

VACP Board Conversation Hour

September 12, 2020

CHAIR REPORT

SETTING THE STAGE

- Introductions
- Structure / Plan
 - Similar to a Board meeting
 - Current questions
- Chair's remarks
 - Role / Structure of the Board
 - Department of Health Professions Website: <https://www.dhp.virginia.gov/>
 - Board of Psychology Website: <https://www.dhp.virginia.gov/Psychology/>
 - Overview of Recent Board Activities

BOARD MEMBERS AND STAFF

Members

- JD Ball (Vice Chair)
- Sally Singer Brodsky
- Peter Sheras
- Herbert Stewart
- Rebecca Vauter
- Susan Brown Wallace
- James Werth, Jr. (Chair)
- Christine Payne (Citizen Member)
- Vacant (Citizen Member)

Staff

- Jaime Hoyle (Executive Director)
- Jennifer Lang (Deputy Executive Director)
- Charlotte Lenart (Deputy Executive Director, Licensing)
- Deborah Harris (Licensing Manager)
- Christy Evans (Discipline Case Specialist)

LEGISLATIVE AND REGULATORY ACTIONS

REGULATORY ACTIONS

Action	Action Summary	Stage	Status
Unprofessional Conduct/Conversion Therapy	<p>The Board intends to specify in section 150 that the standard of practice requiring licensed psychologists to “avoid harming patients or clients, research participant, students and others for whom they provide professional services an minimize harm when it is foreseeable and unavoidable” includes the provision of conversion therapy and to define what conversion therapy is and is not. The goal is to align regulations of the Board wit the stated policy and ethics for the profession</p>	Proposed	Comment period is underway and will end on 10/30/2020

REGULATORY ACTIONS

Action	Action Summary	Stage	Status
<p>Result of Periodic Review</p>	<p>The Board intends to update its regulations for consistency and clarity, reduce the regulatory hurdle for licensure by endorsement, increase the opportunities for continuing education credits, specify a time frame within which an applicant must have passed the national examination, and simplify the requirement for individual supervision in a residency. The Board will also consider requiring all psychology doctoral programs to be accredited by the American Psychological Association, the Canadian Psychological Association or another accrediting body acceptable to the Board within seven years of the effective date of the regulations. Finally, the Board intends to revamp its regulations on standards of conduct to emphasize rules for professionalism, confidentiality, client records, and prohibitions of dual relationships.</p>	<p>Final</p>	<p>Governor's office review in progress.</p>

REGULATORY ACTIONS

Action	Action Summary	Stage	Status
<p>Implementation of Psychology Interstate Compact</p>	<p>Chapter 1162 of the 2020 Acts of the Assembly mandates membership of the Commonwealth of Virginia in the Psychology Interjurisdictional Compact (PSYPACT) and requires the Board to promulgate regulations to implement the provisions of the act to be effective within 280 days of enactment. Amendments add definitions consistent with the Compact and revise the standards of practice and the grounds for disciplinary action to ensure that they cover persons practicing with an E. Passport or temporary authorization to practice in Virginia through the Compact.</p>	<p>Emergency/NOIRA</p>	<p>Secretary of Health and Human Resources review in progress.</p>

REGULATORY ACTIONS

Action	Action Summary	Stage	Status
Periodic Review	Regulations Governing the Certification of Sex Offender Treatment Providers	Ongoing	Regulatory Advisory Panel (RAP) met September 10, 2020 to make recommendations to the Regulatory Committee.

