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Sequence Number: 07-20-20
 Notice ID(s): 3125
 File Date: 7/15/2020

Notice of Rulemaking Hearing

Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, T.C.A. § 4-5-204. For questions and copies of the notice, contact the person listed below.

| | |
|---------------------------------|--|
| Agency/Board/Commission: | Board of Examiners in Psychology |
| Division: | |
| Contact Person: | Paetria P. Morgan |
| Address: | 665 Mainstream Drive, Nashville, Tennessee 37243 |
| Phone: | (615) 741-1611 |
| Email: | Paetria.Morgan@tn.gov |

Any Individuals with disabilities who wish to participate in these proceedings (to review these filings) and may require aid to facilitate such participation should contact the following at least 10 days prior to the hearing:

| | |
|---------------------|--|
| ADA Contact: | ADA Coordinator |
| Address: | 710 James Robertson Parkway, Andrew Johnson Building, 5th Floor, Nashville, Tennessee 37243 |
| Phone: | (615) 741-6350 |
| Email: | Tina.M.Harris2@tn.gov |

Hearing Location(s) (for additional locations, copy and paste table)

| | | | |
|---------------|--|---|----------------------------------|
| Address 1: | Metro Center | | |
| Address 2: | 665 Mainstream Drive, Iris Conference Room | | |
| City: | Nashville, Tennessee | | |
| Zip: | 37228 | | |
| Hearing Date: | 09/10/2020 | | |
| Hearing Time: | 9:00 A.M. | <input checked="" type="checkbox"/> CST/CDT | <input type="checkbox"/> EST/EDT |

Additional Hearing Information:

This rulemaking hearing will be held in person. In the event that an in-person hearing is prohibited or otherwise inappropriate because of COVID19, this rulemaking hearing will be held via webex on the date and time listed above.

Please find the information below to access the webex:

Webex Event address for attendees:

<https://tngov.webex.com/tngov/onstage/g.php?MTID=e9e7031e29b73bd4aec6a282f381ead57>

Revision Type (check all that apply):

- Amendment
- New
- Repeal

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

| Chapter Number | Chapter Title |
|-----------------------|-------------------------------|
| 1180-02 | Rules Governing Psychologists |
| Rule Number | Rule Title |
| 1180-02-.08 | Continuing Education |
| | |
| | |

| Chapter Number | Chapter Title |
|-----------------------|----------------------|
| | |
| Rule Number | Rule Title |
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Place substance of rules and other info here. Statutory authority must be given for each rule change. For information on formatting rules go to <https://sos.tn.gov/products/division-publications/rulemaking-guidelines>.

Rule Chapter 1180-02
Rules Governing Psychologists

Amendments

Rule 1180-02-.08 Continuing Education is amended by deleting the rule in its entirety, but not its title, and by substituting instead the following language, so that as amended, the new rule shall read:

- (1) Hours required for Psychologists, Senior Psychological Examiners, and Psychological Examiners:
 - (a) 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.
 - (b) Notwithstanding 1180-01-.08(1)(a), licensees whose initial term of licensure was less than two (2) years, can obtain thirty (30) CE hours to satisfy the CE requirement for the first audit cycle.
 - (c) 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).
 - (d) 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.
 - (e) Three (3) total APA or sponsor approved CE hours shall pertain to a combination of all of the following areas:
 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. Professional Ethics for psychologists.
 - (f) Experiences unacceptable as continuing education include, but are not limited to, administrative activities; psychotherapy; personal growth or enrichment; regular work activities as a psychologist; independent, unstructured or self-structured learning; home study except from providers approved by the APA, except as stipulated in Rule 1180-01-.08(2).
- (2) Continuing Education Activities- A minimum of twenty (20) hours must involve the opportunity for real time interaction during the presentation.
 - (a) APA approved continuing education- These are continuing education programs which are postdoctoral in nature and include formal learning objectives and evaluation of learning activities. A minimum of nine (9) hours of CE must be obtained from APA approved continuing education each license cycle.
 - (b) Sponsor Approved Continuing Education- These are formal activities which are psychological in nature, provide documentation of attendance, and have a pre-assigned number of CE credits. Offerings can be sponsored by a regional psychological association, a state psychological association, and any recognized and relevant credentialing national, regional or state professional body, an institution housing an APA-approved internship program, or a nationally recognized

accredited college or university with a health-related professional training program.

