

DEPARTMENT OF COMMUNITY HEALTH

DIRECTOR'S OFFICE

PSYCHOLOGY - GENERAL RULES

(By authority conferred on the director of the department of community health by sections 16145(3) and 18201 of 1978 PA 368, MCL 333.16145(3) and 333.18201 et seq. and Executive Order Nos. 1996-1, 1996-2, and 2003-1, being MCL 330.3101, 445.2001 and 445.2011)

R 338.2501 Definitions.

Rule 1. (1) As used in these rules:

(a) "Code" means 1978 PA 368, MCL 333.1101 et seq.

(b) "Organized health care setting" means an organized governmental entity, nonprofit organization, or a private agency, institution, or organization engaged in the delivery of health care services which provides an opportunity for continuous professional interaction and collaboration with other disciplines, an opportunity to utilize a variety of theories, and an opportunity to work with a broad range of populations and techniques.

(2) The terms defined in the code have the same meanings when used in these rules.

History: 1979 AC; 2005 AACS.

R 338.2502 License, licensure, and licensed explained.

Rule 2. The use of the words license, licensure, or licensed in these rules means only the higher level of license which permits the independent practice of psychology, and which is distinguished from a limited license.

History: 1979 AC.

R 338.2503 Rescinded.

History: 1979 AC; 2001 AACS; 2003 AACS; 2007 AACS.

R 338.2504 License application requirements generally.

Rule 4. An applicant for a psychologist license or a psychologist limited license shall submit a completed application on a form provided by the department, together with the requisite fee. In addition to meeting the requirements of the code and the administrative rules promulgated pursuant thereto, an applicant shall demonstrate a working knowledge of the English language and satisfy the applicable education, training, experience, and examination requirements set forth in these rules. To demonstrate a working knowledge of the English language, an applicant shall establish either of the following:

(a) That the applicant's psychologist educational program was taught in the English language.

(b) That the applicant has obtained a score of not less than 213 on the test of English as a foreign language administered by the educational testing service and obtained a score of not less than 50 on the test of spoken English administered by the educational testing service or has passed other substantially equivalent English language proficiency examinations which assess all of the following:

(i) Reading comprehension.

(ii) Speaking skills.

(iii) Listening skills.

(iv) Ability to write clearly, using complete sentences with correct spelling, punctuation, and word usage.

History: 1979 AC; 1992 AACS; 2003 AACS.

R 338.2505 Examination for psychologist; passing scores; eligibility requirements.

Rule 5. (1) An applicant for a psychologist license shall meet the requirements for licensure as specified in R 338.2506(a) and (b).

(2) The board approves the examination for professional practice in psychology of the association of state and provincial psychology boards (asppb).

(3) An individual seeking licensure under MCL 333.18223(1) shall achieve a passing score of 500 as established by the asppb.

(4) If an applicant is a limited licensed psychologist who already took the examination specified in subrule (2) of this rule and achieved a passing score at or above the score required for licensure as a psychologist, then that test score may be used to fulfill the requirement in subrule (3) of this rule.

History: 1979 AC; 2003 AACS; 2007 AACS.

R 338.2505a Examination for psychologist limited license; passing scores; eligibility requirements.

Rule 5a. (1) An applicant for a psychologist limited license shall meet the requirements for licensure as specified in R 338.2507(a) or (b)(i), (b)(ii) and (b)(iii).

(2) The board approves the examination for professional practice in psychology of the association of state and provincial psychology boards (asppb).

(3) An individual seeking licensure under MCL 333.18223(2) shall achieve a passing score of 450 as established by the asppb. This subrule shall take effect on June 30, 2010.

(4) An individual who was licensed under MCL 333.18223(2) prior to the effective date of subrule (3) of this rule shall not be required to take the examination specified in subrule (2) of this rule.

History: 2007 AACS.

R 338.2506 Application for licensure; education, training, and experience requirements.

