DEPARTMENT OF STATE
DIVISION OF PROFESSIONAL REGULATION
Division of Professional Regulation

3500 Board of Examiners of Psychologists

1.0 General Rules and Regulations

The Board of Examiners of Psychologists has been established under the 24 **Del.C.** Ch. 35, and current amendments to that Law. Within the framework of the Law, the Board has the responsibility for interpreting and implementing the legal provisions and requirements of the Law through the establishment of operating Rules and Regulations. The Board and the public may propose changes in the Rules and Regulations in accordance with the Administrative Procedures Act, 29 **Del.C.** Ch. 101.

2.0 Duty to Update Address

Licensees must provide the Division of Professional Regulation with their current home mailing address. Any change in home mailing address must be reported to the Division within 10 days of such change. All notifications and correspondence pertaining to a license that are sent through the mail will be sent only to the most recent address provided by the licensee. The failure to provide the Division with a current home mailing address will not operate to excuse any duty or responsibility of the licensee and confirmed delivery to the most recent address provided by the licensee will be considered proper notice.

24 DE Reg. 1075 (06/01/21)

3.0 Meetings of the Board

The Board will hold such meetings during the year as it may deem necessary to review licensure applications and psychological assistant applications, evaluate continuing education, hold disciplinary hearings, or conduct other Board business. Either the President, or the majority of the Board may call a Board meeting. The Division of Professional Regulation, Board members, and the public shall be notified of the meeting agenda, time and location in accordance with the Freedom of Information Act.

4.0 Officers of the Board

The Board elects its own officers at the first meeting of each calendar year. The President of the Board sets the agendas of the meetings, chairs meetings, and represents the Board at state regulatory meetings, the American Association of State and Provincial Psychology Boards, and other organizations that may interface with the Board unless someone else is designated to attend in place of the President. The Vice President or Secretary acts for the President in the President's absence. The Secretary of the Board, in conjunction with the Administrative Assistant from the Division of Professional Regulation, is responsible for taking care of Board correspondence.

5.0 Procedures for Licensure

5.1 Application - Initial Licensure. An applicant who is applying for licensure as a psychologist shall submit evidence showing that the applicant meets the requirements of 24 **Del.C.** §3508. An application for licensure, shall include:

5.1.1 Academic credentials documented by the educational institution granting the degree showing completion of an educational program meeting the requirements of 24 **Del.C.** §3508(a)(1).

5.1.2 Supervised experience documented by having each supervisor complete a Supervisory Reference Form.

5.1.3 Evidence that the applicant passed the written "Examination for Professional Practice in Psychology", developed by the Association of State and Provincial Psychology Boards (ASPPB), by achieving the passing score recommended by the ASPPB for that particular examination (computer or paper) administration. Candidates who are not licensed in any other state must have passed the written examination within 5 years of application for licensure in Delaware. Applicants who have not taken the examination must submit all other required documents to the Board for review prior to sitting for the examination. Only those applicants the Board determines are otherwise eligible for Delaware licensure shall be approved to sit for the examination, subject to the administration policies and procedures of the ASPPB. After sitting for the examination, applicants must supplement their application materials by submitting evidence of their passing score as recommended by the ASPPB.

5.1.4 Verification that the applicant has no past or pending disciplinary proceedings. [24 **Del.C.** §3508(a)(4)]

5.1.5 The application shall not be considered complete until all materials are received by the Board for review at an officially scheduled meeting. The applicant will have 12 months from the date of initial submission of the application and fee to complete the application process.

5.2 Application - By Reciprocity

5.2.1 An applicant who is applying for licensure as a psychologist by reciprocity shall submit evidence that the applicant meets the requirements of 24 **Del.C.** §3511. An application for licensure, by reciprocity shall include the following information, or alternatively, the information required by subsection 5.2.2:

5.2.1.1 Evidence that the applicant is licensed or certified in another state and that the applicant has practiced continuously, as a doctoral-level psychologist, in good standing in that jurisdiction for 2 years.

5.2.1.2 Information identifying all jurisdictions in which the applicant has been or is currently licensed, certified or registered.

5.2.1.3 Evidence that the applicant passed the written Examination for Professional Practice of Psychology (EPPP). The Board shall accept the passing score recommended by the ASPPB for that particular examination (computer or paper) administration. For examinations taken prior to 1992, the Board shall accept either the ASPPB recommended passing score or the minimum passing score accepted by the Delaware Board in the year the examination was taken, whichever was lower.

5.2.1.4 Evidence that the candidate has received a doctoral degree from an American Psychological Association (APA) accredited program or a doctoral degree based on a program of studies which is psychological in content and specifically designed to train and prepare psychologists, meeting the criteria set forth in subsections 6.1.1 through 6.1.1.2.10.4.

5.2.2 An applicant currently licensed in another state may satisfy the requirements for licensure by reciprocity by submitting information demonstrating that the applicant has met the requirements for and holds a current Certificate of Professional Qualification in Psychology (CPQ) issued by the Association of State and Provincial Psychology Boards (ASPPB), or he or she is currently credentialed by the National Register of Health Service Providers in Psychology. Applicants under this section shall complete a brief application on a form approved by the Board.

5.2.3 Board Certification. The Board will qualify for licensure without examination any applicant who is a Diplomate of the American Board of Professional Psychology. All such applicants must meet all other requirements for licensure.

5.3 Computer Based Testing Procedures

5.3.1 The EPPP is offered by computerized delivery. An applicant for examination shall complete an application for computer based-testing, available from the Board.

5.3.2 Once a candidate has been approved to sit for the EPPP by the Board, the Board shall forward a notice of approval to the examination service, which will then forward instructions to the examination candidate.

5.3.3 It shall be the responsibility of the applicant to schedule his or her EPPP administration with a test delivery site pursuant to the instructions given by the examination service.

5.3.4 The examination service will forward test results directly to the Board. Test results will not be available to the candidate at the testing center, nor will test results be given over the phone.

5.3.5 The Board shall notify the applicant of the applicant's examination score, and pass/fail status upon receipt of this information from the testing service.

5.3.6 If an applicant has been approved to sit for the EPPP by a jurisdiction other than Delaware, it shall be the responsibility of the applicant to arrange to have the score transferred to the Delaware Board.

5.3.7 An applicant who fails the examination may re-take the exam no sooner than 60 days after the prior examination date. An applicant may take the examination a maximum of 4 times in any 12 month period. [24 **Del.C.** §3506(a)(4).]

5.4 Inactive Status

5.4.1 A licensee may be placed on inactive status by the Board for a maximum of 5 years. Requests for inactive status shall be made, in writing, to the Board.

5.4.2 To apply for reactivation of an inactive license, a licensee shall:

5.4.2.1 Submit a letter requesting reactivation;

5.4.2.2 Submit a prorated reactivation fee;

5.4.2.3 Submit proof of completion of the continuing education requirements below;

5.4.2.3.1 Inactive status for 1 year or less: 20 CE hours, including 3 hours of continuing education in ethics and 3 hours in cultural inclusion, equity, and diversity;

5.4.2.3.2 Inactive status for more than 1 year: 40 CE hours, including 3 hours of continuing education in ethics and 3 hours in cultural inclusion, equity, and diversity, completed within 24 months prior to reapplication.

3 DE Reg 1067 (02/01/00)
4 DE Reg. 979 (12/01/00)
4 DE Reg. 1794 (05/01/01)
10 DE Reg. 1728 (05/01/07)
17 DE Reg. 89 (07/01/13)
17 DE Reg. 1100 (05/01/14)
24 DE Reg. 1075 (06/01/21)
25 DE Reg. 1031 (05/01/22)
28 DE Reg. 468 (12/01/24)

6.0 Evaluation of Credentials

6.1 Candidates for licensure as psychologists in the State of Delaware shall:

6.1.1 Have received a doctoral degree based on a program of studies which is psychological in content and specifically designed to train and prepare psychologists. The doctoral degree must be from a college or university, accredited as required by 24 **Del.C.** §3508(a)(1) having a graduate program which states its purpose to be the training and preparation of psychologists Graduates of non-United States (U.S.) degree programs will be required to have their credentials evaluated by a credential evaluation service approved by the National Association of Credential Evaluation Services, to determine equivalency to the accreditation requirements of §3508(a)(1) and equivalency of psychological content and training. The Board will consider programs to be psychological in content by the criteria established by the joint designation project of the Association of State and Provincial Psychology Boards and the Council for the National Register of Health Service Providers in Psychology, as follows:

6.1.1.1 Programs that are accredited by the American Psychological Association and Psychological Clinical Science Accreditation System are recognized as meeting the definition of a professional psychology program. The criteria for accreditation serves as a model for professional psychology training; or

6.1.1.2 All of the following criteria, (1) through (9):

6.1.1.2.1 Training in professional psychology is doctoral training offered in a regionally accredited institution of higher education.

