

The information provided in this Practice Support document is intended to assist registrants in considering a practice issue that may be of interest or concern to a number of registrants. Registrants are invited to contact the Practice Support Service with any questions not addressed by this document. Readers are advised that documents provided by the Practice Support Service are not legal advice, do not supplant official College communications, and are provided on terms including those set out in the College's Practice Support brochure. This document may not be copied in part. Registrants wishing to copy it in its entirety must keep this disclaimer attached and must identify it as a College of Psychologists of B.C. Practice Support document.

Regarding Considerations Pertaining to Providing Telepsychology Services

This document is intended to assist registrants who are considering providing telepsychology services.

The term telepsychology is used to refer to psychological services that are offered by a provider who is geographically distant from the service recipient. Such services may include those provided via email, telephone, videoconference, or other electronic media. Registrants who are considering telepsychology services should be aware of the following issues. Please note that telepsychology services and the regulation of those services are evolving fields, and that this information is subject to potential changes as the field continues to develop.

The Issue of Jurisdiction

Psychologists in British Columbia who provide telepsychology services to clients in another jurisdiction could possibly have an obligation to be registered or licensed with the applicable psychology regulatory body in that jurisdiction. Registrants who wish to provide telepsychology services in another jurisdiction are responsible for determining what, if any, registration or licensing requirements may apply to them in that other jurisdiction. Examples of relevant questions to consider include:

- Do I need to be registered in the jurisdiction(s) in which the client(s) is (are) located in order legally to offer the service being contemplated?
- Would providing telepsychology services constitute a breach of the law in the other jurisdiction(s)?
- Are there other legal requirements of which I must be aware in the other jurisdiction(s)?
- What professional Code(s) of Conduct or other corresponding rules/regulations exist in the jurisdiction(s) of which I need to be aware and with which I need to be in compliance?

Considerations Regarding Liability Insurance

Registrants may wish to check with their liability insurance providers to determine whether their insurance coverage includes offering telepsychology services. For example:

- Am I covered for the specific services I am considering offering in the specific jurisdiction(s) contemplated?
- Does my existing liability insurance coverage meet the insurance requirements set by the target jurisdiction(s)?

Considerations Regarding One's Responsibilities as a Registrant of the College

A registrant who provides telepsychology services to clients who are located in other jurisdictions likely remains subject to the College's regulatory jurisdiction. Therefore, registrants considering offering telepsychology services should be mindful of their professional obligations under the *Health Professions Act* and the College's bylaws, including the Code of Conduct, and standards of practice.

Registrants under the jurisdiction of the College are expected to conduct themselves in compliance with the Code of Conduct. The Code contains the set of standards against which registrant conduct will be considered in the event that the College receives a complaint. Standard 3.8 of the College's Code of Conduct specifies requirements for registrants regarding regulatory knowledge, and Standard 18.1 details requirements for legal compliance. There are numerous standards within the Code that are of potential relevance when considering offering telepsychology services.

Standards 3.3, 3.5, and 3.7 of the Code of Conduct require registrants to maintain demonstrable skills in their areas of practice, limit their practice to those areas of competence gained through education, training, and experience, and maintain current knowledge of scientific and professional developments related to the services they render. In addition, registrants who are considering offering a new or unfamiliar form of service may wish to review Standard 3.21 of the Code, as this standard specifies requirements for attaining new competencies. Standard 3.22 addresses circumstances in which there are no recognized standards for training, and Standard 3.25 pertains to special assessments and interventions. Standard 3.9 specifies the requirements for empirical foundation of interventions and training in proper uses and applications, and Standard 3.11 requires registrants to limit their use of tests and procedures to those they are qualified to use. Standard 3.6 requires registrants to make or recommend referrals when this is in the best interests of clients, Standard 5.1 requires registrants to protect or act in accordance with clients' welfare, and Standard 8.2 requires registrants to provide services that are appropriate to and adequate for clients' needs. Taken as a whole, these standards suggest that registrants contemplating offering telepsychology services should ask themselves various questions regarding their own competence and the evidentiary basis for proceeding, including:

- Is there empirical support for the specific intervention or other telepsychology service being considered?
- Is there empirical support for the telepsychology service with the specific type of client in question?
- Is there empirical evidence to suggest that the contemplated telepsychology services are at least as beneficial in the circumstance as face-to-face psychology services?
- Does the contemplated telepsychology service serve the best interests and welfare of the client?
- Considering my education, training, and experience, and considering the specific service, the method of service delivery under consideration, and the type of client in question, is the service properly within my scope of practice?
- How logistically would I structure the service and my availability to maximize client welfare?
- Are there potential safety or other concerns regarding the client that suggest a familiarity with the client's local supports and other location-specific resources will be important?
- Are there any other client- or circumstance-specific issues that suggest telepsychology services should not be offered?

- Would a referral to another professional be in the client's best interests?

Regardless of the context of a professional service, registrants are expected to obtain informed consent consistent with Standards 4.1 and 4.2 of the Code. There are a number of other standards within section 4.0 of the Code that may be of particular relevance in the circumstance, including Standard 4.8, which addresses innovative services, and Standard 4.6, which addresses structuring one's professional relationship with a client. Standard 6.1 requires registrants to inform clients about the limits of confidentiality, including any elements specific to the telepsychology context. Sample questions include:

- Given the current state of the empirical literature pertaining to telepsychology services, what information do I need to provide to clients to ensure that I am obtaining proper informed consent?
- What specific risks should I review with a client as part of obtaining informed consent to proceed with telepsychology services?
- What do I need to know about the technology I am contemplating using in order properly to inform potential clients about the potential risks? What additional risks to confidentiality exist, and how am I managing those risks?
- Are there specific elements of a telepsychology-based professional relationship that I need to review with potential clients prior to working with them?
- What steps will I take if a reporting issue arises? Do I have all of the information I need for the geographic location in question, including who I report to? How will I address this issue with potential clients when obtaining informed consent?

Concluding Comments

In summary, there are a number of important considerations when contemplating offering telepsychology services. Registrants need to determine the requirements of the jurisdiction within which the client is located, including any licensing/registration requirements, any other legal requirements, and what is required to conduct oneself consistently with that jurisdiction's practice standards and any code of ethics or conduct. Registrants should also ensure they have appropriate liability insurance coverage. Registrants need carefully to consider their own competence to offer the contemplated service, the needs and welfare of the client(s), whether there is sufficient empirical foundation to warrant proceeding, and whether they have obtained truly informed consent to proceed with any specific client. As part of appropriate due diligence, registrants may also wish to seek a legal opinion or other information, particularly in the event they are considering offering telepsychology services in circumstances with unique or special characteristics.

Registrants may also wish to review Draft Practice Advisory #18, from which this document is derived. Draft Practice Advisory #18 is available on the College website at www.collegeofpsychologists.bc.ca.

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