



National Board of Forensic Evaluators, Inc.

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Senators, thank you for the invitation to speak with you today. My name is Dr. Aaron Norton, and I am the Executive Director of the National Board of Forensic Evaluators, a national board that provides training and certification for mental health professionals specializing in forensic mental health evaluation. We are multidisciplinary, and our members include both psychologists and counselors.

I am a Licensed Mental Health Counselor and Licensed Marriage and Family Therapist in Florida, and I am an Instructor at the University of South Florida's College of Behavioral and Community Sciences, where I teach counselors-in-training. I have a BA in Psychology, MA in Rehabilitation and Mental Health Counseling, and a Ph.D. in Counselor Education and Supervision.

I have been administering and interpreting psychological tests since I was a student in my master's degree program in 2005. I administer and interpret psychological tests for the courts, and I am contracted with government agencies and with commercial insurance companies to administer and interpret psychological tests. I teach mental health professionals to administer and interpret psychological tests in a testing workshop that is accredited by both the American Psychological Association and the National Board for Certified Counselors, and I provide clinical supervision for counseling interns who are learning to administer and interpret psychological tests.

Given my background as a counselor who administers and interprets psychological tests for a living, you can imagine my surprise when I read a letter written by the Association of Virgin Islands Psychologists (AVIP) sent to the Legislature of the Virgin Islands on February 18, 2022, concerning Bill No. 34-0190. Specifically, the association expressed concern about permitting Licensed Professional Counselors (LPCs) to administer and interpret psychological tests as testing is "not typically part of their Masters' level training."

I am here today to testify that this claim is false. Counselors, like psychologists, are trained to administer and interpret psychological tests. I will present seven points in support of this fact.

I want to acknowledge that I am not a Virgin Islander, and I am not here to try and tell you what to do and not do. I am here to testify about a national standard that I hope the legislature will

consider adopting. I am trusting that legislators will take the information I am providing and use it to make reasonable, informed decisions.

I also want to preface these seven points by saying that I deeply respect my colleagues who are psychologists. I consider them allies in the treatment of mental health. I am hopeful that AVIP's statement in their letter is simply a misunderstanding written by someone outside of the counseling profession who does not truly know and understand the counseling profession. I do not want to believe that the statement was intentionally written to marginalize or disempower counselors who are trained testing experts or to profit from a monopoly over psychological testing. I am hopeful that we can clear up this misunderstanding and that both professions can support each other in improving the mental health of the USVI's citizens, because I understand there is much work to be done.

Psychological tests are measures used to assess human behavior and/or the human mind. There are different types of psychological tests, such as cognitive and neuropsychological tests, problem behavior tests, family and couples test, and social and adaptive behavior tests (AERA, APA, & NCME, 2014, pp. 155-157).

In 2014, a joint task force of three organizations created a national standard for psychological testing that is commonly referenced in the mental health professions called "Standards for Educational and Psychological Tests." One of those three organizations, the American Psychological Association (APA), should be familiar to the Association of Virgin Islands Psychologists (AVIP), because AVIP is an affiliate of the APA ([APA, 2008](#); [APA, 2021](#), p. 27). When the APA co-wrote these standards, they wrote that "those who use psychological tests should confine their testing and related assessment activities to their areas of competence, as demonstrated through education, training, experience, and appropriate credentials" (AERA, APA, & NCME, 2014, p. 164, Standard 10.1).

At NBFEE, we strongly agree with the APA, and we maintain that both counselors and psychologists should be held to this standard equally. I think it is important to note that nowhere in these standards does the APA claim that only psychologists are competent to administer and interpret psychological tests, and I am hopeful that by the end of my testimony you will conclude that counselors are just as likely as psychologists to meet these standards.

I. Counselors Are Trained to Administer and Interpret Psychological Tests in Graduate School

First, graduate counseling students must be trained on the administration and interpretation of psychological tests to graduate with a master's degree in counseling. The primary accrediting body for counseling programs is the Council for the Accreditation of Counseling and Related Educational Programs (CACREP). My understanding is that 23 out of 25 of the counselors licensed in the U.S. Virgin Islands earned their degrees from CACREP-accredited programs. The primary accrediting body for the graduate programs of psychologists is the American Psychological Association (APA).

