This is another one of the comprehensive volumes in the American Psychological Association (APA) series, Law and Mental Health Professionals. It is a very complete and extensive look at laws affecting the practice of psychology and how psychologists interact with the legal system in the State of Vermont. It is not an exciting book, nor was it intended to be, but is an excellent reference book, as are the other volumes in this series.

Much of the format is somewhat “lockstep” and, according to the series editors, makes an effort to cover every possible legal topic that affects mental health practice. It demonstrates the effective laws on practitioners, as well as the rules governing such individuals when they testify as experts and serve as consultants in court. Unfortunately, the very comprehensive nature of the volume and the somewhat limited format tend to avoid discussion of some important areas that could be expanded. The series editors note that the chapters are not intended to argue for or against a particular topic, but they hope that the comprehensiveness of the coverage will encourage mental health professionals to question the way a particular state may approach a particular topic. This volume, like the other volumes in the series, consists of eight different sections that are loosely called chapters, but, in essence, there are 117 separate discussions in the volume. Again, the discussions are expansive in their scope, but the authors do not make an attempt to explore similarities or differences among the laws discussed in the different sections. The sections deal with legal credentialing of mental health professionals; business and insurance matters; maintenance and privacy of professional information; and a series of discussions of adults, minors and families, civil matters, criminal matters, and voluntary and involuntary commitment procedures. The authors provide a well-thought-out orientation to the volume, discussing the nature of legal citations, the differences between case law and statute, and the judicial history of various laws.

In the legal credentialing section, they point out that under Vermont law, the regulation of professions is only for the purpose of protecting the public and that the state attempts to use the least restrictive form of regulation needed. This is one of the examples of a topic area that needs further discussion, namely, the least restrictive form of regulation, but the format does not really allow for such an expanded discussion.

In a similar manner, there is an excellent description of the criteria used to determine unprofessional conduct, but there are several idiosyncratic pieces that could bear further description and elaboration. For instance, there is an ongoing controversy in many states about whether or not a specific board may allow a person under investigation to return his or her license. This is not allowed, apparently, in the State of Vermont, but this very matter has been a topic of controversy up to and including the APA itself. In a similar manner, the authors write about the fact that the rules of evidence are somewhat relaxed in disciplinary board hearings but do not give an extensive description of just how the rules of evidence are relaxed. This very relaxation has been noted by others as creating limited due process rights, but this controversy is not addressed. Another idiosyncratic piece of the Vermont licensing law is that a licensee has the opportunity to show compliance with requirements for retaining a license before the board can actually revoke the license.
license; again, a somewhat idiosyncratic matter that begs further description.

There is an excellent and explicit description of what appellate review of licensing board hearings is like. The authors proceed to describe the different licensing procedures for different occupations and note some of the areas in which individuals do not need to have a license. One thing that is quite different, and again suggests the need for further comment, is that official court evaluators in the State of Vermont do not require the possession of a license, a matter that is quite distinct from most other states.

The authors give excellent definitions and discussions of informed consent, which, in fact, is repeated in several sections; standard of care; and what they describe as “additional relationships,” which is described in other codes and in the APA Ethics Code as multiple relationships. They provide a discussion of the “open meeting law,” indicating that the boards must maintain open meetings but then indicate that secret meetings may be held when there is an executive session, but they do not specify what kinds of matters will go into executive session.

The chapter on business matters is very informative. The authors include critical information regarding health maintenance organizations, preferred provider organizations, parity among psychiatric and nonpsychiatric treatment, and generally mental health coverage in various insurance plans.

In a similar manner, the authors provide an excellent and comprehensive discussion of the limitations on and liability of practice. They note an interesting point in that the Vermont Board of Psychology adopts not only the APA Ethics Code but also the Code of Conduct of the Association of State and Provincial Psychology Boards. There should have been some discussion of this, as well as of the very strict criteria for retention of records. The necessity for maintaining records for seven years in the State of Vermont is far more strict than that required by APA and stricter than that of most states (which require five years' maintenance of records). Nevertheless, there is a good deal of helpful detail about contents of records, about privilege and waivers of privilege, and, again, some interesting and rather unusual matters dealing with a waiver of privilege when there is a criminal investigation of the patient or of the provider. This is such an unusual factor that it seems to require further discussion than merely the mention of it.

The authors follow with a rather in-depth discussion of malpractice, other forms of professional liability, and the differences between the systems of civil liability (tort law) and workers' compensation law. There are some fascinating differences between the way these two systems operate in that in the area of tort, mental injury needs to be connected to a physical injury, whereas in the workers' compensation area that connection is not necessary. Nevertheless, there is a higher standard for free-standing emotional injury in workers' compensation than for emotional injury connected to physical injury. This whole area is quite complex and requires further discussion.

The authors' discussion of criminal law and transfer of juveniles to adult court is equally well-thought-out, as is their discussion of torts of intentional and negligent infliction of emotional distress. There is a fascinating discussion of the laws regarding testimony about battered woman's syndrome and rape trauma syndrome and the reasons for limitations on that testimony. In fact, this section provides a model that should have been used in some of the other sections.

Finally, there was only one area that I found confusing in the authors' discussion, and this was their treatment within criminal law of the topics of diminished capacity and mens rea. These are exceedingly complicated topics that demand a rather extensive discussion and the authors do not explain these concepts fully enough.

In summary, this is an excellent and comprehensive volume dealing with many areas of the interface of psychology and the legal system. The only drawback that I have found is that there are several aspects of mental health law in the State of Vermont that need further explanation and the authors, perhaps because of the highly structured nature of the volume, rarely discussed these additional materials in the detail that is needed.