6.1.1.2.2 The program, wherever it may be administratively housed, must be clearly identified and labeled as a psychology program. Such program must specify in pertinent institutional catalogues and brochures its intent to educate and train professional psychologists.

6.1.1.2.3 The psychology program must stand as a recognizable, coherent organizational entity within the institution.

6.1.1.2.4 There must be a clear authority and primary responsibility for the core and specialty areas whether or not the program cuts across administrative lines.

6.1.1.2.5 The program must be an integrated, organized sequence of study.

6.1.1.2.6 There must be an identifiable psychology faculty and a psychologist responsible for the program.

6.1.1.2.7 The program must include a body of students who are matriculated in that program for a degree.

6.1.1.2.8 The program must include supervised practicum, internship, field or laboratory training appropriate to the practice of psychology.

6.1.1.2.9 The program specifies education and training objectives in terms of competencies expected of its graduates. Those competencies must be consistent with:

6.1.1.2.9.1 The program's philosophy and training models.

6.1.1.2.9.2 The substantive areas of professional psychology for which the program prepares students at the entry level of practice.

6.1.1.2.9.3 An understanding of professional issues, including ethical, legal, and quality assurance principles.

6.1.1.2.10 In achieving its objectives, the program has implemented a clear and coherent curriculum plan that provides the means whereby all students can acquire and demonstrate substantial understanding of and competence in the following areas:

6.1.1.2.10.1 The breadth of scientific psychology, its history of thought and development, its research methods, and its applications. To achieve this end, the students shall be exposed to the current body of knowledge in at least the following areas: biological aspects of behavior; cognitive and affective aspects of behavior; social aspects of

behavior; history and systems of psychology; psychological measurement; research methodology; and techniques of data analysis:

6.1.1.2.10.2 The scientific, methodological, and theoretical foundations of practice in the substantive area of professional psychology in which the program has its training emphasis. To achieve this end, the students shall be exposed to the current body of knowledge in at least the following areas: individual differences in behavior; human development; dysfunctional behavior or psychopathology; and professional standards and ethics:

6.1.1.2.10.3 Diagnosing or defining problems through psychological assessment and measurement and formulating and implementing intervention strategies (including training in empirically supported procedures). To achieve this end, students shall be exposed to the current body of knowledge in at least the following areas: theories and methods of assessment and diagnosis; effective intervention; consultation and supervision; and evaluating the efficacy of interventions; and

6.1.1.2.10.4 Issues of cultural and individual diversity that are relevant to all of the above.

6.2 Have had, after receiving the doctoral degree, at least 1 year of supervised experience in psychological work satisfactory to the Board; and

6.3 Have achieved the passing score on the written standardized Examination for Professional Practice in Psychology (EPPP) developed by the Association of State and Provincial Psychology Boards (ASPPB) or its successor.

2 DE Reg. 776 (11/01/98)
4 DE Reg. 980 (12/01/00)
9 DE Reg. 1107 (01/01/06)
15 DE Reg. 371 (09/01/11)
19 DE Reg. 319 (10/01/15)
24 DE Reg. 1075 (06/01/21)
29 DE Reg. 796 (03/01/26)

7.0 Supervised Experience

7.1 The types of supervision pertinent to licensure as a psychologist or registration as a psychological assistant are comprised of 3 types of supervisory experiences: predoctoral internship supervision, supervised postdoctoral experience, and supervision of psychological assistants.

7.2 Predoctoral internship supervision is required by doctoral programs in psychology. The predoctoral internship consists of a minimum of 1,500 hours of actual work experience completed in not less than 48 weeks, nor more than 104 weeks. At least 50% of the predoctoral supervised experience must be in clinical services such as treatment, consultation, assessment, and report writing, with at least 25% of that time devoted to face-to-face direct patient or client contact. No more than 25% of time shall be allocated for research. Face-to-face as used in this Section and hereinafter means either in person or live video conferencing.

7.3 Supervised postdoctoral experience must consist of 1,500 hours of actual work experience under the supervision of a licensed psychologist. This experience must be completed in not less than 1 calendar year and not more than 3 calendar years. At least 25% of the 1500 hours of experience shall be devoted to direct service in the area of the applicant's academic training. "Direct service" consists of any activity defined as the practice of psychology or the supervision of graduate students engaging in activities defined as the practice of psychology. There must be at least 1 hour of face-to-face supervision for every 10 hours of clinical work. The Board will accept group supervision so long as no more than 5 postdoctoral applicants met with the supervising psychologist at one time and there were at least 2 hours of group supervision in place of every 1 hour of individual supervision.

7.4 The purpose of the postdoctoral supervision is to train psychologists to practice at an independent level. This experience should be an organized educational and training program with explicit goals and a clear plan to meet those goals. There should be regular written evaluations based on this program.

7.5 Supervision of psychological assistants is required at the frequency of 1 hour of face-to-face supervision for every 1-10 hours of clinical work by the psychological assistants and must comply with Section 9.0 of the Regulations.

7.6 The unlicensed practice of psychology is prohibited in Delaware; therefore, individuals accruing supervised postdoctoral professional experience in psychological work in Delaware must obtain a psychological assistant registration before commencing such supervision.

2 DE Reg. 776 (11/01/98)
6 DE Reg. 1338 (04/01/03)

12 DE Reg. 1108 (02/01/09)
17 DE Reg. 89 (07/01/13)
19 DE Reg. 319 (10/01/15)
24 DE Reg. 1075 (06/01/21)

8.0 Failure to Pass Examination

Applicants may take the Examination for the Professional Practice in Psychology as many times as they choose. Intervals between testing will be determined by the testing agency and the ASPPB.

9.0 Psychological Assistants

9.1 A psychological assistant is a person who is registered with the Board to perform certain functions within the practice of psychology, only under the direct supervision of a supervising psychologist, and who is authorized by the Board to use the title "psychological assistant".

9.2 Psychological assistants are supervised, directed, and evaluated by a Delaware licensed psychologist who assumes professional and legal responsibility for the services provided.

9.2.1 A psychologist providing supervision of psychological assistants must have been in practice for 2 years post licensure in this or any other jurisdiction without having been subject to any disciplinary actions. The Board reserves the right to waive this requirement for just cause. The supervisor must provide 24-hour availability to both the supervisee and the supervisee's clients or ensure that adequate alternative coverage is provided in the supervisor's absence. The supervising psychologist shall have sufficient knowledge of all clients including face-to-face contact when necessary and must be employed or under contract in the setting where the clinical service takes place and the supervision must occur within that setting. The supervisor may not supervise more than 7 psychological assistants at any time.

9.2.2 It is the responsibility of the supervising psychologist in conjunction with the psychological assistant to diagnose and form treatment plans for patients seen by the psychological assistant and to file such plan in the patient or client's chart.

9.2.3 The patient or client must be informed that services are being delivered by a psychological assistant and that the licensed psychologist is responsible for the treatment.

9.2.4 The patient or client shall sign a statement of informed consent attesting that the patient or client understands that the services are being delivered by a psychological assistant and that the licensed psychologist is ultimately responsible for the treatment. This document shall include the supervising psychologist's name and the telephone number where the supervisor can be reached. One copy shall be filed with the patient or client's record and another given to the patient.

9.3 The Delaware licensed psychologist is identified as the legally and ethically responsible party in all advertising, public announcements, and billings. In addition, billings and advertisements will clearly indicate that the service is being provided by a psychological assistant. All treatment and evaluation reports prepared by the psychological assistant must be signed by the psychologist and the psychological assistant.

9.4 The Delaware licensed psychologist who accepts the responsibility of using a psychological assistant shall develop and maintain a current, written job description delineating the range and type of duties, educational practicum and clinical experience to be assigned to the psychological assistant, limits of independent action, emergency procedures for contacting the supervising psychologist, and the amount and type of supervision to be provided. This job description must be signed by the psychologist and the psychological assistant and will be filed in the Division of Professional Regulation.

9.5 The Board will then review credentials, job description and supervisory arrangements, and if the arrangements are acceptable, will inform the psychologist in writing that the psychological assistant can begin work. No psychological assistant shall begin work until the Board has approved the application. Registration for psychological assistants expires biennially and continued performance of the duties of a psychological assistant requires proof of 20 hours of continuing education and payment of the renewal fee.

9.6 Supervision of the psychological assistant by the Delaware licensed psychologist is to be a regular and formal process. It is required that the licensed psychologist and the psychological assistant have weekly 1-on-1, face-to-face supervision with review of each case served by the psychological assistant. The supervising psychologist must be familiar with each patient or client seen by the psychological assistant and with the ongoing progress of treatment. One hour of supervision for every 10 hours, or fraction thereof, of direct clinical work by the psychological assistant is required as a minimum. For example, if a psychological assistant provides 8 hours of direct clinical service, the psychological assistant must receive a minimum of 1 hour of supervision. Likewise, a psychological assistant, who has 15 hours of direct clinical contact, must receive at least 2 hours of supervision. This supervision must be documented in writing on patient records. In addition, the supervising psychologist shall submit at the time of renewal and at the termination of the supervision relationship a

supervision report on a form provided by the Board which will become a part of the public record. It will contain information describing the date and amount of supervision and any unscheduled supervisory contact, as well as a brief assessment of the psychological assistant's functioning.

