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Sequence Number: 11-09-15
 Rule ID(s): 6069
 File Date: 11/18/15
 Effective Date: 2/16/16

Rulemaking Hearing Rule(s) Filing Form

Rulemaking Hearing Rules are rules filed after and as a result of a rulemaking hearing (Tenn. Code Ann. § 4-5-205).

Pursuant to Tenn. Code Ann. § 4-5-229, any new fee or fee increase promulgated by state agency rule shall take effect on July 1, following the expiration of the ninety (90) day period as provided in § 4-5-207. This section shall not apply to rules that implement new fees or fee increases that are promulgated as emergency rules pursuant to § 4-5-208(a) and to subsequent rules that make permanent such emergency rules, as amended during the rulemaking process. In addition, this section shall not apply to state agencies that did not, during the preceding two (2) fiscal years, collect fees in an amount sufficient to pay the cost of operating the board, commission or entity in accordance with § 4-29-121(b).

Agency/Board/Commission:	Board of Examiners in Psychology
Division:	
Contact Person:	Paetria Morgan
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Zip:	37243
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Revision Type (check all that apply):

- Amendment
 New
 Repeal

Rule(s) Revised (ALL chapters and rules contained in filing must be listed here. If needed, copy and paste additional tables to accommodate multiple chapters. Please enter only ONE Rule Number/Rule Title per row)

Chapter Number	Chapter Title
1180-01	General Rules Governing the Practice of Psychologists, Senior Psychological Examiners, Psychological Examiners, and Certified Psychological Assistants
Rule Number	Rule Title
1180-01-.03	Fees
1180-01-.08	Continuing Education

(Place substance of rules and other info here. Statutory authority must be given for each rule change. For information on formatting rules go to <http://state.tn.us/sos/rules/1360/1360.htm>)

Chapter 1180-01

General Rules Governing the Practice of Psychologists, Senior Psychological Examiners, Psychological Examiners, and Certified Psychological Assistants

Amendments

Rule 1180-01-.03 Fees is amended by deleting subparagraphs (1)(d), (1)(e), (1)(h) and (1)(i) in their entirety and substituting instead the following language, and is further amended by deleting subparagraph (1)(k) in its entirety and re-lettering the remaining subparagraphs, so that as amended, the new subparagraphs shall read:

(d)	Ethics and Jurisprudence Examination	\$100.00
(e)	Ethics and Jurisprudence Re-Examination	\$ 50.00
(h)	License Renewal (biennial)	\$225.00
(i)	Certificate Renewal (biennial)	\$ 75.00

Authority: T.C.A. §§ 63-11-104, 63-11-209, and 63-11-218.

Rule 1180-01-.08 Continuing Education is amended by deleting parts (1)(e)1, (1)(e)2, and (1)(e)3 in their entirety.

Authority: T.C.A. §§ 63-11-104 and 63-11-218.

* If a roll-call vote was necessary, the vote by the Agency on these rulemaking hearing rules was as follows:

Board Member	Aye	No	Abstain	Absent	Signature (if required)
Pamela M. Auble	X				
George Bercaw	X				
Timothy A. Urbin	X				
J Trevor Milliron	X				
Cindy Boshears				X	
Mark Loftis	X				
Janice Pazar	X				
David C. Mathis	X				
Rebecca Joslin	X				
Annette Little	X				

I certify that this is an accurate and complete copy of rulemaking hearing rules, lawfully promulgated and adopted by the Board of Examiners in Psychology (board/commission/ other authority) on 06/11/2015 (mm/dd/yyyy), and is in compliance with the provisions of T.C.A. § 4-5-222.

I further certify the following:

Notice of Rulemaking Hearing filed with the Department of State on: 03/13/15 (mm/dd/yy)

Rulemaking Hearing(s) Conducted on: (add more dates). 06/11/15 (mm/dd/yy)

Date: October 27, 2015

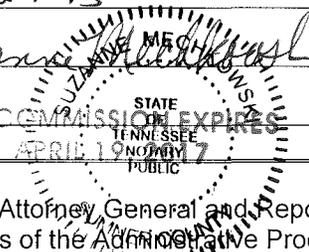
Signature: Paetria Morgan

Name of Officer: Paetria Morgan
 Assistant General Counsel
 Title of Officer: Department of Health

Subscribed and sworn to before me on: 10-27-15

Notary Public Signature: Suzanne Blackwell

My commission expires on: APRIL 19 2017



All rulemaking hearing rules provided for herein have been examined by the Attorney General and Reporter of the State of Tennessee and are approved as to legality pursuant to the provisions of the Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5.

