

Mark D Worthen PsyD

Clinical & Forensic Psychology

PO Box 410105, Charlotte NC 28241-0105

phone: 980-391-6309 | email: mark@drworthen.net

TELEMENTAL HEALTH C&P EXAMS

What information should independent examiners include in their reports?

The Department of Veterans Affairs (VA) allows private, fee-based examiners¹ to conduct **telemental** health C&P examinations (Tele-C&P exams).²

At the same time, independent psychologists and psychiatrists must keep up to date with a wide variety of laws, **rules**, policies, professional standards, and ethical considerations regarding telehealth generally, and telepsychological assessment in particular.

If your expert plans to conduct a telehealth exam, you might share this **sample report** section with them.

It shows how I describe important aspects of a telemental health exam, e.g., **interjurisdictional** telepsychology authorization, HIPAA-compliance, identity verification, technological security, etc.

This is simply an **example**. There are many ways to describe privacy and security precautions, and there are many software and web application options.

--> BEGIN Sample Report: Telemental Health Exam Section <--

TELEMENTAL HEALTH EXAM

We conducted this independent psychological exam via modern teleconferencing technology in a manner consistent with relevant professional standards,³ VA requirements,⁴ and "in a way that respects safety, privacy, dignity, gender-specific needs and confidentiality," and where I was "able to fully appreciate all non-verbal cues, mannerisms, and manifestations displayed by the Veteran in a manner on par with an in-person examination."⁵

¹ VETERANS BENEFITS ADMIN., DEP'T VETERANS AFF., M21-1 ADJUDICATION PROCEDURES MANUAL (hereinafter M21-1 MANUAL), *Accepting a Fee-Based Examiner's Report*, pt. IV, subpt. i, chap. 3, sec. A, topic 1, block q (rev. Feb. 7, 2024), <https://perma.cc/Z3DB-A5TY>.

² MARK D. WORTHEN, *Telemental Disability Exams by Private Practitioners Now Accepted*, PTSDXAMS.NET, <https://www.ptsdexams.net/telemental.html>.

³ JOINT TASK FORCE FOR THE DEVELOPMENT OF TELEPSYCHOLOGY GUIDELINES FOR PSYCHOLOGISTS, AMERICAN PSYCHOLOGICAL ASSOCIATION, *Guidelines for the Practice of Telepsychology*, 68 AM. PSYCH. 791 (2013).

⁴ M21-1 MANUAL, *Tele-C&P and Telemental Health Examination*, pt. IV, subpt. i, ch. 3, sec. A, topic 1, block c (rev. Feb. 7, 2024), <https://perma.cc/GZ5T-HYGF>.

⁵ OFFICE OF DISABILITY AND MEDICAL ASSESSMENT, VETERANS HEALTH ADMIN., DEP'T VETERANS AFFAIRS, TELEHEALTH FOR COMPENSATION AND PENSION (C&P) EXAMINATIONS, FACT SHEET DMA-20-002 at 4 (2020), <https://perma.cc/N4XE-K7RQ>.

I was able to see the veteran from about waist level up to above his head allowing me to view facial expressions, hand and arm gesturing, and body posture, all with clarity and no interference or distraction.

Licensure & Interjurisdictional Practice Authorization

I am a licensed healthcare service provider psychologist in North Carolina (#1835). I received an Authority to Practice Interjurisdictional Telepsychology (APIT) from the Psychology Interjurisdictional Compact Commission (PSYPACT) in December 2020 and an E.Passport certificate from the Association of State and Provincial Psychology Boards (ASPPB), Mobility No. 5812, also in December 2020, renewal date Mar. 27, 2025.⁶ North Carolina and Tennessee are both PSYPACT states.^{7,8}

TELEMENTAL HEALTH PRIVACY, SECURITY, & IDENTITY VERIFICATION

Privacy

During these exam sessions, the Veteran was either alone in a room in his home, or alone in his office at work, where in both cases he indicated other people could not overhear him. He said that his internet connection was secure, including a secure Wi-Fi and local network. During one of the exam sessions, I spoke with The veteran and his wife together to assess suicide risk, discuss a safety plan, and to interview Mrs. Veteran (a “collateral interview”) as a component of the exam.

Identity verification

At the beginning of the first exam session, The veteran displayed his Tennessee driver license and his military identification card to confirm his identity. His full name matched VA records reviewed for this exam, and his face on the license matched the man on the video screen.

Other than the exam session with his wife, I did not see any other persons throughout both evaluation sessions. I observed The veteran as he completed online psychological tests, administered from the publishers’ secure web portals.

Security

Video conferencing.

I use a HIPAA-compliant Zoom One Pro account with a Business Associate Agreement. We agreed to record exam sessions with Zoom secure cloud storage (HIPAA-compliant and covered by the BAA), access given to veteran (neither of us download the video recordings, i.e., they stay on the secure Zoom cloud storage).

Internet connection.

I connect directly to Spectrum cable internet via Ethernet, which is more secure than a Wi-Fi connection. I also use Proton VPN to further secure my connection. I have a Business Associate Agreement with Proton AG. All Proton products (services) are HIPAA-compliant and follow

⁶ Verify at <https://www.verifypsypact.org>.

⁷ Psychology Interjurisdictional Compact, N.C. GEN. STAT. § 90-270.160.

⁸ Psychology Interjurisdictional Compact, TENN. CODE ANN. § 63-11-501.

HITECH rules and specifications. Proton AG is based in Switzerland, which has strict privacy rules (more so than the United States).

Digital document storage.

I have a Microsoft 365 Business Premium account, which means that services such as Word and OneDrive (cloud storage) are HIPAA-compliant, with a Business Associate Agreement, and enhanced security features, such as FIDO2 authentication and enterprise-grade endpoint security.

Email and document transfer.

The veteran and I communicated and sent documents (as attachments) via our Proton Mail accounts, which features end-to-end encryption, is HIPAA-compliant, with a Business Associate Agreement.

Computer security.

- I use Bitdefender Total Security, which is an anti-virus, anti-phishing, anti-malware protection program with online threat protection, a firewall, advanced threat defense, and vulnerability analysis.
- If I have any documents temporarily on my computer hard drive, then I use Bitdefender File Shredder to destroy those digital documents.⁹
- My computer goes to sleep after five minutes (same with my iPhone).
- I use passwords with 17 randomly-generated characters consisting of lower and upper case letters, numbers, and symbols (bit strength = 101).
- I always use multi-factor authentication (MFA) and I am adding FIDO2 authentication as it becomes available.

Paper records – security.

I keep paper records in a *Cardinal Locking Document Security HIPAA Bag*,¹⁰ which I store in a locked cabinet.

--> END Sample Report: Telemental Health Exam Section <--

⁹ NCSC-TG-025 data sanitization method.

¹⁰ <https://cardinalbagsupplies.com/product/locking-document-security-hipaa-bag/>