9.6.1 The Board will consider requests to substitute group supervision for some portion of the 1-to-1, face-to-face supervision requirement. A supervising psychologist must petition the Board and show good cause for this substitution. If the supervising psychologist's request is granted, no more than 5 psychological assistants may meet with the supervising psychologist at one time and there must be 2 hours of group supervision in place of every 1 hour of individual supervision. All psychological assistants must have at least 1 hour of individual supervision per week. The Board reserves the right to withdraw their permission for the substitution at any time.

9.7 Psychological Assistants are employed by the office or agency of the supervising licensed psychologist so as to have regular and continued supervision. Supervision must occur face-to-face. When the supervisor is not available for face-to-face consultation, that supervisor must provide clear contingency plans for consultation for the psychological assistant. It is assumed that the supervisor will be available to the psychological assistant under most circumstances; therefore, arrangements in which the supervisor is employed full time elsewhere will not be approved, unless it can be demonstrated that there will be adequate supervision and contingency coverage of the psychological assistant. Supervising psychologists must describe in their application for the psychological assistant how much supervision they will provide and how that supervision will be provided.

9.8 A psychological assistant, who provides services that are under the direction of different psychologists must be registered as a psychological assistant by the psychologists who are directly supervising the clinical work.

9.8.1 Registered supervisors may delegate some supervisory responsibilities to another psychologist licensed by the Board to ensure competent supervision of a registered psychological assistant in areas outside the area of expertise of the supervisor or to provide temporary supervision when the supervisor is unavailable.

9.8.1.1 When delegating supervisory responsibilities, the registered supervisor shall ensure that any additional supervision is by an individual who holds a license in good standing from this Board, is competent, and has the requisite skills and training to provide supervision.

9.8.1.2 The delegating supervisor continues to assume responsibility for the psychological services and activities performed by the registered psychological assistant during the period in which supervisory responsibilities have been delegated.

9.9 When there is a complaint of incompetent, improper, or unethical behavior on the part of the psychological assistant, in addition to the disciplinary action against the psychological assistant, disciplinary action may be taken against the supervising psychologist for failing to provide adequate supervision of the psychological assistant.

9.10 The patient or client is always the responsibility of the supervising psychologist. Termination or transfer plans must be worked out with the approval of the supervising psychologist. A psychological assistant will be considered to be working for the supervising psychologist until the Board of Examiners is notified in writing of the change in arrangements. The letter terminating a psychological assistant arrangement must also specify when the supervising psychologist is terminating the arrangement because of concerns about the ethical or professional behavior of the psychological assistant.

2 DE Reg. 776 (11/01/98)
18 DE Reg. 323 (10/01/14)
19 DE Reg. 319 (10/01/15)
24 DE Reg. 1075 (06/01/21)
29 DE Reg. 797 (03/01/26)

10.0 Continuing Education

10.1 Hours required

10.1.1 The biennial licensing period begins August 1 of each odd-numbered year and ends July 31 of the next odd-numbered year.

10.1.2 Psychologists must obtain 40 hours of continuing education during each biennial licensing period in order to be eligible for renewal of license. A minimum of 10 hours of continuing education credit must be obtained via face-to-face or live webinar. All psychologists must complete 3 hours of continuing education in ethics and 3 hours in cultural inclusion, equity, and diversity.

10.1.3 Psychological assistants must obtain 20 hours of continuing education during each biennial licensing period for re-registration. A minimum of 5 hours of continuing education credit must be obtained via face-to-face or live webinar. All psychological assistants must complete 3 hours of continuing education in ethics and 3 hours in cultural inclusion, equity, and diversity.

10.1.4 A "**continuing education hour**" is defined as 1 60-minute period, unless otherwise specified.

10.2 Proration of CE Requirement for New and Reactivating Licensees. The CE requirement shall be prorated as follows:

10.2.1 If an applicant is granted a psychologist license or reactivates a license during the first 6 months of a license period, i.e., between July 31 of an odd-numbered year and January 31 of the next year, the new licensee must complete 30 CEs, with 2 hours of continuing education in ethics and 2 hours in cultural inclusion, equity, and diversity. An applicant granted a psychological assistant license in the same time period must complete 15 CEs, with 2 hours of continuing education in ethics and 2 hours in cultural inclusion, equity, and diversity in the initial licensing period. A minimum of 7.5 hours of continuing education credit must be obtained via face-to-face or live webinar.

10.2.2 If an applicant is granted a psychologist license or reactivates a license during the second 6 months of a license period, i.e., between February 1 of an even-numbered year and July 31 of that same year, the new licensee must complete 20 CEs, with 1 hour of continuing education in ethics and 1 hour in cultural inclusion, equity, and diversity. An applicant granted a psychological assistant license in the same time period must complete 10 CEs, with 1 hour of continuing education in ethics and 1 hour in cultural inclusion, equity, and diversity in the initial licensing period. A minimum of 5 hours of continuing education credit must be obtained via face-to-face or live webinar.

10.2.3 If an applicant is granted a psychologist license or reactivates a license during the third 6 months of a license period, i.e., between the dates of August 1 of an even-numbered year and January 31 of the next year, the licensee must complete 10 CEs, with 1 hour of continuing education in ethics and 1 hour in cultural inclusion, equity, and diversity. An applicant granted a psychological assistant license in the same time period must complete 5 CEs, with 1 hour of continuing education in ethics and 1 hour in cultural inclusion, equity, and diversity in the initial licensing period. A minimum of 2.5 hours of continuing education credit must be obtained via face-to-face or live webinar.

10.2.4 Any applicant granted a license or licensee who has reactivated a license during the last 6 months of a license period, i.e., between the dates of February 1 of an odd-numbered year and July 31 of that same year, need not complete any CEs during that period.

10.3 Hardship. An applicant for license renewal or registered psychological assistant may be granted an extension of time in which to complete continuing education hours upon a showing of hardship. Hardship requests must be submitted to the Board prior to the end of the renewal period. Hardship may include disability, illness, extended absence from the jurisdiction and exceptional family responsibilities. Requests for hardship consideration must be submitted to the Board in writing prior to the end of the licensing period, along with payment of the appropriate renewal fee.

10.4 It is the responsibility of the psychologist or psychological assistant to maintain documentation of completed continuing education for 1 year after the licensing period expires. Documentation of continuing education will consist of the information specified in subsection 13.5.3.

10.5 The subject of the continuing education must contribute directly to the professional competency of a person licensed to practice as a psychologist or registered as a psychological assistant. The activity must have significant intellectual or practical content and deal with psychological techniques, issues or ethical standards relevant to the practice of psychology.

10.6 Activities from APA-approved continuing education sponsors will be automatically accepted. The following may be eligible:

10.6.1 Other programs which are not APA-approved sponsors but where the material is relevant to professional practice and provides the equivalent of APA-defined credit. An applicant must provide a brochure or other documentation that supports the following criteria: relevance, stated objectives, faculty and educational objectives. To document attendance and completion, a certificate of attendance is required. In these circumstances, hours will be accrued on the basis of clock hours involved in the training.

10.6.2 Graduate courses relevant to professional practice taken for educational credit offered by a regionally accredited academic institution of higher education. Each credit hour of a course is equivalent to 5 CE hours. The course must end prior to the end of the renewal period. No more than 15 CE credits may be completed in this manner for any renewal period. Appropriate documentation of course completion must be demonstrated with a transcript and course description.

10.6.3 Teaching an undergraduate or graduate level course in applied psychology at an accredited institution. Teaching a 3 hour semester or quarter course is considered the equivalent of 5 CE credits. No more than 5 CE credits may be completed in this manner for any renewal period and can be submitted only for the first time that a course is presented. Appropriate documentation of teaching must include the listing of the course in the school catalog and a letter from the academic institution stating that the course was taught.

10.6.4 Teaching of a workshop or conduction of a seminar on a topic of pertinence to the practice of psychology. No more than 5 CE credits may be completed in this manner for any renewal period and can be submitted

only for the first time that a course is presented. However, credit can be earned only once for teaching a particular seminar or workshop and not be eligible for re-submission at any time. Appropriate documentation is considered to be the brochure and demonstration of the workshop being held by the sponsoring entity.

10.6.5 Authorship, editing or reviewing of a publication. Proof of CEs under subsection 10.6.5 must include submission of the work or documentation of authorship by copy of title pages. Credit may be earned only in the renewal period during which it is published, be commensurate with work performed, and is limited to the following:

10.6.5.1 Author of a book (maximum of 15 CE hours per renewal period);

10.6.5.2 Author of a book chapter or peer-reviewed journal article (maximum of 5 CE hours per renewal period);

10.6.5.3 Primary editor of a book (maximum of 10 CE hours per renewal period); or

10.6.5.4 Primary editor of or reviewer for a scientific or professional journal recognized by the Board (maximum 10 CE hours per renewal period).

