

## I. CATEGORIES OF PSYCHOSEXUAL EVALUATOR CERTIFICATION

A. Pursuant to the statutory mandate and authority afforded to the SOMB, to be eligible to conduct psychosexual evaluations in accordance with this section, an individual must be formally certified by the SOMB. The 3 established categories of certification are:

- a. **Senior/Approved Psychosexual Evaluator.** A Senior/Approved Psychosexual Evaluator is a clinical professional who is currently authorized by the SOMB to:
  - i. Independently conduct psychosexual evaluations in accordance with the requirements, standards, guidelines for such evaluations as outlined in this section; and
  - ii. Is authorized to provide direct clinical supervision to individuals certified as an Associate/Supervised Psychosexual Evaluator, a Provisional/Supervised Psychosexual Evaluator, or who are otherwise seeking certification to conduct or assist with psychosexual evaluations.
- b. **Associate/Supervised Psychosexual Evaluator.** An Associate/Supervised Psychosexual Evaluator is a professional who is currently authorized by the SOMB to conduct psychosexual evaluations only under the clinical supervision of a Senior/Approved Psychosexual Evaluator in good standing. A person certified as an Associate/Supervised Psychosexual Evaluator may independently conduct testing and assessments in accordance with their training and education as well as interviews and report preparation. Final psychosexual evaluation reports that have been conducted by an Associate/Supervised Psychosexual Evaluator must be reviewed and signed as approved by a Senior/Approved Psychosexual Evaluator.
- c. **Provisional/Supervised Psychosexual Evaluator.** A Provisional/Supervised Psychosexual Evaluator is a professional with limited clinical experience and specialized training who is currently authorized by the SOMB to assist with the conduct of psychosexual evaluations only under the direct supervision of a Senior/Approved Psychosexual Evaluator with additional mentoring by an

Associate/Supervised Psychosexual Evaluator in good standing as directed by a Senior/Approved Psychosexual Evaluator, and whose work products must be reviewed and signed by a Senior/Approved Psychosexual Evaluator in good standing. A person with a Provisional/Supervised Psychosexual Evaluator certificate is not a certified evaluator for the purposes of Section 18-8303, Idaho Code. This level of certification does not allow for independent submission of final psychosexual evaluation reports.

- B. The SOMB shall provide authorization of the evaluator to conduct or assist with conducting psychosexual evaluations of adult<sup>1</sup> sex offenders based on the minimum educational, experience, specialized training, and other criteria set forth in this section.

## **II. CENTRAL ROSTER OF PSYCHOSEXUAL EVALUATORS**

- A. The SOMB shall maintain a complete and current official roster of all Senior/Approved Psychosexual Evaluators, Associate/Supervised Psychosexual Evaluators and Provisional/Supervised Psychosexual Evaluators to minimally include the:
  - a. Name of the evaluator;
  - b. Business name, address, telephone number, and other contact information;
  - c. Level of certification as designated by the SOMB; and
  - d. Population for which the evaluator is authorized by the SOMB to conduct evaluations (adult).
- B. The SOMB shall ensure the accuracy and currency of the official roster by updating the roster quarterly and indicating on the official roster the date on which it was updated.
- C. The SOMB shall publish the central roster on the SOMB's website and make the written roster otherwise available upon request.

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<sup>1</sup> Standards and guidelines pertaining to the evaluation of juveniles adjudicated for sex offenses will be addressed by the SOMB at a later date.

- D. A psychosexual evaluator certified by the SOMB has a continuing duty and obligation to maintain eligibility under this section if desiring to remain on the central roster.
- E. The SOMB may remove an individual from the official roster of psychosexual evaluators for reasons as outlined in these guidelines.

### **III. PSYCHOSEXUAL EVALUATOR CERTIFICATION REPRESENTATION**

- A. A person conducting or assisting with the conduct of psychosexual evaluations in accordance with this section shall clearly and accurately indicate their level and scope of certification as either a Senior/Approved Psychosexual Evaluator, an Associate/Supervised Psychosexual Evaluator or a Provisional/Supervised Psychosexual Evaluator when:
  - a. Making oneself available to accept referrals for psychosexual evaluations;
  - b. Advertising oneself as a psychosexual evaluator;
  - c. Communicating with the courts, other professionals, or the public regarding their certification to conduct or assist with the conduct of psychosexual evaluations;
  - d. Providing informed consent to clients and/or their legal guardians at the time of the evaluation; and
  - e. Signing the written psychosexual evaluation report.
- B. In accordance with I.C. 18-8314, no person shall claim or imply oneself to be a certified psychosexual evaluator pursuant to this section, or use a title or any abbreviation that implies that the person is a certified psychosexual evaluator pursuant to this section, unless so certified by the SOMB and currently in good standing on the official roster of psychosexual evaluators.

### **IV. MINIMUM REQUIREMENTS FOR PSYCHOSEXUAL EVALUATOR CERTIFICATION FOR ADULT SEX OFFENDERS**

- A. A person who conducts or assists with the conduct of a psychosexual evaluation in accordance with this section must meet the eligibility criteria and minimum requirements as set forth in this section and be certified by the SOMB as a

Senior/Approved Psychosexual Evaluator, an Associate/Supervised Psychosexual Evaluator or a Provisional/Supervised Psychosexual Evaluator.

