

PSYCHOLOGISTS BOARD OF QUEENSLAND

Newsletter

August 2004



From the Chairperson

Regular reporting to registrants in newsletters has been interrupted by a significant adjustment of the Office of Health Practitioner Registration Boards and the Board members, in response to the recent changes in legislation. The Board is now well served by a smoothly run Office. The Board has been working on three main areas of concern in addition to its usual handling of registrations and complaints. These are:

- use of descriptors to indicate particular areas of expertise of psychological practice (<http://www.psychologyboard.qld.gov.au/documentlibraries/main1.html>);
- use of restricted psychological tests by people who are not psychologists; and
- raising the minimum standard for registration as a psychologist.

Descriptor use policy:

This policy is explained on the Board's website (<http://www.psychologyboard.qld.gov.au/documentlibraries/main1.html>). The Board recognises that this is an interim policy, adopted while seeking ways to achieve a specialist register.

Restricted test use:

Meetings have been held with Education Queensland representatives to voice the Board's concern about psychological assessments, using restricted tests administered by guidance officers who are not psychologists. A letter to the State Minister of Health requests that this matter be raised with the Minister of Education. We asked that psychological assessments be referred to registered psychologists and that registration as a psychologist be a requirement for newly advertised positions as guidance officers with Education Queensland.

Raising the minimum standard for registration:

In order to protect the public, the Board has sought to raise the standard of psychological services within the current legislation in two ways. Firstly, in a meeting with the Heads of Schools and Departments of Psychology in all of the universities in Queensland we addressed the need for adequate preparation for professional training to be taught in the fourth year of psychological study. In addition, when the Australian Psychological Society (APS) sought input from the registration boards on accreditation guidelines for psychology courses, the Board requested that

assessment, intervention and interviewing be included as required topics in the fourth year of study. Secondly, the Board addressed the quality of supervision as this determines ultimate standards of the practice of psychology. The legislation provided for the introduction of a supervision - training program which is due to commence in November 2004. The supervision - training program must be completed if the supervisor wishes to be listed as approved (<http://www.psychologyboard.qld.gov.au/registration/SupervisedTraining.pdf>).

In conclusion, the Board recognises that in order to promote legislation to raise the minimum standard for registration to include postgraduate qualification in professional psychology, several issues must be addressed. These are: the need for the relevant changes to be made in all States and Territories in Australia, the need for an increased number of places to be made available in postgraduate professional training programs, and the drafting of sunset clauses so that registrants without relevant postgraduate qualifications are not disadvantaged. Progress towards nation-wide standards has been made through the Council of Psychologists Registration Boards (Inc) (CPRB), which meets again in September 2004, and through the Australian Psychology Accreditation Council, which is a joint committee of representatives of CPRB and APS, formed for the purpose of accrediting tertiary psychology courses.

Professor Gina Geffen

RELEVANT PRACTICAL EXPERIENCE IN THE PROFESSION

It has come to the attention of the Board that some confusion exists among registrants and applicants for registration about the meaning and interpretation of "relevant practical experience in the profession" in the *Psychologists Registration Act 2001* (the Act).

To be eligible for general registration without probationary conditions an applicant must have an approved qualification, be fit to practise the profession and have gained "relevant practical experience in the profession". If the applicant has not gained "relevant practical experience in the profession" the Board must impose probationary conditions on the registrant's general registration and the registrant may practise the profession only in accordance with the supervised practice program.

Under section 58 of the Act an applicant for registration has “relevant practical experience in the profession” if the applicant has experience in the practice of the profession that is substantially equivalent to the nature and extent of the practice of the profession under the supervised practice program. The Act outlines a number of factors the Board may consider in determining whether an applicant has “relevant practical experience in the profession”.

Legal advice received by the Board confirms that this section of the Act was provided so that applicants for registration who had gained “relevant practical experience in the profession” in Queensland **prior to the introduction of the Supervised Practice Program** when the Act commenced on **1 May 2002** are not disadvantaged. Similarly, this section is intended to apply to applicants for registration who have obtained “relevant practical experience in the profession” **overseas or in another State or Territory of Australia** so that these applicants are also not disadvantaged by the fact that they have not undertaken the Psychologists Board of Queensland’s Supervised Practice Program.

Consistent with this advice, supervisors are reminded that, in accordance with current policies of the Board and the above advice regarding “relevant practical experience in the profession”, the Board will not recognise or provide credit for any supervision or practice of the profession that an applicant for registration claims to have undertaken in Queensland between the commencement date of the Supervised Practice Program on 1 May 2002 and the applicant’s date of registration.

USE OF TITLE

The *Psychologists Registration Act 2001* restricts the use of the title “Psychologist” to persons who are registered with the Psychologists Board. A registrant who holds General Registration with Conditions, including Probationary Conditions, **must not** hold himself or herself out to be registered without the conditions. (This breach of the Act attracts a maximum penalty of \$7,500.)

