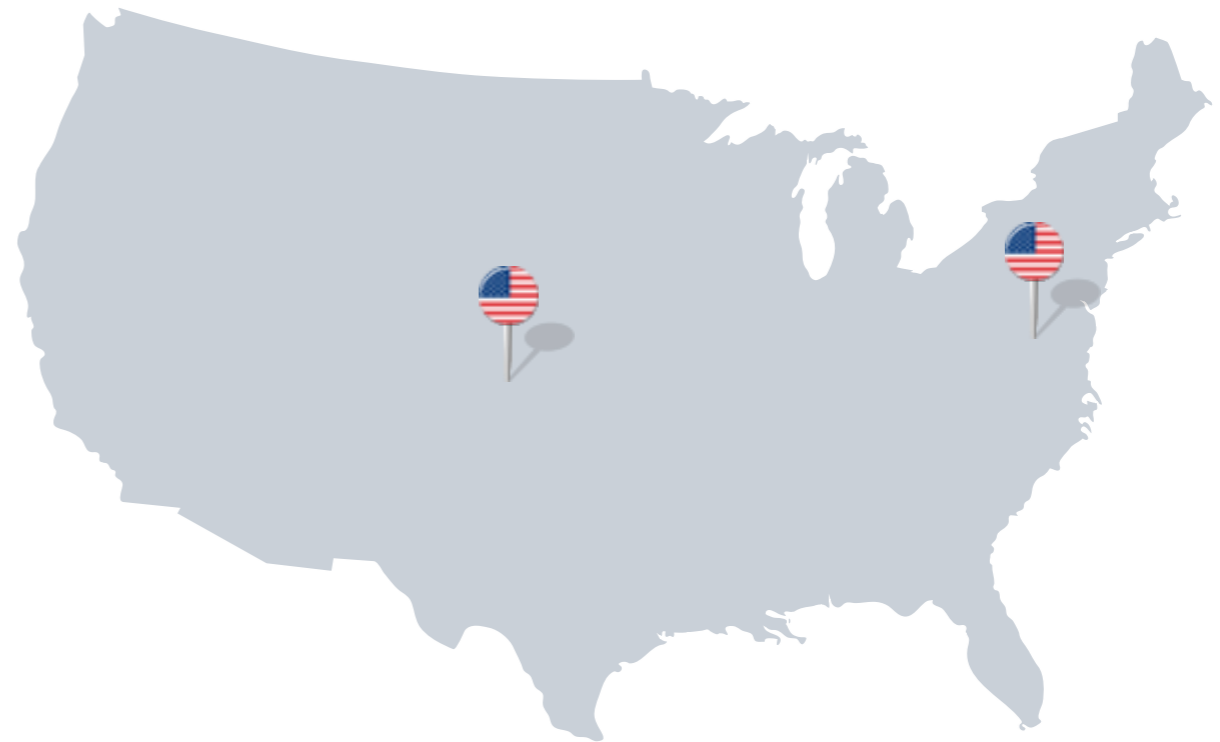


TELEMENTAL Health

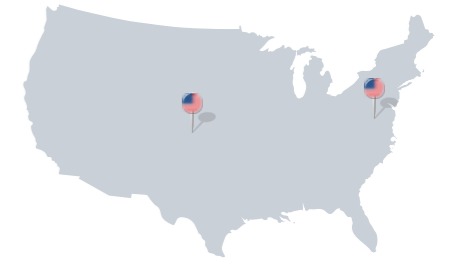
LICENSURE LAW
COMPARISON



What is **Legal in Telemental Health?**

Jay Ostrowski | Behavioral Health Innovation

Research Method



- Searched for Telemental health related laws on 127 licensing board websites for:
 - Counselors/ Marriage and Family Therapists
 - Social Workers
 - Psychologists
- Contacted each board via email that did not have a policy displayed.
- Research conducted between Oct. 1, 2013- Jan. 8, 2014.
- **Data re-verified March 1-13, 2015**

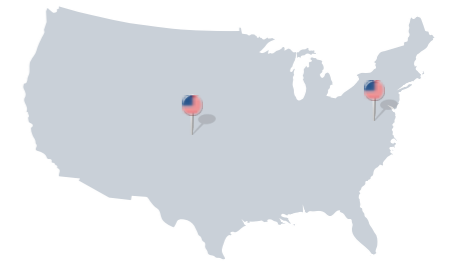
127 boards contacted (Kentucky has an extra Board)

- 12 states have the same board (Composite Board)
- Minimal means - mentioned use of technology, electronic means, internet, etc.
- Identified if they had a policy
- Measured if it included the top 8 ethical topics
- Condensed Policy, guidance, law and regulation together for each state for simplicity in this presentation.

