

D. Supervision

1. A psychological examiner may provide intervention services only under the supervision of a licensed psychologist.
2. A psychologist who supervises intervention services provided by a psychological examiner is responsible for all intervention services provided by the supervisee.
3. Psychologists practicing under temporary or conditional licensure may not serve as supervisors under this section.
4. Prior to authorizing supervised intervention to a psychological examiner, the Board shall determine that the proposed supervising psychologist is qualified by education, training and experience to supervise the specific intervention services.
5. Prior to authorizing supervised intervention privileges to a psychological examiner, the Board must approve a Letter of

Agreement signed by both the psychological examiner and the supervising psychologist. This letter, on a form provided by the Board, shall acknowledge the provisions of these rules relevant to the provision and supervision of intervention services by psychological examiners. In the case of application for group intervention services, the supervisor and psychological examiner will agree that the service shall only be provided when another licensed mental health professional will be regularly and routinely serving as a cotherapist. The Letter of Agreement must be current and in effect as a condition for providing supervised intervention services. A supervising psychologist may terminate such a Letter of Agreement by notifying the Board and the psychological examiner in writing.

6. The supervising psychologist will provide supervision on a schedule appropriate to the nature and extent of the examiner's intervention activities, and will take into account the examiner's experience and demonstrated competency.
 7. Supervisors shall limit supervisory responsibilities so as to maintain a level of supervision consistent with professional standards in assuring the welfare of the client and the supervisee.
 8. The supervising psychologist and the examiner will notify the Board of any significant interruptions to, or termination of, supervisory arrangements. In the temporary absence of the supervising psychologist, such as during a vacation, the responsibility for supervising the examiner must be transferred to another licensed psychologist who agrees in writing to accept such responsibility.
- E. Public Accountability. It is the responsibility of both the supervising psychologist and the psychological examiner providing intervention services under supervision to assure that the scope, limits, and supervised nature of the intervention services are accurately communicated to the public.
- F. Suspension and Revocation
1. The Board may recommend that a psychological examiner's intervention privileges be suspended or revoked if:
 - a. the examiner, in the opinion of the Board, fails to receive adequate supervision.
 - b. the supervisor notifies the Board of his or her intention to terminate the Letter of Agreement and the examiner does

not arrange for a new supervisor approved by the Board in a Letter of Agreement.

- c. the licensee violates any, of the provisions of Section 3837.

Section 6. Renewal

- A. It is the responsibility of licensees to assure that the Board is properly notified of changes in their address or name.
- B. The renewal notice, together with the renewal fee, must be returned to the Board prior to the license expiration date.
- C. Before a license is renewed, the Board will assure that the requirements for continuing professional education have been met.
- D. Licenses which lapse are subject to the provisions of Section 3835.

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02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

415 BOARD OF EXAMINERS OF PSYCHOLOGISTS

Chapter 4. STANDARDS OF PRACTICE

SUMMARY: This chapter outlines the code of ethics and conduct used by psychologists and psychological examiners.

Section 1. Code of Ethics and Conduct

- A. The Board adopts the Ethical Principles of Psychologists of the American Psychological Association (1992), the Principles for Professional Ethics of the National Association of School Psychologists (1984) and the Rules of Conduct of the Association of State and Provincial Psychology Boards (1992). In interpreting and applying these Principles, the Board may rely upon the APA Specialty Guidelines (1981) in clinical, counseling, industrial/organizational psychology, and school psychology. The Board may modify or augment these guidelines in keeping with current accepted standards of the profession adopted by the appropriate national body (APA, NASP or ASPPB). The Board further adopts the following guidelines:

A psychologist or psychological examiner whether holding a permanent, temporary or conditional license will be referred to in this section, as a psychological provider. All such providers shall conduct their professional activities in conformity with ethical and professional standards promulgated by the Board under its rules.

