

**ARTICLE 66-01
GENERAL ADMINISTRATION**

Chapter
66-01-01 Organization of Board

**CHAPTER 66-01-01
ORGANIZATION OF BOARD**

Section
66-01-01-01 Organization of Board of Psychologist Examiners

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 ~~five~~seven members appointed by the governor. ~~Each~~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 a licensed psychologist and at under this chapter for at least five years.

c. At least one member must be currently engaged primarily in providing service in psychology and at

d. At least one member must be engaged primarily in teaching, training, or research in psychology. Members of the board serve three-year terms, with at least one but not more than two terms expiring each year.

3. **Board officers.** The board annually elects from its membership a president and, vice president, and secretary.
4. **Inquiries.** Inquiries regarding the board may be addressed to the executive secretary:

Executive Secretary
North Dakota State Board of Psychologist Examiners
P.O. Box 704269
Bismarck, ND 58507-7042 Tyrone, GA 30290
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

**ARTICLE 66-02
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**CHAPTER 66-02-01
LICENSURE AND EXAMINING APPLICATIONS**

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66-02-01-12.1	Approved Industrial-Organizational Psychology Program Accrediting Bodies
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66-02-01-14	Nonpayment of Annual License Fee or Failure to Complete Continuing Education
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66-02-01-01. Application form. All individuals who wish to apply for licensing or registration shall ~~fill out~~ do so using the application initiation form provided by the board. Applicants shall complete that form and any online application process set forth on that

form. An application is not considered complete until all required information sought through the form is received in its entirety by the board office.

History: Amended effective April 1, 1988; July 1, 2012.

General Authority: NDCC 43-32-08

Law Implemented: NDCC 43-32-12, 43-32-20, 43-32-34

66-02-01-01.1. Regional accrediting association. A regional accrediting association means any one of the following:

1. Southern association of colleges and schools.
2. Middle states association of colleges and schools.
3. New England association of colleges and schools.
4. North central association of colleges and schools.
5. North western association of colleges and schools.
6. Western association of schools and colleges.
7. An accrediting association approved by the board.

Accreditation in subsections 1 through 6 means accreditation at level four (doctoral degree-granting institution) or at level five (graduate or professional degree-granting institution).

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

General Authority: NDCC 43-32-08

Law Implemented: NDCC 43-32-01

66-02-01-02. Licensure without examination. Repealed effective September 1, 2000.

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

1. _____ Licensing of psychologists, industrial-organizational psychologists, and applied behavior analysts ~~of, or registration of applied behavior analysts,~~ who are licensed or registered by other jurisdictions will follow the procedures described in North Dakota Century Code sections 43-32-19.1 and 43-51-06. A psychologist, industrial-organizational psychologist, or applied behavior analyst licensed and the following:

- a. 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 that are determined by the board to be substantially equivalent to North Dakota.
- 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 sections ~~43-32-19.1~~ ch. 43-32 and ~~43-51-05~~ ch. 43-51 must pass the North Dakota oral examination or 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.

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

66-02-01-04. Licensure by equivalency. Repealed effective October 1, 2011.

66-02-01-05. Licensure of master's level psychologists. Repealed effective September 1, 2000.

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 2 of North Dakota Century Code section 43-32-34.

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

General Authority: NDCC 43-32-08

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

66-02-01-07. Application of code of ethics. The American psychological association ethical principles of psychologists and code of conduct, amended 2010, shall apply to ~~psychologists, industrial-organizational psychologists, applied behavior analysts, and registered applied behavior analysts~~ any individual licensed or registered by the board or any applicant for licensure or registration by the board. The behavior

~~analysts~~analyst certification board guidelines for responsible conduct, revised 2010~~professional and ethical compliance code for behavior analysts, revised 2014~~, shall apply to ~~applied behavior analysts and registered applied behavior analysts~~any individual licensed or registered by the board and practicing or supervising applied behavior analysis.

