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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:	Katherine Trawick, Associate Counsel Holt Whitt, Assistant Commissioner for Legislative Affairs
Address:	665 Mainstream Drive, Nashville, TN 37243 710 James Robertson Parkway, Nashville, TN 37243
Phone:	(615) 741-1611 (615) 741-0948
Email:	Katherine.Trawick@tn.gov Holt.Whitt@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, 5 th Floor, Nashville, Tennessee 37243
Phone:	(615) 253-5604
Email:	Kelly.Swindell@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:	06/26/2025
Hearing Time:	9:00 A.M. ☒ X CST/CDT ☐ EST/EDT

Additional Hearing Information:

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Revision Type (check all that apply):

- ☒ Amendment
☒ New
☐ Repeal

Rule(s) (**ALL** chapters and rules contained in filing must be listed here. If needed, copy and paste additional tables to accommodate multiple chapters. Please make sure that **ALL** new rule and repealed rule numbers are listed in the chart below. Please enter only **ONE** Rule Number/Rule Title per row)

Chapter Number	Chapter Title
1180-01	General Rules Governing the Practice of Psychologists, Senior Psychological Examiners, Psychological Examiners, and Certified Psychological Assistants
Rule Number	Rule Title
1180-01-.01	Definitions
1180-01-.02	Necessity of Licensure and Certification
1180-01-.05	Renewal of License or Certification
1180-01-.07	Retirement and Reactivation of License or Certificate
1180-01-.08	Continuing Education
1180-01-.10	Disciplinary Grounds, Actions, Civil Penalties, Settlements, and Screening Panels

Chapter Number	Chapter Title
1180-02	Rules Governing Psychologists
Rule Number	Rule Title
1180-02-.01	Scope of Practice
1180-02-.03	Procedures for Licensure

Chapter Number	Chapter Title
1180-03	Rules Governing Psychological Examiners and Senior Psychological Examiners
Rule Number	Rule Title
1180-03-.01	Scope of Practice

Chapter Number	Chapter Title
1180-04	Rules Governing Certified Psychological Assistants
Rule Number	Rule Title
1180-04-.01	Scope of Practice
1180-04-.03	Procedures for Certification

Chapter Number	Chapter Title
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1180-06	Rules Governing Certified Psychological Testing Technicians
Rule Number	Rule Title
1180-06-.01	Scope of Practice
1180-06-.02	Qualifications for Certification
1180-06-.03	Procedures for Certification

Chapter 1180-01
General Rules Governing the Practice of Psychologists, Senior Psychological Examiners, Psychological Examiners, and
Certified Psychological Assistants

Amendments

Chapter 1180-01 General Rules Governing the Practice of Psychologists, Senior Psychological Examiners, Psychological Examiners, and Certified Psychological Assistants is being amended by deleting the chapter title and substituting instead the following language, so that as amended, the new chapter title shall read:

Chapter 1180-01 General Rules Governing the Practice of Psychologists, Senior Psychological Examiners, Psychological Examiners, Certified Psychological Assistants, and Certified Psychological Testing Technicians

Rule 1180-01-.01 Definitions is amended by deleting paragraph (10) in its entirety and substituting instead the following language, and is further amended by adding new paragraph (12) and renumbering the remaining paragraphs accordingly, so that as amended, the new paragraphs shall read:

- (10) Certificate Holder - Any person who holds a current, lawfully issued certificate to practice as a Certified Psychological Assistant or a Certified Psychological Testing Technician.
- (12) Certified Psychological Testing Technician - A person who holds himself out to be a Certified Psychological Testing Technician or renders to individuals or to the public any services associated with administering and scoring standardized psychological and neuropsychological tests or observing and describing a client's test behavior and test responses. These services may only be rendered under the direct supervision of a Psychologist or Senior Psychological Examiner registered with the Board.

Authority: T.C.A §§ 63-11-104 and 63-11-201.

Rule 1180-01-.02 Necessity of Licensure and Certification is amended by deleting paragraphs (3) and (4) in their entirety and substituting instead the following language, and is further amended by adding new subparagraph (5)(d) and re-lettering the remaining subparagraph accordingly, so that as amended, the new paragraphs and subparagraph shall read:

- (3) Any person who delivers health services to the public as a Psychologist or as a Senior Psychological Examiner, whether or not for remuneration and wherever housed, whether a university, college or laboratory setting, must be licensed with HSP designation; any Psychological Examiner delivering services to the public, whether or not for remuneration and wherever housed, must be licensed; any Certified Psychological Assistant delivering services to the public, whether or not for remuneration and wherever housed, must be certified; any Certified Psychological Testing Technician delivering services to the public, whether or not for remuneration and wherever housed, must be certified.
- (4) Prior to the engagement of the practice of psychology in Tennessee, a person must hold a current Tennessee license, certificate, temporary license, temporary certificate, or provisional license issued pursuant to Chapter 1180-02, Chapter 1180-03, Chapter 1180-04, or Chapter 1180-06.
- (5) (d) Any person who possesses a valid, unsuspended and unrevoked psychological testing technician certification issued by the Board has the right to use the title "Certified Psychological Testing Technician" and to practice psychology under supervision as defined in Rule 1180-06-.01.

Authority: T.C.A. §§ 63-1-123, 63-1-145, 63-1-146, 63-11-104, 63-11-201 63-11-202, 63-11-205, 63-11-206, and 63-11-212.

Rule 1180-01-.05 Renewal of License or Certification is amended by deleting parts (2)(a)1 and (2)(a)3 in their entirety and substituting instead the following language, and is further amended by adding new part (2)(a)4 and renumbering the remaining part accordingly, so that as amended, the new parts shall read:

- (2) (a) 1. Payment of the renewal fee;
- 3. Compliance with continuing education requirements in rule 1180-01-.08;
- 4. Registration of supervisor(s) of record if required; and

Authority: T.C.A. §§ 63-11-104 and 63-11-218.

Rule 1180-01-.07 Retirement and Reactivation of License or Certificate is amended by deleting paragraphs (1) and (5) in their entirety and substituting instead the following language, so that as amended, the new paragraphs shall read:

- (1) A person who holds a current license or certificate and does not intend to practice as a licensed Psychologist, Senior Psychological Examiner, Psychological Examiner, Certified Psychological Assistant, or Certified Psychological Testing Technician may apply to convert an active license or certificate to retired status. An individual who holds a retired license or certificate is not required to pay the renewal fee.
- (5) A person whose certificate has been retired and who has not practiced for over five (5) years may re-enter active status provided there are no criminal or practice act violations which would prohibit initial certification, by registering their supervisor(s) of record with the Board and submitting to the Board administrative office a written request for certification reactivation, the certificate renewal fee, the state regulatory fee, and the late renewal fee. A person whose license has been retired and who has not practiced for over five (5) years may re-enter active status provided there are no criminal or practice act violations which would prohibit initial licensure, by registering their supervisor(s) of record with the Board if necessary and submitting to the Board administrative office a written request for licensure reactivation, the license renewal fee, the state regulatory fee, the late renewal fee, proof of successful completion of forty (40) hours of continuing education as provided in rule 1180-01-.08, and by passing the jurisprudence and ethics examination if required, paying the jurisprudence and ethics examination exam fee as provided in rule 1180-01-.03, and obtaining six (6) months of supervision.

Authority: T.C.A. §§ 63-11-104 and 63-11-218.

Rule 1180-01-.08 Continuing Education is amended by deleting paragraph (1) and subparagraph (1)(c) in their entirety and substituting instead the following language, and is further amended by adding new subparagraph (1)(d) and re-lettering the remaining subparagraphs accordingly, and is further amended by deleting newly re-lettered subparagraphs (1)(e) and (1)(f) and part (1)(f)2 in their entirety and substituting instead the following language, so that as amended, the new paragraph, subparagraphs, and part shall read:

- (1) Hours required for Psychologists, Senior Psychological Examiners, Psychological Examiners, Certified Psychological Assistants, and Certified Psychological Testing Technicians:
 - (c) Certified Psychological Assistants are required to obtain fifteen (15) hours of continuing education (CE) credit every two (2) years. This CE shall be acquired in the two (2) calendar years (January 1 - December 31) prior to the licensure renewal year as provided in Rule 1180 - 04-.01(4)(f).
 - (d) Certified Psychological Testing Technicians are required to pursue continuing education activities as directed by their supervisor, as provided in Rule 1180-06-.01(4)(f).
 - (e) With the exception of Certified Psychological Testing Technicians, 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 training should provide updated perspectives, along with the skills and knowledge needed to effectively work with diverse patient populations. This may include education on cultural competency, communication strategies, and

addressing health disparities 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.

- (f) With the exception of Certified Psychological Testing Technicians, a total of three (3) hours of continuing education provided by an APA approved sponsor or other sponsor approved continuing education, as referenced below in Rule 1180-01-.08(2)(a) and (b), shall pertain to a combination of all of the following areas:

2. Official Compilation, Rules and Regulations of the State of Tennessee, Chapters 1180-01, 1180-02, 1180-03, 1180-04, and 1180-06; and

Authority: T.C.A. §§ 63-6-712, 63-11-104, 63-11-215, and 63-11-218.

Rule 1180-01-.10 Disciplinary Grounds, Actions, Civil Penalties, Settlements, and Screening Panels is amended by deleting paragraphs (1), including its subparagraphs, (2), and (7), subparagraphs (2)(c) and (7)(c), and part (6)(b)1, in their entirety and substituting instead the following language, so that as amended, the new paragraphs, subparagraphs, and part shall read:

- (1) Grounds and authority for disciplinary actions. The Board shall have the power to deny an application for a license or certificate to any applicant. The Board shall have the authority to suspend or revoke a license or certificate, reprimand or otherwise discipline by a monetary fine any licensee or certificate holder. Formal disciplinary proceedings before the Board shall comply with the Administrative Procedures Act, T.C.A. §§ 4-5-301, et. seq. The grounds upon which the Board shall exercise such power are found at T.C.A. § 63-11-215 and 63-1-120.
- (2) Upon a finding by the Board that a Psychologist, Senior Psychological Examiner, Psychological Examiner, Certified Psychological Assistant, or Certified Psychological Testing Technician has violated any provision of the Tennessee Psychology Act (T.C.A. §§ 63-11-201, et seq.) or the rules promulgated pursuant thereto, the Board may take any of the following actions separately or in any combination which is deemed appropriate to the offense:
- (c) Probation. This is a formal disciplinary action which places a Psychologist, Senior Psychological Examiner, Psychological Examiner, Certified Psychological Assistant, or Certified Psychological Testing Technician on close scrutiny for a fixed period of time. This action may be combined with conditions which must be met before probation will be lifted and/or which restrict the individual's activities during the probationary period.
- (6) (b) 1. A "Type A" civil penalty may be imposed whenever the Board finds the person required to be licensed, permitted, or authorized by the Board is guilty of a willful and knowing violation of the Psychology Act or rules promulgated pursuant thereto, to such an extent that there is, or is likely to be, an imminent, substantial threat to the health, safety and welfare of an individual patient or the public. For purposes of this paragraph, willfully and knowingly practicing as a Psychologist, Senior Psychological Examiner, Psychological Examiner, Certified Psychological Assistant, or Certified Psychological Testing Technician without a permit, license, certificate or other authorization from the Board is one of the violations of the Psychology Act for which a "Type A" civil penalty is assessable.
- (7) Settlements. Any member of the Board is authorized to decide the parameters for terms of settlement agreements under which a case against a licensee or certificate holder may be closed, subject to ratification by the Board. Such agreements may include any terms deemed appropriate including, but not limited to:
- (c) Conditioning of the Psychologist's, Senior Psychological Examiner's, Psychological Examiner's, Certified Psychological Assistant, or Certified Psychological Testing Technician's activities in any manner which affects his or her practice in Tennessee.

Authority: T.C.A. §§ 63-1-120, 63-1-134, 63-1-138, 63-11-104, 63-11-201, and 63-11-215.

Chapter 1180-02
Rules Governing Psychologists

Amendments

Rule 1180-02-.01 Scope of Practice is amended by deleting paragraph (7) and subparagraphs (7)(a) and (7)(e) in their entirety and substituting instead the following language, and is further amended by adding new paragraph (8), including its subparagraphs, and renumbering the remaining paragraph accordingly, and is further amended by deleting newly renumbered paragraph (9) in its entirety and substituting instead the following language, so that as amended, the new paragraphs and subparagraphs shall read:

- (7) Standards for supervision of Psychologists, Psychological Examiners and Certified Psychological Assistants by Psychologists.
 - (a) Supervision must meet minimum standards and a supervisor of record must be made known to the Board. When a Psychologist renews their license the Psychologist must list those Psychologists, Psychological Examiners, and Certified Psychological Assistants whom the Psychologist supervises and for whom the Psychologist is the supervisor of record.
 - (e) In all cases the specific terms of the supervisory arrangement are the responsibility of the supervising Psychologist upon whom it is incumbent to assure supervisory time and service delivery. Likewise, it is the responsibility of the supervisee to obtain supervision. The education, training, experience, ongoing performance and level of licensure or certification of the supervisee must be considered by the supervisor. The arrangements for supervision must be agreed to by both the supervisor and the supervisee. In situations where supervision has been regular and frequent and one-on-one contact has occurred, the frequency and intensity of supervision may, at the discretion of the supervising Psychologist upon determination of the supervisee's competence and readiness, be modified. Ultimately, the supervising Psychologist of record must protect the welfare of the client and assure compliance with Tennessee law and professional ethics.
- (8) Standards for supervision of Certified Psychological Testing Technicians by Psychologists.
 - (a) Supervision must meet minimum standards and a supervisor of record must be made known to the Board. When a Psychologist renews the Psychologist's license the Psychologist must list those Certified Psychological Testing Technicians whom the Psychologist supervises and for whom the Psychologist is a supervisor of record.
 - (b) A supervisor, at the time of supervision, must not be in a dual relationship with the supervisee, e.g., be a spouse, other close relative or treating therapist.
 - (c) In all cases the specific terms of the supervisory arrangement are the responsibility of the supervising Psychologist upon whom it is incumbent to assure supervisory time and service delivery. Likewise, it is the responsibility of the supervisee to obtain supervision. The education, training, experience, ongoing performance and level of licensure or certification of the supervisee must be considered by the supervisor. The arrangements for supervision must be agreed to by both the supervisor and the supervisee. In situations where supervision has been regular and frequent and one-on-one contact has occurred, the frequency and intensity of supervision may, at the discretion of the supervising Psychologist upon determination of the supervisee's competence and readiness, be modified. Ultimately, the supervising Psychologist of record must protect the welfare of the client and assure compliance with Tennessee law and professional ethics.
 - (d) The standard for supervision of Certified Psychological Testing Technicians is ongoing indirect supervision with direct supervision available while the Certified Psychological Testing Technician is engaged in clinical activities. As such, the supervisor is available to come to the site of care in order to provide direct supervision or is immediately available via telephone or face-to-face video conferencing. "Face-to-face" means (a) can see one's face and (b) occurring in real time via video conferencing equipment and/or technology.(8)The Board shall consider that an individual, either licensed or unlicensed, is violating these limits of practice if his/her conduct includes, but is not limited to, the following:

- (9) The Board shall consider that an individual, either licensed or unlicensed, is violating these limits of practice if the individual's conduct includes, but is not limited to, the following:

Authority: T.C.A. §§ 63-11-104, 63-11-202, 63-11-208, and 63-11-214.

