

# ND State Board of Psychologist Examiners

TESTIMONY TO THE LEGISLATIVE MANAGEMENT'S

ACUTE PSYCHIATRIC TREATMENT COMMITTEE

JANUARY 20, 2022 – 1:15 PM

# ND St Board of Psychologist Examiners

Board Member	Role	Appointed - Through
▶ Dr. Renee Boomgarden	– NDSBPE President	– 7/1/2017 to 6/30/23
▶ Dr. Paul D. Kolstoe	– NDSBPE Secretary/Treasurer	– 2/15/12 to 6/30/23
▶ Dr. Angela LaRocque	– Vice President	- 7/1/15 to 6/30/24
▶ Dr. Jennifer Krance	– Member	- 3/6/19 to 6/30/24
▶ Dr. Sara Quam	– Member	- 7/1/19 to 6/30/22
▶ Dr. Edward Kehrwald	– Member	- 3/6/19 to 6/30/24
▶ Gary Wolsky	– Non-Regulated Member	- 10/22/21 to 6/30/24

# ND State Board of Psychologist Examiners

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.

# ND State Board of Psychologist Examiners

## Notable History

Established by Legislature in 1967

Applications Numbers in last 3 years Licensed 43 apps licensed  
(breakout in process and will be made available when ready)

2019 Applicants = xxx, Licensed = yyy , Denials = 0

2020 Applicants = xxx, Licensed = yyy , Denials = 0

2021 Applicants = xxx, Licensed = yyy , Denials = 0

NDCC Legislative Change Years: 2011, 2015, and 2019

NDAC Change Years: July 1, 2012, April 1, 2016, & January 21, 2020

# Requested Information to APT Cmte

- ▶ **Mental and behavioral health services provided by licensees;**
  - ▶ [From NDCC 43-32] "Practice of psychology" means
    - ▶ the observation, description, evaluation, interpretation, or modification of human behavior
    - ▶ by the application of psychological principles, methods, and procedures
    - ▶ for the purpose of preventing or eliminating symptomatic, maladaptive, or undesired behavior and
    - ▶ enhancing interpersonal relationships, work and life adjustment, personal effectiveness, behavioral health, and mental health.
  - ▶ The term includes
    - ▶ psychological testing and the evaluation or assessment of personal characteristics, such as intelligence, personality, abilities, interests, aptitudes, and neuropsychological functioning;
    - ▶ counseling, psychotherapy, biofeedback, behavior analysis and therapy, clinical applications of hypnosis, and other therapeutic techniques based on psychological principles;
    - ▶ diagnosis and treatment of mental and emotional disorder or disability, compulsive disorders, disorders of habit or conduct as well as of the psychological aspects of physical illness, accident, injury, or disability; and
    - ▶ psychoeducational evaluation, therapy, remediation, and consultation.
  - ▶ The term includes providing psychological services to individuals, families, groups, organizations, institutions, and the public regardless of whether payment is received for services rendered.
  - ▶ The term includes supervising others who are engaged in the practice of psychology

# Requested Information to APT Cmte

- ▶ **The frequency of rule review;**

- ▶ The Board meets monthly, and almost without exception, it assesses some aspects of its rules every month.
- ▶ Those ongoing and continuous reviews regularly focus on improvements that could be made for the administration of our practice and the removal of any undue barriers from the rules.
- ▶ Those reviews have resulted in revisions to NDAC 66 that were effective July 1, 2012, April 1, 2016, and January 21, 2020.

# Requested Information to APT Cmte

## ▶ Licensing requirements;

- ▶ NDCC 43-32 has used the professional standards recommended by the American Psychological Association (APA), Canadian Psychological Association (CPA), and the Association of State and Provincial Professional Psychology Board (ASPPB) for entry requirements to the independent practice of psychology. Requirements include:
  - ▶ Completing a doctoral degree from an APA or CPA Accredited graduate program.
  - ▶ 2000-hour APA, CPA or Association of Psychology Postdoctoral and Internship Centers (APPIC) Internship (required as part of the doctoral degree).
  - ▶ A post-doctoral (after degree) 1500 hour approved supervised residency (Pre-Doc hours can be included).
  - ▶ Passing the Examination of the Professional Practice of Psychology (EPPP) Part I examination.
  - ▶ Passing ND St Board of Psychology Examiners examination on ND ethics and jurisprudence (oral).
  - ▶ Completing an application through the ASPPB PLUS credentialing application system for \$200 fee.
  - ▶ Paying \$450 application fee.

