



FAREWELL TO RANDY YARDLEY, M.A., BOARD STAFF PSYCHOLOGIST/INVESTIGATOR

a message from the chair

Jane E. Perrin, Ph.D.

Even though Randy Yardley shuns the spotlight, I would be remiss if I did not pay tribute to him as he retires from his position with the North Carolina Psychology Board staff on March 1, 2011. Randy began his association with the Board as an LPA member in 1993. Prior to his appointment as a Board member, he was a member of the North Carolina Psychological Association's Ad Hoc Licensing Act Task Force that drafted our current Practice Act. He was hired as the Board's first staff psychologist and investigator in 1995. Randy's responsibilities have included investigating complaints against licensees, responding to inquiries from the public and licensees about ethical and legal issues related to the Practice Act and the APA Ethics Code, and reviewing applications for licensure.

All of us who have worked with Randy know him as a storehouse of information. He is able not only to quote, but to name the citations, of key statutes and rules. One of my surprises when I joined the Board was Randy's wry sense of humor. He takes his job, but not himself, seriously. He does not conform to the "stick it to 'em" stereotype of an investigator that I held. Randy has a compassionate, thoughtful, even-tempered approach to every case in which I have seen him involved. He also acknowledges his role as an impartial fact finder in performing investigations, and takes that responsibility to the Board, licensees, and the public very seriously. Although his workload is enormous, Randy has been quick to volunteer for additional projects, ranging from helping to edit the newsletter to giving presentations to groups of psychologists and graduate students across the state. He has also spoken to national audiences at meetings of the Association of State and Provincial Psychology Boards (ASPPB), the association representing psychology boards in the United States and Canada. Because of the respect he has earned in North Carolina and with ASPPB, he was named a Fellow at the recent annual conference of the association in Savannah, Georgia.

In an interview to glean detail for this article, I encouraged Randy to reminisce about some of his experiences as a staff member. Out of the hundreds of ethics investigations that have occurred since his tenure on staff, he said the strangest was the one from a complainant who charged that her former psychologist should have told her that it was not okay for her to have sexual fantasies about him. Randy remembered that the psychologist, in attempting to terminate contact with the patient, had repeatedly emailed his refusal to engage in continuing communication with her, but he was apparently inadvertently giving her intermittent reinforcement for her request by instructing her over and over again not to contact him.

"Pay attention" is the advice Randy said he would give to psychologists to avoid Board complaints. Too often, Randy asserted, psychologists who have practiced for awhile have let down their guard and taken unfortunate shortcuts with their clients. He added, "Sometimes they rationalize behavior that they would not have engaged in if they had separated their emotions from what they know as professionals."

Randy said he thought psychologists could keep themselves better attuned to their own behavior by taking care of themselves emotionally, cognitively, and spiritually, as appropriate. He noted that peer consultation is also important. In general, having a good support group is good risk management.

Randy's advice to a psychologist who receives notice of a Board complaint is to respond fully, honestly, and directly to the alleged violation. He said the vast majority of psychologists react appropriately, but, on occasion, psychologists create more problems for themselves by failing to answer complaints at all, by failing to address the issues that have been raised, or by being resistant to releasing their records, which the Board has the authority under statute to order.

Supervisors and supervisees can decrease the likelihood of an investigation by the Board, he advised, by making themselves knowledgeable about and following the Board's rules on supervision. Keeping good records is also important. Randy suggested that, if a supervisor and supervisee realize that they have not met for supervision as often as required, they would be wise to correct the situation as quickly as possible and not rationalize in some manner that they have met the "spirit" of the rules, despite having deviated from the requirements in the rules.

Randy observed that as the Board requirements for licensure have become more stringent, applicants for licensure have had increasingly stronger educational qualifications. He said North Carolina's rules are clear concerning residency of students in graduate programs, so graduates from distance learning programs typically screen themselves out of the application process.

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I asked Randy what he would most miss about leaving his position, and he responded, “Although I can help people in my life after the Board, I’ve always liked to help the public with information, to assist applicants with understanding the licensure process, and to consult with licensees to find ways to serve their clientele. It may have been by helping complainants understand the complaint process, or by helping psychologists understand issues related to a potential duty to warn, how to respond to a subpoena to appear and/or produce records, or ways to identify resources that are available to them to address their issues.” He said he would least miss reviewing applications for licensure. Although he has been an admitted “paper pusher” in some regards for all of his 34-year career in psychology, he recalled, he has most disliked being a “bean counter.” In addition, he noted that he has immensely enjoyed working with the other staff members because they communicate well and have always appreciated each other’s efforts.

