

**DISTRICT OF
COLUMBIA
MUNICIPAL
REGULATIONS
for
PSYCHOLOGY
ASSOCIATE**

CHAPTER 86 PSYCHOLOGY ASSOCIATE

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8600 GENERAL PROVISIONS

8600.1 This chapter shall apply to applicants for and holders of a registration to practice as a psychology associate.

8600.2 Chapters 40 (Health Occupations: General Rules) and 41 (Health Occupations: Administrative Procedures) of this title shall supplement this chapter.

8601 TERM OF REGISTRATION

8601.1 Subject to § 8601.2, a registration to practice as a psychology associate issued pursuant to this chapter shall expire at 11:59 p.m. of December 31 of each odd-numbered year.

8601.2 The Director may modify the expiration date of registrations issued pursuant to this chapter pursuant to § 4006.3.

8602 EDUCATION REQUIREMENTS

8602.1 Except as otherwise provided in this chapter, an applicant for a registration to practice as a psychology associate shall furnish proof satisfactory to the Board, in accordance with § 906 of the Act (D.C. Official Code § 3-1209.06), that the applicant has graduated with a master's or doctoral degree focusing on psychology from a program judged by the Board to be substantially equivalent in subject matter and extent of training to a master's or doctoral degree in psychology from an institution which was accredited, at the time the degree was conferred, by an accrediting body recognized by the Secretary of the United States Department of Education or the Council on Postsecondary Accreditation.

8603 INTERVIEW

8603.1 The Board may require an applicant for a registration to practice as a psychology associate to be interviewed with respect to his or her past and present education and experience in relation to psychology to determine whether the applicant meets the requirements of the Act and this chapter.

8604 APPLICANT EDUCATED IN FOREIGN COUNTRIES

8604.1 The Board may grant a registration to practice as a psychology associate to an applicant who completed an educational program in a college or university in a foreign country which is not accredited in accordance with § 8602 if the applicant:

- (a) Meets all requirements of this chapter except for § 8602.1; and
- (b) Demonstrates to the satisfaction of the board that the applicant's education and training are substantially equivalent to the requirements of this chapter and the Act in ensuring that the applicant is qualified to practice as a psychology associate by submitting documentation required by § 8604.2 of this section.

8604.2 An applicant under this section shall, in lieu of meeting the requirements of § 8602.1, submit one (1) of the following:

- (a) Proof satisfactory to the Board that the applicant has received a master's degree or higher from a foreign institution which was accredited, at the time the degree was conferred, by an accrediting body recognized by the national government of the country in which the institution is located; or
- (b) A certification from a private education evaluation service approved by the Board that the applicant's foreign education is substantially equivalent to the education provided in an accredited program.

8604.3 If a document required by this chapter is in a language other than English, an applicant shall arrange for its translation into English by a translation service acceptable to the Board and shall submit a translation signed by the translator attesting to its accuracy.

8605 DISTRICT EXAMINATION

8605.1 To qualify for a registration under this chapter, an applicant shall

receive a passing score on an examination developed by the Board on laws, rules, and ethical standards pertaining to the practice of psychology (the District examination).

8605.2 The Board shall administer the District examination at least three (3) times a year.

8605.3 An applicant shall not be eligible to take the District examination until all other requirements for a registration are met.

8605.4 The District examination may consist of questions on the following:

- (a) The District of Columbia laws and regulations concerning the practice of psychology; and
- (b) The Code of Ethics of the American Psychological Association.

8605.5 An applicant who fails the District examination on two (2) consecutive attempts may not retake the examination for six (6) months following the second failure. Thereafter, the applicant may not retake the examination for one (1) year after each failure.

8606 CONTINUING EDUCATION REQUIREMENTS

8606.1 Subject to § 8606.2, this section applies to applicants for the renewal, reactivation, or reinstatement of a registration.

8606.2 This section does not apply to applicants for an initial registration or applicants for the first renewal after the initial grant of a registration.

8606.3 To qualify for the renewal of a registration, an applicant shall have completed thirty (30) hours of approved continuing education credits during the two (2)-year period preceding the date the registration expires, which shall also meet the following requirements:

- (a) At least fifteen (15) hours of approved continuing education shall be completed in live program(s);
- (b) Ten percent (10%) of the required continuing education shall be in the subjects determined by the Director as public health priorities of the District, which shall be duly published every five (5) years or as deemed appropriate; and
- (c) Three (3) hours shall be in ethics and two (2) hours shall be LGBTQ continuing education.

