



Vermont Board of Psychological Examiners Newsletter

VPEN



Message from the Chair

Since the last VPEN newsletter a few years ago, there have been numerous transitions and changes, within the Board itself and within OPR. In that time, three Board members have retired from their service and, slowly, we have had others appointed to fill these vacancies. Maxie Ewing and Kathi Smith, both long-term public members, after many years of stellar and dedicated service to the Board and to Vermonters, completed their tenure. Kay Frances Schepp, Ed.D., as well, left the Board after dynamic and committed participation. We offer our deepest acknowledgement and appreciation to all three valuable former Board members.

Vera Jones was appointed in January, 2007 as a public member. Vera brought with her tremendous skills and knowledge, having previously served as the Executive Director of the Vermont Board of Medical Practice when it was connected with OPR. In April, 2007, Deb Wallis, Ph.D. was appointed. Dr. Wallis is energetic, vivacious, and careful in viewing the many complex issues related to regulation of the practice of psychology. Michael Doyle, our most recently-appointed Board member, was appointed in December, 2007. Mike is a public member who is quickly learning the ways of the world of psychology and regulation in Vermont. We welcome all our recently-appointed and extremely valuable Board members.

In addition to changes in the composition of the Board, over a year ago the entire Office of Professional Regulation moved out of its longtime home in the Redstone Building to larger and more efficient quarters in the vast National Life building.

As if there hadn't been enough change to hold our attention, since March, 2008, Peggy Atkins, our iconic mainstay for decades as an unbelievable and invaluable Administrative Assistant, has been on a long-term leave of absence to provide full-time care to a family member. I know every licensed psychologist in Vermont for decades has benefitted greatly from

Governor

The Honorable James Douglas

Secretary of State

Deborah L. Markowitz

Office of Professional Regulation

Christopher D. Winters, Esq., Director

Members of the Board

Steve Lewis, Psy.D., Chair
Richard W. Root, II, Ed.D., Vice Chair
Deborah Wallis, Ph.D.
Vera Jones, Secretary
Michael Doyle

Board Staff

Rita Knapp, Division Administrator
Diane Lafaille, Board Administrator
Larry S. Novins, Esq., Board Counsel

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Peggy's tireless, committed and matchless service to our profession. After the Board wandered aimlessly for a while without Peggy, the Board Administrative Assistant's role was filled by Kristy Kemp. Kristy has done a superb job learning about the profession, our ways, and has been gracious in our constant demands of her. Following a very recent restructuring within OPR, in March, 2009, Kristy has been re-assigned to different OPR Boards. Beginning with the April, 2009 meeting, Kristy's role has been taken over by Diane Lafaille, a long-time Administrative Assistant, who has worked in a dedicated fashion with the Allied Mental Health Practitioners Board, among others. Welcome Diane and thank you, Peggy and Kristy.

After some absent time, as we are settling down after so many transitions, with a reconstituted Board membership, new office space, and with new staff support, we are delighted to re-introduce the VPEN to all Vermont licensed psychologists. Our intention is to present our colleagues with updated information of the Board's goals, tasks and activities, as well as provide information about the larger, North American topics of interest and debate related to practice and regulation in the field of psychology.

Among others, two of the initial intentions in developing a newsletter were to create a forum for communicating with licensees about standards and changes in the regulation of the profession, and to provide updates about areas of professional interest pertaining to the Board's roles and activities. With this edition of the VPEN, we hope to continue a forum that we began with the first newsletter in 2002, and hope the articles contained within are useful and informative to all of you. We welcome your questions, suggestions and input.

Steve Lewis, Psy.D., Psychologist-Doctorate
Board Chair

Know Your Board

Michael Doyle, public member, is semi-retired and self employed as the innkeeper and owner of the Doyle Guest House in downtown Montpelier, VT. He also serves on the board of directors of ORCA media, the local cable TV access, the Montpelier Historical Society, and is an officer in the Vermont State Guard. He is a driver for Senator Bill Doyle and assists him with his campaigns and with classroom instruction at Johnson State College. As a member of the Friends of the State House, Michael is an active tour guide and local historian.

Vera A. Jones, public member, brings many years of experience in medical administration. She has held positions as Vice President of Central Vermont Medical Center for twelve years working in collaboration with the medical staff and leading the organization in its public relations efforts. She is currently employed at Gifford Medical Center and holds the title of Patient Relations Specialist. Prior to her hospital career, she was Executive Director of the Vermont Board of Medical Practice for five years and helped spearhead the first diversion program in the State for impaired physicians.

Steve Lewis, Psy.D., Chair, psychologist member, has a general outpatient practice in clinical psychology in Williston. He works extensively with all age populations, providing individual, couples, parent, and family therapy services. He has a clinical specialty in child and adolescent psychology, providing assessment, consultation and treatment services. His special interests include social development, ADHD and other issues involving attention, parent training, and the neurodevelopmental abilities that are fundamental to effective learning. He is a member of the Fletcher Allen Health Care Medical Staff, Department of Psychiatry. Since becoming a member of the Board in January 2002, Dr. Lewis has become increasingly involved with ASPPB, having previously served on the Committee on Examination Research and Policy and on the Nominations Committee, and is currently serving on the newly-established Supervision Guidelines Task Force.

Richard Root, Ed.D., ABPP, Vice Chair, psychologist member, is a founding member of Twin State Psychological Services. Dr. Root is in the independent practice of psychology and is a member of the active medical staffs of the Springfield, VT and Claremont, NH Hospitals. He has had an ongoing interest in the study of consciousness and behavior, and has published articles on theoretical and clinical aspects of the diagnosis and treatment of ADHD. He is working on the development of a neuroanatomical/physiological model linking traumatic events and subsequent inattention and impulsivity. Dr. Root is a lifelong resident of Vermont and has held leadership roles in the Vermont Psychological Association, from whom he received the Award for Outstanding Contributions to the Field of Clinical Psychology in Vermont in 2006. His lifetime professional and public service goal has been to ongoingly improve the quality of psychological care for the public.

Deborah Wallis, Ph.D., psychologist member, lives

in Wilder, Vermont, and maintains a private practice. Her practice specializes in children through young adults, providing psychological evaluation, psycho-educational assessments, and consultation and support for children, families and schools. Dr. Wallis is developing a program to better promote self-regulation skills for preschool through early elementary school-age children. She was appointed to the Board in the spring of 2007. Deb is a native of Vermont, and has four grown children. Deb has lived in the upper valley for the past nine years, after living in the Rutland area. Her hobbies include traveling, reading, hiking, and making wire jewelry.

ASPPB in Review

Over the past few years, there has been an increasingly thoughtful and complex conversation occurring among North American psychology boards related to various current issues in psychology and regulation. The ASPPB represents 64 member board jurisdictions in the U.S., Canada, Puerto Rico, the U.S. Virgin Islands and Guam. ASPPB is instrumental in collecting, evaluating and disseminating information on topics ranging from the assessment of competency for licensure of psychologists, an evaluation of the continuing benefits of the one-year post-doctoral supervised practice requirement, establishment and publication of practicum guidelines, and proposed changes on behalf of facilitated and expedited mobility of psychologists.

Assessing Professional Competence:

In the past few years, ASPPB and other groups involved in the training of psychologists have placed increased emphasis on attempts to assess professional qualifications in the licensure of psychologists based on a competency model. Competency criteria are designed to amplify the assessment of psychologists in a more comprehensive manner than the usual practice of counting supervision hours and ensuring that the correct coursework was completed. A recent model outlines the core competency domains, including foundational competencies (such as knowledge, skills, values and ethics), functional competencies (such as assessment, intervention and consultation), and the developmental process and competency across stages of training. Currently, in the Canadian provinces, a model has been developed in which the principle criteria for granting licensure are based on the ability to perform the occupation. This model is based on the acquisition of certain core competencies despite the wide range of differences in the length and nature of education or training. In the U.S., work

continues to progress in terms of what defines competence, how it is achieved and maintained, and the manner in which individuals and the profession guard against various threats to competence. ASPPB has been at the forefront in pursuing this important agenda.

Post-Doctoral Supervised Experience:

After a lengthy process and input from many, beginning in 2000, the American Psychological Association established a new position regarding the requirement for the year of supervised experience required for licensure. The position is based on:

- Comparisons with other professions, such as medicine.
- Financial considerations and constraints for doctoral psychology graduates.
- Increased competition for and lack of adequate access of post-doctoral programs.
- Re-thinking about basic competencies for initial licensure.
- The large number of training hours involved during the course of a trainee's doctoral program.

The APA's new model licensure act, presented in 2006, viewed the doctorate as the minimum requirement to becoming a practicing clinical psychologist and proposed that post-doctoral supervised training should no longer be required for licensure. Leading up to this policy change, ASPPB has been very involved as part of work and discussion groups.

However ASPPB did not endorse the change in APA policy, based on:

- Reasons of competency.
- Lack of criteria and competency for practicum training hours.
- Disruption to mobility efforts and efforts toward interjurisdictional consistency in licensure requirements.
- The difficulty of making uniform changes due to differing versions of jurisdictional laws.

Since that time, a few states have moved toward the elimination of the post-doctoral supervised experience requirement. At this time, Vermont continues to require a minimum of 4000 hours of supervised experience, at least 2000 of which must occur post-degree (either Master's or Doctoral).

Practicum Guidelines:

As a result of the post-doctoral supervision issue, in

order to prepare for future changes in the professional licensure requirement landscape, ASPPB commissioned a task force to create guidelines for doctoral-level practica. This task force was developed to provide guidance to ASPPB members who wish to consider the possibility of including experience gained during practicum training in their licensing regulations. The goal of the task force was to establish guidelines that provided a common and consistent understanding of what constitutes acceptable practicum training in order for those seeking to implement the APA recommended change in licensure requirements. After a review of the literature, an examination of current knowledge, and meetings, a workgroup presented recommendations to the task force for the purpose of the development of model regulations. In its October, 2008 publication, this Practicum Guidelines Task Force presented standardized guidelines that described the sequence, breadth and depth of training, hour requirements, supervision and supervisor qualifications, the training sequence, and setting requirements.

Interjurisdictional Practice Certificate (IPC):

The IPC allows for licensed psychologists to more easily practice in another jurisdiction on a temporary basis without obtaining full licensure in the jurisdiction where the temporary practice occurs. At the same time, the IPC provides member boards with appropriate oversight and regulation of these licensed psychologists wishing to practice temporarily in their jurisdiction. The IPC allows psychologists to provide temporary service for at least 30 days per year without obtaining full licensure in that jurisdiction. The IPC would facilitate situations such as a forensic psychologist conducting an evaluation in another jurisdiction, an I/O psychologist consulting with an organization in another jurisdiction, and providing psychological services in a jurisdiction that has experienced an acute natural disaster. The IPC is not, however, a mechanism designed for ongoing intermittent clinical practice in another jurisdiction. The VT Board has not taken a position on this.

Additional ASPPB topics of consideration and projects during the past year include:

- Work toward the establishment of competency guidelines for supervisors involved in Regulatory Supervision of conditioned licensees and general supervision of trainees prior to initial licensure, resulting in the commission of a task force.
- The redevelopment of the ASPPB

Credentials Bank, called the Credentials Verification Program (CVP), which is a lifetime repository of professional information that would be stored centrally in electronic form to assist in licensure and professional mobility.

- Consistency in licensure requirements and standards for licensure.
- Exploration of the complementary roles for psychological associations and regulatory boards in the adjudication of complaints against psychologists.
- The development of Colleague Assistance Programs in various jurisdictions.
- Issues related to multi-cultural competence, bias and regulation.
- Distance education, including residency, accreditation and mobility.

Review of Board Activities

The Office of Professional Regulation holds yearly retreats where members of the 44 Licensing Boards get together to meet the Office of Professional Regulation Administrators and Prosecuting Attorneys and gain important information regarding various areas such as handling complaints and hearings. The Vermont Board of Psychological Examiners has also benefited from the training and support from the Association of State and Provincial Psychology Boards through attending yearly conferences, which have addressed various aspects of Psychology Licensing Boards' functioning.

