



NOTICES OF PROPOSED RULEMAKING

This section of the *Arizona Administrative Register* contains Notices of Proposed Rulemakings.

A proposed rulemaking is filed by an agency upon completion and submittal of a Notice of Rulemaking Docket Opening. Often these two documents are filed at the same time and published in the same *Register* issue.

When an agency files a Notice of Proposed Rulemaking under the Administrative Procedure Act (APA), the notice is published in the *Register* within three weeks of filing. See the publication schedule in the back of each issue of the *Register* for more information.

Under the APA, an agency must allow at least 30 days to elapse after the publication of the Notice of Proposed Rulemaking in the *Register* before beginning any proceedings for making, amending, or repealing any rule. (A.R.S. §§ 41-1013 and 41-1022)

The Office of the Secretary of State is the filing office and publisher of these rules. Questions about the interpretation of the proposed rules should be addressed to the agency the promulgated the rules. Refer to item #4 below to contact the person charged with the rulemaking and item #10 for the close of record and information related to public hearings and oral comments.

NOTICE OF PROPOSED RULEMAKING

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 26. BOARD OF PSYCHOLOGIST EXAMINERS

[R16-91]

PREAMBLE

1. Articles, Parts, and Sections Affected

	<u>Rulemaking Action</u>
R4-26-101	Amend
R4-26-108	Amend
R4-26-109	New Section
R4-26-110	New Section
R4-26-111	New Section
R4-26-203.03	Amend
R4-26-203.04	New Section
R4-26-205	Amend
R4-26-206	Amend
R4-26-207	Amend
R4-26-210	Amend
R4-26-304	Amend
R4-26-310	Amend

2. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):

Authorizing statute: A.R.S. §§ 32-2063(A)(9) and (12)

Implementing statute: A.R.S. §§ 32-2061(14), 32-2071(F)(6) and (G)(5), 32-2073, and 32-2074 (version 2)

3. Citations to all related notices published in the *Register* as specified in R1-1-409(A) that pertain to the record of the proposed rule:

Notice of Rulemaking Docket Opening: 22 A.A.R. 1109, May 13, 2016

4. The agency's contact person who can answer questions about the rulemaking:

Name: Dr. Cindy Olvey, Executive Director
 Address: Board of Psychologist Examiners
 1400 W. Washington, Suite 240
 Phoenix, AZ 85007
 Telephone: (602) 542-8162
 Fax: (602) 542-8279
 E-mail: Cindy.Olvey@psychboard.az.gov
 Web site: <https://psychboard.az.gov>

5. An agency's justification and reason why a rule should be made, amended, repealed, or renumbered, to include an explanation about the rulemaking:

In 2014, the legislature made several important changes to the Board's statutes (See Laws 2014, Chapter 258). The changes include allowing psychological services and supervision to be provided by telepractice, establishing a temporary license, and amending the biennial license renewal so half of all licenses are renewed each year rather than all in one year and so licenses are renewed throughout a year rather than all during one month. Conforming changes are made to rules dealing with definitions and fees.

In a rulemaking that went into effect on January 30, 2016, the Board amended many of its rules to make changes identified as needed in a five-year-review report, make the rules consistent with Board practice, and make the language clear, concise, and understandable. In this rulemaking, the Board further amends some of the rules to correct minor errors.

An exemption from Executive Order 2015-01 was provided for this rulemaking by Ted Vogt, Chief of Operations in the Governor's office, in an e-mail dated June 1, 2015.

6. A reference to any study relevant to the rule that the agency reviewed and proposes either to rely on or not to rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:

The Board does not intend to review or rely on a study in its evaluation of or justification for any rule in this rulemaking.

7. A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

8. The preliminary summary of the economic, small business, and consumer impact:

Being able to provide psychological services and supervision by telepractice and able to obtain a temporary license will have economic impact for those who are in position to take advantage of the new statutory provisions. However, the economic benefit results from legislative action rather than from these rules. The rules establish minimal requirements for working by telepractice and clarify some of the statutory requirements for obtaining a temporary license.