Herbert H. Slatery III
 Herbert H. Slatery III
 Attorney General and Reporter

11-10-15
 Date

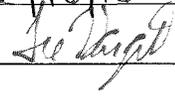
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Filed with the Department of State on: 11/18/15

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PUBLICATIONS

Effective on:

2/16/16



Tre Hargett
Secretary of State

Public Hearing Comments

One copy of a document containing responses to comments made at the public hearing must accompany the filing pursuant to T.C.A. § 4-5-222. Agencies shall include only their responses to public hearing comments, which can be summarized. No letters of inquiry from parties questioning the rule will be accepted. When no comments are received at the public hearing, the agency need only draft a memorandum stating such and include it with the Rulemaking Hearing Rule filing. Minutes of the meeting will not be accepted. Transcripts are not acceptable.

There were no public comments, either written or oral.

Regulatory Flexibility Addendum

Pursuant to T.C.A. §§ 4-5-401 through 4-5-404, prior to initiating the rule making process as described in T.C.A. § 4-5-202(a)(3) and T.C.A. § 4-5-202(a), all agencies shall conduct a review of whether a proposed rule or rule affects small businesses.

- (1) The extent to which the rule or rule may overlap, duplicate, or conflict with other federal, state, and local governmental rules.**

This rule amendment does not overlap, duplicate, or conflict with other federal, state, and local government rules.

- (2) Clarity, conciseness, and lack of ambiguity in the rule or rules.**

This rule amendment is established with clarity, conciseness, and lack of ambiguity.

- (3) The establishment of flexible compliance and/or reporting requirements for small businesses.**

This rule amendment does not establish flexible compliance and/or reporting requirements for small businesses.

- (4) The establishment of friendly schedules or deadlines for compliance and/or reporting requirements for small businesses.**

This rule amendment does not establish friendly schedules or deadlines for compliance reporting requirements for small businesses.

- (5) The consolidation or simplification of compliance or reporting requirements for small businesses.**

This rule amendment does not consolidate or simplify compliance or reporting requirements for small businesses.

- (6) The establishment of performance standards for small businesses as opposed to design or operational standards required in the proposed rule.**

This rule amendment does not establish performance standards for small businesses as opposed to design or operational standards required for the proposed rule.

- (7) The unnecessary creation of entry barriers or other effects that stifle entrepreneurial activity, curb innovation, or increase costs.**

This rule amendment does not create unnecessary barriers or other effects that stifle entrepreneurial activity, curb innovation, or increase costs.

STATEMENT OF ECONOMIC IMPACT TO SMALL BUSINESSES

Name of Board, Committee or Council: Board of Examiners in Psychology

Rulemaking hearing date: 06/11/2015

- 1. Type or types of small business and an identification and estimate of the number of small businesses subject to the proposed rule that would bear the cost of, and/or directly benefit from the proposed rule:**

These proposed rule amendments will affect all Psychologists, Senior Psychological Examiners, Psychological Examiners, and all Certified Psychological Assistants. Currently there are one thousand three hundred and sixty-seven (1,367) such licensees.

- 2. Projected reporting, recordkeeping and other administrative costs required for compliance with the proposed rule, including the type of professional skills necessary for preparation of the report or record:**

These proposed rule amendments will not affect reporting or recordkeeping and do not involve administrative costs.

- 3. Statement of the probable effect on impacted small businesses and consumers:**

The Board does not anticipate that there will be any adverse impacts to small businesses as small businesses could benefit from the fee reduction. These proposed rule amendments should not have any impact on consumers.

- 4. Description of any less burdensome, less intrusive or less costly alternative methods of achieving the purpose and/or objectives of the proposed rule that may exist, and to what extent, such alternative means might be less burdensome to small business:**

There are no less burdensome, less intrusive or less costly methods of achieving the purpose and/or objectives of the proposed rule amendments. On the contrary, these rule amendments could have a positive impact on business.

