

Representative Stewart E. Barlow proposes the following substitute bill:

LICENSED SCHOOL PSYCHOLOGICAL PRACTITIONER

AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stewart E. Barlow

Senate Sponsor: Ann Millner

LONG TITLE

General Description:

This bill enacts provisions relating to the licensure of a licensed school psychological practitioner.

Highlighted Provisions:

This bill:

- ▶ creates a new license category under the Psychologist Licensing Act for a licensed school psychological practitioner;
- ▶ defines the scope of practice for a licensed school psychological practitioner; and
- ▶ specifies the requirements to receive a license as a licensed school psychological practitioner.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

58-61-301, as last amended by Laws of Utah 2001, Chapter 281



26 [58-61-304](#), as last amended by Laws of Utah 2020, Chapter 339

27 [58-61-308](#), as enacted by Laws of Utah 2001, Chapter 281



29 *Be it enacted by the Legislature of the state of Utah:*

30 Section 1. Section **58-61-301** is amended to read:

31 **58-61-301. Licensure required.**

32 (1) (a) A license is required to engage in the practice of psychology, except as
33 specifically provided in Section [58-1-307](#).

34 (b) Notwithstanding the provisions of Subsection [58-1-307](#)(1)(c) an individual shall be
35 certified under this chapter as a psychology resident in order to engage in a residency program
36 of supervised clinical training necessary to meet licensing requirements as a psychologist under
37 this chapter.

38 (2) The division shall issue to a person who qualifies under this chapter a license in the
39 classification of:

40 (a) psychologist; [~~or~~]

41 (b) certified psychology resident[~~;~~]; or

42 (c) licensed school psychological practitioner.

43 Section 2. Section **58-61-304** is amended to read:

44 **58-61-304. Qualifications for licensure by examination or endorsement.**

45 (1) An applicant for licensure as a psychologist based upon education, clinical training,
46 and examination shall:

47 (a) submit an application on a form provided by the division;

48 (b) pay a fee determined by the department under Section [63J-1-504](#);

49 (c) produce certified transcripts of credit verifying satisfactory completion of a doctoral
50 degree in psychology that includes specific core course work established by division rule under
51 Section [58-1-203](#), from an institution of higher education whose doctoral program, at the time
52 the applicant received the doctoral degree, met approval criteria established by division rule
53 made in consultation with the board;

54 (d) have completed a minimum of 4,000 hours of psychology training as defined by
55 division rule under Section [58-1-203](#) in not less than two years and under the supervision of a
56 psychologist supervisor approved by the division in collaboration with the board;

57 (e) to be qualified to engage in mental health therapy, document successful completion
58 of not less than 1,000 hours of supervised training in mental health therapy obtained after
59 completion of a master's level of education in psychology, which training may be included as
60 part of the 4,000 hours of training required in Subsection (1)(d), and for which documented
61 evidence demonstrates not less than one hour of supervision for each 40 hours of supervised
62 training was obtained under the direct supervision of a psychologist, as defined by rule;

63 (f) pass the examination requirement established by division rule under Section
64 [58-1-203](#);

65 (g) consent to a criminal background check in accordance with Section [58-61-304.1](#)
66 and any requirements established by rule made in accordance with Title 63G, Chapter 3, Utah
67 Administrative Rulemaking Act; and

68 (h) meet with the board, upon request for good cause, for the purpose of evaluating the
69 applicant's qualifications for licensure.

70 (2) An applicant for licensure as a psychologist by endorsement based upon licensure
71 in another jurisdiction shall:

72 (a) submit an application on a form provided by the division;

73 (b) pay a fee determined by the department under Section [63J-1-504](#);

74 (c) not have any disciplinary action pending or in effect against the applicant's
75 psychologist license in any jurisdiction;

76 (d) have passed the Utah Psychologist Law and Ethics Examination established by
77 division rule;

78 (e) provide satisfactory evidence the applicant is currently licensed in another state,
79 district, or territory of the United States, or in any other jurisdiction approved by the division in
80 collaboration with the board;

81 (f) provide satisfactory evidence the applicant has actively practiced psychology in that
82 jurisdiction for not less than 2,000 hours or one year, whichever is greater;

83 (g) provide satisfactory evidence that:

84 (i) the education, supervised experience, examination, and all other requirements for
85 licensure in that jurisdiction at the time the applicant obtained licensure were substantially
86 equivalent to the licensure requirements for a psychologist in Utah at the time the applicant
87 obtained licensure in the other jurisdiction; or

88 (ii) the applicant is:

89 (A) a current holder of Board Certified Specialist status in good standing from the
90 American Board of Professional Psychology;

91 (B) currently credentialed as a health service provider in psychology by the National
92 Register of Health Service Providers in Psychology; or

93 (C) currently holds a Certificate of Professional Qualification (CPQ) granted by the
94 Association of State and Provincial Psychology Boards;

95 (h) consent to a criminal background check in accordance with Section [58-61-304.1](#)
96 and any requirements established by rule made in accordance with Title 63G, Chapter 3, Utah
97 Administrative Rulemaking Act; and

98 (i) meet with the board, upon request for good cause, for the purpose of evaluating the
99 applicant's qualifications for licensure.