10.6.6 Preparing and presenting a scientific or professional paper or poster at a meeting of a professional or scientific organization. Up to 2 CE hours may be claimed for any single poster presentation. Up to 3 CE hours may be claimed for paper presentation. Listing within the program and certificate letters of attendance at the meeting is appropriate documentation for both a paper or poster presentation. Any presentations must take place during the renewal period and CEs can be submitted only for the first time presented in a unique subject. (Maximum of 15 CE hours per renewal period.)

10.7 The Board reserves the right to reject any CE credit, if it is outside the scope of the practice of psychology.

10.8 The following will not be considered for credit: service to organizations; attending business meetings of professional organizations; business management or office administration courses; group supervision; or case conferences.

2 DE Reg. 776 (11/01/98)
4 DE Reg. 983 (12/01/00)
10 DE Reg. 1728 (05/01/07)
13 DE Reg. 124 (07/01/09)
17 DE Reg. 89 (07/01/13)
18 DE Reg. 323 (10/01/14)
24 DE Reg. 1075 (06/01/21)
25 DE Reg. 1031 (05/01/22)
28 DE Reg. 468 (12/01/24)
29 DE Reg. 796 (03/01/26)

11.0 Record Retention

Licensees must adhere to the most recent version of the American Psychological Association's Record Keeping Guidelines. The most recent version can usually be found in the APA's website www.apa.org. The record retention schedules in the Record Keeping Guidelines may be superseded by the requirements under state law or of other authorities or entities, such as the licensee's insurance carrier. The longest required retention period for any class of records should be followed. It is the licensee's responsibility to determine the proper schedule to follow.

11 DE Reg. 1669 (06/01/08)

12.0 Complaint Procedures

12.1 Complaints against psychologists and psychological assistants will be investigated as provided by 29 **Del.C.** §8807 and all hearings shall be conducted in accordance with the Administrative Procedures Act, 29 **Del.C.** Ch. 101.

12.2 Complaints must be filed, in writing, with the Division of Professional Regulation.

13.0 License Renewal

13.1 Renewal notices will be mailed to the current address on file in the Board's records in a timely fashion to all psychologists and psychological assistants who are currently licensed or registered. It shall be the responsibility of each psychologist and psychological assistant to advise the Board, in writing, of a change of name or address.

13.2 Continuing education requirements must be fulfilled as detailed in Section 10.0 of the regulations. The Board may, in its discretion, grant a license renewal under the terms of a continuing education hardship extension pursuant to subsection 10.3.

13.3 If a psychologist or a psychological assistant fails to renew or obtain a hardship exception by July 31, the psychologist or the psychological assistant may renew at any time until August 31 of that same year, upon payment of a late fee. In accord with 24 **Del.C.** §3507(b), whenever a license to practice or registration has expired, it is unlawful for the licensee/registration to practice while the license or registration is expired.

13.4 Proof of continuing education is satisfied with an attestation by the licensee that the licensee has satisfied the requirements of Section 10.0.

13.4.1 Attestation is completed electronically.

13.4.2 Licensees selected for random audit will be required to supplement the attestation with attendance verification pursuant to subsection 7.4.

13.5 Random post-renewal audits will be performed by the Board to ensure compliance with the CE requirements.

13.5.1 The Board will notify licensees within 60 days after the end of a license renewal period (July 31 of odd-numbered years) that they have been selected for audit.

13.5.2 Licensees selected for random audit shall be required to submit verification within 10 days of the date on the notification of selection for audit.

13.5.3 Verification shall include such information necessary for the Board to assess whether the course or other activity meets the CE requirements in Section 10.0, which may include, but is not limited to, the following information:

13.5.3.1 Appropriate documentation as outlined in subsection 10.6; or

13.5.3.2 Proof of attendance. While course brochures may be used to verify continuing education hours, they are not considered to be acceptable proof for use of verification of course attendance;

13.5.3.3 Date and location of CE course;

13.5.3.4 Instructor of CE course;

13.5.3.5 Sponsor of CE course;

13.5.3.6 Title of CE course; and

13.5.3.7 Number of hours of CE course.

13.5.4 The Board shall review all documentation submitted by licensees pursuant to the CE audit. If the Board determines that the licensee has met the CE requirements, the licensee's license shall remain in effect. If the Board determines that the licensee has not met the CE requirements, the licensee shall be notified and a hearing may be held pursuant to the Administrative Procedures Act. The hearing will be conducted to determine if there are any extenuating circumstances justifying the noncompliance with the CE requirements. Unjustified noncompliance with the CE requirements set forth in these rules and regulations may result in the licensee being subject to 1 or more of the disciplinary sanctions set forth in 24 **Del.C.** §3516.

13.5.4.1 Make-Up of Disallowed Hours - In the event that the board disallows certain continuing education credits, the licensee shall have 3 months after the date of the Board's disallowance notice in order to complete the remaining required credits. These "make-up" credits may not be used toward the subsequent renewal period.

4 DE Reg. 984 (12/01/00)
10 DE Reg. 1728 (05/01/07)
13 DE Reg. 124 (07/01/09)
18 DE Reg. 323 (10/01/14)
24 DE Reg. 1075 (06/01/21)

14.0 Procedures for Licensure Applicable to Full Time Faculty Members in a Nationally Accredited Doctoral Level Clinical Training Program in the State of Delaware

14.1 University faculty employed full time in a nationally accredited doctoral level clinical training program in the State of Delaware, as specified in 24 **Del.C.** §3519(e), who are not licensed, are subject to the following rules and regulations:

14.1.1 Notification. Such individuals must notify the Board of Examiners of Psychologists no later than 30 days after the commencement of employment, indicating employer, position and date employment began. At that time they will receive a copy of the statute and Rules and Regulations which detail the exemption under which they operate.

14.1.2 Professional Activities. These individuals may participate in activities defined by statute as the practice of psychology (including the supervision of matriculated graduate students) only within the context of a clinical training program. They may conduct any research and teaching activities related to the activities of such a program.

14.1.3 Education. Such individuals must have completed the doctoral degree at the time employment commences consistent with 24 **Del.C.** §3508(a).

14.1.4 Active Pursuit of Licensure. Such individuals are required to be in active pursuit of licensure for a period not to exceed 6 years. The 6-year time frame for the completion of licensure requirements commences with the initial date of employment. The 6-year time frame for individuals employed as of June 12, 1995 commenced on that date.

14.1.5 Supervision. The supervised experience required for licensure of such individuals is described in Section 7.0 of the Rules and Regulations.

2 DE Reg. 776 (11/01/98)

15.0 Voluntary Treatment Option for Chemically Dependent or Impaired Professionals

15.1 If the report is received by the chairperson of the regulatory Board, that chairperson shall immediately notify the Director of Professional Regulation or his/her designate of the report. If the Director of Professional Regulation receives the report, he/she shall immediately notify the chairperson of the regulatory Board, or that chairperson's designate or designates.

15.2 The chairperson of the regulatory Board or that chairperson's designate or designates shall, within 7 days of receipt of the report, contact the individual in question and inform him/her in writing of the report, provide the individual written information describing the Voluntary Treatment Option, and give him/her the opportunity to enter the Voluntary Treatment Option.

15.3 In order for the individual to participate in the Voluntary Treatment Option, he/she shall agree to submit to a voluntary drug and alcohol screening and evaluation at a specified laboratory or health care facility. This initial evaluation and screen shall take place within 30 days following notification to the professional by the participating Board chairperson or that chairperson's designate.

15.4 A regulated professional with chemical dependency or impairment due to addiction to drugs or alcohol may enter into the Voluntary Treatment Option and continue to practice, subject to any limitations on practice the participating Board chairperson or that chairperson's designate or designates or the Director of the Division of Professional Regulation or his/her designate may, in consultation with the treating professional, deem necessary, only if such action will not endanger the public health, welfare or safety, and the regulated professional enters into an agreement with the Director of Professional Regulation or his/her designate and the chairperson of the participating Board or that chairperson's designate for a treatment plan and progresses satisfactorily in such treatment program and complies with all terms of that agreement. Treatment programs may be operated by professional Committees and Associations or other similar professional groups with the approval of the Director of Professional Regulation and the chairperson of the participating Board.

15.5 Failure to cooperate fully with the participating Board chairperson or that chairperson's designate or designates or the Director of the Division of Professional Regulation or his/her designate in regard to the Voluntary Treatment Option or to comply with their requests for evaluations and screens may disqualify the regulated professional from the provisions of the Voluntary Treatment Option, and the participating Board chairperson or that chairperson's designate or designates shall cause to be activated an immediate investigation and institution of disciplinary proceedings, if appropriate, as outlined in subsection 15.8 of this Section.