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 43-32-27, 43-32-34

66-02-01-07.1. Procedural exception for processing multiple ~~complaints~~allegations from the same ~~complainant~~individual. If a ~~complainant~~an individual filed a ~~complaint~~ which an allegation that was previously dismissed by the board, the board may dismiss subsequent ~~complaints~~allegations filed by that ~~complainant~~individual without requesting written responses from the licensees, registrants, or residents if the board determines that such allegations are substantially similar to the previously dismissed allegations.

History: Amended effective April 1, 2016.

General Authority: NDCC 43-32-08

Law Implemented: NDCC 43-32-27.1

66-02-01-08. Fees. ~~The license or registration application fee is four hundred fifty dollars plus the actual cost of the written examination when it is required. An annual license fee of one hundred fifty dollars will be charged all psychologists, industrial-organizational psychologists, applied behavior analysts, and registered applied behavior analysts.~~The following deadlines and fees have been set by the board:

A completed supervisor form must be on file with the board prior to beginning practice in North Dakota as a psychology resident or registered behavior analyst. A completed application for practice and paid fee must be on file with the board prior to beginning practice under provisional licensure or registration. Once an individual is licensed or registered the individual must submit a completed renewal application and renewal fee to the board by November 15 of each year, effective for the following year beginning January 1. Failure to pay the fee by November 15 may delay license renewal issuance and therefore require the cessation of practice during any period of time the individual does not possess a valid license or registration.

Initiation of Application Fee - \$450

North Dakota Professional Responsibility Examination - \$50

Renewal Application - \$250

Late Renewal Application (or payment) Fee - \$100

Late Request for an Extension of Time to Submit Continuing Education

Documentation - \$100

Incomplete Continuing Education Documentation - \$50

Temporary Limited Practice Certificate - \$25

Official Licensee/Registrant Verification Fee (per record) - \$15

Continuing Education Program Review - \$25

Other fees as set by third parties approved by the board related to examinations, online applications, and processing of payments.

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 written licensing examination will be administered by computer at designated testing sites throughout the calendar year. The oral licensing examinations and the North Dakota professional responsibility examinations will be administered by the board at least twice each calendar year.

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

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. The board may also require applicants to pass an additional written examination developed by the board to 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. At the board's discretion, it may allow individuals to take the North Dakota professional responsibility examination in practice of psychology and behavioral analysis written examination in place of the oral examination. The North Dakota professional responsibility examination in practice of psychology and behavioral analysis will be administered by at least two board members 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 meeting vote to confirm passage.

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

General Authority: NDCC 43-32-08

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

66-02-01-10. Guidelines for oral examinations. The oral 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. The oral examination will be administered by an examination committee made up of at least threetwo board members in addition toand any other licensed psychologist whom the board sees fit to add to the examining committee. However, only the board members present may vote. Oral examinations will be scheduled as appropriate but not less than twice a year. The examination committee will use a structured oral examination, will record the applicants' answers, and will discuss the results-and. 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 willpresent at the meeting vote with the majority opinion being necessary for the candidate to pass. 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 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. Additional documentation for clinical work or counseling or therapy. Repealed effective September 1, 2000.

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 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 ~~which~~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

66-02-01-12. Identifying psychology and industrial-organizational psychology doctoral programs as substantially psychological in nature. Repealed effective October 1, 2011.

66-02-01-12.1. Approved industrial-organizational psychology program accrediting bodies. For purposes of subdivision b of subsection 2 of North Dakota Century Code section 43-32-20, programs designated as doctoral programs in industrial-organizational psychology by the association of state and provincial psychology boards and the national register of health service providers in psychology are approved.

History: Effective October 1, 2011.

General Authority: NDCC 43-32-08

Law Implemented: NDCC 43-32-20

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 ~~inform the board on a form prepared by the board prior to performing services. Within six months of registering with the board, the psychology resident or industrial-organizational psychology resident must file with the board a complete application for licensure and be determined by the board to be eligible for licensure.~~ 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 the Board
 - b. pay the application fee to the board, and
 - c. submit a completed supervisor documentation form to the board.
2. The applicant shall complete the online application requirements set forth on the application initiation form and shall ensure the 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 if the required application and fee have been filed with the board and the board determines the applicant to be eligible for licensure upon

completion of ~~examination~~ examinations and postdoctoral requirements.

b. A psychology resident or an industrial-organizational psychology resident who has passed the national written examination may sit for the oral examination ~~after completion of six months of residency~~ if the required application and fee have been filed with the board or an alternate examination approved by the board.

c. The psychology resident or an industrial-organizational psychology resident and supervising psychologist or psychologists must ~~complete~~ update the online application to report of all completed supervised postdoctoral experience ~~for approval of the board prior to~~ and ensure that the updated online application is forwarded to the board.

d. The board will review recommendations related to the applicant's examinations and the applicant's supervised practice hours. An applicant shall 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 ~~five~~ three years.

