

Section 2: Juvenile Psychosexual Evaluations and Evaluators

The provisions of this section govern the procedures relating to (a) the certification of professionals approved by the Idaho SOMB to conduct or assist with the conduct of psychosexual assessments of juveniles adjudicated for sex offenses or sex offense-related crimes (as referenced in Sections 18-8304 and 18-8314, Idaho Code) and (b) evaluators' required practices with respect to conducting such evaluations, for use in criminal proceedings as ordered by the court pursuant to legislative mandate and other purposes defined in this section.

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I. GENERAL CONSIDERATIONS

- A. Practice standards specific to evaluations of juveniles who have been adjudicated for sexual offenses are currently being developed by ATSA. The SOMB will review the requirements set forth in this section for consistency with ATSA's recommendations.
- B. A person certified by the SOMB to conduct or assist with the conduct of juvenile psychosexual evaluations in accordance with the minimum requirements outlined in this section is expected to:
 - a. Adhere to the ethical principles and codes, and any and all practice standards and guidelines, for the person's respective discipline/area of professional licensure as promulgated by the licensing body;

- b. Conduct testing in accordance with the person’s licensing body, qualifications and experience. Outside sources should be utilized to interpret required testing that is beyond the person’s training and expertise (see appendix for psychological testing qualification standards);
 - i. The SOMB will require verification of qualifications to conduct applicable testing.
 - c. Adhere to current professional code of ethics established by the Association for the Treatment of Sexual Abusers (ATSA). Although membership in ATSA is not a requirement for certification pursuant to this section, it is strongly recommended;
 - d. Be knowledgeable of statutes and scientific data relevant to specialized sex offender evaluation;
 - e. Be committed to community protection and safety; and
 - f. Conduct evaluation procedures in a manner that ensures the integrity of testing data, and the humane and ethical treatment of the juvenile.
- C. When decision making for a juvenile requires a current psychosexual evaluation, an evaluator shall not represent an evaluation that was conducted on the juvenile more than 1 year prior as being current, without taking reasonable and appropriate steps to ensure its currency with respect to the:
- a. Juvenile’s legal status;
 - b. Required content of the written report as set forth in this section;
 - c. Required assessment methods and tools utilized for the evaluation as set forth in this section;
 - d. Accompanying results, findings, and recommendations contained in the evaluation, which may involve, but are not limited to, the juvenile’s level of recidivism risk, specialized treatment needs, and other management interventions.
 - e. Such updated or current juvenile psychosexual evaluation shall follow the format and standards established in this section.

II. PROPER SCOPE, PURPOSES FOR CONDUCTING JUVENILE PSYCHOSEXUAL EVALUATIONS

- A. Pursuant to Sections 18-8314, Idaho Code, and chapter 5, title 20, Idaho Code, a juvenile psychosexual evaluation conducted in accordance with this section is to be completed after adjudication to inform sentencing and other disposition decisions.
- B. A juvenile psychosexual evaluation conducted in accordance with this section shall be written utilizing the frame/format as outlined by the SOMB. It is recommended that the title “Juvenile Psychosexual Evaluation” be utilized rather than “SORA” or “Sex Offender Risk Assessment.” The SOMB values and respects professional discretion, judgment, and style regarding the conduct of juvenile psychosexual evaluations, provided that the evaluator addresses the minimum requirements and operates within the parameters set forth in this section. A report that does not comply with the prescribed format shall not be represented as meeting the juvenile psychosexual evaluation criteria for the purposes described in this section.
- C. A juvenile psychosexual evaluation conducted in accordance with this section – and generally, for all other circumstances in which a juvenile psychosexual evaluation is being requested or conducted – is designed for the primary purposes of identifying the level of recidivism risk, victim typology, treatment needs, responsivity, and amenability of the juvenile being evaluated.
- D. A juvenile psychosexual evaluation conducted in accordance with the standards and requirements set forth in this section may be further appropriate for informing other post-adjudication decisions, provided that the use of such an evaluation is not prohibited, overriding, or incompatible with any statutory or other legal provisions of the Idaho Code, administrative rules, or other statutory expectations, requirements, or regulations in Idaho. These additional appropriate uses may include:
 - a. Commitment to the Department of Juvenile Corrections;
 - b. Treatment planning;
 - c. Probation, post-release supervision, or other case management planning;

