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Proposed Rulemaking

Title

Promulgated by:
Department of Health
Arkansas Psychology Board

Title 17. Professions, Occupations, and Businesses

Chapter XVII. Arkansas Psychology Board, Department of Health

Subchapter A. Generally

Part 95. Arkansas Psychology Board Rules

Subpart 1. General Information

17 CAR § 95-101. Description of organization.

(a) The Arkansas Psychology Board is composed of nine (9) members appointed by the Governor of the State of Arkansas to staggered terms of five (5) years.

(b) Appointments for all positions except the consumer representative and the senior citizen representative will be made from a list of nominees submitted to the Governor by:

(1) The Arkansas Psychological Association;

(2) The Arkansas Association of Psychological Examiners; or

(3) Other interested Arkansas-licensed psychologists or psychological examiners as documented by a list that has attached thereto the signatures of at least twenty (20) licensed psychologists or psychological examiners.

(c)(1)(A) Membership of the board will be composed of:

(i) One (1) academic psychologist engaged in full-time teaching of psychology at the graduate level at an approved institute of higher learning or holding

an active faculty appointment in an American Psychological Association-approved predoctoral or post-doctoral internship program;

(ii) Four (4) practicing psychologists engaged in the full-time practice of psychology with at least one (1) psychologist engaged in the full-time, private practice of psychology; and

(iii) Two (2) psychological examiners engaged in the full-time practice of psychology.

(iv) One (1) Licensed psychologist who is a board certified behavior analyst, qualified behavior analyst, or has a background and experience providing behavior analysis services to be one of the four (4) psychologists listed in (c)(ii) under section 17- CAR § 95-101.

(B) Each psychologist and psychological examiner must have been licensed to practice psychology in Arkansas for at least five (5) years immediately preceding appointment to the board.

(2) The consumer representative and the senior citizen representative, appointed from the general public, subject to confirmation by the Senate (Arkansas Code Annotated § 17-97-201; Acts 1977, No. 113; Acts 1979, No. 939; and Acts 1995, No. 955) who are not actively engaged in or retired from the practice of psychology shall be voting members at-large.

17 CAR § 95-102. Responsibilities of the organization.

(a) The Arkansas Psychology Board is charged by law with regulating the practice of psychology in the State of Arkansas including, but not limited to, examining and passing upon the qualification of applicants for the practice of psychology.

(b) The major responsibility of the board is to ensure that the people of the State of Arkansas are protected from misrepresentation, unethical practice, and/or incompetence in the practice of psychology.

17 CAR § 95-103. Administration of the organization.

(a) The Arkansas Psychology Board is charged by law with administering its duties consistent with the act under which it was organized and authorized to regulate the practice of psychology.

(b) Consistent with the Arkansas Administrative Procedure Act, Arkansas Code Annotated § 25-15-201 et seq., and in the interest of the public of the State of Arkansas, the following are the major administrative responsibilities of the board:

(1) **Records.** Records of the board shall be kept, maintained, and available for inspection according to the Freedom of Information Act of 1967, Arkansas Code Annotated § 25-19-101 et seq.;

(2) **Public meetings.** All board meetings, except as otherwise specifically provided by law, whether formal or informal, shall be open to the public;

(3) **Public notice.** The date, time, and place of meetings shall be:

(A) Furnished to anyone requesting the information; and

(B) Routinely published;

(4) **Forms.** All forms and accompanying instructions shall follow this part;

(5)(A) **Directory.** The board shall provide a directory to the public upon request, which may be published in electronic form, that includes the following:

(i) Names of all licensed individuals in the state;

(ii) Level of licensure, whether psychologist, psychological practitioner, or ~~or~~ psychological examiner;

(iii) The text of Arkansas Code Annotated § 17-97-101 et seq.;

(iv) A copy of this part;

(v) Information on continuing education requirements for licensure; and

(vi) Other information considered necessary by the board to inform the public about the practice of psychology, or needed by the public to make informed used of psychological services.

(B) A copy of the Ethical Principles of Psychologists and Code of Conduct of the American Psychological Association adopted by the board as part of this part

shall be provided upon request to all individuals who do not have a copy and cannot otherwise obtain a copy of the principles; and

(6) **Opinions.**

(A) Informal opinions given by individual board members do not reflect the opinion of the full board.

(B) Only opinions, decisions, or policies documented in the written minutes of board meetings shall be considered binding actions of the board.

17 CAR § 95-104. Intention.

It is intended that the provisions of this part be in accordance with and consistent with the Arkansas Medical Practices Act, Arkansas Code Annotated § 17-95-201 et seq., § 17-95-301 et seq., and § 17-95-401 et seq.

17 CAR § 95-105. Definitions.

(a) The Arkansas Psychology Board defines the following major terms used in Arkansas Code Annotated §§ 17-97-302 and 17-97-303:

(1) "Act". This phrase and the term "A.C.A." refer to the Arkansas Code Annotated;

(2) "Board". In this part, this term refers to the Arkansas Psychology Board;

(3) "Effective communication". The psychologist, psychological practitioner or psychological examiner providing therapeutic services must maintain a relationship with a qualified physician for the diagnosis and/or treatment of medical problems;

(4)(A) "For such purposes". This phrase is descriptive, rather than limiting.

(B)(i) It includes such activities as interpersonal facilitation, hypnosis, individual therapy, group therapy, behavior modifications, and/or behavior therapy, and other forms of psychotherapy, counseling, research, assessment, psychological consultation, and other behavior change techniques whatever the location of the service.

(ii) These activities are examples and are not to be construed as representative of all psychological activities;

(5) "Overall personality appraisal and classification". This phrase is descriptive and includes diagnostic evaluation of mental disorders, such as those contained within acceptable nosological classification systems such as the DSM and ICD, with the exception of psychoeducational or vocational diagnoses;

(6) "Practice of psychology". Unless specifically exempt by Arkansas Code Annotated § 17-97-103, no person shall practice psychology in the State of Arkansas in any manner without a valid license issued by the Arkansas Psychology Board;

(7) "Principles, methods, and procedures of the science of psychology". These terms are descriptive, rather than limiting, and include those techniques used in evaluating and/or changing behavior, mental processes, and/or interpersonal relations; and

(8)(A) "Supervising psychologist". A psychologist holding a valid and current license whose training and experience are appropriate for supervision in the areas of the supervised practice and who abides by this part (see 17 CAR § 95-501 et seq.).

(B) "Supervising psychologist" is not a legal title, but a description of a role.

(b)(1) The board defines the following major term used in 17 CAR § 95-401 et seq., and 17 CAR § 95-501 et seq.

(2) "Qualified psychologist" is not a legal title, but is an individual holding a doctorate who meets at least one (1) of the following criteria:

(A) Is a licensed psychologist;

(B) Is an instructor of statistics/research design in a graduate department of psychology and holds a joint appointment in another department; or

(C) Possesses a documented doctoral degree in psychology.

(c) **The Psychology Interjurisdictional Compact ("Psypact").** Any reference in this part to "Psypact" refers to the Psychology Interjurisdictional Compact, which is codified at Arkansas Code Annotated § 17-97-501 et seq.

(9)" Licensed Psychological Practitioner" means a person who:

(A) Holds himself or herself out to be a licensed psychological practitioner; and

(B) Renders to individuals or to the public for remuneration of any services involving the practice of psychology independently interviewing or administering and interpreting tests of mental abilities, aptitudes, interests, and personality characteristics for the purpose of psychological evaluation to assist in the determination of:

(i) Diagnosis of mental health disorders; or

(ii) Educational or vocational selection, guidance, or placement,

(10) "Registered behavior analyst" means an individual who is registered to practice behavior analysis independently by the Arkansas Psychology Board.

(11) "Supervising Psychological Practitioner" is a licensed psychological practitioner holding a valid and current license whose training and experience are appropriate for supervision in the areas of the supervised practice and who abides by this part. (see 17 CAR § 95-501 et seq.)

(A) "Supervising Psychological Practitioner" is not a legal title, but a description of a role.

Subpart 2. Board Membership and Duties

17 CAR § 95-201. Length of term.

(a) Terms of each Arkansas Psychology Board member shall expire on December 31 of the final year of the five-year term.

(b) However, these board members shall continue to serve in full capacity until such time as the new member is appointed by the Governor and begins formal responsibilities.

17 CAR § 95-202. Revenue.

Revenue generated by fees shall constitute the income of the Arkansas Psychology Board.

17 CAR § 95-203. Meetings.

At least one (1) regular meeting shall be held each year, and additional meetings may be held as often as necessary.

17 CAR § 95-204. Rules.

Rules shall be adopted as necessary to define the role of the Arkansas Psychology Board and facilitate the performance of its duties on behalf of the people of the State of Arkansas.

17 CAR § 95-205. Quorum.

A majority of members of the Arkansas Psychology Board shall constitute a quorum for the conduct of business.

17 CAR § 95-206. Assistants.

Assistants may be hired by the Arkansas Psychology Board as necessary to carry on its activities.

17 CAR § 95-207. Grants and scholarships.

(a) The Arkansas Psychology Board may accept grants from foundations or institutions as considered necessary by the board to assist in the fiscal responsibility.

(b) The board administers the Psychological and Neuropsychological Testing Workforce Scholarship pursuant to Arkansas Code Annotated § 6-81-2001.

17 CAR § 95-208. Letters of professional reference.

To prevent conflicts of interest, members of the Arkansas Psychology Board may not provide professional references to applicants.

Subpart 3. Use of Title

17 CAR § 95-301. Licensure requirement.

(a) Pursuant to Arkansas Code Annotated § 17-97-301, it is a misdemeanor for any unlicensed individual to practice or hold himself or herself out to the public as being engaged in the practice of psychology.

(b) Use of any title incorporating "psychology", "psychologist", or "psychological", or any other title that, by implication, is associated with the practice of psychology, shall be used only by licensed individuals except as provided in Arkansas Code Annotated § 17-97-307.

(c) Use of title by licensed individuals shall not be done in any manner that could reasonably confuse the public as to level of licensure.

(d) Individuals who have been certified as school psychology specialists by the Department of Education shall use the title "school psychology specialist", and only that title, unless they are licensed as a psychologist, ~~or~~ psychological examiner, or licensed psychological practitioner~~.~~

17 CAR § 95-302. Students/trainees.

(a)(1) Students participating in a recognized training program in the practice of psychology shall clearly show this training status with descriptive terms such as:

(A) "Intern";

(B) "Resident"; or

(C) "Trainee".

(2) Without such qualifying terms, they shall not hold themselves out, by title or implication, as qualified to practice psychology.

(b) Any use of a title by students that is in violation of this part and/or Arkansas Code Annotated § 17-97-101 et seq., may result in disciplinary action by the Arkansas Psychology Board.

(c) A student is defined as an individual:

(1) Participating in a recognized training program that has an integrated and organized sequence of graduate level course work in psychology; and

(2) Whose primary identification is that of student.

Subpart 4. Qualifications of Applicants for Licensure

17 CAR § 95-401. General.

(a) The Arkansas Psychology Board shall establish education, experience, and professional requirements for licensure to practice psychology.

(b) These qualifications will:

(1) Comply with minimum standard practices in the field of psychology; and

(2) Represent the minimum level of skill and experience necessary for an individual to practice psychology in the State of Arkansas.

17 CAR § 95-402. Statement of intent.

(a)(1) Since Arkansas Code Annotated § 17-97-101 et seq., is a generic licensure law and does not involve specialty licensure in the State of Arkansas, a statement of intent must accompany each application for licensure.

(2) This document is used by the Arkansas Psychology Board to define and limit the applicant's practice of psychology to those areas in which the applicant has academic training and supervised experience, as per the Ethical Principles of Psychologists and Code of Conduct of the American Psychological Association.

(b) The statement of intent shall reflect the proposed:

(1) Application of skills and abilities in the practice of psychology;

(2) Populations to be served;

(3) Settings in which services will be rendered; and

(4) Specific professional limitations.

(c) Independent practice privileges within each area listed on the statement of intent require a minimum of:

(1) Completion of a three (3) semester hour (or equivalent quarter hour) didactic course, or equivalent instruction, in the relevant area;

(2) Documented evidence of supervised experience in the area;

(3) Documentation by a supervisor of that applicant showing entry-level competence in that area; and

(4) Supervised practice privileges, which includes:

(A) Completion of a three (3) semester hour didactic course, or equivalent; and

(B) Supervised experience in that area of practice.

(d) The board's evaluation of the statement of intent shall ensure that the applicant has sufficient academic training, supervised experience, skills, abilities, and knowledge of the profession of psychology to practice consistent with the statement of intent.

17 CAR § 95-403. Requirements for certification as a Registered Behavioral Analyst.

(a) Each applicant for registration as a registered behavior analyst shall submit to the Arkansas Psychology Board:

(1) An application;

(2) An application fee that does not exceed two hundred dollars ($200);

(3) Evidence that he or she has successfully completed a criminal background check; and

(4) Evidence that he or she is certified as:

(b) A board certified behavior analyst or a board certified behavior analyst-doctoral by the Behavior Analyst Certification Board, Inc.; or

(c) A qualified behavior analyst by the Qualified Applied Behavior Analysis Credentialing Board

(d) This section does not require additional training or continuing education with any state or national association.

(1) A registration under 17 CAR § 95-403 shall be granted for a period of two (2) years.

(2) Before a registration expires, the registration may be renewed upon the submission of:

(e) A renewal application;

(1) A renewal fee that does not exceed one hundred fifty dollars($150);

(2) Evidence of verification of current certification.

17 CAR § 95-4043. Requirements for licensure as a psychological examiner.

(a)(1) The individual must have a master's degree in psychology or closely related field from an accredited educational institution that the Arkansas Psychology Board recognizes as maintaining satisfactory standards.

(i)(2) The institution must have been accredited by the region in which it provides academic training at the time the degree was granted, and the program of study must meet all of the following criteria:

(1A) The program is a recognizable coherent entity within the institution;

(2B) The program is an integrated, organized sequence of study;

(3)(A)(C)(i) There must be an identifiable psychology faculty on-site sufficient in size to ensure the ratio of faculty to students is adequate for instruction.

(Bii) The faculty must also have sufficient breadth in order to ensure that the scope of knowledge in psychology provides for adequate instruction.

(Ciii) Sufficiency shall be subject to the judgment of the board;

(4D) The program has an identifiable body of students who are matriculated in that program for a degree;

(5E) The program must include a supervised practicum or internship, or field laboratory training appropriate to the practice of psychology; and

(6F) The curriculum shall encompass a minimum of two (2) academic years of full-time graduate study, including instruction in:

(Ai) Scientific and professional ethics and standards;

(Bii) Research design and methodology;

(Ciii) Statistics; and

(Div) Psychometrics.

(b) The program of study must meet the following minimum requirements:

(1)(A)(i) Forty-five (45) graduate semester hours or seventy-five (75) quarter hours with an average grade of "B" or above in the department of psychology.

(ii) If taught in a department other than psychology, the courses must have been taught by a qualified psychologist as defined in 17 CAR § 95-105(b)(2).

(B)(i) Individuals who have master's degrees in psychology or its equivalent making application on or prior to August 30, 2002, will be allowed to meet the previous thirty-six (36) or equivalent quarter hour requirement.

(ii) After this date the standard set forth in subdivision (b)(1)(A) of this section will apply to all psychological examiner applicants;

(2) Graduate-level coursework of three (3) semester hours (five (5) quarter hours) with a grade of "B" or above in seven (7) of the following general areas of psychological study:

(A) Learning (theories or processes);

(B) Statistics (descriptive and inferential);

(C) Individual intelligence testing with practicum;

(D) Individual personality appraisal;

(E) Behavior deviation or abnormal psychology;

(F) Personality theories;

(G) Developmental psychology;

(H) Psychotherapy theories and techniques;

(I) Social psychology;

(J) Industrial/organizational psychology;

(K) Research design;

(L) Behavior theory or techniques of behavior;

(M) Physiological psychology or sensation and perception; and

(N) Ethics and/or professional issues;

(3)(A) A maximum of two (2) of the courses listed in subdivision (b)(1)(A) of this section may be taken as independent study courses.

(B) No coursework required in subdivision (b)(2) of this section may be taken as independent study.

(C) Examples of independent study include but are not limited to the following:

(i) Courses defined by the institution as independent study;

(ii) Classes in which fewer than two (2) students are enrolled;

(iii) Correspondence courses;

(iv) Classes that have less than one (1) class meeting every other week; and

(v) Classes that do not meet on an identifiable campus.

