Ethical and Practical Considerations for Independent Practice in the Private Sector: Implications of Recent Rules Changes

ALFRED AMADO, PhD, & VICTOR VILLARREAL, PhD
PRESENTED AT THE 2018 TASP CONVENTION

Agenda

APA: Master’s Training Summit
TSBEP: Rules change
Implications for those trained as school psychologists
Practice outside of schools

NASP

• Can I practice school psychology privately without a doctorate?
  – A few states offer licensure to practice privately for master’s-level psychologists
  – A few states offer licensure that allows work under the supervision of a doctoral psychologist
  – Ethically, school psychologists are required to follow the rules of their state as well as professional standards for practice
State Credentialing: Independent Practice for School Psychologists

- **Florida**: license for school psychologists through Office of School Psychology that allows for practice in private sector; master's or specialist degree in school psychology is acceptable

- ***Illinois**: individuals with school psychology credentials can provide clinical psychological services outside the school setting under the supervision of a licensed clinical psychologist

- **Indiana**: school psychologists can hold “Independent Practice Endorsement” (separate from psychology license), but must be employed (at developmental center, state hospital, public or private hospital, mental health center, rehabilitation center, private school, or public school) at least 30 hours per week

- **Massachusetts**: Board grants licensure as an Educational Psychologist with 2 years of supervised experience as a school psychologist; allows for private practice and does not require a doctoral degree

- **Ohio**: Board offers School Psychologist Licensure allowing practice outside of schools; minimum of a master’s degree in school psychology

- **Pennsylvania**: currently permits school psychologists certified through the Department of Education to engage in private practice outside of the school environment due to an exception in the Pennsylvania state psychological licensure law; exemption eliminated June 30, 2018

- **Wisconsin**: must apply through the Department of Safety and Professional Services in order to practice outside of schools; designation titled Private Practice School Psychologist (at least a specialist’s degree)
APA Proceedings of the Summit on Master’s Training in Psychological Practice

- Consensus Statement
  - Need to bring additional scientifically informed, and culturally and linguistically responsible, practitioners to all populations
  - Need to bring additional practitioners to meet need
  - Can be accomplished by the development of a model of training and credentialing for master’s level practitioners in psychology
  - Will greatly enhance the reach of the field (psychology)

- APA should embrace training and accreditation for master’s degree training programs
- APA should advocate for licensing and consistent titling of master’s trained individuals
  - But maintain doctoral degree as entry level for psychologists
  - And clearly distinguish the master’s level practitioners from psychologists (doctoral level)

- Master’s level training should include access to a level of regulation/licensure that permits them to be competitive with other master’s level providers of behavioral health services
  - “Licensed” and “psychology/psychological” should be included in the title
TSBEP: Number of Licensees

• At the close of FY2017
  – 4,900 LPs
  – 230 PLPs
  – 950 LPAs
  – 3,158 LSSPs

Texas Health and Human Services: Number of Licensees (2017)

<table>
<thead>
<tr>
<th></th>
<th>Total</th>
<th>Ratio (prof.: population)</th>
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</thead>
<tbody>
<tr>
<td>Psychologists (all)</td>
<td>7,787</td>
<td>3,698</td>
</tr>
<tr>
<td>Licensed Professional Counselors</td>
<td>23,339</td>
<td>1,234</td>
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<tr>
<td>Marriage and Family Therapists</td>
<td>3,629</td>
<td>8,809</td>
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<tr>
<td>Licensed Clinical Social Workers</td>
<td>7,720</td>
<td>3,730</td>
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Entry Levels for Mental Health Professionals

<table>
<thead>
<tr>
<th>Professional Role</th>
<th>Level</th>
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<tbody>
<tr>
<td>Licensed Professional Counselors</td>
<td>Master’s Level</td>
</tr>
<tr>
<td>Licensed Mental Health Counselors</td>
<td>Master’s Level</td>
</tr>
<tr>
<td>Licensed Clinical Social Workers</td>
<td>Master’s Level</td>
</tr>
<tr>
<td>Licensed Marriage and Family Therapists</td>
<td>Master’s Level</td>
</tr>
<tr>
<td>Behavioral Analysts</td>
<td>Master’s Level</td>
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</table>
Statement on Master’s Summit and APA Policy Regarding the Doctoral Standard

- Purpose of the Summit (2016) was to explore whether APA should embrace the training of psychological practitioners at the master’s level
- Summit proceedings do not represent APA policy
- Current policy (APA Model Licensing Act) affirms doctoral degree as minimal educational level for entry into professional practice as a psychologist

Trend in Master’s Degree Practice

- Independent licensure for Master’s Degree in Psychology
  - 1999: 2
  - 2016: 5
  - Vermont, West Virginia
  - + Texas* (2017)
  - *separate psychology licensure for master’s level (with potential for independent practice)

