

Tennessee Board of Examiners in Psychology



Newsletter



A Regulatory Agency of the State of Tennessee

2016

Fall

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

2017 Board Meeting Dates

March 16, 2017
9:00 a.m., Iris Room

June 16, 2017
9:00 a.m., Iris Room

September 15, 2017
9:00 a.m., Iris Room

December 8, 2017
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.nowuseeit.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.

LAWS
you need to
KNOW

Legislative Updates - 2016

Public Chapter 763

Permits licensees whose licenses from a health-related board have expired due to non-payment to obtain reinstatement on the payment of the renewal fee as well as the late payment fee which shall not exceed twice the renewal fee, instead of the current requirement of payment of all past due fees before reinstatement. This act will take effect on July 1, 2016.

Public Chapter 990

This legislation requires an insurer to reimburse and provide coverage for telehealth services provided by a practitioner licensed in Tennessee, regardless of the patient's location. This act will take effect on January 1, 2017.

Public Chapter 719

Allows licensing authorities for certain state regulatory agencies to consider whether a person's conviction for the commission of a felony bears directly on the person's fitness to practice competently when making determinations regarding the person's licensure status. This act was effective upon the Governor's signature on April 6, 2016.

Statistical Information Regarding Licensees

Profession	Total Number	Last 12 Months
Psychologists	1404	70
Psych Examiners	422	1 (reinstate)
Psych Assistant	46	2

BOARD DISCIPLINARY ACTION AVAILABLE ONLINE

The Tennessee Department of Health issues a monthly media release listing all disciplinary actions taken by the health related boards during the prior month. All action taken by the Board of Medical Examiners is viewable online at: <http://health.state.tn.us/Boards/disciplinary.htm>

RULE AMENDMENTS



There were rule amendments this past year concerning reduction of fees. The amendments are as shown below:

Ethics and Jurisprudence Examination	\$100.00
Ethics and Jurisprudence Re-Examination	\$ 50.00
License Renewal (biennial)	\$225.00
Certificate Renewal (biennial)	\$ 75.00

There is no longer a fee charged for verification to another state.

For a complete version of the rules and regulations, please go to: <http://www.state.tn.us/sos/rules/1180/1180-01.20140703.pdf>

Applied Behavior Analysts

A rulemaking hearing was held in January to promulgate new rules for Applied Behavior Analysts. At the present time, these rules are undergoing review for legality at the Attorney General's office. Once the rules are approved by the Attorney General's office, they will be filed with the Secretary of State's office where they will remain for ninety (90) days before becoming final. During this ninety (90) days they will be reviewed by the Government Operations Committee who will decide whether the rules will become permanent.

The Administrative Office is not licensing applied behavior analysts at this time, until the rules are finalized.

For more information please visit the Committee's website at: <http://tn.gov/health/topic/applied-behavior-analyst>

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

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/hhrs/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



Whether you receive a paper renewal form or not, you can still renew your license online. This is faster, more convenient, and you can use a credit card to pay the renewal fees. Just go to <https://apps.tn.gov/hlrs/> to renew your license. You may renew 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.) **Note: you cannot retire an expired license.**

Peer Assistance

The Tennessee Colleague Assistance Fund (TCAF) is a voluntary program which offers consultation, referral, and

monitoring for psychologists, psychological examiners, and psychological assistants whose practice is impaired, or potentially impaired, due to the use of drugs or alcohol, or psychological or physiological condition. A referral can be made confidentially by the employer, EAP, co-worker, family member, friend, or the practitioner her/himself. If the practitioner is willing to undergo a thorough evaluation to determine the extent of the problem and any treatment needed, all information is kept confidential from the Board of Examiners in Psychology, and the psychologist, psychological examiner, or psychological assistant does not face disciplinary action against his/her license. For more information call (615) 893-2248 or visit the website at: info@tcafonline.com

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 at <http://tn.gov/health/article/filing-complaints-against-health-care-professionals> 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 Profiles

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

NEW - Working On An Expired License

The Board of Examiners in Psychology recognizes that an individual may inadvertently allow his/her license to expire. However, applicable law prohibits an individual from working as a psychologist, senior psychological examiner, psychological examiner, or certified psychological assistant unless he/she has an active license or certificate. While the Board does not condone an individual working on an expired license, the Board recognizes that these inadvertent lapses can occur. As such, the Board has adopted the following procedures for reinstatement of an expired license.