(c) Professional

1. Clinical peer consultation groups- "Peer Consultation" refers to a structured and organized system of interaction with colleague(s) designed to help broaden professional knowledge and expertise and reduce professional isolation. Examples of peer consultation include meeting with colleague(s) in research groups, journal clubs, and case consultations, with a structured, organized format, in person or electronically, with a focus on professional practice. In order to obtain CE hours for peer consultation, a minimum of ten (10) hours is required per renewal cycle. One hour of peer consultation is equal to one CE credit hour. A maximum amount of twenty (20) CE hours can be received biennially.
2. Workshops, seminars or courses - Relevant non-accredited psychology work-shops, seminars or courses can be completed for a maximum of ten (10) hours of CE credit per year. Acceptable documentation will consist of certificates of attendance or registration receipts.
3. Serving as a member of the Board shall be assigned a maximum of ten (10) CE hours per year. Serving as a member of the Board will satisfy the requirement listed in 1180-01-.08(1)(e).
4. Serving in a position, for at least one (1) year, that is relevant to the practice of psychology with the state, or national psychological association shall be assigned a maximum of five (5) CE hours per year.
5. Providing clinical supervision to students, interns, and post-graduate clinicians shall be assigned a maximum of five (5) CE hours per two (2) calendar years (January 1 - December 31)..
6. Passing the Tennessee Ethics and Jurisprudence Exam shall be assigned a maximum of three (3) CE hours. These three (3) hours will satisfy the requirement listed in 1180-01-.08(1)(e).

(d) Academic

1. 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 fourteen (14) 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.
 - (iv) Developing for teaching purposes an interactive computer program shall be assigned twenty-two (22) hours of CE credit. Acceptable documentation will consist of a personal log detailing the computer program.

2. 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 CE credit. Acceptable documentation will consist of a personal log detailing the published materials.
 - (ii) 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 CE credit. Acceptable documentation will consist of a personal log detailing the published materials.
 - (iii) Serving as a reviewer of a journal article shall be assigned one (1) hour of CE credit per manuscript. Acceptable documentation will consist of a personal log detailing the published materials.
3. Graduate Courses and ABPP Exam
 - (i) Passing a graduate course in an APA-approved graduate psychology program shall be assigned five (5) CE hours per credit hour. A maximum of fifteen (15) CE hours is allowed.
 - (ii) Passing the ABPP exam shall be assigned twenty (20) hours of CE credit.
- (e) Voluntary Provision of Healthcare Services- Psychologists, Senior Psychological Examiners, and Psychological Examiners may satisfy one (1) hour of continuing education through the performance of one (1) hour of voluntary provision of healthcare services. The maximum amount of annual hours that can be received by performing voluntary healthcare services is four (4) hours. Evidence of such voluntary healthcare services must include a letter on official letterhead from the sponsoring organization identifying the date that the voluntary healthcare services were completed and the number of voluntary healthcare service hours that were completed.
- (3) 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.
- (4) 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.
 - (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.
- (5) Waiver of Continuing Education
 - (a) The Board may grant a waiver of the need to attend and complete the required hours of continuing education where illness, disability, or other undue hardship beyond the control of the licensee prevents a licensee from complying.
 - (b) Waivers will be considered only on an individual basis and may be requested by submitting the following items to the Board Administrative Office prior to the end of the licensure cycle in which the continuing education is due:
 1. A written request for a waiver which specifies what requirement is sought to be waived and the reasons for the request.
 2. Any documentation which supports the reason for the waiver requested or which is subsequently requested by the Board.
 - (c) A waiver approved by the Board is effective for only the renewal period for which the waiver is sought unless otherwise specified in writing by the Board.

- (d) The Board Consultant and the designee are authorized to grant or deny requests for waivers subject to subsequent Board ratification.

I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.

Date: July 14, 2020

Signature: 

Name of Officer: Paetria Morgan

Title of Officer: Senior Associate General counsel

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Filed with the Department of State on: 7/15/2020



Tre Hargett
Secretary of State

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Cancellation of Rulemaking Hearing Form

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| Agency/Board/Commission: | Board of Examiners in Psychology |
| Division: | |
| Contact Person: | Paetria P. Morgan |
| Address: | 665 Mainstream Drive, Nashville, Tennessee |
| Zip: | 37243 |
| Phone: | (615) 741-1611 |
| Email: | Paetria.Morgan@tn.gov |

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This cancellation refers to the following Notice of Rulemaking Hearing:

Cancelled Rulemaking Hearing Sequence Number: 07-20-20

Cancelled Rulemaking Hearing File Date: 7/15/2020

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Date: July 20, 2020

Signature: 

Name of Officer: Paetria P. Morgan

Title of Officer: Senior Associate General Counsel