



COMMONWEALTH of VIRGINIA

DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES

JAMES S. REINHARD, M.D.
COMMISSIONER

Post Office Box 1797
Richmond, Virginia 23218-1797

Telephone (804) 786-3921
Voice/TDD (804) 371-8977
www.dbhds.virginia.gov

Memorandum

To: CSB Executive Directors
DBHDS Facility Directors
Independent Examiners

From: James S. Reinhard, M.D.

Date: July 7, 2009

Re: Reform Guidance Memo #4: DBHDS Approved Certification Program for Independent Examiners and CSB Evaluators for FY 2010

This is the fourth in the series of *Reform Guidance Memos* related to changes in Virginia's mental health laws. This memo describes the Department's approved certification requirements for community services board evaluators and independent examiners effective July 1, 2009.

Background: Virginia law requires that community services board (CSB) evaluators who conduct evaluations for temporary detention pursuant to §37.2-809, and who provide recommendations and preadmission screening reports to the courts pursuant to §§37.2-816 and 37.2-817, must complete a certification program approved by the Department of Behavioral Health and Developmental Services (DBHDS).

Also, effective July 1, 2008, only the licensed professionals designated in §37.2-815 may perform the independent clinical examination under this statute. In addition, except for psychiatrists and licensed psychologists, these examiners are also required to complete a certification program approved by DBHDS.

On June 26, 2008, DBHDS issued *Reform Guidance Memo #3: Certification of Independent Examiners and CSB Evaluators*, which described specific requirements for certification of CSB evaluators and Independent Examiners (IEs) for FY 2009. This memorandum provides guidance for FY 2010 for CSB evaluators and other licensed practitioners who are subject to the statutory requirements outlined above. *Reform Guidance Memo #3* should be consulted as a reference for, and read together with, this *Reform Guidance Memo #4*. Memo #3 can be found at the following link: <http://www.dbhds.virginia.gov/OMH-MHReform/080626Memo3.pdf>.

I: Development of DBHDS On-Line Curriculum for CSB Evaluators and IEs: Since the issuance of *Reform Guidance Memo #3*, DBHDS has completed development of the on-line curriculum that practitioners must finish to satisfy Virginia law requiring completion of a

certification program approved by the Department. The on-line curriculum is comprised of 25 separate modules, accessible to users through the *DBHDS External Entities Knowledge Center*.

II. Guidance for CSB Evaluators and CSB Preadmission Screeners: Guidance for current certified CSB evaluators and preadmission screeners, and CSB practitioners hired into these roles after July 1, 2009, is as follows:

- **Current Certified CSB Practitioners:** CSB evaluators and preadmission screeners who have already satisfied the DBHDS-approved certification requirements prior to July 1, 2009, in accordance with the aforementioned *Reform Guidance Memo #3*, are required to complete the new on-line curriculum modules through the *DBHDS External Entities Knowledge Center*. In order to maintain certification, current certified practitioners must complete all applicable on-line certification program modules listed in the attachment no later than September 30, 2009.
- **CSB Practitioners Hired After July 1, 2009:** CSB practitioners hired to function as CSB evaluators or preadmission screeners after July 1, 2009, must have the requisite educational credentials and approvals outlined in *Reform Guidance Memo #3* and must also successfully complete all applicable on-line curriculum modules listed in the attachment in order to be certified by DBHDS to serve as a temporary detention evaluator or preadmission screener as required by Virginia law.
- **Documentation of Certification:** Documentation of completion of the DBHDS approved certification program (i.e., educational credentials, supervisory approval and completion of on-line curriculum) should be maintained in CSB personnel files. The *DBHDS External Entities Knowledge Center* generates a current transcript for each registered individual.

III. Guidance for Independent Examiners under §37.2-815: Effective July 1, 2008, qualification for appointment as an independent examiner under §37.2-815 is limited to psychiatrists licensed by the Board of Medicine and psychologists licensed by the Board of Psychology, who are qualified in the diagnosis of mental illness. If a psychiatrist or psychologist is not available, a practitioner who is licensed in Virginia through the Department of Health Professions as a clinical social worker (LCSW), professional counselor (LPC), psychiatric nurse practitioner, clinical nurse specialist, or marriage and family therapist (LMFT) as described in §37.2-815, and who is qualified in the assessment of mental illness may also serve as an independent examiner. Except for psychiatrists and psychologists, all other independent examiners are required to complete a DBHDS-approved certification program. Effective July 1, 2009, practitioners who meet all the following requirements will have completed the DBHDS-approved certification program:

- **Appropriate License:** The examiner must meet the specific license requirements specified in § 37.2-815;
- **Additional Qualifications:** The examiner must be qualified in the assessment of mental illness, as demonstrated through his or her professional experience;

- **Completion of Department Approved Certification Program:** The independent examiner must have successfully completed all applicable on-line curriculum modules. To maintain certification, current examiners must successfully complete all modules listed in the applicable attachment no later than September 30, 2009.
- **Freedom from Conflicts of Interest:** The examiner must be free of conflicts of interest, as specified in § 37.2-815, i.e, the examiner:
 - Is not related by blood or marriage to the person,
 - Is not responsible for treating the person,
 - Has no financial interest in the admission or treatment of the person,
 - Has no investment interest in the facility detaining or admitting the person, and
 - Except as noted in the statute, is not employed by the facility.

IV. Notification of New On-Line Curriculum Modules: DBHDS will notify CSBs and courts, and to the extent possible individual independent examiners, when new on-line curriculum modules are added to the *DBHDS' External Entities Knowledge Center*. CSB evaluators, CSB preadmission screeners and independent examiners will be required to complete any new certification program modules to maintain their certification and continue to serve in these respective roles.