# Requested Information to APT Cmte

- ▶ **History and trends of the licensing of foreign practitioners and any additional licensure requirements for foreign practitioners;**
  - ▶ Currently, there are no mechanisms able to establish equivalence for an APA/CPA Accredited degree except to complete such a program.
    - ▶ The NDSBPE does not have the expertise or sufficient resources to establish such an equivalence process and there is none provided in the NDCC.
    - ▶ This has been discussed at legislative testimony with the House and Senate Human Services Committees and related Interim Committees,
  - ▶ NDSBPE is studying this issue with ASPPB and Canadian Provinces. The Canadian Supreme Court has required Provinces to develop an equivalence mechanism and we are closely studying their progress.
    - ▶ It is NDSBPE's hope to access such a mechanism when it is ready.
    - ▶ ASPPB has prepared a second level national examination called the EPPP Part II that is purported to measure competence. NDSBPE is studying this as a potential means of establishing equivalence through assessment. While the examination has been implemented by a few states, the validity data is yet too early to determine whether that is an appropriate use. However, the data continues to be collected and evaluated.

# Requested Information to APT Cmte

## ▶ **Reciprocity agreements with surrounding states;**

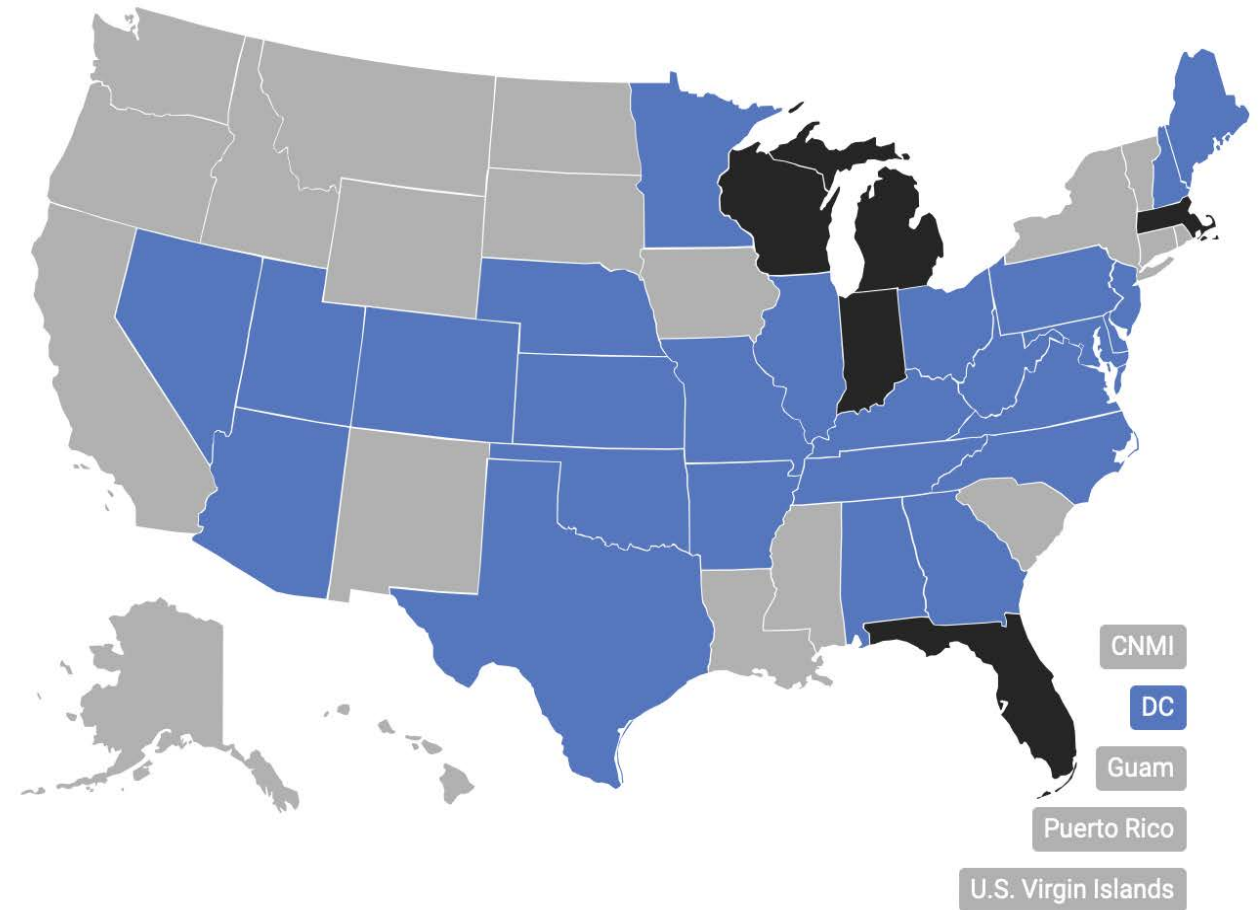
- ▶ The legislature has not given the Board the authority to enter into reciprocity agreements. As a result, we would exceed our authority if we did so.
- ▶ Consequently, there are no existing reciprocity agreements in psychology practice with surrounding states. Statute NDCC § 43-32-19.1 provides the authority to grant licenses to a licensee of any other state if that state's laws meet North Dakota's licensing standards.
- ▶ PSYPACT is an Interstate Compact that was considered by the 2019 legislature and defeated. It had not achieved sufficient state adoptions at that time to be implemented. NDSBPE had not endorsed it in 2019.
  - ▶ It was NOT considered in the 2021 session.
  - ▶ Permits Credentialed Psychologists to conduct telehealth practice in participating states and a limited amount of in person services in participating states, while providing regulatory control processes to protect citizens of the participating states.