- B. A person certified by the SOMB to conduct or assist with the conduct of psychosexual evaluations has a continuing duty to notify the SOMB in writing should circumstances result in the ineligibility of the evaluator to meet the minimum requirements for the level of certification designated by the SOMB.
- C. The minimum requirements for certification by the SOMB as a psychosexual evaluator include criteria, requirements, and expectations in the following categories:
  - a. Formal educational requirements;
  - b. Professional licensure requirements;
  - c. Clinical experience requirements;
  - d. Specialized training requirements; and
  - e. Continuing education/ongoing professional development requirements.
- D. For purposes of clinical practice supervision for Associate/Supervised Psychosexual Evaluator certification, "Supervision" is generally considered as face-to-face direct contact, documented teleconferencing, and/or interactive video conferencing using a ratio of 1 hour of clinical supervision for every 20 hours of direct service provided. If no approved supervisor is available within a 50 mile radius, applicants may submit a request to the SOMB to utilize an alternate supervisor.
- E. For purposes of clinical practice supervision for Provisional/Supervised Psychosexual Evaluator certification, "Supervision" is considered as face-to-face direct contact.
  - a. Clinical supervision for purposes of Provisional/Supervised Psychosexual Evaluator certification may not meet standard requirements for professional licensure.

**V. REQUIREMENTS FOR CERTIFICATION AS A SENIOR/APPROVED PSYCHOSEXUAL EVALUATOR**

To be eligible for SOMB certification as a Senior/Approved Psychosexual Evaluator, a person must:

- A. Formal Education Requirements. Possess an advanced/graduate degree (e.g., Masters, Doctoral) in an applied clinical practice field such as psychiatry, psychology, counseling, or social work from an accredited university or college and program of study, preferably with an emphasis on the application of forensic clinical practice and for which a bachelor's degree was a pre-requisite.
- B. Professional Licensure Requirements
- a. Possess a valid Idaho license to practice as a psychiatrist, psychologist, social worker, professional counselor, or marriage and family therapist, with such license issued by the appropriate/respective regulatory body for the discipline or profession;
  - b. Maintain such licensure for the duration of the certification period authorized by the SOMB; and
  - c. Remain in good standing with the licensing body for the regulated profession, and not currently be under formal sanction or suspension of practice for ethical or other disciplinary matters.
- C. Clinical Experience and Specialized Training Requirements
- a. Engaged in a combination of direct, face-to-face clinical practice with adult sex offenders and received specialized training for a minimum of 1500 hours.
    - i. Clinical practice is defined as face-to-face when possible, sexual offender evaluation, assessment, individual and/or group treatment, case staffing/planning, and crisis management;
    - ii. Shall have been accumulated within the 3 years immediately preceding the initial application for SOMB certification as a Senior/Approved Psychosexual Evaluator;
    - iii. Of the 1500 hours requirement, a minimum of 500 hours shall be specific to conducting psychosexual evaluations;
    - iv. Of the 1500 hours requirement, no more than 300 hours shall be attributed to supervised case staffing/planning or crisis management; and

- v. Of the 1500 hours requirement, a minimum of 60 hours or a maximum of 375 hours may be attributed to specialized training.
  - vi. A minimum of 30 hours of specialized training shall be specific to the assessment and evaluation of adult sex offenders.
  - vii. No more than 16 hours of training specific to the treatment of victims of sexual abuse can be used to count toward the minimum number of specialized training hours.
- b. Specialized training may be in a combination of areas such as:
- i. Contemporary research regarding the etiology of sexually abusive behavior;
  - ii. Research-identified risk factors for the development and continuation of sexually abusive/offending behavior for adults;
  - iii. Contemporary research and practice in the areas of assessment, treatment, and management of adult sex offenders;
  - iv. Research-supported, sex offender-specific risk assessment tools for adults; and
  - v. Physiological assessment of deviant sexual arousal and/or interests.
- c. Conducted a minimum of 9 psychosexual evaluations within the past 3 years, at least 3 of which have been conducted within the year preceding the initial application for certification as a Senior/Approved Psychosexual Evaluator.
- d. A person seeking certification as a Senior/Approved Psychosexual Evaluator who is unable to meet the required clinical experience and/or specialized training requirements within the designated 3-year time-frame may apply for conditional waiver consideration, as outlined in this section
- e. The clinical experience requirements should be met by working with adult clients in order to be eligible for SOMB-certification to conduct evaluations of adults. The SOMB may consider experience with combined populations (adults and juveniles) on a case by case basis.

