

**AGENDA
BOARD OF PSYCHOLOGY
QUARTERLY MEETING
FEBRUARY 6, 2018- BOARD ROOM 4**

10:00 a.m. Call to Order – Herbert Stewart, Ph.D., LCP, Chair

Welcome and Introductions
Emergency Evacuation InstructionsPage 2
Adoption of Agenda

Public Comment

Approval of Minutes of October 31, 2017.....Page 3

Reports of Officers and Staff

Agency Director’s Report – David Brown, D.C
Regulatory/Legislative Update – Elaine Yeatts, Senior Policy Analyst
- 2018 General Assembly Bills

Chairperson Report- Herbert Stewart, Ph.D.
Board Counsel’s Report – James Rutkowski, Assistant Attorney General
Executive Director’s Report – Jaime Hoyle, J.D.....Page 8
Deputy Executive Director’s Report – Jennifer Lang.....Page 15
Licensing Manager’s Report – Deborah Harris.....Page 17

Reports of Committees

Board of Health Professions – Herbert Stewart, Ph.D.
Regulatory Committee Report – James Werth, Ph.D., ABPP
- Draft of Periodic Review Regulations*Page 18

Unfinished Business

Fee Reductions – Charles Giles.....Page 49

New Business

Board Seats

4:00 pm ADJOURN

*Denotes a Board vote is needed

EVACUATION INSTRUCTIONS BOARD ROOM 4

PLEASE LISTEN TO THE FOLLOWING INSTRUCTIONS ABOUT EXITING THESE PREMISES IN THE EVENT OF AN EMERGENCY.

In the event of a fire or other emergency requiring the evacuation of the building, alarms will sound.

When the alarms sound, leave the room immediately. Follow any instructions given by Security staff

Board Room 4

Exit the room using one of the doors at the back of the room. (**Point**)
Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

VIRGINIA BOARD OF PSYCHOLOGY
BOARD MEETING
MINUTES
OCTOBER 31, 2017

TIME AND PLACE: A meeting of the Virginia Board of Psychology ("Board") convened on Tuesday, October 31, 2017, at the Department of Health Professions ("DHP"), 9960 Mayland Drive, 2nd Floor, Board Room 1, Henrico, Virginia 23233.

PRESIDING OFFICER: Herbert Stewart, Ph.D., Chair

BOARD MEMBERS PRESENT: James Werth, Ph.D., ABPP, Vice-Chair
J.D. Ball, Ph.D., ABPP
Jen Little, Citizen Member
Peter Sheras, Ph.D., ABPP
Rebecca Vauter, Psy.D., ABPP
Susan Brown Wallace, Ph.D.

BOARD MEMBERS ABSENT: Deja Lee, Citizen Member

STAFF PRESENT: David E. Brown, D.C, DHP Director
Jaime Hoyle, J.D., Executive Director
Jennifer Lang, Deputy Executive Director
Elaine Yeatts, DHP Senior Policy Analyst
Deborah Harris, Licensing Manager
Christy Evans, Discipline Case Specialist
Elizabeth Carter, Ph.D, Executive Director, Board of Health Professions, Healthcare Workforce Data Center

COUNSEL PRESENT: James E. Rutkowski, Assistant Attorney General

OTHERS PRESENT: Jennifer Morgan, VACP

CALL TO ORDER: Dr. Stewart called the meeting to order at 10:07 a.m. and read the emergency evacuation instructions. With seven (7) members present, a quorum was established.

ADOPTION OF AGENDA: The Agenda was adopted with a change of the placement of Dr. Carter's presentation of Healthcare Workforce Survey Report to after the Agency Director's report.

PUBLIC COMMENT: Jennifer Morgan, representing the Virginia Academy of Clinical Psychologists (VACP), informed the Board of the VACP's Spring Conference to be held in Roanoke, VA on April 19-20, 2018 at the Hotel Roanoke. Dr. Morgan encouraged all Board members and Board staff to attend and participate in the Conversation Hour with the Board, and to let her know if any decide to attend.

APPROVAL OF MINUTES: A motion was made by Dr. Sheras to approve the minutes from the August 15, 2017 board meeting. The motion was seconded by Dr. Ball and passed with a unanimous vote.

AGENCY DIRECTOR'S REPORT: Dr. Brown informed the Board about the move of some of the departments within the Agency, such as the IT department, Call center, Mailroom, and Welcome Reception, to the first floor of the building. He indicated the move will allow for a larger reception area with a Kiosk for the consumers to access online applications.

Dr. Brown also mentioned that they are developing a video library with various trainings that will be helpful for Board members. There will be training videos for topics such as probable cause and disciplinary procedures, as well as trainings specifically for chairs.

Dr. Brown mentioned that the Board discussed the possibility of introducing a bill to the General Assembly that will allow the Board to require up to two hours per annual renewal cycle in a specific continuing education area. He said that the bill will not be included in the upcoming General Assembly session. The current administration wants to limit the number of legislative initiatives for next year in light of the transition to a new administration.

HEALTHCARE WORKFORCE DATA SURVEY REPORT: Dr. Carter presented the "Virginia's Licensed Clinical Psychologist Workforce: 2017" report. She highlighted that Virginia participants had a 95% response rate. She added that full time licensees are on the rise, as well as income.

REGULATORY/LEGISLATIVE UPDATE: Ms. Yeatts reported that no regulatory action was pending. The Notice of Intended Regulatory Action (NOIRA) was in the Governor's office awaiting approval.

Ms. Yeatts informed the board that there is a 2018 legislative proposal that could be of interest to the board, which is the creation of a mid-level license for social workers. Currently the Board of Social Work licenses Licensed Clinical Social Worker (LCSWs) and Licensed Social Workers (LSWs). If the law passes, the LSW license would be broken into two new categories: Licensed Baccalaureate Social Worker and Licensed Master's Social Worker.

BOARD COUNSEL REPORT: Mr. Rutkowski had no report to present.

EXECUTIVE DIRECTOR'S REPORT:

Ms. Hoyle informed the Board that she presented the Board's draft of the Joint Guidance Document on Assessments and Signatures to the Regulatory Committee of the Board of Social Work at their meeting on October 26, 2017, and they expressed questions and concerns about the document. The Committee will report to the full Social Work Board in February. She added that the document will be presented at the Board of Counseling's Regulatory Committee meeting this upcoming Thursday, November 2, 2017.

Ms. Hoyle said that she had requested more guidance from the Regulatory Committee on the next step for the Psychology Interjurisdictional Compact (PSYPACT). The Committee asked that Ms. Hoyle write a letter to the Board's stakeholders, which include the Virginia Academy of Clinical Psychologists, The Virginia Academy of School Psychologists, and the Virginia Academy of Applied and Academic Psychologists. The letter will indicate that the Board is looking at PSYPACT and would like stakeholders to review PSYPACT in anticipation of an April meeting with members of the Board, to discuss their opinions and determine whether there is support to move forward.

Ms. Hoyle discussed the budget and reported that it has been advised that the Board will need to have a one-time renewal fee reduction. The Agency Budget Manager, Charles Giles, will address the Board in February to recommend the specific reduction.

DEPUTY EXECUTIVE DIRECTOR'S REPORT:

Ms. Lang reported that the discipline process continues to improve, and provided a detailed list of cases received, cases closed, and reasons for closure (See Attachment A).

LICENSING MANAGER'S REPORT:

Ms. Harris reported that since the last meeting, 120 licenses and certificates have been issued, which includes:

Licensed Clinical Psychologist	66
Resident in Training	29
Licensed School Psychologist	1
Licensed School Psychologist-Limited	21
Certified Sex Offender Treatment Provider	3

Ms. Harris also mentioned that 2,441 Clinical Psychologist are in-state current/active licensees and 847 current/active Clinical Psychologists were located out-of-state. She was curious to know if the PSYPACT may

impact that number and the revenue the Board receives from-out of-state licensees.

**BOARD OF HEALTH
PROFESSIONS REPORT:**

Dr. Stewart reported that the Board of Health Professions full business meeting took place on August 31, 2017. He volunteered to be a part of the Education Committee.

CHAIRPERSON REPORT:

Dr. Stewart reported that he was fortunate to go to the Fall Association of State and Provincial Psychology Boards (ASPPB) Conference. This is his third year attending the ASPPB conferences. He stated all the sessions were very informative. One session focused on the Examination for Professional Practice in Psychology (EPPP) Part 2, which is a competency-focused examination. He also stated ASPPB will be conducting a Webinar on November 15 on the EPPP 2.

Dr. Stewart stated that nine (9) more jurisdictions are moving forward with the PSYACT.

Dr. Stewart stated he ran for a leadership seat with the ASPPB; however, he was not selected.

Dr. Stewart informed the Board that the ASPPB Spring Conference will be held in Savannah, Georgia April 12-15, 2018 and the annual conference will be held in October 2018 in Salt Lake City, Utah.

**REGULATORY COMMITTEE
REPORT:**

Dr. Werth reported that the Committee is developing a Telepsychology Guidance Document. So far they have a working document, and he requested that all the Board members send him any pertinent information to add to the Telepsychology Guidance Document. His goal is to have all input received by February and have a draft to be presented to the full Board at the May, 2018 meeting.

UNFINISHED BUSINESS:

The Board stated there is a need to fill vacant seats. As an initial step, Ms. Hoyle and Dr. Stewart will be contacting those members who are not attending to encourage attendance, before taking further steps to address attendance issues.

ADJOURNMENT:

With all business concluded, the meeting was adjourned at 1:26 p.m.

108- Psychology

Board Cash Balance as June 30, 2017	\$ 1,037,083
YTD FY18 Revenue	62,315
Less: YTD FY18 Direct and Allocated Expenditures	<u>283,719</u>
Board Cash Balance as December 31, 2017	<u><u>815,679</u></u>

Virginia Department of Health Professions
Revenue and Expenditures Summary
Department 10800 - Psychology
For the Period Beginning July 1, 2017 and Ending December 31, 2017

Account Number	Account Description	July	August	September	October	November	December	Total
4002400	Fee Revenue							
4002401	Application Fee	8,490.00	8,565.00	8,680.00	5,890.00	5,425.00	4,970.00	42,020.00
4002406	License & Renewal Fee	7,740.00	2,340.00	975.00	1,635.00	690.00	610.00	13,990.00
4002407	Dup. License Certificate Fee	105.00	35.00	25.00	35.00	10.00	-	210.00
4002409	Board Endorsement - Out	400.00	250.00	350.00	450.00	300.00	300.00	2,050.00
4002421	Monetary Penalty & Late Fees	2,750.00	625.00	300.00	150.00	75.00	75.00	3,975.00
4002432	Misc. Fee (Bad Check Fee)	35.00	35.00	-	-	-	-	70.00
	Total Fee Revenue	19,520.00	11,850.00	10,330.00	8,160.00	6,500.00	5,955.00	62,315.00
	Total Revenue	19,520.00	11,850.00	10,330.00	8,160.00	6,500.00	5,955.00	62,315.00
5011000	Personal Services							
5011100	Employee Benefits							
5011110	Employer Retirement Contrib.	838.59	575.84	575.84	575.84	575.84	575.84	3,717.79
5011120	Fed Old-Age Ins- Sal St Emp	469.69	320.17	320.17	328.94	342.77	344.07	2,125.81
5011140	Group Insurance	81.42	55.92	55.92	55.92	55.92	55.92	361.02
5011150	Medical/Hospitalization Ins.	944.50	647.00	647.00	647.00	647.00	647.00	4,179.50
5011160	Retiree Medical/Hospitalizatn	73.35	50.36	50.36	50.36	50.36	50.36	325.15
5011170	Long term Disability Ins	41.04	28.18	28.18	28.18	28.18	28.18	181.94
	Total Employee Benefits	2,448.59	1,677.47	1,677.47	1,686.24	1,700.07	1,701.37	10,891.21
5011200	Salaries							
5011230	Salaries, Classified	6,278.55	4,268.58	4,268.58	4,268.58	4,268.58	4,268.58	27,621.45
5011250	Salaries, Overtime	-	-	-	114.51	295.50	295.50	705.51
	Total Salaries	6,278.55	4,268.58	4,268.58	4,383.09	4,564.08	4,564.08	28,326.96
5011340	Specified Per Diem Payment	50.00	300.00	-	-	400.00	-	750.00
5011380	Deferred Compnstrn Match Pmts	60.00	40.00	40.00	40.00	40.00	40.00	260.00
	Total Special Payments	110.00	340.00	40.00	40.00	440.00	40.00	1,010.00
	Total Personal Services	8,837.14	6,286.05	5,986.05	6,109.33	6,704.15	6,305.45	40,228.17
5012000	Contractual Svs							-
5012100	Communication Services							-
5012140	Postal Services	2,250.32	1,062.80	233.16	462.65	45.28	120.72	4,174.93

Virginia Department of Health Professions
Revenue and Expenditures Summary
Department 10800 - Psychology
For the Period Beginning July 1, 2017 and Ending December 31, 2017

