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NEBRASKA DEPARTMENT OF
HEALTH AND HUMAN SERVICES

172 NAC 155

TITLE 172 PROFESSIONAL AND OCCUPATIONAL LICENSURE

CHAPTER 155 PSYCHOLOGY LICENSES

001. SCOPE AND AUTHORITY. These regulations govern the credentialing of psychologists, psychological assistants, psychologist associates, provisional licensed psychologists, and special licensed psychologists as set out in Nebraska Revised Statute (Neb. Rev. Stat.) §§ 38-3101 to 38-3133 of the Psychology Practice Act and the Uniform Credentialing Act (UCA). Persons providing psychology services to clients located in Nebraska must be licensed as a psychologist in Nebraska unless exempt.

002. DEFINITIONS. Definitions are set out in the Psychology Practice Act, the Uniform Credentialing Act, 172 Nebraska Administrative Code (NAC) 10, and this chapter.

002.01 BEHAVIORAL HEALTH PRACTITIONER. A licensed psychologist, special licensed psychologist, psychological assistant, psychologist associate, licensed independent mental health practitioner, licensed mental health practitioner, qualified physician, licensed alcohol and drug counselor, or other recognized profession who is licensed, certified, or regulated under the laws of this state, whose scope of practice includes mental health services or mental health service referrals.

002.02 CLIENT OR PATIENT. A recipient of psychological services within the context of a professional relationship. In the case of individuals with legal guardians, including minors and incompetent adults, the legal guardian will also be considered a client or patient for decision-making purposes relating to the minor or incompetent adult.

002.03 CONSULTATION. A professional collaborative relationship between a behavioral health practitioner or behavioral health entity and a consultant who is a licensed psychologist. The consulting psychologist must be qualified by license, training and experience to address the mental health problems of clients who are the subjects of consultation. When a mental health practitioner seeks consultation with a licensed psychologist for clients with major mental disorders, the consultation must be conducted in accordance with 172 NAC 94.

002.04 DIRECT SERVICE. A variety of activities, during the postdoctoral experience associated with a client system, including collateral contacts, for the purpose of providing psychological services.

002.04(A) DIRECT SERVICES. Includes, but are not limited to the following:

- (i) Interviewing;
- (ii) Therapy;
- (iii) Case conferences;
- (iv) Behavioral observations and management;
- (v) Evaluations;
- (vi) Treatment planning;
- (vii) Testing;
- (viii) Report writing;
- (ix) Clinical supervision of graduate students in an American Psychological Association accredited clinical, counseling, or school psychology program;
- (x) Consultations;
- (xi) Biofeedback and neurofeedback;
- (xii) Patient management, such as crisis management, triage, placement referrals, etc.;
- (xiii) Classroom teaching of graduate psychology courses in an American Psychological Association accredited clinical, counseling, or school psychology programs that involve examination of psychopathology, psychological assessment, or psychological intervention; and
- (xiv) Clinical research that involves examination of psychopathology, psychological assessment, or psychological intervention.

002.04(B) NON-DIRECT SERVICES. Includes, but are not limited to the following:

- (i) Insurance or managed care reviews relating to payment;
- (ii) Classroom teaching that is not for graduate courses in an American Psychological Association accredited clinical, counseling, or school psychology programs that involve examination of psychopathology, psychological assessment, or psychological intervention;
- (iii) Receiving supervision;
- (iv) Research that does not involve the examination of psychopathology, psychological assessment, or psychological intervention in clinical situations;
- (v) Program evaluation;
- (vi) Scheduling client appointments; and
- (vii) Administrative tasks related to mental health facilities and programs.

