

1 21 NCAC 54 .1606 is proposed for readoption as follows:

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3 **21 NCAC 54 .1606 WAIVER OF COMPLIANCE WITH RULES**

4 The Board may, for good reason, in its discretion, waive compliance with any of its rules except where to do so would
5 be contrary to statute or applicable regulations of other agencies.

6

7 *History Note: Authority G.S. 90-270.9;*

8 *Eff. August 1, 1984;*

9 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3,*

10 *~~2017.~~ 2017;*

11 *Readopted April 1, 2020.*

1 21 NCAC 54 .1607 is proposed for re adoption as follows:

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3 **21 NCAC 54 .1607 DELEGATION OF AUTHORITY**

4 The Board or its chairperson may, at any time, delegate to the executive director, or other employee or agent of the
5 Board, such duties and responsibilities as may, in the discretion of the Board or chairperson, be desirable, other than
6 substantive policy-making, regulatory, or administrative duties and responsibilities.

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8 *History Note: Authority G.S. 90-270.8; 90-270.9;*

9 *Eff. August 1, ~~1984~~, 1984;*

10 *Readopted April 1, 2020.*

1 21 NCAC 54 .1608 is proposed for readoption as follows:

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3 **21 NCAC 54 .1608 ETHICAL VIOLATIONS**

4 The Board shall use those policies, publications, guidelines, and casebooks developed by the American Psychological
5 Association in determining whether violations of the Ethical Principles of Psychologists have occurred. In addition,
6 publications, guidelines, policies, and statements provided by the Association of State and Provincial Psychology
7 Boards, the National Association of School Psychologists, and other relevant professional associations and bodies
8 may be used in interpreting the Ethical Principles of Psychologists.

9

10 *History Note: Authority G.S. 90-270.9; 90-270.15(a)(10);*

11 *Eff. January 1, 1986;*

12 *Amended Eff. May 1, 1996; September 1, ~~1988~~ 1988;*

13 *Readopted April 1, 2020.*

1 21 NCAC 54 .1609 is proposed for readoption as follows:

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3 **21 NCAC 54 .1609 TERMINATION OF PRACTICE**

4 A licensee whose license is suspended or revoked, an applicant who is notified that he or she has failed an examination
5 for the second time, an applicant who is notified that licensure is denied, or an applicant who discontinues the
6 application process at any point, including failure to complete the process within the stipulated time period, must
7 terminate the practice of psychology within a two week period and confirm such termination in writing to the Board.

8

9 *History Note: Filed as a Temporary Adoption Eff. December 1, 1993, for a Period of 180 Days or until the*
10 *permanent rule becomes effective whichever is sooner;*

11 *Authority G.S. 90-270.4(h); 90-270.9;*

12 *Eff. April 1, ~~1994~~. 1994;*

13 *Readopted April 1, 2020.*

14

1 21 NCAC 54 .1613 is proposed for adoption as follows:
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3 **21 NCAC 54 .1613 DEFINITIONS OF DISCIPLINARY ACTION**

4 The Board may issue written forms of discipline in cases in which a psychologist violates one or more provisions of
5 the North Carolina Psychology Practice Act, Board rules, or the American Psychological Association's Ethical
6 Principles of Psychologists and Code of Code as follows:

7 (1) A reprimand, when the psychologist has caused harm or the potential for harm to a client, any
8 member of the public, or to the profession as a whole; and

9 (2) A censure, when a psychologist has caused significant harm or the potential for significant harm to
10 a client, any member of the public, or to the profession as a whole.

11
12 *History Note:* Authority G.S. 90-270.15(b);

13 Eff. April 1, 2020.
14

1 21 NCAC 54 .2102 is proposed for readoption as follows:

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3 **21 NCAC 54 .2102 SECOND NOTICE**

4 After the renewal date has passed, a second notice is sent to each delinquent licensee, advising that the renewal fee
5 with the late fee is due and that non-payment of these fees will result in the automatic suspension of the license.