DISCIPLINARY PROCEEDINGS

The Board can take disciplinary proceedings against a registrant if a ground for disciplinary action has been established. There are three levels of disciplinary action.

1st level: *Disciplinary proceedings can take the form of a hearing by the Board itself or a committee of the Board. The Board or disciplinary committee has the power to advise, caution, reprimand a registrant and/or, with the registrant’s agreement, enter into an undertaking with the registrant about their professional*

conduct or practice. The hearing is closed to the public and no legal representation is allowed.

2nd level: *The Board can refer a matter for hearing by a Professional Conduct Review Panel. The Panel is constituted by 2 or 3 psychologists and a public member. The Panel has the power to place conditions on a registrant’s registration. The hearing by a Panel is closed to the public and no legal representation is allowed.*

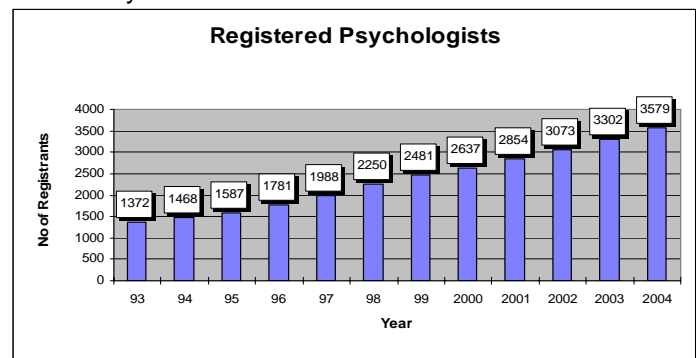
3rd level: *The Board must refer to the Health Practitioners Tribunal any matter relating to a registrant that the Board reasonably believes may provide a ground for suspending or canceling the registrant’s registration. The Tribunal is adjudicated by a District Court Judge assisted by two psychologists and a public member. The Tribunal is open to the public and parties may be legally represented.*

GROWTH IN REGISTRANT NUMBERS

Did You Know?

Over the past ten years, the numbers of psychologists registered in Queensland has increased by approximately 125 percent.

As at end of June 2004 there were 3,579 registered Psychologists with General Registration, of these, 829 hold General Registration with probationary conditions. The following bar chart illustrates the growth since 1993 in the number of registered psychologists in June of each year.



REGENCY OF PRACTICE

The *Psychologists Registration Act 2001* allows the Board to introduce “rency of practice requirements on renewal of registration”. The Board has recently approved a draft discussion paper and following approval by Cabinet, it will be released to stakeholders for comment. A draft policy based on all submissions to the discussion paper shall be developed and circulated to stakeholders who made submissions. Once the Board approves the final policy, it is referred to Queensland Health for development of the Regulation. It is essential for psychologists to participate in the development of the rency of

practice policy. The discussion paper will be on the Board's website from mid to late October 2004.

PLEASE NOTE THAT FOLLOWING LEGAL ADVICE, ONLY A REGISTRANT IS ABLE TO SIGN THE MEDICAL DECLARATION ON THE RENEWAL FORM. A POWER OF ATTORNEY WILL NOT BE ACCEPTED.

RESTORATION OF REGISTRATION

Has your registration expired? You are only eligible to apply for restoration of registration within 3 months after the expiry of registration. If a person's registration, expires on 30 June 2004, the person is eligible to restore until 30 September 2004. If registration has expired for more than three months, a person must submit a new application for registration.

COMPLAINTS COMMITTEE: WHAT CAN WE LEARN?

The Complaints Committee is responsible for assisting and advising the Board on complaints, information received and preliminary investigation reports.

During 2003 to 2004 the Board received 44 new complaints which were dealt with under the *Health Practitioners (Professional Standards) Act 1999*. Of these complaints the allegations were:

- medico-legal reports (12);
- unprofessional and/or unethical behaviour (11);
- standard of care (6);
- communication problems (4);
- sexual misconduct (3);
- breaches of confidentiality (2);
- holding out (2)
- inappropriate treatment (1)
- fees and billing problems (1)
- misleading/unclear information (1)
- diagnosis (1)

Eighteen of the 44 complaints were from the clients of practitioners with the balance being referred by other persons and/or organisations.

Being a member of the Complaints Committee is an instructive and educative experience. Some examples of issues brought before the Complaints Committee are outlined below with the purpose of informing and improving our practice as registered psychologists.

Example 1

A complaint was lodged by a marital partner who alleged that he attended a psychologist for marital counselling. It was alleged that the psychologist saw one partner, then the other, and divulged what was said to him in an individual session during a joint session. The complainant thus alleged a breach of confidentiality. In response, the psychologist said it was implied that confidentiality could not be maintained if the parties were to undertake effective marital therapy. This issue underlies the importance of making implicit assumptions about communication explicit and if possible, should be clarified in writing.