9. The agency's contact person who can answer questions about the economic, small business, and consumer impact statement:

Name: Dr. Cindy Olvey, Executive Director
 Address: Board of Psychologist Examiners
 1400 W. Washington, Suite 240
 Phoenix, AZ 85007
 Telephone: (602) 542-8162
 Fax: (602) 542-8279
 E-mail: Cindy.Olvey@psychboard.az.gov
 Web site: <https://psychboard.az.gov>

10. The time, place, and nature of the proceedings to make, amend, repeal, or renumber the rule, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:

An oral proceeding regarding the proposed rules will be held as follows:

Date: Tuesday, July 26, 2016
 Time: 10:00 a.m.
 Location: 15 South 15th Avenue
 Basement conference room
 Phoenix, AZ 85007

11. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:

None

a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:

The new temporary license in R4-26-203.02 and the biennial license renewal in R4-26-205 are general permits consistent with A.R.S. § 41-1037 because they are issued to qualified individuals to conduct activities that are substantially similar in nature.

b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:

There are numerous federal laws that apply to health care practitioners such as psychologists. These include the Affordable Care Act, Medicare and Medicaid, and HIPAA. However, none of these laws is directly applicable to the subject matter of these rules and the rules are not more stringent than federal law.



- c. Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:

No analysis was submitted.

12. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules:

None

13. The full text of the rules follows:

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 26. BOARD OF PSYCHOLOGIST EXAMINERS

ARTICLE 1. GENERAL PROVISIONS

Section

R4-26-101.	Definitions
R4-26-108.	Fees and Charges
R4-26-109.	Repealed General Provisions Regarding Telepractice
R4-26-110.	Repealed Providing Psychological Service by Telepractice
R4-26-111.	Reserved Providing Supervision through Telepractice

ARTICLE 2. LICENSURE

R4-26-203.03.	Reapplication for License; Applying Anew
<u>R4-26-203.04.</u>	<u>Temporary License under A.R.S. § 32-2073(B)</u>
R4-26-205.	Renewal of License
R4-26-206.	Reinstatement of License from Inactive to Active Status; Cancellation of License
R4-26-207.	Continuing Education
R4-26-210.	Supervised Professional Experience

ARTICLE 3. REGULATION

R4-26-304.	Representation before the Board by Attorney Not Admitted to State Bar of Arizona
R4-26-310.	Disciplinary Supervision; <u>Practice Monitor</u>

ARTICLE 1. GENERAL PROVISIONS

R4-26-101. Definitions

A. The definitions in A.R.S. § 32-2061 apply to this Chapter.

B. Additionally, in this Chapter:

1. No change
2. No change
3. No change
4. No change
5. No change
6. No change
7. No change
8. No change
9. No change
10. No change
11. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - i. No change
 - ii. No change
 - iii. No change
 - iv. No change
 - v. No change

- vi. No change
- vii. No change
- 12. No change
- 13. No change
- 14. No change
- 15. No change
- 16. No change
- 17. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
- 18. No change
- 19. No change
- 20. No change
- 21. No change
- 22. "License period" means:
 - a. For a licensee who holds an odd-numbered license, the two years between May 1 the first day of the month after the licensee's birth month of one odd-numbered year and April 30 the last day of the licensee's birth month of the next odd-numbered year; and
 - b. For a licensee who holds an even-numbered license, the two years between the first day of the month after the licensee's birth month of one even-numbered year and the last day of the licensee's birth month of the next even-numbered year.
- 23. No change
- 24. No change
- 25. No change
- 26. No change
- 27. No change
- 28. No change
- 29. No change
- 30. "Renewal year" means:
 - a. Each odd-numbered year for a licensee who holds an odd-numbered license, and
 - b. Each even-numbered year for a licensee who holds an even-numbered license.
- ~~30-31.~~ No change
- ~~31-32.~~ No change
- ~~32-33.~~ No change
- ~~33-34.~~ No change
- ~~34-35.~~ No change
- ~~35-36.~~ No change
 - a. No change
 - b. No change
 - c. No change
- ~~36-37.~~ No change

