

Ability to see existing & new clients with contingencies; Ability to see existing clients only; Unlikely ability to see either existing or new clients; Current date of expiration; Possibility of Trainee eligibility

Staff Guidance for Interstate TMH

The following states allow out of state practitioners to work with them WITHOUT an application or notification to the Boards:

- **Connecticut** (exp. 9/9/20)
 - Licensed providers only
 - For up to 60 consecutive days
- **District of Columbia** (exp. 10/9/20)
 - EXISTING clients only
 - Licensed providers (possibility of trainees)
 - Only requirement is that we must keep a list of staff working with DC clients
- **Florida** (exp. 9/5/20)
 - Licensed providers only
 - For up to 30 days
 - Out of state TMH application has been waived
- **New York** (exp. 9/4/20)
 - "This exemption allows for telepractice with students who are currently residing in New York State, if this is part of your duties in a salaried position at the college/university, without any additional approval."
- **Virginia** (exp. 10/28/20)
 - No application needed for existing clients.
 - Application req'd for new clients.
- Student data shows the following as the most common states that first-year students are coming from.
 - MD-N/A
 - NJ-online application-fairly easy & upload license picture
 - NY-no application needed
 - PA-must send licensure info. to board
 - DE-free paper application
 - VA-free application only for new clients
 - CT-no application needed

Headcount Enrollment of New First-Time Full-Time Degree-Seeking Students by State of Residence: Fall Term 2014 through 2019

State of Residence	2014	2015	2016	2017	2018	2019
Maryland	2,006	2,029	2,119	2,157	2,424	2,313
New Jersey	328	245	260	211	215	163
New York	152	166	122	113	109	74
Pennsylvania	88	117	105	114	110	96
Delaware	22	27	31	24	22	25
Virginia	18	14	15	19	16	22
Connecticut	15	13	13	12	6	13
Other Areas	82	97	85	85	88	83
Grand Total	2,711	2,708	2,750	2,735	2,990	2,789

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Introduction to This Guide

This guide serves to answer the following questions with regard to interstate TMH requirements during the COVID-19 pandemic:

1. When do the state-of-emergency orders end?
2. Is there a policy around granting licensure requirement waivers or temporary licensure for out of state practitioners?
3. Are practitioners able to take on new clients or is it only allowed for existing clients?
4. Is there an application process and/or fees associated with this waiver?
5. Do trainees qualify for this as long as they are working under the supervision of a licensed psychologist? If so, are there any supervision requirements or restrictions?

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Please note that some of this information may be incomplete due to the difficulty of finding standardized legislature for each state.

Each state will have color coding (see key below) to help staff quickly determine key information about the state requirements. There will also be detailed information about the legislature, followed by a summary (titled "In Brief" at the end of each state's section) of the information.

Color Key

The following colors can help you quickly determine the eligibility of seeing clients from this state.
**We assume that none of these apply to trainees unless where specifically mentioned.

Ability to see existing & new clients with contingencies

Ability to see existing clients only

Unlikely ability to see either existing or new clients

Current date of expiration

Possibility of Trainee eligibility with this state

Helpful External Resources

These websites can provide extra or more up to date information on state requirements for interstate TMH and have been used to compile the information below.

- APA site: <https://www.apaservices.org/practice/clinic/covid-19-telehealth-state-summary>
- https://cmhc.utexas.edu/state_telehealth.html
- https://cdn.ymaws.com/www.asppb.net/resource/resmgr/covid19/temporary_interjurisdictional.pdf

Alabama

Alaska

Arizona

Arkansas

California

Colorado

Connecticut-Expiration 9/9/20 (60 consecutive days)

- EXISTING & NEW clients for UP TO 60 CONSECUTIVE DAYS only

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- Emergency waiver has been extended through 9/9/20 unless terminated sooner by the Governor. There are no forms or registration with the Board required. This allows specified practitioners licensed in another state to work in Connecticut without obtaining a Connecticut license **for up to 60 CONSECUTIVE days**.
- No fees. No notification required or forms to complete. <https://portal.ct.gov/-/media/Coronavirus/20200323-DPH-order-allowing-outofstate-practitioners-to-render-temporary-assistance-in-Connecticut.pdf?la=en>
- Trainees not implied as only mentions licensed
- **IN BRIEF:**
 - Licensed providers can provide services to new and existing clients located in CT for up to 60 consecutive days. No application/notification to the board required.

