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**4732-13-04**      Requirements pertaining to supervision.

(A) Requirements for mental health worker supervision.

- (1) Work done under mental health worker supervision shall not be represented to any party or included in any report or official form as the practice of psychology.
- (2) A treatment plan shall be prepared for each recipient of services as part of the initial evaluation and shall be signed by the mental health worker delivering the services and the recipient or his/her legal guardian.
- (3) Within a reasonable time period thereafter, the supervising licensed psychologist shall review the plan and shall either:
  - (a) Sign it as submitted;
  - (b) Require modifications prior to signing it; or
  - (c) Refuse to sign it if in his/her professional judgment in conformance with the standards of the profession of psychology it is unsatisfactory or unnecessary.
- (4) A licensed psychologist shall exercise reasonable professional judgment, consistent with the standards of the profession of psychology, when providing mental health worker supervision.

(B) Requirements for psychological work supervision and psychological training supervision.

- (1) A supervisee is subject to all relevant statutes and rules of the board.
- (2) A supervisor is responsible for the psychological diagnosis, psychological prescription, and psychological client supervision of all clients; these functions may be delegated to a psychological work supervisee or psychological training supervisee in accord with paragraph (B)(7) and paragraph (B)(8) of this rule.
- (3) A supervisor has responsibility for the school psychological diagnosis, school psychological prescription, and school psychological client supervision of all clients; these functions may be delegated to a school psychological work supervisee or school psychological training supervisee in accord with paragraph (B)(7) and paragraph (B)(8) of this rule.
- (4) A supervisee shall carry out his/her psychological or school psychological activities in a suitable professional setting over which the supervisor has organizational responsibility for assignment and management of the supervisee's professional activities. All psychological activities of the supervisee shall be performed pursuant to the licensed supervisor's directives. Reasonable efforts shall be taken to ensure that the supervisee provides services in compliance with the provisions of Chapter 4732. of the Revised Code and associated administrative rules.
- (5) A supervisor shall document the type of psychological supervision being provided, and select and assign an appropriate title to the supervisee from the titles found in paragraphs (E), (F), (G), or (H), (I), and (J) in rule 4732-13-03 of the Administrative Code, and shall so inform the supervisee and, when applicable, the work setting administrator.
- (6) A supervisor shall register with the board, in a manner prescribed by the board, all supervisees who will perform psychological or school psychological work under his/her authority, that is restricted under rule 4732-5-01 of the Administrative Code, including a license holder of this board who is:

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- (a) Completely retraining for a general specialty of psychology pursuant to paragraph (F) of rule 4372-13-02 of the Administrative Code; or
- (b) Being trained for the purpose of earning a different license pursuant to paragraph (F) of rule 4732-13-02 of the Administrative Code.
- (7) A supervisor shall deactivate supervisory relationships, in a manner prescribed by the board, upon termination of psychological or school psychological work under his/her authority
- (8) A supervisor shall keep records of supervision. These records shall include any training supervision plans and co-supervision agreements, dates of supervision meetings, and notes regarding supervision, including specific clients/cases reviewed. For persons under psychological training supervision, these records shall also provide evidence of training activities. These records shall be maintained for a period of five years following the termination of supervision and shall be available for inspection by the board.
- (9) A supervisor has responsibility to make reasonable efforts to ensure that the work of the supervisee is conducted only for clients for whom the supervisee is competent to provide services and that such services are performed in compliance with the provisions of Chapter 4732. of the Revised Code and associated administrative rules.
- (10) A supervisor shall base the intensity of the supervision on his/her professional judgment of the supervisee's credentials, years of experience, and the complexity of the cases under supervision and shall have direct knowledge of all clients served by his/her supervisee. This knowledge may be acquired through direct client contact or through other appropriate means such as audio or video recordings, test protocols, or other client-generated material.
- (11) A supervisor shall make reasonable efforts to plan for continuity of client care in the event that his/her supervision is interrupted by factors such as illness, vacation, or other unavailability as listed in paragraph (C)(11) of rule 4732-17-01 of the Administrative Code. When a supervisor arranges such back-up supervision for a period of more than thirty working days, he/she shall notify the board in advance.
- (12) A supervisor has responsibility to assure that each client is clearly informed of the relationship between the supervisor and the supervisee, and their respective legal and professional responsibilities for the services rendered to or received by the client. All clients shall be informed of the supervised nature of the work of the supervisee, and of the ultimate professional responsibility of the supervisor. In the case of adult, legally competent clients receiving psychotherapy and other psychological interventions as described in rule 4732-5-01 of the Administrative Code, this information shall be provided in the form of a written statement explained and given to each client at the initial professional contact. In the case of other clients, this information may be provided in the form of a statement given to the guardian of the client. In terms of clients receiving services for psychological evaluations as described in rule 4732-5-01 of the Administrative Code and/or from individuals working in agencies and/or hospitals, such a statement may be modified or integrated into organizational informed consent documents to meet the circumstances unique to the facility and the client. The statement shall include, but not be limited to, the following:

  - (a) Brief description of services to be provided, schedule of charges, and an indication that billing will come from the supervisor, agency, or institution under the supervisor's name;
  - (b) Name, license number, and professional address and telephone number of the supervisor;

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- (c) Statement on the limits of confidentiality, including the possible need to report certain information according to law, and the supervisor's review of the client's progress;
- (d) Statement about the parameters of the professional relationship involving the supervisor, the supervisee, and the client;
- (e) Statement about the availability of the supervisor to meet with the client, on request;
- (f) Signatures of the supervisor, the supervisee, and the client(s) or guardian, with one copy being maintained by the supervisor.
- (13) Supervisee evaluative reports and letters dealing with client welfare shall be co-signed by the supervisor.
- (14) Supervisors who shares ongoing supervisory responsibility for the psychological or school psychological work of a supervisee with another license holder, including but not limited to those in academic and other training settings, shall prepare a written supervision plan, available to the board, that is agreed upon and signed by each supervisor and the supervisee.
- (15) License holders of this board who are receiving supervision/consultation to add a subspecialty skill pursuant to paragraph (F)(1) of rule 4732-13-02 of the Administrative Code need not be registered with the board, although the supervisor/consultant shall maintain a record of the supervision/consultation relationship. These records shall be maintained for a period of five years following the termination of supervision/consultation and shall be available for inspection by the board.
- (16) Supervisors in private practice settings may charge for individual supervision only, and shall limit their fee for an individual face-to-face supervision hour that does not exceed the supervisor's reasonable and standard hourly fee for professional services to clients. If the supervisor charges per individual face-to-face hour of supervision, the supervisee shall receive all fees from reimbursements, minus reasonable overhead expenses, for clients served by the supervisee.
- (17) A supervisor shall require the supervisee to have consultation with relevant professionals other than the supervisor when counseling or intervention is indicated concerning personal problems.
- (18) Supervisors are aware that the amount of supervision required for training supervisees is specified in rule 4732-9-01 of the Administrative Code.
- (19) A supervisor providing psychological training supervision to assist the supervisee toward licensure in psychology or school psychology shall comply with the following:

  - (a) A supervisor shall accept for psychological training supervision only persons who have completed appropriate academic or professional preparation for that area or are at an appropriate level of progress toward such completion.
  - (b) A supervisor and supervisee shall have a co-signed, written agreement describing the goals and content of the training experience, including clearly stated expectations for:

    - (i) The nature of the experiences offered through supervision;
    - (ii) The expected working arrangements, quantity, and quality of the trainee's work; and
    - (iii) The financial arrangements between the supervisee and his/her employer.

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(c) A supervisor shall ensure that the training provides adequate breadth of experience to enhance: the supervisee's professional attitudes and identity as a professional psychologist or school psychologist; professional, ethical, and legal responsibility; communication skills; critical judgment; and technical skills and competencies in the broad areas of psychological and/or school psychological assessment, psychological and/or school psychological interventions, and ethical decision making. Training experiences shall not take place until the supervisee has initiated or completed appropriate educational preparation, including both didactic course work and practica.

(d) When appropriate to meet the training needs of the supervisee, the supervisor shall arrange for consultation with other appropriate professionals.

(20) In accord with paragraphs (A)(1), (A)(2), (B)(1) and (B)(2) of rule 4732-13-03 of the Administrative Code, licensees may conduct psychological supervision or school psychological supervision via telepsychology as follows:

(a) Supervisors recognize that the use of telepsychology is not appropriate for all cases and supervisees, and decisions regarding the appropriate use of telepsychology are made on a case-by-case basis. Licensees providing supervision via telepsychology are aware of additional risks incurred when providing supervision through the use of distance communication technologies and take special care to conduct their supervision in a manner that protects the welfare of the client and ensures that the client's welfare is paramount.

(b) Supervisors establish and maintain current competence in the conduct of psychological supervision via telepsychology through continuing education, consultation, or other procedures, in conformance with prevailing standards of scientific and professional knowledge. Licensees establish and maintain competence in the appropriate use of the information technologies utilized in the rendering of psychological supervision.