The Board shall have the power and duty to suspend, place on probation, or require remediation for any psychological provider for a specified time, - to be determined at the discretion of the Board or to take any other action specified in the rules whenever the Board shall find by a preponderance of the evidence that the psychological provider has engaged in any of the following acts or offenses including but not limited to:

1. fraud in applying for or procuring a license to practice psychology;
2. immoral, unprofessional, or dishonorable conduct as defined in the rules promulgated by the Board;
3. practicing psychology in such a manner as to endanger the welfare of clients or patients;
4. conviction of a felony (a copy of the record of conviction, certified by the clerk of the court entering the conviction shall be conclusive evidence);

5. conviction of any crime or offense that reflects the inability of the practitioner to practice psychology with due regard for the health and safety of clients or patients;
6. harassment, intimidation, or abuse, sexual or otherwise, of a client or patient;
7. engaging in a prohibitive dual relationship including sexual contact with a client or patient or former client or patient as defined in the ASPPB Rules of Conduct;
8. use of repeated untruthful or deceptive or improbable statements concerning the licensee's qualifications or the effects or results of proposed treatment, including functioning outside of one's professional competence established by education, training and experience;
9. gross malpractice or repeated malpractice or gross negligence in the practice of psychology;
10. aiding or abetting someone practicing as a psychologist or a psychological examiner when that person is not licensed by the Board.
11. conviction of fraud in filing medicare or medicaid claims or in filing claims to any third party payor (a copy of the record of conviction, certified to by the clerk of the court entering the conviction, shall be conclusive evidence);
12. exercising undue influence in such a manner as to exploit the client, patient, student, or supervisee for financial or other personal advantage to the practitioner or a third party;
13. the suspension or revocation by another state of a license to practice psychology (a certified copy of the record of suspension or revocation of the state making such at suspension 'or revocation shall be conclusive evidence thereof);
14. refusal to appear before the Board after having been ordered to do so in writing by the executive officer or chair of the Board.
15. making any fraudulent or untrue statement to the Board;
16. violation of the code of ethics adopted in the rules of the Board;
and

17. inability to practice psychology with reasonable skill and safety to patients or clients by reason of illness, inebriation, misuse of drugs, narcotics, alcohol, chemicals, or any other substance, or as a result of any mental or physical condition. If a psychological provider is believed to be physically or mentally incapable of practicing psychology with reasonable skill and safety to patients or clients, and engages in practice while impaired, the Board may, upon a showing of probable cause to the Board, order the psychological provider in question to submit to a psychological evaluation by a licensed psychologist or a physical examination by a physician, either to be selected by the Board with the expense of the evaluation to be borne by the psychological provider. The evaluation shall be completed to determine psychological status and/or a physical examination by a physician to determine physical condition. When the psychological provider raises the issue of mental or physical competence or appeals a decision regarding his or her mental or physical competence, the psychological provider shall be permitted to obtain his or her own evaluation at the provider's expense. If the objectivity or adequacy of the examination is suspect, the Board may complete an examination by its designated practitioners at its own expense. When mental or physical capacity to practice is at issue, every psychologist licensed to practice psychology in the State shall be deemed to have given consent to submit to a mental or physical examination or to any combination of such examinations.
18. A temporary or conditional licensee not receiving adequate supervision from a licensed psychologist approved by the Board.

B. Scope of Practice

1. Unless additional training is obtained subsequent to licensure, a licensee shall limit his or her practice to the specific privileges noted on the application and to, the specific areas of competency stated to the Board at the oral examination.

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02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

415 BOARD OF EXAMINERS OF PSYCHOLOGISTS

Chapter 5. CONTINUING PROFESSIONAL EDUCATION

Summary: This chapter describes the requirement for continuing professional education.