2.3. A psychology resident or industrial-organizational psychology resident must specify that ~~person's~~ individual's professional title ~~as such~~ in reports, letters, business cards, and public presentations, and inform service

recipients of the supervisor's identity and contact information for the services provided.

- ~~3.4.~~ Supervising psychologists of psychology residents must ~~have at least three years of postlicensure experience~~ 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 ~~which their~~ supervisee undertakes. Supervising psychologists must meet the continuing education requirements in section 66-03-01-04.
- ~~4.5.~~ 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

66-02-01-14. Nonpayment of annual license fee or failure to complete continuing education. If a licensee or registrant fails to pay the annual fee or complete the required continuing education report by November fifteen for the year beginning the subsequent January first, the license or registration expires. The licensee or registrant may not practice psychology, industrial-organizational psychology, or applied behavior analysis in the state of North Dakota unless an extension of time is granted or the license is renewed by payment of the annual renewal fee and late fee, and

documentation confirming the licensee's completion of the required continuing education is submitted and approved by the board. An individual who does not hold a valid North Dakota license or registration because of failure to meet this requirement may re-apply for licensure or registration by:

1. Completing an application initiation form and the application process;
2. Paying the application initiation fee; and
3. Passing any written or oral examinations determined appropriate by the board.

The issuance of licensure or registration requires an affirmative vote of the board.

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 43-32-08.1, 43-32-08.2, 43-32-13, 43-32-14

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, ~~not employed on August 1, 2011,~~ 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.
2. The board may grant an applied behavior analyst registration to an applicant, ~~not employed on August 1, 2011,~~ 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.

~~(4) — A bachelor's degree with a major in a 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 examination for the professional practice of psychology.

c. ~~The applicant is certified by the behavior analyst certification board or the North Dakota association on behavior analysis.~~

- d. 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 an alternate exam approved by the board.

~~3. The board may grant an applied behavior analyst license to an applicant, employed on August 1, 2011, in the practice of applied behavior analysis, who is exempt under subsection 7 of North Dakota Century Code section 43-32-30, and meets all of the following requirements:~~

- ~~a. The applicant applies before January 1, 2013.~~
- ~~b. The applicant provides a written statement from the applicant's employer that the applicant's employment remains satisfactory.~~
- ~~c. The applicant provides a letter of endorsement from the applicant's supervising psychologist.~~

~~4. The board may grant an applied behavior analyst license to an applicant, employed on August 1, 2011, in the practice of applied behavior analysis, who has a master's degree in psychology, and meets all of the following requirements:~~

- ~~a. The applicant applies before January 1, 2013.~~
- ~~b. The applicant provides a written statement from the applicant's employer that the applicant's employment remains satisfactory.~~

- ~~c. The applicant provides written verification from the applicant's employer that the applicant is employed as a behavior analyst.~~
- ~~5. The board may grant an applied behavior analyst registration to an applicant, employed on August 1, 2011, in the practice of applied behavior analysis, who meets all of the following requirements:
 - ~~a. The applicant applies before January 1, 2013.~~
 - ~~b. The applicant has a bachelor's degree.~~
 - ~~c. The applicant provides a written statement from the applicant's employer that the applicant's employment remains satisfactory.~~
 - ~~d. The applicant provides written verification from the applicant's employer that the applicant is employed as a behavior analyst.~~
 - ~~e. The applicant provides a written plan for supervision by a psychologist or applied behavior analyst. The plan must be 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

66-02-01-16. Limited practice without a license. Upon prior written application to and approval by the board, a psychologist, industrial-organizational psychologist, or applied behavior analyst licensed in good standing in another jurisdiction may practice psychology, industrial-organizational psychology, or applied behavior analysis in North Dakota for no more than thirty full or partial days per calendar year. The application must include all of the following:

1. A verification from the licensing authority in the other jurisdiction that the applicant is licensed in good standing.
2. A description of the nature of the services to be provided.
3. An explanation of when the services are to be provided.
4. A fee of twenty-five dollars.

