



Vermont Board of Psychological Examiners Newsletter

VPEN



Thank you, Barbara

In September, Dr. Van Drimmelen completed her second term on the Board. During her years on the Board, she served as a member, vice chair and most recently as chair. On her watch and with her guidance, the Board was able to create and administer a jurisprudence exam, launch a newsletter, provide training for VPA members, develop guidelines for supervision of conditional licensees, revise continuing education assessment, streamline the process for reviewing applications, and significantly reduce the turnaround time for closing cases.

Barbara will be sorely missed for her wisdom, her diplomacy, her humor, and her sense of justice.

Governor

The Honorable James Douglas
Secretary of State
 Deborah L. Markowitz

Office of Professional Regulation

Jessica G. Porter, Esq., Director

Members of the Board

Maxie S. Ewins, Chair
 Kathleen Smith, Secretary
 William L. Cunningham, Ph.D.
 Steve Lewis, Psy.D.
 Kay Frances Schepp, Ed.D.

Board Staff

Rita Knapp, Division Administrator
 Peggy Atkins, Board Administrator
 Larry S. Novins, Esq., Board Counsel

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Message from the Chair

A keen observer of human behavior (he liked dogs, too) James Thurber once commented: "It is better to know some of the questions than all of the answers."

As the Board looks at the year ahead, we are prepared to ask many questions and provide answers to the best of our knowledge. One of our major tasks for the year ahead will be a review of our rules and regulations. We will address ambiguities should they exist, and make changes if appropriate. This will be done under the guidance of our board counsel.

As we consider issues such as re-specialization, mobility, professional wills, and EPPP exams, we will set priorities that are appropriate for the State of Vermont. Through the year we will stay in touch with other licensing boards, professional organizations, and our colleagues in New England and ASPPB. We hope to give another workshop for the VPA. We plan to review our FAQ's and to provide a special page for licensees as well as applicants.

I would like to assure our constituents, the public and licensed clinical psychologist that we will act responsibly as guardians of the public's protection and that we are considerate of the concerns and issues within the profession. Occasionally unavoidable delays in processing applications or in the complaint process may occur. Such delays, and the reasons for it, will be explained in a timely manner. We also hope to contribute to the public's awareness of the work of psychologists and its benefits to society. I look forward to working together and encourage any questions you might have.

Maxie Ewins, Chair

Know your Board

Maxie Ewins, chair, has been a public member of the board for eight years. A professional librarian and former library director of the Fletcher Free Library in Burlington for more than thirteen years, she was part of the labor/management team of the city. She is a past president of the Vermont Library Association and has served on a variety of community boards, including Howard Mental Health, the (then) Medical Center of Vermont, Stern Center for Language and Learning and King Street Youth Center. She is currently a director on the Board of Vermont Public Radio and the Vermont Youth Orchestra Association. She lives in Shelburne.

Bill Cunningham, PhD, psychologist member of the board, resides in Rutland. He has been in private practice for twenty-one years and provides services primarily to children and families. He has served on the board for three years.

Steve Lewis, Psy.D., psychologist member and vice-chair of the board, is in private practice in Williston, providing services to all age populations, with a specialty in child and adolescent psychology, including services to parents, families and schools. He is a member of the Fletcher Allen Health Care Medical Staff and has been a member of our board since January 2002.

Kay Frances Schepp, Ed.D, psychologist member of the board, was appointed by Governor Douglas in October 2004. She was director of the University of Vermont Counseling Center and was a member of the faculty there. She is a past president and newsletter editor of the Vermont Psychological Association and, until recently, was the chair of the ethic's committee of the association. She is in private practice and also consults with organizations and groups, utilizing her mediation experience. She lives in South Burlington.

Kathleen Smith, public member and secretary of the board, lives in Montpelier and is a Budget Analyst with the University of Vermont. She has served on the board since 1999.

Supervising Conditioned Licensees

One of the functions of the Board is to respond to the misconduct of a psychologist in order to protect the public from harm. Most psychologists who have engaged in professional misconduct return to practice. To provide guidance and corrective support, a sanction that is frequently used is the inclusion of clinical supervision during any period of a sanction.

The supervision process for conditional licensees begins with the submission of three potential supervisors for Board approval. Each potential supervisor must submit a letter to the Board indicating both his/her willingness to provide the supervision, and the nature of any previous professional, community or personal relationship with the licensee prior to this request for supervision. This letter should also show evidence of professional experience and/or training in the provision of clinical supervision for licensed psychologists and/or psychology interns. The supervisor must have been licensed in the State of Vermont or in another jurisdiction for a least the previous three years. The supervision must be one hour per week face-to-face with the conditional licensee. In the event that the supervisor is unavailable, the licensee must arrange for an alternate Board-approved supervisor.

A supervision plan must be submitted for review and approval by the Board. This plan must include the nature of the unprofessional conduct of the licensee that resulted in the sanctions; the goals and objectives of supervision to address the unprofessional conduct; the explicit identification of relevance of professional resources (i.e. texts, training, etc.) to be employed and a description of how the consultation overview of the licensee's clinical work and administration practices will be assessed (i.e. records reviewed, audiotape, videotape, in-vivo, one-way mirror, etc.). Following the approval of the supervision by the Board, the supervisor would be expected to create and maintain written records of all supervision contracts. Progress on the identified goals and objectives of the supervision must be reflected in the written records of the supervisor.

