# TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control No. 750 Department or Agency Board of Examiners Rule No. 750-X-402	s in Psychology
Rule Title: Representation To The Public	
New X Amend Repeal Adop	t by Reference
Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety?	_Yes
Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare?	Yes
Is there another, less restrictive method of regulation available that could adequately protect the public?	No
Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree?	No
Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule?	No
Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public?	Yes
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Does the proposed rule have an economic impact?	No
If the proposed rule has an economic impact, the proposed rule is required prepared in accordance with subsection (f) of Section 41-22-23, Code of A	
**************************************	*******
I certify that the attached proposed rule has been proposed in full complia 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable Administrative Procedure Division of the Legislative Reference Service.  Signature of certifying officer  Date  09 19 2013  Executive Officer	e filing requirements of the

(DATE FILED) (STAMP)

### **NOTICE OF INTENDED ACTION**

RULE NO. & TITLE:

750-X-1-.01 Membership

INTENDED ACTION:

The Alabama Board of Examiners in Psychology proposes to amend

the above rule.

SUBSTANCE OF PROPOSED ACTION:

This amendment is needed to comply with Act 2013-

386 regarding the diversity requirements of Board

member positions.

RULE NO. & TITLE:

750-X-1-.02 Election Of Officers, Terms Of Office, And Duties

INTENDED ACTION:

The Alabama Board of Examiners in Psychology proposes to amend

the above rule.

SUBSTANCE OF PROPOSED ACTION:

This amendment is needed to comply with Act 2013-

386 regarding the nomination process for filling

Board positions.

RULE NO. & TITLE:

750-X-1-.03 Filling An Unexpired Term

INTENDED ACTION:

The Alabama Board of Examiners in Psychology proposes to amend

the above rule.

SUBSTANCE OF PROPOSED ACTION:

This amendment is needed to comply with Act 2013-

386 regarding the nomination process for filling

Board positions with unexpired terms.

RULE NO. & TITLE:

750-X-1-.08 Alabama Sunset Law

INTENDED ACTION:

The Alabama Board of Examiners in Psychology proposes to adopt

the above new rule.

SUBSTANCE OF PROPOSED ACTION:

The adoption of this new rule is needed to comply with Act 2013-386 and the Alabama Sunset Law,

Title 41, Chapter 20, regarding the Board's termination and continuation dates pursuant to the

Alabama Sunset Law.

## NOTICE OF INTENDED ACTION CONTINUED

RULE NO. & TITLE:

750-X-2-.01 Candidates For Licensure

**INTENDED ACTION:** 

The Alabama Board of Examiners in Psychology proposes to amend

the above rule.

SUBSTANCE OF PROPOSED ACTION:

This amendment is needed to comply with Act 2013-386. The requirement of U.S. citizenship and/or legal

presence in the U.S. is already stated in the Beason-Hammon Alabama Taxpayer & Citizen Protection Act

(Act 2011-535).

RULE NO. & TITLE:

750-X-2-.03 Application Form

INTENDED ACTION:

The Alabama Board of Examiners in Psychology proposes to amend

the above rule.

SUBSTANCE OF PROPOSED ACTION:

This amendment is needed to comply with Act 2013-

386 regarding criminal history background checks.

RULE NO. & TITLE:

750-X-2-.07 Internship Training

**INTENDED ACTION:** 

The Alabama Board of Examiners in Psychology proposes to amend

the above rule.

SUBSTANCE OF PROPOSED ACTION:

This amendment is needed to correct a typographical

error (adding an apostrophe to a word in 750-X-2-

.07(2)(1).

RULE NO. & TITLE:

750-X-2-.08 Licensure of Applicants Licensed To Practice

Psychology In Another Jurisdiction

**INTENDED ACTION:** 

The Alabama Board of Examiners in Psychology proposes to amend

the above rule.

SUBSTANCE OF PROPOSED ACTION:

This amendment is needed to comply with Act 2013-

386 regarding U.S. citizenship and licensure requirements (CPQ and ABPP status), 30-day practice

and disaster/emergency practice.

## NOTICE OF INTENDED ACTION CONTINUED

**RULE NO. & TITLE:** 

750-X-2A-.03 Application Form

INTENDED ACTION:

The Alabama Board of Examiners in Psychology proposes to amend

the above rule.

SUBSTANCE OF PROPOSED ACTION:

This amendment is needed to comply with Act 2013-

386 regarding criminal history background checks.

RULE NO. & TITLE:

750-X-3A-.01 Rationale

INTENDED ACTION:

The Alabama Board of Examiners in Psychology proposes to amend

the above rule.

SUBSTANCE OF PROPOSED ACTION:

This amendment is needed to comply with Act 2013-

386 stating that continuing education shall be relevant to or applicable within the practice of psychology.

750-X-3A-.08 Failure To Comply With Continuing Education

Requirements

**INTENDED ACTION:** 

RULE NO. & TITLE:

The Alabama Board of Examiners in Psychology proposes to amend

the above rule.