R4-26-108. Fees and Charges

- A. As specifically authorized by A.R.S. § 32-2067(A), the Board establishes and shall collect the following fees:
 - 1. Application for an active license to practice psychology: \$350;
 - 2. Application for a temporary license under A.R.S. § 32-2073(B): \$200
 - ~~2-3.~~ Reapplication for an active license: \$200;
 - ~~3-4.~~ Initial Issuance of an initial active or temporary license (prorated, as applicable): \$ 500;
 - ~~4-5.~~ Duplicate license: \$25;
 - ~~5-6.~~ Biennial renewal of an active license: \$ 500;
 - ~~6-7.~~ Biennial renewal of an inactive license: \$ 85;
 - ~~7-8.~~ Reinstatement of an active or inactive license: \$200; and
 - ~~8-9.~~ Delinquent compliance with continuing education requirements: \$200.
- B. No change
 - 1. No change
 - 2. No change
 - 3. No change



- 4. No change
- 5. No change
- 6. No change
- 7. No change
- 8. No change
- C. No change

R4-26-109. Repealed General Provisions Regarding Telepractice

- A.** Except as otherwise provided by law, a licensee who provides psychological service or supervision by telepractice to a client or patient or supervisee located outside Arizona shall comply with not only A.R.S. Title 32, Chapter 19.1, and this Chapter but also the laws and rules of the jurisdiction in which the client or patient or supervisee is located.
- B.** Before providing psychological service or supervision by telepractice, a licensee shall establish competence in use of telepractice that conforms to prevailing standards of scientific and professional knowledge.
- C.** A licensee who provides psychological service or supervision by telepractice shall maintain competence in use of telepractice through continuing education, consultation, or other procedures designed to address changing technology used in telepractice.
- D.** A licensee who provides psychological service or supervision by telepractice shall take all reasonable steps to ensure confidential communications stored electronically cannot be recovered or accessed by an unauthorized person when the licensee disposes of electronic equipment or data.

R4-26-110. Repealed Providing Psychological Service by Telepractice

- A.** Before providing psychological service by telepractice, a licensee who is in compliance with R4-26-109 shall conduct a risk analysis as clinically indicated and document in the client or patient's record required under R4-26-106 whether use of telepractice:
 - 1. Is consistent with the client or patient's knowledge and skill regarding use of the technology involved in providing psychological service by telepractice or with ready access to assistance with use of the technology, and
 - 2. Is in the best interest of the client or patient.
- B.** A licensee shall not provide psychological service by telepractice unless both conditions of the risk analysis conducted under subsection (A) are met.
- C.** Before providing psychological service by telepractice, a licensee shall:
 - 1. Obtain the written informed consent of the client or patient, using language that is clear and understandable and consistent with accepted professional and legal requirements. The licensee shall ensure the written informed consent addresses the following and a copy is placed in the client or patient's record required under R4-26-106:
 - a. The manner in which the licensee will verify the identity of the client or patient before each psychological service if the telepractice does not involve video;
 - b. The manner in which the licensee will ensure the client or patient's electronic communications are received only by the licensee or supervisee;
 - c. Limitations and innovative nature of using technology to provide psychological service;
 - d. Inherent confidentiality risk resulting from use of technology;
 - e. Potential risk of technology failure that disrupts provision of psychological service and how to re-establish communication if disruption occurs;
 - f. When and how the licensee will respond to routine electronic communications;
 - g. The circumstances under which the licensee and client or patient will use an alternative means of communication;
 - h. Who is authorized to access the electronic communication between the licensee and client or patient;
 - i. The manner in which the licensee stores the electronic communication between the licensee and the client or patient; and
 - j. The type of secure electronic technology the licensee will use to communicate with the client or patient;
 - 2. Establish a written agreement with the client or patient that specifies contact information for sources of face-to-face emergency services in the client or patient's geographical area and requires the client or patient to contact a source of face-to-face emergency services when the client or patient experiences a suicidal or homicidal crisis or other emergency. If the licensee has knowledge the client or patient is experiencing a suicidal or homicidal crisis or other emergency, the licensee shall assist the client or patient to contact a source of face-to-face emergency services. The licensee shall place a copy of the written agreement required under this subsection in the client or patient's record required under R4-26-106.
 - 3. Obtain the name and contact information for an emergency contact;
 - 4. Obtain information about an alternative means of contacting the client or patient; and
 - 5. Provide the client or patient with information about an alternative means of contacting the licensee.
- D.** A licensee who provides psychological service by telepractice shall repeat the risk analysis required under subsection (A) as clinically indicated.