The supervisor would create and submit to the Board quarterly reports of progress by the conditional licensee. These reports would specify the goals and objectives addressed in the supervision as well as an evaluative assessment of the licensee's response to the supervision interventions. Changes or modifications to the original supervision plan should be submitted to the Board as soon as they are being considered. Payment for the supervision will be made by the licensee to the supervisor.

A minimum length of time for supervision is usually provided by the Board in its Order; however, before termination of supervision can be considered the supervisor must provide the Board with evidence of the licensee's rehabilitation and recommend to the Board the termination of the supervision condition of the licensee. While this process may seem somewhat complex, it has provided for the guidance and support of necessary changes in the provision of the psychological services within the framework of the ASPPB and APA Codes of Conduct. The Board appreciates the commitment and willingness of licensed practicing psychologists who have assisted our profession and the consumers of psychological services through the provision of high quality clinical supervision.

William L. Cunningham, Ph.D..

Dialogue with the Vermont Psychological Association

Important issues and possibilities for continued cooperation with the Vermont Psychological Association (VPA) were discussed with Rosanna Czermak, VPA's Executive Director at a recent Board meeting; among them was more education of psychologists in the area of alcohol and drug abuse.

Continued education courses could also become the vehicle for other sub-specialties such as forensics, working with children and adolescents, with trauma survivors, and with couples.

There is no doubt that the APA and ASPPB and ASPPB Codes of Ethics are clear about the

psychologist's responsibility to practice only in his or her areas of competence and to the degree that is helpful to one's clients/patients.

The Board of Psychological Examiners and VPA would like to ensure that psychologists are kept current in the areas most needed in modern mental health. VPA wants to offer CE programs in areas where they see the need and also that the Board of Psychological Examiners recommends.

A program is being considered for April, co-sponsored by both organizations. Under the larger theme of ethics, questions of assessing and improving one's competency areas and assessing multiple relationship situations may be the focus.

Also discussed was the question of resources for impaired psychologists and ways that the VPA might assist with that process. The Board of Psychological Examiners and VPA hope to continue with dialogue, cooperation and collaboration on appropriate projects.

Kay Frances Schepp, Ed.D.

Professional Living Will for Psychologists

Within the past few years, there has been increased attention to considerations pertaining to terminating one's psychology practice, either temporarily or permanently, and either voluntarily or involuntarily. A psychologist's practice may end as a result of disciplinary action, illness, retirement or death. The APA Ethical Principles of Psychologists and Code of Conduct (APA, 2002) addresses the necessity of planning in order to facilitate continuing care and the transfer and protection of records in the event of interruption of psychological services.

To prepare for each possible scenario, psychologists inherently have a directive to protect the ongoing welfare of patients via an "organized plan to ensure that the termination of services does not create patient/client harm" (APA Practice Alert, 2002). In creating a plan,

psychologists should attend to the impact the termination, whether prepared for or sudden, has on one's patients, the manner in which information is communicated to them, management of financial issues, and a variety of other business details.

With the creation of a professional living will, as such a plan, attention should be particularly focused on patient confidentiality, and the maintenance, disposition and transfer of clinical records. Additional issues may include: provisions for termination that protect the patient's welfare; the disposition of the practice; future complaints; and fee collections.

A cornerstone of a professional living will is the identification and designation of a colleague who has agreed to serve as a professional executor, as well as a secondary executor in the event that the primary executor is unable to serve in this role. Written information provided for the use of the executor may include items such as the name and address of the psychologist's attorney and accountant, and general office information, which may include information regarding patient files, other patient-related materials, keys, office access, telephone numbers, access to voice mail and appointment books, and information that the psychologist may want communicated to his or her patients. Specific instructions to the executor should appear in the written instructions, including both process and content information pertaining to specific actions to be taken toward the efficient, protective and healthy termination of the clinical practice, and including a compensation provision for the executor. While there are guidelines from different sources (Ragusea, 2002; Holloway), consultation with an attorney is advised prior to the execution of a written professional living will to ensure the appropriateness to each psychologist's particular professional practice situation.

REFERENCES

American Psychological Association (2002). Ethical Principles of Psychologists and Code of Conduct. Washington, DC: American Psychological Association.

Holloway, J.D. (2003) Shutting Down A Practice. In APA Monitor, February, 2003, pps. 32-34.

Practice Alert DRAFT: When Practice Ceases – Temporarily or Permanently. February 4, 2002. Citation Incomplete.

Ragusea, Stephen, A. (2002) A Professional Living Will for Psychologists. In L. VandeCreek & T.L. Jackson (eds.), Innovations in Clinical Practice: A Sourcebook..

