

N E W S

North Carolina Psychology Board

BULLETIN

March 2005

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The North Carolina Psychology Board is mailing this News Bulletin to all licensees to provide time sensitive and important information. The Board also encourages licensees to check its web site, www.ncpsychologyboard.org, often for other information which may be useful. License verification may now be conducted online, and currently, Supervision Contract forms, Supervision Report forms, the NC Psychology Practice Act, Board rules, a description of the complaint process and the complaint form, and various other information can be downloaded from the web site.

North Carolina Psychology Board

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Rule Making Proceedings

The Board will hold a public rule making hearing on Wednesday, April 20th, at 4:00 p.m. at the La Quinta Inn and Suites, 2211 Summit Park Lane, in Raleigh (directions can be obtained by calling the hotel at (919) 785-0071 ext. 3). The Board intends to adopt the rules cited as 21 NCAC 54 .1611 and .2708 and amend the rules cited as 21 NCAC 54 .1701, .1707, .1802, .1901, and .2009. The reasons for the proposed action are as follows: to define the conditions under which an individual who is pursuing postdoctoral training or experience must practice in order to be exempt from licensure, to amend the number of years which an applicant must have been licensed and practicing in another state or province in order to qualify for licensure under senior psychologist provisions, to amend the educational requirements for licensure at the Psychological Associate level, to clarify the conditions which a candidate must meet in order to be granted special examination accommodations, and to define the requirements to qualify for licensure under reciprocity provisions. The full text of the proposed rules to be adopted and amended is available on the Board web site at www.ncpsychologyboard.org (click on Rule-making Proceedings on the side bar) or a hard copy may be obtained by contacting the Board office. Any person may submit written comments or objections to the Board either prior to or at the public hearing. Written comments and objections should be sent to Martha Storie, North Carolina Psychology Board, 895 State Farm Road, Suite 101, Boone, NC 28607, or fax (828) 265-8611. The comment period ends on May 31, 2005.

Need a copy of the North Carolina Psychology Practice Act or Board Rules?
 Go to: www.ncpsychologyboard.org.

Health Services/Practice of Psychology

A question that is often asked of Board staff is, “What is the difference between health services and the practice of psychology?”

The definitions of health services and the practice of psychology are found in G.S. § 90-270.2(4) and (8), respectively, and are provided on various supervisor forms produced by the Board. You will note that all health services are encompassed within the practice of psychology, but that all activities which constitute the practice of psychology are not necessarily health services. Health services, by definition, are services provided directly to individuals or groups of individuals whose growth, adjustment, or functioning is actually impaired or is at risk of impairment. These activities may include assessment of individuals, psychological report writing, documentation in progress notes, making collateral contacts with family members and other service providers in the patient’s interest, psychotherapy and counseling, consultation with other professionals to facilitate service delivery, and other activities provided in service to the psychologist’s patient or group of patients. Because health services activities all relate to typical activities in which an individual psychologist may be engaged while engaged in the practice of psychology, the total number of hours in which an individual psychologist practices psychology may be similar to the number of hours the individual engages in health services activities. However, particularly when reporting the number of health services and practice hours on the various supervisor forms, it is not possible for a supervisee to have accrued more health services hours than practice hours. Rule 21 NCAC 54 .2701(b) defines activities which may be considered to be the practice of psychology but that are not included in health services as follows:

Health services in psychology do not include vocational and educational guidance. Also not included are the teaching of psychology, the conduct of psychological research, or the provision of psychological services or consultations to organizations or institutions, except when such activities involve the delivery of direct psychological services to individuals or groups of individuals who are

themselves the intended beneficiaries of such services.

Provision of Services Via Electronic Means

In response to inquiries from licensees and other interested parties, the Board has confirmed that it has no separate view *per se* with regard to provision of services via electronic means. As long as a licensee is practicing in a manner consistent with his/her training and experience, and is receiving supervision as is appropriate, the medium for doing so is not at issue. However, it is incumbent upon any psychologist to recognize that as he or she moves away from direct contact with clientele, the psychologist incrementally loses much of the richness of interaction which, as any psychologist knows, comes with traditional face-to-face contact in an individual session with a client.

Delivery of clinical services by technology-assisted media such as telephone, use of video, and the internet obligate the psychologist to carefully consider and address a myriad of issues in the areas of structuring the relationship, informed consent, confidentiality, determining the basis for professional judgments, boundaries of competence, computer security, avoiding harm, dealing with fees and financial arrangements, and advertising. Specific challenges include, but are not limited to, verifying the identity of the client, determining if a client is a minor, explaining to clients the procedure for contacting the psychologist when he or she is off-line, discussing the possibility of technology failure and alternative modes of communication if that failure occurs, exploring how to cope with potential misunderstandings when visual cues do not exist, identifying an appropriately trained professional who can provide local assistance (including crisis intervention) if needed, informing internet clients of encryption methods used to help ensure the security of communications, informing clients of the potential hazards of unsecured communication on the internet, telling internet clients whether session data are being preserved (and if so, in what manner and for how long), and determining and communicating procedures regarding the release of client information

received through the internet with other electronic sources.

