

STATUTORY FOUNDATIONS OF THE DEFINITIONS OF THE ROLE AND LIMITS OF THE PSYCHOLOGICAL TECHNICIAN

Confusion often exists regarding the role and limits of a psychological technician. The essential difference between a psychologist and a psychological technician is the difference between practicing psychology independently (i.e. clinician) and dependently assisting the psychologist (i.e. technician). Independent clinical judgment is the process of making discretionary decisions without having to rely on others. The license to practice psychology is the recognition of this independent clinical judgment. If the person does not meet that requirement, then she/he may not provide such services independently. A review of the statutes and rules governing psychology makes this distinction clear.

Title 59 O.S. 1991, Section 1352.2 defines a psychologist, in part, as a person who renders to individuals or groups of individuals the services defined as the practice of psychology. Section 1352.3 extensively defines the practice of psychology which includes, in part, the "observation, description, evaluation, interpretation, and modification of human behavior by the application of psychological principles, methods, and procedures". Section 1352.4 defines health service, in part, as "the delivery of direct, preventive, assessment and therapeutic intervention services." Section 1352.5 indicates that in order to "provide health services to the public" and engage in the "direct practice of psychology," the licensed psychologist must be a "health service psychologist". Section 1353 states "No person shall...engage in the practice of psychology unless such person is licensed pursuant to the provisions of the Psychologists Licensing Act." When taken together, Sections 1352 and 1353 authorize a licensed and certified psychologist to provide psychological health services to the public independently. It is clear that to provide psychological health services to the public as an independent practitioner the psychologist must be licensed and certified.

"The activities and services of a person who performs psychological services pursuant to the direct supervision of a licensed psychologist" when that person is not licensed as a psychologist is listed as one of the exemptions to the requirement for a license to practice psychology according to Section 1353.6 (underline added). Section 1353.6 goes on to say that "Such person shall be subject to the approval by the Board and to such rules and regulations as the Board may prescribe pursuant to the provisions of the Psychologists Licensing Act." Section 1353.6 makes an allowance to practice psychology without being licensed provided that person is under the direct supervision of the licensed psychologist (i.e. a dependent relationship). Thus, it is this section of the law which allows for a non-licensed person to perform psychological services dependently (i.e. under the direct supervision of a licensed psychologist) subject to approval by the Board. As a result, the Rules of the Board (Section 575:10-1-7) describe the hiring of a psychological technician, a dependent assistant to the psychologist, by a psychologist, an independent practitioner.

Section (d) of Section 575:10-1-7 of the rules describes the limitations on activities of psychological technicians. Subsection (d.1) and (d.6) limits the activities of the psychological technician to be provided "under the direct and continuing professional supervision of the licensed psychologist" and "in the same physical setting as the supervisor and provide services only at those times when the licensed psychologist is on premises and available" (underline added). Subsections (d.4) and (d.5) place limitations on the type of services provided by the psychological technician.

Subsection (d.4) limits exempted activities of the psychological technician to providing "assistance to the licensed psychologist in the conduct of the psychologist's practice." Subsection (d.5) requires the work assignments of the technician to be "commensurate with the

skills of the technician and procedures shall under all circumstances be planned in consultation with the supervisor" (underline added). These subsections not only require the psychological technician to remain dependent upon the psychologist, but actually specify the level of dependence. While the work assignments of the technician are to be "commensurate with the skills of the technician" (i.e. the psychologist shall not assign duties beyond the skill of the technician), the procedures must be planned in all circumstances by the psychologist. Any assessment and therapy which involve independent clinical judgment in which discretionary decisions are made cannot, by definition, be planned. Therefore, only assessment and intervention not involving discretionary decisions may be planned and assigned to the technician. Subsection (e.8) makes the licensed psychologist "responsible for determining the adequacy of the technician's preparation", but only in line with the dependent role of the technician as outlined above.

Nondiscretionary assessment involves tests or techniques which are highly structured in administration and essentially descriptive of behavior. Such assessment does not allow independent discretion by the examiner. Many objective assessment techniques are included within this area. Projective assessment, particularly, requires discretionary decisions from moment to moment and is therefore not to be assigned to the technician. Under no circumstances may the psychological technician interpret any assessment since such activity requires an integration of data within theory which is highly discretionary in nature. Also, the technician may not write psychological reports or give feedback to clients since this involves interpretation and clinical judgment.

Likewise, nondiscretionary intervention involves techniques which are highly structured in administration. Such intervention does not allow discretion of the therapist. Many psychoeducational curriculums and behavior modification programs are included within this area. Individual, family, or group counseling/psychotherapy require discretionary decisions from moment to moment and therefore are not to be assigned to the technician.

At times it is argued a particular psychological technician applicant has training and experience to provide discretionary services reserved for independent practitioners. As an independent practitioner, the psychologist in Oklahoma is subjected to external validation of competence through a national objective examination, a state objective examination, and an oral examination. Psychological technicians are not subjected to external validation of competence like the psychologist. The psychological technician desiring to practice at the independent level has essentially two choices. She/he may pursue the appropriate training toward eligibility for licensure as a psychologist and complete the licensure process, or she/he may seek licensure within a related but different profession.

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