Rule 6. To be granted a license under MCL 333.18223(1), an applicant shall satisfy all of the following requirements:

(a) Education: An applicant shall possess either a doctoral degree in psychology or a doctoral degree in a closely related field from an institution that meets the standards in R 338.2511. Either degree shall comply with all of the following:

(i) The degree shall be an integrated, organized sequence of study that includes instruction in research design and methodology, statistics, psychometrics, and scientific and professional ethics and standards.

(ii) The degree shall include at least 1 graduate course, taken for credit, from 3 of the 4 following areas:

(A) Biological bases of behavior: physiological psychology, comparative psychology, neuropsychology, sensation and perception, and psychopharmacology.

(B) Cognitive-affective bases of behavior: learning, thinking, motivation, and emotion.

(C) Social bases of behavior: social psychology, group processes, and organizational and systems theory.

(D) Individual differences: personality theory, human development, and abnormal psychology.

(iii) The degree shall include at least 1 course in both assessment and treatment.

(iv) The degree shall include at least 1 graduate course, of at least 3 semester hours of credit or 15 hours of classroom instruction per semester hour, in the study of scientific and professional ethics and standards. This subrule shall take effect on June 30, 2009. If an applicant graduated prior to June 30, 2009 and his or her doctoral degree included a graduate course in scientific and professional ethics of at least one credit hour, the applicant shall be considered as complying with this subrule.

(v) Seventy-five percent of the hours required for the degree shall be primarily psychological in content. The dissertation and internship are excluded from what is considered course work. To be deemed psychological in content, a course shall satisfy at least 1 of the following criteria:

- (A) Course work: The subject matter of the material taught is psychological.
- (B) Psychology department: The course is taught in a psychology department.
- (b) Training: An applicant shall have participated in an internship program that complies with all of the following:
- (i) The internship provides the applicant with substantial opportunities to carry out major professional functions in the context of appropriate supervisory support.
 - (ii) The internship is an integrated part of the doctoral degree program; however, a postdoctoral internship may be recognized by the board if it meets the other requirements in this subdivision.
 - (iii) The internship takes place in an organized health care setting, as defined in R 338.2501(1)(b), or other arrangement receiving approval of the board.
 - (iv) The internship requires the applicant to work not less than 20 clock hours per week in the internship program.
 - (v) The internship requires not less than 2,000 clock hours of psychological work.
 - (vi) The applicant is supervised by a psychologist who is licensed in Michigan, eligible for licensure in Michigan, or who is licensed or certified at the independent practice level in the state where the internship takes place.
 - (vii) The applicant shall meet individually and in person with his or her supervisor for a minimum of 8 hours a month during the internship program.
- This subdivision takes effect January 1, 2006.
- (viii) The internship is separate and distinct from the applicant's required experience in the practice of psychology.
- (c) Experience: An applicant shall have acquired postdoctoral experience in the practice of psychology which meets all of the following criteria:
- (i) The experience constitutes not less than 2,000 clock hours completed in not more than 2 consecutive years.
 - (ii) The experience shall be accumulated at not less than 16 clock hours per week nor more than 40 clock hours per week.
 - (iii) In cases of hardship, the board may consider a request for an extension of the time period identified in paragraphs (i) and (ii) of this subdivision.
 - (iv) The applicant shall function as a psychologist using generally accepted applications of psychological knowledge and techniques acquired during the applicant's education and training.
 - (v) The experience is acquired in an organized health care setting, as defined in R 338.2501(1)(b), or other arrangement receiving approval of the board.

History: 1979 AC; 1982 AAC; 2003 AAC; 2005 AAC; 2007 AAC.

R 338.2507 Application for limited license; education, training, and experience requirements.

Rule 7. To be granted a limited license under MCL 333.18223(2), an applicant shall comply with either of the following:

(a) Have been certified as a psychological examiner or eligible for certification as a psychological examiner under 1959 PA 257, MCL 338.1001 et seq. on or before September 30, 1978.

