

Education

79-12.3 Experience requirement.

(a) An applicant for licensure as a psychoanalyst shall meet the experience requirement for licensure as a psychoanalyst by submitting sufficient documentation of having completed a supervised experience of at least 1,500 clock hours providing psychoanalysis in a setting acceptable to the department, all in accordance with the requirements of this section. Not less than 750 clock hours of such required experience shall consist of direct contact with clients. The remaining experience may consist of other activities which do not involve direct client contact, including but not limited to, supervision, personal analysis and professional development.

(b) All or part of the supervised experience may be obtained within the education program required for licensure as a psychoanalyst, as prescribed in section 79-12.1 of this Subpart. Any experience not obtained within such education program must comply with the following paragraphs:

(1) any experience obtained in New York must be performed by an applicant under a limited permit issued by the department, except the department may, in limited circumstances, accept experience that was not obtained under a limited permit where an applicant demonstrates that such experience was obtained in an authorized setting under a qualified supervisor.

(2) any experience completed in another jurisdiction may be accepted by the department if it was completed in a setting authorized to provide psychoanalysis in that jurisdiction and the experience was provided under a qualified supervisor, as determined by the department.

(c) Supervision of the experience. The experience shall be supervised in accordance with the requirements of this subdivision.

(1) An applicant shall obtain experience under this section while under the general supervision of a qualified supervisor. General supervision shall mean that a qualified supervisor shall be available for consultation, assessment and evaluation when professional services are being rendered by an applicant and the supervisor shall exercise the degree of supervision appropriate to the circumstances.

The supervisor shall provide an average of one hour per week or two hours every other week of in-person individual or group supervision wherein the supervisor shall:

(i) review the applicant's assessment, evaluation and treatment of each client under his or her general supervision; and

(ii) provide oversight, guidance and direction to the applicant in developing skills as a psychoanalyst.

(2) Qualifications for supervisors of the required experience. The supervisor of the experience shall be licensed and registered in New York State to practice psychoanalysis, medicine, as a physician assistant, psychology, licensed clinical social work, or as a registered professional nurse or nurse practitioner, pursuant to articles 163, 131, 131-b, 139, 153, or 154 of the Education Law, respectively; or be an individual with equivalent qualifications as determined by the department; or for applicants who apply for licensure in psychoanalysis on or before December 31, 2007, be an individual with certification or registration by an acceptable national certifying or registering body for psychoanalysts. To be acceptable to the department, the national certifying or registering body must be recognized nationwide as an organization that certifies or registers psychoanalysts throughout the United States based upon a review of their qualifications to practice psychoanalysis and must have adequate standards for the review of the

applicant's qualifications for practicing psychoanalysis, as determined by the department. Such standards must include standards for the review of the applicant's education and experience for practicing psychoanalysis and may include an examination requirement.

(3) The department, in its discretion, may accept alternative means to meet the in-person supervision requirements of paragraph (1) of this subdivision that cannot be successfully completed due to the COVID-19 crisis.

(d) Setting for the experience. For a setting for the experience to be acceptable to the department, it shall meet the following requirements:

(1) the setting shall be a location at which legally authorized individuals provide services that constitute the practice of psychoanalysis, as defined in section 8405(1) of the Education Law. For purposes of this section, an acceptable setting shall be:

(i) a professional corporation, registered limited liability partnership, or professional service limited liability company authorized to provide services that are within the scope of practice of psychoanalysis;

(ii) a sole proprietorship owned by a licensee who provides services that are within the scope of his or her profession and services that are within the scope of practice of psychoanalysis;

(iii) a professional partnership owned by licensees who provide services that are within the scope of practice of psychoanalysis.

(iv) a program or service operated, regulated, funded, or approved by the Department of Mental Hygiene, the Office of Children and Family Services, the Department of Corrections and Community Supervision, the Office of Temporary and Disability Assistance, the State Office for the Aging and the Department of Health or a local governmental unit as that term is defined in section 41.03 of the Mental Hygiene Law or a social services district as defined in section 61 of the Social Services Law;

(v) an entity holding a waiver issued by the department pursuant to section 6503-a or 6503-b of the Education Law to provide services that are within the scope of practice of psychoanalysis;

(vi) a program or facility authorized under Federal law to provide services that are within the scope of practice of psychoanalysis; or

(vii) an entity authorized under New York law or the laws of the jurisdiction in which the entity is located to provide services that are within the scope of practice of psychoanalysis;

(2) The setting in which the experience is gained shall be responsible for the services provided by individuals gaining experience for licensure. The setting shall also be responsible for providing adequate supervision to such individuals and for assigning a qualified supervisor, as defined in this section, to individuals gaining experience for licensure.

(3) The setting shall not be a private practice owned or operated by the applicant.

(e) Verification of the experience. The licensed supervisor shall submit verification of the supervised experience on forms acceptable to the department. The supervisor is responsible for maintaining documentation of the applicant's supervised practice and hours of supervision, and, upon request of the department, for submitting a copy of such documentation.