



**CONTINUING EDUCATION OPPORTUNITIES ACROSS NORTH CAROLINA**

*\*THESE WORKSHOPS ARE INTENDED TO MEET THE ETHICAL/LEGAL CE REQUIREMENTS FOR NC PSYCHOLOGISTS*

**Practice Check Up: Legal and Ethical Issues Crucial for Psychologists in Clinical Practice**

**Susan Hurt, J.D., Ph.D., Clinical and Forensic Psychologist**

**Sally Cameron, NCPA Executive Director**

**August 17: 1:00 – 4:15 pm**

**High Point - WakeHealth Behavioral Health Building**

**September 12: 6:00 - 9:15 pm**

**Wilmington – UNC –Wilmington**

**September 20: 6:00 - 9:15 pm**

**Fayetteville - Fayetteville State University**

**The Clinician's Role in Due Process: Subpoenas and Other Interactions with the Legal System**

**Catherine A. Forneris, Ph.D., J.D.**

**Professor, Department of Psychiatry, UNC School of Medicine**

**August 17: 1:00 pm – 4:15 pm**

**Raleigh – NCPA Conference Room**

**COURSE DESCRIPTIONS**

**PRACTICE CHECK UP: LEGAL AND ETHICAL ISSUES CRUCIAL FOR PSYCHOLOGISTS IN CLINICAL PRACTICE**

**Workshop Description**

Dr. Hurt and Ms. Cameron will present a refresher course on the legal/ethical issues that every practitioner, should consider on at least a yearly basis in their practice regardless of setting. Continued risk analysis is an important component of compliance with many legal and ethical requirements including HIPAA. The workshop will include the legal and ethical aspects of compliance.

Topics to be covered include a HIPAA checkup, practice guidelines, records retention, issues in closing a practice, dealing with litigation including subpoenas, pros and cons of electronic medical records systems, the evolving ethical and clinical issues associated with digital communication and social media, supervision requirements and issues, and other ethical/legal issues in professional practice. In addition the speakers will do a quick review of Medicare Opt-out, will discuss avoiding audits, considerations in malpractice insurance, and issues with distance practice and telehealth. A robust resource list will be provided. All of this information is a must for anyone in professional practice.

**By the end of this Workshop, participants will be able to:**

1. list the steps needed to assure compliance with all HIPAA regulations, including the 2013 Final Rule;
2. describe how to do a regular yearly risk assessment of your practice for HIPAA compliance avoiding breaches;
3. apply the suggestions for creation of a professional will and other aspects of closing a practice;
4. summarize the three primary responses to a subpoena and how to respond;
5. explain the role of a psychologist as a witness in a legal setting;
6. prepare to develop a social media policy including the ethical implications;
7. summarize the requirements for supervision of non-trainee psychologists; and
8. describe the requirements to comply with the NC law on health information exchange for Medicaid and The State Health Plan.

**About the Instructors**

**Susan Hurt, J.D., Ph.D.**, is trained as both an attorney and a psychologist. She is part of the Forensic Services Unit at Central Regional Hospital. She also maintains her own private practice, Clinical and Forensic Psychological Services, and she consults with Law Enforcement Services, Inc., where she provides services in the field of police and public safety.

**Sally Cameron** is Executive Director of the North Carolina Psychological Association. She first began presenting on HIPAA issues in 2004, has been trained using materials from the American Psychological Association, and has co-presented over 40 presentations on this topic of legal and ethical issues in psychological practice, with emphasis on HIPAA and North Carolina state laws.

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**CLINICIAN'S ROLE IN DUE PROCESS: SUBPOENAS AND OTHER INTERACTIONS WITH THE LEGAL SYSTEM**

**Workshop Description**

In the course of their practice, psychologists gain knowledge and create documents that they are obligated legally and ethically to protect. However, if a client is involved in some sort of legal proceeding, the client's attorney, or that of the opposing party, may decide that this information and records could be useful in their case or some other aspect of a judicial proceeding. If an attorney decides that mental health records could be useful, the attorney may not be sensitive to other considerations besides usefulness, such as the client's confidentiality, restrictions imposed by HIPAA, or the fact that there may be irrelevant and sensitive information included in the record about persons other than the client, in addition to the information sought by the attorney. Attorneys seeking mental health records or testimony typically will not take responsibility for making sure statutory and ethical requirements are met by the mental health professional, and that burden will fall on the psychologist. Accordingly, psychologists need to know how to assert themselves in the legal process, in a manner that balances client protections with an appropriate level of cooperation. This workshop will address some common situations that may prompt a psychologist to interact with the legal process, ethical challenges the psychologist should consider when interacting with the legal system, and strategies for responding to subpoenas.

**Learning Objectives**

**By the end of this workshop, participants will be able to:**

1. recognize ethical challenges psychologists should consider when responding to subpoenas;
2. work through strategies for responding to subpoenas that includes consideration of HIPAA, the APA ethics code, and an obligation to cooperate with the legal and judicial process; and
3. identify options for resisting a demand to produce confidential client information.

