

## **Part 3 Licensing**

### **58-61-301 Licensure required -- Certifications.**

- (1)
  - (a) A license is required to engage in the practice of psychology, except as specifically provided in Section 58-1-307.
  - (b) Notwithstanding the provisions of Subsection 58-1-307(1)(c) an individual shall be certified under this chapter as a psychology resident in order to engage in a residency program of supervised clinical training necessary to meet licensing requirements as a psychologist under this chapter.
- (2) The division shall issue to an individual who qualifies under this chapter:
  - (a) a license in the classification of:
    - (i) psychologist;
    - (ii) certified psychology resident; and
    - (iii) licensed school psychological practitioner; and
  - (b) a certification in the classification of:
    - (i) certified prescribing psychologist; and
    - (ii) provisional prescribing psychologist.

Amended by Chapter 228, 2024 General Session

Amended by Chapter 420, 2024 General Session

### **58-61-302 Term of license.**

- (1)
  - (a) The division shall issue each license under this chapter in accordance with a two-year renewal cycle established by division rule.
  - (b) The division may by rule extend or shorten a renewal cycle by as much as one year to stagger the renewal cycles it administers.
- (2) At the time of renewal the licensee shall show satisfactory evidence of renewal requirements as required under this chapter.
- (3) Each license expires on the expiration date shown on the license unless renewed by the licensee in accordance with Section 58-1-308.

Enacted by Chapter 32, 1994 General Session

### **58-61-304 Qualifications for licensure by examination or endorsement.**

- (1) An applicant for licensure as a psychologist based upon education, clinical training, and examination shall:
  - (a) submit an application on a form the division approves;
  - (b) pay a fee determined by the department under Section 63J-1-504;
  - (c) produce certified transcripts of credit verifying satisfactory completion of a doctoral degree in psychology that includes specific core course work established by division rule under Section 58-1-203, from an institution of higher education whose doctoral program, at the time the applicant received the doctoral degree, met approval criteria established by division rule made in consultation with the board;

- (d) have completed a minimum of 4,000 hours of psychology training as defined by division rule under Section 58-1-203 under the supervision of a psychologist supervisor approved by the division in collaboration with the board;
  - (e) to be qualified to engage in mental health therapy, document successful completion of not less than 1,000 hours of supervised training in mental health therapy obtained after completion of a master's level of education in psychology, which training may be included as part of the 4,000 hours of training required in Subsection (1)(d), and for which documented evidence demonstrates not less than one hour of supervision for each 40 hours of supervised training was obtained under the direct supervision of a psychologist, as defined by rule;
  - (f) pass the examination requirement established by division rule under Section 58-1-203;
  - (g)
    - (i) consent to, and complete, a criminal background check, described in Section 58-1-301.5;
    - (ii) disclose any criminal history the division requests on a form the division approves; and
    - (iii) meet any other standard related to the criminal background check described in Subsection (1)(g)(i), that the division establishes by rule in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act; and
  - (h) meet with the board, upon request for good cause, for the purpose of evaluating the applicant's qualifications for licensure.
- (2) An applicant for licensure as a psychologist by endorsement based upon licensure in another jurisdiction shall:
- (a) submit an application on a form the division approves;
  - (b) pay a fee determined by the department under Section 63J-1-504;
  - (c) not have any disciplinary action pending or in effect against the applicant's psychologist license in any jurisdiction;
  - (d) have passed the Utah Psychologist Law and Ethics Examination established by division rule;
  - (e) provide satisfactory evidence the applicant is currently licensed in another state, district, or territory of the United States, or in any other jurisdiction approved by the division in collaboration with the board;
  - (f) provide satisfactory evidence the applicant has actively practiced psychology in that jurisdiction for not less than 2,000 hours or one year, whichever is greater;
  - (g) provide satisfactory evidence that:
    - (i) the education, supervised experience, examination, and all other requirements for licensure in that jurisdiction at the time the applicant obtained licensure were substantially equivalent to the licensure requirements for a psychologist in Utah at the time the applicant obtained licensure in the other jurisdiction; or
    - (ii) the applicant is:
      - (A) a current holder of Board Certified Specialist status in good standing from the American Board of Professional Psychology;
      - (B) currently credentialed as a health service provider in psychology by the National Register of Health Service Providers in Psychology; or
      - (C) currently holds a Certificate of Professional Qualification (CPQ) granted by the Association of State and Provincial Psychology Boards;
  - (h)
    - (i) consent to, and complete, a criminal background check, described in Section 58-1-301.5;
    - (ii) meet any other standard related to the criminal background check described in Subsection (2)(h)(i), that the division establishes by rule in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act; and
    - (iii) disclose any criminal history the division requests on a form the division approves; and