- E.** If a licensee does not provide psychological service by telepractice to a client or patient, the provisions of this Section do not apply to electronic communications with the client or patient regarding:
1. Scheduling an appointment, billing, establishing benefits, or determining eligibility for services; and
 2. Checking the welfare of the client or patient in accord with reasonable professional judgment.

R4-26-111. Reserved Providing Supervision through Telepractice

- A.** As specified under A.R.S. § 32-2071(F) and (G), a licensee who provides in-person individual supervision shall ensure that:
1. No more than 50 percent of the supervision is provided through telepractice; and
 2. Supervision provided through telepractice is conducted using secure, confidential, real-time visual telecommunication technology.
- B.** Before providing supervision by telepractice, a licensee who is in compliance with R4-26-109 shall conduct a risk analysis as clinically indicated and document whether providing supervision by telepractice:
1. Is appropriate for the issue presented by the supervisee's client or patient involved in the supervisory process,
 2. Is consistent with the supervisee's knowledge and skill regarding use of the technology involved in providing supervision by telepractice, and
 3. Is in the best interest of both the supervisee and the supervisee's client or patient involved in the supervisory process.
- C.** A licensee shall not provide supervision by telepractice unless all conditions of the risk analysis conducted under subsection (B) are met.
- D.** Before providing supervision by telepractice, a licensee shall:
1. Enter a written agreement with the supervisee, using language that is clear and understandable and consistent with accepted professional and legal requirements. The licensee shall ensure the written agreement addresses the following and a copy is provided to the supervisee:
 - a. The manner in which the licensee will identify the supervisee before each supervisory session that does not involve video;
 - b. Limitations and innovative nature of using technology to provide supervision;
 - c. Potential risk of technology failure that disrupts provision of supervision and how to re-establish communication if disruption occurs;
 - d. When and how the licensee will respond to routine electronic communications from the supervisee;
 - e. The circumstances under which the licensee and supervisee will use an alternative means of communication; and
 - f. The type of secure electronic technology the licensee will use to communicate with the supervisee;
 2. Obtain information about an alternative means of contacting the supervisee; and
 3. Provide the supervisee with information about an alternative means of contacting the licensee.

ARTICLE 2. LICENSURE

R4-26-203.03. Reapplication for License; Applying Anew

- A.** No change
1. No change
 2. No change
- B.** No change
- C.** No change
1. No change
 2. No change
 - a. No change
 - b. No change
 - c. No change
 3. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
 - f. No change
 4. No change



5. Pay the fee required under R4-26-108(A)(2).

D. No change

1. No change
2. An individual who was permitted by the Board to withdraw an application submitted under R4-26-203 or R4-26-203.01 before the Board acted on the application, ~~and~~
3. An individual whose application submitted under R4-26-203 or R4-26-203.01 was administratively closed by the Board under R4-26-208(H) more than one year before another application is submitted₂.
4. An individual whose license was revoked under A.R.S. § 32-2081(N)(1).
5. An individual whose license expired under A.R.S. § 32-2074.
6. An individual whose license was cancelled under A.R.S. 32-2074, and
7. An individual who retired under A.R.S. § 32-2073(G).

