

CHAPTER 455

PSYCHOLOGY EXAMINING BOARD

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Cross-reference: See also *Psy*, Wis. adm. code.

455.01 Definitions. In this chapter:

(2) “Doctoral degree in psychology” means a doctoral degree in a study which involves the application of principles of the practice of psychology. A doctoral degree granted as the result of study involving one or more of the areas of psychological practice recognized by the American psychological association or in any other field recognized by the examining board shall be considered a doctoral degree in psychology.

(3) “Examining board” means the psychology examining board.

(3m) “Fee,” when used other than in reference to a fee for a credential, means direct or indirect payment or compensation, monetary or otherwise, including the expectation of payment or compensation whether or not actually received.

NOTE: Sub. (3m) is shown as amended eff. 6–1–21 by 2021 Wis. Act 22. Prior to 6–1–21 it reads:

(3m) “Fee” means direct or indirect payment or compensation, monetary or otherwise, including the expectation of payment or compensation whether or not actually received.

(4) “Licensed psychologist” means a person holding a valid license under s. 455.04 (1).

NOTE: Sub. (4) is repealed eff. 6–1–21 by 2021 Wis. Act 22.

(5) (a) “Practice of psychology” means the observation, description, evaluation, interpretation, prediction, or modification of human behavior by the application of psychological principles, methods, or procedures for any of the following purposes, in exchange for a fee:

1. Preventing, eliminating, evaluating, assessing, or predicting symptomatic, maladaptive, or undesired behavior and promoting adaptive health maintaining behavior or psychological functioning.

2. Assisting in legal decision-making.

(b) “Practice of psychology” includes all of the following if done in exchange for a fee:

1. Psychological testing and the evaluation or assessment of a person’s characteristics, including intelligence; personality; cognitive, physical, or emotional abilities; skills; interests; aptitudes; or neuropsychological functioning.

2. Counseling, consultation, psychoanalysis, psychotherapy, hypnosis, biofeedback, behavior therapy, and applied behavior analysis.

3. The diagnosis, treatment, or management of mental and emotional disorders or disabilities, substance use disorders, disorders of habit or conduct, and the psychological aspects of physical illnesses, accidents, injuries, or disabilities.

4. Psychoeducational evaluation, therapy, or remediation.

5. Consultation with other psychologists, physicians, or other health care professionals and with a patient regarding all available treatment options with respect to the provision of care for a specific patient or client.

6. The supervision of anything specified in subds. 1. to 5.

NOTE: Sub. (5) is shown as repealed and recreated eff. 6–1–21 by 2021 Wis. Act 22. Prior to 6–1–21 it reads:

(5) “Practice of psychology” means rendering to any person for a fee a psychological service involving the application of principles, methods and procedures of understanding, predicting and influencing behavior, such as the principles pertaining to learning, perception, motivation, thinking, emotions and interpersonal relationships; the methods and procedures of interviewing, counseling, psychotherapy, psychoanalysis and biofeedback; and the methods and procedures of constructing, administering and interpreting tests of mental abilities, aptitudes, interests, attitudes, personality characteristics, emotion and motivation. The application of these principles and methods includes, but is not restricted to, all of the following:

- (a) Psychological diagnosis, prevention and treatment of problems in behavioral, vocational, educational, emotional, sexual, neuropsychological and mental disorders.

- (b) Treatment for alcohol and other substance abuse, disorders of habit and conduct, and the psychological and behavioral aspects of physical illness, accident or other disabilities.

- (c) Any other activity authorized by statute or by rules promulgated by the examining board.

(6) “Psychotherapy” means the diagnosis and treatment of mental, emotional, or behavioral disorders, conditions, or addictions through the application of methods derived from established psychological or systemic principles, including for the purpose of assisting individuals with modifying their behaviors, cognitions, emotions, or personality characteristics, or for the purpose of understanding unconscious processes or intrapersonal, interpersonal, or psychosocial dynamics.

NOTE: Sub. (6) is shown as repealed and recreated eff. 6–1–21 by 2021 Wis. Act 22. Prior to 6–1–21 it reads:

(6) “Psychotherapy” means the use of learning, conditioning methods and emotional reactions in a professional relationship to assist persons to modify feelings, attitudes and behaviors which are intellectually, socially or emotionally maladjustive or ineffectual.

