

(j) A supervisor shall not enter into supervisory arrangements involving a potential conflict of interest such as, but not limited to, arrangements with:

- i. Family members;
- ii. Those with whom the supervisor has close personal associations;
- iii. Those with whom the supervisor has financial relationships (such as creditor-debtor), other than as specifically permitted by N.J.A.C. 13:42-4.6; or
- iv. Those with whom the licensee has a therapist/client relationship.

13:42-4.5 Supervision of individuals exempt from licensure

(a) A psychologist may supervise services of a psychological nature rendered in:

1. A private practice setting by a health care professional exempt from licensure pursuant to N.J.S.A. 45:14B-8; and
2. An exempt non-profit bona fide community organization as defined in N.J.A.C. 13:42-1.3.

(b) The supervisor shall ensure that the exempt supervisee complies with all Board regulatory requirements (including preparation of client records) and with accepted standards of professional and ethical practice of the exempt agency or exempt health care professional.

New Rule, R.1995 d.332, effective June 19, 1995.
See: 26 N.J.R. 4738(a), 27 N.J.R. 2422(a).

13:42-4.6 Financial arrangements between supervisor and supervisee

(a) Financial arrangements between the supervisor and supervisee shall be reasonable and may take into account the special teaching arrangement that forms the context of the relationship. For example, the supervisor may designate the supervisee as a part-time employee.

(b) The supervisor shall charge the supervisee separately, if at all, for the supervision itself or for ancillary costs such as rent for use of premises, equipment, malpractice insurance, etc.

Recodified from 13:42-4.5 by R.1995 d.332, effective June 19, 1995.
See: 26 N.J.R. 4738(a), 27 N.J.R. 2422(a).
Amended by R.2004 d.140, effective April 5, 2004.
See: 35 N.J.R. 5039(a), 36 N.J.R. 1815(a).

Deleted former (a) and recodified former (b) through (c) as new (a) through (b).

Amended by R.2009 d.241, effective August 3, 2009.
See: 41 N.J.R. 712(a), 41 N.J.R. 2975(a).

Rewrote (a).

SUBCHAPTER 5. EXAMINATION

13:42-5.1 Board-approved written examination; oral examination

(a) A candidate who has been admitted to sit for examination shall take the Examination for Professional Practice in Psychology sponsored by the Association of State and Provincial Psychology Boards (ASPPB). A passing score shall be that as established by the ASPPB at the time of the examination.

(b) A candidate who passes the written examination shall then take an oral examination of his or her professional practice based on a work sample in accord with guidelines to be supplied to the candidate by the Board and as follows:

1. The candidate shall within 90 days of notification of successful completion of the written examination, present a current work sample representative of the candidate's present practice. For the purposes of this rule, "current" work sample is defined to mean a work sample either in progress or where the treatment services were terminated within one year before the submission of the work sample. The dates of client service shall be specifically mentioned on the cover page.

2. The candidate shall identify the work sample by the area of the candidate's specialty.

3. The text of the work sample shall be typed and double spaced and shall not exceed 20 pages in length. All tests and protocols used as the basis for professional intervention shall be presented as appendices.

(c) The examiner(s) shall tape the oral examination for the purpose of creating a record. The candidate shall not tape the oral examination.

Amended by R.1995 d.369, effective July 17, 1995.

See: 27 N.J.R. 1754(a), 27 N.J.R. 2696(a).

Amended by R.2000 d.476, effective December 4, 2000.

See: 31 N.J.R. 3218(a), 32 N.J.R. 4260(a).

In (b)1, substituted a reference to 90 days for a reference to 45 days.

Amended by R.2004 d.140, effective April 5, 2004.

See: 35 N.J.R. 5039(a), 36 N.J.R. 1815(a).

Rewrote (a) and (b)1.

13:42-5.2 Examination review procedures

(a) A candidate who fails the written examination may request a handscoring of answer sheets, copy of individual answer sheet or role-feedback as available from the Professional Examination Service (PES). The candidate shall be responsible for payment of any fees required by the PES. The candidate's written request for review must reach the Board's Executive Director within 45 days of the date of the letter of notification of examination results.