## **About the Instructor**

**Catherine A. Forneris, Ph.D., JD**, is a Professor in the Department of Psychiatry at the University of North Carolina at Chapel Hill. She is a graduate of the University at Albany, State University of New York. She is currently a Board member of the North Carolina Psychological Association, and is chair of the Continuing Education Committee, and a member of the Legislative Committee. She has co-authored several research articles and been the lead author on several paper presentations on trauma, PTSD, health care utilization, and women's health. The primary focus of her current clinical work is as the director of the Dialectical Behavior Therapy program at UNC-Chapel Hill. She is also a medical co-director of the UNC Hospitals Beacon Child and Family program, which provides a variety of services to employees and patients of all ages, and their families, who are victims of interpersonal violence. Dr. Forneris has been a co-investigator on several research projects funded by the National Institute of Mental Health, many of which focus on mood disorders. She recently served as a co-investigator on systematic reviews for the Agency for Healthcare Research and Quality on effective treatments for PTSD and Major Depression, as well as effective interventions to prevent PTSD. She earned her law degree in 2016 and has a small private practice in Mebane.

## **INFORMATION**

**WORKSHOP REGISTRATION:** The deadline for registration is **1 week prior to the workshop date**. Any registration not received **1 week prior to the workshop** will be charged a \$50 late fee. **Registration fee is for the workshop only**. If you cancel **2 weeks prior to the workshop** you will receive a full refund\*, a one-half refund by noon **1 week prior to the workshop\*** and no refund after noon **1 week prior to the workshop**. \*A \$50 service charge will be deducted from all refunds.

**CONTINUING EDUCATION CREDITS** - The North Carolina Psychological Association is approved by the American Psychological Association to sponsor continuing education for psychologists. The North Carolina Psychological Association maintains responsibility for this program and its content.

These workshops are offered for 3 hours continuing education credit. The credits are Category "A" under the rules of the North Carolina Psychology Board.

These workshops are intended to meet the NC Psychology Board's Ethical/Legal CE requirements for psychologists.

**WORKSHOP REGISTRATION DEADLINE:** 1 Week Prior to the Workshop

**REGISTRATION FEE:** The registration fee is for the 3-hour workshop. There will be a 15-minute break. No refreshments will be provided.

**ATTENDANCE POLICY** - To receive credit, you must be present for the entire workshop and you must sign the sign-in and sign-out sheets. No credit will be given to participants who are more than 15 minutes late at the beginning of any workshop. No credit will be given to participants who leave before the close of the workshop.

**FACILITY INFORMATION** – Directions will be sent to you via email along with your workshop materials (handouts, CE evaluation link, etc.).

**HANDOUTS** – participants will receive a Dropbox link at least three days prior to the workshop with any handouts for the session for which they are registered.

**SPECIAL NEEDS** - If you have physical needs please note this on the registration form. This must be received **two (2) weeks** in advance of the workshop.

**ADDITIONAL INFORMATION** - Visit [www.ncpsychology.org](http://www.ncpsychology.org), contact NCPA Communications Specialist Elizabeth Cloud at [elizabeth@ncpsychology.org](mailto:elizabeth@ncpsychology.org), or call 919.872.1005.

**MAIL REGISTRATION FORM TO:**

North Carolina Psychological Association  
1004 Dresser Court, Suite 106, Raleigh, NC 27609

**REGISTER ONLINE:** <https://bit.ly/2M0awYl>

**FAX FORM TO:** 919.872.0805

**EMAIL FORM TO:** [elizabeth@ncpsychology.org](mailto:elizabeth@ncpsychology.org)

NORTH CAROLINA PSYCHOLOGICAL ASSOCIATION

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REGISTRATION DEADLINE: 1 Week Prior to the Workshop – SPACE IS LIMITED – Please Register Early!

Name \_\_\_\_\_ Degree \_\_\_\_\_
FIRST NAME LAST NAME

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone Number \_\_\_\_\_

Email \_\_\_\_\_
REQUIRED FOR CE EVALUATION LINK

Profession (Psychologist, Social Worker, etc.) \_\_\_\_\_

Select the workshop you plan to attend:

- August 17 – High Point – Practice Check-Up
September 12 – Wilmington – Practice Check-Up
August 17 – Raleigh - Due Process/Subpoenas
September 20 – Fayetteville – Practice Check-Up

Select the appropriate registration fee:

- \$85 NCPA Members
\$85 Non-Psychologist Members of Other Professions
\$70 Early Career (NCPA Members Only)
\$135 Psychologist Non-Member

Add \$50 for registrations later than one week TOTAL ENCLOSED: \$ \_\_\_\_\_

Note: Registration is not considered complete without payment; spaces will NOT be held.

Special Needs: I have special needs (physical/etc.) \_\_\_\_\_
(We must receive notice at least TWO weeks prior to the workshop.)

PAYMENT METHOD: Check, made out to NCPA MasterCard Visa

For credit card payment, please complete the following:

Name as it appears on card \_\_\_\_\_

Card Number \_\_\_\_\_ Exp. Date \_\_\_\_\_ CVV # \_\_\_\_\_
THREE DIGITS ON BACK OF CARD

Exact Billing Address of Card \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Signature \_\_\_\_\_

SEND REGISTRATION FORM with check payable to NCPA or credit card information above to:
NCPA, 1004 Dresser Court, Suite 106, Raleigh, NC 27609 OR fax to 919.872.0805. Email: elizabeth@ncpsychology.org