

66-01-01-01. Organization of board of psychologist examiners.

1. History. The 1967 legislative assembly passed legislation establishing the state board of psychologist examiners, codified as North Dakota Century Code chapter 43-32. The board licenses psychologists, industrial-organizational psychologists, and applied behavior analysts, and registers applied behavior analysts.
2. Purpose and mission. The purpose of the board of psychologist examiners is to regulate the practice of psychology, as defined through the legislative authority of North Dakota Century Code chapter 43-32, in the interest of and to preserve and protect the health, safety, and welfare of the public.
3. Board membership. The board consists of seven members appointed by the governor. Members of the board serve three-year terms, with at least one but not more than three terms expiring each year.
 - a. One member must be designated a public member who is a resident of this state, is at least twenty-one years of age, and is not affiliated with any group or profession that provides or regulates health care in any form.
 - b. Of the remaining six board members, each must be licensed under this chapter for at least five years.
 - c. At least one member must be currently engaged primarily in providing service ~~in psychology~~ directly to the public.
 - d. At least one member must be engaged primarily in teaching, training, or research ~~in psychology~~.
3. Board officers. The board annually elects from its membership a president, vice president, and secretary.
4. Inquiries. Inquiries regarding the board may be addressed to the ~~executive secretary~~ board office:

~~Executive Secretary~~ Board Office
North Dakota State Board of Psychologist Examiners
~~P.O. Box 69~~
~~Tyrone, GA 30290~~ 402 East Main Street, Suite 5
Bismarck, ND 58501-4421
www.ndsbpe.org

History: Amended effective September 1, 1983; March 1, 1985; April 1, 1988; September 1, 2000; April 1, 2007; October 1, 2011; July 1, 2012; April 1, 2016.

General Authority: NDCC 28-32-02
Law Implemented: NDCC 28-32-02 1

66-02-01-03. Licensing of psychologists, industrial-organizational psychologists, and applied behavior analysts, or registration of applied behavior analysts, from other jurisdictions - Expedited licensing.

1. Licensing of psychologists, industrial-organizational psychologists, and applied behavior analysts, or registration of applied behavior analysts, who are licensed or registered by other jurisdictions ~~will~~must follow the procedures described in North Dakota Century Code sections 43-32-19.1 and 43-51-06 and one of the following requirements:
 - a. Expedited licensing. A license or registration may be granted to an individual licensed or registered in good standing in another jurisdiction if ~~that other jurisdiction imposes requirements for licensure or registration which are determined by the board to be substantially equivalent to North Dakota~~ the board concludes that it received verified documentation of: (1) graduation from an accredited program in the degree level of licensure sought in North Dakota; (2) previously passed any national examination required by North Dakota; (3) documentation of all professional licensures held at any time in any field and current status of those licenses, including an explanation and documentation related to all disciplinary history; and (4) provide endorsements of application from licensed behavioral health professionals as approved by the board.
 - b. A license or registration may be granted to an individual who holds a certificate of professional qualification in psychology issued by the association of state and provincial psychology boards or its successor.
 - c. A license may be granted to an individual who meets the requirements of any interstate compact agreement adopted by the state of North Dakota on the practice of psychologists, industrial organizational psychologists, or applied behavior analysts.
2. An applicant for licensure pursuant to North Dakota Century Code chapters 43-32 and 43-51 must pass the North Dakota oral examination or, once developed, the North Dakota professional responsibility examination as determined by the board.

3. Upon the board's receipt of a completed application initiation form from an individual licensed or registered in another jurisdiction or certified by the behavior analyst certification board, the board may grant a provisional license or registration that is valid for six months from date of initial application if the applicant is currently in good standing with no disciplinary actions in the previous five years. Upon a showing of good cause, the Board may grant extensions of provisional licenses or registrations for periods of up to six months. If an application for licensure is denied during the time an applicant holds a provisional license or registration, the provisional license or registration expires on the date of the denial of the application for licensure.

History: Amended effective September 1, 2000; April 1, 2007; October 1, 2011; July 1, 2012; April 1, 2016.

