

Examining Board of Psychology

Message from the Chair: Shari Roberts

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Burstein, Public
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Ph.D.

Rachaud Smith,
Psy.D.

Ruby Takushi, Ph.D.

As the chair of the Examining Board of Psychology I interact frequently with many staff members in the Department of Health, from program managers to assistant attorneys general, staff attorneys, executive directors and others. I am consistently impressed with the intelligence, wisdom and passion of all the state professionals, as well as with their knowledge, thoroughness and commitment. We are all hard at work protecting the public and protecting the profession of psychology in the state of Washington. We try to ensure fairness and clarity for all of you.

Some of the projects we recently completed include putting the jurisprudence exam online and evaluating which states, provinces and countries have essentially equivalent licensing requirements to make the process less daunting for psychologists moving to Washington. Several issues we will be addressing over the next year include exploring the implications of the increasing practice of telepsychology, making decisions about the changes coming to the EPPP, and exploring interstate compacts that would address shared licensing and regulation issues. We are continuing to review what types of sanctions are most appropriate for disciplinary actions. The board strives to carefully review all complaints in a timely and confidential fashion. This can be an arduous task, with some cases requiring reading several hundred pages in just a few days. We also review licensing applications from psychologists trained at non-APA accredited institutions, a time-consuming evaluation process. I strongly believe in hearing all voices in our discussions and in guiding the board towards consensus, and am honored to serve with my fellow board members to protect the citizens of Washington State including all of you, the psychologists who care for our population.

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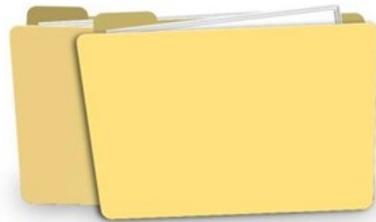
WASHINGTON STATE

Open Public Meetings Act Guidance

On Frequently Asked Questions About Processes to Fill
Vacant Positions By Public Agency Governing Boards*

**And Some Suggested Practice Tips*

June 1, 2016



<http://www.atg.wa.gov/Open-Government>



Message from Attorney General Bob Ferguson

Greetings.

Transparency in government is a cornerstone of democracy, ensuring the people's right to know. The Attorney General's Office is an important resource for the public and for government entities on the state's Sunshine Laws: the Public Records Act (PRA) and the Open Public Meetings Act (OPMA). My office recently successfully requested legislation to increase the OPMA's penalties so they maintain the deterrent effect consistent with the original intent of the law.

The passage of that bill, SB_6171, means that OPMA penalties are increased from \$100 to \$500 for a first knowing violation by a governing body member, and to \$1,000 for a subsequent knowing violation.

When problems arise involving these laws, they are often the result of a lack of knowledge. In an effort to increase awareness, my office provides resources on our Open Government [web page](#). The web page includes links to the Open Government Trainings, the *Open Government Resource Manual*, and other useful information. In addition, Open Government Assistant Attorney General Nancy Krier provides information, technical assistance, and training. Ms. Krier prepared the enclosed document, "Open Public Meetings Act Guidance on Frequently Asked Questions about Processes to Fill Vacant Positions by Public Agency Governing Boards", also available on our Open Government Training [web page](#).

The guidance is intended to assist board and commission members in complying with the OPMA when filling vacant top positions at their public agencies. The guidance also offers the public a better understanding of their rights under the law.

While the FAQ guidance does not bind any agency or person, we hope it will be a useful resource for agencies, the public, and members of the media alike. Our goal is to assist in providing a better comprehension of the OPMA, reducing risks of possible violations and penalties.

Thank you for your interest in open government. I hope you find this guidance informative.

Bob Ferguson

Washington State Attorney General



If you have questions or comments, please contact Nancy Krier, the Assistant Attorney General for Open Government at nancyk1@atg.wa.gov.

Telepsychology

Department of Health
Office of Health Professions and Facilities
Examining Board of Psychology

Guideline

Title: Telepsychology

References: RCWs 18.83, 18.130, and 70.02 RCW, and chapters 246-16 and 246-924 WAC; American Psychological Association's *Guidelines for the Practice of Telepsychology*, Adopted July 31, 2013.

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Effective Date: Approved January 29, 2016

Approved By: Timothy Cahn, Ph.D., Chair
(signature on file)

Background

Advances in technology and changes in how people communicate have made common the delivery of psychological services using telecommunications technologies. This approach, commonly referred to as telepsychology, is beneficial if properly used because it may increase access to psychological services, decrease the cost of accessing psychological services, and speed up the delivery of psychological services and patient-client records. The Examining Board of Psychology (Board) developed this guideline to describe how telepsychology will be regulated consistent with existing statutes and rules governing the practice of psychology in Washington State. The Board recognizes that technological changes occur rapidly, so this guideline provides general principles that are technologically neutral rather than focusing on the use of any specific telecommunications technologies.

Definitions

"Telepsychology" is the delivery of psychological services using telecommunications technologies.

"Telecommunications" is the preparation, transmission, communication, or related processing of information by electrical, electromagnetic, electromechanical, electro-optical, or electronic means.

"Telecommunications technologies" include but are not limited to telephone, mobile devices, interactive video conferencing, email, chat, text, and Internet (e.g. self-help websites, blogs, and social media).

“In-person” means interaction(s) between the psychologist and the client-patient that occur in the same physical space, and does not include interactions that occur through the use of telecommunications technologies.