(7) (a) A person makes a representation to be a psychologist when the person uses publicly any title or description of services incorporating the words “psychology”, “psychological” or “psychologist”, and when the person makes a declaration to be trained, experienced or an expert in the field of psychology and offers to engage or engages in the practice of psychology for any person for a fee.

(b) Nothing in this chapter restricts the use of the term “social psychologist” by any person who has been graduated with a doctoral degree in sociology or social psychology from an institution whose credits in sociology or social psychology are acceptable by a recognized educational institution, who has passed comprehensive examinations in the field of social psychology as part of the requirements for a doctoral degree or has had equivalent specialized training in social psychology and who has filed with the examining board a statement of the facts demonstrating compliance with this paragraph.

NOTE: Sub. (7) is repealed eff. 6–1–21 by 2021 Wis. Act 22.

History: 1977 c. 192, 273, 418; 1989 a. 243; 1995 a. 188; 2021 a. 22.

455.02 License required to practice; use of titles.

(1m) LICENSE REQUIRED. (a) Except as provided in sub. (2m) and ss. 257.03 and 455.03, no person may engage in the practice of psychology, or attempt to do so or make a representation as authorized to do so, without a license issued by the examining board.

(b) Except as provided in sub. (2m) and ss. 257.03 and 455.03, only an individual licensed under s. 455.04 (1) or (2) may use the title “psychologist” or any similar title or state or imply that he or

she is licensed to practice psychology. Except as provided in sub. (2m) and ss. 257.03 and 455.03, only an individual licensed under s. 455.04 (1) or (2) may represent himself or herself to the public by any description of services incorporating the word “psychological” or “psychology.”

NOTE: Sub. (1m) is shown as affected eff. 6–1–21 by 2021 Wis. Act 22. Prior to 6–1–21 it reads:

(1m) LICENSE REQUIRED TO PRACTICE. Except as provided in s. 257.03, no person may engage in the practice of psychology or the private practice of school psychology, or attempt to do so or make a representation as authorized to do so, without a license issued by the examining board.

(2m) EXCEPTIONS. A license under this chapter is not required for any of the following:

(a) A person lawfully practicing within the scope of a license, permit, registration, certificate or certification granted by this state.

(b) A person providing psychological services as directed, supervised and inspected by a psychologist who has the power to direct, decide and oversee the implementation of the services provided.

(c) The performance of official duties by personnel of any of the armed services or federal health services of the United States.

(d) A person employed in a position as a psychologist or psychological assistant by a regionally accredited higher educational institution, if the person is performing activities that are a part of the duties for which he or she is employed, is performing those activities solely within the confines of or under the jurisdictions of the institution in which he or she is employed, and does not render or offer to render psychological services to the public for a fee over and above the salary that he or she receives for the performance of the official duties with the institution with which he or she is employed. An individual acting under this paragraph may teach the practice of psychology, conduct psychological research, present lectures on the practice of psychology, perform any consultation required by his or her academic or research functions, or provide expert testimony in court related to his or her field of expertise. A person employed in a position under this paragraph may utilize or represent himself or herself by the academic or research title conferred upon him or her by the administration of the laboratory, school, college, or university or use the title “psychology professor” or “academic psychologist.”

NOTE: Par. (d) is shown as amended eff. 6–1–21 by 2021 Wis. Act 22. Prior to 6–1–21 it reads:

(d) A person employed in a position as a psychologist or psychological assistant by an accredited college, junior college or university or other academic or research institution, if the person is performing activities that are a part of the duties for which he or she is employed, is performing those activities solely within the confines of or under the jurisdictions of the institution in which he or she is employed and does not render or offer to render psychological services to the public for a fee over and above the salary that he or she receives for the performance of the official duties with the institution with which he or she is employed. An individual acting under this paragraph may, without obtaining a license under s. 455.04 (1) or (4), disseminate research findings and scientific information to others, such as accredited academic institutions or governmental agencies, or may offer lecture services for a fee.

(e) A person pursuing a course of study leading to a graduate degree in medicine, social work, marriage and family therapy or professional counseling at an accredited college or university while working in a training program, if the person’s activities and services constitute a part of his or her supervised course of study and the person is designated by a title that clearly indicates the training status appropriate to the person’s level of training.

(f) A person providing psychological services as part of a psychology training program, if his or her activities and services constitute a part of the supervised course of study and are performed under the supervision of a psychologist licensed under this chapter and the person does not provide or offer to provide psychological services to the public for a fee over and above the salary that he or she may receive for the performance of the official duties with the employing agency or organization. A person providing services under this paragraph may use the title “psychology student,” “psychology intern,” or “psychology resident.”