Rule 1180-02-.03 Procedures for Licensure is amended by deleting paragraphs (4), (5) and (7) in their entirety and substituting instead the following language, and is further amended by adding new subparagraphs (7)(a), (7)(b), (7)(c), and (7)(d) and re-lettering the remaining subparagraphs accordingly, and is further amended by adding new paragraph (13), including its subparagraphs and parts, and renumbering the remaining paragraph accordingly, so that as amended, the new paragraphs, subparagraphs, and parts shall read:

- (4) An applicant shall submit with the application a signed passport type photograph taken within the preceding twelve (12) months.
- (5) An applicant shall submit with their application, verification of U.S. citizenship or authorization to work pursuant to T.C.A. § 4-58-103(a)(2).
- (7) An applicant must comply with T.C.A. § 63-11-208(c)(1) and provide evidence of ethical practice as follows:
- (a) Such evidence shall be a minimum of three (3) letters of recommendation.
 - (b) It is the applicant's responsibility to request letters of recommendation from individuals who have personal knowledge of, and can attest to, the applicant's education, training and performance.
 - (c) All letters of recommendation must contain a statement specifying whether the recommendation is for licensure as Psychologist or Psychologist with HSP designation.
 - (d) All letters shall be original letters dated within the last twelve (12) months, written specifically for the licensure application, and sent directly to the Board by the person providing the information on the signatory's letterhead.
- (13) Endorsement.
- (a) The Board may designate as a Health Service Provider any applicant who has held a valid license or certificate in another state to practice psychology and has practiced in that state for at least ten (10) years within the last fifteen (15) years preceding the date of application, as outlined in T.C.A. § 63-11-208(f)(1):
 - (b) To apply for licensure by endorsement, an applicant who meets the criteria in T.C.A. § 63-11-208(f)(1) shall:
 - 1. Submit the completed application with the non-refundable application fee.
 - 2. Submit a Board-supplied form attesting to achieving a passing score on the written examination and the general equivalency of the applicant's doctoral program, internship, and postdoctoral experience to the licensure requirements in Tennessee. The Board-supplied form may be obtained by contacting the Board's administrative office, or by downloading it from the Board's web page on the Internet.
 - 3. Submit proof of valid licensure or certification, including information regarding any disciplinary action, from the agencies of all other jurisdictions empowered with the oversight of the practice of psychology that have issued the applicant a license or certificate.
 - 4. An applicant shall cause to be submitted to the Board's administrative office directly from the vendor identified in the Board's licensure application materials, the result of a criminal background check.
 - 5. Instead of submitting the Board-supplied attestation form, applicants who have been continuously licensed in good standing for five (5) or more years in another jurisdiction may submit proof of

current certification by the ABPP, or current listing in the National Register of Health Service Providers, or cause to have submitted a Certificate of Professional Qualification (CPQ) sent directly from the ASPPB to the Board's administrative office.

Authority: T.C.A. §§ 63-11-104, 63-11-208, 63-11-211, and 63-11-212.

Chapter 1180-03
Rules Governing Psychological Examiners and Senior Psychological Examiners

Amendments

Rule 1180-03-.01 Scope of Practice is amended by deleting paragraph (3) and subparagraphs (3)(a), (4)(a), (5)(a), (5)(b), (5)(c), (5)(d), (5)(e), and (6)(e), parts (6)(a)1, including its subparts, (6)(d)1, and (6)(e)2, in their entirety and substituting instead the following language, and is further amended by adding new part (6)(e)3 and new paragraph (7), including its subparagraphs, and renumbering the remaining paragraph accordingly, and is further amended by deleting newly renumbered paragraph (8) in its entirety and substituting instead the following language, so that as amended, the new paragraphs, subparagraphs, parts, and subparts shall read:

- (3) Psychological Examiners who have had appropriate education, training and supervised practice experience may provide the following psychological services without supervision:
 - (a) Interviewing or administering and interpreting tests of mental abilities, aptitudes, interests and personality characteristics for such purposes as psychological evaluation or for educational or vocational guidance, selection or placement, including establishment of intellectual level of functioning or learning deficit for school placement; and/or
- (4) (a) Overall personality appraisal or classification, including assessment and diagnosis of psychopathology or mental illness; and/or
- (5) (a) Interviewing or administering and interpreting tests of mental abilities, aptitudes, interests and personality characteristics for such purposes as psychological evaluations, or for educational or vocational guidance, selection or placement, including establishment of intellectual level of functioning or learning deficit for school placement;
 - (b) Psychological research services to industrial, business and corporate organizations;
 - (c) Overall personality appraisal or classification, including psychological testing, projective testing, evaluation for disability or vocational purposes, and diagnosis of nervous or mental disorders;
 - (d) Personality counseling, psychotherapy, behavior analysis, or personality readjustment techniques; or
 - (e) Supervision of a Psychological Examiner and/or a Certified Psychological Assistant and/or a Certified Psychological Testing Technician.
- (6) (a) 1. Before supervision of Psychological Examiners may occur, a Board-supplied form shall be submitted to the Board's administrative office. Such form shall be signed by both the supervisor and the supervisee, and shall list:
 - (i) A Senior Psychological Examiner must list the Psychological Examiners and/or Certified Psychological Assistants for whom they are the supervisor of record. When a Senior Psychological Examiner renews their license, the Senior Psychological Examiner must list those Psychological Examiners and/or Certified Psychological Assistants whom the Senior Psychological Examiner supervises and for whom they are the supervisor of record.
 - (ii) A Psychological Examiner must list their primary supervising Senior Psychological Examiner if engaging in activities requiring supervision. When a Psychological Examiner

renews their license or certificate, that individual must list their primary supervisor(s) if engaging in activities requiring supervision.

- (d) 1. Supervision is to be conducted primarily on a one-on-one basis and shall be in addition to any group seminar or group consultations which are also deemed appropriate. Thus, adequate supervision will require considerable one-on-one contact and time with respect to each client. Records of the supervision process must be maintained by the supervisor covering the number of hours of supervision activities, the number and duration of one-on-one supervisory meetings, and documentation of clients discussed at each supervisory session.
- (e) In all cases, the specific terms of the supervisory arrangement are the responsibility of the supervising Senior Psychological Examiner upon whom it is incumbent to assure supervisory time and service delivery. Likewise, it is the responsibility of the supervisee to obtain supervision. The supervisor must consider the education, training, experience, ongoing performance, and level of licensure of the supervisee. The arrangements for supervision must be agreed to by both the supervisor and the supervisee. In situations where supervision has been regular and frequent and one-on-one contact has occurred, the frequency and intensity of supervision may, at the discretion of the supervising Senior Psychological Examiner upon determination of the supervisee's competence and readiness, be modified. Normally such supervision will occur weekly. Ultimately, the supervising Senior Psychological Examiner of record must protect the welfare of the client and assure compliance with Tennessee law and professional ethics.
- 2. The standard of supervision for experienced (supervised for at least five [5] years) Psychological Examiners is that it shall occur no less than monthly. If an experienced Psychological Examiner changes supervisors, the experienced Psychological Examiner may follow the monthly supervision standard if agreed to by the Senior Psychological Examiner supervisor and the experienced Psychological Examiner in question.
- 3. The standard for the supervision of Certified Psychological Assistants is direct and frequent supervision taking place at the site of service, while considering the Certified Psychological Assistant's number of hours worked per week and experience level.

(7) Standards for supervision of Certified Psychological Testing Technicians by Senior Psychological Examiners.

- (a) Supervision must meet minimum standards and a supervisor of record must be made known to the Board. When a Senior Psychological Examiner renews the Senior Psychological Examiner's license the Senior Psychological Examiner must list those Certified Psychological Testing Technicians whom the Senior Psychological Examiner supervises and for whom the Senior Psychological Examiner is a supervisor of record.
- (b) A supervisor, at the time of supervision, must not be in a dual relationship with the supervisee, e.g., be a spouse, other close relative, or treating therapist.
- (c) In all cases, the specific terms of the supervisory arrangement are the responsibility of the supervising Senior Psychological Examiner upon whom it is incumbent to assure supervisory time and service delivery. Likewise, it is the responsibility of the supervisee to obtain supervision. The supervisor must consider the education, training, experience, and ongoing performance of the supervisee. The arrangements for supervision must be agreed to by both the supervisor and the supervisee. In situations where supervision has been regular and frequent and one-on-one contact has occurred, the frequency and intensity of supervision may, at the discretion of the supervising Senior Psychological Examiner upon determination of the supervisee's competence and readiness, be modified. Ultimately, the supervising Senior Psychological Examiner of record must protect the welfare of the client and assure compliance with Tennessee law and professional ethics.
- (d) The standard for supervision of Certified Psychological Testing Technicians is ongoing indirect supervision with direct supervision available while the Certified Psychological Testing Technician is engaged in clinical activities. As such, the supervisor is available to come to the site of care in order to provide direct supervision or is immediately available via telephone or face-to-face video conferencing. "Face-to-face" means (a) can see one's face and (b) occurring in real time via video conferencing equipment and/or

technology.

- (8) The Board shall consider that an individual, either licensed or unlicensed, is violating these limits of practice if the individual's conduct includes, but is not limited to, the following:

Authority: T.C.A. §§ 63-11-104, 63-11-201 through 63-11-208, and 63-11-214.

Chapter 1180-04
Rules Governing Certified Psychological Assistants

Amendments

Rule 1180-04-.01 Scope of Practice is amended by deleting paragraphs (1), (3), and (5), subparagraphs (4)(d) and (4)(g), and parts (4)(a)1, including its subparts, (4)(e)1, and (4)(e)2 in their entirety and substituting instead the following language, so that as amended, the new paragraphs, subparagraphs, parts, and subparts shall read:

- (1) The scope of practice of a Certified Psychological Assistant is prescribed and limited by Tennessee Code Annotated, Title 63, Chapter 11 and the rules set forth in this chapter and chapter 1180-01.
- (3) Certified Psychological Assistants shall limit their practices to the use of those techniques, and to providing services to those populations, for which they have formal education, formal professional training and supervised experience, and for which they hold certification. Because no education, professional training, supervised experience and practicum in psychotherapy or other therapeutic intervention activities is prescribed in the statute, the scope of practice for Certified Psychological Assistants is specifically restricted to psychological assessment, psychological testing, and related activities, with no Certified Psychological Assistant allowed to engage in psychotherapy or any other form of therapeutic intervention. The supervised practice of a Certified Psychological Assistant, may include, but is not limited to:
- (4) (a) 1. Before supervision of Certified Psychological Assistants may occur, a Board-supplied form shall be submitted to the Board's administrative office. Such form shall be signed by both the supervisor and the supervisee, and shall list:
- (i) Those Certified Psychological Assistants whom the Psychologist or Senior Psychological Examiner supervises and for whom they are the supervisor of record; or
- (ii) A Certified Psychological Assistant must list their primary supervisor(s) if engaging in activities requiring supervision.
- (d) The supervising Psychologist shall limit their supervision of Certified Psychological Assistants to psychological assessment activities. The supervising Psychologist should not supervise the Certified Psychological Assistant for psychotherapy or other forms of intervention.
- (e) 1. Supervision is to be conducted primarily on a one-on-one basis and shall be in addition to any group seminar or group consultations which are also deemed appropriate. Thus, supervision will require considerable one-on-one contact and time with respect to each client. Records of the supervision process must be maintained by the supervisor covering the number of hours of supervision activities, the number and duration of one-on-one supervisory meetings, and documentation of clients discussed at each supervisory session.
2. A supervisor, at the time of supervision, must not be in a dual relationship with the supervisee, e.g., be a spouse, other close relative, or therapist.
- (g) In all cases the specific terms of the supervisory arrangement are the responsibility of the supervising Psychologist or Senior Psychological Examiner upon whom it is incumbent to assure supervisory time and service delivery. Likewise, it is the responsibility of the supervisee to obtain supervision. The supervisor must consider the education, training, experience, and ongoing performance of the supervisee. The

arrangements for supervision must be agreed to by both the supervisor and the supervisee. The supervising Psychologist or Senior Psychological Examiner of record must protect the welfare of the client and assure compliance with Tennessee law and professional ethics.

- (5) The Board shall consider that an individual, either certified or uncertified, is violating these limits of practice if the individual's conduct includes, but is not limited to, the following:

Authority: T.C.A. §§ 63-11-104 and 63-11-201, through 63-11-208.

Rule 1180-04-.03 Procedures for Certification is amended by deleting paragraphs (4), (5), and (8) in their entirety and substituting instead the following language, and is further amended by adding new subparagraphs (8)(a), (8)(b), (8)(c), and (8)(d) and re-lettering the remaining subparagraphs accordingly, so that as amended, the new paragraphs and subparagraphs shall read:

- (4) An applicant shall submit with the application a signed passport type photograph taken within the preceding twelve (12) months.
- (5) An applicant shall submit with the applicant's application, verification of U.S. citizenship or authorization to work pursuant to T.C.A. § 4-58-103(a)(2).
- (8) An applicant must comply with T.C.A. § 63-11-207(b)(2)(A), and provide evidence of ethical practice as follows:
- (a) Such evidence shall be a minimum of three (3) letters of recommendation in addition to the practicum documentation.
- (b) It is the applicant's responsibility to request letters of recommendation from individuals who have personal knowledge of, and can attest to, the applicant's education, training, and performance at the specific level of certification for which the applicant is applying.
- (c) All letters of recommendation must contain a statement specifying that certification as a Certified Psychological Assistant for the applicant is being recommended.
- (d) All letters shall be original letters dated within the last twelve (12) months, written specifically for the certification application, and sent directly to the Board by the person providing the information on the signatory's letterhead.

Authority: T.C.A. §§ 63-11-104, 63-11-201, 63-11-206, and 63-11-207.

Chapter 1180-06 Rules Governing Certified Psychological Testing Technicians

New Chapter

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Rule 1180-06-.01 Scope of Practice

- (1) The scope of practice of a Certified Psychological Testing Technician is prescribed and limited by Tennessee Code Annotated, Title 63, Chapter 11 and the rules set forth in this chapter and chapter 1180-01.
- (2) A certificate issued by the Board specifies certification as a Certified Psychological Testing Technician.