Randy said his most important mentors have been Mary Hoyle, his supervisor when he worked as a school psychologist with the Greensboro City Schools, and Martha Storie, the Executive Director of the Board. He added that his wife, Beth Woody, a school psychologist, LPA herself, and “a wonderful human being,” has always provided wise and useful advice as he has struggled with challenging issues related to his job.

It is difficult for me to imagine the Board without Randy. He has been a good teacher, though, and we will carry on. I feel confident I speak for all Board members and Board staff in wishing Randy the best as he enters this new phase of his life.

For more of Mr. Yardley’s memories of working for the Board over the past 15 years, please see page 4 of the newsletter.

Section 2 Contracts-The Forgotten Contracts

Anyone who has made application or is licensed to practice psychology in the state of North Carolina is familiar with the Supervision Contract Form. The form must be completed by all applicants for licensure, and, once licensed, contracts must be submitted by all licensed psychological associates and provisionally licensed psychologists. The Supervision Contract form contains two sections—Section 1, which shows that supervision is required and is being received, and Section 2, which shows that supervision is not required. While many individuals are familiar with Section 1 contracts, Section 2 contracts are often easily overlooked, and, unfortunately, many individuals neglect to file Section 2 contracts when they need to do so.

For many individuals, one of the main reasons why they forget to file new Section 2 contracts may be because they are confused by the “supervision” in “supervision contract form.” One might readily question, if someone is not engaged in the practice of psychology and does not need supervision, why would he/she need to file a new supervision contract form?

Board rules 21 NCAC 54 .2007(c), .2008(e) and .2009(f) require applicants, licensed psychological associates, and provisionally licensed psychologists to file a supervision contract form to “document either that supervision is required and shall be received, or that supervision is not required.” The contract form is an essential Board document that verifies employment status (employed or unemployed) and activities (even if an individual is not engaged in the practice of psychology.) Board rules also require that a written, notarized supervision contract form be filed within 30 days of a change in the conditions specified in the supervision contract form on file with the Board. It does not matter if a contract is a Section 1 or a Section 2, the procedure is the same. If a change occurs with a Section 2 contract, a new contract would need to be filed within 30 days, the same way as a Section 1 contract.

Regardless of whether an individual is practicing psychology in North Carolina, working in another field, unemployed or retired, a supervision contract must be on file at all times and cover all current activities. For example, if an individual had a Section 2 contract on file as a psychology instructor and he/she retired, a new contract would need to be filed within 30 days notifying the Board of this change.

When completing Section 2 of the Supervision Contract, individuals must provide a detailed description of their activities. This is required because the Board determines, based on statute and Board rule, whether or not the described activities require supervision. Often individuals have completed Section 2 of the Supervision Contract and have mistakenly attested that supervision was not required, although the activities described in the contract do, in fact, require supervision.

Board rules also require that a separate supervision contract form shall be filed for each separate work setting. If, for an example, an individual has a Section 1 contract on file for his/her practice and takes an additional part-time job working in sales, he/she would need to file an additional Section 2 contract for the new work setting. Only one section may be completed per form, so duplicate work settings cannot be filed on the same contract form.

The Board requires that applicants, licensed psychological associates and provisionally licensed psychologists comply with all supervision requirements in a timely manner and in the manner required by Board rule. Failure to do so could potentially result in Board action, pursuant to G.S. § 90-270.15(a)(7).

School Psychologists Beware: What You Need to Know About the Practice Act and the New NASP Principles for Professional Ethics

Randy Yardley, M.A.

The National Association of School Psychologists (NASP) recently issued a number of documents that are collectively described as NASP Professional Standards. Among these documents is *Principles for Professional Ethics, 2010*, which, NASP indicates on its website, www.nasponline.org, became effective on January 1, 2011. NASP describes having undertaken a multi-year review process for all of the documents listed, and in the review process reports that it included NASP leaders, NASP members, and representatives of other school psychology and related organizations. It is not clear in this description, however, if input was provided by regulatory psychology in the form of a state licensing board or the Association of State and Provincial Psychology Boards, an association representing 64 member psychology boards in the United States and Canada. Such an oversight not to include regulatory psychology is unfortunate given a potentially problematic issue for school psychologists in North Carolina and other states who might be inclined to engage in practice as described below.

