

## CHAPTER 54 - NORTH CAROLINA PSYCHOLOGY BOARD

### SECTION .0100 - ORGANIZATION

<b>21 NCAC 54 .0101</b>	<b>NAME</b>
<b>21 NCAC 54 .0102</b>	<b>ADDRESS AND OFFICE HOURS</b>
<b>21 NCAC 54 .0103</b>	<b>PURPOSE</b>
<b>21 NCAC 54 .0104</b>	<b>COMPOSITION</b>
<b>21 NCAC 54 .0105</b>	<b>ELECTION AND DUTIES OF OFFICERS</b>
<b>21 NCAC 54 .0106</b>	<b>QUALIFICATIONS OF BOARD MEMBERS</b>
<b>21 NCAC 54 .0107</b>	<b>MEETINGS</b>
<b>21 NCAC 54 .0108</b>	<b>RECORDS AND ANNUAL REPORT</b>
<b>21 NCAC 54 .0109</b>	<b>DEFINITIONS</b>

*History Note:* Authority G.S. 90-270.1; 90-270.2; 90-270.3; 90-270.4; 90-270.6; 90-270.7; 90-270.9; 90-270.10; 93B-4;  
Eff. February 1, 1976;  
Amended Eff. January 1, 1980; July 20, 1976; June 7, 1976;  
Readopted Eff. December 9, 1977;  
Repealed Eff. September 1, 1982.

### SECTION .0200 - LICENSES

<b>21 NCAC 54 .0201</b>	<b>PRACTICING PSYCHOLOGISTS</b>
<b>21 NCAC 54 .0202</b>	<b>PSYCHOLOGICAL ASSOCIATE</b>
<b>21 NCAC 54 .0203</b>	<b>TEMPORARY LICENSES</b>
<b>21 NCAC 54 .0204</b>	<b>UPGRADING OF LICENSE</b>

*History Note:* Authority G.S. 90-270.2; 90-270.5; 90-270.9; 90-270.11;  
Eff. February 1, 1976;  
Amended Eff. January 1, 1980; March 1, 1979; November 1, 1977; July 20, 1976;  
Readopted Eff. December 9, 1977;  
Repealed Eff. September 1, 1982.

<b>21 NCAC 54 .0205</b>	<b>SUPERVISION</b>
-------------------------	--------------------

*History Note:* Authority G.S. 90-270.2(f); 90-270.5(d); 90-270.9;  
Eff. December 7, 1976;  
Readopted Eff. December 9, 1977;  
Amended Eff. January 1, 1980;  
Repealed Eff. September 1, 1982.

### SECTION .0300 - APPLICATION FOR LICENSURE

<b>21 NCAC 54 .0301</b>	<b>FILING APPLICATION</b>
<b>21 NCAC 54 .0302</b>	<b>CREDENTIALS REQUIRED</b>
<b>21 NCAC 54 .0303</b>	<b>EDUCATION REQUIREMENTS</b>
<b>21 NCAC 54 .0304</b>	<b>EXAMINATION REQUIREMENT</b>
<b>21 NCAC 54 .0305</b>	<b>EXPERIENCE REQUIREMENTS</b>
<b>21 NCAC 54 .0306</b>	<b>REVIEW PROCEDURE</b>
<b>21 NCAC 54 .0307</b>	<b>ETHICS</b>



## **SECTION .0600 - REFUSAL: SUSPENSION: OR REVOCATION OF LICENSE**

- 21 NCAC 54 .0601        GROUNDS FOR REFUSAL: SUSPENSION OR REVOCATION**  
**21 NCAC 54 .0602        THE PROCEDURE**  
**21 NCAC 54 .0603        REINSTATEMENT OF LICENSE**

*History Note:*    Authority G.S. 90-270.9; 90-270.15;  
                          Eff. February 1, 1976;  
                          Amended Eff. January 1, 1980; July 20, 1976;  
                          Readopted Eff. December 9, 1977;  
                          Repealed Eff. September 1, 1982.

## **SECTION .0700 - PRACTICE BY NON-LICENSED PERSONS**

- 21 NCAC 54 .0701        PROHIBITED ACTS**  
**21 NCAC 54 .0702        BOARD ACTION REGARDING PROHIBITED ACTS**  
**21 NCAC 54 .0703        PENALTIES**

*History Note:*    Authority G.S. 90-270.9; 90-270.16; 90-270.17;  
                          Eff. February 1, 1976;  
                          Readopted Eff. December 9, 1977;  
                          Amended Eff. January 1, 1980;  
                          Repealed Eff. September 1, 1982.

## **SECTION .0800 - PROFESSIONAL CORPORATIONS**

- 21 NCAC 54 .0801        CERTIFICATE OF REGISTRATION**  
**21 NCAC 54 .0802        SUSPENSION OR REVOCATION OF CERTIFICATE**  
**21 NCAC 54 .0803        THE PROCEDURE**

*History Note:*    Authority G.S. 90-270.9; 90-270.15(c); 55B-10; 55B-13;  
                          Eff. February 1, 1976;  
                          Readopted Eff. December 9, 1977;  
                          Repealed Eff. September 1, 1982.

## **SECTION .0900 - PRIVILEGED COMMUNICATION**

- 21 NCAC 54 .0901        BETWEEN PSYCHOLOGIST AND CLIENT**  
**21 NCAC 54 .0902        EXCEPTION**

*History Note:*    Authority G.S. 8-53.3; 90-270.9; 90-270.15(4);  
                          Eff. February 1, 1976;  
                          Readopted Eff. December 9, 1977;  
                          Amended Eff. January 1, 1980;  
                          Repealed Eff. September 1, 1982.

## **SECTION .1000 - RULEMAKING PROCEDURES**

- 21 NCAC 54 .1001        PETITION FOR RULEMAKING HEARINGS**



## SECTION .1400 - ADMINISTRATIVE HEARING PROCEDURES

21 NCAC 54 .1401	RIGHT TO HEARING
21 NCAC 54 .1402	REQUEST FOR HEARING
21 NCAC 54 .1403	GRANTING OR DENYING HEARING REQUESTS
21 NCAC 54 .1404	NOTICE OF HEARING
21 NCAC 54 .1405	WHO SHALL HEAR CONTESTED CASES
21 NCAC 54 .1406	PETITION FOR INTERVENTION
21 NCAC 54 .1407	TYPES OF INTERVENTION
21 NCAC 54 .1408	DISQUALIFICATION OF HEARING OFFICERS

*History Note:* Authority G.S. 1A-1, Rule 24; 90-270.9; 150A-2(2); 150A-23; 150A-32;  
Eff. February 1, 1976;  
Amended Eff. July 20, 1976;  
Readopted Eff. December 9, 1977;  
Repealed Eff. September 1, 1982.

## SECTION .1500 - ADMINISTRATIVE HEARINGS: DECISIONS: RELATED RIGHTS AND PROCEDURES

21 NCAC 54 .1501	FAILURE TO APPEAR
21 NCAC 54 .1502	SIMPLIFICATION OF ISSUES
21 NCAC 54 .1503	SUBPOENAS
21 NCAC 54 .1504	FINAL DECISIONS IN ADMINISTRATIVE HEARINGS
21 NCAC 54 .1505	OFFICIAL RECORD

*History Note:* Authority G.S. 90-270.9; 150A-25(a); 150A-27; 150A-36; 150A-37;  
Eff. February 1, 1976;  
Readopted Eff. December 9, 1977;  
Repealed Eff. September 1, 1982.

## SECTION .1600 - GENERAL PROVISIONS

### 21 NCAC 54 .1601 EXECUTIVE

*History Note:* Authority G.S. 90-270.1; 90-270.6; 90-270.9;  
Eff. September 1, 1982;  
Repealed Eff. March 1, 1989.

### 21 NCAC 54 .1602 ADDRESS

The mailing address for the North Carolina Psychology Board is 895 State Farm Road, Suite 102, Boone, North Carolina 28607.

*History Note:* Authority G.S. 90-270.9;  
Eff. September 1, 1982;  
Amended Eff. October 1, 1995; March 1, 1989; August 1, 1984;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3, 2017.

### 21 NCAC 54 .1603 RULEMAKING PROCEDURES

*History Note:* Authority G.S. 90-270.9; 150B-14;  
Eff. September 1, 1982;  
Amended Eff. August 1, 1984;

*Repealed Eff. March 1, 1989.*

## **21 NCAC 54 .1604 PRACTICE BY NON-LICENSED PERSONS**

*History Note: Authority G.S. 90-270.9; 90-270.16; 90-270.17; 90-270.19;  
Eff. September 1, 1982;  
Repealed Eff. May 1, 1996.*

## **21 NCAC 54 .1605 FEES**

In addition to fees specified in G.S. 90, Article 18A, the following charges shall be assessed for the indicated services:

- (1) eight dollars (\$8.00) - register of licensed psychologists;
- (2) two hundred fifty dollars (\$250.00) - renewal of license;
- (3) the cost of the examination set by the vendor plus fifty dollars (\$50.00) - national written examination;
- (4) two hundred dollars (\$200.00) - state examination;
- (5) costs for copies of public records as follows:
  - (a) "actual costs" as defined in G.S. 132-6.2(b) and provided on the Board's website;
  - (b) mailing costs if applicable; and
  - (c) no charge if 10 pages or less;
- (6) one hundred dollars (\$100.00) - application fee;
- (7) one hundred dollars (\$100.00) - reinstatement fee;
- (8) twenty dollars (\$20.00) - returned check;
- (9) ten dollars (\$10.00) - each written license verification, whether submitted individually or on a list;
- (10) costs of disciplinary action as follows:
  - (a) three hundred dollars (\$300.00) - consent order; and
  - (b) three hundred dollars (\$300.00) per hour for a hearing which results in disciplinary action, with a minimum charge of three hundred dollars (\$300.00) for the first hour or portion thereof, and then prorated thereafter for each half-hour;
- (11) fifty dollars (\$50.00) - registration fee for certificate of registration for professional corporation or limited liability company; and
- (12) twenty-five dollars (\$25.00) - renewal fee for certification of registration for professional corporation or limited liability company.

*History Note: Authority G.S. 12-3.1(c); 55B-10; 55B-11; 90-270.9; 90-270.15(c); 90-270.18(b)(c); 132-6.2(b);  
Legislative Objection Lodged Eff. August 26, 1982;  
Eff. September 1, 1982;  
Curative Amended Eff. September 28, 1982;  
Temporary Amendment Eff. October 1, 1989 For a Period of 180 Days to Expire on April 1, 1990;  
Temporary Amendment Eff. October 1, 1990 For a Period of 180 Days to Expire on April 1, 1991;  
Amended Eff. January 1, 1991;  
Temporary Amendment Eff. September 1, 1993, for a period of 180 days or until the permanent rule becomes effective, whichever is sooner.  
Amended Eff. December 1, 2011; July 1, 1996; April 1, 1994; December 1, 1993.*

## **21 NCAC 54 .1606 WAIVER OF COMPLIANCE WITH RULES**

The Board may, for good reason, in its discretion, waive compliance with any of its rules except where to do so would be contrary to statute or applicable regulations of other agencies.

*History Note: Authority G.S. 90-270.9;  
Eff. August 1, 1984;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3, 2017.*

## **21 NCAC 54 .1607 DELEGATION OF AUTHORITY**

The Board or its chairperson may, at any time, delegate to the executive director, or other employee or agent of the Board, such duties and responsibilities as may, in the discretion of the Board or chairperson, be desirable, other than substantive policy-making, regulatory, or administrative duties and responsibilities.

*History Note:* Authority G.S. 90-270.8; 90-270.9;  
Eff. August 1, 1984.

#### **21 NCAC 54 .1608 ETHICAL VIOLATIONS**

The Board shall use those policies, publications, guidelines, and casebooks developed by the American Psychological Association in determining whether violations of the Ethical Principles of Psychologists have occurred. In addition, publications, guidelines, policies, and statements provided by the Association of State and Provincial Psychology Boards, the National Association of School Psychologists, and other relevant professional associations and bodies may be used in interpreting the Ethical Principles of Psychologists.

*History Note:* Authority G.S. 90-270.9; 90-270.15(a)(10);  
Eff. January 1, 1986;  
Amended Eff. May 1, 1996; September 1, 1988.

#### **21 NCAC 54 .1609 TERMINATION OF PRACTICE**

A licensee whose license is suspended or revoked, an applicant who is notified that he or she has failed an examination for the second time, an applicant who is notified that licensure is denied, or an applicant who discontinues the application process at any point, including failure to complete the process within the stipulated time period, must terminate the practice of psychology within a two week period and confirm such termination in writing to the Board.

*History Note:* Filed as a Temporary Adoption Eff. December 1, 1993, for a Period of 180 Days or until the  
permanent rule becomes effective whichever is sooner;  
Authority G.S. 90-270.4(h); 90-270.9;  
Eff. April 1, 1994.

#### **21 NCAC 54 .1610 PRACTICE BY NONRESIDENT PSYCHOLOGISTS**

(a) To practice psychology in North Carolina for up to five days in a calendar year, a nonresident psychologist shall submit the following information to the Board at least five working days prior to the psychologist engaging in the practice of psychology in North Carolina:

- (1) written statement from a jurisdiction which is a member of the Association of State and Provincial Psychology Boards verifying that the psychologist's license is in good standing, that there is no pending disciplinary action against the license, and describing any supervision requirements under which the individual shall practice in that jurisdiction;
- (2) notarized supervision statement showing compliance with Paragraph (b) of this Rule; and
- (3) written report from the nonresident psychologist describing his or her intended practice in North Carolina and, if applicable, the name of the North Carolina psychologist(s) with whom he or she will be associating.

(b) Supervision shall be provided at the same level as that which is required for the nonresident psychologist's practice in the jurisdiction verifying licensure in Subparagraph (a)(1) of this Rule by a North Carolina permanently Licensed Psychologist or Licensed Psychological Associate who meets the requirements of 21 NCAC 54 .2001.

(c) The Board shall waive the five day notice period specified in Paragraph (a) of this Rule for nonresident licensed psychologists who are placed in North Carolina by the American Red Cross due to a national, area, or local disaster.

*History Note:* Authority G.S. 90-270.4(f); 90-270.9;  
Eff. September 1, 1996.

#### **21 NCAC 54 .1611 PRACTICE BY POSTDOCTORAL TRAINEES**

An individual pursuing postdoctoral training or experience in psychology shall be exempt from licensure pursuant to G.S. 90-270.4(d) if the following criteria are met:

- (1) the postdoctoral training or experience in psychology meets all the criteria set forth in 21 NCAC 54 .2009(i); and
- (2) the individual has completed all doctoral degree requirements for a program in psychology from an institution of higher education as defined in G.S. 90-270.2(5). Evidence of completion of all degree requirements shall be in the form of either an official transcript showing the date on which the degree was conferred; or a letter from the registrar, dean of graduate school, or director of graduate studies verifying

that all substantive and administrative requirements for the doctoral degree have been met without exception, and stating the date on which the doctoral degree will be awarded.

*History Note:* Authority G.S. 90-270.4(d); 90-270.9;  
Eff. September 1, 2005.

#### **21 NCAC 54 .1612 CRIMINAL HISTORY RECORD CHECK**

A licensee who is under investigation by the Board shall submit to the Board the following within 30 days of receipt of written communication from the Board or its agent that a criminal history record check is required:

- (1) signed consent form;
- (2) completed Fingerprint Record Card;
- (3) payment of fee required by the North Carolina Department of Justice to conduct a criminal history record check; and
- (4) other such form(s) or information as required by the North Carolina Department of Justice to perform a criminal history record check.

