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State of Minnesota
HOUSE OF REPRESENTATIVES
NINETIETH SESSION

H. F. No. 3058

02/26/2018 Authored by Zerwas and Murphy, E.,
The bill was read for the first time and referred to the Committee on Health and Human Services Reform

1.1 A bill for an act
1.2 relating to health occupations; clarifying licensure requirements for licensed
1.3 psychologists; updating language; amending Minnesota Statutes 2016, sections
1.4 148.905, by adding a subdivision; 148.915; 148.941, by adding a subdivision;
1.5 Minnesota Statutes 2017 Supplement, section 148.925, subdivisions 5, 6, by adding
1.6 a subdivision.

1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8 Section 1. Minnesota Statutes 2016, section 148.905, is amended by adding a subdivision
1.9 to read:

1.10 Subd. 1a. **Action on licensure applications.** Following the submission of a completed
1.11 application, the board shall notify the applicant of the application status within 45 days of
1.12 receiving the application.

1.13 Sec. 2. Minnesota Statutes 2016, section 148.915, is amended to read:

1.14 **148.915 RECIPROCITY.**

1.15 (a) The board may grant a license to an applicant who meets the following requirements:

1.16 (1) submits to the board a notarized application for licensure as a licensed psychologist
1.17 by reciprocity;

1.18 (2) at the time of application, is licensed, certified, or registered to practice psychology
1.19 in another state or jurisdiction, and has been for at least ~~five~~ two consecutive years
1.20 immediately preceding the date of application;

1.21 (3) has a doctoral degree in psychology, which formed the basis for current licensure in
1.22 another state or jurisdiction;

2.1 (4) is of good moral character and has no pending complaints or active disciplinary or
 2.2 corrective actions in any jurisdiction; and

2.3 (5) passes the Professional Responsibility Examination administered by the board and
 2.4 pays the fee associated with sitting for the examination.

2.5 (b) If by the laws of any state or the rulings or decisions of the appropriate officers or
 2.6 boards thereof, any burden, obligation, requirement, disqualification, or disability is put
 2.7 upon licensed psychologists licensed and in good standing in this state, affecting the right
 2.8 of these licensed psychologists to be registered or licensed in that state, then the same or
 2.9 like burden, obligation, requirement, disqualification, or disability may be put upon the
 2.10 licensure in this state of licensed psychologists licensed in that state.

2.11 Sec. 3. Minnesota Statutes 2017 Supplement, section 148.925, subdivision 5, is amended
 2.12 to read:

2.13 Subd. 5. **Supervisory consultation for an applicant for licensure as a licensed**
 2.14 **psychologist.** (a) Supervision of an applicant for licensure as a licensed psychologist ~~shall~~
 2.15 ~~include at least two~~ must total 100 hours and must include two hours per week of regularly
 2.16 scheduled in-person consultations ~~per week~~. For full-time ~~employment experience~~, one hour
 2.17 ~~of which shall~~ must be with the primary supervisor on an individual basis. The remaining
 2.18 hour may be with a designated supervisor. ~~The board may approve an exception to the~~
 2.19 ~~weekly supervision requirement for a week when the supervisor was ill or otherwise unable~~
 2.20 ~~to provide supervision.~~ The board ~~may~~ shall prorate the two hours per week of supervision
 2.21 for individuals preparing for licensure on a part-time basis. ~~Supervised psychological~~
 2.22 ~~employment does not qualify for licensure when the supervisory consultation is not adequate~~
 2.23 ~~as described in subdivision 1, or in the board rules.~~ The board shall not require a supervisee
 2.24 to have more than two hours of supervision per week for the purpose of obtaining a license,
 2.25 unless the supervisee is making up missed hours as permitted by the board.

2.26 (b) The board shall allow exceptions to the weekly supervision requirements in paragraph
 2.27 (a) if the supervisor or supervisee was ill or otherwise unable to participate in the supervision,
 2.28 and shall not require prior or subsequent approval for these exceptions, so long as the
 2.29 supervision hours subject to the exception are completed within one month of the missed
 2.30 session. If a primary supervisor is unavailable to participate in the supervision due to illness
 2.31 or other conflicts, the primary supervisor may arrange for the supervisee to meet with a
 2.32 doctorally prepared licensed psychologist who meets the qualifications of a supervisor.

3.1 Sec. 4. Minnesota Statutes 2017 Supplement, section 148.925, subdivision 6, is amended
3.2 to read:

3.3 Subd. 6. ~~Supervisee duties~~ **Services provided by individuals preparing for licensure.**
3.4 ~~Applicants~~ (a) Individuals preparing for licensure as a licensed psychologist during their
3.5 postdegree supervised psychological ~~employment~~ experience may perform as ~~part of their~~
3.6 ~~training~~ any of the services specified in section 148.89, ~~subdivision 5, but only under qualified~~
3.7 ~~supervision~~ if the services are performed as part of their training.

3.8 (b) Services defined as psychological services under section 148.89 that are not part of
3.9 the postdegree supervised experience may be performed by the individual as long as the
3.10 services are not counted toward the individual's supervised professional experience, are
3.11 performed in a licensed health care facility or organizational setting under the requirements
3.12 of the facility or organizational setting, and are provided under supervision by a clinical
3.13 supervisor meeting the requirements defined in Minnesota Rules, part 9505.0371, subpart
3.14 5, item D.

3.15 Sec. 5. Minnesota Statutes 2017 Supplement, section 148.925, is amended by adding a
3.16 subdivision to read:

3.17 Subd. 8. **Completion of supervision requirements.** After the supervisee completes
3.18 1,800 hours of postdegree supervised psychological experience over a period of at least 12
3.19 months and submits an application for licensure to the board, the board shall request an
3.20 attestation from the supervisee's primary supervisor of the number of hours of supervised
3.21 practice completed under the supervision of the primary supervisor and the number of hours
3.22 of supervision provided by the primary supervisor. This attestation shall meet the
3.23 requirements for primary source verification.

3.24 Sec. 6. Minnesota Statutes 2016, section 148.941, is amended by adding a subdivision to
3.25 read:

3.26 Subd. 9. **Board staff.** If a staff member of the board, in communication with an applicant
3.27 or a licensee, becomes aware of a potential violation that is not based on a complaint by a
3.28 member of the public and does not involve evidence of actual specific harm to an individual,
3.29 the staff member shall consult with a designated board member by phone before initiating
3.30 a complaint.