

**BOARDS AND COMMISSIONS**  
**Board of Examiners of Psychology**  
**(Amendment)**

**201 KAR 26:230. Examinations and applications.**

RELATES TO: KRS 319.032(1)(a), 319.050, 319.053, 319.064

STATUTORY AUTHORITY: KRS 319.032(1)(a)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 319.032(1)(a) requires the board to promulgate an administrative regulation establishing the examination requirements for an applicant for licensure. KRS 319.050(1) and 319.064(2)(c), (3) require an applicant to successfully complete the required examination prior to licensure. This administrative regulation establishes the examination and application requirements.

Section 1.

(1) The national examination shall be the Examination for Professional Practice in Psychology (EPPP) developed by the Association of State and Provincial Psychology Boards (ASPPB) examination contractor and owned by the ASPPB.

(a) The EPPP shall be taken by computer administration.

(b) The board shall submit to the ASPPB examination contractor a list of applicants eligible to sit for the examination.

(2) The Kentucky examinations shall consist of a jurisprudence examination of Kentucky mental health law, and a competency examination of ethical principles, and professional practice.

(a) A candidate shall score at least an eighty (80) percent to pass the jurisprudence examinations.

(b) A candidate shall score a 100 percent to pass the competency examination.

Section 2. General Requirements.

(1) An applicant for licensure shall:

(a)

1. Submit a completed application as required by 201 KAR 26:155, Section 1; 201 KAR 26:280, Section 1; 201 KAR 26:180, Section 2; 201 KAR 26:185, Section 2; ~~or~~ ~~and~~ 201 KAR 26:290, Section 1; and

2. Pay the applicable fee established in 201 KAR 26:160; or

(b) Submit the application required by subsection (1) of this section to the online application management system designated by the board that shall:

1. Include a certification by the applicant that the:

a. Information in the application is true, correct, and complete to the best of their knowledge and belief; and

b. Applicant is aware that the board may take disciplinary action if the application contains a misrepresentation or falsification; and

2. Be accompanied by payment of the application fee that shall:

a. Be made payable directly to the Kentucky State Treasurer if the application is processed through the board; or

b. Be made to the online application management system as directed by the board.

(2) Once the Licensed Psychologist Applicant has completed all items, including sending supplemental materials, the online application management system completes a primary source verification process then forwards the application to the board for final review.

(3) The Credentialing Committee of the Board reviews the application and determines the applicant's eligibility for licensure.

(4) The applicant shall sit for the national (EPPP) examination within one (1) year of the notice of the application being approved by the board. An applicant may sit for the

national (EPPP) examination at any approved ASPPB examination contractor testing center in the United States, U.S. Territories, or Canada.

(5) If an applicant loses eligibility to sit for the national (EPPP) examination because of failure to reschedule, cancel, or appear to take the examination as stated in subsection (4) of this section:

- (a) The applicant shall forfeit all fees paid; and
- (b) Any temporary license issued to the applicant shall be terminated.

### Section 3. Examination for Licensure as a Licensed Psychologist.

(1) The applicant shall pass:

(a) The national (EPPP) examination in accordance with subsection (2) of this section; and

(b) The Kentucky examinations as outlined in Section 1(2) of this administrative regulation. The competency examination shall be administered by two (2) licensed psychologists approved by the board.

(2) The applicant shall obtain an EPPP scaled score of 500 or greater or shall have obtained a previous national EPPP passing score which satisfied the doctoral licensure requirement as to criterion level at the time of that examination. The applicant shall be notified by the board of the score, as well as of passing or failing the examination.

(3) If an applicant for licensure as a licensed psychologist fails the national (EPPP) examination, the candidate ~~may~~<sup>shall</sup> reapply with a detailed remediation plan, including the process by which the applicant proposes to improve his or her performance on the examination, the time proposed to be spent on remediation, and with whom the applicant proposes to study or obtain further instruction and any other information requested by the board. Upon completion of the remediation plan approved by the board, and the appropriate fee to the ASPPB examination contractor is paid, the applicant shall~~to the board, pay the appropriate fee to the ASPPB examination contractor and~~ be deemed eligible by the board to be permitted to sit again for the national (EPPP) examination.

