



## PRIDE IN THE PRACTICE ACT

Jane E. Perrin, Ph.D.

*An exploration of the historical relevance of North Carolina statutes and rules.*

If we are honest, few of us likely wax sentimental about the North Carolina Psychology Practice Act. I suspect that for most of us, our typical contact with the licensure law and rules involves checking on requirements for continuing education activities or whether we are getting/giving sufficient supervision. Taking a broader perspective and having a more thorough appreciation for the historical relevance of our statute and rules may demonstrate the value of professional licensure.

My own appreciation for the Practice Act has been sharpened by my volunteer work in developing countries that do not have equivalent laws. In 2006, I traveled to the former Soviet republic of Moldova, located in Eastern Europe, as part of a team of mental health professionals commissioned to evaluate services to victims of domestic violence and human trafficking. Two years later, I returned to conduct a three-day conference with fellow North Carolina psychologist Laura Rhoads, Ph.D. Throughout my time in Moldova, it was clear that psychologists – and, by extension, the Moldovan public – suffered immensely due to the absence of psychological licensure and the associated safeguards that licensure can afford. According to our Moldovan hosts, psychologists in the former Soviet Union had been engaged only to provide services to “crazy people,” while the general population was assumed to be happy and healthy under Communist rule. This lack of historic support for mental health services has left little foundation upon which to build current professional guidelines; as a result, the Moldovan psychological profession remains underdeveloped.

Although Moldovan psychologists appeared to be dedicated and eager for up-to-date information pertaining to practice, there currently exists no formal structure to afford even basic professional guidance, such as that provided by graduate training programs, professional associations, or a state board. In particular, there are no nationwide standards governing psychological education or practice, leaving practitioners bound on their honor to confine themselves to activities for which they had been trained. One result is that clients have no way of knowing their psychologist’s actual expertise. Likewise, psychologists in Moldova are not permitted to diagnose psychological disorders. Instead, the psychologists I met created their own informal diagnostic categories, such as “energy deficient,” which were subjective and not supported by scientific literature about recognized disorders. When I inquired into a client’s recourse if he or she believed that a psychologist mistreated him/her, the psychologists I met shrugged. Not only is there no civil remedy for malpractice, there also is no oversight authority to whom to report the allegedly errant psychologist. In my presentation on ethics, the psychologists in the audience were familiar with the principle of confidentiality. However, Dr. Rhoads and I later learned from a Moldovan psychologist that once a Moldovan citizen has received any psychiatric diagnosis, he/she is reported to the government, which strips the individual of the right to vote, have a bank account, and hold a driver’s license. So much for confidentiality!

Moldova’s nascent national government struggles to provide sufficient food and heating oil for its people, or to staunch the outflow of illegal emigrants that deplete its work force. A large proportion of these emigrants are female survivors of partner violence, who often leave behind children without adequate care. With such pressing challenges at hand, perhaps the Moldovan government may be forgiven for not instituting a psychology practice act. But Moldova is the poorest country

in Europe, and it is thought to have unusually high levels of alcohol abuse, domestic aggression, and other types of trauma. Without doubt, Moldovans living with these and other psychological problems would benefit greatly from psychological services. Until the infrastructure created by a strong licensure law is put into place, I am concerned that psychologists’ roles are limited at best, and indeed potentially harmful.

Prompted by my observations in Moldova and elsewhere, I became curious about the origins of the Practice Act in North Carolina. In January, I met with J. Wilbert Edgerton, Ph.D., who is one of the three psychologists credited with shepherding the then titled “Practicing Psychologist Licensing Act” through the General Assembly in 1967. Now 90 years old, he graciously agreed to share with me his memories about establishing licensure in North Carolina. He told me that colleagues recruited him to lobby for the practice act in 1965, but that psychologists had been promoting the bill for 15 years before it became law.

“Medical professionals, especially psychiatrists, opposed it,” he said. Also, a few psychologists launched a vigorous campaign

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Letters were mailed in January notifying licensees who were randomly selected for the Board's audit of continuing education documentation. If you have been selected by the Board, you must submit a Continuing Education Attestation Form (available on the Board's website under the "Continuing Education" link on the sidebar) for each entry that you listed on your renewal application attestation. For Category A activities, you must also attach a copy of the certificate that you received from the sponsor. If you have any questions, please feel free to contact the Board office.

