

State of West Virginia
Board of Examiners of Psychologists
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October 23, 2018

The Honorable Jim Justice, Governor
Main Building – Capitol Complex
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

RE: Executive Order NO. 3-18

Dear Governor Justice:

Enclosed with this letter is the Regulatory Review of Title 17, Series 1 – 6 of the West Virginia Board of Examiners of Psychologists that is due by November 1, 2018.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kathleen Lynch".

Kathleen Lynch
Administrative Assistant

**STATE OF WEST VIRGINIA
EXECUTIVE DEPARTMENT**

AT CHARLESTON

EXECUTIVE ORDER NO. 3-18

By the Governor

WHEREAS, over several decades the proliferation of administrative rules and regulations at all levels of government has increased the complexity and expense of economic life;

WHEREAS, outmoded, ineffective, excessively burdensome and unnecessary rules contained in the United States Code of Regulations and the West Virginia Code of State Rules (CSR) have created a heavy regulatory burden on West Virginians;

WHEREAS, continuing to reduce the heavy regulatory burden on West Virginians created by the CSR will promote citizens' freedom to lawfully engage in individual, family and business pursuits;

WHEREAS, Article VII, Section 5 of the West Virginia Constitution vests the executive power of the State of West Virginia in the Governor;

WHEREAS, the Governor's executive power may be exercised through Executive Orders;
and

WHEREAS, the CSR rule review known as a "Regulatory Review" established by this Executive Order will be an important part of the regulatory reform efforts by this administration.

NOW, THEREFORE, I, JIM JUSTICE, by the authority vested in me as the Governor of the State of West Virginia, do hereby **ORDER** that:

1. This action shall be known as the "Regulatory Review".
2. All executive agencies with rule-making authority shall review all rules under each agencies' jurisdiction.

3. These rules shall be reviewed to determine which rules are outmoded, ineffective, excessively burdensome and unnecessary that have created a heavy regulatory burden on West Virginians.

4. These rule-making agencies shall submit a Regulatory Review report to the Governor and the Legislative-Rule Making Review Committee on or before November 1, 2018.

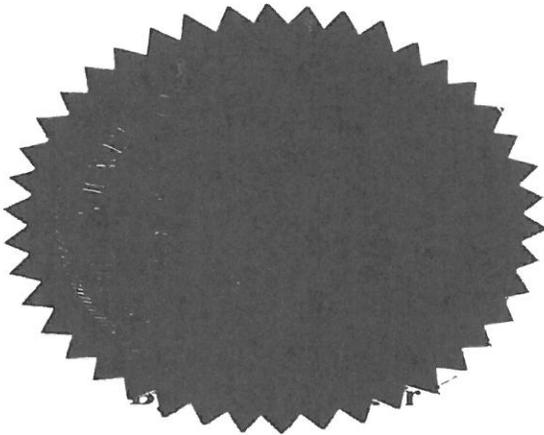
5. The Regulatory Review report submitted to the Governor and the Legislative- Rule Making Review Committee shall contain the following information regarding each rule under the agency's jurisdiction:

- (a) a description of the rule to include the date of the first promulgation of the rule and any subsequent modifications;
- (b) a determination of whether the rule should be continued without change, be modified or repealed; and
- (c) the reasoning for said determination.

6. All agencies shall cooperate with and provide assistance in the implementation of this Regulatory Review Executive Order to the fullest extent permitted by law.

7. This Regulatory Review Executive Order shall remain in effect until expressly modified or terminated by a subsequent Executive Order.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.



DONE at the Capitol, in the City of Charleston, State of West Virginia, this tenth day of January, in the year of our Lord, Two Thousand Eighteen, an in the One Hundred Fifty-Fifth year of the State.

Jim Justice
GOVERNOR

Mac Warner
SECRETARY OF STATE

West Virginia Board of Examiners of Psychologists
Regulatory Review Report
Due November 1, 2018

Title 17, Series 1

Fees

Description:

This is a Legislative Rule.

1.1 This legislative rule establishes the fees for applications, examinations, temporary permits, license renewals, and registers for psychologists and school psychologists.