DISCLAIMERS

- The following research and comments are my own. I do not represent any specific profession, association, or the National Board for Certified Counselors and Affiliates.
- Each person will need to verify the information for their state.

Problem: Language



24 terms were used by the boards.

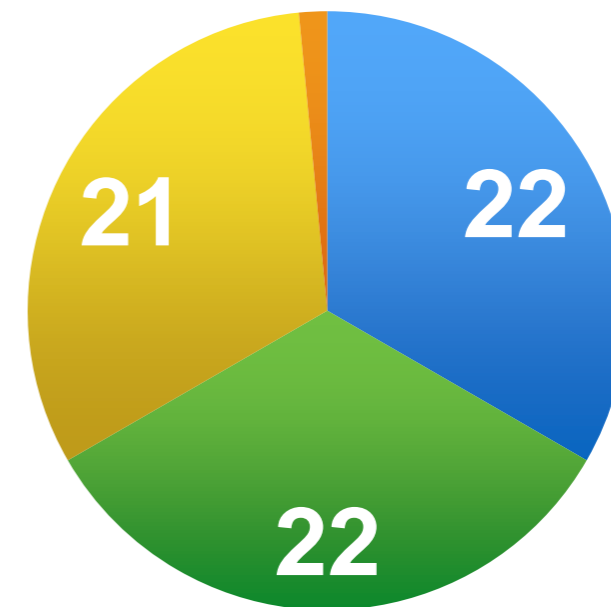
42 terms are used in the industry .

Top 5

- 28 states use Electronic or “other means”*
- 20 use Telehealth*
- 9 use Telepractice
- 7 use Telepsychology
- 6 use Distance

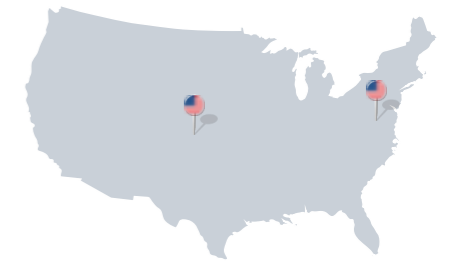
*Or a related word or phrase that included this term