(b) Individuals who apply for licensure under MCL 333.18223(2) and who are not eligible under subdivision (a) of this subrule shall meet the following education, training, and experience requirements:

(i) Education: Applicants for a limited license shall have earned a master's degree in psychology from an institution that meets the standards provided in R 338.2511.

(ii) Individuals who are enrolled in a master's degree program that qualified them for a limited license before the effective date of this amendatory rule and who apply for a limited license within 5 years of the effective date of this amendatory rule shall be eligible for a limited license under MCL 333.18223(2). The degree required under this subdivision shall satisfy all of the following requirements:

(A) The degree shall be an integrated, organized sequence of study that includes at least 1 course in assessment, 1 course in treatment, and 1 course in scientific and professional ethics and standards. Effective June 30, 2009, the 1 course in scientific and professional ethics and standards shall be at least 3 semester hours or 15 hours of classroom instruction per semester hour. If an applicant graduated prior to June 30, 2009 and his or her master's degree included a graduate course in

scientific and professional ethics of at least one credit hour, the applicant shall be considered as complying with this subrule.

(B) Seventy-five percent of the hours of the required course work shall be primarily psychological in content. The thesis and practicum are excluded from what is considered course work. The board may require the applicant to provide such material as it deems necessary to demonstrate the psychological content of a course. To be deemed psychological in content, a course shall satisfy at least 1 of the following criteria:

(1) Course work: The subject of the material taught is psychological.

(2) Psychology department: The course is taught in a psychology department.

(iii) Training: An applicant shall have participated in a practicum that complies with all of the following:

(A) The practicum shall be an integrated part of the master's degree program; however, a post-degree practicum may be recognized by the board if such a practicum is through an institution that meets the standards adopted in R 338.2511 and for which academic graduate credit is obtained. The practicum shall also meet the other requirements set forth in this paragraph.

(B) The practicum requires not less than 500 clock hours of psychological work.

(C) The applicant is supervised by a psychologist who is licensed or eligible for licensure in Michigan, or who is licensed or certified at the independent practice level in the state where the practicum takes place.

(D) The applicant shall meet in person with his or her supervisor for a minimum of 8 hours a month during the practicum. This subparagraph takes effect January 1, 2006.

(iv) Experience: Individuals applying after September 30, 1980, in addition to the requirements of paragraphs (i) and (ii) of this subdivision, shall have acquired 1 year of post-master's degree experience in the practice of psychology. To acquire the experience, the applicant shall obtain a temporary limited license for post-master's degree experience as provided in R 338.2507a. The experience shall comply with all of the following requirements:

(A) The experience shall constitute not less than 2,000 clock hours.

(B) The experience shall be accumulated at not less than 16 clock hours per week nor more than 40 clock hours per week.

(C) The applicant shall function as a psychologist using generally accepted applications of psychological knowledge and techniques acquired during the applicant's education and training.

(D) The experience shall be acquired in an organized health care setting, as defined in R 338.2501(1)(b), or other arrangement receiving approval by the board.

(E) The applicant shall be supervised by a psychologist who is licensed in Michigan, eligible for licensure in Michigan, or who is licensed or certified at the independent practice level in the state where the experience is obtained.

(F) The applicant shall meet individually and in person with his or her supervisor for a minimum of 4 hours a month during the 2,000 clock hours of post-master's degree experience. This subparagraph takes effect January 1, 2006.

(G) If a psychologist described in subparagraph (E) of this paragraph is unavailable, the applicant may seek the approval of the board for supervision by a limited licensed psychologist, a person who has been granted a master's degree in psychology and who has acquired not less than 3 years (6,000 clock hours) of post-master's degree experience in the practice of psychology, or another individual approved by the board.

History: 1979 AC; 1982 AAC; 2003 AAC; 2005 AAC; 2007 AAC.