General Authority: NDCC 43-32-08

Law Implemented: NDCC 43-32-19.1, 43-51-06

66-02-01-06. Licensure of other applicants.

All other applicants for licensing will follow the procedure set forth in North Dakota Century Code sections 43-32-20 and 43-32-34.

1. The American psychological association and the Canadian psychological association are accrediting bodies approved by the board under the requirements of subdivision b of subsection 1 of North Dakota Century Code section 43-32-20.
2. The American psychological association and the Canadian psychological association are accrediting bodies approved by the board under the requirements of subdivision b of subsection 2 of North Dakota Century Code section 43-32-20. Applicants for a license in industrial-organizational psychology may also meet the requirements of subdivision b of subsection 2 of North Dakota Century Code section 43-32-20 by demonstrating completion of a program that substantively adheres to the guidelines for education and training at the doctoral level in industrial-organizational psychology of the society for industrial and organization psychology division of the American psychological association, August 1999 version.
3. Applicants for a license in applied behavior analysis that complete certification from the behavior analyst certification board meet the education requirements set forth in subdivision b of subsection ~~23~~ of North Dakota Century Code section ~~43-32-34~~43-32-20.

History: Amended effective July 1, 2012; April 1, 2016.

General Authority: NDCC 43-32-08

Law Implemented: NDCC 43-32-20, 43-32-34

66-02-01-08. Fees.

A completed application initiation form and paid fee must be on file with the board prior to beginning practice under provisional licensure or registration. Failure to pay the annual licensure renewal fee or annual registration renewal fee by November 15 of each calendar year will delay renewal issuance and require the cessation of practice during any period of time the individual has not been issued a valid license or registration. The following deadlines and fees have been set by the board:

Document or Process	Temporal Requirement or Deadline for Receipt by Board Office	Fee Amount
Supervisor form, submitted by psychology resident supervisor or registered behavior analyst supervisor <u>any licensee supervising the practice of psychology or applied behavior analysis in North Dakota</u>	Prior to beginning practice in North Dakota	\$0
Application initiation form	Accepted any time prior to completion of online application and prior to beginning practice in North Dakota	\$450
Online application	Completed prior to board review	Fee assessed by and payable to the association of state and provincial psychology boards
Provisional licensure letter or provisional registration letter	Issued by the board upon receipt of the completed application initiation form and fee	\$0
Psychology resident letter	Issued by the board upon receipt of the completed supervisor form and application initiation form and fee	\$0
The national written examination for the professional practice of psychology	Occurs after applicant is approved by the board	A fee is assessed by and payable to test company and a fee is assessed by and payable to the testing site

Oral examination	Occurs after applicant is approved by the board or passes the national written examination	\$0
North Dakota professional responsibility examination	Once developed, and approved by the board as a replacement for the oral examination, the exam is taken after applicant is approved by the board or passes the national written examination	\$50
<u>Temporary limited practice application</u>	<u>Complete documentation must be received and approved by the board prior to practice</u>	<u>\$25</u>
Temporary limited practice certificate	Complete documentation must be received and approved by the board prior to practice <u>Issued upon board approval of application</u>	\$0
License renewal or registration renewal application	November 15, for renewal on January 1 of the next year	\$250
Late renewal application	Received after November 15 and prior to November 15 <u>December 31</u> of the next year	\$100
Late request for an extension of time to submit continuing education documentation	Received after November 15 but prior to January 1 of subsequent year	\$100
Continuing education documentation form	Prior to November 15 of reporting cycle	\$0
Incomplete continuing education requirements	Continuing education completed after November 1 of reporting cycle	\$50
Official licensee or registrant verification, per record	Upon request of verification of licensure or registration by third parties	\$15
Official licensee or registrant verification, per record	Upon request of verification of licensure by regulatory body	\$0
Continuing education program approval application	Accepted any time from continuing education sponsors	\$25
Continuing education program approval application	Accepted from licensees or registrants prior to November 1 of next reporting cycle	\$0

Various service related	Prior to processing	Variable fees as set by third parties approved by the board, related to examinations, online application, and payment processing
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History: Amended effective March 1, 1985; April 1, 1988; September 1, 2000; April 1, 2007; October 1, 2011; July 1, 2012; April 1, 2016.