NOTE: Par. (f) is shown as repealed and recreated eff. 6–1–21 by 2021 Wis. Act 22. Prior to 6–1–21 it reads:

(f) A graduate student or psychological intern in psychology pursuing a course of study leading to a graduate degree in psychology at an accredited college or university while working in a training program, if his or her activities and services constitute a part of the supervised course of study and he or she is designated by a title such as “psychological intern,” “psychological trainee” or other title clearly indicating the training status appropriate to his or her level of training. The term “psychological intern” shall be reserved for persons enrolled in the doctoral program in psychology at an accredited college or university or engaged in a formal psychology internship program.

(g) A person certified by the department of public instruction to provide psychological or counseling services, if the person is performing activities that are a part of the duties for which he or she is employed, is performing those activities solely within the confines of or under the jurisdiction of the school district by which he or she is employed and does not render or offer to render psychological services to the public for a fee over and above the salary that he or she receives for the performance of the official duties with the school district by which he or she is employed.

(h) A person who has a doctoral degree in psychology and who has met the examining board’s requirements for predoctoral supervised experience under s. Psy 2.09 (2), Wis. Adm. Code, while employed as a psychology resident by a clinic certified by the department of health services.

NOTE: Par. (h) is repealed eff. 6–1–21 by 2021 Wis. Act 22.

(i) An ordained member of the clergy of any religious denomination or sect who is associated with a church, synagogue or other religious organization, contributions to which are tax deductible for federal and state income tax purposes, if the member of the clergy is engaged in activities that are within the scope of his or her regular duties as a member of the clergy and that are not rendered to the public for a fee over and above the salary or other compensation that the member of the clergy receives for the performance of his or her official duties as a member of the clergy with the church, synagogue or religious organization with which he or she is associated.

(k) A person whose activities are limited to educational or vocational counseling or testing that is performed in a human resources, personnel, or educational setting.

NOTE: Par. (k) is shown as repealed and recreated eff. 6–1–21 by 2021 Wis. Act 22. Prior to 6–1–21 it reads:

(k) A person engaged in employment counseling or testing for other than therapeutic purposes.

(L) A mental health professional who has met all of the qualifications under s. DHS 61.96, Wis. Adm. Code, for employment as a mental health professional in an outpatient psychotherapy clinic certified by the department of health services under s. DHS 61.95, Wis. Adm. Code, if the person is performing activities that are a part of the duties for which he or she is employed by such a certified outpatient psychotherapy clinic and is performing those activities solely within the confines of or under the jurisdiction of the clinic by which he or she is employed.

(m) A person providing psychological services as an employee of a federal governmental agency, if the person is providing the psychological services as a part of the duties for which he or she is employed, is providing the psychological services solely within the confines of or under the jurisdiction of the agency by which he or she is employed, and does not provide or offer to provide psychological services to the public for a fee over and above the salary that he or she receives for the performance of the official duties with the agency by which he or she is employed.

NOTE: Par. (m) is shown as amended eff. 6–1–21 by 2021 Wis. Act 22. Prior to 6–1–21 it reads:

(m) A person providing psychological services as an employee of a federal, state or local governmental agency, if the person is providing the psychological services as a part of the duties for which he or she is employed, is providing the psychological services solely within the confines of or under the jurisdiction of the agency by which he or she is employed and does not provide or offer to provide psychological services to the public for a fee over and above the salary that he or she receives for the performance of the official duties with the agency by which he or she is employed.

(n) A person coordinating or participating in the activities of a nonprofit peer support group, if the person performs those activities solely within the confines of the peer support group and does

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not render or offer to render psychological services to the public for a fee.

(o) A person providing psychological services as an employee of a state or local governmental agency, if the person is providing the psychological services as a part of the duties for which he or she is employed, is providing the psychological services solely within the confines of or under the jurisdiction of the agency by which he or she is employed, does not provide or offer to provide psychological services to the public for a fee over and above the salary that he or she receives for the performance of the official duties with the agency by which he or she is employed, and has received a master's degree in psychology from a regionally accredited higher educational institution or has fulfilled requirements commensurate with a master's degree, as determined by the examining board. The examining board may promulgate rules to further establish requirements for exemptions under this paragraph for persons who do not hold a master's degree in psychology. A person providing services under this paragraph may use the title "psychological associate."

