

**THE 2016-2018 BIENNIUM CONTRACT BETWEEN
THE OHIO PSYCHOLOGICAL ASSOCIATION AND
THE OHIO BOARD OF PSYCHOLOGY
REGARDING PROCEDURES FOR MANDATED SERVICES UNDER OHIO
REVISED CODE SECTIONS 4732.14 AND 4732.141 AND
OHIO ADMINISTRATIVE CODE 4732-2**

STATEMENT OF PURPOSE

In accordance with Ohio Revised Code (ORC) 4732.141 and Ohio Administrative Code (OAC) 4732-2, this contract delineates the procedures by which the Ohio Psychological Association (OPA) will record, maintain and certify an official record of mandatory continuing education (MCE) credits for registered psychologists and registered school psychologists ("registrants"), and report such record of credits to the Ohio Board of Psychology ("Board"). All OPA matters relating to MCE will be handled by the OPA Office of Mandatory Continuing Education ("OPA-MCE"), under oversight review of the Board and the OPA Board of Trustees.

DATABANK TO BE MAINTAINED

In accordance with ORC 4732.141 (B)(2), OPA-MCE will maintain a databank of all Ohio licensed psychologists and all Ohio licensed school psychologists who contract and register with OPA-MCE to maintain their MCE records necessary to document their completion of twenty-three (23) hours of continuing education every two years, including no fewer than four (4) hours in one or more of the following: including not less than four hours of continuing education in one or more of the following: (a) Professional conduct; (b) Ethics; (c) The role of culture, ethnic identity, or both in the provision of psychological assessment, consultation, or psychological interventions, or a combination thereof, or the appropriate prorated number of hours based on date of licensure. Information for each registrant will include the licensee's name, preferred mailing address, psychology/school psychology license number, telephone/FAX/e-mail information, date licensed, date of most recent renewal, competency areas (if any are identified), an identifying code word or number (PIN) for secured release of information, and other identifying information as may be relevant.

In addition, the following information will be recorded for each registrant: 1) MCE programs/courses that they report attending or that an OPA-approved provider reports they attended in accordance with the OPA-MCE provider agreement; 2) dates of attendance; 3) number of approved hours for each program/course; 4) name of each program/course presenter; 5) name of the approved providing organization; 6) name of the authorized organization granting the MCE program/course approval; and 7) cumulative total of approved MCE credits, by year and by licensure renewal period. Any Board override/disapproval pursuant to OAC 4732-2 reported to OPA-MCE of any otherwise approved credits will also be recorded, and credit for such disapproved work will be deducted from the cumulative record.

Once registered, a licensee's record will be maintained in the OPA-MCE System and, in cases where the licensee subsequently receives a waiver of the MCE requirements from the Board, the record will be labeled "exempt" or similar, and the registrant will receive a prorated refund of the registration fee.

PROCEDURES FOR ASSURING ACCURATE RECORDING OF DATA

In recording MCE course attendance, OPA acts as a recording agent for the registered psychologist, not as a certifying agent to the Board as to the accuracy of the psychologist's report (cf. ORC 4732.141 (A) and (E)). Licensees of the Board are required to retain documentary evidence of his/her MCE course/program completion, in accordance with ORC 4732.141 (E) and OAC 4732-2.

In order to protect the confidential nature of individual records and facilitate efficient record access, the databank of MCE records for individual registrants will be maintained on a computer system with appropriate security access, with daily backup of the computer files. The remaining filing systems will be locked and secured. Licensees will select PINs, which will be used by OPA-MCE personnel to assure that records are released only to authorized requesters. The Board and its employees shall have access to all OPA-MCE records relative to documenting registrants' MCE activities. Prior to the end (by September 10th) of each registration biennium, OPA-MCE will make available to the Board a list of all OPA-MCE registered psychologists and their recorded MCE credits. Additional lists of OPA-MCE registered psychologists completing the MCE requirements pursuant to ORC 4732.141 after the established deadline of August 31, 2018 shall be sent to the Board office by OPA-MCE to allow the Board to know which license holders owe the required late fee/reinstatement fee.