(D) However, a course offered within a program that is accredited by the American Psychological Association may have features of subdivisions (b)(3)(C)(iv) and (v) of this section and not be considered independent study by the board;

(4) Individual courses must specifically support areas of practice listed on the licensee's statement of intent; and

(5) Fifteen (15) graduate semester hours (twenty-two (22) graduate quarter hours) of the program of study must specifically support the statement of intent to practice psychology.

(c)(1) A minimum of six hundred (600) clock hours of supervised experience directly related to the intended use of the license as defined by the statement of intent obtained by formal internship.

(2) The internship must meet all of the following criteria:

(A)(i) The training program must be organized, in contrast to supervised experience or on-the-job training, and designed to provide the intern with a preprogrammed sequence of training experiences.

(ii) The primary focus and purpose must be assuring the breadth and quality of training;

(B) The internship must have at least one (1) designated supervising psychologist who is:

(i) Responsible for the integrity and quality of the training program; and

(ii) Actively licensed by the board;

(C) The agency must have at least one (1) psychologist on the staff or an affiliated psychologist as supervisor, and this psychologist must be actively licensed as a psychologist by the board;

(D) Internship supervision must be provided by:

(i) A staff psychologist of the internship agency; or

(ii) An affiliate psychologist of that agency who carries clinical responsibility for the cases being supervised;

(E) The internship must provide training in a range of assessment and treatment activities conducted directly with persons served who are seeking health services, or assessment and treatment planning in school settings;

(F) At least twenty-five percent (25%) of the intern's time must be in direct contact with persons served by the organization (minimum one hundred twenty-five (125) hours);

(G) The internship must include a minimum of one (1) hour per week (regardless of whether the internship was completed in one (1) year or two (2)) of regularly scheduled, formal, face-to-face individual supervision with the specific intent of dealing with services rendered directly by the intern;

(H) The internship must be post-practicum and/or post-clerkship;

(I) The intern must have a title indicating his or her training status;

(J) The internship must be completed within twenty-four (24) months;

(K) Public announcements of services and fees and contact with the lay or professional community shall be offered only by or in the name of the supervising psychologist or agency;

(L) Users of the intern's services shall be:

(i) Informed as to the intern's status; and

(ii) Given specific information as to his or her qualifications and functions;

(M) Persons served shall be informed that they may meet with the supervising psychologist at their request or at the request of the intern or the supervising psychologist;

(N)(i) The supervising psychologist is responsible for all documentation, including:

(a) Clinical records;

(b) Reports; and

(c) Written correspondence.

(ii) Countersignatures may be required, at the discretion of the supervising psychologist; and

(O) The supervising psychologist shall:

(i) Establish and maintain a level of supervisor contact consistent with established professional standards; and

(ii) Be fully accountable in the event that professional, ethical, or legal issues are raised.

(d) Compliance with all requirements set forth in Arkansas Code Annotated § 17-97-101 et seq., is mandatory.

(e)(1) References attesting to the applicant's ethical and professional behavior and to his or her competence in relevant skill areas must accompany the application.

(2) These professional references must include the following:

(A) A reference documenting successful program completion from the director of the academic training program at the institution where the academic work and/or training were obtained; and

(B)(i) Three (3) references from qualified professional psychologists who have direct and comprehensive knowledge of the applicant’s competence.

(ii) A qualified psychologist is defined in 17 CAR § 95-105(b)(2).

(f) **Change in status.** Psychological examiners requesting a change to psychologist licensure must:

(1) Submit the appropriate application and documentation materials;

(2) Pay the application fee; and

(3) Meet all requirements for licensure as a psychologist.

~~(g) **Requirements for licensure as a psychological examiner with independent practice privileges (LPE-I).**~~

~~(1) At any point in their career, a person with an LPE license may apply for independent practice privileges.~~

~~(2) An individual:~~

~~(A) Must have an LPE license issued by the board; or~~

~~(B) Meet all requirements for the LPE license with a master's degree in psychology.~~

~~(3)(A) An individual licensed as an LPE prior to December 31, 1997, shall:~~

~~(i) Write a letter to the board requesting independent practice privileges; and~~

~~(ii) Submit a revised statement of intent for independent practice.~~

~~(B) Independent practice must exclude neuropsychological assessment, forensic assessment, and projective personality assessment.~~

~~(4)(A) An individual licensed as an LPE after December 31, 1997, must write a letter to the board applying for independent practice privileges.~~

~~(B) This application must include:~~

~~(i) A revised statement of intent that excludes the independent practice of neuropsychological assessment and projective personality assessment and provide documentation of having received appropriate training and experience in those areas requested for independent practice; and~~

~~(ii)(a) A plan of supervision of three thousand (3,000) hours of clinical training, defined as direct and indirect client service, by a board-approved supervisor, with a minimum of twenty-five percent (25%) of the intern's time in direct service.~~

~~(b) The plan of supervision must be approved by the board prior to implementation of the plan.~~

~~(5) A psychological examiner licensed after December 31, 2024, shall not be granted independent practice status if he or she submits an application to the board for independent practice.~~

(g) After December 31st, 2026, a new psychological examiner license shall not be issued.

17 CAR § 95-405. Requirements for licensure as a licensed psychological practitioner.

(A) A person wishing to practice as a licensed psychological practitioner shall apply to the Arkansas Psychology Board through the Chair of the Arkansas Psychology Board upon a form and in the manner determined by the board.

(1) A candidate for a license shall furnish the board with satisfactory evidence that he or she:

(a) Has completed:

(i) A sixty-hour master's degree in health services psychology that is approved by the board and includes the following coursework and training in:

(a) Discipline-specific knowledge such as affective psychology, biological psychology, cognitive psychology, developmental psychology, social aspects of behavior psychology, psychometrics, and research methods;

(b) Profession-wide competencies such as integration of science and practice, ethical and legal standards, individual and cultural diversity, professional values and behavior, communication and interpersonal skills, assessment, intervention, supervision, and consultation and interprofessional skills:

(c) Eight hundred (800) hours of practicum or internship with a total of four (400) direct client services; and

(d) At least one (1) year in a residence program (residence requires education and training to be completed over the days and weeks of an

academic year on campus and provides students access to a core psychology faculty, whose primary time and employment responsibilities are to the educational institution, as well as access to other students matriculated in that program, residency is not intended to be accrued in experiences off campus in which medical or nonpsychology services are observed and discussed as a substitute for regular classroom instruction or seminars, and ,models that use face-to-face contact for short durations throughout a year as a substitute for full-time residency defeat the intended purpose of residency);

(ii) Three thousand (3,000) hours of post-degree clinical supervision approved by the board that includes:

(a) Two thousand two hundred (2,200) hours of direct client service in the intended scope of practice;

(b) One (1) hour of supervision per ten (10) hours of direct client service for the first one thousand (1,000) hours;

(c) One (1) hour of supervision per twenty (20) hours of direct client service for the remaining hours; and

(d) One hundred (100) hours of didactic learning in the intended scope of practice per year;

i. Is competent as a licensed psychological practitioner as shown by passing examinations, written or oral, or both, as the board deems necessary;

ii. Is not considered by the board to be engaged in unethical practice;

iii. Has applied for a criminal background check and has not been found guilty or pleaded guilty or nolo contendere to any of the offenses listed in Arkansas Code Annotated § 17-3-102; and

iv. Has not failed an examination given by the board within the preceding six (6) months.

(2) At the board's discretion, the board may accept satisfactory substitute training and experience in lieu of that prescribed of this section.

(3) A person who was previously licensed as a psychological examiner and granted the privilege to practice independently by the board on or before December 31, 2024, is not required to fulfill the requirements under section 17 CAR § 95-405. A person who was licensed as psychological examiner after December 31st, 2023 but not yet granted independent status is eligible to seek independent status as a provisionally licensed psychological practitioner.

(4) A licensed psychological practitioner may practice independently except in neuropsychological assessment, forensic psychological assessment, and projective personality assessment.

(5) A licensed psychological practitioner may practice independently in the following areas, consistent with his or her coursework, training, and supervised experience during internship and post-degree supervision:

(A) Providing evidence-based therapeutic interventions for individuals, families, or groups to improve mental health and wellness;

(B) Diagnosing, treating, and managing mental and emotional disorders or developmental and intellectual disabilities;

(C) Conducting evidence-based screening, interviewing, testing, and assessments consistent with the training of psychoeducational, cognitive, personality characteristics, intelligence, achievement, vocational, aptitude, and outcome management;

(D) Providing psychoeducational evaluation, planning, therapy, remediation services; or

(E) Supervising provisionally licensed master's level clinicians can be found in the supervision section of the rules.

(F) The board may issue a provisional license to a person who has completed the requirements in Arkansas Code 17-97-313 (b)(1)(A)(i) and (b)(1)(B)-(E) of this section to ensure that the person obtains the appropriate approved post-degree clinical supervised training as required.

(6) Requirements for change in status to Licensed Psychological Practitioner from a Licensed Psychological Examiner must be as follows:

(A) Pay the application fee of one-hundred and fifty dollars ($150)

(B) Submit application and all supporting documentation

(C) Meet the requirements for post-degree supervision requirements for licensure listed in 17 CAR § 95-405 (A)(1)(d)(ii) (a)-(d).

17 CAR § 95-4064. Requirements for licensure as a psychologist.

(a) A doctoral degree in psychology from a regionally accredited institution that meets the following criteria and is recognized by the Arkansas Psychology Board as maintaining satisfactory standards:

(1) Programs that are accredited by the American Psychological Association or the Canadian Psychological Association; or

(2) Programs that meet all of the following criteria:

(A) Training at the doctoral level in professional psychology offered in a regionally accredited institution of higher education;

(B) The psychology program is a recognizable coherent entity within the institution;

(C)~~(C) The~~The program is an integrated, organized sequence of study;

(D) There must be an identifiable psychology faculty on-site sufficient in size to ensure the ratio of faculty to students is adequate for instruction;

(E)(i) The faculty must also have sufficient breadth in order to ensure that the scope of knowledge in psychology provides for adequate instruction.

(ii) Sufficiency shall be subject to the judgment of the board;

(F) The program has an identifiable body of students who are matriculated in that program for a degree; and

(G)(i) The curriculum shall encompass a minimum of three (3) academic years of full-time graduate study and a minimum of one (1) year's residency at the educational institution granting the doctoral degree.

(ii) Residence requires education and training to be completed over the days and weeks of an academic year on campus and provides students access to a core psychology faculty, whose primary time and employment responsibilities are to the educational institution, as well as access to other students matriculated in that program.

~~(ii~~(iii) Residency is not intended to be accrued in experiences off campus in which medical or nonpsychology services are observed and discussed as a substitute for regular classroom instruction or seminars.

(iv) Models that use face-to-face contact for short durations throughout a year as a substitute for full-time residency defeat the intended purpose of residency.

(v)(a) In addition to instruction in scientific and professional ethics and standards, research design and methodology, statistics, and psychometrics, the core program shall require each student to demonstrate competence in each of the following substantive content areas.

(b) This typically will be met by including a minimum of three (3) or more graduate semester hours (five (5) or more graduate quarter hours) in each of these four (4) substantive content areas:

(1) Biological bases of behavior:

(A) Physiological psychology;

(B) Comparative psychology;

(C) Sensation and perception; and

(D) Psychopharmacology;

(2) Cognitive-affective bases of behavior:

(A) Learning;

(B) Thinking;

(C) Motivation; and

(D) Emotion;

(3) Social bases of behavior:

(A) Social psychology;

(B) Group processes; and

(C) Organizational and systems theory; and

(4) Individual differences:

(A) Personality theory;

(B) Human development; and

(C) Abnormal psychology.

(b) A reference documenting successful program completion from the director of the academic training program at the institution where the academic work and/or training were obtained.

(c)(1) Three (3) references from qualified psychologists with direct and comprehensive knowledge of the ~~applicant's~~applicant's competence.

(2) A qualified psychologist is defined in 17 CAR § 95-105(b)(2).

(d)(1) Applicants who hold a doctoral degree in a closely allied field may be considered for licensure if the degree is from a regionally accredited institution that is recognized by the board as maintaining satisfactory standards.

(2) This training must have been in a program that stands as a recognizable entity within the institution, and the program, wherever it may be administratively housed, must clearly be identified and labeled as a psychology program.

(3) Pertinent institutional catalogues and brochures must specify that its intent is to educate and train professional psychologists.

(4) The training must meet all the requirements of this subpart.

(e) **Academic course requirements.** Professional education programs in psychology are to be accredited by the American Psychological Association or will include course requirements as follows:

(1)(A) A minimum of eighty (80) graduate semester hours (or one hundred thirty-three (133) graduate quarter hours) with a grade of "B" or above.

(B)(i) Coursework must have been taught by a qualified psychologist.

(ii) A qualified psychologist is defined in 17 CAR § 95-105(b)(2);

(2) Graduate course work of three (3) semester hours (five (5) quarter hours) with a grade of "B" or above in seven (7) of the following general areas of psychological study:

(A) Learning (theories or processes);

(B) Statistics (descriptive and inferential);

(C) Individual intelligence testing with practicum;

(D) Individual personality appraisal;

(E) Behavior deviation or abnormal psychology;

(F) Personality theories;

(G) Developmental psychology;

(H) Psychotherapy theories and techniques;

(I) Social psychology;

(J) Industrial/organizational psychology;

(K) Research design;

(L) Behavior theory or techniques or behavior modification;

(M) Ethics and professional issues; and

(N) Physiological psychology or sensation and perception; and

(3)(A) A maximum of two (2) of the courses listed in ~~subdivision~~ subdivision(e)(1) of this section may be taken as independent study courses.

(B) No course work required in subdivision~~vision~~ (e)(2) of this section may be taken as independent study~~tudy~~.

(C) Examples of independent study include but are not limited to:

(i) Courses defined by the institution as independent study;

(ii) Classes in which fewer than two (2) students ~~are~~ are enrolled ~~enrolled;~~

~~————————~~(iii) Correspondence courses;

(iv) Classes that have less than one (1) class meeting every other week; and

(v) Classes that do not meet on an identifiable campus.

(D) However, a course offered within a program that is accredited by the American Psychological Association may have features~~ve features~~ (e)(3)(C)(iv) and (v) of this section and not be considered independent study by the board.

(f) **Supervised experience.**

(1) To become licensed in Arkansas, a psychologist must complete a two-thousand-hour predoctoral internship program and obtain two thousand (2,000) hours of post-doctoral supervision.

(2) Predoctoral internship:

(A) A predoctoral internship program that is accredited by the American Psychological Association that provides training consistent with both the doctoral program of study and the statement of intent; or

(B) A two-thousand-hour internship program that meets all of the following criteria:

(i)(a) The internship program must be organized, in contrast to supervised experience or on-the-job training, and designed to provide the intern with a programmed sequence of training experiences.

(b) The primary focus and purpose must be assuring the breadth and quality of training;

(ii) The internship program must have a clearly designated staff psychologist who is responsible for the integrity and quality of the training program and who is actively licensed/certified by the board or the proper psychological licensing entity, if participating in an internship in another ~~n another~~ state;

(iii) The internship program must have two (2) or more psychologists on the staff as supervisors, at least one (1) of whom must be actively licensed as a psychologist by the board or the proper psychological licensing entity, if participating in an internship in another state;

(iv)(a) Internship supervision must be provided by a staff member of the internship program or by an affiliate of that program who carries clinical responsibility for the cases being supervised.

(b) At least half of the internship supervision must be provided by one (1) or more psychologists;

(v) The internship program must provide training in a range of assessment and treatment activities conducted directly with patients seeking health services;

(vi)(a) The internship program must be completed within a multidisciplinary setting.

(b) The contribution of a minimum of two (2) other disciplines, whose expertise is germane, into the evaluation and intervention decisions in professional problems areas is considered a necessary aspect of professional training and experience;

(vii) The intern must spend at least twenty-five percent (25%) of the program in direct patient contact (minimum five hundred (500) hours);

(viii)(a) The internship program must include a minimum of two (2) hours per week (regardless of whether the internship was completed in one (1) year or two (2)) of regularly scheduled, formal, face-to-face individual supervision with the specific intent of dealing with health services rendered directly by the intern.

