

1                                   **EDUCATIONAL PSYCHOLOGIST AMENDMENTS**

2   2022 GENERAL SESSION

3   STATE OF UTAH

4                                   **Chief Sponsor: Stewart E. Barlow**

5                                   Senate Sponsor: \_\_\_\_\_

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7   **LONG TITLE**

8   **General Description:**

9           This bill enacts provisions relating to the professional licensure of an educational  
10 psychologist.

11 **Highlighted Provisions:**

12           This bill:

- 13           ▶ creates a new license category under the Psychologist Licensing Act for an
- 14 educational psychologist;
- 15           ▶ allows a licensed educational psychologist to practice within the scope of the
- 16 educational psychologist's training and experience; and
- 17           ▶ specifies the requirements to receive a license as an educational psychologist.

18 **Money Appropriated in this Bill:**

19           None

20 **Other Special Clauses:**

21           None

22 **Utah Code Sections Affected:**

23 AMENDS:

24           **58-61-301**, as last amended by Laws of Utah 2001, Chapter 281

25           **58-61-304**, as last amended by Laws of Utah 2020, Chapter 339

26           **58-61-308**, as enacted by Laws of Utah 2001, Chapter 281



28 *Be it enacted by the Legislature of the state of Utah:*

29 Section 1. Section **58-61-301** is amended to read:

30 **58-61-301. Licensure required.**

31 (1) (a) A license is required to engage in the practice of psychology, except as  
32 specifically provided in Section [58-1-307](#).

33 (b) Notwithstanding the provisions of Subsection [58-1-307](#)(1)(c) an individual shall be  
34 certified under this chapter as a psychology resident in order to engage in a residency program  
35 of supervised clinical training necessary to meet licensing requirements as a psychologist under  
36 this chapter.

37 (2) The division shall issue to a person who qualifies under this chapter a license in the  
38 classification of:

- 39 (a) psychologist; ~~[or]~~
- 40 (b) certified psychology resident~~[-];~~ or
- 41 (c) educational psychologist.

42 Section 2. Section **58-61-304** is amended to read:

43 **58-61-304. Qualifications for licensure by examination or endorsement.**

44 (1) An applicant for licensure as a psychologist based upon education, clinical training,  
45 and examination shall:

- 46 (a) submit an application on a form provided by the division;
- 47 (b) pay a fee determined by the department under Section [63J-1-504](#);
- 48 (c) produce certified transcripts of credit verifying satisfactory completion of a doctoral  
49 degree in psychology that includes specific core course work established by division rule under  
50 Section [58-1-203](#), from an institution of higher education whose doctoral program, at the time  
51 the applicant received the doctoral degree, met approval criteria established by division rule  
52 made in consultation with the board;
- 53 (d) have completed a minimum of 4,000 hours of psychology training as defined by  
54 division rule under Section [58-1-203](#) in not less than two years and under the supervision of a  
55 psychologist supervisor approved by the division in collaboration with the board;
- 56 (e) to be qualified to engage in mental health therapy, document successful completion  
57 of not less than 1,000 hours of supervised training in mental health therapy obtained after  
58 completion of a master's level of education in psychology, which training may be included as

59 part of the 4,000 hours of training required in Subsection (1)(d), and for which documented  
60 evidence demonstrates not less than one hour of supervision for each 40 hours of supervised  
61 training was obtained under the direct supervision of a psychologist, as defined by rule;

62 (f) pass the examination requirement established by division rule under Section  
63 [58-1-203](#);

64 (g) consent to a criminal background check in accordance with Section [58-61-304.1](#)  
65 and any requirements established by rule made in accordance with Title 63G, Chapter 3, Utah  
66 Administrative Rulemaking Act; and

67 (h) meet with the board, upon request for good cause, for the purpose of evaluating the  
68 applicant's qualifications for licensure.

69 (2) An applicant for licensure as a psychologist by endorsement based upon licensure  
70 in another jurisdiction shall:

71 (a) submit an application on a form provided by the division;

72 (b) pay a fee determined by the department under Section [63J-1-504](#);

73 (c) not have any disciplinary action pending or in effect against the applicant's  
74 psychologist license in any jurisdiction;

75 (d) have passed the Utah Psychologist Law and Ethics Examination established by  
76 division rule;

77 (e) provide satisfactory evidence the applicant is currently licensed in another state,  
78 district, or territory of the United States, or in any other jurisdiction approved by the division in  
79 collaboration with the board;

80 (f) provide satisfactory evidence the applicant has actively practiced psychology in that  
81 jurisdiction for not less than 2,000 hours or one year, whichever is greater;

82 (g) provide satisfactory evidence that:

83 (i) the education, supervised experience, examination, and all other requirements for  
84 licensure in that jurisdiction at the time the applicant obtained licensure were substantially  
85 equivalent to the licensure requirements for a psychologist in Utah at the time the applicant  
86 obtained licensure in the other jurisdiction; or

87 (ii) the applicant is:

88 (A) a current holder of Board Certified Specialist status in good standing from the  
89 American Board of Professional Psychology;

90 (B) currently credentialed as a health service provider in psychology by the National  
91 Register of Health Service Providers in Psychology; or

92 (C) currently holds a Certificate of Professional Qualification (CPQ) granted by the  
93 Association of State and Provincial Psychology Boards;

94 (h) consent to a criminal background check in accordance with Section [58-61-304.1](#)  
95 and any requirements established by rule made in accordance with Title 63G, Chapter 3, Utah  
96 Administrative Rulemaking Act; and

97 (i) meet with the board, upon request for good cause, for the purpose of evaluating the  
98 applicant's qualifications for licensure.

99 (3) (a) An applicant for certification as a psychology resident shall comply with the  
100 provisions of Subsections (1)(a), (b), (c), (g), and (h).

101 (b) (i) An individual's certification as a psychology resident is limited to the period of  
102 time necessary to complete clinical training as described in Subsections (1)(d) and (e) and  
103 extends not more than one year from the date the minimum requirement for training is  
104 completed, unless the individual presents satisfactory evidence to the division and the  
105 Psychologist Licensing Board that the individual is making reasonable progress toward passing  
106 the qualifying examination or is otherwise on a course reasonably expected to lead to licensure  
107 as a psychologist.

108 (ii) The period of time under Subsection (3)(b)(i) may not exceed two years past the  
109 date the minimum supervised clinical training requirement has been completed.

110 (4) An applicant for licensure as an educational psychologist shall:

111 (a) submit an application on a form provided by the division;

112 (b) pay a fee determined by the department under Section [63J-1-504](#);

113 (c) produce certified transcripts of credit verifying satisfactory completion of a masters  
114 degree or equivalent certification program approved by the division that:

115 (i) consists of at least 60 semester hours or 90 quarter hours in school psychology at an  
116 accredited institution; and

117 (ii) includes training in at least the following topics:

118 (A) understanding the organization, administration, and operation of schools, the major  
119 roles of personnel employed in schools, and curriculum development;

120 (B) directing psychological and psycho-educational assessments and intervention

121 including all areas of exceptionality;

122 (C) individual and group intervention and remediation techniques, including  
123 consulting, behavioral methods, counseling, and primary prevention;

124 (D) understanding the ethical and professional practice and legal issues related to the  
125 work of school psychologists;

126 (E) social psychology, including interpersonal relations, communications and  
127 consultation with students, parents, and professional personnel;

128 (F) coordination and work with community-school relations and multicultural  
129 education programs and assessments; and

130 (G) the use and evaluation of tests and measurements, developmental psychology,  
131 affective and cognitive processes, social and biological bases of behavior, personality, and  
132 psychopathology;

133 (d) evidence demonstrating that the applicant has:

134 (i) completed a one school year internship, or the equivalent, with a minimum of 1,200  
135 clock hours in school psychology, at least 600 hours of which shall be in a school setting or a  
136 setting with an educational component; and

137 (ii) completed at least five years of successful experience as a school psychologist in  
138 the state; and

139 (e) a recommendation from:

140 (i) the institution that the applicant attended under Subsection (4)(c); and

141 (ii) one or more local education agencies, as defined in Section [53E-1-102](#), that  
142 employed the applicant as a school psychologist for the period described in Subsection  
143 (4)(d)(ii).

144 Section 3. Section **58-61-308** is amended to read:

145 **58-61-308. Scope of practice -- Limitations.**

146 (1) A psychologist may engage in all acts and practices defined as the practice of  
147 psychology without supervision, in private and independent practice, or as an employee of  
148 another person, limited only by the licensee's education, training, and competence.

149 (2) An individual certified as a psychology resident may engage in all acts and  
150 practices defined as the practice of psychology only under conditions of employment as a  
151 psychology resident and under the supervision of a licensed psychologist who is an approved

152 psychology training supervisor as defined by division rule. A certified psychology resident  
153 shall not engage in the independent practice of psychology.

154 (3) An individual licensed as an educational psychologist may provide services if the  
155 services are:

156 (a) within the skills, training, competence, and experience of the educational  
157 psychologist, except that services may be provided outside of a school setting;

158 (b) provided in accordance with the most recent professional standards adopted by the  
159 National Association of School Psychologists; and

160 (c) related to:

161 (i) academic, behavioral, and mental health supports;

162 (ii) evaluation, assessment, and data analysis;

163 (iii) consultation with educators and families;

164 (iv) culturally responsive services; and

165 (v) crisis prevention and response.