R 338.2507a Application for temporary limited license for post-master's degree experience.

Rule 7a. (1) The board shall issue a temporary limited license for post-master's degree experience to an applicant who meets the following requirements:

(a) Has completed educational requirements as provided in these rules.

(b) Has completed training requirements as provided in these rules.

(c) Has made appropriate arrangements for supervision by a psychologist as provided in these rules. The arrangements shall provide for individual, in person meetings between the applicant and his or her supervisor for a minimum of 4 hours a month during the 2,000 clock hours of post-master's degree experience. This subdivision takes effect January 1, 2006.

(2) A temporary limited license is valid for 2 years.

History: 1982 AACs; 2003 AACs; 2005 AACs.

R 338.2508 Rescinded.

History: 1979 AC; 2003 AACs.

R 338.2509 Rescinded.

History: 1979 AC; 2003 AACs.

R 338.2510 Application for limited license pursuant to MCL 333.18212(2); eligibility requirements.

Rule 10. (1) To be eligible for a limited license for postdoctoral training and experience under section 18212(2) of the code, an individual shall have been granted a doctoral degree which meets the requirements of R 338.2506(a).

(2) An individual granted a limited license for postdoctoral training and experience shall be supervised by a licensed psychologist in an organized health care setting or other arrangement that is approved by the board. The limited licensee shall meet individually and in person with his or her supervisor weekly for a minimum of 4 hours a month, during which all active work functions and records of the individual are reviewed. In cases of extreme hardship, the limited licensee may request an alternative supervision arrangement. The board shall approve the alternative supervision arrangement before the arrangement is implemented. Such training and experience shall occur in an organized health care setting, as defined in R 338.2501(1)(b), or other arrangement receiving approval of the board. This subdivision takes effect January 1, 2006.

History: 1979 AC; 1982 AACs; 2003 AACs; 2005 AACs.

R 338.2510a Supervision requirements; reporting of supervision.

Rule 10a. (1) An individual who is granted a limited license under MCL 333.18223(2) and is required to be supervised by a licensed psychologist shall meet all of the following requirements:

(a) A licensee who has less than 10 years of experience as a limited licensed psychologist, excluding experience as a temporary limited licensed psychologist, shall meet individually and in person with his or her supervisor for a minimum of 2 hours a month.

(b) A licensee who has 10 or more years of experience as a limited licensed psychologist, excluding experience as a temporary limited licensed psychologist, shall meet individually and in person with his or her supervisor for a minimum of 1 hour a month.

(c) A licensee who seeks a variance from the supervision requirement described in subrule (1)(a) or subrule (1)(b) of this rule, as provided for in MCL 333.18223(2), shall submit a request for a variance to the board for consideration. Reasons for a possible variance include, but are not limited to, issues regarding physical disability, extended absence from practice, or geographical hardships. A variance shall not be implemented without the written permission of the board.

(2) When renewing a limited license, a limited licensed psychologist shall report on the license renewal form the name, address, telephone number, and license number of his or her supervisor. The licensee also shall report the starting date of the supervision. This subrule takes effect with the 2006 renewal cycle.

(3) When renewing a license, a licensed psychologist who is supervising a limited licensed psychologist shall report on the license renewal form the name, address, telephone number, and license number of each limited licensed psychologist that he or she supervises. The licensee shall also report the starting date of the supervision. This subrule takes effect with the 2006 renewal cycle.

History: 2005 AACs; 2007 AACs.

R 338.2511 Accreditation; asppb/national register designation for doctoral programs; adoption by reference.

