

Virginia Board of Counseling

QMHP Information Session

November 27, 2018

Virginia Department of Health Professions (DHP)

Our mission is to ensure safe and competent patient care by licensing health professionals, enforcing standards of practice, and providing information to health care practitioners and the public.

Overview

Counseling Board is composed of 12 members:

LPCs – 6

LMFTs - 3

LSATP – 1

Citizen Members - 2

- Appointed by the Governor for 4 year terms
- Terms are staggered – allows for new ideas and new faces each year



Board Members

<p>Kevin Doyle, Ed.D., LPC, LSATP Chairperson Charlottesville, VA 2nd Term Ends 06/30/2021</p>	<p>Maria Stransky, LPC, CSAC, CSOTP Richmond, VA 1st Term Ends 6/30/2021</p>
<p>Johnston Brendel, Ed.D., LPC, LMFT Williamsburg, VA 1st Term Expires 6/30/2019</p>	<p>Jane Engelken, LPC, LSATP Vice Chairperson Fairfax Station, VA 2nd Term Ends 6/30/2021</p>
<p>Bev-Freda L. Jackson, Ph.D., MA, Citizen Member 1st Term Expires 6/30/2020</p>	<p>Natalie Harris, LPC, LMFT Newport News, Virginia 1st Term Ends 6/30/2021</p>
<p>Vivian Sanchez-Jones, Citizen Member Roanoke, VA 2nd Term Ends 6/30/2022</p>	<p>Tiffinee Yancey, Ph.D., LPC Suffolk, VA 1st Term ends 06/30/2021</p>
<p>Barry Alvarez, LMFT Falls Church, VA 1st Term Ends 6/30/2021</p>	<p>Holly Tracy, LPC, LMFT Norfolk, VA 2nd Term Ends 6/30/2022</p>
<p>Danielle Hunt, LPC Richmond, VA 1st Term Expires 6/30/2019</p>	<p>Terry R. Tinsley, PhD, LPC, LMFT, NCC, CSOTP Gainesville, VA 2nd Term Expires 6/30/2022</p>

Meet the Staff

Jaime Hoyle, Esquire – Executive Director	Jennifer Lang – Deputy Executive Director
Charlotte Lenart – Licensing Manager	Tracey Arrington-Edmonds – Licensing Specialist
Brenda Maida – Licensing Specialist	Christy Evans – Discipline Case Specialist/Compliance Case Manager
Victoria Prosser – Administrative Assistant	Sharniece Vaughn – QMHP Administrative Assistant
Vacant – QMHP Administrative Assistant	Linda Young – QMHP Administrative Assistant
Natalie Unmusig – Administrative Assistant	Trasean Boatwright – QMHP Administrative Assistant

Types of Licenses, Certifications and Registrations issued:

- Licensed Professional Counselors (LPC)
 - Resident in Counseling
- Licensed Substance Abuse Treatment Practitioners (LSATP)
 - Resident in Substance Abuse Treatment
- Licensed Marriage and Family Therapists (LMFT)
 - Resident in Marriage and Family Therapy
- Certified Substance Abuse Counselors (CSAC)
 - CSAC Supervisee
- Certified Substance Abuse Counselors Assistants (CSAC-A)
- Certified Rehabilitation Provider (CRP)
- Qualified Mental Health Professional – Adult (QMHP-A)
- Qualified Mental Health Professional – Children (QMHP-C)
- Qualified Mental Health Professional – Trainees (QMHP-Trainee)
- Peer Recovery Specialists (RPRS)