- (i) meet with the board, upon request for good cause, for the purpose of evaluating the applicant's qualifications for licensure.
- (3)
  - (a) An applicant for certification as a psychology resident shall comply with the provisions of Subsections (1)(a), (b), (c), (g), and (h).
  - (b)
    - (i) An individual's certification as a psychology resident is limited to the period of time necessary to complete clinical training as described in Subsections (1)(d) and (e) and extends not more than one year from the date the minimum requirement for training is completed, unless the individual presents satisfactory evidence to the division and the board that the individual is making reasonable progress toward passing the qualifying examination or is otherwise on a course reasonably expected to lead to licensure as a psychologist.
    - (ii) The period of time under Subsection (3)(b)(i) may not exceed two years past the date the minimum supervised clinical training requirement has been completed.
- (4) An applicant for certification as a certified prescribing psychologist based upon education, clinical training, and examination shall:
  - (a) have authority to engage in the practice of psychology under Subsection 58-61-301;
  - (b) pay a fee determined by the department under Section 63J-1-504;
  - (c) demonstrate by official transcript, or other official evidence satisfactory to the division, that the applicant:
    - (i) has completed a doctoral degree in psychology that includes specific core course work established by division rule under Section 58-1-203, from an institution of higher education whose doctoral program, at the time the applicant received the doctoral degree, met approval criteria established by division rule made in consultation with the board;
    - (ii) has completed a master's degree in clinical psychopharmacology from an institution of higher learning whose master's program, at the time the applicant received the master's degree, included at least 30 credit hours of didactics coursework over no less than four semesters, met approval criteria established by division rule made in consultation with the board and includes the following core areas of instruction:
      - (A) neuroscience, pharmacology, psychopharmacology, physiology, and pathophysiology;
      - (B) appropriate and relevant physical and laboratory assessment;
      - (C) basic sciences, including general biology, microbiology, cell and molecular biology, human anatomy, human physiology, biochemistry, and genetics, as part of or before enrollment in a master's degree in clinical psychopharmacology; and
      - (D) any other areas of instruction determined necessary by the division, in collaboration with the board, as established by division rule; and
    - (iii) has completed postdoctoral supervised training, as defined by division rule made in consultation with the board, in prescribing psychology under the direction of a licensed physician, including:
      - (A) not less than 4,000 hours of supervised clinical training throughout a period of at least two years; and
      - (B) for an applicant for a prescription certificate who specializes in the psychological care of children 17 years old or younger, persons 65 years old or older, or persons with comorbid medical conditions, at least one year prescribing psychotropic medications to those populations, as certified by the applicant's supervising licensed physician;
  - (d) have passed:
    - (i) the Psychopharmacology Examination for Psychologists developed by the Association of State and Provincial Psychology Boards, or the association's successor organization; or

