

## Frequently Asked Questions about the revision of APA's Model Act for State Licensure of Psychologists

### **Why does APA have a Model Act?**

APA's Model Act consolidates APA's policies relevant to the licensed practice of psychology and serves as a prototype for drafting state legislation regulating the practice of psychology. State legislatures are encouraged to use the language of the Model Act and the policies it espouses as a basis for their own state licensure laws. Although each state law reflects circumstances, compromises, and changes particular to that state, the Model Act serves as a guide for those involved in the drafting process. State licensing boards must develop their own rules and regulations to supplement the legislation proposed by the Model Act.

### **Why not just use the Model Act developed by the Association of State and Provincial Psychology Boards (ASPPB)?**

The Association of State and Provincial Psychology Boards (ASPPB) also publishes its own "Model Act of Licensure," most recently revised in 2001. However, there are important differences between the perspective and mission of APA and that of state licensing boards. For this reason, it is important that APA continue to have its own Model Act, even though parts of it are likely to overlap significantly with that of ASPPB.

### **Do states actually use APA's Model Act?**

No state has adopted APA's Model Act in its entirety but the Act serves as an important tool for advocating for change in licensing regulations that benefit the practice and profession of psychology.

### **What are the major changes in this revision?**

This document has undergone multiple revisions. The 2007 version that was released for public comment generated many comments and the revision task force made subsequent changes in response to those public comments. For instance, the scope of practice definition more specifically describes industrial-organizational psychology practices and an exemption for credentialed doctoral school psychologists was added to this document as a result of specific feedback received during the first public review process.

#### **B. Definitions**

B. 3 The scope of practice language was modified to better reflect contemporary practice, including that some jurisdictions allow for appropriately trained psychologists to

prescribe, frequently psychologists are in health care practice, not simply mental health care practice and industrial-organizational and other applied psychologists do provide services to individuals and groups that necessitate psychologist licensure.

B. 5-9 Addition of definitions of Health Service Provider (taken directly from approved policy language that originated with the Board of Professional Affairs in 1996), General Applied Psychologist, Specialty, Developed area of practice, Emerging area of practice and Client.

#### D. Requirements for Licensure

This section was modified to reflect distinct program accreditation processes in the U.S. and Canada, to support APA policy changes regarding the sequence of training, to provide criteria for educational requirements for areas of practice not currently accredited (e.g. industrial-organizational) and to allow greater mobility for individuals already licensed in other jurisdictions.

#### E. Interstate Practice of Psychology

This section was modified to clarify that some psychologists may have a need to practice in another jurisdiction for a limited time that is not equivalent to setting up a regular professional practice within that jurisdiction.

#### G. Limitation of Practice; Maintaining and Expanding Competence

Greater explanatory language about the maintenance of competence and the development of competence in other practice areas was included in order to provide guidance to licensing boards in the establishment of rules and regulations. The APA Ethical Principles of Psychologists and Code of Conduct is now specifically referenced in this document.

#### J. Exemptions

The exemptions for individuals with doctoral degrees in psychology who do not practice or provide services were further clarified. Those individuals may use the title “psychologist” in conjunction with activities such as the teaching of psychology or the conduct of psychological research provided that those activities do not involve the provision or supervision of direct psychological services. Additionally, individuals with a doctoral degree who are credentialed by state education agencies to practice in public schools may also use the title “psychologist” in those practice settings. A section regarding grandparenting of psychologists already providing applied psychologically services but formerly excluded from licensure was added.

#### K. Grounds for Suspension or Revocation of Licenses

Some named specific offenses were eliminated due to the direct reference to APA’s Ethical Principles of Psychologists and Code of Conduct. Statute of limitations language, with exceptions, was added in response to feedback from the first public comment process.

#### L. Board Hearings and Investigations

Additional language was added in this section in response to member concerns regarding due process.

**Why does the revision task force (TF) want to modify the exemption for the use of the title of school psychologist?**

Presently, individuals who provide school psychology services in public schools are credentialed by state education agencies and, in most states, are not under the purview of state licensing boards. These individuals are not required to have a doctoral degree to provide school psychology services and typically use the term “school psychologist” while providing services in public schools. However, APA’s policies consistently affirm that the doctoral degree is the minimum educational standard to enter the profession as a psychologist. The proposed exemption in this draft revision would allow *only* those individuals with a doctoral degree in psychology who are credentialed to practice in public schools to use the title in those settings (regardless of their psychology licensure status).

The purpose of this change is to clarify to the public the education and training of individuals who use the title “psychologist.” In other settings, only those with doctoral degrees use the title psychologist. The TF believes that allowing that title to be used by persons who do not have a doctorate creates confusion among members of the public who naturally assume that someone with the title “psychologist” has a doctorate. We have received comments from some individual professionals who believe that they will experience the change in title as a change in professional identity, however, comments received from consumers during the public comment process indicate that consumers have a clearer understanding regarding the education and training of those providing services within schools when these title distinctions are made.