“Remote” refers to the delivery of a service or services at a different site from where the psychologist is physically located. The term remote includes no consideration related to distance.

“Practice of psychology” has the same meaning as RCW 18.83.010(1) (a)(b)and(c). “Telepsychology” is included within the practice of psychology and is not a separate discipline.

Guidelines for Appropriate use of Telepsychology

A. **Licensure:** Psychologists utilizing telepsychology on patients-clients in Washington State must be licensed to practice psychology in Washington State or have a temporary permit to practice psychology in Washington State. Washington State licensed psychologists are encouraged to be familiar with and comply with relevant laws and regulations when providing telepsychology services to patients-clients across state and international borders.

B. **Standard of Care:** Psychologists using telepsychology will be held to the same standard of care as psychologists providing services in-person, including the requirement to meet technical, clinical, confidentiality, and ethical standards otherwise required by law. Some elements of the standard of care as applied to telepsychology include:

Psychologists take reasonable steps to ensure they are competent with both the technologies used and the potential effect of the use of telepsychology on clients-patients and auxiliary staff.

Psychologists obtain and document informed consent that specifically addresses the concerns that may be related to the telepsychology services they provide. Such informed consent should be developed so it is reasonably understandable to clients-patients. Informed consent may include, but is not limited to:

The manner in which the psychologist and client-patient will use particular telecommunications technologies, the boundaries that will be established and observed, and procedures for responding to electronic communications from clients-patients;

Issues and potential risks surrounding confidentiality and security of client-patient information when particular telecommunication technologies are used (e.g., potential for decreased expectation of confidentiality if certain technologies are used);

Limitations on the availability and/or appropriateness of specific telepsychology services that may be hindered as a result of the services being offered remotely.

C. **Confidentiality of Data and Information:** Psychologists practicing telepsychology take reasonable steps to protect and maintain the confidentiality of data and information relating to their clients-patients. When necessary, psychologists consult with technology experts to augment their knowledge of telecommunications technologies in order to apply adequate security measures in their practices that will protect and maintain the confidentiality of data and information related to their patients-clients.

New Member Spotlight

Florence Katz Burstein, Public Member

Florence Katz Burstein (A.B., A.M.) retired in 2015 from the City of Seattle, where she became the Director of Employee Health Services in 2007. Her professional experiences were primarily in health services planning and regulation, and in both non-occupational and workers' compensation health insurance – Connecticut, Maryland, Tennessee and finally, Washington. In addition to serving now as a public member on the Examining Board of Psychology, she volunteers at Seattle Goodwill.

Dr. Lezlie Pickett

Lezlie Anne Pickett owned a successful management consulting/training company for approximately 16 years, while also serving as a Court Appointed Special Advocate volunteer for ten years with the Kind County Family Court System, advocating for children. She then decided to pursue her first true love, forensic psychology, going back to earn a Ph.D. from Central Michigan University in Michigan. Her professional experiences include working as a Forensic/Clinical Psychologist for the Federal Bureau of Prisons (United States Penitentiary) in Atlanta, Georgia, and maximum security prisons in Washington State. Currently, she is a Forensic Examiner at Western State Hospital and also maintains a thriving private practice. She enjoys making plans for vacations that she is always too busy to actually take, likes sleeping in (because it so rarely ever happens), and is looking forward to working with the great team of people who currently comprise the Examining Board of Psychology.

Examining Board of Psychology Disciplinary

Psychologists

Active Licensed Psychologists - 2,749

Complaints Received - 349

Investigated - 179

Closed after investigation - 136

Legal Action Taken - 40

Summary Action - 5

The board received an increased number of complaints compared to the 2011-2013 biennium; this caused the number of authorized investigations to increase as well.

The number of cases resulting in action taken by the board varies slightly depending on the nature of the complaints received. There has not been a significant change from previous biennium.

When there is an immediate danger to public safety, the board may summarily (immediately) suspend a respondent's license. The board summarily suspended one psychologist.

When a licensee is prohibited from practicing in another state because of unprofessional conduct, there is a mandatory summary suspension of the credential in Washington. The board has not had any of these cases.

How to avoid a complaint: Communicate and document all communication and treatment provided or recommended. These actions alone may not prevent a complaint being filed but will assist the board when evaluating whether a violation of law has occurred. Know your law.

Laws can be located on our [website](#).

**Board Staff Contact
Information**

Department of Health
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Olympia, WA 98504-7852

[Kim-Boi Shadduck](#), Program
manager

[Tammy Kelley](#), Disciplinary case
manager

Customer Service 360-236-4700
www.doh.wa.gov

[Board Website](#)

The board is made up of seven psychologists and two public members. Members attend regular meetings, scheduled for one day on a Friday every six to eight weeks. Members are appointed by the governor for five-year terms. If you are interested in applying to be a part of the board, please complete an application on the governor's website at <http://www.governor.wa.gov/boards/application/application.asp> or contact Kim-Boi Shadduck at KimBoi.Shadduck@doh.wa.gov with questions.



It is the purpose of the board established in [RCW 18.83.050](#) to regulate the competency and quality of professional health care providers under its jurisdiction by establishing, monitoring, and enforcing qualifications for licensure, continuing education, consistent standards of practice, continuing competency mechanisms, and discipline.

2017 Board Meeting Dates

January 27

March 24

May 19

July 21

September 15

November 17



Public Health - Always Working for a Safer and Healthier Washington