

## Section XXXX Standards of Practice for Telehealth

- a) A licensee is permitted to provide psychological services via telehealth to an originating site in this State, as defined in section 2290.5 of the Code, and to render services to a patient or client who is a resident of California who is temporarily located outside of this state, subject to the laws and regulations of the other state where the services are rendered.
- b) The provision of services under subdivision (a) are subject to the following conditions:
  - 1) The licensee holds a valid and current license issued by the Board.
  - 2) The licensee obtains and documents informed consent for the provision of psychological services via telehealth from the patient or client. Such consent shall cover concerns unique to the receipt of psychological services via telehealth, including risks to confidentiality and security, data storage policies and procedures specific to telehealth, the possibility of disruption and/or interruption of service due to technological failure, and any other issues that the licensee can reasonably anticipate regarding the non-comparability between psychological services delivered in person and those delivered via telehealth.
  - 3) The licensee determines that delivery of psychological services via telehealth is appropriate after considering at least the following factors:
    - a. The patient or client's diagnosis, symptoms, and medical/psychological history;
    - b. The patient or client's preference for receiving services via telehealth;
    - c. The nature of the services to be provided, including anticipated benefits, risks, and constraints resulting from their delivery via telehealth;
    - d. Any benefits, risks, or constraints posed by the patient or client's physical location. These include the availability of appropriate physical space for the receipt of psychological services via telehealth, accessibility of local emergency psychological services, and other considerations related to the patient or client's diagnosis, symptoms, or condition.
  - 4) The licensee is competent to deliver such services based upon whether he or she possesses the appropriate knowledge, skills, and abilities relating to delivery of psychological services via telehealth, the information technology chosen for the delivery of telehealth services, and how such services might differ from those delivered in person.
  - 5) The licensee takes reasonable steps to ensure that electronic data is transmitted securely, and informs the patient or client immediately of any known data breach or unauthorized dissemination of data.
  - 6) The licensee complies with all other provisions of the Psychology Licensing Law and its attendant regulations, and all other applicable provisions of law and standards of care in this and the other relevant jurisdiction.
- c) Failure to comply with these regulations may constitute unprofessional conduct.

Reference: Business and Profession Code sections 2290.5, 2904.5