

Virginia Board of Psychology
Regulations 18 VAC 125-30-10 et seq.

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF HEALTH PROFESSIONS
BOARD OF PSYCHOLOGY

TITLE OF REGULATIONS: 18 VAC 125-30-10 et. seq.
REGULATIONS GOVERNING THE CERTIFICATION
OF

SEX OFFENDER TREATMENT PROVIDERS

STATUTORY AUTHORITY: §54.1-2400 OF THE CODE OF VIRGINIA

EXECUTIVE ORDER 25 REVIEW

PART I.
GENERAL PROVISIONS.

18 VAC 125-30-10. 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; (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 of §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 ~~must~~ shall be a certified sex offender treatment provider and licensed by the Boards of Medicine; Nursing; Counseling Licensed Professional Counselors, Marriage and Family Therapists and Substance Abuse Professionals, Psychology or Social Work.

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

18 VAC 125-30-20. 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 <u>and initial certification fee</u>	\$ 90
Certification renewal.....	\$ 75
Duplicate certificate.....	\$ 10 <u>5</u>
Late renewal.....	\$25
Reinstatement <u>of an expired certificate fee</u>	\$ 50 <u>125</u>
Replacement of or additional wall certificate.....	\$ 15
Returned check.....	\$ 15 <u>25</u>
<u>Reinstatement following revocation or suspension</u>	\$500

B. Fees shall be paid by check or money order made payable to the Treasurer of Virginia and forwarded to the Board of Psychology. All fees are nonrefundable.

**PART II.
REQUIREMENTS FOR CERTIFICATION.**

18 VAC 125-30-30. Prerequisites to Certification.

~~A. A candidate for certification as a sex offender treatment provider shall meet all the requirements of this chapter.~~

~~B~~ A. Every applicant for certification by the board shall:

1. Meet the educational requirements prescribed in 18 VAC 125-30-40;
2. Meet the experience requirements prescribed in 18 VAC 125-30-50 and 18 VAC 125-30-60;
3. Submit to the executive director of the board:
 - a. A completed application form;
 - b. Documented evidence of having fulfilled the education, experience and supervision set forth in 18 VAC 125-30-40, 18 VAC 125-30-50; and 18 VAC 125-30-60; and
 - c. Reference letters from three licensed health care professionals familiar with and attesting to the applicant's skills and experience.

~~C~~ 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.

18 VAC 125-30-40. 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;
 - 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; or
 - c. A comparable degree as acceptable to the board.

Graduates of institutions which are not accredited by an acceptable accrediting agency shall establish the equivalency of their education to the educational requirements of the Virginia Boards

of Social Work, Psychology, ~~Licensed Professional Counselors, Marriage and Family Therapists and Substance Abuse Professionals~~ Counseling, Nursing or Medicine.

2. Provide documentation of 50 clock hours of training acceptable to the board in the following areas, with ~~at least 10~~ 15 clock hours in each area identified in subdivisions a and b of this subsection, 10 clock hours in each area identified in subdivision c of this subsection, and 5 clock hours in each area identified in subdivisions d and e of this subsection.

- ~~a. Etiology/developmental issues of sex offense behavior;~~
- ~~b a.~~ Sex offender assessment;
- ~~e b.~~ Sex offender treatment interventions;
- c. Etiology/developmental issues of sex offense behavior;
- d. Criminal justice and legal issues related to sexual offending;
- e. Program evaluation, treatment efficacy and issues related to recidivism of sex offenders;

18 VAC 125-30-50. Experience requirements; supervision.

A. An applicant for certification as a sex offender treatment provider shall provide documentation of having 2,000 hours of post-degree 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.

18 VAC 125-30-60. ~~Supervision requirement.~~ (Repealed)

~~A. Hours. After August 6, 1998, The experience set forth in 18 VAC 125-30-50 shall also 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 maximum of 50 hours of this~~ A minimum of 50 hours shall be in individual face-to-face supervision. Face-to-face supervision ~~may be obtained in a group setting including up to~~ shall include no more than six trainees in a group.

B. 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 18 VAC 125-30-40. 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 18 VAC 125-30-20.

B C. 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 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 any needs for additional supervision or training.

€ D.Registration of supervision:

1. ~~Individuals who wish~~ In order to register supervision with the board, individuals shall submit in one package:
 - a. A completed supervisory contract;
 - b. The registration fee prescribed in 18 VAC 125-30-20; 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.

E. Supervised experience obtained prior to (effective date of these regulations) may be acceptable if they met the board's requirements that were in effect at the time the supervision was rendered.

**PART III.
RENEWAL AND REINSTATEMENT.**

18 VAC 125-30-80. 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 submit the renewal fee prescribed in 18 VAC 125-30-20.

C. Certificate holders shall notify the board in writing of a change of address within 60 days. Failure to receive a renewal notice and application form(s) shall not excuse the certified sex offender treatment provider from the renewal requirement.

18 VAC 125-30-90. Reinstatement.

A. A person whose certificate has expired may renew it within ~~two years~~ one year after its expiration date by paying the renewal fee and the ~~reinstatement~~ late renewal fee prescribed in 18 VAC 125-30-20.

B. A person whose certificate has expired beyond ~~two years~~ one year and who wishes to resume practice shall:

1. Submit a reinstatement application along with the ~~renewal and~~ reinstatement fees ~~and~~
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.