(a) The candidate shall continue to function under the supervision of the board-approved supervisor until:

1. The national (EPPP) examination and Kentucky examinations are successfully completed; or
2. The temporary license is terminated.

(b) The applicant for licensure as a licensed psychologist shall not be scheduled for the Kentucky examinations until the national (EPPP) examination has been successfully passed and the board has determined that the requirements for supervised experience for licensure as a licensed psychologist have been met.

(4) The competency examination shall not be required for an applicant who is board-certified by the American Board of Professional Psychology (ABPP) or a successor organization or holds a current license in good standing from a jurisdiction with a reciprocity agreement with this board.

(5) If the applicant does not pass either one of the Kentucky examinations on the first attempt, the applicant may reapply with a detailed remediation plan, including the process by which the applicant proposes to improve his or her performance on the examination, the time proposed to be spent on remediation, and with whom the applicant proposes to study or obtain further instruction and any other information requested by the board. Upon completion of the remediation plan approved by the board, the applicant shall be administered a second examination.

(6) If the applicant does not pass either one of the Kentucky examinations on the second attempt, the applicant may reapply with an additional remediation plan. Upon completion of the remediation plan approved by the board, the applicant shall be administered a third examination.

(7) An applicant may only take each one of the structured examinations on three (3) occasions. If an applicant for licensure as a licensed psychologist does not pass on the third attempt, they may apply to be credentialed as a licensed psychological associate by completing an application and paying the appropriate fee, as required by 201 KAR 26:160. The board shall accept the applicant's previous examination results to satisfy the requirements for the licensed psychological associate application.

#### Section 4. Examination for Licensure as a Licensed Psychological Practitioner.

(1) The applicant shall pass:

(a) A national (EPPP) examination unless the applicant's previous examination results for the national (EPPP) examination satisfied the doctoral licensure requirement as to criterion level at the time of that examination; or

(b) The applicant shall obtain a computerized national (EPPP) scaled score of 500 or greater. The applicant shall be notified by the board of the score, as well as of passing or failing the examination.

(2) Pursuant to KRS 319.050(3), an applicant for licensure as a licensed psychological practitioner who has been approved to sit for the national (EPPP) examination shall continue to be supervised until all requirements for licensure as a licensed psychological practitioner have been completed.

(3) If an applicant for licensure as a licensed psychological practitioner fails to obtain a scaled score of 500 or greater on the EPPP examination, the candidate may reapply to the board, pay the appropriate fee to the ASPPB examination contractor and be permitted to sit for the national (EPPP) examination again.

(4) The applicant for licensure as a licensed psychological practitioner shall not be scheduled for the Kentucky examinations until the national (EPPP) examination has been successfully passed and the required five (5) years of supervised experience or its equivalent have been approved by the board.

(5) An applicant for licensure as a licensed psychological practitioner shall submit to a competency examination as outlined in Section 1(2) of this administrative regulation administered by an at least one (1) licensed psychologist and either a certified psychologist with autonomous functioning or a licensed psychological practitioner. The applicant for licensure as a licensed psychological practitioner shall also complete a jurisprudence examination as outlined in Section 1(2) of this administrative regulation.

(6) If the applicant does not pass either one of the Kentucky examinations on the first attempt the, the applicant may reapply with a remediation plan, including the process by which the applicant proposes to improve his or her performance on the examination, the time proposed to be spent on remediation, and how the applicant proposes to study or obtain further instruction and any other information requested by the board. Upon completion of a remediation plan approved by the board, the applicant shall be administered a second examination.

(7) If the applicant does not pass either one of the Kentucky examinations on the second attempt, the applicant may reapply with an additional remediation plan. Upon completion of a remediation plan approved by the board, the applicant shall be administered a third examination.

(8) An applicant may only take each examination three (3) times, and would have to remain as a Psychological Associate under board approved supervision if either examination is failed three (3) times.

#### Section 5. Examination for Licensure as a Psychological Associate.

(1) The applicant shall:

(a) Obtain a national (EPPP) scaled score of 400 or greater; or

(b) Have obtained an EPPP passing score for licensure at the master's level in effect at the time of the applicant's previous national (EPPP) examination.

