

45 N.J.R. 220(a)

VOLUME 45, ISSUE 3

ISSUE DATE: **FEBRUARY** 4, 2013

**RULE ADOPTIONS**

**LAW AND PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF PSYCHOLOGICAL EXAMINERS**

**Adopted Amendments: N.J.A.C. 13:42-2.1, 3.1, 3.2, 3.3, 3.6, 5.1, 5.2, 5.3, 5.4, 5.6, and 6.1**

**Application; Qualifications to Sit for Examination; One-Year Unsupervised Permit; Three-Year Supervised Permit; Limitation, Suspension, or Revocation of Permit by Board; Responsibilities of Applicant for One-Year Unsupervised and Three-Year Supervised Temporary Permits; Board-Approved Written Examination; Jurisprudence Examination; Examination Review Procedures; Out-of-State Psychologists; Admittance to Jurisprudence Examination; License without Examination; Failure of Examination; When Retaking Permitted; Board Fees**

Proposed: February 6, 2012 at 44 N.J.R. 214(a).

Adopted: May 7, 2012 by the State Board of Psychological Examiners, Nancy E. Friedman, Ph.D., Chair.

Filed: January 8, 2013 as R.2013 d.016, **without change**.

Authority: N.J.S.A. 45:14B-13.

Effective Date: February 4, 2013.

Operative Date: August 4, 2013.

Expiration Date: July 2, 2016.

**Summary** of Public Comments and Agency Responses:

The official comment period ended April 6, 2012. The Board received 14 comments from the following individuals:

1. Jim Haugh, American Psychological Association, Association for Cognitive and Behavioral Therapies
2. Tom Dinzeo, American Psychological Association, NJ Psychological Association
3. DJ Angelone, Rowan University
4. Laurane McGlynn, Rowan University

5. Rebecca Chen, PhD
6. Molly Palmer
7. Brian Redondo, Department of Justice, Rowan University
8. Parviz Ansari, Dean, College of Liberal Arts and Sciences, Rowan University
9. Karen Nadel
10. June Linda
11. Teresa Taylor, APA, NJAPA, NJABA, ABAI
12. Krista L. Dettle, Chair, New Jersey Psychological Association of Graduate Students
13. Josephine S. Minardo, PsyD, Executive Director, New Jersey Psychology Association
14. Debra L. Wentz, Ph.D., Chief Executive Officer, New Jersey Association of Mental Health and Addiction Agencies, Inc.

1. COMMENT: The commenters support the amendments. They believe that the amendments will facilitate the timely processing of licensure applications and will maintain high standards for practice. The commenters contend that these amendments conform to the practices of other states.

RESPONSE: The Board thanks the commenters for their support.

2. COMMENT: A commenter recommends that the Board provide study material for the jurisprudence examination and that it provide applicants with the format for the jurisprudence examination.

RESPONSE: The jurisprudence examination will be in a multiple choice format. The study materials for the jurisprudence examination are the Board's statutes and rules, N.J.S.A. 45:14B-1 et seq. and N.J.A.C. 13:42, respectively, which are available on the Board's website at: <http://www.njconsumeraffairs.gov/psy/>.

3. COMMENT: A commenter is concerned that the adopted amendments will result in longer delays for applicants to obtain licensure. The commenter is concerned that the Board will take more than a year to develop the jurisprudence examination, which is longer than the average of eight months the commenter contends it now takes to complete the oral examination.

RESPONSE: The Board does not believe that the adopted amendments will affect the time it will take to obtain licensure. The Board is in the process of developing the examination and will administer it at least once every three months.

4. COMMENT: Many of the commenters are concerned with the status of individuals who have submitted applications for the oral examination prior to the adoption of these amendments. The commenters recommend that such applicants be given the option of either completing the oral examination or the jurisprudence examination.

RESPONSE: The Board agrees that applicants who submitted their applications for licensure prior to the adoption of the amendments should have the option of either taking the oral or jurisprudence examination. Any individual who has applied for a license prior to the adoption of the amendments will be notified by the Board that they have the option of choosing which examination they wish to complete in order to obtain licensure.

### **Federal Standards Statement**

A Federal standards analysis is not required because there are no Federal laws or standards applicable to the adopted amendments.

**Full text** of the adoption follows:

**(Agency Note:** The text of N.J.A.C. 13:42-3.6 below reflects the adoption of new subsection (c) effective January 22, 2013.)

### SUBCHAPTER 2. INITIAL QUALIFICATIONS

#### 13:42-2.1 Application; qualifications to sit for examination

(a) (No change.)

(b) In order to be eligible to sit for the examination, an applicant shall have two years of full-time or full-time-equivalent supervised experience in accordance with N.J.A.C. 13:42-4 and:

1. An earned doctorate, which meets the criteria set forth in (d) through (j) below, in the field of psychology from an educational institution recognized by the Board;
2. An earned doctorate, which meets the criteria set forth in (d) through (j) below, in a field allied to psychology; or
3. (No change.)

