

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
ALABAMA	NO	NO	NO	NO	<p><i>Code of Ala. § 34-26-41</i></p> <p>(f) An individual who possesses a valid license to practice psychology independently at the doctoral level, by any jurisdiction recognized by the Association of State and Provincial Psychology Boards, may practice psychology in Alabama for no more than 30 days each calendar year without applying for a license to practice psychology in Alabama, unless otherwise exempted pursuant to this chapter. This authority to practice does not apply to a psychologist who has been denied licensure in Alabama, is a legal resident of Alabama, or intends to practice full-time or a major portion of his or her time in Alabama.</p>	<p><i>Code of Ala. §34-26-42</i></p> <p>Class B Misdemeanor: \$500-5000 fine per occurrence plus court costs</p>

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
ALASKA	NO	NO	NO	NO	<p><i>12 Alaska Admin. Code 60.035 - Courtesy license</i></p> <p>(a) A courtesy license authorizes the licensee to practice psychology for no more than 30 days in a 12-month period. An applicant will only be issued one courtesy license in that person's lifetime. A courtesy licensee shall submit a report to the board each month during the period of courtesy licensure indicating the number of days practiced under the courtesy license during the month. A courtesy license does not authorize the licensee to conduct a general psychology practice or to perform services outside the scope of practice of psychology that is specified on the</p>	<p><i>Alaska Stat. § 08.86.210</i></p> <p>Class B Misdemeanor: possible fine up to \$2000 AND/OR possible imprisonment up to 90 days</p>

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
					courtesy license. (b) The board or its designee will issue a one-time courtesy license to an applicant who meets the requirements of this section.	
ARIZONA	<p><i>ARS § 36-3601 et seq.</i></p> <p>Psychologists are included under the definition of “health care providers” who may practice telemedicine in the state.</p> <p>Telemedicine is the practice of health care delivery, diagnosis, consultation and treatment and the transfer of medical data through interactive audio, video or data communications that</p>	NO	NO	<p>SB 1353 enacted 4/8/13 codified as <i>ARS §20-841.09, §20-1057.13, §20-1376.05 & §20-1406.05</i></p> <p>For policies issued on or after Jan 1, 2015, private payers are required to provide coverage for live video consultations when treating specific conditions (mental health disorders & neurological diseases included) & originating site is in a rural area (area in a county < 900,000 population or area in county with ></p>	<p><i>A.R.S. § 32-2075(4)</i></p> <p>Licensed out-of-state psychologist may provide services within his/her customary area of practice within the state up to 20 days per year.</p> <p>The psychologist must inform the client or public of the limited nature of these activities and services & that the psychologist is not licensed in this state.</p>	<p><i>A.R.S. § 32-2084</i></p> <p>Class 2 Misdemeanor: possible fine up to \$750 AND/OR possible imprisonment up to 4 months</p>

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
	occur in the physical presence of the patient			900,000 but proximity to nearest city of 500,00 is > 30 miles)		
ARKANSAS	NO	NO	NO	NO	NO	A.C.A. § 17-97-301 Misdemeanor: fine of \$500-\$1,000
CALIFORNIA	<i>Cal. Bus. & Prof. Code §§ 2904.5, 2290.5</i> CA licensure is required to provide telehealth services to CA residents; telehealth includes live interactive and store & forward technologies; patient’s verbal consent must be obtained prior to delivery of telehealth services & documented in patient’s record. Failure to obtain patient consent in advance constitutes	<i>Cal. Bus & Prof. Code § 2904.5 – Applicability of Telemedicine Provisions of Section 2290.5</i>	See CA Board of Psychology’s “Notice to California Consumers Regarding the Practice of Psychology on the Internet” available online at http://www.psychboard.ca.gov/consumers/internet-thrpy.shtml	<i>Cal. Health & Safety Code § 1374.13; Cal. Ins. Code § 10123.85; Cal. Welfare & Institutions Code §§ 14132.72, 14132.725</i> Private payers cannot require in-person contact between a health care provider and patient or limit the type of setting where services are provided before payment is made for covered telehealth services, subject to coverage terms and conditions	<i>Cal. Bus & Prof Code §2912 – Out of State Psychologists - Exemption</i> Nothing in this chapter shall be construed to restrict or prevent a person who is licensed as a psychologist at the doctoral level in another state or territory of the United States or in Canada from offering psychological services in this state for a period not to exceed 30 days in any calendar year.	<i>Cal. Bus & Prof Code §2970</i> Misdemeanor: fine not exceeding \$2,000 AND/OR imprisonment in county jail not exceeding 6 months

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
	unprofessional conduct.					
COLORADO	NO	NO but see <i>C.R.S. § 12-36-106 (1) (g)</i> authorizing delivery of telemedicine by licensed providers within their scope of practice	<i>State Board of Psychologist Examiners Policies § 30-1</i> Policy recommends initial in-person visit prior to using telehealth & outlines issues that must be addressed by the psychologist & patient at the outset as well as the challenges posed by services provided remotely or electronically. http://cdn.colorado.gov/cs/Satellite/DO RA- Reg/CBON/DORA/1251632089838	YES but limited to rural areas – see <i>C.R.S. § 10-16-123</i> Face-to-face contact between the provider and patient is not required if the patient lives in a county with 150,000 or fewer residents References definition of telemedicine as found in <i>C.R.S. 12-36-106(1)(g)</i> , meaning the use of advanced technology, including, but not limited to, interactive audio, interactive video, or interactive data communication.	<i>C.R.S. § 12-43-215(9)</i> Out-of-state psychologists licensed in another state may perform certain activities or services without CO license if: (a) Performed within the scope of the person's license or certification; (b) Do not exceed 20 days per year in this state; (c) Are not otherwise in violation of this article; and (d) Disclosed to the public that the person is not licensed or certified in this state.	<i>C.R.S. § 12-43-226</i> Class 2 Misdemeanor (1 st offense): Fine of \$250-1,000 &/OR imprisonment of 3-12 months Class 6 Felony (subsequent offense) : Fine of \$1,000-100,000 &/OR imprisonment of 12-18 months
CONNECTICUT	NO	NO	NO	NO	NO	<i>Conn. Gen. Stat. § 20-193</i> (amended by 2013 Ct. SB 983, Section 82)

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
						Class D Felony: Fine not to exceed \$5,000 &/OR possible imprisonment for a term not less than 1 year nor more than 5 years
DELAWARE	<p><i>CDR 24-3500 -- Section 18.0 Telepsychology</i></p> <p>“Telepsychology” includes telephone, email, Internet-based communications, & videoconferencing.</p> <p>Must be licensed to provide telepsychology services to DE residents. Obtain patient consent; use secure communications where feasible; document risk-benefit analysis; develop written emergency contingency plan</p>	NO	NO	NO	<p><i>24 Del. C. §3510</i></p> <p>Out-of-state psychologists licensed in another jurisdiction may provide services without a DE license if they do not exceed an “aggregate of 6 days of professional services as a psychologist, per calendar year.”</p>	<p><i>24 Del. C. § 3520</i></p> <p>Misdemeanor: For 1st offense, fine of \$500-1,000 for each offense &/OR possible imprisonment up to 1 year</p> <p>2nd or subsequent offense: fine of \$1,000-2,000 for each offense &/OR possible imprisonment up to 1 year.</p>

