

## ADMINISTRATIVE RULES

### Fiscal Estimate & Economic Impact Analysis

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1. Type of Estimate and Analysis

☒ Original   ☐ Updated   ☐ Corrected

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2. Administrative Rule Chapter, Title and Number

Psy 5

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3. Subject

Unprofessional conduct

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4. Fund Sources Affected

☐ GPR   ☐ FED   ☒ PRO   ☐ PRS   ☐ SEG   ☐ SEG-S

5. Chapter 20, Stats. Appropriations Affected

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6. Fiscal Effect of Implementing the Rule

<input checked="" type="checkbox"/> No Fiscal Effect	<input type="checkbox"/> Increase Existing Revenues	<input type="checkbox"/> Increase Costs
<input type="checkbox"/> Indeterminate	<input type="checkbox"/> Decrease Existing Revenues	<input type="checkbox"/> Could Absorb Within Agency's Budget
		<input type="checkbox"/> Decrease Cost

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7. The Rule Will Impact the Following (Check All That Apply)

<input type="checkbox"/> State's Economy	<input type="checkbox"/> Specific Businesses/Sectors
<input type="checkbox"/> Local Government Units	<input type="checkbox"/> Public Utility Rate Payers
	<input type="checkbox"/> Small Businesses (if checked, complete Attachment A)

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8. Would Implementation and Compliance Costs Be Greater Than \$20 million?

☐ Yes   ☒ No

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9. Policy Problem Addressed by the Rule

The rule updates the unprofessional conduct chapter to reflect current practice. This chapter has not had a comprehensive review and update in the last 10 years.

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10. Summary of the businesses, business sectors, associations representing business, local governmental units, and individuals that may be affected by the proposed rule that were contacted for comments.

This rule was posted for economic comments and none were received.

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11. Identify the local governmental units that participated in the development of this EIA.

None

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12. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)

This rule will not have any economic or fiscal impact on specific businesses, business sectors, public utility rate payers, local governmental units or the State's economy as a whole.

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13. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

The benefit of implementing the rule is to have clear and current unprofessional conduct standards.

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14. Long Range Implications of Implementing the Rule

The long range implication is current unprofessional conduct standards.

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15. Compare With Approaches Being Used by Federal Government

None

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16. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

**Illinois:** Illinois defines unprofessional conduct. Illinois provisions which relate to this updated rule include: failure to provide techniques or procedures used in professional activities to the board upon request; and impersonating another person holding a license.

**Iowa:** Iowa defines unprofessional conduct. Iowa provisions which relate to this updated rule include: failure to conform to the minimal standard of acceptable and prevailing practice; failure to respond to the board within

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30 days of communication from the board; violation of any law or rule of Iowa or another state; and failure to notify the board of discipline by other jurisdictions.

**Michigan:** Michigan defines unprofessional conduct. Michigan provision which relates to this updated rule include: prohibiting engaging in a multiple relationship when there is a reasonable risk of harm or exploitation.

**Minnesota:** Minnesota defines unprofessional conduct. Minnesota provisions which relate to this updated rule include: failure to provide competent provision of services; safeguarding the private information obtained in the course of the practice of psychology; and prohibit engaging in situations involving impaired objectivity or effectiveness. Minnesota does have a list of required elements to be maintained in a psychology patient record.

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17. Contact Name

Sharon Henes

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18. Contact Phone Number

(608) 261-2377

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**ADMINISTRATIVE RULES**  
**Fiscal Estimate & Economic Impact Analysis**

**ATTACHMENT A**

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1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

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2. Summary of the data sources used to measure the Rule's impact on Small Businesses

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3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- ☐ Less Stringent Compliance or Reporting Requirements  
☐ Less Stringent Schedules or Deadlines for Compliance or Reporting  
☐ Consolidation or Simplification of Reporting Requirements  
☐ Establishment of performance standards in lieu of Design or Operational Standards  
☐ Exemption of Small Businesses from some or all requirements  
☐ Other, describe:

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4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

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5. Describe the Rule's Enforcement Provisions

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6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

☐ Yes   ☐ No

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