

**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 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 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 11. ACADEMIC REQUIREMENTS

86:20-11-1. Graduate degree requirements

(a) Pursuant to the Act, all applicants shall possess at least a masters degree from a program in psychology from a regionally accredited college or university recognized by one of the following six regional accrediting associations: The New England Commission on Higher Education (NECHE), The Middle States Association of Colleges and Schools (MSCHE), The Higher Learning Commission (HLC), The Northwest Commission on Colleges and Universities (NWCCU); The WASC Senior College and University Commission (WSCUC), The Southern Association of Colleges and Schools Commission on Colleges (SACSCOC), or their predecessors or successors.

(b) The program must be intended to prepare a scientist-practitioner in the field of psychology at the masters level and meet all the following criteria:

- (1) The masters program must be clearly identified as a psychology program. Such a program must specify in a pertinent institutional catalogue, its intent to educate and train students in the field of psychology at the masters level;
- (2) The pertinent institutional catalogue must state the structure and content of the curriculum of the program; and

(3) The program must have faculty who hold graduate degrees in psychology or closely related fields.

~~(c) The academic requirements set forth in the Act must be completed before a person applies for licensure.~~ The applicant must submit their educational credentials to the Board or the Board's designated credentialing agency for evaluation and determination of whether the program satisfies the requirements of Subchapter 20. Applicants with degrees earned from institutions outside the United States must provide an acceptable comprehensive evaluation of the degree performed by a foreign credential evaluation service that is acceptable to the Board or the Board's designated credentialing agency, and any other requirement(s) the Board deems necessary.

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) Weekly, face-to-face supervision or technology-assisted supervision shall be accrued under a Board approved LBP supervisor at a minimum of forty-five (45) minutes of supervision every week.

(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 as described in 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.

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

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

86:20-13-5. Acceptability of supervised experience

(a) Supervised experience is acceptable when it consists of the performance of behavioral health services as described in Section 1931, of the Act as described below.

(1) Supervision shall focus on the raw data from an LBP Candidate's continuing clinical practice, which may be available to the supervisor through a combination of direct observation, co-therapy, written clinical notes, and audio and video recordings.

(2) Supervision is a process clearly distinguishable from personal psychotherapy, and is contracted in order to serve professional/vocational goals.

(3) Individual supervision consists of face-to-face contact with one supervisor and one LBP Candidate.

(4) Group supervision may be conducted with two (2) to six (6) LBP Candidates and a supervisor.

~~(5) Technology-assisted supervision must be approved by the Board prior to the accrual of hours. Factors to be considered by the Board include: distance between approved supervisor and candidate; financial hardship on approved supervisor or candidate; physical hardship on approved supervisor or candidate; specialty credentials; and other pertinent factors.~~

(b) An LBP Candidate may accrue supervised experience hours in academic, governmental or private-not-for-profit and private practice for profit settings.

(c) The supervised experience ~~is~~ shall be accrued in a private not-for-profit or a private for-profit practice ~~without having an approved LBP Supervisor providing supervision, only~~ if:

(1) The LBP candidate is an employee, as defined by 86:20-1-2, of the place of employment where supervised experience hours are being accrued that employs a person licensed in the state of Oklahoma as a Licensed Behavioral Practitioner, a Licensed Professional Counselor, a Licensed Marital and Family Therapist, a Psychologist, a Physician, a Licensed Clinical Social Worker, or a Licensed Alcohol and Drug Counselor who directs and is responsible for the professional duties of the LBP Candidate and is available to the LBP candidate any time services are being rendered by the LBP candidate.

(2) The LBP Candidate is receiving supervision for licensure from an approved LBP supervisor ~~who is not required to work at the same location as the LBP Candidate~~ that has agreed to be immediately available to the LBP Candidate for supervision at any time the LBP Candidate is engaging in the practice of behavioral health services or behavioral health-related services.

86:20-13-6. Supervisor qualifications

(a) A Behavioral Practitioner, Professional Counselor, Marital and Family Therapist, Psychologist, Clinical Social Worker or Physician licensed by the state of Oklahoma is eligible as an LBP supervisor. In addition, these professionals shall have:

- (1) practiced in positions similar to those the LBP proposes to practice for a period of two years past the issuance of the license;
- (2) fulfilled the continuing education requirements pursuant to Section 1948 of the Act;
- ~~(3) signed an official supervision agreement;~~
- ~~(4) agreed to be "on call" to the LBP Candidate on a twenty-four (24) hour basis and to arrange for an alternate supervisor if not available;~~
- (5) taken and passed the LBP State Standards Test; and
- (6) agreed to teach the Oklahoman LBP Act and OAC 86:20 to the supervisee.

(b) Effective October 1, 2015, a supervisor may not supervise more than a total of twelve (12) candidates for licensure at a time. A supervisor who wants to supervise more than twelve.

(c) Candidates must petition the Board for approval for each person above the maximum number. The petitions will be determined on a case-by-case basis depending on the circumstances of the request.

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.