

MENTAL HEALTH WORKER SUPERVISION: SUMMARY FOR LICENSEES

What is MHWS?

Mental Health Worker Supervision (MHWS) is the provision of "Clinical Supervision" (defined in Ohio Revised Code 3923.28) of another licensed mental health professional to assist with gaining reimbursement for services. "Clinical Supervision" essentially refers to the process whereby a psychologist or psychiatrist: 1) Reviews the treatment plan quarterly; 2) Signs it or requires changes prior to approving it; and, 3) Co-signs a billing statement as required and authorized by third party.

MHWS is NOT psychological work. It is a process whereby a psychologist brings to bear his or her general mental health expertise in regulating the delivery of services of other mental health professionals. MHWS should NOT be registered with the Board.

History

In July, 1994 Psychologists in Ohio received current information about MENTAL HEALTH WORKER SUPERVISION (MHWS) in their license renewal notices. The description of MHWS generated many questions from licensees, and it is quite clear to the Board of Psychology that the difference between PSYCHOLOGICAL WORK SUPERVISION and MHWS is anything but clear to professionals.

The Board of Psychology initially established two (2) types of supervision. These were:

1) PSYCHOLOGICAL TRAINING SUPERVISION (including psychological umbrella supervision) and 2) PSYCHOLOGICAL WORK SUPERVISION. Administrative supervision was always exempt because it is not a psychological service. These two types of supervision were clearly defined and always required the supervisor to register his/her supervisee with the Board of Psychology.

In 1984, however, the Counselor and Social Worker Board came into existence, and Ohio suddenly gained many licensed professionals under the general rubric of mental health providers. The Counselor and Social Worker Board issues four (4) levels of license which are: 1) LSW, 2) LISW, 3) LPC, and 4) LPCC. More recently, in 2003, legislation provided for the addition of Marriage and Family Therapists. While each license is distinct with regard to limitations and scope of practice, insurance companies historically did not routinely reimburse for services provided by those licensed mental health workers. Therefore, the Board of Psychology adopted rules for MENTAL HEALTH WORKER SUPERVISION. Usually, psychologists provide this supervision to persons who hold a license issued by the Counselor and Social Worker Board, although some psychologists might supervise a CCDC I, II, or III, which are certificates issued by the Ohio Credentialing Board for Chemical Dependency Professionals. As a result, many Ohio psychologists supervised licensed professionals in a related field, and third-party payors have generally accepted billings for such services.

The most important difference between MHWS and Psychological Supervision is that MHWS must not be registered with the Board because the services being supervised ARE NOT PSYCHOLOGICAL SERVICES. Psychologists should be aware that registering any supervisee with the Board of Psychology is a statement that they are engaging in PSYCHOLOGICAL TRAINING, WORK, or UMBRELLA SUPERVISION.

By contrast, when a psychologist provides MHWS to a licensed professional, the supervisee should not be registered with the Board of Psychology because the supervising psychologist is not assuming responsibility for all clients and the welfare of those clients. The psychologist generally serves as a "quality" layer between the other professional and the third party by reviewing and signing the treatment plan every three months and does not identify the service provided as psychological work. When the psychologist submits bills to the third party, a statement similar to the following should always be included: "Counseling services provided by Mr./Ms. ... LPCC, under clinical supervision of Psychologist ... according to RC sections 3923.28 - 3923.30 and OAC rule 4732-13-03 (C). Of course, the clients should be advised by the supervisee if the supervising psychologist will be reviewing the treatment plan and signing the insurance form.

It is permissible for a licensee to provide PSYCHOLOGICAL WORK OR TRAINING SUPERVISION to a person who is a LPC, LPCC, LSW, LISW, or CCDC. In that case, the licensed/certified professional must be registered with the Board of Psychology as a psychological supervisee, and all rules of psychological supervision apply. A common error made by psychologists is that they register a supervisee who is actually practicing in his/her own license in a related mental health field. Should a complaint be lodged with the Board of Psychology about that supervisee, the psychologist may be held responsible even though the psychologist has not had any awareness of the client, has not supervised the case, has not reviewed client-generated data, and has not issued billings.

