

psychNEWS

The newsletter of the North Carolina Psychology Board



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from the CHAIR



I had the good fortune to be able to attend the 46th annual meeting of delegates of the Association of State and Provincial Psychology Boards (ASPPB) in late October 2006. As a first time attendee, I participated in an orientation session in which I learned much about the historical evolution of organized psychology's efforts toward regulation of the profession. The primary presenters at this session were Dr. Steven DeMers, executive director of ASPPB since September 2005, and Dr. Catherine Yarrow, president of the Association for 2005-2006. Both demonstrated a high level of organizational knowledge and lead-

ership skills. In multiple contacts over the course of the conference, I formed the general opinion that the ASPPB mission of "serving member jurisdictions by promoting excellence in regulation and advancing public protection" is upheld and genuinely fulfilled by all ASPPB officers and board members, current as well as incoming.

Speaking of incoming ASPPB officers, the North Carolina Psychology Board is extremely proud of Martha Storie, executive director to the Board, who was nominated and elected to be the new ASPPB secretary/treasurer for a three-year term beginning in 2006-2007! (See "Through the Years" on page 4 to learn more about Ms. Storie's history of the accomplishment with the Board.)

To help you to understand why ASPPB is such an important resource to the N.C. Psychology Board, let me first share some of the background information I learned at the orientation session. Organized psychology began in the late 1800s with the establishment of the American Psychological Association (APA) as a scientific society. Soon after, state associations emerged with a focus on concerns regarding the application of psychological principles. Connecticut established the first licensing law in 1945, and by the late 1940s, three more states followed suit. Pursuing the question of how to protect the public gained full steam in the 1950s, and by the early 1960s,

CHAIR

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FORMER CHAIR FURNISHES COLUMN TO DECORATE NEWSLETTER

Reflections from former Board chair Thomas J. Thompson, Ph.D.

In July 2006, I attended the final meeting of my nine-year service (three consecutive terms) on the Board. Knowing that I would be bidding folks farewell, I took some time to reflect on that experience beforehand, and scribbled a few notes to share with my colleagues. I knew that they were kind enough to tolerate a few minutes of rambling, but they were downright gracious to ask me to compose my thoughts into an article. If you are interested in knowing what the experience is like, and in particular if you've ever considered serving on the Board, then I would invite you to be similarly gracious, and read on.

First, serving on the Board is a huge learning experience. In my work, and fortunately, in my personal life, I have not had a lot of experience with the legal system. Serving on the Board taught me a great deal. I now know the difference between laws and rules, and how each is made. (I've never seen sausage made, but I suspect that the analogy about the making of each is true.) I now know about how legal proceedings are conducted. I learned, with the aid of the very accomplished and patient Assistant Attorneys General, who advise the Board about the presentation of evidence, findings of fact, and con-

clusions of law. I now appreciate the importance of reading the Practice Act very carefully.

Similar accolades extend to the other Board staff. From Martha Storie, the executive director (with a memory matched only by computers) and vigilant steward of Board funds, to the patient and all-too-often abused Board administrative staff, and the hard-working staff psychologists, this is an organization that operates with integrity and professionalism. My Board member colleagues were no less impressive. There were many times when I thought I knew the simple

FORMER CHAIR

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CHAIR continued from front page

there were thirty-two states and Canadian provinces with licensing laws.

In 1961, ASPPB was established as an outgrowth of an APA committee that was addressing state licensure matters. From the outset, two key issues for ASPPB members were the lack of standardization and mobility. As you may be aware, these are still subjects of central interest in the field. Facing the need and the jurisdictions' desire for greater standardization, ASPPB created a common national Examination for Professional Practice in Psychology (EPPP). This examination continues to be a topic of intense discussion in the service of further refinement. The overall theme of this year's meeting was "Evolving Approaches to Assessing Competence." Several experts made presentations regarding the national examination content and process, including consideration of ways to move the examination of licensees beyond the knowledge-based test currently represented by the EPPP. The addition of competence-based approaches might, for example, involve simulations, evaluation of work sam-

ples, etc. Such changes would clearly be a major paradigm shift.