Current Licensure/Certification/Registration Count as of 11/25/2018

LPC: 5,377
Residents in counseling: 7,969

LSATP: 225
Resident in substance abuse treatment: 5

CRP: 242

QMHP-A: 4,480
QMHP-C: 4,317
QMHP- Trainee: 634

LMFT: 844
Residents in marriage and family therapy: 279

CSAC: 1,864
Substance abuse trainees: 1,774

CSAC-A: 235

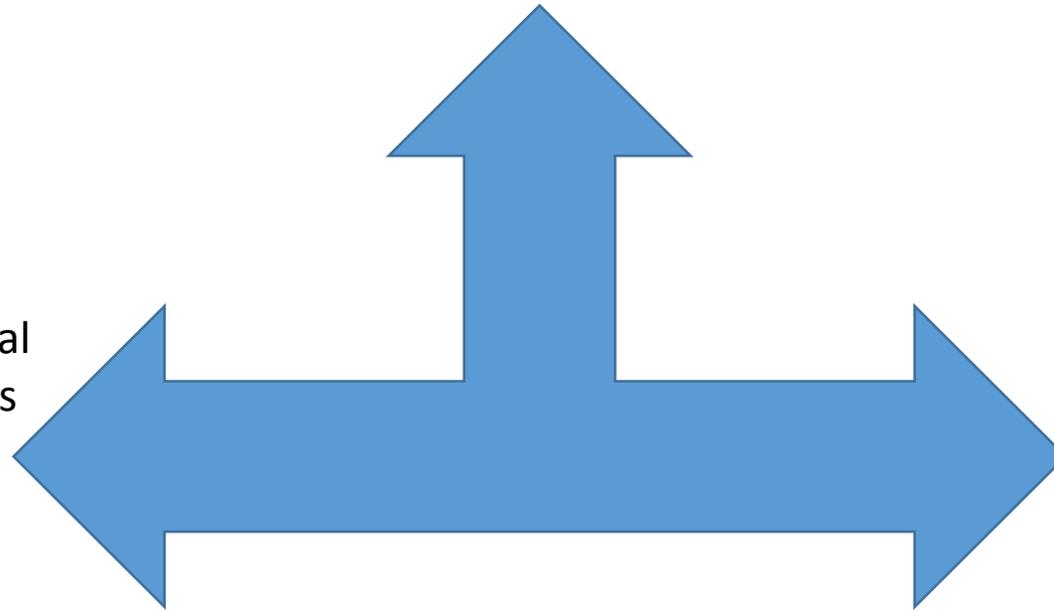
RPRS: 159

Why QMHP and Peer Regulations were established

- Provides minimum standards, accountability and transparency
 - Reimbursement of services
 - License Look-up

Virginia Department of Health Professions
(DHP) – Board of Counseling
Role: Regulate individuals through licensure,
certification or registration.

Virginia Department of Behavioral
Health & Developmental Services
(DBHDS) – Office of Licensing
Role: Regulate and license
facilities.



Virginia Department of Medical
Assistance Services (DMAS)
Role: Regulate the reimbursement
of services.

Regulatory Update

Qualified Mental Health Professionals (QMHPs) and Registered Peer Recovery Specialists (RPRS)

Current Actions		
Action Title	Latest Stage	Status
Initial regulations for registration	Proposed	Governor's office review in progress.

QMHP Proposed Regulations Changes

18VAC115-80-10. Definitions:

1. *Accredited*: “If education was obtained outside the United States, the board may accept a report from a credentialing service that deems the degree and coursework is equivalent to a course of study at an accredited school.”
2. *Qualified mental health professional or QMHP*: “A QMHP shall provide such services as an employee or independent contractor if the DBHDS, the Department of Corrections, or a provider licensed by the DBHDS.”
3. *Qualified mental health professional-adult*: “A QMHP-A shall provide such services as an employee or independent contractor if the DBHDS, the Department of Corrections, or a provider licensed by the DBHDS.”
4. *Qualified mental health professional-child*: “A QMHP-C shall provide such services as an employee or independent contractor if the DBHDS, the Department of Corrections, or a provider licensed by the DBHDS.”

QMHP Proposed Regulations Changes (cont.)

18VAC115-80-40. Requirements for registration as a QMHP-A

A(2). A current report from the National Practitioner Data Bank (NPDB).

C(1). Experience required for registration: “Supervision obtained in another U.S. jurisdiction may be provided by a mental health professional licensed in that jurisdiction.”

C(4). Experience required for registration: “A trainee registration shall expire five years from its date of issuance.”

18VAC115-80-50. Requirements for registration as a QMHP-C

A(2). A current report from the National Practitioner Data Bank (NPDB).

C(1). Experience required for registration: “Supervision obtained in another U.S. jurisdiction may be provided by a mental health professional licensed in that jurisdiction.”

C(4). Experience required for registration: “A trainee registration shall expire five years from its date of issuance.”



QMHP Proposed Regulations Changes (cont.)

18VAC115-80-80. Continued competency requirements for renewal of registration.

A. *“Persons who hold registration both as QMHP-A and QMHP-C shall only be required to complete eight contact hours.”*

C. *“The following organizations, associations, or institutions are approved by the board to provide continuing education...*

1. *Federal, state, or local governmental agencies, public school systems, licensed health facilities, or an agency licensed by DBHHDS;”*

2. *Entities approved for continuing education by a health regulatory board within the Department of Health Professions.*

QMHP Proposed Regulations Changes (cont.)

18VAC115-80-100. Grounds for revocation, suspension, restriction, or denial of registration.