Effective Date and Modifications:

This rule went into effect on July 1, 2018

According to historical records available, versions of the rule went into effect on the following dates:

6/10/1985

6/6/1989

6/30/1993

4/7/1998

4/30/2004

7/1/2018

Determination of Continuance, Modification or Repeal:

The Board plans to continue this rule without modifications.

Reasons:

The rule is meeting current goals and objectives.

West Virginia Board of Examiners of Psychologists
Regulatory Review Report
Due November 1, 2018

Title 17, Series 2

ORGANIZATION AND PROCEDURES OF THE BOARD OF EXAMINERS OF PSYCHOLOGISTS

Description:

This is a procedural rule.

- 1.1. Scope. -- These procedural rules establish the organization of meetings, provide rules for creating employees of the Board, and provide information regarding required registers, rosters, and annual reports created by the Board.

Effective Date and Modifications:

This rule went into effect on January 1, 2018

According to historical records available, versions of the rule went into effect on the following dates:

12/23/1982
7/6/1989
10/10/1990
10/13/1996
1/1/2010
7/12/2010
1/31/2018

Determination of Continuance, Modification or Repeal:

The Board plans to continue this rule without modifications.

Reasons:

The rule is meeting current goals and objectives.

West Virginia Board of Examiners of Psychologists
Regulatory Review Report
Due November 1, 2018

Title 17, Series 3

REQUIREMENTS FOR LICENSURE AS A PSYCHOLOGIST AND/OR A SCHOOL PSYCHOLOGIST

Description:

This is a Legislative Rule.

1.1. Scope. -- These legislative rules define the rules of practice for licensed psychologists and/or school psychologists including professional ethics, responsibilities, and psychological services. These legislative rules also define degree and training requirements, the application process, examinations, notifications, temporary permits, supervision, Continuing Education (CE), and renewals.

Effective Date and Modifications:

This rule went into effect on July 1, 2018

According to historical records available, versions of the rule went into effect on the following dates:

6/7/1985
12/23/1988
7/6/1989
10/10/1990
6/30/1993
6/1/1997
4/15/2006
6/1/2010
7/1/2018

Determination of Continuance, Modification or Repeal:

The Board plans to continue this rule without modifications.

Reasons:

The rule is meeting current goals and objectives.

West Virginia Board of Examiners of Psychologists
Regulatory Review Report
Due November 1, 2018

Title 17, Series 4

DISCIPLINARY AND COMPLAINT PROCEDURES FOR PSYCHOLOGISTS

Description:

This is a Legislative Rule.

1.1. Scope. -- This rule specifies a procedure for the investigation and resolution of complaints against psychologists.

Effective Date and Modifications:

This rule went into effect on March 1, 2001.

There have been no Modifications of this Rule.

Determination of Continuance, Modification or Repeal:

The Board plans to continue this rule without modifications at this time.

Reasons:

The rule is an important piece of conducting the processes of complaints. The rule is meeting current goals and objectives.

West Virginia Board of Examiners of Psychologists
Regulatory Review Report
Due November 1, 2018

Title 17, Series 5

CONTESTED CASE HEARING PROCEDURE

Description:

This is a Legislative Rule.

- 1.1. Scope. -- This rule specifies the procedure for the adjudication of contested case hearings before the Board.

Effective Date and Modifications:

This rule went into effect on March 1, 2001.

There have been no Modifications of this Rule.

Determination of Continuance, Modification or Repeal:

The Board plans to continue this rule without modifications.

Reasons:

The rule is an important in that it outlines the procedure for performing contested case hearings. The rule is meeting current goals and objectives.

West Virginia Board of Examiners of Psychologists
Regulatory Review Report
Due November 1, 2018

Title 17, Series 6

Code of Conduct

Description:

This is a Legislative Rule.

1.1. Scope. -- These legislative rules define the code of conduct for psychologists and school psychologists.

Effective Date and Modifications:

This rule went into effect on July 1, 2018

Determination of Continuance, Modification or Repeal:

The Board plans to continue this rule without modifications.

Reasons:

The rule is meeting current goals and objectives.