

State Psychology Board Telepsychology Laws/Regulations/Policies/Opinions

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Statute and/or Rules Adopted

California California Telehealth Advancement Act of 2011, http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab_0401-0450/ab_415_bill_20111007_chaptered.pdf

Delaware Board of Examiners of Psychologists Regulations in CDR 24-3500, Section 18.0 Telepsychology at <http://regulations.delaware.gov/AdminCode/title24/3500.pdf> define telepsychology and standards for practicing telepsychology.

Kentucky Statute KRS 319.140 (2000) requires informed consent and maintaining confidentiality when using telehealth <http://www.lrc.ky.gov/krs/319-00/140.PDF> ; Telehealth and Telepsychology Rule 201 KAR 26: 310 (2010) at <http://www.lrc.ky.gov/kar/201/026/310.htm>

Georgia Georgia administrative rule 510-5-.07 (2) Practicing via Electronic Transmission rule at <http://rules.sos.state.ga.us/docs/510/5/07.pdf>

Hawaii Chapter 465, Section 465-3 (8) provides a limited exemption for psychologists employed by the Department of Defense providing telepsychological services
http://cca.hawaii.gov/pvl/files/2013/08/hrs_pvl_465.pdf

Idaho Idaho Code § 54-2305-11 (2013) provides for establishing telepsychology rules <http://www.scstatehouse.gov/code/t40c055.php> The Idaho Board of Psychologists Examiners with the Idaho Psychological Association adopted Guidelines for Electronic Transmission and Telepsychology in the State of Idaho in 2012 that are at <http://www.idahoahec.org/app/uploads/sites/2/2015/04/Idaho-Telepsychology-Guidelines.pdf>

Kansas KAR 102-1-19 requires license in state to practice psychology regardless of person's location http://www.ksbsrb.org/statutes_regs/regulationslp.html

Mississippi Code Ann. § 73-31-3 (d)(ii)(7) and § 73-31-14(3) practice of psychology includes telecommunications <http://www.lexisnexis.com/hottopics/mscode/>

Montana Administrative Rule 24.189.301(1) definition of a "professional relationship" includes telecommunications <http://www.mtrules.org/gateway/ruleno.asp?RN=24.189.301> Admin Rule 24.189.607 (4)(d)(ii) includes teleconferencing for postdoctoral supervision <http://www.mtrules.org/gateway/ruleno.asp?RN=24.189.607>

New Hampshire Chapter 329-B, Section 329-B:16 states that the "electronic practice of psychology" is subject to standards of care adopted by the New Hampshire Board of Mental Health Practice <http://www.gencourt.state.nh.us/rsa/html/XXX/329-B/329-B-16.htm>

North Dakota Administrative rule 43-51-02 defines services provided to residents of the state, regardless of how they are provided or the physical location of the provider, to be regulated by North Dakota law and rules <http://www.legis.nd.gov/cencode/t43c51.pdf> . The North Dakota State Board of Psychologist Examiners has a Board Statement on Telepsychology in North Dakota dated October 17, 2014 at http://www.ndsbpe.org/uploads/2/9/2/4/2924803/faq_telepsychology_4-14-15.pdf

Ohio Ohio Administrative Code 4732-17-01 (I) Telepsychology Rules (2011)
<http://codes.ohio.gov/oac/4732-17>

South Carolina Code Section 40-55-50 (C) requires psychology license to provide services in the state including by telecommunications <http://www.scstatehouse.gov/code/t40c055.php>

Tennessee Code 63-11-203(a)(2)(A)(viii) defines telepsychology
<http://www.lexisnexis.com/hottopics/tncode/>
(telepsychology rules being developed by the Tennessee Board of Examiners of Psychology)

Utah Administrative Rule R156-61-102 (3)(b) allows “direct supervision” of a supervisee in training to receive supervision remotely “...via real time electronic methods that allow for visual and audio interactions...” <http://www.dopl.utah.gov/laws/R156-61.pdf>

Vermont Statute Title 26, Chapter 055 § 3018 (1999) defines psychological services via telecommunications to be regulated by Vermont law
<http://legislature.vermont.gov/statutes/section/26/055/03018> Administrative Rule 6.4 Telepractice includes any interjurisdictional “telepractice services”
<https://www.sec.state.vt.us/media/649337/Psych-RulesAdopted-Clean-1229-2014.pdf>

Wisconsin Administrative Code Psy 2.14 (2) states that “A psychologist provides psychological services in this state whenever the patient or client is located in this state, regardless of whether the psychologist is temporarily located in this state or is providing services by electronic or telephonic means from the state where the psychologist is licensed.
https://docs.legis.wisconsin.gov/code/admin_code/psy/2.pdf

Policy, Statements, Opinion or Position Papers

Colorado State Board of Psychology Examiners Administrative Policy 30-1 Teletherapy Policy-Guidance Regarding Psychotherapy through Electronic Means in the State of Colorado
<http://www.colorado.gov/cs/Satellite/DORA-Reg/CBON/DORA/1251632089838>

Florida In January 2012 Board approved Florida licensed psychologist to provide telepsychology from Michigan into Florida; Board opinion June 5, 2006 regarding requirement that an Ohio psychologist must hold the Florida psychologist license in order to practice telepsychology with an Ohio citizen in Ohio

Louisiana Board opinion that psychologist must be licensed in LA to provide telepsychology, that the psychologist is expected to have had a face-to-face relationship established previously (November 2010 Board minutes – not online); Telepsychology Guidelines adopted by board effective January 1, 2015 at <http://www.lsbep.org/pdfs/2014/Final-Telepsych-Guidelines-1-15.pdf>

Massachusetts Psychology board opinion (2006) Provision of Services Via Electronic Means (same as North Carolina psychology board opinion) <http://www.mass.gov/ocabr/licensee/dpl-boards/py/regulations/board-policies/provision-of-services-via-electronic-means.html>

New York Guideline: Engaging in Telepractice (same as North Carolina psychology board statement) <http://www.op.nysed.gov/prof/psych/psychtelepracticeguide.htm>

Nevada June 2013 statement in State of Nevada Board of Psychological Examiners newsletter written by board secretary/treasurer states that a Nevada psychology license is required for anyone out of state providing any psychological services in Nevada. <http://psyexam.nv.gov/News-Resources/>

North Carolina 2005 psychology board opinion Provision of Services Via Electronic Means, (same as New York psychology board statement) at
<http://www.ncpsychologyboard.org/office/ElectronicServices.htm>

Texas Telepractice Policy Statement, Newsletter of Texas State Board of Examiners of Psychologists, Fall 1999, Vol. 12, No. 2, at
<http://www.tsbep.texas.gov/files/newsletters/1999Fall.pdf>

Virginia Baker (2013) states policy statement issued by Virginia Board of Counseling Guidance on Technology-Assisted Counseling and Technology-Assisted Supervision used by the Virginia Board of Psychology <http://www.dhp.virginia.gov/counseling/guidelines/115-1.4%20Technology-Assisted.doc>

West Virginia Board of Examiners of Psychology policy statement Tele-Psychology-Skype lists cautions regarding the use of “skype” for providing psychological services
http://www.wvpsychbd.org/policy_statements.htm

Reference

Baker, Deborah. (2013) Telehealth 50-State Review, chart American Psychological Association, Practice Directorate, Legal & Regulatory Affairs at
<http://www.apapracticecentral.org/advocacy/state/telehealth-slides.pdf>