- 5. Comparison of the proposed rule with any federal or state counterparts:**

Federal: None.

State: Many boards, currently operating at a surplus, are reducing some licensure fees.

- 6. Analysis of the effect of the possible exemption of small businesses from all or any part of the requirements contained in the proposed rule.**

These proposed rule amendments do not provide exemptions for small businesses.

Impact on Local Governments

Pursuant to T.C.A. §§ 4-5-220 and 4-5-228 “any rule proposed to be promulgated shall state in a simple declarative sentence, without additional comments on the merits of the policy of the rules or regulation, whether the rule or regulation may have a projected impact on local governments.” (See Public Chapter Number 1070 (<http://state.tn.us/sos/acts/106/pub/pc1070.pdf>) of the 2010 Session of the General Assembly)

The proposed rule amendments should not have a financial impact on local governments.

Additional Information Required by Joint Government Operations Committee

All agencies, upon filing a rule, must also submit the following pursuant to T.C.A. § 4-5-226(i)(1).

- (A) A brief summary of the rule and a description of all relevant changes in previous regulations effectuated by such rule;

The amendment to rule 1180-01-.03(1)(d) reduces the Ethics and Jurisprudence Examination fee from \$200.00 to \$100.00.

The amendment to rule 1180-01-.03(1)(e) reduces the Ethics and Jurisprudence Re-examination fee from \$100.00 to \$50.00.

The amendment to rule 1180-01-.03(1)(h) reduces the License Renewal (biennial) fee from \$275.00 to \$225.00.

The amendment to rule 1180-01-.03(1)(i) reduces the Certificate Renewal (biennial) fee from \$150.00 to \$75.00.

The amendment to rule 1180-01-.03(1)(k) deletes the Endorsement Verification fee in its entirety.

The amendment to rule 1180-01-.08(1)(e) deletes all parts under subparagraph (e)

- (B) A citation to and brief description of any federal law or regulation or any state law or regulation mandating promulgation of such rule or establishing guidelines relevant thereto;

None.

- (C) Identification of persons, organizations, corporations or governmental entities most directly affected by this rule, and whether those persons, organizations, corporations or governmental entities urge adoption or rejection of this rule;

These rules will affect all Psychologists, Senior Psychological Examiners, Psychological Examiners, and all Certified Psychological Assistants. Currently there are one thousand three hundred and sixty-seven (1,367) such licensees.

- (D) Identification of any opinions of the attorney general and reporter or any judicial ruling that directly relates to the rule;

None.

- (E) An estimate of the probable increase or decrease in state and local government revenues and expenditures, if any, resulting from the promulgation of this rule, and assumptions and reasoning upon which the estimate is based. An agency shall not state that the fiscal impact is minimal if the fiscal impact is more than two percent (2%) of the agency's annual budget or five hundred thousand dollars (\$500,000), whichever is less;

These rules should not result in any increase or decrease in state or local government revenues or expenditures.

- (F) Identification of the appropriate agency representative or representatives, possessing substantial knowledge and understanding of the rule;

Paetria Morgan, Assistant General Counsel, Office of General Counsel, Department of Health.

- (G) Identification of the appropriate agency representative or representatives who will explain the rule at a scheduled meeting of the committees;

Paetria Morgan, Assistant General Counsel, Office of General Counsel, Department of Health.

(H) Office address, telephone number, and email address of the agency representative or representatives who will explain the rule at a scheduled meeting of the committees; and

Office of General Counsel, 665 Mainstream Drive, Nashville, Tennessee 37243, (615) 741-1611,
Paetria.Morgan@tn.gov.

(I) Any additional information relevant to the rule proposed for continuation that the committee requests.

None.

(Rule 1180-01-.02, continued)