6

7 *History Note: Authority G.S. 90-270.9; 90-270.14(1); 90-270.15(b); 150B-11(1);*

8 *Eff. September 1, ~~1982~~ 1982;*

9 *Readopted April 1, 2020.*

10

1 21 NCAC 54 .2203 is proposed for re adoption with as follows:

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3 **21 NCAC 54 .2203 RENEWAL OF CERTIFICATE OF REGISTRATION**

4 An application for renewal shall be sent to each registered professional corporation and professional limited liability
5 company prior to January 1. The Board shall renew the certificate of registration upon receipt of the completed written
6 application of the holder and the renewal fee.

7

8 *History Note: Authority G.S. 55B-11; 57C-2-01(c); 90-270.9;*

9 *Eff. September 1, 1982;*

10 *Amended Eff. July 1, ~~1996.~~ 1996.*

11 *Readopted April 1, 2020.*

12

1 21 NCAC 54 .2305 is proposed for readoption as follows:

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3 **21 NCAC 54 .2305 WHO SHALL HEAR CONTESTED CASES**

4 All administrative hearings will normally be heard by the Board.

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6 *History Note: Authority G.S. 90-270.9; 150B-40(b); 150B-40(e);*

7 *Eff. August 1, 1984;*

8 *Amended Eff. January 1, ~~1986~~ 1986;*

9 *Readopted April 1, 2020.*

10

1 21 NCAC 54 .2308 is proposed for readoption as follows:

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3 **21 NCAC 54 .2308 DISQUALIFICATION OF BOARD MEMBER**

4 (a) Self-Disqualification of Board Member. If for any reason a Board member determines that personal bias or other
5 factors render him unable to conduct or participate in the hearing and perform all duties in an impartial manner, he
6 shall submit, in writing, to the Board, his disqualification and the reasons.

7 (b) Petition for Disqualification. If for any reason any party in a contested case believes that a Board member is
8 personally biased or otherwise unable to conduct or participate in the hearing and perform all duties in an impartial
9 manner, the party may file a sworn, notarized affidavit with the Board.

10 (c) Contents of Affidavit. The affidavit must state all facts the party deems relevant to the disqualification of a Board
11 member.

12 (d) Timeliness of Affidavit. An affidavit of disqualification will be considered timely if filed at least 10 days before
13 commencement of the hearing. Any other affidavit will be considered timely provided it is filed at the first opportunity
14 after the party becomes aware of the facts which give rise to a reasonable belief that a Board member may be
15 disqualified under this Rule.

16 (e) Procedure for Determining Disqualification.

17 (1) The chairperson of the Board may appoint a member of the Board to investigate the allegations of
18 the affidavit and report his findings and recommendations to the Board.

19 (2) The Board, with the advice of such assistants as it deems appropriate, shall decide whether to
20 disqualify the challenged individual.

21 (3) The person whose disqualification is to be determined will not participate in the decision but will
22 have the right to furnish information to the Board.

23 (4) A record of proceedings and the reasons for decisions reached will be maintained as part of the
24 contested case.

25 (f) Disqualification or withdrawal of a Board member because of personal bias or otherwise will not require the
26 hearing to be postponed unless a quorum is not available or the Board member disqualified is the presiding officer
27 and assignment of a new presiding officer would cause substantial prejudice to any party.

28
29 *History Note: Authority G.S. 90-270.9; 150B-40(b);*

30 *Eff. August 1, 1984;*

31 *Amended Eff. March 1, 1989; January 1, ~~1986~~ 1986;*

32 *Readopted April 1, 2020.*

33

1 21 NCAC 54 .2309 is proposed for re adoption as follows:

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3 **21 NCAC 54 .2309 FAILURE TO APPEAR**

4 (a) Should a party fail to appear at a scheduled hearing, the Board may proceed with the hearing in the party's absence,
5 order a continuance or recess, or dismiss the proceeding.

