

Provider Notice

To: PerformCare Psychologists and Psychiatrists
From: Daniel Eisenhauer, Director of Operations
Date: September 19, 2023
Subject: MH 23 108 Psychologist and Psychiatrist Attestation Requirements

PerformCare issuing this notice to remind providers about our psychologist and psychiatrist attestation requirements and forms.

Psychologist Attestation Requirements:

A signed Psychologist Attestation form is required with an accompanying resume for the proposed supervisee. Please see PerformCare's Psychologist Attestation form here:

<https://pa.performcare.org/assets/pdf/providers/resources-information/form-licensed-psychologist-attestation.pdf>

Psychology license requirements including supervision requirements of unlicensed individuals are published in Chapter 41, State Board of Psychology.

<http://www.pacode.com/secure/data/049/chapter41/chap41toc.html>

Specifically, the following sections are relevant:

- § 41.58. Standards for the employment and supervision of unlicensed persons with *graduate training in psychology*.

(a) *Statutory authority and purpose*. Under section 3(12) of the act (63 P. S. § 1203(12)), psychologists licensed by the Board may employ “professional employees with graduate training in psychology,” who “shall perform their duties under the full direction, control and supervision of a licensed psychologist.” Section 41.58 sets standards for the employment and supervision of unlicensed persons who come within the statutory language.

Graduate training in psychology* The completion of 15 graduate semester hours in a doctoral degree program in psychology that includes any of the following:

(i) Provides in its core program required instruction in ethics, research design and methodology, statistics and psychometrics. In addition, requires students to demonstrate competence in each of the following four substantive content areas (this criterion will typically be met by requiring a minimum of three graduate semester hours in each area): biological bases of behavior—for example, physiological psychology, comparative psychology, neuropsychology, sensation and perception, psycho-pharmacology; cognitive-affective bases of behavior—for example, learning,

thinking, motivation, emotion; social bases of behavior—for example, social psychology, group processes, organizational and systems theory; individual differences—for example, human development, personality theory, abnormal psychology.

(ii) Includes supervised practicum, internship, field or laboratory training appropriate to the practice of psychology.

(iii) Includes course requirements in specialty areas of psychology.

***The definition of graduate training in psychology was later amended by the State Board of Psychology**

At its April 24, 2013 meeting, the Pennsylvania Board of Psychology confirmed that it will continue to interpret the definition of “graduate training in psychology” contained in 41 Pa. Code 41.1 consistent with its statement in The Pennsylvania Bulletin on June 5, 2010 (Vol. 40, Number 23, p. 2947) which provides that the Board will “interpret this provision as including graduate coursework which could apply to a doctoral degree, including coursework from terminal master’s degree programs.” **The Board's interpretation of "graduate training in psychology" does not require enrollment in a doctoral degree program.**

(b) Responsibilities of employing psychologists and supervising psychologists.

The employing psychologist shall ensure that the employee has satisfied the education requirement set out in the definition of "graduate training in psychology" in § 41.1 (relating to definitions) and shall bear full professional responsibility for the welfare of every client/patient served by the employee. The employing psychologist shall supervise the employee as set out in subsection (c) or shall assign the supervisory function to another licensed psychologist affiliated with the employment setting. A supervising psychologist shall be qualified to render competently every psychological service which the employee undertakes, except that clearly defined areas of the employee's supervision may be delegated to other professionals affiliated with the employment setting whose competence in the delegated areas has been demonstrated by previous education, training and experience. Although the employing psychologist shall continue to bear the ultimate responsibility for services rendered by the employee, a psychologist who supervises an unlicensed person under this section shall be individually responsible for activities of that person performed under the psychologist's supervision or pursuant to the psychologist's delegation.

(c) Supervision requirements. The Board recognizes that variations in the training of unlicensed employees will require individually tailored supervision.

Nine minimum supervisory requirements are then detailed in the psychology licensure law which serve as the basis for PerformCare’s Psychologist Attestation. This includes the requirement that the supervisor shall simultaneously supervise no more than three full-time supervisees or their equivalent in part-time employees.

Psychiatrist Attestation Requirements:

A signed Psychiatrist Attestation form is required with an accompanying resume for the proposed supervisee. Please see PerformCare’s Psychiatrist Attestation form here:
<https://pa.performcare.org/assets/pdf/providers/resources-information/form-licensed-psychiatrist-attestation.pdf>

Psychiatrists' supervision of professional employees is subject to professional licensing standards under either the State Board of Medicine, and PA Code Title 49, Chapters 17 and 18 or professional licensing standards under the State Board of Osteopathic Medicine and PA Code Title 49 and Chapter 25.

Specifically, psychiatrists are subject to either PA Code Title 49 Chapter 18, §18.143: Criteria for registration as a supervising physician, and §18.144: Responsibilities of supervising physician, or if applicable, under PA Code Title 49 chapter 25, §25.162 Criteria for registration as a supervising physician.

Act 79 of 2021 increased the number of physician assistants that can be supervised by a physician to 6 physician assistants.

Psychiatrists must also attest to various conditions outlined on the PerformCare Psychiatrist Attestation form including that the person(s) supervised/employed will provide services in accordance the American Psychiatric Association, Principles of Medical Ethics, 2013 Edition, Section 5.

While there is no statutory limit on the number of persons other than physician's assistants, (6), that can be supervised by a psychiatrist, a psychiatrist must assure that supervisees have received proper training and will receive ongoing supervision and that such supervision is documented.

Please note that Psychiatrist Attestation form was modified to allow agency staff other than the psychiatrist to verify certain credentials of supervisees, and in those instances, PerformCare requires the signature of both an agency staff completing the verification and the supervising psychiatrist.

Please contact your Account Representative if you have questions about this Provider Notice.

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PerformCare Account Executives