Delaware-Expiration 9/5/20

- EXISTING and NEW clients
- Until the end of state of emergency order, extended 8/6/20 for another 30 days (<https://governor.delaware.gov/health-soe/>):
- All out of state **LICENSED** MH providers (including psychologists, counselors, etc.) can provide telehealth services in Delaware.
- This excludes trainees, but post-docs licensed as Psychology Assistants would be eligible
- **PROCESS**
 - Free Paper Application required: <https://dpr.delaware.gov/wp-content/uploads/sites/93/2020/03/Medical-Personnel-Request-Form.pdf>
- **IN BRIEF:**
 - Licensed providers can see existing and new clients located in Delaware by submitting an application to the Board. It remains unclear whether trainees are eligible if not licensed as Psychology Associates.

District of Columbia-Expiration 10/09/20

- EXISTING CLIENTS ONLY!
- During the period of Public Health Emergency declared by the mayor (**extended to 10/9/20**):
- Any out of state **LICENSED** healthcare provider who already has a pre-existing relationship w/ a client can provide continued care
- Email to AP from Fatima Abby, MPH: Health Licensing Specialist: "A student who is fulfilling his/her educational requirements and enrolled into a university does not need a license. That student does not fall under the Board's licensure requirements. That student will need to ensure that he/she enrolled into the educational program and meet their university requirements. "
- **DOCUMENTATION PROCESS:**
 - **No fees** or application seems to be needed, but we must routinely verify credentials and license status to ensure compliance w/ the order
 - Facility shall also maintain a list of any and all temporary agents being utilized, which shall be made available to DC Health for inspection upon demand

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- List: name of every provider being used as a temporary agent, profession of the healthcare provider, locations in DC where the provider will be practicing, and home license jurisdiction of the provider
- Sources:
 - https://dchealth.dc.gov/sites/default/files/dc/sites/doh/page_content/attachments/Order%20-%20Licensure%20Waivers.20.03.13.pdf
 - <https://dchealth.dc.gov/node/160282>
- **IN BRIEF:**
 - Licensed providers and trainees can provide continued care to **EXISTING** clients. There is no application required; however, a list should be kept (see above)

Florida-Expiration 9/5/20 (30 days)

- **EXISTING & NEW clients, but only for 30 days!**
- **Until the end of state of emergency order (last extended to 9/5/20) licensed providers can provide services to Florida residents for up to 30 days**
- **Trainees are not eligible to perform telehealth services as they are not licensed in Florida or elsewhere (per the Executive Order), and Florida's Section 1135 waiver requires all providers to be licensed to perform services. Postdoctoral students who have a provisional license (often postdoctoral students) would, however, be eligible to provide telehealth services.**
- **PROCESS:**
 - Previously, out of state practitioners needed to send an application; however (per the statement below), this requirement has been waived
 - For purposes of preparing for, responding to, and mitigating any effect of COVID-19, health care professionals, advanced life support professionals, and basic life support professionals holding a valid, unrestricted, and unencumbered license in any state, territory, and/or district may render such services in Florida during a period not to exceed thirty days unless extended by order of the State Surgeon General, if such health care practitioner does not represent or hold themselves out as a health care practitioner licensed to practice in Florida
 - This order supersedes section 456.47, Florida Statutes, which requires a FL license or an out-of-state telehealth provider registration to perform telehealth services
 - <https://floridaspsychology.gov/licensing/out-of-state-telehealth-provider-registration/>
 - <http://www.flhealthsource.gov/telehealth/files/application-telehealth-provider-registration.pdf> on 3/21/20 the state is waiving the need to register out of state providers (no need to notify). Must have good standing in counselor's state. This applies to psychologists as well as LPC, LMFT, LCSW. For 30 days beyond emergency order DOH no. 20-003
- **IN BRIEF:**
 - Licensed providers can see existing and new clients located in Florida, **but only for a period lasting 30 days**. In my understanding, where previously clinicians needed to register to do out of state telehealth, this requirement and any associated fees have been waived. Providers can provide services during a period not to exceed 30 days.