- (ii) an equivalent examination as defined by the division in rule;
  - (e) not have any disciplinary action pending or in effect against the applicant's psychologist license or other professional license authorizing the applicant to prescribe in any jurisdiction;
  - (f)
    - (i) consent to, and complete, a criminal background check, described in Section 58-1-301.5;
    - (ii) meet any other standard related to the criminal background check described in Subsection (4)(f)(i), that the division establishes by rule in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act; and
    - (iii) disclose any criminal history the division requests on a form the division approves;
  - (g) commit to maintaining professional liability insurance while acting as a certified prescribing psychologist; and
  - (h) meet with the board, upon request for good cause, for the purpose of evaluating the applicant's qualifications for licensure.
- (5) An applicant for certification as a certified prescribing psychologist by endorsement based upon licensure in another jurisdiction shall:
- (a) submit an application on a form the division approves;
  - (b) pay a fee determined by the department under Section 63J-1-504;
  - (c) not have any disciplinary action pending or in effect against the applicant's psychologist license or other professional license authorizing the applicant to prescribe in any jurisdiction;
  - (d) have passed the Utah Psychologist Law and Ethics Examination established by division rule;
  - (e) provide satisfactory evidence that the applicant is currently licensed as a prescribing psychologist in another state, district, or territory of the United States, or in any other jurisdiction approved by the division in collaboration with the board;
  - (f) provide satisfactory evidence that the applicant has actively practiced as a prescribing psychologist in that jurisdiction for not less than 4,000 hours or two years, whichever is greater;
  - (g) provide satisfactory evidence that the applicant has satisfied the education, supervised experience, examination, and all other requirements for licensure as a prescribing psychologist in that jurisdiction at the time the applicant obtained licensure were substantially equivalent to the licensure requirements for a certified prescribing psychologist in Utah at the time the applicant obtained licensure in the other jurisdiction;
  - (h)
    - (i) consent to, and complete, a criminal background check, described in Section 58-1-301.5;
    - (ii) meet any other standard related to the criminal background check described in Subsection (5)(h)(i), that the division establishes by rule in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act; and
    - (iii) disclose any criminal history the division requests on a form the division approves;
  - (i) commit to maintaining professional liability insurance while acting as a certified prescribing psychologist; and
  - (j) meet with the board, upon request for good cause, for the purpose of evaluating the applicant's qualifications for licensure.
- (6) An applicant for certification as a provisional prescribing psychologist shall:
- (a) have authority to engage in the practice of psychology under Section 58-61-301;
  - (b) pay a fee determined by the department under Section 63J-1-504;
  - (c) demonstrate by official transcript, or other official evidence satisfactory to the division, that the applicant:
    - (i) has completed a doctoral degree in psychology that includes specific core course work established by division rule under Section 58-1-203, from an institution of higher education

- whose doctoral program, at the time the applicant received the doctoral degree, met approval criteria established by division rule made in consultation with the board; and
- (ii) has completed a master's degree in clinical psychopharmacology from an institution of higher learning whose master's program, at the time the applicant received the master's degree, met approval criteria established by division rule made in consultation with the board and includes the following core areas of instruction:
  - (A) neuroscience, pharmacology, psychopharmacology, physiology, and pathophysiology;
  - (B) appropriate and relevant physical and laboratory assessment;
  - (C) basic sciences, including general biology, microbiology, cell and molecular biology, human anatomy, human physiology, biochemistry, and genetics, as part of or before enrollment in a master's degree in clinical psychopharmacology; and
  - (D) any other areas of instruction determined necessary by the division, in collaboration with the board, as established by division rule;
- (d) have no disciplinary action pending or in effect against the applicant's psychologist license or other professional license authorizing the applicant to prescribe in any jurisdiction;
- (e)
  - (i) consent to, and complete, a criminal background check, described in Section 58-1-301.5;
  - (ii) meet any other standard related to the criminal background check described in Subsection (6)(e)(i), that the division establishes by rule in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act; and
  - (iii) disclose any criminal history the division requests on a form the division approves;
- (f) commit to maintaining professional liability insurance while acting as a provisional prescribing psychologist;
- (g) meet with the board, upon request for good cause, for the purpose of evaluating the applicant's qualifications for licensure; and
- (h) satisfy any further requirements, as established by the division in rule.
- (7) An applicant for licensure as a licensed school psychological practitioner shall:
  - (a) submit an application on a form the division approves;
  - (b) pay a fee determined by the department under Section 63J-1-504;
  - (c) produce certified transcripts of credit verifying satisfactory completion of a master's degree or equivalent certification program approved by the division that:
    - (i) consists of at least 60 semester hours or 90 quarter hours in school psychology at an accredited institution; and
    - (ii) includes training in at least the following topics:
      - (A) understanding the organization, administration, and operation of schools, the major roles of personnel employed in schools, and curriculum development;
      - (B) directing psychological and psycho-educational assessments and intervention including all areas of exceptionality;
      - (C) individual and group intervention and remediation techniques, including consulting, behavioral methods, counseling, and primary prevention;
      - (D) understanding the ethical and professional practice and legal issues related to the work of school psychologists;
      - (E) social psychology, including interpersonal relations, communications, and consultation with students, parents, and professional personnel;
      - (F) coordination and work with community-school relations and multicultural education programs and assessments; and

- (G) the use and evaluation of tests and measurements, developmental psychology, affective and cognitive processes, social and biological bases of behavior, personality, and psychopathology;
- (d) provide evidence demonstrating that the applicant has:
  - (i) completed a one school year internship, or the equivalent, with a minimum of 1,200 clock hours in school psychology, at least 600 hours of which shall be in a school setting or a setting with an educational component; and
  - (ii) completed at least five years of successful experience as a school psychologist in the state; and
- (e) provide a recommendation from:
  - (i) the institution that the applicant attended under Subsection (4)(c); and
  - (ii) one or more local education agencies, as defined in Section 53E-1-102, that employed the applicant as a school psychologist for the period described in Subsection (4)(d)(ii).

