



West Virginia Psychological Association

PO Box 58058
Charleston, WV 25358
Phone: 304.345.5805
Fax: 304.984.3718

West Virginia Psychological Association *Executive Board Statement of Concern*

LEGISLATIVE RULES SERIES 3: The proposed revisions to the rules governing the training and supervision of psychologists offered by the Board of Examiners of Psychologists (BOE) has been developed over a significant period of time, and includes a range of valuable changes. However, two sections of the proposal contain language that remains problematic.

In the first instance (§17-3-2) the BOE demonstrates the admirable intent of clarifying the minimal graduate training needed to prepare psychologists to do the clinical work in which most licensees engage. HOWEVER, as presently worded, the proposal will limit licensure only to clinical practitioners because only clinical graduate program curricula require that sequence of courses. Such a limitation is not intended by the language in Article 30-21 (the underlying statute, which is a general licensing statute, not a "specialty" statute intended to license only clinical psychologists), and does not serve the interest of the public in that it would unnecessarily limit access to professional services offered by psychologists who are not clinicians.

In the second area of concern (§17-3-5.1), the Board's proposed language would change a long standing practice of allowing newly hired clinical faculty members at the state's graduate training institutions to fully count their clinically oriented faculty work towards the required supervised experience needed for licensure. It is not clear what is motivating the BOE's proposal to change practices at this time; the BOE has provided no evidence of any problems emerging from the current practice which might warrant the change. However, if their proposed wording on this issue is approved, it will have significant negative impact on the two graduate universities' ability to recruit and retain highly qualified clinical psychology faculty members. The issue emerges only rarely, in that neither WVU nor Marshall University would be likely to have, on average, more than one such licensure applicant on its faculty every few years. However, highly qualified clinical faculty are very "precious commodities" who are difficult to recruit and retain and yet are critical to the universities' mission of training the next generations of clinical practitioners. If enacted, the BOE's proposed change would, in effect, have one state agency (the BOE) interfere with the legitimate recruiting, hiring and retention practices of other state agencies (WVU and Marshall University) in circumstances when no pressing public protection basis for the change has been established. It is important to note that in current practice (and under the proposed alternative language offered below) the public is still protected (which is the key function of licensure) because clinical faculty applicants must still demonstrate their professional competence in the exact same way as all other applicants via performance on the national written examination, provision to the BOE of work samples, passing the BOE's oral examination, etc.

The attached sheet proposes alternative language for each of the problematic sections of the proposed revisions to the rule.

Sincerely,

Donna M. Midkiff, Psy.D.
President, West Virginia Psychological Association



West Virginia Psychological Association

PO Box 58058
Charleston, WV 25358
Phone: 304.345.5805
Fax: 304.984.3718

Recommended Amendments

§17-3-2. *BOE proposed Language:* 2.1.Core graduate level coursework required to be considered as a potential candidate for independent licensure as a psychologist includes, but is not limited to, all of the following areas: clinical interviewing, diagnosis and treatment planning, psychopathology, biological bases of behavior, ethics, assessment of children and adults, individual psychotherapy, clinical practicum, clinical internship, and tests and measures. These core areas are deemed by the Board to be fundamental to the practice of psychology as defined in WV Code § 30-21-2."

Proposed alternative language: All applicants for licensure are required to demonstrate via their graduate transcripts that their graduate education is consistent with and sufficient preparation for their intended area of professional practice and the work included in their intended scope of practice. For applicants whose intended scope of practice includes clinically oriented work, their graduate coursework must include at least the following: clinical interviewing, diagnosis and treatment planning, psychopathology, ethics, assessment of children and adults, individual psychotherapy, clinical practicum, clinical internship, and tests and measures.

Rationale: The licensing law for psychologists is a general law that both allows and requires that all psychologists who provide services to the public must be licensed. The language proposed by the Board of Examiners would restrict licensure only to applicants who have gone through clinically oriented psychology training programs. Such a limitation is not in the public interest, in that it would preclude appropriately trained psychologists from other professional specialties (e.g. Industrial Organizational Psychology, Sport Psychology, Applied Developmental Psychology, etc) from being licensed. For example, a sports psychologist might work with an athletic team to assist them to improve their athletic performance, or an industrial psychologist might consult with business leadership to improve productivity, but neither would work with a patient having serious psychological problems; a clinically trained psychologist would see such a patient. Left unchanged, the wording proposed by the BOE would either a) preclude the availability to the public of the services that can be offered by these professionals or b) require that they work outside the regulatory purview of the Board of Examiners; neither of these outcomes is desirable for the public. The alternative language offered here accomplishes the primary intent of the original proposal (requiring appropriate clinical training for clinically oriented psychologists) without limiting licensure only to clinicians.

§17-3-5.1 *Revised proposal from the BOE:* Supervised Worked Experience "Relevant teaching of graduate level course work, and directing applied research, concerning the professional practice of psychology, may count for up to 50 % of the required hours of supervised work experience.

Proposed alternative language: For the purposes of this rule, the supervised professionally oriented teaching, supervising and research activities of applicants who are full time, university faculty members may apply towards the required hours of supervised work experience.

Rationale: Historically, clinical faculty has been able to be licensed in this way, and no evidence has been provided of any problem associated with this approach. The Board's proposed wording makes it virtually impossible for appropriately trained clinically oriented faculty members to achieve licensure. Clinical faculty applicants would still be responsible for demonstrating competence to practice within their areas of expertise in the same way as any other applicant.