

**CHAPTER 42**

**BOARD OF PSYCHOLOGICAL EXAMINERS**

**Authority**

N.J.S.A. 45:14B-13.

**Source and Effective Date**

R.2009 d.241, effective July 2, 2009.  
See: 41 N.J.R. 712(a), 41 N.J.R. 2975(a).

**Chapter Expiration Date**

Chapter 42, Board of Psychological Examiners, expires on July 2, 2014.

**Chapter Historical Note**

Chapter 42, Board of Psychological Examiners, Subchapter 1, General Provisions, was adopted as R.1975 d.310, effective October 20, 1975. See: 7 N.J.R. 510(a). Subchapters 2 through 5 regarding licensure requirements, examinations, misconduct, and advertising, were adopted as R.1979 d.24, effective January 17, 1979. See: 10 N.J.R. 505(a), 11 N.J.R. 78(d).

Pursuant to Executive Order No. 66(1978), Chapter 42, Board of Psychological Examiners, was readopted as R.1983 d.543, effective November 3, 1983. See: 15 N.J.R. 1497(a), 15 N.J.R. 1947(b).

Pursuant to Executive Order No. 66(1978), Chapter 42, Board of Psychological Examiners, was readopted as R.1988 d.557, effective October 31, 1988. See: 20 N.J.R. 2244(a), 20 N.J.R. 3023(a).

Chapter 42, Board of Psychological Examiners, was repealed and new Board rules were adopted as R.1993 d.547, effective November 1, 1993. See: 25 N.J.R. 3062(a), 25 N.J.R. 4937(a).

Pursuant to Executive Order No. 66(1978), Chapter 42, Board of Psychological Examiners, was readopted as R.1998 d.532, effective October 13, 1998.

Chapter 42, Board of Psychological Examiners, was readopted as R.2004 d.140, effective March 12, 2004. See: 35 N.J.R. 5039(a), 36 N.J.R. 1815(a).

Chapter 42, Board of Psychological Examiners, was readopted as R.2009 d.241, effective July 2, 2009. See: Source and Effective Date. See, also, section annotations.

Subchapter 12, Custody/Parenting Time Evaluations and/or Termination of Parental Rights Evaluations, was adopted as new rules by R.2010 d.192, effective September 7, 2010. See: 41 N.J.R. 3024(a), 42 N.J.R. 2135(a).

**CHAPTER TABLE OF CONTENTS**

**SUBCHAPTER 1. SCOPE OF PRACTICE; PERSONS REQUIRING LICENSURE; EXEMPTIONS FROM LICENSURE; UNLICENSED PRACTICE**

- 13:42-1.1 Scope of practice
- 13:42-1.2 Persons requiring licensure; persons not requiring licensure
- 13:42-1.3 Employment by a nonprofit bona fide community organization; exemption from licensure
- 13:42-1.4 Student of psychology; exemption from licensure
- 13:42-1.5 Member of other professional group doing work of psychological nature; exemption from licensure
- 13:42-1.6 Ineligibility for exemption

**SUBCHAPTER 2. INITIAL QUALIFICATIONS**

- 13:42-2.1 Application; qualifications to sit for examination
- 13:42-2.2 Academic degree in a field allied to psychology
- 13:42-2.3 Equivalent training
- 13:42-2.4 Degrees earned outside the United States

**SUBCHAPTER 3. ONE-YEAR UNSUPERVISED AND THREE-YEAR SUPERVISED TEMPORARY PERMITS FOR TRAINING PENDING ORAL EXAMINATIONS**

- 13:42-3.1 One-year unsupervised permit
- 13:42-3.2 Three-year supervised permit
- 13:42-3.3 Limitation, suspension or revocation of permit by Board
- 13:42-3.4 Extension of permit upon request of permit holder
- 13:42-3.5 Return of permit
- 13:42-3.6 Responsibilities of applicant for one-year unsupervised and three-year supervised temporary permits

**SUBCHAPTER 4. SUPERVISION OF CANDIDATES FOR LICENSURE**

- 13:42-4.1 Amount of supervision required
- 13:42-4.2 Authorized supervisors
- 13:42-4.3 (Reserved)
- 13:42-4.4 Responsibilities of supervisor
- 13:42-4.5 Supervision of individuals exempt from licensure
- 13:42-4.6 Financial arrangements between supervisor and supervisee

**SUBCHAPTER 5. EXAMINATION**

- 13:42-5.1 Board-approved written examination; oral examination
- 13:42-5.2 Examination review procedures
- 13:42-5.3 Out-of-State psychologists; admittance to oral examination
- 13:42-5.4 License without examination
- 13:42-5.5 Subversion of the licensing examination process
- 13:42-5.6 Failure of examination; when retaking permitted

**SUBCHAPTER 6. BOARD FEES**

- 13:42-6.1 Board fees

**SUBCHAPTER 7. ACCEPTABLE PROFESSIONAL PRACTICE**

- 13:42-7.1 Independent practice
- 13:42-7.2 Partnership, professional service corporation, or limited liability entity
- 13:42-7.3 Biofeedback; employer of biofeedback technician
- 13:42-7.4 Employer of neuropsychometric technician
- 13:42-7.5 Shareholder or employee of a general business corporation
- 13:42-7.6 Managed health care plans
- 13:42-7.7 Conduct of professional practice; quality control
- 13:42-7.8 Real estate arrangements

