



May 3, 2021

Representative Tepler
Health Coverage, Insurance and Financial Committee
State House
Augusta ME 04332

Re: LD863 An Act to have Maine Join the Interstate Psychology Interjurisdictional Compact to Improve Telehealth Options for Psychologists and their Patients

Dear Chairpersons Sanborn and Tepler, and Distinguished Committee Members,

I am Amy Safford, the Executive Director of the Maine Psychological Association. On behalf of MePA, I urge the committee to recommend that the Maine legislature pass LD 863, allowing Maine to join the Interstate Psychology Interjurisdictional Compact. The goal of PSYPACT is to improve access to mental health services, facilitating the practice of telehealth by licensed psychologists across state lines – a crucial step in providing better access to quality mental health treatment.

The American Psychological Association strongly supports the adoption of PSYPACT for three reasons:

1. PSYPACT seeks to improve patient access to psychological care for both Maine residents and for those patients of Maine licensed psychologists who travel outside the state.
2. In response to the COVID-19 pandemic and widespread adoption of telehealth, payers and policymakers recognize the need for psychologists to provide ethical care in a more flexible way beyond the current public health emergency.
3. The compact will allow the Maine Board of Examiners of Psychologists to better regulate out-of-state psychologists providing telehealth services to Maine residents.

These compacts create mutual professional licensing practices between states, while ensuring the quality and safety of services and safeguarding the state sovereignty. If Maine enacts PSYPACT legislation, the Maine licensing board will appoint a representative to the PSYPACT commission to address the needs and views of Maine.

Any psychologist wishing to practice under PSYPACT must obtain either an EPassport to provide telepsychology services or an Interjurisdictional Practice Certificate (IPC) to provide face to face services for a limited 30-day period in other PSYPACT states. Authorization is granted by the PSYPACT commission.

Psychologists must be licensed, have acceptable levels of training, and be in good standing in their home state without any disciplinary action on their record to be eligible for credentialing. Current state licensing requirements vary, and though the requirements to practice under PSYPACT may not exactly



mirror each state's specific requirements, the PSYPACT commission provides each state representation for regulation.

Psychologists will continue practice under the authority of their home state license, but they must abide by the scope of practice in the "receiving" state where the client is located. This requirement includes liability insurance in the state into which the services are being provided. Where there is a conflict between the states regarding laws, regulations and standards, psychologists will adhere to the laws, regulations and standards of their home state.

Last year, states had to rapidly institute stay-at-home orders in response to the COVID pandemic, requiring psychologists to rapidly transition to telehealth. Recognizing the need to ensure patient access to care, CMS issued a statement verifying the validity of multi-state licensing compacts, and that Medicare-enrolled psychologists in PSYPACT states can provide services to Medicare beneficiaries in other PSYPACT states.

The reality is that there are many healthcare providers engaging in practice across state lines unwittingly, but there is no coordinated way for Maine or other state licensing boards to track this, and often no means to regulate or enforce state laws if a problem arises with an out-of-state provider. PSYPACT creates a coordinated system for licensing boards to better protect their citizens by identifying those out-of-state providers and ensuring that they are qualified to do so.

If a psychologist authorized to practice under PSYPACT is alleged to have engaged in misconduct in a PSYPACT state, that state can alert the commission and the psychologist can be barred from continuing to practice virtually or in-person temporarily into other PSYPACT states. The psychologist's home state can determine whether disciplinary action is appropriate in consultation with the other state where the alleged misconduct occurred.

PSYPACT has been approved in 20 states, with two more pending final approval. We encourage this committee to recommend the passage of LD 863 to join these other states for the benefit of Maine residents who need mental health treatment they cannot otherwise access, and for licensed psychologists who wish to provide continuity of care to their patients, wherever they may be. Thank you for your time today and I am happy to answer any questions.

Best regards,

Amy Safford
Executive Director