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
DISTRICT OF COLUMBIA	NO	NO	See DC Board of Psychology newsletter (Spring 2013) available online at http://doh.dc.gov/sites/default/files/dc/sites/doh/release_content/attachments/Psych%20newsletter%20Spring%202013%20email%20post.pdf		<i>D.C. Code § 3-1205.02</i> Health professionals authorized to practice in any state adjoining DC may treat patients in DC if: the health professional does not have an office or other regularly appointed place in DC to meet patients; Registers with the appropriate board and pays the registration fee prior to practicing DC; and The state in which the individual is licensed allows DC licensed health professionals to practice in that state under the conditions set forth in this section. Health professionals practicing in the District pursuant to subsection (a)(4) of this section shall not see patients or clients in the office or	<i>D.C. Code § 3-1205.14</i> Civil penalty: fine up to \$5,000 for each violation Issuance of cease & desist order pursuant to D.C. Code § 3-1205.16

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
					other place of practice of a DC licensee, or otherwise circumvent the provisions of this chapter.	
FLORIDA	NO	<p><i>Fla. Stat. § 490.003(4)(a)</i></p> <p>Psychological services may be rendered to individuals, couples, families, groups, and the public <u>without regard to place of service</u>.</p> <p>(Cited by board in declaratory statement)</p>	<p>See Board’s opinion dated 06/05/06 stating that teletherapy constitutes practice of psychology requiring Florida licensure -- http://www.doh.state.fl.us/mqa/psychology/Petitions/DOH-06-0976.pdf</p> <p>See Board’s declaratory statement dated 02/16/12 stating that FL licensed psychologist in MI may provide telepsychology to FL patients -- http://doh.state.fl.us/mqa/declaratory/psychology/DOH-12-</p>	NO	<p><i>Fla. Stat. § 490.014(2)(e)</i></p> <p>Licensed out-of-state psychologist may practice no more than 5 days in any month and no more than 15 days in any calendar year</p> <p>Licensure requirements in the psychologist’s home state must be equivalent to or exceed FL’s licensing requirements</p>	<p><i>Fla. Stat. § 490.012(4)</i></p> <p>1st Degree Misdemeanor: Possible fine up to \$1,000 &/OR possible imprisonment not to exceed 1 year</p>

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
			0324-DS-MQA.pdf			
GEORGIA	<p><i>O.C.G.A. § 33-24-56.4 -- Georgia Telemedicine Act</i></p> <p>Telemedicine is defined as the use of audio, video, or data communications for health care delivery, diagnosis, consultation, treatment, or transfer of medical data used or obtained during a medical visit with a patient</p> <p>Standard telephone, facsimile transmissions, unsecured e-mail, or a combination thereof are excluded</p>	<p><i>Ga. Comp. R. & Regs. r. 510-5-.07(2) -- Representation of Services.</i></p> <p>Practicing via Electronic Transmission. The provision of psychological services by electronic transmission (e.g. internet, telephone, computer...) must meet the same legal and ethical standards as psychological services provided in person. This rule applies to both psychologists who are licensed in Georgia and to other psychologists residing elsewhere who are providing psychological services to clients/patients in Georgia who must meet the requirements of section 510-9-.03. The Georgia Board will</p>	NO	<p><i>O.C.G.A. § 33-24-56.4 - Payment for telemedicine services</i></p> <p>Private payers cannot refuse to cover services provided via telehealth so long as provider followed generally accepted health care practices and standards prevailing in the applicable professional community at the time the services were provided</p>	<p><i>O.C.G.A. § 43-39-7; Ga. Comp. R. & Regs. r. 510-9-.03</i></p> <p>(8) An individual licensed to practice psychology in another jurisdiction may practice psychology in Georgia without applying for a license, so long as the requirements for a license in the other jurisdiction are equal to or exceed the requirements for licensure in Georgia, and the psychologist limits that person's practice in Georgia to no more than 30 days per year, as defined in the rules and regulations of the board.</p> <p>Board rules require advance permission for limited practice –</p>	<p><i>O.C.G.A. § 43-39-19</i></p> <p>Misdemeanor: Possible fine of \$100-\$1000 &/or imprisonment up to 12 months</p>

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
		report out of state psychologists to their respective licensing boards for practicing psychology via these means in the state of Georgia without a Georgia license.			submit at least 5 days before the intended practice either IPC attestation form issued by ASPPB, or verification form from the state licensing board indicating no history of disciplinary action	
HAWAII	NO	NO	NO	<p><i>HRS § 431:10A-116.3 – Coverage for telehealth</i></p> <p>“Telehealth” is defined as including but not limited to real-time video conferencing-based communication, secure interactive and non-interactive web-based communication, & secure asynchronous information exchange</p> <p>Standard telephone contacts, facsimile transmissions, or email text are excluded</p> <p>Private payers cannot require face-to-face</p>	<p><i>HRS § 465-9</i></p> <p>Licensed out-of-state psychologist may practice for a period not to exceed 90 days in any calendar year</p> <p>Must petition the board for a temporary permit in advance</p> <p>Licensure requirements in the psychologist’s home state must be equivalent to or exceed HI’s licensing requirements</p>	<p><i>HRS § 465-15 (b)</i></p> <p>Misdemeanor: Possible fine of \$1,000 for each violation &/OR imprisonment not more than 1 year</p>

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
				<p>contact as a prerequisite for payment for telehealth services subject to coverage terms & conditions</p> <p>No reimbursement for a telehealth consultation between health care providers unless a provider-patient relationship exists between the patient and one of the health care providers involved in the telehealth interaction</p>		
IDAHO	<p>YES – <i>Idaho Code § 54-2305 (11)</i></p> <p>Authorizes the psychology licensing board to develop standards & requirements addressing the use of communication technology in the practice of</p>	NO	NO	NO	<p><i>IDAPA 24.12.01.300</i></p> <p>Psychologists licensed in another state may practice in ID for a period not to exceed 30 days within a calendar year if they hold an interjurisdictional practice certificate (IPC) issued by ASPPB.</p>	<p><i>Idaho Code § 54-2310</i></p> <p>Misdemeanor: Possible fine up to \$1,000 &/or imprisonment up to 6 months</p>

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
	psychology, including supervision.				Those psychologists are required to notify the Board of their intent to practice and provide documentation of their status.	
ILLINOIS	NO	NO	NO	NO	<i>225 ILCS 15/11.5</i> Licensed out-of-state psychologists may obtain a temporary permit authorizing the rendering of clinical psychological services in IL for up to 10 calendar days per year, consecutively or in aggregate	<i>225 ILCS 15/16.5</i> Civil penalty up to \$10,000 for each offense as determined by the Department of Financial and Professional Regulation
INDIANA	NO But there seems to be a collaborative effort between IPA & the state psychology board to develop telepsychology policies http://www.in.gov/pl	NO	NO	NO	<i>Burns Ind. Code Ann. § 25-33-1-4.5</i> Licensed out-of-state psychologists may obtain a temporary psychology permit limited by terms and conditions considered appropriate by the board.	<i>Burns Ind. Code Ann. §25-33-1-15; 35-50-3-2</i> Class A misdemeanor: Possible fine up to \$5,000 &/or imprisonment up to 1 year

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
	a/files/Psychology_Newsletter_-_March_2012.pdf http://www.indianapsychology.org/pdf/newsletters/newsletter_sept_12.pdf				A psychologist may practice under a limited scope psychology permit not more than 30 days every 2years.	
IOWA	NO	NO	NO	NO But Iowa has developed a state-based telecommunications network that may be used for telemedicine purposes <i>See Iowa Code § 8D.1 et seq.; 751 IAC 7.1 ; 751 IAC 7.11</i>	<i>Iowa Code § 154B.3(5)</i> <i>645 IAC 240.8</i> Licensed out-of-state psychologists may practice for a period not to exceed 10 consecutive business days or 15 business days in any 90 day period Must file a summary of intention to practice in IA & licensure verification in advance with the board Licensure requirements in the psychologist's home state must be equivalent to or exceed IA's licensing	<i>Iowa Code § 147.83 -- Permanent Injunction;</i> <i>Iowa Code § 147.86; Iowa Code § 903.1 (1)(b)</i> Serious Misdemeanor: Possible fine of \$315-\$1,875 &/or imprisonment up to 1 year

