

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill Number: SM 109

52nd Legislature, 1st Session, 2015

Tracking Number: 200448.1

Short Title: Psychologist Licensure Task Force

Sponsor(s): Senator Pete Campos

Analyst: James Ball

Date: March 5, 2015

Bill Summary:

SM 109 requests that the Higher Education Department (HED) convene a task force to study the requirements and procedures for licensure as a psychologist. The task force is requested to evaluate:

- the quality of online study courses;
- licensing procedures;
- licensure eligibility requirements; and
- corresponding regulations.

The membership of the task force is to include, among others, representatives of the:

- Regulation and Licensing Department (RLD);
- Behavioral Health Services Division of the Human Services Department;
- New Mexico Association of School Psychologists; and
- New Mexico State Board of Psychologist Examiners.

SM 109 further requests that the Department of Health hold meetings with students and representatives of non-traditional doctoral programs that are excluded from licensure eligibility based on their use of online methods of education.

Finally, SM 109 requests that any recommended changes to the state's psychologist licensing procedures, licensure eligibility requirements, or corresponding regulations be directed to the appropriate interim committee no later than December 1, 2015.

Fiscal Impact:

Legislative memorials do not carry appropriations.

Substantive Issues:

Among its provisions, SM 109 finds that:

- behavioral healthcare services are insufficient to meet the demand in many areas of the state; and

- where some mental health services do exist in New Mexico, qualified providers especially in early childhood mental health, are often unavailable, including:
 - counselors;
 - social workers;
 - psychologists; and
 - psychiatrists;
- current behavioral health professional requirements provide restrictions on an applicant's ability to apply for licensure as a psychologist; and
- the psychologist licensing procedures require applicants to have a doctoral degree from a program accredited by the American Psychology Association, which does not allow accreditation based on study through online programs.

Technical Issue:

The *School Personnel Act* (act) in the *Public School Code* requires the Public Education Department (PED) to license instructional support providers, including psychologists. Among its provisions, the act states that if an instructional support provider practices a licensed profession, satisfactory evidence that the provider holds a current, unsuspended license in the profession must be provided to PED.

The sponsor may wish to consider including PED on the task force since PED licenses school psychologists.

Background:

According to the Board of Psychologist Examiners, on the RLD website, the licensing requirements in the agency rule include:

16.22.4.8 Educational Requirements

- A. The board shall issue a license as a psychologist to an applicant, otherwise qualified, who furnishes evidence satisfactory to the board that the applicant is a graduate of a doctoral program that is designated as a doctoral program in psychology by association of state and provincial psychology boards (ASPPB) or that is accredited by a nationally recognized accreditation body and hold a degree with a major in clinical, counseling or school psychology from a university offering a full-time course of study in psychology.
- B. It is the responsibility of the prospective applicant to provide evidence, at the time of application that the program from which he or she graduated is in substantial compliance with the requirements of the *Professional Psychology Act*.

16.22.9.8 Required Hours: Cultural Competence

- A. **Purpose.** The purpose of CPE requirements for psychologists is to ensure that licensees update and advance their skills such that the public shall benefit from the most current and effective standards of professional practice. To further the goal of public benefit, all psychologists are encouraged to fulfill a portion of their continuing professional

education requirements in the areas of ethics, professional conduct, and treatment and evaluation of culturally diverse populations.

B. Required hours. The board requires forty (40) hours of CPE for licensed psychologists and psychologist associates during every two (2) years. Credits in category I may be used to fulfill requirements in categories II and III. Credits in category II may be used to fulfill requirements in category III. The board may reject any credit applied for continuing education by a licensee if the licensee has either failed to demonstrate the validity of the continuing education experience to the standards of the board or falsified any information provided to the board regarding the continuing education credit sought. The required hours shall be as follows:

1. Category I: a minimum of ten (10) hours and a maximum of forty (40) hours;
2. Category II: a maximum of twenty-five (25) hours;
3. Category III: a maximum of fifteen (15) hours;
4. Category IV: a minimum of four (4) hours;
5. Category V: a minimum of five (5) hours;
6. it is acceptable for psychologists to obtain different combinations of hours in each category, even to the exclusion of categories II or III, provided that minimum and maximum requirements for the categories are met.

C. Cultural competence. Shall include attention to cultural diversity, as specifically noted in the title, description of objectives, or curriculum of the presentation, symposium, workshop, seminar, or course. The topic of the presentation, symposium, workshop, seminar, or course need not be on cultural competence; however one of the objectives or the description of topics covered must clearly indicate attention to cultural competence, as deemed satisfactory to the board.

1. Newly licensed psychologists and psychologist associates with restricted and unrestricted licenses shall complete eight (8) CPE credit hours of cultural competence coursework promulgated by the board one year from the date the license was issued specific to New Mexico cultural diversity.
2. Psychologists and psychologist associates with restricted and unrestricted licenses shall complete four (4) CPE credit hours of clinical diversity coursework related to population served biennially at the time of license renewal.

Committee Referrals:

SRC/SEC

Related Bills:

CS/HB 529 *Alternative Level 3B School Licensure*
SB 155 *Medical, Dental & Behavioral Health Recruits*
SB 588 *Loans to Social Workers & Psychologists*
HM 113 *Psychologist Licensure Task Force (Identical)*