

TELEPSYCHOLOGY RULES EFFECTIVE 11/7/2011:

SERVICE PROVISION AND SUPERVISION

These rules are also published online as 4732-17-01 (I) at <http://codes.ohio.gov/oac/4732-17>

(I) Telepsychology.

(1) "Telepsychology" means the practice of psychology or school psychology as those terms are defined in divisions (B) and (E) of section [4732.01](#) of the Revised Code, including psychological and school psychological supervision, by distance communication technology such as but not necessarily limited to telephone, email, Internet-based communications, and videoconferencing.

(2) In order to practice telepsychology in the state of Ohio one must hold a current, valid license issued by the Ohio board of psychology or shall be a registered supervisee of a licensee being delegated telepsychology practices in compliance with paragraphs (B) and (C) of rule [4732-13-04](#) of the Administrative Code.

(3) Licensees understand that this rule does not provide licensees with authority to practice telepsychology in service to clients domiciled in any jurisdiction other than Ohio, and licensees bear responsibility for complying with laws, rules, and/or policies for the practice of telepsychology set forth by other jurisdictional boards of psychology.

(4) Licensees practicing telepsychology shall comply with all of these rules of professional conduct and with requirements incurred in state and federal statutes relevant to the practice of psychology and school psychology.

(5) Licensees establish and maintain current competence in the professional practice of 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 practice of telepsychology.

(6) Licensees recognize that telepsychology is not appropriate for all psychological problems and clients, and decisions regarding the appropriate use of telepsychology are made on a case-by-case basis. Licensees practicing telepsychology are aware of additional risks incurred when practicing psychology or school psychology through the use of distance communication technologies and take special care to conduct their professional practice in a manner that protects the welfare of the client and ensures that the client's welfare is paramount. Licensees practicing telepsychology shall:

- (a) Conduct a risk-benefit analysis and document findings specific to:
- (i) Whether the client's presenting problems and apparent condition are consistent with the use of telepsychology to the client's benefit; and
 - (ii) Whether the client has sufficient knowledge and skills in the use of the technology involved in rendering the service or can use a personal aid or assistive device to benefit from the service.
- (b) Not provide telepsychology services to any person or persons when the outcome of the analysis required in paragraphs (I)(6)(a)(i) and (I)(6)(a)(ii) of this rule is inconsistent with the delivery of telepsychology services, whether related to clinical or technological issues.
- (c) Upon initial and subsequent contacts with the client, make reasonable efforts to verify the identity of the client;
- (d) Obtain alternative means of contacting the client;
- (e) Provide to the client alternative means of contacting the licensee;
- (f) Establish a written agreement relative to the client's access to face-to-face emergency services in the client's geographical area, in instances such as, but not necessarily limited to, the client experiencing a suicidal or homicidal crisis;
- (g) Licensees, whenever feasible, use secure communications with clients, such as encrypted text messages via email or secure websites and obtain and document consent for the use of non-secure communications.
- (h) Prior to providing telepsychology services, obtain the written informed consent of the client, in language that is likely to be understood and consistent with accepted professional and legal requirements, relative to:
- (i) The limitations and innovative nature of using distance technology in the provision of psychological or school psychological services;
 - (ii) Potential risks to confidentiality of information due to the use of distance technology;
 - (iii) Potential risks of sudden and unpredictable disruption of telepsychology services and how an alternative means of re-establishing electronic or other connection will be used under such circumstances;
 - (iv) When and how the licensee will respond to routine electronic messages;

(v) Under what circumstances the licensee and service recipient will use alternative means of communications under emergency circumstances;

(vi) Who else may have access to communications between the client and the licensee;

(vii) Specific methods for ensuring that a client's electronic communications are directed only to the licensee or supervisee;

(viii) How the licensee stores electronic communications exchanged with the client;

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

(8) If in the context of a face-to-face professional relationship the following are exempt from this rule:

(a) Electronic communication used specific to appointment scheduling, billing, and/or the establishment of benefits and eligibility for services; and,

(b) Telephone or other electronic communications made for the purpose of ensuring client welfare in accord with reasonable professional judgment.

TELEPSYCHOLOGY RULES RE: SUPERVISION, EFF. 11/7/2011

**These rules are also published as 4732-13-04 (C) (29) at:
<http://codes.ohio.gov/oac/4732-13-04>**

(29) 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) Licensees 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) Licensees 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) Licensees 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) Licensees, whenever feasible, use secure communications with supervisees, such as encrypted 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.