(c) Supervisors providing supervision via telepsychology shall:

(i) Consider and document findings specific to:

(a) Whether a given client's presenting problems and apparent condition are consistent with the use of telepsychology in the supervisory process to the client's benefit; and

(b) Whether the supervisee has sufficient knowledge and skills in the use of the technology involved in rendering the supervision.

(ii) Not provide supervision via telepsychology services to any supervisee when the outcome of the analysis required in paragraphs (B)(29)(c)(i)(a) and (B)(29)(c)(i)(b) of this rule is inconsistent with the delivery of supervision via telepsychology, whether related to issues involving a given case or issues involving the technological knowledge and skills of the supervisee.

(iii) Upon initial and subsequent contacts with the supervisee, make reasonable efforts to verify the identity of the supervisee;

(iv) Obtain alternative means of contacting the supervisee;

(v) Provide to the supervisee alternative means of contacting the supervisor;

(vi) Supervisors, whenever feasible, use secure communications with supervisees, such as encrypted

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text messages via email or secure websites or secure real-time video;

(vii) Prior to providing supervision via telepsychology services, the supervisor and supervisee shall enter into a written agreement, in plain language consistent with accepted professional and legal requirements, relative to:

(a) Potential risks of sudden and unpredictable disruption of supervision dependent on telepsychology services and how an alternative means of re-establishing electronic or other connection will be used under such circumstances;

(b) When and how the supervisor will respond to routine electronic messages from the supervisee;

(c) Under what circumstances the supervisor and supervisee will use alternative means of communications under emergency circumstances;

(viii) Ensure that confidential communications stored electronically cannot be recovered and/or accessed by unauthorized persons when the licensee disposes of electronic equipment and data.

(C) Prohibitions for psychological work supervision and psychological training supervision.

(1) A supervisor shall not provide supervision of psychological work to a person who has administrative or funding authority over him/her.

(2) A supervisor shall not provide work or training supervision to a person with whom he/she is associated in any business relationship except one where the psychologist or the school psychologist is an employer of the supervisee for the practice of psychology or school psychology.

(3) A supervisor shall not assume supervisory responsibility for psychological work that he/she is not personally competent to perform.

(4) A supervisor shall not supervise any person whom he/she knows is illegally providing psychological services to the public either within or outside of the supervisory relationship.

(5) Pursuant to paragraph (E) of rule 4732-17-01 of the Administrative Code:

(a) There shall be no direct family relationship between a supervisor and a supervisee.

(b) A supervisor shall not engage in sexual intercourse or other sexual intimacies with any supervisee.

(c) A supervisor shall not engage in sexual harassment or any verbal or nonverbal conduct that is sexual in nature with any supervisee.

(d) A supervisor shall not enter into a supervisory relationship for psychological work as an employee of a supervisee.

(e) A supervisor shall not exploit the supervisee for financial gain or with excessive work demands.

(6) A supervisor, emergency situations excepted, shall ensure that there are no more than two hundred forty work hours scheduled among all supervisees on a weekly basis, inclusive of both direct client contact hours and other non-clinical activities. This limitation on supervision does not apply to mental health worker supervision as described in paragraph (A) of this rule.

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- (7) A supervisor shall not allow exploitation of a supervisee by an agency with which the supervisor and the supervisee are affiliated.
- (8) A supervisor shall not charge a supervisee for group supervision.
- (9) A supervisee shall not use the title "Psychologist"; a supervisee shall not use the title "School Psychologist," except when the supervisee holds an active certificate or license granted by the Ohio department of education (ODE) to render school psychological services under the authority of the ODE.
- (10) A supervisee shall not solicit clients or generate his/her own case load and shall not represent himself/herself as having independent choice of clients.
- (11) A supervisee shall not collect fees for psychological work in his/her own name.
- (12) A supervisee shall not independently advertise; use a business card or other listing that identifies any procedure or technique performed; announce the establishment of a practice; have his/her name included on business letterhead stationery, office building directory, office suite entrance door; or in any electronic or other directory under a title incorporating "Psychologist" or "Psychology"; or, otherwise hold himself/herself out to the public as being authorized to provide independent psychological services. Notwithstanding these prohibitions, the following shall be allowed:
- (a) A supervisee's degrees earned from accredited universities, credentials granted by the state of Ohio, and appropriate job titles may be published or posted so long as they do not confuse the client's understanding that the work is psychological in nature and that the supervising psychologist or school psychologist is professionally responsible for the work.
- (b) A supervisee may use a printed business card on which the supervisee's name, appropriate title, supervisor's name and license number, and supervisory relationship are stated.
- (13) In accordance with section 4732.17 of the Revised Code, the board may refuse to issue a license to any supervisee who violates any provision of Chapter 4732. of the Revised Code or any rules adopted by the board.