

(Agency Name)
(Agency Division, if applicable)

NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama Board of Examiners in Psychology

RULE NO. & TITLE:

750-X-2A-.03 Application Form.

INTENDED ACTION:

The Board intends to update this rule to allow for an application fee due to the Board to potentially be waived.

SUBSTANCE OF PROPOSED ACTION:

Pursuant to the Alabama Military Family Jobs Opportunity Act, a military spouse may petition the Board to waive the application fee.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

Interested persons may submit written comments, and if requested in advance, may personally appear before the Board by submitting a request to appear to: **Lori H. Rall, Executive Director, 100 N Union St, Ste 880, Montgomery, AL 36104, Phone: (334) 242-4127, Email: lori.rall@psychology.alabama.gov**. To be considered by the Board, written comments must be received in the Board Office not later than end of business on November 4, 2022. Persons desiring to orally express their views before the Board must first submit their comments in writing as stated above, and shall be limited to ten (10) minutes per person.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: November 4, 2022

CONTACT PERSON AT AGENCY:

Lori H. Rall, Executive Director
100 North Union Street, Suite 880
Montgomery, Alabama 36104
lori.rall@psychology.alabama.gov
Phone: (334) 242-4127



(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

750-X-2A-.03 Application Form. Applications will be reviewed under the laws and rules and regulations in effect the date the application is received. All applications shall be submitted on a form prescribed and provided by the Board of Examiners in Psychology and accompanied by such evidence, statements, and documents as are therein required. The licensure application form must be filled out legibly and in detail, giving requested information and dates. It shall include a complete list of job positions in chronological sequence. A certified copy of each transcript shall be sent by the registrars of each institution directly to the Board. The applicant shall have the registrar, the graduate school dean, or other approved official of the doctoral degree granting institution to certify (1) the degree granting school or college, (2) the exact name of the department which granted the degree, and (3) the exact title of the doctoral degree. The entire licensure application form shall be notarized. The Board must be informed if a previous application for licensure has been submitted in this state. Four references are required (see Rule 750-X-2A-.05 below). The licensure application fee or any application for a fee waiver as allowed by these rules must accompany the application form, and is non-refundable.

All applicants for licensure shall submit to a criminal history background check by providing fingerprints and executing a criminal history information release using forms provided to the applicant by the Board. The applicant is responsible for having his or her fingerprints made. The applicant shall provide his or her completed fingerprint cards, along with a Cashier's Check or Money Order made payable to the Alabama State Law Enforcement Agency (ALEA) in the amount sufficient to cover the actual cost of the background check, to the Board office to be submitted to the ALEA. ALEA is responsible for forwarding the fingerprints to the Federal Bureau of Investigation for a national criminal history record check. Information received by the Board pursuant to a criminal history background check shall be confidential and shall not be a public record, except that such information received by and relied upon by the Board in denying the issuance of a certificate of qualification may be disclosed as may be necessary to support the denial.

Author: Alabama Board of Examiners in Psychology

Statutory Authority: Code of Ala. 1975, §§34-26-1, et seq., 34-26-43

History: New Rule: Filed November 25, 1997; effective December 30, 1997. **Amended:** Filed November 15, 2000; effective December 20, 2000. **Amended:** Filed November 27, 2013; effective February 1, 2014 pursuant to Act No. 2013-386. **Amended:** Filed March 21, 2014; effective April 25, 2014. **Amended:** Filed July 11, 2016; effective August 25, 2016. **Amended:** September 20, 2022; effective Month, Day, 2022.

**TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION**

Control 331 Department or Agency Alabama Board of Examiners in Psychology
Rule No. 750-X-2-.10
Rule Title: Certification Of Applicants Licensed To Practice In Another Jurisdiction Pursuant To Alabama Military
Family Jobs Opportunity Act
 New Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? No

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? No

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

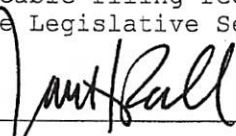
Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer 

Date 09/19/2022

(DATE FILED)
(STAMP)
REC'D & FILED

SEP 20 2022

(Agency Name)
(Agency Division, if applicable)

NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama Board of Examiners in Psychology

RULE NO. & TITLE:

750-X-2-.10 Certification Of Applicants Licensed To Practice In Another Jurisdiction Pursuant To Alabama Military Family Jobs Opportunity Act.

INTENDED ACTION:

The Board intends write a rule allowing for eligible individuals be be issued a certificate to practice in Alabama.

SUBSTANCE OF PROPOSED ACTION:

Pursuant to the Alabama Military Family Jobs Opportunity Act, a military spouse may petition the Board to issue a certificate to practice professional psychology in Alabama under certain circumstances and with a fee waiver.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

Interested persons may submit written comments, and if requested in advance, may personally appear before the Board by submitting a request to appear to: **Lori H. Rall, Executive Director, 100 N Union St, Ste 880, Montgomery, AL 36104, Phone: (334) 242-4127, Email: lori.rall@psychology.alabama.gov.** To be considered by the Board, written comments must be received in the Board Office not later than end of business November 4, 2022. Persons desiring to orally express their views before the Board must first submit their comments in writing as stated above, and shall be limited to ten (10) minutes per person.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: November 4, 2022

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750-X-2-10 Certification Of Applicants Licensed To Practice In Another Jurisdiction Pursuant To Alabama Military Family Jobs Opportunity Act.