(b) There must also be at least two (2) additional hours per week in learning activities such as:

(1) Case conferences involving cases in which the intern was actively involved;

(2) Seminars dealing with clinical issues;

(3) Co-therapy with a staff person including discussion;

(4) Group supervision; or

(5) Additional individual supervision;

(ix) Training must be post-clerkship, post-practicum, and post-externship level;

(x) The intern must have a title indicating his or her training status;

(xi) The internship program must make available to prospective interns a written statement (i.e., brochure, handbook, etc.) that describes the goals and content of the internship program, stating clear expectations for quantity and quality of the intern's work;

(xii) The internship program must be completed within twenty-four (24) months;

(xiii) Public announcement of services and fees and contact with the lay or professional community shall be offered only by or in the name of the supervising psychologist or agency;

(xiv) ~~Users~~Users of the intern's services shall be:

(a) Informe~~d~~d as to the intern's status; and

(b) Given specific information as to his or her qualifications and functions;

(xv) Persons served shall be informed that they may meet with the supervising psychologist at their request or at the request of the intern or the supervisor;

(xvi)(a) The supervisor is responsible for all documentation, including:

(1) Clinical records;

(2) Reports; and

(3) Written correspondence.

(b) Countersignatures may be required, at the discretion of the supervising psychologist;

(xvii) The supervisor shall:

(a) Establish and maintain a level of supervisory contact consistent with established professional standards; and

(b) Be fully accountable in the event that professional, ethical, or legal issues are raised; and

(xviii)(a) The internship program must have a minimum of two (2) interns at the doctoral level of traini~~n~~ng~~ng~~ during applicant's training period.

(b) An internship with only one (1) intern must be approved by the board as clearly meeting all items in subdivision (f)(2)(B) of this section.

(3) For practice that is not health service related (i.e., does not provide direct ameliorative services), two thousand (2,000) hours of a supervised predoctoral internship program consistent with the doctoral program of study and the statement of intent to practice psychology are required.

(g) All requirements listed in Arkansas Code Annotated § 17-97-101 et seq., must be met.

(h) **Post-doctoral supervised experience.**

(1) Two thousand (2,000) hours of supervised post-doctoral experience is required.

(2) Post-doctoral supervision must meet the following criteria:

(A) Be in line with the individual's program of doctoral study and consistent with the statement of intent to practice;

(B)(i) Be full-time (forty (40) hours per week) for at least one (1) calendar year (fifty (50) weeks).

(ii) A part-time post-doctoral supervised experience must be preapproved by the board.

(iii) Post-doctoral supervision may not exceed threeeee (3) years;

(C) At least twenty-five percent (25%) (minimum of five hundred (500) hours) of the post-doctoral experience must be in the provision of direct client services (i.e., psychological treatment and assessment) consistent with the individual's statement of intent to practice; and

(D) Be under the supervision of a licensed psychologist or psychologists whose statement of intent to practice is consistent with the area or areas of supervised experience.

(3) The supervisee must accumulate a minimum of one (1) hour per week of regularly scheduled formal face-to-face supervision with the specific intent of dealing with services rendered directly by the supervisee.

(4)(A) Because the professional practice of psychology is not limited to clinical work, components of practice other than direct ameliorative services may be included in the post-doctoral supervised experience.

(B) These components include:

(i) Teaching of psychology at a recognized academic institution or training program;

(ii) Resea<u>rch in </u>~~arch in psps~~ychology;

(iii) Consultation in psychology; and

(iv) Psychological or mental health related administration.

(5) For practice that is not health service related (i.e., does not provide direct ameliorative services), two thousand (2,000) hours of supervised training experience consistent with the doctoral program of study, internship, and the statement of intent to practice psychology are required.

(6)(A) To begin accruing post-doctoral supervised hours, applicants for licensure as a psychologist must apply for and be granted provisional licensure status.

(B) If they have not already passed the written examination, applicants are expected to pass the written licensure exam during the provisional l<u>icensure</u>~~icensure~~ period.

(C) Provisional licensure status is granted for up to eighteen (18) months and may be extended up to three (3) years.

(D) If an applicant has not passed the written examination after three (3) years, they may not engage in the professional practice of psychology as defined in Arkansas Code <u>Annotated</u> § 17-97-102.

(i) **Senior psychologist licensure.** Notwithstanding requirements for licensure as outlined in Arkansas Code <u>Annotated</u> § 17-97-302, the board shall issue a senior psychologist license to an applicant who has:

(1) At least twenty (20) years of licensure to practice psychology in a state of the United States or in Canada if that license was based on a doctoral degree;

(2) Received no disciplinary sanction during the entire period of licensure; and

(3) Tendered the appropriate application and fees as required under Arkansas Code Annotated § 17-97-101 et seq., or this part.

17 CAR § 95-407~~5~~. Application procedures for licensure (all applicants).

(a) **Inquiries.** Application inquiries and completed application forms shall be submitted to the administrative staff of the Arkansas Psychology Board.

(b) **Application package.** Upon request, and following payment of the application fee, the administrative staff will provide the applicant with the approvedd ~~d a~~ application packet.

(c)(1)(A) A first-time applicant must apply to the Identification Bureau of the Division of Arkansas State Police for a state and national criminal background check.

(B) The applicant must sign a release of information to the board and shall be responsible to the Division of Arkansas State Police for the payment of any fee associated with the criminal~~inal~~ background check.

(C) The board shall follow the licensing restrictions based on criminal records under Arkansas Code Annotated § 17-3-101 et seq.

(2) **Prelicensure criminal background check.**

(A) An individual may petition for a prelicensure determination of whether the individual's criminal record will disqualify the individual from licensure and whether a waiver may be obtained.

(B) The individual must obtain the prelicensure criminal background check petitio~~itio~~n form from the board.

(C) The board will respond with a decision in writing to a completed petition within a reasonable time.

(D) The board's response will state the reason or ~~or~~ reasons for the decision.

(E) All decisions of the board in response to the petition will be determined by the information provided by the individual.

(F) Any decision made by the board in response to a prelicensure criminal background check petition is not subject to appeal.

(G) The board will retain a copy of the petition and response and it will be reviewed during the formal application process.

(3) **Waiver process.**

(A) If an individual has been convicted of an offense listed in Arkansassas Code Annotated § 17-3-102(a) or (e) the board may waive disqualification of a potential applicant or revocation of a license based on the conviction if a request for a waiver is made by:

(i) An affected applicant for a license; or

(ii) An individual holding a license subject to revocation.

(B) The board may grant a waiver upon consideration of the following, without limitation:

(i) The age at which the offense was committed;

(ii) The circumstancescircumstances surrounding the offense;

(iii) The length of time since the offense was committed;

(iv) Subsequent work history since the offense was committed;

(v) Employment references since the offense was committed;

(vi) Character references since the offense was committed;

(vii) Relevance of the offense to the occupational license; and

(viii) Other evidence demonstrating that licensure of the applicant does not pose a threat to thehe health or safety of the public.

(C) A request for a waiver, if made by an applicant, must be in writing and accompany the completed application and fees.

(D) The board will:

(i) Respond with a decision in writing; and

(ii)) SState the reasons for the decision.

(E) An appeal of a determination under this section will be subject to the Arkansas Administrative Procedure Act, Arkansas Code Annotated § 25-15-201 et seq.

(d) **Completed application.**

(1) In order for the application to be considered complete, the:

(A) Applicant's file must contain all requested:

(i) Documentation;

(ii) Information; and

(iii) Validation; and

(B) Total application fee must be paid.

(2) The board will not reviewreview an application until it is complete.

(e)(1) The coursework required in 17 CAR § 95-4033, and/or 17 CAR § 95-4044, and 17 CAR § 95-408 must be documented in the application.

(2) If necessary, clarifying documents may be submitted that describe the pertinent content of courses.

(3) Such documents maymay include:

(A) The educational institution's catalog;

(B) A letterter from the instructor or instructors; or

(C) A copy of the course outline.

(f) **Provisional licensure applicant status.**

(1)(A) Only provisional licensure applicants may practice psychology in the State of Arkansas without holding a valid and current license, except as discussed in 17 CAR § 95-601 et seq.

(B) Provisional licensure applicants may practice psychology under the:

(i) Supervision of a qualified psychologist or supervising licensed psychological practitioner ; and

(ii) Rules established for supervision of provisional licensure applicants (17 CAR § 95-501 et seq.).

(C) Any other persons practicing psychology by title or implication may be subject to disciplinary action pursuant to Arkansas Code Annotated § 17-97-101 et seq.

(2)(A) The applicant shall be considered a provisional licensure applicant when the board:

(i) Approves all application materials; and

(ii) Admits the applicant to the next scheduled written examination.

(B) Upon receiving provisional licensure applicant status, an applicant will be notified by the board of that status.

(3)(A) Provisional licensure, unless a reciprocity applicant, applicants may not practice psychology independently.

(B) They may practice only under the direction and control of a licensed psychologist, supervising licensed psychological practitioner ~~-~~or public or private agency, institution, or organization with which the supervisor is associated.

(4) **Decision regarding application.**

(A) Following formal credentials review, a positive recommendation shall qualify the applicant for provisional licensure applicant status.

(B) If the recommendation is not positive, the application under review shall be submitted to the full board for review.

(C) An affirmative vote of a majority of the board shall be held as evidence that the applicant has been:

(i) Assigned provisional licensure applicant status; and

(ii) Admitted to the next scheduled written and/or oral examination.

(D)(i) Provisional licensure applicant status shall be revoked and the applicant shall not be eligible for licensure if the information from the Identification Bureau of the Division of Arkansas State Police reveals that the applicant has pleaded guilty or nolo contendere to, or been found guilty of, any offense listed in Arkansas Code Annotated § 17-3-102(a).

(ii) An applicant whose status is revoked may appeal this action through procedures identified in 17 CAR § 95-1102.

(g) **Notification of status.** Following formal credentials review, the applicant shall be notified by the administrative staff of the status of the application.

(h) **Collateral notification.** Upon completion of the application process, the administrative staff shall, at the request of the applicant, notify prospective or current employers of the applicant's status.

(i) **Work permit eligibility.** The board shall grant a license to an applicant who fulfills the Arkansas requirements for licensure and is a person who holds a federal Form I-766 United States Citizenship and Immigration Services-issued Employment Authorization Document, known popularly as a "work permit".

17 CAR § 95-408~~6~~. Interjurisdictional practice of psychology.

(a)(1) An individual licensed to practice psychology in another jurisdiction may obtain a license to practice psychology in this jurisdiction without written examination, so long as the requirements for a license in the former jurisdiction are equal to, or exceed, the requirements for a license in this jurisdiction, as defined by Arkansas Code Annotated § 17-97-101 et seq., and the rules of the Arkansas Psychology Board.

(2) The board has determined that an applicant for licensure who holds a Certificate of Professional Qualification (CPQ) issued by the Association of State and Provincial Psychology Boards (ASPPB), or national register certification who has held an active license in another jurisdiction for at least five (5) years shall be deemed to have met the educational and experience requirements for licensure.

(3) Such licensees may be subject to disciplinary action for any of the grounds listed in Arkansas Code Annotated § 17-97-102(a) and 17 CAR § 95-902 on the same basis as other licensees, including actions taken in another jurisdiction.

(b) Individuals desiring to apply for licensure pursuant to this section who have been licensed for at least five (5) years in a state that has entered into the National Register of Health Service Psychologists or through the ASPPB CPQ program must:

(1)(A) Complete the application on the forms provided by the administrative staff.

(B) Following payment of the application fee, the administrative staff will provide the applicant with the approved application packet.

(C) Request must be made for a "National Register" or "CPQ" application packet;

(2) Pay the appropriate application fee;

(3)(A) Apply to the Identification Bureau of the Division of Arkansas State Police for a state and national criminal background check.

(B) The applicant must sign a release of information to the board and shall be responsible to the division for the payment of any fee associated with the criminal background check.

(C) In order to be considered for licensure, it must be determined that said individual has not been found guilty of or pleaded guilty or nolo contendere to any of the offenses listed in Arkansas Code Annotated § 17-97-102(a) within the preceding five (5) years, or have the board waive the same pursuant to Arkansas Code Annotated § 17-97-102(b); and

(4)(A) In order for the application to be considered complete, the:

(i) Applicant's file must contain all requested:

(a) Documentation;

(b) Information; and

(c) Validation; and

(ii) Total application fee must be paid.

(B) The board will not review an application until it is complete.

(c) Individuals desiring to apply for licensure pursuant to this section who are not licensed in a state that has entered into the National Register of Health Service Psychologists and the ASPPB CPQ program pursuant to these criteria must:

(1) Complete the standard application and meet all requirements as set out in 17 CAR § 95-4065; and

(2)(A) Request the board to determine that the jurisdiction in which the applicant is licensed has standards that are not lower than those required by Arkansas law.

(B) All other requirements will remain the same.

(d) It is not considered to be practicing if the licensed individual from another jurisdiction is involved in:

(1)(A) Consultation, with prior board notification, on one (1) case per year (maximum of thirty (30) days per calendar year).

(B) The psychologist must notify the board if it exceeds thirty (30) days in any one (1) year prior to beginning the consultation.

(C) A letter describing the nature and length of the consultation, along with verification of credentials and appropriate licensure should be submitted to the board prior to the provision of services; or

(2) Voluntary disaster relief, with appropriate training, under the auspices of the American Red Cross or similarly organized programs.

(e) **Temporary interjurisdictional practice by Psypact state psychologists.**

(1) Subdivision (d)(1) of this section does not apply to psychologists who:

(A) Are licensed in Psypact member states; and

(B) Hold a valid Temporary Authorization to Practice.

(2) Temporary interjurisdictional practice by psychologists who are licensed in Psypact member states and hold a valid Temporary Authorization to Practice is governed by Article V of Psypact, Arkansas Code Annotated § 17-97-501.

Subpart 5. Supervision

17 CAR § 95-501. Applications.

Qualified supervision is required for those individuals who:

(1)~~(A)~~ Have been provisionally licensed by the Arkansas Psychology Board for the practice of psychology under qualified supervision.

(2~~B~~) A provisional licensure psychologist applicant who has held a psychologist license in another jurisdiction for a period of five (5) years and has been approved by the board is exempt;

(b2) Are provisionally licensed by the board as a psychology intern participating in an American Psychological Association-accredited predoctoral internship program;

(c3) Are licensed psychological examiners who are required by law to be supervised in some activities of the practice of psychology with the exception of psychoeducational testing and diagnosis as consistent with their statement of intent to practice;

(d4) Are deemed by the board, because of academic, experiential, professional, or personal background reasons or because of formal adjudication or stipulated agreement, to require supervision in the practice of psychology; or

(e5) Are individualspersons functioning as psychological neuropsychology technicians; or.

17 CAR § 95-502. General responsibilities in the supervisory arrangement.

(a) The Arkansas Psychology Board shall not assume responsibility for establishing supervisory relationships.

(b)(1) A specific plan of supervision must be filed by the supervisor and the supervisee for approval by the board prior to any delivery of services by the supervisee.

(2) The plan shall:

(A) Be individualized for the supervisee;

(B) Protect the public interest; and

(C) Increase and/or maintain the supervisee's level of professional skills.

(3) The plan of supervision must include the following:

(A) A clear definition of the area or areas of practice to be supervised, including the types of activities and the populations served;

(B) The frequency and times of supervisory sessions and specific areas to be covered, i.e., individual/group psychotherapy, assessments, tests administered, etc.,

will be determined by the supervising psychologist or supervising psychological practitioner;

(C) A statement of educational and experiential goals for the supervisory period, which may include formal course work, workshops, pertinent literature study, etc.; and

(D) The plan shall be signed by both supervisor and supervisee.

(4) Exceptions or modifications to the plan shall be communicated to the board within thirty (30) days.

(5)(A) Should a supervisor and a supervisee have an unresolved disagreement regarding the plan of supervision, either party may initiate an appeal to the board for resolution.

(B) For specialized areas in which the board may lack expertise, the board may appoint a committee of at least three (3) experienced psychology professionals to:

(i) Review the matters in contention; and

(ii) Make recommendations to the board for the board's decision.

(C) This subsection does not apply to the supervision of technicians.

(c)(1) The supervisor shall establish and maintain a level of supervisory contact consistent with:

(A) Professional standards;

(B) Ensuring the welfare of the public; and

(C) The ethical and legal protection of the supervision process.

(2)(A) A minimum of one (1) hour of face-to-face supervision per week for provisional licensure applicants who have not previously held a psychology license.

(B) There may be special circumstances, e.g., geographical or confirmed physical hardship, when a jurisdiction may consider a variance in the frequency of the supervision sessions so that a minimum of four (4) hours per month of one-to-one supervision shall be maintained.