002.05 MAJOR MENTAL DISORDER. Any clinically significant mental or emotional disorder in which symptoms, regardless of specific diagnoses or the nature of the presenting complaint, are associated with present distress or disability or present significantly increased risk of suffering, death, pain, disability, or an important loss of freedom. No diagnosis from the Diagnostic and Statistical Manual of Mental Disorders (DSM) published by the American Psychiatric Association, nor any diagnosis from the International Classification of Diseases (ICD) published by the World Health Organization, of the edition or version used on the effective date of this chapter, is excluded from the category of Major Mental Disorder if the contemporary assessment indicates severe symptoms, as outlined in this section. These documents are available by contacting the publishing organizations. This includes currently observed or assessed dysfunction or impairment that portends danger to self or others, a disabling deterioration of function that seriously impairs daily functioning to include food, clothing, and shelter or an inability to establish or maintain a personal support system. Such

disorders may take many forms and have varying causes but must be considered a manifestation of behavioral, psychological, or biological dysfunction in the person. Behavioral or psychological disorder symptoms include one or more of the following:

- (A) Persistent or severe suicidal or homicidal thinking or behaviors injurious to self or others;
- (B) Psychotic symptoms which include delusions, hallucinations, or formal thought disorders, including evidence of frequent substitution of fantasy for reality;
- (C) Physical complaints or signs suggesting deterioration or anomaly in physiological, psychophysiological, or neuropsychological functioning;
- (D) Feeling, mood or affect in which the emotion is clearly disruptive in its effects on other aspects of a person's life. A marked change in mood, depression or anxiety that incapacitates a person;
- (E) Severe impairment in concentration and thinking, persistence, and pace. Frequent or consistently impaired thinking; or
- (F) Consistent inability to maintain conduct within the limits prescribed by law, rules, and strong mores or disregard for safety of others or destructive to property.

002.06 NATIONAL REGISTER. The National Register of Health Service Providers in Psychology (NRHSP) is a credentials bank that verifies that the psychologist applying for licensure in Nebraska has previously submitted primary source documentation demonstrating completion of specific education and training, holds an active unrestricted license, and has maintained professional and ethical standards.

002.07 NATIONAL STANDARDIZED EXAMINATION. The Examination for Professional Practice in Psychology (EPPP) or the Enhanced Examination for Professional Practice in Psychology (EPPPP) developed by the Professional Examination Service (PES) or another examination that is substantially equivalent and approved by the Board.

002.08 NEBRASKA JURISPRUDENCE EXAMINATION. The examination relating to statutes and regulations governing psychology in Nebraska and relevant federal laws and ethical standards in psychology.

002.09 POSTDOCTORAL EXPERIENCE. Psychology experience or practice under the direct supervision of a licensed psychologist qualified to offer the services provided. To be postdoctoral, the experience must follow the formal awarding of the doctoral degree by an appropriate institution of higher education. Such experience must be compatible with knowledge and skills acquired during formal doctoral or postdoctoral education in accordance with professional requirements and relevant to the intended area of practice.

002.10 QUALIFIED PHYSICIAN. An individual with a current license to practice medicine and surgery and has specialized training in mental health treatment or is a Board Certified Psychiatrist.

002.11 REGULAR EMPLOYMENT. For purposes of Neb. Rev. Stat. § 38-3113, regular employment is:

- (A) Work done in the context of an employer-employee relationship;
- (B) That the school system directly pays the school psychologist for all services rendered; and

- (C) That the agreed-upon school psychological services are provided in the context of a comprehensive service delivery system, are not limited to any specific type of service and include opportunities for follow-up and continuing consultation.

002.12 SUPERVISING LICENSED PSYCHOLOGIST. A Nebraska licensed psychologist, not a special licensed psychologist, who provides supervision.

003. CRIMINAL BACKGROUND CHECK. All applicants applying for a psychology license or provisional psychology license must submit a full set of fingerprints to the Nebraska State Patrol in compliance with Neb. Rev. Stat. § 38-131.

