

the Bulletin BOARD

JUNE 2021

A PUBLICATION OF THE NORTH CAROLINA PSYCHOLOGY BOARD

KEY FACTS ABOUT RECENT RULE CHANGES

In addition to changes in the rules regarding supervision of Licensed Psychological Associates (LPAs) as described in the February edition of *The Bulletin Board*, the Board has also enacted three important rule changes as described below. Please note that, with regard to all three changes, there will be ample time to comply with the new requirements as the deadlines to comply are well over a year away. Secondly, the Board will provide licensees with assistance and additional information regarding complying with the new requirements as detailed below.

IMPLEMENTATION OF EDUCATIONAL ETHICS REFRESHER EXAM

Key facts to know about the ethics refresher exam:

- It is a **no-fail** exam.
- Completing the exam will be required in order to renew your license for the next cycle deadline of **October 1, 2022**.
- There will be an unlimited number of attempts to complete the exam.
- Licensees will only be charged the ethics refresher exam fee of \$50 **once per renewal cycle** regardless of the number of attempts needed to complete the exam.
- The exam will include topics covered by the NC Practice Psychology Act, the Board's rules (21 NCAC 54), and the APA Ethical Principles and Code of Conduct.
- Completing the ethics refresher exam will count for **one hour** of continuing education (CE) per renewal cycle.
- The exam will be made available in **spring/summer 2022** on the Board's



website, well in advance of the October 1, 2022 renewal deadline.

Additional details and information about the exam will be provided as specifics of the exam are finalized and we get closer to the release of the exam.

Sample educational ethics refresher exam questions (correct answers are in bold):

1. If an ethical issue arises and the provisions of the APA ethics code conflict or are inconsistent with those of the NC Psychology Practice Act, which course of action will the NC Psychology Board follow?
 - A. The issue will be referred to the APA ethics committee.
 - B. The provisions of the NC Psychology Practice Act will be followed.**
 - C. The provisions of the APA ethics code will be followed.
 - D. The NC Psychology Board will decide on a case-by-case basis.

2. Which of the following would violate the NC Psychology Practice Act:

- A. Failure to keep clear and accurate case files.
- B. Engagement in fraud to renew a license.
- C. Providing health services without a health services provider (HSP) certificate.
- D. Conducting research outside of demonstrated competence.
- E. All of the Above.**

INCREASED CONTINUING EDUCATION REQUIREMENTS

Key facts to know about the new CE requirements:

- The **total minimum number** of CE hours to be completed during each renewal period is **increased to 24 hours**.
- The minimum number of CE hours to be completed in Category A has been increased to **15 hours**.
- The minimum number of CE hours to be completed in Category B remains **9 hours**.

continued on page 2

continued from page 1

KEY FACTS

- All the required 24 hours of CE may be completed in Category A.
- The minimum number of CE hours to be completed in the area of ethics remains **3 hours** of Category A.
- Beginning with the next license renewal cycle (October 1, 2022), each licensee must submit an attestation form documenting completion of the required minimum CE hours as well as copies of certificates of completion in order to renew their licenses. The Board will be providing an online method to submit the attestation form and the certificates of completion in **spring/summer 2022**.

In addition, a maximum of three CE hours may be credited in each renewal period for any licensee who has received Board-required supervision, except when specified otherwise under a Consent Order or Final Decision executed by the Board. Additional information regarding the new CE requirements will be provided in early 2022.

REQUIRED SUPERVISOR TRAINING

Key things to know about supervisor training:

- A licensee who engages in the supervision of an applicant, an LPA, or a provisionally licensed psychologist must complete a **one-time**, three-hour supervisor training session.
- The training must be completed, and documentation of completion must be received in the Board's office, by no later than **September 1, 2022**.

- The training must: address how to supervise in accordance with Board rules regarding supervision requirements; be sponsored or co-sponsored by an entity approved by the Board as a CE Category A program sponsor; and be presented by an individual or individuals assigned by the Board.
- While other providers may offer such training that meets these requirements, **the Board is developing a free online training program**, which will be made available in spring/summer 2022.
- If the training is not completed by September 1, 2022, a licensee cannot enter into a supervision contract until the training is completed.
- A licensee who completes the training and passes the examination can count the three hours toward the required continuing education hours for the renewal period in which the training is completed.