- (c) The applicant shall be notified by the board of the score, as well as of passing or failing the examination.
- (2) Pursuant to KRS 319.064(3), an applicant for licensure as a licensed psychological associate who has been approved to sit for the national (EPPP) examination and whose supervisory arrangement has been approved by the board shall be considered to be functioning under a temporary license.
- (3) If an applicant for licensure as a psychological associate fails the national (EPPP) examination, the applicant shall:
- (a) File a detailed remediation plan, cosigned by the supervisor within thirty (30) days of notice of failure; and
  - (b) Be eligible to retake the national (EPPP) examination upon approval of the plan by the board.[]

~~{Section 6.} {Incorporation by Reference.}~~

~~{(1)} {Application for Licensure as a Psychologist, March 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.}~~

*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](mailto:KevinR.Winstead@ky.gov).

## REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

**Contact Person: Kevin Winstead**

**(1) Provide a brief summary of:**

**(a) What this administrative regulation does:**

KRS 319.032 authorizes the Kentucky Board of Examiners of Psychology to promulgate administrative regulations consistent with KRS Chapter 319, regulating the practice of psychology. This administrative regulation establishes the examination and application requirements.

**(b) The necessity of this administrative regulation:**

This administrative regulation is required by KRS 319.032.

**(c) How this administrative regulation conforms to the content of the authorizing statutes:**

KRS 319.032 authorizes the Kentucky Board of Examiners of Psychology to promulgate administrative regulations consistent with KRS Chapter 319, regulating the practice of psychology. This administrative regulation establishes the examination and application requirements.

**(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:**

This regulation assists in the effective administration of KRS Chapter 319 by carrying out the legislative mandate for the board to establish regulations for the practice of psychology.

**(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:**

**(a) How the amendment will change this existing administrative regulation:**

Requires that an applicant create a remediation plan if they fail the national exam.

**(b) The necessity of the amendment to this administrative regulation:**

See (1)(b).

**(c) How the amendment conforms to the content of the authorizing statutes:**

See (1)(c).

**(d) How the amendment will assist in the effective administration of the statutes:**

See (1)(d).

**(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:**

This regulation will affect 1,772 licensed psychologists practicing in the Commonwealth of Kentucky, as well as an unknown number of individuals seeking licensure. (4) Provide an analysis of how the entities identified in the previous question will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including: (a) List the actions each of the regulated entities have to take to comply with this regulation or amendment: This amendment provides updated procedures if an applicant fails the national examination. (b) In complying with this administrative regulation or amendment, how much will it cost each of the entities: This regulation should add no additional cost to the licensed psychologist. (c) As a result of compliance, what benefits will accrue to the entities: This regulation will allow psychologists to have an updated understanding of procedures for clinical supervision of certified psychologist, licensed psychological

associate, candidate for licensure, a credential holder sanctioned by the board, or a credential holder under disciplinary action, and clarifies that this type of supervision is clinical, not administrative or business supervision..

**(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:**

**(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment:**

No answer provided.

**(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3):**

No answer provided.

**(c) As a result of compliance, what benefits will accrue to the entities identified in question (3):**

No answer provided.

**(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:**

**(a) Initially:**

This administrative regulation does not create a cost for the administrative body.

**(b) On a continuing basis:**

This administrative regulation does not create a cost for the administrative body

**(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation:**

The Kentucky Board of Examiners of Psychology is self-funded through the fees paid by licensees. No additional funding is necessary for the implementation and enforcement of this administrative regulation.

**(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment:**

No increases in fees or funding is necessary to implement the amendment to this administrative regulation.

**(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees:**

No increases in fees or funding is necessary to implement this administrative regulation.

**(9) TIERING: Is tiering applied?**

Tiering is not applied because similarly situated licensees are treated similarly under this administrative regulation.

## FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

**(1) What units, parts or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation?**

This administrative regulation impacts the Kentucky Board of Examiners of Psychology.

**(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation.**

KRS 319.032(1).

**(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.**

**(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year?**

This administrative regulation does not generate revenue for the Board.

**(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years?**

None.

**(c) How much will it cost to administer this program for the first year?**

There are no additional costs.

**(d) How much will it cost to administer this program for subsequent years?**

See 3(c).

**Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.**

**Revenues (+/-):**

**Expenditures (+/-):**

**Other Explanation:**