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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 psychological work.
- (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) Supervisor responsibilities pertaining to professional work supervision and professional training supervision.

- (1) A ~~licensed psychologist or licensed school psychologist~~ license holder serving as 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 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.

~~(2)-(3)~~ A ~~licensed psychologist or licensed school psychologist~~ supervisor shall not enter into a supervisory relationship for psychological work as an employee of a supervisee. However, a supervisee whose supervisor is not so employed may remunerate his/her supervisor in a private practice setting for providing psychological supervision by paying a 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.

~~(3)-(4)~~ Pursuant to paragraph (E) of rule 4732-17-01 of the Administrative Code, there shall be no direct family relationship between a ~~licensed psychologist or licensed school psychologist~~ supervisor and a supervisee.

~~(4)-(5)~~ A ~~licensed psychologist or licensed school psychologist~~ 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.

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- ~~(5)~~(6) A ~~licensed psychologist or licensed school psychologist~~ supervisor shall not assume supervisory responsibility for psychological work that he/she is not personally competent to perform.
- ~~(6)~~(7) A ~~licensed psychologist or licensed school psychologist~~ 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.
- ~~(7)~~(8) A ~~licensed psychologist or licensed school psychologist~~ supervisor shall accept for training supervision, as described in paragraph (A)(2) or (B)(2) of rule 4732-13-03 of the Administrative Code, for purposes of achieving competency in a recognized practice area only persons, either licensed or unlicensed, who have completed appropriate academic or professional preparation for that area or are at an appropriate level of progress toward such completion.
- ~~(8)~~(9) A ~~licensed psychologist or licensed school psychologist~~ supervisor shall ~~not concurrently supervise more than four unlicensed persons~~ actively monitor the weekly number of clients and/or training subjects of supervisees who are working under professional work and/or training supervision, as defined in paragraph (A) or (B) of rule 4732-13-03 of the Administrative Code, ~~without the written, express permission of the state board of psychology.~~ Although there is no limit on the number of supervisees registered with the board as required in paragraph (25) of this rule, a supervisor shall not on a weekly basis, emergency situations excepted, delegate work to supervisees that affects more than one hundred total clients and/or training subjects. This limitation on supervision does not apply to mental health worker supervision as described in paragraph (A) of this rule.
- ~~(9)~~(10) A supervisor has responsibility to make reasonable efforts to ensure that the supervised 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)~~(11) A supervisor has responsibility for the psychological diagnosis, psychological prescription, and psychological client supervision of all clients. These responsibilities cannot be delegated to a non-psychologist or psychological or school psychological work supervisee. They may be delegated to a training supervisee, as part of his/her training, only after this supervisee is registered with the board as being under training supervision as defined in paragraphs (A)(2) and/or (A)(3) of rule 4732-13-03 of the Administrative Code in preparation for licensure as a psychologist.
- ~~(11)~~(12) A supervisor has responsibility for the school psychological diagnosis, school psychological prescription, and school psychological client supervision of all clients. These responsibilities cannot be delegated to a non-psychologist, non-school psychologist, or a psychological work supervisee or school psychological work supervisee. They may be delegated to a training supervisee, as part of his/her training, only after the supervisee is registered with the board pursuant to paragraph (B)(27) of this rule as being under training supervision as defined in paragraphs (A)(2) and/or (B)(2) of rule 4732-13-03 of the Administrative Code in preparation for licensure as a psychologist.
- ~~(12)~~(13) A supervisor has full 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.

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- ~~(13)~~(14) A supervisor is responsible for determining the competencies of the supervisee, as described in paragraphs (A)(1) and (B)(1) of rule 4732-13-03 of the Administrative Code and paragraph (B)(7) of this rule, and shall not assign the supervisee tasks that the supervisee is not competent to perform.
- ~~(14)~~(15) A supervisor shall identify each supervisee, according to rule 4732-13-03 of the Administrative Code, as to type of supervision being provided and shall so inform the supervisee and, when applicable, the work setting administrator.
- ~~(15)~~(16) A ~~licensed psychologist or licensed school psychologist~~ supervisor who shares ongoing supervisory responsibility for the psychological or school psychological work of a supervisee with another ~~licensed psychologist or licensed school psychologist~~ license holder shall prepare a written supervision plan, available to the board, that is agreed upon and signed by each supervisor and the supervisee.
- ~~(16)~~(17) A supervisor shall keep records of supervision. These records shall include any supervision plan or agreement pursuant to paragraph (B)(15) of this rule, dates of supervision, and notes regarding supervision, including specific clients/cases reviewed. 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.
- ~~(17)~~(18) A supervisor shall base the intensity of the supervision and the prospective use of telepsychology in the supervisory relationship 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 ~~tape recordings, videotapes,~~ audio or video recordings, test protocols, or other client-generated material.
- ~~(18)~~(19) A supervisor shall not engage in sexual intercourse or other sexual intimacies with any supervisee; or, engage in sexual harassment or any verbal or nonverbal conduct that is sexual in nature with any supervisee.
- ~~(19)~~(20) A supervisor shall not exploit the supervisee for financial gain or with excessive work demands.
- ~~(20)~~(21) A supervisor shall not allow exploitation of a supervisee by an agency with which the supervisor and the supervisee are affiliated.
- ~~(21)~~(22) 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.
- ~~(22)~~(23) When training supervision is provided to assist the supervisee toward licensure in psychology or school psychology:
- (a) A supervisor and supervisee shall have a 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.
  - (b) A supervisor shall ensure that the training provides adequate breadth of experience to enhance: the

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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.