*History Note* Authority G.S. 90-270.9; 90-270.22(a);  
Eff. March 1, 2008.

### **SECTION .1700 - APPLICATION FOR LICENSURE**

#### **21 NCAC 54 .1701 INFORMATION REQUIRED**

(a) Except as provided in Paragraph (b) of this Rule and Rule .1707 of this Section, the information required for each applicant for licensure shall consist of:

- (1) typed or legibly printed, notarized application form;
- (2) application fee;
- (3) typed or legibly printed, notarized supervision contract form;
- (4) signed consent form, completed Fingerprint Record Card, and other such form(s) or information as required by the North Carolina Department of Justice to perform a criminal history record check;
- (5) payment of fee required by the North Carolina Department of Justice to conduct a criminal history record check;
- (6) official transcript(s) sent directly to the Board by any institution of higher education from which the applicant received a graduate degree or otherwise completed graduate course work in psychology;
- (7) completed supervisor forms from present and past supervisors;
- (8) three completed reference forms from professionals who are familiar with the applicant's current work, one of which is from a doctoral level psychologist;
- (9) written verification and report on the status of any occupational licensure, including dates of licensure and any disciplinary action which is pending or has been taken, sent directly to the Board from any other regulatory agency in North Carolina and any other jurisdiction in which the applicant has applied for a license, is currently licensed, or previously was licensed, if applicable;
- (10) official report of any previous score obtained on the Examination for Professional Practice in Psychology sent directly to the Board from the Association of State and Provincial Psychology Boards, if applicable; and
- (11) additional documentation regarding educational credentials described in 21 NCAC 54 .1802 and 21 NCAC 54 .1803, if applicable.

(b) The information required for each applicant applying for licensure on the basis of holding a current credential for psychology licensure mobility shall consist of:

- (1) typed or legibly printed, notarized application form;
- (2) affidavit which attests to having no unresolved complaint in any jurisdiction at the time of application in North Carolina;
- (3) application fee;
- (4) typed or legibly printed, notarized supervision contract form;
- (5) signed consent form, completed Fingerprint Record Card, and other such form(s) or information as required by the North Carolina Department of Justice to perform a criminal history record check;



- (6) payment of fee required by the North Carolina Department of Justice to conduct a criminal history record check;
- (7) official transcript sent directly to the Board by the institution of higher education from which the applicant received his or her doctoral degree in psychology; or if applicable, a copy of the transcript sent directly to the Board by either the Association of State and Provincial Psychology Boards, National Register of Health Service Providers in Psychology, or American Board of Professional Psychology;
- (8) three completed reference forms from professionals who are familiar with the applicant's current work, one of which is from a doctoral level psychologist;
- (9) written verification and report on the status of any occupational licensure, including dates of licensure and any disciplinary action which is pending or has been taken, sent directly to the Board from any other regulatory agency in North Carolina and any other jurisdiction in which the applicant has applied for a license, is currently licensed, or previously was licensed;
- (10) written verification sent directly to the Board from the applicable organization(s) that the applicant holds a current credential in good standing for psychology licensure mobility, as follows:
  - (A) Certificate of Professional Qualification (CPQ) from the Association of State and Provincial Psychology Boards;
  - (B) registrant in the National Register of Health Service Providers in Psychology; or
  - (C) diplomate of the American Board of Professional Psychology; and
- (11) documentation of meeting requirements for health services provider certification as specified in Section .2700 of this Chapter, if applicable.

(c) An application shall contain all required materials to be complete. An incomplete application shall be active for three months from the date on which the application is received in the Board office. At the end of such time, if still incomplete, the application shall be void, and the applicant shall be deemed to have discontinued the application process. If the individual chooses to pursue licensure at a later date, the individual shall totally reapply.

(d) To be considered to have made application pursuant to G.S. 90-270.5(a), the information specified in Subparagraphs (a)(1) through (a)(5) of this Rule, or Subparagraphs (b)(1) through (b)(6) of this Rule if applying on the basis of a mobility credential, shall be filed in the Board office within 30 days of offering to practice or undertaking the practice of psychology in North Carolina.

*History Note:* Authority G.S. 90-270.4(h); 90-270.5(a); 90-270.9; 90-270.11(a),(b); 90-270.13(a) (b); 90-270.15; 90-270.22(a);  
 Eff. September 1, 1982;  
 Amended Eff. March 1, 2008; September 1, 2005; January 1, 1996; November 1, 1991; March 1, 1989;  
 June 1, 1988.

## **21 NCAC 54 .1702 FOREIGN DEGREE APPLICATION POLICY**

(a) Applicants applying for licensure on the basis of a foreign degree shall provide documentation, in addition to the information required in 21 NCAC 54 .1701, which establishes the following:

- (1) the existence of the degree granting institution;
- (2) the authenticity of the degree, transcripts, and any supporting documents;
- (3) the equivalence of the degree in terms of level of training, content of curriculum, and course credits; and
- (4) the equivalence of any supervised experience obtained in the foreign country.

Documentation shall be in the form of a course-by-course evaluation of credentials submitted directly to the Board from an evaluation service that is a member of the National Association of Credentials Evaluation Services, Inc.

(b) Except as described in Paragraph (c) of this Rule, only official documents shall be submitted in support of the application and shall be received directly from the institution(s) or individual(s) involved.

(c) When an official document cannot be provided directly by the institution or individual involved, an original document possessed by the applicant may be reviewed and copied by a Board member or designee.

(d) Any document which is in a language other than English shall be accompanied by a translation with notarized verification of the translation's accuracy and completeness. This translation shall be completed by an individual, other than the applicant, who is approved by the Board and demonstrates no conflict of interest. Such individuals include college or university language faculty, a translation service, or an American consul.

(e) An applicant's references shall include individuals from member jurisdictions of the Association of State and Provincial Psychology Boards, including a doctoral level psychologist familiar with the applicant's professional practice of psychology.

*History Note:* Authority G.S. 90-270.9; 90-270.11(c);  
Legislative Objection Lodged Eff. August 26, 1982;  
Eff. September 1, 1982;  
Curative Amended Eff. September 28, 1982;  
Amended Eff. July 1, 2008; October 1, 1995; March 1, 1989; June 1, 1988.

#### **21 NCAC 54 .1703 TEMPORARY LICENSES**

(a) To be issued a temporary license to practice psychology in North Carolina, a nonresident psychologist shall submit the following information to the Board at least 10 working days prior to the psychologist engaging in the practice of psychology in North Carolina:

- (1) typed, or legibly printed, notarized application form, including an affidavit that the standards under which the nonresident psychologist is licensed in another jurisdiction are substantially equivalent to or higher than the requirements of G.S. 90-270.1 et seq.;
- (2) written statement from a jurisdiction which is a member of the Association of State and Provincial Psychology Boards that the psychologist's license is in good standing, that there is no pending disciplinary action against the license, and describing any supervision requirements under which the individual shall practice in that jurisdiction;
- (3) notarized statement showing compliance with supervision requirements specified in this Paragraph; and
- (4) temporary license fee.

Only one temporary license shall be issued to an individual in any calendar year. Supervision shall be provided at the same level as that which is required for the nonresident psychologist's practice in the jurisdiction verifying licensure in Subparagraph (a)(2) of this Rule by a North Carolina permanently Licensed Psychologist or Licensed Psychological Associate who meets the requirements of 21 NCAC 54 .2001.

(b) To be issued a temporary license to practice psychology in North Carolina, a psychologist requesting reinstatement of licensure shall submit the information listed in 21 NCAC 54 .2103. A temporary license issued under this Paragraph is valid until the applicant takes the first examination to which admitted by the Board, if applicable, and is notified of the results, and until the reinstatement fee is paid. This license shall not be issued, reissued, or extended if the applicant fails the examination, fails to appear for the examination, or fails to remit the required fees within the time period stipulated in 21 NCAC 54 .2103. A temporary licensee shall comply with supervision requirements specified in Section .2000 of this Chapter for the same level of licensure for which application for reinstatement is approved.

*History Note:* Authority G.S. 90-270.5(f),(g); 90-270.9;  
Eff. September 1, 1982;  
Amended Eff. September 1, 1996; October 1, 1991; March 1, 1989; June 1, 1988.

#### **21 NCAC 54 .1704 REVIEW PROCEDURE**

*History Note:* Authority G.S. 90-270.9; 90-270.15;  
Eff. September 1, 1982;  
Amended Eff. May 1, 1996; October 1, 1991; March 1, 1989;  
Expired Eff. November 1, 2017 pursuant to G.S. 150B-21.3A.

#### **21 NCAC 54 .1705 ISSUANCE OF LICENSE**

An applicant who has met all of the requirements for licensure as either a licensed psychologist or psychological associate is issued a certificate of licensure. This license shows the date, license number, licensee's name and academic degree upon which licensure is based, level of licensure, and the signatures of all current Board members. The official seal is affixed to each. A licensee shall display the licensure certificate in his or her principal place of employment.

*History Note:* Authority G.S. 90-270.9;  
Eff. September 1, 1982;  
Amended Eff. July 1, 1996.

#### **21 NCAC 54 .1706 REAPPLICATION**

To reapply, an applicant must again submit all information listed in 21 NCAC 54 .1701 Information Required and, if applicable, .1702 Foreign Degree Application Policy. A reapplication will be reviewed under the statutes and rules in effect on the date of reapplication.

*History Note: Authority G.S. 90-270.9; 150B-11(1);  
Eff. October 1, 1991.*

## **21 NCAC 54 .1707 SENIOR PSYCHOLOGIST**

(a) A senior psychologist is someone who has achieved longevity in the practice of psychology and has demonstrated exemplary professional behavior over the course of his/her career, as defined in this Rule.

(b) Except as provided in Paragraph (c) of this Rule, to be approved for licensure at the Licensed Psychologist level on the basis of senior psychologist status, an applicant shall hold a doctoral degree in psychology from an institution of higher education and shall meet all of the following requirements:

- (1) is licensed and has been licensed for 12 continuous years at the doctoral level by one or more other state or provincial psychology boards which are members of the Association of State and Provincial Psychology Boards, during which time, and in which jurisdiction(s), he/she has practiced psychology for a minimum of 10 years on at least a half-time (i.e., 20 hours per week) basis;
- (2) has had no disciplinary sanction during his/her period of licensure in any jurisdiction;
- (3) has no unresolved complaint in any jurisdiction at the time of application or during the pendency of application in North Carolina; and
- (4) passes the North Carolina State Examination.

(c) An applicant who received the doctoral degree prior to January 1, 1978, upon which his or her psychology licensure in another jurisdiction is based, shall hold a doctoral degree from an institution of higher education and meet all of the requirements specified in Subparagraphs (b)(1) through (b)(4) of this Rule.

(d) Except as provided in Paragraph (e) of this Rule, to be approved for licensure at the Licensed Psychological Associate level on the basis of senior psychologist status, an applicant shall hold a master's, specialist, or doctoral degree in psychology from an institution of higher education and shall meet all of the following requirements:

- (1) is licensed and has been licensed for 12 continuous years at the master's level by one or more other state or provincial psychology boards which are members of the Association of State and Provincial Psychology Boards, during which time, and in which jurisdiction(s), he/she has practiced psychology for a minimum of 10 years on at least a half-time (i.e., 20 hours per week) basis;
- (2) has had no disciplinary sanction during his/her entire period of licensure in any jurisdiction;
- (3) has no unresolved complaint in any jurisdiction at the time of application or during the pendency of application in North Carolina; and
- (4) passes the North Carolina State Examination.

(e) An applicant who received the degree prior to January 1, 1978, upon which his or her psychology licensure in another jurisdiction is based, shall hold a master's, specialist, or doctoral degree from an institution of higher education and meet all of the requirements specified in Subparagraphs (d)(1) through (d)(4) of this Rule.

(f) The information required for each applicant shall consist of:

- (1) typed or legibly printed, notarized application form, including an affidavit which attests to meeting the requirements specified in Subparagraphs (b)(1) through (b)(3) or Subparagraphs (d)(1) through (d)(3) of this Rule, as applicable;
- (2) typed or legibly printed, notarized supervision contract form;
- (3) application fee;
- (4) signed consent form, completed Fingerprint Record Card, and other such form(s) or information as required by the North Carolina Department of Justice to perform a criminal history record check;
- (5) payment of fee required by the North Carolina Department of Justice to conduct a criminal history record check;
- (6) official college transcript(s) sent directly to the Board by any training institution(s) from which the applicant received a graduate degree;
- (7) three completed reference forms from professionals who are familiar with the applicant's current work, one of which is from a doctoral level psychologist; and
- (8) written verification and report on the status of any occupational licensure, including dates of licensure and any disciplinary action which is pending or has been taken, sent directly to the Board from any other

regulatory agency in North Carolina and any other jurisdiction in which the applicant has applied for a license, is currently licensed, or previously was licensed.

(g) An application shall contain all requested materials to be complete. An incomplete application shall be active for three months from the date on which the application is received in the Board office. At the end of such time, if still incomplete, the application shall be void, and the applicant shall be deemed to have discontinued the application process. If the individual chooses to pursue licensure at a later date, the individual shall totally reapply.

(h) To be considered to have made application pursuant to G.S. 90-270.5(a), the information specified in Subparagraphs (f)(1) through (f)(5) of this Rule shall be filed in the Board office within 30 days of offering to practice or undertaking the practice of psychology in North Carolina.

*History Note:* Authority G.S. 90-270.4(h); 90-270.5(a); 90-270.9; 90-270.13(a),(e); 90-270.22(a);  
Eff. January 1, 1996;  
Amended Eff. March 1, 2008; August 1, 2006.

## SECTION .1800 - EDUCATION

### 21 NCAC 54 .1801 PRACTICING PSYCHOLOGIST REQUIREMENTS AS OF JUNE 30, 1987

*History Note:* Authority G.S. 90-270.9; 90-270.11(a)(1)c;  
Eff. September 1, 1982;  
Amended Eff. March 1, 1989; June 1, 1988;  
Repealed Eff. May 1, 1996.

### 21 NCAC 54 .1802 PSYCHOLOGICAL ASSOCIATE

(a) Licensure for the level of psychological associate requires a master's degree or specialist degree in psychology from an institution of higher education. The degree program shall meet all of the following requirements:

- (1) The program shall be identified and labeled as a psychology program; such a program shall specify in institutional catalogues its intent to educate and train students to engage in the activities which constitute the practice of psychology as defined in G.S. 90-270.2(8).
- (2) The program shall maintain authority and primary responsibility for the core and specialty areas even if the program crosses administrative lines.
- (3) The program shall have an identifiable body of students in residence at the institution who are matriculated in that program for a degree.
- (4) There shall be an identifiable full-time psychology faculty in residence at the institution, sufficient in size and breadth to carry out its responsibilities, employed by and providing instruction at the home campus of the institution.
- (5) There shall be a psychologist responsible for the student's program either as the administrative head of the program, or as the advisor, major professor, or committee chair for the individual student's program.
- (6) The program shall be an integrated, organized sequence of study in psychology as demonstrated by an identifiable curriculum track or tracks wherein course sequences and course content are described in institutional catalogues, departmental handbooks, or other institutional publications.
- (7) The program shall encompass the equivalent of a minimum of one academic year of full-time graduate study in student residence at the institution from which the degree is granted. Residence requires interaction with psychology faculty and other matriculated psychology students at the institution. One year's residency is defined as 30 semester (45 quarter or 40 trimester) hours taken on a full-time or part-time basis at the institution.
- (8) The program shall include, as listed on the transcript, internship, externship, practicum, or other supervised field experience appropriate to the area of specialty and the practice of psychology, as defined in G.S. 90-270.2(8), which shall be referred to hereinafter as supervised training experience. This supervised training experience shall meet all of the following criteria:
  - (A) It shall be a planned and directed program of training for the practice of psychology, in contrast to on-the-job training, and shall provide the trainee with a planned and directed sequence of training that is integrated with the educational program in which the student is enrolled. This supervised

training experience shall be planned by the educational program faculty and training site staff, rather than by the student.

