

## **ARTICLE 66-02 PSYCHOLOGIST LICENSURE**

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

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#### **66-02-01-01. Application form.**

All individuals who wish to apply for licensing shall 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 application process is received in its entirety by the board office.

**History:** Amended effective April 1, 1988; July 1, 2012; April 1, 2016; January 1, 2020.

**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Repealed effective September 1, 2000.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 and industrial-organizational psychologists from other jurisdictions - Expedited licensing.**

1. Licensing of psychologists and industrial-organizational psychologists who are licensed by other jurisdictions 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 may be granted to an individual licensed in good standing in another jurisdiction if the board concludes 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 behavioral health professionals that possess a current license, certification, registration, or other written authorization to practice from a state or provincial regulatory body, as approved by the board.
  - b. A license 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 or industrial-organizational psychologists.
2. An applicant for licensure pursuant to North Dakota Century Code chapters 43-32 and 43-51 shall pass the North Dakota oral examination or, once developed, the North Dakota professional responsibility examination as determined by the board. An applicant who has been licensed and in good standing in North Dakota whose license is expired more than one year may be granted a license renewal if:

- a. The applicant's current continuing education requirements are met;
  - b. The annual renewal and late renewal application fees are paid;
  - c. Licensure in all other jurisdictions is in good standing and without any pending disciplinary matters in any jurisdiction; and
  - d. The applicant has passed the oral examination or, once developed, the North Dakota professional responsibility examination, if required by the board as a condition of license renewal.
3. Upon the board's receipt of a completed application initiation form from an individual licensed in another jurisdiction, the board may grant a provisional license 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 for periods of up to six months. If an application for licensure is denied during the time an applicant holds a provisional license, the provisional license 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; July 1, 2018; January 1, 2020; October 1, 2024.

**General Authority:** NDCC 43-32-08

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

#### **66-02-01-03.1. Military spouse licensure.**

1. The board shall license individuals who meet the definition of military spouse set forth in North Dakota Century Code section 43-51-01 who, through the submission of a completed application initiation form, demonstrate the following:
  - a. The military spouse demonstrates competency in psychology or industrial-organizational psychology through methods or standards determined by the board which must include experience in psychology or industrial-organizational psychology for at least two of the four years preceding application.
  - b. The board determines the issuance of the license will not substantially increase risk of harm to the public.
2. The board may require the submission of any information it deems necessary to assist it in making its determination. The board may deny a license if the board determines the applicant does not meet the above requirements. If the board determines the applicant substantially meets the above requirements, the board may issue a provisional license. When issuing a provisional license, the board may explain the steps necessary for the applicant to fully meet the above requirements and be issued a nonprovisional license. A provisional license must be automatically granted by the board if the board does not deny or grant the license within thirty days of application. The board may place conditions on any license or provisional license. Military spouses may not be assessed fees for the issuance of a license or provisional license under this section. A provisional license may be valid for up to two years. Provisional licenses expire if:
  - a. The board grants the application for licensure.
  - b. The board denies the application for licensure.
  - c. The provisional license expires.
  - d. The board revokes the provisional license to protect the public safety.

- e. The applicant fails to meet any steps or conditions the board placed on the provisional license.

**History:** Effective January 1, 2020.

**General Authority:** NDCC 43-32-08

**Law Implemented:** NDCC 43-32-19.1, 43-51-11.1

**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.

**History:** Amended effective July 1, 2012; April 1, 2016; July 1, 2018; January 1, 2020.

**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, apply to any individual licensed by the board or any applicant for licensure by the board.

**History:** Amended effective September 1, 2000; April 1, 2007; October 1, 2011; July 1, 2012; April 1, 2016; January 1, 2020.

**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 allegations from the same individual.**

If an individual filed an allegation that was previously dismissed by the board, the board may dismiss subsequent allegations filed by that individual without requesting written responses from the licensees or psychology residents if the board determines such allegations are substantially similar to the previously dismissed allegations.

**History:** Effective October 1, 2011; amended effective April 1, 2016; January 1, 2020.

**General Authority:** NDCC 43-32-08

**Law Implemented:** NDCC 43-32-27.1

**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. Failure to pay the annual licensure 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. The following deadlines and fees have been set by the board:

<b>Document or Process</b>	<b>Temporal Requirement or Deadline for Receipt by Board Office</b>	<b>Fee Amount</b>
Supervisor form, submitted by any licensee supervising the practice of psychology residents in North Dakota	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	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, 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
Limited practice application	Complete documentation must be received and approved by the board prior to practice	\$25
Limited practice certificate	Issued upon board approval of application	\$0
License renewal application	November 15, for renewal on January 1 of the next year	\$250
Late renewal application	Received after November 15 and prior to December 31 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 verification, per record	Upon request of verification of licensure by third parties	\$15
Official licensee 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 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

**History:** Amended effective March 1, 1985; April 1, 1988; September 1, 2000; April 1, 2007; October 1, 2011; July 1, 2012; April 1, 2016; July 1, 2018; January 1, 2020.

**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 professional responsibility examination will be administered by the board at least twice each calendar year 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; July 1, 2018.

**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 or industrial-organizational psychology 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 one board 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 a 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; July 1, 2018; January 1, 2020.

**General Authority:** NDCC 43-32-08

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

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

The 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 or industrial-organizational psychology 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; July 1, 2018; January 1, 2020.

**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 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; July 1, 2018.

**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, prior to engaging in any practice related to the scope of psychology, 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 four 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 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 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. 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; July 1, 2018; January 1, 2020.

**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 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 expires. The licensee may not practice psychology or industrial-organizational psychology 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 for more than one year because of failure to meet this requirement may reapply for licensure by:

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

The issuance of licensure renewal requires an affirmative vote of the board.

**History:** Effective September 1, 2000; amended effective April 1, 2007; July 1, 2012; April 1, 2016; January 1, 2020.

**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.**

Repealed effective January 1, 2020.

**66-02-01-16. Limited practice without a license.**

Upon prior written application to and approval by the board, a psychologist or industrial-organizational psychologist licensed in good standing in another jurisdiction may practice psychology or industrial-organizational psychology 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; amended effective January 1, 2020.

**General Authority:** NDCC 43-32-08

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