## EDUCATION CONTINUING

### UPCOMING BOARD MEMBER VACANCIES

On June 30, 2009, there will be two vacancies for Licensed Psychologist member positions. To be eligible for nomination, a Licensed Psychologist must

1. be a resident of North Carolina and the United States, and
2. be actively engaged in one or more branches of psychology, in 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.

All interested parties are encouraged to send a letter of interest, three letters of professional reference, and vita to the North Carolina Psychological Association (NCPA), 1004 Dresser Court, Suite 106, Raleigh, NC 27609, no later than March 31, 2009. Contact the NCPA office at 919-872-1005 if you have any questions about the process for applying for membership on the Board.

### ..... PSYCH TIPS .....

*In an effort to reduce the number of consumer complaints against North Carolina psychologists, the Board offers a dozen "tips" for reducing the risk of action against licensees. These pointers reflect the general nature of complaints typically submitted to the Board.*

1. Practice within your area of competence as demonstrated by relevant education, training, and experience.
2. Read, reread, and understand the APA Ethics Code and the NC Psychology Practice Act.
3. Be vigilant always of boundary issues or dual relationships affecting or potentially affecting your practice.
4. Be aware of your responsibilities as a supervisor.
5. Seek professional assistance if you are impaired or find yourself at risk for impairment.
6. Review billing procedures from the client and third-party payer's perspectives.
7. Consult with several peers in the early stages of any ethical dilemma, and consider the use of other resources, such as the Board and professional association representatives.
8. Know the Child Abuse and Neglect Reporting Act and take action, as appropriate.
9. Maintain client records in a manner that conforms to the provisions of the Practice Act and the Ethics Code. Be aware of and conform to other requirements affecting records imposed by insurance companies and federal law.
10. Provide case information to other professionals in a timely manner, when requested, with the appropriate release(s).
11. Substantiate findings in evaluations and document sources of information.
12. Disclose limitations to confidentiality at the onset of treatment and inform clients about exceptions to confidentiality.

*Reprinted from page 8 of psychNEWS Vol. 9, No. 1 (1995) with updated information.*

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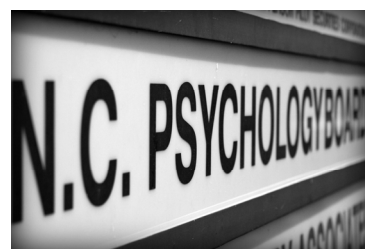
Address: 895 State Farm Road  
Suite 101  
Boone, NC 28607

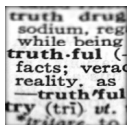
Phone: 828-262-2258

Fax: 828-265-8611

E-mail: [info@ncpsychologyboard.org](mailto:info@ncpsychologyboard.org)

[www.ncpsychologyboard.org](http://www.ncpsychologyboard.org)





## HONESTY REALLY IS THE BEST POLICY

Sondra C. Panico

*As a licensee or applicant for licensure, it is essential to behave in a truthful manner in any dealings with the Board.*

Being truthful seems a simple matter to most of us, but the Board finds every so often that applicants and licensees have either been deceitful or completely untruthful in submitting information for an application for licensure, when responding to a Board inquiry, or in providing information during the investigation of a matter or at a hearing before the Board. This article is written to call to your attention the importance of being honest with the Board. The Board takes honesty very seriously and in cases when psychologists have not been truthful with the Board, it has been compelled to issue disciplinary action, or has denied an applicant a license to practice psychology. In addition, when a psychologist has committed some type of violation of the Psychology Practice Act, the American Psychological Association's Ethics Code, or the rules of the Board, and is found to have been untruthful about the matter, the discipline administered by the Board is often more severe due to the dishonesty. It is the typical case, as often seen in other aspects of life, of the cover-up being worse than the original offense. The Board opines that mistakes or lack of knowledge in certain areas may well be remediated through education, supervision, and training. However, it is very difficult to remediate a lack of honesty.