Our Board has held yearly day long retreats focusing on how to best carry out our primary role of "protecting the public's safety and health". We are continuously mindful of various procedures such as complaint turn around time, helpful and timely responses to queries of the Board and continuing education audits. The capable professional staff from the Office of Professional Regulation, within the Vermont Secretary of State's office, also assists us with aspects of our yearly retreats.

As reported in the Board's Attorney Larry Novins' article elsewhere in this Newsletter, the Board has spent a good deal of time examining the Administrative Rules and Statutes associated with licensing of psychologists in Vermont. We welcome input from the public and psychologists in regards to any recommended changes in the existing Rules and Statutes.

The Association of State and Provincial Psychology Boards and the American Psychological Association,

through publications and continuing education activities have supported states developing Colleague Assistance Programs (CAP) for psychologists. Other professions, e.g., physicians, lawyers, and nurses, in Vermont offer a CAP for their members. The Board has been exploring the development of a CAP for Vermont Psychologists with the Vermont Psychological Association's Ethics Committee.

In addition to our regular work of reviewing applications for licensure, complaints, continuing education and correspondence, here are some of the other issues your Board has addressed during this two and one half year period since our last Newsletter:

- Co-sponsoring, with the Vermont Psychological Association, a conference on ethics and professional practice
- considered and reviewed the Association of State and Provincial Psychology Boards' Interjurisdictional Practice Credential proposal
- reviewed the Board budget, which resulted in a lowering of the renewal fees for licensure as a psychologist from \$275 to \$225
- considered various aspects of clinical record retention
- the EPPP can be now taken when all educational requirements for licensure have been completed and approved

We welcome your attendance at any Board meeting and appreciate your support of our activities on behalf of the Vermont public.

Continuing Education Requirements

Continuing education is required for license renewal of all psychologists. A basic reason for this requirement is that psychologists should continue their professional development to review psychological concepts and techniques, acquire new knowledge or skills relevant to their work, and improve their competence in current skills, so that the public will benefit from the most current and effective standards of professional practice. Please see Rule 3.5; Requirements for Continuing Education, found at the following current hyperlink:
<http://vtprofessionals.org/opr1/psychologists/psychrules.pdf> .

Auditing continuing education reports is one of the roles of the Board of Psychological Examiners. Psychologists in Vermont are participating in many very interesting and constructive professional

development activities. Documentation is often very organized and contains the required certificate of attendance and summary, as well as reflection from the psychologist on the seminar/activity when required. Based on the audit, denial for continuing education credit results from these common misunderstandings:

Category I/Category II distinction:

It is important to know the difference between these two categories as delineated in the Rules relating to psychologists referenced above. The definitions of a Vermont Category I activity and an American Psychological Association (APA) Category I activity are different. Be sure to check that your submission meets the definition of a Vermont Category I activity.

Insufficient documentation:

Often attendance certificates and/or summaries are missing for Category I activities. Relevant readings, activities, research procedures, critiques and/or reflection are insufficient or lacking for Category II activities.

Activities that are not professional psychology activities:

Professional development means professional development within the practice of psychology. The field of psychology changes just as any profession changes. Continuing education is an important responsibility of a professional psychologist.

The basic requirement a licensee must complete for continuing education is at least 60 CE credits completed during the two-year period immediately preceding the renewal date. **At least 30 of the CE hours must be from Category I**, and a minimum of 6 hours in ethics is required. To meet the Ethics requirement, the dominant topic of an acceptable course or program must be ethics and the practice of psychology, professional conduct, jurisprudence and/or related legal issues. The six ethics credits may be accrued in either Category I or Category II, or both. All 60 credits needed for renewal may be obtained in Category I. Documentation of activities must include a certificate of attendance and a brief summary (100-200 words) of the content (typically the description contained in the conference brochure). Credit for continuing education is one credit for each hour of attendance (not including lunch or breaks).

The very best practice for meeting continuing education requirements is:

- Attend and participate in at least 60 hours

- of CE activities
- Be sure that at least 30 hours are Category I CE activities
- Be sure to obtain at least 6 hours of CE in Ethics
- Keep a running tab of credits earned
- Maintain good records (documentation of participation, summary, reflection)
- Choose continuing CE activities that support your professional growth
- Have documents prepared/ready to submit if audited

Category I activities are particularly important for several reasons. These formal events are designed to provide quality continuing education, including presentations of current psychological knowledge, and provide valuable opportunities for direct interaction with other psychology professionals.