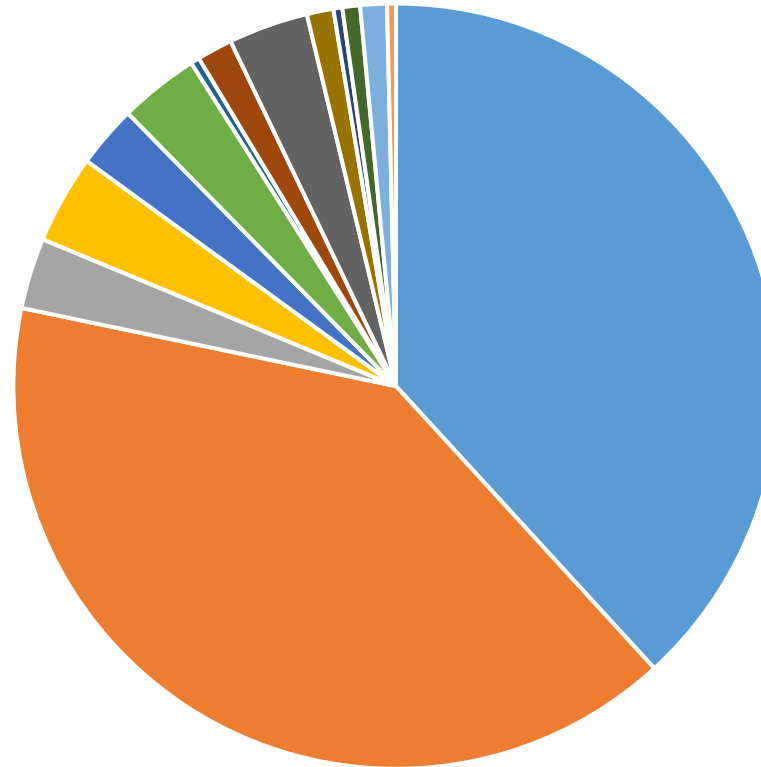
Discipline Report

Case Activity

June 25, 2018 to August 13, 2020

NEW CASES RECEIVED IN BOARD	
Cases Received	270
CASES CLOSED	
Closed – no violation	215
Closed – undetermined	24
Closed – violation	25
Credentials/Reinstatement –Approved	3
TOTAL CASES CLOSED	267

Closed Case Categories



- Diagnosis/Treatment (6 violations) (102)
- Inappropriate Relationship (4 violations) (8)
- Abuse/Abandonment/Neglect (4 violations) (7)
- Criminal Conviction (1)
- Continuing Education (8 violations) (9)
- Mandatory Reporting (1)
- Application (3)
- No Jurisdiction (107)
- Business Practice Issue (10)
- Inability to Safely Practice (2 violations) (9)
- Records Release (4)
- Confidentiality (3)
- Fraud, Non-patient care (2)
- Dishonored Payment (1 violation) (1)

Sanctions Imposed in Cases with Violations

Sanctions listed were pulled from Orders issued by the Board in the specific cases for the time period listed. Please keep in mind that each case is different and although the Board utilizes the Sanctioning Reference Points to allow for as much uniformity as possible, there are extenuating circumstances that make each case different. In addition, the category listed is based on the highest level of violation for the case but other lower-level factors may also be included in each case.



Diagnosis/Treatment (6 violations)

- Revocation
- Reprimand
- Indefinite Probation (for no less than 1 year of active practice)
- CEs in boundaries
- CEs in the termination process
- CEs in confidentiality
- CEs in dual relationships
- Supervised practice
- Requirement to provide current and future clients with a written statement regarding probation status.

Abuse/Abandonment/Neglect (4 violations)

- Reprimand
- CEs in the termination process and client abandonment

Inability to Safely Practice (2 violations)

- Suspension (Suspension stayed with entry and completion of HPMP)
- Indefinite probation (for no less than 1 year of active practice)
- CEs in boundaries
- Requirement to provide current and future clients with a written statement regarding probation status.

Inappropriate Relationship (4 violations)

- Indefinite probation (for no less than 1 year of active practice)
- CEs in boundaries
- Supervised practice
- Individual therapy
- Employer notification



Continuing Education Requirements Not Met (8 violations)

- Per sanctions listed in Guidance Document 125-5.1

Dishonored Payment (1 violation)

- Suspension until original payment and additional charges paid in full



NOTES:

- All licensees placed under terms of probation are required to terminate their clinical supervision of others (does not include administrative supervision)
- Quarterly self-reports are required in all cases where probation is imposed. Additionally, if supervision, therapy, employer notification, etc. is required, quarterly reports are also required from those individuals.
- Additional CE requirements in Orders are to be completed in addition renewal requirements and are typically required to be completed in person.