While these rule changes present new and increased requirements on licensees, there is ample time to complete them and, as noted above, the Board will continue to provide information and assistance to licensees in meeting the new requirements. Additional information may be found by reviewing Board Rules 21 NCAC 54 .1901(a)(3), .2001(c), and .2104, which can be found on the Board's website. You can find them on the lefthand side of the home page in the gray box: "NC Rules - Title 21, Chapter 54." Click [here](#) to go to the Board's rules.

— Daniel P. Collins, J.D., Executive Director

SCAMMERS TARGETING LICENSEES



Please be aware that scam phone calls are being made and phony letters are being sent to health care professionals with various medical licenses, according to North Carolina Attorney General Josh Stein. The letters, which look like they are on legitimate letterhead, are signed by fake

license board representatives.

Scammers claim that the professional's license has been stolen and is being used in criminal activities that are being investigated by the FBI. The scammers state that the license will be suspended unless the person can pay a bond to have his or her license reinstated.

Stein's office offers this advice for licensees:

- Don't trust a call or letter from someone you don't know. License information can be found easily online, and scammers will use it to make it seem like they are legitimate authorities.
- Never give out personal or financial information unless you've verified you are speaking to the right person.
- If you want to determine whether a message is credible or if you're concerned about changes to the status of your license, contact the North Carolina Psychology Board directly at info@ncpsychologyboard.org.
- Report all incidents to the North Carolina Psychology Board and the Attorney General's Consumer Protection Division at 1-877-5-NO-SCAM.

Important update on additional changes to Board rules

In addition to the rule revisions involving continuing education, supervisor training, and LPA supervision, the Board also enacted modifications to several other rules. Below are some of the more noteworthy revisions.

Rules .1610 and .1703 – Digital signatures allowed for temporary practice

In Rule .1610, for temporary practice by non-resident psychologists, the Board now permits a signed or digitally signed supervision statement from a non-resident psychologist showing compliance with any supervision requirements for the non-resident psychologist in the other jurisdiction where they are licensed. In Rule .1703, to apply for a temporary license, an application may now be digitally signed.

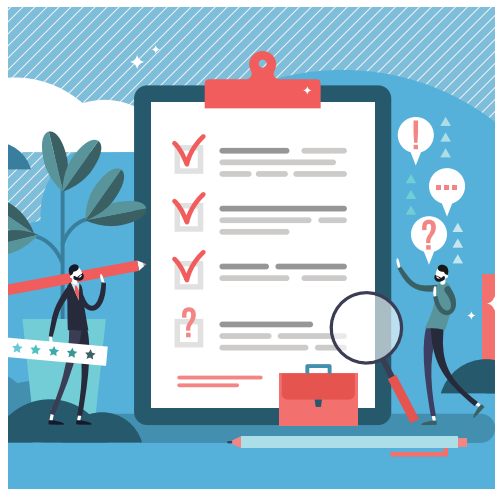
Rule .1803 – Re-specialization program defined

Rule .1803 has been revised to define a formal re-specialization program in psychology. The rule now states the following: A formal re-specialization program in psychology means a program in which individuals already holding a doctoral degree in psychology complete additional education and training in order to change their specialist area of study. Re-specialization programs involve coursework in a health service psychology field, including clinical, counseling, school or combinations of these areas. Re-specialization programs also include education in profession-wide competencies, such as ethics, assessment, and intervention; experiential education such as practicum; and a one-year internship. The individual shall provide a certificate of completion of a re-specialization program (issued by the program).

Prior to this change, the Board allowed re-specialization programs in psychology, but did not provide guidelines as to what the programs should include.

Rule .2001 – Supervision by LPAs in certain circumstances

Rule .2001 now allows an LPA at Reduced Supervision Level 3 to supervise LPs. The revised rule states that an LPA, who is approved to practice under Rule .2008(h)(3), which is Level 3, and is certified as a health services provider psychological associate (HSP-PA) under Rule .2706, may provide supervision



to other LPAs or LPs that require supervision for their practice of psychology.

Rule .2005 – Defines face-to-face supervision

New Rule .2005 defines face to face supervision and explains that “face-to-face supervision” shall mean both in-person supervision, where the supervisor and supervisee meet in person at the same physical location, and electronic means of face-to-face interaction without meeting in person. The face-to-face supervision shall be

live, interactive, verbal, and visual. Video or other technology may be used so long as it is in real time and involves verbal and visual interaction for the entire session. The face-to-face supervision shall maintain the confidentiality of the communication as it relates to the identifying information regarding patients/clients. Further, when a supervisor and supervisee are deciding whether to meet in person or through electronic means, they shall consider factors such as: (1) whether reports or evaluations will be reviewed and whether that can be done through use of electronic medium; (2) whether the supervisory relationship is recently established; or (3) whether there are concerns that are better addressed in person.