6 (b) Continuances will be granted only in compelling circumstances. Usually only one such postponement will be
7 allowed.

8 (c) If a hearing is conducted or a decision is reached in an administrative hearing in the absence of a party, or if a
9 proceeding is dismissed as to a party, that a party may file a written petition with the Board for a reopening of the
10 case.

11 (d) Petitions for reopening a case will not be granted except when the petitioner can show that the reasons for his
12 failure to appear were justifiable and unavoidable and that fairness requires reopening the case.

13

14 *History Note: Authority G.S. 90-270.9; 150B-40(a);*

15 *Eff. August 1, 1984;*

16 *Amended Eff. March 1, 1989; January 1, ~~1986~~ 1986;*

17 *Readopted April 1, 2020.*

18

1 21 NCAC 54 .2311 is proposed for readoption as follows:

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3 **21 NCAC 54 .2311 SUBPOENAS**

4 (a) Subpoenas requiring the attendance of witnesses, or those to produce documents, evidence, or things will be issued
5 by the member of the Board designated as presiding officer promptly following receipt of a request from a party to
6 the case for such subpoena.

7 (b) Subpoenas shall be served (in any manner provided by law) as the officer issuing the subpoena shall direct and as
8 may be appropriate to the circumstances of the case. Subpoenas shall be issued in duplicate, with a "Return of Service"
9 form completed and returned to the presiding officer or the Board office.

10 (c) Any person receiving a subpoena from the Board may object thereto by filing a written objection to the subpoena
11 with the Board at its office. Such objection must be filed within five days of receipt of the subpoena or two days prior
12 to the date on which the subpoena provides for testimony to be taken or documents to be produced, whichever shall
13 be sooner.

14 (d) Such objection will include a concise, but complete, statement of reasons why the subpoena should be revoked or
15 modified. These reasons may include lack of relevancy of the evidence sought, lack of particularity in the description
16 of the evidence sought, or any other reason sufficient in law for holding the subpoena invalid, such as that the evidence
17 is privileged, that appearance or production would be so disruptive as to be unreasonable in light of the significance
18 of the evidence sought, or other undue hardships.

19 (e) Any such objection to a subpoena must be served on the party who requested the subpoena simultaneously with
20 the filing of the objection with the Board.

21 (f) The party who requested the subpoena, in such time as may be granted by the presiding officer, may file a written
22 response to the objection. The written response shall be served by the requesting party on the objecting witness
23 simultaneously with filing the response with the Board.

24 (g) After receipt of the objection and response thereto, if any, the Board or the presiding officer shall issue a notice
25 to the party who requested the subpoena and the party who is challenging it, and may notify all other parties, of an
26 open hearing, to be scheduled as soon as practicable, at which time evidence and testimony may be presented, limited
27 to the narrow questions raised by the objection and response, if any.

28 (h) Promptly after the close of such hearing, the Board will rule on the challenge and issue a written decision. A copy
29 of the decision will be issued to all parties and made a part of the record.

30 (i) Subpoenas shall contain: the caption of the case; the name and address of the person subpoenaed; the date, hour
31 and location of the hearing in which the witness is commanded to appear; a particularized description of the books,
32 papers, records or objects the witness is directed to bring with him to the hearing, if any; the identity of the party on
33 whose application the subpoena issued; the date of issue; the manuscript signature of the presiding officer; and a
34 "Return of Service." The "Return of Service" form, as filled out, shows the name and capacity of the person serving
35 the subpoena, the date on which the subpoena was delivered to the person directed to make service, the date on which
36 service was made, the person on whom service was made, the location and manner in which service was made, and
37 the manuscript signature of the person making service.

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2 *History Note:* Authority G.S. 90-270.9; 150B-39(c);

3 *Eff. August 1, 1984;*

4 *Amended Eff. March 1, 1989; January 1, ~~1986~~ 1986;*

5 *Readopted April 1, 2020.*

1 21 NCAC 54 .2314 is proposed for readoption as follows:

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3 **21 NCAC 54 .2314 PRESIDING OFFICER**

4 Prior to designation of a presiding officer by the Board, or if the presiding officer is unavailable or disqualifies himself,
5 the chairperson of the Board shall act as presiding officer for purposes of issuing subpoenas, ordering the production
6 of records, responding to motions for continuances or extensions of time, controlling and ruling on issues surrounding
7 discovery, and otherwise acting on matters arising in connection with a pending hearing.

8

9 *History Note: Authority G.S. 90-270.9; 150B-40(b),(c);*

10 *Eff. January 1, ~~1986~~. 1986;*

11 *Readopted April 1, 2020.*

12

1 21 NCAC 54 .2401 is proposed for readoption as follows:

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3 **21 NCAC 54 .2401 PETITION FOR RULEMAKING HEARINGS**

4 Any person wishing to submit a petition requesting the adoption, amendment or repeal of a rule by the Board shall
5 address a petition to the Board. The petition should include the following information:

- 6 (1) an indication of the subject area to which the petition is directed (for example: "This is a petition to
7 conduct rulemaking to amend Section 21 NCAC 54 .2200 pertaining to Professional Corporation");
8 (2) either a draft of the proposed rule or a summary of its contents;
9 (3) reasons for the proposal;
10 (4) the effect on existing rules;
11 (5) any data supporting the proposal;
12 (6) effect of the proposed rule on existing practices in the area involved, including cost factors if
13 available;
14 (7) names of those most likely to be affected by the proposed rule, with addresses if reasonably known;
15 and
16 (8) name(s) and address(es) of petitioner(s).

17

18 *History Note: Authority G.S. 90-270.9; 150B-11(1); 150B-16;*
19 *Eff. June 1, 1988;*
20 *Amended Eff. March 1, ~~1989~~ 1989;*
21 *Readopted April 1, 2020.*

22

1 21 NCAC 54 .2402 is proposed for re adoption as follows:

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3 **21 NCAC 54 .2402 DISPOSITION OF PETITION**

4 (a) The Board shall determine whether to grant the petitioner's request. Prior to making this determination, the Board's
5 chairperson or his/her designee may request additional information from the petitioner(s), may contact interested
6 persons likely to be affected by the proposed rule and request comments, or may use any other appropriate method for
7 obtaining relevant information. The chairperson or designee shall consider all of the contents of the petition submitted
8 plus any other information obtained by the means described herein.

9 (b) The chairperson or designee shall recommend to the Board either the institution of rulemaking proceedings or the
10 denial of the petition, as the total information obtained suggests to be proper and in the public interest.

11

12 *History Note: Authority G.S. 90-270.9; 150B-16;*

13 *Eff. June 1, ~~1988~~. 1988;*

14 *Readopted April 1, 2020.*

15

1 21 NCAC 54 .2601 is proposed for readoption as follows:

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3 **21 NCAC 54 .2601 REQUEST FOR DECLARATORY RULING**

4 (a) All requests for declaratory rulings shall be written and mailed to the North Carolina State Board of Examiners of
5 Practicing Psychologists at the address shown in Rule .1602 of this Chapter.

6 (b) Each Request for Declaratory Ruling must include the following information:

7 (1) name and address of the persons requesting the ruling;

8 (2) the statute or rule to which the request relates;

9 (3) a concise statement of the manner in which the requesting person is aggrieved by the rule or statute
10 or its potential application to him/her; and

11 (4) a statement whether an oral hearing is desired and, if so, the reason therefor.

12

13 *History Note: Authority G.S. 90-270.9; 150B-11(1); 150B-17;*

14 *Eff. June 1, ~~1988~~, 1988;*

15 *Readopted April 1, 2020.*

16

1 21 NCAC 54 .2801 is proposed for re adoption as follows:

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3 **21 NCAC 54 .2801 SCOPE**

4 (a) Pursuant to G.S. 90-270.21, licensed psychologists (provisional and permanent), licensed psychological
5 associates, or temporary licensees, all of whom shall be identified as "psychologists" under G.S. 90-270.2(9), may
6 employ or supervise unlicensed individuals to provide ancillary services. The psychologist shall, at all times, retain
7 full professional responsibility for the quality of the services rendered and for the effects of the services upon the
8 client, patient, or other individuals. This responsibility for the quality of services delivered by supervisees and for the
9 welfare of the client or patient shall be no different than if the psychologist had provided the services in person. The
10 psychologist shall have had face-to-face contact during the course of services with all patients, clients, or other
11 recipients of services who are provided ancillary services by unlicensed persons as part of the psychologist's services.

12 (b) Ancillary services shall be considered to be only those activities which an individual shall engage in for the
13 purpose of providing assistance to a psychologist in providing psychological services to patients, clients, and their
14 families. Not included as ancillary services are those clerical and administrative services which are not directly related
15 to assisting a psychologist in the provision of psychological services.

16 (c) Failure of any psychologist to train ancillary services personnel, to ensure that training has occurred, or to supervise
17 ancillary services personnel may subject that psychologist to disciplinary action pursuant to G.S. 90-270.15(a).

18 (d) The Board shall have the authority to restrict or revoke a psychologist's privilege to utilize unlicensed individuals
19 to provide ancillary services for the following reasons:

- 20 (1) evidence that the psychologist is not competent to supervise ancillary services personnel;
21 (2) evidence that the psychologist has failed to adhere to legal or ethical standards;
22 (3) evidence that there is a lack of congruence between the psychologist's training, experience, and area
23 of practice and the ancillary services personnel's area(s) of practice;
24 (4) evidence that the psychologist has a license against which disciplinary or remedial action has been
25 taken; or
26 (5) evidence that an unlicensed person in the psychologist's employment or under the psychologist's
27 supervision has violated any provision of G.S. 90-270.15(a), which would otherwise apply to
28 licensed individuals.

29
30 *History Note: Authority G.S. 90-270.9; 90-270.21;*

31 *Eff. April 1, ~~2003~~, 2003;*

32 *Readopted April 1, 2020.*

1 21 NCAC 54 .2802 is proposed for re adoption as follows:

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3 **21 NCAC 54 .2802 TITLES**

4 Titles of individuals providing ancillary services shall not indicate either that these individuals are licensed or trained
5 in psychology or that the individuals are providing services defined as the practice of psychology in G.S. 90-270.2(8).

6 Unlicensed individuals providing ancillary services shall not use any title incorporating the words "assessment,"
7 "associate," "clinical," "counseling," "diagnostic," "evaluation," "examiner," "psychologic," "psychological,"
8 "psychologist," "psychology," or derivatives of such. Examples of titles that unlicensed individuals may use include
9 "aide," "assistant," "behavioral," "testing," "technician," "psychometrist," or derivatives of these titles.

10

11 *History Note: Authority G.S. 90-270.9; 90-270.21;*

12 *Eff. April 1, ~~2003~~. 2003;*

13 *Readopted April 1, 2020.*

1 21 NCAC 54 .2803 is proposed for re adoption as follows:

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3 **21 NCAC 54 .2803 EMPLOYMENT AND SUPERVISION OF UNLICENSED INDIVIDUALS**

4 (a) Any psychologist who employs or supervises unlicensed individuals who provide ancillary services as specified
5 in Rule .2801 of this Section shall maintain documentation of the relationship between the psychologist and the
6 unlicensed individual beginning with the date upon which the relationship is initiated. Written documentation that
7 includes the responsibilities of both parties shall be maintained by the licensee. Except when prevented from doing
8 so by circumstances beyond the psychologist's control, the psychologist shall maintain documentation of the
9 relationship with the unlicensed individual for a minimum of seven years after the termination of the relationship and
10 shall present the documentation to the Board upon written request. If the unlicensed individual is supervised by more
11 than one psychologist, there shall be a psychologist appointed to have primary responsibility for the coordination of
12 and provision of ancillary services by the unlicensed individual. The appointed psychologist shall have responsibility
13 for clinical record keeping with regard to the ancillary services provided by the unlicensed individual. Any
14 psychologist supervising or employing persons who provide ancillary services shall not submit records regarding
15 ancillary services personnel to the Board unless ordered to do so pursuant to G.S. 90-270.9.

16 (b) The psychologist shall be competent to render all ancillary services specified in Rule .2801 of this Section that
17 the employee or supervisee shall render. However, supervision may be delegated to other psychologists affiliated
18 with the employment setting whose competence in the delegated areas has been demonstrated by previous education,
19 training, and experience.

20 (c) Any psychologist who employs or supervises individuals to provide ancillary services shall be accessible at all
21 times, either on-site or through electronic communication, and shall be available to render assistance when needed to
22 the unlicensed individual and patient or client, or shall have arranged for another psychologist to be accessible and
23 available in the absence of the supervising psychologist. Psychologists shall meet with all unlicensed individuals
24 whom they supervise to the extent necessary to provide supervision for the activities in which the unlicensed individual
25 is engaged. The psychologist shall maintain documentation of supervisory sessions, including dates, appointment
26 times, and length of time of each supervision session, for a period of at least seven years following the termination of
27 ancillary services by ancillary services personnel.

28
29 *History Note: Authority G.S. 90-270.9; 90-270.21;*

30 *Eff. April 1, ~~2003~~; 2003;*

31 *Readopted April 1, 2020.*

1 21 NCAC 54 .2804 is proposed for re adoption as follows:

2

3 **21 NCAC 54 .2804 QUALIFICATIONS AND TRAINING**

4 (a) Prior to the provision of ancillary services by an unlicensed individual, the psychologist supervising or employing
5 the individual shall provide training in and establish that the individual has knowledge and understanding of legal and
6 ethical requirements for maintaining confidentiality, exceptions to confidentiality including mandated reporting of
7 suspected abuse or neglect, and professional ethics, and shall ensure that documentation is maintained in writing that
8 the individual is trained in the aforementioned areas. Documentation of training shall include the date(s) on which
9 training occurred, the purpose of the training, the identity of the individual(s) providing the training, and the total
10 number of hours of training for each date on which the training occurred. Training in professional ethics shall include
11 applicable areas of the Code of Conduct contained in the North Carolina Psychology Practice Act at G.S. 90-270.15(a).
12 Documentation of qualifications and training that occurred prior to the effective date of this Rule shall not be required
13 for ancillary services personnel who were employed prior to the effective date of this Rule and who continue in the
14 same ancillary services position with the same agency or practice. Training occurring for any ancillary services
15 personnel after the effective date of this Rule shall be documented as described in this Rule.

16 (b) Any psychologist supervising or employing an unlicensed individual to provide ancillary services shall provide
17 instruction in and establish that the individual shall have received training sufficient to perform the activities delegated
18 to the unlicensed individual, or otherwise shall ensure that documentation is maintained in writing that the individual
19 is trained to perform the activities. The psychologist shall maintain documentation of the employee's or supervisee's
20 training for at least seven years following the termination of ancillary services by ancillary services personnel.

21 (c) A psychologist shall not employ or supervise individuals to provide ancillary services who have previously been
22 licensed or certified to practice psychology who have relinquished their licenses or certification or who have had their
23 licenses or certification restricted, suspended, or revoked by the Board in North Carolina or any other jurisdiction.

24

25 *History Note: Authority G.S. 90-270.9; 90-270.21;*

26 *Eff. April 1, ~~2003~~, 2003;*

27 *Readopted April 1, 2020.*

1 21 NCAC 54 .2805 is proposed for readoption as follows:

2
3 **21 NCAC 54 .2805 SERVICES APPROPRIATE FOR ANCILLARY SERVICES PERSONNEL**

4 (a) Clerical functions requiring a minimum of judgment are appropriate activities in which unlicensed individuals
5 may engage. Examples of these activities include responding to telephone inquiries, scheduling appointments, filing
6 insurance claims, typing psychological reports, and completing data entry of test results after a patient or client has
7 responded to such items as questionnaires, forms, etc. These activities shall be appropriate for ancillary services
8 personnel to provide under the supervision of a psychologist. A psychologist who employs or supervises unlicensed
9 individuals to provide only the services described in this Paragraph shall otherwise be exempt from the requirements
10 of Rule .2803, Paragraph (a) of this Section as to these unlicensed individuals.

11 (b) Tasks requiring technical skills, training and judgment during execution are appropriate activities in which
12 unlicensed individuals may engage. Examples of these activities include obtaining demographic histories;
13 implementing biofeedback techniques; administering and scoring specific parts of psychological tests, including
14 neuropsychological tests, which are scored on a pass/fail, multiple choice, or true/false basis, or for which scores are
15 based on speed or quantity of performance; administering intelligence tests and other psychological tests to an
16 individual in which the patient or client's performance may alter the length of the protocol, require adjustment of the
17 number of items administered, or require that a decision be made to probe a response of the patient or client provided
18 that ancillary services personnel have been deemed by the licensee to have met the training requirements of the test
19 publisher; and implementing specific behavioral interventions that are part of a detailed treatment plan. A
20 psychologist may delegate such technical tasks to an unlicensed individual upon determining that the tasks can be
21 performed, given the client or patient's characteristics and circumstances, in a manner consistent with the unlicensed
22 individual's training and skills. A psychologist who employs or supervises unlicensed individuals to provide the
23 services described in this Paragraph shall comply with documentation and supervision requirements specified in Rule
24 .2803 of this Section.

25 (c) Pursuant to G.S. 90-270.15(a)(17), a dated entry shall be made in the patient or client's records at any time that an
26 ancillary service is provided at the request or direction of the licensee. This requirement shall include all ancillary
27 services provided and billed to a third party or paid by the patient or client to the licensee and all ancillary services for
28 which there is no charge. Unlicensed individuals providing ancillary services who make clinical record entries
29 regarding services they provide shall sign such entries and indicate their titles under Rule .2802 of this Section as
30 providers of ancillary services. The psychologist shall ensure that case notes, financial statements, and other records
31 of services identify whether the psychologist or the unlicensed individual was the direct provider of the service.

32
33 *History Note: Authority G.S. 90-270.9; 90-270.21;*
34 *Eff. April 1, ~~2003~~; 2003;*
35 *Readopted April 1, 2020.*

1 21 NCAC 54 .2806 is proposed for re adoption as follows:

2

3 **21 NCAC 54 .2806 SERVICES NOT APPROPRIATE FOR UNLICENSED INDIVIDUALS**

4 Individuals providing ancillary services shall not engage in tasks involving judgment during the execution of those
5 services when training in the foundation of psychology for the level of judgment is characteristically based on
6 academic preparation at the master's, specialist, or doctoral level in psychology. Examples of these activities include
7 administration of projective techniques; psychological evaluation report writing; and all forms of diagnostic
8 interviewing, counseling, and psychotherapy. Psychological test results shall not, under any circumstances, be
9 interpreted by ancillary services personnel to recipients of services or their duly designated representative(s).

10

11 *History Note: Authority G.S. 90-270.9; 90-270.21;*

12 *Eff. April 1, ~~2003~~. 2003;*

13 *Readopted April 1, 2020.*

14