004. INITIAL PSYCHOLOGY LICENSE. To obtain a psychology license, an applicant must submit a complete application provided by the Department and provide documentation demonstrating that the applicant meets the credentialing requirements of Neb. Rev. Stat. §§ 38-131, 38-3114, 38-3115, 172 NAC 10, and this chapter. Applicants must submit the following:

004.01 EDUCATION. An official transcript, verifying completion of a doctoral degree from a program of graduate study in professional psychology, directly from the issuing institution, or the Association of State and Provincial Psychology Boards' credentialing data bank, or the National Register. If the program is not accredited by the American Psychological Association, the applicant must submit the following to show the program meets the requirements of Neb. Rev. Stat. § 38-3114:

- (A) Documentation, including syllabi or course descriptions, verifying that the applicant completed the following coursework:
 - (i) Scientific and professional ethics;
 - (ii) Research design and methodology;
 - (iii) Statistics and psychometrics;
 - (iv) Biological bases of behavior;
 - (v) Cognitive and affective bases of behavior;
 - (vi) Social bases of behavior;
 - (vii) Individual behavior;
 - (viii) Assessment and evaluation; and
 - (ix) Treatment and intervention.
- (B) Documentation that the program complies with the following:
 - (i) It was clearly identified and labeled as a psychology program and its intent was to education and train psychologists;
 - (ii) Has a permanent and stable standing, including organizational structure, leadership and funding, within the academic setting;
 - (iii) Has clear authority and primary accountability for the academic program with an identifiable psychology faculty and has a psychologist who is responsible for the training program;
 - (iv) Was integrated and has an organized sequence of study, including core course work and profession-wide competencies;
 - (v) Has an identifiable body of students who are matriculated in the degree program; and
 - (vi) Has degree granting authority and was regionally accredited.
- (C) Documentation that the program required students to successfully complete the following years of study and residency:

- (i) A minimum of 3 full-time academic years of graduate study, or equivalent, and an internship prior to receiving the doctoral degree;
- (ii) Two of the 3 academic years, or equivalent, must be at the program from which the doctoral degree is granted; and
- (iii) One year must be a full-time residency, or the equivalent, at the degree granting program. If the program is an on-line program, at least 600 hours must be live face-to-face in person interaction with faculty and students.

004.02 INTERNSHIP. Documentation of completion of an internship that was accredited by the American Psychological Association or if the internship is not accredited by the American Psychological Association, the applicant must submit:

- (A) Verification that the internship was accredited by the Association of Psychology Postdoctoral and Internship Centers (APIC); or
- (B) Verification and documentation of the following:
 - (i) The official school, college or university transcript must show completion of practica prior to entering the internship;
 - (ii) A letter from the internship director or a copy of the internship brochure that verifies the purpose of the internship was to train psychologists for the independent provision of direct psychology services;
 - (iii) The internship was at least 12 months in duration and consisted of at least 1,500 hours in not more than 24 months. School psychology internships may be 10 months in duration;
 - (iv) The internship was directed by a licensed psychologist;
 - (v) The internship was sequentially organized with progressively increased levels of responsibility and skills;
 - (vi) The internship required 4 hours of supervision per week, 2 of the 4 hours were individual face-to-face. For part time internships, the supervision requirements must be proportional to these standards;
 - (vii) The internship had 2 or more supervising licensed psychologists on-site; and
 - (viii) The internship included positions for 2 or more psychology interns.

004.03 SUPERVISED POSTDOCTORAL EXPERIENCE. Documentation of completion of at least 1 year of supervised postdoctoral experience.

004.03(A) COMPLETED IN NEBRASKA. If the postdoctoral experience was completed in Nebraska, the applicant must provide documentation that the applicant:

- (i) Holds or has held a provisional license as set out in 172 NAC 155-005; and
- (ii) Has completed postdoctoral experience as follows:
 - (1) Met the standards of supervision as set out in 172 NAC 155-011;
 - (2) Included 1,500 or more hours in total duration, including 1,000 or more hours of direct service hours earned in not more than 48 months; and
 - (3) Compatible with the knowledge and skills acquired during formal doctoral or postdoctoral education in accordance with professional requirements and relevant to the intended area of practice.

004.03(B) COMPLETED OUTSIDE OF NEBRASKA. If the postdoctoral experience was completed outside of Nebraska, it must have met the requirements of 172 NAC 155-004.03(A)(ii)(2).

004.04 EXAMINATION. Documentation of passing the national standardized examination with a minimum scaled score of 500 for all doctoral candidates and passing the Nebraska jurisprudence examination with a minimum score of 80%. The national standardized examination requirement is waived for applicants in the categories set out in Neb. Rev. Stat. § 38-3115.

