

**TITLE 86. STATE BOARD OF BEHAVIORAL HEALTH LICENSURE
CHAPTER 20. LICENSED BEHAVIORAL PRACTITIONERS**

SUBCHAPTER 1. GENERAL PROVISIONS

86:20-1-2. Definitions

When used in this Chapter, the following words or terms shall have the following meaning unless the context of the sentence requires another meaning:

"Act" means the Behavioral Practitioner Act, 59 O.S. §§ 1930 *et seq.*, as amended.

"Administrative Procedures Act" ("APA") means Article I and/or Article II of the Administrative Procedures Act, 75 O.S. §§ 250 *et seq.*

"Board" means the State Board of Behavioral Health Licensure.

"Complainant" means any person who files a Request for Inquiry against a LBP, Candidate, or a person who delivers behavioral health services without a license.

"Complaint Committee" means one Board member who is a LBP, the Executive Director, the Assistant Attorney General and may include other appropriate individuals as determined by the Committee.

"Direct Client Contact Hours" means the performance of therapeutic or clinical functions that includes diagnosis, assessment and treatment of mental, emotional and behavioral disorders based primarily on verbal communications and intervention with, and in the presence of, one or more clients.

"Dual relationship" means a familial, social, financial, business, professional, close personal, sexual or other non-therapeutic relationship with a client, or engaging in any activity with another person that interferes or conflicts with the LBP's professional obligation to a client.

"Employee" means in accordance with 26 U.S.C. § 3121 (d),:

(A) Any officer of a corporation; or

(B) Any individual who, under the usual common law rules applicable in determining the employer-employee relationship, has the status of employee.

"Face-to-Face learning" means the delivery of graduate coursework or continuing education through instruction that is designed to deliver education to learners who are in the direct physical presence of the educator or designed to deliver education to learners through synchronous instructional delivery methods.

"Face-to-face supervision" means the supervisor and the supervisee shall be in the physical presence of the other during supervision.

"Formal Complaint" means a written statement of alleged violation(s) of the Act and/or Rules which is filed by the Assistant Attorney General. The Formal Complaint schedules an Individual Proceeding before the Board in accordance with 75 O.S. §309.

"Full time practice" means working at least ~~20~~five (5) hours per week.

"Group supervision" means an assemblage of two (2) to six (6) Candidates.

"Home-study" or **"technology-assisted distance learning"** means the delivery of graduate coursework or continuing education through mailed correspondence or other distance learning technologies, which focuses on using asynchronous instructional delivery methods.

"Hearing" means the process followed by the Board to provide Due Process to a licensee respondent in an individual proceeding.

"Individual Proceeding" means the formal process by which the Board takes administrative action against a person licensed or certified by the Board in accordance with the APA and the Act.

"Licensed behavioral practitioner" or **"LBP"** or **"Licensee"** means any person who offers professional behavioral health services to any person and is licensed pursuant to the provisions of the Licensed Behavioral Practitioner Act. The term shall not include those professions exempted by Section 1932 of this title;

"Licensed behavioral practitioner candidate" or **"LBP Candidate"** or **"Candidate"** means a person whose application for licensure has been accepted and who is under supervision for licensure as provided in Section 1935 of this title;

"Licensure Committee" means two LBP Board members, the Executive Director, and may include other appropriate individuals as determined by the Committee.

"OAC" means the Oklahoma Administrative Code.

"On-site supervisor" means a person who may not be an approved LBP supervisor but is licensed by the state of Oklahoma as a Licensed Marital and Family Therapist, Licensed Professional Counselor, Psychologist, Clinical Social Worker, Psychiatrist, or Licensed Alcohol and Drug Counselor employed by the agency employing the LBP Candidate whose assigned job duties include acting as the immediate supervisor to the LBP Candidate and who is available to the candidate at all times when behavioral health services are being rendered by the LBP Candidate.