R4-26-203.04. Temporary License under A.R.S. § 32-2073(B)

A. To be eligible to be issued a temporary license under A.R.S. § 32-2073(B), an individual shall:

1. Have completed the educational requirements specified in A.R.S. § 32-2071(A) through (C);
2. Have completed 1,500 hours of supervised professional experience as described in A.R.S. § 32-2071(F); and
3. Be participating in a supervised postdoctoral professional experience as described in A.R.S. § 32-2071(G).

B. An applicant seeking a temporary license under A.R.S. § 32-2073(B), shall submit an application packet to the Board that includes:

1. The application form required under R4-26-203 and provide all required information except that specified in R4-26-203(C)(3), (5), and (7); and
2. The written training plan required under A.R.S. § 32-2071(G)(7) from the entity at which the supervised postdoctoral professional experience is occurring that includes at least the following:
 - a. Goal and content of each training experience.
 - b. Expectations regarding the nature, quality, and quantity of work to be done by the supervisee during the supervised postdoctoral professional experience.
 - c. Methods of evaluating the supervisee and the supervised postdoctoral professional experience.
 - e. Total number of hours to be accrued during the supervised postdoctoral professional experience.
 - f. Total number of hours of face-to-face contact hours the supervisee is to have with clients or patients during the supervised postdoctoral professional experience.
 - g. Total number of hours of supervision the supervisee is to receive during the supervised postdoctoral professional experience.
 - h. Qualifications of all individuals who provide supervision during the supervised postdoctoral professional experience including documentation that each is qualified under the standards at A.R.S. § 32-2071(G), and
 - i. Acknowledgement that ethics training is included in the training experience.

C. An individual issued a temporary license under A.R.S. § 32-2073(B) shall practice psychology only under supervision. It is unprofessional conduct for the holder of a temporary license issued under A.R.S. § 32-2073(B) to practice psychology without supervision.

D. A temporary license issued under A.R.S. § 32-2073(B) is valid for 36 months and is not renewable. If the Board denies an active license under R4-26-203 to the holder of a temporary license issued under A.R.S. § 32-2073(B), the temporary license terminates.

E. The holder of a temporary license issued under A.R.S. § 32-2073(B) shall:

1. Comply fully with all provisions of A.R.S. Title 32, Chapter 19.1, and this Chapter;
2. Not practice psychology outside the postdoctoral experience specified in the written training plan required under subsection (B)(2) and
3. Submit to the Board any modification to the written training plan required under subsection (B)(2) within 10 days after the effective date of the modification.

R4-26-205. Renewal of License

A. A Beginning May 1, 2017, a license issued by the Board, whether active or inactive, expires on ~~April 30 of every odd-numbered year unless renewed.~~ the last day of a licensee's birth month during the licensee's renewal year.

B. The Board considers a license renewal application packet timely submitted if delivered or mailed to the Board's office and date stamped or postmarked on or before ~~April 30 of the odd-numbered year in which the license expires~~ the last day of a licensee's birth month during the licensee's renewal year.