- (B) The supervised training experience shall have a written description detailing the program of training, or a written agreement, developed prior to the time of the training, between the student's educational program and the training site, detailing the responsibilities of the student and the training site. Such an agreement shall be approved by the student's educational program prior to the beginning of the supervised training experience.
  - (C) The supervised training experience site shall have a designated and appropriately licensed or certified psychologist or psychological associate responsible for the integrity and quality of the supervised training experience.
  - (D) A student enrolled in a supervised training experience shall be designated as any of the following: an "intern," "extern," or "practicum student," or shall hold a title which indicates training status for the practice of psychology.
  - (E) The supervised training experience shall be a minimum of 12 weeks consisting of at least 500 hours of supervised training. At least 400 hours of the training shall be in the practice in psychology as defined by G.S. 90-270.2(8). Supervision for this training experience shall be provided as required by Parts (a)(8)(G) or (a)(8)(H) of this Rule.
  - (F) The supervised training experience shall be completed within a period of 12 consecutive months at not more than two training sites.
  - (G) Except as provided in Part (a)(8)(H) of this Rule, regularly scheduled individual face-to-face supervision with the specific intent of overseeing the practice of psychology shall be provided by a North Carolina licensed or certified psychologist or psychological associate or by a psychologist who is exempt from licensure, pursuant to G.S. 90-270.4(b), at a rate of not less than one hour per week during at least 12 separate weeks of the supervised training experience. The supervisor shall establish and maintain a level of supervisory contact consistent with professional standards and shall be accessible to the student.
  - (H) If completing a supervised training experience outside of North Carolina, the student shall be provided regularly scheduled individual face-to-face supervision with the specific intent of overseeing the practice of psychology by a licensed or certified psychologist or psychological associate or by an individual holding a master's, specialist, or doctoral degree in psychology, at a rate of not less than one hour per week during at least 12 separate weeks of the supervised training experience. The supervisor shall establish and maintain a level of supervisory contact consistent with professional standards and shall be accessible to the student. Proof of the supervisor's license or degree program, as applicable, may be required by the Board to establish the supervisor's training in psychology.
- (9) Except as provided in Paragraph (b) of this Rule, the program of study shall include a minimum of 45 semester (68 quarter or 60 trimester) hours of graduate study in standard psychology courses, including courses drawn from academic psychology (e.g., social, experimental, physiological, developmental, history and systems), statistics and research design, scientific and professional ethics and standards, and a specialty area. Of the required 45 semester (68 quarter or 60 trimester) program hours, not more than 6 semester (9 quarter or 8 trimester) hours shall be credited for internship/practicum and not more than 6 semester (9 quarter or 8 trimester) hours shall be credited for thesis/dissertation. No credit shall be allowed for audited courses or courses taken at an institution which does not meet the definition of an "institution of higher education" as defined by G.S. 90-270.2(5).

(b) If an individual's degree program did not include a minimum of 45 semester (68 quarter or 60 trimester) hours of course content, as defined in Subparagraph (a)(9) of this Rule, but included a minimum of 39 semester (59 quarter or 52 trimester) hours of graduate study in standard psychology courses, as specified in Subparagraph (a)(9) of this Rule, allowing not more than 6 semester (9 quarter or 8 trimester) hours for practicum/internship and 6 semester (9 quarter or 8 trimester) hours for thesis/dissertation, the individual shall be allowed to take, and must pass with a grade of "B" or above, additional graduate level course work to meet the hourly requirement specified in Subparagraph (a)(9) of this Rule. The individual shall complete specified course content, as defined by Subparagraph (a)(9) of this Rule, to meet the minimum educational requirements to apply for licensure. The aforementioned course work shall be completed at an institution of higher education, as defined by G.S. 90-270.2(5), in a graduate psychology program in the same specialty area as the degree program completed by the individual and shall be reported on an official transcript. The institution of higher education which permits a student to take additional course work shall be construed as being responsible only for the specific course work taken at that institution and

not for the student's entire course of study, unless the student's entire program was completed at that institution. No credit shall be accepted by the Board for audited courses. This additional graduate level course work shall not duplicate course work taken by the individual in his or her degree program or prior to admittance to his or her degree program and shall be completed in one or more of the following areas:

- (1) academic psychology (e.g., social, experimental, physiological, developmental, history and systems);
- (2) statistics and research design;
- (3) scientific and professional ethics and standards; or
- (4) electives offered in the course of study for the individual's specialty area (e.g., clinical psychology, counseling psychology, school psychology, or other specialty area in psychology).

(c) If an individual's degree program did not include a minimum of 39 semester (59 quarter or 52 trimester) hours in standard psychology courses, as specified in Subparagraph (a)(9) of this Rule, allowing not more than 6 semester (9 quarter or 8 trimester) hours for practicum/internship and not more than 6 semester (9 quarter or 8 trimester) hours for thesis/dissertation, the individual shall not be allowed to obtain additional hours at a post-graduate level to meet the hourly requirements in Subparagraph (a)(9) of this Rule.

(d) An individual shall not, under any circumstance following the completion of the individual's master's or specialist degree in psychology, be allowed to complete a practicum, internship, or other supervised training experience requiring the individual to practice psychology in order to meet the minimum educational requirement.

(e) An applicant whose credentials have been approved by the Board for examination at the licensed psychologist level may be issued a license as a psychological associate if the applicant fails an examination at the licensed psychologist level but passes such at the psychological associate level. To receive this license, the applicant shall make a written request to the Board for licensure at the psychological associate level within 30 days from the date on which the applicant is notified of his or her examination score

*History Note: Authority G.S. 90-270.9; 90-270.11(b);  
Eff. September 1, 1982;  
Amended Eff. August 1, 2006; July 1, 1997; October 1, 1991; August 1, 1984.*

## **21 NCAC 54 .1803 LICENSED PSYCHOLOGIST**

(a) Licensure for the level of licensed psychologist requires a doctoral degree based on a planned and directed program of studies in psychology from an institution of higher education. The applicant's doctoral program, hereinafter referred to as "program," shall be one which was accredited by the American Psychological Association or the Canadian Psychological Association at the time of the individual's graduation from the program, or one which meets all of the following requirements:

- (1) The program shall be publicly identified and labeled as a psychology program; such a program shall specify in pertinent institutional catalogues its intent to educate and train psychologists to engage in the activities which constitute the practice of psychology as defined in G.S. 90-270.2(8).
- (2) The program shall maintain authority and primary responsibility for the core and specialty areas whether or not the program crosses administrative lines.
- (3) The program shall have an identifiable body of students in residence at the institution who are matriculated in that program for a degree.
- (4) There shall be an identifiable full-time psychology faculty in residence at the institution, sufficient in size and breadth to carry out its responsibilities, employed by and providing instruction at the home campus of the institution.
- (5) There shall be a psychologist responsible for the applicant's program either as the administrative head of the program, or as the advisor, major professor, or committee chair for the individual applicant's program.
- (6) The program shall be an integrated, organized sequence of study in psychology as demonstrated by an identifiable curriculum track or tracks wherein course sequences are outlined.
- (7) The program shall encompass the equivalent of a minimum of three academic years of full-time graduate study, two years of which are at the institution from which the degree is granted, and one year of which is in residence at the institution from which the degree is granted. Residence requires interaction with psychology faculty and other matriculated psychology students. One year's residence is defined as 30 semester (45 quarter or 40 trimester) hours taken on a full-time or part-time basis at the institution.
- (8) The program shall include practicum, internship, field experiences, or laboratory training appropriate to the area of specialty and the practice of psychology; this experience shall be supervised by a psychologist.
- (9) Except as provided in Paragraph (b) of this Rule, the program of study shall include a minimum of 60 semester (90 quarter or 80 trimester) hours of graduate study in standard psychology courses, exclusive of

credits for internship/practicum and thesis/dissertation, including instruction in scientific and professional ethics and standards, research design and methodology, statistics and psychometrics, and the specialty area. No credit shall be allowed for audited courses or courses taken at an institution which does not meet the definition of an "institution of higher education" as defined by G.S. 90-270.2(5).

- (10) The program shall include demonstrated competency in the four substantive content areas identified in this Subparagraph; this shall be met through a minimum of three semester (five quarter or four trimester) hours in each of these content areas:
- (A) biological bases of behavior (e.g., physiological psychology, comparative psychology, neuropsychology, sensation and perception, psychopharmacology);
  - (B) cognitive-affective bases of behavior (e.g., cognition, memory, learning, thinking, motivation, emotion);
  - (C) social bases of behavior (e.g., social psychology, group processes, organizational and systems theory, cultural and ethnic bases, sex roles);
  - (D) individual differences (e.g., personality theory, human development, abnormal psychology, individual differences).

(b) If an individual's degree program did not include a minimum of 60 semester (90 quarter or 80 trimester) hours in standard psychology courses, as specified in Subparagraphs (a)(9) and (a)(10) of this Rule, but included a minimum of 54 semester (81 quarter or 72 trimester) hours of graduate study in standard psychology courses, as specified in Subparagraphs (a)(9) and (a)(10) of this Rule, exclusive of credits for internship/practicum and thesis/dissertation, the individual shall be allowed to take, and must pass with a grade of "B" or above, additional graduate level course work to meet the hourly requirement specified in Subparagraphs (a)(9) and (a)(10) of this Rule. The individual shall complete specified course content, as defined by Subparagraphs (a)(9) and (a)(10) of this Rule, to meet the minimum educational requirements to apply for licensure. The aforementioned course work shall be completed at an institution of higher education, as defined by G.S. 90-270.2(5), in a graduate psychology program in the same specialty area as the degree program completed by the individual and shall be reported on an official transcript. Alternately, the aforementioned course work may be completed in a formal re-specialization program in psychology, which shall be reported on an official transcript. The institution of higher education which permits a student to take additional course work shall be construed as being responsible only for the specific course work taken at that institution and not for the student's entire course of study, unless the student's entire graduate program was completed at that institution. No credit shall be accepted by the Board for audited courses. This additional graduate level course work shall not duplicate course work taken by the individual in his or her degree program or prior to admittance to his or her degree program.

(c) If an individual's degree program did not include a minimum of 54 semester (81 quarter or 72 trimester) hours of graduate study in standard psychology courses, as specified in Subparagraphs (a)(9) and (a)(10) of this Rule, exclusive of credits for internship/practicum and thesis/dissertation, the individual shall not be allowed to obtain additional hours at a post-graduate level to meet the hourly requirements in Subparagraphs (a)(9) and (a)(10).

*History Note: Authority G.S. 90-270.9; 90-270.11(a);  
Eff. June 1, 1988;  
Amended Eff. July 1, 2009; July 1, 1997; October 1, 1991; March 1, 1989.*

## **SECTION .1900 – EXAMINATION**

### **21 NCAC 54 .1901 TYPES**

(a) Qualifying Examinations. National and state examinations shall be administered. The examinations shall be taken only for licensure purposes. The applicant shall comply with deadlines and procedures established by the examination contractor and testing vendor when approved to take a computer administered examination.

- (1) National Examination. The national examination is the Examination for Professional Practice in Psychology (EPPP) which is developed by the Association of State and Provincial Psychology Boards (ASPPB). The EPPP assesses the applicant's knowledge of the subject matter of psychology and his or her understanding of professional and ethical problems in the practice of psychology. The passing point for licensed psychologist shall be a scaled score of 500, and the passing point for licensed psychological associate shall be a scaled score of 440. This examination shall not be required for an applicant who has previously taken the EPPP and whose score met the North Carolina passing point which was established for that particular administration date of the examination unless the Board determines pursuant to G.S. 90-270.15 that an individual shall be required to take and pass a current form of the EPPP. Further, this

examination shall not be required for an applicant who documents meeting requirements for licensure specified in Rule .1707 of this Chapter.

- (2) State Examination. The Board-developed state examination assesses the applicant's knowledge of the North Carolina Psychology Practice Act, selected rules of the Board covering such topics as education and supervision, and other legal requirements. The passing point for all licensees shall be set at 78% of the total scored items on the examination.

(b) Oral Examination. Upon proof that an applicant or licensee has engaged in any of the prohibited actions specified in G.S. 90-270.15(a), the Board may administer a state oral examination which assesses knowledge of the North Carolina Psychology Practice Act, selected rules of the Board covering such topics as education and supervision, and other legal requirements.

(c) Special Administrations. Candidates with documented impairments or disabilities which meet compliance requirements of the Americans with Disabilities Act of 1990 (ADA) shall be administered the EPPP and State Examination under conditions that shall minimize the effect of the impairments or disabilities on their performance. In general, those lifestyle accommodations which an individual uses to compensate for impairments or disabilities, and which have become accepted practice for the individual in his or her graduate program or since the onset of the applicant's impairment or disability, shall be considered as the most appropriate accommodation for testing. Special test administrations shall be as comparable as possible to a standard administration.

*History Note:* Authority G.S. 90-270.9; 90-270.11; 90-270.15(b);  
Eff. September 1, 1982;  
Amended Eff. September 1, 2005; April 1, 2001; October 1, 1996; March 1, 1989; January 1, 1986; July 1, 1985; August 1, 1984.

## **21 NCAC 54 .1902 REPORTING OF SCORES**

*History Note:* Authority G.S. 90-270.9;  
Eff. September 1, 1982;  
Amended Eff. October 1, 1991; January 1, 1986;  
Expired Eff. November 1, 2017 pursuant to G.S. 150B-21.3A.

## **21 NCAC 54 .1903 RETAKING**

An applicant may take the examination no more than 4 times in a 12-month period and no more frequently than every 60 days upon payment of the required fee. The 12-month period begins on the date of the letter which notifies the applicant that his or her credentials have been approved for examination by the Board. After failing the examination for the fourth time or after the passage of 12 months, whichever occurs first, an applicant must totally reapply for licensure. Except as exempt under G.S. 90-270.4, after failing the examination for the second time, an applicant shall not practice or offer to practice psychology without first becoming licensed.

*History Note:* Authority G.S. 90-250.5(b); 90-270.9;  
Eff. September 1, 1982;  
Amended Eff. April 1, 2001; October 1, 1991; March 1, 1989; July 1, 1985.

## **21 NCAC 54 .1904 FAILURE TO APPEAR**

If an applicant does not appear for an examination within four months after being approved for examination by the Board, he or she shall be deemed to have failed the examination. The four-month period begins on the date of the letter which notifies the applicant that his or her credentials have been approved for examination by the Board. The applicant shall be permitted to take the examination within the next consecutive four months without reapplying for licensure. If the applicant does not appear for an examination within the second four-month period, he or she shall be deemed to have failed the examination a second time and must reapply for licensure. Except as exempt under G.S. 90-270.4, after failing the examination for the second time, an applicant shall not practice or offer to practice psychology without first becoming licensed by the Board.