"On-the-job experience" means the performance of behavioral health services as described in Section 1931 of the Act and includes the application of the scientific components of psychological and mental health principles in order to facilitate human development and adjustment throughout the life span, prevent, diagnose, or treat mental, emotional, or behavioral disorders or associated distress which interfere with mental health, conduct assessments or diagnoses for the purpose of establishing treatment goals and objectives, plan, implement, or evaluate treatment plans using behavioral treatment interventions, the application of empirically validated treatment modalities, including, but not limited to, operant and classical conditioning techniques, adherence/compliance methods, habit reversal procedures, cognitive behavior therapy, biofeedback procedures and parent training. Such

interventions are specifically implemented in the context of a professional therapeutic relationship, interpreting or reporting scientific fact or theory in behavioral health to provide assistance in solving current or potential problems of individuals, groups, or organizations; means reporting, designing, conducting, or consulting on research in behavioral health services

"Request for Inquiry" ("RFI") means a written or oral statement of complaint from any person alleging possible violation(s) of the Act and/or Rules.

"Respondent" means the person against whom an individual proceeding is initiated.

"Semi-Annual" means every six (6) months.

"Staff" means the personnel of the Board.

"Technology-assisted supervision" refers to supervision that occurs through video teleconferencing, over secure internet connections, wherein a Supervisor and a Candidate are in separate physical locations.

SUBCHAPTER 3. FORMS

86:20-3-2. Description of forms

(a) The Application Form requires the following:

- (1) Identifying information of applicant;
- (2) Possession of other credentials;
- (3) Previous misconduct;
- (4) Education;
- (5) References; and
- (6) Proposed professional Practice.

(b) The Internship/Practicum Documentation Form requires the following:

- (1) Identifying information of applicant;
- (2) Place, time, duration and nature of supervised experience;
- (3) School arranging supervision and name of supervisor; and,
- (4) Signature and title of supervisor.

(c) The Supervision Agreement requires identifying information of supervisee and supervisor as follows:

- (1) Name of candidate;
- (2) Name of candidate's place of employment;
- (3) Location supervised experience hours are being accrued;
- (4) Candidate's contact information;
- (5) Signature of Candidate;
- (6) Name of Approved LBP Supervisor;
- (7) Name of Approved LBP Supervisor's place of employment;
- (8) LBP Approved Supervisor's contact information;
- (9) Signature of LBP Approved Supervisor;
- (10) Name of On-Site Supervisor;
- (11) On-Site Supervisor's licensure information;
- (12) Name of On-Site Supervisor's place of employment;
- (13) On-Site Supervisor's contact information;

(14) Signature of On-Site Supervisor.

(d) The Evaluation of Supervised Experience Form requires the following:

- (1) Names of supervisee and supervisor;
- (2) Name and location of supervision site;
- (3) Duration of work experience and supervision;
- (4) Types of professional activities and clients seen;
- (5) Rating of quality of professional activities;
- (6) Supervisor and supervisee comments; and
- (7) Signatures of supervisee and supervisor.

~~(e) The Out-of-State Licensure Verification Form requires the following information:~~

- ~~(1) Identifying information;~~
- ~~(2) Type of credential held in other state;~~
- ~~(3) License number;~~
- ~~(4) Issue and expiration date of license;~~
- ~~(5) Current standing of license;~~
- ~~(6) Past complaints or sanctions;~~
- ~~(7) Exam information;~~
- ~~(8) Supervision information;~~
- ~~(9) Graduate education;~~
- ~~(10) Internship documentation;~~
- ~~(11) Signature and identifying information of person verifying from out-of-state.~~

~~(f) The Termination of Supervision Agreement requires the following information:~~

- ~~(1) name of candidate;~~
- ~~(2) current place of employment of candidate;~~
- ~~(3) address of current place of employment of candidate;~~
- ~~(4) phone number of candidate;~~
- ~~(5) email address of candidate;~~
- ~~(6) signature and signature date of candidate, (if available);~~
- ~~(7) name of supervisor;~~
- ~~(8) license number of supervisor;~~
- ~~(9) current place of employment of supervisor;~~
- ~~(10) phone number of supervisor;~~
- ~~(11) email address of supervisor;~~
- ~~(12) signature and signature date of supervisor, (if available); and~~
- ~~(13) effective date of termination of supervision agreement.~~

The Verification of Academic Standing requires the following information:

- (1) Name of applicant;
- (2) Name of university;
- (3) Name of graduate program;
- (4) Name of degree;
- (5) Total number of graduate coursework hours required to receive diploma;
- (6) Date of graduation;

- (7) Signature and signature date of applicant;
- (8) Name of administrator and/or school official;
- (9) Title/position of administrator and/or school official;
- (10) Telephone number of administrator and/or school official;
- (11) Email address of administrator and/or school official;
- (12) Signature and signature date of administrator and/or school official.