15.6 The Voluntary Treatment Option may require a regulated professional to enter into an agreement which includes, but is not limited to, the following provisions:

15.6.1 Entry of the regulated professional into a treatment program approved by the participating Board. Board approval shall not require that the regulated professional be identified to the Board. Treatment and evaluation functions must be performed by separate agencies to assure an unbiased assessment of the regulated professional's progress.

15.6.2 Consent to the treating professional of the approved treatment program to report on the progress of the regulated professional to the chairperson of the participating Board or to that chairperson's designate or designates or to the Director of the Division of Professional Regulation or his/her designate at such intervals as required by the chairperson of the participating Board or that chairperson's designate or designates or the Director of the Division of Professional Regulation or his/her designate, and such person making such report will not be liable when such reports are made in good faith and without malice.

15.6.3 Consent of the regulated professional, in accordance with applicable law, to the release of any treatment information from anyone within the approved treatment program.

15.6.4 Agreement by the regulated professional to be personally responsible for all costs and charges associated with the Voluntary Treatment Option and treatment program. In addition, the Division of Professional Regulation may assess a fee to be paid by the regulated professional to cover administrative costs associated with the Voluntary Treatment Option. The amount of the fee imposed under this subparagraph shall approximate and reasonably reflect the costs necessary to defray the expenses of the participating Board, as well as the proportional expenses incurred by the Division of Professional Regulation in its

services on behalf of the Board in addition to the administrative costs associated with the Voluntary Treatment Option.

15.6.5 Agreement by the regulated professional that failure to satisfactorily progress in such treatment program shall be reported to the participating Board's chairperson or his/her designate or designates or to the Director of the Division of Professional Regulation or his/ her designate by the treating professional who shall be immune from any liability for such reporting made in good faith and without malice.

15.6.6 Compliance by the regulated professional with any terms or restrictions placed on professional practice as outlined in the agreement under the Voluntary Treatment Option.

15.7 The regulated professional's records of participation in the Voluntary Treatment Option will not reflect disciplinary action and shall not be considered public records open to public inspection. However, the participating Board may consider such records in setting a disciplinary sanction in any future matter in which the regulated professional's chemical dependency or impairment is an issue.

15.8 The participating Board's chairperson, his/her designate or designates or the Director of the Division of Professional Regulation or his/her designate may, in consultation with the treating professional at any time during the Voluntary Treatment Option, restrict the practice of a chemically dependent or impaired professional if such action is deemed necessary to protect the public health, welfare or safety.

15.9 If practice is restricted, the regulated professional may apply for unrestricted licensure upon completion of the program.

15.10 Failure to enter into such agreement or to comply with the terms and make satisfactory progress in the treatment program shall disqualify the regulated professional from the provisions of the Voluntary Treatment Option, and the participating Board shall be notified and cause to be activated an immediate investigation and disciplinary proceedings as appropriate.

15.11 Any person who reports pursuant to this section in good faith and without malice shall be immune from any civil, criminal or disciplinary liability arising from such reports, and shall have his/her confidentiality protected if the matter is handled in a nondisciplinary matter.

15.12 Any regulated professional who complies with all of the terms and completes the Voluntary Treatment Option shall have his/her confidentiality protected unless otherwise specified in a participating Board's rules and regulations. In such an instance, the written agreement with the regulated professional shall include the potential for disclosure and specify those to whom such information may be disclosed.

29 DE Reg. 796 (03/01/26)

16.0 Hearings - Requests for Postponement

Requests for postponements of any matter scheduled before the Board shall be submitted to the Board's office in writing no less than 3 business days before the date scheduled for the hearing. Absent a showing of exceptional circumstances, there shall be a maximum of 1 postponement allowed to each party to any hearing.

5 DE Reg. 612 (09/01/01)

17.0 Crimes substantially related to the practice of psychology:

17.1 Conviction of any of the following crimes, or of the attempt to commit or of a conspiracy to commit or conceal or of solicitation to commit any of the following crimes, is deemed to be substantially related to the practice of psychology in the State of Delaware without regard to the place of conviction:

17.1.1 Aggravated menacing. 11 **Del.C.** §602(b)
17.1.2 Reckless endangering in the second degree. 11 **Del.C.** §603
17.1.3 Reckless endangering in the first degree. 11 **Del.C.** §604
17.1.4 Abuse of a pregnant female in the second degree. 11 **Del.C.** §605.
17.1.5 Abuse of a pregnant female in the first degree. 11 **Del.C.** §606.
17.1.6 Assault in the third degree. 11 **Del.C.** §611.
17.1.7 Assault in the second degree. 11 **Del.C.** §612
17.1.8 Assault in the first degree. 11 **Del.C.** §613.
17.1.9 Abuse of a sports official; felony. 11 **Del.C.** §614.
17.1.10 Assault by abuse or neglect. 11 **Del.C.** §615.
17.1.11 Gang participation. 11 **Del.C.** §616.
17.1.12 Terroristic threatening. 11 **Del.C.** §621(a) and (b).
17.1.13 Unlawfully administering drugs. 11 **Del.C.** §625.
17.1.14 Unlawfully administering controlled substance or counterfeit substance or narcotic drugs. 11 **Del.C.** §626.
17.1.15 Prohibited acts as to substances releasing vapors or fumes. 11 **Del.C.** §627.
17.1.16 Vehicular assault in the first degree. 11 **Del.C.** §629.
17.1.17 Vehicular homicide in the second degree. 11 **Del.C.** §630.

17.1.18 Vehicular homicide in the first degree. 11 **Del.C.** §630A.
17.1.19 Criminally negligent homicide. 11 **Del.C.** §631.
17.1.20 Manslaughter. 11 **Del.C.** §632.
17.1.21 Murder by abuse or neglect in the second degree. 11 **Del.C.** §633
17.1.22 Murder by abuse or neglect in the first degree. 11 **Del.C.** §634.
17.1.23 Murder in the second degree. 11 **Del.C.** §635.
17.1.24 Murder in the first degree. 11 **Del.C.** §636.
17.1.25 Promoting suicide. 11 **Del.C.** §645.
17.1.26 Abortion. 11 **Del.C.** §651.
17.1.27 Self abortion. 11 **Del.C.** §652.
17.1.28 Issuing abortional articles. 11 **Del.C.** §653.
17.1.29 Sexual harassment. 11 **Del.C.** §763.
17.1.30 Indecent exposure in the second degree. 11 **Del.C.** §764.
17.1.31 Indecent exposure in the first degree. 11 **Del.C.** §765.
17.1.32 Incest. 11 **Del.C.** §766.
17.1.33 Unlawful sexual contact in the third degree. 11 **Del.C.** §767.
17.1.34 Unlawful sexual contact in the second degree. 11 **Del.C.** §768.
17.1.35 Unlawful sexual contact in the first degree. 11 **Del.C.** §769.
17.1.36 Rape in the fourth degree. 11 **Del.C.** §770.
17.1.37 Rape in the third degree. 11 **Del.C.** §771.
17.1.38 Rape in the second degree. 11 **Del.C.** §772.
17.1.39 Rape in the first degree. 11 **Del.C.** §773.
17.1.40 Sexual extortion. 11 **Del.C.** §776.
17.1.41 Bestiality. 11 **Del.C.** §777.
17.1.42 Continuous sexual abuse of a child. 11 **Del.C.** §778.
17.1.43 Dangerous crime against a child. 11 **Del.C.** §779.
17.1.44 Female genital mutilation. 11 **Del.C.** §780.
17.1.45 Unlawful imprisonment in the second degree. 11 **Del.C.** §781.
17.1.46 Unlawful imprisonment in the first degree. 11 **Del.C.** §782.
17.1.47 Kidnapping in the second degree. 11 **Del.C.** §783.
17.1.48 Kidnapping in the first degree. 11 **Del.C.** §783A.
17.1.49 Interference with custody. 11 **Del.C.** §785.
17.1.50 Acts constituting coercion. 11 **Del.C.** §791.
17.1.51 Arson in the third degree. 11 **Del.C.** §801.
17.1.52 Arson in the second degree. 11 **Del.C.** §802.
17.1.53 Arson in the first degree. 11 **Del.C.** §803.
17.1.54 Cross or religious symbol burning. 11 **Del.C.** §805.
17.1.55 Criminal mischief. 11 **Del.C.** §811.
17.1.56 Trespassing with intent to peer or peep into a window of another. 11 **Del.C.** §820.
17.1.57 Burglary in the third degree. 11 **Del.C.** §824.
17.1.58 Burglary in the second degree. 11 **Del.C.** §825.
17.1.59 Burglary in the first degree. 11 **Del.C.** §826.
17.1.60 Possession of burglar's tools or instruments facilitating theft. 11 **Del.C.** §828.
17.1.61 Robbery in the second degree. 11 **Del.C.** §831.
17.1.62 Robbery in the first degree. 11 **Del.C.** §832.
17.1.63 Carjacking in the second degree. 11 **Del.C.** §835.
17.1.64 Carjacking in the first degree. 11 **Del.C.** §836.
17.1.65 Shoplifting; felony. 11 **Del.C.** §840.
17.1.66 Use of illegitimate retail sales receipt or Universal Product Code Label; felony. 11 **Del.C.** §840A.
17.1.67 Theft. 11 **Del.C.** §841.
17.1.68 Theft; false pretense. 11 **Del.C.** §843.
17.1.69 Theft; false promise. 11 **Del.C.** §844.
17.1.70 Theft of services. 11 **Del.C.** §845.
17.1.71 Extortion. 11 **Del.C.** §846.
17.1.72 Misapplication of property. 11 **Del.C.** §848.
17.1.73 Theft of rented property. 11 **Del.C.** §849.
17.1.74 Use, possession, manufacture, distribution and sale of unlawful telecommunication and access devices. 11 **Del.C.** §850.