Individuals who do not hold a doctoral degree in psychology would not be permitted to use the title under this change. The Task Force intends for state education agencies to still credential such individuals (albeit with a different title) so that the individuals could still provide psychoeducational services in public school settings. The TF very much values the work of specialist level providers in schools and recognizes their contributions and services to school children. This change in the use of title will provide greater clarity to the public that the profession of psychology is a doctoral level profession.

**Does the Task Force intend for those who currently use the title “school psychologist” but do not hold a doctorate to continue providing psychoeducational services in public schools in the same manner that they do today?**

Yes. The Task Force intends for individuals with a Masters or Specialist degree in school psychology to continue to carry out the duties and responsibilities for which they have already been trained and certified. This modification is intended to affect title only. The TF intends for state educational agencies to devise titles that are appropriate to the degree and training of the individual providing such services and that such titles will

not include the title “school psychologist” for persons who do not have a doctorate. States will need to consider how best to implement this change in title. In making this recommendation, the TF intends that there will be no change in the nature of the services provided in schools.

**Will there be any sort of “grandparenting” provision for use of the title “school psychologist” by those without doctoral degrees but already credentialed by their states?**

The TF considered this idea and determined that such a provision was not appropriate in APA’s Model Act. The job title of those who provide services in public schools is typically determined by state education agencies. The TF does support the incorporation of a transition period and once APA’s language is finalized and approved, APA will provide sample legislative language, letters and other materials that licensing boards can utilize to communicate with the education agency in order to facilitate a transition in titles for those formerly exempted.

**Will there be any sort of licensure “grandparenting” provision for school psychologists who hold doctoral degrees?**

The TF considered this as well but determined that school psychologists with doctoral degrees could be eligible for licensure and are not explicitly excluded under the existing Model Act language. The proposed changes in this Model Act would still allow such individuals to practice in public schools as they do currently so should not have an impact on current activities. And, this version is consistent with the 1987 Model Act such that those with doctoral degrees in school psychology could meet the requirements for licensure if they so chose. If jurisdictions, in their review and updating of their language believe that the language of their Acts needs to include grandparenting for such individuals, jurisdictions should include the language.

**If we require licensing for non health service providers, are there adverse economic and professional consequences?**

This is a Model Act that has to reflect principles and policies to protect the public. The evolution of applied psychology is such that we must continue to uphold the standard of care for all applications of psychology with individuals, groups and organizations. Historical exemptions must be reconsidered in light of the evolving understanding of the practice of psychology.

As jurisdictions adopt the licensing requirements contained within this Model Act, each may wish to consider strategies to modify any potential adverse consequences when adopting these changes. Those may include, but not be limited to, grandparenting and the provision of timelines for enactment of new regulations.

The Task Force believes that this recommendation is ultimately good for the profession as well as protection of the public. By requiring licensure, APA conveys that psychologists have met standards of education, training and supervision and are accountable for the work that they do.

### **Is there data demonstrating harm by not licensing General Applied Psychologists?**

There is not systematic data demonstrating harm, however the TF believes that this change upholds standards of care to protect the public. Provision of psychological services to individuals and groups of individuals at organizations is direct psychological service even if the service is not considered health care.

### **What was the process for revising the Model Act?**

The Board of Directors determined that the current APA Model Act needed revision and was out of date and did not reflect developments in professional practice and changes in APA policy. Task Force members were appointed by the Board of Directors, met, reviewed key issues, and made recommended changes. An initial review was provided by “parent” boards (the Board of Professional Affairs, the Board of Educational Affairs, the Committee for the Advancement of Professional Practice, and the Committee on Early Career Psychologists) and then a call for public comment was distributed to all members via an invitation in the Monitor. Notices regarding the public comment were sent to members of the Council of Representatives, SPTAs, and Division listservs. Additionally, all governance groups were invited to review the document. The TF reviewed all comments and met to again revise the document. Because of the extensive revisions, the document is once again being publicly reviewed.

### **What are the next steps in the revision process?**

Once the public comment period ends, the Task Force members will review all comments and make changes as appropriate. Responses to comments will be written and will be provided as part of the final governance review. A final document will be provided to the four parent boards for review in the fall of 2009 before the Board of Directors and Council of Representatives are asked to adopt the document as APA policy.

### **Once APA’s Model Act is approved as policy by the Council of Representatives, how does this get implemented?**

Individual jurisdictions may choose to implement various aspects (or the entire act) on their own timelines. Each state law may reflect circumstances, compromises and changes particular to that state however, APA’s Model Act serves as a guide in the state’s drafting process. Once APA’s Model Act is approved as policy, these changes are

typically implemented by individual regulatory boards over a period of approximately 2-30 years. For instance, no state enacted the entire 1987 Model Act as written but most states made some changes based on this document.