



# Handbook

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# **Board Member Responsibility**

## **Legal and Ethical**

1. Protect the public health, welfare, and safety of the citizens of the State of North Carolina by giving diligent attention to matters presented for deliberation to the Board.
2. Represent the interests of the public, whether a licensee of the Board or a public member serving on the Board, rather than the profession or any other private or advocacy group.
3. Apply the North Carolina Psychology Practice Act, the rules of the Board, and the American Psychological Association (APA) Ethics Code in an unbiased and fair manner and constantly be aware of the conflicts which must be avoided. Ensure that each matter before the Board is dealt with in a fair, equitable, impartial and just manner based on what is most appropriate for the consumer of psychological services.
4. Take appropriate action to protect the public when unlicensed individuals, who are not exempt from the Practice Act, practice psychology.
5. Uphold all other applicable laws of the State of North Carolina.
6. Conduct oneself as a Board member in a manner that respects the integrity of the Board, its processes, and all participants, including Board members, staff, licensees, and the public.
7. Avoid conflicts of interest and the appearance of any conflict of interest in accordance with the State Government Ethics Act.
8. Attend Board hearings and take appropriate action against those licensed psychologists who fail to meet the legal and professional standards of practice as required by the Practice Act, the rules of the Board, and the APA Ethics Code.
9. Adopt rules and establish policies, as necessary, implementing the law which ensure licensure of qualified practitioners and fairly regulate the practice of psychology and protect the public.
10. Review the State Government Ethics Act and maintain compliance with it at all times.
11. Attend mandatory ethics training, conducted by the North Carolina Ethics Commission and provide a copy of the certificate of attendance to the Board office upon completion.

## **Board Functions**

1. Recognize the equality of role and responsibility of all Board members.
2. Treat the role and responsibilities of the Board and its staff in a respectful and professional manner outside of Board meetings when interacting with licensees of the Board or the public.
3. Prepare for, attend, and participate in the meetings of the Board and committees to which appointment has been accepted to include review of all materials provided to the Board in advance of a meeting.
4. Demonstrate mutual respect and support for other Board members and the staff of the Board in all Board related activities.
5. Be continually well informed on all matters relative to the operation of the Board.
6. Reveal actual or perceived conflicts of interest and, upon approval by the Board chair and counsel, recuse oneself from Board decision-making when appropriate.
7. Accept responsibility and accountability for the decisions of the Board without regard to any personal opinion to the contrary.
8. Maintain the confidentiality of confidential documents and information.
9. Maintain the confidentiality of the individual processing opinions and expressed thoughts of all Board members in matters that are confidential or otherwise discussed in Executive Session.

10. Do not speak or act for the Board without proper authorization.
11. Perform functions by request of the Chair or the Executive Director.
12. Perform all obligations and responsibilities of a Board member until a new appointment is made to replace you on the Board, even if it is after the expiration of your term.
13. Behave in a fiscally responsible manner when incurring travel or other expenses on behalf of the Board.
14. Maintain the utmost confidentiality and security of the Board developed State examination materials.
15. Do not hold office in a North Carolina professional or trade organization of the profession and/or serve as an officer or committee member in a North Carolina association of professionals regulated by the Board while a Board member.
16. Review and sign the annual report each year. Board members may record a dissenting view.
17. Set objectives for fiscal year.

### **Board Hearings**

1. Examine all sides of a case at a hearing and make independent decisions without regard to the influence of other Board members, public service organizations, or professional associations.
2. Ensure rights to due process and protect the integrity of licensees and other individuals who appear before the Board.
3. Behave in a professional manner during hearings, respecting the fact that the issues presented at the hearing may be difficult or emotional for the Petitioner, the Respondent, and/or the witnesses.
4. Render a fair and impartial decision following the conclusion of any contested case hearing.
5. Avoid advising and/or conferring with any licensee [including the licensee's legal counsel(s)] who has been issued a statement of charges by the Board, or, if aware of such, who is under investigation by the Board or is the subject of any current complaint filed with the Board. Refer any such matters to Board staff.

### **Staff Relations and Functions**

1. Avoid becoming involved in the day-to-day management and personnel issues of the Board unless assigned to do so by a member of the Executive Committee.
2. Avoid unnecessarily interfering with staff members' performance of their duties and responsibilities.
3. Submit articles for publication in the Board's newsletter.
4. Avoid engaging in any activity which has the potential for exploiting a staff person.
5. Avoid engaging staff in the performance of non-board related activities.
6. Do not engage in any personally intimate or sexual relationship with a staff person while a Board member.