Account Number	Account Description	July	August	September	October	November	December	Total
5012150	Printing Services	-	-	90.06	-	-	-	90.06
5012160	Telecommunications Svcs (VITA)	17.28	17.97	-	-	9.04	-	44.29
	Total Communication Services	2,267.60	1,080.77	323.22	462.65	54.32	120.72	4,309.28
5012200	Employee Development Services							
5012210	Organization Memberships	-	-	-	-	2,750.00	-	2,750.00
	Total Employee Development Services	-	-	-	-	2,750.00	-	2,750.00
5012400	Mgmnt and Informational Svcs							
5012420	Fiscal Services	4,175.09	4,277.00	185.47	64.46	10.55	-	8,712.57
5012440	Management Services	-	56.16	-	(0.99)	-	5.13	60.30
5012460	Public Infrmtnl & Relatn Svcs	-	32.00	86.00	60.00	64.00	66.00	308.00
	Total Mgmnt and Informational Svcs	4,175.09	4,365.16	271.47	123.47	74.55	71.13	9,080.87
5012600	Support Services							
5012640	Food & Dietary Services	-	-	151.35	174.85	-	264.75	590.95
5012660	Manual Labor Services	0.88	14.20	19.24	64.63	-	-	98.95
5012670	Production Services	5.12	88.80	115.10	293.90	-	153.10	656.02
5012680	Skilled Services	516.26	516.26	628.76	516.26	774.39	961.89	3,913.82
	Total Support Services	522.26	619.26	914.45	1,049.64	774.39	1,379.74	5,259.74
5012800	Transportation Services							
5012820	Travel, Personal Vehicle	325.82	804.64	-	-	870.45	-	2,000.91
5012830	Travel, Public Carriers	-	-	-	1,049.81	-	-	1,049.81
5012850	Travel, Subsistence & Lodging	103.10	396.54	-	-	526.85	-	1,026.49
5012880	Trvl, Meal Reimb- Not Rprtbl	59.25	187.75	-	-	265.00	-	512.00
	Total Transportation Services	488.17	1,388.93	-	1,049.81	1,662.30	-	4,589.21
	Total Contractual Svcs	7,453.12	7,454.12	1,509.14	2,685.57	5,315.56	1,571.59	25,989.10
5013000	Supplies And Materials							
5013100	Administrative Supplies							-
5013120	Office Supplies	-	15.16	(52.92)	87.57	78.68	27.67	156.16
	Total Administrative Supplies	-	15.16	(52.92)	87.57	78.68	27.67	156.16
	Total Supplies And Materials	-	15.16	(52.92)	87.57	78.68	27.67	156.16

Virginia Department of Health Professions
Revenue and Expenditures Summary
Department 10800 - Psychology
For the Period Beginning July 1, 2017 and Ending December 31, 2017

Account Number	Account Description	July	August	September	October	November	December	Total
5015000	Continuous Charges							
5015300	Operating Lease Payments							
5015340	Equipment Rentals	-	44.08	44.08	44.08	45.82	44.08	222.14
5015350	Building Rentals	-	2.43	-	-	3.60	-	6.03
5015390	Building Rentals - Non State	236.45	276.78	242.04	236.45	263.54	236.45	1,491.71
	Total Operating Lease Payments	236.45	323.29	286.12	280.53	312.96	280.53	1,719.88
	Total Continuous Charges	236.45	323.29	286.12	280.53	312.96	280.53	1,719.88
	Total Expenditures	16,526.71	14,078.62	7,728.39	9,163.00	12,411.35	8,185.24	68,093.31
	Allocated Expenditures							
20100	Behavioral Science Exec	13,383.57	9,499.45	8,837.75	8,843.57	9,104.99	8,851.48	58,520.81
30100	Data Center	9,456.09	4,308.36	9,509.72	8,308.72	3,061.10	10,657.11	45,301.11
30200	Human Resources	38.81	48.45	38.96	43.79	6,028.50	90.49	6,289.00
30300	Finance	5,191.26	2,677.75	2,631.86	1,393.96	3,349.46	2,641.53	17,885.82
30400	Director's Office	1,678.35	1,319.83	1,224.40	1,236.56	1,193.68	1,277.38	7,930.20
30500	Enforcement	10,944.14	10,365.40	10,376.01	10,685.35	7,701.17	6,798.31	56,870.37
30600	Administrative Proceedings	232.41	5,524.58	608.58	-	-	660.99	7,026.56
30700	Impaired Practitioners	57.88	43.12	39.60	59.85	58.53	61.83	320.82
30800	Attorney General	-	-	1,594.54	1,594.54	-	-	3,189.08
30900	Board of Health Professions	973.45	685.74	619.68	671.00	685.65	626.01	4,261.53
31400	Conference Center	5.02	9.52	7,378.99	(871.48)	(2,568.40)	39.76	3,993.40
31500	Pgm Devlpmnt & Implmentn	759.52	662.20	614.46	624.20	712.15	664.81	4,037.34
	Total Allocated Expenditures	42,720.51	35,144.40	43,474.56	32,590.04	29,326.82	32,369.70	215,626.03
	Net Revenue in Excess (Shortfall) of Expenditures	\$ (39,727.22)	\$ (37,373.02)	\$ (40,872.95)	\$ (33,593.04)	\$ (35,238.17)	\$ (34,599.94)	\$ (221,404.34)

Virginia Department of Health Professions
Revenue and Expenditures Summary
Department 20100 - Behavioral Science Exec
For the Period Beginning July 1, 2017 and Ending December 31, 2017

Account		Amount			
Number	Account Description	Amount	Budget	Under/(Over)	% of Budget
				Budget	
5011110	Employer Retirement Contrib.	14,619.02	28,540.00	13,920.98	51.22%
5011120	Fed Old-Age Ins- Sal St Emp	8,111.59	16,185.00	8,073.41	50.12%
5011130	Fed Old-Age Ins- Wage Earners	234.15	602.00	367.85	38.90%
5011140	Group Insurance	1,494.77	2,772.00	1,277.23	53.92%
5011150	Medical/Hospitalization Ins.	32,926.50	62,388.00	29,461.50	52.78%
5011160	Retiree Medical/Hospitalizatn	1,346.39	2,497.00	1,150.61	53.92%
5011170	Long term Disability Ins	753.06	1,397.00	643.94	53.91%
	Total Employee Benefits	59,485.48	114,381.00	54,895.52	52.01%
5011200	Salaries				
5011230	Salaries, Classified	114,358.70	211,560.00	97,201.30	54.05%
	Total Salaries	114,358.70	211,560.00	97,201.30	54.05%
5011300	Special Payments				
5011380	Deferred Compnstn Match Pmts	65.00	1,440.00	1,375.00	4.51%
	Total Special Payments	65.00	1,440.00	1,375.00	4.51%
5011400	Wages				
5011410	Wages, General	3,060.75	7,835.00	4,774.25	39.07%
	Total Wages	3,060.75	7,835.00	4,774.25	39.07%
5011600	Terminatn Personal Svce Costs				
5011660	Defined Contribution Match - Hy	773.30	-	(773.30)	0.00%
	Total Terminatn Personal Svce Costs	773.30	-	(773.30)	0.00%
5011930	Turnover/Vacancy Benefits				
	Total Personal Services	177,743.23	335,216.00	157,472.77	53.02%
5012000	Contractual Svs				
5012100	Communication Services				
5012160	Telecommunications Svcs (VITA)	703.93	5,000.00	4,296.07	14.08%
5012170	Telecomm. Svcs (Non-State)	292.50	-	(292.50)	0.00%
	Total Communication Services	996.43	5,000.00	4,003.57	19.93%
5012200	Employee Development Services				
5012210	Organization Memberships	125.00	-	(125.00)	0.00%
	Total Employee Development Services	125.00	-	(125.00)	0.00%
5012600	Support Services				

Virginia Department of Health Professions
Revenue and Expenditures Summary
Department 20100 - Behavioral Science Exec
For the Period Beginning July 1, 2017 and Ending December 31, 2017

Account Number	Account Description	Amount	Budget	Amount Under/(Over)	
				Budget	% of Budget
5012630	Clerical Services	600.00	38,615.00	38,015.00	1.55%
	Total Support Services	600.00	38,615.00	38,015.00	1.55%
5012800	Transportation Services				
5012820	Travel, Personal Vehicle	70.09	-	(70.09)	0.00%
	Total Transportation Services	70.09	-	(70.09)	0.00%
	Total Contractual Svs	1,791.52	43,615.00	41,823.48	4.11%
5013000	Supplies And Materials				
5013100	Administrative Supplies				
5013120	Office Supplies	656.29	537.00	(119.29)	122.21%
	Total Administrative Supplies	656.29	537.00	(119.29)	122.21%
5013600	Residential Supplies				
5013630	Food Service Supplies	-	19.00	19.00	0.00%
	Total Residential Supplies	-	19.00	19.00	0.00%
	Total Supplies And Materials	656.29	556.00	(100.29)	118.04%
5015000	Continuous Charges				
5015300	Operating Lease Payments				
5015390	Building Rentals - Non State	14,847.11	35,138.00	20,290.89	42.25%
	Total Operating Lease Payments	14,847.11	35,138.00	20,290.89	42.25%
	Total Continuous Charges	14,847.11	35,138.00	20,290.89	42.25%
5022000	Equipment				
5022100	Computer Hrdware & Sftware	-			
5022170	Other Computer Equipment	31.20	-	(31.20)	0.00%
	Total Computer Hrdware & Sftware	31.20	-	(31.20)	0.00%
5022200	Educational & Cultural Equip	-			
5022240	Reference Equipment	-	16.00	16.00	0.00%
	Total Educational & Cultural Equip	-	16.00	16.00	0.00%
5022600	Office Equipment				
5022610	Office Appurtenances	-	27.00	27.00	0.00%
5022630	Office Incidentals	-	34.00	34.00	0.00%
5022640	Office Machines	-	3,600.00	3,600.00	0.00%

Virginia Department of Health Professions
 Revenue and Expenditures Summary
 Department 20100 - Behavioral Science Exec
 For the Period Beginning July 1, 2017 and Ending December 31, 2017

Account Number	Account Description	Amount			% of Budget
		Amount	Budget	Under/(Over) Budget	
	Total Office Equipment	-	3,661.00	3,661.00	0.00%
	Total Equipment	31.20	3,677.00	3,645.80	0.85%
	Total Expenditures	195,069.35	418,202.00	223,132.65	46.64%

BEHAVIORAL SCIENCE BOARDS

COUNSELING, PSYCHOLOGY, AND SOCIAL WORK

Discipline Reports

October 6, 2017 - January 11, 2018

OPEN CASES AT BOARD LEVEL (as of January 11, 2018)

Open Case Stage	Counseling	Psychology	Social Work	BSU Total
Probable Cause Review	26	11	18	55
Scheduled for Informal Conferences	4	0	1	5
Scheduled for Formal Hearings	0	1	2	3
Consent Orders offered	1	0	0	1
Cases with APD for processing (IFC, FH, Consent Order)	12	7	4	23
TOTAL OPEN CASES	43	19	25	87

CASES CLOSED

Closure Category	Counseling	Psychology	Social Work	BSU Total
Closed – no violation	21	18	13	52
Closed – undetermined	3	1	5	9
Closed – violation	1	1	2	4
Credentials/Reinstatement – Denied	3	0	1	4
Credentials/Reinstatement – Approved	8	0	1	9
TOTAL CASES CLOSED	36	20	22	78

AVERAGE CASE PROCESSING TIMES (counted on closed cases)

	Counseling	Psychology	Social Work
Average time for case closures	164 days	176 days	143 days
Avg. time in Enforcement (investigations)	70.3 days	71.3 days	68.6 days
Avg. time in APD (IFC/FH preparation)	94.9 days	50.0 days	81.3 days
Avg. time in Board (includes hearings, reviews, etc).	82.0 days	102 days	63.0 days

BEHAVIORAL SCIENCE BOARDS

COUNSELING, PSYCHOLOGY, AND SOCIAL WORK

Discipline Reports

October 6, 2017 - January 11, 2018

CASES RECEIVED and ACTIVE INVESTIGATIONS

	Counseling	Psychology	Social Work	BSU Total
Cases Received for Board review	34	21	26	81
Open Investigations in Enforcement	42	25	25	92

HEARINGS HELD and CONSENT ORDERS ENTERED

Board Action	Counseling	Psychology	Social Work	BSU Total
Consent Orders Entered	0	2	1	3
Informal Conferences Held Agency Subordinate	0	0	0	0
Informal Conferences Held Special Conference Committee	3	0	0	3
Formal Hearings Held	0	0	1	1
Summary Suspension Hearings Held	0	0	0	0

UPCOMING HEARINGS (2018)

Hearing/Conference Type	Counseling	Psychology	Social Work
Informal Conferences	February 23, 2018 April 13, 2018 June 1, 2018 July 27, 2018	February 27, 2018 June 5, 2018 July 24, 2018	March 2, 2018 June 8, 2018 July 20, 2018
Formal Hearings	May 18, 2018	May 8, 2018	May 11, 2018

PSYCHOLOGY LICENSES ISSUED	
Clinical Psychologist by examination	37
Clinical Psychologist by endorsement	14
Clinical Psychologist Reinstatements	5
School Psychologist Limited	19
School Psychologist Limited Reinstatements	2
Sex Offender Treatment Provider	9
Sex Offender Treatment Provider Reinstatements	1
Resident in Training	27
Total Issued from 10-17-17 through 1-22-18	114

PSYCHOLOGY LICENSE TOTALS	
Virginia Current Active	4199
Virginia Current Inactive	56
Out of State Current Active	1135
Out of State Current Inactive	98
Probation – Current Active	5
Total as of 1-22-2018	5493

BOARD OF PSYCHOLOGY

Periodic review amendments

Part I

General Provisions

18VAC125-20-10. Definitions.

The following words and terms, in addition to the words and terms defined in § 54.1-3600 of the Code of Virginia, when used in this chapter shall have the following meanings, unless the context clearly indicates otherwise:

"APA" means the American Psychological Association.

"APPIC" means the Association of Psychology Postdoctoral and Internship Centers.

"Board" means the Virginia Board of Psychology.

"Candidate for licensure" means a person who has satisfactorily completed the appropriate educational and experience requirements for licensure ~~and has been deemed eligible by the board to sit for the required examinations.~~

"Demonstrable areas of competence" means those therapeutic and assessment methods and techniques, and populations served, for which one can document adequate graduate training, workshops, or appropriate supervised experience.

"Intern" means

"Internship" means an ongoing, supervised and organized practical experience obtained in an integrated training program identified as a psychology internship. Other supervised experience or on-the-job training does not constitute an internship.

"NASP" means the National Association of School Psychologists.

"NCATE" means the National Council for the Accreditation of Teacher Education.