Rules .2008 and .2009 – Define work setting for purposes of supervision

Rules .2008 and .2009 have been revised to clarify what is meant by “work setting” for purposes of supervision for LPAs and LPs that require supervision. A separate supervision contract is required for each work setting. Under the revised rule, it is clarified that a work setting is considered as self-employment, employment under an umbrella agency, or employment at a stand-alone business entity.

— Sondra C. Panico, J.D.,
Assistant Attorney General and Counsel to the Board

NOTE: This article has not been reviewed and approved in accordance with procedures for issuing an Attorney General’s opinion. Nothing in this article is intended to serve as legal advice and you may wish to consult with an attorney for specific legal advice about any of the issues raised in this article.

ASPPB rolls out enhanced EPPP

Few would argue with the notion that psychologists should pass a test before they are licensed to practice. If you're going to be working with vulnerable clients on sensitive issues, a licensing board should ensure that you are qualified to do so.

The Examination for Professional Practice in Psychology (EPPP) has been used by most U.S. states and Canadian provinces for that purpose for more than 50 years. The Association of State and Provincial Psychology Boards (ASPPB) is now working on an enhanced EPPP that would apply *only to new applicants* in the jurisdictions that adopt it. We spoke with Matt Turner, Ph.D., ASPPB's Senior Director of Examination Services, to find out more about the enhanced EPPP.

Currently, the EPPP, which is now known as Part 1, tests general knowledge of psychology. The new, enhanced Part 2 of the EPPP is a skills-based assessment that includes questions about applied, real world situations that psychologists face in practice.

"Part 1 of the EPPP is a good assessment of a foundational level," Turner says, "but we wanted to discover how to better assess competency at the licensing level. Currently, it's left up to each licensing board to assess skills, and the methods used to do so are not standard and have known reliability concerns. We want to provide an assessment of skills that is a universal standard, valid and defensible."

ASPPB has been working on the enhanced EPPP for several years with the help of more than 100 psychologists with different practice specialties, ethnicities and age ranges. The beta test of the enhanced exam began in November of 2020, and seven jurisdictions are currently using it (Arizona, Georgia, Nevada, Washington, D.C., Newfoundland and Labrador, Prince Edward Island and Manitoba).



Turner recognizes that many states and provinces are waiting to see how the enhanced EPPP fares in other jurisdictions before implementing it in theirs. He also understands that some in the field will not necessarily embrace the revised test.

"People are resistant because it adds a new step that wasn't there before, and it does require an additional cost," he said. "If I were in their shoes, I would probably feel the same way."

Those who are opposed to the test should be heartened by the fact that some of the beta testers thought the test was too easy. "It's probably not as intimidating as they think it is," Turner says. "We have sample test items on our website, and hopefully that will put people at ease."

Dr. Susan Hurt, J.D., Ph.D., a member of the North Carolina Psychology Board, was one of the beta testers, and she agrees with Turner's assessment. "Those who will take the test are probably more anxious than they need to be," she says. "They are more prepared than they think they are."

Hurt says she is not a fast reader, and she felt like she had plenty of time to take the test and didn't feel rushed. She said the test was well designed, and she supports the notion of skills-based testing. "The test was reassuring for me because the questions tap into the instincts and judgment psychologists will need to actually provide services. You could have all the knowledge in the world and still not know how to apply it well."

The North Carolina Psychology Board is waiting to see how the beta testing goes in the states and provinces that are currently using it before it makes a decision on whether to adopt the enhanced EPPP. The Board also wants to see how the enhanced exam is implemented in other jurisdictions and what, if any, issues arise.

PSYPACT FAQs

As reported in the February 2021 edition of *The Bulletin Board*, the Psychology Interjurisdictional Compact (PSYPACT) became effective in North Carolina on March 1, 2021. PSYPACT is an interstate compact designed to facilitate the practice of telepsychology and the temporary in-person, face-to-face practice of psychology across state boundaries.