2. *“Procuring, attempting to procure, or maintaining a registration by fraud or misrepresentation.”*

Approved Degrees in Human Services and Related Fields for QMHP Registration

The Board recognizes the following degrees as “human services or related fields:” The Board may consider other degrees in human services or in fields related to the provision of mental health services. (Guidance Document: 115-8)

- Art Therapy
- Behavioral Sciences
- Child Development
- Child and Family Studies/Services
- Cognitive Sciences
- Community Mental Health
- Counseling (Mental health, Vocational, Pastoral, etc.)
- Counselor Education
- Early Childhood Development
- Education (with a focus in psychology and/or special education)
- Educational Psychology
- Family Development/Relations
- Gerontology
- Health and Human Services
- Human Development
- Human Services
- Marriage and Family Therapy
- Music Therapy
- Nursing
- Psychiatric Rehabilitation
- Psychology
- Rehabilitation Counseling
- School Counseling
- Social Work
- Special Education
- Therapeutic Recreation
- Vocational Rehabilitation
- Sociology – (accepted until May 31, 2021)

Current Regulations Requirements to QMHP-A Registration

In order to qualify, you must provide evidence of ONE of the following:

- Master's degree in psychology, social work, counseling, substance abuse, or marriage and family therapy from an accredited college or university, you need:
 - To submit a transcript
 - Evidence you have had an intern or practicum of at least 500 hours of experience with persons who have a mental illness. (verification of internship form)
- Minimum of bachelor's degree in a human services or related field from an accredited college, you need:
 - To submit a transcript
 - Evidence of 1,500 hours of supervised experience (verification of supervised experience form)
- Bachelor's from an accredited college in an unrelated field, you need:
 - To submit a transcript
 - 15 semester credits or 22 quarter hours in a human services field
 - 3,000 hours of supervised experience (verification of supervised experience form)
- License as a registered nurse in Virginia, you need:
 - 1,500 hours of supervised experience (verification of supervised experience form)
- License as an occupational therapist in Virginia, you need:
 - 1,500 hours of supervised experience (verification of supervised experience form)

All supervised experience must be obtained within a 5-year period immediately preceding the application for registration

Supervised Experience Requirements for QMHP-A

- Direct services to individuals as part of a population of adults with mental illness in a setting where mental health treatment, practice, observation or diagnosis occurs.
- Services provided shall be appropriate to the practice of a QMHP-A.
- Must be under the supervision of a licensed mental health professional or a person under supervision approved by a board as a pre-requisite for licensure under the Boards of Counseling, Psychology, or Social Work. (Currently, non-Virginia supervisor's cannot be considered)
- Consist of face-to-face training until supervisor determines competency in the provision of QMHP-A services, then supervision may be indirect (the supervisor is either on-site or immediately available for consultation with the person being trained).
- A person receiving supervised training in order to qualify as a QMHP-A may register with the Board.

Current Regulations Requirements QMHP-C Registration

In order to qualify, you must provide evidence of ONE of the following:

- Master's degree in psychology, social work, counseling, substance abuse, or marriage and family therapy from an accredited college or university, you need:
 - To submit a transcript
 - Evidence you have had an intern or practicum of at least 500 hours of experience with children or adolescents who have a mental illness. (verification of internship form)
- Minimum of bachelor's degree in a human services or in special education from an accredited college, you need:
 - To submit a transcript
 - Evidence of 1,500 hours of supervised experience (verification of supervised experience form)
- License as a registered nurse in Virginia, you need:
 - 1,500 hours of supervised experience (verification of supervised experience form)
- License as an occupational therapist in Virginia, you need:
 - 1,500 hours of supervised experience (verification of supervised experience form)

****All supervised experience must be obtained within a 5-year period immediately preceding the application for registration****

Supervised Experience Requirements for QMHP-C

- Direct services to individuals as part of a population of children or adolescents with mental illness in a setting where mental health treatment, practice, observation or diagnosis occurs.
- Services provided shall be appropriate to the practice of a QMHP-C.
- Must be under the supervision of a licensed mental health professional or a person under supervision approved by a board as a pre-requisite for licensure under the Boards of Counseling, Psychology, or Social Work. (Currently, non-Virginia supervisor's cannot be considered)
- Consist of face-to-face training until supervisor determines competency in the provision of QMHP-C services, then supervision may be indirect (the supervisor is either on-site or immediately available for consultation with the person being trained).
- A person receiving supervised training in order to qualify as a QMHP-C may register with the Board.

Supervised Trainee for QMHP-A or QMHP-C

- Individuals that are currently in the process of accruing experience toward QMHP-A or QMHP-C registration eligibility may apply to be a supervised trainee.
- Individuals just starting the process to become eligible for QMHP-A or QMHP-C registration may submit an application to be a supervised trainee.
- Applying to become a supervised trainee is not required within the Proposed Regulations.
- In 2019, the QMHP-Trainee trainee status will allow providers/employers to receive reimbursement from DMAS while a person is gaining the necessary experience to become a QMHP-A or QMHP-C.
- A QMHP-Trainee will not receive a registration card but will be issued an email with approval to start accruing hours toward QMHP-A and/or QMHP-C registration under appropriate supervision.