A. Continuing Professional Education Required

1. Beginning with the second application for license for renewal (effective 1994), each licensee shall provide evidence to the Board that forty (40) continuing professional education units have been completed during the current license biennium, at least twenty (20) of which shall be Category 1 units as described below.
2. Such evidence, in a form acceptable to the Board, must be submitted before January 1 of the year during which the current license expires.
3. There shall be two forms of continuing professional education:
CATEGORY 1 AND CATEGORY 2.
4. Category 1 continuing professional education shall consist of scheduled educational programs of a duration of one hour or more attended by three or more service providers, unless they are correspondence courses approved by the Board. The producer of continuing professional education will obtain comments from the participants regarding the presenter's success in meeting the prescribed learning goals for the continuing professional education. Ordinarily a licensed Psychologist will be involved in the preparation, production, or presentation of the educational program. A rating of the program will be completed by each participant at the end of the program. No more than twenty (20) of the continuing education units offered for proof of compliance with this regulation shall have been obtained by the applicant in correspondence courses. Each hour of attendance at a Category 1 program or effort shall count as one continuing education unit. Correspondence courses shall receive the units awarded at the time of the approval by the Board or designated approving body.
5. Category 2 efforts shall consist of all other continuing professional educational efforts. These could include time spent at meetings, seminars or proceedings, completing a literature review for a research project, article, academic lecture or workshop, preparing lectures for their

first presentation, supervision for advanced training or other systematic activities that enhance the participant's awareness of professional psychology. Such category 2 activities shall receive one (1) continuing unit for each two hours of involvement in the activity.

6. Activities that do not clearly expand the participant's professional knowledge base in a systematic manner or have a specific educational purpose related to the science and practice of psychology will not qualify as continuing professional education. The educational experience should be clearly relevant to professional growth within the profession of psychology. Activities of the professional's practice that involve the routine completion of job responsibilities such as classroom teaching or administrative case review do not qualify.

B. Continuing Professional Education Officer

1. At the Annual Meeting or when necessary, the Board shall elect one of its members to serve as the Continuing Professional Education Officer.
2. The Continuing Professional Education Officer shall be responsible for coordinating all aspects of these rules which apply to continuing professional education.
3. **Delegation of Responsibilities.** With the approval of the Board, the Continuing Professional Education Officer may delegate any assigned responsibilities to other members of the Board.

C. Approval Required

1. The requirement for continuing professional education will be met only by those continuing professional education offerings which have been approved by the Board.
2. Such approval may take the form of:
 - a. program approval granted by the Board to the sponsor or instructor of a continuing professional education offering.
 - b. individual requests for credit granted by the Board to a licensee for an offering whose sponsor or instructor did not seek program approval.
 - c. program approval will be granted by the Board to organizations sponsored by or approved by the American Psychological Association, the Maine Psychological Association, or other

professional organizations whose standards have been approved by the Board.

- d. organizations may seek approval for their presentations from the Board. Such approval shall be valid for a year. A representative of the organization will notify the Board before each individual offering of the organization during that year.

- 3. The Board shall annually review the standards used in determining such approval.

D. Procedures

1. Program Approval

- a. Application for program approval shall be made by the sponsor, provider or instructor.
 - i. such application shall indicate that the program has been reviewed by a licensed psychologist who asserts in writing attached that the proposed program is worthy of designation as a continuing professional education program. Ordinarily licensed psychologists will be involved in the preparation, production or presentation of the continuing professional education program.
 - ii. the applicant will indicate that prescribed learning goals of the continuing professional education program will be given to each participant at the beginning of the continuing professional education program.
 - iii. if application is being made for Category 1 approval, the request for approval shall include a statement that the producer will solicit the participants view of the presenter's success at reaching the prescribed learning goals of the continuing professional education program.
 - iv. applicants will agree, if successful in their application, to notify all program participants that the continuing professional education program has been approved by the Board.
 - v. applicants also will agree to give each participant a certificate of attendance specifying the category being offered and the units awarded.