Frequently asked questions (FAQs) regarding PSYPACT in general may be found by clicking [here](#). FAQs regarding applying for PSYPACT can be found by clicking [here](#). Questions regarding PSYPACT should be directed to the PSYPACT Commission at info@psypact.org or (678) 216-1191.

A PUBLIC PERSPECTIVE



When Lisa Duck, MPH, MCHES, joined the North Carolina Psychology Board as a public board member in 2018, she had many questions, but one was most pressing.

“Here are all these professionals in the field, and how will my feedback be woven into what they do?” she wondered. “It didn’t take long for me to realize that we all have the same collective goal: that we want to ensure the legal and ethical integrity of our licensees, and that public safety comes first.”

Duck’s background makes her a great fit for the Board. She has a BA in psychology from UNC Chapel Hill, and a master’s degree in public health

from UNC Greensboro. She is currently executive director for the Guilford Community Care Network in Greensboro, N.C. GCCN represents a partnership of safety net providers who facilitate access to medical and other care for those who are between 0-200% of the federal poverty level.

When Duck began her term on the Board, she was impressed with the Board’s commitment to ethics and to its mission. Before each Board meeting, a Conflict of Interest statement is read aloud. “This group genuinely cares about the public’s health and safety,” she said.

Duck is also pleased about the collaborative nature of the Board. “Every opinion is valued and heard,” she says. “We have really good discourse and I feel we are a truly effective and engaging board. Additionally, we are very

thorough. When we review rules and regulations, we go through them line by line. It’s a serious task and we take our time with it.”

The efficacy of the staff also earns high praise. “Executive Director Dan Collins and his team go above and beyond to make sure all calls and questions from licensees are answered,” she says. “They’ve also done a great job of automating processes that used to be handled by paper. I really value Dan and his leadership.”

From a volunteer perspective, Duck feels like she has a unique opportunity for meaningful involvement that is for the betterment of the community as a whole. “The role of the public member is slightly different,” she says. “But I feel that I learn from the other Board members and they learn from me as well. It’s a reciprocal opportunity.”

OMAR ENJOYS HELPING YOUNG PEOPLE



Shortly after beginning to practice psychology, Board member Tonya C. Omar, MA, LPA, realized she wanted to expand her reach. “I started my own practice in 2003 because

I wanted to do more than outpatient therapy,” she says. “You can’t really address psychological needs if basic needs aren’t being met. So we implemented case management where we have social work and psychology together under one roof.”

Because Omar started her practice shortly after earning her master’s degree, she had a steep learning curve. “I definitely had a lot to read and organize to understand the rules and

policies in North Carolina,” she says. “I wanted to ensure that I was always working in the best interest of my clients.”

Omar says she has learned many lessons along the way. “I learned to be patient with myself first, and to be patient with the process,” she said. “If you panic when problems arise, you won’t be able to come up with other alternatives.”

In the fall of 2019, Omar joined the Board and had a baptism by fire so to speak. “During my first year, we re-adopted all the rules again,” she says. “It was a lot to read, but I was able to acclimate and actually enjoyed the process.”

Dr. Winston Goldman, a beloved professor at North Carolina Central

University, encouraged Omar to join the Board. “Dr. Winston Goldman was so lively and that really sparked my interest in the profession initially. In fact, there wasn’t one professor in that whole department that I didn’t like.”

Omar also gives credit to her father, Samuel Crockett, who made a big difference in teens’ lives when he was a vibrant youth pastor. “He would provide opportunities for youth to experience new things. It was nothing for him to organize fishing trips and carnivals where teams would make mazes out of boxes,” she said. “I realized I wanted to have a similar positive effect in the lives of young people, and psychology was a perfect catalyst.” One of her missions has been to tap into the resilience of young people and develop plans/strategies to enjoy life wherever they are.

BOARD ACTIONS

The following actions were recently taken by the Board pursuant to G.S. § 90-270.15 and G.S. § 90-270.16:

ALBRECHT, WILLIAM, PH.D.

CONSENT ORDER was approved and signed on February 12, 2021. The Board concludes that the described conduct, if proven at a hearing, would constitute violations of N.C. Gen. Stat. §§ 90-270.15(a)(10) & (a)(11) of the North Carolina Psychology Practice Act, and violations of Standards 3.01, 3.03 & 3.04 of the Ethical Principles of Psychologists and Code of Conduct. Respondent shall successfully complete a minimum of six to eight hours of tutorials. Following completion of the tutorials, Respondent shall submit a paper to the Board detailing what he learned from the tutorials and how he will apply it in his work with patients in the future. Respondent is assessed \$300 in costs. This action taken by the Board shall constitute remedial action.