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
					requirements	
KANSAS	NO	<p><i>KAR 102-1-19 – Services rendered to individuals located in this state</i></p> <p>Each person, regardless of the person's location, who engages in either of the following activities shall be deemed to be engaged in the practice of psychology in this state and shall be required to have a license, issued by the board, to practice psychology as a licensed psychologist:</p> <ul style="list-style-type: none"> • If he/she engages in the practice of psychology, providing services to one or more individuals located in this state; or • Represents oneself to be a psychologist available to provide psychological 	NO	NO	<p><i>K.S.A. § 74-5316a</i></p> <p>Licensed out-of-state psychologists must obtain a temporary permit from the licensing board in order to practice for no more than 15 days per year. Must demonstrate good cause to Board for request to extend temporary permit for additional 15 days.</p> <p>Any psychology services rendered within any 24-hour period shall count as one entire day of psychology services.</p>	<p><i>K.S.A. § 74-5316a</i></p> <p>The licensing board may issue a cease and desist order &/OR assess a fine of up to \$ 1,000 per day, for failure to obtain a temporary permit to practice psychology in KS</p> <p><i>K.S.A. § 74-5341; K.S.A. § 21-6602; K.S.A. § 21-6611</i></p> <p>Class A Misdemeanor : Possible fine up to \$2,500 &/OR imprisonment up to 1 year</p>

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
		services to one or more individuals located in this state.				
KENTUCKY	<p><i>Kentucky Rev. Stat. § 319.140; 201 KAR 26:310</i></p> <p>“Telehealth” is defined as the use of audio, video, or other electronic means to deliver health care</p> <p>Must obtain patient’s informed consent & maintain confidentiality of patient information, including electronic data</p>	<p><i>201 KAR 26:310(3)</i></p> <p>“Telepsychology” is defined as the practice of psychology between a psychologist & patient using electronic communication technology; or two-way, interactive, simultaneous audio and video</p>	NO	<p><i>KRS § 304.17A-138</i></p> <p>A telehealth consultation shall not be reimbursable under this section if it is provided through the use of an audio-only telephone, facsimile machine, or electronic mail.</p> <p><i>806 KAR 17:270 -- Telehealth claim forms & records</i></p>	<p><i>KRS § 319.015(8)</i></p> <p>Licensed out-of-state psychologists may practice for no more than 30 days every 2 years</p> <p>Must register with the board prior to engaging in temporary practice or must hold a current, valid Interjurisdictional Practice Certificate issued by ASPPB</p> <p><i>201 KAR 26:215(6) – Nonresident status</i></p> <p>A licensed out-of-state psychologist may engage in temporary practice of telepsychology if he/she receives prior board approval and complies with the above</p>	<p><i>KRS § 319.990</i></p> <p>Misdemeanor: Possible fine up to \$500 &/OR possible imprisonment up to 6 months for each violation</p> <p>Licensing board may also recover investigative expenses including reasonable attorney fees relating to the prosecution of those found guilty of violating of practicing psychology without a license</p>

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
					requirements for temporary practice	
LOUISIANA	NO	NO – not specified in statute or regulation but see licensing board opinion	YES See Louisiana State Board of Examiners of Psychologists Opinion #013- Telepsychology Issued: March 29, 2012, available online at http://www.lsbep.org/pdfs/News_vol25.pdf	<i>La. R.S. 22:1821(E)</i> Appears to be limited to physicians only; reimbursement must be at least 75% of the “the reasonable and customary amount of payment, benefit, or reimbursement which that licensed physician receives for an intermediate office visit” <i>La. R.S. 37:1262</i> “Telemedicine” is defined as the practice of health care delivery, diagnosis, consultation, treatment, and transfer of medical data using interactive telecommunication technology that enables a health care practitioner and a	<i>La. R.S. 37:2365(D); LAC 46:LXIII.1001</i> Licensed out-of-state psychologists may practice psychology in LA for a period not to exceed 30 days in any calendar year However, he/she must be associated with a psychologist who is licensed in & a resident of Louisiana The out-of-state psychologist’s state also must have a similar license exception privilege in place	<i>La. R.S. 37:2360</i> Misdemeanor – Possible fine of \$100-\$500 &/OR possible imprisonment up to 6 months

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
				<p>patient at two locations separated by distance to interact via two-way video and audio transmissions simultaneously.”</p> <p>Phone calls or emails between a provider & patient are excluded as are consultations between providers.</p>		
MAINE	NO	NO	NO	<p>24-A M.R.S. § 4316 – Coverage for telemedicine services</p> <p>“Telemedicine” is defined as the delivery of health care services, means the use of interactive audio, video or other electronic media for the purpose of diagnosis, consultation or treatment. ”</p> <p>Audio-only telephone, facsimile machine or e-mail excluded</p>	<p>32 M.R.S. § 3812</p> <p>The “use of occasional services of qualified consultant psychologists from another state or jurisdiction or the use of the services of organizations from another state or jurisdiction employing qualified psychologists does not constitute the unlawful practice of psychology.”</p> <p>CMR 02-415-001 (13)</p>	<p>32 M.R.S. § 3814; 10 M.R.S. § 8003-C; 17-A M.R.S. § 1301; 17-A M.R.S. § 4-A</p> <p>Criminal penalty (Class E crime): Fine up to \$1,000 &/OR imprisonment up to 1 year</p> <p>Civil penalty: Fine of not less than \$1,000 but not more than \$5,000, each violation</p> <p>Permanent injunction (including costs of investigation & attorneys’</p>

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
				Private payers must cover telehealth services, subject to coverage terms & conditions	<p>"Occasional services" means consultation within Maine by a psychologist licensed in another state or jurisdiction but not licensed by the board, subject to the provisions of Chapter 9 of the board's rules. "Occasional services" does not include psychotherapy.</p> <p><i>CMR 02-415-009(3)</i></p> <p>A psychologist not licensed by the board who provides "occasional services" as defined above shall notify the board in writing each time the psychologist consults in Maine on a form provided by the board.</p> <p>Such consultation may not occur more than 10 days in a calendar year. Consultation in Maine</p>	fees)

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
					beyond this 10-day period will only be permitted in exigent circumstances.	
MARYLAND	NO	NO	NO But see Spring 2011 newsletter of the Maryland Board of Examiners of Psychologists for status of board's work in this area http://dhmh.maryland.gov/psych/pdf/MarchNewsletterSpring2011.pdf	<i>Md. INSURANCE Code Ann. § 15-139</i> "Telemedicine" is defined as the delivery of health care services, the use of interactive audio, video, or other telecommunications or electronic technology by a licensed health care provider to the patient who is a different site. Phone calls, faxes & email messages between the provider & patient are excluded. Private payers must provide coverage for telehealth services subject to coverage terms & conditions	<i>Md. HEALTH OCCUPATIONS Code Ann. § 18-301(d); COMAR 10.36.01.07(4)</i> Board may authorize a non-resident to practice without a license if the Board finds that circumstances warrant & subject to any limitations the Board imposes In authorizing an exception, the Board: (a) Shall determine whether the circumstances warrant an exception to licensure, taking into account the: (i) Qualifications of the nonresident psychologist, (ii) Psychological services to be provided,	<i>Md. HEALTH OCCUPATIONS Code Ann. § 18-401, § 18-404, § 18-317.1.</i> Criminal penalty (misdemeanor): possible fine up to \$10,000 &/OR imprisonment up to 1 year for each violation. Civil penalty: possible fine up to \$50,000 to be assessed by the Board