## **Duties of Officers**

### **Chair**

1. Preside at all Board meetings and decide on questions of order or designate another such officer to perform such duties.
2. Preside as Hearing Officer over all formal and informal hearings before the Board or designate another such officer.
3. Work with the Executive Director to set the Agenda for Board meetings.
4. Act as official spokesperson for the Board, unless assigning the Executive Director to do so.
5. Serve on the Executive Committee.
6. Appoint members and staff, in consultation with the Executive Director, to Board committees.
7. Convene emergency meetings of the Board.
8. Author Chair's message for the Board's newsletter.
9. Perform other duties as may be necessary for the benefit and on behalf of the Board.
10. Ensure, with the assistance of the Executive Director, that each new Board member is informed regarding the functions and activities of the Board.
11. Uphold responsibilities as required of all Board members.

### **Vice Chair**

1. Perform all duties of the Chair in the event of his or her absence or disability.
2. Succeed the Chair in the event of an unexpected vacancy.
3. Perform functions at the request of the Chair.
4. Serve on the Executive Committee.
5. Uphold responsibilities as required of all Board members.

## **Board Committees**

### **Executive Committee**

Board Chair, Vice Chair, and Executive Director

1. Oversee financial and personnel operations of the Board.
2. Review job performance of staff and make recommendations to the Board about salary adjustments annually, or more frequently at the Chair's discretion. A subcommittee of the Chair and Vice Chair reviews the job performance of Executive Director and makes salary recommendations to the full Board.
3. Respond to any agenda issues raised by Executive Director.

## **Credentials Review Committee**

Two members of the Board, appointed by the Chair, and the Staff Psychologists

1. Review credentials of any applicant whose application for licensure presents questions based on previous staff review and determine if the applicant is eligible for examination and/or for licensure.
2. Review credentials of any applicant whose application for reduced supervision presents questions based on previous staff review and determine if the applicant is eligible for reduced supervision.
3. Present recommendations to the full Board.

## **Probable Cause Committee**

One current or former Board member, appointed by the Chair, Staff Psychologists, and the Executive Director

1. Review investigative reports prepared by the staff psychologist who investigated the matter to determine whether there is probable cause to believe that legal and/or ethical violations have occurred.
2. If the Committee determines that there is probable cause to issue a Statement of Charges, then it directs staff to issue a statement of charges.
3. If a statement of charges is issued, the case is not reviewed by the full Board.
4. If the Committee recommends that a statement of charges should not be issued, the case is subsequently reviewed by the full Board at its next scheduled meeting.

## **Consent Order Review Committee**

Two members of the Board, appointed by the Chair

1. Review consent agreements presented by the Board's attorney and the staff. Consent agreements are submitted to the Consent Committee for their review subsequent to the issuance of a statement of charges to a licensee who is alleged to have violated one or more provisions of the Practice Act, the rules of the Board, and/or the APA Ethics Code.
2. Determine whether a consent agreement warrants presentation to the full Board. If so, the consent agreement is submitted to the full Board for review and final approval. If not, the consent agreement is rejected, and it may be presented again to the Consent Committee with modifications for its re-review, or the case may proceed to hearing.

## **Ad Hoc Committees**

Board members and/or staff, appointed by the Chair

1. Examine matters and present results to the Board regarding issues which arise that require investigation or research before they are placed on a Board meeting agenda for further consideration.
2. Following resolution, an Ad Hoc Committee is disbanded.

## Reimbursement Policies

1. Travel expenses for Board meetings are reimbursed in accordance with the State Budget Manual. Excessive subsistence, in the amount of the actual cost for a single room, is authorized by the Board, when necessary.
2. A Board member does not receive compensation for his or her services. However, if a member does not receive a salary, or any portion of a salary, paid from State funds, a per diem remuneration of \$100.00 per day of official service is paid to the member (G.S. § 93B-5), as follows:
  - a. Board members shall receive \$100.00 for any day or partial day spent in an official meeting of the Board or an official meeting of a committee of the Board, which occurs on a separate day from a Board meeting.
  - b. Board members shall receive \$25.00 per hour for a minimum of one hour for any conference call which involves official business of the Board not to exceed \$100.00 for the entire conference call. Following the first hour of any conference call, Board members shall be compensated for any portion of an hour spent on the conference call as if it were a full hour.
  - c. Board member attendance at a voluntary professional association conference does not constitute an official meeting of the Board, and therefore is not compensated.