In *Principles for Professional Ethics*, a list of definitions is provided including “child,” “client,” “informed consent,” “assent,” “parent,” “advocacy,” and “school-based versus private practice.” NASP’s definition of “school-based versus private practice” is as follows:

School-based practice refers to the provision of school psychological services under the authority of a state, regional, or local educational agency. School-based practice occurs if the school psychologist is an employee of the schools or *contracted by the schools on a per case or consultative basis* (emphasis added). Private practice occurs when a school psychologist enters into an agreement with a client(s) rather than an educational agency to provide school psychological services and the school psychologist’s fee for services is the responsibility of the client or his or her representative.

Unfortunately, for any school psychologist in North Carolina who is licensed solely by the North Carolina Department of Public Instruction (DPI), this definition fails to address important practice and licensure issues. A potential critical issue arises with the latter part of the second sentence in the description of “school-based practice.” To conclude that school-based practice may be “contracted by the schools on a per case or consultative basis” is inconsistent with the provisions of the North Carolina Psychology Practice Act (Practice Act). In order to engage in such practice, an individual, whether a DPI licensed school psychologist or any other individual, must be licensed by the North Carolina Psychology Board (Board). School psychologists who are licensed by DPI and who are regularly salaried employees of a local board of education are exempt from licensure under the Practice Act, but **only** for the regular salaried services they provide in a school system. See N.C. Gen. Stat. § 90-270.4(c). Under their DPI licenses, pursuant to this exemption, they may practice in the school systems which employ them, but they **may not** engage in any psychological services outside their regular salaried employment. There is no statutory provision for DPI licensed school psychologists to provide psychological services outside their regular salaried employment unless they are either applicants before the Board or otherwise licensed by the Board as Licensed Psychological Associates or Licensed Psychologists.

In addition, the last sentence of the definition is inconsistent with the provisions of the Practice Act in identifying that private practice is based on entering “into an agreement with a client rather than an educational agency . . .” Although NASP’s definition of “client” does not include “educational agency,” and instead appears to refer only to “the person or persons,” an educational agency may, in fact, be a client. Again, if a DPI licensed school psychologist were to enter into an agreement with a local board of education or other educational entity (“an educational agency”) in North Carolina to provide psychological services, other than as part of the individual’s regular salaried employment, without having a license issued by the Board, the individual would be in violation of the Practice Act for practicing psychology without a license.

It has been the experience of the Board that every year a small number of DPI licensed school psychologists will come to the attention of the Board because a parent, another school psychologist who is licensed by the Board, or some other interested party complains that a DPI licensed school psychologist has engaged in an activity that requires licensure by the Board, which that individual does not hold. These individuals often lack essential knowledge about what services they may provide and those which they are unable to provide without benefit of Board licensure. In essence, if a school psychologist is licensed by the Board, he/she may contract with schools for services on a per case basis (which is a **private practice** activity in this state), may be employed by a state agency (e.g., Departments of Correction/Health and Human Services, Children’s Developmental Services Agency, University Counseling Center, etc.), or otherwise may maintain a private practice. It is certainly possible to hold a license issued by DPI and one issued by the Board. However, it is important for any person holding both licenses to be fully aware of what each of the licenses allows the licensee to do in practicing psychology.

For any individual needing additional information or guidance in this area, please contact the Board and/or reference the following:

1. North Carolina Psychology Practice Act, N.C. Gen. Stat. § 90-270.
2. *Principles for Professional Ethics*, National Association of School Psychologists, 2010.

Late Corporation Renewal

If you have a professional corporation or professional limited liability company (PLLC) registered with the Board and missed the February 1, 2011 deadline to renew, you may still renew by paying a fee of \$35.00 (\$25.00 renewal fee plus a \$10.00 late penalty) within the calendar year. You must also include a copy of the renewal application with the fee, making any necessary changes to contact information in the appropriate portion of the form. Your fee will not be processed until the Board receives the renewal application.

A Staff Member's Reflections

As both a former Board and staff member, Mr. Yardley offers a unique perspective on the Board's history through the years.

"The story of life is quicker than the blink of an eye."

