

April 25, 2018

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To the members of the Sunset Commission:

I am a licensed psychologist in Austin and a constituent of Senator Watson's. **I would like to offer my opposition to consolidation.** Having reviewed the model, I believe that it would be harmful to the profession of psychology in Texas.

I am sure that you will hear plenty of opposition to consolidation from psychologists so I would like to focus my testimony on two specific issues: the postdoctoral year and custody evaluations.

#### Postdoctoral Year

The postdoctoral year is crucial in training new psychologists. I think that this is best illustrated by a personal example from my own training. Like all psychologists, I received extensive training in psychometrics and psychological assessment while in graduate school. However, I received almost no opportunities to practice assessment while in school. I attended school in the Bay Area of California where most of the clinical opportunities were in community mental health. There simply was no ability to practice my fledgling assessment skills.

I returned to the great state of Texas after my graduate program was completed and attended a predoctoral internship at San Antonio State Hospital. During this program, I had some training in assessment. This was narrowly focused in giving rare projective assessments (primarily Rorschach tests) and neuropsychological screeners. I performed perhaps two juvenile evaluations that included IQ and achievement measures. I did learn more about theory and interpretation, but I still had very little practical experience. In short, I left the internship unqualified to provide competent psychological assessment.

Knowing that this was a deficit in my training, I sought postdoctoral training in forensic assessment. I was able to land a postdoctoral fellowship at juvenile probation here in Travis County in the assessment division. In my time at my postdoc, I performed hundreds of juvenile forensic evaluations under close supervision. My supervisor initially had me watch as he conducted evaluations. He then had me conduct pieces of the evaluation while he watched. When he was comfortable with my performance, he had me perform the full evaluations while he watched. He would review every report line by line and mentored me in my data interpretation, case conceptualization, and writing process. This was the case for hundreds of evaluations over my postdoctoral year. As I became more proficient he trusted me to accurately collect data from the juveniles, and he would assist in interpretation and case formulation. As I achieved a level of mastery over the assessment process he would review the evaluations and meet with the children briefly before signing off on the report.

I received a level of close mentorship over my postdoctoral training that allowed me to develop a robust skillset and to regularly provide reports that stand up in court. My current practice mostly consists of the performance of psychological assessment. I still provide juvenile forensic assessment, and I also perform a significant number of compensation and pension evaluations for the VA. I simply could not have achieved that level of professional skill without the postdoctoral year nor would I have been competent to do the work that I am doing now without the close mentorship of my postdoctoral supervisor. **I urge you to keep the postdoctoral year as it is vital to completing our training in what is a very complex profession.** This is especially true in specializations such as forensics and neuropsychology.

### Custody Evaluations

The second issue that I would like to specifically address is that of custody evaluations. This is an issue that I have not heard discussed during the Sunset process, and I think that it deserves consideration.

Forensic psychologists tend to be a fairly tight knit group. There are not many of us specializing in forensics in the profession. Within the forensic practitioners, there is a miniscule group of psychologists providing custody evaluations. Every year the Board urges forensic practitioners to consider providing custody evaluations. However, the risk is simply too high for most psychologists.

Custody evaluations involve a thorough assessment of both parents and their living environments to determine which parent should receive custody of a child. The focus is on the best interest of the child. This results in the aggrieved parent filing lawsuits and frivolous Board complaints. The frequency of lawsuits and frivolous Board complaints is so high that very few of us are willing to bear the risk necessary to provide these services to the courts. The courts are in vital need of guidance from qualified psychologists.

I think that it would greatly benefit the citizens of Texas for protections for custody evaluators to be added to statute.

This would include some measure of protection from frivolous lawsuit and from frivolous Board complaints while still protecting the citizens of Texas from incompetent practitioners. One example of potential legislation that may be a place to start is the Health and Safety Code, Title 2, Subtitle A, Chapter 12, Subchapter H, Medical Advisory Board Sec. 12.098. Liability. This covers liability for sound judgment evaluations of people seeking concealed handgun licenses. The statute reads:

A member of the medical advisory board, a member of a panel, a person who makes an examination for or on the recommendation of the medical advisory board, or a physician who reports to the medical advisory board or a panel under Section 12.096 is not liable for a professional opinion, recommendation, or report made under this subchapter.

I urge you to consider adding a similar protection for psychologists providing custody evaluation services in order that we may serve the citizens of Texas without unduly jeopardizing our licenses and livelihood.

Regards,

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