Trend in Master’s Degree Practice

- Limited licensure or registration for Master’s Degree in Psychology
  - 1999: 23
  - 2016: 15
  - Alabama, Alaska, Arkansas, California, Delaware, Iowa, Kansas, Kentucky, Maine, Michigan, Minnesota, Nevada, New Hampshire, New Mexico, North Carolina, North Dakota, Oklahoma, Oregon, Pennsylvania, South Carolina, Tennessee, Texas, & Wyoming
  - Under supervision
  - Alabama, Alaska, California, Kansas, Kentucky, Maine, Maryland, Michigan, Nebraska, New Mexico, North Carolina, Oregon, Tennessee, Texas, & Wyoming
APA Guidelines on Core Learning Goals for Master’s Degree Graduates in Psychology

• Approved by the APA Council of Representatives (March 2018)
  – Purpose to develop goals and learning outcomes applicable to any subfield of psychology (including school psychology)
  – NOT to address or challenge the doctoral requirement for those licensed for independent practice of psychology

Core Learning Goals for Master’s Degree Graduates in Psychology

i. Knowledge base in psychology
ii. Scientific mindedness
iii. Ethical and social responsibility in a diverse world
iv. Communication
v. Professional development

TSBEP Rules Change

• During December 2016 public hearing before Sunset Advisory Commission, commission members learned that there was no express statutory basis for the lifetime supervision requirement for LPAs
  – After review, board had concerns that supervision requirement could be susceptible to legal challenge
• Some members of the commission expressed interest in ensuring the board was not creating unnecessary barriers within the profession
  – Thereby limiting the number of qualified providers available to practice independently (and meet need)
TSBEP Rules Change

• In November 2017, TSBEP adopted rules permitting independent practice for qualified licensed psychological associates (LPA)
  – Practice without the supervision of a LP

• Texas Register, Title 22, Part 21, Chapter 463, Rule §463.8

TSBEP LPA Requirements

• Graduate degree in “psychology” of at least 60 semester credit hours
  – Coursework in (a) psychological foundations, (b) research and statistics, (c) applied psychology, (d) assessment, (e) interventions, and (f) scientific and professional, legal, and ethical issues

• Pass all examinations (EPPP [500, 70%), jurisprudence [90%])

• At least 6 semester credit hours of practicum, internship, or other structured experience (with applicant’s degree program) under supervision of a LP

• May practice independently if:
  – Demonstrates at least 3,000 hours of post-degree experience under supervision of LP
  – Experience obtained in not less than 24 or more than 48 consecutive months
  – Experience obtained in not more than 3 placements
TSBEP LPA Requirements

- LPAs meeting requirements shall be approved for independent practice, but remain subject to all board rules
  - Including rule relating to competency (465.9)
- LPA authorized to practice independently must inform all patients/clients whether the licensee holds a masters, specialist, or doctoral degree
  - And differences between levels of training and education received in different types of programs

Why should I care?

- If you have no interest in working outside of public (or private) schools, you shouldn’t
- But, if you do
  - Curricular requirements for LPA license are met by most specialist-level programs
  - Potential for employment outside of schools (including independent practice if obtaining LPA, in part on LSSP training and experience)

Why should I care?

- But, if you do
  - Necessary to obtain pre and post graduation fieldwork under supervision of a LP
  - TSBEP: LSSPs may utilize experience acquired under that license if the experience was supervised by a LP
• TSBEP emphasizes:
  – 465.9 – Competency
  – Licensees provide only services for which they have the education, skills, and training to perform competently
• All licensees (regardless of license type, degree program) are already subject to 465.9

• APA Ethical Principles of Psychologists and Code of Conduct
  – Includes ethical principles that may be unfamiliar to those receiving training in master’s/specialist level school psychology programs
  – Certain principles, standards of practice don’t typically apply to school psychologists

• APA Ethical Principles of Psychologists and Code of Conduct
  ❏ Section 4: Privacy and Confidentiality
  ❏ Section 5: Advertising and Other Public Statements
  ❏ Section 6: Record Keeping and Fees
Professional Issues

- Examination for Professional Practice in Psychology (EPPP)
- Pass rate of first time test takers (2015-2017)
  - Designated/Accredited Doctoral Programs: 80.81%
  - Masters Degree Only: 53.12%

1. Research methods and statistics
2. Assessment and diagnosis
3. Social and cultural bases of behaviors

References

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Symposium session presented at the annual meeting of the Texas Association of School Psychologist, Dallas, TX, 2018.

Alfred J Amado | PhD | NCSP | Licensed Psychologist

Training
• Texas A&M University, School Psychology
• University of Florida, Bachelor’s of Science in Psychology

Work Experiences
• President of Behavioral & Educational Solutions, PC
• APA Congressional Fellow
• Assistant Professor, University of Maryland, School Psychology Program.
• Program Administrator/ Faculty, Nova Southeastern University, School Psychology Program.
• Post-doctoral Fellowships, Johns Hopkins
• Internship, Dallas ISD
• Therapy Aide, Diabetes Project Unit - University of Florida.

Where do School Psychologists Work?