Accurate recording of data is a priority for OPA-MCE, and will be accomplished in one of two ways: 1) In the case of an OPA-MCE approved program or course, given by an OPA-MCE approved provider, providers will be required to report registrant's attendance directly to OPA-MCE; 2) In all other cases, the information gathering and reporting function is the responsibility of the individual registrant, and will be recorded by OPA-MCE upon the registrant's submission of the necessary documentation required by OPA-MCE (normally a signed and dated Certificate of Completion, with sufficient information to allow determination that the course/program was conducted by a provider of MCE approved by an authorized approver). OPA-MCE will record all courses/programs submitted by a registered psychologist in proper format.

In addition to recording specific MCE course information for each registrant, OPA-MCE will compute a cumulative record, during each biennium for each registrant, of MCE credits, in accord with the standards of OAC 4732-2-01 (C). The cumulative record will be computed from information supplied by the registrants and by OPA-MCE approved providers in accord with the procedures outlined above. Before adding a course/program to the cumulative MCE credit for a registrant, OPA-MCE will require evidence that the specific program or course was conducted by a provider that has been approved by an authorized approver, or that the course is at the graduate level, relevant to the field of psychology, and is presented by a qualified individual. Credit may also be given for teaching a graduate level course or published writings. Once it has been determined that the course has been provided by an approved provider, or that it meets other criteria for acceptance, such course completion will be entered into the registrant's record. In accord with the provisions of ORC 4732.141, it shall remain the responsibility of the registrant to present proof to the Board of completion of the MCE work, only if requested by the Board, and the responsibility of the Board to verify the accuracy of the psychologist's assertions if it so chooses. It is anticipated that this cumulative count, when it equals or exceeds the required 23 hours per biennium, or the appropriate prorated number of hours based on date of initial licensure, will normally be accepted by the Board as a basis for licensure renewal, although the Board has clear authority and responsibility under ORC 4732.141 to require verification from the registrant, if it so

chooses, of the accuracy of the OPA-MCE record. OPA-MCE's contract with the psychologist is thus limited to recording accurately what the registrant reports and does not extend to certifying the accuracy of the registrant's report.

OPA-MCE will provide registrants with at least one copy of MCE courses completed and hours accumulated each biennium. OPA-MCE will provide password-protected, readily accessible online transcripts for its registrants on an ongoing basis throughout the biennium. Additional written copies of transcripts may be requested at any time by submitting a written release form and paying a \$5.00 processing fee to OPA-MCE. Registrants shall use the OPA website for information and transcripts under normal circumstances. Callers to OPA-MCE will be provided with personal information only after providing a designated PIN.

If the registrant's personal MCE records indicate omissions of courses recorded for him/her by OPA-MCE, then such omissions can be corrected by the registrant's submission of evidence of the omitted work for inclusion in the record. If the registrant disagrees with the MCE cumulative credits reported by OPA-MCE, he/she may request an Accumulated Hours Review Audit (AHRA). OPA-MCE staff will conduct this audit and the results will be reported to the registrant. If the AHRA fails to satisfy the registrant, the registrant can appeal through the following chain: 1) the OPA Executive Director; 2) the OPA-MCE Chair; and, 3) the Board. The decision of the Board will be binding as to the cumulative value of the registrant's MCE credits.

CHARGES FOR MAINTAINING RECORDS

The 2016-18 registration fee for each registrant under the terms of this contract will be **\$125.00** for OPA Members and **\$165.00** for registrants who are not OPA Members, due and payable to OPA-MCE at the time of 2016-18 license renewal or reinstatement. Late fees will be charged for registrations received after December 1, 2016 or beginning 3 months after the last day of the month of licensure or reinstatement, whichever is later.

RETENTION OF MCE RECORDS

OPA-MCE shall maintain records in accordance with policy established by the Board. Upon the request of and in consultation with OPA and OPA-MCE, the Board issued Policy 10.6 (b), "MCE Records Retention" effective December 1, 2005.

Pursuant to Policy 10.6 (b), records of MCE participation filed by licensees with the OPA-MCE or OSPA-MCE pursuant to Board law and rules are subject to the following retention schedules:

- 1) **Certificates of completion and other raw data.** Certificates of completion and other coursework-related data filed by licensees with OPA-MCE or OSPA-MCE shall be retained by OPA-MCE or OSPA-MCE for two (2) bienniums (48 months) following the relevant license registration deadline (September 30 of each even-numbered year dating to 1998).
- 2) **Course Transcripts.** OPA-MCE and OSPA-MCE compile for their registrants summaries of coursework in the form of MCE transcripts, which represent summaries of certificates and which are maintained by those entities electronically. Said MCE transcripts include the title of the MCE program or course, date of its completion, and the number of MCE credits satisfied by the

course or program. Said electronic transcripts shall be retained by OPA-MCE and OSPA-MCE for a minimum period of twelve (12) years following the relevant license registration deadline for which the credits on the transcript were applied (September 30 of each even-numbered year).