**SUBCHAPTER 8. CLIENT RECORDS: CONFIDENTIALITY**

- 13:42-8.1 Preparation and maintenance of client records
- 13:42-8.2 Use of personal or other computer to prepare client records
- 13:42-8.3 Access to copy of client record
- 13:42-8.4 Access by a managed health care plan to information in client record
- 13:42-8.5 Confidentiality
- 13:42-8.6 Minors

## SUBCHAPTER 9. ADVERTISING

- 13:42-9.1 Definitions
- 13:42-9.2 Advertising; general requirements
- 13:42-9.3 Minimum content of advertising
- 13:42-9.4 Use of professional credentials and certifications
- 13:42-9.5 Advertising making reference to or setting forth a fee; required disclosures
- 13:42-9.6 Use of testimonials
- 13:42-9.7 Prohibited types or methods of advertising
- 13:42-9.8 Retention of advertisements
- 13:42-9.9 Misleading implications of licensure

## SUBCHAPTER 10. GENERAL OBLIGATIONS OF A LICENSEE

- 13:42-10.1 Posting of practice authorization
- 13:42-10.2 Notification of change of address; service of process
- 13:42-10.3 (Reserved)
- 13:42-10.4 Professional responsibilities to the Board, other regulatory authorities, or the public
- 13:42-10.5 Maintaining competence in testing situations
- 13:42-10.6 Research
- 13:42-10.7 Reporting of violations of other licensees
- 13:42-10.8 Professional interactions with clients
- 13:42-10.9 Sexual misconduct
- 13:42-10.10 Financial arrangements with clients and others
- 13:42-10.11 Prohibition on excessive fees
- 13:42-10.12 Billing
- 13:42-10.13 Conflicts of interest; dual relationships
- 13:42-10.14 Prohibition on referral fees and fee splitting
- 13:42-10.15 (Reserved)
- 13:42-10.16 Client accessibility to therapist of choice
- 13:42-10.17 License renewal; active/inactive
- 13:42-10.18 Reinstatement

## SUBCHAPTER 11. ACCESS TO TREATMENT INFORMATION IN DESIGNATED HEALTH INSURANCE PROGRAMS

- 13:42-11.1 Purpose and scope
- 13:42-11.2 Definitions
- 13:42-11.3 Stage I (Preliminary Disclosure); required authorization
- 13:42-11.4 Stage I: Information to be provided to the third party payor
- 13:42-11.5 Stages II, III and IV; Information to be provided to Independent Professional Review Committee
- 13:42-11.6 Independent Professional Review Committee; responsibilities of the Board
- 13:42-11.7 Stage II review by Independent Professional Review Committee
- 13:42-11.8 Stage III Review by Independent Professional Review Committee
- 13:42-11.9 Stage IV review by Independent Professional Review Committee
- 13:42-11.10 Independent Professional Review Committee; responsibilities of reviewers
- 13:42-11.11 Independent Board investigation
- 13:42-11.12 Circumstances in which IPRC process is not required

## SUBCHAPTER 12. CUSTODY/PARENTING TIME EVALUATIONS AND/OR TERMINATION OF PARENTAL RIGHTS EVALUATIONS

- 13:42-12.1 Purpose and scope
- 13:42-12.2 Qualifications
- 13:42-12.3 Dual relationships
- 13:42-12.4 Communications
- 13:42-12.5 Required disclosures
- 13:42-12.6 Fees
- 13:42-12.7 Reports and recommendations

## SUBCHAPTER 1. SCOPE OF PRACTICE; PERSONS REQUIRING LICENSURE; EXEMPTIONS FROM LICENSURE; UNLICENSED PRACTICE

**13:42-1.1 Scope of practice**

(a) The scope of practice of a licensed psychologist includes, but is not limited to, the use or advertisement of the use of theories, principles, procedures, techniques or devices of psychology, whether or not for a fee or other recompense. Psychological services include, but are not limited to:

1. Psychological assessment of a person or group including, but not limited to: administration or interpretation of psychological tests and devices for the purpose of educational placement, job placement, job suitability, personality evaluation, intelligence, psychodiagnosis, treatment planning and disposition; career and vocational planning and development; personal development; management development; institutional placements; and assessments in connection with legal proceedings and the actions of governmental agencies including, but not limited to, cases involving education, divorce, child custody, disability issues and criminal matters;

2. Psychological intervention or consultation in the form of verbal, behavioral or written interaction to promote optimal development or growth or to ameliorate personality disturbances or maladjustments of an individual or group. Psychological intervention includes, but is not limited to, individual, couples, group and family psychotherapy, and psychological consultation includes consultation to or for private individuals, groups and organizations and to or for governmental agencies, police and any level of the judicial system;

3. Use of psychological principles, which are operating assumptions derived from the theories of psychology that include, but are not limited to: personality, motivation, learning and behavior systems, psychophysiological psychology including biofeedback, neuropsychology, cognitive psychology and psychological measurement; and

4. Use of psychological procedures, which are applications employing the principles of psychology and associated techniques, instruments and devices. These procedures include, but are not limited to, psychological interviews, counseling, psychotherapy, hypnotherapy, biofeedback, and psychological assessments.

**13:42-1.2 Persons requiring licensure; persons not requiring licensure**

(a) Persons requiring licensure include all those whose conduct is within the scope of practice set forth in N.J.A.C. 13:42-1.1 and whose practice is not otherwise exempt pursuant to N.J.S.A. 45:14B-6, and 45:14B-8, N.J.A.C. 13:42-1.4 and 1.5 and (b) below, including the following: