



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

BILL



ANALYSIS

Telephone: (517) 373-5383
Fax: (517) 373-1986

Senate Bill 880 (as enacted)
Sponsor: Senator Vincent Gregory
Senate Committee: Health Policy
House Committee: Health Policy

PUBLIC ACT 385 of 2014

Date Completed: 7-2-15

RATIONALE

The Public Health Code establishes requirements for an individual to receive a license from the Michigan Board of Psychology. Except as provided for a limited license, an individual must have been granted a doctoral degree in psychology or a closely related field from a regionally accredited or other college, university, or institution approved by the Board. Under an administrative rule that took effect on August 1, 2011 (R 388.2511(4)), the doctoral program must have been accredited by the American Psychological Association (APA) or the Canadian Psychological Association (CPA), or have obtained a shared designation by the National Register of Health Service Providers in Psychology and the Association of State and Provincial Psychology Boards (ASPPB).

In Michigan, before the rule took effect, a number of programs had been accredited by the APA or obtained the National Register/ASPPB designation, or both. These programs did not include the Michigan School of Professional Psychology (MiSPP) in Farmington Hills, which was preparing to apply for APA accreditation when the rule was promulgated. Evidently, the application process takes on average 18 months, which would not have given MiSPP time to complete the process and become accredited before the rule's effective date. Some people raised a concern that, in the meantime, prospective students would apply elsewhere. In response to the school's unique situation, Public Act 121 of 2010 created an exception to the new requirement for a school that was in the process of obtaining accreditation or designation before August 1, 2011, and did so by August 31, 2015.

With the extension in place, MiSPP continued to pursue accreditation as required. As school officials got further into the application process, however, they learned that the APA requires seven years of data from a school in order to grant accreditation, making it impossible for MiSPP to meet the August 31, 2015, deadline. It was suggested that another extension be granted to give the school sufficient time to compile and submit the required data.

CONTENT

The bill amended Part 182 (Psychology) of the Public Health Code to delay from August 31, 2015, until August 31, 2020, the deadline by which a doctoral degree program must achieve National Register designation or APA accreditation in order for an individual holding a degree from the program to be licensed.

The Code requires the promulgation of rules requiring an individual to meet both of the following requirements in order to be licensed under Part 182:

- Have been granted a doctoral degree in psychology or a closely related field from a doctoral degree program that is offered by a regionally accredited or other college, university, or institution approved by the Michigan Board of Psychology, which program included education and training appropriate to the practice of psychology.

- Have at least one year of postdoctoral experience in the practice of psychology in an organized health care setting or other arrangement, as established by the Board.

In addition to being offered by a regionally accredited or other college, university, or institution approved by the Board, the doctoral program must have obtained the ASPPB/National Register of Health Services Providers in Psychology designation, have been accredited by the American Psychological Association or the Canadian Psychological Association, or have obtained a similar designation from or been accredited by an entity approved by the Board. Under the bill, a program that was in the process of obtaining the designation or becoming accredited before August 1, 2011 (the date the requirement took effect) and that obtains the designation or becomes accredited on or before August 31, 2020, meets this requirement. Previously, the deadline was August 31, 2015.

Also, the bill requires the Department of Licensing and Regulatory Affairs, in consultation with the Board, to promulgate the rules. Previously, the Board was required to do so.

The bill took effect on December 18, 2014.

MCL 333.18223

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

Originally named the Center for Humanistic Studies, the Michigan School of Professional Psychology was founded in the 1980-1981 academic year. The school was granted accreditation by the North Central Association the following year, and the accreditation was extended to the school's doctoral program when it began in 2000. Apparently, after the Michigan Board of Psychology promulgated its rule requiring a program to have national accreditation or designation, with a June 2009 implementation date, the school began the process of preparing to apply for APA accreditation. When it became evident that the school could not meet the original implementation date, it sought an extension until July 2012. The Board extended the implementation date to August 1, 2011.

The APA accreditation process is very complex, and begins when a program submits a "self-study". According to the APA website, the process takes on average about 18 months after a program submits a self-study until the Commission makes a decision. The process may take longer, as the Commission can defer making a decision in order to request additional information from the program.

A program may submit a self-study at one of three times during the year. If MiSPP had been able to meet the fall 2010 deadline, the earliest that its program could have been accredited would have been the spring of 2012, based on the 18-month average timeline. This made it virtually impossible for the school to meet the August 1, 2011, deadline in the administrative rule. Legislation remedied this situation by codifying the rule's requirement for national accreditation or designation by August 1, 2011, but also providing for a school to be considered in compliance if it was in the process of becoming accredited by that date, and became accredited within the following four years. As a result, students who received a doctoral degree from the school after August 1, 2011, and before accreditation was granted would qualify for a license from the Michigan Board of Psychology.

The unanticipated need for seven years' worth of student data, however, further pushed back the date by which it will be possible for MiSPP to obtain accreditation. The school has made the necessary efforts to comply with the accreditation rule since its promulgation, but could not meet the previous deadline due to the lengthy process involved. If the deadline had not been extended, current students who wish to someday achieve full licensure and practice without supervision would have had to transfer to other programs, most likely losing credits in the process. Such a delay

could have caused problems for those who took out loans to finance their education, making it difficult for them to complete their degree. Furthermore, prospective students might have been discouraged from attending the school.

Under these circumstances, it was considered appropriate to grant another extension to give the school time to obtain accreditation by the APA.

Response: The Michigan Board of Psychology promulgated the accreditation rule in the first place to ensure that graduates of doctoral programs are adequately prepared to practice psychology. Evidently, MiSPP is the only school in the State that has not yet obtained the required accreditation, despite the two extensions previously granted. With the additional delay under the bill, the school now has 11 years beyond the original 2009 implementation date of the rule to become accredited.

Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

The bill will have no fiscal impact on State or local government.

Fiscal Analyst: Josh Sefton

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.