LICENSE RENEWAL PROCEDURES

1. Pursuant to ORC 4732.141 the deadline for completing all required MCE hours for the 2016-18 biennium is August 31, 2018. Courses/CE hours taken after that date will not be accepted for the 2018 renewal of license, although said hours may be used by the registrant to supplement an application for reinstatement of license, so long as OPA-MCE policy is adhered to relative to registration fees for the 2016-18 biennium.
2. The Board will not accept certificates, documents, statements, or other proof of MCE hours for review. Pursuant to OAC 4732-2-01 (B), MCE hours may only be reported to the Board by either OPA-MCE or OSPA-MCE. All licensees must be registered with either OPA-MCE or OSPA-MCE in order to have MCE hours reported to the Board or face automatic expiration of the license. Staff members of the Board and OPA-MCE agree to consistently advise those making inquiry that the prohibition against licensees directly reporting MCE hours to the Board is set by administrative rule OAC 4732-2-01 and not by Board policy.
3. The Board gives permission to OPA-MCE to require its registrants to submit MCE certificates to OPA-MCE within ninety (90) days of the MCE experience and to refuse acceptance of certificates that are older than 90 days.
4. OPA-MCE agrees to accept certificates/documents of completed MCE hours taken during the month of August 2018 if submitted with a postmark or FAX dated on or before September 25, 2018. The Board gives OPA-MCE permission to refuse to accept MCE certificates/documents for courses taken in August, 2018 that are submitted after September 25, 2018.
5. The Board does not issue any extensions of time to complete MCE requirements for any renewal period.
6. Board-granted excuse or waivers from MCE requirements is addressed in ORC 4732.141. (F), which specifies that the Board may grant a waiver from some or all requirements because of "...unusual circumstances, emergency, or special hardship." Licensees wishing to petition the Board for waiver of CE requirements shall do so before August 1 of the relevant renewal year consistent with OAC 4732-2-01 (C) (10).
7. OPA-MCE will submit a report of all psychologists who have 23 hours of CE or 13 hours of CE as required to the Board as soon as possible after the August 31, 2018 deadline.
8. OPA-MCE will submit a report of all psychologists who have **not** completed 23 hours of CE or 13 hours of CE as required to the Board as soon as possible after the August 31, 2018 deadline.

9. OPA-MCE will submit its final report to the Board as soon as possible after the September 25, 2018 submission deadline.
10. In May 2018 the Board shall convene a meeting with OPA-MCE and OSPA-MCE to plan for the end of the 2016-2018 biennium and the beginning of the 2018-2020 biennium. In the period of June 1-June 10, 2018 OPA-MCE will be asked to submit to the Board 500 tri-folded registration forms for the 2018-2020 biennium for the use of license holders who prefer to register for MCE tracking via mail in lieu of online registration.
11. OPA-MCE will provide the Board a complete list of all psychologists enrolled as registrants for the 2018-2020 biennium as soon as possible after closing out the 2016-2018 biennium.
12. The Board established by administrative rule OAC 4732-2-01 (C) (9), a timeline for appropriate proration of CE hours required for the initial license renewal for new licensees. The Board no longer applies this proration to those individuals seeking the reinstatement of an expired license, as such policy may conflict with requirements in OAC 4732-1-06 (C). Therefore, individuals seeking reinstatement of the license at any time following license expiration pursuant to ORC 4732.14 shall provide with the application for reinstatement evidence reported to the Board by OPA-MCE or OSPA-MCE of having completed twenty-three (23) hours of MCE during the biennium preceding the application. Hours reported to the Board to meet the requirements for reinstatement may not be used toward any subsequent renewal applications.
13. OPA-MCE agrees to these requirements and will not deviate from them without written permission of the Board.
14. The terms of this contract may be amended by joint agreement between the parties as an addendum to this contract.

