

# Unprofessional Conduct For Psychologists

## Title 26, Vermont Statutes Annotated, Chapter 55, Section 3016

### §3016. Unprofessional Conduct

Unprofessional conduct shall include:

- (1) Fraudulent or deceptive procuring or use of a license;
- (2) Willfully making or filing false reports or records in the practice of psychology, willfully impeding or obstructing the proper making or filing of reports or records, or failing to file the proper reports or record;
- (3) Advertising which is intended to or has a tendency to deceive the public;
- (4) Exercising undue influence on or taking improper advantage of a person using psychological service, or promoting the sale of services or goods in a manner which exploits a person for financial gain of the practitioner or of a third party;
- (5) Failure to comply with the statutes governing the practice of psychology;
- (6) Conviction of a crime that evinces an unfitness to practice psychology;
- (7) Failing to make available, upon request of a person using psychological services to succeeding health care professionals or institutions, copies of that person's records in the possession or under control of the lic
- (8) Practicing psychology when medically or psychologically unfit to do so;
- (9) Failing to use a complete title in professional activities;
- (10) Conduct which evidences moral unfitness to practice psychology;
- (11) Gross or repeated malpractice;
- (12) Engaging in any sexual conduct with a client, or with an immediate family member of a client, with whom licensee has had a professional relationship within the previous two years;
- (13) Harassing, intimidating, or abusing a client or patient;
- (14) Entering into an additional relationship with a client, supervisee, research participant or student that impairs the psychologist's objectivity or otherwise interferes with the psychologist's professional obligation;
- (15) Practicing outside or beyond a psychologist's area of training or competence without appropriate supervision.

(Reprint)



Vermont Secretary of State  
Office of Professional Regulation

The Office of professional Regulation provides Vermont licenses, certifications, and registrations for over 37,000 practitioners and businesses. As of July 1, 1996, 23 professions are regulated by appointed boards and commissions and 13 professions are regulated by the Director with appointed advisors. A list of professions is on the reverse side.

Each profession or occupation is governed by laws defining professional conduct. Consumers who have inquiries or wish to obtain a form to register a complaint may do so by calling:

802-828-2367

or by writing the Secretary of State at 109 State Street, Montpelier, Vermont 05609-1106.

Upon receipt of a complaint, an administrative review determines if the issues raised are covered by the applicable professional conduct statute. If so, a committee is assigned to investigate, collect information, and recommend action or closure to the appropriate governing body.

All complaint investigations are confidential. Should the investigation conclude with a decision for disciplinary action against a professional's license and ability to practice, the name of the license holder will be made public.

Disciplinary action through the Office of Professional Regulation ranges from reprimand to revocation of license but does not involve financial compensation or restoration, with some exceptions. Financial restoration, can be pursued through private attorneys, small claims court, or other available remedies.

**UNAUTHORIZED PRACTICE IS A CRIMINAL OFFENSE  
IN THE STATE OF VERMONT**

June, 1996

### PROFESSIONS AND OCCUPATIONS REGULATED THROUGH THIS OFFICE

Accountants, Public\*  
Acupuncturists  
Architects  
Auctioneers  
Barbers\*  
Boxing, Managers and Promoters  
Chiropractors  
Cosmetologists\*  
Dentists, Dental Hygienists, Dental Assistants  
Dietitians  
Embalmers  
Engineers, Professional  
Estheticians  
Funeral Directors\*  
Hearing Aid Dispensers  
Land Surveyors  
Manicurists  
Marriage and Family Therapists  
Mental Health Counselors, Clinical  
Motor Vehicle Racing  
Naturopathic Physicians (Effective July 1, 1996)  
Nurses  
Nursing Assistants  
Nursing Home Administrators  
Occupational Therapists  
Opticians  
Optometrists  
Osteopathic Physicians  
Pharmacists\*  
Physical Therapists  
Private Investigators and Security Guards\*  
Psychoanalysts  
Psychologists  
Psychotherapists, Non-licensed and Non-certified  
Radiologic Technologists  
Real Estate Brokers and Salespersons\*  
Real Estate Appraisers  
Social Workers, Clinical  
Tattooists (effective July 1, 1996)  
Veterinarians  
Businesses as well as practitioners are regulated

Vermont Secretary of State      Office of Professional Regulation  
James Milne                              Susan Hollins, Director