



THE STATE EDUCATION DEPARTMENT/THE UNIVERSITY OF THE STATE OF NEW YORK/ALBANY, NY 12234

OFFICE OF THE STATE BOARD FOR MENTAL HEALTH PRACTITIONERS
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TO: License-qualifying programs in psychoanalysis
David Hamilton
FR: David Hamilton, Ph.D. LMSW, ACSW Executive Secretary
RE: Licensure as a psychoanalyst in New York

I am writing to provide you with information about the process by which students may be licensed as a psychoanalyst under New York Law. Please share this information with faculty, field instructors and students, as you see fit, so that students can proceed in a legal manner after graduation.

A student should be encouraged to start the application process prior to graduation and to use State-approved forms for all submissions. The information that is received is scanned and retained in the applicant's electronic folder pending verification of education from the college or university, in order to approve the applicant to take the examination and qualify for a limited permit.

Effective January 1, 2006, an individual must be licensed or hold a limited permit in order to practice psychoanalysis and psychotherapy and use the restricted title. An individual who practices without authorization, such as a permit, even under supervision could face questions about his/her moral character for licensure. A licensed supervisor who delegates activities to an unauthorized person could be charged with unprofessional conduct, under Part 29 of the Regents Rules.

Applying for Licensure: A student may apply for licensure at any time by submitting the application (Form 1) and fee (\$371). The applicant must answer the "moral character" questions on the application. If the applicant answers yes to any of these questions, he or she must attach documentation (see "moral character" below).

Education for Licensure: The education program must submit Form 2 to verify that the student has met the education requirements or has received the certificate of completion for a license-qualifying program. We do not require a transcript from graduates of NYSED-registered programs. Every graduate of a registered program has also completed the course work in child abuse identification and does not need to complete this separately. The applicant must also have Form 2A submitted by the college or university that awarded the master's degree in any field, which qualified the student for admission to the license-qualifying program.

Examination: When the Department has approved the application for licensure and graduate education, the student will be eligible to take the case narrative examination for licensure. The

Department notifies the examination vendor, Castle Worldwide, and sends the student a letter with instructions on how to register. **New York does not accept any other examination for licensure in this profession.** The examination demonstrates minimal competence for entry-level practice of the profession. The applicant must submit the Castle application and fee to schedule the case narrative examination. The examinations are scored by the State Board and candidates are notified of the results within 8 to 12 weeks. A candidate must successfully complete two case narratives; a failing narrative may only be revised one time by the candidate. More information about the examination development, content, and scoring is on our web site: <http://www.op.nysed.gov/prof/mhp/psyanlexam.htm>. The applicant must complete the examination and experience requirements before the limited permits have been exhausted.

Moral Character: The Education Law requires an applicant for a limited permit or license to be of good moral character as determined by the Department. The student must report on the application for licensure (Form 1) any criminal arrests or convictions or disciplinary action in another licensed profession and attach documentation of the disposition of the matter. This information will be reviewed to determine if the applicant is of good moral character and eligible for the permit and/or license.

Experience for licensure: The Education Law requires an applicant to complete at least 1,500 supervised hours in the practice of psychoanalysis. Psychoanalysis is defined in the Education Law as: **the observation, description, evaluation, and interpretation of dynamic unconscious mental processes that contribute to the formation of personality and behavior in order to identify and resolve unconscious psychic problems which affect interpersonal relationships and emotional development, to facilitate changes in personality and behavior through the use of verbal and nonverbal cognitive and emotional communication, and to develop adaptive functioning; and the use of assessment instruments and mental health counseling and psychotherapy to identify, evaluate and treat dysfunctions and disorders for purposes of providing appropriate psychoanalytic services.**

The regulations require that at least 50 percent (750) of the required 1,500 hours in the practice of psychoanalysis shall be face-to-face practice (“direct”). The remaining hours may include indirect activities such as supervision, introspection, personal analysis and professional development. The supervisor will report the total hours completed under his/her supervision on Form 4B, without distinguishing between “direct” and “indirect” activities. No less than 50 percent of the hours reported in any setting must be “direct” hours of face-to-face practice. In this profession, experience completed as part of the license-qualifying program may be acceptable, but must be submitted by the supervisor on Form 4B.

Limited Permit: In order to practice the profession and meet the requirements for supervised experience and examination after completion of the education program, **the student must have a limited permit issued by the Department.** The permit authorizes practice under the supervision of a qualified licensed professional, as defined in regulations, in a setting that is authorized to provide professional services. The supervisor is responsible for all services

provided by the permit holder. In order to receive a permit, in addition to submitting the application (Form 1) and fee (\$371) for licensure and having the education (Form 2) and moral character approved, the student and supervisor must submit a permit application (Form 5) and fee (\$70). The permit application should include information about the proposed setting, including documentation of authority to provide professional services. Additional permits may be issued for approved settings and supervisors, upon filing of a new Form 5 but an additional fee is not required for additional permits during the same period.

The initial permit is valid for two years and may be renewed for two additional one-year periods upon filing of a new permit application (Form 5) and fee (\$70). If the applicant will practice in more than one setting, he or she must have a permit displayed in each setting. If the applicant practices under more than one supervisor, all supervisors must be named on the permit. The applicant may not employ the supervisor in any setting, as the supervisor is legally responsible for practice and cannot be employed by the permit applicant. An employer may hire a qualified supervisor to provide third-party supervision but there must be a letter of agreement submitted by the employer, supervisor and permit applicant for review by the Department. The permit holder and supervisor are responsible for ensuring that supervision is provided in accordance with the regulations, which may be found at: <http://www.op.nysed.gov/prof/mhp/mhplaw.htm>.

Licensure: When the applicant has met all requirements, in the determination of the Department, the Department may issue a license and three-year registration. The licensee must notify the Department within 30 days if of any change in address or name. The licensee will receive a renewal notice every three years and must be registered to practice the profession. It is the licensee's responsibility to practice in accordance with the scope of practice, as defined in the Education Law, and Part 29 of the Regents Rules, which define unprofessional conduct in the professions. Each licensee who registers after January 1, 2017 will have to complete a minimum of 36 hours of continuing education acceptable to the Department.

Other jurisdictions: The requirements for licensure are established by each jurisdiction and students should contact those jurisdictions to find out if licensure is available and the requirements.

Students can access application materials and instructions, as well as practice guidelines developed by the State Board, on the web: <http://www.op.nysed.gov/prof/mhp/psyanlic.htm>. If there are changes in the laws, rules and regulations, or the application materials in the future, those would be posted on the web.