Both CACREP and APA require training in assessment. In the APA's standards, this requirement is summarized with only one word—*assessment*. CACREP went much further when writing their standards, outlining 13 different aspects of testing that counselors must be trained on, including the history of testing; testing methods, procedures for assessing risk of aggression, self-harm, suicide, and trauma; concepts of standardized and non-standardized testing, norm- and criterion-referencing, statistical concepts related to testing, reliability and validity of tests, how to administer and interpret symptoms checklists, personality, and psychological tests; and ethical and cultural considerations for testing ([CACREP, 2016](#), Standard F7).

A side-by-side comparison of the coursework required by CACREP-accredited counseling programs and APA-accredited programs fails to show any aspect of psychological testing that psychologists are trained on but counselors are not ([Norton, 2021](#)). I believe that this point is the only point that is needed to demonstrate that the claim in the letter you received from the AVIP is false, but I will offer six additional points.

II. Most State Licensure Boards Treat Psychologists and Counselors Equally with Respect to Psychological Testing

Second, most state licensure boards treat counselors the same as psychologists with respect to the ability of counselors to administer and interpret psychological tests. Specifically, in 43 out of 50 of the United States, counselors are not treated any differently than psychologists (ACA, 2016; [NBFE, 2021](#)). Of the seven states that treat counselors differently, none of them prevent counselors from administering *all* psychological tests, and none of them require counselors to administer and interpret tests under the supervision of a psychologist.

If legislators in the USVI want to protect the public from incompetent testing but also adhere to a national standard, then the legislature can consider two strategies used by various state governments: (1) it can clarify in statutes a set of requirements that both licensed counselors and licensed psychologists must follow, treating them equally, like, for example, the State of Colorado does ([Mental Health Practice Act, Title 12, Article 245, 12-245-232, 2021](#)), or (2) it can create a generic statute that requires all licensed mental health professionals to adhere to the standards of their profession and then delegate to the licensure boards the ability to create rules detailing those professional standards, like my state (i.e., Florida) has done ([Title XXXII, Regulation of Professions and Occupations, Clinical, Counseling, and Psychotherapy Services, 2021, F.S. 491.009\(1\)\(r\)](#)).

When I read Bill #34-0190, I noted that the bill (a) requires counselors to have taken coursework in individual appraisal, assessment, and testing (p. 4, line 8), and (b) to provide testing services only if they are qualified by their licensure board by virtue of their education, training, or experience (p. 6, lines 1-4). This appears consistent with the national standard established by the USVI's own national affiliate, the APA. When I read the requirements for licensure as a psychologist in the Virgin Islands, I did not see anything stipulating that an applicant must have training in psychological testing. As such, I believe that that the testing

qualification standards for counselors outlined in Bill No. 34-0190 better protect the public from incompetent testing than the code applying to psychologists.

III. Counselors Have Been Experts in Psychological Testing Since the Early 1900s

Third, counselors have always been experts in testing. Our profession is generally traced back to the work of Parsons (1909), who outlined a counseling process using the scientific method, psychological tests, and a way of communicating with clients. The first counselors were professionals who administered and interpreted psychological tests (Gladding & Newsome, 2018, p. 8) and the first counseling centers in the United States were called “counseling and testing centers” (Hays, 2017, p. 14).

I’ve heard some psychologists say that counselors only administered intelligence tests, interest inventories, and career tests, but counselors have been publishing written guidelines on administering and interpreting personality tests for the purpose of diagnosing and treating mental disorders since at least the 1930s (e.g., Brewer, 1932; Williamson, 1939).

IV. All Major National Counseling Authorities Agree that Psychological Testing is Within the Scope of Practice of Counselors

Fourth, the 28 major national organizations that are considered the authorities in the counseling profession agreed in 2013 that testing is within our scope of practice. This includes authorities such as the American Counseling Association, American Mental Health Counselors Association, National Board for Certified Counselors, and the Association for Assessment and Research in Counseling ([20/20 Task Force, 2013](#)).

V. The United States Government Recognizes that Counselors Competently Administer and Interpret Psychological Tests

Fifth, the U.S. federal government recognizes the competency of counselors to administer and interpret psychological tests. For example, in 2016 the Social Security Administration clarified in the U.S. federal code ([Revised Medical Procedure for Evaluating Mental Disorders, 20 CFR Part 404\(12\)\(C\)\(2\)\(d\), 2016](#)) that it will accept psychological testing and other evidence of disability from licensed counselors. Also, counselors are contracted with TRICARE, the health program for military service members, retirees, and their families to provide psychological testing for service members and their families. I am one of them.