- (4) Prior to the engagement of the practice of psychology in Tennessee, a person must hold a current Tennessee license, certificate, temporary license, temporary certificate, or provisional license issued pursuant to Chapter 1180-2, Chapter 1180-3, or Chapter 1180-4.
- (5) Use of Titles
 - (a) Any person who possesses a valid, unsuspended and unrevoked psychologist license issued by the Board has the right to use the title "Psychologist" and to practice psychology, as defined in T.C.A. § 63-11-203.
 - (b) Any person who possesses a valid, unsuspended and unrevoked psychological examiner or senior psychological examiner license issued by the Board has the right to use the titles "Psychological Examiner" or "Senior Psychological Examiner," as applicable, and to practice psychology, as defined in T.C.A. § 63-11-202.
 - (c) Any person who possesses a valid, unsuspended and unrevoked psychological assistant certification issued by the Board has the right to use the title "Certified Psychological Assistant" and to practice psychology under supervision as defined in Rule 1180-4-.01.
 - (d) Violation of this rule regarding use of titles shall constitute unprofessional conduct and subject the licensee or certificate holder to disciplinary action.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-1-145, 63-1-146, 63-11-104, 63-11-201, 63-11-202, 63-11-203, 63-11-205, 63-11-206, 63-11-207, 63-11-208, and 63-11-215. **Administrative History:** Original rule filed September 12, 1974; effective October 12, 1974. Repeal and new rule filed June 6, 1978; effective September 28, 1978. Repeal and new rule filed September 29, 1995; effective December 13, 1995. Repeal and new rule filed August 29, 2000; effective November 12, 2000. Amendment filed August 29, 2000; effective November 12, 2000. Amendment filed June 18, 2002; effective November 1, 2002. Amendment filed July 27, 2006; effective October 10, 2006.

1180-01-.03 FEES.

(1) Fee Schedule:	Amount
(a) Application	\$175.00
(b) Temporary License	\$100.00
(c) Provisional License	\$125.00
(d) Ethics and Jurisprudence Examination	\$200.00
<u>(d) Ethics and Jurisprudence Examination</u>	<u>\$100.00</u>
(e) Ethics and Jurisprudence Re-Examination	\$100.00
<u>(e) Ethics and Jurisprudence Re-Examination</u>	<u>\$50.00</u>
(f) License	\$200.00
(g) Certificate	\$150.00

(Rule 1180-01-.03, continued)

(h)	License Renewal (biennial)	\$275.00
(h)	License Renewal (biennial)	\$225.00
(i)	Certificate Renewal (biennial)	\$150.00
(i)	Certificate Renewal (biennial)	\$75.00
(j)	Late Renewal	\$100.00
(k)	Endorsement Verification	\$ 25.00
(k)(†)	State Regulatory (biennial)	\$ 10.00
(l)(m)	Replacement License or Certificate	\$ 25.00

- (2) The fees set by the Board for obtaining and maintaining licensure or certification are defined as follows:
- (a) Application Fee - A fee to be paid by all applicants for licensure or certification including those seeking licensure by reciprocity.
 - (b) Endorsement/Verification Fee - A non-refundable fee to be paid for each certificate of fitness, endorsement or verification of an individual's record for any purpose.
 - (c) Late Renewal Fee - A non-refundable fee to be paid when an individual fails to timely renew a license or a certificate.
 - (d) License or Certificate Fee - A fee to be paid at the time of application prior to the issuance of the "artistically designed" initial license or certificate.
 - (e) License or Certificate Renewal Fee - A non-refundable fee to be paid biennially by all licensees or certificate holders to maintain the license or certificate. This fee also applies to individuals who reactivate a license or certificate that has been retired.
 - (f) Ethics and Jurisprudence Examination Fee – A non-refundable fee to be paid when applying for initial licensure.
 - (g) Ethics and Jurisprudence Re-Examination Fee – A non-refundable fee to be paid each time an applicant retakes the Board's Ethics and Jurisprudence Examination.
 - (h) Provisional License Fee - A fee to be paid by all individuals who are requesting a provisional license at the time of application.
 - (i) Replacement License or Certificate Fee - A non-refundable fee to be paid when an individual requests a replacement for a lost or destroyed license or certificate.
 - (j) State Regulatory Fee - A fee to be paid by all individuals at the time of application and with all renewal applications.
 - (k) Temporary License Fee - A fee to be paid by all individuals at the time of application who are requesting a temporary license.