The Board has the authority to investigate and take action against any applicant or li-

censee who is not truthful with the Board. Such authority is pursuant to N.C. Gen. Stat. § 90-270.15(a), which reads, in part:

The Board shall act upon proof that the applicant or licensee engaged in illegal, immoral, dishonorable, unprofessional, or unethical conduct by violating any of the provisions of the Code of Conduct as follows:

- (4) Has practiced any fraud, deceit, or misrepresentation upon the public, the Board, or any individual in connection with the practice of psychology, the offer of psychological services, the filing of Medicare, Medicaid, or other claims to any third party payor, or in any manner otherwise relevant to fitness for the practice of psychology;
- (5) Has made fraudulent, misleading, or intentionally or materially false statements pertaining to education, licensure, license renewal, certification as a health services provider, supervision, continuing education, any disciplinary actions or sanctions pending or occurring in any other jurisdiction, professional credentials, or qualifications or fitness for the practice of psychology to the public, any individual, the Board, or any other organization;
- (22) Has failed to cooperate with or to respond promptly, completely, and honestly to the Board, to credentials committees, or to ethics committees of professional psychological associations, hospitals, or other health care organizations or educational institutions, when those organizations or entities have jurisdic-

tion; or has failed to cooperate with institutional review boards or professional standards review organizations, when those organizations or entities have jurisdiction;

The following are some examples of action that the Board has taken when a psychologist has not been honest:

- Ψ An individual falsified bank checks to show that supervision had occurred when it had not, and when questioned about it by a Board investigator, was not truthful. This resulted in a Censure of the license, three years of probation, and ethics course work, among other action.
- Ψ An individual was dishonest about his licensure status in another State on his application for licensure in North Carolina and, as a result, was denied a license.
- Ψ An individual was dishonest at a hearing about the number of prior convictions for driving while impaired and was subsequently denied licensure.

These are just a few examples that illustrate that the Board takes honesty very seriously and expects its applicants and licensees to behave in a truthful manner in any dealings with the Board.

*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.*

## PUBLIC-MAKING PROCEEDING

**DATE:** February 19, 2009

**TIME:** 8:30 A.M.

**LOCATION:** La Quinta Inn & Suites  
2020 Griffith Street  
Winston Salem, NC

**Notice:** The North Carolina Psychology Board intends to amend the rules cited as 21 NCAC 54 .1803 LICENSED PSYCHOLOGIST (the educational requirements for licensure at the Psychologist level) and .2701 ACTIVITIES (health services in psychology).

**Procedure by which a person may object to the Board on a proposed rule:** Objections and/or comments may be submitted in writing to Martha Storie, Executive Director, 895 State Farm Road, Suite 101, Boone, NC 28607; by e-mail to mstorie@ncpsychologyboard.org; by fax to Martha Storie at 828-265-8611; or submitted at the public hearing. The comment period ends April 3, 2009.

**For additional information:** You may visit the Board's website and click on the "Rule-making Proceedings" link on the sidebar to access direct links to the aforementioned rules and other pertinent information regarding the upcoming public hearing.





## STAFF SPOTLIGHT: WILMA M. RAGAN

April G. Everett

*What does processing applications, answering telephone calls, and watching the Duke Blue Devils have in common? They fill up a typical day in the life of Wilma Ragan, office assistant for the Board.*

Over the past 14 years, Wilma Ragan has been the soft and gentle voice on the other end of the telephone line assisting thousands of licensees, applicants, and members of the public who have contacted the Board office. Over time, the Board has received numerous spontaneous positive comments regarding Ms. Ragan's helpfulness and respectful manner. Out of appreciation for Ms. Ragan's dedicated service, the Board would like to share a bit about this polite and professional member of the Board staff.

Prior to becoming employed with the Board in 1995, Ms. Ragan worked as an employee contract coordinator for Pro-Rehab Legal Department in Boone. There, she coordinated and prepared therapists' contracts and communicated with attorneys, human resource directors, managers, and payroll staff in resolving conflicts. Her past work experiences also included a secretarial position at Appalachian State University, office manager for her family-owned building supply and real estate businesses, and a secretarial position at IRC, Inc., an electronics manufacturing company. Ms. Ragan's array of experience lent itself well for her to transition into the position of office assistant for the Board office.