Category II credits are those educational activities that include individualized learning, independent study, APA-approved home study programs, supervision, case consultation with other psychologists, and individualized preparation for presentations that are primarily psychological in nature. There is no minimum for number of credits in this category that are required for licensure renewal. However, up to 30 credit hours of Category II credits may be applied toward the overall CE requirement. The Jurisprudence Exam qualifies as Category II, and is available only to those renewing licensees who have never passed it.

Specific activities qualify as acceptable continuing education if they are programs of learning that contribute directly to the licensee's competence to practice psychology.

It is important that continuing education credit is for professional growth and development. While worthy in many ways, there are many programs that do not qualify for continuing education credit. Some examples of these include: computer and other technology skills, staffing meetings, yoga, meditation retreats and other personal growth and self-help activities, and marketing, investments, and office productivity trainings.

In either category, pre-approval is necessary for any topic not generally recognized or accepted by mainstream psychology. Relevant Category II experiences require specific guidelines for documentation. For independent study, scholarship or research, professional writing or speaking, and preparation for courses or presentations,

documentation is required as to process and product, including relevant readings, activities, research procedures, products and a brief critique of the material. For supervision, journal club participation, and ongoing case consultation, documentation is required from both the supervisee and the supervisor or colleagues as to general topic and approach as well as assessed professional development. For participation in professional or scientific meetings pertinent to psychology as a practice or discipline, a brief summary and critique or reflections of the experience is required.

As with other licensing boards within the state, the Board of Psychological Examiners has a modified system for tracking CE credits. Licensees subject to a random audit will be asked to submit documentation of all continuing education for the preceding two years. It is a random audit, so YES - it is possible to be audited every renewal –or not at all. While it is not necessary to submit documentation of CE credits prior to renewal, it is important for all licensees to maintain documentation individually for audit purposes. When a licensed psychologist is audited, submission of documentation is requested and will then be reviewed by the Board. If the CE report is not approved by the Board, the licensee shall be notified. **The licensee will then be required to file a corrective action plan with the Board within 15 days.**

Supervised Practice

The 2008 legislative session changed one of the requirements for those engaged in supervised practice in Vermont. Effective July 1, 2008, any person in Vermont who is engaged in supervised practice toward licensure as a psychologist is required to register with the Board (26 V.S.A. § 3004(b)). The registration form is available on the Board's web site. Currently no fee is imposed.

If you know of anyone in supervised practice, or supervising another, please be sure share this information. Please tell anyone in supervised practice to register with the Board immediately.

Review of Administrative Rules

The Board, assisted by Board Counsel, continues its review of the administrative rules and statutes governing the profession. Since the last newsletter, Board members have been reviewing all aspects of licensing requirements. The Board plans to clarify licensing standards so that practitioners, future applicants, and members of the public will better

understand what is required to become a licensed psychologist in Vermont. Of particular interest to the Board so far have been the issues of licensure of psychologists already licensed in other jurisdictions, continuing education/current competency issues, educational requirements for licensure, and pre-licensure supervised practice. As it reviews all aspects of the rules, the Board hopes to make the rules easier to follow and administer. The rules that result from this process will be re-numbered to make finding and reading them easier.

As part of the review process the Board encourages licensees and those interested in the licensing process to communicate with the Board. Please feel free to share any concerns you may have about our current rules and statutes. The current rules and statutes are available on line through the Board's web page, <http://vtprofessionals.org>. If you have suggestions for changes or new administrative rules, share those as well. The Board is not looking for carefully drafted proposals in the "legalese" required for rules. It is looking for suggestions for substantive changes. A short paragraph outlining what you don't like or what you would like to see done is sufficient. Communications about changes to the rules or statutes may be emailed to the Board c/o dlafail@sec.state.vt.us. Please write "**statute and rule changes**" in the subject line. Our web page has a form that you may use to ease the comment process. Please be sure when suggesting changes to refer to the current rule or statute by its number and section. For example, "Current Rule 2.1(2)(h), I'd like to see the requirements for the number of hours for post-degree supervision changed from 2,000 to 1,500."