(Rule 1180-01-.03, continued)

- (3) Fees may be paid in the following manner:
 - (a) All fees paid by money order, certified, personal, or corporate check must be submitted to the Board's Administrative Office and made payable to the Board of Examiners in Psychology.
 - (b) Fees may be paid by Division-approved credit cards or other Division-approved electronic methods.
- (4) Fees may be refunded upon withdrawal of an application or excused absence from an examination. Requests for refunds must be made in writing to the Board administrator and accompanied by a copy of the cancelled check or other documentation of payment. The application and state regulatory fees shall not be refunded.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-11-104, and 63-11-209. **Administrative History:** Original rule filed September 12, 1974; effective October 12, 1974. Repeal and new rule filed June 6, 1978; effective September 28, 1978. Repeal and new rule filed September 29, 1995; effective December 13, 1995. Repeal and new rule filed August 29, 2000; effective November 12, 2000. Amendment filed August 29, 2000; effective November 12, 2000. Amendment filed June 18, 2002; effective November 1, 2002. Amendment filed November 9, 2005; effective January 23, 2006. However, Stay of Effective Date filed by the Board of Examiners in Psychology on January 20, 2006; new effective date March 23, 2006. Amendment filed March 23, 2007; effective June 6, 2007.

1180-01-.04 APPLICATION REVIEW, APPROVAL, DENIAL AND INTERVIEWS.

- (1) Any applicant for licensure or certification shall request an application packet from the Board's administrative office.
- (2) Review of all submitted applications to determine application file completeness may be delegated to the Board's designee, provided that approval of all applications is made and ratified by the Board.
- (3) For applicants applying to sit for the written examination, a deficiency letter will be mailed to the applicant if the application is incomplete when received in the Board's administrative office. The requested information must be received in the Board's administrative office on or before the sixtieth (60th) day prior to the written examination. All other applicants must complete their application files within sixty (60) days of receipt of the deficiency notice.
 - (a) Deficiency notification shall be sent certified mail, return receipt requested, from the board's administrative office.
 - (b) If the requested information is not received on or before the sixtieth (60th) day prior to the written examination or within sixty (60) days of receipt of the deficiency notice, the application file shall become inactive and the applicant so notified. No further Board action will take place until the application is completed pursuant to the rules governing the application process. The Board may, at its discretion, keep a file open past this deadline if special circumstances warrant.
- (4) After review and upon approval by the Board of the completed application and supporting credentials, the applicant shall be allowed to sit for the written examination. For all other applicants, the completed application and supporting documentation will be reviewed in a timely manner at regularly scheduled Board meetings following completion of the application.

(Rule 1180-01-.06, continued)

- (5) Violations – Violation of any provision of these rules is grounds for disciplinary action pursuant to T.C.A. §§ 63-11-215 (b) (1), and/or (2).

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-2-101, 63-2-102, 63-11-104, 63-11-201, 63-11-202, 63-11-203, 63-11-213, and 63-11-215. **Administrative History:** Original rule filed September 12, 1974; effective October 12, 1974. Repeal and new rule filed June 6, 1978; effective September 28, 1978. Repeal and new rule filed September 29, 1995; effective December 13, 1995. Repeal and new rule filed August 29, 2000; effective November 12, 2000. Repeal and new rule filed March 21, 2005; effective June 4, 2005. Amendments filed April 4, 2014; effective July 3, 2014.

1180-01-.07 RETIREMENT AND REACTIVATION OF LICENSE OR CERTIFICATE.