FAIR, SHIRICKA, PH.D.

FINAL DECISION denying Dr. Fair's application for licensure at the Licensed Psychologist level approved and signed on February 12, 2021. A hearing was held at the Board's November 13, 2020 meeting and, following discussion, the Board made the determination to deny Dr. Fair's application.

HANNA, ROBERT, PH.D.

CONSENT ORDER was approved and signed on February 12, 2021. The described conduct constitutes violations of N.C. Gen. Stat. §§ 90-270.15(a)(10), (a)(11) & (a)(20) of the North Carolina Psychology Practice Act, and constitutes violations of Standards 3.04, 3.05(a), 3.06, & 3.08 of the Ethical Principles of Psychologists and Code of Conduct. Respondent's license is REPRIMANDED and his license shall be on PROBATION for at least a one-year period during which Respondent shall complete a minimum of eight to 10 hours of tutorials. In addition, Respondent shall receive face-to-face supervision for a period of six months consisting of at least 750 hours in the

practice of psychology. The supervisor shall submit quarterly supervision reports to the Board. Following completion of the tutorials and supervision, Respondent shall submit an essay to the Board explaining the impact of his conduct on his clients and what Respondent has learned to prevent this from reoccurring in the future. The essay shall be approved by the Board in order for Respondent to be released from probation. Respondent is assessed \$300 in costs.

HERNANDEZ, ANDRES, PSY.D.

CONSENT ORDER was approved and signed on February 12, 2021. The described conduct constitutes violations of N.C. Gen. Stat. §§ 90-270.15(a)(10) & (a)(11) of the North Carolina Psychology Practice Act, and constitutes violations of Standards 3.03, 3.04, 3.05(a), 3.06, & 3.09 of the Ethical Principles of Psychologists and Code of Conduct. Respondent's license is CENSURED. Respondent's license shall be on PROBATION for at least a one-year period during which Respondent shall complete a minimum of 10 to 12 hours of tutorials. In addition, for a period of one year consisting of at least 1,500 hours in the practice of psychology, whichever takes longer to occur, Respondent shall receive face-to-face supervision at a minimum of one one-hour session per week. The supervisor shall submit quarterly supervision reports to the Board. Following completion of the tutorials and supervision, Respondent shall submit an essay to the Board explaining the impact of his conduct on his former client and other professionals and what Respondent has learned to prevent this from reoccurring in the future. The essay shall be approved by the Board in order for Respondent to be released from probation. Respondent is assessed \$300 in costs.

MILLER, SHARI NAN, PH.D.

CONSENT ORDER was approved and signed on February 12, 2021.

Respondent admits that the described conduct constitutes violations of N.C. Gen. Stat. §§ 90-270.15(a)(5) & (a)(7) of the North Carolina Psychology Practice Act, and 21 NCAC 54 .2104 (b), (d), (f), (g), (i), (k) and (m) of the North Carolina Psychology Board rules. Respondent shall participate in and successfully complete a minimum of two to four hours of tutorials. For the next two renewal cycles, Respondent must submit proper documentation establishing that she has completed all of the required continuing education hours. Respondent is assessed \$300 in costs. The action taken by the Board in this Consent Order shall constitute remedial action.

MILLER, KATHRYN, PH.D.

CONSENT ORDER was approved and signed on February 12, 2021. Petitioner admits that the described conduct, if proven, may violate N.C. Gen. Stat. §§ 90-270.15(a), (a)(7), (a)(10), (a)(11) & 90-270.16(b), of the North Carolina Psychology Practice Act. Petitioner's application for Provisional Licensure at the Licensed Psychologist Level is approved. Petitioner shall successfully complete a minimum of six to eight hours of tutorials. Following completion of the tutorials, Petitioner shall submit an essay to the Board explaining the impact of her conduct on her clients and what Petitioner has learned from the tutorials to prevent this from reoccurring in the future. Petitioner shall receive individual face-to-face supervision, which shall take place at a minimum of one hour per week during any week in which she is engaged in the practice of psychology and in the provision of health services, regardless of the number of hours, for at least one year consisting of at least 1,500 hours in the practice of psychology. The supervisor shall submit quarterly supervision reports to the Board. Petitioner is assessed \$300 in costs.