Who Has a Law? By Discipline



- Counselors
- Psychologists
- Social Workers
- Marriage & Family Therapy

Problem: Language



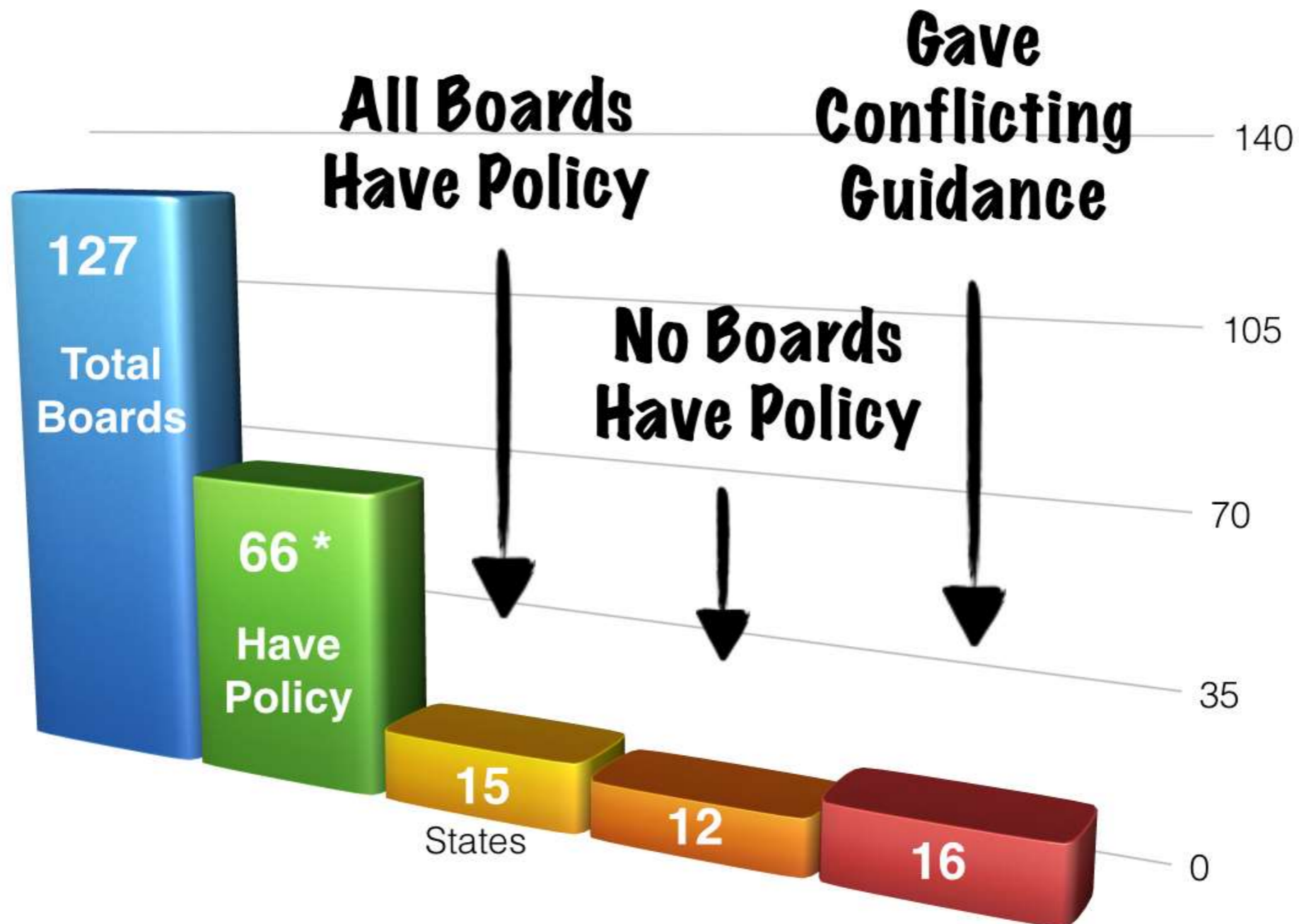
State	Term 1	Term 2	Term 3	Term 4
NC-sw	Electronic	telepractice	distance therapy	
CA-p:	Telepsychology	telehealth	telemedicine	online psychotherapy
AR-c:	Technology assisted	internet counseling		
MT-p	Electronic	teleconferencing		
MA-c:	Distance	distance-therapy	online [counseling]	other electronic-assisted counseling

*Or a related word or phrase that included this term

Findings (cont.)

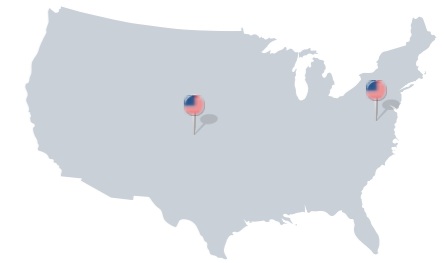
State License Boards

- Total Boards
- State Boards That Have Policies
- States In Which All 3 Boards Have A Policy
- State Boards Have No Policy
- Boards That Provided Conflicting Guidance