"Practicum" means the pre-internship clinical experience that is part of a graduate educational program.

"Professional psychology program" means an integrated program of doctoral study designed to train professional psychologists to deliver services in psychology.

"Regional accrediting agency" means one of the six regional accrediting agencies recognized by the United States Secretary of Education established to accredit senior institutions of higher education.

"Residency" means a post-internship, post-terminal degree, supervised experience approved by the board.

"Resident" means

"School psychologist-limited" means a person licensed pursuant to § 54.1-3606 of the Code of Virginia to provide school psychology services solely in public school divisions.

"Supervision" means the ongoing process performed by a supervisor who monitors the performance of the person supervised and provides regular, documented individual consultation, guidance and instruction with respect to the skills and competencies of the person supervised.

"Supervisor" means an individual who assumes full responsibility for the education and training activities of a person and provides the supervision required by such a person.

18VAC125-20-30. Fees required by the board.

A. The board has established fees for the following:

Applied psychologists, Clinical psychologists, School psychologists	School psychologists-limited
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1. Registration of residency (per residency request)	\$50	--
2. Add or change supervisor	\$25	--
3. Application processing and initial licensure	\$200	\$85
4. Annual renewal of active license	\$140	\$70
5. Annual renewal of inactive license	\$70	\$35
6. Late renewal	\$50	\$25
7. Verification of license to another jurisdiction	\$25	\$25
8. Duplicate license	\$5	\$5
9. Additional or replacement wall certificate	\$15	\$15
10. Returned check	\$35	\$35
11. Reinstatement of a lapsed license	\$270	\$125
12. Reinstatement following revocation or suspension	\$500	\$500

B. Fees shall be made payable to the Treasurer of Virginia and forwarded to the board. All fees are nonrefundable.

~~C. Between April 30, 2016, and June 30, 2016, the following renewal fees shall be in effect:~~

- ~~1. For an active license as a clinical, applied, or school psychologist, it shall be \$84. For an inactive license as a clinical, applied, or school psychologist, it shall be \$42.~~
- ~~2. For an active license as a school psychologist-limited, it shall be \$42. For an inactive license as a school psychologist-limited, it shall be \$21.~~

18VAC125-20-41. Requirements for licensure by examination.

A. Every applicant for examination for licensure by the board shall:

1. Meet the education requirements prescribed in 18VAC125-20-54, 18VAC125-20-55, or 18VAC125-20-56 and the experience requirement prescribed in 18VAC125-20-65 as applicable for the particular license sought; and

2. Submit the following:

a. A completed application on forms provided by the board;

b. A completed residency agreement or documentation of having fulfilled the experience requirements of 18VAC125-20-65;

c. The application processing fee prescribed by the board;

d. Official transcripts documenting the graduate work completed and the degree awarded; transcripts previously submitted for registration of supervision do not have to be resubmitted unless additional coursework was subsequently obtained. Applicants who are graduates of institutions that are not regionally accredited shall submit documentation from an accrediting agency acceptable to the board that their education meets the requirements set forth in 18VAC125-20-54, 18VAC125-20-55 or 18VAC125-20-56;

e. A current report from the National Practitioner Data Bank; and

e. Verification of any other health or mental health professional license or certificate ever held in another jurisdiction. The applicant shall not have surrendered a license or certificate while under investigation and shall have no unresolved action against a license or certificate.

B. In addition to fulfillment of the education and experience requirements, each applicant for licensure by examination must achieve a passing score on all steps of the the Examination for Professional Practice of Psychology.

C. Every applicant shall attest to having read and agreed to comply with the current standards of practice and laws governing the practice of psychology in Virginia.

18VAC125-20-42. Prerequisites for licensure by endorsement.

Every applicant for licensure by endorsement shall submit:

1. A completed application;
2. The application processing fee prescribed by the board;
3. An attestation of having read and agreed to comply with the current Standards of Practice and laws governing the practice of psychology in Virginia;
4. Verification of all other health and mental health professional licenses or certificates ever held in any jurisdiction. In order to qualify for endorsement, the applicant shall not have surrendered a license or certificate while under investigation and shall have no unresolved action against a license or certificate;
5. A current report from the National Practitioner Data Bank; and
6. Further documentation of one of the following:
 - ~~a.~~ A current listing in the National Register of Health Service Psychologists;
 - ~~b.~~ Current diplomate status in good standing with the American Board of Professional Psychology in a category comparable to the one in which licensure is sought;
 - ~~c.~~ b. A Certificate of Professional Qualification in Psychology (CPQ) issued by the Association of State and Provincial Psychology Boards;
 - ~~d.~~ c. ~~Ten years of active~~ Active licensure in a category comparable to the one in which licensure is sought, ~~with an appropriate degree as required in this chapter documented by an official transcript~~ for at least 24 of the last 60 months immediately preceding licensure application; or

e. If less than ~~10 years~~ 24 months of active licensure, documentation of current psychologist licensure in good standing obtained by standards substantially equivalent to the education, experience and examination requirements set forth in this chapter for the category in which licensure is sought as verified by a certified copy of the original application submitted directly from the out-of-state licensing agency or a copy of the regulations in effect at the time of initial licensure and the following:

~~(1) Documentation of post-licensure active practice for at least 24 of the last 60 months immediately preceding licensure application;~~

~~(2) Verification of a passing score on the Examination for Professional Practice of Psychology as established in Virginia for the year of that administration; and~~

~~(3)~~(2) Official transcripts documenting the graduate work completed and the degree awarded in the category in which licensure is sought.

18VAC125-20-43. Requirements for licensure as a school psychologist-limited.

A. Every applicant for licensure as a school psychologist-limited shall submit to the board:

1. A copy of a current license issued by the Board of Education showing an endorsement in psychology.
2. An official transcript showing completion of a master's degree in psychology.
3. A completed Employment Verification Form of current employment by a school system under the Virginia Department of Education.
4. The application fee.

B. At the time of licensure renewal, school psychologists-limited shall be required to submit an updated Employment Verification Form if there has been a change in school district in which the licensee is currently employed.

18VAC125-20-54. Education requirements for clinical psychologists.

A. The applicant shall hold a doctorate from a professional psychology program in a regionally accredited university, which was accredited by the APA (Canada?) in clinical or counseling psychology within four years after the applicant graduated from the program, or shall meet the requirements of subsection B of this section.

~~B. If the applicant does not hold a doctorate from an APA accredited program, the applicant shall hold a doctorate from a professional psychology program which documents that it offers education and training which prepares individuals for the practice of clinical psychology as defined in § 54.1-3600 of the Code of Virginia and which meets the following criteria:~~

~~1. The program is within an institution of higher education accredited by an accrediting agency recognized by the United States Department of Education or publicly recognized by the Association of Universities and Colleges of Canada as a member in good standing. Graduates of programs that are not within the United States or Canada must provide documentation from an acceptable credential evaluation service which provides information that allows the board to determine if the program meets the requirements set forth in this chapter verifying that the program is substantially equivalent to an APA-accredited program.~~

~~2. The program shall be recognizable as an organized entity within the institution.~~

~~3. The program shall be an integrated, organized sequence of study with an identifiable psychology faculty and a psychologist directly responsible for the program, and shall have an identifiable body of students who are matriculated in that program for a degree. The faculty shall be accessible to students and provide them with guidance and supervision. The faculty shall provide appropriate professional role models and engage in actions that~~

~~promote the student's acquisition of knowledge, skills and competencies consistent with the program's training goals.~~

~~4. The program shall encompass a minimum of three academic years of full-time graduate study or the equivalent thereof.~~

~~5. The program shall include a general core curriculum containing a minimum of three or more graduate semester hours or five or more graduate quarter hours in each of the following substantive content areas.~~

~~a. Biological bases of behavior (e.g., physiological psychology, comparative psychology, neuropsychology, sensation and perception, health psychology, pharmacology, neuroanatomy).~~

~~b. Cognitive-affective bases of behavior (e.g., learning theory, cognition, motivation, emotion).~~

~~c. Social bases of behavior (e.g., social psychology, group processes, organizational and systems theory, community and preventive psychology, multicultural issues).~~

~~d. Psychological measurement.~~

~~e. Research methodology.~~

~~f. Techniques of data analysis.~~

~~g. Professional standards and ethics.~~

~~6. The program shall include a minimum of at least three or more graduate semester credit hours or five or more graduate quarter hours in each of the following clinical psychology content areas:~~

~~a. Individual differences in behavior (e.g., personality theory, cultural difference and diversity).~~

- ~~b. Human development (e.g., child, adolescent, geriatric psychology).~~
- ~~c. Dysfunctional behavior, abnormal behavior or psychopathology.~~
- ~~d. Theories and methods of intellectual assessment and diagnosis.~~
- ~~e. Theories and methods of personality assessment and diagnosis including its practical application.~~
- ~~f. Effective interventions and evaluating the efficacy of interventions.~~

C. Applicants shall submit documentation of having successfully completed complete practicum experiences in assessment, and diagnosis, and psychotherapy, ~~consultation and supervision~~. The practicum shall include a minimum of nine graduate semester hours or 15 or more graduate quarter hours or equivalent in appropriate settings to ensure a wide range of supervised training and educational experiences.

D. An applicant shall graduate from an educational program in clinical psychology that includes appropriate emphasis and experience in the diagnosis and treatment of persons with moderate to severe mental disorders.

~~D-E.~~ An applicant for a clinical license may fulfill the residency requirement of 1,500 hours, or some part thereof, as required for licensure in 18VAC125-20-65 B, in the pre-doctoral practicum supervised experience that meets the following standards:

1. The supervised professional experience shall be part of an organized sequence of training within the applicant's doctoral program, which meets the criteria specified in subsection A or B of this section.
2. The supervised experience shall include face-to-face direct client services, service-related activities, and supporting activities.

a. "Face-to-face direct client services" means treatment/intervention, assessment, and interviewing of clients.

b. "Service-related activities" means scoring, reporting or treatment note writing, and consultation related to face-to-face direct services.

c. "Supporting activities" means time spent under supervision of face-to-face direct services and service-related activities provided on-site or in the trainee's academic department, as well as didactic experiences, such as laboratories or seminars, directly related to such services or activities.

3. In order for pre-doctoral practicum hours to fulfill all or part of the residency requirement, the following shall apply:

a. Not less than one-quarter of the hours shall be spent in providing face-to-face direct client services;

b. Not less than one-half of the hours shall be in a combination of face-to-face direct service hours and hours spent in service-related activities; and

c. The remainder of the hours may be spent in a combination of face-to-face direct services, service-related activities, and supporting activities.

4. A minimum of one hour of individual face-to-face supervision shall be provided for every eight hours of supervised professional experience spent in direct client contact and service-related activities.

5. Two hours of group supervision with up to five practicum students may be substituted for one hour of individual supervision. In no case shall the hours of individual supervision be less than one-half of the total hours of supervision.

6. The hours of pre-doctoral supervised experience reported by an applicant shall be certified by the program's director of clinical training on a form provided by the board.

18VAC125-20-55. Education requirements for applied psychologists.

A. The applicant shall hold a doctorate from professional psychology program from a regionally accredited university which meets the following criteria:

1. The program is within an institution of higher education accredited by an accrediting agency recognized by the United States Department of Education, or publicly recognized by the Association of Universities and Colleges of Canada as a member in good standing. Graduates of programs that are not within the United States or Canada must provide documentation from a credential evaluation service acceptable to the board which demonstrates that the program meets the requirements set forth in this chapter.

2. The program shall be recognizable as an organized entity within the institution.

3. The program shall be an integrated, organized sequence of study with an identifiable psychology faculty and a psychologist directly responsible for the program, and shall have an identifiable body of students who are matriculated in that program for a degree. The faculty shall be accessible to students and provide them with guidance and supervision. The faculty shall provide appropriate professional role models and engage in actions that promote the student's acquisition of knowledge, skills and competencies consistent with the program's training goals.

4. The program shall encompass a minimum of three academic years of full-time graduate study or the equivalent thereof.

5. The program shall include a general core curriculum containing a minimum of three or more graduate semester hours or five or more graduate quarter hours in each of the following substantive content areas.

- a. Biological bases of behavior (e.g., physiological psychology, comparative psychology, neuropsychology, sensation and perception, health psychology, pharmacology, neuroanatomy).
- b. Cognitive-affective bases of behavior (e.g., learning theory, cognition, motivation, emotion).
- c. Social bases of behavior (e.g., social psychology, group processes, organizational and systems theory, community and preventive psychology, multicultural issues).
- d. Psychological measurement.
- e. Research methodology.
- f. Techniques of data analysis.
- g. Professional standards and ethics.

B. Demonstration of competence in applied psychology shall be met by including a minimum of at least 18 semester hours or 30 quarter hours in a concentrated program of study in an identified area of psychology, e.g., developmental, social, cognitive, motivation, applied behavioral analysis, industrial/organizational, human factors, personnel selection and evaluation, program planning and evaluation, teaching, research or consultation.

18VAC125-20-56. Education requirements for school psychologists.

A. The applicant shall hold at least a master's degree in school psychology, with a minimum of at least 60 semester credit hours or 90 quarter hours, from a college or university accredited by a regional accrediting agency, which was accredited by the APA, NCATE or NASP, or shall meet the requirements of subsection B of this section.