005. PROVISIONAL PSYCHOLOGY LICENSE. To obtain a provisional license, an applicant must submit a complete application provided by the Department and provide documentation demonstrating that the applicant meets the requirements of Neb. Rev. Stat. §§ 38-131, 38-3122, 172 NAC 10, and this chapter.

005.01 LICENSE EXTENSION. The provisional license may be extended one time for an additional 2-year period upon approval by the Board and submission of a new application under this section.

006. TWENTY YEARS OF PSYCHOLOGY LICENSURE. To obtain a license based on 20 years of psychology licensure, an applicant must submit a complete application provided by the Department and provide documentation demonstrating that the applicant meets the requirements of Neb. Rev. Stat. § 38-3117, 172 NAC 10, and this chapter. Applicants must submit:

- (A) An official transcript, verifying completion of a doctoral degree in psychology, directly from the issuing institution, or the Association of State and Provincial Psychology Boards' credentialing data bank, or the National Register;
- (B) Verification of holding a current license based on a doctoral degree in psychology;
- (C) Verification of at least 20 years of licensed practice in psychology in the United States or a Canadian jurisdiction; and
- (D) Documentation of successful passage of the Nebraska jurisprudence examination with a minimum score of 80%.

007. RECIPROCITY PSYCHOLOGY LICENSE. To obtain a license based on reciprocity, an applicant must submit a complete application provided by the Department and provide documentation demonstrating that the applicant meets the requirements of 172 NAC 10 and this chapter. Applicants must submit documentation of:

- (A) A current license in another jurisdiction; and
- (B) A current Certification of Professional Qualification (CPQ) through the Association of State and Provincial Psychology Boards or a current credential at the doctoral level as a Health Service Provider by the National Register of Health Service Providers; or
- (C) Being licensed in a state participating in the Association of State and Provincial Psychology Boards Reciprocity Agreement; or
- (D) Meeting the requirements to obtain an initial license as set out in 172 NAC 155-004.

007.01 EXAMINATION. Applicants must submit documentation of passing the Nebraska jurisprudence examination with a minimum score of 80%.

007.02 TEMPORARY LICENSE. To obtain a temporary license, an individual must submit a complete application provided by the Department and provide documentation demonstrating that the applicant meets the requirements of Neb. Rev. Stat. §§ 38-129.01 or 38-3120, 172 NAC 10, and 172 NAC 155-007(A) through (D) of this chapter.

008. THIRTY DAYS PSYCHOLOGY PRACTICE WITHIN A ONE YEAR PERIOD. To obtain authority to practice for 30 days within a one year period, an applicant must submit a complete application provided by the Department and provide documentation demonstrating that the applicant meets the requirements of Neb. Rev. Stat. §§ 38-3119, 172 NAC 10, and this chapter. Applicants must submit documentation of:

- (A) A current license in another jurisdiction; and
- (B) An official transcript, verifying completion of a doctoral degree from a program of graduate study in professional psychology from an institution of higher education. The transcript must be submitted directly from the issuing institution, the Association of State and Provincial Psychology Boards' credentialing data bank, or the National Register.

009. REGISTRATION. To obtain registration, an applicant must submit a complete application provided by the Department and provide documentation demonstrating that the applicant meets the requirements of 172 NAC 10, Neb. Rev. Stat. §§ 38-3113 and 38-3116 for applicants who hold a special license as a psychologist, Neb. Rev. Stat. §§ 38-3113 and 38-3122 for provisional licenses, Neb. Rev. Stat. § 38-3113 for assistants or associates, and this chapter.

009.01 PSYCHOLOGICAL ASSISTANTS OR PSYCHOLOGIST ASSOCIATES. Applicants must submit an official transcript, directly by the issuing institution, verifying completion of a masters' degree in clinical psychology, counseling psychology, or educational psychology.

009.02 TERMINATION OF SUPERVISION. If a supervisor or registrant terminates supervision, he or she must notify the Department in writing immediately of the date of termination.

009.03 CHANGE OF OR ADDITIONAL SUPERVISOR. If a change in supervisor occurs or an additional supervisor is added, the registrant must submit an application as set out in 172 NAC 155-009.