NOTE: Par. (o) is created eff. 6–1–21 by 2021 Wis. Act 22.

(p) A person providing psychological services under the supervision of a psychologist licensed under this chapter as part of a formal psychology fellowship program that meets the program standards of an organization as determined by the examining board. A person providing services under this paragraph may use the title "psychology fellow."

NOTE: Par. (p) is created eff. 6–1–21 by 2021 Wis. Act 22.

(q) A person whose activities are limited to testifying in a court in this state regarding services rendered in another state.

NOTE: Par. (q) is created eff. 6–1–21 by 2021 Wis. Act 22.

(r) A person engaging in the private practice of school psychology who holds a valid private practice school psychologist license issued under s. 455.04 (4), 2019 stats. A person acting under this paragraph may use the title "private practice school psychologist."

NOTE: Par. (r) is created eff. 6–1–21 by 2021 Wis. Act 22.

(s) A person who holds a doctoral degree in psychology but does not engage in the practice of psychology. A person described in this paragraph may use the title "psychologist" or "doctor of psychology."

NOTE: Par. (s) is created eff. 6–1–21 by 2021 Wis. Act 22.

(3m) USE OF TITLES. Except as provided in s. 257.03, only an individual licensed under s. 455.04 (1) may use the title "psychologist" or any similar title or state or imply that he or she is licensed to practice psychology, and only an individual licensed under s. 455.04 (4) may use the title "private practice school psychologist" or any similar title or state or imply that he or she is licensed to engage in the private practice of school psychology. Except as provided in s. 257.03, only an individual licensed under s. 455.04 (1) or (4) may represent himself or herself to the public by any description of services incorporating the word "psychological" or "psychology".

NOTE: Sub. (3m) is renumbered to sub. (1m) (b) and amended eff. 6–1–21 by 2021 Wis. Act 22.

History: 1979 c. 162 ss. 30, 38 (7); 1989 a. 243; 1995 a. 27 ss. 9126 (19), 9145 (1); 1995 a. 188; 1995 a. 225 s. 466; 1997 a. 35, 261; 2001 a. 38, 104; 2005 a. 96; 2007 a. 20 s. 9121 (6) (a); 2009 a. 42, 180; 2021 a. 22.

455.025 Practice of medicine and surgery. Nothing in this chapter shall be construed to authorize a psychologist to engage in the practice of medicine and surgery.

NOTE: This section is created eff. 6–1–21 by 2021 Wis. Act 22.

History: 2021 a. 22.

455.03 Temporary practice. A psychologist who is licensed or certified by a similar examining board of another state or territory of the United States or of a foreign country or province whose standards, in the opinion of the examining board, are equivalent to or higher than the requirements for licensure as a psychologist in s. 455.04 (1) may provide psychological services in this state on not more than 60 days in any year without holding a license issued under s. 455.04 (1). The psychologist shall report to the

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examining board the nature and extent of his or her practice in this state if it exceeds 20 days within a year. In this section, "day" means any part of a day during which psychological services are rendered.

NOTE: This section is shown as amended eff. 6–1–21 by 2021 Wis. Act 22. Prior to 6–1–21 it reads:

455.03 Temporary practice. A psychologist who is licensed or certified by a similar examining board of another state or territory of the United States or of a foreign country or province whose standards, in the opinion of the examining board, are equivalent to or higher than the requirements for licensure as a psychologist in s. 455.04 (1) may offer services as a psychologist in this state for not more than 60 working days in any year without holding a license issued under s. 455.04 (1). The psychologist shall report to the examining board the nature and extent of his or her practice in this state if it exceeds 20 working days within a year.

History: 1989 a. 243; 2021 a. 22.