Applying with a Criminal Conviction

All applications are reviewed on a case-by-case basis. Refer to Guidance Document 115-2: [Impact of Criminal Convictions, Impairment and Past History on Licensure or Certification](#), revised February 9, 2018

The following information will be requested from an applicant with a criminal conviction:

- A certified copy of all conviction orders (obtained from the courthouse of record);
- Evidence that all court ordered requirements were met (i.e., letter from the probation officer if on supervised probation, paid fines and restitution, etc.);
- A letter from the applicant explaining the factual circumstances leading to the criminal offense(s); and
- Letters from employers concerning work performance (specifically from Counseling-related employers, if possible).

If a certified copy of your conviction orders is not available from the courthouse of record (conviction over 10 years old), then you must submit an original state police background report from the state in which you were convicted in lieu of the court documentation. All other information will still be required.

Deadline

Applying by Grandfathering for QMHP-A and QMHP-C

Applicants have until December 31, 2018 to submit a complete grandfather application packet to the Board for consideration. Those that apply or submit supporting documentation to complete their application after the deadline will not be considered.

Renewal Information

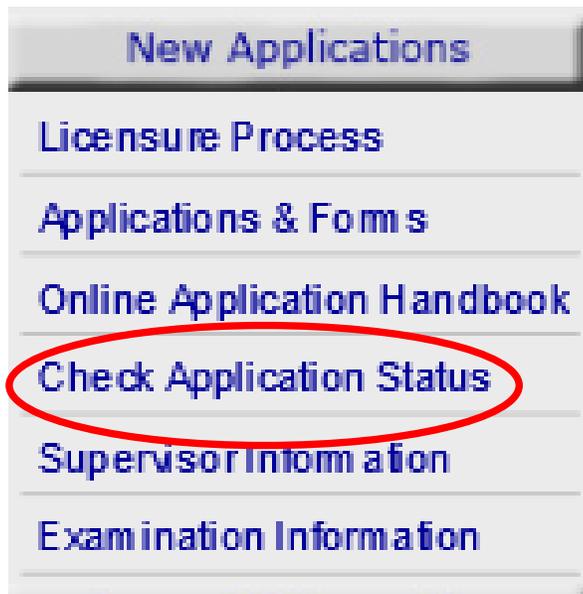
- QMHP-A and QMHP-C registrants are required to renewal on June 30th of each year.
- Registrants will receive an email notice approximately four to six weeks prior to the expiration date. Please ensure that your email address remains up-to-date by using the [online licensing system](#).
- A QMHPs are exempt from meeting continuing competency requirements for the first renewal following initial registration. Therefore, individuals who were recently registered with the Board will not be required to complete continuing education hours prior to the June 30, 2019 renewal.
- Currently, QMHP-Trainees are not required to renew or complete continuing competency requirements each year.

Common Mistakes

- Apply by submitting a paper application. (You should apply online and pay by credit card.)
- Submitting form(s) that are incomplete or unsigned
- Submitting the incorrect online application
 - Example: submitting a QMHP-A initial application instead of a QMHP-A grandfather application
- Not indicating that you hold a DHP license, certification or registration or mental health license, certificate or registration in Virginia or in another jurisdiction.
- Not submitting criminal conviction information
- Using an old version of the attestation form (11/2017 version is not accepted)
- Not using legal name
- Submitting an unofficial transcript

Application Status

- Complete applications will be processed within 30 days.
- The Board cannot give status to anyone other than the applicant.



Example:

License Requirements

Item	Fee	Amount Due	Status	Complete Date
Application			Unchecked	
Application Fee			Unchecked	
Transcripts			Unchecked	
Internship Verification			Unchecked	
Verification of Supervised Experience			Unchecked	
Verification of Licensure/Certification			Unchecked	
Name Change Documentation			Unchecked	

- Calling or sending an email prior to 30 days slows down the process.

Where to find helpful information

← → ↻ ⓘ https://www.dhp.virginia.gov/counseling/ ☆

Virginia.gov Agencies | Governor Search

Virginia Department of Health Professions

Board of Counseling

DHP Home Page > Counseling > Home Contact Us Search DHP

- Board Home
- General Information
- Board Members
- Calendar of Events
- News & Updates
- Fees
- Laws and Regulations
- Regulations History
- Guidance Documents
- License Lookup
- Staff Listing
- New Applications
- Licensure Process
- Applications & Forms
- QMHP Information
- RPRS Information
- Check Application Status
- Supervisor Information
- Examination Information
- Renewal Information
- Renewal FAQs
- Renew Online

Announcements

Information regarding the Qualified Mental Health Professional (QMHP) registration can be found on the [QMHP Information Page](#)

Information regarding the Registered Peer Recovery Specialists (RPRS) registration can be found on the [RPRS Information Page](#)

NEW FORMS AND APPLICATIONS

The Board recently updated its forms and applications for LPC, LMFT, LSATP, CSAC, CSAC-A and CRP. Applicants can continue to use the old forms and applications until July 31, 2018. After August 1, 2018, the Board will only accept the new forms and applications. Forms that were previously signed by the supervisor or by a school official can still be considered past the 8/1/2018 date.