B. If the applicant does not hold a master's degree in school psychology from a program accredited by the APA, NCATE or NASP, the applicant shall have a master's degree from a

psychology program which offers education and training to prepare individuals for the practice of school psychology as defined in § 54.1-3600 of the Code of Virginia and which meets the following criteria:

1. The program is within an institution of higher education accredited by an accrediting agency recognized by the United States Department of Education, or publicly recognized by the Association of Universities and Colleges of Canada as a member in good standing. Graduates of programs that are not within the United States or Canada must provide documentation from a credential evaluation service acceptable to the board which demonstrates that the program meets the requirements set forth in this chapter.
2. The program shall be recognizable as an organized entity within the institution.
3. The program shall be an integrated, organized sequence of study with an identifiable psychology faculty and a psychologist directly responsible for the program, and shall have an identifiable body of students who are matriculated in that program for a degree. The faculty shall be accessible to students and provide them with guidance and supervision. The faculty shall provide appropriate professional role models and engage in actions that promote the student's acquisition of knowledge, skills and competencies consistent with the program's training goals.
4. The program shall encompass a minimum of two academic years of full-time graduate study or the equivalent thereof.
5. The program shall include a general core curriculum containing a minimum of three or more graduate semester hours or five or more graduate quarter hours in each of the following substantive content areas.

- a. Psychological foundations (e.g., biological bases of behavior, human learning, social and cultural bases of behavior, child and adolescent development, individual differences).
 - b. Educational foundations (e.g., instructional design, organization and operation of schools).
 - c. Interventions/problem-solving (e.g., assessment, direct interventions, both individual and group, indirect interventions).
 - d. Statistics and research methodologies (e.g., research and evaluation methods, statistics, measurement).
 - e. Professional school psychology (e.g., history and foundations of school psychology, legal and ethical issues, professional issues and standards, alternative models for the delivery of school psychological services, emergent technologies, roles and functions of the school psychologist).
6. The program shall be committed to practicum experiences which shall include:
- a. Orientation to the educational process;
 - b. Assessment for intervention;
 - c. Direct intervention, including counseling and behavior management; and
 - d. Indirect intervention, including consultation.

18VAC125-20-65. Supervised experience.

A. Internship requirement.

1. Candidates for clinical psychologist licensure shall have successfully completed an internship in a program that is either accredited by APA, or APPIC, or the Association of State and Provincial Psychology Boards/National Register of Health Service

~~Psychologists, or one that meets equivalent standards. If the internship was obtained in an educational program outside of the U. S. or Canada, a credentialing service approved by the board shall verify equivalency to an internship in an APA-accredited program.~~

2. Candidates for school psychologist licensure shall have successfully completed an internship in a program accredited by the APA, APPIC, or NASP ~~or one that meets equivalent standards.~~

B. Residency requirement.

1. Candidates for clinical or school psychologist licensure shall have successfully completed a residency consisting of a minimum of 1,500 hours in a period of not less than 12 months and not to exceed three years of supervised experience in the delivery of clinical or school psychology services acceptable to the board, or the applicant may request approval to begin a residency.

2. Supervised experience obtained in Virginia without prior written board approval will not be accepted toward licensure. Candidates shall not begin the residency until after completion of the required degree as set forth in 18VAC125-20-54 or 18VAC125-20-56. An individual who proposes to obtain supervised post-degree experience in Virginia shall, prior to the onset of such supervision, submit a supervisory contract along with the application package and pay the registration of supervision fee set forth in 18VAC125-20-30.

3. If board approval was required for supervised experience obtained in another U.S. jurisdiction or Canada in which residency hours were obtained, a candidate shall provide evidence of board approval from such jurisdiction.

~~3.4.~~ There shall be a minimum of two hours of individual supervision per ~~week~~ 40 hours of supervised experience. Group supervision of up to five residents may be substituted for

one of the two hours ~~per week~~ on the basis that two hours of group supervision equals one hour of individual supervision, but in no case shall the resident receive less than one hour of individual supervision per ~~week~~ 40 hours.

~~4.5.~~ Residents may not refer to or identify themselves as applied psychologists, clinical psychologists, or school psychologists; independently solicit clients; bill for services; or in any way represent themselves as licensed psychologists. Notwithstanding the above, this does not preclude supervisors or employing institutions for billing for the services of an appropriately identified resident. During the residency period they shall use their names, the initials of their degree, and the title, "Resident in Psychology," in the licensure category in which licensure is sought.

~~5.6.~~ Supervision shall be provided by a psychologist licensed to practice in the licensure category in which the resident is seeking licensure.

~~6.7.~~ The supervisor shall not provide supervision for activities beyond the supervisor's demonstrable areas of competence, nor for activities for which the applicant has not had appropriate education and training.

~~7.8.~~ At the end of the residency training period, the supervisor or supervisors shall submit to the board a written evaluation of the applicant's performance.

~~8.9.~~ The board may consider special requests in the event that the regulations create an undue burden in regard to geography or disability that limits the resident's access to qualified supervisors.

C. For a clinical psychologist license, a candidate may submit evidence of having met the supervised experience requirements in a ~~pre-doctoral~~ doctoral practicum as specified in 18VAC125-20-54 D in substitution for all or part of the 1,500 residency hours specified in this section. If the supervised experience hours completed in a practicum do not total 1,500 hours or

if a candidate is deficient in any of the categories of hours, a person candidate may fulfill the remainder of the hours by meeting requirements specified in subsection B of this section.

D. Candidates for clinical psychologist licensure shall provide documentation that the ~~internship and residency included appropriate emphasis and experience in the diagnosis and treatment of persons with moderate to severe mental disorders~~ hours were completed no more than four years prior to submission of an application for licensure.

Part III

Examinations

18VAC125-20-80. General examination requirements.

A. ~~An applicant for clinical or school psychologist licensure enrolled in an approved residency training program required in 18VAC125-20-65 who has met all requirements for licensure except completion of that program shall be eligible to take the national written examination.~~

B. ~~A candidate approved by the board to sit for an examination shall take that~~ achieve a passing score on the final step of the national examination within two years of the date of the initial board approval immediately preceding licensure. A candidate may request an extension of the two-limitation for extenuating circumstances. If the candidate has not taken the examination by the end of the two-year period here prescribed, the applicant shall reapply according to the requirements of the regulations in effect at that time.

C. The board shall establish passing scores on all steps of the examination.

Part V

Licensure Renewal; Reinstatement

18VAC125-20-120. Annual renewal of licensure.

Every license issued by the board shall expire each year on June 30.

1. Every licensee who intends to continue to practice shall, on or before the expiration date of the license, submit to the board a license renewal form supplied by the board and the renewal fee prescribed in 18VAC125-20-30.

2. Licensees who wish to maintain an active license shall pay the appropriate fee and verify on the renewal form compliance with the continuing education requirements prescribed in 18VAC125-20-121. First-time licensees by examination are not required to verify continuing education on the first renewal date following initial licensure.

3. A licensee who wishes to place his license in inactive status may do so upon payment of the fee prescribed in 18VAC125-20-30. A person with an inactive license is not authorized to practice. ~~No~~ no person shall practice psychology in Virginia ~~unless he holds~~ without a current active license. An inactive licensee may activate his license by fulfilling the reactivation requirements set forth in 18VAC125-20-130.

4. Licensees shall notify the board office in writing within 60 days of any change of address of record or of the public address, if different from the address of record.

5. Failure of a licensee to receive a renewal notice and application forms from the board shall not excuse the licensee from the renewal requirement.

18VAC125-20-121. Continuing education course requirements for renewal of an active license.

A. Licensees shall be required to have completed a minimum of 14 hours of board-approved continuing education courses each year for annual licensure renewal. A minimum of 1.5 of these hours shall be in courses that emphasize the ethics, laws, and regulations governing the profession of psychology, including the standards of practice set out in 18VAC125-20-150. A licensee who completes continuing education hours in excess of the 14 hours may carry up to

seven hours of continuing education credit forward to meet the requirements for the next annual renewal cycle.

B. For the purpose of this section, "course" means an organized program of study, classroom experience or similar educational experience that is directly related to the practice of psychology and is provided by a board-approved provider that meets the criteria specified in 18VAC125-20-122.

1. At least six of the required hours shall be earned in face-to-face or real-time interactive educational experiences. Real-time interactive shall include a course in which the learner has the opportunity to interact with the presenter and participants during the time of the presentation.

2. The board may approve up to four hours per renewal cycle for specific educational experiences to include:

a. Preparation for and presentation of a continuing education program, seminar, workshop or course offered by an approved provider and directly related to the practice of psychology. Hours may only be credited one time, regardless of the number of times the presentation is given, and may not be credited toward the face-to-face requirement.

b. Publication of an article or book in a recognized publication directly related to the practice of psychology. Hours may only be credited one time, regardless of the number of times the writing is published, and may not be credited toward the face-to-face requirement.

3. A maximum of 14 hours will be accepted for each academic course directly related to the practice of psychology.

4. The board may approve up to two hours per renewal cycle for membership on a state licensing board in psychology.

C. Courses must be directly related to the scope of practice in the category of licensure held. Continuing education courses for clinical psychologists shall emphasize, but not be limited to, the diagnosis, treatment and care of patients with moderate and severe mental disorders.

D. The board may grant an extension for good cause of up to one year for the completion of continuing education requirements upon written request from the licensee prior to the renewal date. Such extension shall not relieve the licensee of the continuing education requirement.

E. The board may grant an exemption for all or part of the continuing education requirements for one renewal cycle due to circumstances determined by the board to be beyond the control of the licensee.

F. Up to two of the 14 continuing education hours required for renewal may be satisfied through delivery of psychological services, without compensation, to low-income individuals receiving mental health services through a local health department or a free clinic organized in whole or primarily for the delivery of those health services as verified by the department or clinic. Three hours of volunteer service is required for one hour of continuing education credit.

18VAC125-20-122. Continuing education providers.

A. The following organizations, associations or institutions are approved by the board to provide continuing education:

1. Any psychological association recognized by the profession or providers approved by such an association.
2. Any association or organization of mental health, health or psychoeducational providers recognized by the profession or providers approved by such an association or organization.

~~3. Any association or organization providing courses related to forensic psychology recognized by the profession or providers approved by such an association or organization.~~

~~4. Any regionally accredited institution of higher learning. A maximum of 14 hours will be accepted for each academic course directly related to the practice of psychology.~~

~~5.4.~~ Any governmental agency or facility that offers mental health, health or psychoeducational services.

~~6.5.~~ Any licensed hospital or facility that offers mental health, health or psychoeducational services.

~~7.6.~~ Any association or organization that has been approved as a continuing competency education provider by a psychology board in another state or jurisdiction.

B. Continuing education providers approved under subsection A of this section shall:

1. Maintain documentation of the course titles and objectives and of licensee attendance and completion of courses for a period of four years.

2. Monitor attendance at classroom or similar face-to-face educational experiences.

3. Provide a certificate of completion for licensees who successfully complete a course.

The certificate shall indicate the number of continuing education hours for the course and shall indicate hours that may be designated as ethics, if any.

18VAC125-20-123. Documenting compliance with continuing education requirements.

A. All licensees in active status are required to maintain original documentation for a period of four years.

B. After the end of each renewal period, the board may conduct a random audit of licensees to verify compliance with the requirement for that renewal period.

C. Upon request, a licensee shall provide documentation as follows:

1. Official transcripts showing credit hours earned from an accredited institution; or
2. Certificates of completion from approved providers.

D. Compliance with continuing education requirements, including the maintenance of records and the relevance of the courses to the category of licensure, is the responsibility of the licensee. The board may request additional information if such compliance is not clear from the transcripts or certificates.

E. Continuing education hours required by disciplinary order shall not be used to satisfy renewal requirements.

18VAC125-20-130. Late renewal; reinstatement; reactivation.

A. A person whose license has expired may renew it within one year after its expiration date by paying the penalty late fee prescribed in 18VAC125-20-30 and the license renewal fee for the year the license was not renewed and by completing the continuing education requirements specified in 18VAC125-20-121.

B. A person whose license has not been renewed for one year or more and who wishes to resume practice shall:

1. Present evidence to the board of having met all applicable continuing education requirements equal to the number of years the license has lapsed been expired, not to exceed four years;
2. Pay the reinstatement fee as prescribed in 18VAC125-20-30; and
3. Submit verification of any professional certification or licensure obtained in any other jurisdiction subsequent to the initial application for licensure.

C. A psychologist wishing to reactivate an inactive license shall submit the renewal fee for active licensure minus any fee already paid for inactive licensure renewal, and document completion of continued ~~competency~~ education hours equal to the number of years the license has been inactive, not to exceed four years.

Part VI

Standards of Practice; Unprofessional Conduct; Disciplinary Actions; Reinstatement

18VAC125-20-150. Standards of practice.

A. The protection of the public health, safety, and welfare and the best interest of the public shall be the primary guide in determining the appropriate professional conduct of all persons whose activities are regulated by the board. Psychologists respect the rights, dignity and worth of all people, and are mindful of individual differences. Regardless of the delivery method, these standards shall apply to the practice of psychology.