455.04 Licensure of psychologists. (1) Subject to s. 455.09, the examining board shall grant a psychologist license to an individual who submits an application for the license, pays the fee determined by the department under s. 440.03 (9), and satisfies all of the following requirements:

- (a) Be at least 18 years of age.
- (b) Subject to ss. 111.321, 111.322, and 111.335, not have a conviction record.
- (c) Hold a doctoral degree in psychology from a program accredited by an organization approved by the examining board, or have had other academic training that the examining board determines to be substantially equivalent on the basis of standards established by rule. The examining board may require examinations to determine the equivalence of training for individuals holding doctoral degrees in psychology from non-American universities.
- (d) Complete at least 3,000 hours of supervised graduate-level experience in the practice of psychology under conditions satisfactory to the examining board and established by rule. Supervised hours shall consist of all of the following:
 1. At least 1,500 hours of experience in a successfully completed internship, which shall be accrued after the completion of all doctoral level coursework.
 2. At least 1,500 hours of experience consisting of any combination of the following, as established by the examining board by rule:
 - a. Pre-internship hours that occur after the completion of the first year of the doctoral program or at any time while in a doctoral program after the completion of a master's degree in psychology or its equivalent, as defined by the examining board by rule.
 - b. Hours accrued in the internship described in subd. 1. that are in excess of the 1,500 hours required under subd. 1.
 - c. Post-internship hours accrued after the completion of the internship under subd. 1., but before the conferral of the doctoral degree.
 - d. Postdoctoral hours obtained after the conferral of the doctoral degree.

(e) Pass the examination under s. 455.045 (1) (a).

(f) Pass the examination under s. 455.045 (1) (b).

(2) Subject to s. 455.09, the examining board shall grant an interim psychologist license to an individual who submits an application for the license, pays the fee specified under s. 440.05 (6), and satisfies the requirements for a license under sub. (1) (a) to (c), (d) 1., and (f). An individual licensed under this subsection may provide psychological services only under the supervision of qualified supervisors, as determined by the examining board.

(3) The examining board may waive the requirements of sub. (1) (c) to (e) if an applicant holds a certificate or license of an examining board of some other state or territory or foreign country or province, if the standards of such other examining board are deemed by the members of this examining board to be substantially equivalent to the standards of this state.

(4) An individual who, on May 31, 2021, held a valid private practice school psychologist license under s. 455.04 (4), 2019

stats., may continue to renew that license as provided in s. 455.06. The examining board may not grant any initial private practice school psychologist license on the basis of an application received on or after June 1, 2021.

(5) Applicants for licensure under this section may be required to appear before the examining board in person prior to licensure to allow the examining board to make such inquiry of them as to qualifications and other matters as it considers proper.

NOTE: This section is shown as affected eff. 6–1–21 by 2021 Wis. Act 22. Prior to 6–1–21 it reads:

455.04 Licensure of psychologists and private practice school psychologists. (1) The department shall issue a psychologist license to an individual who submits an application for the license to the department on a form provided by the department, pays the fee specified in s. 440.05 (1) or, if sub. (3) applies, the fee specified in s. 440.05 (2), and is found by the examining board to meet all of the following requirements:

(a) Be at least 18 years of age.
(b) Subject to ss. 111.321, 111.322 and 111.335, not have an arrest or conviction record.

(c) Hold a doctoral degree in psychology from a college or university accredited by a regional accrediting agency approved by the state board of education in the state in which the college or university is located, or have had other academic training or specialized experience, which in the opinion of the board is equivalent thereto. The board may require examinations to determine the equivalence of such training and experience and may also require examinations for individuals holding doctoral degrees in psychology from non-American universities.

(d) Have had at least one year of appropriate experience in psychological work under conditions satisfactory to the examining board in addition to satisfying par. (c). However, the examining board may not adopt rules requiring an internship.

(e) Pass the examination under s. 455.045 (1) (a). This paragraph does not apply to an applicant who is licensed as a psychologist in another state if the applicant submits proof of completion of continuing educational programs or courses approved under s. 455.065 (4) for the minimum number of hours required in the rules promulgated under s. 455.065 (3).

(f) Pass the examination under s. 455.045 (1) (b).
(3) The examining board may waive the requirements of sub. (1) (c) and (d) if a candidate holds a diploma of the American board of examiners in professional psychology, or holds a certificate or license of an examining board of some other state or territory or foreign country or province, if the standards of such other examining board are deemed by the members of this board to be equivalent to the standards of this state and like reciprocity is extended to holders of licenses issued by this state.

(4) The department shall issue a private practice school psychologist license to an individual who submits an application for the license to the department on a form provided by the department, pays the fee specified in s. 440.05 (1) and is found by the examining board to meet all of the following requirements:

(a) Be at least 18 years of age.
(b) Subject to ss. 111.321, 111.322 and 111.335, not have an arrest or conviction record.