Ms. Ragan typically starts her day before dawn has even considered breaking, walking at the Wellness Center before grabbing a cup of coffee and heading off to work. Much of her workday is devoted to answering phones and e-mail, processing applications for licensure, and opening the daily mail. On any given day, if Ms. Ragan is out of the office for any reason, it is inevitable that at least one caller during the day asks, "Where's Wilma?"

In addition to putting in 40 hours per week in the Board office, Ms. Ragan may be found participating in bazaars, bake sales, ham suppers, and other events at Deerfield United Methodist Church, where she is an active member. She also has donated much of her time to various causes in the community, including United Way, the American Heart Association, March of Dimes, and Santa's Toy Box. For recreation, Ms. Ragan enjoys attending theatrical and musical performances, walking and hiking, and watching her beloved Duke Blue Devils battle it out on the basketball court.

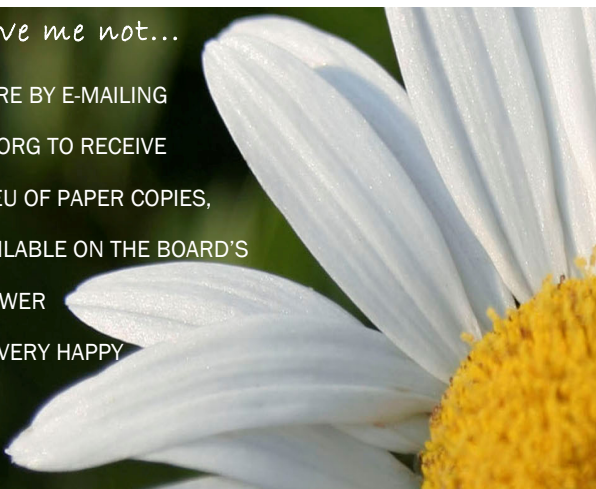
Ms. Ragan is a major asset to the Board, and she is a definite bright spot in her community. The Board and staff, who also experience that soft and gentle voice, appreciate her years of dedicated service.



A brochure entitled "Chronicles of the North Carolina Psychology Board" is now available on the Board's website under the "About the Board" link on the sidebar, and is available in handout format as well. The brochure contains useful information about the background of the Board, milestones in the history of the Board, and helpful resources.

they love me, they love me not...

SHOW THE EARTH THAT YOU CARE BY E-MAILING  
APRIL@NCPSYCHOLOGYBOARD.ORG TO RECEIVE  
E-MAILED NOTIFICATIONS, IN LIEU OF PAPER COPIES,  
WHEN THE NEWSLETTER IS AVAILABLE ON THE BOARD'S  
WEBSITE. MORE SUPPORT = FEWER  
NEWSLETTERS PRINTED = ONE VERY HAPPY  
PLANET. THE BOARD, AND THE  
EARTH, THANK YOU.



## ..... COMMENTS .....

The Board is considering revising Rule .2104 Continuing Education. The public is encouraged to submit any suggestions or comments to the Board office for consideration (see page 2 for Board contact information).

## ..... SUGGESTIONS .....

## Ψ LEGAL PROCEEDINGS

*During the period of time from October 1, 2008, through December 31, 2008, the Board reviewed and closed 10 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 reviewed and closed 2 cases involving non-psychologists. Further, it took the following action:*

Ψ John J. Barisa, M.A. - CONSENT ORDER was approved on October 1, 2008. Mr. Barisa admits that the described conduct constitutes violations of N.C. Gen. Stat. §§ 90-270.5(e) and 90-270.15(a)(7), (a)(10), & (a)(22) of the North Carolina Psychology Practice Act, and 21 N.C.A.C. 54 .2002(b)(6); .2008(a), (e) & (h) of the North Carolina Psychology Board rules. Mr. Barisa's license is CENSURED. Further, he must successfully complete tutorials, comply with additional supervision reporting requirements, and remit \$300.00 in assessed costs.

Ψ William L. Collins, Ph.D. - CONSENT ORDER was approved on October 1, 2008. Dr. Collins admits that the described conduct constitutes violations of N.C. Gen. Stat. §§ 90-270.15(a)(7) & (a)(10), of the North Carolina Psychology Practice Act, and 21 N.C.A.C. 54 .2001(c)(8)(C) of the North Carolina Psychology Board rules. Dr. Collins decided that he no longer wished to practice psychology and wished to relinquish his license. As a result, he shall relinquish his license to practice psychology and the Board shall accept his relinquishment. Dr. Collins shall not

engage in the practice of psychology at any time in the future in any State or jurisdiction and remit \$300.00 in assessed costs.