17.1.75 Receiving stolen property. 11 **Del.C.** §851
17.1.76 Identity theft. 11 **Del.C.** §854.
17.1.77 Larceny of livestock. 11 **Del.C.** §859.
17.1.78 Possession of shoplifters tools or instruments facilitating theft. 11 **Del.C.** §860.
17.1.79 Forgery. 11 **Del.C.** §861.
17.1.80 Possession of forgery devices. 11 **Del.C.** §862.
17.1.81 Falsifying business records. 11 **Del.C.** §871.
17.1.82 Tampering with public records in the second degree 11 **Del.C.** §873.
17.1.83 Tampering with public records in the first degree. 11 **Del.C.** §876.
17.1.84 Offering a false instrument for filing. 11 **Del.C.** §877.
17.1.85 Issuing a false certificate. 11 **Del.C.** §878.
17.1.86 Bribery. 11 **Del.C.** §881.
17.1.87 Bribe receiving. 11 **Del.C.** §882.
17.1.88 Defrauding secured creditors. 11 **Del.C.** §891.
17.1.89 Fraud in insolvency. 11 **Del.C.** §892.
17.1.90 Interference with levied-upon property. 11 **Del.C.** §893.
17.1.91 Issuing a bad check. 11 **Del.C.** §900.
17.1.92 Unlawful use of credit card. 11 **Del.C.** §903.
17.1.93 Reencoder and scanning devices. 11 **Del.C.** §903A.
17.1.94 Deceptive business practices. 11 **Del.C.** §906.
17.1.95 Criminal impersonation. 11 **Del.C.** §907.
17.1.96 Criminal impersonation, accident related. 11 **Del.C.** §907A.
17.1.97 Criminal impersonation of a police officer. 11 **Del.C.** §907B.
17.1.98 Unlawfully concealing a will. 11 **Del.C.** §908.
17.1.99 Securing execution of documents by deception. 11 **Del.C.** §909.
17.1.100 Debt adjusting. 11 **Del.C.** §910.
17.1.101 Fraudulent conveyance of public lands. 11 **Del.C.** §911.
17.1.102 Fraudulent receipt of public lands. 11 **Del.C.** §912.
17.1.103 Insurance fraud. 11 **Del.C.** §913.
17.1.104 Health care fraud. 11 **Del.C.** §913A.
17.1.105 Home improvement fraud. 11 **Del.C.** §916.
17.1.106 New home construction fraud. 11 **Del.C.** §917.
17.1.107 Transfer of recorded sounds. 11 **Del.C.** §920.
17.1.108 Sale of transferred recorded sounds. 11 **Del.C.** §921.
17.1.109 Improper labeling. 11 **Del.C.** §922.
17.1.110 Unauthorized access. 11 **Del.C.** §932.
17.1.111 Theft of computer services. 11 **Del.C.** §933.
17.1.112 Interruption of computer services. 11 **Del.C.** §934.
17.1.113 Misuse of computer system information. 11 **Del.C.** §935.
17.1.114 Destruction of computer equipment. 11 **Del.C.** §936.
17.1.115 Unrequested or unauthorized electronic mail or use of network or software to cause same. 11 **Del.C.** §937.
17.1.116 Failure to promptly cease electronic communication upon request. 11 **Del.C.** §938.
17.1.117 Bigamy. 11 **Del.C.** §1001.
17.1.118 Bigamous marriage contracted outside of the State. 11 **Del.C.** §1002.
17.1.119 Dealing in children. 11 **Del.C.** §1100.
17.1.120 Abandonment of child. 11 **Del.C.** §1101.
17.1.121 Endangering the welfare of a child. 11 **Del.C.** §1102.
17.1.122 Endangering the welfare of an incompetent person. 11 **Del.C.** §1105.
17.1.123 Unlawfully dealing with a child. 11 **Del.C.** §1106.
17.1.124 Sexual exploitation of a child. 11 **Del.C.** §1108.
17.1.125 Unlawfully dealing in child pornography. 11 **Del.C.** §1109.
17.1.126 Possession of child pornography. 11 **Del.C.** §1111.
17.1.127 Sexual offenders; prohibitions from school zones. 11 **Del.C.** §1112.
17.1.128 Sexual solicitation of a child. 11 **Del.C.** §1112A.
17.1.129 Criminal non-support and aggravated criminal non-support. 11 **Del.C.** §1113.
17.1.130 Body-piercing, tattooing or branding. 11 **Del.C.** §1114.
17.1.131 Tongue-splitting. 11 **Del.C.** §1114A.

17.1.132 Distribution of tobacco products. 11 **Del.C.** §1120.
17.1.133 Bribery. 11 **Del.C.** §1201
17.1.134 Receiving a bribe; felony. 11 **Del.C.** §1203.
17.1.135 Giving unlawful gratuities. 11 **Del.C.** §1205.
17.1.136 Receiving unlawful gratuities. 11 **Del.C.** §1206.
17.1.137 Improper influence. 11 **Del.C.** §1207.
17.1.138 Official misconduct. 11 **Del.C.** §1211.
17.1.139 Profiteering. 11 **Del.C.** §1212.
17.1.140 Perjury in the third degree. 11 **Del.C.** §1221.
17.1.141 Perjury in the second degree. 11 **Del.C.** §1222.
17.1.142 Perjury in the first degree. 11 **Del.C.** §1223.
17.1.143 Making a false written statement. 11 **Del.C.** §1233.
17.1.144 Wearing a disguise during the commission of a felony. 11 **Del.C.** §1239.
17.1.145 Terroristic threatening of public officials or public servants. 11 **Del.C.** §1240.
17.1.146 Obstructing fire-fighting operations. 11 **Del.C.** §1243.
17.1.147 Hindering prosecution; felony. 11 **Del.C.** §1244.
17.1.148 Falsely reporting an incident. 11 **Del.C.** §1245.
17.1.149 Obstructing the control and suppression of rabies; felony. 11 **Del.C.** §1248.
17.1.150 Abetting the violation of driver's license restrictions. 11 **Del.C.** §1249.
17.1.151 Offenses against law-enforcement animals. 11 **Del.C.** §1250.
17.1.152 Escape in the second degree. 11 **Del.C.** §1252.
17.1.153 Escape after conviction. 11 **Del.C.** §1253.
17.1.154 Assault in a detention facility. 11 **Del.C.** §1254.
17.1.155 Promoting prison contraband; felony. 11 **Del.C.** §1256.
17.1.156 Use of an animal to avoid capture. 11 **Del.C.** §1257A.
17.1.157 Sexual relations in a detention facility. 11 **Del.C.** §1259.
17.1.158 Misuse of prisoner mail; felony. 11 **Del.C.** §1260.
17.1.159 Bribing a witness. 11 **Del.C.** §1261.
17.1.160 Bribe receiving by a witness. 11 **Del.C.** §1262.
17.1.161 Tampering with a witness. 11 **Del.C.** §1263.
17.1.162 Interfering with child witness. 11 **Del.C.** §1263A.
17.1.163 Bribing a juror. 11 **Del.C.** §1264.
17.1.164 Bribe receiving by a juror. 11 **Del.C.** §1265.
17.1.165 Tampering with a juror. 11 **Del.C.** §1266.
17.1.166 Misconduct by a juror. 11 **Del.C.** §1267.
17.1.167 Tampering with physical evidence. 11 **Del.C.** §1269.
17.1.168 Criminal contempt of a domestic violence protective order. 11 **Del.C.** §1271A.
17.1.169 Unlawful grand jury disclosure. 11 **Del.C.** §1273.
17.1.170 Riot. 11 **Del.C.** §1302.
17.1.171 Hate crimes. 11 **Del.C.** §1304.
17.1.172 Aggravated harassment. 11 **Del.C.** §1312.
17.1.173 Stalking. 11 **Del.C.** §1312A.
17.1.174 Malicious interference with emergency communications. 11 **Del.C.** §1313.
17.1.175 Criminal nuisance. 11 **Del.C.** §1322.
17.1.176 Cruelty to animals. 11 **Del.C.** §1325.
17.1.177 Unlawful trade in dog or cat by-products. 11 **Del.C.** §1325A.
17.1.178 Animals; fighting and baiting prohibited; felony. 11 **Del.C.** §1326.
17.1.179 Maintaining a dangerous animal; felony. 11 **Del.C.** §1327.
17.1.180 Abusing a corpse. 11 **Del.C.** §1332.
17.1.181 Trading in human remains and associated funerary objects. 11 **Del.C.** §1333.
17.1.182 Violation of privacy. 11 **Del.C.** §1335.
17.1.183 Bombs, incendiary devices, Molotov cocktails and explosive devices. 11 **Del.C.** §1338.
17.1.184 Adulteration. 11 **Del.C.** §1339.
17.1.185 Prostitution. 11 **Del.C.** §1342.
17.1.186 Patronizing a prostitute prohibited. 11 **Del.C.** §1343.
17.1.187 Promoting prostitution in the third degree. 11 **Del.C.** §1351.
17.1.188 Promoting prostitution in the second degree. 11 **Del.C.** §1352.
17.1.189 Promoting prostitution in the first degree. 11 **Del.C.** §1353.