SUBCHAPTER 9. APPLICATION PROCEDURES

86:20-9-8. Application for voided application for failure to provide a passing score on examinations

(a) Application after application is voided for failure to provide a passing score on examinations shall include the following documents:

- (1) Application form,
 - (2) Official transcript(s),
 - (3) Application Fee,
 - (4) Completed criminal background check.
- (b) Applicant shall provide a passing score on two examinations:
- (1) The Practitioner's Examination of Psychological Knowledge or another equivalent examination as determined by the Board; and
 - (2) The LBP State Standards Test.

(c) Exam results accrued prior to date of application shall not be considered.

(cd) The Internship/Practicum Documentation Form on file shall carry over to a new application.

(de) All previously submitted and approved Supervised Experience shall be voided with prior application and shall not carry over to a new application.

86:20-9-9.1. Application procedures for voided application for inactivity

(a) Application after application is voided for remaining inactive for 24 months, in accordance with 86:20-10-9.4, shall include the following documents:

- (1) Application form,
 - (2) Official transcript(s),
 - (3) Application Fee, and
 - (4) Completed criminal background check.
- (b) Applicant shall take and pass two examinations:
- (1) The Practitioner's Examination of Psychological Knowledge or another equivalent examination as determined by the Board; and
 - (2) The LBP State Standards Test.

(c) Exam results accrued prior to date of application shall not be considered.

(~~e~~d) The Internship/Practicum Documentation Form on file shall carry over.

(e) All previously submitted and approved Supervised Experience shall be voided with prior application and shall not carry over to a new application.

SUBCHAPTER 13. SUPERVISED EXPERIENCE REQUIREMENT

86:20-13-2. Duration of supervision

(a) Each applicant shall complete three (3) years or three-thousand (3000) clock hours of full time, on-the-job experience, which is supervised by an approved LBP supervisor. Included in the three-thousand (3000) clock hours of full time, on-the-job experience, a minimum of one-thousand (1000) hours shall be from direct client contact and one hundred (100) hours shall be from face-to-face or technology-assisted supervision.

~~(b) For each one thousand (1000) clock hours of full time, on-the-job experience, three hundred fifty (350) hours shall be direct client contact.~~

(~~e~~b) Weekly, face-to-face supervision or technology-assisted supervision shall be accrued under a Board approved LBP supervisor at the ratio a minimum of forty-five (45) minutes of supervision for every twenty (20) hours of on the job experience week.

~~(d) No more than one half (½) of the required supervision hours may be received in group supervision.~~

(~~e~~c) One (1) or two (2) years of supervised experience may be gained at the rate of one (1) year for each thirty (30) graduate hours in behavioral health services-related course work earned beyond the minimum number of required graduate semester hours, provided that such hours are clearly related to the field of psychology or behavioral sciences and are acceptable to the Board.

(1) Regardless of the number of hours earned beyond the minimum number of required graduate semester hours, the LBP Candidate shall receive at least one (1) year or one thousand (1000) clock hours of supervision ~~in the ratio as~~ described in this rule subchapter 13, section 86:20-13-2 (a-b).

(2) If an LBP Candidate completes the supervised experience requirement before passing the licensure examination, the LBP Candidate shall continue to practice under LBP supervision as described in this subchapter, unless exempted by the Act, until licensed.

(3) LBP Candidates shall complete supervised experience requirements within sixty (60) months of the date of the approval of the first supervision agreement or the license application shall be voided.

(~~f~~d) Approved supervisors shall perform at least two (2) observations (live or tape) per each six (6) month evaluation period for each supervisee.

(~~g~~e) Approved supervisors shall consult with supervisor at least once during each six (6) month evaluation period for each supervisee.

86:20-13-7. Documentation of supervised experience

(a) A Supervision Agreement Form between the supervisor and supervisee shall be received and approved by the Board prior to beginning the accrual of supervised hours.

(b) The supervisor and LBP Candidate shall sign and submit an "Evaluation of Supervised Experience," including documentation of observations, date of consultation between approved supervisor and on-site supervisor, and the Record of Supervised Experience on a semi-annual basis beginning as of the date of the approval of the first supervision agreement. Incomplete evaluations will not be accepted by the Board until all requirements for the semi-annual evaluation period have been completed.