Rule 11. (1) To determine "regionally accredited" as provided in section 18223(1) and (2) of the code, the board adopts by reference the policy and procedures for recognition of accrediting organizations of the council for higher education accreditation (chea), effective January 2006, and the procedures and criteria for recognizing postsecondary accrediting agencies of the U.S. department of education, effective July 1, 2000, as contained in Title 34, Part 602 of the Code of Federal Regulations. Copies of the standards and criteria of the council for higher education accreditation and the U.S. department of education are available for inspection and distribution at cost from the Board of Psychology, Bureau of Health Professions, Department of Community Health, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909. The chea recognition standards also may be obtained from the Council for Higher Education Accreditation, One Dupont Circle NW, Suite 510, Washington, DC 20036-1110, or from the council's website at <http://www.chea.org>, at no cost. The federal recognition criteria also may be obtained from the U.S. Department of Education, 400 Maryland Avenue SW, Washington, DC 20202 or from the department's website at <http://www.ed.gov> at no cost.

(2) The board adopts by reference the standards of the following postsecondary accrediting organizations, which are available for inspection and distribution at cost from the Board of Psychology, Bureau of Health Professions, Department of Community Health, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909. Copies of the following standards may be obtained from the individual accrediting organization at the identified cost:

(a) The standards of the Middle States Association of Colleges and Schools, Commission on Higher Education, 3624 Market Street, Philadelphia, PA 19104, set forth in the document entitled "Characteristics of Excellence in Higher Education: Eligibility Requirements and Standards for Accreditation", 2004 edition, which is available free of charge on the association's website at <http://www.msche.org> or for purchase at a cost of \$7.40 as of the time of adoption of these rules.

(b) The standards of the New England Association of Schools and Colleges, Inc., Commission on Institutions of Higher Education, 209 Burlington Road, Bedford, MA 07130, set forth in the document entitled "Standards for Accreditation", 2005 Edition, which is available free of charge on the association's website at <http://www.neasc.org> or for purchase at a cost of \$5.00 as of the time of adoption of these rules.

(c) The standards of the North Central Association of Colleges and Schools, the Higher Learning Commission, 30 North LaSalle Street, Suite 2400, Chicago, IL 60602, set forth in the document entitled "Handbook of Accreditation", Third Edition, which is available for purchase through the association's website at <http://www.ncahigherlearningcommission.org> at a cost of \$30.00 as of the time of adoption of these rules.

(d) The standards of the Northwest Association of Schools, Colleges, and Universities, the Commission on Colleges and Universities, 8060 165th Avenue NE, Suite 100, Redmond, WA 98052, set forth in the document entitled "Accreditation Handbook", 2003 edition, which is available for purchase at a cost of \$20.00 as of the time of adoption of these rules, or through the association's website at <http://www.nwccu.org>.

(e) The standards of the Southern Association of Colleges and Schools, Commission on Colleges, 1866 Southern Lane, Decatur, GA 30033, set forth in the document entitled "Principles of Accreditation: Foundations for Quality Enhancement", copyright 2004, which is available free of charge on the association's website at <http://www.sacscoc.org>.

(f) The standards of the Western Association of Schools and Colleges, the Accrediting Commission for Senior Colleges and Universities, 985 Atlantic Avenue, Suite 100, Alameda, CA 94501, set forth in the document entitled "Handbook of Accreditation", January 2001, which is available free of charge on the commission's website at <http://www.wascweb.org> or for purchase at a cost of \$20.00 as of the time of adoption of these rules.

(g) The standards of the Western Association of Schools and Colleges, Accrediting Commission for Community and Junior Colleges, 10 Commercial Blvd., Suite 204, Novato, CA 94949 set forth in the document entitled "Accreditation Reference Handbook", August 2005, which is available free of charge on the commission's website at <http://www.accjc.org>.

(3) For psychology doctoral programs, the board adopts by reference the following criteria and standards:

(a) The designation criteria of the national register of health service providers in psychology and the association of state and provincial psychology boards set forth in the publication entitled "Guidelines for Defining a Doctoral Degree in Psychology," April 2004, which is available for inspection and distribution at cost from the Board of Psychology, Bureau of Health Professions, Michigan Department of Community Health, 611 West Ottawa, Lansing, MI 48909. Copies of the guidelines are available at no cost from the National Register of Health Services Providers in Psychology, 1120 G St.NW, Suite 330, Washington, D.C. 20005 or at the national register's website at www.nationalregister.org, or from the Association of State and Provincial Psychology Boards, P.O. Box 241245, Montgomery, AL 36124-1245 or at the association's website at www.asppb.org.

