

MINNESOTA BOARD OF PSYCHOLOGY

page 1

March 19, 1990

STATEMENT OF NEED AND REASONABLENESS

7200.0300 REQUIREMENTS FOR ADMISSION TO EXAMINATION

Because this is the first part affected by the proposed amendment relating to the concept of removing the cost of the objective part of the examination from the budget process, the need and reasonableness of the concept will be discussed here and not repeated. As each rule part affected by amendments related to the concept is encountered, the need and reasonableness of that particular amendment as it relates to the concept will be discussed.

The need for better predictability with respect to Board income and expenditures has long been recognized by the Board. State agencies are required to set their biennial budgets two years in advance of the biennium. In the past two or three years revenue and expenditures relating to examination application fees have varied extremely from one year to the next, making accurate predictions virtually impossible. Revenue varies according to the number of applicants. Expenditures vary according to the numbers of persons taking the examination. Of late the numbers taking the examination have greatly exceeded predictions, due to factors outside the control of the Board. For example, rumors in the profession that master's level applicants will no longer be licensed caused a tremendous upsurge in applicants. The Board also has no control over how many applicants pay the fee to take the examination in one fiscal year but defer taking it to the next fiscal year. That number recently has been in excess of 50. It is not difficult to see that, for these applicants, revenue comes in one year, expenditure is made in the next.

Another factor causing the upsurge was the Board's setting the passing score at 70 percent, when prior to 1987 the passing score was 60 percent. As a result, a larger number of applicants fail the examination and most of those repeat.

Because so much of the examination fee - \$135 of the \$150 fee - is the Board's cost for the examination, it can readily be seen that a difference of 100 examinees over predictions drains the Board's spending authority by \$13,500, an amount which then cannot be spent on other needs.

Removing the cost of the examination from the examination fee paid to the Board will greatly reduce the

disastrous effect a too-low prediction of examinees has on the Board's spending authority. When the proposed rules become effective, a difference of 100 examinees over prediction will not affect the Board's spending authority at all, and will increase the Board's income by only \$1500.

In actual fact, the Board has had to request a deficiency appropriation in fiscal year 1990 of \$38,000 in order to be able to pay the vendor \$10,000 which could not be paid in FY 1989 for examinations which exceeded predictions, and to be able to pay for examinations in April, 1990, because the October, 1989, examination used up the funds allotted for this purpose for the whole fiscal year. Having to defer such a large payment is embarrassing. It is also illogical when revenues could have covered the cost. Having to request a deficiency appropriation is expensive and time-consuming. All of these negative consequences can be eliminated by means of the proposed rule changes.

The concept is reasonable because the applicant is not required to pay a higher fee. The existing examination fee is split into a fee of \$15 to the Board and \$135 to the vendor. If the cost of the examination is increased by the vendor, it will have no effect on the Board's spending authority. It is also reasonable because it is a method of charging for the cost of examination which is used by other regulatory boards, such as, for example, the board of Podiatric Medicine. That Board's rules do not include any reference to the examination fee.

Paragraph A. The proposed amendment requires payment of a certified check or money order made payable to the national entity sponsoring the examination. The amendment is needed in order to be consistent with the concept explained above. Requiring a certified check or money order is reasonable because the Board needs to be assured that the sponsor/vendor can recover the cost of the examination without delays due to checks written without sufficient funds to cover.

#### 7200.1300 EDUCATIONAL REQUIREMENTS FOR LICENSURE

Subpart 4. The proposed amendment to paragraph B(1) of this subpart changes the credit requirements for core psychology courses to three quarter credits in place of the three semester or four quarter credits adopted on 7/14/89. The change is proposed as a result of requests from deans of graduate programs in schools in which trimesters or quarters are used. Trimesters are not equal to either semesters or quarters in length. The words "or their equivalent", therefore, become meaningless. Furthermore, most quarter-system courses are for three credits. The result for

students in both types of schools is that two three-credit courses would have to be completed in order to acquire four quarter credits in a core course. The proposed amendment is needed to avoid an undue academic (and financial) burden on applicants for licensure with degrees from such schools. The proposed amendment is reasonable because it does not increase the educational requirements for licensure and still maintains the core courses considered essential preparation for generic licensure. The Board recognizes that the proposed change will reduce the number of credits required for each core course for applicants from some schools, but considers it a reasonable alternative to unfairly penalizing applicants who happen to earn their degrees from quarter or trimester system schools.

The proposed amendment to paragraph B(2) changes the requirement of six semester or eight quarter credits in each applied psychology area to six quarter credits. The same need and reasonableness arguments apply to this proposed change as apply to the core course credit requirement change.