Jimi Hendrix, www.quotesdaddy.com

After more than 34 years, some 15 of which have been in the employ of this Board (and two additional years as a Board member), I will be retiring from state service on March 1. So, I am taking this opportunity to reflect on a few of the people, some of the events that have occurred, and a number of experiences that I have had with the Board. During my years of employment with the state, I have met a lot of good, honest, hardworking, and thoughtful people, and none have been better than the Board staff, in particular my boss, Martha Storie. When I took this job as a staff psychologist and investigator, I never anticipated that I would stay in the position for this length of time. Prior to October 1995 when I began working for the Board, I had been employed for a total of 19 years in various psychology positions in a number of school systems in North Carolina.



Mr. Yardley receives the Fellow Award from then ASPPB Past President, Emil Rodolfa, Ph.D., at the 50th Annual ASPPB Meeting. Award recipients are individuals who are recognized for their significant and enduring contributions to the licensing, certification, and regulation of psychologists, as well as to the Association.

A lot has happened with the Board since I was first employed. At the time of my hiring in 1995, the only staff members were Martha, Debbie Hartley, who continues as administrative officer, and Wilma Ragan, who remains as the office assistant and a welcoming voice to all who call the Board office. Since then, another staff psychologist/investigator, Susan Batts, M.A., and a communication specialist, first April Everett since replaced by Rebecca Osborne, have been added. The work flow continues to increase as more licensees are approved yearly, and the requirements for obtaining and maintaining a license require greater documentation. Some of you may recall that Martha administered paper-pencil versions of the national (EPPP) and state exams in Raleigh until I came along, at which time she graciously handed over that chore to me. For many years now, both exams have been administered by computer, which an applicant may take on a chosen date and at a scheduled time at testing sites around the country. One example of how significantly things have changed—in 1982, when I took the EPPP, it was offered only on specified national testing dates twice per year. To date myself fully, there was no state exam at the time I became licensed. The first time I ever took the exam was just a few years ago for the purpose of beta testing the computer administration.

In recent years, a substantial change in the way potential applicants, licensees, and the public are able to relate to the Board and find out information about licensure and other issues came with the introduction of the Board's website. The mailing of hard copy application packets to interested individuals has plummeted because most of the application materials may now be downloaded without the applicant having to contact the Board. In addition, complainants may download complaint/inquiry forms, and interested parties can find the Board's publications over the past several years on the website. Anyone wanting to know if an individual holds a license can readily find that information on the website. What a change from the days when a long distance telephone call or a "snail mail" written request was required to obtain this basic information.

Although it remains a high profile issue in the state, many changes have been realized in Board requirements for supervision. Over the years, requirements under Board rule for continuing supervision of Licensed Psychological Associates (LPAs) have been reduced, and under certain conditions, LPAs may supervise LPAs as long as there is oversight by a Licensed Psychologist. There are additional changes in the supervision rules currently being contemplated by the Board, which recently have drawn much comment for the Board to review. In addition, continuing education rules are in the process of undergoing substantial changes compared to what is currently required under Board rule of all licensees. Reasonable people might argue about what research reflects with regard to the relative value of CE, but bottom line, as professionals we have a responsibility to maintain and further develop our knowledge and skills under Board rule. The fact that the Board requires CE and provides a structure for CE is in recognition of the Board's responsibility to do so as provided for in the Practice Act.

As many of you are aware, there was a lengthy period of time during the not so distant past that the Board did not publish a newsletter. The newsletter was re-introduced in October 2006, but several years earlier, Martha and later Board Vice Chair Mary Ann Olsen, M.S., (who later still served as Chair) took on the responsibility for publishing a newsletter on a sporadic basis, which ultimately became an overwhelming task within the flow of daily responsibilities while having essentially no other staff to assist with publications. During this earlier period, occasional news bulletins kept licensees informed of important issues as they arose, but thanks to the Board's decision to hire a communication specialist, the newsletter was put back on track with April Everett's arrival. It is now published exclusively on-line three times per year, the hard copy version having become a victim of our economic times. In addition to April and Rebecca, who have served as the newsletter's editors, Martha, Board member John Esse, Ph.D., and I have enjoyed writing and editing articles for the newsletter since its return, with frequent written contributions from other Board members and staff, including the Board's attorney, Assistant Attorney General Sondra Panico.



Pictured left to right, Board Staff Martha Storie, Randy Yardley, Susan Batts, and Assistant Attorney General/Board Counsel, Sondra Panico, at a 2009 Board Meeting.