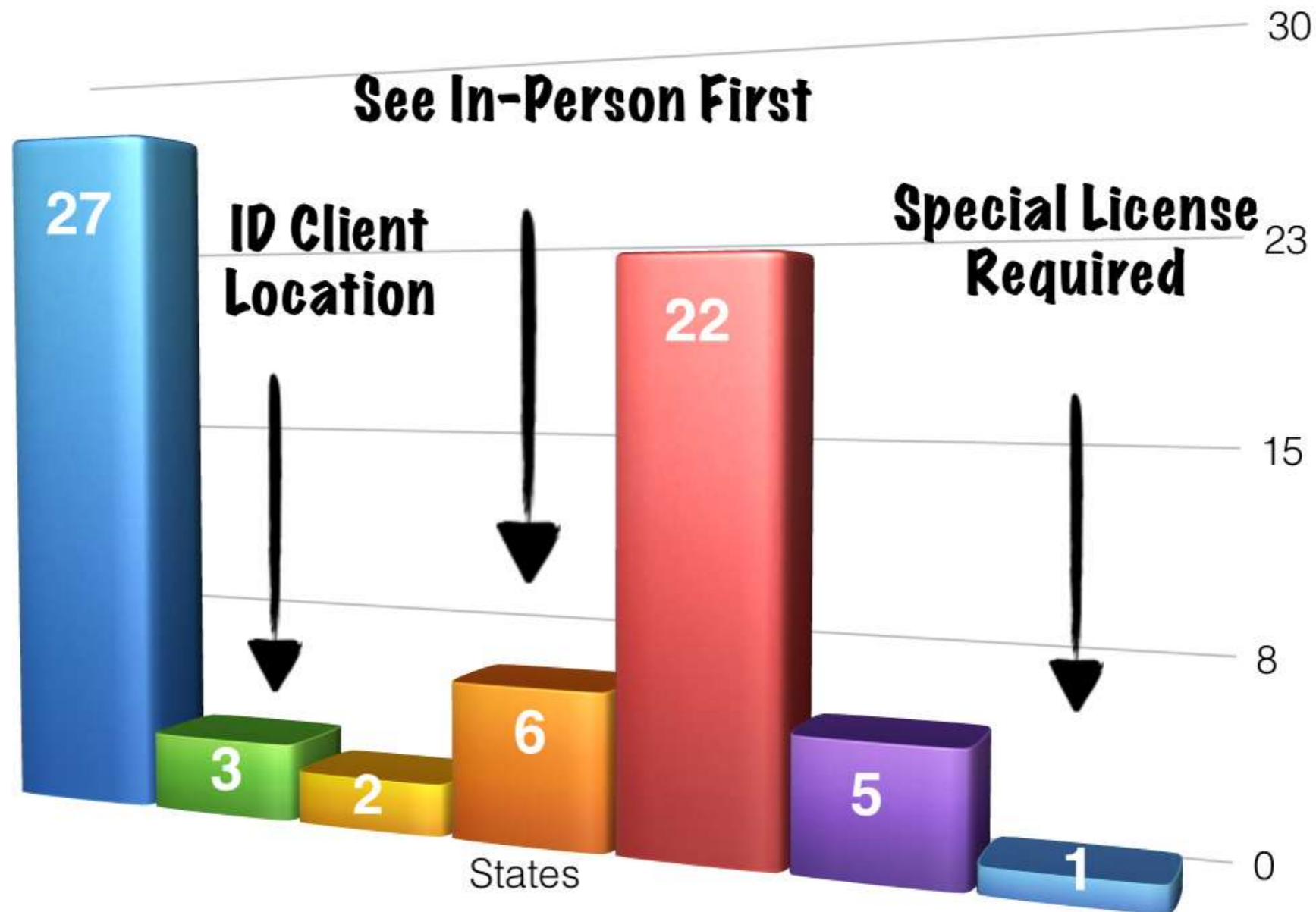


* Kentucky Marriage and Family Therapy Board that has a policy

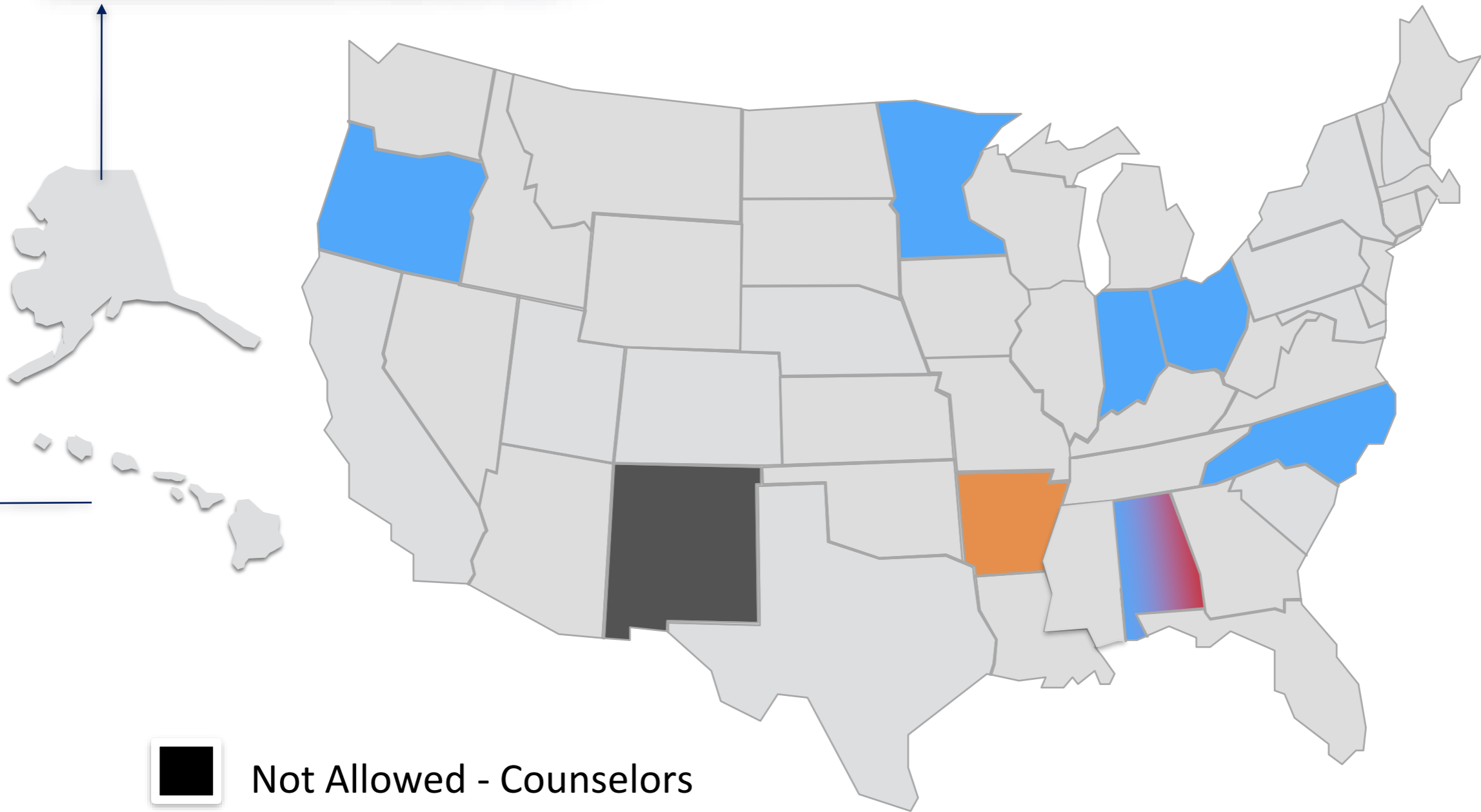
Types of Requirements (cont.)



- Informed Consent-Risks
- ID Client Age
- Electronic Privacy
- Require Special License
- ID Client Location
- See In-Person First
- Training Required