- 8606.4 An applicant in inactive status within the meaning of § 511 of the Act (D.C. Official Code § 3-1205.11) who submits an application to reactivate a registration shall submit proof of having completed thirty (30) hours of approved continuing education, including three (3) hours of ethics and two (2) hours of LGBTQ continuing education, provided further that ten percent (10%) of the total required continuing education shall be in the subjects determined by the Director as public health priorities of the District, which shall be duly published every five (5) years or as deemed appropriate.
- 8606.5 An applicant for reinstatement of a registration shall submit proof of having completed thirty (30) hours of approved continuing education, including three (3) hours of ethics and two (2) hours of LGBTQ continuing education, provided further that ten percent (10%) of the total required continuing education shall be in the subjects determined by the Director as public health priorities of the District, which shall be duly published every five (5) years or as deemed appropriate.
- 8606.6 A continuing education credit shall be valid only if it is part of a program or activity approved by the Board in accordance with § 8607.
- 8606.7 An applicant under this section shall prove completion of the required continuing education credits by submitting with the application the following information with respect to each continuing education program or activity:
- (a) The name and address of the sponsor of the program;
 - (b) The name of the program and its location;
 - (c) A description of the subject matter covered;
 - (d) A complete schedule with time allotments for each topic or subtopic and lunch or breaks, and the name of each instructor or speaker;
 - (e) The date(s) on which the applicant participated in the program;
 - (f) The hours of continuing education credit claimed; and
 - (g) A copy of the continuing education completion verification document that includes the sponsor's signature and seal.
- 8606.8 An applicant under this section shall prove completion of continuing education course work that was audited by submitting with the application

a signed statement from the instructor on college stationery for each class attended.

8607 APPROVED CONTINUING EDUCATION PROGRAMS AND ACTIVITIES

8607.1 Only continuing education programs and activities approved by the Board shall be counted toward meeting the required number of continuing education hours.

8607.2 The Board may, in its discretion, approve continuing education programs and activities that contribute to the growth of an applicant in professional competence in the practice of psychology and which meet the other requirements of this section.

8607.3 The Board may approve the following types of continuing education programs if the programs meet the requirement of § 8607.3:

- (a) A seminar or workshop;
- (b) An education program given at a conference;
- (c) In-service training; and
- (d) An online or home study course; or
- (e) An undergraduate or graduate course given at an accredited college or university provided that the undergraduate course shall be acceptable only if the Board determines that the course is required or needed by the registrant as an introductory component of a professional development plan for the purpose of entering an area of psychology for which the registrant is currently not qualified to practice independently.

8607.4 To qualify for Board approval, a continuing education program shall:

- (a) Be current in its subject matter;
- (b) Be developed by qualified individuals of whom one shall be a psychologist;
- (c) Be taught or facilitated by at least one (1) qualified individual; and
- (d) Meet one (1) of the following requirements:

- (1) The program shall be administered by an accredited college or university;
- (2) The program shall be approved by a Board-recognized psychology organization or accredited health care facility; or
- (3) The program is approved by the Board. In order to be approved by the Board, the program sponsor shall submit to the Board for review at least sixty (60) days prior to the start of the program the following:
 - (A) The sponsor's name and address;
 - (B) The program's name;
 - (C) The location;
 - (D) A description and specific goals;
 - (E) The target audience's maximum size and professional level (Master's or doctorate);
 - (F) The program's tentative or actual schedule, including the allotted time for lunch, breaks and topic headings or subheadings;
 - (G) An appropriately constructed evaluation form and continuing education completion verification document;
 - (H) The name and credentials of each instructor or speaker including relevant education, training, research, publications, work samples(s), honor or awards, special recognition; and
 - (I) If applicable, the evaluation results of comparable programs or activities previously conducted by the sponsor.

8607.5 The Board shall maintain a list of approved continuing education programs on its website.

8607.6 An applicant shall have the burden of verifying whether a program is approved by the Board pursuant to this section prior to attending the program.

- 8607.7 The Board may approve the following continuing education activities:
- (a) Serving as an instructor or speaker at a conference, seminar, workshop, or in-service training;
 - (b) Being the author or coauthor of an article (including “critiques” and “responses”) or a book review in a professional journal or periodical, or author or coauthor of a book or book chapter;
 - (c) Serving as an editor (including “associate” and “junior” levels) for a professional journal, periodical, or book;
 - (d) Serving as an article reviewer for a professional journal or periodical; or
 - (e) Having developed an online or home study continuing education course.

8608 CONTINUING EDUCATION CREDITS

- 8608.1 The Board may grant continuing education credit for whole hours only, with a minimum of fifty (50) minutes constituting one (1) credit hour.
- 8608.2 The Board may grant a maximum of ten (10) continuing education credits per licensure period to an applicant who participates in one (1) or more in-service education programs.
- 8608.3 The Board may grant a maximum of fifty percent (50%) of an applicant’s continuing education requirement for completing continuing education activities under § 8607.6.
- 8608.4 The Board may grant credit to an applicant who serves as an instructor or speaker at an approved program for preparation and presentation time, subject to the restrictions under § 8608.7 through § 8608.9.
- 8608.5 The amount of continuing education credit that may be granted shall be fifty percent (50%) of the amount of actual presentation time.
- 8608.6 If an applicant has previously received credit in connection with a particular presentation, the Board shall not grant credit for a subsequent presentation unless it involves either a different subject or substantial additional research concerning the same subject.
- 8608.7 The presentation shall have been completed during the period for which credit is claimed.