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Georgia

Hawaii

Idaho

Illinois

Indiana

Iowa

Kansas

Kentucky

Louisiana

Maine

Maryland-N/A

Massachusetts

Michigan

Minnesota

Mississippi

Missouri

Montana

Nebraska

Nevada

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New Hampshire

New Jersey-Expiration 11/30/20

- **EXISTING clients only**
- Direct text from Board:
 - **Please be advised that any temporary emergency out-of-state license approved on June 1, 2020, or beyond will be valid through November 30, 2020. These licenses shall expire after that date, unless the Division determines to extend the license duration at that time. Please continue to check the Division's website for updates**
- **PROCESS:**
 - “Out-of-State providers can obtain an accelerated temporary license in New Jersey to provide care in person or using telehealth.
 - DCA and several professional and occupational licensing boards have taken measures to [expedite licensure](#) of out-of-state professionals, by waiving certain licensure requirements, including fees, during the COVID-19 emergency.
 - An individual applying for a specific license, certificate of registration or certification in New Jersey must have a corresponding current license, certificate of registration or certification (in good standing) in another State to be eligible.
 - To apply for an accelerated temporary license, eligible providers may submit by email a one-page [form](#) with basic identification, contact and out-of-state licensure information. They will receive a reply email within 24 hours stating whether their application was granted. If granted, the provider will be deemed licensed in New Jersey for 180 days, with the possibility of an additional 180-day extension.
 - Providers who obtain an accelerated temporary license can use telehealth to treat patients/clients in New Jersey within their scope of practice and the scope of the license issued. This may include treatment related to COVID-19 as well as treatment unrelated to COVID-19.
- Out-of-State providers who do not hold a New Jersey license may be permitted to use telehealth to treat patients/clients in New Jersey during the COVID-19 emergency, subject to limitations that do not apply to New Jersey licensees (including those holding accelerated temporary licenses). **Specifically, if an out-of-State provider without a New Jersey license has a pre-existing relationship with a patient/client in New Jersey, the provider may continue to provide care using telehealth to that patient/client during the COVID-19 emergency.**
- **In addition, an out-of-State provider without a New Jersey license may provide care using telehealth to a patient/client in New Jersey with whom the provider did not have a pre-existing relationship, subject to several limitations. The limits include that the provider: 1) Is licensed or certified (in good standing) in another State; 2) Practices within their scope; and 3) Only provides screening, testing and treatment for COVID-19.**
- **IN BRIEF**
 - **The NJ Board, on reception of a one-page application ([found here](#)), may grant a 180-day temporary license to practice teletherapy *only with pre-existing clients* that may also be extended for an additional 180 days. All fees are waived.**

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New Mexico

New York-Expiration 9/4/20

- **NEW & EXISTING CLIENTS**
- Executive Order 202 has been extended through 09/11/2020, declaring a state of emergency in NYS. (This order has been continuously given a 30-day extension each time the deadline has arrived.)
- Licensed practitioners may provide teletherapy services to residents of New York until 09/11/2020, at which point permission will expire if not extended by the governor. No application is necessary prior to expiration of EO 202.27.
- Executive Order 202.27 (found [here](#), and interpreted as such by APA [here](#)) amends EO 202 to allow for inter-state practice of teletherapy. Relevant text below:
 - NOW, THEREFORE, I, Andrew M. Cuomo, Governor of the State of New York, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to issue any directive during a disaster emergency necessary to cope with the disaster, I hereby issue the following directives for the period from the date of Executive Order through June 4, 2020:
 - Any suspension or modification of any law heretofore suspended in Executive Order 202, or any amended or modified Executive Order issued thereafter, which allowed for the practice of a profession in the state of New York without a current New York State licensure, or registration, including but not limited to those individuals who are validly licensed in another state or Canada, is hereby extended for a period of thirty days to allow those professionals the ability to continue to provide services necessary for the State's COVID-19 response.
- The Executive Order specifies licensed clinicians, however AP received the following guidance by the NY BOP:
 - From NY BOP: "For those wishing to provide teletherapy services through a college or university counseling center to students who have been sent home due to school closure, §7605 (1) of Article 153 (<http://www.op.nysed.gov/prof/psych/article153.htm#exempt>) provides an exemption from the NYS licensure requirements for "a person in the employ of a ... degree-granting educational institution insofar as such activities and services are a part of the duties of this salaried position." **This exemption allows for telepractice with students who are currently residing in New York State, if this is part of your duties in a salaried position at the college/university, without any additional approval.**
- **IN BRIEF:**
 - Licensed providers (and possibly unlicensed providers & trainees employed at a university) can provide services to new and existing clients who live in New York. No application or notification to the BOP is necessary.

