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Daniel Collins (Comments2019@ncpsychologyboard.org)  
NC Psychology Board  
895 State Farm Road., Suite 101  
Boone, NC 28607

Dear Mr. Collins:

The following letter is in response to the North Carolina Psychology Board's (NCPB) notice of proposed rule changes as part of the scheduled rules readoption pursuant to the periodic rules review set forth in G.S. 150B-21.3.

I am a native of North Carolina and following the completion of my doctoral education in psychology, I returned home to provide psychological services in the public sector. I have been a Licensed Psychologist and Health Services Provider-Psychologist since 2008. Since that time, I have supervised dozens of Masters- and Doctoral-level students, and have supervised a number of Licensed Psychological Associates. I have also served in a number of different state-level and national leadership roles in the areas of mental health, intellectual/developmental disabilities, and substance use disorders. These experiences have allowed me to become intimately aware of the role, value, and need for psychologists/psychological associates and the services we have to offer in our state.

While the NCPB is to be applauded for proposing a number of positive changes to the current rules, some of the proposed rule changes seem to be at odds with one another in that there is an expansion of the role of psychological associates which may help to provide more psychological services in North Carolina, while other changes will likely threaten the ability or desire for psychologists/psychological associates to practice psychology. There are three sets of changes which I feel will significantly negatively impact the practice of psychology, will place an undue financial burden on psychologists/psychological associates, and for which there is no evidence that the changes would enhance the practice of psychology or better protect the public interest.

**1) 21 NCAC 54 .1605 FEES (5); 21 NCAC 54 .1901 TYPES EXAMINATIONS (3); 21 NCAC 54 .2104 CONTINUING EDUCATION (i)**

The proposed changes to these rules seek to add an ethics renewal examination for all licensees every two years at a cost of \$150.00. In addition to the licensing fee (\$250.00), this would present a significant and financial burden on psychologists/psychological associates as the required fees would now start at \$400.00 for renewal. The Board has not presented evidence that taking an examination every two years will reduce ethics violations or provide better public protections. Further, there already exists a requirement to obtain at least 3 continuing education hours in ethics every biennial review period. Those hours can currently be obtained through a number different methods, often at a significantly lower cost than the \$150.00 proposed by the Board.

Although not explicitly stated, it has been hypothesized that the issue the Board is seeking to remedy is to reduce the number of ethics code violations. If this is in fact the problem, one suggestion would be for the Board to assess a financial penalty onto psychologists/psychological associates found to be guilty of ethics violations, as opposed to financially burdening everyone for the mistakes of a few licensees.

**2) 21 NCAC 54 .2001 SUPERVISOR (c); 21 NCAC 54 .2104 CONTINUING EDUCATION (e)(3)(D)**

The proposed changes to these rules seek to add a three-hour training session for supervisors who engage in the supervision of an applicant for licensure, a licensed psychological associate, or a provisionally licensed psychologist. The Board has not presented evidence that completing this training will actually ensure better quality supervision. These proposed changes do not acknowledge prior training or continuing education in supervision which may have already been completed by supervisors, are vaguely written such that the Board may determine the content which is unclear, and which also may present a significant and financial burden on psychologists/psychological associates. Like other continuing education, education for supervision may be obtained through a number different methods, possibly at a lower cost than what may be determined by the Board.

Although not explicitly stated, it has been hypothesized that the issue the Board is seeking to remedy is related to inadequate or violations of supervision rules. If this is in fact the problem, one suggestion would be for the Board to allow supervisors to furnish proof of prior supervision training received OR to make this a requirement only for new supervisors who have not engaged in this Board approved practice prior to October 1, 2022.

**3) 21 NCAC 54 .2104 CONTINUING EDUCATION (d)**

The proposed changes to these rules seek to increase the total number of continuing education hours from 18 per biennial review period to 24 per biennial review period. Further, there is an addition of the word "After" when referencing Category B hours, suggesting that those hours can only be obtained after completing the Category A hours. It is unclear why the Board is proposing a specific order in which the different categories of continuing education hours must be completed, as that is a procedural recommendation that does not impact the completion of the total requirements by each biennial deadline. Further, while the addition of 6 continuing education hours may not seem like a significant change, it represents a 33.3% increase in the total hours required. According to the US Bureau of Labor Statistics' Occupational Outlook Handbook (2008-2009), the average cost of continuing education credits for psychologists (unspecified license level) ranged from \$15 to \$20 per credit. Assuming these values have not increased, the addition of 6 continuing education hours represents an average additional cost of \$90 - \$120. This would present a significant and financial burden on psychologists/psychological associates.

Again, while I feel the North Carolina Psychology Board has proposed a number of positive changes to the current rules, the three set of proposed changes above will significantly negatively impact the practice of psychology, will place an undue financial burden on psychologists/psychological associates, and lack the presentation of evidence that the changes would enhance the practice of psychology or better protect the public interest. I appreciate the opportunity to respond to these proposed changes and hope the NCPB and my elected officials will not pursue these rule changes.

Respectfully,

Jason E. Vogler, Ph.D., LP, HSP-P, CSSBB

CC: Senator Floyd B. McKissick, Jr. (Floyd.McKissick@ncleg.net)  
Representative Zack Hawkins (Zack.Hawkins@ncleg.net)