APPROVAL

State Board of Psychology

Signature: _____ Date: _____

Title: _____

Ohio Psychological Association

Signature: _____ Date: _____

Title: _____

MATTERS OF RELEVANCE BUT NOT INCLUDED IN THIS CONTRACT

OPA-MCE will exercise its best professional judgment to approve MCE programs/courses that will enhance the skills of the licensed psychologists and licensed school psychologists in Ohio. The Board retains the authority to veto any OPA-MCE approval that the Board finds unacceptable. OPA-MCE will function independently of all other OPA authority except the authority of the OPA Board of Trustees and its deferred authority to the OPA Executive Committee and OPA officers. OPA-MCE may from time to time advise OPA or other potential provider organizations about desirable MCE policies or desirable MCE courses, but OPA-MCE will not participate in the offering of any MCE courses, and will require courses offered by OPA and all other OPA-MCE approved providers to meet the same standards.

OPA-MCE will make every effort to keep all aspects of the review/approval process, the record keeping process, and the associated paper work simple and "user friendly." The working assumption of OPA-MCE will be that all parties are interested in improving the quality of the profession of psychology in Ohio, with as little inconvenience for all parties involved and at as little cost to the professionals as is consistent with sound and sustainable business practices and with effective quality standards. Toward such ends and within such context, OPA-MCE will seek to be as cooperative as possible with all relevant parties.

As specified by ORC 4732.141 (B)(1), OPA is one of four groups authorized to approve MCE programs and courses for licensed Ohio psychologists or Ohio school psychologists, and one of seven groups authorized to approve MCE courses for licensed Ohio school psychologists and licensed Ohio psychologists. The procedures set forth here will in general describe the approach OPA will follow in approving MCE courses, but will be subject to change from time to time, based on negotiations between the Board and OPA if such change seems indicated.

Standard Approval of Providers, Courses and Programs. OPA-MCE will review and approve all providers of OPA-approved courses and programs. As part of the provider approval, the ability of the provider to prepare and present MCE programs and courses meeting OPA-MCE standards will be assessed. Such a provider should be capable through organizational structure or demonstrated ability to: plan appropriate program content; advertise and publicize the program; conduct the program and gather a meaningful evaluation; report attendance and outcome results to OPA-MCE; maintain records as required; and provide opportunities for attendance without regard to race, gender, ethnicity, or handicap. OPA approval will be granted to all courses and programs presented by such providers in accord with their provider agreement with OPA. As part of that agreement, each provider will agree to:

1. Present all courses from an unbiased factual basis, by presenters free of conflict of interest with regard to the course content or presenters whose possible biasing affiliations or income sources or other conflicts of interest are clearly indicated to potential course participants in all course advertising materials.

2. Submit to OPA-MCE in a timely fashion the name, date, location, and a brief description of each course or program they present for which they offer MCE credit to one or more Ohio Board license holder(s).
3. Submit to OPA-MCE in a timely fashion and as specified in the provider agreement a list of all Ohio Board license holders actually accruing credit by attending any such course or program.

Review Process for Denial of Provider Status. If OPA-MCE provider approval or provider deemed approval is denied, the provider organization may appeal the decision according to the procedures specified in the OPA-MCE provider agreement process. The final determination of OPA-MCE following any such appeal shall be binding, regardless of the implications such decision may have for the provider or for psychologists or school psychologists pursuing their courses/programs. Until such time as approval is finally granted, OPA explicitly makes no promise, direct or implied, to approve any particular MCE provider. OPA does recognize that OPA-MCE determination is not binding on any other organization authorized under ORC 4732.141 (B)(1) to approve MCE courses or programs for Ohio psychologists or school psychologists, and any provider rejected for approval by OPA is free to pursue approval from any such alternative authority.

Individualized Program or Course Approval. Psychologists and/or school psychologists often appropriately take continuing education courses or programs that have not sought and do not choose to seek independent approval for MCE under the terms of ORC 4732.141. Authorized approval of such work is nevertheless required for it to accrue to the MCE credit of the Ohio Board license holder. OPA-MCE will review such individual course work upon request by the attending psychologist when the request is submitted in the form specified by OPA-MCE.

Under its individualized review procedures, OPA-MCE may allow one-time MCE credit for individuals teaching a particular post-baccalaureate-level course, for individuals completing other special projects such as a significant publication or a significant research project, or for individuals participating in relevant video teleconferencing or distance learning projects, or for other activities that typically result in significant educational growth.