(b) The accreditation guidelines and principles of the American psychological association as set forth in the publication entitled "Guidelines and Principles for Accreditation of Programs in Professional Psychology", July 1, 2005, which is available for inspection and distribution at cost from the Board of Psychology, Bureau of Health Professions, Michigan Department of Community Health, 611 West Ottawa, Lansing, MI 48909. Copies of the guidelines are available at no cost from the American Psychological Association, 750 First Street NE, Washington, DC 20002-4242, or from the association's website at no cost at <http://www.apa.org>.

(c) The accreditation standards of the Canadian psychological association as set forth in the publication entitled "Accreditation Standards and Procedures for Doctoral Programmes and Internships in Professional Psychology", June 2002, which is available for inspection and distribution at cost from the Board of Psychology, Bureau of Health Professions, Michigan Department of Community Health, 611 West Ottawa, Lansing, MI 48909. Copies of the accreditation standards are available at no cost from the Canadian Psychological Association, 141 Laurier Avenue West, Suite 702, Ottawa, ON K1P 5J3 or at the association's website at <http://www.cpa.ca/accreditation>.

(4) Completion of a doctoral program in psychology that has obtained the national register's and association of state and provincial psychology boards' designation or accreditation by either the American psychological association or the Canadian psychological association shall be evidence of completion of a program acceptable to the department and approved by the board. This subrule takes effect August 1, 2011.

History: 1979 AC; 1982 AACS; 2003 AACS; 2007 AACS; 2009 AACS.

R 338.2511a Licensure by endorsement.

Rule 11a. (1) An applicant for licensure by endorsement shall submit a completed application on a form provided by the department, together with the requisite fee. In addition to meeting the requirements of the code and the administrative rules promulgated pursuant thereto, an applicant who satisfies the requirements of this rule shall be deemed to meet the requirements of section 16186(1)(a) and (b) of the code.

(2) An applicant for doctoral level licensure pursuant to the provisions of section 18223(1) of the code shall meet either of the following requirements:

(A) Have been first licensed in another state and engaged in the independent practice of psychology for a minimum of 10 years before the date of filing an application for Michigan license.

(B) Hold a current certificate of professional qualification in psychology issued by the association of state and provincial psychology boards.

History: 2001 AACS.

R 338.2512 Rescinded.

History: 1980 AACS; 1996 AACS.

R 338.2513 Assessment of fine.

Rule 13. (1) When a fine has been designated as an available sanction for a violation of sections 16221 to section 16226 of the code, in the course of assessing a fine, the board shall take into consideration the following factors without limitation:

(a) The extent to which the licensee obtained financial benefit from any conduct comprising part of the violation found by the board.

(b) The willfulness of the conduct found to be part of the violation determined by the board.

(c) The public harm, actual or potential, caused by the violation found by the board.

(d) The cost incurred in investigating and proceeding against the licensee.

(2) A fine shall not exceed the sum of \$10,000.00 for each violation found to have been committed by the licensee.

History: 1982 AACCS.

R 338.2514 Advertising.

Rule 14. (1) "Advertising" means any representation that includes all of the following:

(a) Is purchased by or for a licensee.

(b) Offers or describes psychological services or abilities.

(c) Is likely to be perceived by a reasonable member of the public as an advertisement.

(2) A psychologist licensed under MCL 333.18223(1) may advertise unless such advertising is false or misleading. Advertising is false or misleading if it is any of the following:

(a) Inaccurate.

(b) Exaggerated.

(c) Deceptive.

