

EXHIBIT H

ARKANSAS PSYCHOLOGY BOARD

SUBJECT: Psychology Intern Supervision

DESCRIPTION: Act 505 of 2007 ended psychology licensure at the master's level. This licensure allowed interns completing their doctoral level internships to be reimbursed by Medicaid for services provided at their internship sites. Psychologists receive their license post-internship and therefore are not directly regulated by the board. This rule change allows for board oversight of the supervision of interns to ensure proper adherence to Medicaid rules and regulations in the delivery of services.

A markup of the change follows:

6.3 Requirements of Supervision. 6.3 A. Supervision of Students. Students who are enrolled in a program of study (as defined in Sections 5.3.B; 5.3C; ~~5.4 B., 5.4.C~~ 5.4.A of these Rules and Regulations) shall be supervised in any and all practice of the profession of psychology, in keeping with the regulations for training students in the practice of psychology, and shall be the responsibility of the Psychologist supervisor, both site and academic. Supervision of students (as defined in Sections 4.2 and 7.2) shall not be monitored by this Board except that students, participating in a pre-doctorial internship training program that has entered into an agreement with the Arkansas Department of Human Services (DHS) enabling such student's provision of psychological services to be billed and reimbursed by Medicaid, shall be required to have a "Certificate of Approved Supervision during Pre-Doctoral Internship" submitted and approved by the Board prior to beginning service provision within the program. The student and approved supervisor shall be required to submit quarterly reports on supervision during the internship program which shall be reviewed by the Board. The Board will report any problems or concerns regarding the supervision to the Director of the Pre-Doctoral Internship Program.

PUBLIC COMMENT: No public hearing was held. The public comment period expired on June 10, 2014. No public comments were submitted to the agency. The proposed effective date is August 1, 2014.

CONTROVERSY: This is not expected to be controversial.

FINANCIAL IMPACT: There is no financial impact.

LEGAL AUTHORIZATION: The Arkansas Psychology Board is authorized to adopt rules and regulations that comply with national guidelines and standards as it may deem necessary for the performance of its duties. Ark. Code Ann. § 17-97-203(3).

July 14
2553

Answer to Questionnaire for Filing Proposed Rules and Regulations

Depart/Agency: Arkansas Psychology board

Division: Arkansas Board

Division Director: Maggie Sponer

Contact Person: Maggie Sponer

Address: 101 E. Capitol Ave., Suite 415

Little Rock, Ar 72201

Phone: 501-682-6167

Fax: 501-682-6165

Email: APBinfo@arkansas.gov

RECEIVED

MAY 09 2014

BUREAU OF
LEGISLATIVE RESEARCH

Name of Presenters: Lisa McNeir, Ph.D.

Gary Souheaver, Ph.D.

Presenter e-mails: lmcneir@mac.com

gtsouheaver@hotmail.com

- 1. Short title: Psychology Intern Supervision
- 2. Subject: Board supervision of pre-doctoral psychology interns providing services to Medicaid patients
- 3. Is rule required to comply with federal stature, rule or regulation? No
- 4. Was rule filed under emergency provisions of the Administrative Procedure Act? No
- 5. Is this a new rule? No
 - Does it repeal existing rule? No
 - Is this an amendment to an existing rule? Yes
- 6. Cite the state law that grants the authority for this proposed rule? Act 129, 6.3 Chapter 97 update
- 7. Purpose of proposed rule? Necessary? Act 505, passed in 2007, ended psychology licensure at the master's level. This licensure allowed interns completing their doctoral level internships to be

reimbursed by Medicaid for services provided at their internship sites. Psychologists receive their license post-internship and therefore are not directly regulated by the board. This rule change allows for Board oversight of the supervision of interns to ensure proper adherence to Medicaid rules and regulations in the delivery of services.

8. Address where this rule is publicly accessible in electronic form via the Internet: Arkansas Psychology board; www.psychologyboard.arkansas.gov. Also available on the Arkansas Secretary of State's website; sosweb.state.ar.us.

9. Will public hearing be held? No, unless requested

10. When does public comment period expire for permanent promulgation? June 10, 2014

11. What is the proposed effective date of this proposed rule? August 1, 2014

12. Do you expect this rule to be controversial? NO

13. Please give the names of persons, groups or organizations that you expect to comment on these rules: The following organizations are likely to be **FOR** the Rules and Regulations change:

Arkansas Psychological Association

University of Arkansas, Fayetteville

Art Gillaspay, Ph.D. - University of Central Arkansas

FINANCIAL IMPACT STATEMENT

RECEIVED

PLEASE ANSWER ALL QUESTIONS COMPLETELY

MAY 09 2014

DEPARTMENT

Arkansas Psychology Board

DIVISION

BUREAU OF

PERSON COMPLETING THIS STATEMENT

Maggie Sporer

LEGISLATIVE RESEARCH

TELEPHONE NO. 682-11117

FAX NO. 682-11115

EMAIL: maggie.sporer@arkansas.gov

To comply with Ark. Code Ann. § 25-15-204(e), please complete the following Financial Impact Statement and file two copies with the questionnaire and proposed rules.