010. SUPERVISING LICENSED PSYCHOLOGIST. The supervisor must:

- (A) Hold an active license, which is currently not limited, suspended, or on probation. If disciplined by the Department during the supervisory period, the supervisor must terminate the supervision immediately and notify the Department of the termination.
- (B) Not be a family member.
- (C) Arrange adequate supervision coverage in his or her absence.

011. SUPERVISION. Supervision applies to the following:

011.01 PROVISIONAL PSYCHOLOGY LICENSE. A professional relationship in which a licensed psychologist assumes legal and professional responsibility for the work of the provisional psychology licensee. The purpose of supervision is to provide training to assist the supervisee to achieve full licensure. The supervisor must:

- (A) Review raw data from the applicant's clinical work which is made directly available to the supervisor through such means as written clinical materials, direct observation, and video and audio recordings; and
- (B) Meet with the provisional licensee at least twice per month for a minimum of 4 total hours. Such meeting may include face-to-face consultation, telephone, video, or other

electronic means of communication and must ensure confidentiality of the conversation. The supervisor is responsible for documenting supervision meetings.

011.02 SPECIAL PSYCHOLOGY LICENSE. The supervisor will be responsible for determining the extent and character of supervision of a special psychology licensee, keeping in mind the education and experience of the supervisee. The supervisor assumes legal and professional responsibility for any work by the supervisee relating to major mental disorders. In all cases the supervisor must be competent to provide the services being supervised.

011.03 PROVISIONAL MENTAL HEALTH PRACTITIONER. A professional relationship in which a licensed psychologist has oversight responsibility for the mental health practice of the provisional mental health practitioner. The purpose of supervision is to provide training to assist the supervisee to achieve full licensure as a mental health practitioner. The supervisor must meet with the provisional licensee in accordance with 172 NAC 94.

011.04 SEEKING AN INDEPENDENT MENTAL HEALTH PRACTITIONER LICENSE. A professional relationship in which a licensed psychologist has oversight responsibility for the independent mental health practice of an individual seeking an independent mental health practitioner license. The purpose of supervision is to provide training to assist the supervisee to achieve full licensure as an independent mental health practitioner. The supervisor must meet with the applicant in accordance with 172 NAC 94.

011.05 PROVISIONAL ALCOHOL AND DRUG COUNSELOR. A professional relationship in which a licensed psychologist has oversight responsibility for the alcohol and drug clinical work of the provisional alcohol and drug counselor. The purpose of supervision is to enhance and promote the alcohol and drug clinical skills and competencies of the supervisee who is earning hours of clinical work experience to achieve full licensure as an alcohol and drug counselor. The supervisor must meet the requirements of 172 NAC 15.

011.06 PSYCHOLOGICAL ASSISTANT OR PSYCHOLOGIST ASSOCIATE. A professional relationship in which a licensed psychologist has oversight responsibility for the psychological work of an individual who administers and scores and may develop interpretations of psychological testing under the supervision of the licensed psychologist. Such individuals are deemed to be conducting their duties as an extension of the legal and professional authority of the supervising psychologist and must not independently provide interpretive information or treatment recommendations to clients or other health care professionals prior to obtaining appropriate supervision. The purpose of this supervision will be to provide oversight that insures competent and ethical practice in accordance with the statutes and Code of Conduct as promulgated by this Board. The supervisor must:

- (A) Review raw data from the assistant or associates work which is made directly available to the supervisor through such means as written clinical materials, direct observation, and video and audio recordings; and
- (B) Meet with the assistant or associate at least twice per month for a minimum of 4 total hours. Such meetings may include face-to-face consultation, telephone, video, or other electronic means of communication and must ensure confidentiality of the conversation. The supervisor is responsible for documenting supervision meetings.

012. TEST ADMINISTRATION BY UNLICENSED INDIVIDUALS. An individual who is trained by and is under the supervision of a licensed psychologist may administer and score tests which require no independent professional judgment and no interpretation of results. The individual must receive supervision, orders, and directions from a licensed psychologist. The supervisor must select the test to be administered and is ultimately responsible for the accuracy of the administration and scoring of the tests.