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<tr>
<th>Primary Place of Employment</th>
<th>2007</th>
<th>2012</th>
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<tbody>
<tr>
<td>Public Schools</td>
<td>83.1%</td>
<td>83.7%</td>
</tr>
<tr>
<td>Private Schools</td>
<td>5.2%</td>
<td>6.2%</td>
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<tr>
<td>Faith-Based Schools</td>
<td>2.1%</td>
<td>2.5%</td>
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<tr>
<td>University</td>
<td>6.5%</td>
<td>7.4%</td>
</tr>
<tr>
<td>Independent Practice</td>
<td>4.1%</td>
<td>3.5%</td>
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<tr>
<td>Hospital / Medical</td>
<td>1.3%</td>
<td>0.8%</td>
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<tr>
<td>State Educ. Dept</td>
<td>0.8%</td>
<td>0.6%</td>
</tr>
<tr>
<td>Other</td>
<td>2.8%</td>
<td>3.6%</td>
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### Secondary Place of Employment

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<tr>
<th></th>
<th>2007</th>
<th>2012</th>
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<tbody>
<tr>
<td>Public Schools</td>
<td>3.27%</td>
<td>2.9%</td>
</tr>
<tr>
<td>Private Schools</td>
<td>0.75%</td>
<td>0.7%</td>
</tr>
<tr>
<td>Faith-Based Schools</td>
<td>0.23%</td>
<td>0.7%</td>
</tr>
<tr>
<td>University</td>
<td>7.78%</td>
<td>7.8%</td>
</tr>
<tr>
<td>Independent Practice</td>
<td>8.59%</td>
<td>5.8%</td>
</tr>
<tr>
<td>Hospital / Medical</td>
<td>0.40%</td>
<td>0.7%</td>
</tr>
<tr>
<td>State Educ. Dept</td>
<td>0.29%</td>
<td>0.4%</td>
</tr>
<tr>
<td>Other</td>
<td>1.95%</td>
<td>2.6%</td>
</tr>
</tbody>
</table>

**Suru, M. J., Castillo, J. M., Gelley, C., 2012**

**Suru, M. J., Lopez, A. D., Benitez, S. M., Marco, B., & Ackerman, D., 2007**

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### Transferable Skillset

- normal and abnormal development
- school organizational systems
- learning theory
- counseling theory and practice
- statistics and research
- measurement & evaluation
- applied behavior analysis
- psychological assessment
- consultation skills
- diversity or multiculturalism
- Advocacy

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### Starting a Business in Texas

**Step 1 - Write Your Business Plan.**

**Step 2 - Choose Your Business Location**

**Step 3 - Finance Your Business**

**Step 4 - Business Structure and Registration**

**Step 5 - Business Tax Responsibilities**

**Step 6 - Business Licenses and Permits by Business Type**

**Step 7 - Business Employer Requirements**

To learn more, visit [https://www.twc.state.tx.us/businesses](https://www.twc.state.tx.us/businesses), [https://www.sba.gov/](https://www.sba.gov/)
Business Model Aligned with Mission

Provide solutions, education, support, and resources to parents and children across government agencies (local, state, and federal), not-for-profit agencies, schools, and our clinic.

Provide multidisciplinary services for ALL clients by thru strong collaborative relationships between the family, individual, and local systems.

70% of our clients receive services where they live, work, and learn.

30% receive services in our new clinic.

Are you creating a Job or a Business?

- 2008: Company Inception, in July 2012 we opened our 1st Office
- 2013: Hired 1st Full-time Employee
- 2017: Moved into New Office 3x larger than 1st Office
- 2018: We are 60+ Full-time Employees Across 5 States

School-based Services

- Comprehensive Psychological Evaluations
- Psycho-Educational Evaluations
- Attention & Executive Function Evaluations
- Developmental Evaluations
- Disability Determination Evaluations
- Juvenile Age of Jurisdiction and Transfer Evaluations
- Parental Fitness Evaluations
- Immigration Evaluations
- Private School Entrance Evaluations
Clinic-based Services

Individual Therapy
- Play
- Child
- Pre-Teen
- Adolescent
- Young Adult
- Family Therapy
- Reunification
- Therapy

Therapeutic Groups
- Social Skills
- Parenting
- New Fathers
- Post-Partum
- Depression
- Executive Function

Behavioral Services

- Applied Behavioral Analysis
- Functional Behavioral Assessments
- Behavioral Intervention Plans
- Academic Interventions
- Parent Coaching

Mental Health Consultation

Understanding Children's Needs
Identifying Emotional Concerns
Educational Advocacy
Recognizing Developmental Problems
Interpreting Test Results
Finding Appropriate Clinicians
Establishing Goals and Objectives
Finding Solutions to Academic Problems
Resolving Family Conflict
Behavioral & Educational Solutions, PC has been providing services since 2009. In 2015 we were awarded our first federal contract, and currently have contracts providing counseling, consultation, psycho-education to ALL branches of the military across mid-Atlantic states.

Our Website

Is a great resource, including new patient forms, services, blog, monthly newsletters, team biographies and more.

Please visit our website and learn more.

www.BESDC.com

Our Clients