

BOARDS AND COMMISSIONS
Board of Examiners of Psychology
(Amendment)

201 KAR 26:215. Nonresident status.

RELATES TO: KRS 319.015(8), 319.082

STATUTORY AUTHORITY: KRS 319.015(8), 319.032(1)(a)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 319.032(1)(a) requires the Board of Examiners of Psychology to promulgate administrative regulations to establish requirements for licensure. KRS 319.015(8) authorizes a nonresident psychologist temporarily employed in the state to render psychological services for no more than thirty (30) days every two (2) years and requires the board to establish a registration process for nonresident psychologists. This administrative regulation establishes the requirements for registering in Kentucky as a nonresident psychologist.

Section 1. A nonresident psychologist temporarily employed in the state may render psychological services immediately upon:

- (1) Written notification of intent to provide psychological services in Kentucky and verification to the board that the nonresident psychologist:
 - (a) Holds the Interjurisdictional Practice Certificate (IPC) issued by the Association of State and Provincial Psychology Boards (ASPPB) or a successor organization;
 - (b) Holds the Certificate of Professional Qualification (CPQ) issued by ASPPB or a successor organization;
 - (c) Is board-certified by the American Board of Professional Psychology (ABPP) or a successor organization; or
 - (d) Is licensed in a jurisdiction with whom this Board has established reciprocity; and
- (2) Payment to the board a fee for registration as a nonresident psychologist established in 201 KAR 26:160, Section 4.

Section 2.

- (1) A nonresident credential holder who does not satisfy Section 1 of this administrative regulation, is temporarily employed, and seeks to practice in Kentucky shall:
 - (a) Submit completed Nonresident Psychological Registration Form and satisfy the requirements of Subsection (2) of this section; and
 - (b) Pay to the board a fee for registration as a nonresident psychologist established in 201 KAR 26:160, Section 4.
- (2) Board approval shall be contingent upon:
 - (a) Receipt of documentation that the nonresident psychologist holds a valid license in good standing from another jurisdiction; and
 - (b) Confirmation that the applicant does not have a report of disciplinary action filed with the Association of State and Provincial Psychology Boards.
- (3)
 - (a) Nonresident temporary practice, pursuant to KRS 319.015(8), shall be conditionally approved by the chair of the board if:
 1. The applicant for temporary practice meets the conditions for practice established by KRS 319.015(8); and
 2. The applicant has registered with the board.
 - (b) The conditional approval shall terminate at the next regularly scheduled meeting of the board. At that meeting, the board shall determine whether to approve the temporary practice.

Section 3. A nonresident psychologist temporarily employed in the state may render psychological services no more than thirty (30) days every two (2) years with the approval of the board.

Section 4. Upon the completion of the authorized temporary employment period, the nonresident license holder shall submit a written report to the board of each date on which psychological services were rendered in this state, and the location of the site of those services.

Section 5. For purposes of this administrative regulation, the provision of psychological services on a given date, regardless of the period of time of those services, shall constitute one (1) day.

Section 6. Pursuant to KRS 319.015(8), the provisions of this administrative regulation shall:

- (1) Apply to a nonresident psychologist temporarily employed in the state for a period of fewer than thirty (30) days every two (2) years; and
- (2) Not be used to begin practice in Kentucky by an applicant for temporary or regular licensure pending credentials review.

Section 7. A person licensed to practice psychology in another jurisdiction may practice psychology by electronic or telephonic means in Kentucky if he or she registers with the board and receives board approval for this practice. A person seeking this approval shall follow the provisions set forth in Sections 1 through 4 of this administrative regulation.

Section 8. A person licensed to practice psychology in another jurisdiction and who is providing service in response to a declared disaster pursuant to an agreement between the American Red Cross and the American Psychological Association's Disaster Response Network may begin practice in Kentucky upon notification to the board.

Section 9. A person practicing pursuant to the provisions of KRS 319.015(8) shall be subject to the provisions of KRS 319.082 and 201 KAR 26:145.

Section 10. Incorporation by Reference.

- (1) "Nonresident Psychological Registration Form", October 2021, is incorporated by reference.
- (2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Board of Examiners of Psychology, 500 Mero Street, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. The material is also available on the board's Web site and the address is: <https://psy.ky.gov>.
(20 Ky.R. 678; 944; eff. 10-21-1993; 24 Ky.R. 1131; 1667; eff. 2-17-1998; 25 Ky.R. 408; eff. 9-16-1998; 28 Ky.R. 1480; eff. 2-7-2002; 37 Ky.R. 1533; eff. 3-4-2011; 43 Ky.R. 1834; 44 Ky.R. 36; eff. 7-17-2017; Crt eff. 9-5-2019; 48 Ky.R. 1878; eff. 6-2-2022.)

JEAN A. DETERS, Psy. D., Board Chair

APPROVED BY AGENCY: November 8, 2021

FILED WITH LRC: November 12, 2021 at 3:50 p.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall, if requested, be held on January 31, 2022 at 3:00 p.m. EST in Room 133, The Mayo-Underwood Building, 500 Mero Street, Frankfort, Kentucky 40601. All attendees shall comply with all Executive Orders relating to the State of Emergency as may be in effect on the date of the public hearing, which may be found at: <https://governor.ky.gov/covid-19>. Members of the public may utilize the following link to attend the meeting by video conference:

CONTACT PERSON: Kevin Winstead, Commissioner, Department of Professional Licensing, 500 Mero Street, phone (502) 782 - 8805, fax (502) 564-3969, email KevinR.Winstead@ky.gov.