(d)(1) While the board recognizes that the number of persons supervised by a given psychologist or supervising psychological practitioner may vary, the board reserves the right to require documentation by the psychologist or supervising

psychological practitioner of the adequacy of supervision when one (1) psychologist or (1) supervising psychological practitioner is supervising multiple licensed professionals or applicants for licensure.

(2)(A) The identity and role of the supervisor should be clearly documented, with the supervisor's signature, in the clinical record of each person served.

(B) This is to notify users of the record that the case is being supervised and to acknowledge that the supervisor is aware of the supervisee's work in each case.

(C)(i) The board does not require cosignature of progress notes.

(ii) However, cosignature is one (1) option for documenting supervision at the discretion of the supervisor.

(e)(1) The board requires the supervisor to be clearly aware of the professional skills, practices, ethics, and abilities of each person being supervised.

(2) Supervisors may only supervise those areas of practice indicated in their own statement of intent.

(f) A psychologist or supervising psychological practitioner may be disqualified by the board as a supervisor should he or she fail to provide adequate supervision under the requirements of this part.

(g) As of October 1, 2000, the following shall be in effect:

(1) Supervising psychologists or supervising psychological practitioners:

(A) Shall be licensed or certified for the practice of psychology; and

(B) Must be aware of and abide by the ethical principles and state or provincial statutes pertaining to:

(i) The practice of psychology in general; and

(ii) Supervision in particular;

(2)(A) Supervisors have adequate training, knowledge, and skill to render competently any psychological service that their supervisee undertakes.

(B) They shall not permit their supervisee to engage in any psychological practice that they cannot perform competently themselves;

(3) The supervisor has the responsibility to interrupt or terminate the supervisee's activities whenever necessary to ensure adequate training and the protection of the public; and

(4) The supervisor has training and/or coursework in supervision and three (3) current recommendations in order to qualify as a supervisor.

(h) Supervision sessions should be documented giving:

(1) Dates;

(2) Time spent;

(3) Nature of the contact with the supervisor; and

(4) Both signatures.

17 CAR § 95-503. Requirements of supervision.

(a) **Supervision of students.**

(1) Students who are enrolled in a program of study (as defined in 17 CAR § 95-4043(b) and (c) and 17 CAR § 95-4054, and 17 CAR § 95-406(a)) shall be:

(A) Supervised in any and all practice of the profession of psychology, in keeping with the rules for training students in the practice of psychology; and

(B) The responsibility of the psychologist supervisor, both site and academic.

(2) Supervision of students (as defined in 17 CAR § 95-302 and 17 CAR § 95-602) shall not be monitored by the Arkansas Psychology Board unless the student is:

(A) Participating in an American Psychological Association-accredited predoctoral internship; and

(B) Provisionally licensed by the board.

(3) 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.

(4) The board will report any problems or concerns regarding the supervision to the director of the predoctoral internship program.

(b) **Supervision of licensed psychological examiners.**

(1)(A) An annual supervision report, due by June 30 of each year, shall be mandatory for all licensed psychological examiners who are engaged in those professional activities that, by law, require supervision.

(B) The report shall detail the types of activities in which the supervisee is engaged.

(C) It is the responsibility of the supervisee to see that the annual report is sent to the board.

(2)(A) The Supervision Report Form shall be designed by the board to provide the information necessary to monitor the nature of supervision.

(B) The following minimal information shall be included:

(i) Supervisee's name and signature;

(ii) Supervisor's name and signature;

(iii) Frequency and type of scheduled supervision sessions, and nature of supervision contacts, whether:

(a) Individual;

(b) Group;

(c) Telephone; or

(d) Correspondence;

(iv) Total number of hours of supervision per type of contact as defined in subdivision (b)(2)(B)(iii) of this section;

(v) Periods of supervision covered in the report;

(vi) Description of the nature of unscheduled supervision and contact of supervisor with supervisee;

(vii) Description of supervisee's general functions being supervised; and

(viii) Description of any specific areas covered in the supervision process, e.g., expanding practice, etc.

(3) Any change of status in the supervisory relationship must be reported in writing by the supervisee to the board within ten (10) working days of the change of status.

(4)(A) The board recognizes that, under all circumstances, the variability of practice, level of professional skill, and personal/professional characteristics of the psychological examiner is such that individually tailored supervision is necessary.

(B) The specific content of the supervised procedures shall:

(i) Be worked out between the individual supervisor and the psychological examiner; and

(ii) Ensure the rights and promote the welfare of the public of the State of Arkansas.

(C)(i) Psychological examiners can practice psychoeducational evaluation and diagnosis without supervision.

(ii) However, Arkansas Code Annotated § 17-97-102 requires supervision of psychological examiners for "overall personality appraisal or classification, personality counseling, psychotherapy, or personality adjustment techniques".

(D)(i) Supervisors are responsible for all these services provided by psychological examiners under their supervision, whatever the method of documentation of personality evaluations and treatment plans.

(ii) Cosignature is one (1) option for documenting this relationship and supervision.

(E) The supervisor shall:

(i) Establish and maintain a level of supervisory contact consistent with established professional standards; and

(ii) Be fully accountable in the event that professional, ethical, or legal issues are raised.

(5) As required by law, when inquiry is made, users of the psychological examiner's services shall be informed when services provided are supervised.

(c) **Supervision of provisional licensure applicants.** ~~(See also 17 CAR § 95-405(e).)~~

(1)(A) All services provided by a provisionally licensed applicant~~psychologist~~ must be supervised by a qualified psychologist or supervising psychological practitioner, unless they are a candidate for licensure via reciprocity.

(B) The licensed psychologist or supervising psychological practitioner who provides supervision for the applicant will be clinically and professionally responsible for the work of the supervisee.

(C) The supervisor shall be accessible to the supervisee at any point during the supervisory relationship.

(D) The supervisor's relationship with the supervisee shall be separate from that of a consultant, who may be called in at the discretion of the applicant.

(E) The consultant will have no clinical or professional accountability for the services provided or for the welfare of the client/patient/consumer.

(2)(A) Public announcement of services and fees and contact with the lay or professional community shall be offered only in the name of the supervising psychologist.

(B) Titles of applicants must clearly show their provisional licensure status.

(3) Users of the provisionally licensed psychologist's services shall be:

(A) Informed of his or her status; and

(B) Given specific information about his or her qualifications and functions.

(4) Clients/patients/consumers shall be informed that they may meet with the supervising psychologist at their request or at the request of the service provider or the supervisor.

(5) Setting and receipt of a fee shall remain the sole responsibility of the employing agency, ~~or~~ supervising psychologist, or supervising psychological practitioner.

(6) All written professional reports and communications shall be countersigned by the supervising psychologist or supervising psychological practitioner.

(7) The supervisor shall:

(A) Establish and maintain a level of supervisory contact consistent with established professional standards; and

(B) Be fully accountable in the event that professional, ethical, or legal issues are raised.

(8) An ongoing record of supervision shall be maintained that details the:

(A) Types of activities in which the provisionally licensed psychologist or provisionally licensed psychological practitioner is engaged;

(B) Level of competence in each; and

(C) Type and outcome of all procedures.

(9)(A) Supervision Report Forms from the supervising psychologist or supervising psychological practitioner shall be mandatory during the period the applicant is practicing psychology without a license.

(B) These reports shall be the joint responsibility of the supervisor and the supervisee.

(C) These reports shall be submitted to the board on a quarterly basis, with a minimum of one (1) report made available to the board prior to the examination.

(D) These reports will be reviewed by the board.

(E) Review responses shall be given to the supervisor and the supervisee as necessary to ensure~~assure~~ the rules of the board are fulfilled.

(d) **Supervision of licensed professionals who are expanding their practice of psychology.**

(1) Licensed individuals may expand their statement of intent to practice psychology in the State of Arkansas through continuing education, or academic training, plus further supervised practice, or as otherwise permitted by law or rule.

(2) Supervision of those who wish to expand their statement of intent must meet all general requirements of supervision as set forth in this part (subsection (c) of this section).

(3) Credentialing for expansion of the statement of intent to practice psychology must meet the credentialing requirements as established by the board, which are set forth in the application process (17 CAR § 95-401 et seq.).

(e) **Supervision of technicians.**

(1)(A) The psychologist shall employ the guidelines for supervision outlined in Arkansas Code Annotated § 17-97-401 et seq., in supervision of persons employed as technicians.

(B) Failure to follow said guidelines in supervisory activities shall be considered a violation.

(2) Psychologists supervising technicians shall submit a Supervision Report for each psychology technician employed each year with the renewal of the technician's registration in the form and format prescribed by the board including, but not limited to, the following minimal requirements:

(A) A list of specific job duties of the technician;

(B) Annual performance evaluation of the technician;

~~(C) Evidence of one (1) hour ethics training;~~

(C~~D~~) A statement as to the level of supervisory contact, including frequency and time; and

(D~~E~~) A list of training received by the technician during the past year.

(E) A minimum of four (4) hours of professional ethics, confidentiality, mandatory reporting, best practices, in objective test administration, and scoring,

(F) A minimum of sixteen (16) hours in the study of test manuals,

(G) A minimum of twenty (20) hours of direct observation of test administration and scoring by a licensed psychologist and;

(H) A minimum of forty (40) hours of administering and scoring tests under the direct supervision of a licensed psychologist.

(I) Sections D-H requirement hours must meet the required eighty (80) hours of training.

(J) A supervising psychologist shall not supervise more than four (4) full-time technicians at one (1) time.

(f) **Requirements of technicians**

(1) Technicians shall only practice under the supervision of a licensed psychologist in the following areas:

(A) Administration and scoring of standardized objectives psychological tests with specific predetermined and manualized procedures;

(B) Manualized cognitive intervention services and;

(C) Administration of fitness-to-proceed examinations under Arkansas Code Annotated § 5-2-301 et. Seq (with agreement that the individuals who are licensed as technicians have limitations listed (2)(A)-(F) below).

(2) Individuals employed as a psychology technician shall not:

(A) Select tests;

(B) Conduct intake assessments,

(C) Conduct clinical interviews including without limitations patient interviews and collateral interviews of relatives, friends of the patient, or other professionals associated with the patient,

(D) Interpret patient data,

(E) Communicate test results or treatment recommendations to patients: and

(F) Administer tests in educational institutions.

(3) Technicians shall have a bachelor's degree from an accredited institution approved by the Arkansas Psychology Board and successfully passed a criminal background check.

(4) The board shall require an annual registration of ($10) dollars per psychology technician.

17 CAR § 95-504. Board review.

Failure of the supervisee or supervisor in the supervisory relationship to comply with these requirements and responsibilities shall be subject to Arkansas Psychology Board review and possible disciplinary action pursuant to Arkansas Code Annotated § 17-97-310.

Subpart 6. Practice Without a license~~License~~ Prohibited

17 CAR § 95-601. General.

(a) When the Arkansas Psychology Board is made aware of a violation or possible violation of Arkansas Code Annotated § 17-97-301 or § 17-97-307, a registered letter

with a return receipt requested shall be mailed to the individual in question, calling to his or her attention the pertinent aspects of the law and this part.

(b) In addition to the letter, the information shall be forwarded to the appropriate law enforcement authorities for legal action upon an affirmative vote for referral by the board.

(c) Upon conviction he or she shall be fined not less than five hundred dollars ($500) or more than one thousand dollars ($1,000).

17 CAR § 95-602. Students.

(a) Psychology students, psychological interns, and others preparing for the profession of psychology shall use titles that clearly indicate their training status, such as "psychology intern".

(b) Psychology students, psychological interns, and others preparing for the profession of psychology are defined as those who are rendering services as part of their training in an integrated, organized sequence of graduate-level coursework.

17 CAR § 95-603. Unlawful Practice of Applied Behavior Analysis.

(a) Unless registered under 17 CAR § 95-403, a person shall not:

(1) Hold himself or herself out to be a registered behavior analyst; or

(2) Use any combinations or abbreviations of the term "registered behavior analyst" to indicate or imply that he or she is a registered behavior analyst.

(b)(1) A person found to be in violation of subsection (a) of this section is subject to a fine of no less than five hundred dollars ($500) and no more than one thousand dollars ($1,000).

(2) A person registered under Arkansas Code 17-97-603 (b)(2) who violates 17 CAR § 95-603 is subject to administrative sanctions and penalties, including without limitation a fine of not more than five thousand dollars ($5,000) and revocation of his or her registration.

17 CAR § 95-6043. Provisional licensure.

(a)(1) Applicants have up to an eighteen-month grace period to practice psychology under qualified supervision beginning with notification of provisional licensure status.

(2) The period allows an applicant to complete the written and oral examinations and obtain licensure while involved in supervised practice in the profession of psychology.

(3) The provisional licensure status shall not be renewed beyond a period of three (3) years.

(4) Any provisionally licensed applicant who does not pass the examination within three (3) years may not continue to practice psychology under supervision.

(5) Any individual who continues to practice psychology beyond the approved three-year period:

(A) Is in violation of Arkansas Code Annotated § 17-97-101 et seq.; and

(B) May be subject to appropriate legal action.

(b)(1) A provisional license issued to a psychology intern participating in an American Psychological Association-accredited predoctoral internship program shall only be valid while the intern is an active participant in the program.

17 CAR § 95-6054. Provisional license.

(a) The Arkansas Psychology Board shall issue a provisional license to an applicant who has:

(1) Satisfied the preliminary requirements of Arkansas Code Annotated §§ 17-97-302 and 17-97-303; and

(2) Paid the fee for a provisional license.

(b) A provisional license holder is entitled to practice psychology under supervision of a psychologist or supervising psychological practitioner to meet the requirements for issuance of a license under Arkansas Code Annotated § 17-97-305.

(c) The board shall adopt rules that apply to provisional license holders identifying:

(1) The activities that holders may engage in; and

(2) Services that may be provided by holders.

(d) The board may refuse to renew the provisional license of a person who does not meet the requirements prescribed by Arkansas Code Annotated § 17-97-302 or § 17-97-303.

(e) The board shall not renew the provisional license of a person beyond a period of three (3) years.

(f)(1) The board shall not renew the provisional license issued to a psychological intern participating in an American Psychological Association-accredited internship program upon completion or termination of the intern's participation in the program.

(2) Time spent as a provisional licensee under subdivision (f)(1) of this section shall not count toward the three-year period to practice as a postdoctoral provisional licensee referenced in subsection (e) of this section.

17 CAR § 95-6065. Provisional license application.

(a)(1) An applicant for a provisional license must:

(A) Apply on forms prescribed by the Arkansas Psychology Board; and

(B) Submit the required fees with the application.

(2) The board may require that the applicant verify the application.

(b) Provisional license qualifications:

(1) An applicant may be granted a provisional license if the applicant has received:

(A) A doctoral/master's degree in psychology from a regionally accredited educational institution;

(B) A doctoral degree in psychology, or the substantial equivalent of a doctoral/master's degree in psychology in both subject matter and extent of training from a regionally accredited educational institution; or

(C)(i) Acceptance into an APA-accredited predoctoral internship program.

(ii) A psychology intern seeking licensure under subdivision (b)(1)(C)(i) of this section must provide the board a letter from the internship program director confirming their acceptance into the program;

(2) Has attained the age of majority;

(3) Is physically and mentally competent to provide psychological services with reasonable skill and safety, as determined by the board;

(4) Is not afflicted with a mental or physical disease or condition that would impair the applicant's competency to provide psychological services;

(5) Has not been convicted of a felony listed under Arkansas Code Annotated § 17-3-102(a);

(6) Does not use drugs or alcohol to an extent that affects the applicant's professional competency;

(7) Has not engaged in fraud or deceit in making the application; and

(8) Has not:

(A) Aided or abetted the practice of psychology by a person not licensed under this part in representing that the person is licensed under this part;

(B) Represented that the applicant is licensed under this part to practice psychology when the applicant is not licensed; or

(C) Practiced psychology in this state without a license under this part or without being exempt under this part.

(c) In determining under Arkansas Code Annotated § 17-97-302(b)(1)(B) whether a degree is substantially equivalent to a doctoral/master's degree in psychology, the board shall consider whether at the time the degree was conferred, the program met the prevailing standards for training in the area of psychology, including standards for training the clinical, school, and industrial counseling.

17 CAR § 95-60Z6. Employment of individuals not licensed by the Arkansas Psychology Board.

(a) **Individuals licensed in another profession.**

(1) Psychologists, ~~/~~psychological examiners, or licensed psychological practitioners may employe or utilize individuals who are licensed members of another profession to provide only activities or services permitted by the applicable license or licenses held by that individual.