## VI. REQUIREMENTS FOR CERTIFICATION AS AN ASSOCIATE/SUPERVISED PSYCHOSEXUAL EVALUATOR

To be eligible for SOMB certification as an Associate/Supervised Psychosexual Evaluator, a person must:

- A. Formal Education Requirements. Possess an advanced/graduate degree (e.g., Masters, Doctoral) in an applied clinical practice field such as psychiatry, psychology, counseling, or social work from an accredited university or college and program of study, preferably with an emphasis on the application of forensic clinical practice and for which a bachelor's degree was a pre-requisite.
- B. Professional Licensure Requirements.
  - a. Possess a valid Idaho license to practice as a psychiatrist, psychologist, social worker, professional counselor, or marriage and family therapist, with such license issued by the appropriate/respective regulatory body for the discipline or profession;
  - b. Maintain such licensure for the duration of the certification period authorized by the SOMB; and
  - c. Remain in good standing with the licensing body for the regulated profession, and not currently be under formal sanction or suspension of practice for ethical or other disciplinary matters.
- C. Practice under a current and formal clinical supervision agreement approved by the SOMB as specified in the Formal Clinical Supervision Agreement section.
- D. Clinical Experience and Specialized Training Requirements. To be eligible for SOMB certification as an Associate/Supervised Psychosexual Evaluator, a person must have:
  - a. Practiced only under the supervision of a Senior/Approved Evaluator and in accordance with a formal clinical supervision plan as outlined in this section;
  - b. Engaged in a combination of direct, face-to-face clinical practice with adult sex offenders and received specialized training for a minimum of 500 hours.

- i. Clinical practice is defined as face-to-face when possible, sexual offender evaluation, assessment, individual and/or group treatment, case staffing/planning, and crisis management;
  - ii. Shall have been accumulated within the 3 years immediately preceding the initial application for SOMB certification as an Associate/Supervised Psychosexual Evaluator;
  - iii. Of this 500 hours requirement, a minimum of 100 hours shall be specific to conducting psychosexual evaluations; and
  - iv. Of the 500 hours requirement, a minimum of 60 hours or a maximum of 175 hours may be attributed to specialized training.
  - v. A minimum of 30 hours of specialized training shall be specific to the assessment and evaluation of adult sex offenders.
  - vi. No more than 16 hours of training specific to the treatment of victims of sexual abuse can be used to count toward the minimum number of specialized training hours.
- c. Specialized Training may be in a combination of areas such as:
- i. Contemporary research regarding the etiology of sexually abusive behavior;
  - ii. Research-identified risk factors for the development and continuation of sexually abusive/offending behavior for adults;
  - iii. Contemporary research and practice in the areas of assessment, treatment, and management of adult sex offenders;
  - iv. Research-supported, sex offender-specific risk assessment tools for adults; and
  - v. Physiological assessment of deviant sexual arousal and/or interests.
- d. Conducted a minimum of 6 psychosexual evaluations within the past 3 years, at least 2 of which have been conducted within the year immediately preceding the initial application for SOMB certification as an Associate/Supervised Psychosexual Evaluator.

- e. The clinical experience requirements should be met by working with adult clients in order to be eligible for SOMB certification to conduct evaluations of adults. The SOMB may consider experience with combined populations (adults and juveniles) on a case by case basis.
  - f. To maximally support any application for SOMB certification as a psychosexual evaluator, supervisees are required to maintain a cumulative log that includes at minimum:
    - i. The dates of face-to-face, telephone/teleconferencing, and/or other “live” and interactive web-based verbal conversation;
    - ii. Number of hours of clinical supervision received;
    - iii. Number of hours and nature of clinical services provided and dates of service;
    - iv. Number of hours of evaluation practice and dates of service; and
    - v. Number, nature and completion dates of supervised evaluations conducted, all of which can be verified and signed by the supervisor.
  - g. A cumulative log may be required by the SOMB as a condition of approval of a formal supervision plan or application for certification; such a log may be subject to audit or requested by the SOMB in support of decision making regarding certification or quality assurances processes.
  - h. A person seeking certification as an Associate/Supervised Psychosexual Evaluator who is unable to meet the required clinical experience and/or specialized training requirements within the designated time-frame may apply for conditional waiver consideration, as outlined in this section.
- E. Formal clinical supervision agreement.
- a. A person seeking certification or currently certified by the SOMB as an Associate/Supervised Psychosexual Evaluator shall only conduct psychosexual evaluations under the clinical practice supervision of a Senior/Approved Psychosexual Evaluator and in accordance with the terms of a formal clinical supervision agreement to be approved in advance by the SOMB.

- b. The formal clinical supervision agreement shall minimally address the following criteria:
  - i. The name and contact information of the supervisee and supervisor(s);
  - ii. Population to be served/evaluated (adults);
  - iii. Location, setting, nature of practice in which clinical services will be conducted;
  - iv. Effective period of clinical supervision;
  - v. The ratio of face-to-face or other “live” supervision hours to hours of direct service delivery; and
  - vi. Any other methods of clinical supervision that are anticipated to be employed.
- c. The formal clinical supervision agreement must accompany any initial or renewal application for Associate/Supervised Psychosexual Evaluator or application for change of certification category to the level of Senior/Approved Psychosexual Evaluator.

## **VII. REQUIREMENTS FOR CERTIFICATION AS A PROVISIONAL/SUPERVISED PSYCHOSEXUAL EVALUATOR**

Certification as a Provisional/Supervised Psychosexual Evaluator is limited to a 3 year period, at which time the person must have achieved the minimum requirements for certification level upgrade to Associate/Supervised Psychosexual Evaluator.