- (3) Certified Psychological Testing Technicians shall limit their practices to the use of those techniques, and to providing services to those populations, for which they have formal education, formal professional training and supervised experience, and for which they hold certification. The scope of practice for Certified Psychological Testing Technicians is found at T.C.A. § 63-11-207 (c)(2).
- (4) Certified Psychological Testing Technicians, who have had appropriate education and educational training, may render to individuals or to the public for remuneration any service involving the application of recognized principles, methods, and procedures of the science and profession of psychology as defined in paragraph three (3) above and only under the supervision of a Psychologist or a Senior Psychological Examiner.
- (a) Certified Psychological Testing Technicians must register their supervisor(s) of record with the Board by submitting a Board-supplied form to the Board's administrative office. A separate form shall be signed by each supervisor. The Board-supplied form may be obtained by contacting the Board's administrative office, or by downloading it from the Board's web page on the Internet.
 - (b) The Certified Psychological Testing Technician may only provide services under the supervision of their supervisor(s) of record with the Board. The Certified Psychological Testing Technician must provide changes to their supervisor(s) of record to the Board by submitting a Board-supplied form to the Board's administrative office within thirty (30) days of the change. The Board-supplied form may be obtained by contacting the Board's administrative office, or by downloading it from the Board's web page on the Internet.
 - (c) The Certified Psychological Testing Technician must be employed by, or contracted with, the same work setting as the supervising Psychologists or Senior Psychological Examiner. The supervising Psychologist or Senior Psychological Examiner shall limit their supervision of Certified Psychological Testing Technicians to psychological assessment activities. The supervising Psychologist or Senior Psychological Examiner should not supervise Certified Psychological Testing Technicians for psychotherapy or other forms of intervention.
 - (d) Records of the supervision process must be maintained by the supervisor.
 - (e) A supervisor, at the time of supervision, must not be in a dual relationship with the supervisee, e.g., be a spouse, other close relative, or therapist.
 - (f) The supervisor has responsibility to require that the Certified Psychological Testing Technician complete continuing education to maintain continued competence.
 - (g) In all cases the specific terms of the supervisory arrangement are the responsibility of the supervisor, upon whom it is incumbent to assure supervisory time and service delivery. Likewise, it is the responsibility of the supervisee to obtain supervision. The supervisor must consider the education, training, experience, ongoing performance, and level of certification of the supervisee. The arrangements for supervision must be agreed to by both the supervisor and the supervisee. The supervisor must protect the welfare of the client and assure compliance with Tennessee law and professional ethics.
- (5) The Board shall consider that an individual, either certified or uncertified, is violating these limits of practice if the individual's conduct includes, but is not limited to, the following:
- (a) Claiming expertise or using techniques or procedures of assessment or treatment for which the practitioner has not completed appropriate academic course work or supervised training experience;
 - (b) Knowingly assigning, permitting or hiring any unqualified person(s) to perform functions of assessment or treatment or delegating the provisions of psychological services to unqualified person(s);
 - (c) Aiding, abetting, assisting, or hiring any individual to violate or circumvent any law or duly promulgated rule intended to guide the conduct of psychological services; or
 - (d) Providing or claiming to provide the services listed in paragraph four (4) without supervision by a Psychologist or a Senior Psychological Examiner.

Authority: T.C.A. §§ 63-11-104, 63-11-202 and 63-11-207.

Rule 1180-06-.02 Qualifications for Certification. In evaluating the academic program and training of an applicant for certification as a Certified Psychological Testing Technician, the Board shall use the following criteria:

- (1) Education requirements as a Certified Psychological Testing Technician must be met by proof of completion of a bachelor's degree.
- (2) The degree-granting institution for applicants for certification as a Certified Psychological Testing Technician must be regionally accredited at the time of the applicant's graduation. Regional accreditation is defined as accreditation by one (1) of the six (6) regional agencies of the Council on Post Secondary Accreditation or the evaluations and decisions regarding foreign education and credentials by the World Education Service.
- (3) Educational training requirements as a Certified Psychological Testing Technician are found at T.C.A. § 63-11-207(c)(4)(D).
- (4) The required educational training may be obtained through the sources found at 63-11-207(c)(5).

Authority: T.C.A. §§ 63-11-104, 63-11-201, 63-11-207 and 63-11-212.

Rule 1180-06-.03 Procedures for Certification. To become certified as a Certified Psychological Testing Technician in Tennessee, a person must comply with the following procedures and requirements:

- (1) An application packet shall be requested from the Board's administrative office or downloaded from the Department of Health's website.
- (2) An applicant shall respond truthfully and completely to every question or request for information contained in the application form. The completed application form and all fees required by the form and these rules shall be submitted to the Board's administrative office.
- (3) Applications will be accepted throughout the year.
- (4) An applicant shall submit with the applicant's application a signed passport-type photograph taken within the preceding twelve (12) months.
- (5) An applicant shall submit with their application, verification of U.S. citizenship or authorization to work pursuant to T.C.A. § 4-58-103(a)(2).
- (6) It is the applicant's responsibility to request that the institution that issued the applicant's bachelor degree submit the transcript of all course work directly to the Board office. The transcript must carry the official seal of that institution.
- (7) An applicant must provide documentation that the applicant has met the required educational training hours, as provided in Rule 1180-06-.02(3). This proof may include:
 - (a) A Board-supplied form completed by the licensed Psychologist or Senior Psychological Examiner who provided individual or group instruction or who directed independent learning or who observed the applicant administer and score tests. The Board-supplied form may be obtained by contacting the Board's administrative office, or by downloading it from the Board's web page on the Internet.
 - (b) A transcript of graduate course work sent directly from the institution(s) of higher education to the Board office showing all graduate course work and the highest degree(s) earned and carrying the official seal of that institution.

- (c) Certificates of attendance or completion verifying continuing education.
- (8) An applicant must comply with T.C.A. 63-11-207(c)(4)(A), and provide evidence of ethical practice as follows:
- (a) Such evidence shall be a minimum of three (3) letters of recommendation.
 - (b) It is the applicant's responsibility to request letters of recommendation from individuals who have personal knowledge of, and can attest to, the applicant's education, training, and performance at the specific level of certification for which the applicant is applying.
 - (c) All letters of recommendation must contain a statement specifying that certification as a Certified Psychological Testing Technician for the applicant is being recommended.
 - (d) All letters shall be original letters dated within the last twelve (12) months, written specifically for the certification application, and sent directly to the Board by the person providing the information on the signatory's letterhead.
 - (e) One (1) of the required three (3) letters must be from a licensed Psychologist or Senior Psychological Examiner who oversaw the applicant's required hours of administering and scoring tests.
- (9) An applicant shall disclose the circumstances surrounding any of the following:
- (a) Conviction of any criminal law violation of any country, state or municipality, except minor traffic violations.
 - (b) The denial of licensure or certification by any other state or the discipline of licensure or certification by any state.
 - (c) Loss or restriction of licensure or certification.
 - (d) Any civil suit judgment or civil suit settlement in which the applicant was a party defendant including, without limitation, actions involving malpractice, breach of contract, antitrust activity, or any other civil action remedy recognized under the country's or state's statutory, common or case law.
- (10) An applicant shall cause to be submitted to the Board's administrative office directly from the vendor identified in the Board's certification application materials, the result of a criminal background check.
- (11) If an applicant holds or has ever held a license or certificate to practice as a testing technician or its equivalent in another state, the applicant shall cause to be submitted the equivalent of a Tennessee Certificate of Fitness from the authorizing regulatory agency which indicates the applicant holds or held an active license or certificate and whether it is in good standing presently or was at the time it became inactive.
- (12) When necessary, all required documents shall be translated into English and the translation and original document certified as to authenticity by the issuing source. Both versions must be submitted to the Board's administrative office.

Authority: T.C.A. §§ 63-11-104, 63-11-201, 63-11-206, 63-11-207, and 63-11-212.

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: 04/09/2025

Signature: Katherine Trawick

Name of Officer: Katherine Trawick

Title of Officer: Associate Counsel, Department of Health

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Tre Hargett

Tre Hargett
Secretary of State

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**RULES
OF
THE BOARD OF EXAMINERS IN PSYCHOLOGY**

**CHAPTER 1180-01
GENERAL RULES GOVERNING THE PRACTICE OF PSYCHOLOGISTS, SENIOR PSYCHOLOGICAL
EXAMINERS, PSYCHOLOGICAL EXAMINERS, ~~AND~~ CERTIFIED PSYCHOLOGICAL ASSISTANTS,
AND CERTIFIED PSYCHOLOGICAL TESTING TECHNICIANS**

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1180-01-.01 DEFINITIONS. As used in these rules, the following terms and acronyms shall have the following meaning ascribed to them:

- (1) ABPP - The American Board of Professional Psychology.
- (2) Advertising - Informational communication to the public in any manner to attract public attention to the practice of Psychology. This includes, but is not limited to business solicitation, with or without limiting qualifications, in a card, sign or device issued to a person; in a sign or marking in or on any building; or, in any newspaper, magazine, directory or other printed matter. Advertising also includes business solicitations communicated by individuals or radio, video or television broadcasting, or other means designed to secure public attention.
- (3) APA - American Psychological Association.
- (4) APPIC - Association of Psychology Postdoctoral and Internship Centers.
- (5) Applicant - Any individual seeking licensure by the Board who has submitted an official application and paid the application fee.
- (6) ASPPB - Association of State and Provincial Psychology Boards.
- (7) Board - Tennessee Board of Examiners in Psychology.
- (8) Board Designee - Any person who has received a written delegation of authority from the Board to perform Board functions subject to review and ratification by the full Board where provided by the rules.
- (9) Certificate - A document issued by the Board to an applicant who has successfully completed the certification process. The certificate takes the form of an "artistically designed" certificate as well as other versions bearing an expiration date.
- (10) Certificate Holder - Any person who holds a current, lawfully issued certificate to practice as a Certified Psychological Assistant or a Certified Psychological Testing Technician.
- (11) Certified Psychological Assistant - A person who holds himself out to be a Certified Psychological Assistant and/or renders to individuals or to the public for remuneration any service involving the application of recognized principles, methods, and procedures of the science and profession of psychology and only under the direct employment and supervision of either the Psychologist employing the Certified Psychological Assistant or the employing community mental health center or state governmental agency.
- (12) Certified Psychological Testing Technician - A person who holds himself out to be a Certified Psychological Testing Technician or renders to individuals or to the public any services associated with administering and scoring standardized psychological and neuropsychological tests or observing and describing a client's test behavior and test responses. These services may only be rendered under the direct supervision of a Psychologist or Senior Psychological Examiner registered with the Board.
- (~~13~~~~42~~) Closed Files - Incomplete or denied files rendered inactive by administrative action.
- (~~14~~~~13~~) CNRHSP - The Council for the National Register of Health Service Providers in Psychology.

- (1514) Department - Tennessee Department of Health.
- (1615) Division - Division of Health Related Boards, Tennessee Department of Health, from which the Board receives administrative support.
- (1716) EPPP - The Examination for Professional Practice in Psychology.
- (1817) Ethics Code, Code of Ethics or Professional Ethics - Ethical Principles of Psychologists and Code of Conduct of the American Psychological Association, December 1, 1992, as modified and adopted by the Board as Professional Ethics.
- (1918) Fee - Money received as compensation in return for rendering services; also, the required application fees.
- (2019) Good Moral Character - The quality of being well regarded in adherence to Professional Ethics.
- (2120) Health Service Provider (HSP) - A licensee who delivers direct, preventive, assessment and therapeutic intervention services to individuals whose growth, adjustment, or functioning is actually impaired or may be at risk of impairment.
- (2224) Health Related Boards ("HRB") - The Division of Health Related Boards, Tennessee Department of Health, from which the Board receives administrative support.
- (2322) Internship - An organized, planned, continuous training experience in a professionally recognized program which is well announced, formal in structure, and which is designed to provide nineteen hundred (1900) hours of predoctoral training under qualified supervision in professional psychology.
- (2423) License - A document issued by the Board to an applicant who has successfully completed the licensure process. The license takes the form of an "artistically designed" license as well as other versions bearing an expiration date.
 - (a) Temporary License - A time-limited license issued by the board to an applicant who wishes to practice and has met all other licensure requirements except successful completion of the written examination and/or the ethics and jurisprudence examination.
 - (b) Provisional License - A time-limited license issued by the board to an applicant for HSP designation who is in the process of completing the post-doctoral supervised experience.
- (2524) Licensee - Any person who holds a current, lawfully issued temporary license or license to practice as a Psychologist, Senior Psychological Examiner, or Psychological Examiner.
- (2625) Practicum - A supervised training experience organized by a graduate academic psychology training program for the specific purpose of applied skill development appropriate to the area of preparation.
- (2726) Psychological Examiner - A person who holds himself out to be a psychological examiner and/or renders to individuals or to the public for remuneration any service involving the application of recognized principles, methods and procedures of the science and profession of psychology.
- (2827) Psychologist - A person who holds himself out to be a psychologist and/or engages in the practice of the observation, description, evaluation, interpretation, and modification of human behavior by

the application of psychological principles, methods, and procedures, for the purpose of preventing or eliminating symptomatic, maladaptive, or undesired behavior and of enhancing interpersonal relationships, work and life adjustment, personal effectiveness, behavioral health, and mental health.

- (2928) Senior Psychological Examiner - A person who holds himself out to be a senior psychological examiner and/or renders to individuals or to the public for remuneration any service involving the application of recognized principles, methods, and procedures of the science and profession of psychology.

Authority: T.C.A §§ ~~4-5-202, 4-5-204, 63-11-104, and 63-11-201, 63-11-202, 63-11-203, 63-11-206 through 63-11-212, and Public Acts of 2001, Chapter 123.~~

1180-01-.02 NECESSITY OF Licensure AND CERTIFICATION.

