

# Tennessee Board of Examiners in Psychology



# Newsletter



A Regulatory Agency of the State of Tennessee

2014

Fall

*THE MISSION OF THE TENNESSEE DEPARTMENT OF HEALTH IS TO PROTECT, PROMOTE AND IMPROVE THE HEALTH AND PROSPERITY OF PEOPLE IN TENNESSEE*

## 2015 Board Meeting Schedule



**March 12 – 13, 2015**

Iris Room, 665  
Mainstream Dr.,  
9:00 a.m. CT

**June 11 – 12, 2015**

Iris Room, 665  
Mainstream Dr.,  
9:00 a.m. CT

**September 10 – 11, 2015**

Iris Room, 665  
Mainstream Dr.,  
9:00 a.m. CT

**December 10 – 11, 2015**

Iris Room, 665  
Mainstream Dr.,  
9:00 a.m. CT

## Legislative Updates

### Board of Examiners of Psychology Legislative Update - 2014

#### Public Chapter 949

This act allows for initial licensure applications to be accepted online. Currently, renewing licenses is already available online. This also makes available to the public annual inspections of health care facilities and pharmacies, similar to how nursing home inspections are already available.

#### Public Chapter 622

Current law requires that, prior to writing a script for an opiate or benzodiazepine; a practitioner must check the database for their patient. This act allows that patient's profile to be placed in their medical record, which is subject to HIPAA. This further allows the Department of Health to make available upon request aggregate, de-identified data from the CSMD.

#### Public Chapter 623

Naloxone is an opioid antagonist designed to stop the effects of an opiate related overdose. This act allows a licensed healthcare practitioner to prescribe naloxone to a person at risk of having an opiate related overdose, or a family member or friend of the at-risk individual. It further requires training in administration of naloxone prior to the drug being prescribed. Civil immunity is provided for both the prescribing practitioner and the individual administering naloxone.

#### Public Chapter 763

This act revises delinquent privilege tax provisions that would require the Department of Revenue to notify the licensee that failure to cure the delinquency or deficiency prior to their licensure renewal date can result in renewal abeyance. For purposes of the bill, "cure" means payment in full, entering into an agreed payment plan, or

abatement of tax liability. Licensing boards will be provided monthly with list of licensees who are delinquent 90 days or more and boards may not process licensure renewal.

### [Public Chapter 906](#)

This is the Methamphetamine Production Reduction Act. The law caps the sale/purchase of ephedrine or pseudoephedrine products at 5.76 g/month or 28.8 g/year, per person requiring prescription. The caps shall not apply with respect to a valid prescription from a practitioner authorized to prescribe. No person under the age of 18 may purchase the products except pursuant to a valid prescription from a practitioner or from a pharmacist generated prescription.

### [Public Chapter 820](#)

This act allows for prosecution, up to a class A misdemeanor, of a woman who gives birth to a child with neonatal abstinence syndrome, if the mother was illegally using narcotics. It is an affirmative defense for the mother if she was enrolled in a recovery program prior to the birth and successfully completes the program. (link to FAQ's for PC 820 – coming soon)

### [Public Chapter 675](#)

The act allows telehealth providers to contract with insurance companies to have their services covered in offered plans. Insurance providers cannot deny payment solely because the encounter was not in person.

### [Public Chapter 575](#)

This act extends civil immunity to health care providers providing services at clinics that charge patients based on a sliding scale to health care providers offering services at a clinic that does not charge a patient for services.

### [Public Chapter 809](#)

This act deletes superfluous language in the existing practice act statute. It adds forensic evaluation and parent coordination to the scope of practice. Further, this bill authorizes the board to promulgate rules regarding the practice of telepsychology.

### [Public Chapter 918](#)

This legislation creates the Applied Behavior Analyst Licensing Committee under the Board of Examiners in Psychology. The committee shall consist of five members appointed by the governor, three of which shall be licensed behavior analysts, one assistant behavior analyst and one consumer member of the public. The law sets forth procedures for obtaining and maintaining licensure for behavior analysts and assistant behavior analysts. It adds the chair of the committee as an ex-officio voting member to the Board of Examiners in Psychology. Further, it sets a minimum quorum for the board at six members and also requires any board action to receive at least six alike votes.

## Professional Privilege Tax

*The Tennessee Department of Revenue no longer sends out paper reminders for payment of the professional privilege tax. All taxes must be paid online. For information please visit the website below. Please see: [Public Chapter 763](#) for more information.*

Tenn. Code Ann. §67-4-1701, et seq., requires the payment of an annual professional privilege (occupation) tax. Failure to pay your professional privilege tax constitutes grounds for suspension of your license to practice in Tennessee. If you fail to pay your professional privilege tax, the Department of Health will file formal charges against you seeking the suspension of your license pursuant to Tenn Code Ann. §67-4-1704 and Tenn Code Ann. §63-9-101, et seq. Avoid the possible suspension of your privilege to practice in Tennessee by remitting your tax to the Department of Revenue in a timely fashion. For more information please go to:

<http://tennessee.gov/revenue/tntaxes/proftax.htm>

**Note: The Board of Examiners in Psychology does not assess this tax.**

## Retirement of License

If you are not practicing in Tennessee and do not wish to renew your license, it is suggested you retire your license rather than have it fall into failed to renew status. A retirement form may be obtained at our website at:

<http://health.state.tn.us/Downloads/PH-3460.pdf>

If you do not have access to the internet, you may request a retirement form be mailed to you. (See Board address on page 5.)

If your license is in "active" status as of December 31 of any year, no matter if you live in Tennessee or out-of-state, you are required to pay the yearly professional privilege tax.