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
					<p>and (iii) Duration of the exception to licensure; and (b) May impose any limitations on the psychologist's practice of psychology that the Board considers to be appropriate.</p> <p>See FAQs on licensing board website: http://dhmh.maryland.gov/psych/SitePages/FAQ.aspx</p>	
MASSACHUSETTS	NO	NO	<p>See March 2006 policy of MA Board of Registration of Psychologists available online: http://www.mass.gov/?pageID=ocaterminal&L=6&L0=Home&L1=Licensee&L2=Division+of+Professional+Licensure+Boards&L3=Board+of+Registration+of+Psychologists&L4=Statut</p>	<p><i>ALM GL ch. 175, § 47BB -- Telemedicine.</i></p> <p>“Telemedicine” is defined as the delivery of health care services, using interactive audio, video or other electronic media for the purpose of diagnosis, consultation or treatment.</p> <p>Audio-only phones,</p>	<p><i>ALM GL ch. 112, § 123 (a) -- Activities Excluded From Penalty Provisions</i></p> <p>The penalties in § 122 shall not apply to: (a) persons eligible for licensure under §119 who provide consultative services for a fee no more than 1 day/month</p>	<p><i>ALM GL ch. 112, § 122</i></p> <p>Possible fine up to \$500 &/OR imprisonment up to 3 months</p>

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
			es+and+Regulations&L5=Board+Policies+and+Guidelines&sid=Eoca&b=terminalcontent&f=dpl_boards_py_policy_electronic_services&csid=Eoca	<p>faxes or emails are excluded</p> <p>Coverage of telemedicine services may be limited to those health care providers in a telemedicine network approved by the insurer.</p>	<p><i>ALM GL ch. 112, § 124</i></p> <p>A nonresident psychologist may obtain a temporary license to practice in MA up to 1 year if he/she registers with the board & practices in consultation with, or under the supervision of, a licensed psychologist or possesses qualifications acceptable to the board.</p>	
MICHIGAN	NO	NO	NO	<p><i>MCLS § 500.3476;</i> <i>MCLS § 550.1401k</i></p> <p>"Telemedicine" means the use a real-time, interactive audio or video, or both, telecommunications system for the health care professional to examine and interact with the patient at the time the services are provided.</p> <p>Private payers cannot</p>	<p>Generally, NO but there is an exception for those who live in adjacent states</p> <p><i>MCLS § 333.16171(h) License for practice of health profession; exemptions.</i></p> <p>An individual residing adjacent to the land border between this state and an adjoining state who is authorized under the laws of that</p>	<p><i>MCLS § 333.16294</i></p> <p>Practice without a license constitutes a felony</p> <p><i>MCLS § 750.503</i></p> <p>If a person is convicted of a felony for which no punishment is specially prescribed, felony punishable by imprisonment up to 4 years &/or a fine up to \$5,000</p>

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
				<p>require face-to-face contact between a health care professional & patient for services appropriately provided through telemedicine.</p> <p>Telehealth services must be covered, subject to contract terms & conditions.</p>	<p>state to practice a health profession and whose practice may extend into this state, but who does not maintain an office or designate a place to meet patients or receive calls in this state.</p>	
MINNESOTA	NO	NO	NO	<p>Only for Medicaid – Minn. Stat. § 256B.0625</p>	<p><i>Minn. Stat. § 148.916(1)</i></p> <p>Licensed out-of-state psychologists may practice in the state for no more than 7 calendar days</p> <p>But if more than 7 days, the psychologist must obtain approval from the Board for guest licensure.</p> <p>Practice under guest licensure may not exceed 9 consecutive months per calendar year</p>	<p><i>Minn. Stat. § 146.18;</i> <i>Minn. Stat. § 609.02;</i> <i>Minn. Stat. § 609.125;</i> <i>Minn. Stat. § 609.033</i></p> <p>Misdemeanor: Possible fine up to \$1,000 &/OR imprisonment up to 90 days</p>

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
					Approval for guest licensure must be received at least 30 days prior to anticipated practice in MN	
MISSISSIPPI	NO	<p><i>Miss. Code Ann. § 73-31-3(d)(iii), § 73-31-14(3)</i></p> <p>The practice of psychology shall be construed within the meaning of this definition without regard to whether payment is received for services rendered and without regard to the means of service provision (e.g., face-to-face, telephone, Internet, or telehealth).</p> <p>Applicants awaiting licensure in Mississippi are prohibited from the practice of psychology without a temporary license issued by the</p>	NO	<p><i>Miss. Code Ann. § 83-9-351</i></p> <p>“Telemedicine” is defined as the delivery of health care services such as diagnosis, consultation, or treatment through the use of interactive audio, video, or other electronic media.</p> <p>Must be "real-time" consultation</p> <p>Use of audio-only telephone, fax or e-mail excluded</p> <p>Private payers must provide coverage for telehealth services to same extent as in-</p>	<p><i>Miss. Code Ann. §73-31-14(2); CMSR 50-021-3201 – Rule 4.7(B)</i></p> <p>Out-of-state licensed psychologists may apply to the board for a temporary practice certificate to engage in practice on temporary basis in MS.</p> <p>That practice must be limited in scope and duration, not exceeding 30 days during a consecutive 12-month period.</p> <p>May be subject to a jurisprudence exam at the board’s discretion</p>	<p><i>Miss. Code Ann. §73-31-23; Miss. Code Ann. §73-31-25</i></p> <p>Misdemeanor: Possible fine up to \$300 &/OR possible imprisonment up to 60 days for each violation</p>

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
		board. For the purposes of this subsection, the practice of psychology shall be construed without regard to the means of service provision (e.g., face-to-face, telephone, Internet, telehealth).		person services but may limit coverage to providers in a telemedicine network approved by the payer.		
MISSOURI	NO	NO	NO	2013 HB 986 to be codified as <i>§376.1900.1 R.S.Mo</i> , effective Jan 1, 2014 “Telehealth” has the same meaning as defined under <i>§208.670 R.S. Mo.</i> -- the “use of medical information exchanged from one site to another via electronic communications to improve the health status of a patient.” Private payers must provide coverage for telehealth services to same extent as in-	<i>§ 337.045(5) R.S.Mo</i> Licensed out-of-state psychologist may practice for no more than 10 consecutive business days in any 90 day period, or in aggregate may not exceed 15 business days in any 9-month period	<i>§ 337.065(1) R.S.Mo; § 560.011 R.S.Mo; § 560.016 R.S.Mo</i> Class A Misdemeanor: possible fine up to \$1,000 &/OR possible imprisonment up to 1 year