Ψ Walter J. Miller, Ph.D. - CONSENT ORDER was approved on October 1, 2008. Dr. Miller admits that the described conduct violates N.C. Gen. Stat. §§ 90-270.15(a)(14), (a)(15), (a)(17) & (a)(18), of the North Carolina Psychology Practice Act; and Standard 6.01 of the *Ethical Principles of Psychologists and Code of Conduct* (American Psychological Association, 2002). His license is CENSURED; he must remit \$300.00 in assessed costs; and he shall not conduct any psychological evaluations until he has completed a graduate level independent study course in psychological assessment and completed tutorials. Thereafter, he may resume performing psychological evaluations under supervision.

Ψ Dorris Tinker, Ph.D. - CONSENT ORDER was approved on October 1, 2008. Dr. Tinker admits that she failed to maintain supervisory records that fully complied with N.C. Gen. Stat. § 90-270.15(a)(7), of the North Carolina Psychology Practice Act, and 21 N.C.A.C. 54 .2001(c)(8) of the North Carolina Psychology Board Rules. She is prohibited from providing supervision for a period of at least six months; must successfully complete tutorials; and must remit \$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 a license.

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## USING CURRENT TESTS AND NORMS

In response to inquiries from licensees and other interested parties, the Board is issuing this advisory statement concerning requirements for the use of the latest version of assessment instruments and the use of the latest norms available for a given test. This advisory statement is intended to provide psychologists with guidance to ensure that psychologists use the current version of test instruments and current norms.

Standard 9.08 of The Ethical Principles of Psychologists and Code of Conduct (APA 2002), states the following:

(a) Psychologists do not base their assessment or intervention decisions or recommendations on data or test results that are outdated for the current purpose.

(b) Psychologists do not base such decisions or recommendations on tests and measures that are obsolete and not useful for the current purpose.

The Board advises psychologists to pay particular attention to the section of this standard that prohibits psychologists from using data, test results, or measures that are either obsolete or are not useful for

their current purpose. Therefore, in a psychologist's review of the above standard, he/she will need to determine whether the norms being used are current for that particular test. When a psychologist decides to use an older version of a test or outdated norms, he/she runs the risk of assessing persons by using outdated or obsolete measures. Further, a psychologist should never administer one edition of a test and then score and interpret the test using the norms of another edition. The Board advises that a psychologist seek the best information available to make sound clinical decisions regarding use of norms, so that a psychologist is certain that he/she is practicing in compliance with the above standard regarding this issue.

Another issue that has arisen before the Board concerns how long a psychologist has before beginning to use a revised test or new norms following publication. The revised tests or new norms should be used within a time period that would be considered "current," which is within one or two years of the release of the revised test. If, however, a psychologist determines not to use the most recent version of a test, this decision must be based upon valid research data and sound clinical judgment. A decision to use an "old" test or "old" norms, *must* be clearly supported clinically, in compliance with Standard 9.08, and defensible if called into question. Again, however, a psychologist should never administer one edition of a test and then score and interpret the test using the norms of another edition.

## CONTINUING EDUCATION

As the Board conducts its continuing education (CE) audit, it encourages licensees to review the CE documentation requirements and a few pertinent CE FAQs.

### CATEGORY A DOCUMENTATION:

Certificates from Category A programs and written documentation of the following must be kept by licensees for a minimum of seven years:

- ☐ Date of program
- ☐ Number of contact hours
- ☐ Name of sponsor of program
- ☐ Title of program
- ☐ Location of program

On the sample certificate (**left**), all required information is clearly listed. If a licensee attends a program that does not provide a certificate containing all of the required information, the licensee must maintain additional documentation. For example, if a certificate contains the date, title, and location of the program, but does not specify the contact hours or the sponsor, the licensee must provide any supporting documentation, such as a brochure, agenda, or letter from the sponsor that contains the missing information.