- d. Significant custody status change, such as from incarceration to community;
 - e. Release decision making; and
 - f. Registration and community notification.
- E. The SOMB does not regulate juvenile psychosexual evaluations or sex offender risk assessments completed for purposes other than those defined herein. However, under no circumstances shall an evaluator conduct a juvenile psychosexual evaluation in accordance with this section – or generally in all other circumstances under which a juvenile psychosexual evaluation is requested or conducted – for the explicit purposes of:
- a. Attempting to substantiate or refute criminal allegations of sexual abuse made during the course of, or subsequent to, the following:
 - i. Law enforcement investigations;
 - ii. Social services/child protective services investigations;
 - iii. Domestic/family law proceedings;
 - iv. Pending, previously resolved, or unresolved civil or criminal or juvenile/family court matters;
 - b. Establishing the factual basis of any civil, criminal, or other court proceedings, or ascertaining an evaluator’s opinions or assertions regarding the guilt or innocence of the juvenile being evaluated during the course of any proceedings; or
 - c. Attempting to generate or offer the evaluator’s opinions or assertions regarding the juvenile’s absolute risk/potential for engaging in sexually abusive or offending behavior or refraining from engaging in such behavior.

III. ASSESSMENT METHODS AND PROCEDURES

- A. *When conducting a juvenile psychosexual evaluation in accordance with this section, an evaluator shall employ assessment methods, procedures, and instruments appropriate for responding to these and other variables. Consider variables such as age, cultural/spiritual, language, development, level of*

functioning, physical and other limitations/disabilities. Address possible implications of these variables on the methods and processes used.

- B. Informed Consent. An evaluator conducting juvenile psychosexual evaluations in accordance with this section shall afford the juvenile being evaluated and/or their parent or legal guardian to provide informed consent/assent and document accordingly in writing. The evaluator shall utilize the SOMB “Notice and Consent for Juvenile Psychosexual Evaluation” form (see appendix). The SOMB form may be supplemented with additional evaluation consent/assent form(s) as desired by the evaluator.
- C. Multiple Methods and Information Sources. An evaluator conducting juvenile psychosexual evaluations in accordance with this section shall utilize multiple assessment methods and information sources to support the comprehensiveness, reliability, and validity of the findings and recommendations of the evaluation. Minimally required data sources and assessment methods and processes shall include the following:
- a. Structured clinical interviews;
 - b. Official law enforcement documents must be reviewed if available;
 - c. Other official records (e.g., victim statements, prior evaluations, treatment, social services, juvenile criminal justice agencies, school behavioral/disciplinary records);
 - d. Psychometrically sound measures for assessing intellectual, personality, functional, substance abuse, and other psychological variables;
 - e. Research-based instruments specifically designed to assess normative and deviant sexual interests, attitudes, arousal, and/or preferences; and
 - f. Research-supported risk assessment tools and protocols with currency in the field and which are designed to promote systematic and objective assessment of risk factors and recidivism risk among sexually abusive juveniles.

- g. The methods and assessments used by the evaluator should comport with the same requirements for the admissibility of expert testimony as outlined in Idaho Rules of Evidence, Rule 702.
- D. Polygraph. Polygraphy is to be used with caution with juveniles. Factors such as age, mental capacity and co-occurring mental health concerns shall be taken into consideration when utilizing polygraphy with this population. Any polygraph conducted in accordance with these standards shall be performed by a Post-Conviction Sex Offender Polygraph Examiner who has been certified by the Sexual Offender Management Board.
- E. An evaluator shall disclose and document all sources of information and methods used to conduct the juvenile psychosexual evaluation.
- F. Offender Participation. The juvenile being evaluated and/or their parent or legal guardian may refuse or decline to participate in any testing, assessment measure, or protocol used for a juvenile psychosexual evaluation conducted pursuant to this section. Under this circumstance, the evaluator shall:
 - a. Make reasonable efforts to obtain the signature of the juvenile and/or their parent or legal guardian on a written statement/form indicating the individual's refusal or declination and include this form as an appendix to the juvenile psychosexual evaluation report;
 - b. Document the juvenile's refusal or declination in the body of the written evaluation report; and
 - c. Document in the written evaluation report any implications of the refusal or declination on the reliability and validity of the findings and accompanying recommendations.
- G. An evaluator shall provide recommendations commensurate with the assessed level of risk, research-supported risk factors, protective factors, responsivity and intervention needs as supported in the body of the report.
- H. An evaluator shall provide findings, conclusions, recommendations, and responses to referral questions that are congruent with the scope of the purposes of juvenile psychosexual evaluations as set forth in this section.