History: Effective July 1, 2012.

General Authority: NDCC 43-32-08

Law Implemented: NDCC 43-32-30, 43-51-05

CHAPTER 66-02-03 LICENSURE EXEMPTIONS

Section

66-02-03-01 Application of Chapter

66-02-03-02 Application for Exemption

66-02-03-03 Issuance of Certificate of Exemption

66-02-03-01. Application of chapter. This chapter pertains to all federal, state, county, or municipal agencies, political subdivisions, nonprofit corporations, and educational institutions chartered by North Dakota which employ individuals currently exempt under subsection 7 of North Dakota Century Code section 43-32-30.

History: Amended effective September 1, 2000; July 1, 2012.

General Authority: NDCC 43-32-08

Law Implemented: NDCC 43-32-30

66-02-03-02. Application for exemption. An employer seeking an exemption extension under subsection 7 of North Dakota Century Code section 43-32-30 must file an application for exemption extension, ~~a copy of which is an appendix to this chapter~~ on a form provided by the board. The institution or agency completing the application will be billed ~~one~~two hundred fifty dollars.

History: Amended effective March 1, 1985; September 1, 2000; July 1, 2012; April 1, 2016.

General Authority: NDCC 43-32-08

Law Implemented: NDCC 43-32-30

66-02-03-03. Issuance of certificate of exemption. A certificate of exemption will be issued to the agency or institution on an annual basis. The certificate will include the names of exempted employees. If the employee transfers agencies or institutions during the year, the certificate of exemption expires. An agency or institution may not transfer a certificate of exemption to another employee.

History: Amended effective September 1, 2000; July 1, 2012.

General Authority: NDCC 43-32-08

Law Implemented: NDCC 43-32-30

~~(The form below cannot be accurately reproduced for publication. Users should contact the State Board of Psychologist Examiners to obtain a correct copy.)~~

~~STATE BOARD OF PSYCHOLOGIST EXAMINERS~~

~~Application for Exemption Extension~~

~~(Fill out one form for each employee)~~

~~1. Name of Agency:~~

~~2. Address:~~

~~3. Type of _____ State _____ Political subdivision~~

~~_____ Agency:~~

~~_____ Federal _____ Nonprofit corporation~~

~~_____ County _____ Education institution~~

~~_____ Municipal _____ Other - specify~~

~~4. Name of employee:~~

5. ~~_____ Description of applicant's duties:~~

6.

~~_____ Name of supervising psychologist:~~

7. ~~_____ Please describe the supervision process which will be followed:~~

8. ~~_____ Number of hours of supervision each week:~~

~~Signature of supervisor:~~

~~Date: Address:~~

~~If any of the above questions required additional space, please use this page
or attach pages as needed.~~

History: Amended effective March 1, 1985; September 1, 2000; July 1, 2012.
Repealed April 1, 2016

**ARTICLE 66-03
CONTINUING EDUCATION**

Chapter
66-03-01 Continuing Education

**CHAPTER 66-03-01
CONTINUING EDUCATION**

Section
66-03-01-01 Continuing Education
66-03-01-02 Continuing Education Reports
66-03-01-03 Board Approval
66-03-01-04 Categories of Continuing Education Programs and Credits
66-03-01-05 Verification of Continuing Education Credits and Programs
66-03-01-06 Failure to Comply With the Continuing Education Requirement
66-03-01-07 Agencies and Individual Licensure Exemptions [Repealed]

66-03-01-01. Continuing education. Every psychologist, industrial-organizational psychologist, applied behavior analyst, and registered applied behavior analyst shall complete continuing education credits relevant to the practice of psychology, industrial-organizational psychology, or applied behavior analysis. Reporting cycles are two years, commencing with November first of the year in which the licensee or registrant obtained a North Dakota license or registration, except that individuals licensed prior to January 1, 1992, have reporting cycles ~~which~~that began on November 1, 1992.