2018 QMHP Information Session

The Board will host a Qualified Mental Health Professional (QMHP) Information Session on October 11, 2018 at 2:00 p.m. at the Perimeter Center, 2nd Floor, 9960 Mayland Drive, Richmond, VA 23233. This information session will allow an opportunity to explain the registration requirements for QMHPs and answer any questions. This session is most applicable to agency representatives. Attendance will be limited to the first 150 registrations. Please [click here](#) to register.

Opioid Addiction Crisis Declared a Public Health Emergency in Virginia

On November 21, 2016 Governor McAuliffe issued a [News Release](#) stating that State Health Commissioner Marissa Levine has declared Virginia's opioid abuse crisis a Public Health Emergency in the Commonwealth. Visit the [Virginia Department of Health](#) for more information. [Download Commissioner Levine's message](#) to healthcare practitioners on dispensing Naloxone.

Important Notice – New Law Requiring Posting of License

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Helpful Resource Information


Virginia Department of Health Professions

DHP Home Page > Counseling > Qualified Mental Health Professionals
Contact Us |

<ul style="list-style-type: none"> <li style="background-color: #eee; padding: 2px 5px; margin-bottom: 2px;">Board Home <li style="background-color: #ccc; padding: 2px 5px; margin-bottom: 2px;">General Information <li style="background-color: #eee; padding: 2px 5px; margin-bottom: 2px;">Board Members <li style="background-color: #eee; padding: 2px 5px; margin-bottom: 2px;">Calendar of Events <li style="background-color: #eee; padding: 2px 5px; margin-bottom: 2px;">News & Updates <li style="background-color: #eee; padding: 2px 5px; margin-bottom: 2px;">Fees <li style="background-color: #eee; padding: 2px 5px; margin-bottom: 2px;">Laws and Regulations <li style="background-color: #eee; padding: 2px 5px; margin-bottom: 2px;">Regulations History <li style="background-color: #eee; padding: 2px 5px; margin-bottom: 2px;">Guidance Documents <li style="background-color: #eee; padding: 2px 5px; margin-bottom: 2px;">License Lookup <li style="background-color: #eee; padding: 2px 5px; margin-bottom: 2px;">Staff Listing <li style="background-color: #ccc; padding: 2px 5px; margin-bottom: 2px;">New Applications <li style="background-color: #eee; padding: 2px 5px; margin-bottom: 2px;">Licensure Process <li style="background-color: #eee; padding: 2px 5px; margin-bottom: 2px;">Applications & Forms <li style="background-color: #eee; padding: 2px 5px; margin-bottom: 2px;">QMHP Information <li style="background-color: #eee; padding: 2px 5px; margin-bottom: 2px;">RPRS Information <li style="background-color: #eee; padding: 2px 5px; margin-bottom: 2px;">Check Application Status <li style="background-color: #eee; padding: 2px 5px; margin-bottom: 2px;">Supervisor Information <li style="background-color: #eee; padding: 2px 5px; margin-bottom: 2px;">Examination Information <li style="background-color: #ccc; padding: 2px 5px; margin-bottom: 2px;">Renewal Information <li style="background-color: #eee; padding: 2px 5px; margin-bottom: 2px;">Renewal FAQs <li style="background-color: #eee; padding: 2px 5px; margin-bottom: 2px;">Renew Online <li style="background-color: #eee; padding: 2px 5px; margin-bottom: 2px;">Update Your Information <li style="background-color: #ccc; padding: 2px 5px; margin-bottom: 2px;">Discipline and Compliance <li style="background-color: #eee; padding: 2px 5px; margin-bottom: 2px;">Disciplinary Proceedings <li style="background-color: #eee; padding: 2px 5px; margin-bottom: 2px;">Case Decisions <li style="background-color: #eee; padding: 2px 5px; margin-bottom: 2px;">File a Complaint <li style="background-color: #eee; padding: 2px 5px; margin-bottom: 2px;">Administrative Proceedings <li style="background-color: #eee; padding: 2px 5px; margin-bottom: 2px;">Division <li style="background-color: #eee; padding: 2px 5px; margin-bottom: 2px;">Compliance Forms 	<h2 style="margin: 0;">Virginia Board of Counseling Qualified Mental Health Professionals</h2> <p>The General Assembly authorized the Board of Counseling in 2017 to register Qualified Mental Health Professionals (QMHPs). Effective January 3, 2018, individuals are able to apply for QMHP registration by submitting an online application, fee and supplemental documentation with the Board of Counseling. DMAS and DBHDS will require QMHP-A, QMHP-C and QMHP-Trainee (QMHP-E) staff to be registered with the Board of Counseling, in order to provide services and reimbursement of services, by December 31, 2018. Effective January 1, 2019, DMAS and its contractors will deny reimbursement for services rendered by QMHP-A, QMHP-C and QMHP-Trainee (QMHP-E) staff who are not registered with the Board of Counseling. (Please note that QMHP credential is a registration and not a license.)</p> <p>Grandfather Provision: Until December 31, 2018, persons who have been employed as QMHPs prior to December 31, 2017, may be registered with the board by submission of a completed online grandfathering application, payment of the application fee, and submission of an attestation from an employer that they met the qualifications for a QMHP-A or a QMHP-C during the time of employment. The Grandfather period ends on December 31, 2018.</p> <p>Individuals who were not employed as a QMHP prior to December 31, 2017 or apply after December 31, 2018, must meet the current Board of Counseling QMHP regulations and must submit an online initial application, fee and supplemental documentation verifying their education and experience.</p> <p>QMHP-Trainee (QMHP-E) are not currently required to register with the Board; however, effective January 1, 2019, DMAS will require individuals to be registered with the Board in order to be reimbursed for services.</p> <p>Contact Information:</p> <p>Email: qmhp@dhp.virginia.gov Phone: (804) 367-3053 Fax: (804) 977-9772 Address: 9960 Mayland Drive Suite 300 Henrico, VA 23233</p> <p>Helpful Resource Information:</p> <p>Emergency Regulations for the Registration of Qualified Mental Health Professionals - effective December 18, 2017</p> <p>QMHP - Frequently Asked Questions</p> <p>Online Application Handbook</p> <p>Online Application and Forms – (Paper applications are not accepted)</p> <p>Guidance Document 115-2 - Impact of Criminal Convictions</p> <p>Guidance Document 115-8 - Approved Degrees in Human Services and Related Fields for QMHP Registration</p> <p>Check your Application Status</p>
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DBHDS Updates