100 (3) (a) An applicant for certification as a psychology resident shall comply with the
101 provisions of Subsections (1)(a), (b), (c), (g), and (h).

102 (b) (i) An individual's certification as a psychology resident is limited to the period of
103 time necessary to complete clinical training as described in Subsections (1)(d) and (e) and
104 extends not more than one year from the date the minimum requirement for training is
105 completed, unless the individual presents satisfactory evidence to the division and the
106 Psychologist Licensing Board that the individual is making reasonable progress toward passing
107 the qualifying examination or is otherwise on a course reasonably expected to lead to licensure
108 as a psychologist.

109 (ii) The period of time under Subsection (3)(b)(i) may not exceed two years past the
110 date the minimum supervised clinical training requirement has been completed.

111 (4) An applicant for licensure as a licensed school psychological practitioner shall:

112 (a) submit an application on a form provided by the division;

113 (b) pay a fee determined by the department under Section [63J-1-504](#);

114 (c) produce certified transcripts of credit verifying satisfactory completion of a masters
115 degree or equivalent certification program approved by the division that:

116 (i) consists of at least 60 semester hours or 90 quarter hours in school psychology at an
117 accredited institution; and

118 (ii) includes training in at least the following topics:

119 (A) understanding the organization, administration, and operation of schools, the major
120 roles of personnel employed in schools, and curriculum development;

121 (B) directing psychological and psycho-educational assessments and intervention
122 including all areas of exceptionality;

123 (C) individual and group intervention and remediation techniques, including
124 consulting, behavioral methods, counseling, and primary prevention;

125 (D) understanding the ethical and professional practice and legal issues related to the
126 work of school psychologists;

127 (E) social psychology, including interpersonal relations, communications, and
128 consultation with students, parents, and professional personnel;

129 (F) coordination and work with community-school relations and multicultural
130 education programs and assessments; and

131 (G) the use and evaluation of tests and measurements, developmental psychology,
132 affective and cognitive processes, social and biological bases of behavior, personality, and
133 psychopathology;

134 (d) evidence demonstrating that the applicant has:

135 (i) completed a one school year internship, or the equivalent, with a minimum of 1,200
136 clock hours in school psychology, at least 600 hours of which shall be in a school setting or a
137 setting with an educational component; and

138 (ii) completed at least five years of successful experience as a school psychologist in
139 the state; and

140 (e) a recommendation from:

141 (i) the institution that the applicant attended under Subsection (4)(c); and

142 (ii) one or more local education agencies, as defined in Section [53E-1-102](#), that
143 employed the applicant as a school psychologist for the period described in Subsection
144 (4)(d)(ii).

145 Section 3. Section **58-61-308** is amended to read:

146 **58-61-308. Scope of practice -- Limitations.**

147 (1) [A] An individual licensed as a psychologist may engage in all acts and practices
148 defined as the practice of psychology without supervision, in private and independent practice,
149 or as an employee of another person, limited only by the licensee's education, training, and

150 competence.

151 (2) An individual certified as a psychology resident may engage in all acts and
152 practices defined as the practice of psychology only under conditions of employment as a
153 psychology resident and under the supervision of a licensed psychologist who is an approved
154 psychology training supervisor as defined by division rule. A certified psychology resident
155 shall not engage in the independent practice of psychology.

156 (3) (a) An individual licensed as a licensed school psychological practitioner may
157 provide services outside of a school setting if the services are:

158 (i) provided in accordance with the most recent professional standards adopted by the
159 National Association of School Psychologists; and

160 (ii) related to:

161 (A) academic, behavioral, and mental health support;

162 (B) academic evaluation, assessment, and data analysis; or

163 (C) consultation with educators or families.

164 (b) An individual licensed as a licensed school psychological practitioner may not
165 engage in diagnosing, the practice of mental health therapy, psychological evaluation,
166 neuropsychological assessment, or neuropsychological evaluation.