To be eligible for SOMB certification as a Provisional/Supervised Psychosexual Evaluator, a person must:

- A. Formal Education and Licensure Requirements.
  - a. Possess or be currently enrolled in a graduate program of study toward the attainment of an advanced/graduate degree (e.g., Masters, Doctoral) from an accredited university or college and program of study, preferably with an emphasis on the application of forensic clinical practice; and
  - b. Possess or be pursuing licensure in an applied clinical practice field such as psychiatry, psychology, counseling, or social work.

- B. Clinical Experience Requirements.
- a. Practice only under the supervision of a Senior/Approved Psychosexual Evaluator and in accordance with a formal clinical supervision plan as outlined in this section.
  - b. For *renewal* certification as a Provisional/Supervised Psychosexual Evaluator, a person must accumulate a minimum of 147 face-to-face clinical practice hours under the supervision of a Senior/Approved Psychosexual Evaluator during the period of certification preceding the annual renewal application.
    - i. The SOMB may consider modifications to the renewal clinical practice requirements on a case by case basis as circumstances warrant.
  - c. Face-to-face supervision is required during any period of time in which a Provisional/Supervised Psychosexual Evaluator is providing direct clinical services to sex offenders.
  - d. To maximally support any application for SOMB certification as a Provisional/Supervised Psychosexual Evaluator, supervisees are required to maintain a cumulative log that includes at minimum:
    - i. The dates of face-to-face clinical supervision;
    - ii. Number of hours and nature of supervised clinical services provided, and the dates of service;
    - iii. Number of hours of evaluation practice and dates of service; and
    - iv. Number, nature and completion dates of supervised evaluations conducted, all of which can be verified by the supervisor.
  - e. A cumulative log may be required by the SOMB as a condition of approval of a formal supervision plan or application for certification; such a log may be subject to audit or requested by the SOMB in support of decision making regarding certification or quality assurances processes.
- C. Formal clinical supervision agreement.
- a. A person seeking certification or currently certified as a Provisional/Supervised Psychosexual Evaluator shall only assist with the conduct of psychosexual evaluations and provide clinical services under the

direct clinical practice supervision of a Senior/Approved Psychosexual Evaluator and in accordance with the terms of a formal clinical supervision agreement to be approved in advance by the SOMB.

- b. The formal clinical supervision agreement shall minimally address the following criteria:
  - i. The name and contact information of the supervisee and supervisor(s);
  - ii. Population to be served/evaluated (adults);
  - iii. Location, setting, nature of practice in which clinical services will be conducted;
  - iv. Effective period of clinical supervision;
  - v. Number of hours of anticipated direct clinical supervision; and
  - vi. Any other methods of clinical supervision that are anticipated to be employed.
- c. The formal clinical supervision agreement must accompany any initial or renewal application for a Provisional/Supervised Psychosexual Evaluator or application for change of certification category to the level of Associate/Supervised Psychosexual Evaluator.

**D. Mentoring by an Associate/Supervised Psychosexual Evaluator.**

- a. A person certified as a Provisional/Supervised Psychosexual Evaluator may work under the mentoring of an Associate/Supervised Psychosexual Evaluator to assist with interviews and report preparation;
- b. All clinical services provided under a mentoring arrangement shall be conducted under the oversight/supervision of a Senior/Approved Psychosexual Evaluator. Final psychosexual evaluation reports must be reviewed and signed by the Senior/Approved Psychosexual Evaluator.

**VIII. CONTINUING EDUCATION/ONGOING PROFESSIONAL DEVELOPMENT REQUIREMENTS**

- A. To maintain certification as a Senior/Approved Psychosexual Evaluator or an Associate/Supervised Psychosexual Evaluator, a person must receive a minimum of 40 verifiable hours of continuing education in the form of workshops, conferences,

symposia, or on-line training over the course of the 2 year period prior to each renewal period.

- a. Twenty (20) hours of continuing education shall be consistent with maintaining licensure in their individual discipline of practice;
  - b. Twenty (20) hours of continuing education shall address a combination of specialized areas such as:
    - i. Contemporary research regarding the etiology of sexually abusive behaviors;
    - ii. Research-identified risk factors for the development and continuation of sexually abusive/offending behavior for adults;
    - iii. Contemporary research and practice in the areas of assessment, treatment, and management of adult sex offenders;
    - iv. Research-supported, sex offender-specific risk assessment tools for adults; and
    - v. Physiological assessment of deviant sexual arousal and/or interests.
  - c. No more than 16 hours of training specific to the treatment of victims of sexual abuse can be used to count toward the minimum number of specialized training hours.
  - d. Any on-line education must be from a recognized accredited educational institution, and no more than 10 hours of continuing education credits obtained from such on-line educational resources shall count toward the biennial 40 hour continuing education requirement.
  - e. Teaching relevant coursework at an accredited university or college, or providing training at a conference or workshop training (to be reviewed and approved by the SOMB) can substitute for up to one-half of the continuing education hours (20 hours) for an applicant.
- B. To maintain certification as a Provisional/Supervised Psychosexual Evaluator, a person must receive a minimum of 20 verifiable hours of specialized continuing education in the form of workshops, conferences, symposia, or on-line training

annually. This specialized continuing education must meet the standards outlined in this section.