- vi. include payment of the non-refundable fee.
 - b. Application must be made at least 45 days prior to the desired effective date of approval.
 - c. The application will be reviewed by the Continuing Professional Education officer, and notice of approval or denial of credit will be sent to the sponsor or instructor.
 - d. Sponsors or instructors denied program approval may appeal such decisions to the Board.
 - e. The Board charges a fee for reviewing applications for program approval of continuing professional education offerings.
 - f. Evidence of participation must be provided on certificates issued by the provider of continuing professional educational services.
2. Individual Requests for Credit
- a. Individual licensees may request continuing professional education credit for participation in offerings for which the sponsor or instructor did not seek program approval.
 - b. Individual requests for credit, must be made at least 45 days prior to the desired effective date of approval.
 - c. The request will be reviewed by the Continuing Professional Education Officer, and notice of approval or denial of credit will be sent to the licensee.
 - d. Licensees denied credit may appeal such decisions to the Board.
 - e. The Board charges a fee for reviewing individual requests for continuing professional education credit.
3. Blanket Approval
- a. continuing professional education offerings sponsored by or approved by the American Psychological Association, the Maine Psychological Association, or other professional organizations whose standards have been approved by the Board are accepted without program approval or an individual request for credit.
 - b. Evidence of participation must be provided on certificates issued by the Association's program provider.

- c. Application for blanket approval shall be made by the professional organization.
 - d. Application must be made at least 45 days prior to the desired effective date of approval.
 - e. The application will be reviewed by the Continuing Professional Education Officer, and notice of approval or denial will be sent to the professional organization.
 - f. Professional organizations denied approval may appeal such decisions to the Board.
4. The Continuing Education officer with the approval of the Board may waive particular regulations regarding continuing education in specific situations for licensees. Such waivers shall only be effective when recorded in the official minutes of the Board.

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02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
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Chapter 6. FEE SCHEDULE

Special Notice on the Fee Chapters of Certain Boards

"Pursuant to 10 MRSA § 8003(2-A)(D), the fees contained in this chapter are superseded by the fees established in Chapter 10 of the rules of the Department of Professional and Financial Regulation, Office of Licensing and Registration."

The following fees are not enforced and are now found in Office of Licensing and Registration Rule Chapter 10 is 02-041 -- <http://www.maine.gov/sos/cec/rules/02/feenote.htm>

Summary: This chapter lists the required fees.

Section 1. Fee Schedule

The following fees shall be payable to the Treasurer, State of Maine:

- | | | |
|-----|---|--|
| 1. | Application (Includes Oral Examination) | \$150.00 |
| 2. | Application for Intervention Services | 25.00 |
| 3. | Written Examination | Fee that the Testing Service charges, plus
\$25.00 administrative fee |
| 4. | Biennial License (2 years) | 300.00 |
| 5. | Temporary License | 150.00 |
| 6. | Conditional License | 150.00 |
| 7. | Oral Re-examination | 100.00 |
| 8. | Privileges Review | 25.00 |
| 9. | Duplicate License | 10.00 |
| 10. | Continuing Education Program Approval | 50.00 |
| 11. | Continuing Education Individual Credit | 10.00 |
| 12. | Late renewal fee | 10.00 |
| 13. | Certification Letter | 20.00 |

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02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

415 BOARD OF EXAMINERS OF PSYCHOLOGISTS

Chapter 7. ENFORCEMENT, DISCIPLINARY PROCEDURES, AND APPEALS

SUMMARY: This chapter defines the complaint procedures.

Section 1. Complaint Officer

- A. Complaint Officer Elected. At the Annual Meeting or when necessary, the Board shall elect one of its members as a Complaint Officer.
- B. Duties of Complaint Officer. The Complaint Officer shall be responsible for processing complaints and for responding to requests from licensees and the general public for information relative to the practice of psychology.
- C. Delegation of Responsibilities. with the approval of the Board, the Complaint Officer may delegate any assigned responsibilities to other members of the Board.

Section 2. Processing of Complaints

- A. The Board will follow the procedure for initiating and processing complaints set forth in the Standard Complaint Procedure of the Division of Licensing and Enforcement, Department of Professional and Financial Regulation a copy of which shall be available upon request from the Compliance Officer.

Section 3. Appeals

- A. Final Board decisions with respect to disciplinary actions may be appealed to Administrative Court pursuant to 10 M.R.S.A. Section 8003, and 5 M.R.S.A. Section 10051(3).
- B. Final Board decisions with respect to action taken on licensure applications may be appealed to Superior Court pursuant to 5 M.R.S.A. Section 11001-11008.

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