(c) Paragraph (B)(17) of this rule notwithstanding, supervision intended to fulfill or partially fulfill the requirements for licensure shall comply with the training supervision requirements under paragraph (H) or paragraph (I) of ~~this~~ rule 4732-9-01. More time may be needed, depending upon the supervisee's credentials, experience, and the complexity of the cases being supervised.

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

~~(23)~~ (24) Group supervision where there is significant discussion of cases is encouraged. However, group supervision as part of training supervision shall not be a substitute for required individual face-to-face supervision. Under no circumstance shall a supervisor charge a supervisee for group supervision.

~~(24)~~ (25) ~~Except for supervisees described in paragraph (B)(27) of this rule, a licensed psychologist or licensed school psychologist~~ A license holder serving as a supervisor shall register with 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 licensee of this board who is:

(a) Completely retraining for a general specialty of psychology pursuant to paragraph (F)~~(2)~~ 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)~~(3)~~ of rule 4732-13-02 of the Administrative Code.

~~(25)~~ (26) A supervisor shall specify what restricted services the supervisee will perform. In no case shall work of a hazardous nature, as defined in rule 4732-5-01 of the Administrative Code, be assigned to any supervisee with less than the appropriate academic preparation.

~~(26)~~ (27) A supervisor shall make reasonable efforts to plan for continuity of client care in the event that his/her psychological services to supervisees are 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.

~~(27)~~ (28) Persons licensed by 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. The supervisor/consultant and the licensed person expanding competence in a subspecialty shall maintain a record of the supervision/consultation relationship to be provided upon request of the board.

~~(28)~~ (29) The violation of any statute or rule of the board by a supervisee may result in an investigation of the adequacy of the supervision.

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~~(29)~~(30) 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~~ 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) ~~Licensees~~ 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) ~~Licensees~~ 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) ~~Licensees~~ Supervisors, 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;

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(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) Supervisee responsibilities pertaining to professional work supervision and professional training supervision.

(1) A supervisee is subject to all relevant statutes and rules of the board.

(2) 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.

(3) 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.

(4) A supervisee shall not collect fees for psychological work in his/her own name. All billing shall be done by the employer, the employing agency, or the licensed supervisor.

(5) A supervisee shall not independently advertise; 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 directory under the title "Psychologist"; or otherwise hold himself/herself out to the public as being authorized to provide independent psychological services.

(6) A supervisee may use a printed business card in which the name, appropriate title, supervisor, and supervisory relationship are stated. Such cards shall not identify any procedure or technique performed as a supervisee.

(7) A supervisee shall use an appropriate title, ~~specified~~ selected and assigned by the supervisor, ~~such as from the titles~~ found in paragraphs (E), (F), (G), ~~or (H)~~, (I, and J) in rule 4732-13-03 of the Administrative Code.

(8) 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 clients' understanding that the work is psychological in nature and that the supervising psychologist or school psychologist is professionally responsible for the work.

(9) The professional activities of the supervisee shall be limited to only those procedures that are delegable under these rules by the ~~supervising licensed psychologist or licensed school psychologists~~ supervisor(s).

(10) A supervisee shall carry out his/her psychological or school psychological activities in a suitable professional setting over which the supervisor has 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.

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- (11) A supervisee may pay a fee to a supervisor for supervision in a private practice setting only in accord with paragraphs (B)(2) and (B)(23) of this rule.
- (12) A supervisee and supervisor are both responsible for ensuring that all clients are 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 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 and the office procedures;
  - (b) Name of supervising psychologist or school psychologist;
  - (c) Schedule of charges and an indication that the billing will come from the supervisor or agency or institution under the supervisor's name;
  - (d) Professional address and telephone number of the supervisor;
  - (e) 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;
  - (f) Statement about the parameters of the professional relationship involving the psychologist or school psychologist, the supervisee, and the client;
  - (g) Statement about the availability of the supervisor to meet with the client, on request;
  - (h) Signature of the psychologist, the supervisee, and the client(s) or guardian, with one copy being maintained by the supervisor.
- (13) The supervisee and the supervisor are both responsible for ensuring that supervisee evaluative reports and letters dealing with client welfare are co-signed by the ~~licensed psychologist or licensed school psychologist serving as~~ supervisor.
- (14) A supervisee not under training supervision, who does psychological diagnosis, psychological prescription, or psychological client supervision, shall be deemed to be practicing psychology without a license, subject to the penalties of sections 4732.24 and 4732.99 of the Revised Code.
- (15) 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.