### CATEGORY B DOCUMENTATION:

Certificates are not required for Category B activities, but applicable documentation of the following must be kept by licensees for a minimum of seven years:

- ☐ Date of program
- ☐ Number of instructional/contact hours
- ☐ Name of presenter, facilitator, or leader
- ☐ Name of sponsor
- ☐ Location of activity
- ☐ Full citation of article
- ☐ Summary of content

The nature of the Category B activity determines the applicable documentation. For example, "name of presenter, facilitator, or leader"; "name of sponsor"; and "location" are not required if the licensee documents reading a journal article.



February 10, 2009

To Whom it May Concern:

This is to certify that **John G. Doe, Ph.D.** has attended, in its entirety, the following continuing education activity:

#### ETHICAL CONSIDERATIONS IN PRIVATE PRACTICE

By

**Elizabeth J. Buck, Psy.D.,  
Buck Psychological Services, P.A.**

**Tuesday, February 10, 2009**

**3 hours Continuing Education Category A Credits**

*Ian L. Franklin, Ph.D.*

Ian L. Franklin, Ph.D.

NCCEOpportunities.com Program/CE Director

NCCEOpportunities.com is approved by the American Psychological Association to sponsor continuing education for psychologists. NCCEOpportunities.com maintains responsibility for this program and its content.

## FREQUENTLY ASKED CE QUESTIONS

### Do I have to obtain any Category B credits, or can all of my credits be Category A?

You may obtain up to 9 hours of credit in Category B, but it is *optional*. While you are required to obtain only 9 hours of Category A credit, all 18 required CE credits may be obtained through Category A activities.

### Can I count a graduate psychology course in which I am enrolled at a university?

Hours associated with attending a psychology course may be counted for Category B credit, provided the course content covers ethical and legal issues in the professional practice of psychology or assists you in maintaining and upgrading skills and competencies within your scope of practice.

### Does my ethics program have to have the words "ethical and legal" in the title?

There is no requirement that the title of your ethics program contain the words "ethical and legal"; however, if it is unclear from the title whether or not the program covered three hours of ethical and legal issues in the professional practice of psychology, you must maintain additional documentation to show that it did. The same is true of conferences—if you submit a certificate for a 12 hour professional conference, during which you completed 3 hours of ethical and legal training, include verification from the sponsor of the sessions attended and the number of contact hours awarded for each session.



Continued from Page 1

contesting the bill because, he said, "They had Ph.D.'s, and they thought their credentials were complete." Eventually, according to Dr. Edgerton, even psychiatrists who opposed the bill were persuaded of its value when psychologists from Charlotte showed a telephone book listing by an individual trained only in massage who claimed to be a psychologist. The legislature then unanimously passed the bill.

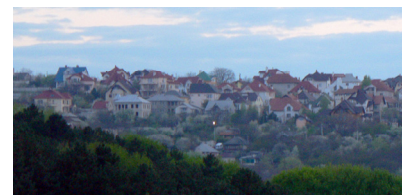
Prior to 1967 in North Carolina, there was no official body authorized to intervene if someone falsely claimed to be a psychologist. There were no standards, for that matter, to determine who truly was a psychologist. We on the Psychology Board devote much time to analyzing credentials of individuals who apply for licensure. The work can be tedious, but in light of the importance of preserving our professional identity, the hours are well spent. The public can have confidence, thanks to our statute and the rules of the Board, that a licensed psychologist or psychological associate has met reliable, high standards of training and experience. A psychologist who violates the statute, Board rules, or the ethical standards that are available for public inspection can be held accountable for his/her behavior and may even be deprived of the right to practice.

Interestingly, although the Psychology Board's express purpose is to protect the public, Dr. Edgerton emphasized that his own motive in promoting licensure was largely to protect psychologists. The practice act "legitimized the profession," he said. "Although psychologists had been around a long time, working with psychiatrists, we did not have the same status." He added that the law included ethical standards set by the American Psychological Association in order to provide additional protection to clients.

Dr. Edgerton pointed out that, in 1964, the National Mental Health Centers Act was passed, which created mental health facilities that

afforded care to many more people than previously. In that context, state lawmakers were aware of the need for additional qualified mental health professionals. Other states had also passed psychologist licensure laws, so North Carolina's law did not seem as radical as it once might have been a few years earlier.