## IX. **CONDITIONAL WAIVER**

- A. Initial application for certification. A person not meeting the minimum *clinical experience and/or specialized training requirements* set forth in this section at the time of *initial* application for certification may formally petition the SOMB in writing for a one-time, time-limited conditional waiver and exception.
- B. Renewal application for certification. A person not meeting the *continuing education requirements* set forth in this section when submitting a *renewal* application for certification may formally petition the SOMB in writing for a one-time, time-limited conditional waiver and exception.
- C. Conditional waivers are not permitted and requests shall not be considered by the SOMB with respect to the *formal educational and professional licensure* requirements for psychosexual evaluators as specified in this section.
- D. A person submitting a petition for conditional waiver shall clearly articulate in writing the reasons that the one-time, time-limited exception for this requirement should be considered by the SOMB.
- E. The ongoing practice of the applicant, if granted a conditional waiver and certified during the initial application process, will be subject to the terms and any remedial action as established by the SOMB. The terms and remedial actions may, at the SOMB's discretion, include a period of clinical supervision.
- F. A conditional waiver granted at the time of initial certification shall not remain in effect for longer than 2 years.
- G. To be eligible for renewal certification as a psychosexual evaluator, a person granted a conditional waiver shall be required to fully meet the minimum requirements and qualifications outlined in this section for the applicable level of certification at the time of the application for renewal. Failure to fully meet the minimum requirements shall result in the evaluator being placed in a less independent level of certification.

H. The SOMB has sole discretion and final authority for granting or denying any conditional waiver requests, and determining any terms of the waiver if so granted.

**X. CRITERIA EXCEPTION**

A. Any person currently certified by the SOMB as of the date the SOMB psychosexual evaluation standards and evaluator qualifications go into effect, will be granted continued certification by the SOMB upon application and will be assigned to either the *Senior/Approved Psychosexual Evaluator* or *Associate/Supervised Psychosexual Evaluator* certification level as appropriate upon meeting the following criteria:

- a. Commit to comply with the SOMB psychosexual evaluation standards and evaluator qualifications;
- b. *Senior/Approved Psychosexual Evaluator:*
  - i. Meets the formal education and licensure requirements;
  - ii. Demonstrated Experience by:
    - 1. Two (2) or more years of practice with SOMB (including prior SOCB) certification;
    - 2. Conducted 5 psychosexual evaluations within past 10 years, and
    - 3. Received 40 hours of specialized training within past 3 years;
  - iii. Is not under any formal supervision agreement with the SOMB as a condition of certification.
- c. *Associate/Supervised Psychosexual Evaluator:*
  - i. Meets the formal education and licensure requirements; and
  - ii. Demonstrated Experience by:
    - 1. Two (2) years of practice with SOMB (including prior SOCB) certification,
    - 2. Conducted 5 psychosexual evaluations within past 10 years, and
    - 3. Received 40 hours of specialized training within past 3 years.

B. The SOMB may require participation in additional specialized training or monitoring as a condition of continued certification approval on a case-by-case

basis. Any assignment to the *Associate/Supervised Psychosexual Evaluator* level will require that the certificate holder submit a supervision agreement and generate a cumulative log in accordance with these standards.

- C. Any current SOMB certificate holder whose certification is suspended or is otherwise being monitored at the time of application may still seek continued certification pursuant to this section. Any restrictions on the SOMB certification will be applied to the new certification as deemed necessary by the SOMB. Any SOMB certificate holder whose certification has been revoked may not apply for continued SOMB certification and must seek initial certification consistent with these standards.
- D. Any application for continued SOMB certification by a person with current SOMB certification must be received by the SOMB no later than 90 days after the SOMB psychosexual evaluation standards and evaluator qualifications go into effect. Failure to seek continued SOMB certification within 90 days after the effective date of the SOMB psychosexual evaluation standards and evaluator qualifications will result in removal from the central roster and the SOMB certification will be considered lapsed; thereafter all initial certification requirements must be met.
- E. The processing fee shall be waived for any person who submits an application for continued certification under the criteria exception provision less than 365 days from the person's most recent effective certification date.
- F. A person who submits an application for continued certification under the criteria exception provision 365 days or more from the person's most recent effective certification date shall be assessed a \$50 renewal processing fee.

**XI. RECIPROCITY.**

- A. The SOMB may waive any initial certification pre-requisites for an applicant after receiving the applicant's credentials and determining that the applicant holds a current license/certification/credential from another state or jurisdiction that has requirements that are substantially equivalent to those set forth by the SOMB.
  - a. The level of Idaho certification shall be determined by the SOMB upon reviewing the applicant's credentials.

- b. The SOMB reserves the right to require the applicant to meet minimum standards for Idaho certification.
  - c. A person who has been certified by the SOMB by reciprocity consideration on initial application shall be required to meet all qualifications, requirements and quality assurance standards set forth by the SOMB for continued Idaho certification.
- B. Providers of applicable sexual offender management services residing in other states or jurisdictions must be certified by the Idaho SOMB be eligible to receive referrals to provide pre-sentence services to Idaho sexual offenders.