SHORT TITLE OF THIS RULE

Supervision of Psychology Interns

- 1. Does this proposed, amended, or repealed rule have a financial impact? Yes No
- 2. Is the rule based on the best reasonably obtainable scientific, technical, economic, or other evidence and information available concerning the need for, consequences of, and alternatives to the rule? Yes No
- 3. In consideration of the alternatives to this rule, was this rule determined by the agency to be the least costly rule considered? Yes No

If an agency is proposing a more costly rule, please state the following:

(a) How the additional benefits of the more costly rule justify its additional cost;

(b) The reason for adoption of the more costly rule;

(c) Whether the more costly rule is based on the interests of public health, safety, or welfare, and if so, please explain; and;

(d) Whether the reason is within the scope of the agency's statutory authority; and if so, please explain.

4. If the purpose of this rule is to implement a federal rule or regulation, please state the following:

(a) What is the cost to implement the federal rule or regulation?

Current Fiscal Year

Next Fiscal Year

General Revenue _____
 Federal Funds _____
 Cash Funds _____
 Special Revenue _____
 Other (Identify) _____

General Revenue _____
 Federal Funds _____
 Cash Funds _____
 Special Revenue _____
 Other (Identify) _____

Total _____

Total _____

(b) What is the additional cost of the state rule?

Current Fiscal Year

Next Fiscal Year

General Revenue _____
Federal Funds _____
Cash Funds _____
Special Revenue _____
Other (Identify) _____

General Revenue _____
Federal Funds _____
Cash Funds _____
Special Revenue _____
Other (Identify) _____

Total _____

Total _____

5. What is the total estimated cost by fiscal year to any private individual, entity and business subject to the proposed, amended, or repealed rule? Identify the entity(ies) subject to the proposed rule and explain how they are affected.

Current Fiscal Year

Next Fiscal Year

\$ _____

\$ _____

Not sure what estimated cost by fiscal year to private entities will be subject to the proposed rule revision.

6. What is the total estimated cost by fiscal year to state, county, and municipal government to implement this rule? Is this the cost of the program or grant? Please explain how the government is affected.

Current Fiscal Year

Next Fiscal Year

\$ _____

\$ _____

None

7. With respect to the agency's answers to Questions #5 and #6 above, is there a new or increased cost or obligation of at least one hundred thousand dollars (\$100,000) per year to a private individual, private entity, private business, state government, county government, municipal government, or to two (2) or more of those entities combined?

Yes No

If YES, the agency is required by Ark. Code Ann. § 25-15-204(e)(4) to file written findings at the time of filing the financial impact statement. The written findings shall be filed simultaneously with the financial impact statement and shall include, without limitation, the following:

(1) a statement of the rule's basis and purpose;

(2) the problem the agency seeks to address with the proposed rule, including a statement of whether a rule is required by statute;

(3) a description of the factual evidence that:

(a) justifies the agency's need for the proposed rule; and

- (b) describes how the benefits of the rule meet the relevant statutory objectives and justify the rule's costs;
- (4) a list of less costly alternatives to the proposed rule and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
 - (5) a list of alternatives to the proposed rule that were suggested as a result of public comment and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
 - (6) a statement of whether existing rules have created or contributed to the problem the agency seeks to address with the proposed rule and, if existing rules have created or contributed to the problem, an explanation of why amendment or repeal of the rule creating or contributing to the problem is not a sufficient response; and
 - (7) an agency plan for review of the rule no less than every ten (10) years to determine whether, based upon the evidence, there remains a need for the rule including, without limitation, whether:
 - (a) the rule is achieving the statutory objectives;
 - (b) the benefits of the rule continue to justify its costs; and
 - (c) the rule can be amended or repealed to reduce costs while continuing to achieve the statutory objectives.

6.3. Requirements of Supervision.

6.3. A. Supervision of Students. Students who are enrolled in a program of study (as defined in Sections 5.3.B; 5.3.C; ~~5.4. B, 5.4. C~~ 5.4.A of these Rules and Regulations) shall be supervised in any and all practice of the profession of psychology, in keeping with the regulations for training students in the practice of psychology, and shall be the responsibility of the Psychologist supervisor, both site and academic. Supervision of students (as defined in Sections 4.2 and 7.2) shall not be monitored by this Board except that students, participating in a pre-doctorial internship training program that has entered into an agreement with the Arkansas Department of Human Services (DHS) enabling such student's provision of psychological services to be billed and reimbursed by Medicaid, shall be required to have a "Certificate of Approved Supervision during Pre-Doctoral Internship" submitted and approved by the Board prior to beginning service provision within the program. The student and approved supervisor shall be required to submit quarterly reports on supervision during the internship program which shall be reviewed by the Board. The Board will report any problems or concerns regarding the supervision to the Director of the Pre-Doctoral Internship Program.

RECEIVED
MAY 09 2014
BUREAU OF
LEGISLATIVE RESEARCH



Arkansas Psychology Board

Maggie Sponer, Interim Executive Director

101 East Capitol Avenue | Suite 415 | Little Rock, AR 72201
Phone (501) 682-6167 | Fax (501) 682-6165
www.psychologyboard.arkansas.gov APBinfo@arkansas.gov

May 5, 2014

Public Notice

The Arkansas Psychology Board, in collaboration with the Department of Health, is proposing a rule change regarding Supervision of Psychology Interns, effective September 1, 2014. Copies of the proposed revision are available for public inspection at the Arkansas Psychology Board, 101 E. Capitol Ave., Ste. 415, Little Rock, AR 72201 and through the Secretary of States website at www.sosweb.state.ar.us. The proposed rule change was reviewed by the Arkansas Psychology Board at their April 18, 2014 Board Meeting. Written comments should be post-marked by June 10, 2014.

RECEIVED

MAY 09 2014

BUREAU OF
LEGISLATIVE RESEARCH