WEST VIRGINIA CODE: §30-21A-1

§30-21A-1. Definitions.

"Adverse Action" means any action taken by a State Psychology Regulatory Authority which finds a violation of a statute or regulation that is identified by the State Psychology Regulatory Authority as discipline and is a matter of public record.

"Association of State and Provincial Psychology Boards (ASPPB)" means the recognized membership organization composed of State and Provincial Psychology Regulatory Authorities responsible for the licensure and registration of psychologists throughout the United States and Canada.

"Authority to Practice Interjurisdictional Telepsychology" means a licensed psychologist's authority to practice telepsychology, within the limits authorized under this Compact, in another Compact State.

"Bylaws" means those bylaws established by the Psychology Interjurisdictional Compact Commission pursuant to §30-21A-9 of this code for its governance, or for directing and controlling its actions and conduct.

"Client/Patient" means the recipient of psychological services, whether psychological services are delivered in the context of healthcare, corporate, supervision, consulting services, or any combination thereof.

"Commissioner" means the voting representative appointed by each State Psychology Regulatory Authority pursuant to §30-21A-9 of this code.

"Compact State" means a state, the District of Columbia, or United States territory that has enacted this Compact legislation and which has not withdrawn pursuant to §30-21A-12(c) of this code or been terminated pursuant to §30-21A-11(b) of this code.

"Coordinated Licensure Information System" also referred to as "Coordinated Database" means an integrated process for collecting, storing, and sharing information on psychologists' licensure and enforcement activities related to psychology licensure laws, which is administered by the recognized membership organization composed of State and Provincial Psychology Regulatory Authorities.

"Confidentiality" means the principle that data or information is not made available or disclosed to unauthorized persons and/or processes.

"Day" means any part of a day in which psychological work is performed.

"Distant State" means the Compact State where a psychologist is physically present (not through the use of telecommunications technologies), to provide temporary in-person, face-

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to-face psychological services.

“E.Passport” means a certificate issued by the Association of State and Provincial Psychology Boards (ASPPB) that promotes the standardization in the criteria of interjurisdictional telepsychology practice and facilitates the process for licensed psychologists to provide telepsychological services across state lines.

“Executive Board” means a group of directors elected or appointed to act on behalf of, and within the powers granted to them by, the commission.

“Home State” means a Compact State where a psychologist is licensed to practice psychology. If the psychologist is licensed in more than one Compact State and is practicing under the Authorization to Practice Interjurisdictional Telepsychology, the Home State is the Compact State where the psychologist is physically present when the telepsychological services are delivered. If the psychologist is licensed in more than one Compact State and is practicing under the Temporary Authorization to Practice, the Home State is any Compact State where the psychologist is licensed.

“Identity History Summary” means a summary of information retained by the FBI, or other designee with similar authority, in connection with arrests and, in some instances, federal employment, naturalization, or military service.

“In-Person, Face-to-Face” means interactions in which the psychologist and the client/patient are in the same physical space and which does not include interactions that may occur through the use of telecommunication technologies.

“Interjurisdictional Practice Certificate (IPC)” means a certificate issued by the Association of State and Provincial Psychology Boards (ASPPB) that grants temporary authority to practice based on notification to the State Psychology Regulatory Authority of intention to practice temporarily, and verification of one’s qualifications for such practice.

“License” means authorization by a State Psychology Regulatory Authority to engage in the independent practice of psychology, which would be unlawful without the authorization.

“NonCompact State” means any State which is not at the time a Compact State.

“Psychologist” means an individual licensed for the independent practice of psychology.

“Psychology Interjurisdictional Compact Commission” also referred to as “commission” means the national administration of which all Compact States are members.

“Receiving State” means a Compact State where the client/patient is physically located when the telepsychological services are delivered.

“Rule” means a written statement by the Psychology Interjurisdictional Compact Commission promulgated pursuant to §30-21A-10 of this code that is of general applicability,

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implements, interprets, or prescribes a policy or provision of the Compact, or an organizational, procedural, or practice requirement of the commission and has the force and effect of statutory law in a Compact State, and includes the amendment, repeal or suspension of an existing rule.

“Significant Investigatory Information” means:

(1) Investigative information that a State Psychology Regulatory Authority, after a preliminary inquiry that includes notification and an opportunity to respond if required by state law, has reason to believe, if proven true, would indicate more than a violation of state statute or ethics code that would be considered more substantial than minor infraction; or

(2) Investigative information that indicates that the psychologist represents an immediate threat to public health and safety regardless of whether the psychologist has been notified or has had an opportunity to respond.

“State” means a state, commonwealth, territory, or possession of the United States, or the District of Columbia.

“State Psychology Regulatory Authority” means the Board, office or other agency with the legislative mandate to license and regulate the practice of psychology.

“Telepsychology” means the provision of psychological services using telecommunication technologies.

“Temporary Authorization to Practice” means a licensed psychologist’s authority to conduct temporary in-person, face-to-face practice, within the limits authorized under this Compact, in another Compact State.

“Temporary In-Person, Face-to-Face Practice” means where a psychologist is physically present (not through the use of telecommunications technologies), in the Distant State to provide for the practice of psychology for 30 days within a calendar year and based on notification to the Distant State.

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