C. No change

1. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change

- f. No change
 - g. No change
 - h. No change
 - i. No change
 - j. No change
 - k. No change
- 2. No change
- 3. No change
- 4. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
 - f. No change
 - g. No change
 - h. No change
 - i. No change
 - j. No change
 - k. No change
 - l. No change
 - m. No change
 - n. No change
 - o. No change
 - p. No change
 - q. No change
- 5. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
- 6. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
- 7. No change
- 8. No change
- D.** No change
 - 1. No change
 - 2. No change
 - 3. No change
- E.** No change
- F.** Under A.R.S. § 32-2074~~(B)~~ (C), the license of a licensee who fails to submit a renewal application, including the information about continuing education completed, on or before ~~April 30 of an odd numbered year~~ the last day of the licensee's birth month during the licensee's renewal year expires and the licensee shall immediately stop practicing psychology.
- G.** A psychologist whose license expires under subsection (F) may have the license reinstated by submitting the following to the Board ~~on or before June 30 of the year in which the license expired~~ within two months after last day of the licensee's birth month during the licensee's renewal year:
 - 1. No change
 - 2. No change
- H.** A psychologist whose license expires under subsection (F) and who fails to have the license reinstated under subsection (G) may have the license reinstated by:
 - 1. Complying with ~~subsections (G)(1) and (2) on or before the following April 30th~~ subsection (G) within one year after last day of the licensee's birth month during the licensee's renewal year, and
 - 2. No change



I. No change

J. No change

R4-26-206. Reinstatement of License from Inactive to Active Status; Cancellation of License

A. No change

B. A psychologist who is on inactive status for at least two years may reinstate the license to active status by presenting to the Board documentation of completion of at least 40 hours of continuing education that meets the standards in R4-26-207. A psychologist who is on inactive status for less than two years may reinstate the license to active status by presenting to the Board documentation of completion of a prorated amount of continuing education. To calculate the prorated amount of continuing education hours required, the Board shall multiple 1.67 by the number of months from the date of inactive status until the date the application for reinstatement is received by the Board. For every six months of inactive status, the Board shall require one hour of continuing education in:

1. Ethics, as specified under R4-26-207(B)(1); and

2. Domestic violence, intimate partner abuse, child abuse, or abuse of vulnerable adults, as specified under R4-26-207(B)(2).

C. No change

R4-26-207. Continuing Education

A. No change

B. A licensee shall ensure that the continuing education hours obtained include at least four hours in each of the following:

1. Professional ethics; and

2. Domestic violence, intimate partner abuse, child abuse, or abuse of vulnerable adults. The topic of bullying satisfies the requirement for child abuse.

~~B.C.~~ During the license period in which an individual is initially licensed, the Board shall pro-rate the number of continuing education hours, including a pro-rated number of hours addressing ethics, domestic violence, intimate partner abuse, abuse of vulnerable adults, child abuse, and bullying that the new licensee must complete during the initial license period. To calculate the number of continuing education hours that a new licensee must obtain, the Board shall divide the 40 hours of continuing education required in a license period by 24 and multiply the quotient by the number of whole months from the date of initial licensure until the end of the license period. ~~To determine the number of ethics hours required during the first license period, the licensee shall complete one hour of ethics for every six months from the month of license issuance to the end of the license period. During the first license period, for every six months from the month of license issuance to the end of the license period, the Board shall require one hour of continuing education in:~~

1. Ethics, as specified under subsection (B)(1); and

2. Domestic violence, intimate partner abuse, child abuse, or abuse of vulnerable adults, as specified under subsection (B)(2).

~~C. A licensee shall ensure that the continuing education hours obtained include at least four hours in each of the following:~~

1. ~~Professional ethics; and~~

2. ~~Domestic violence, intimate partner abuse, child abuse, or abuse of vulnerable adults. The topic of bullying satisfies the requirement for child abuse.~~

D. If the standards in subsection (F) are met, the Board shall accept the following for continuing education hours. ~~In completing the continuing education requirement, a licensee shall ensure that hours are obtained from participating in at least two of the following:~~

1. Post-doctoral study sponsored by a university or college that is regionally accredited under A.R.S. § 32-2071(A)(1) and provides a graduate-level degree program;

2. A course, seminar, workshop, or home study for which a certificate of attendance or completion is provided;

3. A continuing education program offered by a national, international, regional, or state association, society, board, or continuing education provider;