- (1) A person who holds a current license or certificate and does not intend to practice as a licensed Psychologist, Senior Psychological Examiner, Psychological Examiner, or Certified Psychological Assistant may apply to convert an active license or certificate to retired status. An individual who holds a retired license or certificate is not required to pay the renewal fee.
- (2) A licensee may apply for retired status by filing a completed affidavit of retirement form and any required documentation with the Board's administrative office.
- (3) A person whose license has been retired and who has not practiced for up to two (2) years, or a person whose Tennessee license has been retired and who has been licensed in good standing and in continuous practice in another state, may re-enter active status provided there are no criminal or practice act violations which would prohibit initial licensure, by submitting to the Board administrative office a written request for licensure reactivation, the license renewal fee, the state regulatory fee and the late renewal fee.
- (4) A person whose license has been retired and who has not practiced for two years up to five (5) years may re-enter active status provided there are no criminal or practice act violations which would prohibit initial licensure, by submitting to the Board administrative office a written request for licensure reactivation, the license renewal fee, the state regulatory fee, the late renewal fee, and proof of successful completion of forty (40) hours of continuing education as provided in rule 1180-01-.08.
- (5) A person whose license or certificate has been retired and who has not practiced for over five (5) years may re-enter active status provided there are no criminal or practice act violations which would prohibit initial licensure or certification, by submitting to the Board administrative office a written request for licensure or certification reactivation, the license or certificate renewal fee, the state regulatory fee, the late renewal fee, proof of successful completion of forty (40) hours of continuing education as provided in rule 1180-01-.08, and by passing the jurisprudence and ethics examination if required, paying the jurisprudence and ethics examination exam fee as provided in rule 1180-01-.03, and obtaining six (6) months of supervision.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-1-111, 63-11-104, 63-11-201, 63-11-206, 63-11-207, 63-11-208, 63-11-209, 63-11-210, and 63-11-218. **Administrative History:** Original rule filed September 12, 1974; effective October 12, 1974. Repeal and new rule filed June 6, 1978; effective September 28, 1978. Repeal and new rule filed September 29, 1995; effective December 13, 1995. Repeal and new rule filed August 29, 2000; effective November 12, 2000. Amendment filed August 29, 2000; effective November 12, 2000. Amendment filed June 18, 2002; effective November 1, 2002. Amendment filed November 9, 2005; effective January 23, 2006. However, Stay of Effective Date filed by the Board of Examiners in Psychology on January 20, 2006; new effective date March 23, 2006.

1180-01-.08 CONTINUING EDUCATION.

Rule 1180-01-.08, continued)

(1) Hours required for Psychologists, Senior Psychological Examiners, and Psychological Examiners:

- (a) Certified Psychological Assistants are required to pursue continuing education activities as directed by the supervising psychologist, as provided in Rule 1180-4-.01 (4) (f).
- (b) Psychologists, Senior Psychological Examiners, and Psychological Examiners are required to obtain forty (40) hours of continuing education (CE) credit every two (2) years. This CE is to be acquired in the two (2) calendar years (January 1 - December 31) prior to the licensure renewal year.
- (c) Nine (9) CE hours of the forty (40) hours required in subparagraph (b) must be received from a Type I CE program as provided by this rule. All continuing education hours obtained via the internet must be from a Type I CE program.
- (d) Nine (9) CE hours of the forty (40) hours required in subparagraph (b) must be received from Type I or Type II CE programs as provided by this rule.
- (e) Twenty-two (22) CE hours of the forty (40) hours required in subparagraph (b) must be received from Type I, II, or III programs as provided by this rule.

~~1. Tennessee Code Annotated, Title 63, Chapter 11; and~~

~~2. Official Compilation, Rules and Regulations of the State of Tennessee, Chapters 1180-01, 1180-02, 1180-03, and 1180-04; and~~

~~3. The version of the "Ethical Standards" which are part of the "Ethical Principles of Psychologists and Code of Conduct" published by the American Psychological Association (A.P.A.), and approved by the A.P.A.'s Council of Representatives on August 21, 2002 to become effective on June 1, 2003.~~

- (f) Three (3) CE hours shall pertain to cultural diversity as specifically noted in the title, description of objectives, or curriculum of the presentation, symposium, workshop, seminar, course or activity. Cultural diversity includes aspects of identity stemming from age, disability, gender, race/ethnicity, religious/spiritual orientation, sexual orientation, socioeconomic status, and other cultural dimensions. The topic of the presentation, symposium, workshop, seminar, course or activity need not be on cultural diversity, but one of the objectives or descriptions of the topics covered, shall clearly indicate attention to cultural diversity. These hours shall be Type I or Type II.
- (g) Three (3) CE hours of Type I or Type II shall pertain to:
 - 1. Tennessee Code Annotated, Title 63, Chapter 11; and
 - 2. Official Compilation, Rules and Regulations of the State of Tennessee, Chapters 1180-01, 1180-02, 1180-03 and 1180-04; and
 - 3. The current version of the "Ethical Standards" which are part of the "Ethical Principles of Psychologists and Code of Conduct" published by the American Psychological Association (A.P.A.).
- (h) Experiences unacceptable as continuing education include, but are not limited to, administrative activities, psychotherapy, personal growth or enrichment.

