

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Health Regulation Committee

BILL: CS/SB 1478

INTRODUCER: Health Regulation Committee and Senator Margolis

SUBJECT: Psychology Licensure

DATE: March 13, 2008 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Munroe / Stovall	Wilson	HR	Fav/CS
2.			HA	
3.				
4.				
5.				
6.				

Please see Section VIII. for Additional Information:

- | | | |
|------------------------------|-------------------------------------|---|
| A. COMMITTEE SUBSTITUTE..... | <input checked="" type="checkbox"/> | Statement of Substantial Changes |
| B. AMENDMENTS..... | <input type="checkbox"/> | Technical amendments were recommended |
| | <input type="checkbox"/> | Amendments were recommended |
| | <input type="checkbox"/> | Significant amendments were recommended |

I. Summary:

Effective January 1, 2009, the Board of Psychology (Board) must close the application file of any applicant who fails to pass the psychology licensure examination and the Florida law and rules portion of the examination or who fails to submit evidence of completion of the postdoctoral, supervised experience within a timeframe no longer than 24 months. The Board must implement a procedure for applicants to request an extension beyond the 24-month timeframe. An individual who completes the required postdoctoral training residency may continue to practice under supervision if she or he does so in a manner prescribed by board rule, has a current application on file, and no final order of denial has been issued.

This bill amends section 490.005, Florida Statutes.

II. Present Situation:

Chapter 490, F.S., specifies requirements for the regulation of psychology by the Board of Psychology and school psychology by the Department of Health. The Board is responsible for certifying that applicants meet specified criteria for licensure by examination or licensure by

endorsement. A candidate for licensure by examination must submit proof of the following to the Board:

- Receipt of a doctoral-level psychological education as defined in s. 490.003(3), F.S.,
- Completion of 2 years or 4,000 hours of supervised experience under a licensed psychologist,
- Passage of the Florida Laws and Rules examination, and
- Passage of the National Examinations for Professional Practice in Psychology.

An applicant for licensure by examination must submit an application, along with the required fees, to the Board for approval to take the examination. Once the Board approves the application, the individual's name is submitted to the examination vendors and the applicant is responsible for scheduling the examination. An individual may apply to sit for the required licensure examination before completion of her or his post-doctoral supervised experience.

Under s. 456.013(1), F.S., an incomplete application expires 1 year after initial filing. The Board of Psychology has no statutory authority to close an application file once an applicant has been approved to sit for the required examination. This creates a glitch in the law that allows applicants an unlimited amount of time to complete the required examination and postdoctoral supervised experience requirement. As a result, it is possible for an applicant to practice psychology without a valid license indefinitely, if the applicant is under the direct supervision of a licensed psychologist.

III. Effect of Proposed Changes:

Effective January 1, 2009, the Board must close the application file of any applicant who fails to pass the psychology licensure examination and the Florida law and rules portion of the examination or who fails to submit evidence of completion of the postdoctoral, supervised experience within a timeframe no longer than 24 months. However, the Board must implement a procedure for applicants to request an extension beyond the 24-month period. An individual who completes the required postdoctoral training residency may continue to practice under supervision if she or he does so in a manner prescribed by board rule, has a current application on file, and no final order of denial has been issued.

Except as otherwise expressly provided in this act, this act shall take effect July 1, 2008.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The provisions of this bill have no impact on municipalities and the counties under the requirements of Article VII, Section 18 of the Florida Constitution.

B. Public Records/Open Meetings Issues:

The provisions of this bill have no impact on public records or open meetings issues under the requirements of Article I, Section 24(a) and (b) of the Florida Constitution.

C. Trust Funds Restrictions:

The provisions of this bill have no impact on the trust fund restrictions under the requirements of Article III, Subsection 19(f) of the Florida Constitution.

V. **Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

If an application is closed before licensure is obtained, the \$400 licensure fee is refunded.

C. Government Sector Impact:

The Department of Health may incur nominal costs to adopt rules under the bill.

VI. **Technical Deficiencies:**

Except as otherwise expressly provided in this act, this act shall take effect July 1, 2008. The act provides that section 1, the only section of law amended in the bill, has an effective date of January 1, 2009. Therefore, the effective date of the bill should be January 1, 2009.

VII. **Related Issues:**

None.

VIII. **Additional Information:**

A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Health Regulation on March 12, 2008:

The committee substitute specifies a timeframe within which the board shall close the application file. In addition, the committee substitute requires the board to implement a procedure for licensure applicants to apply for an extension beyond the 24-month timeframe.

B. Amendments:

None.