General Authority: NDCC 43-32-08

Law Implemented: NDCC 43-32-12, 43-32-13

66-02-01-09. Number of examinations.

The national written examination will be administered by computer at designated testing sites throughout the calendar year. ~~The North Dakota oral examination will be administered by the board at least twice each year.~~ The North Dakota professional responsibility examination will be administered by the board at least twice each calendar year ~~once it is developed and adopted by the board as a replacement for the oral examination as a written, oral, or written and oral examination, as determined by the board.~~

History: Amended effective September 1, 2000; February 1, 2002; April 1, 2016.

General Authority: NDCC 43-32-08

Law Implemented: NDCC 43-32-22

66-02-01-09.1. Written examination.

The national written examination for psychologists and industrial-organizational psychologists is the examination for the professional practice of psychology. The passing score is a scaled score of 500. Prior to April 18, 1994, seventy percent correct is considered a passing score. A passing score is required for applicants for licensure as a psychologist or as an industrial-organizational psychologist.

Once the written North Dakota professional responsibility examination is developed, the board may require applicants to pass it as a replacement of the oral examination. The written North Dakota professional responsibility examination will assess the applicant's knowledge of North Dakota law regulating the practice of psychology, industrial-organizational psychology, or applied behavior analysis as well as the applicant's understanding of ethics, professional law, and standards of practice. The written North Dakota professional responsibility examination will be administered by ~~at least two~~one board ~~members~~member who will proctor and score the examination, and recommend pass or fail to the board. An examinee passes the examination if the

majority of the board members present at the subsequent board meeting vote to confirm passage.

History: Effective September 1, 2000; amended effective February 1, 2002; April 1, 2007; July 1, 2012; April 1, 2016.

General Authority: NDCC 43-32-08

Law Implemented: NDCC 43-32-20, 43-32-23

66-02-01-10. Guidelines for oral professional responsibility examinations.

The oral professional responsibility examination will be scheduled as appropriate but not less than twice a year. The examination shall assess the applicant's knowledge of North Dakota law regulating the practice of psychology, industrial-organizational psychology, or applied behavior analysis as well as the applicant's understanding of ethics and standards of practice. Specific questions to be used will be selected at the time of the examination from a pool of questions available for that purpose in either oral or written form. The oral examination will be administered by an examination committee made up of at least two board members and any other licensed psychologist whom the board sees fit to add to the examining committee. The examination committee will use a structured oral examination, will record the applicants' answers, and will discuss the results. The board members serving on the examination committee shall recommend a pass or fail to the board. An examinee passes the examination if the majority of the board members present at the meeting vote to confirm passage.

History: Effective March 1, 1985; amended effective April 1, 1988; April 1, 2007; July 1, 2012; April 1, 2016.

General Authority: NDCC 43-32-08

Law Implemented: NDCC 43-32-20, 43-32-22, 43-32-23, 43-32-34

66-02-01-11.1. Supervised professional experience.

1. Applicants for licensure as a psychologist must complete one thousand five hundred hours of supervised predoctoral internship in the practice of psychology. At least one hundred hours of supervision is required, at least fifty of which must be one to one. Successful completion of an American psychological association or Canadian psychological association accredited internship will be accepted as fulfilling this requirement. Any other supervised predoctoral internship experience must be described in detail by the applicant, including nature of service setting or settings, nature of consumers served, nature and amount of supervision, and specific skills in which the applicant demonstrated proficiency on forms provided by the board. The supervisor or supervisors must corroborate the

areas of competence claimed by the applicant. In addition, an applicant for licensure as a psychologist must complete one or a combination of the following:

- a. One thousand five hundred hours of supervised postdoctoral experience in the practice of psychology. At least one hundred hours of supervision is required, at least fifty of which must be one to one with a psychologist licensed in good standing. Successful completion of an American psychological association or Canadian psychological association accredited postdoctoral program will be accepted as fulfilling this requirement. Any other supervised postdoctoral experience must be described in detail by the applicant, including nature of service setting or settings, nature of consumers served, nature and amount of supervision, and specific skills in which the applicant demonstrated proficiency on forms provided by the board. The supervisor or supervisors must corroborate the areas of competence claimed by the applicant.