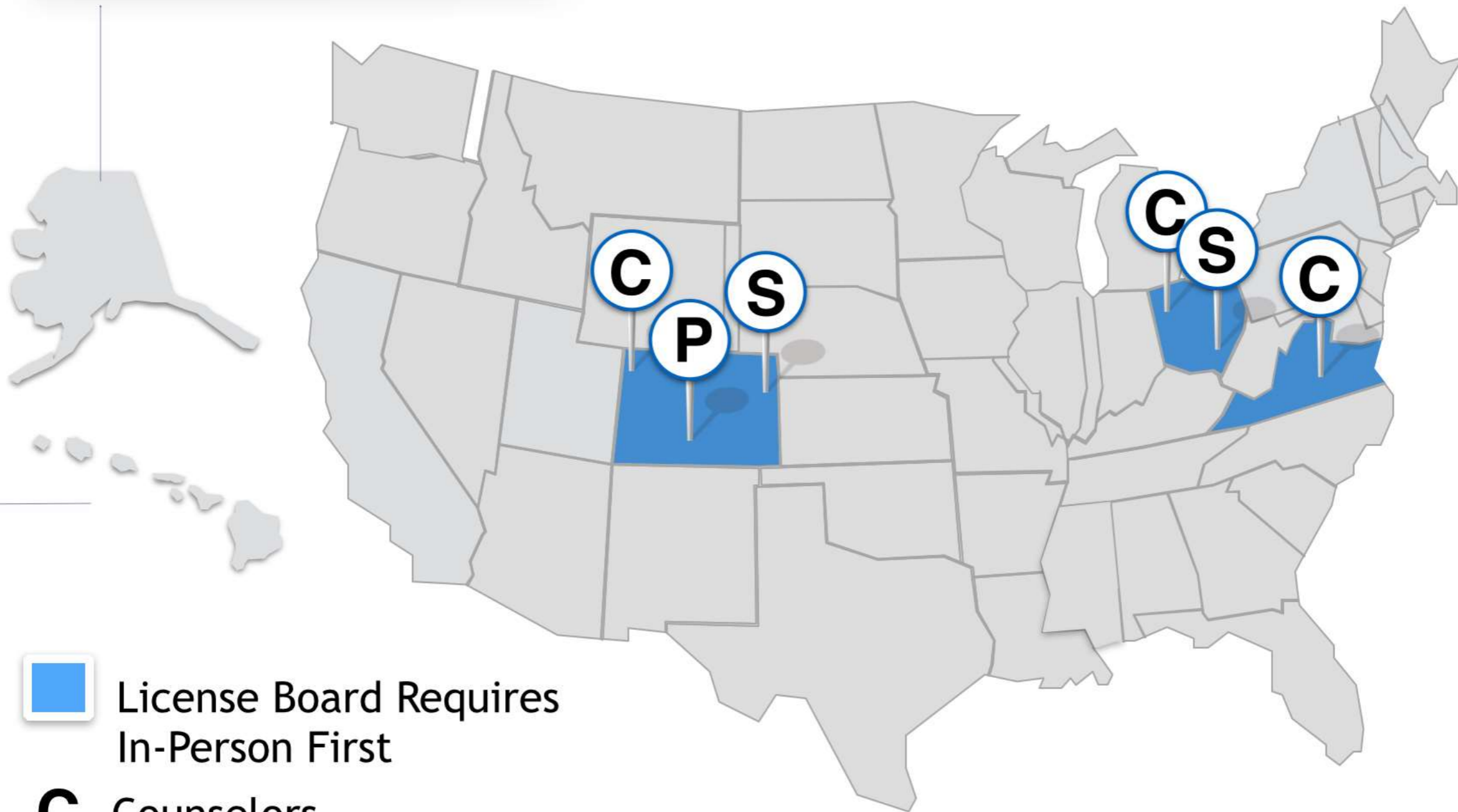


Exceptions



- Not Allowed - Counselors
- Temp license clause or allowance if approved by Board*
- Psychologists (only) - Repealed 7/2014
- Special License Required - Counselors

In-Person First



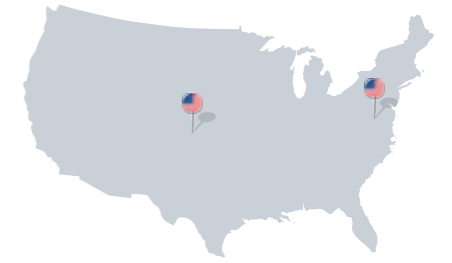
 License Board Requires In-Person First

C - Counselors

P - Psychologists

S - Social Workers

Recommendations



- **Since licensure is a moving target, keep inquiring and educate your board.**
- **Inquire with the license board directly, using several keywords.**
- **Inform your license board of what you are intending to do online in their state.**
- **Abide by your chosen association guidelines for best practices.**

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