4. Teaching a graduate-level course in applied psychology at a university or college that is regionally accredited under A.R.S. § 32-2071(A)(1). A licensee who teaches a graduate-level course in applied psychology receives the same number of continuing education hours as number of classroom hours for those who take the graduate-level course;

5. Organizing and presenting a continuing education activity. A licensee who organizes and presents a continuing education activity receives the same number of continuing education hours as those who attend the continuing education activity;

6. ~~Attending a Board meeting or serving as a member of the Board. A licensee receives up to six continuing education hours in professional ethics for attending both morning and afternoon sessions of a Board meeting and three continuing education hours for attending either the morning or afternoon session or at least four hours of a Board meeting. A licensee shall complete documentation provided by the Board at the time the licensee attends a Board meeting. During a license period, the Board shall not accept from a licensee more than 10 continuing education hours obtained by attending a Board meeting;~~

7. Serving as a complaint consultant. During a license period, a licensee who serves as a Board complaint consultant to review Board complaints and ~~provide a~~ provides written ~~report~~ reports to the Board or provides expert testimony

on behalf of the Board may receive continuing education hours equal to the actual number of hours served as a complaint consultant to a maximum of 20 hours. A licensee who is paid by the Board for services rendered shall not receive continuing education credit for the time or services for which payment was made;

7. The Board shall allow a maximum of 10 continuing education hours for each of the following during a license period:

a. Attending a Board meeting or serving as a member of the Board. A licensee receives up to six continuing education hours in professional ethics for attending both morning and afternoon sessions of a Board meeting and three continuing education hours for attending either the morning or afternoon session or at least four hours of a Board meeting. A licensee shall complete documentation provided by the Board at the time the licensee attends a Board meeting;

~~8-b.~~ Having an authored or co-authored psychology book, psychology book chapter, or article in a peer-reviewed psychology journal published. A licensee who has an authored or co-authored psychology book, psychology book chapter, or article in a peer-reviewed psychology journal published receives 10 continuing education hours in the year of publication;

~~9-c.~~ Participating in a study group for professional growth and development as a psychologist. A licensee receives one hour of continuing education for each hour of participation to a maximum of 10 continuing education hours for participating in a study group. The Board shall allow continuing education hours for participating in a study group only if the licensee maintains the documentation required under subsection (G)(5);

~~10-d.~~ Presenting a symposium or paper at a state, regional, national, or international psychology meeting. A licensee who presents a symposium or paper receives the same number of continuing education hours as hours of the session, as published in the agenda of the meeting, at which the symposium or paper is presented to a maximum of 10 continuing education hours ~~in a license period;~~

~~11-e.~~ Presenting a poster during a poster session at a state, regional, national, or international psychology meeting. A licensee who presents a poster receives an hour of continuing education for each hour the licensee is physically present with the poster during the poster session, as published in the agenda of the meeting, to a maximum of 10 continuing education hours ~~in a license period;~~ and

~~12-f.~~ Serving as an elected officer of an international, national, regional, or state psychological association or society. A licensee who serves as an elected officer may receive continuing education hours equal to the actual number of hours served to a maximum of 10 continuing education hours ~~in a license period.~~

E. No change

1. No change
2. No change
3. No change

F. Standards for continuing education. To be acceptable for continuing education credit, an activity identified in subsections (D)(1) through (4) shall:

1. Focus on the practice of psychology, as defined at A.R.S. § 32-2061~~(8)~~ (9), for at least 75 percent of the program hours; and
2. Be taught by an instructor who is:
 - a. ~~Currently licensed or certified in the instructor's profession or works at least 20 hours each week as a faculty member at a regionally accredited college or university;~~
 - b. ~~A fellow diplomate, or specialist; or~~
 - e. ~~Readily~~ readily identifiable as competent in the subject of the continuing education by having an advanced degree, teaching experience, work history, published professional articles, or previously presented continuing education on the same subject.