North Carolina-Expiration 9/22/20

- **NEW & EXISTING clients**
- Applies for the duration of the state of emergency- currently 9/22/20

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- North Carolina Governor Roy Cooper's Executive Order No. 116 temporarily waives the licensure requirements for behavioral health care personnel who are licensed in another state to provide services within North Carolina.
- <http://www.ncpsychologyboard.org/covid-19-faq/#faq4>
- Expiration information: <https://files.nc.gov/governor/documents/files/EO152-Extending-DHHS-Provisions.pdf>
- <http://www.ncpsychologyboard.org/>
- **PROCESS:**
 - **Psychologist:** Any psychologist licensed in another state who wishes to provide psychological services (either through telehealth or in person) to someone located in North Carolina **must notify the North Carolina Psychology Board at info@ncpsychologyboard.org of their intent to provide psychological services to someone located in North Carolina and also must identify the state(s) in which the psychologist is licensed.**
 - This notification must be done PRIOR TO providing psychological services to someone located in North Carolina.
 - The Board will notify the psychologist once licensure has been confirmed that the provision of psychological services can commence. Source: <http://www.ncpsychologyboard.org/covid-19-faq/#faq4>
 - **LPC:** Any counselor licensed in another state, territory, or the District of Columbia who wishes to provide counseling services (either through telehealth or in person) to someone located in North Carolina must notify the North Carolina Board of Licensed Clinical Mental Health Counselors at LCMHCinfo@ncblcmhc.org of their intent to provide counseling services to someone located in North Carolina and also must identify the license number and the state(s) in which the counselor is licensed. This notification must be done either prior to or as soon as practicable, but no later than 2 business days, after providing counseling services to someone located in North Carolina. Source: <https://www.ncblpc.org/Home/Information>
 - Does not apply for LCSWs or MFTs
- **UNKNOWN if it includes trainees**
- **IN BRIEF:**
 - Licensed providers can see new and existing clients located in NC. Provider must notify the Board via email of their intent to provide psychological services to someone in NC & identify the state where they're licensed.

North Dakota

Ohio-Expiration unknown (90 days & \$150)

- NEW & EXISTING clients
- Direct text from Board (found [here](#) on 08/17/2020)
 - The Ohio Board has amended the requirements and the timeframe for authorization to practice into Ohio via telecommunications during the COVID-19 crisis. First, the \$150 fee remains in effect because it is set in law and we have not received an order or permission to waive the fee. However, numerous accommodations in re: requirements have been made, as the Board wants to ensure that out-of-state psychologists with Ohio-resident clients can comfortably foster continuity of care. The key changes are: 1)

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Recognition of all valid independent psychologist licenses at the doctoral and masters level; 2) Extending the 30 practice days to 90 practice days; 3) At the psychologist's discretion, 90 practice days may be extended to supervisees practicing psychology under supervision; and, waiver of the academic transcript submission. **Applications are being reviewed and approved within an hour if received during business hours.**

- **PROCESS (application costs \$150):**
 - To apply for nonresident permission to practice into Ohio without an Ohio license, please click on the following [link](#). Once you have created your account, you will then be directed to a page on which you will choose "APPLY FOR A NEW LICENSE." When provided with the option of choosing a Board, please select "Psychology Board," then select the "Non-resident Temporary Permit" option under "Select a License." Finally, under "Application Type" select "General Application."
 - You will then confirm your eligibility to apply for temporary permission to practice in the state of Ohio, based upon an active license from another U.S. or Canadian jurisdiction. Upon saving and continuing the eligibility questions, you will proceed through the application documenting your personal information, background information, answer questions and attestation before submitting your application. Upon submitting your application you will be unable to make any changes directly to your application, so please be sure to review all information prior to submitting.
 - After submitting your application you will be directed to a secure payment site to process your payment for your Non-resident Temporary Permit application. Following payment of your application, you will receive email communication from the Board and a receipt.
 - Should you have any questions regarding managing your account or during the setup of your account, please contact the Board at (614) 466-8808. Alternatively, you are always welcome to email the Board at info@psy.ohio.gov.
- **IN BRIEF:**
 - Licensed clinicians AND their supervisees may apply for nonresident permission to practice in Ohio for 90 days after completing an application with a fee of \$150.

Oklahoma

Oregon

Pennsylvania-Expiration 9/1/20

- <https://www.dos.pa.gov/Pages/COVID-19-Waivers.aspx>
- **EXISTING & NEW clients** valid until 9/1/20 as of 8/14/20
- Text from Department of State (full text found [here](#)).
 - Governor Wolf also granted the department's request for a suspension to allow licensed practitioners in other states to provide services to Pennsylvanians via the use of telemedicine, without obtaining a Pennsylvania license, for the duration of the emergency.
- **PROCESS:**