While the creation of the EPPP was a step toward increasing standardization in the field, jurisdictions recognized that solving the mobility problem was linked to the credibility of psychology licensure. Six jurisdictions established an agreement of reciprocity—a development that sprang from informal collaborations at an ASPPB meeting. This basically involved each of these jurisdictions agreeing to accept the others' licensees. There are currently twelve jurisdictions that participate in the reciprocity agreement under ASPPB's auspices. Due to the difficulties and concerns experienced by jurisdictions regarding reciprocity agreements, ASPPB developed a mobility initiative known as the Certificate of Professional Qualification in Psychology (CPQ). (To find out more about this approach and where North Carolina currently stands on mobility, please see the article on page 5.)

ASPPB began with twenty-five charter members and has since grown to sixty-three member jurisdictions, which include all fifty states, the District of Columbia, ten Canadian prov-

inces, the U.S. Virgin Islands, and Puerto Rico. We, as a state board, are greatly benefited by having a connection to this network of boards. In addition to productive contact with colleagues from other boards and access to staff resources throughout the year, ASPPB operates a listserv that is a forum for addressing various topics of interest. Please contact the Board office if you have a question you want the Board to post with an eye toward generating a report for this newsletter.

Meanwhile, I wish to shift gears and close my message by expressing deep gratitude to Margery Adams, M.N., R.N., a faithful public member of the North Carolina Psychology Board for 16 years, who has now rotated off the Board (see "Physical Health, Mental Health, and Ginger Snaps" below). I will personally miss her patient presence and wise, common-sense perspective at our meetings. On the positive side, Dr. Harry Fozzard, a retired cardiologist, is a new public member whom I heartily welcome to the Board. You will learn more about him in a future edition of the newsletter.



Physical Health, Mental Health, and Ginger Snaps

April G. Everett

The Board takes a moment to thank public member Margery Adams, M.N., R.N., for her commitment and dedication.

After 16 years of service as a public member to the Board, Margery Adams is bidding the Board farewell. Ms. Adams has served in many healthcare positions in North Carolina, including staff nurse, nursing instructor, and vice president of nursing at Catawba Memorial Hospital, a position she held for 22 years.

When asked what motivated Ms. Adams to become a member of the Board, she expressed that health and "the best care for—and protection of—the public" have been an essential part of her life. She commented that, "nursing is a service profession" and that she married a "Methodist Minister, also in service to others... I guess mental health, physical health, and spiritual well-being all go together."

Ms. Adams established many friendships during her tenure with the Board. She is thankful to have had the opportunity to serve with many "wonderful, dedicated, intelligent, and, many times, humorous" Board members. However, her most cherished memory remains "the

Board staff in Boone." For a number of years, Ms. Adams and her husband, Dixon, have traveled to Boone to treat Board staff to Christmas lunch—and some famous, homemade ginger snaps and other baked goods.

When asked to impart her thoughts about Board service, Ms. Adams shared her belief that, "if other boards in North Carolina, mandated to protect the public, have caring, hard-working members, and [the] seriousness of purpose that I've witnessed in the Psychology Board, then North Carolina citizens are in the most capable hands when it comes to public safety and protection."

The Board presents a commemorative plaque to members rotating off the Board as a token of appreciation for continued service. When Ms. Adams' first term came to an end in 1999, the Board thought an engraved clock a more appropriate gift, recognizing Ms. Adams' dedicated assistance in keeping discussions on topic—and on time. At its February meeting, the Board will present Ms. Adams with a plaque of recognition for her judicious perspective and commitment to protecting the public.

Although Ms. Adams' second term of Board service has come to an end, she continues to serve the community through her volunteer work, including work in soup kitchens, and knitting for her church's prayer shawl ministry.

psychFEATURES

Being a Supervisor in North Carolina

Erica Wise, Ph.D.