(2) These services and activities may not be described or represented to the patient or client as psychological services, and the individual must be clearly identified to the patient or client as a licensee of the applicable profession who is providing services pursuant to that individual's license.

(b) **Unlicensed, nonexempt individuals.**

(1) Psychologists, ~~/~~psychological examiners, and licensed psychological practitioners may employ unlicensed, nonexempt individuals to perform services that do not constitute the practice of psychology or the activities and services of another licensed profession as specified in Arkansas Code Annotated §§ 17-97-102 and 17-97-103.

(2) Such duties of employment may include:

(A) Secretarial and other clerical duties; and

(B) Nonpsychometric data gathering.

17 CAR § 95-6087~~7~~. Employment of technicians.

(a) **General terms and definitions.** A "qualified psychologist for the purpose of the registration of technicians" shall be a doctoral-level psychologist licensed by the Arkansas Psychology Board to practice in the area of psychology ~~neuropsychology~~ having supervision privileges also approved by the board.

(b)(1)(A) The board shall maintain and update a registry of all technicians and psychologists who use technicians.

(B) All technicians shall:

(i) Be registered with the board; and

(ii) Function under the license of a qualified supervising psychologist in the practice of psychology ~~neuropsychology~~ per board-approved statement of intent.

~~(C) It is the intent of this part to register with the board all those individuals who function as paraprofessional technicians to assist with data gathering for purposes of neuropsychological testing.~~

~~(D) Acts 2005, No. 1262, restricts the use of technicians to neuropsychological evaluations under the supervision of qualified and licensed psychologists.~~

(2)~~(A)~~ The supervising psychologist is legally responsible for all work performed by the technician.

~~(B) A psychologist who is not authorized to supervise and perform neuropsychological testing, as determined by the board, shall not be considered qualified or permitted to register or supervise technicians.~~

(3)(A) A person shall be identified to the public as a "technician" only when he or she is:

(i) Duly registered; and

(ii) Supervised by a licensed psychologist who has been authorized by the board. ~~to provide neuropsychological services~~.

(B) The registered status of the technician:

(i) Is the responsibility of a qualified psychologist; and

(ii) Is not the privilege of the individual identified as a technician.

(4) If a psychologist supervises a technician who previously was registered by another psychologist, the current psychologist must submit the appropriate registration with the board to reflect the change in supervisors.

(5) In cases where a technician is supervised by more than one (1) qualified psychologist then each psychologist shall comply with all registration and supervision requirements.

(6)(A) Technicians may be employed only by qualified supervising psychologists in the practice of or by entities that have employed licensed psychologists to provide psychology ~~neuropsychological~~ services.

(B) Technicians may not be supervised by anyone other than a qualified supervising psychologist.

(7) An individual ~~Individuals~~ employed as a technician~~s~~:

~~(A) May only be employed for neuropsychological testing; and~~

~~(B) Shall be restricted to the administration and scoring of standardized objective tests they have been trained to conduct.~~

~~(8) Individuals employed as technicians may not administer or score projective tests.~~

Shall only practice under the supervision of a licensed psychologist in the following areas:

(A) Administration and scoring of standardized objectives psychological tests with specific predetermined and manualized procedures;

(B) Manualized cognitive intervention services; and

(C) Administration of fitness-to-proceed examinations under Arkansas Code 17-97-401 (a)(2)(A)(iii) (with agreement that the individuals who are licensed as technicians have limitations listed in 17 CAR **§** 95-503 (f) requirements of technicians (2)(A)-(F)) .

(c) **Educational requirements.**

(1) College-level educational coursework required of technicians should be from an accredited institution with a recognized and organized program in psychology.

(2) All technicians and supervising psychologists shall meet the formal educational standards as required by Arkansas Code Annotated § 17-97-101 et seq., including those requirements related to technicians as contained in Arkansas Code Annotated § 17-97-401, which include:

(A) A bachelor's degree from an ~~regionally~~ accredited institution, ~~preferably with a major in psychology;~~ approved by the Arkansas Psychology Board;

~~(B)(i) Passing grades in college courses in abnormal psychology, personality, psychological statistics, and psychological testing/tests and measurement.~~

~~(ii)*(a)* For purposes of this section, the term "psychological testing" means, at a minimum, a course in psychological test and measurement.~~

~~*(b)* A course in individual tests of intelligence taught in an accredited undergraduate program is also acceptable.~~

~~(iii) For the purposes of this part, a "passing grade" means a:~~

~~*(a)* "C" in a letter grading system;~~

~~*(b)* "Pass" in a pass/fail system; or~~

~~*(c)* "Satisfactory" in a satisfactory/unsatisfactory grading system;~~

~~(C) Technicians who have completed degrees with nonpsychology majors shall have completed passing grades in the coursework specified in subdivision (c)(2)(B) of this section;~~

(B~~D~~) Technicians shall:

(i) Meet the educational requirements of Arkansas Code Annotated § 17-97-401; and

(ii) Be registered with the board before engaging in ~~testing~~ services to the public; and

~~(E) Individuals may not function as technicians while completing required college courses.~~

(d) **Responsible agent.**

(1) The qualified psychologist or psychologists under whose license the technician functions shall register the technician.

(2) Psychologists attempting to register who are judged by the board to lack required coursework will be notified by the board that the individual is not qualified and will not be registered until the individual meets the requirements contained in Acts 2005, No. 1262.

(e) **Training.**

(1) The supervising psychologist shall document the dates and setting in which additional and specific training of the technician was provided.

(2) The supervising psychologist shall:

(A) List all procedures and tests on which the technician has been trained; and

(B) Include the date or dates the technician was judged to be competent to administer and score those procedures and tests.

(3) The supervising psychologist is responsible for providing the board annual documentation that the technician has completed the requirement of hours in Arkansas Code Annotated § 17-97-402(d). ~~at least one (1) hour of continuing education in professional/psychological ethics.~~

(f) **Confidentiality and professional obligations to the public.** The supervising psychologist is responsible for maintaining confidentiality of all records consistent with:

(1) Arkansas Code Annotated § 17-97-101 et seq.;

~~(2) This part;~~

(2~~3~~) Federal Health Insurance Portability and Accountability Act of 1996 requirements; and

(3~~4~~) The APA Code of Ethics.

(g) **Registration procedures.**

(1)(A) Technicians must be registered with the board on the appropriate form or forms supplied by the board.

(B) All technicians shall complete a criminal background check as described for licensed psychologists ~~and psychological examiners~~ under Arkansas Code Annotated § 17-97-312~~102~~.

(C) The use of nonregistered technicians is considered a violation of this law, and the violating psychologist shall be held accountable.

(D) Failure to submit proper registration forms for any technician before that technician is allowed to work with the public shall:

(i) Constitute a violation of law; and

(ii) Subject the supervising psychologist to fines or other penalties imposed by the board.

(2) First-time registration of each technician will include submission of all documentation required by Act 434 of 2025.~~Acts 2005, No. 1262~~.

(3) Renewal of registered technicians shall occur annually simultaneously ~~simultaneous~~ with the renewal of their qualified supervising psychologist.

(4) A Technician must pay an annual registration fee of ten ($10) dollars per technician.

(5~~4~~) A psychologist shall notify the board in writing whenever he or she no longer supervises a technician.

(6~~5~~)(A) Psychologists who were supervising technicians at the time Acts 2005, No. 1262, became effective shall indicate on the registration form or forms whether the technician or technicians are being duly registered under provisions of the grandfathering clauses of Acts 2005, No. 1262.

(B) Technicians shall be eligible to be considered duly registered under the grandfathering clause of Acts 2005, No. 1262, only if they were trained and supervised by a qualified psychologist prior to August 12, 2005.

(C) Persons who began their employment as a technician after August 12, 2005, are not eligible to be grandfathered and must meet all educational requirements prescribed by Acts 2005, No. 1262, specifically regarding the criminal background checks and must follow Act 434 of 2025.~~.~~

~~(6)(A) Licensed psychologists who are not licensed to provide neuropsychological services shall not be permitted to register or supervise technicians.~~

~~(B) Psychologists with supervisory credentials, but who are not licensed by the board to provide neuropsychological services, may not submit the registration form or forms for technicians as defined by this part.~~

Subpart 7. Examination of Applicants

17 CAR § 95-701. General.

(a) Examination of applicants includes:

(1) Formal examination of academic, personal, and experience credentials; and

(2) A written examination.

(b)(1) This multilevel examination process is designed to screen applicants for the practice of psychology in the State of Arkansas so that the public is protected according to the law under which the Arkansas Psychology Board functions.

(2) Furthermore, it ensures that applicants for licensure in the profession of psychology meet the minimum standards for the professional practice of psychology.

17 CAR § 95-702. Admission to the examination.

Any applicant whose credentials have been approved by the full Arkansas Psychology Board and who has paid the required examination fee shall be admitted to the written examination.

17 CAR § 95-703. Written examination.

(a) Applicants are required to take the nationally recognized standardized professional practice examinations as developed by the Association of State and Provincial Psychology Boards to assess the applicant's range of knowledge and skills as adopted by the Arkansas Psychology Board.

(b) The purpose of the examination is to assess the applicantsapplicant's:

(1) Range of knowledge of recognized psychological principles and techniques; and

(2) Knowledge of the ethics of the profession of psychology.

(c) The Arkansas Psychology Board retains the right to utilize additional examinations to allow applicants to demonstrate their range of understanding of principles, techniques, statutes, and ethical concerns that relate to the intended practice of psychology within the State of Arkansas.

(d) **Frequency of examination.** The written examination shall be offered no less than twice a year.

(e) **Notification of results.**

(1) The applicant shall be notified of the results of the examination, reflecting a “pass” or “failure to pass”.

(2) Passing scores will be set in accordance with the standards of the Association of State and Provisional Psychology Boards.

(3) **Failure to pass.**

(A) **Petition for extension of provisional licensure status.**

(i) An applicant who fails to pass the examination within eighteen (18) months of being granted provisional licensure status may submit a formal written request to the Arkansas Psychology Board for an extension of provisional license status for an additional eighteen (18) months.

(ii) The Arkansas Psychology Board shall determine whether to grant or refuse this request.

(B)(i) If the applicant does not pass the examination by the end of the second eighteen-month period, the:

(a) Provisional license shall not be renewed by the Arkansas Psychology Board; and

(b) Applicant may not continue to practice psychology under supervision.

(ii) An individual whose provisional licensure eligibility has expired may petition the Arkansas Psychology Board to retake the examination.

(iii) If the Arkansas Psychology Board does grant the petition of an applicant listed in subdivision (e)(3)(B)(ii) of this section, that does not make them eligible for any further extension of a provisional license.

17 CAR § 95-704. Applicants with disabilities.

The Arkansas Psychology Board shall provide all reasonable accommodations to applicants with disabilities in all aspects of the application process consistent with the Americans with Disabilities Act of 1990, 42 U.S.C. § 12101 et seq.

Subpart 8. Continuing Education

17 CAR § 95-801. License holders.

(a) License holders must meet the following minimum continuing education (CE) requirements to renew their licenses to practice psychology in the State of Arkansas.

(b)(1) Each licensee must complete a minimum of twenty (20) hours of CE activity during each license renewal period, of which three (3) hours are to be ethics hours.

(2) The defined accrual period is July 1 through June 30 each year.

(3) CE hours can be obtained by either in person or online means.~~shall not be obtained exclusively by home study or online means~~.

(4) For this purpose, the Arkansas Psychology Board allows licensees to distribute activities among the following:

(A) Professional activities relevant to the practice of psychology include:

(i) Any educational experience approved by the American Psychological Association;

(ii) In-person or online training provided by a qualified professional from state and/or nationally recognized professional organization, i.e., the American Medical Association, the National Association of Social Workers, the American Counseling Association, etc.;

(iii)(a) In-service training programs related to the practice of psychology and having a demonstrable psychological content.

(b) In-services with psychological content that are given at the professional's place of employment may not account for more than ten (10) CE hours except where the place of employment is an accredited training program, i.e., American Psychological Association-accredited doctoral, internship, or post-doctoral fellowship programs;

(iv)(a) Formal academic coursework of at least three (3) credit hours related to the development or maintenance of skills related to the practice of psychology.

(b) Courses must be taken at a regionally accredited academic institution.

(c) Both undergraduate and graduate course work will be acceptable.

(d) Activities in this category may not account for more than ten (10) CE hours;

(v)(a) Developing and teaching a new course at a regionally accredited academic institution.

(b) Activities in this category may not account for more than ten (10) CE hours;

(vi)(a) Publishing a peer-reviewed journal article, scholarly book, or research monograph in an area of behavioral science.

(b) Activities in this category may not account for more than ten (10) CE hours;

(vii)(a) Preparing and presenting a first-time poster, workshop, or in-service training at the local, state, or national level.

(b) Activities in this category may not account for more than five (5) CE hours;

(viii)(a) Attendance at board meetings by licensees may account for up to one (1) ethics hour per meeting.

(b) Activities in this category may not account for more than five (5) CE hours;

(ix)(a) Home study programs, i.e., from scholarly journals or books, that are approved by the American Psychological Association or other relevant professional organizations.

(b) Such programs must include an examination and provide a certificate of completion.

(c) Activities in this category may not account for more than ten (10) CE hours; and

(x)(a) Volunteer hours accrued under the Volunteer Health Care Act, Arkansas Code Annotated § 20-8-801 et seq.

(b) Activities and hours limitations are to be governed by the provisions of the Volunteer Health Care Act; and

(B)(i) Activities that are not acceptable for meeting the CE requirement include:

(a) Supervision where required for routine licensure purposes;

(b) Reading books or journal articles; and

(c) Writing newsletters or non-peer-reviewed articles.

(ii) The board reserves the right to determine whether any particular CE experience meets board standards.

(c) **Reporting requirements.**

(1) It is the responsibility of the licensee to provide to the board office, upon request, acceptable documentation of CE activities within thirty (30) calendar days.

(2) Acceptable documentation includes:

(A) Certificates of attendance;

(B) Transcripts; and/or

(C) Other official documentation.

(d)(1) The board will conduct a random audit of licensees' CE compliance each year.

(2) The board may deny renewal or take other disciplinary action against a licensee who fails to obtain or document the required CE hours.

(3) The board may discipline a licensee who commits fraud, deceit, or misrepresentation regarding reporting of CE hours.

(4) If, upon the request of the board, a licensee fails within thirty (30) calendar days of the request to provide evidence of CE activity, a late fee of fifty dollars ($50.00) will be assessed for the first failure to provide the requested documentation of CE hours.

(5) Licensees who fail to provide valid documentation of CE may be subject to additional discipline by the board.

(e)(1) A licensee who cannot meet the CE requirement, for good cause, may seek an extension of time to complete the CE requirement by submitting a written explanation of their circumstances and the license renewal fee to the board for determination.

(2) Good cause is limited to licensee illness, family illness, natural disaster, military service, and/or residence in a foreign country for at least twelve (12) months of the license renewal period.

(3) The board shall not grant a time extension longer than one (1) year, except in the case of extended military service.

17 CAR § 95-802. Exception to the requirement.

(a) The CE requirement will be waived for licensees who have been licensed in the State of Arkansas less than one (1) calendar year on the due date (June 30).

(b)(1) Persons with voluntarily inactive licenses shall not be required to accumulate CE during their period of inactivity.

(2) However, those persons wishing to reactivate their license must provide evidence of having completed twenty (20) CE hours during the previous license year.

Subpart 9. Licensure Under Special Conditions

17 CAR § 95-901. Acceptance of written examination scores.

(a) If an applicant meets all requirements for application for licensure in the State of Arkansas, the Arkansas Psychology Board shall accept scores for examinations administered elsewhere if the score meets or exceeds the cut-off point for the State of Arkansas at the time of the examination.

(b) It is the responsibility of the applicant to furnish the Arkansas Psychology Board, via the state board that administered the examination or other acceptable score registration agency:

(1) The form of the written examination;

(2) Statistical data for the national mean and standard deviation; and

(3) The applicant's individual score on that examination.

17 CAR § 95-902. Temporary Registration as a Behavioral Analyst.

(a) A behavior analyst licensed in another jurisdiction or who holds current certification as a board-certified behavior analyst, board certified behavior analyst-doctoral, board-certified assistant behavior analyst, or equivalent, issued by the Behavior Analyst Certification Board, Inc., or its equivalent approved by the Arkansas Psychology Board to practice independently who provides applied behavior analysis services in this state on a short-term basis may apply for a temporary registration.