The Practice Act has been amended over the years, but the original law is the foundation for what has followed. Dr. Edgerton indicated that the original proponents of licensure did not envision the possibilities of insurance reimbursement, much less prescriptive authority as is now provided under statute in a few other states, when they advanced the licensure law. Undoubtedly, though, the growth of psychological practice in North Carolina has been made possible, in part, by an effective Psychology Practice Act. Similarly, as American psychologists continue to work with psychologists in Moldova, I am hopeful about the contributions our profession can make to developing countries once they have established licensure laws.



Pictures taken while visiting Chisinau, Moldova, in 2008.

Photos courtesy of Dr. Laura Rhoads.

## ..... IS LICENSURE REQUIRED? .....

*At a local mental health agency, a position was recently posted for which the job candidate must supervise all direct care staff and be administratively responsible for all related clinical functions. The job description indicates that State licensure is preferred, but not required. Would a person interested in this position be required to obtain a license and possibly be supervised, even though the job description indicates that licensure is not required?*

Maybe. Although the job description may indicate that State licensure (LCSW, LPA, LPC, etc.) is preferred, but not required, the specific duties for the position are what determine whether a State license would be required for one to engage lawfully in the activities for that position. Therefore, regardless of job title or what may be listed as the position's minimum qualifications, it is incumbent upon the candidate for the position to carefully review the definition of the practice of psychology [G.S. § 90-270.2(8)] in the NC Psychology Practice Act to determine if any of the activities/duties involve the practice of psychology. The provision of individual supervision to direct care workers who are implementing client treatment plans that include clinical functions which meet the definition of the practice of psychology would require a license. Certain activities in which Licensed Psychological Associates are engaged under 21 NCAC 54 .2006 require supervision, which include "clinical supervision to other service providers who are engaged in activities which would require supervision if directly provided by the psychological associate." Therefore, clinical supervision, which the Board has historically determined to be consultation under G.S. § 90-270.2(8), includes the practice of psychology. However, if supervision is *purely* administrative in nature, whether or not the position requirements include having a license, it is not a Board issue. As always, all applicants and provisionally licensed psychologists with the Board who are engaged in the practice of psychology require supervision. Anyone interested in a position of this type is encouraged to contact the Board office if he/she remains uncertain as to whether the job duties/activities involve the practice of psychology.

## F R E Q U E N T L Y   A S K E D   Q U E S T I O N S

I received disciplinary action from the Psychology Board and was notified that this action was reported to the Healthcare Integrity and Protection Data Bank (HIPDB). What is HIPDB?

The HIPDB was established under section 1128E of the *Social Security Act* as added by Section 221 (A) of the *Health Insurance Portability and Accountability Act (HIPAA) of 1996*. HIPDB was implemented to combat fraud and abuse in health insurance and health care delivery and to promote quality care. HIPDB alerts users that a more comprehensive review of past actions by a practitioner may be prudent. As a State licensing agency, the Psychology Board is mandated by federal law to report final adverse licensure actions to HIPDB. More information about HIPDB can be found at [www.npdb-hipdb.hrsa.gov](http://www.npdb-hipdb.hrsa.gov).

I am a Licensed Psychological Associate, and I am enrolled in a doctoral psychology program in North Carolina. I have had a Supervision Contract with Section 2 completed indicating that I am not engaged in activities requiring supervision while taking courses and working at the local coffee shop. I am about to start an internship at the university counseling center and am wondering if I need to change my contract currently on file with the Board.

All Licensed Psychological Associates (LPAs) enrolled in doctoral programs in psychology who are engaged in activities requiring supervision, which would be typical of most practicum or internship experiences, are required to have a Supervision Contract with Section 1 completed if the practicum or internship is in the State of North Carolina. This is a requirement pursuant to G.S. § 90-270.4(g), which reads as follows:

. . . if a person who is otherwise exempt from the provisions of this Article and not required to be licensed under this Article is or becomes licensed under this Article, he or she shall comply with all Board rules and statutes applicable to all other psychologists licensed under this Article. These requirements apply regardless of whether the person holds himself or herself out to the public by any title or description stating or implying that the person is a psychologist, a licensed psychological associate, or licensed to practice psychology.

Questions regarding supervision issues, or statutes and rules otherwise applicable to LPAs, may be directed to Board staff.

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