- b. One thousand five hundred hours of additional supervised predoctoral training experience in the practice of psychology. At least one hundred hours of supervision is required, at least fifty of which must be one to one with a psychologist licensed in good standing. In addition, this training experience must meet all of the following requirements:
 - (1) Be part of a doctoral program that meets requirements of subdivision b of subsection 1 of North Dakota Century Code section 43-32-20.
 - (2) Be completed within six years of the award of the terminal doctoral degree.
 - (3) Be completed within ten years of first application for licensure.
 - (4) Be completed following any introductory practicum experience in applied professional psychology or psychotherapy of a minimum duration of six hundred hours.
 - (5) Be part of an individualized written plan for an organized, sequential series of supervised experiences of increasing complexity.
 - (6) Occur outside of the classroom setting and involve the trainee's direct delivery of supervised psychological services in a practice, agency, institution, counseling center, graduate

training clinic, or other setting approved by the director of training or designee.

- (7) Consist of activities defined as the practice of psychology by subsection 6 of North Dakota Century Code section 43-32-01.
- (8) Occur in placements that are made or approved in advance by the doctoral program director of training or designee.
- (9) Occur in placements in which a licensed psychologist is directly responsible for the integrity and quality of the training experience and specifies training objectives in terms of the competencies expected of the trainee.
- (10) Have an identifiable licensed psychologist who serves as the primary supervisor of the trainee, is clearly available to and professionally responsible for the trainee's clients or patients, has been licensed for at least three years, and is licensed in the jurisdiction in which the training occurs.
- (11) Be part of a sequential training plan that consists of no less than thirty weeks with a weekly onsite presence of no less than fifteen hours.
- (12) Provide, on average, weekly individual face-to-face supervision, which may include remote face-to-face audio and video interactions, devoted to the trainee's cases at a ratio of no less than one hour per fifteen hours onsite and no less than one hour per week. No less than fifty percent of the supervision required in this paragraph shall be provided by the primary supervisor. The remaining face-to-face supervision required in this paragraph may be individual or group supervision provided by a licensed psychologist who has been licensed for at least three years. Supplemental individual or group supervision in excess of the minimum ratio required is encouraged, and may be provided by a psychologist, school psychologist, other licensed mental health professional, or a psychology trainee under an umbrella supervision arrangement, but it may not replace the weekly individual face-to-face supervision requirements.
- (13) May include the use of secure remote technologies, such as telephone, internet, or online communications as a supplemental training and consultation aid and for supervision in excess of the minimum ratio required,

although it may not replace the minimum weekly face-to-face individual supervision requirement.

- (14) Must include on average at least one additional hour per week in learning activities, such as additional face-to-face individual supervision, group supervision, case conference or grand rounds, didactic consultations with psychologists or other appropriate licensed mental health professionals, guided professional readings, seminars, or cotherapy with a licensed psychologist or other appropriate professional.
 - (15) Must include regularly scheduled and documented interaction concerning the trainee's progress between the primary supervisor and the director of training at the graduate program or designee, and copies of such documentation will be provided to the board for review upon request.
2. Applicants for licensure as an industrial-organizational psychologist must complete three thousand hours of supervised experience in the practice of industrial-organizational psychology. At least one thousand five hundred hours must be completed after the granting of the doctoral degree. Applicants must submit an individualized supervision plan that is subject to approval by the board. Supervisors of industrial-organizational psychologist applicants must be licensed in their jurisdiction of practice. The supervised experience of applicants for licensure as an industrial-organizational psychologist must be consistent with the applicant's intended area of practice.

History: Effective September 1, 2000; amended effective April 1, 2007; October 1, 2011; July 1, 2012; April 1, 2016.

General Authority: NDCC 43-32-08

Law Implemented: NDCC 43-32-20, 43-32-20.1

66-02-01-13. Psychology resident and industrial-organizational psychology resident.