Example 2

One of the most common complaints to be brought before the committee deals with psychological reports. While a proportion of such complaints relate to persons who feel that they have been unfairly portrayed in a report, there are instances in which it has been alleged that psychologists arrived at conclusions without specifying the basis on which they arrived at the conclusion. It has been alleged that psychologists have used tests which were inappropriate or lacked validity and reliable data or that the practitioner failed to acknowledge the limitations of the test. In other instances it has been alleged that the psychologist failed to consult with key individuals in the course of their preparation of the report; treatment recommendations were made which fell outside the psychologist's expertise (eg. suggesting specific medication) or the report included evidence suggesting systematic bias.

Example 3

We are all aware of sexual boundary issues and our responsibilities in terms of personal relationships with clients. However there are many more subtle violations of boundaries which result in complaints. Examples include psychologists allegedly referring to clients as "darling" and commenting upon the client's looks; extending the therapeutic relationship by requesting assistance with information technology; providing a client with a massage; and engaging in social interaction with current or former clients. These instances are often experienced as potentially harmful and counter-therapeutic. While the psychologist concerned might have thought that he or she was acting innocently, clients might experience such interaction quite differently. In such instances, the onus of responsibility invariably falls upon the practitioner to explain his or her behavior as not breaching ethical guidelines.

Example 4

At the more extreme end of the continuum, the Board deals with instances of impaired practitioners. In such instances the practitioner might acknowledge the difficulties and volunteer to address issues which arise such as seeking treatment, or in extreme cases, stop practising for a period of time. Certainly the Board acts

in a manner to protect the public and at the same time will seek to assist psychologists to address any professional or ethical issues which might arise in their work with the public.

If required Tribunal judgments can be accessed on the following website: www.courts.qld.gov.au

Member, Complaints Committee

UPDATE ON THE SUPERVISED PRACTICE PROGRAM

In October 2003, the Board commenced a review of the *Interim Guidelines for Probationary Registrants and Supervisors* for the Supervised Practice Program. A consultation process was conducted with supervisors for the Program, both university-based and those practising in the field. The next version of the *Guidelines* for the Supervised Practice Program will incorporate the Student Guidelines and also amendments made by the Board following this consultation process. The revised Guidelines will be available from the Board from **mid-September 2004** and may also be accessed on the Board's website. www.psychologyboard.qld.gov.au

A number of changes will be made to the Forms currently used by probationary registrants and supervisors (eg *Approval to Supervise, Progress Report, Assessment of Competence Forms* etc) to improve their ease of use. Current probationary registrants and supervisors may choose to use the existing Forms or download the revised Forms when they become available. The Board will accept either version of the Forms.

CHANGE TO ASSESSMENT OF COMPETENCE FORM 2 - PSYCHOLOGICAL ASSESSMENT

One significant change to the *Guidelines* is to **Assessment of Competence Form 2 - Psychological Assessment**. The requirement for probationary registrants to administer and interpret at least one child individually administered test of intelligence is now **optional**. The new Guidelines for Assessment of Competence Form 2 are as follows:

Probationary registrants **must** demonstrate competence in the areas of psychological assessment labelled **A, B and C** below and **in at least two** of the remaining areas of psychological assessment labelled **D, E, F and G** below:

A. Conducting at least one semi structured interview for the purposes of psychological assessment.

- B. Administration and interpretation of at least one adult individually administered test of intelligence.
- C. Administration and interpretation of at least one major standardised non-projective test of personality.
- D. Administration and interpretation of at least one standardised group test of intelligence.
- E. Administration and interpretation of current versions of at least two tests of specific functioning other than intelligence or personality.
- F. Administration of the current version of at least one major diagnostic system used by the profession.
- G. Administration and interpretation of at least one child individually administered test of intelligence.

A revised Assessment of Competence Form 2 is currently under development and will be incorporated in the revised *Guidelines*. Note that probationary registrants currently undertaking the Supervised Practice Program **may follow either** the new guidelines for Competency 2 or the previous guidelines.

VERIFICATION OF REGISTRATION

If you require any of the following documents, please submit your request in writing to the Board with the appropriate fee:

Statement of Registration	\$10
Statement of Fees Paid	\$10
Certificate of Good Standing	\$25

OFFICE CONTACTS

The Office of Health Practitioner Registration Boards (OHPRB) is open to the public between 9.00 am and 4.00 pm Monday to Friday and is located at:

Level 19, Forestry House
160 Mary Street
BRISBANE QLD 4000



Executive Officer: Mr J O'Dempsey
Psychology Coordinator (Supervision) Ms Helen Ross
Assistant Registrar: Mrs Pauline Portier

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Website: www.psychologyboard.qld.gov.au

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