(c) Any Evaluation of Supervised Experience form submitted beyond 60 days of the semi-annual due date will not be credited towards the duration of supervision as described in 86:20-13-7(b).

(d) Supervised experience shall be reported in quarter credit hours.

SUBCHAPTER 17. LICENSURE EXAMINATION

86:20-17-1.1. Eligibility

An LBP applicant ~~is~~may be eligible to take the licensing examination following the submission of:

- (1) Application form and fee;
- (2) Practicum/Internship Documentation Form;
- (3) Official transcript(s), showing completion of all academic requirements listed in Subchapter 11, Section 86:20-11-2 or a Board approved Verification of Academic Standing from the administrator of the student's degree program indicating that the student is expected to fulfill all degree requirements by the expected graduation date. Verification of Academic Standing shall not be signed and dated or submitted more than 60 days prior to the expected date graduation; and
- (4) Completed criminal background check.

SUBCHAPTER 21. ISSUANCE OF LICENSE

86:20-21-1. License

The license issued by the Board shall contain the LBP's name, license number, ~~specialty designation, if any, highest accredited behavioral health services-related academic degree and date of~~ issuance.

86:20-21-4. Notification

After having fulfilled all requirements for licensure, the Board shall ~~mail~~send notification to the licensee, ~~at last known address,~~ of qualification for licensure; and when the license fee is received and the Board approves the candidate for licensure, the ~~license will be mailed to the licensee~~license certificate shall be issued.

~~86:20-21-5. Replacement~~

~~The Board shall replace a license that is lost, damaged, or is in need of revision upon written request and payment of the license replacement fee. Requests must include the LBP's original license or be accompanied by the damaged license, if available.~~

SUBCHAPTER 23. LICENSE AND SPECIALTY RENEWAL

86:20-23-3. Renewal notification

The Board shall ~~mail~~send to the LBP at least forty-five (45) days prior to the expiration date of the LBP's license, a notice of expiration.

~~86:20-23-8. Display of verification card~~

~~(a) LBPs shall display a current license verification card on the original or replaced license.~~

~~(b) A current license verification card shall be readily available on the LBP's person at any time behavioral health services are being provided.~~

86:20-23-9. Inactive status

(a) An active license may be placed on inactive status by written request and payment of a one-time twenty-five dollar (\$25.00) fee. An inactive license forfeits all rights and privileges granted by the license.

~~(b) When a license is placed on inactive status, the license and active verification cards shall be returned to the Board.~~

~~(e**b**)~~ A license that has remained inactive for at least one (1) year may be reactivated upon payment of a prorated renewal fee and submission of prorated continuing education hours required during the renewal year, in accordance with this Chapter, if there are no impediments to licensure.

~~(e**c**)~~ A license placed on inactive status may be reactivated within one (1) year when submitted with the required renewal fee and continuing education, in accordance with this Chapter, if there are no impediments to licensure.

86:20-23-10. Failure to renew

If the LBP fails to renew the license by the expiration date, the Board shall ~~mail~~send the LBP a notice ~~to the last known address,~~ which shall include:

- (1) Expiration of the license and forfeiture of rights and privileges granted by the license, and,
- (2) The LBP's right to reinstate the license by payment of the renewal fee and the late renewal fee and fulfillment of all other renewal requirements for up to one (1) year following the expiration of the license.

~~86:20-23-11. Return of license~~

~~Licenses not reinstated within the one (1) year late renewal period shall be permanently expired and not be reinstated. The license shall be returned to the Board.~~

SUBCHAPTER 27. CONSUMER INFORMATION

86:20-27-1. Directory

(a) The Board shall provide a directory of Licensed Behavioral Practitioners.

~~(b) The directory of LBPs shall include but not be limited to the name, academic degree under which the license is held, preferred mailing address, telephone number, and license number of current licensees. The Board shall prepare information of consumer interest, which describes the regulatory functions of the Board and its procedures to handle and resolve consumer complaints.~~

~~86:20-27-2. Brochure~~

~~The Board shall prepare information of consumer interest, which describes the regulatory functions of the Board and its procedures to handle and resolve consumer complaints.~~