(c) Have completed a program for the preparation of school psychologists resulting in a doctor of philosophy, doctor of psychology, doctor of education or education specialist degree, or consisting of a minimum of 60 graduate semester credits resulting in a master's degree in psychology.

(d) Submit written verification from the supervising psychologist or a school official or administrator that the applicant has successfully completed one year of experience or internship in school psychology under the supervision of a school psychologist licensed by the department of public instruction.

(e) Hold a regular license as a school psychologist issued by the department of public instruction.

(f) Pass the examination under s. 455.045 (2) (a). This paragraph does not apply to an applicant who is licensed as a private practice school psychologist in another state if the applicant submits proof of completion of continuing educational programs or courses approved under s. 455.065 (4) for the minimum number of hours required in the rules promulgated under s. 455.065 (3).

(g) Pass the examination under s. 455.045 (2) (b).

(5) Applicants for licensure under subs. (1) and (4) may be required to appear before the examining board in person prior to licensure to allow the examining board to make such inquiry of them as to qualifications and other matters as it considers proper.

History: 1971 c. 213 s. 5; 1975 c. 198; 1977 c. 192; 1981 c. 380; 1981 c. 391 s. 211; 1987 a. 403; 1989 a. 243 ss. 6 to 9, 12, 13; 1995 a. 27 s. 9145 (1); 1995 a. 188; 1997 a. 27; 2007 a. 20 s. 9121 (6) (a); 2021 a. 22.

Cross-reference: See also chs. Psy 2 and 3, Wis. adm. code.

455.045 Examinations. (1) In order to qualify for a psychologist license under s. 455.04 (1), an applicant must have passed all of the following examinations:

(a) A written examination on the professional practice of psychology.

(b) A written examination on state law related to the practice of psychology.

(3) The examining board shall set passing scores for examinations under sub. (1) (a) or (b). The examining board may adopt passing scores recommended by test developers.

NOTE: This section is shown as affected eff. 6–1–21 by 2021 Wis. Act 22. Prior to 6–1–21 it reads:

455.045 Examinations. (1) The examining board shall administer the following examinations for psychologist licensure at least semiannually at times and places determined by the examining board:

(a) A written examination on the practice of psychology.
(b) A written examination in the elements of practice essential to the public health, safety or welfare.

(2) The examining board shall administer the following examinations for private practice school psychologist licensure at least semiannually at times and places determined by the examining board:

(a) A written examination on the private practice of school psychology.
(b) A written examination in the elements of practice essential to the public health, safety or welfare.

(3) The examining board shall promulgate rules establishing standards for public notice of examinations and for acceptable performance on examinations under this section.

History: 1989 a. 243; 2021 a. 22.

Cross-reference: See also chs. Psy 2 and 3, Wis. adm. code.

455.06 Renewals. (1) (a) Except as provided in par. (b), the renewal dates for licenses issued under this chapter or under s. 455.04 (4), 2019 stats., are specified under s. 440.08 (2) (a), and the renewal fee for such licenses is determined by the department under s. 440.03 (9) (a).

(b) A license issued under s. 455.04 (2) is valid for 2 years or until the individual obtains a license under s. 455.04 (1) and may not be renewed, except that the examining board may promulgate rules specifying circumstances in which the examining board, in cases of hardship, may allow an individual to renew a license issued under s. 455.04 (2). Notwithstanding sub. (2), an individual holding a license issued under s. 455.04 (2) is not required to complete continuing education.

(2) An applicant for renewal of a license issued under this chapter or under s. 455.04 (4), 2019 stats., shall include with his or her application proof in the form specified by the examining board that he or she has completed the hours of continuing education required under s. 455.065.

NOTE: This section is shown as repealed and recreated eff. 6–1–21 by 2021 Wis. Act 22. Prior to 6–1–21 it reads:

455.06 Renewals. The renewal date for licenses issued under s. 455.04 (1) and (4) is specified under s. 440.08 (2) (a), and the renewal fee for such licenses is determined by the department under s. 440.03 (9) (a). An applicant for renewal of a license shall include with his or her application proof of completion of continuing education programs or courses approved under s. 455.065 (4) for the minimum number of hours required in the rules promulgated under s. 455.065 (1).

History: 1977 c. 29; 1979 c. 162; 1989 a. 243; 1991 a. 39; 1995 a. 188; 2007 a. 20; 2021 a. 22.

Cross-reference: See also ch. Psy 4, Wis. adm. code.