*History Note:* Authority G.S. 90-270.5(b); 90-270.9;  
Eff. September 1, 1982;  
Amended Eff. April 1, 2001; May 1, 1996; October 1, 1991; March 1, 1989; July 1, 1985.



## SECTION .2000 - SUPERVISION

### 21 NCAC 54 .2001 SUPERVISOR

(a) Except as provided in Paragraph (b) of this Rule, the following individuals shall be recognized as appropriate contract supervisors for individuals requiring supervision to practice psychology:

- (1) a licensed psychologist, permanent;
- (2) any person who was in a psychology position with the State of North Carolina on December 31, 1979, and who is still so employed, provided that such supervision is, and was on December 31, 1979, within the psychologist's regular job description and is only for activities which are part of the regular duties and responsibilities of the supervisee within his or her regular position at a State agency or department;
- (3) a doctoral level licensed psychologist who is licensed in the jurisdiction where the supervisee is practicing psychology; or
- (4) a licensed psychological associate as provided for in Rule .2005 in this Section.

(b) The Board may disapprove an otherwise qualified supervisor for the following reasons:

- (1) evidence that the supervisor is not competent or qualified to supervise the supervisee;
- (2) evidence that the supervisor has failed to adhere to legal or ethical standards;
- (3) evidence that there is a lack of congruence between the supervisor's training, experience, and area of practice and the supervisee's proposed area(s) of practice; or
- (4) evidence that the supervisor has a license against which disciplinary or remedial action has been taken.

(c) Each supervisor shall:

- (1) carefully assess his or her own ability to meet the supervisory needs of potential supervisees;
- (2) offer and provide supervision only within the supervisor's own area(s) of competence and assure that the professional expertise and experience of the supervisor shall be congruent with the practice of the supervisee;
- (3) enter into a written agreement with the supervisee on a Board adopted supervision contract form which details the supervisee's obligations as well as the supervisor's responsibilities to the supervisee;
- (4) direct the supervisee to practice psychology only within areas for which he or she shall be qualified by education, training, or supervised experience;
- (5) establish and maintain a level of supervisory contact consistent with established professional standards and be accessible to the supervisee;
- (6) direct the supervisee to keep the supervisor informed of services performed by the supervisee;
- (7) advise the Board if the supervisor has reason to believe that the supervisee is practicing in a manner which indicates that ethical or legal violations have been committed;
- (8) maintain a clear and accurate record of supervision with a supervisee which documents the following:
  - (A) dates and appointment times of each supervision session, including the length of time of each session;
  - (B) summary content of each session including treatment issues addressed, concerns identified by the supervisor and supervisee, recommendations of the supervisor, and intended outcome for recommendations of the supervisor; and
  - (C) fees charged, if any, to the supervisee for supervision; Except when prevented from doing so by circumstances beyond the supervisor's control, the supervisor shall retain securely and confidentially the records reflecting supervision with a supervisee for at least seven years from the date of the last session of supervision with a supervisee. If there are pending legal or ethical matters or if there is otherwise any other compelling circumstance, the supervisor shall retain the complete record of supervision securely and confidentially for an indefinite period of time.
- (9) report on the required form to the Board that agreed upon supervision has occurred; and
- (10) file a final supervision report within two weeks of termination of supervision.

(d) To maintain the professional nature of the supervision, a familial or strongly personal relationship shall not exist between the supervisor and supervisee, except in extraordinary circumstances, such as the lack of availability of any other qualified supervisor. In such cases, the Board shall require documentation that no other supervision is available and reference letters from colleagues commenting on the appropriateness of the proposed supervisory relationship.

*History Note: Authority G.S. 90-270.5; 90-270.9;  
Eff. September 1, 1982;  
Amended Eff. July 1, 1997; October 1, 1991; March 1, 1989.*

**21 NCAC 54 .2002 NATURE OF SUPERVISION**

(a) The nature of mandated supervision shall depend on the specific areas of practice, experience, and training germane to the area of specialty of the supervisee. This supervision shall be the process to assure that an appropriate professional standard is being applied to the solution of a client's problem, and that the laws that govern the practice of psychology and the ethics that guide that practice are understood and followed. The purpose of such Board mandated supervision shall not be for introductory training of the supervisee in additional skills, methods, or interventions, but may include enhancement and refinement of previously learned skills. Supervision shall include consideration of the following areas:

- (1) ethical, legal, and professional standards;
- (2) technical skills and competency;
- (3) supervisee's utilization of supervision; and
- (4) supervisee's ability to function independently or with reduced supervision.

(b) Each supervisee shall:

- (1) attend scheduled supervision sessions;
- (2) provide the supervisor with a disclosure of psychological services being offered or rendered by the supervisee;
- (3) cooperate with the supervisor to assure that all conditions in Paragraph (c) of Rule .2001 of this Section are met;
- (4) provide the supervisor with information necessary for the supervisor to advise the supervisee on cases giving rise to professional, ethical, and legal concerns;
- (5) notify the Board if he or she has reason to believe that the supervisor has behaved in a manner which shall indicate that the supervisor has committed an ethical or legal violation; and
- (6) file a revised supervision contract form within 30 days of a change in the conditions specified in the supervision contract form on file with the Board.

(c) The supervisee and supervisor shall determine jointly the nature and extent of notification to clients or patients of the supervisory process (e.g., clinical information may be discussed with the supervisor or the means by which the supervisor may be contacted) and which cases, issues, and techniques are appropriate and necessary for supervision. Specific supervision shall not be mandated by the Board for each person evaluated or treated, or for every treatment, evaluative technique, or professional activity undertaken. Contract supervisors shall not be required to sign or co-sign reports, treatment plans, letters, or other clinical documents for which the supervisee shall be responsible; neither shall it be necessary that such clinical documents reflect the supervisory process. Agencies shall not be precluded from requiring supervisor signatures or co-signatures.

*History Note: Authority G.S. 90-270.5; 90-270.9;  
Eff. September 1, 1982;  
Amended Eff. July 1, 1997; October 1, 1991; March 1, 1989.*

**21 NCAC 54 .2003 CONTRACTING AND REPORTING**

**21 NCAC 54 .2004 TIME REQUIREMENTS**

*History Note: Authority G.S. 90-270.2(f); 90-270.4(a2); 90-270.5(d); 90-270.9; 90-270.15(e);  
Eff. September 1, 1982;  
Amend Eff. October 1, 1991; March 1, 1989; January 1, 1986; August 1, 1984;  
Repealed Eff. July 1, 1997.*

**21 NCAC 54 .2005 ALTERNATE SUPERVISION REQUIREMENTS**

A licensed psychological associate may submit an alternate supervision plan which proposes that another licensed psychological associate be recognized as an appropriate contract supervisor. Approval by the Board shall be obtained by a licensee prior to receiving supervision under the provisions of this Rule. To be approved by the Board, the alternate supervision plan shall include the following:

- (1) documentation that the plan shall provide for superior supervision;
- (2) confirmation that the plan shall be reviewed, approved, and monitored by a licensed psychologist, permanent, who agrees to assume responsibility for the quality, suitability, and implementation of the plan throughout its duration;

- (3) confirmation that the supervising psychological associate shall not engage in reciprocal supervisory arrangements with other licensed psychological associates; and
- (4) documentation that the supervising psychological associate shall have practiced psychology on at least a half-time basis (i.e., 20 hours per week) for a minimum of 10 years and shall have had no disciplinary action sanction during his or her entire period of licensure in any jurisdiction.

*History Note:* Authority G.S. 90-270.2(f); 90-270.9;  
Eff. September 1, 1982;  
Amended Eff. July 1, 1997; January 1, 1986; August 1, 1984.

## **21 NCAC 54 .2006 PSYCHOLOGICAL ASSOCIATE ACTIVITIES**

(a) The assessment of overall personality functioning by a psychological associate requires supervision. The assessment of personality functioning involves any assessment or evaluative technique which leads to conclusions, inferences, and hypotheses regarding personality functioning. This includes:

- (1) all statements regarding personality attributes, features, traits, structure, dynamics, and pathology or assets;
- (2) the use of personality assessment techniques which include, but are not limited to, observation, interviewing, mental status examinations, word association tests, diagnostic play therapy, and autobiographical techniques; and
- (3) the use of standardized personality techniques or tests. Examples of techniques or tests include, but are not limited to, the following: Rorschach, Thematic Apperception Test, sentence completion tests, the House Tree Person, Minnesota Multiphasic Personality Inventory, the California Personality Inventory, The Millon tests, the 16PF, and all other self-report inventories and questionnaires, as well as scales and check lists completed by others. The tests identified in this Rule as requiring supervision do not constitute an exhaustive list, only the most commonly utilized measures.

Not requiring supervision are screening techniques which lead to simple descriptors of persons which may be completed by a variety of professional and non-professional observers and are interpreted by other parties.

(b) The conduct of neuropsychological evaluations by psychological associates requires supervision. Not requiring supervision are neuropsychological screenings which lead to simple behavioral descriptions rather than clinical interpretations, or the administration of rating devices which may be completed by a variety of professional and non-professional observers and are subsequently interpreted by other parties.

(c) Psychotherapy, counseling, and any other interventions with a clinical population for the purpose of preventing or eliminating symptomatic, maladaptive, or undesired behavior provided by a psychological associate require supervision. Clinical populations include persons with discernible mental, behavioral, emotional, psychological, or psychiatric disorders as evidenced by an established Axis I or Axis II diagnosis or V Code condition in the then current DSM and all persons meeting the criteria for such diagnoses. Interventions other than psychotherapy and counseling that are encompassed by this definition include, but are not limited to, psychological assessment, psychoanalysis, behavior analysis/therapy, biofeedback, and hypnosis. Supervision is required when the psychological associate is providing an intervention to persons within a clinical population, directly with the person(s) or in consultation with a third party, for the purpose of preventing or eliminating symptomatic, maladaptive, or undesired behavior. Supervision is required for the design or clinical oversight of interventions for persons within a clinical population, such as biofeedback techniques and behavior intervention programs; however, supervision is not required for the actual implementation of such interventions that were designed for others to implement, which may or may not constitute ancillary services.

(d) The use, including authorization, of intrusive, punitive, or experimental procedures, techniques, or measures by a psychological associate requires supervision. These procedures, techniques, or measures include, but are not limited to, seclusion, physical restraint, the use of protective devices for behavioral control, isolation time-out, and any utilization of punishment techniques involving aversive stimulation. Also included in this definition are any other techniques which are physically intrusive, are restrictive of human rights or freedom of movement, place the client at risk for injury, or are experimental in nature (i.e., in which the efficacy and degree of risk have not previously been clinically established).

(e) Supervision is required for a psychological associate who provides clinical supervision to other service providers who are engaged in activities which would require supervision if directly provided by the psychological associate.

*History Note:* Authority G.S. 90-270.5(e); 90-270.9;  
Eff. October 1, 1991;  
Amended Eff. October 1, 2006.

## **21 NCAC 54 .2007      APPLICANTS AND OTHER NONLICENSED INDIVIDUALS**

- (a) Except as provided for in this Rule, in 21 NCAC 54 .1610, and in 21 NCAC 54 .1703, applicants and individuals who have yet to apply shall not practice or offer to practice psychology without supervision. With the exception of those activities which are exempt from licensure as stipulated in G.S. 90-270.4, all activities comprising the practice of psychology shall be subject to review by a supervisor. A minimum of one hour per week of face-to-face individual supervision shall be required in any week in which an applicant or nonlicensed individual practices psychology. Supervision shall be provided by an individual who shall be recognized as an appropriate supervisor of licensees as defined in Rule .2001 of this Section.
- (b) An applicant or a nonlicensed individual who is not practicing or offering to practice psychology in North Carolina shall not be required to receive supervision.
- (c) An applicant shall keep a written, notarized supervision contract form on file in the Board's office at all times. A supervision contract form shall document either that supervision is required and shall be received, or that supervision is not required.
- (d) An initial written, notarized supervision contract form shall be filed along with the application form. A new supervision contract form shall be filed within 30 days of a change in the conditions specified in the supervision contract form on file with the Board and within 30 days after receiving written notification from the Board that the filing of a new form is necessary to provide for the protection of the public or the regulation of the practice of psychology.
- (e) Supervision reports shall be submitted upon termination of supervision, when there is a change in the conditions specified in the supervision contract form on file with the Board, or at any time that the supervisor has concerns regarding the supervisee's performance. Additional monitoring and reporting to the Board may be required in cases where previous evaluations or other information (e.g., reference letters, ethical complaints, etc.) suggests possible problems in the supervisee's competence or adherence to ethical standards. Additional documentation or an interview with the Board or its designated representative(s) may be required when questions arise regarding the supervisee's practice due to information supplied or omitted on supervision contract forms and reports or when required forms are not filed with the Board.
- (f) Contract and report forms shall be provided by the Board.

*History Note:      Filed as a Temporary Adoption Eff. December 1, 1993, for a period of 180 Days or until the permanent rule becomes effective, whichever is sooner;  
Authority G.S. 90-270.5(c); 90-270.9;  
Eff. April 1, 1994;  
Amended Eff. July 1, 1997.*

## **21 NCAC 54 .2008      PSYCHOLOGICAL ASSOCIATE**

- (a) Except as provided in this Rule, a Psychological Associate practicing psychology in North Carolina shall receive supervision for activities specified in G.S. 90-270.5(e) and 21 NCAC 54 .2006.
- (b) A Psychological Associate whose professional practice is limited to those activities other than those specified in G.S. 90-270.5(e) and 21 NCAC 54 .2006 as requiring supervision shall not be required to receive supervision.
- (c) A Psychological Associate who is a regular salaried employee of the State Department of Public Instruction or a local board of education, and whose professional activities are limited only to those for which he or she is employed by that agency, shall not be required to receive supervision. This exemption shall not apply to individuals who contract with the Department of Public Instruction or local boards of education for the delivery of psychological services which otherwise require supervision in the schools.
- (d) A Psychological Associate who engages in the practice of psychology in a jurisdiction other than North Carolina shall not be required to receive supervision for those services rendered in another jurisdiction so long as said services are rendered in a manner consistent with the jurisdiction's legal requirements.
- (e) A written, notarized supervision contract form shall be filed within 30 days of a change in the conditions specified in the supervision contract form on file with the Board and within 30 days after receiving written notification from the Board that the filing of a new form is necessary to provide for the protection of the public or the regulation of the practice of psychology. A supervision contract form shall document either that supervision is required and shall be received, or that supervision is not required. A separate supervision contract form shall be filed for each separate work setting. If receiving supervision from more than one supervisor to meet the minimum requirements, a separate supervision contract form shall be filed with each individual supervisor.
- (f) A supervisor shall report to the Board that agreed upon supervision has occurred and shall file a final report upon termination of supervision. If not receiving supervision, it shall be the responsibility of the Psychological Associate to report such to the Board. A report shall be submitted to the Board within 30 days after receiving written notification from the Board

that such is due, within 2 weeks of termination of supervision, and within 2 weeks of a change in the conditions specified in the supervision contract form on file with the Board.

(g) Additional supervision and reporting to the Board may be required in cases where previous evaluations or other information (e.g. reference letters, ethical complaints, etc.) suggests possible problems in the supervisee's competence or adherence to ethical standards. Additional documentation or an interview with the Board or its designated representative(s) may be required when questions arise regarding the supervisee's practice due to information supplied or omitted on supervision contract forms and reports or when required forms are not filed with the Board.

