

Quick Contact

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Related Attorneys

Robert B. Remar

Related Practices

Health Care Litigation

MENTAL HEALTH PROFESSIONALS

Mental health professionals (such as psychiatrists, psychologists, licensed professional counselors, licensed clinical social workers, and licensed marriage and family therapists) can face a diverse set of legal needs in the support of their practices. These needs can range from responding to subpoenas or representation and defense before licensing boards to seeking advice on employment agreements. With each discipline being governed by its own set of rules and procedures, professionals need tailored assistance to match their individual circumstances.

Over the past two decades our Mental Health Professionals practice group has evolved to provide professionals with the tailored advice and guidance needed to support to their practices. Our support services include:

- Providing telephone legal consultation services
- Responding to subpoenas and requests for information
- Providing employment counseling and drafting employment-related agreements
- Defending professionals in Medicaid/Medicare recoupment proceedings
- Providing advice on non-profit corporation issues, including governance and compliance questions

Partner Robert B. Remar has personally represented the Georgia Psychological Association (GPA) for more than 20 years (17 of those years as a partner at Rogers & Hardin). In addition, Mr. Remar co-authored *Law and Mental Health Professionals: Georgia* for APA Press (currently out of print). He is also an annual speaker and author on Issues of Special Importance To Mental Health Professionals at the Institute of Continuing Legal Education Fundamentals of Health Care Law.

The following is an example of one of our representative matters before a licensing board:

REPRESENTATION BEFORE LICENSING BOARD

- **Client:** A psychologist facing sanctions by her licensing board.
- **Issues:** The psychologist was alleged to have violated various state and psychology board rules because of her contact with a patient in order to investigate asserted inappropriate conduct by a mental health professional employed by her practice.
- **Challenge:** To make clear that the psychologist had a responsibility to follow-up on



information that one of her employees may have engaged in wrong-doing and that her contact with the patient was appropriate in this context.

– **Outcome:** We persuaded the administrative law judge that the licensing board did not establish any violation of laws or regulations governing psychologists. The request to sanction the psychologist was denied in its entirety.