SUBSTANCE OF PROPOSED ACTION:

This amendment is needed to comply with Act 2013-

386 regarding lapsed licensure for failure to engage in continuing education or failure to pay the annual

continuing education fee.

## **NOTICE OF INTENDED ACTION CONTINUED**

RULE NO. & TITLE:

750-X-4-.01 License Renewal

INTENDED ACTION:

The Alabama Board of Examiners in Psychology proposes to amend

the above rule.

SUBSTANCE OF PROPOSED ACTION:

This amendment is needed to comply with Act 2013-

386 regarding lapsed licensure for failure to pay the annual license renewal and continuing education fees.

RULE NO. & TITLE:

750-X-4-.02 Inactive Status

INTENDED ACTION:

The Alabama Board of Examiners in Psychology proposes to adopt

the above new rule.

SUBSTANCE OF PROPOSED ACTION:

The adoption of this new rule is needed to comply

with Act 2013-386 regarding the designation of

inactive status of a psychologist license.

RULE NO. & TITLE:

750-X-4-.02 Representation To The Public

INTENDED ACTION:

The Alabama Board of Examiners in Psychology proposes to amend

the above rule number.

SUBSTANCE OF PROPOSED ACTION:

This amendment is needed for re-numbering purposes

(750-X-4-.03) due to the adoption of the subsequent

new rule in compliance with Act 2013-386.

RULE NO. & TITLE:

750-X-5-.03 Disciplinary Actions Against Licensed Psychologists

and Licensed Psychological Technicians

INTENDED ACTION:

The Alabama Board of Examiners in Psychology proposes to amend

the above rule.

**SUBSTANCE OF PROPOSED ACTION:** 

This amendment is needed to comply with Act 2013-

386 regarding penalties for violations, judicial review of Board orders, disciplinary oversight of licensees

and reporting of disciplinary actions.

## NOTICE OF INTENDED ACTION CONTINUED

RULE NO. & TITLE:

750-X-5-.04 Inquiries About Unlicensed Individuals

**INTENDED ACTION:** 

The Alabama Board of Examiners in Psychology proposes to amend

the above rule.

SUBSTANCE OF PROPOSED ACTION:

This amendment is needed to comply with Act 2013-

386 allowing the Board to bring action in the Circuit Court of Montgomery County for violations of the

law, Board rules or Board orders.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

November 4, 2013

TIME, PLACE AND MANNER OF PRESENTING VIEWS: Interested Persons may present their views in writing to the Executive Officer of the Board at any time during the 35-day period following

September 30, 2013, or if requested in advance (no later than November 4, 2013), by personally

appearing at 660 Adams Avenue, Suite 360, Montgomery, Alabama, on Friday, November 8, 2013

at 10:00 a.m. Contact Person: Mrs. Lori Rall, Executive Officer, Alabama Board of Examiners in

Psychology, 660 Adams Avenue, Suite 360, Montgomery, AL 36104.

**CONTACT PERSON AT AGENCY:** 

Lori Rall, Executive Officer

Lori Dall

**Executive Officer** 

# 750-X-4-.023 Representation To The Public.

- (1) Licensure should not be used, either explicitly or implicitly, as a claim or promise or guarantee of successful service. A licensed psychologist or licensed psychological technician is to display the license certificate in an appropriate manner within an office area. The license should be reproduced only when necessary to complete a file or official records and not for display purposes or for announcement of services. On letterheads, professional cards, and other displays, licensees should use the designations "Licensed Psychologist" or "Licensed Psychological Technician", as appropriate. It is appropriate for the licensee to be introduced to an audience as "licensed by the State Board of Examiners."
- (2) Specialty titles, such as "Clinical Psychologist," etc., may be used by licensed psychologists, instead of the title "Licensed Psychologist" if the title provides an accurate description of training and services. Such titles, if used, must be consistent with one's level of licensure and competency and should not be used in combination with the term "Licensed Psychologist" since the Alabama license is generic. Specialty titles for licensed psychological technicians are not applicable.
- (3) A psychological technician may not use the title "psychologist" or hold himself or herself out to the public or knowingly allow himself or herself to be held out to the public as a psychologist. A licensed psychological technician shall not practice or present himself or herself outside the area of competence as approved by the board based upon the examination and review of the qualifications, training, and experience of the individual.
- (4) When licensees announce or advertise psychological services to the public under the name of a professional corporation, association, group, clinic, etc., the name of at least one licensed psychologist or psychological technician must appear in conjunction with the name of the professional corporation, association, group, clinic, etc.

Author: Alabama Board of Examiners in Psychology

Statutory Authority: Code of Ala. 1975, § 34-26-1, et seq.

**History:** Filed September 21, 1982. **Repealed and new rule** (same title) filed November 5, 1987. **Amended:** Filed April 5, 1990, November 25, 1997, May 14, 1998.