V. Continuing Education Credit for Licensed Professionals: Continuing education credit for licensed professionals will be handled as follows:

- **LCSWs, LPCs, LSAPs, and LMFTs:** Continuing education contact hour(s) credit applicable to LCSWs, LPCs, LSAPs, and LMFTs will be assigned to each training module. The *DBHDS External Entities Knowledge Center* transcript will serve as practitioners' documentation of the continuing education contact hour(s). If practitioners wish to use this curriculum to meet the continuing education activities for their respective professions, they should only claim contact hour credit commensurate with the amount of time it takes to successfully complete the training module. Practitioners are also responsible for maintaining this documentation in accordance with applicable Department of Health Professions (VDHP) Board of Counseling Regulations. *Please note that none of the DBHDS-approved certification program modules can be used to satisfy the Board of Counseling's requirement for specific continuing education hours in ethics, standards of practice, or laws.*
- **Licensed Psychologists:** Upon successful completion of the entire certification course, continuing education hours for licensed psychologists will be assigned. Licensed psychologists who use successful course completion to assist in meeting the continuing education requirements will also be responsible for maintaining documentation of successful completion of the course in accordance with applicable VDHP Board of Psychology Regulations. Psychologists are also only able to claim continuing education credit hours commensurate with the amount of time it takes to complete the course.

Please note that none of the DBHDS-approved web-based certification programs can be used to satisfy the face-to-face continuing education hours required by the Board of Psychology.

In summary, a fair and effective involuntary admission process requires highly qualified and capable practitioners who can effectively understand and engage individuals at this most critical time in their lives. I look forward to working with you to continue to implement these reforms and improve the quality of our citizens' interactions with our system of care. Most of all, I appreciate your dedication and commitment to this task.

Thank you.

Cc: The Honorable Marilyn B. Tavenner
The Honorable Chief Justice Leroy Hassell
The Honorable Bill Mims
Karl Hade
Mary Ann Bergeron
Daniel Karnes
Betty Long
Scott Johnson
Brian Parrish
Paula Price
Mira Signer



Department of Behavioral Health and Developmental Services (DBHDS)

FY 2010 Community Services Board Evaluators and Preadmission Screeners

Required DBHDS External Entities Certification Training Modules

Module 1	Recovery
Module 2	Statutory Requirements for Adults
Module 3	Statutory Requirements for Minors
Module 4	Statutory Requirements for Incarcerated Adults
Module 5	Mandatory Outpatient Treatment —Adults; 5B-Minors
Module 6	Basic Expectations – Preadmission Screeners
Module 8	Medical Screening and Assessment
Module 9	Understanding Adult Emergency Custody Order (ECO), Temporary Detention Order (TDO) and Civil Commitment Criteria
Module 10	Assessing the Risk of Serious Physical Harm to Self
Module 11	Assessing the Risk of Serious Physical Harm to Others
Module 12	Clinical Assessment and Trauma Sensitivity
Module 13	Older Adults and Mental Health
Module 14	Unique Adult Populations
Module 15	Mental Health and Substance Use Disorders in Children and Adolescents
Module 16	2009 Mental Health Legislation
Module 17	People with Co-occurring Mental Health and Substance Use Disorder (MH/SUD)
Module 18	Co-occurring Mental Illness/Intellectual Disorder or Developmental Disorder
Module 19	Tips for Interviewing and Intervening in a Crisis
Module 20	Psychotropic Medications, Drugs of Abuse, and Medical Conditions
Module 21	Disclosure of Information
Module 22	Hospitals, Emergency Departments and Continuity of Care
Module 23	Capacity to Consent and Advance Directives
Module 25	Cultural Competency

If you would like to register to take this certification training, please call the Office of Mental Health at (804) 786-5927 to request registration instructions for the DBHDS External Entities Knowledge Center.



Department of Behavioral Health and Developmental Services (DBHDS)

FY 2010 Independent Examiners

Required DBHDS External Entities Certification Training Modules

Module 1	Recovery
Module 2	Statutory Requirements for Adults
Module 3	Statutory Requirements for Minors
Module 4	Statutory Requirements for Incarcerated Adults
Module 5	Mandatory Outpatient Treatment —Adults; 5B-Minors
Module 7	Basic Expectations – Independent Examiners
Module 9	Understanding Adult Emergency Custody Order (ECO), Temporary Detention Order (TDO) and Civil Commitment Criteria
Module 10	Assessing the Risk of Serious Physical Harm to Self
Module 11	Assessing the Risk of Serious Physical Harm to Others
Module 12	Clinical Assessment and Trauma Sensitivity
Module 13	Older Adults and Mental Health
Module 14	Unique Adult Populations
Module 15	Mental Health and Substance Use Disorders in Children and Adolescents
Module 16	2009 Mental Health Legislation
Module 17	People with Co-occurring Mental Health and Substance Use Disorder (MH/SUD)
Module 18	Co-occurring Mental Illness/Intellectual Disorder or Developmental Disorder
Module 19	Tips for Interviewing and Intervening in a Crisis
Module 20	Psychotropic Medications, Drugs of Abuse, and Medical Conditions
Module 21	Disclosure of Information
Module 23	Capacity to Consent and Advance Directives
Module 25	Cultural Competency

If you would like to register to take this certification training, please call the Office of Mental Health at (804) 786-5927 to request registration instructions for the DBHDS External Entities Knowledge Center.