(h) Supervision shall be provided in individual, face-to-face, sessions which shall last no longer than 2 hours or less than 30 minutes by an individual who shall be recognized as an appropriate supervisor as defined in Rule .2001 of this Section. A Psychological Associate shall receive a minimum of one hour per month of individual supervision in any month during which he or she engages in activities requiring supervision. The rates of supervision specified in this Paragraph shall be provided for each separate work setting in which the Psychological Associate engages in the activities requiring supervision. Minimum hours of supervision required for each work setting shall not be split between more than two supervisors. The term "post-licensure" in this Paragraph shall refer to the period following issuance of a Psychological Associate license by the North Carolina Psychology Board. The term "supervised practice" in this Paragraph shall refer to activities requiring supervision as specified in G.S. 90-270.5(e) and 21 NCAC 54 .2006. Except as provided in Paragraph (g) of this Rule, minimum supervision requirements shall be as follows:

- (1) Level 1. For a Psychological Associate with less than 3 calendar years consisting of at least 4500 hours of post-licensure supervised practice, minimum supervision shall be provided as follows:

No. of hours per month engaging in activities that require supervision	No. of hours of required individual supervision per month
1 - 10	1
11 - 20	2
21 - 30	3
31 plus	4

- (2) Level 2. After a minimum of 3 calendar years consisting of at least 4500 hours of post-licensure supervised practice, minimum supervision may be provided as follows:

No. of hours per month engaging in activities that require supervision	No. of hours of required individual supervision per month
1 - 20	1
21 plus	2

To be approved by the Board for this level of supervision, a Psychological Associate shall:

- (A) make application on an application form provided by the Board;
  - (B) document that all performance ratings for the preceding 3 years and 4500 hours of post-licensure supervised practice have been average or above average;
  - (C) have received at least one calendar year of supervision from the most recent supervisor; and
  - (D) have the recommendation of the most recent supervisor for this level of supervision.
- (3) Level 3. After a minimum of 5 calendar years consisting of at least 7500 hours of post-licensure supervised practice, a minimum of 1 hour per month individual supervision may be provided to a Psychological Associate who engages in activities requiring supervision. To be approved by the Board for this level of supervision, a Psychological Associate shall:
- (A) make application on an application form provided by the Board;
  - (B) document that all performance ratings for the preceding 5 years and 7500 hours of post-licensure supervised practice have been average or above average;
  - (C) have received at least one calendar year of supervision from the most recent supervisor; and
  - (D) have the recommendation of the most recent supervisor for this level of supervision.

(i) The frequency and scope of supervision may, at the discretion of the supervising psychologist, be modified provided that the minimum rate of supervision as defined in Paragraph (h) of this Rule is provided. The supervising psychologist of record may review, approve, and monitor additional individual or group supervision to be provided to the supervisee by a Licensed

Psychological Associate, Licensed Psychologist holding a permanent or provisional license, or a professional from a related discipline. Such supervision shall not substitute for the minimum requirements specified in Paragraph (h) of this Rule.  
(j) Contract and report forms shall be provided by the Board.

*History Note: Authority G.S. 90-270.4(c); 90-270.5(e); 90-270.9;  
Eff. July 1, 1997.*

## **21 NCAC 54 .2009 LICENSED PSYCHOLOGIST**

(a) Except as provided in 21 NCAC 54 .1707, to be issued a permanent license at the Psychologist level, an applicant shall document a minimum of 2 years consisting of at least 3000 hours of supervised practice which shall meet the requirements specified in Paragraphs (i) and (j) of this Rule. A minimum of 1 calendar year consisting of at least 1500 hours of this supervised practice shall be accrued at the postdoctoral level.

(b) A psychologist who shall meet all other requirements for a permanent license except the two years of supervised experience shall be issued a provisional license at the Psychologist level and shall comply with supervision requirements specified in this Rule.

(c) If practicing psychology in North Carolina, a provisional licensee shall receive at least one hour per week of face-to-face individual supervision by an appropriate supervisor as defined in Rule .2001 of this Section until permanent status shall be approved by the Board.

(d) A provisional licensee who is not practicing psychology shall not be required to receive supervision.

(e) A provisional licensee who engages in the practice of psychology in a jurisdiction other than North Carolina shall not be required to receive supervision for those services rendered in another jurisdiction so long as said services shall be rendered in a manner consistent with the jurisdiction's legal requirements.

(f) A written, notarized supervision contract form shall be filed within 30 days of a change in the conditions specified in the supervision contract form on file with the Board and within 30 days after receiving written notification from the Board that the filing of a new form is necessary to provide for the protection of the public or the regulation of the practice of psychology. A supervision contract form shall document either that supervision is required and shall be received, or that supervision is not required. A separate supervision contract form shall be filed for each separate work setting. If receiving supervision from more than one supervisor, a separate supervision contract form shall be filed with each individual supervisor.

(g) A supervisor shall report to the Board that agreed upon supervision has occurred and shall file a final report upon termination of supervision. If not receiving supervision, it shall be the responsibility of the provisional licensee to report such to the Board. A report shall be submitted to the Board within 30 days after receiving written notification from the Board that such is due, within 2 weeks of termination of supervision, and within 2 weeks of a change in the conditions specified in the supervision contract form on file with the Board.

(h) Additional supervision and reporting to the Board may be required in cases where previous evaluations or other information (e.g. reference letters, ethical complaints, etc.) suggests possible problems in the supervisee's competence or adherence to ethical standards. Additional documentation or an interview with the Board or its designated representative(s) may be required when questions arise regarding the supervisee's practice due to information supplied or omitted on supervision contract forms and reports or when required forms are not filed with the Board.

(i) One year of supervised experience shall meet all of the following criteria for a training program in psychology:

- (1) The training shall be a planned and directed program in the practice of psychology, in contrast to "on the job" training, and shall provide the trainee with a planned, programmed sequence of training experience.
- (2) The training site shall have a written statement or brochure which describes its training program and is made available to prospective trainees.
- (3) Trainees shall be designated as "interns," fellows," or "residents," or shall hold other designation which clearly indicates training status.
- (4) The training shall be completed within a consecutive period of 24 months.
- (5) The training shall consist of at least 1500 hours of practice in psychology as defined by G.S. 90-270.2(8).
- (6) The training site shall have a minimum of two doctorally trained licensed, certified, or license eligible psychologists at the training site as supervisors who shall have ongoing contact with the trainee.
- (7) The training shall be under the direction of a licensed, certified, or license eligible doctorally trained psychologist who shall be on the staff of the training site, who shall approve and monitor the training, who shall be familiar with the training site's purposes and functions, who shall have ongoing contact with the trainee, and who shall agree to assume responsibility for the quality, suitability, and implementation of the training experience.

- (8) The training shall provide a minimum of two hours per week of individual face-to-face discussion of the trainee's practice, with the specific intent of overseeing the psychological services rendered by the trainee. Supervision may be provided in part by psychiatrists, social workers, or other related professionals qualified by the training site, but at least 50% of supervision shall be provided by licensed, certified, or license-eligible doctorally trained psychologists.
- (9) In addition to individual supervision, the training site shall provide a minimum of two hours per week of instruction which may be met by group supervision, assigned reading, seminars, and similarly constituted organized training experiences. Internships accredited by the American Psychological Association and other internships which meet all of the specified criteria in this Paragraph shall be deemed to meet the requirements in this Paragraph.
- (j) One year of supervised experience shall meet all of the following criteria:
  - (1) A minimum of one hour per week of face-to-face, individual supervision shall be provided.
  - (2) The experience shall consist of a minimum of 1 calendar year, shall include 1500 hours of practice, and shall be completed within a consecutive 4-year period.
  - (3) Supervision shall be provided for the practice of psychology as defined by G.S. 90-270.2(8).
  - (4) Supervision shall be provided by an individual who shall be recognized as an appropriate supervisor of licensees as defined in Rule .2001 of this Section.
- (k) Contract and report forms shall be provided by the Board.

*History Note:* Authority G.S. 90-270.5(d); 90-270.9;  
Eff. July 1, 1997.

## SECTION .2100 - RENEWAL

### **21 NCAC 54 .2101 LICENSE RENEWAL FORM**

- (a) The license renewal application form shall be mailed to each licensee in the fall of each even numbered year. It shall be a licensee's responsibility to renew his/her license in a timely manner, and to notify the Board if a renewal application form is not received.
- (b) The form may require the licensee to supply information including, but not limited to, the following: current addresses; area of specialty; principal setting of practice; whether or not the licensee received any formal continuing education during the past year; report on all supervision contract forms on file with the Board.
- (c) Failure of a postal service to deliver the renewal application properly, or failure of a licensee to submit all required information on the appropriate form by any established statutory deadline, shall not excuse the late fee or prevent license suspension.

*History Note:* Authority G.S. 90-270.9; 90-270.14;  
Eff. September 1, 1982;  
Amended Eff. May 1, 1996; October 1, 1991; August 1, 1984.

### **21 NCAC 54 .2102 SECOND NOTICE**

After the renewal date has passed, a second notice is sent to each delinquent licensee, advising that the renewal fee with the late fee is due and that non-payment of these fees will result in the automatic suspension of the license.

*History Note:* Authority G.S. 90-270.9; 90-270.14(1); 90-270.15(b); 150B-11(1);  
Eff. September 1, 1982.

### **21 NCAC 54 .2103 REINSTATEMENT**

- (a) The information required for each applicant requesting reinstatement of licensure within 30 days after a license has been suspended due to non-renewal shall consist of:
  - (1) completed renewal application form;

- (2) documentation of having completed a minimum of 18 continuing education hours as specified in Rule .2104 of this Section during the two years preceding the date of application for reinstatement of licensure;
- (3) completed supervision report form, if applicable; and
- (4) payment of the renewal and reinstatement fees.

The information listed in this Paragraph shall be filed in the Board office within 30 days after a license has been suspended due to non-renewal.

(b) The information required for each applicant requesting reinstatement of licensure after a license has been suspended for more than 30 days due to non-renewal or after a license has been voluntarily relinquished with the Board's consent shall consist of:

- (1) typed or legibly printed, notarized application form and supervision contract form;
- (2) signed consent form, completed Fingerprint Record Card, and other such form(s) or information as required by the North Carolina Department of Justice to perform a criminal history record check;
- (3) payment of fee required by the North Carolina Department of Justice to perform a criminal history record check;
- (4) documentation of having completed a minimum of 18 continuing education hours as specified in Rule .2104 of this Section during the two years preceding the date of application for reinstatement of licensure;
- (5) completed information forms from present and past supervisors;
- (6) three completed reference forms from professionals who are familiar with the applicant's current work, one of which shall be from a doctoral level psychologist;
- (7) written verification and report on the status of any occupational licensure, including dates of licensure and any disciplinary action which is pending or has been taken, sent directly to the Board from any other regulatory agency in North Carolina and any other jurisdiction in which the applicant has applied for a license, is currently licensed, or previously was licensed, if applicable;
- (8) official graduate college transcripts, not on file in the Board's office, sent directly to the Board by the training institution(s); and
- (9) payment of the renewal and reinstatement fees within 30 days after receiving notification from the Board that reinstatement of licensure has been approved.

(c) An application shall contain all requested materials to be complete. An incomplete application shall be active for three months from the date of application. At the end of such time, if still incomplete, the application shall be void, and the applicant shall be deemed to have discontinued the application process. If the individual chooses to pursue licensure at a later date, the individual shall totally reapply.

(d) To be considered to have made application for reinstatement of licensure pursuant to G.S. 90-270.5(a), the information specified in Subparagraphs (b)(1) through (b)(4) of this Rule shall be filed in the Board office within 30 days of offering to practice or undertaking the practice of psychology in North Carolina.

(e) Reexamination may be required for reinstatement.

*History Note: Authority G.S. 90-270.9; 90-270.14(a)(2); 90-270.15(f),(h); 90-270.22(a); Eff. August 1, 1984; Amended Eff. March 1, 2008; May 1, 1996; November 1, 1991; March 1, 1989.*

## **21 NCAC 54 .2104 CONTINUING EDUCATION**

(a) The purpose of continuing education is to provide for the continuing professional education of all psychologists licensed by the North Carolina Psychology Board consistent with the purpose of the Board which is to protect the public from the practice of psychology by unqualified persons and from unprofessional conduct by persons licensed to practice psychology.

(b) Compliance with this Rule shall be a condition for license renewal. A license shall be suspended automatically by operation of law in accordance with G.S. 90-270.15(f) if a licensee fails to meet continuing education requirements specified in this Rule. This Rule shall apply to all individuals licensed by the North Carolina Psychology Board who choose to renew their licenses in North Carolina. Licensees who would otherwise be exempt from licensure, e.g., not practicing psychology in North Carolina, may relinquish their licenses if they do not wish to comply with the requirements specified in this Rule.

(c) A continuing education hour is defined as one hour of instructional or contact time.

(d) Category A requirements shall be met through attendance at formally organized courses, seminars, workshops, symposiums, and postdoctoral institutes; or through completion of on-line or correspondence courses. Programs shall relate to topics listed in Paragraph (g) of this Rule; be identified as offering continuing education for psychologists; and be sponsored or co-sponsored by the North Carolina Psychology Board, by the American Psychological Association, by



American Psychological Association approved sponsors, or by North Carolina Area Health Education Centers. Contact hours shall be specified by the sponsor.

(e) Category B requirements shall be met through attendance at colloquia, presentations of invited speakers, grand rounds, and in-house seminars; attendance at programs offered at meetings of professional or scientific organizations which are not approved for Category A credit; participation in formally organized study groups or journal clubs; and self study (e.g., reading articles or books for professional growth or in preparation for publishing, teaching, or making a presentation). One continuing education hour shall be credited for each hour of participation in Category B activities.

(f) A licensee shall complete a minimum of 18 continuing education hours in each biennial renewal period which begins on the first day of October in each even numbered year. Continuing education hours shall not carry over from one renewal period to the next. At least nine continuing education hours shall be in Category A activities which shall include a minimum of three continuing education hours in the area of ethical and legal issues in the professional practice of psychology.

(g) Topics for Category A and Category B requirements shall fall within the following areas:

- (1) ethical and legal issues in the professional practice of psychology, and
- (2) the maintenance and upgrading of professional skills and competencies within the psychologist's scope of practice. This includes, but is not limited to, training in empirically supported treatments, the application of research to practice, and training in best practice standards and guidelines.

(h) Continuing education hours shall not be allowed for the following activities:

- (1) business meetings or presentations, professional committee meetings, and meetings or presentations concerned with the management of a professional practice;
- (2) membership, office in, or participation on boards and committees of professional organizations;
- (3) research;
- (4) teaching, presentations, and publication, except as allowed as self study in preparation for these activities as provided under Paragraph (e) of this Rule; and
- (5) personal psychotherapy or personal growth experience.

(i) An individual licensed on or before October 1, 2002, shall attest on the license renewal application for the 2004-2006 biennial renewal period, and on each subsequent biennial renewal application, to having met the mandatory continuing education requirements specified in this Rule during the two years preceding the October 1st renewal date. An individual licensed after October 1, 2002, shall attest on the second license renewal application following licensure, and on each subsequent biennial renewal application, to having met the mandatory continuing education requirements specified in this Rule during the two years preceding the October 1st renewal date.