(b) A behavior analyst licensed in another jurisdiction or who holds current certification as a qualified behavior analyst by the Qualified Applied Behavior Analysis Credentialing Board or its equivalent approved by the Arkansas Psychology Board to practice independently who provides applied behavior analysis services in this state on a short-term basis may apply for a temporary registration.

(c) An applicant for a temporary registration shall submit an application and fee established by the Arkansas Psychology Board and evidence that his or her practice in the jurisdiction will be temporary as defined by the Arkansas Psychology Board in rules.

(d) Consultation, with prior Board notification, on one case per year (maximum of thirty (30) days per calendar year). The individual must notify the Board if it exceeds thirty (30) days in any one year prior to beginning the consultation. A letter describing the nature and length of the consultation, along with verification of credentials and appropriate licensure should be submitted to the Board prior to the provision of services.

(e) A temporary registration shall be granted only if the Arkansas Psychology Board verifies the applicant's licensure or certification status with the relevant entity.

17 CAR § 95-903~~2~~. Reciprocity.

(a)(1) Currently, most other jurisdictions that have reciprocity agreements with the Arkansas Psychology Board require one (1) year of supervised postdoctoral experience.

(2) The board will provide record keeping and documentation of this supervised postdoctoral experience for applicants interested in applying for license to practice in other jurisdictions.

(b)(1) An applicant for a reciprocal license must apply to the Identification Bureau of the Division of Arkansas State Police for a state and national criminal background check.

(2) The applicant must sign a release of information to the board and shall be responsible to the division for the payment of any fee associated with the criminal background check.

(c)(1) An applicant for whom the information from the bureau reveals that the applicant has pleaded guilty or nolo contendere to, or been found guilty of, any offense listed in Arkansas Code Annotated § 17-3-102(a) shall not be eligible for licensure.

(2) A licensee deemed so ineligible may appeal this action through the process identified in 17 CAR § 95-1102.

(3) Consultation, with prior Board notification, on one case per year (maximum of thirty (30) days per calendar year). The licensee must notify the Board if it exceeds thirty (30) days in any one year prior to beginning the consultation. A letter describing the nature and length of the consultation, along with verification of credentials and appropriate licensure should be submitted to the Board prior to the provision of services.

(d) The Arkansas Psychology Board may issue a registration to a person who is currently licensed as a behavior analyst in good standing in another jurisdiction that imposes requirements comparable to those specified in 17 CAR § 95-403, including holding a current certification as:

(d)(1) A board certified behavior analyst or a board certified behavior analyst-doctoral or equivalent, issued by the Behavior Analyst Certification Board, Inc., or its equivalent;

(d)(2) A qualified behavior analyst by the Qualified Applied Behavior Analysis Credentialing Board.

(e) An applicant for reciprocal registration under this section shall have current licensure or certificate verified by the Arkansas Psychology Board and comply with other requirements under Arkansas Code Annotated § 17-97-604.

17 CAR § 95-9043. Reciprocal licensure for uniformed service members, veterans, and their spouses.

(a) **Definitions.** As used in this section:

(1) "Automatic licensure" means the granting of occupational licensure without an individual's having met occupational licensure requirements provided under Title 17 of the Arkansas Code Annotated or by this part; and

(2) "Uniformed service veteran" means a former member of the uniformed services of the United States discharged from active duty under circumstances other than dishonorable.

(b) The Arkansas Psychology Board shall grant automatic licensure to an individual who is the holder in good standing of a license with a similar scope of practice issued by another state, territory, or district of the United States and is:

(1) A uniformed service member stationed in the State of Arkansas;

(2) A uniformed service veteran who resides in or establishes residency in the State of Arkansas; or

(3) The spouse of a:

(A) Person under subdivisions (b)(1) or (2) of this section;

(B) Uniformed service member who is assigned a tour of duty that excludes the uniformed service member's spouse from accompanying the uniformed service member and the spouse relocates to this state; or

(C) Uniformed service member who is killed or succumbs to his or her injuries or illness in the line of duty if the spouse establishes residency in the state.

(c) The board shall grant such automatic licensure upon receipt of all of the below:

(1) Payment of the initial licensure fee, unless waived by the board;

(2) Evidence that the individual holds a license with a similar scope of practice in another state; and

(3) Evidence that the applicant is a qualified applicant under subsection (b) of this section.

(d) The expiration date of a license for a deployed uniformed service member or spouse will be extended for one hundred eighty (180) days following the date of the uniformed service member's return from deployment.

(e) A full/partial exemption from continuing education requirements will be allowed for a deployed uniformed service member or spouse until one hundred eighty (180) days following the date of the uniformed service member's return from deployment.

(f) The board shall accept relevant and applicable uniformed service education, training, national certification, or service-issued credential toward licensure qualifications or requirements when considering an application for initial licensure of an individual listed in Arkansas Code Annotated § 17-4-104.

Subpart 10. Suspension or Revocation of Licensure

17 CAR § 95-1001. General.

(a) Individuals who have gained skills in the area and practice of psychology have a right to free trade within these United States, unless judged incapable of carrying on these practices.

(b) To that end, the Arkansas Psychology Board utilizes a habilitation and rehabilitation approach to the judicial functions assigned to it by Arkansas Code Annotated § 17-97-101 et seq.

17 CAR § 95-1002. Suspension.

(a) Should the Arkansas Psychology Board suspend the license of an individual, that individual shall be given a specific period of time of license suspension.

(b) The board shall establish with the individual a plan of action that ensures ethical and professional principles shall not be violated in the individual's reestablished practice.

17 CAR § 95-1003. Refusal to license.

(a) Should the Arkansas Psychology Board refuse to license any individual on the basis of any factors listed in Arkansas Code Annotated § 17-97-101 et seq.:

(1) A rehabilitation plan shall be developed; and

(2) Successful completion of the plan shall permit reapplication.

(b) If refusal to license or register is based upon results of a criminal background check pursuant to Arkansas Code Annotated § 17-3-102(a) or (e), the license or registration may be granted only upon waiver by the board of the conviction.

17 CAR § 95-1004. Revocation.

Should the Arkansas Psychology Board revoke the license of any individual on the basis of factors listed in Arkansas Code Annotated § 17-97-101 et seq., the individual may apply for reinstatement according to 17 CAR § 95-401 et seq.

17 CAR § 95-1005. Alternate discipline.

In lieu of suspension or reprimand, the Arkansas Psychology Board may issue a letter of reprimand and/or designate remedial action such as:

(1) Additional training;

(2) Supervised experience; or

(3) Both.

17 CAR § 95-1006. Basis of suspension, refusal, revocation, fine, letter of reprimand, or additional education — Grounds — Reinstatement.

Pursuant to Arkansas Code Annotated § 17-97-101 et seq., the Arkansas Psychology Board may suspend, refuse, or revoke a license for a period to be determined by the board, may impose a fine of up to five thousand dollars ($5,000),

may issue a letter of reprimand, and/or may require additional hours of education of a licensee on the following grounds:

(1) Fraud or deception were employed in applying for a license or in passing the examination or examinations provided for in Arkansas Code Annotated § 17-97-101 et seq.;

(2) Conviction of an offense as stated in Arkansas Code Annotated § 17-97-302(a);

(3) The practice of psychology under a false or assumed name or the impersonation of another practitioner of a like or different name;

(4) Substance abuse to such an extent as to incapacitate him or her from the performance of his or her duties;

(5) Violation of the Arkansas Medical Practices Act, Arkansas Code Annotated § 17-95-201 et seq., § 17-95-301 et seq., and § 17-95-401 et seq.;

(6) Practice of a level of psychology inappropriate to the license held by the licentiate;

(7) Negligent or wrongful actions in the performance of his or her duties such as, but not limited to:

(A) Violation of standards of supervision; or

(B) Providing services outside of qualifications to practice;

(8) Violations of the current ethical code;

(9) Violations of Arkansas Code Annotated § 17-97-101 et seq., or this part;

(10) Disciplinary action taken by a Distant or Receiving State against an Arkansas Home State licensee under provisions of Psypact; or

(11) Revocation of the E.Passport under Psypact.

17 CAR § 95-1007. Surrender of certificate.

Revocation shall result in surrender of the licensee's certificate.

17 CAR § 95-1008. Criminal background check results.

If suspension, refusal to license, or revocation is based upon the results of a criminal background check pursuant to Arkansas Code Annotated § 17-97-312(f) and § 17-3-102 or other determination that the licensee has been convicted of or pleaded guilty or nolo contendere to a disqualifying offense found at Arkansas Code Annotated § 17-3-102(a) or (e) and said offense has not been expunged, sealed, or pardoned, licensure may be granted or renewed only upon waiver by the Arkansas Psychology Board of the disqualification under the provisions of 17 CAR § 95-405(c)(3).

17 CAR § 95-1009. Public dissemination.

(a)(1) When a sanction ordered by the Arkansas Psychology Board becomes final under the Arkansas Administrative Procedure Act, Arkansas Code Annotated § 25-15-201 et seq., such information shall be publicly disseminated, including a posting on the board's newsletter or website.

(2) The posting shall include:

(A) The licensee's name;

(B) A citation of the laws or statutes violated;

(C) A brief description of the findings of fact; and

(D) A description of the sanction.

(b) Sanctions shall also be reported to the Psychological Interjurisdictional Compact Commission under the provisions of Psypact.

17 CAR § 95-1010. Discipline under Psypact.

(a) When practicing in Arkansas under either a Temporary Authorization to Practice Interjurisdictional Psychology or an Authority to Practice Interjurisdictional Telepsychology, a psychologist from another Psypact member state is to abide by the laws and rules of the Arkansas Psychology Board, including scope of practice.

(b) Violation of any law or rule may result in discipline by the board against either the Temporary Authorization to Practice or Authority to Practice Interjurisdictional Telepsychology.

(c) Any disciplinary action taken shall be reported to both the Psychological Interjurisdictional Compact Commission and the psychologist's home state licensing authority.

17 CAR § 95-1011. Arkansas licensees practicing in Distant or Receiving States under Psypact.

(a) An Arkansas licensee practicing in another state under Psypact's Temporary Authority to Practice Interjurisdictional Telepsychology shall be subject to that state's laws and rules, including scope of practice.

(b) Any disciplinary action taken by a Distant or Receiving State against an Arkansas licensee shall be reported to the board and may result in additional discipline.

Subpart 11. Suspension, Refusal, or Revocation of License — Judicial Review

17 CAR § 95-1101. Complaint/ethics investigations.

(a)(1) Any complaint/ethics investigator, whether an Arkansas Psychology Board member, a board employee, or an independent contractor, appointed by the board to conduct an investigation of a particular complaint, shall be free of any prejudicial conflict of interest relating to the complainant, the respondent, and/or the subject matter of the complaint in order to foster unbiased, impartial data gathering and recommendations making.

(2)(A) Should a prejudicial conflict exist or arise for the investigator that would adversely impact fairness of the investigation process, he or she shall recuse from the case or matter unless the parties should mutually waive that recusal option and permit the investigator to continue pursuit of the investigation.

(B) In the event of an investigator's recusal, the board or its designee will then appoint an alternate investigator for that matter or case.

(3) The existence of a conflict may be raised by:

(A) The investigator;

(B) Any board member;

(C) Administrative staff; and/or

(D) Any party to the complaint or matter needing investigation.

(4) Should a dispute arise regarding the validity of a conflict allegation and/or its prejudicial character requiring a recusal, the members of the Complaints Committee of the Arkansas Psychology Board, excepting the investigator with the alleged conflict, shall by majority vote make that determination, with any tie in that determination procedure resulting in that determination being referred to the board for resolution.

(b)(1) Unless otherwise waived by a potential respondent, any respondent who is licensed by the board or is an applicant for licensure is entitled to expect that the allegations and facts of the complaint or investigated matter are subject to review by at least one (1) member of the Complaints/Ethics Committee or its selected consultant who possesses qualifications and/or experience that is substantially comparable to, or greater than, that of the investigated respondent.

(2) It shall be presumed that a psychologist respondent would necessitate another psychologist to serve in that reviewing capacity, while a psychological examiner would require either a psychologist or psychological examiner in that role.

(3) It is further assumed that, due to the generic nature of the board's licenses (i.e., without specialty licenses), any licensed psychologist can serve that requirement of a reviewing role as being in possession of qualification and/or experience comparable to that of the typical respondent unless the nature of the complaint's allegations clearly and convincingly raise an issue that a unique and highly specialized body of knowledge and/or practice or procedure is involved in the matter and therefore the matter or complaint requires a reviewing professional to possess even a greater degree of comparability in qualification and/or experience to that of the respondent.

(4) It shall be the Complaints/Ethics Committee's responsibility to determine the existence of that required substantial comparability of at least one (1) reviewing member or consultant.

17 CAR § 95-1102. Procedures for judicial review.

Procedures for judicial review shall be in accordance with the Arkansas Administrative Procedure Act, Arkansas Code Annotated § 25-15-201 et seq.

17 CAR § 95-1103. Notice of charges.

(a) The Arkansas Psychology Board may not recommend suspension or revocation of licensure or refuse to issue or to renew any certificate for any cause listed herein, or any other penalty described in Arkansas Code Annotated § 17-97-310 affecting a certificate or license until the person accused has been given at least twenty (20) days' notice in writing by registered mail, with a return receipt requested, of the charges against him or her and an opportunity for a public hearing by the board has been held.

(b) The written notice shall be mailed to the person's last known address.

(c) Nonappearance of the person shall not prevent the hearing.

17 CAR § 95-1104. Issuance of subpoenas.

In the event of a public hearing, the Arkansas Psychology Board may administer oaths and procure by its subpoenas the attendance of witnesses and the production of relevant documents.

17 CAR § 95-1105. Judicial review.

Any action of, or ruling or order made or entered by, the Arkansas Psychology Board declining to issue a certificate, declining to recommend licensure, recommending suspension or revocation of, or other penalty described in Arkansas Code Annotated § 17-97-310 that affects a certificate or license shall be subject to review pursuant to the Arkansas Administrative Procedure Act, Arkansas Code Annotated § 25-15-201 et seq.

Subpart 12. Fees

17 CAR § 95-1201. License fee.

(a) License fees shall:

(1) Be set by the Arkansas Psychology Board; and

(2) Reflect actual and projected costs of the administration of the board.

(b) All fees are subject to change and shall never be retroactive.

17 CAR § 95-1202. Application fee.

(a)(1) The Arkansas Psychology Board shall charge a two-hundred-dollar ~~two hundred-dollar~~ application fee of any applicant for licensure or certification.~~.~~

(2) This fee shall be paid in advance for an applicant to receive the application package.

(b) Application fees for the following individuals may be waived at the discretion of the board:

(1) An active duty military service member stationed in the State of Arkansas;

(2) A returning military veteran applying for licensure within one (1) year of his or her discharge from active duty; or

(3) The spouse of a person under subdivisions (b)(1) or (2) of this section.

(c) The board shall waive the application fee if the applicant:

(1) Is receiving assistance through the:

(A) Arkansas Medicaid Program;

(B) Supplemental Nutrition Assistance Program;

(C) Special Supplemental Nutrition Program for Women, Infants, and Children;

(D) Temporary Assistance for Needy Families Program; or

(E) Lifeline Assistance Program;

(2) Was approved for unemployment within the last twelve (12) months; or

(3) Has an income that does not exceed two hundred percent (200%) of the federal poverty income guidelines.

17 CAR § 95-1203. Registration fee.

(a) The Arkansas Psychology Board shall charge a license registration fee of two hundred dollars ($200) plus a prorated annual license fee for all individuals approved for licensure.

(b) The fee must be received by the board prior to the date~~date~~ of licensure.

17 CAR § 95-1204. Provisional license fee.

(a)(1) The Arkansas Psychology Board shall charge a one hundred-dollar fee for six (6) months or less of supervised practice as a provisional licensure applicant.

(2) This fee is:

(A) Renewable consistent with extensions of time for practice; and

(B) Due upon approval by the board.

(b) The board shall charge a late fee of fifty dollars ($50.00) for late payment for renewal of a provisional license.

17 CAR § 95-1205. Annual license renewal fee.

(a) The Arkansas Psychology Board shall charge an annual license renewal fee of up to three hundred dollars ($300), per Arkansas Code Annotated § 17-97-309(c).

(b) The amount will be regulated by the board in accordance with budgetary needs.

(c) There shall be no prorated renewal fees.

(d) The Arkansas Psychology Board shall charge an annual registration renewal fee of ten ($10) dollars per technician being renewed.