Don't let confusion lead to noncompliance. Check out this brief overview to understand the supervision statutes and rules with which you must comply as a supervisor in North Carolina.

The purpose of this article is to provide a brief overview of what you need to know in order to comply with the supervision statutes and rules in our state. While there are many possible places to start, I have organized the information in a way that makes the most sense to me. I have also put this article in the form of questions so that it will (hopefully) be more engaging to the reader.

What is the nature of supervision in North Carolina?

In our state, the nature and purpose of supervision is broadly defined. It includes a consideration of ethical and legal standards, the technical competence of the supervisee in the provision of psychological services, and the supervisee's utilization of supervision. It also includes an obligation to directly notify the Board if there are concerns about the supervisee's behavior or if there is a change in the supervision relationship (see 21 NCAC 54 .2002).

Can I be a supervisor in North Carolina?

A careful reading of 21 NCAC 54 .2001 provides information about what it means to be a qualified supervisor and what documentation must be maintained. In general, supervisors must be Licensed Psychologists who are competent in the area of practice in which the supervisee is engaged. There are specific requirements related to the documentation of supervision sessions which must be adhered to. These include recording the dates of meetings, the summary content of supervision sessions, and any fees that are charged. I would encourage supervisors (or potential supervisors) to refer to the sample supervision documentation form that is available on the Board website (click on "Supervision" and then "Supervision Record Form"). This form is not specifically required by the Board, but it does include all of the elements that are required for adequate documentation.

What are my obligations as a supervisor?

There are specific requirements for how supervision must occur within the different levels of supervision, including the number of hours per week or month that face-to-face supervision must take place. Supervisors and supervisees engaging in Board mandated supervision must establish a formal

notarized supervision contract with the Board. It is important for supervisors to make sure that an active supervision contract accurately reflects what is occurring. In addition, there is an affirmative duty for the supervisor to notify the Board on a supervision report form within two weeks of any substantive changes in (or termination of) the supervision relationship. Failure to submit reports in a timely manner and in the manner required by Board rule may result in disciplinary action. These documents (and their instructions) are readily available on the Board website under the "Supervision" link.

Are there any types of supervision that are not "Board mandated"?

Yes. Supervision of predoctoral and postdoctoral trainees (not licensed by the Board) does not require the filing of a Board supervision contract or report. The requirements of these supervisory relationships are described in the statute as an exception to licensure requirements [G.S. § 90-270.4 (d)]. This section of the statute requires that any supervised practice of psychology be part of a course of study as a matriculated graduate student. Rules for postdoctoral training that may occur under this exemption can be found at 21 NCAC 54 .1611. In general, a postdoctoral trainee must have completed all requirements for the doctoral degree and must be enrolled in a formal psychology training program that meets the requirements specified in this rule. Further, I would refer the reader to Standard 7 of the APA Ethics Code for ethical standards related to providing supervision to psychology trainees. It is important to note that if a trainee has not finished all requirements for a doctoral degree (for example, is post internship and "all but dissertation" or ABD) that individual cannot be considered a postdoctoral trainee under this rule, even if the training site itself provides postdoctoral training.

Are there any other rules related to psychology supervision in our state?

Rules for the supervision of ancillary personnel may be found in 21 NCAC 54 .2801. A full discussion of this topic is outside the scope of the current article, but it is important for psychologists who employ ancillary personnel to be familiar with the requirements.

Dr. Wise is co-chair of the NCPA Professional Affairs and Ethics Committee, a former chair of the APA Ethics Committee, and a former member and chair of the board.



Through the Years

April G. Everett

A brief look at 10,585 days; 254,040 hours; 15,242,400 minutes; 914,544,000 seconds with the North Carolina Psychology Board.

We can all agree that 29 years is quite a chunk of time, no matter how you slice it.

In 1977, John P. (Jack) Mulgrew, Ph.D., accepted his election as chair of the Board, with the provision that he could employ a full-time staff member. Prior to that time, the Board office was located wherever the chair was located and there was only part-time clerical support provided. On July 25, 1977, the Board hired its first full-time staff member, Martha Noggle (now Storie).