455.065 Continuing education requirements. The examining board shall do all of the following:

(1) Promulgate rules establishing the minimum number of hours of continuing education, the topic areas that the continuing education must cover, the criteria for the approval of continuing education programs and courses required for renewal of a license, and the criteria for the approval of the sponsors and cosponsors of those continuing education programs and courses. The examining board may establish criteria for the substitution of hours of professional activities to meet continuing education requirements.

(4) Approve continuing education programs and courses in accordance with the criteria established under sub. (1).

(5) Promulgate rules establishing the criteria for the substitution of uncompensated hours of professional assistance volunteered to the department of health services for some or all hours of continuing education credits required under sub. (1). The eligible substitution hours shall involve professional evaluation of community programs for the certification and recertification of community mental health programs, as defined in s. 51.01 (3n), by the department of health services.

(6) Grant a postponement of or waiver from the continuing education requirements under this section on the basis of prolonged illness or disability or on other grounds constituting extreme hardship. The examining board shall consider each application individually on its merits, and the examining board

may grant a postponement, partial waiver, or total waiver of the requirement as the examining board deems appropriate.

(7) Grant an exemption from the continuing education requirements under this section to a psychologist who certifies to the examining board that he or she has permanently retired from the practice of psychology. A psychologist who has been granted an exemption under this subsection may not return to active practice without submitting evidence satisfactory to the examining board of having completed the required continuing education credits within the 2-year period prior to the return to the practice of psychology.

NOTE: This section is shown as affected eff. 6–1–21 by 2021 Wis. Act 22. Prior to 6–1–21 it reads:

455.065 Continuing education requirements. The examining board shall do all of the following:

(1) Promulgate rules establishing the minimum number of hours of continuing education, the topic areas that the continuing education must cover, the criteria for the approval of continuing education programs and courses required for renewal of a license and the criteria for the approval of the sponsors and cosponsors of those continuing education programs and courses.

(3) Promulgate rules establishing the minimum number of hours of continuing education, the topic areas that the continuing education must cover, the criteria for the approval of continuing education programs and courses required for the exemptions from the examination requirements under s. 455.04 (1) (e) and (4) (f) and the criteria for the approval of the sponsors and cosponsors of those continuing education programs and courses.

(4) Approve continuing education programs and courses in accordance with the criteria established under subs. (1) and (3).

(5) Promulgate rules establishing the criteria for the substitution of uncompensated hours of professional assistance volunteered to the department of health services for some or all hours of continuing education credits required under subs. (1) and (3). The eligible substitution hours shall involve professional evaluation of community programs for the certification and recertification of community mental health programs, as defined in s. 51.01 (3n), by the department of health services.

History: 1989 a. 243; 1991 a. 39; 1993 a. 445; 1995 a. 27 s. 9126 (19); 1995 a. 188; 2007 a. 20 s. 9121 (6) (a); 2021 a. 22.

Cross-reference: See also ch. Psy 4, Wis. adm. code.

455.07 Renewal fees. (2) The fee for renewal of a license under this chapter is determined by the department under s. 440.03 (9) (a).

(3) The late renewal fees are specified under s. 440.08 (3) (a).

NOTE: This section is repealed eff. 6–1–21 by 2021 Wis. Act 22.

History: 1977 c. 29; 1991 a. 39; 1997 a. 35; 2007 a. 20; 2021 a. 22.

455.08 Rules and code of ethics. The examining board shall adopt such rules as are necessary under this chapter and shall, by rule, establish a reasonable code of ethics governing the professional conduct of psychologists, using as its model the “Ethical Standards of Psychologists”, established by the American Psychological Association. The primary intent of this code shall be to assure that licensed psychologists limit their practices to those specialties in the field of psychology which they are qualified to practice. Every person who holds a license to practice psychology in this state shall be governed and controlled by such code of ethics. A written statement of the code shall be made available to all applicants for licensing, as well as all licensed psychologists, when amendments are made to those standards. Nothing in this chapter shall be construed to authorize the psychologist to engage in the practice of medicine.

NOTE: This section is repealed eff. 6–1–21 by 2021 Wis. Act 22.

History: 2021 a. 22.

Cross-reference: See also Psy and ch. Psy 5, Wis. adm. code.

Construing rules of professional conduct adopted under s. 455.08 as applying to post-therapy conduct is necessary to effectuate the purpose of protecting the health, safety, or welfare of former clients. *Bar–Av v. Psychology Examining Board*, 2007 WI App 21, 299 Wis. 2d 387, 728 N.W.2d 722, 04–3251.