(1) Pursuant to the statutory requirements found in the Alabama Military Family Jobs Opportunity Act, Act 2018-540, as codified at Code of Ala. 1975, §31-1-6, any applicant for certification as a psychologist or psychological technician who is considered an “eligible individual” under Code of Ala. 1975, §31-1-6(c) shall be issued a certificate under the following conditions:

(a) they must hold and provide primary source proof of an active, unrestricted license to practice in another jurisdiction; and

(b) the licensing or certification requirements of the issuing body must be greater than or substantially similar to the certification requirements of this Board, as determined by the Board’s executive director review; and

(c) the applicant must submit a completed application which documents compliance with the Board’s certification requirements and authorization for a criminal history background check pursuant to requirements of the Board; and

(d) the applicant must submit proof of passage of the EPPP with a score that was at least equivalent to the acceptable passage rate to the Board for applicants for licensure by examination at the time of their application.

Upon satisfaction of these conditions, the application will be submitted to the executive director for review. Approval will result in the issuance of the appropriate certificate to the eligible individual allowing them to continue working at the same certification level for one (1) year. All approvals will be reported to the Board at its next regularly scheduled meeting.

(2) In the event the applicant’s certifying jurisdiction did not promulgate certification requirements greater than or substantially similar to the certification requirements of this Board, as determined by the executive director’s review, the applicant will be notified of the specific requirements which must be met prior to receiving certification from the State of Alabama. In accordance with Code of Ala. 1975, §31-1-6(b)(2), the eligible individual concurrently will be granted a temporary permit to continue working in the same field and at the same certification level for one hundred eighty (180) days while they complete the specific requirements necessary to obtain a license from this Board. Subject to the approval of the executive director, such temporary permit period may be extended as necessary to promote the intent of the Military Family Jobs Opportunity Act. All temporary permits will be reported to the Board at its next regularly scheduled meeting.

(3) Any applicant for certification as a psychologist or psychological technician who is considered an “eligible individual” under Code of Ala. 1975, §31-1-6(c) and who properly submits a request for waiver of the initial license fee shall receive the same within thirty (30) days of the Board’s receipt of the required documentation for waiver.

(4) The permit holder must conduct their practice within the confines and scope of the Alabama law.

(5) If a temporary permit holder does not meet full licensure requirements within one (1) year from the date the permit was issued, the permit will expire, and the individual will no longer be permitted to practice in Alabama, and will be required to apply for licensure with the Board.

(6) A temporary permit practice as a psychologist or as a psychological technician in Alabama will not be granted to any individual whose license to practice is currently revoked or suspended in another state or who is currently under investigation or currently being disciplined for ethical violations according to the Ethical Principles of Psychologists and Code of Conduct published by the American Psychological Association. Applicants currently under investigation cannot be licensed until such time they can prove to the Board that they have been cleared of all allegations of wrongdoing. The Board may refuse to grant a permit or a license to an applicant who does not comply with these requirements or who has engaged in any acts constituting the grounds for discipline. If, after notice and hearing, the Board determines that the applicant committed fraud or falsified any information in the permit and licensure process, the permit or license may be revoked by the Board and the Board may impose other disciplinary sanctions allowed by the provisions of the Act.

(7) In order for the applicant to be granted a license to practice as a psychologist or psychological technician in Alabama, they must submit all required documentation requested by the Board and pass the Professional Standards Examination (PSE) required of all Alabama licensure candidates (see exception 750-X-2-.08(2) above).

Author: Alabama Board of Examiners in Psychology; Brice Johnston; Lori H. Rall

Statutory Authority: Code of Ala. 1975, §§34-26-1, et seq., 34-26-43

History: New Rule: Filed September 20, 2022; effective Month, Day, 2022.

**TRANSMITTAL SHEET FOR
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Control 331 Department or Agency Alabama Board of Examiners in Psychology
Rule No. 750-X-2-.03
Rule Title: Application Form
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Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? No

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

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Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

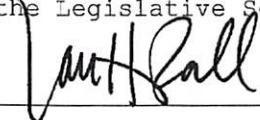
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Certification of Authorized Official

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Signature of certifying officer 

Date 09/19/2022

REC'D & FILED (DATE FILED) (STAMP)

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Author: Alabama Board of Examiners in Psychology

Statutory Authority: Code of Ala. 1975, §§34-26-1, et seq., 34-26-43

History: Rule entitled "Doctoral Degree from Department or School of Psychology" filed September 21, 1982. **Amended:** Filed May 29, 1986. **Repealed and new rule** entitled "Application Form" filed November 5, 1987. **Amended:** Filed April 5, 1990; March 6, 1992. **Amended:** Filed August 4, 1993; effective September 8, 1993. **Amended:** Filed December 3, 1993; effective January 7, 1994. **Amended:** Filed November 25, 1997; effective December 30, 1997. **Amended:** Filed November 15, 2000; effective December 20, 2000. **Amended:** Filed May 15, 2013; effective June 19, 2013. **Amended:** Filed November 27, 2013; effective February 1, 2014 pursuant to Act No. 2013-386. **Amended:** Filed July 11, 2016; effective August 25, 2016. **Amended:** Filed September 20, 2022; effective Month, Day, 2022.