Ms. Storie began her career with the state working for a federally funded project at Appalachian State University (ASU) known as Teacher Corps (under the direction of a psychologist). When the project did not receive funding the next year, Ms. Storie was employed as the executive secretary for the Board. In recognition of her increased job duties and responsibilities, Ms. Storie was promoted to administrative assistant in 1979, and in 1983, she became the first and, to date, only executive director to the Board.

Over time, one of the greatest challenges Ms. Storie faced with the Board was trading in onionskin paper and typewriter for a personal computer. With no computer training, Ms. Storie first touched her fingers to a keyboard in 1984, and basically taught herself how to use the computer through trial-and-error and a handy, not-so-user-friendly user's guide. But, by 2006, from the Board's humble beginnings in a renovated garbage collection area in the basement of a dorm at ASU, Ms. Storie helped to bring the Board office into the 21st century with a full-time staff of five under her supervision, a 3/4-time attorney, rows of filing cabinets, multiple personal computers, and even several windows, a luxury not afforded to the first Board office.

In 1985, Ms. Storie began attending and participating in meetings of the Association of State and Provincial Psychology Boards (ASPPB). Her impact on ASPPB is evident in the statement made by a past president of the organization, who specifically challenged delegates to be "more Martha—a delegate who offered useful suggestions and alternatives, and not just complaints." In fact, Ms. Storie's sound judgment has been an integral part of her success in her career—and in other aspects of her life. In 1987, she made the wise decision to wed her sweetheart of many years, Jerry Storie.

In 2006, the N.C. Psychology Board nominated Ms. Storie for the position of Secretary/Treasurer of ASPPB, recognizing in the nominating letter that "her solid judgment and experience have

guided the N.C. Psychology Board through difficult times in shifting political climates... Martha is honest, conscientious, and incredibly dedicated to her work." And, at its annual meeting last fall, ASPPB's members took note of Ms. Storie's accomplishments and dedication by electing her to serve a three-year term as secretary/treasurer.

Through the years, Ms. Storie has successfully worked with 44 different Board members including 15 different chairs, with the ultimate mission of protecting the public. When asked what her most satisfying accomplishment has been, Ms. Storie replied, "being instrumental in employing, beginning in 1994, a full-time staff of five, who currently have a combined longevity with the Board of more than four decades. The staff is very competent and truly dedicated to carrying out the directives of the Board."

With such an accomplished record and thirty years with the State of North Carolina, I had to ask Ms. Storie if there were any thoughts of retirement. Her reply was simple, "maybe some day."

THANK YOU

The Board would like to take a moment to thank those of you who sent your renewal materials in before the October 1st deadline. As many of you may have learned, sending in materials weeks before a deadline will not only make your life less stressful on deadline week, but it may even save you money. Early submissions give the Board time to review and return incomplete materials, which means you have time to get any returned materials back to the Board office and avoid late fees. If deadlines *flew by* you this year, here are a few tips to help put you ahead for the next renewal cycle:

- Obtain Continuing Education credits well in advance—the Board rules give you two years to obtain those credits. Waiting until just before the deadline to cram can create unneeded pressure.
- Secondly, as wonderful as the U.S. Postal Service is, things do occasionally get misplaced. So be sure to maintain copies of your renewal materials just in case.
- And most importantly, if you have questions, just ask. It is better to clear up confusion before you send materials in rather than to have materials returned. Please call or send an e-mail to the Board office if you have any questions.



"I love deadlines. I like the whooshing sound they make as they fly by."

—Douglas Adams



Mobility Options in Licensure

Randy Yardley

Find out where North Carolina stands on the push for mobility.