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
				person services but may limit coverage to providers in a telemedicine network approved by the payer		
MONTANA	NO	<p><i>MONT. ADMIN. R. 24.189.301</i></p> <p>(1) "Defined professional relationship" means a relationship in which a licensee or license applicant provides diagnostic, assessment and/or therapeutic services to a client. A defined professional relationship shall be initially established in a context where services are provided:</p> <p>(a) in person and face-to-face; or</p> <p>(b) transmitted via electronic or related methods. If provided under this subsection, the context must also</p>	NO	<p>SB 270 (2013).to be codified under Title 33, Chapter 22, Part 1, effective 1/1/2014</p> <p>"Telehealth" is defined the use of interactive audio, video, or other telecommunications technology to deliver health care services.</p> <p>Includes real-time and store-&-forward technology; but excludes audio-only phone, fax or email</p> <p>Must be delivered through secure communications compliant with HIPAA</p> <p>Private payers must provide coverage for</p>	<p><i>Mont. Code Anno. § 37-17-104 (1)(d); MONT. ADMIN. R. 24.189.414</i></p> <p>Licensed out-of-state psychologists may render consulting psychological services not to exceed in the aggregate 60 days during a calendar year.</p> <p>If services exceed 10 days in a calendar year, the psychologist must submit a notarized form to the Dept. of Labor & Industry in advance as to the nature, extent & duration of the services to be provided in the state.</p> <p>Notification shall be provided to the board</p>	<p><i>Mont. Code Anno. §37-17-312</i></p> <p>Misdemeanor: Possible fine up to \$500 &/OR imprisonment in county jail up to 6 months</p>

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
		<p>be: (i) two-way; (ii) interactive; (iii) real-time; (iv) simultaneous; (v) continuous; and (vi) providing for both audio and visual interaction.</p> <p><i>MONT. ADMIN. R. 24.189.607(4)(d)(ii)(A)</i> also allows for teleconferencing (two-way, interactive, real time, simultaneous, continuous, and provides audio & visual interaction) as substitute for face-to-face postdoctoral supervision</p>		telehealth services to same extent as in-person services	<p>each year nonresident psychological services are rendered.</p> <p>A letter verifying termination of said services shall be filed with the board at the time of termination.</p>	
NEBRASKA	NO	NO	NO	NO for private insurance but yes for NE Medicaid (see <i>R.R.S. Neb. §71-8501 et seq.</i>)	<p><i>R.R.S. Neb. § 38-3119; 172 NAC 155-004.03</i></p> <p>Licensed, out-of-state psychologists may provide services in NE so long as they do not provide more than an</p>	<p><i>R.R.S. Neb. § 38-3130(2); 172 NAC 155-004.03; 172 NAC 155-012</i></p> <p>Class II misdemeanor: possible fine up to \$1,000 &/OR possible imprisonment up to 6</p>

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
					<p>aggregate of 30 days of professional services during the 12 month period beginning with the first date of issuance may be issued a letter to practice.</p> <p>Requirements for a license in the other jurisdiction are equal to or exceed NE's licensure requirements</p> <p>Must notify DHHS - Regulation & Licensure of the nature and location of their practice and provide evidence of their licensure in another jurisdiction to obtain a letter permitting temporary practice</p>	<p>months</p> <p>An individual who practices prior to issuance of a credential for temporary practice is subject to assessment of an Administrative Penalty, or such other action as provided in the statutes and regulations governing the credential.</p> <p>Administrative penalty may be \$10 per day, not to exceed a total of \$ 1,000 for practice without a credential.</p>
NEVADA	NO	NO	See FAQs on State of Nevada Board of Psychological Examiners website: http://psyexam.nv.g	NO	<p><i>Nev. Rev. Stat. Ann. §641.410; NAC 641.180</i></p> <p>Licensed, out-of-state psychologists may practice in NV without a</p>	<p><i>Nev. Rev. Stat. Ann. §641.440; §193.140</i></p> <p>Gross misdemeanor: possible fine up to \$2,000 &/OR imprisonment in</p>

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
			<p>ov/FAQs/</p> <p>In Nevada, psychologists licensed in another state cannot provide services to residents without a license. This includes teletherapy of any type.</p>		<p>license so long as he/she does not practice more than 30 days in a calendar year & if the psychologist is invited as a consultant by a NV-licensed psychologist.</p> <p>Licensure requirements for other jurisdiction must meet licensure requirements for NV.</p> <p>The application for approval to practice as a consultant in NV must be submitted at least 30 days before the psychologist intends to begin practice in this State.</p> <p>The application must be approved before practicing as a consultant in NV.</p>	county jail up to 364 days
NEW HAMPSHIRE	<i>RSA 329-B:16</i> Persons licensed by	<i>RSA 329-B:2(7)(h)</i> Provision of any of	See Feb. 17, 2012 statement of interpretation by	<i>RSA 415-J: 1 et seq. — New Hampshire Telemedicine Act</i>	<i>RSA 329-B:20(l)</i> Licensed, out-of-state	<i>RSA 329-B:17</i> Class A Misdemeanor (for

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
	the board who practice electronically shall be subject to standards of care for the practice of telemedicine and telehealth for psychology established by the board pursuant to rules adopted under RSA 541-A.	these services or activities by any means, including electronic or telephonic constitutes the practice of psychology	the NH Board of Mental Health Practice, which regulated psychologists prior to July 1, 2013 http://www.nh.gov/mhpb/documents/out-of-statepractice.htm	“Telemedicine” is defined as the use of audio, video, or other electronic media for the purpose of diagnosis, consultation, or treatment. Audio-only telephone or fax excluded. Private payers must provide coverage for telehealth services to same extent as in-person services.	psychologists may temporarily practice in NH if no more than 30 days per year. Licensure requirements in the psychologist’s home state must be equal to or exceed NH’s requirements for licensure. The out-of-state psychologist must hold one of the following credential: ASPPB’s CPQ or IPC; ABPP; NR’s HSP certification; or other equivalent qualifications determined by the board.	a natural person): possible fine up to \$2,000 &/OR possible imprisonment up to 1 year, each violation Felony if committed by any other person (§330-A:23)
NEW JERSEY	NO	NO	NO	NO	<i>N.J. Stat. § 45:14B-6(d)</i> Licensed out-of-state psychologists may practice in NJ without a license for not more than 10 consecutive business days or 15	<i>N.J. Stat. § 45:1-11; N.J. Stat. § 45:1-18.2</i> Possible civil penalty up to \$10,000 for the first violation & up to \$20,000 for the second and each subsequent violation

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
					business days in any 90-day period subject to following conditions: Resides outside of NJ; major practice is outside of NJ: provides Board with summary of qualifications & minimum of 10 days' advance written notice of intention to practice; & home state's licensing requirements must be equivalent to NJ's licensing requirements	
NEW MEXICO	NO	NO	NO	2013 N.M. Laws, Chap. 105 (SB 69) to be codified as <i>N.M. Stat. Ann. § 13-7-14, § 59A-22-49.3, § 59A-23-7.12, § 59A-46-50.3, § 59A-47-45.3?</i> "Telemedicine" is defined as the use of interactive simultaneous audio & video or store & forward technology	<i>N.M. Stat. Ann. § 61-9-10.1(A); NMAC 16.22.5.13</i> Licensed out-of-state psychologists may obtain a temporary license to practice for up to 6 months in NM Temporary license temporary license may be extended at the discretion of the board	<i>N.M. Stat. Ann. § 61-9-14</i> Misdemeanor: Possible fine up to \$1,000 &/or imprisonment up to 3 months for each violation