(b) A candidate who fails the oral examination may request a review of his or her oral examination tape. The candidate's written request for review must reach the Board's Executive Director within 45 days of the date of the letter of

notification of examination results. The Executive Director will make the tape of the oral examination available to the candidate at the Board office on a mutually convenient date. Neither the candidate nor an agent of the candidate may tape the Board's copy of the oral examination tape during this or any review of the tape of the oral examination.

(c) Following review of the examination tape, a candidate who failed the oral examination may request reconsideration of the decision. The candidate's written request for reconsideration must reach the Board's Executive Director within 45 days of the date of the examination review. The request for reconsideration must be limited to no more than 5 8 1/2 inch by 11 inch sized pages, single spaced, with normal size type set and standard margins. Only one side of the page may be used.

(d) The Board shall grant a request for reconsideration only upon the candidate's showing of good cause establishing that the request is meritorious and made in good faith. Good cause for this purpose shall mean:

1. Proof of unusual circumstances surrounding the examination which adversely and significantly influenced the candidate's performance;
2. Proof that the scope of the examination conducted did not sufficiently address the candidate's professional work sample;
3. Proof of examiner bias against the candidate, the candidate's orientation or kind of work; or
4. Proof of a substantial and material error on the part of the examiners.

(e) If, upon review of the written request for reconsideration, the Board determines that the candidate has demonstrated good cause for reconsideration, the Board may designate a subcommittee to review the matter and make a recommendation to the Board after conducting such inquiry or investigation as the subcommittee deems necessary. The subcommittee shall subsequently present to the Board the following information in closed session: the basis for the request for reconsideration; the reasons advanced by the applicant for changing the Board's previous decision; and the subcommittee's recommendation to sustain, modify, overturn or vacate the Board's previous decision and the reasons for that recommendation.

(f) The Board shall promptly mail to the candidate a copy of the Board's final decision and supporting reasons.

(g) A transcript of the oral examination may be prepared by a shorthand reporter, at the candidate's expense, only if the transcript is required for appellate review by the Superior Court.

13:42-5.3 Out-of-State psychologists; admittance to oral examination

(a) An out-of-State psychologist shall be admitted to take the oral examination in New Jersey provided the individual can demonstrate to the satisfaction of the Board that he or she:

1. Has taken the Board-approved written examination in another state;
2. Has passed the examination at the minimum level established by the Board and in effect at the time of application; and
3. Meets all other requirements for licensure, including submission of a work sample as defined in N.J.A.C. 13:42-5.1(b).

(b) An out-of-State psychologist, who can demonstrate proof of meeting all requirements for licensure other than the Board-approved written examination and who can demonstrate satisfactory completion of 20 years of licensed, responsible and competent practice in another state, shall be admitted to take the oral examination in New Jersey.

(c) The Board shall not recognize licensing examinations other than the Board-approved examination sponsored by an individual state or other entity, if completed subsequent to January 1, 1980.

Amended by R.2004 d.140, effective April 5, 2004.
See: 35 N.J.R. 5039(a), 36 N.J.R. 1815(a).
Rewrote (b).

13:42-5.4 License without examination

(a) A psychologist who holds a diploma from the American Board of Professional Psychology awarded by examination, and who meets all other requirements of New Jersey law, shall be licensed following satisfactory completion of an oral interview with the Board or designated member(s) thereof.

(b) A psychologist who holds the Association of State and Provincial Psychology Boards (ASPPB) Certificate of Professional Qualification (CPQ) in psychology and who meets all other requirements of New Jersey law, shall be licensed following satisfactory completion of an oral interview with the Board or designated member(s) thereof.

Amended by R.2004 d.140, effective April 5, 2004.
See: 35 N.J.R. 5039(a), 36 N.J.R. 1815(a).
Designated former section as (a); added (b).

13:42-5.5 Subversion of the licensing examination process

(a) Any individual found by the Board to have engaged in conduct which subverts or attempts to subvert the licensing examination process may, at the discretion of the Board, have his or her scores on the licensing examination withheld or declared invalid, be found ineligible for licensure, be dis-