1. A person intending to perform services as a psychology resident or an industrial-organizational psychology resident, prior to engaging in any practice related to the scope of psychology or applied behavior analysis, shall:
 - a. Initiate an application for licensure with the board on the application initiation form provided by the board;

- b. Pay the application fee to the board; and
 - c. Ensure a supervisor has filed a completed supervisor form to the board.
2. The applicant shall complete the online application requirements set forth on the application initiation form and shall ensure the completed online application is submitted to the board within three months of the date of initiation of application.
 - a. A psychology resident or industrial-organizational psychology resident may sit for the required national written examination the board determines the applicant to be eligible for licensure upon completion of examinations and ~~postdoctoral supervised experience requirements.~~ The applicant will be informed of the results and may be re-examined at a subsequent examination upon again paying any required examination fee.
 - b. A psychology resident or an industrial-organizational psychology resident who has passed the national written examination may sit for the ~~oral examination or a replacement~~ professional responsibility examination approved by the board. The applicant will be informed of the results and may be re-examined at a subsequent examination upon again paying any required examination fee.
 - c. The psychology resident or an industrial-organizational psychology resident and supervising psychologist or psychologists must update the online application report all completed supervised postdoctoral experience and ensure that the updated online application is forwarded to the board.
 - d. The board shall review recommendations related to the applicant's examinations and the applicant's supervised practice hours. An applicant must be licensed if a majority of the board approves the applicant for licensure.
 - e. A person may have psychology resident or industrial-organizational psychology resident status for up to three years from the date the residency is issued.
3. A psychology resident or industrial-organizational psychology resident must specify that individual's professional title in reports, letters, business cards, and public presentations, and inform service recipients of the supervisor's identity and contact information for the services provided.

4. Supervising psychologists of psychology residents must be licensed in good standing for at least three years. Supervising psychologists of psychology residents must have adequate training, knowledge, and skill to render competently, or have available consultation for, any psychological service their supervisee undertakes. ~~Supervising~~All supervising psychologists must meet the continuing education requirements in section 66-03-01-04.
5. To verify completion of the residency, the supervising psychologist of the psychology resident or the industrial-organizational resident shall submit documentation to the board of the number and nature of supervised hours of experience.

History: Effective September 1, 2000; amended effective April 1, 2007; July 1, 2012; April 1, 2016.

General Authority: NDCC 43-32-08

Law Implemented: NDCC 43-32-20, 43-32-20.1, 43-32-30

66-02-01-15. Requirements for licensing and registering applied behavior analysts.

1. The board may grant an applied behavior analyst license to an applicant in the practice of applied behavior analysis, who meets all of the following requirements:
 - a. The applicant has a degree from a school or college that meets one of the following requirements:
 - (1) A degree meeting the requirements of subdivision b of subsection 1 of North Dakota Century Code section 43-32-20.
 - (2) A doctorate or master's degree from a program accredited by the association for behavior analysis international or approved by the behavior analyst certification board.
 - b. The applicant has passed the board-certified behavior analyst examination offered by the behavior analyst certification board.
 - c. The applicant is certified by the behavior analyst certification board.

- d. The applicant has passed the North Dakota oral examination, or the North Dakota professional responsibility examination once developed and approved by the Board.
2. The board may grant an applied behavior analyst registration to an applicant in the practice of applied behavior analysis, who meets all of the following requirements:
- a. The applicant has a bachelor's degree from a school or college that meets one of the following requirements:
 - (1) A bachelor's degree in a program accredited by the association for behavior analysis international.
 - (2) A bachelor's degree in a program approved by the behavior analyst certification board.
 - (3) A bachelor's degree with a major in psychology or other human service field that includes all of the following coursework:
 - (a) Three semester credits, or the equivalent quarter credits, in introduction to psychology.
 - (b) Six semester credits, or the equivalent quarter credits, in learning theory and behavior intervention.
 - (c) Three semester credits, or the equivalent quarter credits, in abnormal psychology.
 - (d) Four semester credits, or the equivalent quarter credits, in developmental psychology and autism spectrum disorder topics.
 - b. The applicant has passed the board-certified assistant behavior analyst examination offered by the behavior analyst certification board, or achieved a score of at least four hundred fifty on the national written examination for the professional practice of psychology.
 - c. The applicant has provided a list of licensed psychologists and licensed applied behavior analysts supervising the applicant. If registered, the applicant must promptly notify the board of any changes in the list.