Be Familiar with the Counselor, Social Worker, and Marriage and Family Therapy Laws

A source of confusion is the scope of practice for the different licenses issued by the Counselor and Social Worker (C&SW) Board. A psychologist often supervises a person who is a LSW, LISW, LPC, or LPCC but is not aware of the limitations for those credentials. However, the limits of practice are very important, and supervising psychologists must be careful that their MHW supervisees do not violate the law and rules that govern the MHWs' licenses as well as not violate the law and rules for psychologists.

The Scope of Practice for the four C&SW Board licensees are found in Ohio Administrative Code rules 4757-13-02, -13-03, 15-02, and 15-03. MENTAL HEALTH WORKER SUPERVISION is not adequate for a LSW or LPC working under supervision of a psychologist without the supervision of an LISW or LPCC directly supervising the work of the provider.

Psychologists who employ a LPC, LPCC, LSW, or LISW would be well advised to request a copy of the C&SW law and rules (RC Chapter 4757 and OAC rules 4757) from the Counselor and Social Worker Board, 77 South High Street - 16th Floor, Columbus, Ohio 43266-0340. The telephone number is (614) 466-0912.

Supervising psychologists would also be well advised to maintain some documentation in their offices regarding the license held by his/her supervisee. On occasion, the Board of Psychology receives complaints about the work of a LISW supervised by a psychologist, but the facts determine that the supervisee actually was a LSW. Even though the supervising psychologist was misinformed, he/she is still responsible for the services provided by every supervisee, as well as for any misrepresentation of qualifications.

Basically, then, psychologists might be placing themselves in jeopardy by providing MENTAL HEALTH WORKER SUPERVISION to a LSW, LPC, or even a LPCC or LISW in some circumstances. No doubt the more appropriate relationship would be PSYCHOLOGICAL WORK SUPERVISION, registration with the Board, and compliance with all requirements for supervision including the disclosure statement [4732-13-04 (C)(12)] to clients and the supervisor's assuming responsibility for the welfare of all clients.

Furthermore, it is important to note that if the employee is under PSYCHOLOGICAL WORK SUPERVISION, every client must be advised about the supervisory relationship. It is not acceptable to provide PSYCHOLOGICAL WORK SUPERVISION for some clients and no supervision or MENTAL HEALTH WORKER SUPERVISION for other clients when services are delivered by the same person in the same office. A psychologist may NOT have a business relationship (other than employer-employee for the practice of psychology) with any PSYCHOLOGICAL WORK SUPERVISEE.

Recommendations for Licensees doing MHWS:

1. Supervising psychologists are urged to carefully verify the credentials and scope of practice for every MHW supervisee. Several situations have been brought to the Board's attention in which the psychologist suddenly and sadly learned that the supervisee did not actually hold the credentials avowed by the supervisee.
2. Supervising psychologists must review a treatment plan for appropriate MHWS. In view of that, the client's confidentiality is limited, and psychological ethics require that clients be fully informed. Therefore, psychologists are urged to maintain the client's signed " disclosure statement" that the client was informed regarding the supervisee's status and the supervisor's knowledge of the treatment plan.
3. Because MHWS probably originated for insurance purposes, keeping a log/journal of clients would probably safeguard psychologists and their MHW supervisees. The log/journal might contain the following information:
 - A. Name of client
 - B. Whether disclosure statement is signed
 - C. Whether "out-of-pocket" or "Third party payer"
 - D. Date of first and last appointment
 - E. Each date treatment plan was signed

As noted above, these are recommendations, which are suggested as procedures that would protect both clients and professionals. The Board of Psychology has no authority to enforce or inquire whether the above procedures are utilized, but it is hoped that supervising psychologists will give consideration to these suggestions.

When in doubt, psychologist can call the State Board of Psychology office (614) 466-8808 for clarification, but the first question psychologists must ask themselves is whether with a particular supervisee, she is supervising the provision of **PSYCHOLOGICAL SERVICES**. If the answer is yes, the person must be registered with the State Board of Psychology as a psychological supervisee. If the answer to that question is no, the psychologist should not register the person and will provide MHWS only after ascertaining that the supervisee is providing allowed services in accordance with a valid, current license in a related mental health field.