

1. Conduct which violates the security of the examination materials, such as removing from the examination room any of the examination materials; taping, reproducing or reconstructing any portion of the licensing examination; aiding by any means in the reproduction or reconstruction of any portion of the licensing examination; or selling, distributing, buying, receiving or having unauthorized possession of any portion of a current or future licensing examination;

2. Conduct which violates the standard of test administration, such as communicating with any other examinee during the administration of the licensing examination; copying answers from another examinee or permitting one's answers to be copied by another examinee during the administration of the licensing examination; or having in one's possession during the administration of the licensing examination any copying or taping equipment, or any books, notes, written or printed materials or data of any kind, other than the examination materials distributed; or

3. Conduct which violates the credentialing process, such as falsifying or misrepresenting educational credentials or other information required for admission to the licensing examination, impersonating an examinee, or having an impersonator take the licensing examination on one's behalf.

13:42-5.6 Failure of examination; when retaking permitted

(a) The written examination may be retaken at any subsequent scheduled examination session provided that all applicable requirements have been satisfied.

(b) The oral examination may be retaken only as follows:

1. First reexamination no sooner than six months after the first examination;

2. Second reexamination no sooner than one year after the date of the first reexamination;

3. Successive reexamination no sooner than one year after the date of the previous reexamination and after having shown proof of meeting any additional professional training which the Board may require.

3. Initial license fee:

i. During the first year of a biennial license renewal period: \$530.00.

ii. During the second year of a biennial license renewal period: \$265.00.

4. License renewal fee, biennial: \$530.00.

5. Late renewal fee in addition to biennial renewal:

i. Up to 30 days late: \$75.00.

ii. Over 30 days late: \$150.00.

6. Reinstatement fee in addition to biennial renewal fee: \$300.00.

7. Temporary permit:

i. \$190.00 plus \$50.00 for each additional supervisor.

ii. Review of extension request for one-year and three-year permits, each: \$25.00.

8. Replacement wall certificate: \$50.00.

9. Verification of licensure: \$35.00.

10. Duplicate renewal certificate: \$25.00.

(b) It is the candidate's responsibility to see that all mandated fees reach the Board office as follows:

1. Application, examination, re-examination and reinstatement fees are required to initiate Board action in one's behalf.

2. An initial license fee is required upon notice of successful completion of candidacy and before issuance of a license.

3. A license renewal fee must reach the Board office by June 30 of the renewal year in order to avoid a late renewal fee.

4. A late renewal fee must reach the Board office by December 31st of the renewal year in order to avoid removal from the licensee lists and a reinstatement fee prior to reinstatement.

Amended by R.1994 d.22, effective January 3, 1994.

See: 25 N.J.R. 3929(a), 26 N.J.R. 249(a).

Amended by R.1997 d.181, effective July 7, 1997.

See: 29 N.J.R. 309(a), 29 N.J.R. 2837(a).

In (a), raised fees throughout.

SUBCHAPTER 6. BOARD FEES

13:42-6.1 Board fees

(a) Charges for examinations, licensure and other services are:

1. Application fee: \$125.00.

2. Examination fee: \$350.00 written, \$200.00 oral.

SUBCHAPTER 7. ACCEPTABLE PROFESSIONAL PRACTICE

13:42-7.1 Independent practice

(a) A licensee practicing independently may employ or otherwise remunerate the following individuals to render

professional services only in circumstances where quality control of the employed practitioner's professional practice can be and is lawfully supervised and evaluated by the licensee:

1. Other licensed practitioners to render services within the scope of practice of each employee's license; and
2. Practitioners who are authorized to practice psychology under an exemption from licensure pursuant to N.J.A.C. 13:42-1.3.

(b) A licensee with a restricted or limited license to practice psychology as a result of a disciplinary action shall not employ a licensee or hire an independent contractor with an unrestricted or unlimited license to practice psychology.

(c) A licensee may employ ancillary non-licensed staff, limited to:

1. Clerical staff;
2. Permit holders;
3. Biofeedback technicians, as defined in N.J.A.C. 13:42-7.3;
4. Neuropsychometric technicians, as defined in N.J.A.C. 13:42-7.4; and
5. A person engaged in the practice of alcohol, drug abuse or gambling intervention, prevention or treatment who is certified and providing such services in a private setting supervised by the licensee.

(d) Any additional types of employees other than those in (c) above may be employed within the professional practice only with the advance review and approval of the Board.

Amended 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.2000 d.476, effective December 4, 2000.
See: 31 N.J.R. 3218(a), 32 N.J.R. 4260(a).
Rewrote (b).

13:42-7.2 Partnership, professional service corporation, or limited liability entity

(a) A licensee shall not practice psychology in a general business corporation except as provided in N.J.A.C. 13:42-7.5. A licensee may practice in any of the following business entities: partnership, professional service corporation, limited liability company, or limited liability partnership as long as the owners (partners, shareholders, members) of the entity consist solely of New Jersey licensed health care professionals. A licensee may practice in a business entity described in this section which itself is owned by one or more of the entities described so long as all of the owners of such entities are New Jersey licensed health care professionals and as allowed by law pursuant to N.J.S.A. 42:2B-1 et seq. In all business entities described in this section, each licensee who is an owner shall retain authority to exercise his or her own professional judgment within accepted standards of practice regarding care, skill and diligence in examinations, diagnosis and treatment of the licensee's individual clients.

(b) The professional services offered by each practitioner, whether a partner, shareholder, or member, shall be the same or shall be in a closely allied professional health care field.

(c) If the scope of practice authorized by law for each such person differs, any document used in connection with professional practice, including, but not limited to, professional stationery, business cards, advertisements of listings and bills, shall designate the field to which such person's practice is limited.

(d) The term "Associates" in the name of a professional office connotes an actual group enterprise such as a professional association or partnership. The term "Associates" shall not be utilized to refer to individuals sharing office expenses or rental space but practicing independently of each other or having the relationship of independent contractor.

Petition for Rulemaking.
See: 26 N.J.R. 263(a).
Amended by R.2000 d.476, effective December 4, 2000.
See: 31 N.J.R. 3218(a), 32 N.J.R. 4260(a).
Rewrote (a); in (b), added "or member,".

13:42-7.3 Biofeedback; employer of biofeedback technician

(a) A licensed psychologist may perform or directly supervise the performance of appropriate biofeedback services in a clinical setting as a component of psychological services. Prior medical evaluation and supervision are not required for this psychological service.

(b) A licensed psychologist shall not diagnose, or offer to provide independent biofeedback treatment for a medical condition, a complaint of pain, or other significant physical symptom or condition that has not been medically evaluated. Following such evaluation, psychological biofeedback treatment may be offered in accordance with (a) above or (c) below.

(c) A licensed psychologist may, in a clinical setting, offer therapeutic or palliative biofeedback services in consultation with a licensed physician, as a component of an integrated psychological treatment program for a medically diagnosed condition reasonably believed to be amenable to such treatment.

(d) For purposes of this section, "biofeedback" means the application of bio-regulation procedures to the management of cognitive and physiological status. The feedback may encompass smooth muscle, striated muscle, cardiac muscle, brain wave, blood pressure, skin conduction and other physiological measures.

(e) For purposes of this section, "direct supervision" means that the licensee shall be constantly accessible, either on-site or through electronic communication, and available to render assistance when required and that the licensee shall retain full professional responsibility for client care and treatment.