013. RENEWAL, WAIVER OF CONTINUING EDUCATION, AND INACTIVE STATUS. The licensee must meet the requirements set out in 172 NAC 10 and this chapter. All psychology licenses, except a provisional license and temporary license, issued by the Department will expire on January 1 of each odd-numbered year.

014. CONTINUING EDUCATION. Psychologists holding an active license in the State of Nebraska must complete at least 24 hours of acceptable continuing education hours during the 24-month period prior to the expiration date. This section does not apply to individuals who hold a provisional license or temporary license.

014.01 REQUIRED HOURS. At least 3 of the 24 hours of continuing education must be in ethics relating to psychology.

014.02 CONTINUING EDUCATION ACTIVITIES. Continuing education must directly relate to the practice of psychology as defined in Neb. Rev. Stat. § 38-3108. Continuing education hours are determined as follows:

014.02(A) DEVELOPING AND TEACHING A GRADUATE ACADEMIC COURSE. Developing and teaching a graduate academic course in an institution accredited by a regional accrediting agency is an approved continuing education activity. Hours will be granted only for the first time the licensee teaches the course during the renewal period and cannot be used for subsequent renewal periods. 1 semester hour of graduate academic credit equals 15 hours of continuing education.

014.02(B) COMPLETING A GRADUATE LEVEL COURSE. Satisfactorily completing a graduate level course offered by an institution accredited by a regional accrediting agency is an approved continuing education activity. Hours will be granted only for the first time it is completed, and it must be completed during the renewal period for which it is submitted. 1 semester hour of graduate academic credit equals 15 hours of continuing education.

014.02(C) AUTHORIZING OR EDITING A PEER-REVIEWED PSYCHOLOGICAL PRACTICE ORIENTED PUBLICATION. Continuing education hours may be earned only in the year of publication or first distribution. Hours are granted as follows:

- (i) Senior or 1st author of a peer-reviewed psychological practice oriented professional or scientific book equals 16 hours of continuing education;
- (ii) Senior or 1st author of a peer-reviewed psychological practice oriented professional or scientific book chapter equals 8 hours of continuing education;
- (iii) Senior or 1st author of a peer-reviewed psychological practice oriented professional journal article equals 8 hours of continuing education; and

- (iv) Editor of a peer-reviewed psychological practice oriented professional or scientific book or journal equals 16 hours of continuing education.

014.02(D) PRESENTING, ATTENDING, OR COMPLETING PROGRAMS. Presenting or attending workshops, seminars, symposia, colloquia, invited speaker sessions, meetings of professional or scientific organizations, homestudy, or videos are acceptable continuing education activities.

014.02(D)(i) HOUR. 60 minutes of presentation or attendance equals 1 hour of continuing education.

014.02(D)(ii) APPROVED CONTINUING EDUCATION PROVIDERS. Only activities approved by the following organizations are acceptable for renewal or reinstatement:

- (1) American Association of Marriage and Family Therapists (AAMFT) or its state Chapters;
- (2) American Counselors Association (ACA) or its state chapters or National Board for Certified Counselors (NBCC);
- (3) American Nurses Credentialing Center's Commission on Accreditation (ANCC);
- (4) Nebraska Medical Association (NMA);
- (5) Nebraska Nurses Association (NNA);
- (6) National Association of Alcohol and Drug Abuse Counselors (NAADAC);
- (7) National Association of Social Workers (NASW) or its state chapters;
- (8) The Accreditation Council for Continuing Medical Education (ACCME);
- (9) The American Medical Association (AMA) or its state chapters;
- (10) The American Nurses Credentialing Center's Commission on Accreditation (ANCCCA); and
- (11) The American Psychological Association (APA) or its state chapters.

015. REINSTATEMENT. The applicant must meet the requirements set out in 172 NAC 10.

016. FEES. Fees are set out in 172 NAC 2.

017. PSYCHOLOGY INTERJURISDICTIONAL COMPACT. The applicant must meet the requirements set out in Neb. Rev. Stat. § 38-3901.