

### **319.032 Authority for administrative regulations.**

- (1) The board shall promulgate administrative regulations:
  - (a) Establishing requirements, standards, and tests to determine the moral, intellectual, educational, scientific, technical, and professional qualifications of applicants for licensure; and preparing or selecting and administering examinations on general psychological knowledge. Neither certified psychologists, licensed psychological practitioners, nor licensed psychological associates may participate in the examination of applicants for licensure as licensed psychologists;
  - (b) Establishing and defining the scope of practice within the field of psychology;
  - (c) Setting the requirements for issuing, denying, suspending, restricting, and revoking licenses, and placing credential holders on probation;
  - (d) Developing specific guidelines to follow upon receipt of an allegation of sexual misconduct by a person credentialed by the board. The guidelines shall include investigation, hearing officer, and hearing procedures which ensure that the process does not revictimize the alleged victim or cause harm if a credential holder is falsely accused;
  - (e) Requiring training for the board and investigators hired by the board on the dynamics of sexual misconduct of professionals, including the nature of this abuse of authority, characteristics of the offender, the impact on the victim, the possibility and the impact of false accusations, investigative procedure in sex offense cases, and effective intervention with victims and offenders;
  - (f) Establishing requirements for continuing education not to exceed thirty-nine (39) contact hours per three (3) year renewal period as a condition for renewal of licenses, the increased requirement to be a condition for renewal of licenses beginning with renewals occurring after June 30, 2013;
  - (g) Establishing and collecting reasonable fees for directories, transcribing, transferring of records, and other services;
  - (h) Conducting hearings or appointing hearing officers to conduct hearings on any matter under the jurisdiction of the board, in accordance with KRS Chapter 13B;
  - (i) Entering into reciprocal agreements with boards of examiners of psychology of other states having qualifications and standards at least as high as those of this state providing for reciprocal licensure;
  - (j) Employing personnel, including hearing officers which it considers necessary for the performance of its functions, determining the duties of personnel, and compensating them within the limits of funds available to the board;
  - (k) Investigating complaints or suspected violations of this chapter and notifying proper law enforcement authorities. For the purpose of enforcing the provisions of this chapter, the board shall have the authority to administer oaths, receive evidence, interview persons, issue subpoenas, and require the productions of books, papers, documents, or other evidence;

- (l) Governing the supervision of certified psychologists and the supervision and employment of licensed psychological associates and candidates for licensure;
  - (m) Developing specific guidelines to allow school psychologists who are dually credentialed by the Education Professional Standards Board and the board to obtain supervision acceptable to the board from a licensed psychologist who is neither an employee nor contractor of the school system that employs the school psychologist being supervised; and
  - (n) Notwithstanding the fee schedules specified in this chapter, increasing or decreasing fees as it deems appropriate.
- (2) The board shall have the authority to promulgate other administrative regulations as it deems necessary for the proper administration of this chapter.
- (3) The board, at its discretion, may use funds as necessary to purchase liability insurance for members and executive officers of the board, inspectors, examiners, investigators, and staff members exempt from classified service of the state by KRS 18A.115.

**Effective:** July 15, 2010

**History:** Amended 2010 Ky. Acts ch. 50, sec. 3, effective July 15, 2010. -- Amended 2001 Ky. Acts ch. 80, sec. 6, effective June 21, 2001. -- Amended 1996 Ky. Acts ch. 318, sec. 275, effective July 15, 1996. -- Amended 1994 Ky. Acts ch. 265, sec. 8, effective July 15, 1994; and ch. 470, sec. 8, effective July 15, 1994. -- Amended 1992 Ky. Acts ch. 104, sec. 4, effective July 14, 1992. -- Amended 1988 Ky. Acts ch. 291, sec. 3, effective July 15, 1988. -- Created 1986 Ky. Acts ch. 128, sec. 6, effective July 15, 1986.

**Legislative Research Commission Note (7/15/2010).** 2010 Ky. Acts ch. 50, sec. 3, subsec. (1)(f), replaced "thirty (30) contact hours" with "thirty-nine (39) contact hours," and inserted the clause that provides, "the increased requirement to be a condition for renewal of licenses beginning with renewals occurring after June 30, 2013."

**Legislative Research Commission Note (7/15/94).** This statute was amended by 1994 Ky. Acts chs. 265 and 470, which were companion bills and are substantively identical. These Acts have been codified together. For the few minor variations between the Acts, Acts ch. 470 prevails under KRS 446.250, as the Act which passed the General Assembly last.

**Legislative Research Commission Note (11/19/91, amended 7/15/94).** Pursuant to KRS 7.136(1), the Reviser of Statutes has replaced the word "suspended" in subsection (9) of this statute (1986 Acts ch. 128, sec. 6) with "suspected" to correct a manifest clerical or typographical error. (1992 Acts ch. 104, sec. 4 renumbered the former subsection (9) of this statute as subsection (1)(i); 1994 Acts ch. 470, sec. 8 renumbered subsection (1)(i) as subsection (1)(k).)