The Board considers that the practice of psychology occurs both where the psychologist who is providing therapeutic services is located and where the individual (patient/client) who is receiving the service is located. In order for an individual to provide psychological services in North Carolina, that individual must be licensed by the Psychology Board or be exempt under the Psychology Practice Act. On this basis, if a North Carolina licensee renders psychological services electronically to an out-of-state client, it is recommended that the licensee contact the psychology licensing board in the state in which the patient/client resides to determine whether or not such practice is permitted in that jurisdiction. Licensees are advised to review the North Carolina Psychology Practice Act, specifically the Code of Conduct, and the APA *Ethical Principles of Psychologists and Code of Conduct* (Standards 3.10(a), 4.02(c), 5.01(a), and 5.04 specifically address electronic transmissions).

Continuing Education

The Board is in the process of completing its first audit of continuing education credits. It randomly selected 5% of licensees to provide documentation of required continuing education hours which were submitted for 2004-06 license renewal. Of this 5%, approximately 11% are being contacted for further information. Depending on the outcome of the review of additional information, the Board will determine whether to audit additional licensees.

The Board reminds licensees to maintain complete documentation of continuing education hours as detailed in 21 NCAC 54 .2104(k) and (l). For Category A hours, licensees should make sure that the programs are sponsored by the NC Psychology Board, APA, APA approved sponsors, or NC AHECs. Licensees are cautioned against relying on a sponsor's "claim" to be APA approved, or to meet the requirements of the North Carolina rule for Category A credit, but rather are encouraged to check the details of the program to make sure that it complies with all requirements in Board rule to count for Category A credit. While neither the Board, nor its staff can pre-approve programs, licensees may contact the Board

office if they have questions about the provisions of the CE rule. Following are the applicable questions to which a licensee must be able to answer "YES" to make the determination that an activity counts Category A credit:

[9 hours in Category A are required, 3 hours of which must be in the area of ethical and legal issues in the professional practice of psychology; all required 18 hours *may* be completed in Category A]

- (1) Is the program sponsored by the NC Psychology Board, by the American Psychological Association (APA), by an APA approved sponsor, or by a North Carolina Area Health Education Center (AHEC)?
- (2) Is the program identified as offering continuing education for psychologists?
- (3) Does the sponsor specify contact hours?
- (4) Does the program fall within the following areas: ethical and legal issues in the professional practice of psychology, or the maintenance and upgrading of professional skills and competencies within the psychologist's scope of practice? The latter includes, but is not limited to, training in empirically supported treatments, the application of research to practice, and training in best practice standards and guidelines.
- (5) Will a certificate be awarded?

REMINDER: Continuing education hours for the current biennial renewal period must be completed between October 1, 2004 and October 1, 2006.

Resources

Licensees may contact the Board office at any time they have an ethical or legal question pertaining to practice. While the Board's staff psychologists, Randy Yardley, M.A., and Susan Loy, M.A., cannot provide legal advice, they are available to provide education by pointing out possible statutes, rules, and ethical standards which may be applicable to a given set of circumstances.

REMINDER: A supervisor must maintain a clear and accurate record of supervision with a supervisee in accordance with 21 NCAC 54 .2001(c)(8). This, and all Board rules, are available on the Board web site at www.ncpsychologyboard.org.

Board Vacancies

There will be two vacancies on the licensing board on June 30, 2005, one for a Licensed Psychologist and one for a Licensed Psychological Associate. Pursuant to G.S. § 90-270.6, the North Carolina Psychological Association (NCPA) submits to the Governor a list of the names of three eligible persons for each vacancy. Any licensee interested in one of these positions should send a letter of interest and curriculum vitae to the North Carolina Psychological Association, 1004 Dresser Court, Suite 106, Raleigh, NC 27609. Interested individuals must also have three letters of professional reference sent to the NCPA office.

Address Change?

Please notify the Board in writing immediately if your mailing address has changed. Changes may be faxed to (828) 265-8611, emailed to ncpsybd@charter.net, or mailed to the NC Psychology Board, 895 State Farm Road, Suite 101, Boone, NC 28607.

REMINDER: A supervisee is required to file a written, notarized supervision contract form with the Board within 30 days of a change in the conditions specified in the supervision contract form on file with the Board. A supervisor is required to file a supervision report within two weeks of termination of supervision or a change in the conditions specified in the supervision contract on file with the Board.

3500 copies printed at a cost of 26¢ each

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