17.1.190 Permitting prostitution. 11 **Del.C.** §1355.
17.1.191 Obscenity. 11 **Del.C.** §1361.
17.1.192 Advancing gambling in the second degree. 11 **Del.C.** §1401.
17.1.193 Foreign lotteries. 11 **Del.C.** §1402.
17.1.194 Advancing gambling in the first degree. 11 **Del.C.** §1403.
17.1.195 Carrying a concealed deadly weapon. 11 **Del.C.** §1442.
17.1.196 Carrying a concealed dangerous instrument. 11 **Del.C.** §1443**.**
17.1.197 Possessing a destructive weapon. 11 **Del.C.** §1444.
17.1.198 Unlawfully dealing with a dangerous weapon. 11 **Del.C.** §1445.
17.1.199 Possession of a deadly weapon during commission of a felony. 11 **Del.C.** §1447.
17.1.200 Possession of a firearm during commission of a felony. 11 **Del.C.** §1447A.
17.1.201 Possession and purchase of deadly weapons by persons prohibited. 11 **Del.C.** §1448.
17.1.202 Criminal history record checks for sales of firearms. 11 **Del.C.** §448A.
17.1.203 Wearing body armor during commission of felony. 11 **Del.C.** §1449.
17.1.204 Receiving a stolen firearm. 11 **Del.C.** §1450.
17.1.205 Theft of a firearm. 11 **Del.C.** §1451.
17.1.206 Unlawfully dealing with knuckles-combination knife. 11 **Del.C.** §1452.
17.1.207 Unlawfully dealing with martial arts throwing star. 11 **Del.C.** §1453.
17.1.208 Giving a firearm to person prohibited. 11 **Del.C.** §1454.
17.1.209 Engaging in a firearms transaction on behalf of another. 11 **Del.C.** §1455.
17.1.210 Possession of a weapon in a Safe School and Recreation Zone. 11 **Del.C.** §1457.
17.1.211 Removing a firearm from the possession of a law enforcement officer. 11 **Del.C.** §1458.
17.1.212 Possession of a weapon with a removed, obliterated or altered serial number. 11 **Del.C.** §1459.
17.1.213 Prohibited acts. Cheating devices(a)-(e). 11 **Del.C.** §1471.
17.1.214 Organized Crime and Racketeering. 11 **Del.C.** §1504.
17.1.215 Victim or Witness Intimidation 11 **Del.C.** §§3532 and 3533.
17.1.216 Abuse, neglect, mistreatment or financial exploitation of residents or patients. 16 **Del.C.** §1136(a), (b) and (c).
17.1.217 Prohibited acts A under the Uniform Controlled Substances Act. 16 **Del.C.** §4751(a), (b) and (c).
17.1.218 Prohibited acts B under the Uniform Controlled Substances Act. 16 **Del.C.** §4752(a) and (b).
17.1.219 Unlawful delivery of noncontrolled substance. 16 **Del.C.** §4752A.
17.1.220 Trafficking in marijuana, cocaine, illegal drugs, methamphetamines, Lysergic Acid Diethylamide (L.S.D.), designer drugs, or 3,4-methylenedioxymethamphetamine (MDMA). 16 **Del.C.** §4753A (a)(1)-(9).
17.1.221 Prohibited acts D under the Uniform Controlled Substances Act. 16 **Del.C.** §4754.
17.1.222 Possession and delivery of noncontrolled prescription drug; felony. 16 **Del.C.** §4754A(d)**.**
17.1.223 Prohibited acts E under the Uniform Controlled Substances Act. 16 **Del.C.** §4755(a)(1) and (2).
17.1.224 Prohibited acts under the Uniform Controlled Substances Act. 16 **Del.C.** §4756(a)(1)-(5) and (b).
17.1.225 Hypodermic syringe or needle; delivering or possessing; disposal; felony. 16 **Del.C.** §4757.
17.1.226 Distribution to persons under 21 years of age. 16 **Del.C.** §4761.
17.1.227 Purchase of drugs from minors. 16 **Del.C.** §4761A.
17.1.228 Distribution, delivery, or possession of controlled substance within 1,000 feet of school property; penalties; defenses. 16 **Del.C.** §4767.
17.1.229 Distribution, delivery or possession of controlled substance in or within 300 feet of park, recreation area, church, synagogue or other place of worship. 16 **Del.C.** §4768
17.1.230 Drug paraphernalia. 16 **Del.C.** §4771 (a) and (b).
17.1.231 Possession, manufacture and sale, delivery to a minor and advertising of drug paraphernalia; felony. 16 **Del.C.** §§4771 and 4774.
17.1.232 Operation of a vessel or boat while under the influence of intoxicating liquor and/or drugs; third and fourth offenses. 23 **Del.C.** §2302(a) and §2305(3) and (4).
17.1.233 Attempt to evade or defeat tax. 30 **Del.C.** §571.
17.1.234 Failure to collect or pay over tax. 30 **Del.C.** §572.
17.1.235 Fraud and false statements. 30 **Del.C.** §574.
17.1.236 Obtaining benefit under false representation. 31 **Del.C.** §1003.
17.1.237 Reports, statements and documents. 31 **Del.C.** §1004.
17.1.238 Kickback schemes and solicitations. 31 **Del.C.** §1005.
17.1.239 Conversion of payment. 31 **Del.C.** §1006.
17.1.240 Unlawful possession or manufacture of proof of insurance. 21 **Del.C.** §2118A.
17.1.241 Temporary registration violations related to providing false information. 21 **Del.C.** §2133(a) (1)-(3).

