

## How Does State License Impact Biofeedback and Neurofeedback?

**BCIA Certification** is a voluntary credential one gains to demonstrate entry level competency to deliver biofeedback services. The certification provides no legal authority to practice.

**Biofeedback** is a modality and laws governing healthcare are not typically modality-specific, except for things like massage therapy or acupuncture.

Unlicensed professionals must work under appropriate supervision when using biofeedback to treat a diagnosed disorder. The other option is to work only in a peak/optimal performance setting where there are no patients, and one does not treat disorders.

A license is required by the state where you practice should you wish to be called a specific title such as a psychologist or to practice a defined profession such as Clinical Psychology or Medicine. Laws are in place to regulate the independent treatment of disease and disorder. Simply stated, there is no license for any biofeedback modality. A license regulates how biofeedback or neurofeedback may be used when treating a diagnosed medical or psychological disorder.

Some state licensing laws specifically include the terms biofeedback and neurofeedback, but what does that really mean? If a profession lists neurofeedback, does it mean that no other profession can provide the therapy? Great question and one each provider should investigate at the state level; however, from what we have learned, listing the modality within a profession does not restrict its use by other professions.

Each licensed professional using these techniques to independently treat a medical or psychological disorder should carefully review their practice standard guidelines to check for the following:

- is biofeedback or neurofeedback specifically mentioned or excluded?
- do your practice standard guidelines require you to work only within the area of your expertise? If yes, do they further define how that standard is met?
- what diagnoses are you allowed to treat under your license?
- is there a stated or implied scope of practice? Just because a dentist learns to use SEMG to appropriately treat TMJ, can s/he legally use SEMG to treat urinary incontinence?
- how does my state license define and regulate supervision?

**Mentoring** is the term used by BCIA meaning to teach the practical hands-on skills. The mentor has no responsibility for your work.

**Supervision** is a term meaning to take legal responsibility for another's work. There are two types of supervision:

1. For the oversight of new clinicians as they seek their own state license
2. Taking responsibility for unlicensed persons who see patients under their license. This is important to our field. An example would be an MD who supervises physician extenders to take blood pressure.

Not only do some states clearly outline who can be supervised; some laws even outline how it must be done. For example, in Texas, an LPC must earn additional status as an LPCS (Licensed Professional Counselor Supervisor) and then may only provide supervision to a licensed LPC intern. In some states, it is clearly stated that the supervisor must be on site 50% of the time. In other states it would be illegal to supervise a person outside of your profession. For example, a psychologist may not be legally able to supervise a nurse.

No, your state does not specifically regulate biofeedback or neurofeedback. If they did, they would do it through licensing laws; however, they do clearly regulate the treatment of diagnosed medical and psychological disorders. As of March, 2015, none of the 50 states offer professional licensing as a biofeedback or neurofeedback professional. Perhaps that is the future? Until then, state boards may regulate what types of clients or disorders you may treat, if you can be supervised or provide supervision, and how that supervision may look. Stay safe – check it out.