Rule 1180-01-.08, continued)

(2) Type I continuing education

- (a) Type I continuing education is offered by APA-approved providers of educational programs.
- (b) Type I CE learning activities and related skills and knowledge are postdoctoral in nature.
- (c) Type I CE includes formal learning objectives and evaluation of learning activities.
- (d) Type I CE is primarily psychological in nature or is relevant to the science and practice of psychology.
- (e) Type I CE offerings must have a pre-assigned number of CE credit hours and provide documentation indicating the course was APA-approved.
- (f) Type I CE may be fulfilled via internet. No more than twenty (20) hours shall be obtained from an internet source.

(3) Type II continuing education

- (a) Type II CE is primarily psychological in nature or is relevant to the science and practice of psychology.
- (b) Type II CE offerings must provide documentation of attendance and must have a pre-assigned number of CE credit hours under the auspices of any of the following:
 - 1. A regional psychological association
 - 2. A state psychological association
 - 3. Any recognized and relevant credentialing national, regional or state professional body
 - 4. An institution housing an APA-approved internship program.
 - 5. A nationally recognized accredited college or university with a health-related professional training program.
 - 6. Graduate courses in an APA-approved graduate psychology program. (To be assigned fifteen [15] Type II CE units per semester hour)
 - 7. Passing the ABPP exam. (To be assigned twenty [20] hours of Type II CE credit)

(4) Type III continuing education

- (a) Type III CE consists of learning experiences that are less structured than Type I or Type II CE and provide information that is primarily psychological in nature or is relevant to the science and practice of psychology.
- (b) Type III CE may consist of
 - 1. clinical peer consultation groups; or

Rule 1180-01-.08, continued)

2. research presentations and convention workshops that incorporate multiple, brief presentations with many different learning objectives that are less amenable to a single evaluation; or
3. clinical supervision provided to students, interns, and post-doctoral fellows in accredited programs on a basis that is voluntary, uncompensated, and external to that program. A maximum of ten (10) CE hours per two (2) calendar years (January 1 - December 31) is allowed.

(c) Sources of Type III continuing education

1. Meetings - Registration and attendance at meetings of recognized professional psychology organizations (local, state, regional, national or international). Acceptable documentation will consist of a copy of the licensee's registration receipt from the meeting. One (1) clock hour equals one (1) CE hour.
2. Teaching and presentations.
 - (i) Psychology presentations at relevant professional meetings. Acceptable documentation will consist of a copy of the program or agenda and the number of clock hours. A maximum of three (3) CE hours per presentation is allowed.
 - (ii) Preparation and delivery of guest lectures to academic or public groups. Acceptable documentation will consist of a copy of a printed agenda, program or class syllabus. A maximum of one (1) CE hour per lecture is allowed.
 - (iii) Developing and teaching an academic psychology course in an institution accredited by a regional accrediting association. For the initial development of the course and its teaching, one semester length three (3) credit hour course equals twenty-two (22) CE hours; one quarter length three (3) credit hour course equals twenty-two (22) CE hours. Acceptable documentation will consist of a letter from the department head or dean of the institution stating that the licensee taught the course for the first time and the number of credits, units or hours assigned for the course.
3. Publications
 - (i) Writing or editing a published book, or writing a book chapter or a refereed journal article shall be assigned twenty-two (22) hours of Type III CE credit. Acceptable documentation will consist of a personal log detailing the published materials.
 - (ii) Developing for teaching purposes a videotape or interactive computer program shall be assigned twenty-two (22) hours of Type III CE credit. Acceptable documentation will consist of a personal log detailing the videotape or computer program.
 - (iii) Being the principal editor of a journal or serving on the editorial board of a journal article shall be assigned twenty-two (22) hours of Type III CE credit. Acceptable documentation will consist of a personal log detailing the published materials.