## **XII. APPLICATION PROCESS**

- A. Any person seeking certification by the SOMB to conduct psychosexual evaluations pursuant to this section does so voluntarily and shall apply for certification only upon reviewing and understanding the educational, licensure, clinical experience, specialized training, and continuing education criteria for Senior/Approved Psychosexual Evaluators, Associate/Supervised Psychosexual Evaluators, and Provisional/Supervised Psychosexual Evaluators as set forth in this section.
- B. By submitting an application for SOMB certification to conduct psychosexual evaluations in accordance with this section, the applicant:
- a. Attests that they meet the minimum requirements and qualifications for the category of certification for which they are applying;
  - b. Agrees that the information provided through the application process is truthful and accurate;
  - c. Agrees to participate in any quality assurance or auditing processes as established by the SOMB in support of upholding the goals, objectives, and guiding principles as set forth in this chapter; and
  - d. Understands that the SOMB has statutory responsibility and final authority for making all initial and renewal certification decisions – including approval, denial, suspension, revocation or other monitoring of certification.

- C. Application for initial certification. A person seeking certification to conduct or assist with the conduct of psychosexual evaluations in accordance with this section shall submit the following:
- a. A completed application using any forms developed by the SOMB for the purposes of certification;
  - b. Any and all accompanying supporting documentation as indicated on such application form(s) and in accordance with the criteria and requirements set forth in this section including, but not limited to:
    - i. Proof of licensure, if applicable for the level of certification;
    - ii. Verification of educational requirements;
    - iii. Attestation of clinical experience and specialized training requirements, if applicable for the level of certification;
    - iv. For a Senior/Approved Psychosexual Evaluator or an Associate/Supervised Psychosexual Evaluator applicant, copies of 2 psychosexual evaluation reports that:
      - 1. Were conducted by the applicant on separate adult clients;
      - 2. Were completed within the year preceding the application;
      - 3. Have the identifying information and characteristics redacted; and
      - 4. Have not been previously submitted to the SOMB as part of any review and certification process as set forth in this section.
  - c. Any additional information or documentation as deemed necessary by the SOMB to make an appropriate certification decision, including the supervision agreement for an Associate/Supervised Psychosexual Evaluator or a Provisional/Supervised Psychosexual Evaluator applicant;
  - d. The assurances and release form; and
  - e. The applicable application fee:
    - i. For a Senior/Approved Psychosexual Evaluator or an Associate/Supervised Psychosexual Evaluator, a non-refundable initial application fee of \$75 payable to the Idaho Sexual Offender Management Board; or

- ii. For a Provisional/Supervised Psychosexual Evaluator, a non-refundable initial application fee of \$50 payable to the Idaho Sexual Offender Management Board.
- D. Application for renewal of certification. A person seeking renewal of certification to conduct or assist with the conduct of psychosexual evaluations shall submit, within 30 days of the expiration of the effective dates of the initial certification period indicated on the certificate issued by the SOMB:
  - a. A completed application using any forms developed by the SOMB for the purposes of certification;
  - b. Any and all accompanying supporting documentation as indicated on such application form(s) and in accordance with the criteria and requirements set forth in this chapter, including, but not limited to:
    - i. Proof of licensure if applicable for level of certification;
    - ii. Verification of educational requirements if applicable for level of certification;
    - iii. Attestation of specialized training requirements;
    - iv. Copies of 2 psychosexual evaluation reports that:
      - 1. Were conducted or assisted with by the applicant on separate adult clients;
      - 2. Were completed within the year preceding the application;
      - 3. Have the identifying information and characteristics redacted; and
      - 4. Have not been previously submitted to the SOMB as part of any review and certification process as set forth in this chapter.
  - c. Any additional information or documentation as deemed necessary by the SOMB to make an appropriate certification decision, including the supervision agreement for an Associate/Supervised Psychosexual Evaluator or a Provisional/Supervised Psychosexual Evaluator applicant;
  - d. The assurances and release form; and
  - e. The applicable application fee:

- i. For a Senior/Approved Psychosexual Evaluator or an Associate/Supervised Psychosexual Evaluator, a non-refundable renewal application fee of \$50 payable to the Idaho Sexual Offender Management Board; or
    - ii. For a Provisional/Supervised Psychosexual Evaluator, a non-refundable renewal application fee of \$30 payable to the Idaho Sexual Offender Management Board.
  - f. Certification renewal application review for a Senior/Approved Psychosexual Evaluator or an Associate/Supervised Psychosexual Evaluator shall typically occur during a person's month of birth 2 years following initial certification, and every 2 years thereafter.
  - g. Certification renewal application review for a Provisional/Supervised Psychosexual Evaluator shall typically occur during a person's month of birth one year following initial certification, and every year thereafter, not to exceed 3 years.
- E. Request for change in level of certification.
  - a. *Request to advance to a Senior/Approved level of certification.* A person currently certified as an Associate/Supervised Psychosexual Evaluator may apply, at any time during an effective period of certification as an Associate/Supervised Psychosexual Evaluator, for a change of certification status to a Senior/Approved Psychosexual Evaluator level, provided that:
    - i. The person meets the established requirements and qualifications for a Senior/Approved Psychosexual Evaluator;
    - ii. Has conducted a minimum of 9 psychosexual evaluations within the 3 years prior to the change in certification level application;
    - iii. Additional hours of sex offender related specialized training may be necessary to meet the established requirements for Senior/Approved Psychosexual Evaluator status;
    - iv. A completed change in certification level application is received, using proper forms developed by the SOMB for the purposes of certification,