Each such activity will require individual evaluation, and no promises are made, either direct or implied, that any such particular activity will be approved by OPA-MCE for MCE credits. It is explicitly recognized that the Board can disallow any such approval, for cause. Procedures and charges for review of such individualized activities will be negotiated on an individual basis with the individual psychologist or school psychologist.

If OPA-MCE approval is denied, the requesting psychologist or school psychologist may appeal the decision, under a formal review process established by OPA-MCE. The final determination of OPA-MCE following any such appeal shall be binding, regardless of the implications such decision may have for the requesting psychologist or school psychologist. Until such time as approval is finally granted, OPA explicitly makes no promise, direct or implied, to approve any particular MCE offering. OPA does recognize that OPA-MCE determination is not binding on any other organization authorized under ORC 4732.141 to approve MCE courses for Ohio psychologists or school psychologists. In conformance with this contract and ORC 4732, OPA-MCE will

record as acceptable all cumulative MCE credits for programs and courses acceptably approved by such other authorized approving organizations, even if such courses have been denied approval by OPA-MCE.

FEE STRUCTURE FOR APPROVAL OF PROVIDERS AND PROGRAMS/COURSES

PROVIDERS

The two-year registration fees for providers are follows: (Note: Providers may pay these fees in annual installments).

1. \$100.00 One-Course Provider Registration Fee
2. \$900.00 Provider Fee for up to 20 courses
3. \$700.00 501 c 3 Provider Registration Fee for up to 20 courses

Additional Fee Schedule for over 20 courses:

<u>Number of Courses</u>	<u>Additional Fee</u>	
21-40	\$200	\$200
41-60	\$200	\$400
61-80	\$200	\$600
81-100	\$200	\$800
101-120	\$200	\$1000
121-140	\$200	\$1200
141-160	\$200	\$1400
161-180	\$200	\$1600
181-200	\$200	\$1800
201+	\$200	\$2000

\$50.00/month up to 90 days; \$100.00/month past 90 days for failure to submit both the completed Course Notification Form and the Attendance Sheet within 45 days from course completion date.

Organizations paying the \$700/\$900 application fee in full will receive a 5% discount on the application fee (\$665/\$855 respectively). Organizations making two equal payments of \$350/\$450 will pay the first payment at the time of application and the second payment by September 1, 2016.

One-course providers must pay the \$100.00 in full at the time of application.

PSYCHOLOGISTS

\$50.00	Per course or program approval requested by an individual psychologist who is not a member of OPA
\$125.00	OPA Member Psychologist Registration
\$165.00	Non-OPA Member Psychologist Registration
\$5.00	Fee for additional written copies of transcripts from OPA
\$25.00	Late fee for registration after 12/1/16 or three months after licensure or reinstatement
\$45.00	Late fee for registration after 3/1/17 or six months after licensure or reinstatement

\$65.00	Late fee for registration after 6/1/17 or nine months after licensure or reinstatement
\$85.00	Late fee for registration after 9/1/17 or twelve months after licensure or reinstatement
\$115.00	Late fee for registration after 12/1/17 or fifteen months after licensure or reinstatement
\$160.00	Late fee for registration after 3/1/18 or eighteen months after licensure or reinstatement
\$210.00	Late fee for registration after 6/1/18 or twenty-two months after licensure or reinstatement
\$310.00	Late fee for registration after 8/1/18 or twenty-four months after licensure or reinstatement

**SUMMARY OF OAC 4732-2-01(C) (9):
MCE AND RENEWAL REQUIREMENTS BY DATE OF LICENSURE**

Persons licensed by the Board prior to October 1, 2016 shall be required to renew the license during the 2018-20 biennium and shall evidence completion of 23 hours of MCE (4 ethics) by August 31, 2018.

Persons licensed by the Board between October 1, 2016 and September 30, 2017 shall be required to renew the license during the 2018-2020 registration period and shall evidence completion of 13 hours of MCE (4 ethics) by August 31, 2018.

Persons licensed between October 1, 2017 and December 31, 2017 are exempt from completion of any MCE for that first renewal period but are required to renew the license during the 2018 license registration period.

Persons licensed after January 1, 2018 but before September 30, 2018 are first scheduled to register their license during the 2020 registration period, at which time 23 hours (4 ethics) are required, or whatever number of hours is specified in ORC 4732.