Virginia Department of Behavioral Health & Developmental Services (DBHDS) Frequently Asked Questions

- The Office of Licensing will begin to cite providers for violations of the DBHDS QMHP Emergency Regulations starting January 1, 2019.
- Currently, QMHP-Trainee (QMHP-E) are not required by the Board of Counseling to register with the Board. However, the DBHDS QMHP Emergency Regulations do require that QMHP-E's employed by licensed providers register with the Board. Therefore, beginning January 1, 2019, provider's utilizing QMHP-E's who are not registered with the Board will be cited accordingly.
- The DBHDS Emergency QMHP Regulation became effective on 12/18/2017 and will expire on 6/17/2019. Providers will not see the updated regulatory wording in the DBHDS Emergency Regulations that became effective on 9-1-18. Both sets of regulations are published on Townhall but the documents are not merged.

DMAS Updates

Updates to CMHRS Manual

Provider Requirements – Chapter 2

- Managed Care Update (Medallion 4.0)
- Added requirement to report adverse outcomes as detailed in a Magellan of Virginia memo (March 8, 2017)
- DMAS and DBHDS approved 90 hour Qualified Paraprofessional in Mental Health (QPPMH) Training
 - Added to exhibits Chapter 2

Updates to CMHRS Manual – Chapter 2

Registration of QMHPs by the Board of Counseling

All Qualified Mental Health Professionals (QMHPs) must register with the Board of Counseling at the Department of Health Professions (DHP) by 12/31/2018

- QMHP-Adult (QMHP-A)
- QMHP-Child (QMHP-C)
- QMHP-Eligible (QMHP-E, also referred to as QMHP-Trainees)

QMHP-A, QMHP-C and QMHP-E definitions were updated to refer to DHP regulations



Updates to CMHRS Manual – Chapter 2

Registration of QMHPs (continued)

- Grandfather Provision allowing staff who were employed as a QMHP prior to 12/31/17 to register with the Board of Counseling using an attestation form from an employer ends on 12/31/18.
- QMHPs previously eligible for a DMAS variance must complete QMHP registration under the Grandfather Provision by 12/31/18.
- **After 12/31/18, the DMAS variance will no longer be accepted by the Board of Counseling and DMAS will no longer recognize the variance staff as approved providers.**

Updates to CMHRS Manual – Chapter 4

Counseling Definition

Updated **Counseling definition** to match the **Virginia Board of Counseling definition**.