- 8608.8 The Board may grant continuing education credit under § 8607.6 only if the applicant proves to the satisfaction of the Board that the work has been published or accepted for publication during the period for which credit is claimed.
- 8608.9 The Board may grant continuing education credits for the following activities in the following amounts:
- (a) For serving as a reviewer of articles submitted for publication, one (1) continuing education credit may be granted for each article reviewed up to a maximum of three (3) articles;
 - (b) For providing a published critique or response to a published article, one (1) continuing education credit may be granted up to a maximum of three (3) critiques or responses;
 - (c) For publishing an article, a maximum of three (3) continuing education credits may be granted;
 - (d) For publishing a book, a maximum of fifteen (15) continuing education credits may be granted;
 - (e) For serving as a co-editor of a published book, a maximum of fifteen (15) continuing education credits may be divided among the co-editors with each co-editor receiving at least three (3) continuing education credits;
 - (f) For publishing a book chapter, a maximum of three (3) continuing education credits may be granted;
 - (g) For reviewing a book, a maximum of three (3) continuing education credits may be granted;
 - (h) For serving as a senior editor for a journal or periodical, a maximum of twelve (12) continuing education credits may be granted;
 - (i) For serving as an associate editor for a journal or periodical, a maximum of nine (9) continuing education credits may be granted;
 - (j) For serving as a junior (or comparable level) editor, six (6) continuing education credits may be granted;
 - (k) For serving as a speaker or instructor for a seminar, workshop, conference, or in-service training, a maximum of six (6) continuing education credits per total presentation time may be granted; or

- (l) For serving as a developer of an online or home study continuing education course, a maximum of three (3) continuing education credits per course may be granted.

8608.10 A registrant shall receive no more than fifteen (15) continuing education credits for any combination of the activities listed in § 8608.11 or for completing any combination of online and home study courses.

8608.11 No continuing education credit shall be awarded for any activity of a registrant if either of the following is true:

- (a) The activity is an expected responsibility of a paid position held by the registrant (such as a professor on a tenure track publishing an article);
or
- (b) The registrant received compensation for the activity (including honoraria) or the registrant shall receive compensation in the future.

8610 REGISTRATION BY ENDORSEMENT

8610.1 The Board shall issue a registration by endorsement to a psychology associate who has a valid, unrestricted registration in good standing from another jurisdiction of the United States and who meets all other requirements of this section.

8610.2 An applicant for registration by endorsement as a psychology associate shall submit with a completed application the following:

- (a) Official, certified proof of registration as a psychology associate in good standing from another jurisdiction of the United States; and
- (b) Proof pursuant to § 8602.1.

8611 SUPERVISION OF PSYCHOLOGY ASSOCIATES

8611.1 A supervisor of a psychology associate shall supervise only in those areas within the supervisor's competence based on the supervisor's education, training, and experience. The supervisor shall delegate supervisory responsibility to another psychologist or psychiatrist to ensure that the psychology associate receives appropriate supervision in areas outside of the expertise of the original supervisor.

8611.2 Appropriate supervision is determined by the following:

- (a) Education, training, and experience of the psychology associate;

- (b) Nature and extent of the services to be performed by the psychology associate; and
 - (c) Setting in which the services are to be performed.
- 8611.3 A supervisor may supervise a maximum of five (5) psychology associates at any one (1) time.
- 8611.4 A supervisor shall ensure that a psychology associate is practicing within the scope of the psychology associate's competencies as demonstrated by the psychology associate's documented training and experience in a particular area of practice.
- 8611.5 A supervisor shall maintain appropriate documentation of the nature and extent of the supervision provided or delegated, including the dates, duration, and focus of the supervisory sessions. The supervisor shall provide a reason for any delegation of supervisory responsibility.
- 8611.6 Pursuant to § 8611.5 a supervisor shall provide documentation requested upon demand by an individual authorized by the board.
- 8611.7 A supervisor shall not engage in supervision of a psychology associate who is a friend or relative.
- 8611.8 A supervisor shall immediately report to the Board, by certified mail, the date of termination of the supervisory relationship with a psychology associate.
- 8611.9 A supervisor shall be responsible for all services provided by a psychology associate under the supervisor's supervision.
- 8611.10 A psychology associate shall inform the supervisor of all complaints, formal or informal, about the services provided by the psychology associate.
- 8612 STANDARDS OF CONDUCT**
- 8612.1 A registrant shall adhere to standards set forth in the "Ethical Principles of Psychologists and Code of Conduct" as published from time to time by the American Psychological Association.
- 8612.2 A psychology associate shall not reveal to another person a communication made to the psychology associate by a client about a matter where the client has utilized the services of the psychology associate in a professional capacity. This section shall not

apply to:

- (a) A case conference with other mental health professionals or with physicians or surgeons;
- (b) A case in which the client authorized, in writing, the psychology associate to reveal a communication;
- (c) A case where an immediate threat of serious physical harm to an identifiable victim is communicated to the psychology associate by a client;
- (d) Evidence in criminal cases where the accused is charged with causing the death of, or inflicting injuries upon, a human being, and the disclosure is required in the interest of public justice;
- (e) Evidence relating to the mental competency or sanity of an accused person in a criminal trial where the accused person raises the defense of insanity or where the court is required under prevailing law to raise the defense sua sponte, or in the pretrial or post-trial proceedings involving a criminal case where a question arises concerning the mental condition of an accused person or convicted person;
- (f) Evidence relating to the mental competency or sanity of a child alleged to be delinquent, neglected, or in need of supervision in any proceeding before the Family Division of the District of Columbia Superior Court;
- (g) Evidence in criminal or civil cases where a person is alleged to have defrauded the District of Columbia or federal government in relation to receiving or providing services under the District of Columbia medical assistance program authorized by Title 19 of the Social Security Act, approved July 30, 1965 (79 Stat. 343; 42 U.S.C. §§ 1396, *et seq.*)
- (h) Proceedings conducted by the Office of Administrative Hearings where the disclosure of confidential communications is necessary to defend against charges that the psychology associate has violated provisions of this chapter or the Act; or
- (i) Information regarding incidents of child abuse as required pursuant to the Prevention of Child Abuse and Neglect Act of 1977, effective September 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1321.02(b)).

- 8612.3 A psychology associate shall refer to himself or herself as a “psychology associate under the supervision of (name and license number of supervisor)” in all written and oral communications relating to the provision of psychological services.
- 8612.4 A psychology associate shall not refer to himself or herself as a psychologist, either orally or in writing, and shall discourage others from making these representations.
- 8612.5 A supervisor or psychology associate shall inform clients of the supervision arrangement and its possible implications for insurance reimbursements and confidentiality.
- 8612.6 A psychology associate may not engage in, or give the appearance of, practicing independently of the supervisor.
- 8612.7 A supervisor and a psychology associate shall ensure that parties who are billed for services by the psychology associate are informed that the supervisor has full responsibility.
- 8612.8 A supervisor and a psychology associate shall cosign all reports related to psychological services provided by the psychology associate.

8699 DEFINITIONS

- 8699.1 As used in this chapter, the following terms shall have the meanings ascribed:

Act – the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99, D.C. Official Code §§ 3-1201 to 3.1213.01 (2001)).

Applicant – a person applying for a registration to practice as a psychology associate under this chapter.

Board – the Board of Psychology, established by § 211 of the Act, D.C. Official Code § 31202.11 (2001).

Direct supervision – the supervision in which a psychologist or psychiatrist is available on the premises and within vocal communication either directly or by a communications device.

Director – the Director of the Department of Health or the Director’s designee.

LGBTQ continuing education – continuing education focusing on patients or clients who identify as lesbian, gay, bisexual, transgender, gender nonconforming, queer, or question their sexual orientation or gender identity and expression (“LGBTQ”) meeting the requirements of § 510(b)(5) of the Act (D.C. Official Code § 3-1205.10 (b)(5) (2016 Repl.)).

Practice of psychology – means the development and application, with or without compensation, of scientific concepts, theories, methods, techniques, procedures, and principles of psychology to aid in the understanding, measuring, explaining, predicting, preventing, fostering, and treating of abilities, disabilities, attributes, or behaviors that are: (a) principally cognitive, such as aptitudes, perceptions, attitudes, or intelligence; (b) affective, such as happiness, anger, or depression; or (c) behavioral, such as physical abuse. The practice of psychology includes: (a) coaching, consulting, counseling, and various types of therapy, such as behavior therapy, group therapy, hypnotherapy, psychotherapy, and marriage, couples, and family therapy; (b) Intellectual, personality, behavioral, educational, neuropsychological, and psycho-physiological testing; and (c) professional activities, such as research, teaching, training, interviewing, assessment, evaluation, pharmacology, and biofeedback.

Supervisor – a licensed psychologist with a doctoral degree in psychology or a psychiatrist.

8699.2 The definitions in § 4099 of chapter 40 of this title are incorporated by reference into and are applicable to this chapter.