Psychologists from other states who want to apply for licensure in North Carolina are sometimes disappointed to learn that there is not a licensure reciprocity agreement between North Carolina and any other states. There is a provision in the North Carolina Psychology Practice Act which allows for the Board to establish reciprocity agreements with other psychology boards, but the Board is required under this statute to determine that “the standards of the boards of the other jurisdictions are substantially equivalent to or greater than those required” by the Practice Act. To date, however, this Board has not established reciprocity agreements with any other boards. There are, in fact, very few reciprocity agreements among the jurisdictions in the United States and Canada, in many cases due to similar requirements to determine “substantial equivalency.” Of the 63 members of the Association of State and Provincial Psychology Boards (ASPPB), only 12 are members of the ASPPB Agreement of Reciprocity—10 jurisdictions in the United States and 2 Canadian provinces. In addition, to become licensed in a state or province which is a member of the Agreement, the psychologist applying for licensure in another member jurisdiction must be licensed at the doctoral level in the original jurisdiction.

There is, nonetheless, a mechanism for facilitated mobility available to some psychologists licensed in other states who desire to move to North Carolina. Under the authority of statute, there is a Board rule, 21 NCAC 54 .1707 Senior Psychologist, which recognizes that an individual licensed in another jurisdiction in the U.S. or Canada, who has been licensed at the doctoral or master’s/specialist level of licensure for at least 12 years, has been in practice for at least 10 years on a half-time basis, has had no disciplinary action during his/her licensure, and has no unresolved complaint at the time of application, can apply for licensure in this

state and submit much less documentation than is required in the standard application process. Every year, a substantial number of psychologists apply for and become licensed under these provisions in this state.

The Board has also been examining another mobility mechanism offered by ASPPB through the Certificate of Professional Qualification (CPQ). The CPQ was developed by ASPPB in response to the problems that were found to be inherent in interjurisdictional attempts at establishing reciprocity agreements. The CPQ, as reported by ASPPB on its website, is currently accepted by 37 member jurisdictions in the U.S. and Canada. ASPPB further reports that, in addition to the jurisdictions currently accepting the CPQ, 15 other jurisdictions are in the process of accepting it. In order to be approved by ASPPB for the CPQ, which is not available for individuals holding a master’s/specialist level of licensure, the psychologist is required to do all of the following:

- a. Meet standards of educational preparation, supervised experience, and examination performance;
- b. Provide documentation of having practiced for a minimum of five years in an ASPPB jurisdiction; and
- c. Have no history of disciplinary action.

In order to obtain a CPQ, there is an application form that must be submitted along with an application fee of \$200, and ASPPB requires submission of original source documents similar to the process of an original application with a member board. ASPPB recognizes that the CPQ does not constitute a license to practice. However, if a psychologist holds the CPQ and wants to move to another jurisdiction which accepts the CPQ, the

application process is potentially much simpler than when done by the standard application process. If you want to know more about the CPQ and other mobility information, you may go to www.asppb.org.

This Board is also considering other mechanisms for enhancing licensure mobility currently available in some states to psychologists holding registration through the National Register (NR) of Health Service Providers in Psychology (www.nationalregister.org) and to those holding specialty certification by the America Board of Professional Psychology (ABPP; www.abpp.org). The NR website reports that some 35 jurisdictions in the U.S. and Canada accept the NR credential to expedite licensure mobility, in most cases (30 jurisdictions) waiving documentation in the application process of the doctoral degree, internship, and postdoctoral year, in addition to the score for the Examination for Professional Practice in Psychology. One state, South Carolina, reportedly accepts primary source documentation from the NR as a part of its application process. ABPP, which is comprised of 13 specialty boards in psychology, most of which are described as health service specialties, is accepted in some form in 35 states, but not in any of the Canadian provinces. NR’s application fee is \$195, while the cost of applying to ABPP is \$125. Each organization charges additional fees for other services related to obtaining and maintaining their respective credentials.

As this publication goes to press, the Board is pursuing the possibility of legislation which would allow it to accept these mobility credentials—CPQ, NR, and ABPP—for licensure. If you are interested in moving to another state or to a Canadian province, consider checking with the psychology board in that jurisdiction about mobility options offered to those who hold one of these credentials.