B. Persons licensed by the board shall:

1. Provide and supervise only those services and use only those techniques for which they are qualified by training and appropriate experience;

~~2. Delegate to their employees, supervisees, residents and research assistants~~ persons under their supervision only those responsibilities such persons can be expected to perform competently by education, **training and** experience. ~~Take ongoing steps to maintain competence in the skills they use;~~

3. Maintain current competency in the areas of practices, through continuing education, consultation, and/or other procedures, in conformance with current standards of scientific and professional knowledge;

~~2.4. When making public statements regarding~~ Accurately represent their areas of competence, education, training, experience, professional affiliations, credentials,

published findings, ~~directory listings, curriculum vitae, etc.,~~ to ensure that such statements are neither fraudulent nor misleading;

~~3.5.~~ Neither accept nor give commissions, rebates or other forms of remuneration for referral of clients for professional services. Make appropriate consultations and referrals consistent with the law and based on the interest of patients or clients;

~~4.6.~~ Refrain from undertaking any activity in which their personal problems are likely to lead to inadequate or harmful services;

~~5.7.~~ Avoid harming, exploiting, or misleading patients or clients, research participants, students and others for whom they provide professional services and minimize harm when it is foreseeable and unavoidable. ~~Not exploit or mislead people for whom they provide professional services.~~ Be alert to and guard against misuse of influence;

~~6.~~ ~~Avoid dual relationships with patients, clients, residents or supervisees that could impair professional judgment or compromise their well-being (to include but not limited to treatment of close friends, relatives, employees);~~

~~7.8.~~ Withdraw from, adjust or clarify conflicting roles with due regard for the best interest of the affected party or parties and maximal compliance with these standards;

~~8.~~ ~~Not engage in sexual intimacies or a romantic relationship with a student, supervisee, resident, therapy patient, client, or those included in collateral therapeutic services (such as a parent, spouse, or significant other) while providing professional services. For at least five years after cessation or termination of professional services, not engage in sexual intimacies or a romantic relationship with a therapy patient, client, or those included in collateral therapeutic services. Consent to, initiation of, or participation in sexual behavior or romantic involvement with a psychologist does not change the exploitative nature of the conduct nor lift the prohibition. Since sexual or romantic relationships are potentially~~

~~exploitative, psychologists shall bear the burden of demonstrating that there has been no exploitation;~~

~~9. Keep confidential their professional relationships with patients or clients and disclose client records to others only with written consent except: (i) when a patient or client is a danger to self or others, (ii) as required under § 32.1-127.1:03 of the Code of Virginia, or (iii) as permitted by law for a valid purpose;~~

~~10.9. Make reasonable efforts arrangements for another professional to deal with emergency needs of clients during periods of foreseeable absences from professional availability and to provide for continuity of care when services must be interrupted or terminated;~~

~~11.10. Conduct financial responsibilities to clients in an ethical and honest manner by:~~

~~a. Inform Informing clients of professional services, fees, billing arrangements and limits of confidentiality before rendering services.~~

~~b. Inform Informing the consumer clients prior to the use of collection agencies or legal measures to collect fees and provide opportunity for prompt payment.~~

~~c. Requiring a signed consent for fees that deviate from the practitioner's usual and customary fees for services.~~

~~Avoid bartering goods and services.~~

~~d. Participate Participating in bartering only if it is not clinically contraindicated and is not exploitative.~~

~~e. Not obtaining, attempting to obtain, or cooperating with others in obtaining payment for services by misrepresenting services provided; dates of service or status of treatment;~~

11. Be able to justify all services rendered to clients as necessary for diagnostic or therapeutic purposes;

12. Construct, maintain, administer, interpret and report testing and diagnostic services in a manner and for purposes which are most current and appropriate;

~~13. Keep pertinent, confidential records for at least five years after termination of services to any consumer;~~

14. Design, conduct and report research in accordance with recognized standards of scientific competence and research ethics. Practitioners shall adhere to requirements of § 32.1-162.18 of the Code of Virginia for obtaining informed consent from patients prior to involving them as subjects in human research, with the exception of retrospective chart reviews; and

~~15.~~14. Report to the board known or suspected violations of the laws and regulations governing the practice of psychology;

15. Disclose to clients all methods of treatment and inform clients of the risks and benefits of any such treatment;

16. Determine whether a client is receiving services from another mental health service provider, and if so, refrain from providing services to the client without having an informed consent discussion with the client and having been granted communication privileges with the other professional; and

17. Document the need for and steps taken to terminate a therapeutic relationship when it becomes clear that the client is not benefiting from the relationship. Document the assistance provided in making arrangements for the continuation of treatment for clients, when necessary, following termination of a therapeutic relationship.

C. In regard to client records and confidentiality, persons licensed by the board shall:

1. Keep confidential their professional relationships with patients or clients and disclose client records to others only with written consent except: (a) to take precautions to protect third parties in accordance with § 54.1-2400.1 of the Code of Virginia; (b) when a patient or client is a danger to self, (c) to report child abuse as required under § 63.2-1509 of the Code of Virginia; (d) to report abuse of aged or incapacitated adults as required under § 63.2-1606 of the Code of Virginia; (e) as required under §32.1-127.1:03 of the Code of Virginia, or (f) as permitted by law for a valid purpose;

2. Ensure confidentiality in the usage of client information and clinical materials by obtaining informed consent from the client or the client's legally authorized representative before (a) videotaping, (b) audio recording, (c) permitting third party observation, or (d) using identifiable client records and clinical materials in teaching, writing, or public presentations;

3. Not willfully or negligently breach the confidentiality between a practitioner and a client. A breach of confidentiality that is required or permitted by applicable law or beyond the control of the practitioner shall not be considered negligent or willful.

D. In regard to client records, persons licensed by the board shall:

1. Maintain timely, accurate, legible and complete written or electronic records for each client that includes:

a. the name of the client and other identifying information;

b. the presenting problem(s), purpose, or diagnosis;

c. documentation of the fee arrangement;

d. the date and substance of each billed or service-count contractor service;

e. any test results or other evaluative results obtained and any basic test data from which they were derived;

f. notation and results of formal consults with other providers;

g. a copy of all test or other evaluative reports prepared as part of the professional relationship; and

h. any releases by the client.

2. Maintain client records securely, inform all employees of the requirements of confidentiality and dispose of written, electronic and other records in such a manner as to insure their confidentiality.

3. Maintain client records for a minimum of five years or as otherwise required by law from the last date of service, with the following exceptions:

a. At minimum, records of a minor child shall be maintained for five years after attaining the age of majority (18 years);

b. Records that are required by contractual obligation or federal law to be maintained for a longer period of time; or

c. Records that have been transferred to another mental health service provider or given to the client or his legally authorized representative.

E. In regard to dual relationships, persons licensed by the board shall:

1. Not engage in a dual relationship with a person under supervision that could impair professional judgment or increase the risk of exploitation or harm Psychologists shall take appropriate professional precautions when a dual relationship cannot be avoided, such as informed consent, consultation, supervision, and documentation to ensure that judgment is not impaired and no exploitation occurs;

2. Not engage in sexual intimacies or a romantic relationship with a student, supervisee, resident, intern, therapy patient, client, or those included in collateral therapeutic services (such as a parent, spouse, or significant other) while providing professional services. For at least five years after cessation or termination of professional services, not engage in sexual intimacies or a romantic relationship with a therapy patient, client, or those included in collateral therapeutic services. Consent to, initiation of, or participation in sexual behavior or romantic involvement with a psychologist does not change the exploitative nature of the conduct nor lift the prohibition. Since sexual or romantic relationships are potentially exploitative, psychologists shall bear the burden of demonstrating that there has been no exploitation, based on factors such as duration of therapy, amount of time since therapy, termination circumstances, client's personal history and mental status, and adverse impact on the client;

3. Not engage in a personal relationship with a former client in which there is a risk of exploitation or potential harm or if the former client continues to relate to the psychologist in his professional capacity; and

4. Recognize conflicts of interest and inform all parties of the nature and directions of loyalties and responsibilities involved.

E. Upon learning of evidence that indicates a reasonable probability that another mental health provider is or may be guilty of a violation of standards of conduct as defined in statute or regulation, persons licensed by the board shall advise their clients of their right to report such misconduct to the Department of Health Professions in accordance with § 54.1-2400.4 of the Code of Virginia.

18VAC125-20-160. Grounds for disciplinary action or denial of licensure.

The board may take disciplinary action or deny a license for any of the following causes:

1. Conviction of a felony, or a misdemeanor involving moral turpitude;
2. Procuring ~~ef~~ or maintaining a license by fraud or misrepresentation;
3. ~~Misuse of drugs or alcohol to the extent that it interferes with professional functioning~~
Conducting one's practice in such a manner so as to make it a danger to the health and welfare of one's clients or to the public;
4. ~~Negligence in professional conduct~~ Intentional or negligent conduct that causes or is likely to cause injury to a client or clients or any violation of practice standards set forth in 18VAC125-20-150 including but not limited to this chapter;
5. Performing functions outside areas of competency;
6. ~~Mental, emotional, or physical incompetence to practice the profession~~ Inability to practice psychology with reasonable skill and safety to clients by reason of illness or substance misuse, or as a result of any mental, emotional, or physical condition;
7. Failure to comply with the continued ~~competency~~ education requirements set forth in this chapter; or
8. Violating or aiding and abetting another to violate any statute applicable to the practice of the profession regulated or any provision of this chapter.
9. Knowingly allowing persons under supervision to jeopardize client safety or provide care to clients outside of such person's scope of practice or area of responsibility;
10. Performance of an act likely to deceive, defraud, or harm the public;
11. Action taken against a health or mental health license, certification, registration, or application in Virginia or other jurisdiction;
12. Failure to cooperate with an employee of the Department of Health Professions in the conduct of an investigation; or

13. Failure to report evidence of child abuse or neglect as required in § 63.2-1509 of the Code of Virginia, or abuse of aged and incapacitated adults as required in § 63.2-1606 of the Code of Virginia.

18VAC125-20-170. Reinstatement following disciplinary action.

A. Any person whose license has been revoked by the board under the provisions of 18VAC125-20-160 may, three years subsequent to such board action, submit a new application to the board for reinstatement of licensure. The board in its discretion may, after a hearing, grant the reinstatement.

B. The applicant for such reinstatement, if approved, shall be licensed upon payment of the appropriate fee applicable at the time of reinstatement.



COMMONWEALTH of VIRGINIA

David E. Brown, D.C.
Director

Department of Health Professions

Perimeter Center
9960 Mayland Drive, Suite 300
Henrico, Virginia 23233-1463

www.dhp.virginia.gov
TEL (804) 367- 4400
FAX (804) 527- 4475

MEMORANDUM

TO: Members, Board of Psychology

FROM: David E. Brown, D.C.

DATE: August 11, 2017

SUBJECT: Revenue, Expenditures, & Cash Balance Analysis

Virginia law requires that an analysis of revenues and expenditures of each regulatory board be conducted at least biennially. If revenues and expenditures for a given board are more than 10% apart, the Board is required by law to adjust fees so that the fees are sufficient, but not excessive, to cover expenses. The action by the Board can be a fee increase, a fee decrease, or it can maintain the current fees.

The Board of Psychology ended the 2014 - 2016 biennium (July 1, 2014, through June 30, 2016) with a cash balance of \$883,936. Current projections indicate that revenue for the 2016 - 2018 biennium (July 1, 2016, through June 30, 2018) will exceed expenditures by approximately \$138,983. When combined with the Board's \$883,936 cash balance as of June 30, 2016, the Board of Psychology projected cash balance on June 30, 2018, is \$1,022,919.

We recommend the Board consider a one-time renewal fee decrease. Please note that these projections are based on internal agency assumptions and are, therefore, subject to change based on actions by some other state agencies, the Governor and/or the General Assembly.

We are grateful for continued support and cooperation as we work together to manage the fiscal affairs of the Board and the Department.

Please do not hesitate to call me if you have questions.

CC: Jaime Hoyle, Chief Deputy Director
Lisa R. Hahn, Chief Deputy Director
Charles E. Giles, Budget Manager
Elaine Yeatts, Senior Policy Analyst

Commonwealth of Virginia



REGULATIONS
GOVERNING THE PRACTICE OF
PSYCHOLOGY

VIRGINIA BOARD OF PSYCHOLOGY

Title of Regulations: 18 VAC 125-20-10 et seq.

**Statutory Authority: § 54.1-2400 and Chapter 36 of Title 54.1
of the *Code of Virginia***

Revised Date: March 9, 2017

9960 Mayland Drive, Suite 300
Henrico, VA 23233-1463

Phone: (804) 367-4697
FAX: (804) 527-4435
psy@dhp.virginia.gov

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Part I. General Provisions.

18VAC125-20-10. Definitions.

The following words and terms, in addition to the words and terms defined in §54.1-3600 of the Code of Virginia, when used in this chapter shall have the following meanings, unless the context clearly indicates otherwise:

"APA" means the American Psychological Association.

"APPIC" means the Association of Psychology Postdoctoral and Internship Centers.

"Board" means the Virginia Board of Psychology.

"Candidate for licensure" means a person who has satisfactorily completed the appropriate educational and experience requirements for licensure and has been deemed eligible by the board to sit for the required examinations.

"Demonstrable areas of competence" means those therapeutic and assessment methods and techniques, and populations served, for which one can document adequate graduate training, workshops, or appropriate supervised experience.

"Internship" means an ongoing, supervised and organized practical experience obtained in an integrated training program identified as a psychology internship. Other supervised experience or on-the-job training does not constitute an internship.

"NASP" means the National Association of School Psychologists.

"NCATE" means the National Council for the Accreditation of Teacher Education.

"Practicum" means the pre-internship clinical experience that is part of a graduate educational program.

"Professional psychology program" means an integrated program of doctoral study designed to train professional psychologists to deliver services in psychology.

"Regional accrediting agency" means one of the six regional accrediting agencies recognized by the United States Secretary of Education established to accredit senior institutions of higher education.

"Residency" means a post-internship, post-terminal degree, supervised experience approved by the board.

"School psychologist-limited" means a person licensed pursuant to §54.1-3606 of the Code of Virginia to provide school psychology services solely in public school divisions.

"Supervision" means the ongoing process performed by a supervisor who monitors the performance of the person supervised and provides regular, documented individual consultation, guidance and instruction with respect to the skills and competencies of the person supervised.

"Supervisor" means an individual who assumes full responsibility for the education and training activities of a person and provides the supervision required by such a person.

18VAC125-20-20. [Repealed]

18VAC125-20-30. Fees required by the board.

A. The board has established fees for the following:

	Clinical psychologists Applied psychologists School psychologists	School psychologists- limited
1. Registration of residency (per residency request)	\$50	
2. Add or change supervisor	\$25	
3. Application processing and initial licensure	\$200	\$85
4. Annual renewal of active license	\$140	\$70
5. Annual renewal of inactive license	\$70	\$35
6. Late renewal	\$50	\$25
7. Verification of license to another jurisdiction	\$25	\$25
8. Duplicate license	\$5	\$5
9. Additional or replacement wall certificate	\$15	\$15
10. Returned check	\$35	\$35
11. Reinstatement of a lapsed license	\$270	\$125
12. Reinstatement following revocation or suspension	\$500	\$500

B. Fees shall be made payable to the Treasurer of Virginia and forwarded to the board. All fees are nonrefundable.

C. Between April 30, 2016 and June 30, 2016, the following renewal fees shall be in effect:

1. For an active license as a clinical, applied or school psychologist, it shall be \$84. For an inactive license as a clinical, applied or school psychologist, it shall be \$42.
2. For an active license as a school psychologist-limited, it shall be \$42. For an inactive license as a school psychologist-limited, it shall be \$21.