(c)-(j) (No change.)

### SUBCHAPTER 3. ONE-YEAR UNSUPERVISED AND THREE-YEAR SUPERVISED TEMPORARY PERMITS FOR TRAINING PENDING JURISPRUDENCE EXAMINATIONS

#### 13:42-3.1 One-year unsupervised permit

(a) The Board shall issue a numbered temporary permit for the unsupervised practice of psychology for a period not to exceed one year to a psychologist who:

1.-3. (No change.)

4. Meets all requirements of New Jersey law other than passing of the jurisprudence examination in this State;

5.-8. (No change.)

(b) The holder of an unsupervised temporary permit pursuant to (a) above shall, within 90 days of issuance of the permit, take the jurisprudence examination. Failure to meet this

deadline may, upon notice to the permit holder, result in revocation of the permit.

(c)-(d) (No change.)

#### 13:42-3.2 Three-year supervised permit

(a) The Board shall issue a numbered temporary permit for the supervised practice of psychology for a period not to exceed three years to a qualified individual who meets all requirements of New Jersey law, including the Practicing Psychology Licensing Act, N.J.S.A. 45:14B-1 et seq., other than the requisite number of hours of post-doctoral supervised experience and/or passing of the written and jurisprudence examinations [page=221] and has not engaged in any act or practice which would be the basis for denying a permit under the Uniform Enforcement Act, N.J.S.A. 45:1-14 et seq. An applicant for licensure who has not completed the requirement for post-doctoral supervised experience shall be required to obtain a three-year supervised permit and comply with all of the provisions of this subchapter including those applicants who intend to obtain the supervised experience in a practice or facility that is otherwise exempt pursuant to N.J.S.A. 45:14B-6 or 45:14B-8 or N.J.A.C. 13:42-1.2, 1.3, 1.4, or 1.5.

(b) (No change.)

(c) The permit holder shall obtain the required supervised experience and successfully complete the written and jurisprudence examinations prior to the expiration of the permit.

(d) (No change.)

#### 13:42-3.3 Limitation, suspension, or revocation of permit by Board

(a) The Board may, upon notice to the permit holder limit, suspend, or revoke the permit of an individual who fails the written or jurisprudence examination.

(b) (No change.)

#### 13:42-3.6 Responsibilities of applicant for one-year unsupervised and three-year supervised temporary permits

(a) (No change.)

(b) The applicant shall request in writing the issuance of a one-year unsupervised or three-year supervised temporary permit to practice psychology until passing of the written and jurisprudence examinations and/or for the purpose of meeting the supervised experience requirement.

(c)-(l) (No change.)

### SUBCHAPTER 5. EXAMINATIONS

#### 13:42-5.1 Board-approved written examination; jurisprudence examination

(a) (No change.)

(b) A candidate who passes the written Examination for Professional Practice in Psychology shall then take the Board's written jurisprudence examination within 90 days of notification

of passing the Examination for Professional Practice in Psychology.

#### 13:42-5.2 Examination review procedures

(a) (No change.)

(b) A candidate who fails the jurisprudence examination may request a review of the jurisprudence examination. The candidate's written request for review must reach the Board's Executive Director within 45 days of the date of the letter of notification of examination results. The Executive Director will make the jurisprudence examination available to the candidate at the Board office on a mutually convenient date. Neither the candidate nor an agent of the candidate may copy the jurisprudence examination during this or any review of the jurisprudence examination.

#### 13:42-5.3 Out-of-State psychologists; admittance to jurisprudence examination

(a) An out-of-State psychologist shall be admitted to take the jurisprudence examination in New Jersey provided the individual can demonstrate to the satisfaction of the Board that he or she:

1.-2. (No change.)

3. Meets all other requirements for licensure.

(b) An out-of-State psychologist, who can demonstrate proof of meeting all requirements for licensure other than the Board-approved written examination and who can demonstrate satisfactory completion of 20 years of licensed, responsible, and competent practice in another state, shall be admitted to take the jurisprudence examination in New Jersey.

(c) (No change.)

#### 13:42-5.4 License without examination

(a) A psychologist who holds a diploma from the American Board of Professional Psychology awarded by examination, and who meets all other requirements of New Jersey law, shall be licensed following satisfactory completion of the jurisprudence examination.

(b) A psychologist who holds the Association of State and Provincial Psychology Boards (ASPPB) Certificate of Professional Qualification (CPQ) in psychology and who meets all other requirements of New Jersey law, shall be licensed following satisfactory completion of the jurisprudence examination.

#### 13:42-5.6 Failure of examination; when retaking permitted

The written examination may be retaken in accordance with the rules established by the Association of State and Provincial Psychology Boards (ASPPB) provided that all applicable requirements have been satisfied.

### SUBCHAPTER 6. BOARD FEES

#### 13:42-6.1 Board fees

(a) Charges for examinations, licensure, and other services are:

1. (No change.)

2. Examination fee: \$ 100.00 jurisprudence.

3.-10. (No change.)

(b) (No change.)