(d) Omits a material fact that misleads or deceives the public.

(e) Creates unjustified expectations.

(f) Causes confusion or misunderstanding by the public.

(3) A psychologist licensed under MCL 333.18223(1) who employs a limited licensed psychologist or a temporary limited licensed psychologist, who is licensed under MCL 333.18223(2), may advertise the individual's identity and qualifications. The advertisement shall do all of the following:

(a) Identify the individual's employer.

(b) Identify the individual as either a "limited licensed psychologist" or a "temporary limited licensed psychologist." Abbreviations or acronyms of the title are not permitted.

(c) Clearly and conspicuously display 1 or both of the following statements, as appropriate: "A Limited Licensed Psychologist may practice under the supervision of a Licensed Psychologist," or "A Temporary Limited Licensed Psychologist may practice under the supervision of a Licensed Psychologist."

(4) A limited licensed psychologist or a temporary limited licensed psychologist is prohibited from advertising or making any other representation to the public that leads the public to believe the individual is engaging in the practice of psychology. This subrule does not prohibit a limited licensed psychologist or a temporary limited licensed psychologist from buying, printing, and using business cards or letterhead for purposes of identification.

(5) An advertisement that identifies or names persons other than psychologists possessing a Michigan license or a Michigan limited license shall clearly disclose the professional identity of such persons.

(6) Licensed psychologists shall ensure their advertisements do not conflict with these rules. Licensed psychologists have the affirmative duty to review the final version of all paid advertisements before release to the public.

History: 1982 AACCS; 2003 AACCS; 2007 AACCS.

R 338.2515 Prohibited conduct.

Rule 15. Prohibited conduct includes, but is not limited to, the following acts or omissions by any individual covered by these rules:

(a) Engaging in harassment or unfair discrimination based on age, gender, gender identity, race, ethnicity, culture, national origin, religion, sexual orientation, disability, or socio-economic status, or any basis proscribed by law.

(b) Involvement in a multiple relationship with a current or former patient or a member of his or her immediate family, when there is a risk of harm or exploitation to the patient. As used in this rule, "multiple relationship" means a relationship in which a licensee is in a professional role with an individual and 1 of the following occurs at the same time:

(i) The licensee is in another role with the same individual.

(ii) The licensee is in a relationship with an individual closely associated with or related to the individual with whom the licensee has the professional relationship.

(iii) The licensee promises to enter into another relationship in the future with the individual or with an individual closely associated with or related to the individual.

(c) Taking on a professional role when personal, scientific, professional, legal, financial, or other relationships could impair the exercise of professional discretion or make the interests of a patient, supervisee, or student secondary to those of the licensee.

(d) Taking advantage of any professional relationship or exploiting others to further the licensee's personal, religious, political, business, or financial interests, including inducing a patient, supervisee, or student to solicit business on behalf of the licensee.

(e) Soliciting or engaging in a sexual relationship with a current supervisee or student.

(f) Soliciting or engaging in a sexual relationship with a current patient or a member of his or her immediate family.

(g) Soliciting or engaging in a sexual relationship with a former patient or a member of his or her immediate family within 2 years after the termination of the treatment or professional relationship. Disciplinary action is not precluded against a licensee who has a sexual relationship with a former patient or a member of his or her immediate family more than 2 years after the termination of treatment when there is a risk of harm or exploitation to the former patient.

(h) Willful or negligent failure to arrange for the continuity of necessary therapeutic service.

History: 2007 AACS.

R 338.2516 Patient records; retention; disposition; confidentiality.

Rule 16. (1) Patient records shall be preserved for a minimum of 7 years.

(2) Any individual covered by these rules shall store and dispose of written, electronic and other patient records so as to ensure their confidentiality, except as otherwise provided by law or pursuant to the written authorization of a patient specifically requesting or authorizing release or disclosure of the patient's psychological records.

History: 2007 AACS.