Continued Education Audit

For the first time, for the licensing cycle that ended in December, 2003, the Board used an audit system to check on documentation for continuing education credits. 10% of all licensed psychologists in Vermont were audited (45 individuals). All Licensees responded to the Board's request for documentation. Upon review, some cases required more clarification and specific documentation was requested. Ultimately, all licensees passed the audit process. The most common areas of concern were lack of certificates of workshop attendance and lack of documentation pertaining to supervision and ongoing care consultation, such as the names of participants and other pertinent information. The Board thanks all licensees for their compliance and cooperation with this process.

Montreal Third International Congress, Spring 2004

The entire board attended the ASPPB sponsored international congress "A Shared Vision in a Diverse World," in Montreal in April 2004. Dr. Mary Willmuth, the Secretary General and former chair of the Vermont board, was instrumental in organizing the congress, a memorable event. It was a reminder that the regulation of psychology faces common questions all around the globe.

Among the highlights of the conference, in addition to mingling with colleagues from every corner of the world, was a discussion of the feasibility of a Universal Declaration of Ethical Principles for Psychologists. Such declaration would provide a common moral framework for psychological practice world wide. It was agreed

that it would be a formidable task and would require broad consultation, particularly in respect to codes of ethics and values in other cultures. Work on this project will continue and will contribute to sharing understanding of codes of ethics and values across cultures.

Vermont Psychological Association Ethics Workshop

The entire Board, together with Board Counsel Larry Novins presented ethical and legal issues all based on Vermont Statutes, Rules and Regulations, at a Vermont Psychological Association workshop in Spring 2004.

Peggy's Corner

To begin with, I would like to thank my members for their support and recognition of my work. They are all great people to work with.

I would also like to thank all the members whom I have licensed over the years for their role in making the transition for the reporting and auditing process of the continuing education requirement go smoothly. It made that aspect of my job a lot easier. Thank you all.

I look forward to several more good years as the administrator for the Vermont Board.

Did you know?

* All licensees are required to indicate a complete title (psychologist-doctorate, psychologist-master) on all signs, business cards, letterhead, promotional materials and other professional uses. If a box advertisement is used in the yellow pages, and the licensee's name appears in the advertisement, a complete title is required.

* Documented supervision hours qualify for continuing education under Category II. Documentation for each person professionally supervised must be maintained for a period of not less than five years after the supervision contact.

* Members of the Board are appointed for five-year terms by the Governor. Application forms for Board appointment can be obtained from Peggy Atkins.

Notes from Board Counsel Larry Novins

I am not the only attorney who regularly appears at Board meetings. Whenever the State files charges against a licensee, one of the attorneys hired by the Office of Professional Regulation to prosecute its cases can be expected to appear before the Board. The prosecuting attorney meets with those investigating an unprofessional conduct case. When the case is actually before the Board for a hearing or an agreed resolution (called a stipulation), the prosecutor represents the interest of the state and its residents.

Any license applicant or respondent can have a lawyer to advocate on his or her behalf. When that occurs, the hearings tend to be even more formal. Hearing a well tried case where both the prosecution and the respondent are represented by counsel usually helps clarify the issues before the Board. Board Members appreciate that every person has the right to a fair hearing. They listen to the State's and respondent's counsel and weigh carefully what each has to say. Then the Board deliberates to try to decide the case fairly.

Board Retreat: The Board is planning a Retreat in the next few months with the Clinical Mental Health counseling and Social Work Board. At the retreat the participants will discuss matters of common interest, including verifying licensing qualifications and standards and continuing education. They will also discuss how to let the public know what the Boards are doing.

Remember, the Board's meetings are open to the public. You can view disciplinary actions the Board has taken and keep up to date by checking the Board's web page www.vtprofessionals.org/opr1/psychologists.

Disciplinary Actions

The Board imposed disciplinary sanctions against three licensed psychologists.

The first, a psychologist-doctorate, whose license was suspended and conditions imposed for entering into a dual relationship with the client's parent.

The second, a psychologist-doctorate, who was issued a Warning for failing to provide multiple clients with the required disclosure form.

The third, a psychologist-doctorate, who entered into a dual relationship by bartering with her client for services, failed to provide proper disclosure, and gave or sent her client several items, including: painting(s) and book(s), the Board imposed conditions which included supervision, and educational coursework.

The full text of these actions can be found at: <http://vtprofessionals.org/opr1/searchdiscipline.htm>.

The Board congratulates and welcomes the new psychologists licensed since our last Newsletter in 2003.

David M. Baldwin, Jr., Ph.D. Christine May Chamberlin, Ph.D. Leslie Marie Faris, Ph.D. Alicia Jane Frank, Ph.D. Christine Cameron Hamel, Ph.D. Bradie Ann Hansen, MA James E. Jennings, Ph.D.	Neil A. Jepson, MS Augustus E. Jordan, Ph.D. Kimberly Lawrence Kol, Psy.D. Sharon Graham Leach, Ph.D. Molly Caroline Millwood, Ph.D. Rachel O. Natvig, Ph.D. Shirley Ann Oxidine, Psy.D.	Amy H. Park, Ph.D. Irene F. Sharp, MA Kregg C. Strehorn, Ph.D. Sharon Patricia Swanson, Psy.D. Kelly Shannon Thorne, Psy.D. Moshe Wurgaft, MA Judy D. Young, MA
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