The proposed amendment to paragraph B(4)(c) provides a pro-rated amount of supervision related to the number of hours per week engaged in practical pre-degree experience required for licensure. The rule as adopted on 7/14/89 required two hours of supervision per week, regardless of the number of hours per week the student would be engaged in completing the required practical experience. The amendment is needed to avoid penalizing applicants whose practical experience would have been less than full-time with supervision of less than two hours per week. The proposed amendment is reasonable because the proposed hours of supervision bear a rational relationship to the hours per week engaged in obtaining practical experience. Under the proposed amendment, all applicants will be required to have one-half hour of supervision for every ten hours per week of practical experience, which puts all applicants on an equal footing.

#### 7200.2000 PROFESSIONAL EMPLOYMENT REQUIREMENTS

It is proposed that Paragraph C. be amended to require four hours of supervision in a two-week period instead of two hours of supervision per week, for full-time post-degree employment in preparation for licensure. The amendment is needed to cover circumstances in which some degree of irregularity in hours per week of direct supervision results from such factors as temporary absence or unavailability of the supervisor, or from the supervisor's uneven work schedule, which may permit more time to devote to direct supervision in one week than in another. Such factors are outside the control of the supervisee. They should,

therefore, not impact negatively on work experience which would otherwise meet licensure requirements. The proposed change is reasonable because the same amount of direct, formal supervision is required but in a more flexible manner.

#### 7200.2600 CREDITING PART-TIME EMPLOYMENT

The proposed amendment to this subpart parallels the proposed amendment to part 7200.2000 (above), requiring two hours of direct supervision in a two-week period for employment of less than 25 hours per week, instead of one hour per week as is required in existing rules. The need for and reasonableness of this proposed change is found in the rule part above.

#### 7200.3000 EXAMINATIONS

Subpart 1, paragraph A. The proposed amendment makes it clear that the cost of the national standardized test is determined by the national sponsor/vendor. This proposed change relates to the concept discussed with respect to part 7200.0300. The change is needed so that applicants have a clear understanding that the Board has no role in determining the cost to the applicant for taking the national examination and cannot be held responsible for any cost increase. At present the cost of the examination is hidden within the examination fee paid to the Board. Applicants have consistently expressed surprise when told that the examination costs \$135. The proposed change is reasonable because it provides information to applicants but imposes no added financial burden upon them.

Subpart 2. The proposed amendment requires the Board to include in announcements of the national tests the amounts of examination fees paid to the Board and to the test sponsor/vendor. The amendment is needed to ensure that prospective applicants are informed before they apply of the amount of each fee and that the fee paid to the sponsor/vendor is separate and distinct from the fee paid to the Board. The amendment is reasonable because it imposes no additional burden on applicants for admission to examination.

Subpart 3. The amendment provides that no deferment of the national examination will be granted and that failure to appear for the examination results in forfeiture of the fee paid to the Board. The change is needed to differentiate the national examination from the other two parts of the examination (oral and written tests covering field of practice and the Board's law and rules) with respect to deferment policy. The cost of administering both of the tests other than the national examination is included in the application for licensure fee. If there were no deferment

possible for these tests, the entire licensure fee would be forfeited (currently \$170) if the applicant could not keep the test appointment. An applicant who does not appear for the national examination forfeits only the fee paid to the Board. The fee made payable to the sponsor/vendor is returned to the applicant if the examination is not taken. Therefore, deferment is not needed, and in fact, would require the Board to keep custody of the certified checks/money orders for an extended period. The change is reasonable because the modest fee paid to the Board must cover the cost of staff time, postage, supplies, etc., whether or not the applicant takes the examination.

#### 7200.4900 CLIENT WELFARE

Subpart 10. The proposed amendment to this subpart clarifies the reporting requirements imposed on licensees regarding another licensee's sexual contact with a client or failure to report abuse of a minor or vulnerable adult. The proposed amendment does not change reporting requirements. The need for the amendment arose from the discovery during oral examinations that applicants are uniformly confused about the meaning of this rule. The proposed amendment is needed to make it clear that a psychologist has a duty to report certain rule violations to the Board under certain circumstances. The proposed amendment is also needed to make it clear that in addition to reporting another psychologist's failure to report (to authorities) abuse of a minor or vulnerable adult, the reporting psychologist must him/herself report that abuse to authorities. The proposed amendment is reasonable because it imposes no new reporting duties and spells out in clearer language the requirement to report.

#### 7200.6100 FEES

The proposed amendment adds the words "payable to the board" to the fee statement and changes the fee for application for admission to examination from existing \$150 to \$15. The remaining proposed changes merely alter the structure of the rule without altering the fees. The amendment is needed to ensure that the fee paid to the Board and the fee paid to the sponsor/vendor are clearly differentiated. It is also needed to adjust the fee paid to the Board for processing the examination application to exclude the amount paid to the sponsor/vendor. The proposed change is reasonable because no new or increased fees are imposed on any applicant or licensee.