Part II. Requirements for Licensure.

18VAC125-20-40. General requirements for licensure.

Individuals licensed in one licensure category who wish to practice in another licensure category shall submit an application for the additional licensure category in which the licensee seeks to practice.

18VAC125-20-41. Requirements for licensure by examination.

A. Every applicant for examination for licensure by the board shall:

1. Meet the education requirements prescribed in 18VAC125-20-54, 18VAC125-20-55, or 18VAC125-20-56 and the experience requirement prescribed in 18VAC125-20-65 as applicable for the particular license sought; and

2. Submit the following:

a. A completed application on forms provided by the board;

b. A completed residency agreement or documentation of having fulfilled the experience requirements of 18VAC125-20-65;

c. The application processing fee prescribed by the board;

d. Official transcripts documenting the graduate work completed and the degree awarded; transcripts previously submitted for registration of supervision do not have to be resubmitted unless additional coursework was subsequently obtained. Applicants who are graduates of institutions that are not regionally accredited shall submit documentation from an accrediting agency acceptable to the board that their education meets the requirements set forth in 18VAC125-20-54, 18VAC125-20-55 or 18VAC125-20-56; and

e. Verification of any other health or mental health professional license or certificate ever held in another jurisdiction.

B. In addition to fulfillment of the education and experience requirements, each applicant for licensure by examination must achieve a passing score on the Examination for Professional Practice of Psychology.

C. Every applicant shall attest to having read and agreed to comply with the current standards of practice and laws governing the practice of psychology in Virginia.

18VAC125-20-42. Prerequisites for licensure by endorsement.

Every applicant for licensure by endorsement shall submit:

1. A completed application;

2. The application processing fee prescribed by the board;

3. An attestation of having read and agreed to comply with the current Standards of Practice and laws governing the practice of psychology in Virginia;

4. Verification of all other health and mental health professional licenses or certificates ever held in any jurisdiction. In order to qualify for endorsement, the applicant shall not have surrendered a license or certificate while under investigation and shall have no unresolved action against a license or certificate;

5. A current report from the National Practitioner Data Bank; and
6. Further documentation of one of the following:
 - a. A current listing in the National Register of Health Service Psychologists;
 - b. Current diplomate status in good standing with the American Board of Professional Psychology in a category comparable to the one in which licensure is sought;
 - c. A Certificate of Professional Qualification in Psychology (CPQ) issued by the Association of State and Provincial Psychology Boards;
 - d. Ten years of active licensure in a category comparable to the one in which licensure is sought, with an appropriate degree as required in this chapter documented by an official transcript; or
 - e. If less than 10 years of active licensure, documentation of current psychologist licensure in good standing obtained by standards substantially equivalent to the education, experience and examination requirements set forth in this chapter for the category in which licensure is sought as verified by a certified copy of the original application submitted directly from the out-of-state licensing agency or a copy of the regulations in effect at the time of initial licensure and the following:
 - (1) Documentation of post-licensure active practice for at least 24 of the last sixty months immediately preceding licensure application;
 - (2) Verification of a passing score on the Examination for Professional Practice of Psychology as established in Virginia for the year of that administration; and
 - (3) Official transcripts documenting the graduate work completed and the degree awarded in the category in which licensure is sought.

18VAC125-20-43. Requirements for licensure as a school psychologist-limited.

- A. Every applicant for licensure as a school psychologist-limited shall submit to the board:
 1. A copy of a current license issued by the Board of Education showing an endorsement in psychology.
 2. An official transcript showing completion of a master's degree in psychology.
 3. A completed Employment Verification Form of current employment by a school system under the Virginia Department of Education.
 4. The application fee.
- B. At the time of licensure renewal, school psychologists-limited shall be required to submit an updated Employment Verification Form if there has been a change in school district in which the licensee is currently employed.

18VAC125-20-50 to 18VAC125-20-53. [Repealed]

18VAC125-20-54. Education requirements for clinical psychologists.

A. The applicant shall hold a doctorate from a professional psychology program in a regionally accredited university, which was accredited by the APA in clinical or counseling psychology within four years after the applicant graduated from the program, or shall meet the requirements of subsection B of this section.

B. If the applicant does not hold a doctorate from an APA accredited program, the applicant shall hold a doctorate from a professional psychology program which documents that it offers education and training which prepares individuals for the practice of clinical psychology as defined in §54.1-3600 of the Code of Virginia and which meets the following criteria:

1. The program is within an institution of higher education accredited by an accrediting agency recognized by the United States Department of Education or publicly recognized by the Association of Universities and Colleges of Canada as a member in good standing. Graduates of programs that are not within the United States or Canada must provide documentation from an acceptable credential evaluation service which provides information that allows the board to determine if the program meets the requirements set forth in this chapter.

2. The program shall be recognizable as an organized entity within the institution.

3. The program shall be an integrated, organized sequence of study with an identifiable psychology faculty and a psychologist directly responsible for the program, and shall have an identifiable body of students who are matriculated in that program for a degree. The faculty shall be accessible to students and provide them with guidance and supervision. The faculty shall provide appropriate professional role models and engage in actions that promote the student's acquisition of knowledge, skills and competencies consistent with the program's training goals.

4. The program shall encompass a minimum of three academic years of full-time graduate study or the equivalent thereof.

5. The program shall include a general core curriculum containing a minimum of three or more graduate semester hours or five or more graduate quarter hours in each of the following substantive content areas.

a. Biological bases of behavior (e.g., physiological psychology, comparative psychology, neuropsychology, sensation and perception, health psychology, pharmacology, neuroanatomy).

b. Cognitive-affective bases of behavior (e.g., learning theory, cognition, motivation, emotion).

c. Social bases of behavior (e.g., social psychology, group processes, organizational and systems theory, community and preventive psychology, multicultural issues).

d. Psychological measurement.

e. Research methodology.

f. Techniques of data analysis.

g. Professional standards and ethics.

6. The program shall include a minimum of at least three or more graduate semester credit hours or five or more graduate quarter hours in each of the following clinical psychology content areas:

a. Individual differences in behavior (e.g., personality theory, cultural difference and diversity).

b. Human development (e.g., child, adolescent, geriatric psychology).

c. Dysfunctional behavior, abnormal behavior or psychopathology.

d. Theories and methods of intellectual assessment and diagnosis.

e. Theories and methods of personality assessment and diagnosis including its practical application.

f. Effective interventions and evaluating the efficacy of interventions.

C. Applicants shall submit documentation of having successfully completed practicum experiences in assessment and diagnosis, psychotherapy, consultation and supervision. The practicum shall include a minimum of nine graduate semester hours or 15 or more graduate quarter hours or equivalent in appropriate settings to ensure a wide range of supervised training and educational experiences.

D. An applicant for a clinical license may fulfill the residency requirement of 1,500 hours, or some part thereof, as required for licensure in 18VAC125-20-65 B, in the pre-doctoral practicum supervised experience that meets the following standards:

1. The supervised professional experience shall be part of an organized sequence of training within the applicant's doctoral program, which meets the criteria specified in subsections A or B of this section.

2. The supervised experience shall include face-to-face direct client services, service-related activities, and supporting activities.

a. "Face-to-face direct client services" means treatment/intervention, assessment, and interviewing of clients.

b. "Service-related activities" means scoring, reporting or treatment note writing, and consultation related to face-to-face direct services.

c. "Supporting activities" means time spent under supervision of face-to-face direct services and service-related activities provided on-site or in the trainee's academic department, as well as didactic experiences, such as laboratories or seminars, directly related to such services or activities.

3. In order for pre-doctoral practicum hours to fulfill the all or part of the residency requirement, the following shall apply:

- a. Not less than one-quarter of the hours shall be spent in providing face-to-face direct client services;
 - b. Not less than one-half of the hours shall be in a combination of face-to-face direct service hours and hours spent in service-related activities; and
 - c. The remainder of the hours may be spent in a combination of face-to-face direct services, service-related activities, and supporting activities.
4. A minimum of one hour of individual face-to-face supervision shall be provided for every eight hours of supervised professional experience spent in direct client contact and service-related activities.
 5. Two hours of group supervision with up to five practicum students may be substituted for one hour of individual supervision. In no case shall the hours of individual supervision be less than one-half of the total hours of supervision.
 6. The hours of pre-doctoral supervised experience reported by an applicant shall be certified by the program's director of clinical training on a form provided by the board.

18VAC125-20-55. Education requirements for applied psychologists.

- A. The applicant shall hold a doctorate from a professional psychology program from a regionally accredited university which meets the following criteria:
 1. The program is within an institution of higher education accredited by an accrediting agency recognized by the United States Department of Education, or publicly recognized by the Association of Universities and Colleges of Canada as a member in good standing. Graduates of programs that are not within the United States or Canada must provide documentation from a credential evaluation service acceptable to the board which demonstrates that the program meets the requirements set forth in this chapter.
 2. The program shall be recognizable as an organized entity within the institution.
 3. The program shall be an integrated, organized sequence of study with an identifiable psychology faculty and a psychologist directly responsible for the program, and shall have an identifiable body of students who are matriculated in that program for a degree. The faculty shall be accessible to students and provide them with guidance and supervision. The faculty shall provide appropriate professional role models and engage in actions that promote the student's acquisition of knowledge, skills and competencies consistent with the program's training goals.
 4. The program shall encompass a minimum of three academic years of full-time graduate study or the equivalent thereof.
 5. The program shall include a general core curriculum containing a minimum of three or more graduate semester hours or five or more graduate quarter hours in each of the following substantive content areas.

- a. Biological bases of behavior (e.g., physiological psychology, comparative psychology, neuropsychology, sensation and perception, health psychology, pharmacology, neuroanatomy).
- b. Cognitive-affective bases of behavior (e.g., learning theory, cognition, motivation, emotion).
- c. Social bases of behavior (e.g., social psychology, group processes, organizational and systems theory, community and preventive psychology, multicultural issues).
- d. Psychological measurement.
- e. Research methodology.
- f. Techniques of data analysis.
- g. Professional standards and ethics.

B. Demonstration of competence in applied psychology shall be met by including a minimum of at least 18 semester hours or 30 quarter hours in a concentrated program of study in an identified area of psychology, e.g., developmental, social, cognitive, motivation, applied behavioral analysis, industrial/organizational, human factors, personnel selection and evaluation, program planning and evaluation, teaching, research or consultation.

18VAC125-20-56. Education requirements for school psychologists.

A. The applicant shall hold at least a master's degree in school psychology, with a minimum of at least 60 semester credit hours or 90 quarter hours, from a college or university accredited by a regional accrediting agency, which was accredited by the APA, NCATE or NASP, or shall meet the requirements of subsection B of this section.

B. If the applicant does not hold a master's degree in school psychology from a program accredited by the APA, NCATE or NASP, the applicant shall have a master's degree from a psychology program which offers education and training to prepare individuals for the practice of school psychology as defined in §54.1-3600 of the Code of Virginia and which meets the following criteria:

1. The program is within an institution of higher education accredited by an accrediting agency recognized by the United States Department of Education, or publicly recognized by the Association of Universities and Colleges of Canada as a member in good standing. Graduates of programs that are not within the United States or Canada must provide documentation from a credential evaluation service acceptable to the board which demonstrates that the program meets the requirements set forth in this chapter.
2. The program shall be recognizable as an organized entity within the institution.
3. The program shall be an integrated, organized sequence of study with an identifiable psychology faculty and a psychologist directly responsible for the program, and shall have an identifiable body of students who are matriculated in that program for a degree. The faculty shall be accessible to students and provide them with guidance and supervision. The faculty shall provide appropriate

professional role models and engage in actions that promote the student's acquisition of knowledge, skills and competencies consistent with the program's training goals.

4. The program shall encompass a minimum of two academic years of full-time graduate study or the equivalent thereof.

5. The program shall include a general core curriculum containing a minimum of three or more graduate semester hours or five or more graduate quarter hours in each of the following substantive content areas.

a. Psychological foundations (e.g., biological bases of behavior, human learning, social and cultural bases of behavior, child and adolescent development, individual differences).

b. Educational foundations (e.g., instructional design, organization and operation of schools).

c. Interventions/problem-solving (e.g., assessment, direct interventions, both individual and group, indirect interventions).

d. Statistics and research methodologies (e.g., research and evaluation methods, statistics, measurement).

e. Professional school psychology (e.g., history and foundations of school psychology, legal and ethical issues, professional issues and standards, alternative models for the delivery of school psychological services, emergent technologies, roles and functions of the school psychologist).

6. The program shall be committed to practicum experiences which shall include:

a. Orientation to the educational process;

b. Assessment for intervention;

c. Direct intervention, including counseling and behavior management; and

d. Indirect intervention, including consultation.

18VAC125-20-60. [Repealed]

18VAC125-20-65. Supervised experience.

A. Internship requirement.

1. Candidates for clinical psychologist licensure shall have successfully completed an internship that is either accredited by APA, APPIC₂ or the Association of State and Provincial Psychology Boards/National Register of Health Service Psychologists, or one that meets equivalent standards.

2. Candidates for school psychologist licensure shall have successfully completed an internship accredited by the APA, APPIC or NASP or one that meets equivalent standards.