(j) An applicant for reinstatement of licensure shall document that he or she has completed a minimum of 18 continuing education hours as specified in this Rule within the two years preceding the date of application for reinstatement of licensure and shall attest on each subsequent biennial renewal application to having met the mandatory continuing education requirements specified in this Rule.

(k) For Category A, a licensee shall maintain certificates from Category A programs and written documentation of the following for a minimum of seven years:

- (1) date of program;
- (2) number of contact hours;
- (3) name of sponsor of program;
- (4) title of program; and
- (5) location of program.

(l) For Category B, a licensee shall maintain applicable written documentation of the following for Category B activities consistent with this Rule for a minimum of seven years:

- (1) date of program or activity;
- (2) number of instructional or contact hours as defined in Paragraphs (d) and (e) of this Rule;
- (3) description of activity;
- (4) name of presenter, facilitator, or leader;
- (5) name of sponsor;
- (6) location;
- (7) full citation of article; and
- (8) summary of content.

The nature of the Category B activity determines the applicable documentation. For example, name of presenter, facilitator, or leader; name of sponsor; and location are not required when a licensee documents reading a journal article.

(m) A licensee shall provide certificates, documentation, and a signed attestation form designed by the Board within 30 days after receiving written notification from the Board that proof of completion of continuing education hours is required. The

Board may randomly verify the documentation of required continuing education hours for a percentage of licensees and may do so during the investigation of any complaints. A licensee shall not submit documentation of continuing education obtained unless directed to do so by the Board. The Board shall not serve as a depository for continuing education materials prior to its directing that documentation must be submitted.

*History Note:* Authority G.S. 90-270.9; 90-270.14(a)(2);  
Eff. August 1, 2002;  
Amended Eff. July 1, 2003.

## **SECTION .2200 - PROFESSIONAL CORPORATION**

### **21 NCAC 54 .2201 CORPORATE NAME**

*History Note:* Authority G.S. 55B-5; 55B-14; 90-270.9;  
Eff. September 1, 1982;  
Amended Eff. March 1, 1989; January 1, 1986;  
Repealed Eff. September 1, 1996.

### **21 NCAC 54 .2202 CERTIFICATE OF REGISTRATION**

The information required for an applicant to obtain a certificate of registration for a professional corporation or professional limited liability company organized to render professional psychological services shall consist of:

- (1) typed, or legibly printed, notarized application form;
- (2) registration fee; and
- (3) certified copy by the Secretary of State of the Articles of Incorporation or Articles of Organization. The certificate of registration shall remain effective until January 1 following the date of such registration.

*History Note:* Authority G.S. 55B-10; 57C-2-01(c); 90-270.9;  
Eff. September 1, 1982;  
Amended Eff. July 1, 1996; March 1, 1989; January 1, 1986.

### **21 NCAC 54 .2203 RENEWAL OF CERTIFICATE OF REGISTRATION**

An application for renewal shall be sent to each registered professional corporation and professional limited liability company prior to January 1. The Board shall renew the certificate of registration upon receipt of the completed written application of the holder and the renewal fee.

*History Note:* Authority G.S. 55B-11; 57C-2-01(c); 90-270.9;  
Eff. September 1, 1982;  
Amended Eff. July 1, 1996.

### **21 NCAC 54 .2204 SUSPENSION OR REVOCATION OF CERTIFICATE OF REGISTRATION**

*History Note:* Authority G.S. 55B-13; 90-270.9;  
Eff. September 1, 1982;  
Amended Eff. March 1, 1989;  
Repealed Eff. May 1, 1996.

## **SECTION .2300 - ADMINISTRATIVE HEARING PROCEDURES**

### **21 NCAC 54 .2301 RIGHT TO HEARING**

When the Board proposes to suspend or revoke a license, or at any other time when it deems a hearing legally required, it shall give notice to the person(s) affected of the right to an administrative hearing. Such person may assert his right to a hearing by mailing or delivering to the Board a written request for a hearing.

*History Note:* Authority G.S. 90-270.9; 150B-3(b); 150B-38;  
Eff. August 1, 1984;  
Amended Eff. March 1, 1989; September 1, 1988; January 1, 1986.

#### **21 NCAC 54 .2302 REQUEST FOR HEARING**

- (a) Any time an individual believes his rights, duties, or privileges have been affected by the Board's administrative action, but has not received notice of a right to an administrative hearing, that individual may file a formal request for a hearing.
- (b) Without waiving any right to a formal hearing, an individual may first seek to resolve the issue informally with the Board.
- (c) To request an administrative hearing, the individual should submit a request to the Board. That request should contain the following information:
  - (1) name and address of the petitioner;
  - (2) a concise statement of the action taken by the Board which is challenged;
  - (3) a concise statement of the way in which the petitioner has been aggrieved; and
  - (4) a clear and specific statement of request for a hearing.
- (d) A request for a hearing will be acknowledged promptly.

*History Note:* Authority G.S. 90-270.9; 150B-38;  
Eff. August 1, 1984;  
Amended Eff. March 1, 1989.

#### **21 NCAC 54 .2303 GRANTING OR DENYING HEARING REQUESTS**

- (a) The Board will decide whether to grant a request for a hearing at its next regularly scheduled meeting following receipt of the request.
- (b) A denial of a request for a hearing will be issued promptly following a decision. Such denial shall contain a statement of the reasons leading the Board to deny the request.
- (c) Approval of a request for a hearing will be signified by the issuing of a notice as required by G.S. 150B-38 and explained in Rule .2304 of this Section.

*History Note:* Authority G.S. 90-270.9; 150B-38;  
Eff. August 1, 1984;  
Amended Eff. August 1, 1987; January 1, 1986.

#### **21 NCAC 54 .2304 NOTICE OF HEARING**

In addition to the items specified in G.S. 150B-38(b) to be included in the notice, notices of administrative hearings of the Board of Examiners of Practicing Psychologists:

- (1) shall give the name, position, address, and telephone number of a member, employee, or agent of the Board to contact for further information or discussion;
- (2) may give notice of the date and place for a prehearing conference, if any;
- (3) shall inform the party or parties, other than the Board, of the right to file a written response to the allegations in the notice of hearing no later than ten days prior to any scheduled hearing date or within such other time as may be set out in the notice; and
- (4) may include any other information deemed relevant to informing the party or parties as to the procedure of the hearing.

*History Note:* Authority G.S. 90-270.9; 150B-38;  
Eff. August 1, 1984;  
Amended Eff. March 1, 1989; September 1, 1988; August 1, 1987; January 1, 1986.

#### **21 NCAC 54 .2305 WHO SHALL HEAR CONTESTED CASES**

All administrative hearings will normally be heard by the Board.

*History Note:* Authority G.S. 90-270.9; 150B-40(b); 150B-40(e);  
Eff. August 1, 1984;  
Amended Eff. January 1, 1986.

**21 NCAC 54 .2306 PETITION FOR INTERVENTION**

*History Note:* Authority G.S. 90-270.9; 150B-38(f);  
Eff. August 1, 1984;  
Repealed Eff. March 1, 1989.

**21 NCAC 54 .2307 TYPES OF INTERVENTION**

*History Note:* Authority G.S. 1A-1, Rule 24; 90-270.9; 150B-38(f);  
Eff. August 1, 1984;  
Expired Eff. November 1, 2017 pursuant to G.S. 150B-21.3A.

**21 NCAC 54 .2308 DISQUALIFICATION OF BOARD MEMBER**

(a) Self-Disqualification of Board Member. If for any reason a Board member determines that personal bias or other factors render him unable to conduct or participate in the hearing and perform all duties in an impartial manner, he shall submit, in writing, to the Board, his disqualification and the reasons.

(b) Petition for Disqualification. If for any reason any party in a contested case believes that a Board member is personally biased or otherwise unable to conduct or participate in the hearing and perform all duties in an impartial manner, the party may file a sworn, notarized affidavit with the Board.

(c) Contents of Affidavit. The affidavit must state all facts the party deems relevant to the disqualification of a Board member.

(d) Timeliness of Affidavit. An affidavit of disqualification will be considered timely if filed at least 10 days before commencement of the hearing. Any other affidavit will be considered timely provided it is filed at the first opportunity after the party becomes aware of the facts which give rise to a reasonable belief that a Board member may be disqualified under this Rule.

(e) Procedure for Determining Disqualification.

- (1) The chairperson of the Board may appoint a member of the Board to investigate the allegations of the affidavit and report his findings and recommendations to the Board.
- (2) The Board, with the advice of such assistants as it deems appropriate, shall decide whether to disqualify the challenged individual.
- (3) The person whose disqualification is to be determined will not participate in the decision but will have the right to furnish information to the Board.
- (4) A record of proceedings and the reasons for decisions reached will be maintained as part of the contested case.

(f) Disqualification or withdrawal of a Board member because of personal bias or otherwise will not require the hearing to be postponed unless a quorum is not available or the Board member disqualified is the presiding officer and assignment of a new presiding officer would cause substantial prejudice to any party.

*History Note:* Authority G.S. 90-270.9; 150B-40(b);  
Eff. August 1, 1984;  
Amended Eff. March 1, 1989; January 1, 1986.

**21 NCAC 54 .2309 FAILURE TO APPEAR**

(a) Should a party fail to appear at a scheduled hearing, the Board may proceed with the hearing in the party's absence, order a continuance or recess, or dismiss the proceeding.

(b) Continuances will be granted only in compelling circumstances. Usually only one such postponement will be allowed.

(c) If a hearing is conducted or a decision is reached in an administrative hearing in the absence of a party, or if a proceeding is dismissed as to a party, that a party may file a written petition with the Board for a reopening of the case.

(d) Petitions for reopening a case will not be granted except when the petitioner can show that the reasons for his failure to appear were justifiable and unavoidable and that fairness requires reopening the case.

*History Note:* Authority G.S. 90-270.9; 150B-40(a);  
Eff. August 1, 1984;  
Amended Eff. March 1, 1989; January 1, 1986.

**21 NCAC 54 .2310 SIMPLIFICATION OF ISSUES**

*History Note:* Authority G.S. 90-270.9; 150B-40(c)(5);  
Eff. August 1, 1984;  
Amended Eff. March 1, 1989;  
Expired Eff. November 1, 2017 pursuant to G.S. 150B-21.3A.

**21 NCAC 54 .2311 SUBPOENAS**

(a) Subpoenas requiring the attendance of witnesses, or those to produce documents, evidence, or things will be issued by the member of the Board designated as presiding officer promptly following receipt of a request from a party to the case for such subpoena.

(b) Subpoenas shall be served (in any manner provided by law) as the officer issuing the subpoena shall direct and as may be appropriate to the circumstances of the case. Subpoenas shall be issued in duplicate, with a "Return of Service" form completed and returned to the presiding officer or the Board office.

(c) Any person receiving a subpoena from the Board may object thereto by filing a written objection to the subpoena with the Board at its office. Such objection must be filed within five days of receipt of the subpoena or two days prior to the date on which the subpoena provides for testimony to be taken or documents to be produced, whichever shall be sooner.

(d) Such objection will include a concise, but complete, statement of reasons why the subpoena should be revoked or modified. These reasons may include lack of relevancy of the evidence sought, lack of particularity in the description of the evidence sought, or any other reason sufficient in law for holding the subpoena invalid, such as that the evidence is privileged, that appearance or production would be so disruptive as to be unreasonable in light of the significance of the evidence sought, or other undue hardships.

(e) Any such objection to a subpoena must be served on the party who requested the subpoena simultaneously with the filing of the objection with the Board.

(f) The party who requested the subpoena, in such time as may be granted by the presiding officer, may file a written response to the objection. The written response shall be served by the requesting party on the objecting witness simultaneously with filing the response with the Board.

(g) After receipt of the objection and response thereto, if any, the Board or the presiding officer shall issue a notice to the party who requested the subpoena and the party who is challenging it, and may notify all other parties, of an open hearing, to be scheduled as soon as practicable, at which time evidence and testimony may be presented, limited to the narrow questions raised by the objection and response, if any.

(h) Promptly after the close of such hearing, the Board will rule on the challenge and issue a written decision. A copy of the decision will be issued to all parties and made a part of the record.

(i) Subpoenas shall contain: the caption of the case; the name and address of the person subpoenaed; the date, hour and location of the hearing in which the witness is commanded to appear; a particularized description of the books, papers, records or objects the witness is directed to bring with him to the hearing, if any; the identity of the party on whose application the subpoena issued; the date of issue; the manuscript signature of the presiding officer; and a "Return of Service." The "Return of Service" form, as filled out, shows the name and capacity of the person serving the subpoena, the date on which the subpoena was delivered to the person directed to make service, the date on which service was made, the person on whom service was made, the location and manner in which service was made, and the manuscript signature of the person making service.

*History Note:* Authority G.S. 90-270.9; 150B-39(c);  
Eff. August 1, 1984;  
Amended Eff. March 1, 1989; January 1, 1986.

**21 NCAC 54 .2312 FINAL DECISIONS IN ADMINISTRATIVE HEARINGS**  
**21 NCAC 54 .2313 OFFICIAL RECORD**

*History Note:* Authority G.S. 90-270.9; 150A-36; 150A-37;  
Eff. August 1, 1984;

*Repealed Eff. January 1, 1986.*

**21 NCAC 54 .2314 PRESIDING OFFICER**

Prior to designation of a presiding officer by the Board, or if the presiding officer is unavailable or disqualifies himself, the chairperson of the Board shall act as presiding officer for purposes of issuing subpoenas, ordering the production of records, responding to motions for continuances or extensions of time, controlling and ruling on issues surrounding discovery, and otherwise acting on matters arising in connection with a pending hearing.

*History Note: Authority G.S. 90-270.9; 150B-40(b),(c);  
Eff. January 1, 1986.*

**SECTION .2400 - RULEMAKING PROCEDURES**

**21 NCAC 54 .2401 PETITION FOR RULEMAKING HEARINGS**

Any person wishing to submit a petition requesting the adoption, amendment or repeal of a rule by the Board shall address a petition to the Board. The petition should include the following information:

- (1) an indication of the subject area to which the petition is directed (for example: "This is a petition to conduct rulemaking to amend Section 21 NCAC 54 .2200 pertaining to Professional Corporation");
- (2) either a draft of the proposed rule or a summary of its contents;
- (3) reasons for the proposal;
- (4) the effect on existing rules;
- (5) any data supporting the proposal;
- (6) effect of the proposed rule on existing practices in the area involved, including cost factors if available;
- (7) names of those most likely to be affected by the proposed rule, with addresses if reasonably known; and
- (8) name(s) and address(es) of petitioner(s).

*History Note: Authority G.S. 90-270.9; 150B-11(1); 150B-16;  
Eff. June 1, 1988;  
Amended Eff. March 1, 1989.*

**21 NCAC 54 .2402 DISPOSITION OF PETITION**

(a) The Board shall determine whether to grant the petitioner's request. Prior to making this determination, the Board's chairperson or his/her designee may request additional information from the petitioner(s), may contact interested persons likely to be affected by the proposed rule and request comments, or may use any other appropriate method for obtaining relevant information. The chairperson or designee shall consider all of the contents of the petition submitted plus any other information obtained by the means described herein.

(b) The chairperson or designee shall recommend to the Board either the institution of rulemaking proceedings or the denial of the petition, as the total information obtained suggests to be proper and in the public interest.