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

General Authority: NDCC 43-32-08

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

66-03-01-02. Continuing education reports. Application for continuing education credits must be made on the form provided by the board and must include evidence of completion of at least forty credits of continuing education completed over

the two-year period. The application must be submitted to the board no later than November fifteenth following the completion of the two-year reporting cycle.

History: Effective February 1, 1995; amended effective April 1, 2007.

General Authority: NDCC 43-32-08

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

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 the American psychological association, the Canadian psychological association, the North Dakota psychological association, 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. Other programs may be approved at any time by the board by submission of an application by the sponsoring organization or an individual and payment of a twenty-five dollar 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

66-03-01-04. Categories of continuing education programs and credits. A minimum of three continuing education credits per reporting cycle must be in the area of professional ethics, law, or jurisprudence. ~~Effective for the reporting cycle beginning~~

~~November 1, 2012, and subsequent reporting cycles, a~~ minimum of three continuing education credits per reporting cycle must be in the area of supervision for licensees supervising psychology residents or registered applied behavior analysts. The board recognizes the following categories of continuing education programs or activities and established credit hours:

1. Formal continuing education programs that may consist of courses, workshops, professional psychology conventions or conferences, or institutes. Such programs must include both instructor and attendee real-time interaction on a verbal level whether in-person or through interactive video or audio technologies. The number of continuing education credits assigned by an association recognized by the board will be accepted. Otherwise the credits will be one credit per clock-hour.
2. Regularly scheduled postgraduate courses offered by an accredited college or university ~~which~~that are relevant to the practice of psychology, industrial-organizational psychology, or applied behavior analysis. One quarter hour of academic credit constitutes ten continuing education credits. One semester hour of academic credit constitutes fifteen continuing education credits. Documentation by transcript is required.
3. Writing or speaking, including a paper or other presentation at a formal professional meeting, a paper published in a professional journal, or a book or an original chapter in an edited book in the area of psychology or a related field. Credit will be granted for the year of publication or presentation in the case of a paper. Graduate course offerings within a

higher education setting will be granted at twenty continuing education credits for the initial year of offering. Continuing education credits will be granted at the rate of five for each paper or presentation, fifteen for each chapter in a book, fifteen for editing a book, and twenty for the publication of a book. Continuing education credits will be granted only once for any given paper or presentation. A maximum of twenty continuing education credits per reporting cycle will be granted for continuing education programs in this category.

4. Correspondence or online courses, ~~tapes~~ recordings, or independent readings approved by the board or by one of the associations recognized by the board which include an examination component successfully completed by the licensee or registrant. A maximum of twenty continuing education credits per reporting cycle will be granted for continuing education programs in this category.

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

66-03-01-05. Verification of continuing education credits and programs.

1. At the end of the two-year reporting cycle, each licensee or registrant ~~shall~~ must submit a completed and signed statement on a form provided by the board attesting to satisfaction of the continuing education requirement. The licensee or registrant shall list the activities submitted for continuing education credit and the amount of credit claimed for each ~~one~~.

2. The licensee or registrant may not submit the specific verification of each continuing education experience claimed, but must maintain a file of such verification documentation for two years following the submission of the reporting form.
3. At each reporting period, the board will select a random ~~sample~~sampling of approximately ten percent of the licensees and registrants and require them to provide verification of the continuing education experiences claimed on the reporting form.

History: Effective February 1, 1995; amended effective 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

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. ~~A licensee or registrant may request an extension of time because~~ 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 of the reporting year. If the extension request is received after November first 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. ~~In such cases~~ 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 ~~as well~~ and 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. ~~Refuse to renew a~~ Expired license or registration. A license or registration that is ~~not renewed~~ 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 ~~demonstrates to the secretary of the board the continuing education requirements have been satisfied and pays the renewal fee and a late fee of twenty dollars~~ re-applies 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

66-03-01-07. Agencies and individual licensure exemptions. Repealed effective September 1, 2000.