Identifying scopes of practice in the civilian and military health systems

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State regulation of counseling and other mental health professions

- State licensure sets minimum standards for entering practice (prospective regulation)
- Licensure boards adjudicate ethical and competency complaints by consumers (retrospective regulation)
- Counselors are licensed for independent practice as mental health service providers in all 50 states, meet education and training requirements very similar to clinical social workers, marriage and family therapists
- Counselor licensure laws are very similar in their scopes of practice, with minor variations, and all support full independent practice for counselors
- Counselors are reimbursed as independent practitioners by private insurance plans throughout the country
Pillars of professional expertise

Pre-licensure

Graduate education

Supervised experience

Post-licensure

Professional practice

Continuing education

National exam
Hartley, et.al. study “State Licensure Laws and Mental Health Professions”

- Closely examined licensure laws and regulations for non-physician mental health providers in 40 states
- Explicit authorization to diagnose, perform psychotherapy was not consistent across states for any of the four professions (CP, CSW, LPC, MFT)
- “In many states the explicit right to diagnose or to perform psychotherapy was not included in the scopes of practice for social workers, MFTs or LPCs, however no state explicitly prohibits these professions from providing these services. Consequently, we deem it unreasonable to use the absence of explicit language around diagnosis or psychotherapy as rationale for refusing to reimburse a specific profession for performing the core mental health services that fall within its scope of practice.”
LPCs and 2010 Mental Health Professional Shortage Areas (MHPSAs) -- Louisiana

Federally-designated MHPSAs are in red.

What are the implications of privileging by type of license, instead of expertise?
Examples of state scopes of practice for counselors: South Carolina

“Practice of Professional Counseling” means functioning as a psychotherapist....

“Assessment” in the practice of counseling and therapy means selecting, administering, scoring, and interpreting evaluative or standardized instruments; assessing, diagnosing, and treating, using standard diagnostic nomenclature, a client's attitudes, abilities, achievements, interests, personal characteristics, disabilities, and mental, emotional, and behavioral problems that are typical of the developmental life cycle.... A counselor may assess more serious problems as categorized in standard diagnostic nomenclature but only if the counselor has been specifically trained to assess and treat that particular problem.
Examples of state scopes of practice for counselors: Wyoming

“’Practice of counseling’ means rendering to individuals, couples, families, groups, organizations, corporations, institutions, government agencies or the general public a service that integrates a wellness, pathology and multicultural model of human behavior. This model applies a combination of mental health, psychotherapeutic, and human development principles and procedures to help clients achieve effective mental, emotional, physical, social, moral, educational, spiritual or career development and adjustment throughout the life span, and includes the diagnostic description and treatment of mental disorders or disabilities within the range of the professional's preparation.”
“Practice of mental health counseling” defined to include:

a. The evaluation, assessment, amelioration, treatment, modification, or adjustment to a disability, problem, or disorder of behavior, character, development, emotion, personality or relationships by the use of verbal or behavioral methods with individuals, couples, families or groups in private practice, group, or organized settings; and

b. The use of assessment instruments and mental health counseling and psychotherapy to identify, evaluate and treat dysfunctions and disorders for purposes of providing appropriate mental health counseling services.”
VA occupational standard for “Licensed Professional Mental Health Counselor”

- Adopted by VA and disseminated September 28th (VA Handbook 5005/42, Part II, Appendix G43)
- Establishes positions at GS-9, GS-11 through GS-14 levels, identical to those used for clinical social workers
- At “full performance level” (GS-11), LPMHCs must demonstrate:
  “1. Ability to make professional evaluations, decisions, and recommendation for treatment planning and implementation.
  “4. Ability to provide complex crisis intervention and stabilization to patients who are in psychological distress.”
  “7. Ability to fully utilize the current DSM in making diagnoses and formulation of treatment goals and application of appropriate clinical intervention using professional counseling practice.”
VA standard for “Licensed Professional Mental Health Counselor Supervisor”

- GS-12 level position, requires “at least 1 year of progressively complex experience equivalent to the next lower grade level” (GS-11 LPMHC position, open to fully licensed professional counselors)

“At this level, LPMHCs administratively supervise their licensed staff and/or graduates and may provide treatment to patients. They direct the development and implementation of services and treatment to patients through the administrative supervision, mentoring, and oversight of assigned clinical staff. Their experience must demonstrate practice skills in a specialty area or in administration demonstrating progressively more professional competency and judgment.”
ACA continuing education: Examples of 2010 conference sessions on PTSD

- ID #181 Group Counseling as a Viable Intervention for Veterans With PTSD From Iraq: Etiological and Therapeutic Factors
- ID #282 The Silent Combat Wound: A Psychoeducational Group for Female Combat Veterans With Post-traumatic Stress Disorder
- ID #633 Mild Traumatic Brain Injury and Post-traumatic Stress Disorder in Returning Combat Soldiers
- ID #352 Meeting the Needs of Military Service Members and Their Families: Implications for Counselor Educators
Military-specific continuing education: The Center for Deployment Psychology

- Operated by Uniformed Services University of the Health Sciences, website: http://www.deploymentpsych.org
- Offers one-week course on “Addressing the Psychological Health of Warriors and Their Families”
- Offers online courses on epidemiology of PTSD, PTSD therapies, military culture, and the impact of deployment on families and children
- Has established “Military and Veteran Behavioral Health Post-Master’s Certificate Program” -- includes 7 core workshops, approved for 40 CE credits, can be completed in 6-12 months
Implications for military health program of “civilian” laws and programs

- State licensure laws and private-sector health plans do not establish multiple levels of recognition/privileging, or of scope of practice, for different disorders, clients, or therapies.
- Clinical expertise of LPCs and all other health care professionals is built upon — but does not end with — initial licensure as an independent service provider.
- No uniformity of state practice authority, or of scope of practice, exists for any of the non-physician mental health professions, including psychologists, clinical social workers, professional counselors, and marriage and family therapists.
- Given strong similarities in training of non-physician providers, and nature of state licensure laws, privileging based on type of license is not indicated.