B. Residency requirement.

1. Candidates for clinical or school psychologist licensure shall have successfully completed a residency consisting of a minimum of 1,500 hours in a period of not less than 12 months and not to exceed three years of supervised experience in the delivery of clinical or school psychology services acceptable to the board, or the applicant may request approval to begin a residency
2. Supervised experience obtained in Virginia without prior written board approval will not be accepted toward licensure. Candidates shall not begin the residency until after completion of the required degree as set forth in 18VAC125-20-54 or 18VAC125-20-56. An individual who proposes to obtain supervised post-degree experience in Virginia shall, prior to the onset of such supervision, submit a supervisory contract along with the application package and pay the registration of supervision fee set forth in 18VAC125-20-30.
3. There shall be a minimum of two hours of individual supervision per week. Group supervision of up to five residents may be substituted for one of the two hours per week on the basis that two hours of group supervision equals one hour of individual supervision, but in no case shall the resident receive less than one hour of individual supervision per week.
4. Residents may not refer to or identify themselves as applied psychologists, clinical psychologists, or school psychologists; independently solicit clients; bill for services; or in any way represent themselves as licensed psychologists. Notwithstanding the above, this does not preclude supervisors or employing institutions for billing for the services of an appropriately identified resident. During the residency period they shall use their names, the initials of their degree, and the title, "Resident in Psychology," in the licensure category in which licensure is sought.
5. Supervision shall be provided by a psychologist licensed to practice in the licensure category in which the resident is seeking licensure.
6. The supervisor shall not provide supervision for activities beyond the supervisor's demonstrable areas of competence, nor for activities for which the applicant has not had appropriate education and training.
7. At the end of the residency training period, the supervisor or supervisors shall submit to the board a written evaluation of the applicant's performance.
8. The board may consider special requests in the event that the regulations create an undue burden in regard to geography or disability that limits the resident's access to qualified supervisors.

C. For a clinical psychologist license, a candidate may submit evidence of having met the supervised experience requirements in a pre-doctoral practicum as specified in 18VAC125-20-54 D in substitution for all or part of the 1,500 residency hours specified in this section. If the supervised experience hours completed in a practicum do not total 1,500 hours, a person may fulfill the remainder of the hours by meeting requirements specified in subsection B of this section.

D. Candidates for clinical psychologist licensure shall provide documentation that the internship and residency included appropriate emphasis and experience in the diagnosis and treatment of persons with moderate to severe mental disorders.

18VAC125-20-70. [Repealed]

Part III. Examinations.

18VAC125-20-80. General examination requirements.

A. An applicant for clinical or school psychologist licensure enrolled in an approved residency training program required in 18VAC125-20-65 who has met all requirements for licensure except completion of that program shall be eligible to take the national written examinations.

B. A candidate approved by the board to sit for an examination shall take that examination within two years of the date of the initial board approval. If the candidate has not taken the examination by the end of the two-year period here prescribed, the applicant shall reapply according to the requirements of the regulations in effect at that time.

C. The board shall establish passing scores on the examination.

18VAC125-20-90 to 18VAC125-20-110. [Repealed]

Part V. Licensure Renewal; Reinstatement.

18VAC125-20-120. Annual renewal of licensure.

Every license issued by the board shall expire each year on June 30.

1. Every licensee who intends to continue to practice shall, on or before the expiration date of the license, submit to the board a license form supplied by the board and the renewal fee prescribed in 18VAC125-20-30.

2. Licensees who wish to maintain an active license shall pay the appropriate fee and verify on the renewal form compliance with the continuing education requirements prescribed in 18VAC125-20-121. First-time licensees by examination are not required to verify continuing education on the first renewal date following initial licensure.

3. A licensee who wishes to place his license in inactive status may do so upon payment of the fee prescribed in 18VAC125-20-30. No person shall practice psychology in Virginia unless he holds a current active license. An inactive licensee may activate his license by fulfilling the reactivation requirements set forth in 18VAC125-20-130.

4. Licensees shall notify the board office in writing of any change of address of record or of the public address, if different from the address of record. Failure of a licensee to receive a renewal notice and application forms from the board shall not excuse the licensee from the renewal requirement.

18VAC125-20-121. Continuing education course requirements for renewal of an active license.

A. Licensees shall be required to have completed a minimum of 14 hours of board-approved continuing education courses each year for annual licensure renewal. A minimum of 1.5 of these hours shall be in courses that emphasize the ethics, laws, and regulations governing the profession of psychology, including the standards of practice set out in 18VAC125-20-150. A licensee who completes continuing education hours in excess of the 14 hours may carry up to seven hours of continuing education credit forward to meet the requirements for the next annual renewal cycle.

B. For the purpose of this section, "course" means an organized program of study, classroom experience or similar educational experience that is directly related to the practice of psychology and is provided by a board-approved provider that meets the criteria specified in 18VAC125-20-122.

1. At least six of the required hours shall be earned in face-to-face or real-time interactive educational experiences. Real-time interactive shall include a course in which the learner has the opportunity to interact with the presenter and participants during the time of the presentation.

2. The board may approve up to four hours per renewal cycle for specific educational experiences to include:

a. Preparation for or presentation of a continuing education program, seminar, workshop or course offered by an approved provider and directly related to the practice of psychology. Hours may only be credited one time, regardless of the number of times the presentation is given, and may not be credited toward the face-to-face requirement.

b. Publication of an article or book in a recognized publication directly related to the practice of psychology. Hours may only be credited one time, regardless of the number of times the writing is published, and may not be credited toward the face-to-face requirement.

3. The board may approve up to two hours per renewal cycle for membership on a state licensing board in psychology.

C. Courses must be directly related to the scope of practice in the category of licensure held. Continuing education courses for clinical psychologists shall emphasize, but not be limited to, the diagnosis, treatment and care of patients with moderate and severe mental disorders.

D. The board may grant an extension for good cause of up to one year for the completion of continuing education requirements upon written request from the licensee prior to the renewal date. Such extension shall not relieve the licensee of the continuing education requirement.

E. The board may grant an exemption for all or part of the continuing education requirements for one renewal cycle due to circumstances determined by the board to be beyond the control of the licensee.

F. Up to two of the 14 continuing education hours required for renewal may be satisfied through delivery of psychological services, without compensation, to low-income individuals receiving mental health services through a local health department or a free clinic organized in whole or primarily for the delivery of those health services as verified by the department or clinic. Three hours of volunteer service is required for one hour of continuing education credit.

18VAC125-20-122. Continuing education providers.

A. The following organizations, associations or institutions are approved by the board to provide continuing education:

1. Any psychological association recognized by the profession or providers approved by such an association.
2. Any association or organization of mental health, health or psychoeducational providers recognized by the profession or providers approved by such an association or organization.
3. Any association or organization providing courses related to forensic psychology recognized by the profession or providers approved by such an association or organization.
4. Any regionally accredited institution of higher learning. A maximum of 14 hours will be accepted for each academic course directly related to the practice of psychology.
5. Any governmental agency or facility that offers mental health, health or psychoeducational services.
6. Any licensed hospital or facility that offers mental health, health or psychoeducational services.
7. Any association or organization that has been approved as a continuing competency provider by a psychology board in another state or jurisdiction.

B. Continuing education providers approved under subsection A of this section shall:

1. Maintain documentation of the course titles and objectives and of licensee attendance and completion of courses for a period of four years.
2. Monitor attendance at classroom or similar face-to-face educational experiences.
3. Provide a certificate of completion for licensees who successfully complete a course.

18VAC125-20-123. Documenting compliance with continuing education requirements.

A. All licensees in active status are required to maintain original documentation for a period of four years.

B. After the end of each renewal period, the board may conduct a random audit of licensees to verify compliance with the requirement for that renewal period.

C. Upon request, a licensee shall provide documentation as follows:

1. Official transcripts showing credit hours earned from an accredited institution; or
2. Certificates of completion from approved providers.

D. Compliance with continuing education requirements, including the maintenance of records and the relevance of the courses to the category of licensure, is the responsibility of the licensee. The board may request additional information if such compliance is not clear from the transcripts or certificates.

E. Continuing education hours required by disciplinary order shall not be used to satisfy renewal requirements.

18VAC125-20-130. Late renewal; reinstatement; reactivation.

A. A person whose license has expired may renew it within one year after its expiration date by paying the penalty fee prescribed in 18VAC125-20-30 and the license renewal fee for the year the license was not renewed.

B. A person whose license has not been renewed for one year or more and who wishes to resume practice shall:

1. Present evidence to the board of having met all applicable continuing education requirements equal to the number of years the license has lapsed, not to exceed four years;
2. Pay the reinstatement fee as prescribed in 18VAC125-20-30; and
3. Submit verification of any professional certification or licensure obtained in any other jurisdiction subsequent to the initial application for licensure.

C. A psychologist wishing to reactivate an inactive license shall submit the renewal fee for active licensure minus any fee already paid for inactive licensure renewal, and document completion of continued competency hours equal to the number of years the license has been inactive, not to exceed four years.

18VAC125-20-140. [Repealed]

Part VI. Standards of Practice; Unprofessional Conduct; Disciplinary Actions; Reinstatement.

18VAC125-20-150. Standards of practice.

A. The protection of the public health, safety, and welfare and the best interest of the public shall be the primary guide in determining the appropriate professional conduct of all persons whose activities are regulated by the board. Psychologists respect the rights, dignity and worth of all people, and are mindful of individual differences.

B. Persons licensed by the board shall:

1. Provide and supervise only those services and use only those techniques for which they are qualified by training and appropriate experience. Delegate to their employees, supervisees, residents and research assistants only those responsibilities such persons can be expected to perform

competently by education, training and experience. Take ongoing steps to maintain competence in the skills they use;

2. When making public statements regarding credentials, published findings, directory listings, curriculum vitae, etc., ensure that such statements are neither fraudulent nor misleading;

3. Neither accept nor give commissions, rebates or other forms of remuneration for referral of clients for professional services. Make appropriate consultations and referrals consistent with the law and based on the interest of patients or clients;

4. Refrain from undertaking any activity in which their personal problems are likely to lead to inadequate or harmful services;

5. Avoid harming patients or clients, research participants, students and others for whom they provide professional services and minimize harm when it is foreseeable and unavoidable. Not exploit or mislead people for whom they provide professional services. Be alert to and guard against misuse of influence;

6. Avoid dual relationships with patients, clients, residents or supervisees that could impair professional judgment or compromise their well-being (to include but not limited to treatment of close friends, relatives, employees);

7. Withdraw from, adjust or clarify conflicting roles with due regard for the best interest of the affected party or parties and maximal compliance with these standards;

8. Not engage in sexual intimacies or a romantic relationship with a student, supervisee, resident, therapy patient, client, or those included in collateral therapeutic services (such as a parent, spouse, or significant other) while providing professional services. For at least five years after cessation or termination of professional services, not engage in sexual intimacies or a romantic relationship with a therapy patient, client, or those included in collateral therapeutic services. Consent to, initiation of, or participation in sexual behavior or romantic involvement with a psychologist does not change the exploitative nature of the conduct nor lift the prohibition. Since sexual or romantic relationships are potentially exploitative, psychologists shall bear the burden of demonstrating that there has been no exploitation;

9. Keep confidential their professional relationships with patients or clients and disclose client records to others only with written consent except: (i) when a patient or client is a danger to self or others, (ii) as required under §32.1-127.1:03 of the Code of Virginia, or (iii) as permitted by law for a valid purpose;

10. Make reasonable efforts to provide for continuity of care when services must be interrupted or terminated;

11. Inform clients of professional services, fees, billing arrangements and limits of confidentiality before rendering services. Inform the consumer prior to the use of collection agencies or legal measures to collect fees and provide opportunity for prompt payment. Avoid bartering goods and services. Participate in bartering only if it is not clinically contraindicated and is not exploitative;

12. Construct, maintain, administer, interpret and report testing and diagnostic services in a manner and for purposes which are appropriate;

13. Keep pertinent, confidential records for at least five years after termination of services to any consumer;

14. Design, conduct and report research in accordance with recognized standards of scientific competence and research ethics; and

15. Report to the board known or suspected violations of the laws and regulations governing the practice of psychology.

18VAC125-20-160. Grounds for disciplinary action or denial of licensure.

The board may take disciplinary action or deny a license for any of the following causes:

1. Conviction of a felony, or a misdemeanor involving moral turpitude;

2. Procuring of a license by fraud or misrepresentation;

3. Misuse of drugs or alcohol to the extent that it interferes with professional functioning;

4. Negligence in professional conduct or violation of practice standards including but not limited to this chapter;

5. Performing functions outside areas of competency;

6. Mental, emotional, or physical incompetence to practice the profession;

7. Failure to comply with the continued competency requirements set forth in this chapter; or

8. Violating or aiding and abetting another to violate any statute applicable to the practice of the profession regulated or any provision of this chapter.

18VAC125-20-170. Reinstatement following disciplinary action.

A. Any person whose license has been revoked by the board under the provisions of 18VAC125-20-160 may, three years subsequent to such board action, submit a new application to the board for reinstatement of licensure. The board in its discretion may, after a hearing, grant the reinstatement.

B. The applicant for such reinstatement, if approved, shall be licensed upon payment of the appropriate fee applicable at the time of reinstatement.

Commonwealth of Virginia



REGULATIONS
GOVERNING THE CERTIFICATION OF
SEX OFFENDER TREATMENT PROVIDERS

VIRGINIA BOARD OF PSYCHOLOGY

Title of Regulations: 18 VAC 125-30-10 et seq.

**Statutory Authority: §§ 54.1-2400 and Chapter 36 of Title 54.1
of the *Code of Virginia***

Revised Date: January 27, 2016

9960 Mayland Drive, Suite 300
Henrico, VA 23233-1463

Phone: (804) 367-4697
FAX: (804) 527-4435
psy@dhp.virginia.gov

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Part I. General Provisions.

18VAC125-30-10. Definitions.

The following words and terms when used in this chapter shall have the following meanings, unless the context clearly indicates otherwise:

"Ancillary services" means training in anger management, stress management, assertiveness, social skills, substance abuse avoidance and sex education as part of an identified sex offender treatment provider program.

