

DEPARTMENT OF HEALTH  
BOARD OF PSYCHOLOGY

LEGISLATIVE SUBCOMMITTEE MEETING  
BY TELEPHONE CONFERENCE CALL  
MARCH 15, 2011  
MINUTES

DIAL-IN NUMBER: 1-888-808-6959  
PUBLIC CONFERENCE CODE\*: 4246812343#

1 **Dr. Stephen Bloomfield, Chair, called the meeting to order at approximately 8:03 a.m.**  
2 **Those present for all or part of the meeting, included the following:**

3 **MEMBERS PRESENT**

4 Stephen I. Bloomfield, Ed.D., Chair  
5 Harry J. Reiff, Psy.D.  
6 Rafael Rivas-Vazquez, Psy.D.  
7

**STAFF PRESENT**

Allen Hall, Executive Director  
Anna L. Hart King, Program Operations Administrator  
Lisa N. Dillon, Regulatory Specialist II  
Robert Lane, Regulatory Specialist I

8 **ASSISTANT ATTORNEY GENERAL**

9 Donna McNulty, Esq.

10 **Tab 1. Proposed Legislation: Delegation of Professional Responsibilities or**  
11 **Activities by Licensed Psychologists to Paraprofessionals**

12 During the January 2011 meeting the Board discussed the need to clarify language to further  
13 define “direct supervision” as it relates to proximal physical location, and operationally define  
14 “sufficiently monitor,” or perhaps strike the word “sufficiently.” The Board also discussed  
15 clarifying what constitutes diagnostic records, and the necessity of these records or a diagnostic  
16 interview, if the patient is seen on a referral.

17 During the conference call, the committee members continued to develop the draft language  
18 which resulted in the following revised language:

19 **490.xxx**

20 (1) Definition. – As used in this section, “psychological assistant” means an individual not  
21 otherwise licensed or certified by the state of Florida, possessing a bachelor or masters  
22 degree in psychology, education or a health related field, who receives training and  
23 supervision in various duties related to the practice of psychology by a psychologist licensed  
24 pursuant to Chapter 490, F.S. A psychological assistant assists with patient care,  
25 administrative, and managerial functions, and shall adhere to the same ethical, legal, and  
26 practice standards as does a psychologist.

27 (2) A psychologist licensed pursuant to Chapter 490, F.S., shall ~~directly~~ supervise and be  
28 responsible for all delegated acts performed by a psychological assistant under her or his  
29 ~~direct~~ supervision.

- 1 (3) As used in this section ~~direct~~ supervision requires that the supervising psychologist shall  
2 sufficiently monitor and be reasonably available whenever a psychological assistant is  
3 performing any delegated duty listed in section (6).
- 4 (4) The supervising psychologist shall be available for emergency consultation and direction of  
5 a psychological assistant, and for patient intervention and management.
- 6 (5) A psychologist ~~licensed pursuant to Chapter 490, F.S.~~ shall not delegate diagnostic  
7 interviewing, diagnostic or psycholegal determinations or treatment (or psychotherapeutic)  
8 interventions to a psychological assistant, unless that psychological assistant is also a  
9 psychology practicum student, psychology intern, or psychology resident.
- 10 (6) Before delegating duties to a psychological assistant, other than administrative and  
11 managerial functions, the supervising psychologist must first complete a diagnostic  
12 interview, or shall first review existing diagnostic records, of the service recipient in order to  
13 determine the appropriateness of such delegation.
- 14 (7) Delegated duties include:  
15 (a) gathering history and behavioral data, as long as such data does not involve clinical  
16 judgments or clinical inferences  
17 (b) administering and scoring those psychometric assessments selected by a psychologist  
18 (c) implementing cognitive skill training as designed or prescribed by a psychologist  
19 (d) implementing behavioral programs as designed or prescribed by a psychologist  
20 implementing biofeedback programs or relaxation training as designed or prescribed by a  
21 psychologist.
- 22 (8) A psychological assistant shall not hold herself or himself out to the public as a  
23 psychologist, or as independently providing psychological services.
- 24 (9) The Board shall establish by rule as it deems necessary a training and supervision  
25 verification process for a psychological assistant, and shall establish by rule as it deems  
26 necessary additional tasks clarifying, or adding to, the delegated duties listed in section (6).
- 27 (10) This section shall become effective on January 1, 20XX.

28 Following discussion, Dr. Harry Reiff moved to accept the revisions. Dr. Rafael Rivas-Vazquez  
29 seconded the motion, which carried 3/0.

30 The committee members discussed the need for input from the full Board in regard to what  
31 actions can be considered as gathering history as well as prohibition against assistance  
32 providing diagnostic interviews and psychotherapeutic treatment interventions.

33 The committee members encouraged interested parties to submit suggested language to Board  
34 staff for discussion during future legislative subcommittee conference calls.

## 35 **Tab 2. Family Law Statutes**

36 The committee members discussed possibly repealing rule 64B19-18.007, F.A.C.,  
37 Requirements for Forensic Psychological Evaluations of Minors for the Purpose of Addressing  
38 Custody, Residence or Visitation Disputes, in light of archaic language, and continual changes  
39 in family law statutes. Additionally, the committee discussed the possible lack of statutory

1 authority to codify advisory guidelines such as in the “APA Guidelines for Child Custody  
2 Evaluations in Divorce Proceedings,” and the “Specialty Guidelines for Forensic Psychologists.”

3 **Tab 3. Legislative Update**

4 Informational item

5 Following the conference call, Dr. Rafael Rivas-Vazquez moved to adjourn. Dr. Harry Reiff  
6 seconded the motion, which carried 3/0.

7 The meeting adjourned at approximately 9:25 a.m.