

Scope of Competence

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... Licensing laws, regulations, and/or ethics codes will typically contain provisions that prohibit practitioners from engaging in practices or activities that are beyond the scope of their competence, as established by their education, training and experience. These rules typically leave it to the judgment of the individual practitioner to determine whether or not he or she possesses sufficient skills and abilities to engage in the activity. Even if competent, however, one may be prohibited from doing something because of the applicable scope of license. Physicians have the broadest scope of license of all health practitioners, but the rules about practicing within the scope of their competencies limit their activities. Although physicians can typically practice psychotherapy within the scope of their license, most do not do so because it is not within the scope of their competence. Likewise, not all physicians perform surgery even though it may be within the scope of their license.

It can always be alleged by a disgruntled patient or client that the practitioner was not competent to do what he or she did. For instance, while it might be within the scope of the license for certain mental health licensees to administer and interpret psychological tests, it may not be within the scope of their competence. In such a lawsuit, the patient's attorney will surely question the licensee about what coursework, what experience, and what education qualified him/her to perform the tests involved. Or, suppose that a practitioner used hypnosis or practiced hypnotherapy (assuming such work was within the scope of the license) while treating a patient. Again, a patient's attorney may try to show that the practitioner did not have the requisite experience, education and training to perform such functions.

When therapists and counselors are first licensed, they typically have self-imposed limits regarding what they feel comfortable doing in their professional practices. As time goes on, they may want to expand their practices into new areas and new patient populations. This is part of the process of becoming a seasoned practitioner. How do they do this without violating the rule about not practicing outside the scope of their competencies? They read books, take coursework in degree programs, attend workshops and seminars, get supervision, and consult with those who have expertise in the area. It is important to be a good record keeper with respect to these kinds of activities so that if ever questioned, practitioners can demonstrate that they expanded the kinds of cases they handled in a responsible manner.

