

# Tennessee Board of Examiners in Psychology



## Newsletter



A Regulatory Agency of the State of Tennessee

2015

Fall

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

### 2016 Board Meeting Dates

March 17-18, 2016  
9:00 a.m., Iris Room

June 16-17, 2016  
9:00 a.m., Iris Room

September 15-16, 2016  
9:00 a.m., Iris Room

December 8-9, 2016  
9:00 a.m., Iris room



All board meetings will be held at 665 Mainstream Drive, Nashville TN, unless otherwise noted.

### Live Streaming Video

If you would like to see your board "in action" but can't attend a meeting in person, you can now watch the board meeting on your computer through live streaming video. The link is: <https://web.nowuseit.tn.gov/Mediasite/Catalog/Full/98fe21d561e9489487745f0c7da678b221>. After you access the page, go to the board meeting you wish to view and click on that particular link.

### Legislative Updates

**Board of Examiners of Psychology Legislative Update - 2015**

#### Public Chapter 154

This act allows the Commissioner of Health or his designee to have electronic access to medical records in order to facilitate investigations when responding to an immediate threat to public health. Today the Commissioner of Health or his designee already has this authority but must go to the facility to review the medical records.

#### Public Chapter 94

This act defines "abuse" and "neglect" for purposes of placing a person on the registry of persons who have abused, neglected, or misappropriated the property of vulnerable individuals specifically within the statutes that govern the Dept. of Health. It does not impact the definitions within the statutes that govern the Dept. of Intellectual and Developmental Disabilities nor the Dept. of Human Services. It also increases the time within which placement on the registry may be appealed from 30 to 60 days.

#### Public Chapter 502

This act allows the Joint Government Operations Committee (the legislative committee that reviews all rules) to stay a rule up to 75 days instead of 60 days. Present law authorizes the Joint Government Operations Committee to consider the following factors when reviewing rules: authority, clarity, consistency, justification, necessity and reference. This act adds arbitrariness and capriciousness as two new considerations.

#### Public Chapter 268

This act makes disclosures of protected healthcare information permissible in medical malpractice lawsuits.

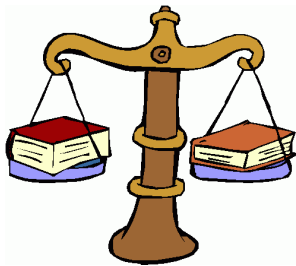
#### Public Chapter 261

The act provides for the practice of telehealth. It outlines the following:

- Defines a healthcare provider

- Establishes a provider-patient relationship by mutual consent and mutual communication
- Specifies that telehealth does not create a new standard care
- Prohibits any board from creating a more restrictive standard of professional practice for telehealth service
- Allows a physician to prescribe by means of telemedicine and follow all prescribing applicable statutes such as checking the Controlled Substance Monitoring Database; however, pain management clinics are not permitted
- There is no separate telehealth license required by the Board of Medical Examiners

## RULE AMENDMENTS



### CONTINUING EDUCATION IN JURISPRUDENCE AND ETHICS

The Board of Examiners in Psychology's rules changed in July, 2014. There is also a new requirement for cultural diversity. See Rule 1180-01-.08(1)(f). Also, the board now requires three (3) hours of Type I, or II continuing education in jurisprudence and ethics. See Rule 1180-01-.08(1)(g) 1, 2 and 3. Type III CE will no longer be accepted for jurisprudence and ethics.

(f) Three (3) CE hours shall pertain to cultural diversity as specifically noted in the title, description of objectives, or curriculum of the presentation, symposium, workshop, seminar, course or activity. Cultural diversity includes aspects of identity stemming from age, disability, gender, race/ethnicity, religious/spiritual orientation, sexual orientation, socioeconomic status, and other cultural dimensions. The topic of the presentation, symposium, workshop, seminar, course or activity need not be on cultural diversity, but one of the objectives or descriptions of the topics covered, shall clearly indicate attention to cultural diversity. These hours shall be Type I or Type II.

(g) Three (3) CE hours of Type I or Type II shall pertain to:

1. Tennessee Code Annotated, Title 63, Chapter 11; and

2. Official Compilation, Rules and Regulations of the State of Tennessee, Chapters 1180-01, 1180-02, 1180-03 and 1180-04; and
3. The current version of the "Ethical Standards" which are part of the "Ethical Principles of Psychologists and Code of Conduct" published by the American Psychological Association (A.P.A.).

For a complete version of the rules and regulations, please go to:

<http://www.state.tn.us/sos/rules/1180/1180-01.20140703.pdf>

### Professional Privilege Tax

TENN. CODE ANN. §67-4-1701, et seq., requires the payment of an annual professional privilege (occupation) tax. The law requires your licensing board to refuse to allow you to renew your professional license if you fail to pay your professional privilege tax. Upon receipt of certification from the Department of Revenue that a licensee is in arrears more than 90 days, the law requires that your ability to renew your license be held in abeyance until our office receives a written tax clearance from the Department of Revenue. Avoid any interruption in your ability to practice your profession by remitting your tax to the Department of Revenue in a timely fashion.

<http://tn.gov/revenue/topic/professional-privilege-tax>

If you have moved out-of-state, but maintain a license, you are still responsible for paying the Professional Privilege Tax. If your license is in "active" status as of June 1 of any year, no matter if you live in Tennessee or out-of-state, you are required to pay the yearly professional privilege tax.

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

### Electronic Notification for Licensed Health Professionals

#### NOTICE TO ALL LICENSED HEALTHCARE PROFESSIONALS – ELECTRONIC NOTICE OPTION

On January 1, 2013, a new law became effective requiring all Tennessee health professional boards to provide electronic notices to healthcare professionals they license. The law gives healthcare professionals the option of being notified electronically of the following: (1) Renewals of license, certification or registration; (2) Any fee increases; (3) Any changes in state law that impact the license holder; and (4) Any board meeting where changes in rules or fees are on the agenda. If a healthcare professional "opts in", the Department of Health will also be able to alert him or her of critical public health matters impacting Tennessee. Please

visit [apps.tn.gov/hlrs/begin.jsp](http://apps.tn.gov/hlrs/begin.jsp) and complete the registration process to opt in. Upon receipt of a current email address, those who opt in will begin to receive ALL notices electronically rather than through the United States mail. Please note opting in means license renewal notification will be delivered electronically approximately 45 days in advance of the expiration date. The electronic notice will direct the licensee to the appropriate Web page to renew. For professions that do not permit licensees to renew their licenses online, a paper renewal will continue to be provided. For more information, contact the Health Professional Boards office at 615-741-5735 or toll-free at 1-800-778-4123.

## Renew Your License Online



Practitioners may access the online service at <https://apps.tn.gov/hlrs/> to renew their licenses up to 70 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.

## 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://tn.gov/health/article/psych-applications>

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.)

## 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://tn.gov/health/article/psych-applications>

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.

### Practitioner Profile

When you notify the board of an address or name change, please remember to update your practitioner profile.

### 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.**

### 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) 741-5735 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.

Mary Annette Little, Ph.D.

Rebecca P. Joslin, Ed.D., Ph.D

Mark Loftis, Ph.D., SLPE

David Mathis, Ed.D.

Trevor Milliron, Ph.D.

Janice Pazar, Ph.D.

Timothy Urbin, Ph.D.

There are currently two (2) vacancies on the Board

### BOARD STAFF

Tammy Turner  
Board Administrator

LaRinda Lee  
Licensing Tech

Theodora (Teddy) Wilkins  
Administrative Director