

BEFORE THE BOARD OF PSYCHOLOGISTS
DEPARTMENT OF LABOR AND INDUSTRY
STATE OF MONTANA

In the matter of the amendment of) NOTICE OF AMENDMENT
ARM 24.189.601 application)
procedures, 24.189.602 exemptions,)
24.189.604 minimum standards,)
24.189.625 licensure of foreign-)
trained psychologists, 24.189.810)
competency, 24.189.813 limits of)
confidentiality, 24.189.2104)
continuing education program)
options, 24.189.2107 continuing)
education implementation, and)
24.189.2305 practice of psychology)

TO: All Concerned Persons

1. On July 7, 2017, the Board of Psychologists (board) published MAR Notice No. 24-189-36 regarding the public hearing on the proposed amendment of the above-stated rules, at page 992 of the 2017 Montana Administrative Register, Issue No. 13.

2. On August 1, 2017, a public hearing was held on the proposed amendment of the above-stated rules in Helena. Two comments were received by the August 4, 2017, deadline.

3. The board has thoroughly considered the comments received. A summary of the comments and the board responses are as follows:

COMMENT 1: One commenter opposed adding PESI-approved courses to the list of approved CE program options in ARM 24.189.2104, stating this might lead to an erosion in the quality of CE programs for psychologists, and open the flood gates to other providers of CE programs to also want to be formally included in the rules.

RESPONSE 1: The board appreciates all comments made during the rulemaking process and will consider future rule changes based on these comments. According to ARM 24.189.2101(2), the licensee is responsible to select quality programs that contribute to his/her knowledge and competence which also must meet the qualifications in ARM 24.189.2101, 24.189.2104, and 24.189.2107. The board is amending this rule to clarify the board-approved continuing education (CE) courses for licensees and streamline the audit process. The board reviewed its approved CE courses and determined that it is appropriate to add these approved providers as qualified to provide CE courses.

COMMENT 2: One commenter stated that it is unclear how the changes to the informed consent procedures in ARM 24.189.2305(11) will apply when children are the clients.

RESPONSE 2: The board appreciates all comments made in the rulemaking process and will consider future rule changes based on these comments as this comment exceeds the changes contained in this rulemaking notice. Licensees must follow the requirements of ARM 24.189.2305(11) in addition to those currently in ARM 24.189.813(1) with respect to children clients. The board determined these changes are basic ethical standards applicable to all psychologists and that application of these provisions to all licensees will enable the board to better protect public health and safety. The amendments will help clarify expectations of licensees so licensees do not place clients at risk or confuse them.

4. The board has amended ARM 24.189.601, 24.189.602, 24.189.604, 24.189.625, 24.189.810, 24.189.813, 24.189.2104, 24.189.2107, and 24.189.2305 exactly as proposed.

BOARD OF PSYCHOLOGISTS
JAMES MURPHEY, PH.D, CHAIRPERSON

/s/ DARCEE L. MOE
Darcee L. Moe
Rule Reviewer

/s/ GALEN HOLLENBAUGH
Galen Hollenbaugh, Acting Commissioner
DEPARTMENT OF LABOR AND INDUSTRY

Certified to the Secretary of State September 11, 2017.