When the Board completes its review of the statutes and rules, it will draft proposed changes and post them on the Board's web site <http://vtprofessionals.org> and ask for further comment. Only after that, will the Board begin the formal rule making process required by the legislature before any changes can go into effect. All licensees will be given additional opportunities to participate in the process. Your contributions are greatly appreciated.

Update from OPR Director

I am pleased to give you an update on a major project all of us at OPR have been involved with over the last year. For well over a decade, we have struggled with our two existing electronic databases for tracking licensing and discipline. As our business has grown, it has become increasingly apparent that these

databases are inadequate for our changing needs. We continue to see rising numbers of licensees and disciplinary complaints, with very little in the way of increased staffing. We need to leverage new technology to help us do our jobs in a more efficient manner as we serve and protect the public. Because of this, we have long been planning a replacement of our existing computer systems with a new one called "eLicense."

eLicense is a highly customizable product that allows the client to configure its functions to reflect its business practices. So before we started configuring, we went through a lengthy self-analysis of our business processes, including a step-by-step review of each and every license we offer, cross-checking it with the laws for that profession and the forms we currently use. We did this for nearly 400 license types! We've also reviewed all of the correspondence that leaves this office to build certain standard letters into the system with merge tags so that they can be automatically generated. We've produced about 50 letters so far, with many more to go. We have configured "actions" into our enforcement system (each one being an electronic footprint of a step in disciplinary case) so that the electronic record will be detailed and complete and any one of our staff can know the status of a case at a glance.

The new system will incorporate our two existing databases into one, allowing for more complete information in one place about each licensee. Electronic checklists will reduce paper files and encourage consistency. In eLicense, applicants are entered into the system as soon as they file an application, rather than when they are finally licensed. Any OPR employee from any desk can pull up a file on their computer desktop to answer questions about the applicant or licensee.

All of this will lead to more reliable and accessible information and better accounting practices. Standard letters can be automatically generated from the system and attached to the electronic licensee file. More advanced reporting functions will allow managers to glean detailed information about workloads, timelines, and the status of applications and cases. These reporting functions also translate into additional information available to the public through our website.

Other eLicense features will include the ability for applicants to look up the status of their pending applications online. The general public will be able to search for licensees by a variety of search criteria. Online license renewals are another feature of

eLicense planned for this spring.

As you might imagine, this ambitious undertaking, on top of our regular everyday workloads, has been a real challenge. Although it has been a long and eventful journey to get to this point, it has been well worth it. Along the way, we have discovered many ways to improve our business processes. It has been a great team-building exercise and has helped us to think critically and innovate around our long-standing ways of doing things here at OPR.

We went “Live” with the new system on Monday, February 9th, and are well under way after a relatively smooth transition. We have experienced minor delays in processing as we adjust to all of the new entries and modified business practices. I certainly appreciate your patience with us here at OPR as we focus on this critically important improvement to the way we do business. Some of you may have noticed some slow down in service and processing over the last several months as I pulled many OPR members away from their regular duties to focus on eLicense. Nearly everyone in OPR played a part in building this new system. To the extent you didn’t notice any difference in service; they deserve a lot of credit!

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.

Chris Winters, Esq.
Director of OPR

Disciplinary Actions

Since the beginning of 2006, the Board imposed disciplinary sanctions against five licensed psychologists.

1. License was suspended and conditions were imposed for entering into a personal/sexual relationship with a client, and during that relationship disclosing confidential information about several other clients.
2. Conditions were imposed for failure to delineate and document the specific provision of services leading to miscommunication and misunderstanding, and a lack of familiarity of and compliance with rules related to disclosure, informed consent and general rules governing the profession
3. License was revoked, as was the privilege to request for reinstatement of the license for a minimum of five years. Charges included entering into a personal relationship with a client, demeaning and exploitive actions toward a client, and failure to safeguard confidentiality.
4. License was suspended and conditions were imposed for demeaning and threatening clients, interpersonal difficulties with co-workers, and failure to comply with employer and professional protocols regarding protection of confidential records.
5. License was summarily suspended pending proceedings for revocation or other legal actions, based on sexual misconduct with a client.

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