- e. The applicant has passed the North Dakota oral examination or, a replacement the North Dakota professional responsibility examination once developed and approved by the board.

History: Effective October 1, 2012; amended effective April 1, 2016.

General Authority: NDCC 43-32-08

Law Implemented: NDCC 43-32-34

66-03-01-03. Board approval.

~~Any continuing education program relevant to psychology, industrial-organizational psychology, or applied behavior analysis and to be applied as continuing education credits is subject to board approval, except continuing education programs sponsored or approved by credits completed for renewal of licensure must be approved by the board. An approved program of continuing education means an educational or competence training program offered by an approved provider of continuing education. An approved provider of continuing education means any professional association or society, university, college, corporation, or other entity that has been approved by the board to provide educational programs that are designed to assure continued competence in professional practice. The following providers have been recognized as approved by the board and do not require pre-approval prior to reporting deadlines:~~

- ~~1. the American psychological association,~~
- ~~2. the Canadian psychological association,~~
- ~~3. the North Dakota or any other state or provincial psychological or behavior analytical association or regulatory body,~~
- ~~4. the association on behavior analysis international,~~
- ~~5. the behavior analyst certification board,~~
- ~~6. the American association of intellectual and developmental disabilities,~~
- ~~7. the northland association for behavior analysis,~~
- ~~8. the American medical association for content related to practice authorized in North Dakota century code chapter 43.32,~~
- ~~9. The association of social work boards approved continuing education program for content related to practice authorized in North Dakota century code ch. 43-32, other state or provincial psychological associations, or any other scientific or professional organization whose continuing education program is clearly relevant to the practice of psychology. Other scientific or professional organizations include association on behavior analysis international, behavior analyst certification board, North Dakota association on behavior analysis, American association on intellectual and~~

~~developmental disabilities, and northland association for behavior analysis.~~

Continuing education programs may be approved at any time by the board by submission of a continuing education program approval application form by the sponsoring provider organization or an individual and payment of a twenty-five dollar fee. A licensee planning to attend a program that has not been pre-approved may submit an approval application form without a fee.

History: Effective February 1, 1995; amended effective September 1, 2000; April 1, 2007; July 1, 2012; April 1, 2016.

General Authority: NDCC 43-32-08

Law Implemented: NDCC 43-32-08.1

66-03-01-06. Failure to comply with the continuing education requirement.

If a licensee or registrant does not satisfy the number of credits required for a two-year cycle, the board may exercise the following options:

1. Extension of time to complete the requirement may be granted if sufficient evidence of illness or serious extenuating circumstances amounting to good cause is presented in writing to the board. Requests for extension are due by November ~~first~~fifteenth of the reporting year. If the extension request is received after November ~~first~~fifteenth of the reporting year, the applicant shall submit the fee for a late request of an extension of time to submit continuing education documentation along with the request for an extension. The approval of an extension and the amount of time granted to complete the requirements are at the sole discretion of the board. If a request for an extension is granted the licensee will be required to continue to fulfill the continuing education requirement for the next two-year cycle, in addition to any continuing education requirements that may apply to the extension period. A licensee who receives an extension shall undergo a mandatory audit of continued education documentation for the two reporting cycles following the conclusion of the extension period.
2. Expired license or registration. A license or registration that is expired because of failure to meet the continuing education requirements will be renewed if, within one year from the date of nonrenewal, the licensee or registrant reapplies for renewal, documents the completion of the previous reporting period continuing education requirements, pays the renewal fee, and pays the late fee established by the board in the fee section above.

History: Effective February 1, 1995; amended effective September 1, 2000; April 1, 2007; July 1, 2012; April 1, 2016.

General Authority: NDCC 43-32-08

Law Implemented: NDCC 43-32-08.1, 43-32-08.2