## CONTINUING EDUCATION IN JURISPRUDENCE AND ETHICS



The Board of Examiners in Psychology requires three (3) hours of Type I, or II continuing education in jurisprudence and ethics. See Rule 1180-1-.08(1)(g) 1, 2 and 3. Type III will no longer be accepted for jurisprudence and ethics.

**This is a new rule as of July, 2014.**

## Renew Your License Online



Practitioners may access the online service at [Tennessee.gov/health](http://Tennessee.gov/health) to renew their licenses up to 120 days prior to the expiration date.

Click the "Licensing Renewal" link where you can renew your license and update your professional license information. *Licensees are responsible for renewing their licenses on time and keeping the Board apprised of current information. It is a violation of the law and of the Board's rules to practice on an expired license.*

**-Step 1: Login** - Select our board and your profession and enter your license number.

**-Step 2: Update your Information** - Change your home and/or office address.

**-Step 3: Enter your renewal information** - Answer all necessary questions, as if you were completing your hard-copy form.

**-Step 4: Payment** - Enter your credit card information through the secure site and choose "submit".

If you have met all of the criteria necessary, your renewal certificate will be mailed to you in approximately one week. Updated license information will be available on the department's web site within two business days.

## OFFICE OF INVESTIGATIONS



The Office of Investigations is responsible for receiving and processing all complaints for the licensure boards. To file a complaint, please contact the Office of Investigations at 1-800-852-2187 or visit our website where you may download and print out the complaint

form.



## Have you moved/changed your name?

Must be reported in writing or by e-mail to the board's office within 30 days! Please include the following:

- your name and license number;
- your profession;
- your old address and phone number;
- your new address and phone number, e-mail address, and/or your fax number;
- your signature!
- If your name has changed due to marriage or divorce, you must send a copy of the document that made the change in status.

Keeping the board's administrative staff up to date on your location facilitates the timely notification to you of important information such as your application for licensure renewal and important statutory and rule changes.

A form for the change of address/name can be found at:

<http://health.state.tn.us/Downloads/PH-3619.pdf>

You may fax your change to the board's administrative office at (615) 532-5369 or by mail at: 665 Mainstream Drive, Nashville, TN 37243.

## WORKING ON AN EXPIRED LICENSE

**Statute prohibits an individual from working as a Psychologist, Psychological Examiner, Senior Psychological Examiner and Certified Psychological Assistant unless he/she has an active license.**

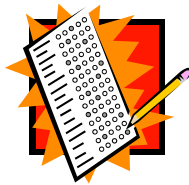
1. Upon recognition that his/her license has expired, the individual must stop practicing immediately and contact the Board's administrative office and request a reinstatement application.

2. The individual must complete the reinstatement in its entirety along with a detailed work history from the late the license expired. The application must be signed and notarized and returned to the Board's administrative office along with proof of documentation of continuing education requirements taken within the previous twelve (12) months, as well as all applicable fees.

3. Once the completed reinstatement application and all required documentation is received, the Board administrator may immediately reinstate the license **only** if the license has been in an expired status for a period of three (3) months or less.

4. If the reinstatement application received indicates in the work history that the individual has worked **more than three (3) months on an expired license, the licensee will be assessed a \$100 penalty for each month worked in excess of three (3) months.**

**Discipline for lapsed licenses will now be reportable to the national databanks as well as the Department's Disciplinary Action report.**



## **ETHICS AND JURISPRUDENCE EXAMINATION**

The Ethics and Jurisprudence exam is given twice a month at the board administrative office for applicants that have completed all of the requirements for licensure

and their file has been approved by the Board. The exam is "open book" and consists of fifty (50) true/false and multiple choice questions. Please contact the Board's administrative office to obtain exam dates and times. A registration form may be downloaded from the Board's website.

## **POLICY STATEMENT REGARDING LICENSEES WHO FAIL TO OBTAIN CONTINUING EDUCATION**

When it is discovered by the Board or its staff that a licensee has failed to obtain continuing education credits in a timely manner the licensee shall have three (3) months from the date that appears on the deficiency letter to obtain the required continuing education and submit proof of completion to the Board's administrative office. If the licensee fails to comply within the three (3) month time period, the licensee will be assessed a one hundred dollar (\$100.00) civil penalty and have one (1) year to obtain the appropriate hours. The one hundred dollar (\$100.00) civil penalty and an agreement to obtain the appropriate number of hours will be contained in the form of an Agreed Citation, which is an offer of settlement to pay the civil penalty and obtain the deficient hours within one (1) year. The licensee will have the option to accept the Agreed Citation, waiving the right to appear before the Board, or the licensee shall have the right to a contested case hearing before the Board. Should the licensee fail to pay the civil penalty and obtain the appropriate number of continuing education hours through an Agreed Citation, the Tennessee Department of Health, Office of General Counsel will file a formal disciplinary action against the licensee, which will give the right to the licensee to appear before the Board and could result in additional penalties, costs, and disciplinary action against the license, up to, and including revocation.

**To Contact This Board Call:  
(615) 253-6061 local or (800) 778-4123 nationwide or write to:**

**Tennessee Board of Examiners in Psychology  
665 Mainstream Drive  
Nashville, TN 37243**

**BOARD MEMBERS**

Pam Auble, Ph.D.  
Trevor Milliron, Ph.D.  
David Mathis, Ed.D.  
Janice Pazar, Ph.D.  
Timothy Urbin, Ph.D.  
Mark Loftis, Ph.D., SLPE  
George Bercaw, SLPE  
Cindy Boshears, Consumer Member

There is currently one (1) vacancy on the Board

**BOARD STAFF**

Charles W. Custer  
Interim Board Administrator

LaRinda Lee  
Licensing Tech

Theodora (Teddy) Wilkins  
Administrative Director