- along with any accompanying supporting documentation as indicated on such application form;
- v. A letter of attestation and support is received from the Senior/Approved Psychosexual Evaluator responsible for the supervision of the applicant and as outlined in the formal clinical supervision agreement previously approved by the SOMB; and
  - vi. A non-refundable renewal application processing fee of \$50 made payable to the Idaho Sexual Offender Management Board has been received. If, however, a completed application for change in certification status is submitted less than 365 days from a person's most recent effective certification date, the processing fees shall be waived for the change in certification level application.
- b. *Request to advance to an Associate/Supervised level of certification.* A person currently certified as a Provisional/Supervised Psychosexual Evaluator may apply, at any time during an effective period of certification as a Provisional/Supervised Psychosexual Evaluator, for a change of certification status to an Associate/Supervised Psychosexual Evaluator level provided that:
- i. The person meets the established requirements and qualifications for an Associate/Supervised Psychosexual Evaluator;
  - ii. Has assisted with the conduct of a minimum of 6 psychosexual evaluations prior to the request to change certification level;
  - iii. A completed change in certification level application is received, using proper forms developed by the SOMB for the purposes of certification, along with any accompanying supporting documentation as indicated on such application form;
  - iv. A letter of attestation and support is received from the Senior/Approved Psychosexual Evaluator responsible for the supervision of the applicant and as outlined in the formal clinical supervision agreement previously approved by the SOMB; and

- v. A non-refundable renewal application processing fee of \$30 made payable to the Idaho Sexual Offender Management Board has been received. If, however, a completed application for change in certification status is submitted less than 365 days from a person's most recent effective certification date, the processing fees shall be waived for the change in certification level application.
- c. *Request to change to less independent level of certification.* A person currently certified as a Senior/Approved Psychosexual Evaluator may apply, at any time during an effective period of certification for a change in certification status to an Associate/Supervised Psychosexual Evaluator level in the event that:
  - i. The person no longer meets the established requirements and qualifications for a Senior/Approved Psychosexual Evaluator;
  - ii. The person meets the established requirements and qualifications for an Associate/Supervised Psychosexual Evaluator;
  - iii. A completed change in certification level application is received, using proper forms developed by the SOMB for the purposes of certification, along with any accompanying supporting documentation as indicated on such application form, and specifying in writing the reason(s) for the request for a lower level of certification; and
  - iv. A non-refundable renewal application processing fee of \$50 made payable to the Idaho Sexual Offender Management Board has been received. If, however, a completed application for change in certification status is submitted less than 365 days from a person's most recent effective certification date, the processing fees shall be waived for the change in certification level application.
- d. *Voluntary request for placement on inactive status.*
  - i. A person certified in accordance with this section may, at any time, voluntarily request placement on inactive status by submitting a written request to the SOMB, specifying the reason(s) for the request

- and indicating the date at which their inactivity or removal is to be effective;
- ii. The SOMB shall respond in writing within 14 business days of receipt of the request to provide confirmation of the request;
  - iii. A person voluntarily placed on inactive status shall be removed from the central roster of certified evaluators;
  - iv. A person who has been placed voluntarily on inactive status for less than 365 days may reapply for certification in accordance with the certification *renewal* process as outlined in this section, and any processing fees shall be waived; or
  - v. A person who has been placed voluntarily on inactive status for 365 days or more may reapply for certification in accordance with the *initial* certification process as outlined in this section and submit the applicable processing fees.

### **XIII. APPLICABLE FEES.**

Non-refundable fees established by the SOMB for processing certification applications are as follows:

- A. \$75 for each person submitting an application for initial certification as a Senior/Approved Psychosexual Evaluator or as an Associate/Supervised Psychosexual Evaluator;
- B. \$50 for each person applying for a 2-year renewal of certification as a Senior/Approved Psychosexual Evaluator or as an Associate/Supervised Psychosexual Evaluator;
- C. \$50 for each person submitting an application for initial certification as a Provisional/Supervised Psychosexual Evaluator;
- D. \$30 for each person applying for annual renewal of certification as a Provisional/Supervised Psychosexual Evaluator;
- E. \$50 renewal processing fee for each person submitting an application for change in certification level from Senior/Approved Psychosexual Evaluator or

Associate/Supervised Psychosexual Evaluator 365 days or more subsequent to the most recent effective certification date issued by the SOMB; and

- F. \$30 renewal processing fee for each person submitting an application for change in certification level from Provisional/Supervised Psychosexual Evaluator 365 days or more subsequent to the most recent effective certification date issued by the SOMB.