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
				<p>using information and telecommunications technologies by a health care provider to deliver health care services at a site other than the site where the patient is located</p> <p>Telemedicine used to provide clinical services shall be encrypted and shall conform to state and federal privacy laws.</p> <p>Private payers must provide coverage for telehealth services to same extent as in-person services.</p>	with a written request 30 days prior to the expiration, stating the reason for extension.	
NEW YORK	<p>NO</p> <p>But there is a provision governing hospital credentialing/ privileging of health care practitioners providing</p>	NO	<p>Telepractice Guideline issued by the NYS Office of the Professions available online: http://www.op.nyse.d.gov/prof/psych/psychtelepracticeguide.htm</p>	NO	<p><i>NY CLS Educ § 7605 (8); 8 NYCRR § 72.5</i></p> <p>Licensed out-of-state practitioner may practice may engage in temporary period up to 10 consecutive business days in any period of 90</p>	<p><i>NY CLS Educ § 6512; NY CLS Penal § 70.00; CLS Penal § 80.00</i></p> <p>Class E felony: possible fine up to \$5,000 &/or imprisonment up to 4 years</p>

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
	<p>telemedicine services – see <i>NY CLS Pub Health § 2805-u</i></p> <p>"Telemedicine" is defined as the delivery of clinical health care services through real-time two-way electronic audio-visual communications. The health care practitioner providing telemedicine must be licensed to practice in NY State.</p>				<p>consecutive days or in the aggregate no more than 15 business days in any such 90-day period.</p> <p>They must file with the department before practicing</p> <p>This is a one-time practice exemption.</p>	
NORTH CAROLINA	NO	NO	<p>See March 2005 opinion of NC Psychology Board available online: http://ncpsychologyboard.org/office/ElectronicServices.htm</p>	NO	<p><i>N.C. Gen. Stat. § 90-270.4(f); 21 N.C.A.C. 54.1610</i></p> <p>Licensed out-of-state psychologists may practice for up to 5 days in any calendar year.</p> <p>Nonresident psychologists shall submit to the Board a</p>	<p><i>N.C. Gen. Stat. §90-270.17; N.C. Gen. Stat. § 14-3; N.C. Gen. Stat. § 15A-1340.23</i></p> <p>Class 2 misdemeanor: possible fine up to \$1,000 &/OR imprisonment of more than 30 days up to 6 months, each violation</p>

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
					written statement from their home state verifying licensure in good standing with a written description of their intended practice at least 5 working days prior to engaging in temporary practice in NC	
NORTH DAKOTA	NO	<p><i>N.D. Cent. Code § 43-51-02 -Location of practice of an occupation or profession</i></p> <p>The provision of services to an individual in this state which fall within the standard of practice of a profession or occupation regulated by a board, regardless of the means by which the services are provided or the physical location of the person providing those services, constitutes the practice of that</p>	NO	NO	<p><i>N.D. Cent. Code, §43-32-30(2); N.D. Cent. Code, § 43-51-05; N.D. Admin. Code 66-02-01-16</i></p> <p>Licensed out-of-state psychologists may practice temporarily in ND for up to 30 days in any calendar year</p> <p>The 1-year period commences on the date the written application is approved by the board.</p> <p>The application must include verified documentation that the</p>	<p><i>N.D. Cent. Code, §43-32-31</i></p> <p>Class B Misdemeanor: possible fine up to \$1000 dollars &/OR imprisonment up to 30 days</p> <p>Civil injunction remedy also available</p>

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
		occupation or profession in this state and is subject to regulation by the appropriate board in this state.			nonresident psychologist is licensed in good standing; the nature of the services to be provided; & explanation of when the services are to be provided.	
OHIO	<p><i>OAC Ann. 4732-3-01(S); OAC Ann. 4732-13-03, 4732-13-04 (supervision); & OAC Ann. 4732-17-01</i></p> <p>“Telepsychology” is defined as the practice of psychology by distance communication technology such as but not necessarily limited to telephone, email, Internet-based communications, and videoconferencing.</p> <p>In order to practice telepsychology in the state of Ohio one</p>	See OAC Ann 4732-3-01	NO	NO	<p><i>ORC Ann. 4732.22(B); OAC Ann. 4732-5-02(B)(2)</i></p> <p>Licensed out-of-state psychologists may practice temporarily in OH for not more than 30 days a year</p> <p>Must submit an application prior to practicing in Ohio indicating that home state’s licensure requirements are equal to or exceed OH’s licensing requirements</p> <p>Holding an active inter-jurisdictional practice certificate (IPC) issued</p>	<p><i>ORC Ann. 4732.99</i></p> <p>Possible fine of \$100-500 &/OR imprisonment of 6 months up to 1 year, each violation</p>

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
	must hold a current, valid license issued by the state board of psychology or shall be a registered supervisee of a licensee being delegated telepsychology practices.				by ASSPB shall be deemed to qualify for permission to practice	
OKLAHOMA	<p><i>36 Okl. St. § 6801 et seq -- Oklahoma Telemedicine Act</i></p> <p>“Telemedicine” is defined as the practice of health care delivery, diagnosis, consultation, treatment, including but not limited to, the treatment and prevention of strokes, transfer of medical data, or exchange of medical education information by means of audio,</p>	NO but psychologists are included in the list of providers authorized to provide services under the Telemedicine Act	<p>See <i>Kennedy v. Freeman</i>, 919 F.2d 126 (1990) (out-of-state doctor had sufficient contacts with OK for OK court to assert personal jurisdiction in medical malpractice action)</p> <p>http://www.leagle.com/decision/19901045919F2d126_11003</p> <p>See OK AG Opinion 00-041 addressing the ability of dental board to regulate</p>	<p><i>36 Okl. St. § 6803</i></p> <p>Health care service plans, disability insurer programs, workers' compensation programs, or state Medicaid managed care program contracts shall provide coverage of telehealth services, subject to contract terms & conditions.</p>	<p><i>59 Okl. St. § 1353(9)</i></p> <p>Licensed out-of-state psychologists may practice temporarily for no more than an aggregate 5 days during any year.</p> <p>He/she must inform the Board prior to initiation of services.</p>	<p><i>59 Okl. St. § 1374</i></p> <p>Misdemeanor: possible fine up to \$500 &/OR imprisonment up to 6 months, each violation</p>

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
	<p>video, or data communications.</p> <p>Consultation by phone or fax is excluded</p> <p>Provider must obtain written patient consent prior to engaging in telehealth. See <i>36 Okl. St. § 6804</i> for what must be specifically included in the informed consent</p>		<p>dental services provided via internet in OK</p> <p>http://www.oklegal.onenet.net/oklegal-cgi/ifetch?okag+1256050667529+F</p>			
OREGON	NO	NO	NO	<p><i>ORS § 743A.058</i></p> <p>"Telemedical" means delivered through a two-way video communication that allows a health professional to interact with a patient who is at an originating site as defined in the statute.</p> <p>Private payers must</p>	<p><i>ORS § 675.063; Or. Admin. R. 858-010-0055</i></p> <p>Licensed, out-of-state psychologists must obtain a limited (visitor's) permit to engage in temporary practice in OR.</p> <p>A visitor's permit shall be effective for no more than 30 days in a 12</p>	<p><i>ORS § 675.990; ORS § 161.615; ORS § 161.635</i></p> <p>Class C Misdemeanor: possible fine up to \$6,250 &/OR imprisonment up to 1 year</p> <p><i>ORS § 675.150 --</i> Injunction remedy</p>

