

Tennessee Board of Examiners in Psychology



Newsletter



A Regulatory Agency of the State of Tennessee

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Cordell Hull Building, First Floor, 425 Fifth Avenue North, Nashville, TN 37247-1010

• Tennessee.gov

LEGISLATIVE CHANGES ALERT... ALERT...ALERT

The Tennessee General Assembly passed legislation, allowing Psychological Examiners who have been licensed prior to July 1, 1991, and rendering health-related clinical activities or services to become licensed as a Senior Psychological Examiner. The legislation allows Psychological Examiners licensed after June 30, 1991, and rendering health-related clinical activities or services who have completed five years of experience and two hundred hours of post-licensure continuing education. To determine if you meet the qualifications for licensure as a Senior Psychological Examiner please refer to Rule 1180-3.

Legislation also passed for a new licensure level titled Certified Psychological Assistant. The practice of Certified Psychological Assistant is limited to providing services to those populations for which they have formal education, formal professional training, and supervised experience. To determine if you meet the educational qualifications for licensure as a Certified Psychological Assistant, please refer to Rule 1180-4.

The rules governing the practice of Senior Psychological Examiners, Psychological Examiners and Certified Psychological Assistants became effective September 1, 2002. You may download a copy of an application, rules or statutes at Tennessee.gov and follow the prompts.

DISCIPLINARY ACTIONS

Michael O. Buckner, Ph.D. License No. 1254, was issued an Agreed Order for unprofessional, dishonorable, or unethical conduct, gross malpractice, or a pattern of continued or repeated malpractice, ignorance, negligence or incompetence in the course of practice, willfully betraying a professional secret, professional ethics. License revoked.



ON-LINE RENEWALS!

The Bureau of Health Licensure and Regulation launched a new electronic program, which makes renewal of licensure possible via the Internet.

Practitioners may access the online service at Tennessee.gov to renew their licenses up to 120 days prior to the expiration date. Licensure information can be updated in a secure environment.

How to renew online

-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".

What happens next?

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

NEED INFORMATION?

YOU CAN FIND IT ON

Tennessee.gov



TELEPHONE SYSTEM KEY TO VERIFYING CREDENTIALS OF EMPLOYEES

Employers take note. The Department of Health's automated telephone system is a useful and inexpensive tool to verify whether or not your employees' licenses are active and in good standing. The telephone number is toll free and the only information needed is the employee's (or applicant's) social security number and your facsimile number. Here's how:

- Dial 1- toll-free 1-800-778-4123 or 741-5748
- Listen to the entire first message. Listen for the "pause". Then, listen to the **second** message
- "To obtain information regarding a health professional, such as ... psychologist, "To verify the status of a license, or" [Press 1]
- "To search our database, you will need the social security number of the health

professional. To verify the license status, you can press 1, or visit.... " [Press 1]
"Please enter the person's social security

OFFICE OF INVESTIGATIONS

The Office of Investigations is responsible for receiving and processing all complaints for the licensure boards.

BOARD'S OFFICE FIELDS

COMPLAINTS: Patients, Practitioners, & Medical Records

What do you do when a patient requests a copy of their psychological record? There are many issues to consider in a relatively short time. Each request requires professional guidance. As always, the professional needs to keep abreast of current laws as well as the Rules and Regulations pertaining to psychology. This is a little easier in the Internet age and the professional would be wise to learn how to locate and search Tennessee Code and the current Rules and Regulations (links to both are available from the State's web site). Remember that it is your responsibility to provide copies of your records but also your responsibility to protect the patient. Seek consultations from respected peers and from your attorney as necessary until you trust your judgment.

Most requests should seem pretty straightforward. T.C.A. §63-2-101 is titled "Medical Records" and is a good first step in guiding your judgment. T.C.A. §63-2-101(1)(1) directs the health care provider to furnish either a copy or summary of the patient's records within ten (10) working days of a written request. T.C.A. §63-2-102 advises that you can attempt to cover your costs for copying and mailing the records (other than records involving workers' compensation cases) by charging the requesting party the following fees:

- <40 pages = not more than \$20
- >40 pages = \$.25¢ per page.

You may require payment prior to furnishing the records. See straightforward? It can get more complicated.

You also have a fiduciary obligation to the patient. A quick read of T.C.A. §33-3-112(b) suggests that you need to be sensitive to what the record contains and whether or not the release of information is likely to pose a substantial risk of serious harm to either the patient or another person. And, of course, you may have competing requirements such as your need to not disclose raw data to someone who is not qualified to interpret it, or your commitment to keep proprietary test forms confidential so as not to destroy their normative value. You have a legal and fiduciary responsibility to protect privileged information about another patient, such as a spouse, so you wouldn't want to just send a copy of records on marital or family therapy without obtaining properly documented fully informed consent. Add to these general difficulties the competing interests that may exist if parents want to review the records of a minor child.

PROCESS REPLACES ADMINISTRATIVE REVOCATIONS

The Board has, in the past, ratified the "administrative" revocation of licenses/registrations that had exceeded the grace period for renewal and had not been renewed.

Renewal notices will continue to be mailed during the month *preceding* the month in which the license/registration was due to expire. By operation of law, the license or registration expires on the designated expiration date and the licensee/registrant cannot practice past this date. The law allows a grace period in which the licensee can renew without paying additional fees and filing a "reinstatement application."

The language on the revised renewal application alerts the licensee/registrant that the renewal form is the **only** notice to renew that the Board will send. The expired licensee will no longer receive a "reminder letter" to renew, which is customarily mailed during the grace period, or a notice of expiration.

Each profession offers the option of licensure retirement. An Affidavit of Retirement is available on the Board's web site or by requesting a form from the Board's Office.

If you believe you will want to return to practice in Tennessee, please read your profession's rules regarding reactivation procedures of a retired license/registration, as certain restrictions do apply for reactivation.

CHANGES OF ADDRESS

Must be reported (in writing or by web) to the Board's office within 30 days upon moving!

INFORMATION REQUIRED

- Your name and license number
- Your profession
- Your old address and phone number
- Your new address and phone number
- Your SIGNATURE

Fax Number 615/532-5164 or visit the Department's web site at Tennessee.gov

REFERENCE NUMBERS FOR THE BOARD

Phone 1-800-778-4123 ext. 25127

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