(e) Renewal fee of a behavioral analyst shall be one hundred fifty ($150) dollars

17 CAR § 95-1206. Delinquent payment of license renewal fee.

(a) The Arkansas Psychology Board shall charge an additional one hundred-dollar fee for delinquent license renewal and registry renewal. ~~.~~

(b) This fee is due prior to renewal of license to practice psychology.

(c) This fee is due prior to renewal of registration.

17 CAR § 95-1207. Inactive status.

(a) The Arkansas Psychology Board shall charge a fee of one-half (1/2) the current renewal fee to place a license on inactive status.

(b) In the event the license is reactivated, twenty (20) CE hours from the previous year must be submitted to the board proving the licensee has kept up with current standards.

(c) The board will consider the circumstances of the licensee's inactive status at the time of reinstatement to full licensure.

17 CAR § 95-1208. Administrative fees.

The Arkansas Psychology Board shall charge the following administrative fees, which are considered necessary in the performance of the board's duties:

(1) Photocopying, per page, one dollar ($1.00);

(2) Service charge on returned check, twenty dollars ($20.00);

(3) Replacement of returned check, twenty dollars ($20.00); and

(4) Delinquent CE penalty, fifty dollars ($50.00).

Subpart 13. Annual Renewal

17 CAR § 95-1301. Renewal fee.

(a) An annual renewal fee shall be set by the Arkansas Psychology Board.

(b) This fee is subject to change.

(c) Renewal fee of a behavioral analyst shall not exceed one hundred fifty ($150) dollars.

17 CAR § 95-1302. Annual renewal.

(a)(1) The Arkansas Psychology Board has established that annual renewal fees and application for renewal for license are due on or before July 1 of each calendar year.

(2) Should the annual renewal time be changed, such change will be consistent with the requirements of the Arkansas Administrative Procedure Act, Arkansas Code Annotated § 25-15-201 et seq.

(b) Application for annual renewal of the license of a psychologist, ~~or~~ psychological examiner, or licensed psychological practitioner will not be considered if the applicant has not supplied forty (40) hours of continuing education for the previous biennium (twenty-four (24) months).

(c)(1) All programs of continuing education for licensees shall be subject to approval of the board.

(2) The board is authorized to prescribe by rule the:

(A) Minimum standards and requirements for continuing education programs for licensees;

(B) Procedures and policies for administering such programs; and

(C) Manner and conditions under which credit will be granted for participation in such programs.

(d) Behavioral Analysts shall renew bi-annually during the periods of May 1st-June 30th

17 CAR § 95-1303. Criminal history check.

(a) A licensee or registrant whose criminal history check from the Identification Bureau of the Division of Arkansas State Police reveals that the applicant has pleaded guilty or nolo contendere to or been found guilty of any offense listed in Arkansas Code Annotated § 17-3-102(a) or (e) shall not be eligible for renewal unless the reported offense has been:

(1) Expunged;

(2) Sealed; or

(3) Pardoned.

(b) A licensee or registrant may apply to the Arkansas Psychology Board for a waiver of disqualification pursuant to 17 CAR § 95-405(c)(3) for the conviction of any listed offense.

(c) A licensee deemed so ineligible may appeal this action through the process identified in 17 CAR § 95-1102.

17 CAR § 95-1304. Penalty/reinstatement.

(a) Failure to apply for and pay the license renewal fee by July 1 shall result in suspension of the license as long as the application and fee are delinquent.

(b) Reinstatement of suspended license shall automatically occur at the time the registration fee plus the delinquent renewal fee (17 CAR § 95-1206) are paid.

17 CAR § 95-1305. Revocation of license.

(a) If any licentiate fails for three (3) consecutive years to pay the fee, then it shall be the duty of the Arkansas Psychology Board without hearing or notice to cancel his or her license, subject to reinstatement.

(b) If application for reinstatement is made, the board shall consider the moral character and professional qualifications of the applicant as in the case of an original application.

Subpart 14. Privileged Communications

17 CAR § 95-1401. Confidentiality.

Relations and communications between a licensed psychologist, ~~or~~ licensed psychological examiner, or licensed psychological practitioner and the client are:

(1) Considered to be confidential on the same basis as those provided by law between attorney and client are; and; ~~and~~

(2) N~~n~~ot to be disclosed except as required by law.

17 CAR § 95-1402. Privileged communication.

Nothing in this part shall be construed to require any privileged communication to be disclosed.

Subpart 15. Code of Ethics

17 CAR § 95-1501. Code of ethics.

(a) The Arkansas Psychology Board adopts ~~adopts~~ the Ethical Principles of Psychologists and Code of Conduct of the American Psychological Association as part of this part.

(b) The principles shall constitute one (1) standard by which appropriate professional practices are determined.

(c) The Arkansas Psychology Board adopts the Ethics Code for Behavior Analysts issued by the Behavior Analyst Certification Board, Inc. as existing on January 1, 2025 and the Code of Ethics issued by the Qualified Applied Behavior Analysis Credentialing Board.

Subpart 16. Severable Provisions

17 CAR § 95-1601. Severable provisions.

(a) Each and every section contained herein shall be construed as severable from each other section and the lack of constitutionality of any part, as determined by a court of this state, shall not invalidate any other part.

(b) The Arkansas Psychology Board shall have authority to rectify any error of interpretation, judgment, decision, or policy that fails to adhere to Arkansas Code Annotated § 17-97-101 et seq., or to this part without invalidating any other portion of this part.

(c) In the case of board error, any licensee affected because of that error shall be notified and appropriate action taken by the board.

(d) Any rule or policy of the board that is found to be in error shall be immediately corrected, and notification of just cause shall be given to the appropriate governmental body requesting that the rule be invalidated and an appropriate rule substituted in accordance with the Arkansas Administrative Procedure Act, Arkansas Code Annotated § 25-15-201 et seq.

Subpart 17. Telepsychology

17 CAR § 95-1701. Minimum standards for establishing psychologist/psychological practitioner/psychological examiner–patient/client relationships.

(a) A psychologist/psychological practitioner/psychological examiner exhibits gross negligence if he or she provides and/or recommends any form of treatment/service, without first establishing a proper psychologist/psychological practitioner/psychological examiner–patient/client relationship.

(b) For purposes of this part, a proper psychologist/psychological practitioner/psychological examiner–patient/client relationship, at a minimum requires that:

(1) The psychologist/psychological practitioner/psychological examiner:

(A) Performs a history and an "in person" interview of the patient/client adequate to establish a diagnosis and identify underlying conditions and/or contraindications to the treatment/service recommended/provided;

(B) Has access to a patient's/client's personal health record, as defined by the Telemedicine Act, Arkansas Code Annotated § 17-80-401 et seq., maintained by a psychologist/psychological practitioner/psychological examiner and uses any technology deemed appropriate by the psychologist/psychological practitioner/psychological examiner, including the telephone, with a patient/client located in Arkansas to diagnose or treat the patient/client; or

(C) The psychologist/psychological practitioner/psychological examiner personally knows the patient/client and the patient's/client's general health status through an "ongoing" personal or professional relationship; and

(2) Appropriate follow-up be provided or arranged, when necessary, at necessary intervals.

(c) For the purposes of this part, a proper psychologist/psychological practitioner/psychological examiner–patient/client relationship is deemed to exist in the following situations:

(1) When treatment/service is provided in consultation with, or upon referral by, another provider who has:

(A) An ongoing relationship with the patient/client; and

(B) Agreed to supervise the patient's/client's treatment/service, including follow-up care; and

(2) On-call or cross-coverage situations arranged by the patient's/client's treating psychologist/psychological practitioner/psychological examiner.

(d) **Exceptions.** Recognizing a psychologist's/psychological practitioner's/psychological examiner's duty to adhere to the applicable standard of care, the following situations are hereby excluded from the requirement of this section:

(1) Emergency situations where the life or health of the patient/client is in danger or imminent danger; and

(2) Simply providing information of a generic nature not meant to be specific to an individual patient/client.

17 CAR § 95-1702. Requirement for all services provided by providers using telepsychology.

(a)(1)(A) A patient/client–provider relationship must be established in accordance with the Telemedicine Act, Arkansas Code Annotated § 17-80-401 et seq., and 17 CAR § 95-1701 before the delivery of services via telepsychology.

(B) "Provider" means a person licensed by the Arkansas Psychology Board who has documented training in telepsychology.

(2) A patient/client completing a history online and forwarding it to a provider is not sufficient to establish the relationship, nor does it qualify as store-and-forward technology.

(b) The following requirements apply to all services provided by providers using telepsychology:

(1) The practice of psychology via telepsychology shall be held to the same standards of care as traditional in-person encounters;

(2) The provider must obtain a detailed explanation of the patient's/client's complaint from the patient/client or the patient's/client's treating provider;

(3) If a decision is made to provide treatment/service, the provider must agree to accept responsibility for the care of the patient/client;

(4) If follow-up care is indicated, the provider must agree to provide or arrange for such follow-up care;

(5) The provider must keep a documented record, including history;

(6)(A) At the patient's/client's request, the provider must make available to the patient/client an electronic or hardcopy version of the patient's/client's record documenting the encounter.

(B) Additionally, unless the patient/client declines to consent, the provider must forward a copy of the record of the encounter to the patient's/client's regular treating provider if that provider is not the same one delivering the service via telepsychology;

(7) Services must be delivered in a transparent manner with proper informed consent, including providing access to information identifying the provider in advance of the encounter, with licensure and board certifications, as well as patient/client financial responsibilities;

(8)(A) If the patient/client, at the recommendation of the provider, needs to be seen in person for their current issue, the provider must arrange to see the patient/client in person or direct the patient/client to their regular treating provider or other appropriate provider if the patient/client does not have a treating provider.

(B) Such recommendation shall be documented in the patient's/client's record;

(9) Providers who deliver services through telepsychology must establish protocols for referrals for emergency services;

(10) All providers providing care via telepsychology to a patient/client located within the State of Arkansas shall be:

(A) Licensed to practice psychology in the State of Arkansas; or

(B) Licensed in a Psypact member state and follow all requirements to practice under Psypact's Authority to Practice Interjurisdictional Telepsychology; and

(11)(A) Psychologists, psychological practitioners, and ~~and~~ psychological examiners may use telepsychology to provide group therapy.

(B) Telepsychology may not be used for group therapy provided to a child who is eighteen (18) years of age or younger.

Subpart 18. Scholarships, Stipends, and Incentive Programs

17 CAR § 95-1801. Psychological and Neuropsychological Testing Workforce Scholarship, Stipend, and Incentive Program.

(a) Pursuant to Arkansas Code Annotated § 6-81-2001 et seq., the Arkansas Psychology Board may award a scholarship, stipend, or incentive under the Psychological and Neuropsychological Testing Workforce Scholarship, Stipend, and Incentive Program.

(b) Amounts to be determined by the board based on funds.

(c) The board may award a scholarship to cover tuition and the required coursework to an applicant who has been accepted for admission or is enrolled in good standing in a program as a psychology student or trainee who is pursuing a bachelor's degree to obtain status as a technician according to the requirements of Arkansas Code Annotated § 17-97-401 et seq., and the board.

(d) The board may award a stipend to support required training experience to an applicant who has been accepted for admission or is enrolled in good standing in a program as a master-level or doctoral psychology student or trainee who has been placed in an approved training site that is focused on psychological or neuropsychological testing under the supervision of a licensed psychologist.

(e)(1) The board may provide loan forgiveness assistance to an applicant who is a licensed psychological examiner, ~~or~~ licensed psychologist, and licensed psychological practitioner who provides psychological or neuropsychological testing services.

(2) The board may provide a financial incentive to an applicant who agrees to work full time for at least two (2) years in Arkansas providing psychological or neuropsychological testing services following his or her educational training.

State of Arkansas *As Engrossed: S3/18/25*
95th General Assembly **A Bill**
Regular Session, 2025 HOUSE BILL 1254

By: Representative L. Johnson
By: Senator Irvin

For An Act To Be Entitled

AN ACT TO AUTHORIZE A LICENSED PSYCHOLOGICAL PRACTITIONER TO PRACTICE INDEPENDENTLY IN THIS STATE; TO REMOVE THE INDEPENDENT PRACTICE PRIVILEGES FROM PSYCHOLOGICAL EXAMINERS; AND FOR OTHER PURPOSES.

Subtitle

TO AUTHORIZE A LICENSED PSYCHOLOGICAL PRACTITIONER TO PRACTICE INDEPENDENTLY IN THIS STATE; AND TO REMOVE THE INDEPENDENT PRACTICE PRIVILEGES FROM PSYCHOLOGICAL EXAMINERS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 17-97-102(a)(3), concerning the definition of "psychological examiner" relating to the practice of psychology, is amended to read as follows:

(3) "Psychological examiner" means a person who holds himself or herself out to be a psychological examiner or renders to individuals or to the public for remuneration of any service involving the practice of psychology ~~either:~~

~~(A) Independently interviewing or administering and interpreting tests of mental abilities, aptitudes, interests, and personality characteristics for the purposes of psychological evaluation to assist in the determination of diagnosis of mental health disorders or educational or vocational selection, guidance, or placement; or~~

~~(B) Only~~ only under the supervision of a qualified

psychologist if the service is not listed in subdivision (a)(2)(A) of this section; and

SECTION 2. Arkansas Code § 17-97-102(a), concerning definitions relating to the practice of psychology, is amended to add an additional subdivision to read as follows:

(5) "Licensed psychological practitioner" means a person who:

(A) Holds himself or herself out to be a licensed psychological practitioner; or

(B) Renders to individuals or to the public for remuneration of any service involving the practice of psychology independently interviewing or administering and interpreting tests of mental abilities, aptitudes, interests, and personality characteristics for the purposes of psychological evaluation to assist in the determination of:

(i) Diagnosis of mental health disorders; or

(ii) Educational or vocational selection, guidance, or placement.

SECTION 3. Arkansas Code § 17-97-303 is amended to read as follows:

17-97-303. Psychological examiners — Application — Qualifications.

(a) ~~Any~~ A person wishing to obtain the right to practice as a psychological examiner who has not heretofore been licensed to do so shall make application to the Arkansas Psychology Board through the Chair of the Arkansas Psychology Board upon a form and in the manner as shall be adopted and prescribed by the board and shall obtain from the board a license to do so.

(b)(1) A candidate for a license shall furnish the board with satisfactory evidence that he or she:

(A) Has a master's degree in psychology or a closely related field from an accredited educational institution recognized by the board as maintaining satisfactory standards;

(B) Is competent as a psychological examiner as shown by passing examinations, written or oral, or both, as the board deems necessary;

(C) Is not considered by the board to be engaged in unethical practice;

(D) Has applied for a criminal background check and has

not been found guilty of or pleaded guilty or nolo contendere to any of the offenses listed in § 17-3-102; and

(E) Has not failed an examination given by the board within the preceding six (6) months.

(2) At its discretion, the board may accept satisfactory substitute training and experience in lieu of that prescribed in subdivision (b)(1) of this section.

(c) The board shall apply through its rules the qualifications of supervising psychologists and the restrictions and reporting requirements of supervision so as to implement the intent of this chapter without restricting the professional integrity of the psychological examiner and psychologist or the ultimate responsibility of the supervising psychologist.

~~(d)(1)(A) A psychological examiner licensed before December 31, 1997, shall be granted independent practice except in neuropsychological assessment, forensic psychological assessment, and projective personality assessment upon the board's receiving a letter requesting independent practice and a revised statement of intent.~~

~~(B) No additional hours of clinical supervision shall be required for a license granted under subdivision (d)(1)(A) of this section.~~

~~(2) A psychological examiner licensed after December 31, 1997, shall be privileged to practice independently except in neuropsychological assessment, forensic psychological assessment, and projective personality assessment, if the person:~~

~~(A) Has completed a master's degree program in psychology;~~

~~(B) Has completed three thousand (3,000) hours of approved clinical supervised training after making application for independent practice; and~~

~~(C) Has filed a revised statement of intent with the board and has provided documentation of having received appropriate training and experience in those areas requested for independent practice.~~

~~(3) A psychological examiner licensed after December 31, 2024, shall not be granted independent practice status if he or she submits an application to the board for independent practice.~~

(d) After December 31, 2026, a new psychological examiner license shall not be issued.

SECTION 4. Arkansas Code Title 17, Chapter 97, Subchapter 3, is amended to add an additional section to read as follows:

17-97-313. Licensed psychological practitioner — Application — Qualifications — Compensation.

(a) A person wishing to practice as a licensed psychological practitioner shall apply to the Arkansas Psychology Board through the Chair of the Arkansas Psychology Board upon a form and in the manner as determined by the board.