- (1) As one of the healing arts, the practice of psychology is restricted to those persons licensed or certified by the Board. Persons engaging in the practice of psychology without being licensed or certified are in violation of T.C.A. §§ 63-1-123 and 63-11-206.
- (2) Any person who holds himself or herself out to the public by any means, such as using a title on signs, mailboxes, address plates, stationery, announcements, telephone listings, calling cards or other instruments of professional identification, as being engaged in the practice of psychology is required to be licensed unless specifically excepted pursuant to T.C.A. §§ 63-11-205(a), (b), (c) and (d) and 63-11-206(b), (c), (d) and (g).
- (3) Any person who delivers health services to the public as a Psychologist or as a Senior Psychological Examiner, whether or not for remuneration and wherever housed, whether a university, college or laboratory setting, must be licensed with HSP designation; any Psychological Examiner delivering services to the public, whether or not for remuneration and wherever housed, must be licensed; any Certified Psychological Assistant delivering services to the public, whether or not for remuneration and wherever housed, must be certified-; any Certified Psychological Testing Technician delivering services to the public, whether or not for remuneration and wherever housed, must be certified.
- (4) Prior to the engagement of the practice of psychology in Tennessee, a person must hold a current Tennessee license, certificate, temporary license, temporary certificate, or provisional license issued pursuant to Chapter 1180-02, Chapter 1180-03, ~~or~~ Chapter 1180-04, or Chapter 1180-06.
- (5) Use of Titles
 - (a) Any person who possesses a valid, unsuspended and unrevoked psychologist license issued by the Board has the right to use the title "Psychologist" and to practice psychology, as defined in T.C.A. § 63-11-203.
 - (b) Any person who possesses a valid, unsuspended and unrevoked psychological examiner or senior psychological examiner license issued by the Board has the right to use the titles "Psychological Examiner" or "Senior Psychological Examiner," as applicable, and to practice psychology, as defined in T.C.A. § 63-11-202.

- (c) Any person who possesses a valid, unsuspended and unrevoked psychological assistant certification issued by the Board has the right to use the title "Certified Psychological Assistant" and to practice psychology under supervision as defined in Rule 1180-04-.01.
- ~~(d) Any person who possesses a valid, unsuspended and unrevoked psychological testing technician certification issued by the Board has the right to use the title "Certified Psychological Testing Technician" and to practice psychology under supervision as defined in Rule 1180-06-.01.~~
- ~~(ed)~~ Violation of this rule regarding use of titles shall constitute unprofessional conduct and subject the licensee or certificate holder to disciplinary action.

Authority: T.C.A. §§ ~~4-5-202, 4-5-204, 63-1-123, 63-1-145, 63-1-146, 63-11-104, 63-11-201, 63-11-202, 63-11-205, 63-11-206, and 63-11-212. 63-11-202, 63-11-203, 63-11-205 through 63-11-208, and 63-11-215.~~

1180-01-.05 RENEWAL OF LICENSE OR CERTIFICATION.

- (1) Renewal application.
 - (a) The due date for license renewal is the expiration date indicated on the licensee's initial certificate of registration or renewal certificate.
 - (b) Methods of Renewal - Licensee and certificate holders may accomplish renewal by one (1) of the following methods:
 - 1. Internet Renewals - Individuals may apply for renewal via the Internet. The application to renew can be accessed at:
<https://apps.tn.gov/hlrs/>
 - 2. Paper Renewals - Licensee and certificate holders who have not renewed their authorization online via the Internet will have a renewal application form mailed to them at the last address provided by them to the Board. Failure to receive such notification does not relieve the individual of the responsibility of timely meeting all requirements for renewal.
 - (c) A license issued pursuant to these rules is renewable by the expiration date. To be eligible for renewal the licensee must submit the following to the Division on or before the expiration date of the license:
 - 1. A completed and signed renewal application form.
 - 2. The renewal and state regulatory fees as provided in rule 1180-01-.03.
 - (d) Licensees or certificate holders who fail to comply with the renewal rules or notification received by them concerning failure to timely renew shall have their licenses or certificates processed pursuant to rule 1200-10-01-.10.
- (2) Reinstatement of an Expired License or Certificate.

- (a) Licenses or certificates that have expired may be reinstated upon meeting the following conditions:
1. Payment of ~~the all-past due~~ renewal fees;
 2. Payment of the late renewal fee provided in rule 1180-01-.03;
 3. Compliance with continuing education requirements in rule 1180-01-.08; ~~and~~
 4. Registration of supervisor(s) of record if required; and
 54. If the license has been expired for more than five (5) years, successfully pass the jurisprudence and ethics examination, pay the jurisprudence and ethics examination exam fee as provided in rule 1180-01-.03, and obtain six (6) months of supervision.
- (b) Renewal issuance decisions pursuant to this rule may be made administratively, upon review by the Board Administrator.
- (c) Anyone submitting a signed renewal form or letter which is found to be false may be subjected to disciplinary action as provided in T.C.A. § 63-11-215 and rule 1180-01-.10.

Authority: T.C.A. §§ ~~4-5-202, 4-5-204, 63-1-107, 63-11-104, 63-11-201, 63-11-206 through 63-11-210, 63-11-215,~~ and 63-11-218.

1180-01-.07 RETIREMENT AND REACTIVATION OF LICENSE OR CERTIFICATE.

- (1) A person who holds a current license or certificate and does not intend to practice as a licensed Psychologist, Senior Psychological Examiner, Psychological Examiner, Certified Psychological Assistant, or Certified Psychological Testing Technician~~Assistant~~ may apply to convert an active license or certificate to retired status. An individual who holds a retired license or certificate is not required to pay the renewal fee.
- (2) A licensee may apply for retired status by filing a completed affidavit of retirement form and any required documentation with the Board's administrative office.
- (3) A person whose license has been retired and who has not practiced for up to two (2) years, or a person whose Tennessee license has been retired and who has been licensed in good standing and in continuous practice in another state, may re-enter active status provided there are no criminal or practice act violations which would prohibit initial licensure, by submitting to the Board administrative office a written request for licensure reactivation, the license renewal fee, the state regulatory fee and the late renewal fee.
- (4) A person whose license has been retired and who has not practiced for two years up to five (5) years may re-enter active status provided there are no criminal or practice act violations which would prohibit initial licensure, by submitting to the Board administrative office a written request for licensure reactivation, the license renewal fee, the state regulatory fee, the late renewal fee, and proof of successful completion of forty (40) hours of continuing education as provided in rule 1180-01-.08.

- (5) A person whose certificate has been retired and who has not practiced for over five (5) years may re-enter active status provided there are no criminal or practice act violations which would prohibit initial certification, by registering their supervisor(s) of record with the Board and submitting to the Board administrative office a written request for certification reactivation, the certificate renewal fee, the state regulatory fee, and the late renewal fee. A person whose license ~~or certificate~~ has been retired and who has not practiced for over five (5) years may re-enter active status provided there are no criminal or practice act violations which would prohibit initial licensure ~~or certification~~, by registering their supervisor(s) of record with the Board if necessary and ~~by~~ submitting to the Board administrative office a written request for licensure ~~or certification~~ reactivation, the license ~~or certificate~~ renewal fee, the state regulatory fee, the late renewal fee, proof of successful completion of forty (40) hours of continuing education as provided in rule 1180-01-.08, and by passing the jurisprudence and ethics examination if required, paying the jurisprudence and ethics examination exam fee as provided in rule 1180-01-.03, and obtaining six (6) months of supervision.

Authority: T.C.A. §§ ~~4-5-202, 4-5-204, 63-1-111,~~ 63-11-104, ~~63-11-201, 63-11-206 through 63-11-210,~~ and 63-11-218.

1180-01-.08 CONTINUING EDUCATION.

- (1) Hours required for Psychologists, Senior Psychological Examiners, ~~and~~ Psychological Examiners, Certified Psychological Assistants, and Certified Psychological Testing Technicians:
- (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 shall be acquired in the two (2) calendar years (January 1 - December 31) prior to the licensure renewal year. A minimum of twenty (20) of these hours must involve the opportunity for real time interaction during the event. At least nine (9) of the forty (40) hours must consist of continuing education provided by an APA approved sponsor.
 - (b) Notwithstanding Rule 1180-01-.08(1)(a), licensees whose initial term of licensure was less than two (2) years must obtain at least thirty (30) CE hours to satisfy the CE requirement for the first renewal cycle. A minimum of twenty (20) of these hours must involve the opportunity for real time interaction during the event. At least nine (9) of the thirty (30) hours must consist of continuing education provided by an APA approved sponsor.
 - (c) Certified Psychological Assistants are required to obtain fifteen (15) hours of continuing education (CE) credit every two (2) years. This CE shall be acquired in the two (2) calendar years (January 1 - December 31) prior to the licensure renewal year as provided in Rule 1180 - 04-.01(4)(f). ~~pursue continuing education activities as directed by the supervising psychologist, as provided in Rule 1180-04-.01(4)(f).~~
 - (d) Certified Psychological Testing Technicians are required to pursue continuing education activities as directed by their supervisor, as provided in Rule 1180-06-.01(4)(f).
 - (~~ed~~) With the exception of Certified Psychological Testing Technicians, t~~h~~ree (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 training should provide updated perspectives, along with the skills and knowledge needed to effectively work with diverse patient populations. This may include education on cultural competency, communication strategies, and/or addressing health disparities. ~~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.

(ef) With the exception of Certified Psychological Testing Technicians, Aa total of three (3) hours of continuing education provided by an APA approved sponsor or other sponsor approved continuing education, as referenced below in Rule 1180-01-.08(2)(a) and (b), 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 1180-06; and
3. Professional ethics for psychologists.

(gf) 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; and home study (unless it constitutes continuing education provided by an APA approved sponsor, or other sponsor approved continuing education, as referenced below in Rule 1180-01-.08(2)(a) and (b)).

(2) Acceptable Continuing Education

- (a) Continuing Education Provided by an APA Approved Sponsor - These are continuing education programs which are postdoctoral in nature and include formal learning objectives and evaluation of learning activities. At least nine (9) hours of CE must be obtained from an APA approved sponsor each license cycle and may include CE hours referenced in Rule 1180-01-.08(1)(e) above.
- (b) Other 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, a recognized and relevant national, regional or state professional credentialing 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. Acceptable documentation will consist of date, time, duration, location, attendees, and topic.

2. Workshops, seminars or courses - Relevant non-accredited psychology workshops, 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 psychological association 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 during the initial term of licensure. 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 (20) 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 assigned for the course.
2. Publications
 - (i) Writing or editing a published book, or writing a book chapter or a refereed journal article shall be assigned twenty (20) hours of CE credit. Acceptable documentation will consist of proof of publication.

- (ii) Being the principal editor of a journal or serving on the editorial board of a journal article shall be assigned twenty (20) hours of CE credit. Acceptable documentation will consist of proof of publication.
 - (iii) Serving as a reviewer of a journal article shall be assigned five (5) hours of CE credit per manuscript up to a maximum of twenty (20) hours per licensure cycle. Acceptable documentation will consist of confirmation of completed reviews.
- 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 pursuant to T.C.A. § 63-6-712.
- (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.

Authority: T.C.A. §§ ~~4-5-202, 4-5-204, 63-2-101, 63-6-712, 63-11-104, 63-11-201, 63-11-206, 63-11-215, and 63-11-218.~~ 63-6-712, 63-11-104, 63-11-215, and 63-11-218.

1180-01-.10 DISCIPLINARY GROUNDS, ACTIONS, CIVIL PENALTIES, SETTLEMENTS, AND SCREENING PANELS.

- (1) Grounds and authority for disciplinary actions. The Board shall have the power to deny an application for a license or certificate to any applicant. The Board shall have the authority to suspend or revoke a license or certificate, reprimand or otherwise discipline by a monetary fine any licensee or certificate holder. Formal disciplinary proceedings before the Board shall comply with the Administrative Procedures Act, T.C.A. §§ 4-5-301, et. seq. The grounds upon which the Board shall exercise such power are listed at T.C.A. §§ 63-11-215 and 63-1-120. ~~include, but are not limited to, the following:~~
 - ~~(a) Unprofessional, dishonorable, or unethical conduct;~~
 - ~~(b) Violation or attempted violation, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provision of the Psychology Act or any lawful order of the Board issued pursuant thereto, or any criminal statute of the state of Tennessee;~~
 - ~~(c) Making false statements or representations, being guilty of fraud or deceit in obtaining admission to practice, or being guilty of fraud or deceit in the practice as a licensee;~~
 - ~~(d) Gross malpractice, or a pattern of continued or repeated malpractice, ignorance, negligence or incompetence in the course of practice as a licensee or certificate holder;~~
 - ~~(e) Habitual intoxication or personal misuse of any drugs or the use of intoxicating liquors, narcotics, controlled substances, or other drugs or stimulants in such manner as to adversely affect the person's ability to practice as a licensee or certificate holder;~~
 - ~~(f) Willfully betraying a professional secret;~~
 - ~~(g) The advertising of Psychologist, Senior Psychological Examiner, Psychological Examiner, or Certified Psychological Assistant practice in which untrue or misleading statements are made, or causing the publication or circulation of fraudulent advertising relative to any disease, human ailment, or condition;~~
 - ~~(h) Willful violation of the rules promulgated by the Board to regulate advertising by practitioners who are under the jurisdiction of such Board;~~

- ~~(i) Conviction of a felony, conviction of any offense under state or federal drug laws, or conviction of any offense involving moral turpitude;~~
 - ~~(j) Making or signing in one's professional capacity any certificate that is known to be false at the time one makes or signs such certificate;~~
 - ~~(k) Offering, undertaking, or agreeing to cure or treat a disease, injury, ailment or infirmity by a secret means, method, device or instrumentality;~~
 - ~~(l) Giving, receiving, or aiding or abetting the giving or receiving of rebates, either directly or indirectly, for referrals of business or patients;~~
 - ~~(m) Engaging in practice as a licensee or certificate holder under a false or assumed name, or the impersonation of another practitioner of a like, similar or different name;~~
 - ~~(n) Engaging in practice as a licensee or certificate holder when mentally or physically unable to safely do so;~~
 - ~~(o) Violation of the continuing education provisions of these rules;~~
 - ~~(p) Violation of the scope of practice statutes T.C.A. §§ 63-11-201 through 63-11-206; or~~
 - ~~(q) Disciplinary action against a person licensed, certified, registered, or permitted to practice psychology by another state or territory of the United States for any acts or omissions which would constitute grounds for discipline of a person licensed in this state. A certified copy of the initial or final order or other equivalent document memorializing the disciplinary action from the disciplining state or territory shall constitute prima facie evidence of violation of this subparagraph and be sufficient grounds upon which to deny, restrict or condition licensure or renewal and/or discipline a person licensed or certified in this state.~~
- (2) Upon a finding by the Board that a Psychologist, Senior Psychological Examiner, Psychological Examiner, Certified Psychological Assistant, or Certified Psychological Testing Technician~~Assistant~~ has violated any provision of the Tennessee Psychology Act (T.C.A. §§ 63-11-201, et seq.) or the rules promulgated pursuant thereto, the Board may take any of the following actions separately or in any combination which is deemed appropriate to the offense:
- (a) Advisory censure. This is a written action issued for minor or near infractions. It is informal and advisory in nature and does not constitute a formal disciplinary action.
 - (b) Formal censure or reprimand. This is a written action issued for single occurrence and less severe violations. It is a formal disciplinary action.
 - (c) Probation. This is a formal disciplinary action which places a Psychologist, Senior Psychological Examiner, Psychological Examiner, Certified Psychological Assistant, or Certified Psychological Testing Technician~~Assistant~~ on close scrutiny for a fixed period of time. This action may be combined with conditions which must be met before probation will be lifted and/or which restrict the individual's activities during the probationary period.
 - (d) License or certificate suspension. This is a formal disciplinary action which suspends the right to practice for a fixed period of time. It contemplates re-entry into practice under the license or certificate previously issued.