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Having been in education for many years, it was one of my goals when I was first employed by the Board to help to educate licensees, graduate students, and other interested individuals about licensure requirements and ethical and legal issues associated with the Practice Act and the APA Ethics Code. I have been gratified that the Board has supported my efforts in this regard and have been pleased to have been invited to speak before three psychology associations (NCPA, NCAPP, and NCSPA) at various times over the years as well as to a number of graduate psychology classes at several of the universities in the state. With regard to the graduate classes in psychology to which I have presented, I want to acknowledge the interest that each of the involved professors has shown in wanting their students to be knowledgeable of these issues as the students were preparing for their entrance into the profession.

Over the years, I have continually been impressed by the thoughtful, considerate work that the members of the Board provide in service to the public of this state and to its licensees. The psychologist members (Licensed Psychologists and Psychological Associates) bring their own expertise in the field and a broad range of experience to the deliberations of the Board. Public members primarily bring representation of the public to their thinking, but also bring the special knowledge that they each have in their own fields. At various times during my experience with the Board, public members have included a marriage and family therapist, two nurses, two ministers, a physician, a day care owner, a retired EMS director, and a teacher. Having previously served as an LPA member of the Board from 1993 to 1995, I can attest to the arduous nature of serving on this Board. Days can be long, and deliberations can be very tough whether the task is to answer an inquiry by a licensee, to review a particularly problematic application file, or to make a decision following a disciplinary or an educational hearing. The Board takes its charge very seriously, and it rightfully holds its staff to the same expectations it has of itself in service to applicants, licensees, complainants, and all other interested individuals.

I can truly say that I have enjoyed my experiences with the Board and will miss the people with whom I have been involved for the past 17 plus years. It has been a rich and rewarding experience, both professionally and personally, and I leave with the inevitability of mixed emotions. I also leave with the knowledge that the public is well-served by the many licensees who are practicing psychology with the utmost care in an ethical manner and for the good of their clientele. So, as I depart, I plan to follow the advice of Dr. Seuss who said, "Don't cry because it's over. Smile because it happened."

LEGAL PROCEEDINGS

During the period of time from October 1, 2010, through January 31, 2011, the Board reviewed and closed nine investigative cases involving psychologists in which it found either no evidence of probable cause of a violation or insufficient evidence to issue a statement of charges and closed six cases in which it determined that it had no jurisdiction or insufficient information to investigate. In addition to issuing remedial action in four cases, the Board took the following action:

Catinia D. Farrington, M.A. - FINAL DECISION to DENY Ms. Farrington's application for licensure at the psychological associate level was approved on December 1, 2010. In viewing the record as a whole, the Board concluded as a matter of law that Ms. Farrington's conduct was in violation of N.C. Gen. Stat. § 90-270.15 (a)(10), (a)(13), (a)(14); and Standard 2.01(a) of the *Ethical Principles of Psychologists and Code of Conduct* (American Psychological Association, 2002).

Linda J. Duthiers, Ph.D. - CONSENT ORDER was approved on December 1, 2010. Dr. Duthiers admits that the described conduct was unprofessional and unethical and that, as a result, the conduct violated N.C. Gen. Stat. § 90-270.15(a)(10) & (a)(15) of the North Carolina Psychology Practice Act, and Standards 3.04, 3.05(a), and 6.01 of the *Ethical Principles of Psychologists and Code of Conduct* (American Psychological Association, 2002). Dr. Duthiers' license is CENSURED, and a LIMITATION is placed on her license. She must receive specified supervision and complete three hours of continuing education as stipulated in the Order, successfully complete tutorials, and remit \$300.00 in costs.

Stephanie Wilsey, M.A. - CONSENT ORDER was approved and signed on December 1, 2010. Ms. Wilsey admits that the described conduct constitutes violations of N.C. Gen. Stat. § 90-270.15(a)(7) and 90-270.15(a)(10) & (a)(22), of the North Carolina Psychology Practice Act, and 21 NCAC 54 .2008(e) of the North Carolina Psychology Board rules. Ms. Wilsey's license is REPRIMANDED; she must successfully complete three to six hours of tutorials, and remit \$300.00 in costs.

Back to the Future: News from ASPPB's 50th Annual Meeting

The annual meeting of the Association of State and Provincial Psychology Boards (ASPPB) was held in Savannah, Georgia, October 13-17, 2010, and was attended by Martha Storie and Randy Yardley. The theme of the meeting was, "Back to the Future: 50 Years of Psychology Regulation."

The keynote address focused on the origin of psychology regulation, its evolution over time, the current state of regulation, and important issues for the future.