455.09 Disciplinary proceedings and actions. (1) Subject to the rules promulgated under s. 440.03 (1), the examining board may deny an application for a license, or may by order suspend for a period not exceeding one year, limit, revoke or impose probationary conditions upon a license or reprimand a licensee if the applicant or licensee:

NOTE: Section 455.09 (title) is shown as repealed and recreated eff. 6–1–21 by 2021 Wis. Act 22. Prior to 6–1–21 it reads:

455.09 Denial, limitation, suspension, revocation and reprimand.

(a) Subject to ss. 111.321, 111.322 and 111.335, is a felon.

(b) Subject to ss. 111.321, 111.322 and 111.34, engaged in the practice of psychology or the private practice of school psychology while his or her ability to practice was impaired by alcohol or other drugs.

(c) Impersonates another person holding a license under this chapter or allows another person to use his or her license.

(d) Uses fraud or deception in applying for a license under this chapter.

(e) Accepts a commission, rebate or other form of fee for referring persons to other professionals.

(f) Engages in the willful, unauthorized communication of information received in professional confidence.

(g) Violates this chapter or any rule of professional conduct promulgated under this chapter.

(h) Is grossly negligent in the practice of his or her profession.

(2) A suspended license is subject to the requirements for renewal of the license under s. 440.08. The renewal of a suspended license does not entitle the licensee to any rights, privileges or authority conferred by the license while the license remains suspended.

(3) A revoked license may not be renewed. An individual may, no sooner than one year after the date of revocation, apply for reinstatement of a license under this chapter. The examining board may accept or reject an application for reinstatement. If reinstatement is granted under this subsection, the licensee shall pay a reinstatement fee in an amount equal to the renewal fee. This subsection does not apply to a license that is revoked under s. 440.12.

NOTE: Sub. (3) is shown as amended eff. 6–1–21 by 2021 Wis. Act 22. Prior to 6–1–21 it reads:

(3) A revoked license may not be renewed. One year from the date of revocation of a license under this chapter, application may be made for reinstatement. The examining board may accept or reject an application for reinstatement. If reinstatement is granted under this subsection, the licensee shall pay a reinstatement fee in an amount equal to the renewal fee. This subsection does not apply to a license that is revoked under s. 440.12.

History: 1977 c. 125, 418; 1979 c. 162 s. 38 (7); 1981 c. 79 s. 17; 1981 c. 334 s. 25 (1); 1989 a. 243; 1991 a. 39; 1995 a. 188; 1997 a. 237; 2021 a. 22.

Cross-reference: See also ch. Psy 5, Wis. adm. code.

Petitioner is not entitled to present expert evidence indicating he or she previously testified truthfully when denying misconduct under sub. (1) (g). *Davis v. Psychology Examining Board*, 146 Wis. 2d 595, 431 N.W.2d 730 (Ct. App. 1988).

Laches is not available in any proceeding brought by the state in its sovereign capacity to protect a public right. A disciplinary proceeding is brought by the state in its sovereign capacity to protect a right of the public—the right to have licensed psychologists comply with the requirements of their licenses. *Stein v. WI Psychology Examining Board*, 2003 WI App 147, 265 Wis. 2d 781, 668 N.W.2d 112, 02–2726.

Construing rules of professional conduct adopted under s. 455.08 as applying to post-therapy conduct is necessary to effectuate the purpose of protecting the health, safety, or welfare of former clients. *Bar–Av v. Psychology Examining Board*, 2007 WI App 21, 299 Wis. 2d 387, 728 N.W.2d 722, 04–3251.

455.10 Injunctive relief. Violation of s. 455.02 may be enjoined in an action brought by the attorney general on petition by the examining board. In any such proceeding, it shall not be necessary to show that any person is individually injured by the actions complained of. If the respondent is found guilty of the violation, the court shall enjoin the respondent from further violations thereof until he or she has been duly licensed. The remedy given by this section is in addition to criminal prosecution under s. 455.11.

NOTE: This section is repealed eff. 6–1–21 by 2021 Wis. Act 22.

History: 1979 c. 162; 1995 a. 188; 2021 a. 22.

455.11 Penalty. Any person who violates this chapter may be fined not more than \$200 or imprisoned not exceeding 6 months or both.