- (e) Revocation for cause. This is the most severe form of disciplinary action which removes an individual from the practice of the profession and terminates the license or certificate previously issued. The Board, in its discretion, may allow reinstatement of a revoked license or certificate upon conditions and after a period of time which it deems appropriate. No petition for reinstatement and no new application for licensure or certification from a person whose license or certificate was revoked shall be considered prior to the expiration of at least one (1) year from the date of entry of the order unless otherwise stated in the Board's revocation order.
- (3) Once ordered, probation, suspension, revocation, assessment of a civil penalty, or any other condition of any type of disciplinary action may not be lifted unless and until the licensee or certificate holder petitions, pursuant to paragraph (4) of this rule, and appears before the Board after the period of initial probation, suspension, revocation, or other conditioning has run and all conditions placed on the probation, suspension, revocation, have been met, and after any civil penalties assessed have been paid.
- (4) Order of Compliance - This procedure is a necessary adjunct to previously issued disciplinary orders and is available only when a petitioner has completely complied with the provisions of a previously issued disciplinary order, including an unlicensed or uncertified practice civil penalty order, and wishes or is required to obtain an order reflecting that compliance.
 - (a) The Board will entertain petitions for an Order of Compliance as a supplement to a previously issued order upon strict compliance with the procedures set forth in subparagraph (b) in only the following three (3) circumstances:
 - 1. When the petitioner can prove compliance with all the terms of the previously issued order and is seeking to have an order issued reflecting that compliance; or
 - 2. When the petitioner can prove compliance with all the terms of the previously issued order and is seeking to have an order issued lifting a previously ordered suspension or probation; or
 - 3. When the petitioner can prove compliance with all the terms of the previously issued order and is seeking to have an order issued reinstating a license or certificate previously revoked.
 - (b) Procedures
 - 1. The petitioner shall submit a Petition for Order of Compliance, as contained in subparagraph (c), to the Board's Administrative Office that shall contain all of the following:
 - (i) A copy of the previously issued order; and
 - (ii) A statement of which provision of subparagraph (a) the petitioner is relying upon as a basis for the requested order; and
 - (iii) A copy of all documents that prove compliance with all the terms or conditions of the previously issued order. If proof of compliance requires testimony of an individual(s), including that of the petitioner, the petitioner must submit signed statements from every individual the petitioner intends to rely upon attesting, under oath, to the compliance. The Board's

consultant and administrative staff, in their discretion, may require such signed statements to be notarized. No documentation or testimony other than that submitted will be considered in making an initial determination on, or a final order in response to, the petition.

2. The Board authorizes its consultant and administrative staff to make an initial determination on the petition and take one of the following actions:
 - (i) Certify compliance and have the matter scheduled for presentation to the Board as an uncontested matter; or
 - (ii) Deny the petition, after consultation with legal staff, if compliance with all of the provisions of the previous order is not proven and notify the petitioner of what provisions remain to be fulfilled and/or what proof of compliance was either not sufficient or not submitted.
3. If the petition is presented to the Board the petitioner may not submit any additional documentation or testimony other than that contained in the petition as originally submitted.
4. If the Board finds that the petitioner has complied with all the terms of the previous order an Order of Compliance shall be issued.
5. If the petition is denied either initially by staff or after presentation to the Board and the petitioner believes compliance with the order has been sufficiently proven the petitioner may, as authorized by law, file a petition for a declaratory order pursuant to the provisions of T.C.A. § 4-5-223 and rule 1200-10-01-.11.

(c) Form Petition

Petition for Order of Compliance
Board of Examiners in Psychology

Petitioner's Name:	_____
Petitioner's Mailing Address:	_____

Petitioner's E-Mail Address:	_____
Telephone Number:	_____
Attorney for Petitioner:	_____
Attorney's Mailing Address:	_____

Attorney's E-Mail Address:	_____
Telephone Number:	_____

The petitioner respectfully represents, as substantiated by the attached documentation, that all provisions of the attached disciplinary order have been complied with and I am respectfully requesting: (circle one)

1. An order issued reflecting that compliance; or
2. An order issued reflecting that compliance and lifting a previously ordered suspension or probation; or
3. An order issued reflecting that compliance and reinstating a license or certificate previously revoked.

Note - You must enclose all documents necessary to prove your request including a copy of the original order. If any of the proof you are relying upon to show compliance is the testimony of any individual, including yourself, you must enclose signed statements from every individual you intend to rely upon attesting, under oath, to the compliance. The Board's consultant and administrative staff, in their discretion, may require such signed statements to be notarized. No documentation or testimony other than that submitted will be considered in making an initial determination on, or a final order in response to, this petition.

Respectfully submitted this the ___ day of _____, 20__.

Petitioner's Signature

- (5) Order Modifications - This procedure is not intended to allow anyone under a previously issued disciplinary order, including an unlicensed or uncertified practice civil penalty order, to modify any findings of fact, conclusions of law, or the reasons for the decision contained in the order. It is also not intended to allow a petition for a lesser disciplinary action, or civil penalty other than the one(s) previously ordered. All such provisions of Board orders were subject to reconsideration and appeal under the provisions of the Uniform Administrative Procedures Act (T.C.A. §§ 4-5-301, et seq.). This procedure is not available as a substitute for reconsideration and/or appeal and is only available after all reconsideration and appeal rights have been either exhausted or not timely pursued. It is also not available for those who have accepted and been issued a reprimand.
- (a) The Board will entertain petitions for modification of the disciplinary portion of previously issued orders upon strict compliance with the procedures set forth in subparagraph (b) only when the petitioner can prove that compliance with any one or more of the conditions or terms of the discipline previously ordered is impossible. For purposes of this rule the term "impossible" does not mean that compliance is inconvenient or impractical for personal, financial, scheduling or other reasons.
- (b) Procedures
1. The petitioner shall submit a written and signed Petition for Order Modification on the form contained in subparagraph (c) to the Board's Administrative Office that shall contain all of the following:

- (i) A copy of the previously issued order; and
 - (ii) A statement of why the petitioner believes it is impossible to comply with the order as issued; and
 - (iii) A copy of all documents that proves that compliance is impossible. If proof of impossibility of compliance requires testimony of an individual(s), including that of the petitioner, the petitioner must submit signed and notarized statements from every individual the petitioner intends to rely upon attesting, under oath, to the reasons why compliance is impossible. No documentation or testimony other than that submitted will be considered in making an initial determination on, or a final order in response to, the petition.
2. The Board authorizes its consultant and administrative staff to make an initial determination on the petition and take one of the following actions:
- (i) Certify impossibility of compliance and forward the petition to the Office of General Counsel for presentation to the Board as an uncontested matter; or
 - (ii) Deny the petition, after consultation with legal staff, if impossibility of compliance with the provisions of the previous order is not proven and notify the petitioner of what proof of impossibility of compliance was either not sufficient or not submitted.
3. If the petition is presented to the Board the petitioner may not submit any additional documentation or testimony other than that contained in the petition as originally submitted.
4. If the petition is granted a new order shall be issued reflecting the modifications authorized by the Board that it deemed appropriate and necessary in relation to the violations found in the previous order.
5. If the petition is denied either initially by staff or after presentation to the Board and the petitioner believes impossibility of compliance with the order has been sufficiently proven the petitioner may, as authorized by law, file a petition for a declaratory order pursuant to the provisions of T.C.A. § 4-5-223 and rule 1200-10-01-.11.

(c) Form Petition

Petition for Order Modification
Board of Examiners in Psychology

Petitioner's Name: _____
Petitioner's Mailing Address: _____

Petitioner's E-Mail Address: _____
Telephone Number: _____

Attorney for Petitioner: _____
Attorney's Mailing Address: _____

Attorney's E-Mail Address: _____
Telephone Number: _____

The petitioner respectfully represents that for the following reasons, as substantiated by the attached documentation, the identified provisions of the attached disciplinary order are impossible for me to comply with:

Note - You must enclose all documents necessary to prove your request including a copy of the original order. If any of the proof you are relying upon to show impossibility is the testimony of any individual, including yourself, you must enclose signed and notarized statements from every individual you intend to rely upon attesting, under oath, to the reasons why compliance is impossible. No documentation or testimony other than that submitted will be considered in making an initial determination on, or a final order in response to, this petition.

Respectfully submitted this the ____ day of _____, 20__.

Petitioner's Signature

(6) Civil penalties.

(a) Purpose. The purpose of this paragraph is to set out a schedule designating the minimum and maximum civil penalties which may be assessed pursuant to T.C.A. § 63-1-134.

(b) Schedule of civil penalties.

1. A "Type A" civil penalty may be imposed whenever the Board finds the person required to be licensed, permitted, or authorized by the Board is guilty of a willful and knowing violation of the Psychology Act or rules promulgated pursuant thereto, to such an extent that there is, or is likely to be, an imminent, substantial threat to the health, safety and welfare of an individual patient or the public. For purposes of this paragraph, willfully and knowingly practicing as a Psychologist, Senior Psychological Examiner, Psychological Examiner, Certified Psychological Assistant, or Certified Psychological Testing Technician ~~Assistant~~ without a permit,

license, certificate or other authorization from the Board is one of the violations of the Psychology Act for which a "Type A" civil penalty is assessable.

2. A "Type B" civil penalty may be imposed whenever the Board finds the person required to be licensed, certified, permitted, or authorized by the Board is guilty of a violation of the Psychology Act or rules promulgated pursuant thereto in such a manner as to impact directly on the care of patients or the public.
3. A "Type C" civil penalty may be imposed whenever the Board finds the person required to be licensed, certified, permitted, or authorized by the Board is guilty of a violation of the Psychology Act or rules promulgated pursuant thereto, which are neither directly detrimental to the patients or the public, nor directly impact their care, but have only an indirect relationship to patient care or the public.

(c) Amount of civil penalties.

1. "Type A" civil penalties shall be assessed in the amount of not less than five hundred dollars (\$500) nor more than one thousand dollars (\$1000).
2. "Type B" civil penalties may be assessed in the amount of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500).
3. "Type C" civil penalties may be assessed in the amount of not less than fifty dollars (\$50) nor more than one hundred dollars (\$100).

(d) Procedures for assessing civil penalties.

1. The Division may initiate a civil penalty assessment by filing a Memorandum of Assessment of Civil Penalty. The Division shall state in the memorandum the facts and law upon which it relies in alleging a violation, the proposed amount of the civil penalty and the basis for such penalty. The Division may incorporate the Memorandum of Assessment of Civil Penalty with a Notice of Charges.
2. Civil penalties may also be initiated and assessed by the Board during consideration of any Notice of Charges. In addition, the Board may, upon good cause shown, assess a type and amount of civil penalty which was not recommended by the Division.
3. In assessing the civil penalties pursuant to these rules the Board may consider the following factors:
 - (i) Whether the amount imposed will be a substantial economic deterrent to the violator;
 - (ii) The circumstances leading to the violation;
 - (iii) The severity of the violation and the risk of harm to the public;
 - (iv) The economic benefits gained by the violator as a result of noncompliance; and
 - (v) The interest of the public.

4. All proceedings for the assessment of civil penalties shall be governed by the Administrative Procedures Act, T.C.A. §§ 4-5-301, et seq.
- (7) Settlements. Any member of the Board or the Consultant is authorized to decide the parameters for terms of enter into settlement agreements under which a case ~~complaint~~ against a licensee or certificate holder may be closed, subject to ratification by the Board. Such agreements may include any terms deemed appropriate including, but not limited to:
 - (a) Mandatory education program or course attendance;
 - (b) Submission of reports, records or other appropriate documentation; or
 - (c) Conditioning of the Psychologist's, Senior Psychological Examiner's, Psychological Examiner's, Certified Psychological Assistant, or Certified Psychological Testing Technician's ~~Assistant's~~ activities in any manner which affects his or her practice in Tennessee.
- (8) Screening Panels - Any screening panel(s) established pursuant to T.C.A. § 63-1-138:
 - (a) Shall have concurrent authority with the Board members and any individual Psychologist designated by the Board pursuant to paragraph (5) of Rule 1180-01-.14, to do the acts enumerated in paragraph (5) of Rule 1180-01-.14 subject to the conditions contained therein.
 1. A screening panel(s) comprised of two (2) or more persons shall elect a chairperson prior to convening to conduct business.
 2. A screening panel(s) comprised of two (2) or more persons is required to conduct the informal hearings authorized in subparagraph (b) immediately below.
 - (b) After completion of an investigation by the Division, may upon request of either the state, or the licensee or certificate holder who is the subject of an investigation with the agreement of the state, or upon agreement of both the licensee or certificate holder and the state, conduct a non-binding informal hearing and make recommendations as a result thereof as to what, if any, terms of settlement of any potential disciplinary action are appropriate.
 1. Neither the Rules of Civil Procedure, the Rules of Alternative Dispute Resolution, the Rules of Evidence or Contested Case Procedural Rules under the Administrative Procedures Act shall apply in informal hearings before the screening panel(s).
 - (i) Evidence may be presented or received in any manner and in whatever order agreed upon by the parties.
 - (ii) Prior to convening the panel and in the absence of an agreement of the parties, the screening panel chairperson shall determine the manner and order of presentation of evidence.
 2. Informal hearings may be conducted without the participation of the licensee or certificate holder who is the subject of the investigation.

3. A licensee or certificate holder who is the subject of an investigation being considered by a screening panel cannot be compelled to participate in any informal hearing.
4. Proposed settlements reached as a result of any informal hearing will not become binding and final unless they are:
 - (i) Approved by a majority of the members of the screening panel which issued them; and
 - (ii) Agreed to by both the Department of Health, by and through its attorney(s), and the licensee or certificate holder; and
 - (iii) Subsequently presented to and ratified by the Board or a duly constituted panel of the Board.

Authority: T.C.A. §§ ~~4-5-105, 4-5-202, 4-5-204, 4-5-217, 4-5-223, 63-1-122, 63-1-120,~~ 63-1-134, 63-1-138, 63-11-104, 63-11-201, and 63-11-215, ~~and 63-11-215 through 63-11-217.~~

1180-02-.01 SCOPE OF PRACTICE.