(b)(1) A candidate for a license shall furnish the board with satisfactory evidence that he or she:

(A) Has completed:

(i) A sixty-hour master's degree in health services psychology that is approved by the board and includes the following coursework and training in:

(a) Discipline-specific knowledge such as affective psychology, biological psychology, cognitive psychology, developmental psychology, social aspects of behavior psychology, psychometrics, and research methods;

(b) Profession-wide competencies such as integration of science and practice, ethical and legal standards, individual and cultural diversity, professional values and behavior, communication and interpersonal skills, assessment, intervention, supervision, and consultation and interprofessional skills;

(c) Eight hundred (800) hours of a practicum or internship with a total of four hundred (400) direct client services; and

(d) At least one (1) year in a residence program; and

(ii) Three thousand (3,000) hours of post-degree clinical supervision approved by the board that includes:

(a) Two thousand two hundred (2,200) hours of direct client service in the intended scope of practice;

(b) One (1) hour of supervision per ten (10) hours of direct client service for the first one thousand (1,000) hours;

(c) One (1) hour of supervision per twenty (20) hours of direct client service for the remaining hours; and

(d) One hundred (100) hours of didactic

learning in the intended scope of practice per year;

(B) Is competent as a licensed psychological practitioner as shown by passing examinations, written or oral, or both, as the board deems necessary;

(C) Is not considered by the board to be engaged in unethical practice;

(D) Has applied for a criminal background check and has not been found guilty of or pleaded guilty or nolo contendere to any of the offenses listed in § 17-3-102; and

(E) Has not failed an examination given by the board within the preceding six (6) months.

(2) At the board's discretion, the board may accept satisfactory substitute training and experience in lieu of that prescribed in subdivision (b)(1) of this section.

(3) A person who was previously licensed as a psychological examiner and granted the privilege to practice independently by the board on or before December 31, 2024, is not required to fulfill the requirements under subdivision (b)(1) of this section to be licensed under this section.

(c)(1) A licensed psychological practitioner may practice independently except in neuropsychological assessment, forensic psychological assessment, and projective personality assessment.

(2) A licensed psychological practitioner may practice independently in the following areas, consistent with his or her coursework, training, and supervised experience during internship and post-degree supervision:

(A) Providing evidence-based therapeutic interventions for individuals, families, or groups to improve mental health and wellness;

(B) Diagnosing, treating, and managing mental and emotional disorders or developmental and intellectual disabilities;

(C) Conducting evidence-based screening, interviewing, testing, and assessment consistent with training of psychoeducational, cognitive, personality characteristics, intelligence, achievement, vocational, aptitude, and outcome management;

(D) Providing psychoeducational evaluation, planning, therapy, and remediation services;

(E) Consulting and collaborating with other healthcare

professionals in which the focus is on patient or family diagnoses and treatment planning; and

(F) Supervising provisionally licensed master's level clinicians in the areas listed in subdivisions (c)(2)(A) - (E) of this section.

(d) The board may issue a provisional license to a person who has completed the requirements in subdivisions (b)(1)(A)(i) and (b)(1)(B)-(E) of this section to ensure that the person obtains the appropriate approved post-degree clinical supervised training as required under subdivision (b)(1)(A)(ii) of this section.

(e) For services provided, a licensed psychological practitioner shall receive compensation from:

(1) Medicare;

(2) The Arkansas Medicaid Program;

(3) A private insurance policy or plan;

(4) A health benefit plan; or

(5) A healthcare provider or healthcare professional.

/s/L. Johnson

APPROVED: 4/3/25

State of Arkansas *As Engrossed: H2/19/25 S3/18/25*
95th General Assembly **A Bill**
Regular Session, 2025 HOUSE BILL 1257

By: Representative L. Johnson
By: Senator Irvin

For An Act To Be Entitled

AN ACT TO REMOVE THE LIMITATION OF THE PRACTICE OF NEUROPSYCHOLOGY FROM TECHNICIANS EMPLOYED BY PSYCHOLOGISTS; TO ALLOW PSYCHOLOGY TECHNICIANS TO BE EMPLOYED BY PSYCHOLOGISTS; AND FOR OTHER PURPOSES.

Subtitle

TO REMOVE THE LIMITATION OF THE PRACTICE OF NEUROPSYCHOLOGY FROM TECHNICIANS EMPLOYED BY PSYCHOLOGISTS; AND TO ALLOW PSYCHOLOGY TECHNICIANS TO BE EMPLOYED BY PSYCHOLOGISTS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 17-97-401(a) and (b), concerning technicians employed by psychologists, are amended to read as follows:

(a)(1) A technician may be employed by a licensed psychologist ~~in the practice of neuropsychology~~ or a healthcare facility.

(2)(A) An individual employed as a technician ~~may be employed only in neuropsychological testing and shall be restricted to the administration and scoring of standardized objective tests~~ shall only practice under the supervision of a licensed psychologist in the following areas:

(i) Administration and scoring of standardized objective psychological tests with specific predetermined and manualized *procedures;*

(ii) Manualized cognitive intervention services; and

(iii) Administration of fitness-to-proceed examinations under § 5-2-301 et seq.

(B) An individual employed as a technician ~~may~~ shall not:

~~administer or score projective tests~~

(i) Select tests;

(ii) Conduct intake assessments;

(iii) Conduct clinical interviews including without limitation patient interviews and collateral interviews of relatives, friends of the patient, or other professionals associated with the patient;

(iv) Interpret patient data;

(v) Communicate test results or treatment recommendations to patients; or

(vi) Administer tests in educational institutions.

(b)(1) A technician shall have a bachelor's degree from ~~a regionally~~ an accredited institution~~, preferably with a major in psychology~~ approved by the Arkansas Psychology Board.

~~(2) The basic educational background of a technician shall include passing grades from instruction in:~~

~~(A) Abnormal psychology;~~

~~(B) Personality;~~

~~(C) Psychological statistics; and~~

~~(D) Psychological testing.~~

~~(3) As used in this subsection, "passing grade" means:~~

~~(A) "C" in a letter grading system;~~

~~(B) "Pass" in a pass/fail system; or~~

~~(C) "Satisfactory" in a satisfactory/unsatisfactory grading system.~~

~~(4) A technician who has completed a degree with a nonpsychology major shall have completed course work with passing grades in the subject matter areas listed in subdivision (b)(2) of this section.~~

~~(5)(A)~~(2)(A) A technician who does not have ~~this academic background and~~ the academic background under subdivision (b)(1) of this section and who is currently employed by a psychologist shall be provided with specific information to supplement his or her training in ~~neuropsychological~~ psychological test administration.

(B) ~~Any~~ A technician employed by a psychologist ~~in the~~

~~future shall be required to~~ shall meet the academic background specified in this section.

SECTION 2. Arkansas Code § 17-97-402(a), concerning additional training for technicians employed by psychologists, is amended to read as follows:

(a) The supervising psychologist shall make the technician aware:

(1) ~~Of the goals of neuropsychological examination and his or her specific role in achieving those goals;~~

~~(2)~~ Through additional training, if necessary, of appropriate institutional emergency procedures to deal with various medical emergencies such as heart attack, respiratory arrest, and seizures and of other relevant information; and

~~(3)~~(2) In addition to medical emergencies, of recommended procedures for dealing with incompetent or adjudicated patients who attempt to leave the testing setting without authorization.

SECTION 3. Arkansas Code § 17-97-402(d), concerning additional training of a technician employed by a psychologist, is amended to add an additional subdivision to read as follows:

(4) The supervising psychologist shall provide eighty (80) hours of documented training in the following areas:

(A) A minimum of four (4) hours of professional ethics, confidentiality, mandatory reporting, best practices in objective test administration, and scoring;

(B) A minimum of sixteen (16) hours in the study of test manuals;

(C) A minimum of twenty (20) hours of direct observation of test administration and scoring by a licensed psychologist; and

(D) A minimum of forty (40) hours of administering and scoring tests under the direct supervision of a licensed psychologist.

SECTION 4. Arkansas Code § 17-97-402(g)(1), concerning additional training for technicians employed by psychologists, is amended to read as follows:

(g)(1) The supervising psychologist shall ensure that each technician

employed by the psychologist has an explicit understanding of the limited nature of the technician's role in ~~neuropsychological~~ psychological examination.

SECTION 5. Arkansas Code § 17-97-403, concerning registration of technicians employed by a licensed psychologist, is amended to add an additional subsection to read as follows:

(c) The board may require an annual registration fee of ten dollars ($10.00).

SECTION 6. Arkansas Code § 17-97-405(a)(1), concerning the supervision of technicians employed by psychologists, is amended to read as follows:

(a)(1) An acceptable employment setting for a technician ~~provides~~ shall provide ongoing ~~neuropsychological~~ psychological services or scientific research in a well-defined and established program.

SECTION *7.* Arkansas Code § 17-97-405(c), concerning the supervision of technicians employed by psychologists, is amended to read as follows:

(c) The setting shall include a licensed, Arkansas Psychology Board-approved psychologist who is legally and ethically responsible for the oversight of the integrity and quality of the services as well as other resources necessary to meet the employment needs of the technician whose technical assistance is restricted to the practice of ~~neuropsychology~~ psychology and research.

SECTION *8.* Arkansas Code § 17-97-405, concerning the supervision of technicians employed by psychologists, is amended to add an additional subsection to read as follows:

(g) A supervising psychologist shall not supervise more than four (4) full-time technicians at one (1) time.

SECTION *9.* Arkansas Code § 17-97-406(a), concerning the qualifications of supervisors for technicians employed by psychologists, is amended to read as follows:

(a) A supervising psychologist shall be:

(1) Licensed to practice psychology in Arkansas;

(2) Aware of and abide by the ethical principles and state statutes pertaining to the practice of psychology in general and to supervision in particular; and

(3) Approved by the Arkansas Psychology Board to practice ~~neuropsychology~~ psychology.

SECTION *10*. Arkansas Code § 17-97-406(d)(1), concerning the qualifications of supervisors for technicians employed by psychologists, is amended to read as follows:

(d)(1) A supervising psychologist shall ~~have adequate training, knowledge, and skill to render competently any neuropsychological service which~~ be licensed to practice psychological assessment services in the areas in which the ~~employed~~ technician undertakes.

SECTION *11*. Arkansas Code Title 17, Chapter 97, Subchapter 4, is amended to add an additional section to read as follows:

17-97-407. Reimbursement — Definition.

(a) As used in this section, "health benefit plan" means a plan, policy, contract, certificate, agreement, or other evidence of coverage for healthcare services offered or issued by a healthcare insurer in this state.

(b) *A psychologist shall be reimbursed for services provided by a technician for* the administration and scoring of psychological testing by:

(1) The Arkansas Medicaid Program; or

(2) A health benefit plan.

/s/L. Johnson

APPROVED: 4/3/25

State of Arkansas
95th General Assembly
Regular Session, 2025

A Bill

HOUSE BILL 1954

By: Representative Andrews
By: Senator Irvin

For An Act To Be Entitled

AN ACT TO CREATE THE ARKANSAS BEHAVIOR ANALYST REGISTRATION ACT; TO INCLUDE QUALIFIED BEHAVIOR ANALYSTS UNDER THE ARKANSAS BEHAVIOR ANALYST REGISTRATION ACT; AND FOR OTHER PURPOSES.

Subtitle

TO CREATE THE ARKANSAS BEHAVIOR ANALYST REGISTRATION ACT; AND TO INCLUDE QUALIFIED BEHAVIOR ANALYSTS UNDER THE ARKANSAS BEHAVIOR ANALYST REGISTRATION ACT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. DO NOT CODIFY. Legislative intent.

(a) It is the intent of the General Assembly to add additional language concerning qualified behavior analysts to the Arkansas Behavior Analyst Registration Act under HB1245 of 202 which has been transmitted to the Governor's Office but has not been signed as an act at this time.

(b) This act does not repeal the Arkansas Behavior Analyst Registration Act under HB1245 of 2025.

SECTION 2. Arkansas Code Title 17, Subchapter 97, is amended to add an additional subchapter to read as follows:

Subchapter 6 — Behavior Analysts

17-97-601. Title.

This subchapter shall be known and may be cited as the "Arkansas Behavior Analyst Registration Act".

17-97-602. Definition.

As used in this subchapter, "registered behavior analyst" means an individual who is registered to practice behavior analysis independently by the Arkansas Psychology Board under this subchapter.

17-97-603. Unlawful practice of applied behavior analysis.

(a) Unless registered under this subchapter, a person shall not:

(1) Hold himself or herself out to be a registered behavior analyst; or

(2) Use any combination or abbreviation of the term "registered behavior analyst" to indicate or imply that he or she is a registered behavior analyst.

(b)(1) A person found to be in violation of subsection (a) of this section is subject to a fine of no less than five hundred dollars ($500) and no more than one thousand dollars ($1,000).

(2) A person registered under this subchapter who violates this subchapter is subject to administrative sanctions and penalties, including without limitation a fine of no more than five thousand dollars ($5,000) and revocation of his or her registration.

17-97-604. Registration.

(a) Each applicant for registration as a registered behavior analyst shall submit to the Arkansas Psychology Board:

(1) An application;

(2) An application fee that does not exceed two hundred dollars ($200);

(3) Evidence that he or she has successfully completed a criminal background check; and

(4) Evidence that he or she is certified as:

(A) A board certified behavior analyst or a board certified behavior analyst-doctoral by the Behavior Analyst Certification Board, Inc.; or

(B) A qualified behavior analyst by the Qualified Applied

Behavior Analysis Credentialing Board.

(b) This section does not require additional training or continuing education with any state or national association.

17-97-605. Expiration and renewal.

(a) A registration under this subchapter shall be granted for a period of two (2) years.

(b) Before expiration of a registration, the registration may be renewed upon the submission of:

(1) A renewal application;

(2) A renewal fee that does not exceed one hundred fifty dollars ($150); and

(3) Evidence of verification of current certification.

(c) This section does not require additional training or continuing education with any state or national association.

17-97-606. Temporary registration.

(a)(1) A behavior analyst licensed in another jurisdiction or who holds current certification as a board certified behavior analyst, board certified behavior analyst-doctoral, board certified assistant behavior analyst, or equivalent, issued by the Behavior Analyst Certification Board, Inc., or its equivalent approved by the Arkansas Psychology Board to practice independently who provides applied behavior analysis services in this state on a short-term basis may apply for a temporary registration.

(2) A behavior analyst licensed in another jurisdiction or who holds current certification as a qualified behavior analyst by the Qualified Applied Behavior Analysis Credentialing Board or its equivalent approved by the Arkansas Psychology Board to practice independently who provides applied behavior analysis services in this state on a short-term basis may apply for a temporary registration.

(b) An applicant for a temporary registration shall submit an application and fee established by the Arkansas Psychology Board and evidence that his or her practice in the jurisdiction will be temporary as defined by the Arkansas Psychology Board in rules.

(c) A temporary registration shall be granted only if the Arkansas Psychology Board verifies the applicant's licensure or certification status

with the relevant entity.

17-97-607. Reciprocity.

(a) The Arkansas Psychology Board may issue a registration to a person who is currently licensed as a behavior analyst in good standing in another jurisdiction that imposes requirements comparable to those specified in this subchapter, including holding a current certification as:

(1) A board certified behavior analyst or a board certified behavior analyst-doctoral or equivalent, issued by the Behavior Analyst Certification Board, Inc., or its equivalent; or

(2) A qualified behavior analyst by the Qualified Applied Behavior Analysis Credentialing Board.

(b) An applicant for reciprocal registration under this section shall have current licensure or certificate verified by the Arkansas Psychology Board and comply with other requirements under § 17-97-604.

17-97-608. Regulation by Arkansas Psychology Board.

(a) The Arkansas Psychology Board shall administer the provisions of this subchapter and may adopt rules that are reasonable and necessary to implement the provisions of this subchapter.

(b) The Arkansas Psychology Board may adopt the Ethics Code for Behavior Analysts issued by the Behavior Analyst Certification Board, Inc., as existing on January 1, 2025, and the Code of Ethics issued by the Qualified Applied Behavior Analysis Credentialing Board.

SECTION 3. Arkansas Code § 17-97-201(a)(3), concerning the creation and members of the Arkansas Psychology Board, is amended to add an additional subdivision to read as follows:

(D) At least one (1) of the members appointed under subdivision (a)(2) of this section shall be a licensed psychologist who is a board certified behavior analyst, qualified behavior analyst, or has a background and experience providing behavior analysis services.

APPROVED: 4/17/25