Amended by Chapter 443, 2025 General Session

**58-61-305 Qualifications for admission to examination.**

All applicants for admission to any examination qualifying an individual for licensure under this chapter shall:

- (1) submit an application on a form provided by the division;
- (2) pay the fee established for the examination; and
- (3) certify under penalty of perjury as evidenced by notarized signature on the application for admission to the examination that the applicant:
  - (a) has completed the education requirement under this chapter and been awarded the earned degree required for licensure; and
  - (b) has successfully completed the supervised training required under this chapter for licensure.

Enacted by Chapter 32, 1994 General Session

**58-61-306 Continuing education.**

By rule made under Section 58-1-203, the division may establish a continuing education requirement as a condition for renewal of a license under this chapter upon finding continuing education is necessary to reasonably protect the public health, safety, or welfare.

Enacted by Chapter 32, 1994 General Session

**58-61-307 Exemptions from licensure.**

- (1) Except as modified in Section 58-61-301, the exemptions from licensure in Section 58-1-307 apply to this chapter.
- (2) In addition to the exemptions from licensure in Section 58-1-307, the following when practicing within the scope of the license held, may engage in acts included within the definition of practice as a psychologist, subject to the stated circumstances and limitations, without being licensed under this chapter:
  - (a) a physician and surgeon or osteopathic physician licensed under Chapter 67, Utah Medical Practice Act, or Chapter 68, Utah Osteopathic Medical Practice Act;
  - (b) a registered psychiatric mental health nurse specialist licensed under Chapter 31b, Nurse Practice Act;

- (c) a recognized member of the clergy while functioning in his ministerial capacity as long as he does not represent himself as or use the title of psychologist;
- (d) an individual who is offering expert testimony in any proceeding before a court, administrative hearing, deposition upon the order of any court or other body having power to order the deposition, or proceedings before any master, referee, or alternative dispute resolution provider;
- (e) an individual engaged in performing hypnosis who is not licensed under this title in a profession which includes hypnosis in its scope of practice, and who:
  - (i)
    - (A) induces a hypnotic state in a client for the purpose of increasing motivation or altering lifestyles or habits, such as eating or smoking, through hypnosis;
    - (B) consults with a client to determine current motivation and behavior patterns;
    - (C) prepares the client to enter hypnotic states by explaining how hypnosis works and what the client will experience;
    - (D) tests clients to determine degrees of suggestibility;
    - (E) applies hypnotic techniques based on interpretation of consultation results and analysis of client's motivation and behavior patterns; and
    - (F) trains clients in self-hypnosis conditioning;
  - (ii) may not:
    - (A) engage in the practice of mental health therapy;
    - (B) represent himself using the title of a license classification in Subsection 58-60-102(5); or
    - (C) use hypnosis with or treat a medical, psychological, or dental condition defined in generally recognized diagnostic and statistical manuals of medical, psychological, or dental disorders;
- (f) an individual's exemption from licensure under Subsection 58-1-307(1)(b) terminates when the student's training is no longer supervised by qualified faculty or staff and the activities are no longer a defined part of the degree program;
- (g) an individual holding an earned doctoral degree in psychology who is employed by an accredited institution of higher education and who conducts research and teaches in that individual's professional field, but only if the individual does not engage in providing delivery or supervision of professional services regulated under this chapter to individuals or groups regardless of whether there is compensation for the services;
- (h) any individual who was employed as a psychologist by a state, county, or municipal agency or other political subdivision of the state prior to July 1, 1981, and who subsequently has maintained employment as a psychologist in the same state, county, or municipal agency or other political subdivision while engaged in the performance of his official duties for that agency or political subdivision;
- (i) an individual licensed as a school psychologist under Section 53E-6-201:
  - (i) may represent himself as and use the terms "school psychologist" or "licensed school psychologist"; and
  - (ii) is restricted in his practice to employment within settings authorized by the State Board of Education;
- (j) an individual providing advice or counsel to another individual in a setting of their association as friends or relatives and in a nonprofessional and noncommercial relationship, if there is no compensation paid for the advice or counsel; and
- (k) an individual who is licensed, in good standing, to practice mental health therapy in a state or territory of the United States outside of Utah may provide short term transitional mental health therapy remotely to a client in Utah only if:

- (i) the individual is present in the state or territory where the individual is licensed to practice mental health therapy;
- (ii) the client relocates to Utah;
- (iii) the client is a client of the individual immediately before the client relocates to Utah;
- (iv) the individual provides the short term transitional mental health therapy to the client only during the 45 day period beginning on the day on which the client relocates to Utah;
- (v) within 10 days after the day on which the client relocates to Utah, the individual provides written notice to the division of the individual's intent to provide short term transitional mental health therapy remotely to the client; and
- (vi) the individual does not engage in unlawful conduct or unprofessional conduct.

Amended by Chapter 415, 2018 General Session

**58-61-308 Scope of practice -- Limitations.**

- (1)
  - (a) Subject to Subsections (1)(b) through (f), an individual licensed as a psychologist may engage in all acts and practices defined as the practice of psychology without supervision, in private and independent practice, or as an employee of another person, limited only by the licensee's education, training, and competence.
  - (b) Only a certified prescribing psychologist or provisional prescribing psychologist may prescribe, administer, and discontinue selective serotonin reuptake inhibitors, and other medications approved under Subsection (1)(c), recognized in or customarily used in the diagnosis, treatment, and management of individuals with psychiatric, mental, cognitive, nervous, emotional, developmental, or behavioral disorders, including:
    - (i) laboratory tests;
    - (ii) diagnostic examinations; and
    - (iii) procedures that are:
      - (A) necessary to obtain laboratory tests or diagnostic examinations;
      - (B) relevant to the practice of psychology; and
      - (C) in accordance with division rule made in consultation with the board.
  - (c)
    - (i) The division may, by rule made in consultation with the Physicians Licensing Board created in Section 58-67-201, approve medications other than selective serotonin reuptake inhibitors for prescribing by certified prescribing psychologists or provisional prescribing psychologists.
      - (ii) If the division approves a medication under Subsection (1)(c)(i), the division shall notify the Health and Human Services Interim Committee of the approval within 14 days after the day on which the medication is approved.
  - (d)
    - (i) A certified prescribing psychologist may only prescribe psychotropic medication for a patient if the certified prescribing psychologist:
      - (A) identifies a health care practitioner currently overseeing the patient's general medical care; and
      - (B) establishes and maintains a collaborative relationship with that health care practitioner.
    - (ii) When prescribing a psychotropic medication for a patient, a certified prescribing psychologist shall establish and maintain a collaborative relationship with a health care practitioner who oversees the patient's general medical care to ensure that:
      - (A) necessary medical examinations are conducted;



- (B) the psychotropic medication is appropriate for the patient's medical condition; and
- (C) significant changes in the patient's medical or psychological conditions are discussed.
- (iii) A health care practitioner under Subsections (1)(c)(i) and (ii) shall be:
  - (A) a physician licensed under Chapter 67, Utah Medical Practice Act, or Chapter 68, Utah Osteopathic Medical Practice Act; or
  - (B) a psychiatric mental health nurse practitioner, as defined in Section 58-1-111.
- (e) A certified prescribing psychologist and provisional prescribing psychologist may not prescribe or administer:
  - (i) narcotics; or
  - (ii) controlled substances.
- (f) The division, in consultation with the board and the Physicians Licensing Board created in Section 58-67-201, may make rules further defining this section's limitations relating to prescribing psychology, allowable medications, and collaborative relationship requirements.
- (2) An individual certified as a psychology resident may engage in all acts and practices defined as the practice of psychology only under conditions of employment as a psychology resident and under the supervision of a licensed psychologist who is an approved psychology training supervisor as defined by division rule. A certified psychology resident shall not engage in the independent practice of psychology.
- (3)
  - (a) An individual licensed as a licensed school psychological practitioner may provide services outside of a school setting if the services are:
    - (i) provided in accordance with the most recent professional standards adopted by the National Association of School Psychologists; and
    - (ii) related to:
      - (A) academic, behavioral, and mental health support;
      - (B) academic evaluation, assessment, and data analysis; or
      - (C) consultation with educators or families.
  - (b) An individual licensed as a licensed school psychological practitioner may not engage in diagnosing, the practice of mental health therapy, psychological evaluation, neuropsychological assessment, or neuropsychological evaluation.

Amended by Chapter 228, 2024 General Session

Amended by Chapter 420, 2024 General Session