G. The Board shall accept the following documents as evidence of completion of continuing education hours:

1. A certificate of attendance or completion;
2. Statement signed by the provider verifying participation in the activity;
3. ~~Official transcript~~ Copy of transcript of course completed under subsection (D)(1);
4. Documents indicating a licensee's participation as an elected officer or appointed member as specified in subsection ~~(D)(12)~~ (D)(7)(f); or
5. An attestation signed by all participants of a study group under subsection ~~(D)(9)~~ (D)(7)(c) that includes a description of the activity, subject covered, dates, and number of hours.

H. No change

I. No change

J. No change

1. No change
2. No change
3. No change

K. No change



L. No change

R4-26-208. Time Frames for Processing Applications

A. No change

B. No change

C. No change

D. No change

E. No change

F. No change

G. No change

H. No change

I. No change

J. No change

1. No change

2. No change

H.K. If the Board denies a license or approval, the Board shall send the applicant or person requesting approval a written notice explaining:

1. No change

2. No change

3. No change

4. No change

I.L. If the last day of a time frame falls on a Saturday, Sunday, or an official state holiday, the time frame ends on the next business day.

R4-26-210. Supervised Professional Experience

A. No change

1. No change

2. No change

3. No change

a. No change

b. No change

c. No change

d. No change

e. No change

f. No change

g. No change

h. No change

i. No change

B. No change

1. No change

a. No change

b. No change

2. No change

3. No change

4. No change

a. No change

b. No change

c. No change

d. No change

e. No change

5. No change

6. No change

C. Under A.R.S. § 32-2071(G)(5), at least 40 percent of an applicant's supervised postdoctoral experience shall involve direct client or patient contact. If an applicant's supervised postdoctoral hours applied toward licensure include less than 40 percent direct ~~contact~~ contact hours, the applicant shall work additional time to achieve the required percentage of direct contact hours. While additional direct contact hours may be obtained to meet this requirement, the Board shall count no more than 1,500 hours of total postdoctoral experience for the purpose of licensure.

ARTICLE 3. REGULATION

R4-26-304. Representation before the Board by Attorney Not Admitted to State Bar of Arizona

An attorney who is not a member of the State Bar of Arizona shall not represent a party before the Board unless the attorney is admitted to practice ~~pro hac vice~~ pro hac vice before the Board under Rule 38(a) of the Rules of the Supreme Court of Arizona.

R4-26-310. Disciplinary Supervision; Practice Monitor

- A. If the Board determines, after a hearing conducted under A.R.S. Title 41, Chapter 6, Article 10, after an informal interview under A.R.S. § 32-2081(K), or through an agreement with the Board, that to protect public health and safety and ensure a licensee's ability to engage safely in the practice of psychology, it is necessary to require that the licensee practice psychology for a specified term under ~~the supervision of~~ another licensee who provides supervision or service as a practice monitor, the Board shall enter into an agreement with the licensee or issue an order regarding the disciplinary supervision or practice monitoring.
- B. Payment between a licensee and supervisor ~~and supervisee~~ or practice monitor.
1. A licensed psychologist who enters into an agreement with the Board or is ordered by the Board to practice psychology under the supervision of another licensee may pay the supervising licensee for the supervisory service; ~~and~~
 2. A licensed psychologist who provides supervisory service to a licensed psychologist who has been ordered by the Board or entered into an agreement with the Board to practice psychology under supervision may accept payment for the supervisory service;
 3. A licensed psychologist who enters into an agreement with the Board or is ordered by the Board to practice psychology under a practice monitor may pay the practice monitor for the service provided; and
 4. A licensed psychologist who provides practice monitoring to a licensed psychologist who has been ordered by the Board or entered into an agreement with the Board to practice psychology under a practice monitor may accept payment for the service provided.
- C. A licensed psychologist who supervises or serves as a practice monitor for a licensed psychologist who has entered an agreement with the Board or been ordered by the Board to practice psychology under supervision or with a practice monitor is professionally responsible only for work specified in the agreement or order.