17.1.242 False statements. 21 **Del.C.** §2315.
17.1.243 Altering or forging certificate of title, manufacturer's certificate of origin, registration card, vehicle warranty or certification sticker or vehicle identification plate. 21 **Del.C.** §2316.
17.1.244 Transfer to automotive recycler. 21 **Del.C.** §2505.
17.1.245 Endorsement and delivery of certificate of title upon transfer. 21 **Del.C.** §2510.
17.1.246 False statements; incorrect or incomplete information. 21 **Del.C.** §2620.
17.1.247 License to operate a motorcycle, motorbike, etc. 21 **Del.C.** §2703.
17.1.248 Issuance of a Level 1 Learner's Permit and Class D operator's license to persons under 18 years of age. 21 **Del.C.** §2710.
17.1.249 Unlawful application for or use of license or identification card. 21 **Del.C.** §2751.
17.1.250 False statements. 21 **Del.C.** §2752.
17.1.251 Duplication, reproduction, altering, or counterfeiting of driver's licenses or identification cards. 21 **Del.C.** §2760(a) and (b).
17.1.252 Driving after judgment prohibited. 21 **Del.C.** §2810.
17.1.253 False statements. 21 **Del.C.** §3107.
17.1.254 Driving a vehicle while under the influence or with a prohibited alcohol content; third and fourth offenses. 21 **Del.C.** §4177 (3) and (4).
17.1.255 Operating a commercial motor vehicle with a prohibited blood alcohol concentration or while impaired by drugs 21 **Del.C.** §4177M.
17.1.256 Duty of driver involved in accident resulting in property damage or injury. 21 **Del.C.** §4201.
17.1.257 Duty of driver involved in accident resulting in injury or death to any person. 21 **Del.C.** §4202.
17.1.258 Report of damaged vehicles; cars involved in fatal accidents. 21 **Del.C.** §4204.
17.1.259 Introduction, sale, distribution or advertisement to public of motor vehicle master keys. 21 **Del.C.** §4601.
17.1.260 Possession of motor vehicle master keys, manipulative keys, key-cutting devices, lock picks or lock picking devices and hot wires. 21 **Del.C.** §4604(a).
17.1.261 Odometer violations. 21 **Del.C.** §6420.
17.1.262 Receiving or transferring stolen vehicle. 21 **Del.C.** §6704.
17.1.263 Removed, falsified or unauthorized identification number on vehicle, bicycle or engine; removed or affixed license/registration plate with intent to misrepresent identity. 21 **Del.C.** §6705(a)-(e).
17.1.264 Possession of blank title; blank registration card; vehicle identification plate; warranty sticker and registration card. 21 **Del.C.** §6708(a) and (b).
17.1.265 Removal of warranty or certification stickers; vehicle identification plates; confidential vehicle identification numbers. 21 **Del.C.** §6709(a).
17.1.266 Unlawful possession of assigned titles, assigned registration cards, vehicle identification plates and warranty stickers. 21 **Del.C.** §6710(a).
17.1.267 Violations related to the requirements if licensing or maintenance of vehicle records for automotive recyclers. 21 **Del.C.** §7512.
17.1.268 Offenses [involving meat and poultry inspection including bribery or attempted bribery or assaulting or impeding any person in the performance of his duties] (felony) 3 **Del.C.** §8713.
17.1.269 Fraud or distribution or attempted distribution of adulterated article. 3 **Del.C.** §8715.
17.1.270 Fraudulent Written Statements. 3 **Del.C.** §10049.
17.1.271 Fraudulent Certificate of Registration or Eligibility Documents 3 **Del.C.** §10050.
17.1.272 Prohibited trade practices against infirm or elderly. 6 **Del.C.** §2581.
17.1.273 Prohibition of intimidation [under the Fair Housing Act]; felony. 6 **Del.C.** §4619.
17.1.274 Auto Repair Fraud victimizing the infirm or elderly. 6 **Del.C.** §4909A.
17.1.275 Violations of the Securities Act. 6 **Del.C.** §7322.
17.1.276 Environmental Control Permits; felony. 7 **Del.C.** §6003.
17.1.277 Unauthorized Acts against a Service Guide or Seeing Eye Dog. 7 **Del.C.** §1717.
17.1.278 Interception of Communications Generally; Divulging Contents of Communications. 11 **Del.C.** §2402
17.1.279 Manufacture, Possession or Sale of Intercepting Device. 11 **Del.C.** §2403.
17.1.280 Breaking and Entering, Etc. to Place or Remove Equipment 11 **Del.C.** §2410.
17.1.281 Obstruction, Impediment or Prevention of Interception. 11 **Del.C.** §2412
17.1.282 Obtaining, Altering or Preventing Authorized Access. 11 **Del.C.** §2421
17.1.283 Divulging Contents of Communications. 11 **Del.C.** §2422
17.1.284 Installation and Use Generally [of pen trace and trap and trace devices]. 11 **Del.C.** §243.
17.1.285 Attempt to Intimidate. 11 **Del.C.** §3534

17.1.286 Disclosure of Expunged Records. 11 **Del.C.** §4374.
17.1.287 Violation of reporting provisions re: SBI.; felony. 11 **Del.C.** §8523.
17.1.288 Failure of child-care provider to obtain information required under §8561 or for those providing false information. 11 **Del.C.** §8562
17.1.289 Providing false information when seeking employment in a public school. 11 **Del.C.** §8572
17.1.290 Filing False Claim [under Victims' Compensation Fund]. 11 **Del.C.** §9016
17.1.291 Failure of Physician to file report of abuse of neglect pursuant to 16 **Del.C.** §903.
17.1.292 Coercion or intimidation involving health-care decisions and falsification, destruction of a document to create a false impression that measures to prolong life have been authorized; felony. 16 **Del.C.** §2513 (b).
17.1.293 Violations related to the sale, purchase, receipt, possession, transportation, use, safety and control of explosive materials other than 16 **Del.C.** §7103. 16 **Del.C.** §7112
17.1.294 Operation of a Vessel or Boat while under the Influence of Intoxicating Liquor and/or Drugs. 23 **Del.C.** §2302 (3) and (4)
17.1.295 Sale to Persons under 21 or Intoxicated Persons. 24 **Del.C.** §903
17.1.296 Abuse, neglect, exploitation or mistreatment of infirm adult. 31 **Del.C.** §3913(a), (b) and (c).

17.2 Crimes substantially related to the practice of psychology shall be deemed to include any crimes under any federal law, state law, or valid town, city or county ordinance, that are substantially similar to the crimes identified in this rule.

18.0 Telepsychology

18.1 "Telepsychology" means the practice of psychology by distance communication technology such as but not necessarily limited to telephone, email, Internet-based communications, and videoconferencing.

18.2 In order to practice telepsychology one must hold a current, valid license issued by the Board.

18.3 Licensees understand that this rule does not provide licensees with authority to practice telepsychology in service to clients domiciled in any jurisdiction other than Delaware, and licensees bear responsibility for complying with laws, rules, or policies for the practice of telepsychology set forth by other jurisdictional boards of psychology.

18.4 Licensees practicing telepsychology shall comply with all of these rules of professional conduct and with requirements incurred in state and federal statutes relevant to the practice of psychology.

18.5 Licensees establish and maintain current competence in the professional practice of telepsychology through continuing education, consultation, or other procedures, in conformance with prevailing standards of scientific and professional knowledge. Licensees establish and maintain competence in the appropriate use of the information technologies utilized in the practice of telepsychology.

18.6 Licensees recognize that telepsychology is not appropriate for all psychological problems and clients, and decisions regarding the appropriate use of telepsychology are made on a case-by-case basis. Licensees practicing telepsychology are aware of additional risks incurred when practicing psychology through the use of distance communication technologies and take special care to conduct their professional practice in a manner that protects the welfare of the client and ensures that the client's welfare is paramount. Licensees practicing telepsychology shall:

18.6.1 Conduct a risk-benefit analysis and document findings specific to:

18.6.1.1 Whether the client's presenting problems and apparent condition are consistent with the use of telepsychology to the client's benefit; and

18.6.1.2 Whether the client has sufficient knowledge and skills in the use of the technology involved in rendering the service or can use a personal aid or assistive device to benefit from the service.

18.6.2 Not provide telepsychology services to any person or persons when the outcome of the analysis required in subsections 18.6.1.1 and 18.6.1.2 of this regulation is inconsistent with the delivery of telepsychology services, whether related to clinical or technological issues.

18.6.3 Upon initial and subsequent contacts with the client, make reasonable efforts to verify the identity of the client;

18.6.4 Obtain alternative means of contacting the client;

18.6.5 Provide to the client alternative means of contacting the licensee;

18.6.6 Establish a written agreement relative to the client's access to in-person emergency services in the client's geographical area, in instances such as, but not necessarily limited to, the client experiencing a suicidal or homicidal crisis;

18.6.7 Licensees, whenever feasible, use secure communications with clients, such as encrypted text messages via email or secure websites and obtain and document consent for the use of non-secure communications.

18.6.8 Prior to providing telepsychology services, obtain the written informed consent of the client, in language that is likely to be understood and consistent with accepted professional and legal requirements, relative to:

18.6.8.1 The limitations and innovative nature of using distance technology in the provision of psychological services;

18.6.8.2 Potential risks to confidentiality of information due to the use of distance technology;

18.6.8.3 Potential risks of sudden and unpredictable disruption of telepsychology services and how an alternative means of re-establishing electronic or other connection will be used under such circumstances;

18.6.8.4 When and how the licensee will respond to routine electronic messages;

18.6.8.5 Under what circumstances the licensee and service recipient will use alternative means of communications under emergency circumstances;

18.6.8.6 Who else may have access to communications between the client and the licensee;

18.6.8.7 Specific methods for ensuring that a client's electronic communications are directed only to the licensee or supervisee;

18.6.8.8 How the licensee stores electronic communications exchanged with the client;

18.6.9 Ensure that confidential communications stored electronically cannot be recovered or accessed by unauthorized persons when the licensee disposes of electronic equipment and data.

9 DE Reg. 452 (09/01/05)
17 DE Reg. 89 (07/01/13)
18 DE Reg. 323 (10/01/14)
24 DE Reg. 1075 (06/01/21)
25 DE Reg. 1031 (05/01/22)
28 DE Reg. 468 (12/01/24)

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2 DE Reg. 776 (11/01/98)
3 DE Reg 1067 (02/01/00)
4 DE Reg. 979 (12/01/00)
4 DE Reg. 1794 (05/01/01)
5 DE Reg. 612 (09/01/01)
6 DE Reg. 1338 (04/01/03)
9 DE Reg. 452 (09/01/05)
9 DE Reg. 1107 (01/01/06)
10 DE Reg. 1728 (05/01/07)
11 DE Reg. 1669 (06/01/08)
12 DE Reg. 1108 (02/01/09)
13 DE Reg. 124 (07/01/09)
15 DE Reg. 371 (09/01/11)
17 DE Reg. 89 (07/01/13)
17 DE Reg. 1100 (05/01/14)
18 DE Reg. 323 (10/01/14)
19 DE Reg. 319 (10/01/15)
24 DE Reg. 1075 (06/01/21)
25 DE Reg. 1031 (05/01/22)
28 DE Reg. 468 (12/01/24)
29 DE Reg. 796 (03/01/26)
29 DE Reg. 797 (03/01/26)