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- Out-of-state practitioners must:
 - be licensed and in good standing in their home state, territory or country.
 - provide the Pennsylvania board from whom they would normally seek licensure with the following information prior to practicing telemedicine with Pennsylvanians:
 - their full name, home or work mailing address, telephone number and email address; and
 - their license type, license number or other identifying information that is unique to that practitioner's license, and the state or other governmental body that issued the license.
- Please submit the information requested above to the appropriate board resource account listed on the BPOA website (FOUND [HERE](#)).
- All practitioners using telemedicine in Pennsylvania must remain informed on all federal and state laws, regulations and guidance regarding telemedicine, including a practitioner's obligations under the Health Insurance Portability and Accountability Act (HIPAA) and recent guidance provided by the U.S. Department of Health and Human Services
- Trainees MAY be eligible:
 - Trainees (or as of yet unlicensed practitioners) who are working towards satisfying particular prerequisites to apply for licensure are now included in this order. They can only do this so long as they are being supervised by someone who complies with all the required regulatory requirements.
 - <https://www.dos.pa.gov/Documents/2020-03-26-Summary-Psych-Counselors.pdf>
- IN BRIEF
 - Licensed practitioners may provide teletherapy services to residents of PA by submitting licensure information to the Board of Psychology.

Rhode Island

South Carolina-Expiration 8/25/20

- EXISTING clients only
- Direct Text from Board (found as an Alert [here](#) on 08/25/2020)
 - “During the period of the declared public health emergency, the SC Board of Examiners in Psychology will suspend enforcement of South Carolina licensing provisions for psychologists who are licensed out-of-state, who have an established client relationship with an individual who is now residing in South Carolina, to allow continuance of the therapeutic relationship by means of telecommunication.”
- Duration of State of Emergency
 - Executive Order 2020-53 (found [here](#) on 08/25/2020) extended the state of emergency declared by [Executive Order 2020-48](#) for 15 days to 08/25/2020. Prior orders repeatedly extended the original [State of Emergency](#) every 15 days to the present. However, the Governor’s office must re-declare the state of emergency on expiration of prior order.

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- **IN BRIEF**
 - Psychologists with a *pre-existing relationship* with a client residing in South Carolina may provide teletherapy to that client for the duration of the public health emergency.

South Dakota

Tennessee

Texas

Utah

Vermont

Virginia-Expiration 10/28/20

- EXISTING & NEW clients (different application process for each)
- 90 days after state of emergency ends (July 30, 2020) which is 10/28/20
- Health care practitioners with an active license issued by another state may provide continuity of care to their current patients who are Virginia residents through telehealth services WITHOUT completing an application. However, if they want to acquire new patients, they must apply for full licensure in Virginia or an Accelerated Temporary License.
- **DOES NOT INCLUDE TRAINEES.** Deborah Harris (licensing manager for BOP) informed AP “they have to hold a license to provide care via telehealth”
- **PROCESS:**
 - Free online application only if practitioner is acquiring new clients:
 - <https://www.dhp.virginia.gov/forms/psychology/TemporaryPsychologyApplication.pdf>
- **IN BRIEF:**
 - Licensed providers can continue to see existing clients without contacting the board. If acquiring new clients located in Virginia, an application must be completed and submitted to the board.

Washington

West Virginia-Expiration 8/31/20 (80 hours/10 days)

- EXISTING & NEW Clients, but only for 10 days or 80 hours' worth of psychotherapy
- Please note that these guidelines are temporary and in effect until August 31, 2020. At that time, the Board will decide whether to extend them.
- Direct text from Board:
 - “TELEPSYCHOLOGY - PSYCHOLOGISTS LICENSED IN OTHER STATES The Board may grant a temporary permit to those holding an active license in another state. It allows up to 80 hours of psychotherapy for one year. This is approved if the out-of-state psychologists

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provide proof that [a] section 1 criteria are met, [b] their license is current, and [c] it is without restrictions.

- **PROCESS:**

- Below is information on obtaining a temporary permit. Usually there is a fee for this, but the fee will be waived until the crisis has resolved itself.
 - In order to be granted 10-day temporary privileges during a calendar year in WV, please send a letter requesting the privilege that states what you plan to do within the State, when approximately you plan to perform psychological services in WV, your license number(s), the state(s) in which you are licensed and proof of HIPAA compliant means of communication. The WV Board will verify your license(s) with the state boards and if all is in order a letter granting temporary privileges will be issued. Please note again this privilege is good for 10 days per calendar year or approximately 80 hours. This must be requested each year.

- **IN BRIEF**

- **The WV Board may grant a 10-day or 80-hour temporary privileges to psychologists licensed in other states. To apply, send a letter to WVBEP, PO Box 3955, Charleston WV 25339 that contains the following:**
 - Describes what services you plan to provide within the state
 - License number & state of licensure
 - Proof of HIPAA compliant means of communication.

Wisconsin

Wyoming