

HB0293S01 compared with HB0293

~~{deleted text}~~ shows text that was in HB0293 but was deleted in HB0293S01.

inserted text shows text that was not in HB0293 but was inserted into HB0293S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

~~{EDUCATIONAL PSYCHOLOGIST}~~ 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: _____

LONG TITLE

General Description:

This bill enacts provisions relating to the ~~{professional}~~ licensure of ~~{an educational psychologist}~~ a licensed school psychological practitioner.

Highlighted Provisions:

This bill:

- ▶ creates a new license category under the Psychologist Licensing Act for ~~{an educational psychologist}~~

~~→ allows a licensed educational psychologist to practice within the scope of the educational psychologist's training and experience}~~ a licensed school psychological practitioner;

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- ▶ defines the scope of practice for a licensed school psychological practitioner; and
- ▶ specifies the requirements to receive a license as ~~an educational psychologist~~ 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

58-61-304, as last amended by Laws of Utah 2020, Chapter 339

58-61-308, as enacted by Laws of Utah 2001, Chapter 281

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

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

58-61-301. Licensure required.

(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 a person who qualifies under this chapter a license in the classification of:

(a) psychologist; [or]

(b) certified psychology resident[-]; or

(c) ~~educational psychologist~~ licensed school psychological practitioner.

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

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:

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(a) submit an application on a form provided by the division;
(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 in not less than two years and 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) consent to a criminal background check in accordance with Section 58-61-304.1 and any requirements established by rule made 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 provided by the division;
(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;

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(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) consent to a criminal background check in accordance with Section 58-61-304.1 and any requirements established by rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act; 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 Psychologist Licensing 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.

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(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 licensure as ~~an educational psychologist~~ a licensed school psychological practitioner shall:

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

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

(c) produce certified transcripts of credit verifying satisfactory completion of a masters 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) 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

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the state; and

(e) 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).

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

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

(1) [A] 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.

(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 ~~an educational psychologist~~ a licensed school psychological practitioner may provide services ~~if the services are:~~

~~(a) within the skills, training, competence, and experience of the educational psychologist, except that services may be provided~~ outside of a school setting ~~if the services are:~~

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

~~(c)ii) related to:~~

~~(i)A) academic, behavioral, and mental health ~~supports~~ support;~~

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

~~(iii)C) consultation with educators ~~and~~ or families ~~if the~~.~~

~~(iv) culturally responsive services; and~~

~~(v) crisis prevention and response.~~

~~b) An individual licensed as a licensed school psychological practitioner may not engage in~~

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diagnosing, the practice of mental health therapy, psychological evaluation, neuropsychological assessment, or neuropsychological evaluation.