#### **XIV. SOMB DECISIONMAKING PROCESSES FOR CERTIFYING PSYCHOSEXUAL EVALUATORS**

A. Certification Committee. The SOMB shall establish/appoint a Certification Committee composed of no fewer than 4 members to oversee the certification of psychosexual evaluators pursuant to this section. The Certification Committee shall minimally include:

- a. Two current SOMB members who are eligible for certification as a Senior/Approved Evaluator or Treatment Provider;
- b. A non-clinical SOMB member; and
- c. A SOMB member of the board's choosing.

B. Certification Committee Protocols. The SOMB shall establish in writing the proposed processes by which the Certification Committee shall review, render, and document certification decision making, or may authorize the Certification Committee to propose these processes, which will be subject to final approval by the SOMB.

No Certification Committee member holding a personal or financial interest in an application before the committee shall participate in the deliberation or voting on approval of the application.

C. Verification of Completeness of Applications. The SOMB Coordinator shall:

- a. Determine, using an established checklist, the completeness of any application submitted for certification;
- b. Provide written notification to the applicant within 5 business days of the receipt of the application and indicate whether:

- i. All required items (the application, supporting documentation, fees) have been received and the application is complete and ready for review by the Certification Committee; or
    - ii. Any required items are absent and needed to complete the application in order to be forwarded to the Certification Committee for review, and a deadline for submitting these items.
  - c. Provide to the Certification Committee the completed packet of applications to allow committee members time to review the materials prior to the regularly scheduled monthly meeting.
- D. To be considered for review by the Certification Committee in a given month, the completed application and all supporting documentation must be received no less than 30 days prior to the next scheduled meeting date, with such meeting dates published on the SOMB calendar/website.
- E. The Certification Committee shall utilize the quality assurance checklist/protocol/guidelines established by the SOMB for reviewing:
  - a. The educational, experience, specialized training, and continuing education qualifications or other requirements for certification;
  - b. Any formal clinical supervision agreements; and
  - c. The redacted psychosexual evaluations submitted by an applicant as part of the supporting documentation.
- F. A Certification Review Form shall be completed for each applicant reviewed on the date of the meeting, noting the decision of the committee.
- G. The Certification Committee shall, subsequent to their scheduled review of pending applications, provide the SOMB with the list of applicant names, the nature of the requests for certification, the Certification Committee's recommended decisions to approve, deny or otherwise monitor certification and any reasons for the recommended action. The SOMB shall review this information and vote to accept or oppose any certification decisions recommended by the Certification Committee.

- H. The SOMB shall provide each applicant a written notification, within 7 business days, of the final approval/denial status as decided by the SOMB.
- I. Denial of Certification. If an application is denied, the SOMB shall specify the reasons for the denial of certification for the applicant in accordance with the reasons set forth in this section.
  - a. The SOMB shall provide written notification to the applicant within 7 days of the denial decision, the reason(s) for the denial and notice of the right to a hearing; and
  - b. The SOMB shall provide the applicant for whom certification was denied any recommended remedial steps or actions that can be taken to support further consideration for certification and any deadlines or timeframes in which such remedial action should occur.
  - c. A person who submits, less than 365 days from the submission of the previously denied application for certification, a revised application subsequent to completing any remedial steps as recommended by the SOMB shall not be required to provide another application processing fee.
- J. Forms. The SOMB shall be responsible for developing forms for use by the Certification Committee for the certification review and decision making processes, or shall authorize the Certification Committee to develop draft forms, which will be subject to final approval by the SOMB.
- K. The SOMB shall retain a complete file for each applicant seeking initial or renewal certification, including all written correspondence, applications and supporting documentation, and approval/denial decisions.

**XV. CERTIFICATION PERIOD**

- A. Certification as a Senior/Approved Psychosexual Evaluator or an Associate/Supervised Psychosexual Evaluator shall remain in effect for 2 years provided that the evaluator continues to meet the criteria for such certification and such certification has not been suspended, revoked, otherwise restricted or on voluntary inactive status.

- B. Certification as a Provisional/Supervised Psychosexual Evaluator shall remain in effect for 1 year provided that the evaluator continues to meet the criteria for such certification and such certification has not been suspended or revoked. Certification as a Provisional/Supervised Psychosexual Evaluator is limited to a 3 year period.
- C. The SOMB shall issue to each applicant approved for certification a certificate that:
- a. Designates the person as a certified evaluator for the appropriate level of certification and population the person is authorized to evaluate (adults);
  - b. Indicates the effective period of the person's certification status, including the expiration date; and
  - c. Is signed by the Chair and Vice Chair of the SOMB.
- D. The SOMB shall notify in writing each certified evaluator of the expiration of their approved status within 60 days of the expiration of their effective term of certification, outline the steps necessary to apply for renewal, and the deadline for providing a completed application for renewal. However, the certificate holder is ultimately responsible for timely renewal of certification.
- E. A person whose certification has not been renewed by the expiration date on the certificate issued by the SOMB shall no longer be certified as such and shall be removed from the central roster within 30 days of the expiration of their certification.
- F. Expiration. A person whose certification has expired may reapply at any time for certification as follows:
- a. A person whose certification has been expired for less than 365 days may reapply for certification following the certification *renewal* process as outlined in this section.
  - b. A person whose certification has been expired for 365 days or more may reapply for certification by following the *initial* certification process as outlined in this section.