*Welcome to LLA Reports, a podcast produced by the Louisiana Legislative Auditor’s office. This podcast is intended to be an oral representation of the written report it highlights and is primarily for the use of the Louisiana Legislature.*

This is Emily Dixon. I’m a manager with LLA’s Performance Audit Services.

This episode of LLA Reports focuses on our new report titled “Regulation of the Psychology Profession.”

This report provides the results of our performance audit of the Louisiana State Board of Examiners of Psychologists. The purpose of this audit was to evaluate whether the board effectively regulated the psychology profession during fiscal years 2019 through 2021.

We found that the Board has established regulatory processes that comply with state law and conform to most best practices. However, it needs to strengthen some aspects of its regulatory activities to better protect the public and to ensure licensees comply with the Louisiana Psychology Practice Act.

In August 2007, state law gave the Board the authority to conduct background checks on individuals applying for initial or reinstatement licenses, but not on those renewing their licenses.

In August 2008, the Board began conducting these background checks; however, we found that as of February 2022, 378 – or 44 percent – of 857 current licensees had not had a background check because they were licensed before August 2008.

In addition, the Board does not query the National Practitioner Data Bank for enforcement information when it makes licensure decisions. As a result, it could issue a license to an applicant who was disciplined in another state.

We found as well that during fiscal years 2019 through 2021, the Board received 71 complaints containing 152 allegations, and closed 63 complaints, which took an average of 338 days to resolve.

We found, however, that the Board does not have internal timeframes for resolving complaints, and its process for tracking complaints does not record accurate and complete information. As a result, the Board cannot ensure it investigates and resolves complaints in a timely manner.

The Board also has not adopted a disciplinary matrix that aligns with regulatory best practices to ensure disciplinary actions are consistent and appropriately escalated based on the number and/or severity of violations.

In addition, the Board’s disciplinary effectiveness may be limited because it does not consistently track disciplinary actions, does not have the authority to impose fines as part of a graduated range of sanctions, and does not have a comprehensive process that includes timeframes for monitoring licensees’ compliance with board orders.

We found, too, that the Board did not report four of the nine adverse actions it issued during fiscal years 2019 through 2021 to the National Practitioner Data Bank, as required by federal law. The nature of these cases included sexual harassment of clients, unprofessional conduct, treatment without informed consent, and substandard care, among other issues.

As a result of our audit, we developed two matters for legislative consideration and seven recommendations.

We suggested the Legislature consider amending state law to authorize the Board to conduct criminal background checks on all applicants, including those renewing their licenses.

We also suggested the Legislature consider authorizing the Board to impose fines on licensees as part of a graduated range of disciplinary actions and for administrative noncompliance.

Among our recommendations, we suggested the Board ask for “Continuous Query” reports from the National Practitioner Data Bank to ensure it receives accurate, timely notice of actions taken against license applicants by other states and health care entities.

We also recommended that the Board establish timeframes for how long it should take to investigate complaints and issue enforcement actions, and establish a process to track complaints.

In addition, we recommended that the Board adopt a disciplinary matrix to help it issue consistent and appropriate enforcement actions, and periodically analyze whether its disciplinary actions are in accordance with the matrix.

We recommended as well that the Board establish a process to systematically and periodically monitor licensees’ compliance with Board orders, evaluate disciplined licensees’ progress in completing corrective actions, and track updates to licensees’ status after disciplinary action is issued.

Finally, we recommended that the Board ensure it reports all adverse actions to the National Practitioner Data Bank within 30 days, as required by law.

As a part of its response, which is included in the report as Appendix A, the Board agreed with all seven of our recommendations.

*We hope you found this podcast informative, and that you’ll follow future episodes of LLA Reports.*

*This podcast was created as part of the audit report just discussed and is intended primarily for the use of the Louisiana Legislature. Both the full report and the podcast can be found on the LLA’s website at* [*www.lla.la.gov*](http://www.lla.la.gov)*.*

*Thank you for listening.*