Presentations were given on the ASPPB examination program, including the recent practice analysis and its implications for the assessment of competency, recent data regarding the Examination for Professional Practice in Psychology, telepsychology, distance education, mobility efforts among the jurisdictions, continuing professional development within a broader concept to include more than attendance at continuing education activities, changes in supervision requirements among jurisdictions, and master's degree practitioners licensure and practice issues.

Further, legal and legislative updates were presented, including a discussion of the ASPPB Disciplinary Data System, and a revised ASPPB Model Act was adopted by the delegates.

At the annual awards luncheon during the meeting, Mr. Yardley was awarded Fellow status in recognition of his outstanding contributions to the regulation of the practice of psychology in North Carolina and to ASPPB.

Experiences of a First Term Board Member

Jane Kelman, M.A.

It was a Tuesday in May at 4:00 p.m. I was preparing to go see my last client of the day. My cell phone played its musical ringtone. I thought, "Do I have time to talk right now? I have a million things to do." You see, I was getting ready to leave the state early the next day and then leave the country for two weeks the following day. I answer the phone. I had received the call indicating that I had been chosen to serve on the N.C. Psychology Board PENDING approval of my statement of economic interest (SEI) from the N.C. Ethics Commission. This was exciting news! However, I quickly learned that the SEI had to be completed and notarized immediately and could not wait until I returned to the U.S. Oh No! Could I use a notary in the United Kingdom? The answer was "No." I received an email with an attached form (10 plus pages, I think) that afternoon, and I needed to take care of this right away.

That was the beginning of my preparation for becoming a board member. Later that evening, while weighing suitcases and making sure I had my passport, I had to download the form, then take information with me *en route* to D.C., obsess about the form until I think my husband wanted to scream, and get it all notarized before leaving the country. When I returned, I began orientation prior to the scheduled July meeting with Staff Psychologist Randy Yardley. In preparation for that first board meeting, I began to read the notebook of information Randy brought to me and to receive e-mails regarding various board information for all the members. My head was spinning!

The N.C. Psychology Practice Act is very detailed. Yes, I had studied for my state exam, but that was in 1987! There were statutes (laws passed by the General Assembly) and rules (written by the Board based on the statutes) to study. There was the latest edition of the APA *Ethical Principles of Psychologists and Code of Conduct* as well. I began poring through the information and thinking, "Oh, this is VERY involved. How will I EVER read and understand it all prior to our first meeting?" Well, needless to say, I am still (after two and one-half years) working on understanding "it all."

The learning curve has been steep. VERY STEEP! I had never served on any board before so I wasn't exactly sure what to expect. Fortunately, as part of my job, I spend a lot of time as a team member working to support individuals with intellectual and developmental disabilities. I like the team process. It is very much a team process with the N.C. Psychology Board as well. There are three Licensed Psychologist members, two Licensed Psychological Associate members, and two public members. We have each had many different experiences based on our fields of expertise, our professional and personal experiences, and our locations in the state. This is a very good thing. For example, I may have determined, after reading materials sent to me in preparation for a Board meeting, that I feel a certain way about a topic. However, during the Board meetings, I have the opportunity to listen to other Board members and reports by the Board staff members, and I think, "Oh, I hadn't thought of it in this way."

It became drilled into my head that this is all about "protection of the public." That is the Board's purpose. I frequently remind myself of this very important mission while making a decision about a particular issue. I remain very impressed by the thoughtfulness that can lead to lengthy discussions before a final decision is made. I love hearing the many different ideas and perspectives the various members have. This helps me to make the most informed decision that is possible. Sometimes these decisions are agonizing for me, and sometimes they are more clear-cut in nature. Nothing is taken lightly. Everything is weighed in and considered. Needless to say, I am very glad that I went through the process and was appointed as a member of the Board.

On June 30, 2011, there will be a vacancy for a Licensed Psychological Associate and a Licensed Psychologist on the N.C. Psychology Board. To be eligible for nomination, an individual must:

- * Be a resident of North Carolina and the United States.
- * Be actively engaged in one or more branches of psychology, in the education and training of psychologists, or in psychological research, for at least five years, the two most current of which must be in North Carolina.
- * Be free of conflict of interest in performing the duties of the Board.