- (1) The scope of practice of a Psychologist is prescribed and limited by Tennessee Code Annotated, Title 63, Chapter 11 and the rules set forth in this chapter and Chapter 1180-01.
- (2) A license issued by the Board specifies licensure as a Psychologist. The Board may grant designation as a Health Service Provider to qualifying Psychologists. HSP designation will be displayed on the renewal certificate.
- (3) Psychologists shall limit their practices to the use of those techniques, and to providing services to those populations, for which they have formal education, formal professional training and supervised experience, and for which they hold licensure.
- (4) Health services may be provided only by Psychologists with HSP designation. The scope of practice of Psychologists with HSP designation is limited to those health services for which the licensee has obtained education and specific training to provide.
- (5) The practice of a Psychologist includes, but is not limited to:
 - (a) Psychological testing and/or the evaluation or assessment of personal characteristics, such as intelligence, personality, mental status, psychopathology, abilities, achievement, interests, aptitudes and neuropsychological functioning;
 - (b) Behavioral analysis;
 - (c) Psychological evaluation or assessment or analysis of organizations and organizational functioning;
 - (d) Counseling, psychoanalysis, psychotherapy, group therapy, marital therapy, family therapy, hypnosis, hypnotherapy, biofeedback and behavior therapy;

- (e) Psychological diagnosis and treatment of mental, emotional and nervous disorders or disabilities, developmental deviation or disability, alcoholism and substance abuse, disorders of habit or conduct, and the psychological aspect of physical illness, accident, injury or disability;
 - (f) Psychoeducational evaluation, psychoeducational therapy, developmental therapy, remediation and consultation; and
 - (g) Case management and utilization review of services and psychological consultations, program planning, and psychological research to industrial, business and corporate organizations.
- (6) A Psychologist's services may be rendered to individuals, families, groups, organizations and the public, without regard to whether payment is received for services rendered.
- (7) Standards for supervision of Psychologists, Psychological Examiners and Certified Psychological Assistants by Psychologists:
- (a) Supervision must meet minimum standards and a supervisor of record must be made known to the Board. When a Psychologist renews ~~his or her~~their license ~~he or she~~ the Psychologist must list those Psychologists, Psychological Examiners, and Certified Psychological Assistants whom the Psychologist supervises and for whom ~~he or she~~ the Psychologist is the supervisor of record.
 - (b) Qualified supervision requires that a licensed Psychologist, qualified by experience and training to practice the overall supervised activity or activities, provide supervision on a regular and frequent basis. The supervising Psychologist for Psychological Examiners, Certified Psychological Assistants, and for Psychologists delivering health services must also be designated as a HSP.
 - (c) The supervising Psychologist shall limit the number of supervisees in order to assure an adequate ratio of supervision hours to practice hours consistent with professional standards and guidelines which insure the welfare of the supervisees and their clients.
 - (d) Specific case monitoring and skill training requires significant supervisory contact and must be in addition to overall administrative supervision. Supervision conducted via face-to-face video conferencing equipment and/or technology is acceptable, assuming compliance with subparagraphs (7)(a) through (7)(e) of this rule. "Face-to-face" means (a) can see one's face and (b) occurring in real time via video conferencing equipment and/or technology. No more than seventy-five (75) percent of supervision can be obtained through video conferencing.
 - 1. Supervision is to be conducted primarily on a one-on-one basis and shall be in addition to any group seminar or group consultations which are also deemed appropriate. Thus, adequate supervision will require considerable one-on-one contact and time with respect to each client. Records of the supervision process must be maintained by the supervisor covering the number of hours of supervision activities, the number and duration of one-on-one supervisory meetings and documentation of clients discussed at each supervisory session.
 - 2. A supervisor, at the time of supervision, must not be in a dual relationship with the supervisee, e.g., be a spouse, other close relative or therapist.

- (e) In all cases the specific terms of the supervisory arrangement are the responsibility of the supervising Psychologist upon whom it is incumbent to assure supervisory time and service delivery. Likewise, it is the responsibility of the supervisee to obtain supervision. The education, training, experience, ongoing performance and level of licensure or certification of the supervisee must be considered by the supervisor. The arrangements for supervision must be agreed to by both the supervisor and the supervisee. In situations where supervision has been regular and frequent and one-on-one contact has occurred, the frequency and intensity of supervision may, at the discretion of the supervising Psychologist upon determination of the supervisee's competence and readiness, be modified. Ultimately, the supervising Psychologist of record must protect the welfare of the client and assure compliance with Tennessee law and professional ethics. ~~(Requirements for Psychologists receiving supervision as part of the experience requirement for designation as a HSP are contained in 1180-02-.02(2)(d).)~~
1. The standard for supervision of newly licensed individuals with a provisional license as a Psychologist with HSP designation and for Psychological Examiners is one (1) hour per week.
 2. The standard for supervision of experienced (licensed for at least five [5] years) Psychological Examiners is that it shall occur no less than monthly. If an experienced Psychological Examiner changes supervisors, the experienced Examiner may follow the monthly supervision standard if agreed to by both the Psychologist supervisor and the experienced Psychological Examiner in question.
 3. The standard for supervision of Certified Psychological Assistants is direct and frequent supervision to take place at the site of service, considering the number of hours worked per week and the experience level of the Certified Psychological Assistant.

(8) Standards for supervision of Certified Psychological Testing Technicians by Psychologists.

- (a) Supervision must meet minimum standards and a supervisor of record must be made known to the Board. When a Psychologist renews the Psychologist's license the Psychologist must list those Certified Psychological Testing Technicians whom the Psychologist supervises and for whom the Psychologist is a supervisor of record.
- (b) A supervisor, at the time of supervision, must not be in a dual relationship with the supervisee, e.g., be a spouse, other close relative, or treating therapist.
- (c) In all cases the specific terms of the supervisory arrangement are the responsibility of the supervising Psychologist upon whom it is incumbent to assure supervisory time and service delivery. Likewise, it is the responsibility of the supervisee to obtain supervision. The supervisor must consider the education, training, experience, ongoing performance, and level of licensure or certification of the supervisee. The arrangements for supervision must be agreed to by both the supervisor and the supervisee. In situations where supervision has been regular and frequent and one-on-one contact has occurred, the frequency and intensity of supervision may, at the discretion of the supervising Psychologist or Senior Psychological Examiner, upon determination of the supervisee's competence and readiness, be modified. Ultimately, the supervising Psychologist or Senior Psychological Examiner of record must protect the welfare of the client and assure compliance with Tennessee law and professional ethics.

(d) ~~The standard for supervision of Certified Psychological Testing Technicians is ongoing indirect supervision with direct supervision available while the Certified Psychological Testing Technician is engaged in clinical activities. As such, the supervisor is available to come to the site of care in order to provide direct supervision or is immediately available via telephone or face-to-face video conferencing. "Face-to-face" means: (a) can see one's face; and (b) occurring in real time via video conferencing equipment and/or technology.~~

(98) The Board shall consider that an individual, either licensed or unlicensed, is violating these limits of practice if ~~his/her~~ the individual's conduct includes, but is not limited to, the following:

- (a) Claiming expertise or using techniques or procedures of assessment or treatment for which the practitioner has not completed appropriate academic course work or supervised training experience;
- (b) Knowingly assigning, permitting or hiring any unqualified person(s) to perform functions of assessment or treatment or delegating the provisions of psychological services to unqualified person(s);
- (c) Failing to adequately supervise any assigned trainee or employee who is providing psychological services;
- (d) Aiding, abetting, assisting, or hiring any individual to violate or circumvent any law or duly promulgated rule intended to guide the conduct of psychological services; or
- (e) Providing or claiming to provide health services as a Psychologist without a designation as a HSP.

Authority: T.C.A. §§ ~~4-5-202, 4-5-204, 4-5-208,~~ 63-11-104, ~~63-11-201 through~~ 63-11-202, 63-11-208, and 63-11-214, ~~and 63-11-215.~~

1180-02-.03 PROCEDURES FOR LICENSURE. -To become licensed as a Psychologist in Tennessee, a person must comply with the following procedures and requirements:

- (1) An application packet shall be requested from the Board's administrative office.
- (2) An applicant shall respond truthfully and completely to every question or request for information contained in the application form. The completed application form and all fees required by the form and these rules shall be submitted to the Board's administrative office.
- (3) Applications will be accepted throughout the year.
- (4) An applicant shall submit with the applicant's application ~~at two (2)~~ signed passport-type photographs taken within the preceding twelve (12) months.
- (5) An applicant shall submit with the applicant's ~~the~~ application, verification of U.S. citizenship or authorization to work pursuant to T.C.A. § 4-58-103(a)(2) ~~a certified copy or a notarized photocopy of his/her birth certificate.~~
- (6) It is the applicant's responsibility to request that the institution(s) of higher education submit the transcript(s) of all graduate course work directly to the Board office. The transcript(s) must show the highest degree(s) earned and must carry the official seal of that institution.

- (7) An applicant must submit comply with T.C.A. § 63-11-208(c)(1) and provide evidence of ethical practice as follows:~~submit comply with T.C.A. § 63-11-208(c)(1) and provide evidence of ethical practice as follows: evidence of good moral character. Such evidence shall be a minimum of three (3) letters of recommendation. It is the applicant's responsibility to request references from individuals who have personal knowledge of, and can attest to, the applicant's education, training and performance. All letters of recommendation must contain a statement specifying if the recommendation is for licensure as Psychologist or Psychologist with HSP designation. All letters shall be current, original letters written specifically for the licensure application and mailed directly to the Board by the person providing the information on the signator's letterhead. Such letters are valid for one (1) year from date of receipt. Additional inquiries may be initiated by the Board as it may require.~~
- (a) Such evidence shall be a minimum of three (3) letters of recommendation.
 - (b) It is the applicant's responsibility to request letters of recommendation from individuals who have personal knowledge of, and can attest to, the applicant's education, training, and performance.
 - (c) All letters of recommendation must contain a statement specifying whether the recommendation is for licensure as Psychologist or Psychologist with HSP designation.
 - (d) All letters shall be original letters dated within the last twelve (12) months, written specifically for the licensure application, and sent directly to the Board by the person providing the information on the signatory's letterhead.
 - (ea) For applicants at the Psychologist level, the Board requires letters of recommendation from three (3) Psychologists, two (2) of whom must be licensed. If the application is for HSP designation, two (2) endorsers must be licensed HSP designated Psychologists or if the endorser is from another jurisdiction, HSP equivalent Psychologist.
 - (fb) If the application is for licensure with HSP designation, at least one (1) letter must be from an internship director or supervisor in addition to the internship documentation. The letter(s) shall provide specific information about the types of clients and range of services provided as well as the nature of the internship or practicum site. An overall evaluation of the quality of services provided by the trainee must be included.
 - (ge) If the applicant for licensure with HSP designation is already licensed as a Psychologist at the doctoral level for five (5) years in another jurisdiction, then documentation verifying an APA or APPIC-listed internship may be sent in lieu of the letter(s) from the director or supervisor of the internship required by the preceding subparagraph (b).
- (8) An applicant shall disclose the circumstances surrounding any of the following:
- (a) Conviction of any criminal law violation of any country, state or municipality, except minor traffic violations.
 - (b) The denial of licensure application by any other state or the discipline of licensure by any state.
 - (c) Loss or restriction of licensure.
 - (d) Any civil suit judgment or civil suit settlement in which the applicant was a party defendant including, without limitation, actions involving malpractice, breach of contract, antitrust

activity, or any other civil action remedy recognized under the country's or state's statutory, common or case law.

- (9) An applicant shall cause to be submitted to the Board's administrative office directly from the vendor identified in the Board's licensure application materials, the result of a criminal background check.
- (10) If an applicant holds or has ever held a license or certificate to practice psychology in another state, regardless of the type or level of licensure or certification, the applicant shall cause to be submitted the equivalent of a Tennessee Certificate of Fitness (verification of license) from the authorizing regulatory agency which indicates the applicant holds or held an active license or certificate and whether it is in good standing presently or was at the time it became inactive.
- (11) When necessary, all required documents shall be translated into English and the translation and original document certified as to authenticity by the issuing source. Both versions must be submitted to the Board's administrative office.
- (12) Reciprocity. The Board may expedite the review process of an applicant requesting licensure who holds a valid license in good standing in another jurisdiction, meets the criteria established by T.C.A. § 63-11-211 and:
 - (a) Submits the completed application with the non-refundable application fee.
 - (b) Submits supporting documents and proof of a qualifying doctoral program, a qualifying internship and supervised postdoctoral experience if application is made for designation as a health service provider pursuant to 1180-02-.02(2).
 - (c) Submits proof of a written examination score that meets the standards for licensure in Tennessee.
 - (d) Submits proof of valid licensure or certification, including information regarding any disciplinary action, from the agency of another jurisdiction empowered with the oversight of the practice of psychology.
 - (e) An applicant shall cause to be submitted to the Board's administrative office directly from the vendor identified in the Board's licensure application materials, the result of a criminal background check.
 - (f) Instead of submitting the documentation required in subparagraphs (12)(b) and (12)(c), applicants who have been continuously licensed in good standing for five (5) or more years in another jurisdiction may submit proof of current certification by the ABPP, or current listing in the National Register of Health Service Providers, or cause to have submitted a Certificate of Professional Qualification (CPQ) sent directly from the ASPPB to the Board's administrative office.
 - (g) Notwithstanding the provisions of subparagraph (12)(f) or T.C.A. § 63-11-208(d)(2)(A), under no circumstances shall an applicant for licensure by reciprocity with HSP designation be approved without successful completion of the qualifying internship required in Rule 1180-02-.02(2)(a) and the postdoctoral supervised experience required in Rule 1180-02-.02(2)(d).

(13) Endorsement.

(a) The Board may designate as a Health Service Provider any applicant who has held a valid license or certificate in another state to practice psychology and has practiced in that state for at least ten (10) years within the last fifteen (15) years preceding the date of application, as outlined in T.C.A. § 63-11-208(f)(1):

(b) To apply for licensure by endorsement, an applicant who meets the criteria in T.C.A. § 63-11-208(f)(1) shall:

1. Submit the completed application with the non-refundable application fee.
2. Submit a Board-supplied form attesting to achieving a passing score on the written examination and the general equivalency of the applicant's doctoral program, internship, and postdoctoral experience to the licensure requirements in Tennessee. The Board-supplied form may be obtained by contacting the Board's administrative office, or by downloading it from the Board's web page on the Internet.
3. Submit proof of valid licensure or certification, including information regarding any disciplinary action, from the agencies of all other jurisdictions empowered with the oversight of the practice of psychology that have issued the applicant a license or certificate.
4. An applicant shall cause to be submitted to the Board's administrative office directly from the vendor identified in the Board's licensure application materials, the result of a criminal background check.
5. Instead of submitting the Board-supplied attestation form, applicants who have been continuously licensed in good standing for five (5) or more years in another jurisdiction may submit proof of current certification by the ABPP, or current listing in the National Register of Health Service Providers, or cause to have submitted a Certificate of Professional Qualification (CPQ) sent directly from the ASPPB to the Board's administrative office.