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- (iv) Serving as a reviewer of a journal article shall be assigned one (1) hour of Type III CE credit per manuscript. Acceptable documentation will consist of a personal log detailing the published materials.
 - 4. Workshops, seminars or courses - Relevant non-accredited psychology workshops, seminars or courses shall be assigned a maximum of ten (10) hours of Type III CE credit per year. Acceptable documentation will consist of certificates of attendance or registration receipts.
 - 5. Serving as a member of the Board shall be assigned a maximum of ten (10) hours of Type III CE credit per year.
 - 6. Serving as a member of an oral examining committee for the Board shall be assigned one (1) hour of Type III CE credit per exam.
- (5) Continuing education courses may be presented in the traditional lecture and classroom formats or, with successful completion of a written post experience examination to evaluate material retention, in Multi-Media formats.
- (a) Multi-Media courses may include courses utilizing:
 - 1. The Internet
 - 2. Closed circuit television
 - 3. Satellite broadcasts
 - 4. Correspondence courses
 - 5. Videotapes
 - 6. CD-ROM
 - 7. DVD
 - 8. Teleconferencing
 - 9. Videoconferencing
 - 10. Distance learning
 - (b) Licensees with disabilities or other hardships severely restricting travel away from home may petition the Board in writing to request exceptions to the manner in which they accumulate CE credits.
- (6) Documentation. Each licensee shall maintain documentation of CE hours for five (5) years and should prepare a summary report with documentation yearly. Documentation of completed CE hours must be produced for inspection and verification if requested in writing by the Board. The Board shall not maintain CE files.
- (7) Violations.
- (a) Any licensee who falsely certifies attendance and completion of the required CE hours may be subject to disciplinary action pursuant to T.C.A. § 63-11-215.

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- (b) Any licensee who fails to obtain the required CE hours may be subject to disciplinary action pursuant to T.C.A. § 63-11-215.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-2-101, 63-11-104, 63-11-201, 63-11-206, and 63-11-218. **Administrative History:** Original rule filed September 12, 1974; effective October 12, 1974. Repeal and new rule filed June 6, 1978; effective September 28, 1978. Repeal and new rule filed September 29, 1995; effective December 13, 1995. Repeal and new rule filed August 29, 2000; effective November 12, 2000. Amendment filed June 18, 2002; effective November 1, 2002. Amendment filed March 21, 2005; effective June 4, 2005. Amendment filed November 9, 2005; effective January 23, 2006. Amendments filed April 4, 2014; effective July 3, 2014.

1180-01-.09 PROFESSIONAL ETHICS.

- (1) The Board adopts, as if fully set out herein and to the extent that it does not conflict with state law, rules or Board Position Statements, as its ethical standards the specific "Ethical Standards" which are part of the "Ethical Principles of Psychologists and Code of Conduct" published by the American Psychological Association (A.P.A.). The version adopted by the Board was approved by the A.P.A.'s Council of Representatives on August 21, 2002 to become effective on June 1, 2003.
- (2) In the case of a conflict the state law, rules or position statements shall govern. Violation of the Board's ethical standards shall be grounds for disciplinary action pursuant to T.C.A. § 63-11-215 (b) (1).
- (3) A copy of the A.P.A. "Ethical Standards" which are part of the "Ethical Principles of Psychologists and Code of Conduct" may be obtained from the Order Department of the A.P.A. at 750 First Street, NE, Washington, DC 20002-4242 or by phone at (202) 336-5510, or on the Internet at <http://www.apa.org/ethics>.
- (4) Applicability of the Ethical Standards. The activity of a licensee or certificate holder subject to the Ethical Standards may be reviewed only if the activity is part of his or her work-related functions or the activity is psychological in nature. Personal activities having no connection to or effect on psychological roles are not subject to the Ethical Standards.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-11-104, 63-11-201, 63-11-204, 63-11-206, 63-11-207, 63-11-208, 63-11-213, 63-11-214, and 63-11-215. **Administrative History:** Original rule filed August 29, 2000; effective November 12, 2000. Amendment filed June 18, 2002; effective November 1, 2002. Amendment filed May 29, 2003; effective August 12, 2003.

1180-01-.10 DISCIPLINARY GROUNDS, ACTIONS, CIVIL PENALTIES, SETTLEMENTS, AND SCREENING PANELS.

- (1) Grounds and authority for disciplinary actions. The Board shall have the power to deny an application for a license or certificate to any applicant. The Board shall have the authority to suspend or revoke a license or certificate, reprimand or otherwise discipline by a monetary fine any licensee or certificate holder. Formal disciplinary proceedings before the Board shall comply with the Administrative Procedures Act, T.C.A. §§ 4-5-301, *et. seq.* The grounds upon which the Board shall exercise such power include, but are not limited to, the following:
 - (a) Unprofessional, dishonorable, or unethical conduct;
 - (b) Violation or attempted violation, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provision of the Psychology Act or any lawful or