If interested, please send a letter of interest and your vita by February 25, 2011 to the:

North Carolina Psychological Association
104 Dresser Court
Suite 106
Raleigh, NC 27609

Rosa's Law

It has been called to the Board's attention that an article in the October 2010 of psychNEWS contained terminology regarding individuals with intellectual disabilities that was not consistent with passage of Rosa's Law. On October 5, 2010, President Barack Obama signed into law S. 2781, or *Rosa's Law*, as it is more commonly referred to, which requires that references in federal law to "mental retardation" be changed to "*intellectual disability*," and that references to "*a mentally retarded individual*" be changed to "*an individual with an intellectual disability*." *Rosa's Law* is modeled after a Maryland law that Maryland resident, Rosa Marcellino, a nine-year old girl with Down's syndrome, and her family worked to help create and pass in the state legislature and in Congress. The purpose of the law is to address the potential for emotional harm that could be caused for an individual with an intellectual disability and for his/her family as a result of negative labeling, and to prevent the potential adverse impact that stigmatizing language can have. The Board welcomes feedback regarding past articles and ideas for upcoming editions of psychNEWS. Please email your comments and suggestions to Rebecca Osborne at rebecca@ncpsychologyboard.org.

I am a Licensed Psychological Associate (LPA), and I want to know if I am required to receive monthly supervision even if I work less than 10 hours per month? Or is it acceptable to obtain one hour of supervision for every 10 hours that I work?

Pursuant to Board Rule .2008(h), the amount of supervision that an LPA is required to receive per month is based on the number of hours per month he/she is engaged in activities that require supervision. On occasion, an LPA incorrectly interprets the supervision requirements believing that he/she does not need to receive supervision until engaging in 10 hours of client contact time. This interpretation of Rule is not consistent with the requirements for supervision. According to Rule, if an LPA engages in just one hour of activities that require supervision in a month's time, he/she is required to receive one hour of supervision within that same month.

It is important to note that the number of hours that an LPA engages in activities that require supervision is based on a monthly, not weekly, basis. The Board has observed instances in which LPAs have unintentionally received insufficient supervision because they have believed that the supervision requirements are based on a weekly hourly total rather than a monthly total. For example, a Level 1 psychological associate, who is engaged in activities requiring supervision for 20 hours per week or 80 hours monthly, would need four hours of supervision per month. However, if he/she thought the supervision requirements were based on weekly totals, then he/she might mistakenly believe he/she only needed to receive two hours of supervision per month when, in fact, 80 hours per month of activities requiring supervision would require four hours of supervision during the month.

As an LPA at Level 1 supervision, I am preparing to make application for reduced supervision and am wondering if there is a time limit between when my current supervisor completes the RS FORM #3 (LPA Supervision Report) and when the Board receives the forms?

Yes, there is a time limit. Your current supervisor's RS Form #3 (LPA Supervision Report), must be completed within 45 days of the submission of the report. For example, if the Board receives your application on May 15th, the report must cover the period of time through at least April 1st in order to be accepted. The time limit only applies to your current supervisor's report, so there is no set time between when a previous supervisor completes the RS Form #3 and the date received in the Board office. It is important to note that the RS Form #3 used to document your hours when you apply for reduced supervision is not the same form as the standard supervision report. Your supervisor must complete RS Form #3 at the time that you apply for reduced supervision. This form includes different information from the standard supervision report. RS Form #3 must also be notarized. The standard supervision report cannot be substituted in place of this form.

I became a permanently licensed psychologist in January 2011. During the past year, I was in a postdoctoral internship and had a provisional license. During that time, I attended several continuing education (CE) classes. Am I allowed to use any of the courses I attended while I was provisionally licensed, or does the day that I obtained permanent licensure mark the start date from which I need to begin obtaining CE to meet the 2012 requirement?

Your change of licensure from provisional to permanent is unrelated to the start date for meeting the CE requirement. According to Board Rule .2104 (f), a licensee must complete a minimum of 18 continuing education hours in each biennial renewal period, which begins on the first day of October in each even numbered year. Continuing education hours are not carried over from one renewal period to the next. Therefore, you may count any CE obtained between October 1, 2010, and October 1, 2012, towards the 2012 renewal, regardless of whether or not you were provisionally licensed. But, no CE obtained before October 1, 2010, may be counted towards the 2012 CE requirement.

BOARD MEETINGS

U P C O M I N G

FEBRUARY 16-18, 2011
 MAY 11-13, 2011
 JULY 13-15, 2011
 SEPTEMBER 21-23, 2011
 NOV. 30-DEC. 2, 2011

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