LICENSING STATISTICS

Board of Psychology Applications By Year

Psychology	2019	2018	2017	2016	2015	2014	2013	2012	2011	2010
Applied	3	5	5	2	7	1	2	3	4	6
Clinical	333	257	310	274	240	231	226	189	273	212
Initial Resident in Training	62	99	113	128	119	116	103	116	72	78
Add/Change Clinical Supervisor	15	25								
School	3	3	3	11	3	7	9	7	5	4
Resident in School Psychology	4									
School Psy Limited	81	62	58	120	49	122	44	56	53	58
SOTP	26	21	32	23	29	25	19	21	41	24
SOTP Trainee	42	25								
Add/Change Trainee Supervisor	13	17								
	572	514	521	558	447	502	403	392	448	382



Applications Received by Type and Subtype	January Totals	February Totals	March Totals	April Totals	May Totals	June Totals	July Totals	August Totals	Year to Date Totals
Certifications									
CSOTP	2	2	5	2	2	0	5	3	21
CSOTP Trainee	0	1	4	2	1	3	4	3	18
Total Certification Applications	2	3	8	4	3	3	9	6	38
Licenses	January Totals	February Totals	March Totals	April Totals	May Totals	June Totals	July Totals	August Totals	Year to Date Totals
Applied	0	1	2	1	2	0	2	0	8
Resident in School	1	0	0	1	0	0	0	0	2
School	0	2	0	0	1	0	0	1	4
School-Psychologist Limited	4	5	2	2	4	2	3	5	27
Clinical Psychologist	27	16	28	23	23	33	43	31	224
Resident in Training Initial	6	5	3	0	0	3	4	6	27
Resident in Training Add/Change	3	1	1	0	0	0	1	0	6
Total Licence Applications	41	30	36	27	30	0	53	43	260
Total Applications Received	43	33	44	31	33	3	62	49	298

Registrations Issued	January Totals	February Totals	March Totals	April Totals	May Totals	June Totals	July Totals	August Totals	Year to Date Totals
Resident in School	1	0	0	0	1	0	0	0	2
Resident in Training	3	1	5	1	0	1	3	3	17
CSOTP Trainee	3	0	5	1	1	0	4	2	16
Total Registrations Issued	7	1	10	2	2	1	7	5	35
Certifications Issued	January Totals	February Totals	March Totals	April Totals	May Totals	June Totals	July Totals	August Totals	Year to Date Totals
CSOTP	4	2	4	1	3	0	3	2	19
Total Certifications Issued	4	2	4	1	3	0	3	2	19
Licenses Issued	January Totals	February Totals	March Totals	April Totals	May Totals	June Totals	July Totals	August Totals	Year to Date Totals
School Psychologist	0	0	0	0	0	0	0	0	0
School Psychologist-Limited by Application	5	10	2	2	4	1	5	4	33
School Psychologist-Limited by Reinstatement	2	1	0	0	1	0	1	0	5
Applied	0	1	1	0	0	0	0	0	2
COVID 19 TEMP	0	0	0	122	174	116	118	102	632
Clinical by Reinstatement	0	0	2	0	2	3	4	0	11
Clinical by Examination	18	1	12	5	9	9	14	15	83
Clinical by Endorsement	9	5	14	16	14	8	17	13	96
Total Licenses Issued	34	18	31	145	204	137	159	134	862
Total Registrations, Certifications, Licenses Issued	45	21	45	148	209	138	169	141	916

Current Licenses as of 8/1/2020	
Applied Psychologist	28
Clinical Psychologist	3,809
Resident in School Psychology	10
Resident in Training	806
School Psychologist	93
School Psychologist-Limited	565
Sex Offender Treatment Provider	426
SOTP Trainee	137
Total for Psychology	5,874

REGULATORY COMMITTEE REPORT

- The Board adopted the Governor's Emergency Regulations to enable PSYPACT and voted to seek legislation to enable within 10 years the PSYPACT requirement that clinical psychologists seeking an E-Passport acquire a criminal background check.
- September 10, 2020 Regulatory Advisory Panel for Periodic review of Regulations Governing Certified Sex Offender Treatment Providers (CSOTP)
- Working on a Guidance Document for Closing a Psychological Practice

- The Board permitted the Executive Director to waive the licensure by endorsement requirement (relating to years of experience needed) for spouses of veterans who left active duty within the last year and who accompanied the applicant spouse to the Commonwealth, District of Columbia, or a neighboring state – (section 54.1-119 of the Code of Virginia).
- The Committee will review the Board’s Telepsychology Guidance Document for any needs for social media guidelines.
- The Board voted to seek legislation enabling waiver of FOIA to allow the Committee and Board to hold meetings virtually (with the exception of disciplinary meetings).

- The Committee and Board clarified that all CE requirements may be met virtually, so long as there is opportunity for the CE recipient to interact with the presenter.
- The Committee is interested in input from all stakeholders, certainly including VACP members and their students, regarding whether to require the new EPPP-Part 2 for licensure.