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April 24, 2024

The Honorable Representative Joseph J. Solomon, Jr.
Chair of the House Corporations Committee
82 Smith Street
Providence, RI 02903

Representative Joseph J. Solomon, Jr.

H5556- RELATING TO BUSINESSES AND PROFESSIONS – PSYCHOLOGISTS
Licensed School Psychologists

Dear Representative Solomon and Members of the Committee:

I am writing on behalf of the Rhode Island Psychological Association to express our concerns about this bill. *H5556 Relating to Businesses and Professions – Psychologists* seeks to create a new license category, “Licensed School Psychologist” in the Psychology Licensing Law (RIGL 5-44¹) for people who do not meet the current licensing standards of education and training to be a Licensed Psychologist. This bill reflects the aspirations of school psychologists to practice independently of their work in the schools, but the requirements for the proposed license do not meet current standards for independent practice and they would create difficulty in the future as the American Psychological Association (APA) considers extending independent practice to people who have master’s degrees (including school psychologists). Further, the license this bill seeks does not directly address the stated aim of increasing the number of school psychologists in schools and urge you to vote *AGAINST* this bill.

While we cannot support this bill, there are elements of the stated aim of this bill with which we do agree. The preamble of this bill cites the need for more school psychologists in our schools. School psychologists have a unique and essential role in school systems, but schools often do not employ sufficient staff to meet the needs of their students. RIPA supports the state ensuring that school psychologists staff schools at the ratio recommended by the National Association of School Psychologists: 1 school

¹ <https://webserver.rilegislature.gov/Statutes/TITLE5/5-44/INDEX.htm>

psychologist for every 500 students². This bill does not require schools to hire school psychologists as employees or consultants to satisfy that ratio, nor does it require that the state fund those hires. There was a bill submitted early in the session, H5338, that would have mandated this staffing ratio, but it was quickly withdrawn. RIPA supports staffing schools at this level.

RIPA supports efforts to create graduate training programs for future school psychologists and to provide financial support to the programs and students. We also support efforts to encourage school psychologists, and all psychologists and allied mental health professions to live and work in Rhode Island by creating desirable professional opportunities for them.

Professional psychologists and our national professional association, the American Psychological Association (APA), have long deemed that psychologists require a doctoral degree to engage in independent practice. Rhode Island's licensing law (RIGL 5-44) states the educational and training requirements in detail. Graduates of programs who meet the APA's Accreditation Standards³ (or demonstrate that their program was equivalent) for their education, supervised pre-doctoral and post-doctoral supervised training experiences; and who pass the examination stated in our Regulations⁴ (the Association of State and Provincial Psychology Board's (ASPPB) Examination for Professional Practice in Psychology⁵ (EPPP)) can get licensed here. That includes people from doctoral school psychology programs. The requirements for licensure are based on the standards of the APA and the Association of State and Provincial Psychology Boards⁶ (ASPPB). The National Association of School Psychologists (NASP) standards⁷ cited in the bill do not meet APA's standards.

School psychologists with master's degrees and Certificates of Advanced Graduate Studies (CAGS) serve an important and unique role in institutional and supervised educational settings, and we greatly value what they do for the students in their schools. These professionals are currently certified by the Department of Education as School Psychologists⁸ We feel that the Department of Education is the appropriate body to regulate their practice. Paragraph 5-44-23 (b) of our licensing law appropriately exempts school psychologists from requiring a license to perform the duties the Department of Education certifies them to do.

Further we are concerned about five (5) elements of the bill:

² <https://www.nasponline.org/research-and-policy/policy-priorities/critical-policy-issues/shortage-of-school-psychologists#:~:text=Current%20data%20estimates%20a%20national%20ratio%20of,some%20states%20approaching%20a%20ratio%20of%201:5000.>

³ <http://apa.org/ed/accreditation/about/index.aspx>

⁴ <https://rules.sos.ri.gov/regulations/part/216-40-05-15>

⁵ <https://asppb.net/exams/eppp>

⁶ <https://asppb.net/licensure/licensure-guidelines>

⁷ <https://www.nasponline.org/standards-and-certification/nasp-2020-professional-standards-adopted>

⁸ <http://www.ride.ri.gov/Portals/0/Uploads/Documents/Teachers-and-Administrators-Excellent-Educators/Educator-Certification/Cert-Requirements/SP-SchPsy-Req.pdf>

First, we are concerned that the educational and supervised training requirements of this bill are incongruent with the requirements for licensed psychologists rather than a coherent and appropriate subset of doctoral requirements. As such a person who obtains a license by the terms of this legislation may not be able to apply a significant portion of their education and training credits towards getting a doctoral degree if they chose to continue their education to become a licensed psychologist.