"Counseling" means the application of principles, standards, and methods of the counseling profession in (i) conducting assessments and diagnoses for the purpose of establishing treatment goals and objectives and (ii) planning, implementing, and evaluating treatment plans using treatment interventions to facilitate human development and to identify and remediate mental, emotional, or behavioral disorders and associated distresses that interfere with mental health.

Updates to CMHRS Manual – Chapter 4

Counseling Definition (continued)

Clarified that counseling can only be provided by one of the following:

- Licensed Mental Health Professional (LMHP)
- LMHP– Resident (LMHP-R)
- LMHP- Resident in Psychology (LMHP-RP)
- LMHP- Supervisee in Social Work (LMHP-S)

Disciplinary Process



- The Regulations Governing the Practice of Qualified Mental Health Professionals outline when the board may take action to revoke, suspend, deny issuance or renewal of registration, or take disciplinary action.
- The Administrative Process Act governs the procedures the Board must follow to take action against a registrant.



What options does the Board have against a registrant who has violated the standards of practice?

- Offer a Confidential Consent Agreement (CCA), which is not regarded as a disciplinary action
- Offer a Consent Order in which the registrant consents to the Board's disciplinary sanction
- After an informal fact-finding conference and/or formal hearing:
 - Reprimand or censure
 - Impose a monetary penalty, which goes to the state literary fund.
 - Require remedial or corrective action
 - Require a registrant to meet probationary requirements
 - Limit a registrant's practice privileges and/or
 - Suspend or revoke a registration



The Complaint Process

- Processed through DHP's Enforcement Division Complaint Intake Unit
- Who was the source?
 - Sources are typically patients, family members, other health care providers, law enforcement entities, employers, courts or other concerned citizens.
 - Who are mandatory reporters?
 - Do we accept anonymous sources?
- Does the subject of the complaint know they are being investigated?



The Investigation Process

- When information indicates a possible violation of law or regulation, an investigation is opened, recorded, and assigned to an investigator.
- Investigation is confidential.
- Investigator will:
 - attempt to interview all sources of the complaint, all potential witnesses, and all subjects of the complaint.
 - obtain copies of relevant documents and collect evidence.
 - Submit comprehensive investigative report to the Board.



Board Level

- Board members review the case to determine whether there is probable cause to charge the registrant with a violation of law or regulation.
- If there is insufficient evidence, the case may be closed and no further action is taken.
- Administrative proceedings may commence if the Board believes probable cause exists.
- If the case is not resolved by an agreement between the Board and registrant, the matter will go to a disciplinary proceeding.



Informal Conference

- Special Conference committee consisting of 2 board members.
- Prior to the IFC, the respondent receives a notice which contains the specific allegations and violations asserted by the board.
- The respondent receives all of the information on which the committee may rely in making a decision.
- The source of the information that led to the investigation is notified of the IFC and may attend – committee members may ask the source questions but cannot compel him to answer.
- IFCs are open to the public, but may be closed under certain conditions.
- The Board will notify the source and the subject of the complaint of its final decision.
- If the committee believes there is evidence that the respondent committed a violation of law or regulation, the committee may enter an order which contains findings of fact, conclusions of law and a disciplinary action/sanction.
- If suspension or revocation is justified, the IFC may refer the matter to the full board for a formal hearing.
- Appeals of orders issued by health regulatory boards are made directly to state circuit courts. The Office of the Attorney General represents the relevant board in any such appeal.

Formal Conference

- Should a case be referred to a formal hearing, the process begins again with notice to the respondent.
- The hearing is conducted by a panel of the full board, but committee members who participated in the IFC are excluded from the subsequent hearing.
- It is open to the public and all parties may call witness and introduce evidence.
- A respondent has the right to appeal a board's decision to a circuit court.

Public Information

- All notices and final orders are public documents, available for review on license look-up.
- Copies of final orders are usually mailed to the original source of the complaint information.
- All other information related to a disciplinary case may be considered confidential and remains unavailable to the public.

License Look-Up is available to the public and is the primary source of information regarding license/certification or registration which will also include disciplinary actions.

License Lookup
Current as of 10/05/2018 11:52

Not For Commercial Use! ([read more](#))
To Renew or Update Your License, Click [Here](#)

License Verification

If you know the license number, you can search by license number.

License Number:

You can also search by the last 4 digits of social security number and last name.

Last 4 Digits of SSN:

Last Name:

Otherwise, you can search by occupation, name, state, zip, status, or any combination of these search criteria.