- I. Departures from Established Criteria. Any departures from the minimum expectations and requirements for juvenile psychosexual evaluations as specified in this section shall be specifically noted in the written evaluation report and any implications for the findings and recommendations for the evaluation.

IV. **FORMAT, FRAMEWORK FOR WRITTEN JUVENILE PSYCHOSEXUAL EVALUATION REPORTS**

- A. Required Format for Written Reports. Evaluators shall frame/format the written reports using the following headers in order to promote consistency in the organization and presentation of material, comprehensiveness of the reports, and familiarity/ease of use for consumers of these reports:
 - a. Identifying information.
 - b. Preliminary Statement.
 - c. Synopsis.
 - d. Referral Information and Nature of Evaluation.
 - e. Confidentiality.
 - f. Sources of Information.
 - g. Mental Status Examination and Psychological Symptoms.
 - h. Background, Criminal and Social History.
 - i. Family of Origin Functioning and Dynamics.
 - j. Description of Current Offense(s).
 - k. Sexual History Behavior.
 - l. Psychological Test Results.
 - m. Current DSM Diagnosis.
 - n. Specialized Risk Assessment Measures and Measures of Sexual Behavior.
 - o. Risk Variables. (*Attach Juvenile Sex Offender Risk Variables and Protective Factors Checklist – see Appendix*)
 - i. Static variables
 - ii. Dynamic variables
 - iii. Protective variables (strengths and resources for juvenile and family)

- p. Risk Level.
 - q. Potential for Future Harm. (Optional but encouraged)
 - r. Resources for Community Protection, Amenability for Treatment, and Recommended Treatment Focus.
 - s. Additional Suggestions for Management. (Optional)
- B. An evaluator shall incorporate, under the above organizing headers/format, the specific areas of focus detailed in this section.
- C. The printed name, highest attained degree, license, and certification designation must appear at the end of the report, and the report must be signed and dated by the evaluator.
- a. An evaluation conducted by an Associate/Supervised Psychosexual Evaluator, must be reviewed, verified and co-signed by the Senior/Approved Psychosexual Evaluator who supervised the development of the evaluation that the findings are accurate.

V. AREAS OF FOCUS FOR JUVENILE PSYCHOSEXUAL EVALUATIONS

- A. An evaluator conducting juvenile psychosexual evaluations in accordance with this section shall assess and explore each the following elements during the course of the juvenile psychosexual evaluation:
- a. Identifying Information.
Examinee name, birth date, age, date of evaluation, criminal case, etc.
 - b. Preliminary Statement to be Included in Evaluations:
“There are presently no empirically validated, actuarial instruments that can be used to accurately estimate the risk of adolescent sexual reoffending. Based on the best available research data and consensus in professional clinical opinion, however, a number of high-risk factors have been identified in the literature. Risk classification is the examinee’s assessed risk to re-offend when compared to other sex offenders, not compared to the general population. Furthermore, the risk to re-offend is not reflective of the level of harm experienced by the victim. For consideration of victim harm, the

reader is encouraged to consider information from other sources such as victim impact statements, hospital records, or other relevant sources.”