HAVE YOU CHANGED YOUR ADDRESS?

Be sure to let the Board know of any change in your mailing address by e-mailing the information to ncpsybd@charter.net, faxing it to 828-265-8611, or mailing it to the Board office. Be sure to include your name, license number, new address, and a contact telephone number. Please note that changes of address **cannot** be done over the telephone.



FORMER CHAIR *continued from front page*

answer only to be stopped cold by the wisdom of my colleagues whose thoughtful opinions illustrated the importance of careful deliberation in all matters. Through the course of these working relationships, many of these colleagues became friends whom I looked forward to seeing at our meetings to share stories of families and life's adventures.

My initial decision to become involved with the Board grew out of a professional concern. Specifically, rules that were under development appeared to be inconsistent with the practice of behavior analysis, my specialty area. Expecting a difficult encounter, I was instead pleased to be heard by those working on the rules, and invited to participate in the development process. Later, while working

on other rules, I learned that the hearing process for rules development is truly a forum for listening and responding to concerns of those who would be governed by the rules, as well as other interested parties. And while the next admission might cause many of you to despise me forever, I will say that my most memorable achievement was in helping to develop the continuing education rules. I believe they help assure that all licensees work to maintain state-of-the-art skills to the benefit of consumers. I think this was accomplished in a way that is not overly burdensome, especially toward those who have been striving all along to meet this objective without the Board's guidance.

I found that working with the Psychology Board was mentally challenging and rewarding for many reasons. There were significant learning opportunities, and the chance to

help protect the citizens of North Carolina by supporting the integrity of psychology as a regulated profession. Not least of all, serving on the Board was often a "mini-sabbatical", a way to practice my profession away from the day-to-day activities of my regular job. I encourage those who think they'd like to serve as a Board member to apply.

Please contact the Board office if you would like to find out more about applying to become a Board member.

psychNEWS is available on the Board's website, www.ncpsychologyboard.org, under the "News Items" link.

**Hearing Description**

Sondra Panico

Find out what to expect at a hearing if you have a matter pending before the Board.

Often questions arise about what to expect at a hearing before the North Carolina Psychology Board. The following hearing description has been approved by the Board and will be disseminated to individuals who may have hearings before the Board. This document provides you with a description of what to expect at a hearing if you have a matter pending before the N.C. Psychology Board.

At least fifteen days before a hearing, you will receive a notice of hearing setting forth the date, time, and location of the hearing. The case will be heard by the N.C. Psychology Board, which is comprised of seven members: three licensed psychologists, two licensed psychological associates, and two nonpsychologist public members. At the hearing, the Board members are not permitted to discuss the hearing with you, your attorney, the Board attorney, or any witnesses for either side, unless all of the above set forth parties are present for the discussion. The chair of the Board typically presides over the hearing. The full Board may not necessarily be present, but at least four of the seven members must be present in order to conduct the hearing. There may be an attorney

seated with the Board members to advise the Board chair on legal issues that may arise during the hearing; this person is not the Board attorney, but a legal advisor to assist the Board in this matter.

The hearing will be a formal hearing in which you will be offered an opportunity to present your case. A court reporter will be present to record the proceedings. You will be given the chance to present an opening statement. The Board attorney may also present an opening statement. The opening statement is not the time to testify, but rather to present an overview of your case. You may testify on your own behalf and may present exhibits for the Board to consider. Please bring eleven copies of any exhibits (one for each of the seven Board members, the Board attorney, the legal advisor, the official record, and yourself). You may present witnesses to testify. You and your witnesses will be placed under oath or affirmation, and the testimony will be recorded.

Board members will give you and your witnesses their utmost attention. You and your witnesses may be questioned by the Board attorney. The Board members may have questions of you or any witnesses who testify on your behalf. You will have the opportunity to cross examine any witnesses that testify on behalf of the Board as well. The length of

any hearing may vary depending on the evidence and testimony that is presented.