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
				provide coverage for telehealth services, subject to contract terms & conditions.	month period. The licensure requirements for the psychologist's home state must be essentially equivalent to those required in OR.	
PENNSYLVANIA	NO	NO	See <i>Guideline Regarding Requirements for Provision of Psychological Services Regardless of Delivery Method</i> , available on the State Board of Psychology's website: http://www.portal.state.pa.us/portal/server.pt/community/state_board_of_psychology/12521/licensure_information/572083	NO	<i>63 P.S. § 1203(7); 49 Pa. Code § 41.52(c)</i> Licensed, out-of-state psychologists must obtain advance permission from the Board to practice on temporary assignment in PA. Temporary practice is limited to up to 6 months. Only 1 additional 6-month extension may be granted. Requests for extension must be submitted in writing to the Board.	<i>63 P.S. § 1211</i> Misdemeanor: Possible fine up to \$ 1,000 &/or imprisonment up to 6 months For additional violations, possible fine not less than \$2,000 &/or imprisonment not less than 6 months up to 1 year

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
					Licensed, out-of-state psychologists on temporary assignment in PA for an aggregate of no more than 14 days are exempted from the notification requirement.	
RHODE ISLAND	NO	NO	Email communication from RI Board Administrator dated 4/20/10 indicates that the RI psychology board views provision of telemental health services as requiring licensure in RI. It may also be possible to provide services under temporary licensure provision. It should be noted that the board equates 1 teletherapy session to 1 calendar day of the 10 calendar day limit.	NO	<i>R.I. Gen. Laws § 5-44-23(h); CRIR 14-140-036(2.9)</i> Licensed out-of-state psychologists may practice temporarily up to 10 calendar days per calendar year with no more than 5 days of this activity occurring consecutively	<i>R.I. Gen. Laws § 5-44-21</i> Misdemeanor: Possible fine up to \$500, each offense

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
SOUTH CAROLINA	NO	<p><i>S.C. Code Ann. § 40-55-50</i></p> <p>(C) A person is deemed to be practicing as a psychologist within the meaning of this chapter if the person engages in any of the activities enumerated in subsection (A) electronically within this State including, but not limited to, by means of the internet, phone lines, and personal computer modems.</p>	NO	NO	<p><i>S.C. Code Ann §40-55-110</i></p> <p>Licensed, out-of-state psychologists must obtain a temporary permit from the Board to practice temporarily for a period not to exceed 60 days within a calendar year</p> <p>Must demonstrate that the home state's licensing requirements are equivalent to SC's requirements.</p>	<p><i>S.C. Code Ann §40-55-170</i></p> <p>Felony: possible fine up to \$50,000 &/or imprisonment up to 1 year</p>
SOUTH DAKOTA	NO	NO	NO	NO	<p><i>S.D. Codified Laws § 36-27A-2 (4)</i></p> <p>Licensed out-of-state psychologists engage in temporary practice up to no more than an aggregate of 20 days during any 1 year.</p> <p>If exceed 10 consecutive</p>	<p><i>S.D. Codified Laws §36-2-2; S.D. Codified Laws § 22-6-2</i></p> <p>Class 2 misdemeanor: possible fine of \$500 &/OR 30 days imprisonment in a county jail, each violation</p>

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
					days of practice in any year, then must report to the board in writing the nature and extent of practice in SD.	
TENNESSEE	NO	NO	NO	NO	<i>Tenn. Code Ann. § 63-11-211(b)(5)</i> Licensed, out-of-state psychologists may practice up to 12 days per year for such purposes as special training or consultation, speciation evaluation or intervention, or serving as an expert witness	<i>Tenn. Code Ann. § 63-11-206(a); Tenn. Code Ann. § 40-35-111(e)(2)</i> Class B misdemeanor: possible fine up to \$500 &/OR imprisonment up to 6 months
TEXAS	<i>Tex. Ins. Code §1455.001 et seq.</i> (health care coverage) <i>Tex. Occ. Code §111.001 et seq.</i> (informed consent, patient confidentiality) <i>Tex. Occ. Code</i>	NO	See December 1999 telepractice policy statement of Texas State Board of Examiners of Psychologists available online: http://tsbep.texas.gov/files/newsletters/1999Fall.pdf	<i>Tex. Ins. Code §1455.004</i> Private payers must provide coverage for telehealth services, subject to contract terms & conditions.	<i>Tex. Occ. Code § 501.263; 22 TAC § 463.27</i> Licensed, out-of-state psychologists must obtain a temporary permit to practice in TX. The home state's licensing requirements must be substantially	<i>Tex. Occ. Code § 501.502; Tex. Occ. Code § 501.503; Tex. Penal Code § 12.21; 22 TAC § 470.22</i> Civil penalty of \$1,000 for each day of violation Class A Misdemeanor: possible fine up to \$4,000 &/OR imprisonment up to 1 year

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
	<p><i>§106.001</i></p> <p>The fact that an activity occurs through the use of the Internet does not affect a licensing authority's power to regulate an activity or person that would otherwise be regulated under this title.</p> <p><i>Tex. Gov't Code §531.001(7)</i></p> <p>Telehealth service" means a health service, delivered by a licensed or certified health professional acting within the scope of their license or certification and that requires the use of advanced telecommunications technology, other than phone or fax, including:</p>				<p>equal to the licensing requirements in TX.</p> <p>The temporary permit is valid only for a period up to 30 days as specified by the board and for the limited purpose approved by the board.</p> <p>A person holding a temporary license issued under this chapter shall display a sign indicating that the license is temporary. The sign must be approved by the board and displayed in every room in which the person provides psychological services.</p> <p>Yes (Tex. Occ. Code §501.263; 22 TAC §463.27)</p>	<p>Each day a violation continues or occurs is a separate violation</p>

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
	(A) compressed digital interactive video, audio, or data transmission; (B) clinical data transmission using computer imaging by way of still-image capture and store and forward; and (C) other technology that facilitates access to health care services or medical specialty expertise.					
UTAH	NO	<i>Utah Code Ann. § 58-61-102(10)</i> “Remotely” is defined as communicating via Internet, telephone, or other electronic means that facilitate real-time audio or visual interaction between individuals when they are not physically present in the same room at the same time.	NO	NO	<i>Utah Code Ann. § 58-61-307(2)(k)</i> An individual who is licensed, in good standing, to practice mental health therapy elsewhere in the US outside of Utah may provide short term transitional mental health therapy remotely to a client in Utah only if: (i) the individual is	<i>Utah Code Ann. § 58-61-501; § 58-61-503; Utah Code Ann. § 76-3-203; § 76-3-301</i> 3 rd degree felony: possible fine up to \$5,000 &/or imprisonment up to 5 years

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
		<p><i>Utah Code Ann. § 58-61-307(2)(k)</i></p> <p>Short-term telemental health services may be provided in UT from another state if the nonresident psychologist meets certain specified conditions (further described in column #5)</p>			<p>present in the state or territory where the individual is licensed to practice mental health therapy;</p> <p>(ii) the client relocates to Utah;</p> <p>(iii) the client is a client of the individual immediately before the client relocates to Utah;</p> <p>(iv) the individual provides the short term transitional mental health therapy to the client only during the 45 day period beginning on the day on which the client relocates to Utah;</p> <p>(v) within 10 days after the day on which the client relocates to Utah, the individual provides written notice to the division of the individual's intent to provide short term transitional mental health therapy remotely to the client; and</p> <p>(vi) the individual does</p>	