VI. Counselors are Ethically Required to Administer and Interpret Psychological Tests When Appropriate

Sixth, the ethical codes and professional standards that govern counselors require counselors to use multiple sources of data when diagnosing and treating clients, including testing (ACA, 2014, pp. 11-12, ; [AMHCA, 2020](#), pp. 9-10; [AMHCA, 2021](#), pp. 13-18). The idea of a law being written that would contradict the ethical responsibilities of counselors is concerning. These ethical

codes exist for a reason. Does it make sense to say that a professional should not be allowed to test for conditions they diagnose and treat? Would we, for example, allow physicians to diagnose and treat hypertension if the physician is not qualified to test a patient's blood pressure? I do not believe that such a policy would serve the public interest.

VII. Counselors Meet the Qualification Standards of Psychological Test Developers and Distributors

I earned my MA degree in Rehabilitation and Mental Health Counseling in 2007 and was licensed to practice independently as a counselor in 2009. Though I am not a psychologist, that same year I was granted the highest level of testing qualification by all four of the largest testing distributors in the United States (i.e., Psychological Assessment Resources (PAR), Pearson Clinical, MHS Assessments, and Western Psychological Services (WPS)).

Companies that develop psychological tests require professionals to have a graduate degree (i.e., at least a master's degree) in a discipline *related to* psychology and/or to the diagnosis and treatment of mental disorders (e.g., counseling, psychology, social work, marriage and family therapy) and to have taken a graduate level course in psychological testing. They do not, however, have to be psychologists, as depicted in the tables below:

MHS Assessments	Pearson Clinical
<ul style="list-style-type: none"> •Level C •completion of graduate level coursework in tests and measurement at a university “or has received equivalent documented training,” AND •training and/or experience in the use of tests, AND •completed an advanced degree in an appropriate profession (e.g., psychology, psychiatry) (MHS Assessments, n.d.) 	<ul style="list-style-type: none"> •Level C •doctorate degree in psychology, education, or a closely related field with formal training in the ethical administration, scoring, and interpretation of clinical assessments related to the intended use of the assessment, OR •licensure or certification to practice in your state in a field related to the purchase, OR •certification by or full active membership in a professional organization (such as APA, NASP, NAN, INS) that requires training and experience in the relevant area of assessment (Pearson, n.d.)

Psychological Assessment Resources (PAR)	Western Psychological Services (WPS)
<ul style="list-style-type: none"> •Level C <ul style="list-style-type: none"> •an advanced professional degree that provides appropriate training in the administration and interpretation of psychological tests, OR •license or certification from an agency that requires appropriate training and experience in the ethical and competent use of psychological tests (PAR, 2022) 	<ul style="list-style-type: none"> •Level C <ul style="list-style-type: none"> •master’s degree (MA, MS, MSW, CAGS) in psychology, school counseling, occupational therapy, speech–language pathology, social work, education, special education, or related field OR •bachelor’s degree (BA, BS) in field listed above AND license or certification from an agency/organization that requires training and experience in assessment •Level N <ul style="list-style-type: none"> •a doctoral degree (PhD, PsyD, MD) in psychology or related field OR •master’s degree (MA, MS, MSW) in fields listed above AND at least a weekend workshop on neuropsychological assessment (WPS, n.d.)

Summary

To summarize, I have attempted to explain that the administration and interpretation of psychological tests is within the scope of practice of counselors using seven points of evidence: (1) counselors are trained to administer and interpret psychological tests in graduate school; (2) most state licensure boards treat psychologists and counselors equally with respect to psychological testing; (3) counselors have always been experts in psychological testing (since the beginning of the profession in the early 1900s); (4) all major counseling associations and authorities agree that psychological testing is within the scope of practice of counselors; (5) the United States government recognizes that counselors competently administer and interpret psychological tests; (6) counselors are required by their ethical codes to administer and interpret psychological tests when appropriate; and (7) counselors meet the qualification standards of psychological test developers and distributors.

I am hopeful that the legislature of the U.S. Virgin Islands will consider this evidence carefully and treat the counseling and psychology professions as equals, adhering to a national standard. I want to offer my expertise if you have any questions. Thank you for listening to me today.

Respectfully submitted,



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