~~(1413)~~ Under no circumstances shall the ethics and jurisprudence examination be waived.

Authority: T.C.A. §§ ~~4-5-202, 4-5-204, 4-5-208~~, 63-11-104, ~~63-11-203~~, 63-11-208, ~~and 63-11-211~~ and 63-11-212.

1180-03-.01 SCOPE OF PRACTICE.

- (1) The scope of practice of Psychological Examiners and Senior Psychological Examiners is prescribed and limited by Tennessee Code Annotated, Title 63, Chapter 11 and the rules set forth in this chapter and Chapter 1180-1. A license issued by the Board specifies licensure as a Psychological Examiner or as a Senior Psychological Examiner.
- (2) Psychological Examiners and Senior Psychological Examiners shall limit their practices to the use of those techniques, and to providing services to those populations, for which they have formal education, formal professional training and supervised experience, and for which they hold licensure.

- (3) Psychological Examiners who have had appropriate education, training and supervised practice~~ea~~ experience may provide the following psychological services without supervision:
- (a) Interviewing or administering and interpreting tests of mental abilities, aptitudes, interests and personality characteristics for such purposes as psychological evaluation or for educational or vocational guidance, selection or placement, including establishment of intellectual level of functioning or learning deficit for school placement; and/or
 - (b) Psychological research services to industrial, business and corporate organizations.
- (4) Psychological Examiners who have had appropriate education, training, and supervised practice experience may provide the following psychological services only under the qualified supervision of a licensed Psychologist designated as a HSP or Senior Psychological Examiner:
- (a) Overall personality appraisal or classification, including assessment and diagnosis of psychopathology or mental illness; and/or
 - (b) Personality counseling, psychotherapy, behavior analysis, or personality readjustment techniques.
- (5) Senior Psychological Examiners are Health Service Providers and may provide the following psychological services without supervision:
- (a) Interviewing or administering and interpreting tests of mental abilities, aptitudes, interests and personality characteristics for such purposes as psychological evaluations, or for educational or vocational guidance, selection or placement, including establishment of intellectual level of functioning or learning deficit for school placement; ~~or~~
 - (b) Psychological research services to industrial, business and corporate organizations; ~~or~~
 - (c) Overall personality appraisal or classification, including psychological testing, projective testing, evaluation for disability or vocational purposes, and diagnosis of nervous or mental disorders; ~~or~~
 - (d) Personality counseling, psychotherapy, behavior analysis, or personality readjustment techniques; and
 - (e) Supervision of a Psychological Examiner and/or a Certified Psychological Assistant and/or a Certified Psychological Testing Technician.
- (6) Standards for supervision of Psychological Examiners and Certified Psychological Assistants by Senior Psychological Examiners.
- (a) Supervision must meet minimum standards and a supervisor of record must be made known to the Board.
 - 1. Before supervision of Psychological Examiners may occur, a Board-supplied form shall be submitted to the Board's administrative office. Such form shall be signed by both the supervisor and the supervisee, and shall list:
 - (i) A Senior Psychological Examiner must list the Psychological Examiners and/or Certified Psychological Assistants for whom ~~he or she~~they ~~is~~are the

supervisor of record. When a Senior Psychological Examiner renews ~~his or her~~their license, ~~he or she~~ the Senior Psychological Examiner must list those Psychological Examiners and/or Certified Psychological Assistants whom the Senior Psychological Examiner supervises and for whom ~~he or she is~~they are the supervisor of record.

- (ii) A Psychological Examiner must list ~~his/her~~their primary supervising Senior Psychological Examiner if engaging in activities requiring supervision. When a Psychological Examiner renews ~~his/her~~their license or certificate, that individual must list ~~his/her~~their primary supervisor(s) if engaging in activities requiring supervision.
- 2. The Board-supplied form may be obtained by contacting the Board's administrative office, or by downloading it from the Board's web page on the Internet.
- (b) Qualified supervision requires that a licensed Senior Psychological Examiner, qualified by experience and training to practice the overall supervised activity or activities, provide supervision on a regular and frequent basis.
 - (c) The supervising Senior Psychological Examiner shall limit the number of supervisees in order to assure an adequate ratio of supervision hours to practice hours consistent with professional standards and guidelines which insure the welfare of the supervisees and their clients.
 - (d) Specific case monitoring and skill training requires significant supervisory contact and must be in addition to overall administrative supervision. Supervision conducted via face-to-face video conferencing equipment and/or technology is acceptable, assuming compliance with subparagraphs (6)(a) through (6)(e) of this rule. "Face-to-face" means (a) can see one's face and (b) occurring in real time via video conferencing equipment and/or technology. No more than seventy-five (75) percent of supervision can be obtained through video conferencing.
- 1. Supervision is to be conducted primarily on a one-on-one basis and shall be in addition to any group seminar or group consultations which are also deemed appropriate. Thus, adequate supervision will require considerable one-on-one contact and time with respect to each client. Records of the supervision process must be maintained by the supervisor covering the number of hours of supervision activities, the number and duration of one-on-one supervisory meetings, and documentation of clients discussed at each supervisory session.
 - 2. A supervisor, at the time of supervision, must not be in a dual relationship with the supervisee, e.g., be a spouse, other close relative or therapist.
- (e) In all cases, the specific terms of the supervisory arrangement are the responsibility of the supervising Senior Psychological Examiner upon whom it is incumbent to assure supervisory time and service delivery. Likewise, it is the responsibility of the supervisee to obtain supervision. The supervisor must consider ~~the~~ the education, training, experience, ongoing performance, and level of licensure of the supervisee. ~~must be considered by the supervisor.~~ The arrangements for supervision must be agreed to by both the supervisor and the supervisee. In situations where supervision has been regular and frequent and one-on-one contact has occurred, the frequency and intensity of supervision may, at the discretion of the supervising Senior Psychological Examiner upon determination of the

supervisee's competence and readiness, be modified. Normally such supervision will occur weekly. Ultimately, the supervising Senior Psychological Examiner of record must protect the welfare of the client and assure compliance with Tennessee law and professional ethics. ~~(Requirements for Psychologists receiving supervision as part of the experience requirement for designation as a HSP are contained in 1180-02-.02(2)(d).)~~

1. The standard for supervision of newly supervised (less than five [5] years) Psychological Examiners is one (1) hour per week.
2. The standard of supervision for experienced (supervised for at least five [5] years) Psychological Examiners is that it shall occur no less than monthly. If an experienced Psychological Examiner changes supervisors, the experienced Psychological Examiner may follow the monthly supervision standard if agreed to by the Senior Psychological Examiner supervisor and the experienced Psychological Examiner in question.
3. The standard for the supervision of Certified Psychological Assistants is direct and frequent supervision taking place at the site of service, while considering the Certified Psychological Assistant's number of hours worked per week and experience level.

(7) Standards for supervision of Certified Psychological Testing Technicians by Senior Psychological Examiners.

- (a) Supervision must meet minimum standards and a supervisor of record must be made known to the Board. When a Senior Psychological Examiner renews the Senior Psychological Examiner's license the Senior Psychological Examiner must list those Certified Psychological Testing Technicians whom the Senior Psychological Examiner supervises and for whom the Senior Psychological Examiner is a supervisor of record.
- (b) A supervisor, at the time of supervision, must not be in a dual relationship with the supervisee, e.g., be a spouse, other close relative, or treating therapist.
- (c) In all cases, the specific terms of the supervisory arrangement are the responsibility of the supervising Senior Psychological Examiner upon whom it is incumbent to assure supervisory time and service delivery. Likewise, it is the responsibility of the supervisee to obtain supervision. The supervisor must consider the education, training, experience, and ongoing performance of the supervisee. The arrangements for supervision must be agreed to by both the supervisor and the supervisee. In situations where supervision has been regular and frequent and one-on-one contact has occurred, the frequency and intensity of supervision may, at the discretion of the supervising Senior Psychological Examiner upon determination of the supervisee's competence and readiness, be modified. Ultimately, the supervising Senior Psychological Examiner of record must protect the welfare of the client and assure compliance with Tennessee law and professional ethics.
- (d) The standard for supervision of Certified Psychological Testing Technicians is ongoing indirect supervision with direct supervision available while the Certified Psychological Testing Technician is engaged in clinical activities. As such, the supervisor is available to come to the site of care in order to provide direct supervision or is immediately available via telephone or face-to-face video conferencing. "Face-to-face" means (a) can see one's face and (b) occurring in real time via video conferencing equipment and/or technology.

(87) The Board shall consider that an individual, either licensed or unlicensed, is violating these limits of practice if ~~his/her the individual's~~ conduct includes, but is not limited to, the following:

- (a) Claiming expertise or using techniques or procedures of assessment or treatment for which the practitioner has not completed appropriate academic course work or supervised training experience;
- (b) Knowingly assigning, permitting or hiring any unqualified person(s) to perform functions of assessment or treatment or delegating the provisions of psychological services to unqualified person(s);
- (c) Failing to adequately supervise any assigned trainee or employee who is providing psychological services;
- (d) Aiding, abetting, assisting, or hiring any individual to violate or circumvent any law or duly promulgated rule intended to guide the conduct of psychological services; or
- (e) Providing or claiming to provide the services listed in paragraph (4) without supervision, unless licensed as a Senior Psychological Examiner.

Authority: T.C.A. §§ ~~4-5-202, 4-5-204,~~ 63-11-104, 63-11-201 through 63-11-208, and 63-11-214, ~~63-11-215, and Public Acts of 2001, Chapter 123.~~

1180-04-.01 SCOPE OF PRACTICE.

- (1) The scope of practice of a Certified Psychological Assistant is prescribed and limited by Tennessee Code Annotated, Title 63, Chapter 11 and the rules set forth in this chapter and chapter 1180-~~0~~1.
- (2) A certificate issued by the Board specifies certification as a Certified Psychological Assistant.
- (3) Certified Psychological Assistants shall limit their practices to the use of those techniques, and to providing services to those populations, for which they have formal education, formal professional training and supervised experience, and for which they hold certification. Because no education, professional training, supervised experience and practicum in psychotherapy or other therapeutic intervention activities is prescribed in the statute, the scope of practice for ~~e~~Certified ~~p~~Psychological ~~a~~Assistants is specifically restricted to psychological assessment, psychological testing, and related activities, with no ~~e~~Certified ~~p~~Psychological ~~a~~Assistant allowed to engage in psychotherapy or any other form of therapeutic intervention. The supervised practice of a Certified Psychological Assistant, may include, but is not limited to:
 - (a) Participates in psychological evaluations and clinical assessments of patients/clients utilizing a wide variety of assessment techniques and instruments thereby providing psychological data;
 - (b) Administers psychological testing, monitors mental status of patients and participates in treatment teams which evaluate, develop, implement, and document patient's treatment progress;
 - (c) Assists with classification information on patients and recommendations on service needs, identification and recommendation of services for the handicapped, and crisis intervention;

- (d) Screens patients for appropriate treatments;
 - (e) Provides educational/information services for patients;
 - (f) Participates in both basic and applied research endeavors and contributes to the basic fund of psychological knowledge;
 - (g) May assist in psychological screening of employees; and
 - (h) May supervise/direct the work of clerical/related staff in the performance of their duties as assigned.
- (4) Certified Psychological Assistants, who have had appropriate education, training and supervised practice experience, may render to individuals or to the public for remuneration any service involving the application of recognized principles, methods, and procedures of the science and profession of psychology as defined in paragraph three (3) above and only under the direct employment and qualified supervision of a Psychologist with HSP designation or a Senior Psychological Examiner; or the employment of a community mental health center or state governmental agency and the qualified supervision of a Psychologist with HSP designation or a Senior Psychological Examiner.
- (a) Supervision must meet minimum standards and a supervisor of record must be made known to the Board. Supervision conducted via face-to-face video conferencing equipment and/or technology is acceptable, assuming compliance with subparagraphs (4)(a) through (4)(g) of this rule. "Face-to-face" means (a) can see one's face and (b) occurring in real time via video conferencing equipment and/or technology. No more than seventy-five (75) percent of supervision can be obtained through video conferencing.
 - 1. Before supervision of Certified Psychological Assistants may occur, a Board-supplied form shall be submitted to the Board's administrative office. Such form shall be signed by ~~both the supervisor and the supervisee~~, and shall list:
 - (i) ~~Those~~ Certified Psychological Assistants whom the Psychologist or Senior Psychological Examiner supervises and for whom ~~he or she is~~ they are the supervisor of record; or
 - (ii) ~~a~~ A Certified Psychological Assistant must list ~~his/he—their~~ primary supervisor(s) if engaging in activities requiring supervision. ~~her primary supervisor(s) if engaging in activities requiring supervision.~~
 - 2. The Board-supplied form may be obtained by contacting the Board's administrative office, or by downloading it from the Board's web page on the Internet.
 - (b) Qualified supervision requires that a licensed Psychologist or Senior Psychological Examiner, qualified by experience and training to practice the overall supervised activity or activities, provide supervision on a regular and frequent basis. The supervising Psychologist for Certified Psychological Assistants delivering health services must also be designated as a HSP.
 - (c) The supervising Psychologist or Senior Psychological Examiner shall limit the number of supervisees in order to assure an adequate ratio of supervision hours to practice hours

consistent with professional standards and guidelines which insure the welfare of the supervisees and their clients.