Occupation:

Business Name or Person First Name:

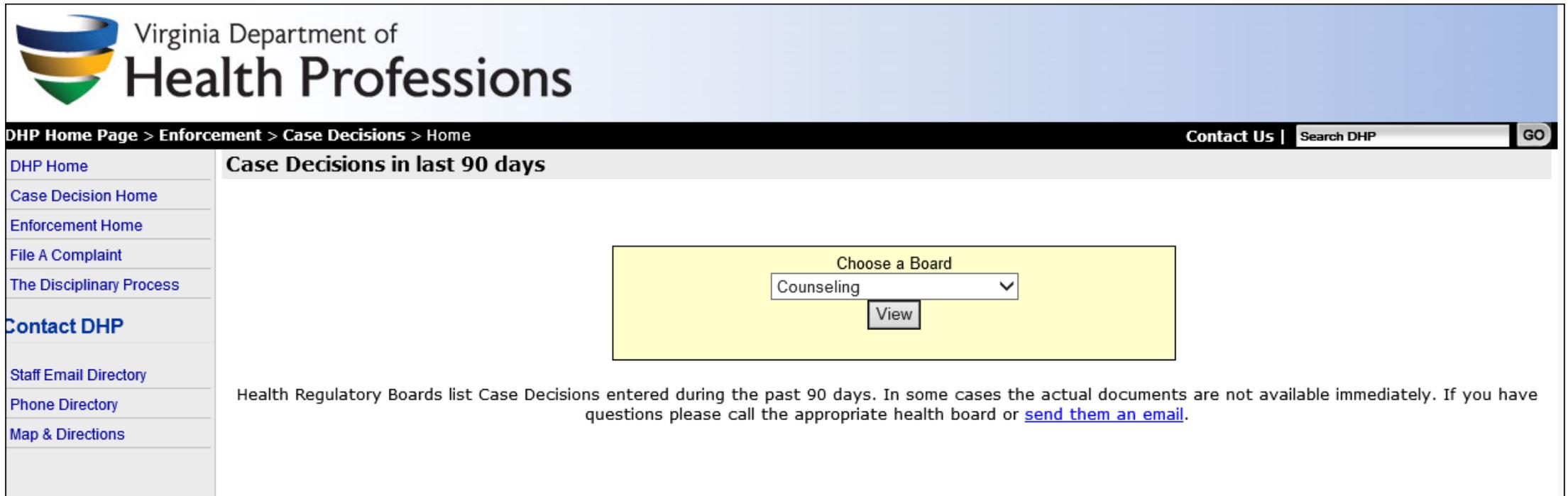
Last Name:

State:

Zip Code:

Status:

Another Resource Available



The screenshot displays the Virginia Department of Health Professions website. At the top left is the department's logo and name. A navigation breadcrumb trail reads "DHP Home Page > Enforcement > Case Decisions > Home". To the right of the breadcrumb is a "Contact Us" link and a search bar labeled "Search DHP" with a "GO" button. A left-hand navigation menu includes links for "DHP Home", "Case Decision Home", "Enforcement Home", "File A Complaint", "The Disciplinary Process", "Contact DHP", "Staff Email Directory", "Phone Directory", and "Map & Directions". The main content area is titled "Case Decisions in last 90 days" and features a yellow box with a "Choose a Board" dropdown menu (currently set to "Counseling") and a "View" button. Below this box, a paragraph states: "Health Regulatory Boards list Case Decisions entered during the past 90 days. In some cases the actual documents are not available immediately. If you have questions please call the appropriate health board or [send them an email](#)."

HPMP

- The Department of Health Professions has a contract with Virginia Commonwealth University Health System, Department of Psychiatry, Division of Addiction Psychiatry, to provide confidential services for the health practitioner, who may be impaired by any physical or mental disability, or who suffers from chemical dependency.
- Eligibility requirements are:
 - Practitioner must hold a current, active license, certification, or registration issued by the Board or,
 - An applicant for initial licensure, certification, and registration or for reinstatement is eligible for participation for up to one year from the date of receipt of their application.
- Practitioners who meet certain criteria may receive approval for a stay of disciplinary action.

Board Information:

- Upcoming Meetings (open to the public):
 - Regulatory Committee Meeting – January 4, 2019
 - Regulatory Committee Meeting – February 7, 2019
 - Quarterly Board Meeting – February 8, 2019
- FAQs for QMHP and Registered Peer Recovery Specialists
- Online Application Handbook
- Keep up-to-date on proposal of regulations or meeting by registering with Virginia Regulatory Town Hall at <http://townhall.virginia.gov/>. (It is the licensee's and resident's responsibility to keep up-to-date on the changes to the regulations.)

How to Contact Us



Virginia Board of Counseling

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Email: CSAC@dhp.virginia.gov

Counseling (QMHP)

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Email: QMHP@dhp.virginia.gov

Counseling Discipline/Compliance

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Questions ?