PSYPACT

Participating  
States

Telepsychology  
Practice

Temporary  
Practice



### Map Key

- PSYPACT Participating State
- Enacted PSYPACT Legislation - practice under PSYPACT not permitted
- PSYPACT Legislation introduced

# Requested Information to APT Cmte

## ▶ Fees charged by the board;

- ▶ Application for Licensure fee is \$450
- ▶ Licensure renewal annual fee is \$250
- ▶ Other fees for late submissions and additional services

## ▶ Comparison of Application Fees

- ▶ APA & ASPPB Guidebook for Licensure Applicants notes licensure fees range from \$500 to \$1000 in States and Provinces
- ▶ MN = \$550, SD = \$500, MT = \$775 as examples of surrounding states

# Requested Information to APT Cmte

## ▶ Training requirements for board members and executive directors;

- ▶ There are no specific training requirements for board members.
- ▶ NDSBPE does not have an Executive Director, although we employ a Board Management company for our office work.
- ▶ While there are no training requirements, all board members are given an orientation within the first 3 months of appointment available through our membership in ASPPB (association of psychology boards) and at their twice-yearly conferences.
- ▶ Members are encouraged/supported to attend the ASPPB Bi-annual conferences and for the past 3 years 4 or 5 of the 7 board members have attended each. The last 2 years have been virtual.
- ▶ NDSBPE has hosted the Federation of Association of Regulatory Boards (FARB) board member training conferences two times in the last 8 years in North Dakota. Attendance was from virtually all the boards and in several cases almost all the board members attended from each of those boards.
- ▶ Board members have attended, and are encouraged to attend, board training seminars conducted by the Office of the Attorney General. Those seminars have occurred in 2018, 2019, and 2021.

# Requested Information to APT Cmte

## ▶ Executive director turnover trends;

- ▶ As we do not have an executive director and never have, we do not have such turnover.
- ▶ Our Board Management executive secretary/company has changed 4 times since 2012. We are pleased to be with a company that has a great stability record.

# Requested Information to APT Cmte

- ▶ **The average length of service of board members.**
  - ▶ Of the 7 Board members
  - ▶ Newest is 0 years (October)
  - ▶ Longest serving is 9 years
  - ▶ Average membership years of current members is 3.57 years.

# Further Efforts by NDSBPE Simplifying Licensure

- ▶ Provisional License Process
  - ▶ Legislative & Administrative Code changes introduced by NDSBPE that were passed
  - ▶ Enables Entry-to-Practice immediately while awaiting full licensure (oral exam)
  - ▶ Accomplished within days to a couple weeks upon applicant submission
- ▶ Introduced use of Electronic Signatures to speed issuance of Licenses
- ▶ Post-Doctorate supervision Residency
  - ▶ Legislative & Administrative Code changes introduced by NDSBPE that were passed
  - ▶ Enables qualified Pre-Doctoral supervision experience to speed Residency completion
- ▶ Use of ASPPB PLUS application system (to authenticate application materials)
  - ▶ Gathers and stores essential licensing data for applicants in perpetuity
  - ▶ Enables applicant mobility with other states into the future
- ▶ 2022 – Will begin using new Webpage with Application/Renewal efficiencies

# RECOMMENDATIONS

- ▶ Could consider currently Qualified Psychologists (elsewhere) to Practice in North Dakota
  - ▶ 2023 ND Legislature – Might revisit the Psychology Interjurisdictional Compact (PSYPACT)
    - ▶ PSYPACT was defeated in the 2019 session. It had not achieved implementation at that time but has now.
    - ▶ Permits Credentialed Psychologists to conduct telehealth practice and a limited amount of in person services in participating states, while providing regulatory control processes to protect citizens of the participating states.
    - ▶ NOT considered in the 2021 session. 26 states have now adopted, 18 fully implemented during Covid.
- ▶ Foreign Psychologists
  - ▶ NDSBPE prepared to consider Canadian vetting processes when they are ready
    - ▶ Working with ASPPB to obtain this information, to be proposed as early as 2023 session
  - ▶ Consider NDCC/NDAC changes to potentially use the EPPP Part II to vet such applicants
- ▶ ASPPB has implemented the EPPP Part II and data is being generated on utility
  - ▶ NDSBPE is considering using it (and can under current law) for future applicants in some cases
  - ▶ May be a tool to achieve vetting for non-APA/foreign educated applicants with NDCC/NDAC changes