- c. Synopsis.
 - i. Risk level conclusion. Risk level shall be clearly identified after conclusion is drawn and are to be determined in the following manner: Low Risk, Moderate Risk or High Risk. Further clarification within those range levels is acceptable. Variable risk level ranges (i.e. Low to Moderate or Moderate to High) shall not be used;
 - ii. Conclusion regarding examinee’s amenability for treatment; and
 - iii. Identification of most pertinent information to be considered by the court as supported in body of report, including what lead to conclusions regarding risk and amenability for treatment (could include static, dynamic, and protective factors).
- d. Referral Information and Nature of Evaluation.
 - i. Identification of how the examinee was referred for evaluation;
 - ii. Statement regarding structure of the evaluation; and
 - iii. Idaho Codes that are followed.
- e. Confidentiality.
 - i. Statement regarding evaluation confidentiality and how this was explained to examinee and/or their parent or legal guardian;
 - ii. Informed consent form; (see appendix) and
 - iii. Consent and release of information from collateral resources.
- f. Sources of Information.
 - i. List of tests, measures; and
 - ii. Collateral information, interviews, other relevant sources.
- g. Mental Status Examination and Psychological Symptoms.
 - i. Standard mental status information and relevant psychological symptoms identified during interview; and
 - ii. Appearance and behavior observation.
Description of examinee’s appearance and behavior during interview.

- h. Background, Criminal and Social History.
 - i. Developmental history (e.g., family dynamics, exposure to violence, maltreatment);
 - ii. Interpersonal relationships (e.g., nature and quality of past and current relationships such as family, peers, intimate partners);
 - iii. Medical history;
 - iv. Mental health history (i.e., client and family), including previous diagnosis and treatment efforts;
 - v. History of harm to self or others;
 - vi. Education and employment;
 - vii. Prior and current criminality or delinquency (e.g., including antisocial attitudes and values, psychopathy, juvenile delinquency, violence or aggression)(*access criminal history, Idaho court repository or other official records*);
 - viii. Substance use and/or abuse;
 - ix. Prior responses to juvenile justice system or other interventions (e.g., institutional/custodial conduct or adjustment, compliance with conditions of supervision, compliance/completion of other court orders, social services plans);
 - x. Recreation/leisure;
 - xi. Cultural/spiritual; and
 - xii. Capacity to identify problems and appropriate solutions.
- i. Family of Origin Functioning and Dynamics.
 - i. Home environment (e.g. family/caregiver: domestic violence/abuse, anger/hostility, substance abuse
 - ii. Historical parent/caregiver/family sexual abuse
 - iii. Sexualized home environment
 - iv. Social media (sexualized)
 - v. Problematic parent-offender relationship

- vi. Parent/caregiver not supporting sex offense specific assessment and treatment
- vii. Opportunity to reoffend
- viii. Relevant family/caregiver mental health or medical history
- j. Description of Current Offense(s).
Description of current offense(s) of adjudication (including official version as documented in police reports or other official records, victim statements, and the version of the juvenile being evaluated).
- k. Sexual History Behavior.
 - i. Sexual development, early sexual experiences;
 - 1. Ages 0 through 5
 - 2. Ages 6 through 12
 - 3. Ages 13 through 17
 - ii. History of age-appropriate, consensual, non-coercive sexual relationships;
 - iii. History of experiences involving being subjected to non-consensual or coercive sexual behaviors (e.g., sexual victimization);
 - iv. Historical and current sexual interests, fantasies, practices/behaviors;
 - v. Sexual functioning, sexual dysfunction;
 - vi. Use of sexually-oriented materials or services (e.g., magazines, sexually explicit video games, videos and other programming, Internet sites, telephone sex lines);
 - vii. Prior sexual offender treatment;
 - viii. Intent of juvenile related to treatment;
 - ix. Offense-related sexual arousal, interests, and preferences;
 - x. Evidence or characteristics of paraphilias;
 - xi. History of sexually abusive behaviors, both officially documented and unreported (if identified through credible records or sources);
 - xii. Number of victims as identified through credible records or sources;

