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

In the matter of the amendment of ARM 24.189.401 fee schedule, 24.189.601 psychologist application procedures, 24.189.610 examination, 24.189.633 temporary permit, and 24.189.910 behavior analyst experience and supervision)

NOTICE OF AMENDMENT

TO: All Concerned Persons

1. On July 10, 2020, the Board of Psychologists published MAR Notice No. 24-189-41 regarding the public hearing on the proposed amendment of the above-stated rules, at page 1272 of the 2020 Montana Administrative Register, Issue No. 13.

2. On August 5, 2020, a public hearing was held on the proposed amendment of the above-stated rules in Helena. Several comments were received by the August 7, 2020 deadline.

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

ARM 24.189.401

COMMENT 1: Several commenters stated that the behavior analyst "per supervisee" fee of $50 is excessive and cannot be evenly applied. Additionally, the commenters believed the language in the same rule regarding the $25 behavior analyst renewal supervision fee rule is unclear.

RESPONSE 1: The board notes the concerns are outside the scope of this notice as the board proposed no changes to the referenced fees. The board may address the commenters' concerns in a future rule project.

ARM 24.189.910

COMMENT 2: One commenter stated that increasing from one to three the number of student interns a behavior analyst may supervise will allow more opportunities for the interns to obtain the required supervision experience.

RESPONSE 2: The board notes the comment is consistent with the board’s reason for the rule change.

Montana Administrative Register 21-11/6/20
COMMENT 3: Several commenters suggested revising the rule to define a suitable range of numbers of supervisees that apply to university student pre-service supervision different from the number for school or agency in-service supervision (for assistant behavior analysts and behavior technicians who are under an employment contract).

RESPONSE 3: The board is unable to address the suggestions as they are beyond the scope of this rule proposal. The board is therefore amending the rule exactly as proposed to reflect a consensus reached with stakeholders and will address the commenters’ suggestions in a future rule project.


BOARD OF PSYCHOLOGISTS
LORETTA BOLYARD, Ph.D.
CHAIRPERSON

/s/ DARCEE L. MOE        /s/ BRENDI NORDLUND
Darcee L. Moe           Brenda Nordlund, Acting Commissioner
Rule Reviewer          DEPARTMENT OF LABOR AND INDUSTRY

Certified to the Secretary of State October 27, 2020.