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
					not engage in unlawful conduct or unprofessional conduct.	
VERMONT	<p>26 V.S.A. § 3018 – Telepractice</p> <p>Licensees who provide services regulated under this chapter by means of the internet or any other electronic means are deemed to provide such services in this state, and are subject to the jurisdiction of the board. The board may take disciplinary or other action against such licensees. Action taken by the board does not preclude any other jurisdiction from also taking disciplinary or other action against such licensees.</p>	<p>CVR 04-030-270(6.8) – Telepractice</p> <p>(a) Telepractice is governed 26 V.S.A. § 3018. Professionals who provide service via the Internet or other electronic means should provide as much information as possible to individuals who access their services.</p> <p>(b) Psychologists from other jurisdictions providing telepractice services to persons in Vermont are deemed to be practicing in Vermont. They must be licensed by the Board and must comply with the disclosure requirements of Rule 6.8.</p>	<p>See board website for disclosures required for telepractice: http://vtprofessionals.org/opr1/psychologists/telepractice.asp</p>	<p>8 V.S.A. § 4100k - Coverage for telemedicine services</p> <p>"Telemedicine" means the delivery of health care services such as diagnosis, consultation, or treatment through the use of live interactive audio & video over a secure connection that complies with HIPAA.</p> <p>Audio-only telephone, e-mail, or fax excluded.</p> <p>Coverage for telehealth services is required, subject to contract terms & conditions.</p> <p>A health insurance plan may limit coverage to providers in the plan's network and may</p>	<p>CVR 04-030-270(1.8)</p> <p>Licensed, out-of-state psychologists must obtain a temporary license to practice in VT.</p> <p>Temporary practice is limited up to 10 days, or 80 hours in a 12-month period.</p> <p>No applicant may be issued more than two temporary licenses.</p>	<p>26 V.S.A. § 3002; 26 V.S.A. § 3003; 3 V.S.A. § 127</p> <p>Injunction & civil penalty up to \$1,000</p> <p>Criminal penalty: possible fine up to \$5,000 &/or imprisonment up to 1 year</p>

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
		(c) Vermont licensed psychologists who provide telepractice services to clients outside of Vermont remain under the jurisdiction of the Board. They shall comply with the disclosure requirements of Rule 6.8 and shall specifically disclose: (1) Name, location, and telephone number of the psychologist; (2) What the psychologist is licensed and trained to do; and (3) The limits and limitations of Internet practice and service delivery.		require originating site health care providers to document the reason the services are being provided by telemedicine rather than in-person.		
VIRGINIA	NO	NO	Based on a communication with staff of the Virginia Board of Psychology, see 115: 1.4 available online --	<i>Va. Code Ann. § 38.2-3418.16</i> “Telemedicine” is defined as the delivery of health care services, means the use of	<i>Va. Code Ann. § 54.1-3601(6), (7)</i> Licensed, out-of-state psychologists may practice temporarily if consulting with VA	<i>Va. Code Ann. § 54.1-2401</i> Civil penalty up to \$5,000, each violation <i>Va. Code Ann. § 54.1-111;</i> <i>Va. Code Ann. § 18.2-10;</i>

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
			http://www.dhp.virginia.gov/counseling/counseling_guidelines.htm	<p>interactive audio, video, or other electronic media used for the purpose of diagnosis, consultation, or treatment.</p> <p>Audio-only telephone, electronic mail message, or facsimile transmission is excluded</p> <p>Coverage for telehealth services is required, subject to contract terms & conditions.</p>	licensed psychologists, or when issued a temporary license by the Board to participate in continuing education programs or rendering psychological services without compensation to any patient at clinics for indigent/uninsured	<p><i>Va. Code Ann. § 18.2-11</i></p> <p>Class 1 misdemeanor: possible fine up to \$2,500 &/or imprisonment up to 12 months</p> <p>Subsequent offense within 36-month period constitutes class 6 felony Possible fine up to \$2,500 &/or imprisonment of 1-5 years or in court's discretion up to 12 months</p>
WASHINGTON	NO	NO	NO	NO	<p><i>Rev. Code Wash §18.83.082; WAC § 246-924-480; WAC § 246-924-483</i></p> <p>Licensed, out-of-state psychologists may petition the Board for a temporary permit to practice within the state for a period not to exceed 90 days in a calendar year.</p>	<p><i>Rev. Code Wash. (ARCW) § 18.83.180; ARCW §9.92.020</i></p> <p>Gross Misdemeanor: Possible fine up to \$5,000 &/or imprisonment up to 364 days</p>

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
					<p>Licensure requirements in the psychologist's home state must meet or exceed those requirements for licensure in WA.</p> <p>A national background check may be required; however, the temporary practice permit may be issued while the check is completed if the psychologist meets certain conditions specified in WAC § 246-924-483.</p>	
WEST VIRGINIA	NO	NO	<p>See Board policy statement on Telepsychology – Skype, available online:</p> <p>http://www.wvpsyc hbd.org/policy_stat ements.htm</p>	NO	<p><i>W. Va. Code</i> §30-21-3</p> <p>Licensed, out-of-state psychologists may practice for a period not to exceed 10 days in any calendar year</p> <p>Must not establish a regular place of practice in the state</p>	<p><i>W. Va. Code</i> § 30-21-13</p> <p>Misdemeanor: Possible fine up to \$500 &/OR imprisonment up to 6 months</p>

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
					<p>Licensure requirements in the psychologist's home state must meet or exceed the licensing requirements in WV</p> <p>Must petition the board in advance</p>	
WISCONSIN	NO	<p><i>Wis. Adm. Code Psy 2.14(2)</i></p> <p>A psychologist provides psychological services in this state whenever the patient or client is located in this state, regardless of whether the psychologist is temporarily located in this state or is providing services by electronic or telephonic means from the state where the psychologist is licensed.</p>	NO	NO	<p><i>Wis. Stat. § 455.03; Wis. Adm. Code Psy 2.14(1)</i></p> <p>Licensed, out-of-state psychologists may engage in temporary practice so long as he/she does not more than 60 working days in any year without holding a license.</p> <p>The psychologist's home state requirements for psychology licensure must be equivalent to or higher than the requirements for licensure in WI.</p> <p>If temporary practice exceeds 20 working</p>	<p><i>Wis. Stat. § 455.11</i></p> <p>Possible fine up to \$200 &/OR imprisonment up to 6 months</p>

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
					days within a year, the psychologist must report to the Board the nature & extent of practice.	
WYOMING	NO	NO	See reference to “telepsychology” in June 11, 2012 Board newsletter available online at: http://plboards.state.wy.us/psychology/pdf/Newsletters/1stEditionNewsletterJune2011.pdf	NO	<p><i>Wyo. Stat. § 33-27-117 (e); WCWR 024-068-003(1)(c)</i></p> <p>Licensed, out-of-state psychologists must obtain a temporary license, which allows practice up to 30 working days in 1 year.</p> <p>Temporary license is available if the licensing requirements in the psychologist’s home state meets or exceeds WY’s licensing requirements.</p> <p>If temporary practice exceeds 20 working days in 1 year, the psychologist must report the nature and extent of his/her</p>	<p><i>Wyo. Stat. § 33-27-119</i></p> <p>Misdemeanor: possible fine up to \$750 &/OR imprisonment up to 6 months, each violation</p>

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.

Telepsychology 50-State Review

STATE	Telehealth/ Telepsychology Statutes and/or Regulations	Practice of Psychology defined to include specifically telepsychology?	Licensing Board Advisory Opinions	Telehealth Coverage Mandate	Temporary / Guest Practice Provision	Penalties for Unauthorized practice of psychology without a license
					practice in WY to the board	

Disclaimer: This document does not constitute legal advice and should not be relied upon, as it is not routinely updated and was prepared with information from other sources, whose accuracy was not independently verified by APA. APA strongly encourages the reader to independently verify the information contained herein and/or consult with independent legal counsel if the reader intends to use or otherwise rely on such information. Because the law and related information continually change and because APA relied on other sources to compile information contained herein, APA cannot guarantee the completeness, currency or accuracy of this document.