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MEMORANDUM

DATE: May 12, 2010

TO: Betty Moe, Program Manager—Examining Board of Psychology
Mailstop: 47873

FROM: Mark Calkins, Assistant Attorney General *MHC*
Mailstop: 40109

SUBJECT: **Research-Related Services Do Not Qualify For Supervised Experience Hours under the Internship Rules**

Question: May supervised research qualify under WAC 246-924-059, the post-doctoral supervised experience rule?

Answer: No. Under RCW 18.83.010(1)(c), the “the conduct of research” is excluded from the definition of the “practice of psychology.” Supervised research involving human subjects would therefore not qualify under WAC 246-924-059, which is intended to recognize supervised hours providing psychological services to clients.

Discussion:

The post-doctoral supervised experience rule, WAC 246-924-059, allows up to 1500 hours of qualifying supervised post-doctoral experience to count toward the applicant’s required total of 3000 hours of supervised experience. Following the 300 hour practicum experience (WAC 246-924-049), three categories of supervised experience can be earned to fulfill the 3000 hours: a preinternship (WAC 246-924-053), the internship--for 1500 hours (WAC 246-924-056), and a post-doctoral supervised experience (WAC 246-924-059). All four categories of supervised experience presume that the supervisee is providing psychological services to clients.

The “practice of psychology” is defined at RCW 18.83.010(1)(a)-(c). This definition covers the “observation, evaluation, interpretation, and modification of human behavior by the application of psychological principles, methods and procedures for the purposes of preventing or eliminating symptomatic or maladaptive behavior and promoting mental and behavioral health.” That broad definition is illustrated by a non-exclusive list of related services including assessments, diagnostics, treatments and consultations.

Following this statutory definition is the proviso that “[t]his definition does not include the teaching of principles of psychology for accredited educational institutions, or *the conduct of*

ATTORNEY GENERAL OF WASHINGTON

Memorandum to Betty Moe

May 12, 2010

Page 2

research in problems of human or animal behavior.” [Emphasis added.] It follows then that when a supervisee provides services to subjects under a research protocol, those services are excluded from the definition of “the practice of psychology.”¹

Because the legislature has made the decision that human subject research is not included in the definition of the “practice of psychology,” services to research subjects lie outside the scope of the practice of psychology for purposes of the post-doctoral supervised experience rule.²

Although not explained in the statute, there is logic to this exclusion. Supervised experience is intended to expose the intern to the standards of care in the practice of psychology. In clinical settings, the well-being of the client is the focus. In a research protocol, the well-being of the subjects must be protected, but the outcome for the subjects may be secondary to the hypothesis being tested. The focus of the research and the methods used do not mirror the clinical (or forensic) practice of psychology. This is particularly clear in double blind studies.

Although “conduct of research” is not further defined in WAC 246-924-059(1), human subject research should not be difficult to identify or characterize. Research is highly regulated and is typically subject to review by an institutional review board (IRB). IRB review starts with approval of the research protocol, investigator(s)³ and subject consent forms and continues with oversight and reporting requirements for the duration of the research.

Conclusion:

The Board’s post-doctoral internship rule should not be interpreted to allow credit for supervised experience hours for services provided in the context of research studies. All four of the supervised experience rules are intended to ensure that the license applicant has received the required number of supervised hours providing services meeting the definition of the “practice of psychology.” Research-related services are excluded from the definition of the “practice of psychology” under RCW 18.83.010(1).

This is my own considered opinion and not the formal opinion of the Office of the Attorney General.

cc: Examining Board of Psychology

¹ It is beyond the scope of this memorandum to discuss the scope of legal and ethical requirements that accompany human subject research in the field of psychology. For links to this information, the American Psychological Association website is a useful starting point:
<http://www.apa.org/research/responsible/human/index.aspx>.

² Similarly, supervised services provided to research subjects would not qualify for hours required under the practicum, the pre-internship, or the internship rules.

³ Under RCW 18.83.200(1) a person is not required to be licensed when conducting research “performed as a part of or ... dependent upon a position in a college or university in the state of Washington.” When a psychologist who is licensed conducts research with human subjects, he/she is subject to applicable standards of care and ethics rules, and subject to potential disciplinary action under the UDA, RCW 18.130. See, for example, WAC 246-924-361(1) which provides that a psychologist shall not exploit research subjects.