1. Immediately upon recognition that his/her license has expired, the individual must cease practicing and contact the Board's administrative office to request a reinstatement application.
2. Upon receipt of the reinstatement application, the individual is to complete the application in its entirety, providing a detailed work history since the license expiration date. The application is to be signed, notarized, and returned to the Board's administrative office along with any additional information and all fees specified in the instructions.
3. Upon receipt of a completed reinstatement application, supporting documentation (including any required proof of continuing education), and the applicant's payment of all fees, the Board's administrator may reinstate a license which has been in an expired status for less than sixty (60) calendar days. Although the Board and administrative staff recognize the applicant's urgent interest in having his or her license reinstated, preferential treatment will not be given to these applicants. All applications are reviewed in the order in which they are received.
4. If the work history reflects that the individual has practiced in excess of sixty (60) calendar days, but less

than six (6) months on an expired license, the Board will present to the licensee, an Agreed Citation which specifies payment of a fine in the amount of \$100 per month for every month in which the individual has worked at least one day beyond the sixty (60) calendar day grace period. The individual's license will not be reinstated unless and until the Agreed Citation is executed by the licensee and payment of the fine remitted to the Board's administrative office.

- A. The licensee shall be notified that all Agreed Citations prepared in accordance with this policy shall be reportable on the Department of Health's website, its disciplinary action report issued in the month the action is taken and to all appropriate federal databanks including the National Practitioner Data Bank (NPDB).
 - B. This remedy is only available to those psychologists, senior psychological examiners, psychological examiners, or certified psychological assistants who have practiced on a lapsed license for less than six (6) months from the date the license went into expired status.
5. If the licensee refuses to execute the Agreed Citation and/or remit the civil penalty described therein within sixty (60) days of the date the Agreed Citation is sent to the licensee, or if the licensee practiced on a lapsed license for six (6) months or longer, the licensee shall be referred to the Office of Investigations and Office of General Counsel for formal disciplinary action. Upon a proven violation, the minimum disciplinary action for this violation shall be:
- A. A formal and reportable Reprimand on the license;
 - B. Assessment of civil penalties in an amount not to exceed \$1000 per month for every month in which the individual has worked at least one day beyond the sixty (60) calendar day grace period;
 - C. Assessment of costs associated with investigating and prosecuting the matter; and
 - D. Any and all other remedies the Board deems appropriate.
6. In the event the matter is referred to the Office of Investigations and Office of General Counsel for formal disciplinary action, the Board's administrative office shall be permitted to reinstate those applicants for whom they have received a completed reinstatement application, supporting documentation (including any required proof of continuing education), and the applicant's payment of all fees, subject to further action on the license as described in paragraph five (5) above. Though the Board's

administrator may reinstate such a license, preferential treatment will not be given to these applicants. These applications will be reviewed in the order in which they are received. For those applicants who have declined an Agreed Citation, their application will be deemed received sixty (60) days from the date the Agreed Citation was sent.

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

H. R. Anderson, Sr.PE.
Rebecca P. Joslin, Ed.D., Ph.D.
Mary Annette Little, Ph.D.
David Mathis, Ed.D.
Connie Mazza, Sr.PE
Hugh D. Moore, Ph.D.
Janice Pazar, Ph.D.
Timothy Urbin, Ph.D.
Jennifer Winfree, Consumer

There is currently one (1) vacancy on the Board

BOARD STAFF

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