*History Note: Authority G.S. 90-270.9; 150B-16;  
Eff. June 1, 1988.*

**SECTION .2500 - RULEMAKING HEARINGS**

- 21 NCAC 54 .2501 REQUEST TO PARTICIPATE IN HEARING**
- 21 NCAC 54 .2502 BOARD RESPONSE TO THE REQUEST TO PARTICIPATE**
- 21 NCAC 54 .2503 PRESENTATION OF ORAL COMMENT**
- 21 NCAC 54 .2504 WRITTEN SUBMISSIONS**
- 21 NCAC 54 .2505 POWERS AND DUTIES OF THE PRESIDING OFFICER**

*History Note: Authority G.S. 90-270.9; 150B-11(1); 150B-12;  
Eff. June 1, 1988;  
Amended Eff. March 1, 1989;  
Expired Eff. November 1, 2017 pursuant to G.S. 150B-21.3A.*

## SECTION .2600 - DECLARATORY RULINGS

### 21 NCAC 54 .2601 REQUEST FOR DECLARATORY RULING

(a) All requests for declaratory rulings shall be written and mailed to the North Carolina State Board of Examiners of Practicing Psychologists at the address shown in Rule .1602 of this Chapter.

(b) Each Request for Declaratory Ruling must include the following information:

- (1) name and address of the persons requesting the ruling;
- (2) the statute or rule to which the request relates;
- (3) a concise statement of the manner in which the requesting person is aggrieved by the rule or statute or its potential application to him/her; and
- (4) a statement whether an oral hearing is desired and, if so, the reason therefor.

*History Note:* Authority G.S. 90-270.9; 150B-11(1); 150B-17;  
Eff. June 1, 1988.

### 21 NCAC 54 .2602 DISPOSITION OF REQUEST

*History Note:* Authority G.S. 90-270.9; 150B-11(1); 150B-17;  
Eff. September 1, 1988;  
Amended Eff. March 1, 1989;  
Expired Eff. November 1, 2017 pursuant to G.S. 150B-21.3A.

## SECTION .2700 - HEALTH SERVICES PROVIDER CERTIFICATION

### 21 NCAC 54 .2701 ACTIVITIES

(a) Health services in psychology include services provided directly to clients/patients or groups of clients/patients. Such services include the following:

- (1) the diagnosis, evaluation, treatment, remediation, and prevention of:
  - (A) mental, emotional, and behavioral disorder;
  - (B) substance abuse and dependency; and
  - (C) psychological aspects of physical illness, accident, injury, and disability.
- (2) psychotherapy, counseling, psychoeducational, and neuropsychological services related to services described in Subparagraph (a)(1) of this Rule;
- (3) psychological assessment and report writing, including scoring of test protocols;
- (4) documentation of services provided to clients/patients (e.g., progress or process notes, clinical entries in records);
- (5) collateral contacts by a psychologist with family members, caretakers, and other individuals for the purpose of benefiting a client/patient of that psychologist; and
- (6) consultation with other professionals in service to the psychologist's clients/patients.

(b) Health services in psychology do not include the following:

- (1) supervision of other professionals who provide health services to clients/patients;
- (2) psychoeducational instruction to individuals who are not identified clients/patients of the psychologist providing such instruction;
- (3) career counseling, to include assessment of interests and aptitudes;
- (4) vocational and educational guidance;
- (5) the teaching of psychology;
- (6) the conduct of psychological research and the provision of psychological services or consultations to organizations or institutions, except when such activities involve the delivery of direct health services to individuals or groups of individuals who are themselves the intended beneficiaries of such services; or
- (7) administrative tasks associated with the delivery of health services, (e.g., billing and insurance communications).

*History Note:* Authority G.S. 90-270.2(4); 90-270.2(8); 90-270.9;

*Temporary Adoption Eff. April 20, 1994 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;*  
*Eff. July 1, 1994;*  
*Amended Eff. July 1, 2009.*

**21 NCAC 54 .2702            REQUIREMENTS BEFORE JUNE 30, 1994**

*History Note:    Temporary Adoption Eff. April 20, 1994 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;*  
*Authority G.S. 90-270.9; 90-270.20(e)(f);*  
*Temporary Adoption Expired Eff. July 1, 1994.*

**21 NCAC 54 .2703            DISPLAY OF CERTIFICATE**

A health services provider certificate shall be displayed in close proximity to a licensee's licensure certificate in his/her principal place of employment and in a place that is visible to the licensee's served clientele.

*History Note:    Authority G.S. 90-270.9; 90-270.20;*  
*Eff. July 1, 1994.*

**21 NCAC 54 .2704            HSP-P REQUIREMENTS**

(a) To be certified as a health services provider psychologist (HSP-P), a licensed psychologist holding permanent North Carolina licensure shall be qualified by education as defined in Paragraph (b) of this Rule and shall have completed two years of supervised experience, of which at least one year shall be post-doctoral. These two years of experience shall meet the criteria specified in Paragraphs (c) and (d) of this Rule, or in Paragraph (e) of this Rule. An applicant shall submit a completed, notarized application form and provide documentation of meeting health services provider requirements.

(b) An applicant shall demonstrate that he/she is qualified by education to provide health services by meeting one of the following criteria:

- (1) is currently approved for listing, or is currently listed, in the National Register of Health Service Providers in Psychology;
- (2) is a diplomat in good standing of the American Board of Professional Psychology in a health services specialty area;
- (3) is a graduate from a doctoral program which was accredited at the time of the applicant's graduation by the American Psychological Association in Clinical Psychology, Counseling Psychology, School Psychology, or Combined Professional-Scientific Psychology; or
- (4) has an academic foundation in the provision of health services as defined in Rule .2701(a) of this Section which meets the following requirements:
  - (A) The applicant's doctoral program, or formal postdoctoral program of re-specialization, in psychology shall be an organized training program which has established a clear intent, through the structure of the program and in institutional publications, to train individuals to provide health services in psychology as defined in G.S. 90-270.2(4) and Rule .2701(a) of this Section.
  - (B) Within the applicant's doctoral training program, or formal postdoctoral program of re-specialization, in health services in psychology, course work shall have been completed in the areas of assessment, diagnosis, intervention, and psychopathology. The applicant shall further establish that he or she has completed relevant course work that has provided training in diagnosis, evaluation, treatment, remediation, or prevention of one or more of the following areas:
    - (i) mental, emotional, and behavioral disorder, disability, and illness;
    - (ii) substance abuse;
    - (iii) habit and conduct disorder; or
    - (iv) psychological aspects of physical illness, accident, injury, and disability.
  - (C) Pursuant to final Board approval, an applicant shall be considered to have been trained in the provision of health services in psychology if the applicant establishes that requirements set forth in Parts (b)(4)(A) and (b)(4)(B) of this Rule have been met through a doctoral program, or formal postdoctoral program of re-specialization, in any one of the following areas of specialization in psychology: applied behavior analysis in psychology, applied developmental psychology, clinical psychology, counseling psychology, rehabilitation psychology, or school psychology.



- (D) An applicant who holds a doctoral degree in psychology, who applies for licensure as a Licensed Psychologist, and who holds a master's or specialist degree in psychology that provides training in the provision of health services shall not be eligible for HSP-P certification if the applicant's doctoral program, or formal postdoctoral re-specialization program, in psychology does not also provide training in the provision of health services as set forth in Parts (b)(4)(A) and (b)(4)(B) of this Rule. If the applicant has a doctoral degree in an area of psychology that does not provide training in the provision of health services, that applicant shall not be eligible for HSP-P certification even if the applicant establishes that course work in the areas listed in Part (b)(4)(B) was completed or if the applicant has completed an applied training experience (i.e., practicum, internship, residency, postdoctoral fellowship, etc.) in the provision of health services without having completed a planned and directed doctoral or formal postdoctoral training program in health services in psychology.
- (E) An applicant who has completed a doctoral program that establishes in institutional publications an intent to train individuals for careers in administration, research, teaching, academia, and other areas not involving training in the provision of health services in psychology shall not be considered to have been provided an academic foundation in the provision of health services and shall not be approved for HSP-P certification.
- (F) Only that course work taken at an institution of higher education as defined in G.S. 90-270.2(5) shall be considered by the Board to establish that an applicant has an academic foundation in the provision of health services.

(c) Except as provided in Paragraph (e) of this Rule, an applicant shall demonstrate one year of supervised experience which meets the following requirements for an organized health services training program:

- (1) The training shall be a planned and directed program in the provision of health services, in contrast to "on the job" training, and shall provide the trainee with a planned, programmed sequence of training experience.
- (2) The training site shall have a written statement or brochure which describes its training program and is made available to prospective trainees.
- (3) Trainees shall be designated as "interns," "fellows," or "residents," or hold other designation which clearly indicates training status.
- (4) The training shall be completed within 24 months.
- (5) The training shall consist of at least 1500 hours of practice.
- (6) At least 25% of the training shall be spent in the provision of direct health services, as defined in Rule .2701(a) of this Section, to patients or clients seeking assessment or treatment.
- (7) Up to 25% of the training may be comprised of research activities.
- (8) There shall be a minimum of two doctorally trained licensed, certified, or license eligible psychologists at the training site as supervisors who have ongoing contact with the trainee.
- (9) The training shall be under the direction of a licensed, certified, or license eligible doctorally trained psychologist who is on the staff of the training site, who approves and monitors the training, who is familiar with the training site's purposes and functions, who has ongoing contact with the trainee, and who agrees to assume responsibility for the quality, suitability, and implementation of the training experience.
- (10) The training shall provide a minimum of two hours per week of individual face-to-face discussion of the trainee's practice, with the specific intent of overseeing the health services rendered by the trainee. Supervision may be provided in part by psychiatrists, social workers, or other mental health professionals qualified by the training site, but at least 50 percent of supervision shall be provided by licensed, certified, or license-eligible doctorally trained psychologists.
- (11) In addition to individual supervision, the training site shall provide a minimum of two hours per week of instruction which may be met by group supervision, assigned reading, seminars, and similarly constituted organized training experiences.

This specified year of supervised experience may be obtained at a predoctoral level, provided that an additional year of supervised experience as defined in Paragraph (d) of this Rule is obtained at a post-doctoral level. Internships accepted for listing in the National Register of Health Service Providers in Psychology and internships accredited by the American Psychological Association in Clinical Psychology, Counseling Psychology, or School Psychology shall be deemed to meet the requirements in this Paragraph.

(d) An applicant shall demonstrate one year of supervised experience which meets the following requirements:

- (1) The experience shall consist of a minimum of one calendar year and include 1500 hours of supervised experience.
- (2) The experience shall be completed within a consecutive four-year period.
- (3) The supervision shall be for the direct provision of health services in psychology, as defined in Rule .2701(a) of this Section, by the applicant to individuals or groups of clients/patients.
- (4) At least one hour per week of formal, face-to-face, individual supervision shall have been provided, except that individual supervision provided up until January 1, 1996, may have been provided in two, two-hour sessions per month.
- (5) The supervisor shall have been an appropriately licensed or certified psychologist, whose license or certificate was in good standing, in the state where the practice occurred.
- (6) The supervisor, at the time of supervision, shall not have been in a dual relationship with the supervisee, e.g., spouse, other close relative, close personal friend, or therapist.

This specified year of supervised experience may be obtained at a predoctoral level, provided that an additional year of supervised experience as defined in Paragraph (c) of this Rule is obtained at a post-doctoral level.

(e) An applicant who holds a provisional license as a Licensed Psychologist in North Carolina on the effective date of this Rule shall not be required to have had one year of supervised experience which meets the requirements of an organized health services training program as specified in Paragraph (c) of this Rule, but shall have completed two years of supervised experience, of which at least one year shall be post-doctoral, as defined in Paragraph (d) of this Rule.

(f) An applicant who documents that he/she meets any one of the following criteria shall be deemed to meet all requirements of this Rule for certification as a health services provider psychologist (HSP-P):

- (1) is currently approved for listing, or is currently listed, in the National Register of Health Service Providers in Psychology;
- (2) is a diplomate in good standing of the American Board of Professional Psychology in Clinical Psychology, Counseling Psychology, or School Psychology;
- (3) is a graduate from a doctoral program which was accredited at the time of the applicant's graduation by the American Psychological Association in Clinical Psychology, Counseling Psychology, School Psychology, or Combined Professional-Scientific Psychology and which included an internship accredited by the American Psychological Association, and who completes a postdoctoral year of supervised experience as defined in either Paragraph (c) or (d) of this Rule;
- (4) is a graduate from a doctoral program which was fully accredited at the time of the applicant's graduation by the American Psychological Association in School Psychology and which included an internship meeting the guidelines of the Council of Directors of School Psychology Programs as documented by the program chair, and who completes a postdoctoral year of supervised experience as defined in either Paragraph (c) or (d) of this Rule;
- (5) is a graduate who received a doctoral degree prior to 1979 from a program which included course work which demonstrates an academic foundation in the provision of health services as defined in Rule .2701(a) of this Section, and which included the equivalent of a one year supervised internship in an American Psychological Association accredited program providing health services, in a Veterans Administration setting providing health services, or at a site providing health services which was specifically acceptable to the applicant's doctoral training program, and who completes a postdoctoral year of supervised experience as defined in either Paragraph (c) or (d) of this Rule; or
- (6) is approved for licensure under senior psychologist requirements specified in 21 NCAC 54 .1707 and demonstrates that at least 25 percent of his/her qualifying practice has been in the provision of direct health services, as defined in Rule .2701(a) of this Section.

(g) An applicant applying under Subparagraph (f)(1) of this Rule, and who has not yet been approved for listing in the National Register of Health Service Providers in Psychology, shall be permitted to file an affidavit verifying that he/she qualifies for listing in the Register. Upon receipt of this affidavit, the Board may issue a health services provider certificate, conditioned upon receipt of a letter from the Register within 60 days of receipt of the affidavit which confirms approval for, or listing in, the Register. An extension of the 60 days may be granted upon showing that additional time is needed for application review by the National Register of Health Service Providers.

(h) An applicant for health services provider certification who knowingly provides false or fraudulent information to the Board with respect to his/her application, or who fails to provide the notification from the National Register of Health Service Providers in Psychology where required, shall be subject to disciplinary action by the Board, including revocation of licensure and the health services provider certificate.

*History Note: Temporary Adoption Eff. December 19, 1994 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;*  
*Authority G.S. 90-270.9; 90-270.15(a)(3); 90-270.15(a)(22); 90-270.20(b);*  
*RRC Objection due to lack of statutory authority Eff. May 18, 1995;*  
*Eff. June 21, 1995;*  
*Amended Eff. August 1, 2000; August 1, 1996; January 1, 1996.*

#### **21 NCAC 54 .2705 HSP-PP REQUIREMENTS**

(a) To be certified as a health services provider psychologist (HSP-PP), a licensed psychologist holding provisional North Carolina licensure shall be qualified by education. An applicant shall submit a completed, notarized application form and provide documentation of meeting health services provider requirements.

(b) An applicant shall demonstrate that he/she is qualified by education to provide health services by meeting one of the criteria defined in Rule .2704(b) of this Section.

*History Note: Temporary Adoption Eff. December 19, 1994 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;*  
*Authority G.S. 90-270.9; 90-270.20(d);*  
*RRC Objection due to lack of statutory authority Eff. May 18, 1995;*  
*Eff. June 21, 1995;*  
*Amended Eff. January 1, 1996.*

#### **21 NCAC 54 .2706 HSP-PA REQUIREMENTS**

(a) To be certified as a health services provider psychological associate (HSP-PA), a North Carolina licensed psychological associate shall be qualified by education. An applicant shall submit a completed, notarized application form and provide documentation of meeting health services provider requirements.