Typically, hearings are open to members of the public. However, if testimony is given about any client, the client's initials may be used instead of a name to protect client confidentiality. In addition, the Board may close any hearing to the public to receive evidence concerning the treatment of, or delivery of psychological services to, a client or a patient who has not consented to public disclosure of such treatment or services.

After all the evidence has been taken, including your presentation of your case and the Board attorney's presentation of the Board's case, you will be offered an opportunity to present a closing statement. The Board attorney may also present a closing statement.

Following the closing statements, the Board will typically go into executive session, at which time it will deliberate on the matter. The Board will issue a written Final Decision within 120 days of the hearing.

NOTE: This article was prepared for the North Carolina Psychology Board by Sondra Panico, Assistant Attorney General and Counsel to the Board. It has not been reviewed and approved in accordance with procedures for issuing an Attorney General's opinion.

legalPROCEEDINGS

Board disciplinary actions from July 21, 2006 through December 31, 2006:

- Burton, Sharon S., M.A. - FINAL DECISION was approved and signed on November 30, 2006. Ms. Burton's conduct violated N.C. Gen. Stat. §§ 90-270.15(a)(10), (a)(11), and (a)(19) of the North Carolina Psychology Practice Act; and Standards 2.06(b), 3.04, and 3.09 of the *Ethical Principles of Psychologists and Code of Conduct*, (American Psychological Association, 2002). Ms. Burton's license is REVOKED. Further, she is assessed \$2,850.00 in costs for the disciplinary proceeding held on September 20, 2006. A petition for judicial review of the final decision entered by the Board was filed by Ms. Burton in Wake County Civil Superior Court on January 3, 2007.
- Calton, Deborah G., M.A. - FINAL DECISION was approved and signed on November 30, 2006. Ms. Calton's conduct violated N.C. Gen. Stat. §§ 90-270.15(a)(10) and (a)(22) of the North Carolina Psychology Practice Act, and the terms of the Consent Order dated December 1, 2005. Ms. Calton's license is REVOKED. Further, she is assessed \$300.00 in costs for the disciplinary proceeding held on September 21, 2006.
- Diamant, Louis, Ph.D. - CONSENT ORDER was approved and signed on November 30, 2006. Dr. Diamant admits that the described conduct could constitute/could have constituted violations of N.C. Gen. Stat. §§ 90-270.15 (a)(8) (1985), 90-270.15(a)(8) (1991), & 90-270.15(a)(10) (1993) of the North Carolina Psychology Practice Act; Principles 5a and 6a of the *Ethical Principles of Psychologists and Code of Conduct*, (American Psychological Association, 1981); Standards 1.17 (a), 1.18, and 5.02 of the *Ethical Principles of Psychologists and Code of Conduct*, (American Psychological Association, 1992); and Standards 3.05(a), 6.05 of the *Ethical Principles of Psychologists and Code of Conduct*, (American Psychological Association, 2002). Dr. Diamant's license is REPRIMANDED. He shall not barter with any of his clients; he shall not allow any of his clients to work in his psychological practice; and he must remit \$300.00 in costs.
- Franks, George J., Ph.D. - CONSENT ORDER was approved and signed on November 30, 2006. Dr. Franks admits that the described conduct constitutes violations of N.C. Gen. Stat. §§ 90-270.5(e) & 90-270.15(a)(7) of the North Carolina Psychology Practice Act, and 21 NCAC 54 .2001(c)(5) and 21 NCAC 54 .2008(h) of the North Carolina Psychology Board rules. Dr. Franks' license is REPRIMANDED, and he is prohibited from serving as a supervisor for a period of six months. Further, he must successfully complete tutorials and remit \$300.00 in costs.
- Heaton, Martha E., Ed.D. - FINAL DECISION was approved and signed on September 21, 2006. Dr. Heaton's conduct violates N.C. Gen. Stat. §§ 90-270.15(a)(10) and (a)(22) of the North Carolina Psychology Practice Act, and the terms of the Consent Order dated February 16, 2006. Dr. Heaton's license is SUSPENDED until she remits \$300.00 to the Board office, as required by the Consent Order dated February 14, 2006. Further, she is assessed \$300.00 in costs for the disciplinary proceeding held on July 19, 2006.
- Laughlin, Michael, M.A. - CONSENT ORDER was approved and signed on September 21, 2006. Mr. Laughlin admits that the described conduct constitutes violations of N.C. Gen. Stat. §§ 90-270.15 (a)(5), (a)(7), (a)(10) & (a)(14) of the North Carolina Psychology Practice Act; 21 NCAC 54 .2002(b)(6) and 21 NCAC. 54 .2008(e) of the Board rules; and Standards 5.01 (c), 9.01(a) & 9.02(a) of the *Ethical Principles of Psychologists and Code of Conduct*, (American Psychological Association, 2002). Mr. Laughlin's Psychological Associate license is REPRIMANDED. Further, he must comply with additional supervision requirements, successfully complete tutorials, cease referring to himself as possessing a doctoral degree in connection with providing or offering to provide psychological services, and remit \$300.00 in costs.
- Maynor, Jerry C., M.A. - FINAL DECISION was approved and signed on September 21, 2006. Mr. Maynor's conduct is in violation of N.C. Gen. Stat. §§ 90-270.15(a)(7) and (a)(22) of the North Carolina Psychology Practice Act, and 21 NCAC 54 .2002(b)(6) of the North Carolina Psychology Board rules. Mr. Maynor's Psychological Associate license is REVOKED, and he is assessed \$300.00 in costs.