Second, school psychologists could use a National Certified School Psychologist certificate to obtain a license. The Department of Health has no regulatory oversight of independent institutions that credential people. While many of these bodies are highly reputable (including the National Association of School Psychologists), not all are. As such the Department must be very cautious assessing the merits of these credentials and what such a credential implies about a certificate holder. Section 5-44-11⁹ allows for the Board to accept certification by the "American Board of Examiners in Professional Psychology"¹⁰ (ABEPP), if the Board determines that the examination is substantially equivalent to, or exceeds, the requirements of the examination approved by the board." ABEPP certifications require that applicants already be licensed in another state and have experience and education exceeding our licensing standards. The Nationally Certified School Psychologist credential offered by the National Association of School Psychologists does not.

Third, the scope of practice of a licensed school psychologist (RIGL 5-44-9.2) would allow licensed school psychologists to practice a broad range of services independently of working in an educational institution, some of which are beyond the scope of services they provide in educational settings.

Fourth, while most of the bill seeks to modify the statute for licensing psychologists (RIGL 5-44) and appears to place the proposed license under the purview of the Board of Psychology, the bill also includes language modifying the law for licensing master level clinicians (RIGL 5-63.2¹¹, which is responsible for licensed mental health counselors, and marriage and family therapists) to include school psychologists. It includes changes to the scope of practice for mental health counselors and marriage and family therapists that are not appropriate for their education and training. Paragraph 9.63.2-2 (12) (iv) of this bill expands the scope of practice for mental health counselors to conduct psychological testing. That is beyond the appropriate scope of practice for members of that profession. Psychologists and School Psychologists have extensive education and supervised training in psychological assessment that the other professions do not. The scope of practice for school psychologists is repeated as paragraph (14). It is confusing that the requirements for licensure are listed in both

⁹ <https://webserver.rilegislature.gov/Statutes/TITLE5/5-44/5-44-11.htm>

¹⁰ <https://abpp.org/>

¹¹ <https://webserver.rilegislature.gov/Statutes/TITLE5/5-63.2/INDEX.htm>

statutes, and it is not clear what role if any the Board of Mental Health Counselors and Marriage and Family Therapists would have in licensing school psychologists.

Fifth, enacting this license would cause school psychologists to incur additional regulatory burdens and expense for the application and renewal fees with credential from both the Department of Education and the Department of Health, and it would create an unnecessary administrative burden on the Department of Health to administer another license.

Finally, American Psychological Association (APA) and the Association of State and Provincial Psychology Boards (ASPPB) are actively engaged creating standards for licensing people with master's degrees in health services psychology (that includes school psychology). These issues will be addressed in the revisions of each organization's Model Licensing Act which are nearing completion at this time. The American Psychological Association (APA) has created accreditation standards and is in the process of creating competency standards for people with master's degrees in health service psychology.

I have been personally involved in this issue with APA and ASPPB since 2016. In the past three years I have served on an initial APA task force to articulate the potential scope of practice and title for people with master's degrees, and I currently serve as a liaison to their Model License Act Task Force. I have also served on an ASPPB task force that has created a model license and regulation for people with master's degrees. I know from my direct involvement in these activities that the goal is to create an integrated model licensing act that creates coherent standards for education, supervised experience and examination for licensure for people with master's and doctoral degrees that meets the professions evolving standards, and that will enable regulators to fulfill their essential duty to protect the public. This work also addresses issues that need to be updated for doctoral level psychologists since the previous version of the model act was issued in 2010. This process has been and will continue to be immensely complex. APA is seeking to complete their model act this August, but I expect it will take somewhat longer to complete. When both organizations have adopted their model license acts the Rhode Island Psychological Association will engage with the community to consider if our licensing law should be revised and how to meet the future needs of Rhode Island. We expect to bring legislation to update our licensing law to the General Assembly at the end of that process.

In summary, this bill does not directly support the hiring of additional school psychologists to meet the needs of our students. The motivating issue for this legislation is the desire of school psychologists to be able to practice independently of their employment or consulting relationship with a school. The current standard for the independent practice of psychology is at the doctoral level. We do not feel that a license for independent practice is appropriate for people with master's degrees and CAGS at this time.



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We deem that school psychologists with master's and CAGS' degrees are appropriately regulated by the Department of Education to work as employees or consultants to schools. School Psychologists who satisfy the standards stated in our licensing law for training, experience, supervision, and other requirements are eligible to be licensed for independent practice as Psychologists by the Department of Health. A license for independent practice for master's and CAGS school psychologists does not address the need for schools to hire more Department of Education certified school psychologists. H5556 would create unnecessary costs and bureaucratic requirements for the Department of Health, applicants, and licensees. Further this bill would create changes to the licensing act for master's level clinicians in counseling and marriage and family therapy that are inappropriate. When APA and ASPPB have completed their revision of their model licensing acts the Rhode Island Psychological Association expects to seek an appropriate revision to our licensing law that modernizes the requirements for licensure. We also hope to advocate for revisions that will help to expand our workforce with qualified professionals in the service of providing Rhode Islanders with better access to the highest standards of scientifically based assessment and care.

We ask you to vote *against* H5556. Thank you,

Sincerely,

A handwritten signature in black ink that reads "Peter M Oppenheimer Ph.D".

Peter M. Oppenheimer, Ph.D.

Director of Professional Affairs

Rhode Island Psychological Association

Chair

Board of Psychology

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