(b) An applicant shall demonstrate that he/she holds a master's, specialist, or doctoral degree which provides an academic foundation in the provision of health services as defined in Rule .2701(a) of this Section and which meets the following requirements:

- (1) The master's, specialist, or doctoral program in psychology shall be an organized training program which has established a clear intent, through the structure of the program and in institutional publications, to train individuals to provide health services in psychology as defined in G.S. 90-270.2(4) and Rule .2701(a) of this Section.
- (2) Within the applicant's training program in health services in psychology, course work shall have been completed in the areas of assessment, diagnosis, intervention, and psychopathology. The applicant shall further establish that he or she has completed relevant course work that has provided training in diagnosis, evaluation, treatment, remediation, or prevention of one or more of the following areas:
  - (A) mental, emotional, and behavioral disorder, disability, and illness;
  - (B) substance abuse;
  - (C) habit and conduct disorder; or
  - (D) psychological aspects of physical illness, accident, injury, and disability.
- (3) Pursuant to final Board approval, an applicant shall be considered to have been trained in the provision of health services in psychology if the applicant establishes that requirements set forth in Subparagraphs (b)(1) and (b)(2) of this Rule have been met through a master's, specialist, or doctoral degree program in psychology in any one of the following areas of specialization in psychology: applied behavior analysis in psychology, applied developmental psychology, clinical psychology, counseling psychology, rehabilitation psychology, school psychology, health psychology, or substance abuse treatment psychology.
- (4) If the applicant is unable to establish that he or she has a master's, specialist, or doctoral degree from a program in psychology that provides training in the provision of health services, the applicant shall not be eligible for HSP-PA certification. This shall apply even if the applicant establishes that course work in the areas listed in Subparagraph (b)(2) of this Rule was completed or if the applicant has completed an applied training experience (i.e., practicum, internship, residency, postdoctoral fellowship, etc.) in the provision of health services without having completed a planned and directed training program in health services in psychology.
- (5) An applicant who has completed a program in psychology that establishes in institutional publications an intent to train individuals for careers in administration, research, teaching, academia, and other areas not

involving training in the provision of health services in psychology shall not be considered to have been provided an academic foundation in the provision of health services and shall not be approved for HSP-PA certification.

- (6) Only course work taken at an institution of higher education as defined in G.S. 90-270.2(5) shall be considered by the Board to establish that an applicant has an academic foundation in the provision of health services.
- (7) Applicants for HSP-PA who received their degrees during or after 1997 shall document that their degree program included an internship, externship, practicum, or supervised field experience at a site providing health services. This supervised training experience shall meet all of the following criteria:
  - (A) It shall be a planned and directed program of training in health services, in contrast to on-the-job training, and shall provide the trainee with a planned and directed sequence of training integrated with the educational program in which the student is enrolled. This supervised training experience shall be planned by the educational program faculty and training site staff rather than by the student.
  - (B) The supervised training experience shall have a written description detailing the program of training, or a written agreement, developed prior to the time of the training, between the student's educational program and the training site. Such an agreement shall be approved by the student's educational program prior to the beginning of the supervised training experience.
  - (C) The supervised training experience site shall have a designated and appropriately licensed or certified psychologist or psychological associate responsible for the integrity and quality of the supervised training experience.
  - (D) A student enrolled in a supervised training experience shall be designated as any of the following: an "intern," "extern," or "practicum student," or shall hold a title which indicates training status for the practice of psychology and provision of health services.
  - (E) The supervised training experience shall be a minimum of 12 weeks consisting of at least 500 hours of supervised training. At least 400 hours of the training shall be in the provision of health services as defined by G.S. 90-270.2(4) and Rule .2701(a) of this Section.
  - (F) The supervised training experience shall be completed within a period of 12 consecutive months at not more than two training sites.
  - (G) Except as provided in Part (b)(7)(H) of this Rule, regularly scheduled individual face-to-face supervision with the specific intent of overseeing the provision of health services shall be provided by a North Carolina licensed or certified psychologist or psychological associate or by a psychologist who is exempt from licensure, pursuant to G.S. 90-270.4(b), at a rate of not less than one hour per week during at least 12 separate weeks of the supervised training experience. The supervisor shall establish and maintain a level of supervisory contact consistent with professional standards and shall be accessible to the student.
  - (H) If completing a supervised training experience outside of North Carolina, the student shall be provided regularly scheduled individual face-to-face supervision with the specific intent of overseeing the provision of health services by a licensed or certified psychologist or psychological associate or by an individual holding a master's, specialist, or doctoral degree in psychology, at a rate of not less than one hour per week during at least 12 separate weeks of the supervised training experience. The supervisor shall establish and maintain a level of supervisory contact consistent with professional standards and shall be accessible to the student. Proof of the supervisor's license or degree program, as applicable, may be required by the Board to establish the supervisor's training in psychology.

(c) An applicant who is approved for licensure as a Psychological Associate under senior psychologist requirements specified in 21 NCAC 54 .1707 and demonstrates that at least 25 percent of his/her qualifying practice has been in the provision of direct health services, as defined in Rule .2701(a) of this Section, shall be deemed to meet all requirements of this Rule for certification as a health services provider psychological associate (HSP-PA).

*History Note:* Authority G.S. 90-270.9; 90-270.13(c); 90-270.20(c);  
Temporary Adoption Eff. December 19, 1994 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;  
RRC Objection due to lack of statutory authority Eff. May 18, 1995;  
Eff. June 21, 1995;

*Amended Eff. March 1, 2008; August 1, 2000; August 1, 1996; January 1, 1996.*

## **SECTION .2800 - ANCILLARY SERVICES**

### **21 NCAC 54 .2801 SCOPE**

(a) Pursuant to G.S. 90-270.21, licensed psychologists (provisional and permanent), licensed psychological associates, or temporary licensees, all of whom shall be identified as "psychologists" under G.S. 90-270.2(9), may employ or supervise unlicensed individuals to provide ancillary services. The psychologist shall, at all times, retain full professional responsibility for the quality of the services rendered and for the effects of the services upon the client, patient, or other individuals. This responsibility for the quality of services delivered by supervisees and for the welfare of the client or patient shall be no different than if the psychologist had provided the services in person. The psychologist shall have had face-to-face contact during the course of services with all patients, clients, or other recipients of services who are provided ancillary services by unlicensed persons as part of the psychologist's services.

(b) Ancillary services shall be considered to be only those activities which an individual shall engage in for the purpose of providing assistance to a psychologist in providing psychological services to patients, clients, and their families. Not included as ancillary services are those clerical and administrative services which are not directly related to assisting a psychologist in the provision of psychological services.

(c) Failure of any psychologist to train ancillary services personnel, to ensure that training has occurred, or to supervise ancillary services personnel may subject that psychologist to disciplinary action pursuant to G.S. 90-270.15(a).

(d) The Board shall have the authority to restrict or revoke a psychologist's privilege to utilize unlicensed individuals to provide ancillary services for the following reasons:

- (1) evidence that the psychologist is not competent to supervise ancillary services personnel;
- (2) evidence that the psychologist has failed to adhere to legal or ethical standards;
- (3) evidence that there is a lack of congruence between the psychologist's training, experience, and area of practice and the ancillary services personnel's area(s) of practice;
- (4) evidence that the psychologist has a license against which disciplinary or remedial action has been taken;
- (5) evidence that an unlicensed person in the psychologist's employment or under the psychologist's supervision has violated any provision of G.S. 90-270.15(a), which would otherwise apply to licensed individuals.

*History Note: Authority G.S. 90-270.9; 90-270.21;  
Eff. April 1, 2003.*

### **21 NCAC 54 .2802 TITLES**

Titles of individuals providing ancillary services shall not indicate either that these individuals are licensed or trained in psychology or that the individuals are providing services defined as the practice of psychology in G.S. 90-270.2(8). Unlicensed individuals providing ancillary services shall not use any title incorporating the words "assessment," "associate," "clinical," "counseling," "diagnostic," "evaluation," "examiner," "psychologic," "psychological," "psychologist," "psychology," or derivatives of such. Examples of titles that unlicensed individuals may use include "aide," "assistant," "behavioral," "testing," "technician," "psychometrist," or derivatives of these titles.

*History Note: Authority G.S. 90-270.9; 90-270.21;  
Eff. April 1, 2003.*

### **21 NCAC 54 .2803 EMPLOYMENT AND SUPERVISION OF UNLICENSED INDIVIDUALS**

(a) Any psychologist who employs or supervises unlicensed individuals who provide ancillary services as specified in Rule .2801 of this Section shall maintain documentation of the relationship between the psychologist and the unlicensed individual beginning with the date upon which the relationship is initiated. Written documentation that includes the responsibilities of both parties shall be maintained by the licensee. Except when prevented from doing so by circumstances beyond the psychologist's control, the psychologist shall maintain documentation of the relationship with the unlicensed individual for a minimum of seven years after the termination of the relationship and shall present the documentation to the Board upon written request. If the unlicensed individual is supervised by more than one psychologist, there shall be a psychologist appointed to have primary responsibility for the coordination of and provision of ancillary services by the unlicensed individual. The appointed psychologist shall have responsibility for clinical record keeping with regard to the ancillary services provided by the unlicensed individual. Any psychologist supervising or employing persons who provide ancillary

services shall not submit records regarding ancillary services personnel to the Board unless ordered to do so pursuant to G.S. 90-270.9.

(b) The psychologist shall be competent to render all ancillary services specified in Rule .2801 of this Section that the employee or supervisee shall render. However, supervision may be delegated to other psychologists affiliated with the employment setting whose competence in the delegated areas has been demonstrated by previous education, training, and experience.

(c) Any psychologist who employs or supervises individuals to provide ancillary services shall be accessible at all times, either on-site or through electronic communication, and shall be available to render assistance when needed to the unlicensed individual and patient or client, or shall have arranged for another psychologist to be accessible and available in the absence of the supervising psychologist. Psychologists shall meet with all unlicensed individuals whom they supervise to the extent necessary to provide supervision for the activities in which the unlicensed individual is engaged. The psychologist shall maintain documentation of supervisory sessions, including dates, appointment times, and length of time of each supervision session, for a period of at least seven years following the termination of ancillary services by ancillary services personnel.

*History Note:* Authority G.S. 90-270.9; 90-270.21;  
Eff. April 1, 2003.

#### **21 NCAC 54 .2804 QUALIFICATIONS AND TRAINING**

(a) Prior to the provision of ancillary services by an unlicensed individual, the psychologist supervising or employing the individual shall provide training in and establish that the individual has knowledge and understanding of legal and ethical requirements for maintaining confidentiality, exceptions to confidentiality including mandated reporting of suspected abuse or neglect, and professional ethics, and shall ensure that documentation is maintained in writing that the individual is trained in the aforementioned areas. Documentation of training shall include the date(s) on which training occurred, the purpose of the training, the identity of the individual(s) providing the training, and the total number of hours of training for each date on which the training occurred. Training in professional ethics shall include applicable areas of the Code of Conduct contained in the North Carolina Psychology Practice Act at G.S. 90-270.15(a). Documentation of qualifications and training that occurred prior to the effective date of this Rule shall not be required for ancillary services personnel who were employed prior to the effective date of this Rule and who continue in the same ancillary services position with the same agency or practice. Training occurring for any ancillary services personnel after the effective date of this Rule shall be documented as described in this Rule.

(b) Any psychologist supervising or employing an unlicensed individual to provide ancillary services shall provide instruction in and establish that the individual shall have received training sufficient to perform the activities delegated to the unlicensed individual, or otherwise shall ensure that documentation is maintained in writing that the individual is trained to perform the activities. The psychologist shall maintain documentation of the employee's or supervisee's training for at least seven years following the termination of ancillary services by ancillary services personnel.

(c) A psychologist shall not employ or supervise individuals to provide ancillary services who have previously been licensed or certified to practice psychology who have relinquished their licenses or certification or who have had their licenses or certification restricted, suspended, or revoked by the Board in North Carolina or any other jurisdiction.

*History Note:* Authority G.S. 90-270.9; 90-270.21;  
Eff. April 1, 2003.

#### **21 NCAC 54 .2805 SERVICES APPROPRIATE FOR ANCILLARY SERVICES PERSONNEL**

(a) Clerical functions requiring a minimum of judgment are appropriate activities in which unlicensed individuals may engage. Examples of these activities include responding to telephone inquiries, scheduling appointments, filing insurance claims, typing psychological reports, and completing data entry of test results after a patient or client has responded to such items as questionnaires, forms, etc. These activities shall be appropriate for ancillary services personnel to provide under the supervision of a psychologist. A psychologist who employs or supervises unlicensed individuals to provide only the services described in this Paragraph shall otherwise be exempt from the requirements of Rule .2803, Paragraph (a) of this Section as to these unlicensed individuals.

(b) Tasks requiring technical skills, training and judgment during execution are appropriate activities in which unlicensed individuals may engage. Examples of these activities include obtaining demographic histories; implementing biofeedback techniques; administering and scoring specific parts of psychological tests, including neuropsychological tests, which are scored on a pass/fail, multiple choice, or true/false basis, or for which scores are based on speed or quantity of performance; administering intelligence tests and other psychological tests to an individual in which the patient or client's performance may

alter the length of the protocol, require adjustment of the number of items administered, or require that a decision be made to probe a response of the patient or client provided that ancillary services personnel have been deemed by the licensee to have met the training requirements of the test publisher; and implementing specific behavioral interventions that are part of a detailed treatment plan. A psychologist may delegate such technical tasks to an unlicensed individual upon determining that the tasks can be performed, given the client or patient's characteristics and circumstances, in a manner consistent with the unlicensed individual's training and skills. A psychologist who employs or supervises unlicensed individuals to provide the services described in this Paragraph shall comply with documentation and supervision requirements specified in Rule .2803 of this Section.

(c) Pursuant to G.S. 90-270.15(a)(17), a dated entry shall be made in the patient or client's records at any time that an ancillary service is provided at the request or direction of the licensee. This requirement shall include all ancillary services provided and billed to a third party or paid by the patient or client to the licensee and all ancillary services for which there is no charge. Unlicensed individuals providing ancillary services who make clinical record entries regarding services they provide shall sign such entries and indicate their titles under Rule .2802 of this Section as providers of ancillary services. The psychologist shall ensure that case notes, financial statements, and other records of services identify whether the psychologist or the unlicensed individual was the direct provider of the service.

*History Note:* Authority G.S. 90-270.9; 90-270.21;  
Eff. April 1, 2003.

#### **21 NCAC 54 .2806 SERVICES NOT APPROPRIATE FOR UNLICENSED INDIVIDUALS**

Individuals providing ancillary services shall not engage in tasks involving judgment during the execution of those services when training in the foundation of psychology for the level of judgment is characteristically based on academic preparation at the master's, specialist, or doctoral level in psychology. Examples of these activities include administration of projective techniques; psychological evaluation report writing; and all forms of diagnostic interviewing, counseling, and psychotherapy. Psychological test results shall not, under any circumstances, be interpreted by ancillary services personnel to recipients of services or their duly designated representative(s).

*History Note:* Authority G.S. 90-270.9; 90-270.21;  
Eff. April 1, 2003.