NOTE: License verification is available on the Board's website and includes whether or not Board action has been taken on an individual license.



FUTURE NEWSLETTER CONTENT

Is there a topic you would like to see addressed in a future edition of the newsletter? If so, please e-mail the Board office at ncpsybd@charter.net or submit your suggestions in writing to the Board office.

psychFAQs

I am the director of a mental health facility that is initiating a postdoctoral fellowship in psychology. If I place a graduate student in the fellowship who is ABD and will finish his program in about six months, is he exempt from licensure?

No. Board rule 21 NCAC 54 .1611 specifically requires that, to be exempt from licensure under G.S. § 90-270.4(d), the person must have completed all doctoral degree requirements from an institution of higher education.

I recently hired a person who graduated from a doctoral program in psychology and found out that she did not apply for a license within the 30 days provided for in the Practice Act. Can I just assign her the title "postdoctoral fellow" so that she can continue to practice and be in compliance with the law?

No. The statute requires that anyone beginning the practice of or offering to practice psychology must apply within 30 days for a license. The exemption for individuals pursuing postdoctoral training or experience in psychology has specific rules associated with it that require the person to be in a formal training experience.

I recently attended an ethics workshop, and the presenter stated that a psychologist should keep records of services for at least 10 years. Is that correct?

It depends. Pursuant to G.S. § 90-270.15(a)(18), it is a violation of the Code of Conduct if a licensee fails to maintain records for at least seven years following the last provision of services. There are caveats to this requirement which can extend the period of time that records must be maintained. For example, in the case of a client who was a minor at the time that services were provided, the statute requires that records be maintained for at least three years past the age of majority (age 18), or seven years, whichever is longer. In addition, if there are outstanding legal or ethical matters, the records must be maintained indefinitely.

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psychCALENDAR

UPCOMING BOARD MEETINGS:

- FEBRUARY 21-23, 2007
- MAY 9-11, 2007
- JULY 25-27, 2007
- OCTOBER 3-5, 2007
- DECEMBER 12-14, 2007



ELECTRONIC NEWSLETTERS MAKE HAPPY TREES

As the Board produces its second newsletter in recent times, it wishes to kill as few trees as possible. With only eight licensees currently electing to receive electronic newsletters, the Board urges you to please e-mail if you are interested in saving trees (and Board dollars) by receiving future copies of the newsletter via e-mail only. The Board—and the environment—will thank you.



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psychNEWS

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