- xiii. Current and previous victim-related variables (e.g., age, gender, nature of relationship);
 - xiv. Contextual elements of sexually abusive behaviors (e.g., frequency and duration; apparent motivators; patterns; circumstances; access to victims; degree of planning; use of threats, coercion, or force);
 - xv. Attitudes supportive of sexually abusive behavior; and
 - xvi. Demonstrated level of insight, self-disclosure, denial, and minimization relative to the sexually abusive behavior.
- I. Psychological Test Results. (Testing for personality and mood, and intellectual functioning are required; remaining categories are recommended for assessment as indicated but are at the discretion of the evaluator)
- *Note: All testing utilized should be applicable to the cognitive functioning/reading level of the juvenile. If a specified instrument is inappropriate for the examinee, an appropriate replacement instrument should be utilized or an explanation provided why required testing was not conducted.
- i. Personality and mood – must use at least one of:
 - 1. MMPI-A
 - 2. MAPI/MACI
 - 3. PAI-A
 - ii. Intellectual functioning and/or achievement testing – must include one of:
 - 1. Shipley-2 (preferred)
 - 2. WISC-IV (preferred)
 - 3. WRAT-4
 - 4. Woodcock-Johnston (most current version)
 - 5. Kaufman intelligence scale, 2nd edition
 - 6. School testing results
 - 7. Other validated assessment tool
 - iii. Psychopathic tendencies – such as:

1. PCL:YV (Hare)
2. Other validated assessment tool
- iv. Substance abuse – such as:
 4. SASSI-A2
 5. GAIN-I
 6. Other validated assessment tool
- v. Additional optional testing, but not exclusive to:
 1. STAXI-2 C/A (anger)
 2. SAVRY
 3. YLS/CMI
 4. Jesness Inventory-R (JI-R)
- m. DSM Diagnosis.
Presenting diagnosis from the current version of the Diagnostic and Statistical Manual of Mental Disorders.
- n. Specialized Risk Assessment Measures and Measures of Sexual Behavior.
 - i. Risk assessment must include one of the following measures:
 1. ERASOR (v.2)
 2. JSOAP-II
 - ii. Measure of sexual behavior must include:
 1. MSI-II Adolescent
 - iii. Additional optional validated measures:
 1. Polygraph
- o. Risk Variables.
 - i. Static variables
Research-supported static variables (see appendix);
 - ii. Dynamic variables
Research-supported dynamic variables (see appendix); and

- iii. Protective variables
Research-supported protective variables/strengths and resources for juvenile and family (see appendix).
- iv. *Attach Juvenile Sex Offender Risk Variables and Protective Factors Checklist.*
- p. Risk Level.
Estimated classification as low risk/moderate risk/high risk. Variable risk level range (i.e. Low to Moderate or Moderate to High) shall not be used.
- q. Potential for Future Harm. (Optional but encouraged)
 - i. Demonstrated level of awareness or insight into potential harm/impact on the victim(s) and others (e.g., perspective-taking and empathic abilities and actions); and
 - ii. Most likely type of victim and potential harm they could experience based on literature.
- r. Resources for Community Protection, Amenability for Treatment, and Recommended Treatment Focus.
 - i. Resources for community protection;
 - ii. Amenability for intervention and treatment;
 - iii. Advice regarding treatment; and
 - iv. Advice regarding supervision.
- s. Additional Suggestions for Management. (Optional)

VI. CATEGORIES OF PSYCHOSEXUAL EVALUATOR CERTIFICATION

- A. Pursuant to the statutory mandate and authority afforded to the SOMB, to be eligible to conduct juvenile 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 juvenile psychosexual evaluations in accordance with the requirements and standards 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 juvenile psychosexual evaluations.
 - b. **Associate/Supervised Psychosexual Evaluator.** An Associate/Supervised Psychosexual Evaluator is a professional who is currently authorized by the SOMB to conduct juvenile 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 juvenile 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 juvenile psychosexual evaluations only under the clinical

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 juvenile psychosexual evaluation reports.

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

VII. 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;
 - d. Expiration date of the certification period as designated by the SOMB; and
 - e. Population for which the evaluator is authorized by the SOMB to conduct evaluations (juvenile).
- B. The SOMB shall ensure the accuracy and currency of the official roster by updating the roster at a minimum of quarterly or as otherwise necessary 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.

- 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 standards.