"Applicant" means an individual who has submitted a completed application with documentation and the appropriate fees to be examined for certification as a sex offender treatment provider.

"Assessment" means using specific techniques of evaluation and measurement to collect facts related to sexually abusive thoughts and behaviors contributing to sexual offense.

"Board" means the Virginia Board of Psychology.

"Certified sex offender treatment provider" means a person who is certified to provide treatment to sex offenders and who provides such services in accordance with the provisions of §§ 54.1-2924.1, 54.1-3005, 54.1-3505, 54.1-3609, 54.1-3610, 54.1-3611, and 54.1-3705 of the Code of Virginia and the regulations promulgated pursuant to these provisions.

"Competency area" means an area in which a person possesses knowledge and skills and the ability to apply them in the clinical setting.

"Sex offender" means (i) any person who has been adjudicated or convicted of a sex offense or has a founded child sexual abuse status by the Department of Social Services; (ii) any person for whom any court has found sufficient evidence without specific finding of guilt of committing a felony or misdemeanor which may be reasonably inferred to be sexually motivated; or (iii) any person who admits to or acknowledges behavior which would result in adjudication, conviction, or a founded child sexual abuse status.

"Sex offense" means behavior in violation of any of the following statutes in the Code of Virginia: § 18.2-48 in part (abduction of any person with intent to defile such person), § 18.2-60.3 in part (includes only those instances in which sexual motivation can be reasonably inferred), § 18.2-61, § 18.2-63, § 18.2-64.1, § 18.2-67.1, § 18.2-67.2, § 18.2-67.2:1, § 18.2-67.3, § 18.2-67.4, § 18.2-67.5, § 18.2-130 in part (includes only those instances in which sexual motivation can be reasonable inferred), subsection A of § 18.2-361 in part "If any person carnally knows in any manner any brute animal" and subsection B § 18.2-361 in its entirety, § 18.2-366, § 18.2-370, § 18.2-370.1, § 18.2-374.1 (not to include plethysmographic testing materials in the possession of qualified mental health professionals or technicians), § 18.2-387.

"Supervision" means the ongoing process performed by a supervisor who monitors the performance of the person supervised and provides regular documented individual consultation, guidance and instruction with respect to the skills and competencies of the person providing sex offender treatment services.

"Supervisor" means an individual who assumes full responsibility for the education and training activities of a person as it relates to sex offender treatment and provides the supervision required by such a person. The supervisor shall be a certified sex offender treatment provider and licensed by the Board of Medicine, Nursing, Counseling, Psychology or Social Work.

"Treatment" means therapeutic intervention to change sexually abusive thoughts and behaviors which specifically addresses the occurrence and dynamics of sexual behavior and utilizes specific strategies to promote change.

18VAC125-30-20. Fees required by the board.

A. The board has established the following fees applicable to the certification of sex offender treatment providers:

Registration of supervision	\$50
Add or change supervisor	\$25
Application processing and initial certification fee	\$90
Certification renewal	\$75
Duplicate certificate	\$5
Late renewal	\$25
Reinstatement of an expired certificate	\$125
Replacement of or additional wall certificate	\$15
Returned check	\$35
Reinstatement following revocation or suspension	\$500
One-time reduction in fee for renewal on June 30, 2016	\$45

B. Fees shall be made payable to the Treasurer of Virginia. All fees are nonrefundable.
Statutory Authority

Part II. Requirements for Certification.

18VAC125-30-30. Prerequisites to certification.

A. Every applicant for certification by the board shall:

1. Meet the educational requirements prescribed in 18VAC125-30-40;
2. Meet the experience requirements prescribed in 18VAC125-30-50;
3. Submit to the board:
 - a. A completed application form;
 - b. Documented evidence of having fulfilled the education, experience, and supervision set forth in 18VAC125-30-40 and 18VAC125-30-50; and
 - c. Reference letters from three licensed health care professionals familiar with and attesting to the applicant's skills and experience.

B. The board may certify by endorsement an individual who can document current certification as a sex offender treatment provider in good standing obtained by standards substantially equivalent to those outlined in this chapter as verified by an out-of-state certifying agency on a board-approved form.

18VAC125-30-40. Educational requirements.

An applicant for certification as a sex offender treatment provider shall:

1. Document completion of one of the following degrees:
 - a. A master's or doctoral degree in social work, psychology, counseling, or nursing from a regionally accredited university; or
 - b. The degree of Doctor of Medicine or Doctor of Osteopathic Medicine from an institution that is approved by an accrediting agency recognized by the Virginia Board of Medicine. Graduates of institutions that are not accredited by an acceptable accrediting agency shall establish the equivalency of their education to the educational requirements of the Virginia Board of Social Work, Psychology, Counseling, Nursing or Medicine.

2. Provide documentation of 50 clock hours of training acceptable to the board in the following areas, with 15 clock hours in each area identified in subdivisions 2 a and b of this section, 10 clock hours in each area identified in subdivision 2 c of this section, and five clock hours in each area identified in subdivisions 2 d and e of this section:
 - a. Sex offender assessment;
 - b. Sex offender treatment interventions;
 - c. Etiology/developmental issues of sex offense behavior;
 - d. Criminal justice and legal issues related to sexual offending; and
 - e. Program evaluation, treatment efficacy, and issues related to recidivism of sex offenders.

18VAC125-30-50. Experience requirements; supervision.

A. Registration of supervision.

1. In order to register supervision with the board, individuals shall submit:
 - a. A completed supervisory contract;
 - b. The registration fee prescribed in 18VAC125-30-20; and
 - c. Official graduate transcript.

2. The board may waive the registration requirement for individuals who have obtained at least five years documented work experience in sex offender treatment in another jurisdiction.

B. An applicant for certification as a sex offender treatment provider shall provide documentation of having 2,000 hours of postdegree clinical experience in the delivery of clinical assessment/treatment services. At least 200 hours of this experience must be face-to-face treatment and assessment with sex offender clients.

1. The experience shall include a minimum of 100 hours of face-to-face supervision within the 2,000 hours experience with a minimum of six hours per month. A minimum of 50 hours shall be in individual face-to-face supervision. Face-to-face supervision obtained in a group setting shall include no more than six trainees in a group.

2. If the applicant has obtained the required postdegree clinical experience for a mental health license within the past 10 years, he can receive credit for those hours that were in the delivery of clinical assessment/treatment services with sex offender clients provided:

- a. The applicant can document that the hours were in the treatment and assessment with sex offender clients; and
- b. The supervisor for those hours can attest that he was licensed and qualified to render services to sex offender clients at the time of the supervision.

C. Supervised experience obtained in Virginia without prior written board approval shall not be accepted toward certification. Candidates shall not begin the experience until after completion of the required degree as set forth in 18VAC125-30-40. An individual who proposes to obtain supervised postdegree experience in Virginia shall, prior to the onset of such supervision, submit a supervisory contract along with the application package and pay the registration of supervision fee set forth in 18VAC125-30-20.

D. The supervisor.

1. The supervisor shall assume responsibility for the professional activities of the applicant.
2. The supervisor shall not provide supervision for activities for which the prospective applicant has not had appropriate education.
3. The supervisor shall hold a current and unrestricted license as a clinical nurse specialist, doctor of medicine or osteopathic medicine, professional counselor, clinical social worker, or clinical psychologist and shall provide supervision only for those sex offender treatment services which he is qualified to render.

4. At the time of formal application for certification, the board approved supervisor shall document for the board the applicant's total hours of supervision, length of work experience, competence in sex offender treatment, and needs for additional supervision or training.

18VAC125-30-60. [Repealed]

18VAC125-30-70. Supervision of unlicensed persons.

Those persons providing ancillary services as part of an identified sex offender treatment program in an exempt practice situation and not meeting the educational and experience requirements to become an applicant shall provide such services under the supervision of a certified sex offender treatment provider.

Part III. Renewal and Reinstatement.

18VAC125-30-80. Annual renewal of certificate.

- A. Every certificate issued by the board shall expire on June 30 of each year.
- B. Along with the renewal application, the certified sex offender treatment provider shall:
 - 1. Submit the renewal fee prescribed in 18VAC125-30-20; and
 - 2. Attest to having obtained six hours of continuing education in topics related to the provision of sex offender treatment within the renewal period. Continuing education shall be offered by a sponsor or provider approved by the Virginia Board of Social Work, Psychology, Counseling, Nursing, or Medicine or by the Association for the Treatment of Sexual Abusers or one of its state chapters. Hours of continuing education used to satisfy the renewal requirements for another license may be used to satisfy the six-hour requirement for sex offender treatment provider certification, provided it was related to the provision of sex offender treatment.
- C. Certificate holders shall notify the board in writing of a change of address of record or of the public address, if different from the address of record, within 60 days. Failure to receive a renewal notice and application form or forms shall not excuse the certified sex offender treatment provider from the renewal requirement.

18VAC125-30-90. Reinstatement.

- A. A person whose certificate has expired may renew it within one year after its expiration date by paying the renewal fee and the late renewal fee prescribed in 18VAC125-30-20.
- B. A person whose certificate has expired beyond one year and who wishes to resume practice shall:
 - 1. Submit a reinstatement application along with the reinstatement fee.
 - 2. Provide evidence satisfactory to the board of current ability to practice.
 - 3. Submit verification of any professional certification or licensure obtained in any other jurisdiction subsequent to the initial application for certification.

Part IV. Standards of Practice; Disciplinary Action; Reinstatement.

18VAC125-30-100. Standards of practice.

A. The protection of the public health, safety, and welfare and the best interest of the public shall be the primary guide in determining the appropriate professional conduct of all certified practitioners who provide services to sex offenders.

B. Persons certified by the board and applicants under supervision shall:

1. Practice in a manner that ensures community protection and safety.
2. Treat all sex offender clients with dignity and respect, regardless of the nature of their crimes or offenses.
3. Provide only services and use only techniques for which they are qualified by training and experience.
4. Inform sex offender clients of (i) the purposes of an interview, testing, or evaluation session; (ii) the ways in which information obtained in such sessions will be used before asking the sex offender client to reveal personal information or allowing such information to be divulged; (iii) the methods of interventions, including any experimental methods of treatment; and (iv) the risks and benefits of any treatment.
5. Inform sex offender clients of the limits of confidentiality and any circumstances which may allow an exception to the agreed upon confidentiality, including (i) as obligated under dual-client situations, especially in criminal justice or related settings; (ii) when the client is a danger to self or others; (iii) when under court order to disclose information; (iv) in cases of suspected child abuse; and (v) as otherwise required by law.
6. Not require or seek waivers of privacy or confidentiality beyond the requirements of treatment, training, or community safety.
7. Explain to juvenile sex offender clients the rights of their parents or legal guardians, or both, to obtain information relating to the sex offender client.
8. Maintain sex offender client records securely, inform all employees of the rules applicable to the appropriate level of confidentiality, and provide for the destruction of records which are no longer useful.
9. Retain sex offender client records for a minimum of five years from the date of termination of services.
10. Stay abreast of new developments, concepts, and practices which are important to providing appropriate professional services.
11. Never engage in dual relationships with sex offender clients or former clients, or current trainees that could impair professional judgment or compromise the sex offender client's or trainee's well-being, impair the trainee's judgment, or increase the risk of sex offender client or trainee exploitation. Engaging in sexual intimacies or romantic relationships with sex offender clients or former clients, or with current trainees is strictly prohibited.
12. Report to the board known or suspected violations of the laws and regulations governing the practice of sex offender treatment providers, as well as any information that a sex offender treatment provider is unable to practice with reasonable skill and safety because of illness or substance abuse or otherwise poses a danger to himself, the public, or clients.
13. Provide clients with accurate information concerning tests, reports, billing, payment responsibilities, therapeutic regime, and schedules before rendering services.
14. Maintain cooperative and collaborative relationships with corrections/probation/parole officers or any responsible agency for purposes of the effective supervision and monitoring of a sex offender client's behavior in order to assure public safety.
15. Consider the validity, reliability, and appropriateness of assessments selected for use with sex offender clients. Where questions exist about the appropriateness of utilizing a particular assessment with a sex offender client, expert guidance from a knowledgeable, certified sex offender treatment provider shall be sought.

16. Recognize the sensitivity of sexual arousal assessment testing and treatment materials, safeguard the use of such materials in compliance with § 18.2-374.1:1 of the Code of Virginia, and use them only for the purpose for which they are intended in a controlled penile plethysmographic laboratory assessment.

17. Be aware of the limitations of plethysmograph and that plethysmographic data is only meaningful within the context of a comprehensive evaluation or treatment process or both.

18. Be knowledgeable of the limitations of the polygraph and take into account its appropriateness with each individual client and special client population.

19. Comply with all laws of the Code of Virginia applicable to the practice of sex offender treatment providers.

18VAC125-30-110. Grounds for disciplinary action.

The board may revoke, suspend, restrict or refuse to issue a certificate, or reprimand or fine a practitioner in accord with the following:

1. Violation of the standards of practice.
2. Conviction of a felony or a misdemeanor involving moral turpitude.
3. Misuse of drugs or alcohol which interferes with professional functioning.
4. Mental or physical illness which interferes with professional functioning.
5. The denial, revocation, suspension, or restriction of a registration, license or certificate to practice in another state, or a United States possession or territory or the surrender of any such registration, license or certificate while an active investigation is pending.

18VAC125-30-120. Reinstatement following disciplinary action.

A. Any person whose certificate has been revoked by the board under the provisions of 18VAC125-30-110 may, three years subsequent to such board action, submit a new application to the board for certification to the board. Any person whose certificate has been denied renewal by the board under the provisions of 18VAC125-30-110 may, two years subsequent to such board action, submit a new application to the board for certification to the board.

B. The board in its discretion may, after a hearing, grant reinstatement.

C. The applicant for reinstatement, if approved, shall be certified upon payment of the appropriate fees applicable at the time of reinstatement.