- (d) The supervising ~~p~~Psychologist shall limit ~~his/her~~ their supervision of Certified Psychological Assistants to psychological assessment activities. The supervising ~~p~~Psychologist should not supervise the Certified Psychological Assistant for psychotherapy or other forms of intervention.
- (e) Specific case monitoring and skill training requires significant supervisory contact and must be in addition to overall administrative supervision.
 - 1. Supervision is to be conducted primarily on a one-on-one basis and shall be in addition to any group seminar or group consultations which are also deemed appropriate. Thus, supervision will require considerable one-on-one contact and time with respect to each client. Records of the supervision process must be maintained by the supervisor covering the number of hours of supervision activities, the number and duration of one-on-one supervisory meetings, and documentation of clients discussed at each supervisory session.
 - 2. A supervisor, at the time of supervision, must not be in a dual relationship with the supervisee, e.g., be a spouse, other close relative, or therapist.
- (f) The supervising Psychologist or Senior Psychological Examiner has responsibility to require that the Certified Psychological Assistant complete continuing education to maintain continued competence.
- (g) In all cases the specific terms of the supervisory arrangement are the responsibility of the supervising Psychologist or Senior Psychological Examiner upon whom it is incumbent to assure supervisory time and service delivery. Likewise, it is the responsibility of the supervisee to obtain supervision. The supervisor must consider the education, training, experience, and ongoing performance of the supervisee. The arrangements for supervision must be agreed to by both the supervisor and the supervisee. The supervising Psychologist or Senior Psychological Examiner of record must protect the welfare of the client and assure compliance with Tennessee law and professional ethics. ~~(Requirements for Psychologists receiving supervision as part of the experience requirement for designation as a HSP are contained in Rule 1180-02-.02 (2)(d).)~~
- (5) The Board shall consider that an individual, either certified or uncertified, is violating these limits of practice if ~~his/her~~ the individual's conduct includes, but is not limited to, the following:
 - (a) Claiming expertise or using techniques or procedures of assessment or treatment for which the practitioner has not completed appropriate academic course work or supervised training experience;
 - (b) Knowingly assigning, permitting or hiring any unqualified person(s) to perform functions of assessment or treatment or delegating the provisions of psychological services to unqualified person(s);
 - (c) Aiding, abetting, assisting, or hiring any individual to violate or circumvent any law or duly promulgated rule intended to guide the conduct of psychological services; or

- (d) Providing or claiming to provide the services listed in paragraph (4) without supervision by a Psychologist with HSP designation or Senior Psychological Examiner.

Authority: T.C.A. §§ ~~4-5-202, 4-5-204~~, 63-11-104, and 63-11-201, through 63-11-208.

1180-04-.03 PROCEDURES FOR CERTIFICATION. To become certified as a Certified Psychological Assistant in Tennessee, a person must comply with the following procedures and requirements:

- (1) An application packet shall be requested from the Board's administrative office or downloaded from the Department of Health's website.
- (2) An applicant shall respond truthfully and completely to every question or request for information contained in the application form. The completed application form and all fees required by the form and these rules shall be submitted to the Board's administrative office.
- (3) Applications will be accepted throughout the year.
- (4) An applicant shall submit with the applicant's ~~the~~ application ~~at two (2)~~ signed passport-type photographs taken within the preceding twelve (12) months.
- (5) An applicant shall submit with the applicant's application, verification of U.S. citizenship or authorization to work pursuant to T.C.A. § 4-58-103(a)(2) a certified copy or a notarized photocopy of his/her birth certificate.
- (6) It is the applicant's responsibility to request that the institution(s) of higher education submit the transcript(s) of all graduate course work directly to the Board office. The transcript(s) must show the highest degree(s) earned and must carry the official seal of that institution.
- (7) An applicant for certification as a Certified Psychological Assistant must submit completed worksheets for evaluation of graduate courses indicating the applicant's allocation of course credit to substantive psychology course work and to course work completed in psychological testing and measurement. The applicant must send copies of the course descriptions from the graduate catalog current at the time of his or her enrollment.
- (8) An applicant must comply with T.C.A. § 63-11-207(b)(2)(A), and provide evidence of ethical practice as follows:—submit evidence of good moral character and of not being engaged in unethical practice. Additional inquiries may be initiated by the Board as it may require. Such evidence shall be a minimum of three (3) letters of recommendation in addition to the practicum documentation. It is the applicant's responsibility to request references from individuals who have personal knowledge of, and can attest to, the applicant's education, training and performance at the specific level of licensure for which the applicant is applying. All letters of recommendation must contain a statement specifying that certification as a Certified Psychological Assistant for the applicant is being recommended. All letters shall be current, original letters written specifically for the certification application and mailed directly to the Board by the person providing the information on the signator's letterhead. Such letters are valid for one (1) year from date of receipt. Additional inquiries may be initiated by the Board as it may require.
 - (a) Such evidence shall be a minimum of three (3) letters of recommendation in addition to the practicum documentation.

- (b) It is the applicant's responsibility to request letters of recommendation from individuals who have personal knowledge of, and can attest to, the applicant's education, training, and performance at the specific level of certification for which the applicant is applying.
 - (c) All letters of recommendation must contain a statement specifying that certification as a Certified Psychological Assistant for the applicant is being recommended.
 - (d) All letters shall be original letters dated within the last twelve (12) months, written specifically for the certification application, and sent directly to the Board by the person providing the information on the signatory's letterhead.
 - (ea) One (1) of the required three (3) letters must be from a licensed Psychologist with HSP designation, or if the endorser is from another jurisdiction, HSP equivalent licensed Psychologist. The other letters may be from licensed Psychologists or licensed Senior Psychological Examiners.
 - (fb) Letter(s) from the practicum supervisor(s) shall be submitted. The letter(s) shall provide specific information about the types of clients and range of services provided as well as the nature of the internship or practicum site. An overall evaluation of the quality of services provided by the trainee must be included.
 - (ge) If the applicant has received a Masters Degree in psychology and is a student in good standing in a doctoral degree from an APA approved or CNRHSP/ASPPB designated training program in professional psychology, a letter of recommendation from the Director of Training of that doctoral degree program must be provided.
- (9) An applicant shall disclose the circumstances surrounding any of the following:
- (a) Conviction of any criminal law violation of any country, state or municipality, except minor traffic violations.
 - (b) The denial of licensure or certification by any other state or the discipline of licensure or certification by any state.
 - (c) Loss or restriction of licensure or certification.
 - (d) Any civil suit judgment or civil suit settlement in which the applicant was a party defendant including, without limitation, actions involving malpractice, breach of contract, antitrust activity, or any other civil action remedy recognized under the country's or state's statutory, common or case law.
- (10) An applicant shall cause to be submitted to the Board's administrative office directly from the vendor identified in the Board's certification application materials, the result of a criminal background check.
- (11) If an applicant holds or has ever held a license or certificate to practice psychology in another state, regardless of the type or level of licensure or certification, the applicant shall cause to be submitted the equivalent of a Tennessee Certificate of Fitness (verification of license) from the authorizing regulatory agency which indicates the applicant holds or held an active license or certificate and whether it is in good standing presently or was at the time it became inactive.

- (12) When necessary, all required documents shall be translated into English and the translation and original document certified as to authenticity by the issuing source. Both versions must be submitted to the Board's administrative office.

Authority: T.C.A. §§ ~~4-5-202, 4-5-204~~, 63-11-104, 63-11-201, 63-11-206, ~~and 63-11-207~~, and 63-11-212.

RULES
OF
THE TENNESSEE STATE BOARD OF EXAMINERS IN PSYCHOLOGY
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CHAPTER 1180-06
RULES GOVERNING CERTIFIED PSYCHOLOGICAL TESTING TECHNICIANS

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1180-06-.01 SCOPE OF PRACTICE.

- (1) The scope of practice of a Certified Psychological Testing Technician is prescribed and limited by Tennessee Code Annotated, Title 63, Chapter 11 and the rules set forth in this chapter and chapter 1180-01.
- (2) A certificate issued by the Board specifies certification as a Certified Psychological Testing Technician.
- (3) Certified Psychological Testing Technicians shall limit their practices to the use of those techniques, and to providing services to those populations, for which they have formal education, formal professional training and supervised experience, and for which they hold certification. The scope of practice for Certified Psychological Testing Technicians is found at T.C.A. § 63-11-207(c)(2).
- (4) Certified Psychological Testing Technicians, who have had appropriate education and educational training, may render to individuals or to the public for remuneration any service involving the application of recognized principles, methods, and procedures of the science and profession of psychology as defined in paragraph three (3) above and only under the supervision of a Psychologist or a Senior Psychological Examiner.
- (a) Certified Psychological Testing Technicians must register their supervisor(s) of record with the Board by submitting a Board-supplied form to the Board's administrative office. A separate form shall be signed by each supervisor. The Board-supplied form may be obtained by contacting the Board's administrative office, or by downloading it from the Board's web page on the Internet.
- (b) The Certified Psychological Testing Technician may only provide services under the supervision of their supervisor(s) of record with the Board. The Certified Psychological Testing Technician must provide changes to their supervisor(s) of record to the Board by submitting a Board-supplied form to the Board's administrative office within thirty (30) days

of the change. The Board-supplied form may be obtained by contacting the Board's administrative office, or by downloading it from the Board's web page on the Internet.

- (c) The Certified Psychological Testing Technician must be employed by, or contracted with, the same work setting as the supervising Psychologists or Senior Psychological Examiner. The supervising Psychologist or Senior Psychological Examiner shall limit **their** supervision of Certified Psychological Testing Technicians to psychological assessment activities. The supervising Psychologist or Senior Psychological Examiner should not supervise Certified Psychological Testing Technicians for psychotherapy or other forms of intervention.
- (d) Records of the supervision process must be maintained by the supervisor.
- (e) A supervisor, at the time of supervision, must not be in a dual relationship with the supervisee, e.g., be a spouse, other close relative, or therapist.
- (f) The supervisor has responsibility to require that the Certified Psychological Testing Technician complete continuing education to maintain continued competence.
- (g) In all cases the specific terms of the supervisory arrangement are the responsibility of the supervisor, upon whom it is incumbent to assure supervisory time and service delivery. Likewise, it is the responsibility of the supervisee to obtain supervision. The supervisor must consider the education, training, experience, ongoing performance, and level of **certification** of the supervisee. The arrangements for supervision must be agreed to by both the supervisor and the supervisee. The supervisor must protect the welfare of the client and assure compliance with Tennessee law and professional ethics.
- (5) The Board shall consider that an individual, either certified or uncertified, is violating these limits of practice if **the individual's** conduct includes, but is not limited to, the following:
 - (a) Claiming expertise or using techniques or procedures of assessment or treatment for which the practitioner has not completed appropriate academic course work or supervised training experience;
 - (b) Knowingly assigning, permitting or hiring any unqualified person(s) to perform functions of assessment or treatment or delegating the provisions of psychological services to unqualified person(s);
 - (c) Aiding, abetting, assisting, or hiring any individual to violate or circumvent any law or duly promulgated rule intended to guide the conduct of psychological services; or
 - (d) Providing or claiming to provide the services listed in paragraph four (4) without supervision by a Psychologist or a Senior Psychological Examiner.

Authority: T.C.A. §§ 63-11-104, **63-11-202** and 63-11-207.

1180-06-.02 QUALIFICATIONS FOR CERTIFICATION. In evaluating the academic program and training of an applicant for certification as a Certified Psychological Testing Technician, the Board shall use the following criteria:

- (1) Education requirements as a Certified Psychological Testing Technician must be met by proof of completion of a bachelor's degree.
- (2) The degree-granting institution for applicants for certification as a Certified Psychological Testing Technician must be regionally accredited at the time of the applicant's graduation. Regional accreditation is defined as accreditation by one (1) of the six (6) regional agencies of the Council on Post Secondary Accreditation or the evaluations and decisions regarding foreign education and credentials by the World Education Service.
- (3) Educational training requirements as a Certified Psychological Testing Technician are found at T.C.A. § 63-11-207(c)(4)(D).
- (4) The required educational training may be obtained through the sources found at T.C.A. § 63-11-207(c)(5).

Authority: T.C.A. §§ 63-11-104, 63-11-201, 63-11-207 and 63-11-212.

1180-06-.03 PROCEDURES FOR CERTIFICATION. To become certified as a Certified Psychological Testing Technician in Tennessee, a person must comply with the following procedures and requirements:

- (1) An application packet shall be requested from the Board's administrative office or downloaded from the Department of Health's website.
- (2) An applicant shall respond truthfully and completely to every question or request for information contained in the application form. The completed application form and all fees required by the form and these rules shall be submitted to the Board's administrative office.
- (3) Applications will be accepted throughout the year.
- (4) An applicant shall submit with the applicant's application a signed passport-type photograph taken within the preceding twelve (12) months.
- (5) An applicant shall submit with the applicant's application, verification of U.S. citizenship or authorization to work pursuant to T.C.A. § 4-58-103(a)(2).
- (6) It is the applicant's responsibility to request that the institution that issued the applicant's bachelor degree submit the transcript of all course work directly to the Board office. The transcript must carry the official seal of that institution.
- (7) An applicant must provide documentation that the applicant has met the required educational training hours, as provided in Rule 1180-06-.02(3). This proof may include:
 - (a) A Board-supplied form completed by the licensed Psychologist or Senior Psychological Examiner who provided individual or group instruction or who directed independent learning or who observed the applicant administer and score tests. The Board-supplied form may be obtained by contacting the Board's administrative office, or by downloading it from the Board's web page on the Internet.

- (b) A transcript of graduate course work sent directly from the institution(s) of higher education to the Board office showing all graduate course work and the highest degree(s) earned and carrying the official seal of that institution.
 - (c) Certificates of attendance or completion verifying continuing education.
- (8) An applicant must comply with T.C.A. 63-11-207(c)(4)(A), and provide evidence of ethical practice as follows:
 - (a) Such evidence shall be a minimum of three (3) letters of recommendation.
 - (b) It is the applicant's responsibility to request letters of recommendation from individuals who have personal knowledge of, and can attest to, the applicant's education, training, and performance at the specific level of certification for which the applicant is applying.
 - (c) All letters of recommendation must contain a statement specifying that certification as a Certified Psychological Testing Technician for the applicant is being recommended.
 - (d) All letters shall be original letters dated within the last twelve (12) months, written specifically for the certification application, and sent directly to the Board by the person providing the information on the signator's letterhead.
 - (e) One (1) of the required three (3) letters must be from a licensed Psychologist or Senior Psychological Examiner who oversaw the applicant's required hours of administering and scoring tests.
- (9) An applicant shall disclose the circumstances surrounding any of the following:
 - (a) Conviction of any criminal law violation of any country, state or municipality, except minor traffic violations.
 - (b) The denial of licensure or certification by any other state or the discipline of licensure or certification by any state.
 - (c) Loss or restriction of licensure or certification.
 - (d) Any civil suit judgment or civil suit settlement in which the applicant was a party defendant including, without limitation, actions involving malpractice, breach of contract, antitrust activity, or any other civil action remedy recognized under the country's or state's statutory, common or case law.
- (10) An applicant shall cause to be submitted to the Board's administrative office directly from the vendor identified in the Board's certification application materials, the result of a criminal background check.
- (11) If an applicant holds or has ever held a license or certificate to practice as a testing technician or its equivalent in another state, the applicant shall cause to be submitted the equivalent of a Tennessee Certificate of Fitness from the authorizing regulatory agency which indicates the applicant holds or held an active license or certificate and whether it is in good standing presently or was at the time it became inactive.

(12) When necessary, all required documents shall be translated into English and the translation and original document certified as to authenticity by the issuing source. Both versions must be submitted to the Board's administrative office.

Authority: T.C.A. §§ 63-11-104, 63-11-201, 63-11-206, 63-11-207, and 63-11-212.