VIII. PSYCHOSEXUAL EVALUATOR CERTIFICATION REPRESENTATION

- A. A person conducting or assisting with the conduct of juvenile 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 juvenile 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 juvenile psychosexual evaluations;
 - d. Providing informed consent to clients and/or their parent or legal guardian at the time of the evaluation; and
 - e. Signing the written juvenile psychosexual evaluation report.
- B. In accordance with Section 18-8314, Idaho Code, 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.

IX. MINIMUM REQUIREMENTS FOR PSYCHOSEXUAL EVALUATOR CERTIFICATION FOR JUVENILE SEX OFFENDERS

- A. A person who conducts or assists with the conduct of a juvenile 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 juvenile 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. A person certified by the SOMB to conduct or assist with the conduct of juvenile psychosexual evaluations shall secure and maintain professional liability insurance coverage.
- E. 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.
- F. For purposes of clinical practice supervision for Provisional/Supervised Psychosexual Evaluator certification, “supervision” is considered as face-to-face

direct contact for the first 250 hours of direct services provided. “Supervision” during the remaining period a person is certified as Provisional/Supervised Psychosexual Evaluator shall be at a face-to-face direct contact ratio of 1 hour of clinical supervision for every 15 hours of direct service provided..

- a. Clinical supervision for purposes of Provisional/Supervised Psychosexual Evaluator certification may not meet standard requirements for professional licensure. An educational program or licensure supervision may exceed the supervision requirements for SOMB certification.

X. 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., master’s, 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 juvenile sex offenders and received specialized training for a minimum of 1500 hours.
 - i. Clinical practice is defined as face-to-face when possible, sex offender evaluation, assessment, individual and/or group treatment, case staffing/planning, and crisis management;
 - ii. Of the 1500 hours requirement, a minimum of 500 combined clinical practice and specialized training hours 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 on juvenile sex offenders;
 - 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 juvenile 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 juveniles;
 - iii. Contemporary research and practice in the areas of assessment, treatment, and management of juveniles sex offenders;

- iv. Research-supported, sex offender-specific risk assessment tools for juveniles; and
 - v. Physiological assessment of deviant sexual arousal and/or interests.
 - vi. A person seeking dual certifications applicable to adult and juvenile populations may have a combination of adult and juvenile-centered training. However, at least 20 training hours applicable to juvenile sex offenders is required within the 60 specialized training hours minimum.
- c. Conducted a minimum of 9 juvenile 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 psychosexual evaluation requirements 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 juvenile clients in order to be eligible for SOMB-certification to conduct evaluations of juveniles. The SOMB may consider experience with combined populations (adults and juveniles) on a case by case basis.

XI. 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., master's, 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 agreement as outlined in this section;
 - b. Engaged in a combination of direct, face-to-face clinical practice with juvenile sex offenders and received specialized training for a minimum of 500 hours.
 - i. Clinical practice is defined as face-to-face when possible, sex offender evaluation, assessment, individual and/or group treatment, case staffing/planning, and crisis management;
 - ii. Of the 500 hours requirement, a minimum of 300 combined clinical practice and specialized training hours shall have been accumulated within the 3 years immediately preceding the initial application for SOMB certification as an Associate/Supervised Psychosexual Evaluator;
 - iii. Of the 500 hours requirement, a minimum of 100 hours shall be specific to conducting juvenile 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 juvenile 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 juveniles;
 - iii. Contemporary research and practice in the areas of assessment, treatment, and management of juvenile sex offenders;
 - iv. Research-supported, sex offender-specific risk assessment tools for juveniles; and
 - v. Physiological assessment of deviant sexual arousal and/or interests.
 - vi. A person seeking dual certifications applicable to adult and juvenile populations may have a combination of adult and juvenile-centered training. However, at least 20 training hours applicable to juvenile sex offenders is required with the 60 specialized training hours minimum.
- d. Conducted a minimum of 6 juvenile 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 juvenile clients in order to be eligible for SOMB certification to conduct evaluations of juveniles. 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. The 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 and/or psychological evaluation 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 juvenile 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 (juveniles);
 - 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.
 - d. Any change from a previously approved supervisor will require a new supervision agreement, which must be forwarded to the SOMB for approval.

XII. 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., master’s, 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 agreement 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. Clinical supervision is required during any period of time in which a Provisional/Supervised Psychosexual Evaluator is providing direct clinical services to sex offenders as outlined in subsection IX.F. of this section.
 - 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. The 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 juvenile psychosexual evaluations and provide clinical services 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 (juveniles);
 - 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. Any change from the previously approved supervisor will require a new supervision agreement, which must be forwarded to the SOMB for approval.
- 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 juvenile psychosexual evaluation reports must be reviewed and signed by the Senior/Approved Psychosexual Evaluator.

XIII. 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 juveniles;
 - iii. Contemporary research and practice in the areas of assessment, treatment, and management of juvenile sex offenders;
 - iv. Research-supported, sex offender-specific risk assessment tools for juveniles; and
 - v. Physiological assessment of deviant sexual arousal and/or interests.
 - vi. Persons who are dually certified to provide services to adult and juvenile clients may have a combination of adult and juvenile-centered specialized continuing education.
- 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 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.

XIV. CONDITIONAL WAIVER

- A. A conditional waiver request shall only be considered one time each during initial application and renewal applications for applicants at the Senior/Approved or Associate/Supervised levels. Any application for advancement in certification level shall be considered as an initial application for conditional waiver purposes.
- B. 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.
- C. A person submitting a petition for conditional waiver shall clearly articulate in writing the reasons that the time-limited exception for this requirement should be considered by the SOMB.
- D. 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.
- E. Initial Application for Certification. A person not meeting the minimum *clinical experience and/or psychosexual evaluation minimum 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 time-limited conditional waiver and exception.
 - a. A conditional waiver granted at the time of initial certification shall remain in effect for 2 years, except as provided below.
 - b. To be eligible for renewal certification as a psychosexual evaluator, a person granted a conditional waiver at the time of the initial application process 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 treatment provider being placed in a less independent level of certification.

- c. 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. 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 one time for a time-limited conditional waiver and exception.

- a. A conditional waiver granted at the time of renewal certification shall remain in effect for 2 years, except as provided below.
- b. At the end of the 2-year conditional waiver term, a person is required to fully meet the minimum requirements and qualifications outlined in this section to be eligible for renewal of the applicable level of certification. Failure to fully meet the minimum requirements may result in the psychosexual evaluator being placed in a less independent level of certification.
- c. The ongoing practice of the applicant, if granted a conditional waiver and certified during the renewal 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.

XV. 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 to conduct post-adjudication psychosexual evaluations that has requirements that are substantially equivalent to those set forth by the SOMB. The applicant must have obtained or be in the process of obtaining 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.

- 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 sex offender management services residing in other states or jurisdictions must be certified by the Idaho SOMB to be eligible to receive referrals to provide pre-sentence services to Idaho sex offenders.

XVI. APPLICATION PROCESS

- A. Any person seeking certification by the SOMB to conduct juvenile 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 juvenile 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 these standards; 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 juvenile 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 juvenile psychosexual evaluation reports that:
 - 1. Were conducted by the applicant on separate juvenile 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. Proof of professional liability insurance;
 - e. The assurances and release form; and
 - f. 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 juvenile 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 juvenile psychosexual evaluation reports that:
 - 1. Were conducted or assisted with by the applicant on separate juvenile 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. Proof of professional liability insurance;
 - e. The assurances and release form; and
 - f. 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.
 - g. 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.
 - h. 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 juvenile psychosexual evaluations within the 3 years prior to the change in certification level application. A person seeking advancement to Senior/Approved Psychosexual Evaluator status who is unable to meet this requirement may apply for conditional waiver consideration, as outlined in this section;
 - 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 juvenile psychosexual evaluations prior to the request to change certification level. A person seeking advancement to Associate/Supervised Psychosexual Evaluator status who is unable to meet this requirement may apply for conditional waiver consideration as outlined in this section.
 - 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 15 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.

XVII. 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.

XVIII. 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, and 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 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 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 juvenile 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 15 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 15 business 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.

XIX. 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 (juveniles);
 - 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.