

Disclosure of Qualifications, Definitions of Unprofessional Conduct, and Vermont Complaint Process

Vermont Forensic Assessment, PLLC is an affiliation of professionals specializing in forensic psychology and related services, located in Shelburne, Vermont. We are licensed psychologists, doctoral clinicians, license-track professionals, and clinical psychology interns serving clients throughout Vermont.

Thomas Powell, Ph.D. is a Licensed Psychologist-Doctorate and founding partner of Vermont Forensic Assessment, PLLC. He provides comprehensive psychological evaluations, risk assessments and consultation for individuals referred by attorneys, courts, private and public sector employers, corrections, child protective services, and other parties. He develops nuanced and humanistic evaluations of referred clients, integrating a wide range of data sources, including clinical and structured interviews, psychometric testing, risk assessment protocols, records, and collateral sources. He offers specialized expertise in the evaluation of individuals charged with sexual offenses, crimes of violence, and crimes involving post-traumatic stress disorder or other mental illness, as well as fitness for duty in employment settings. He evaluates clients for competency to stand trial, sanity, and sentencing. As former longtime director of clinical services for the Vermont Department of Corrections, he offers specialized expertise in the assessment, management and clinical treatment of complex cases within prison and probation/parole systems. Dr. Powell is regularly qualified as an expert to provide psychological evidence and testimony in Vermont state and federal criminal courts. He also provides evaluations, testimony, and consultation in civil litigation cases.

John Holt, Ph.D. is a Licensed Psychologist–Doctorate and partner at Vermont Forensic Assessment, PLLC. He has extensive experience working with both adolescents and adults in the criminal justice system. He conducts forensic evaluations for attorneys and other criminal justice system clients, including psychological evaluations, psychosexual evaluations, risk assessments, competency, insanity, and criminal responsibility evaluations. He also provides consultation regarding Miranda Waivers/confessions and victim forensic interviews.

Dr. Holt has worked in numerous capacities throughout the juvenile and adult justice systems including management of the Vermont Department of Corrections' mental health operations, provision of offender treatment services, evaluation of juveniles in state detention, drug and alcohol assessment, and consultation to

justice agencies. He has published on topics including the prevalence of mental illness among prisoners, trauma, and the benefits of offender work programs.

Victoria A. Marini Bowley, Ph.D. is a Licensed Psychologist–Doctorate and partner at Vermont Forensic Assessment, PLLC. Dr. Marini Bowley provides comprehensive evaluations of both adults and juveniles, including psychological evaluations; psychosexual evaluations; risk assessments; competency and criminal responsibility evaluations; immigration evaluations; trauma evaluations; and fitness-for-duty evaluations. She also provides consultation regarding Miranda Waivers/confessions and victim forensic interviews. Her referral sources include attorneys, Department for Children and Families, Department of Corrections, mental health agencies, and schools/universities.

Dr. Marini Bowley has prior experience in adult and adolescent treatment programs, including the Federal Medical Center-Devens (Massachusetts) and the Woodside Juvenile Rehabilitation Center. Through this work, she has provided assessment and treatment services in the areas of trauma/posttraumatic stress disorder, alcohol/drug abuse, sexual offending, and severe and persistent mental illness. Dr. Marini Bowley has published work in the areas of juvenile delinquency, substance abuse, trauma/child maltreatment, and sexual offending.

In addition to her work at VTFA, Dr. Marini Bowley maintains a small private therapy practice providing trauma-informed services to Vermont's first responders through the EAPFirst program. She also has appointments as a Clinical Assistant Professor at the Department of Psychiatry at the University of Vermont and as an Adjunct Clinical Professor at the Department of Psychology at Antioch University New England.

Unprofessional Conduct

Unprofessional conduct refers to conduct listed in this section 3013 of Title 26 and in section 129a of Title 26 of Vermont Statutes Annotated:

1. Failing to make available, upon written request of a person using psychological services to succeeding health care professionals or institutions, copies of that person's records in the possession or under the control of the licensee.
2. Failing to use a complete title in professional activity.
3. Conduct which evidences moral unfitness to practice psychology.
4. Engaging in any sexual conduct with a client, or with the immediate family member of a client, with whom the licensee has had a professional relationship within the previous two years.
5. Harassing, intimidating, or abusing a client or patient.
6. Entering into an additional relationship with a client, supervisee, research participant or student that might impair the psychologist's objectivity or otherwise interfere with the psychologist's professional obligations.
7. Practicing outside or beyond a psychologist's area of training or competence without appropriate supervision.
8. Notwithstanding the provisions of 3 V.S.A. § 129a(a)(10), in the course of practice, failure to use and exercise that degree of care, skill and proficiency which is commonly exercised by the ordinary skillful, careful and prudent psychologist engaged in similar practice under the same or similar conditions, whether or not actual injury to a client or patient has occurred.
9. Conduct which violates the "Ethical Principles of Psychologists and Code of Conduct" of the American Psychological Association, effective December 1, 1992, or its successor principles and code.
10. Conduct that violates the ASPPB Code of Conduct-1990 of the Association of State and Provincial Psychology Boards or its successor code.
11. Fraudulent or deceptive procurement or use of a license.
12. Advertising that is intended or has a tendency to deceive.
13. Failing to comply with provisions of federal or state statutes or rules governing the practice of the profession.
14. Failing to comply with an order of the board or violating any term or condition of a license restricted by the board.
15. Practicing the profession when medically or psychologically unfit to do so.
16. Delegating professional responsibilities to a person whom the licensed professional knows, or has reason to know, is not qualified by training, experience, education or licensing credentials to perform them.
17. Willfully making or filing false reports or records in the practice of the

- profession; willfully impeding or obstructing the proper making or filing of reports or records or willfully failing to file the proper reports or records.
18. Failing to make available promptly to a person using professional health care services, that person's representative, succeeding health care professionals or institutions, upon written request and direction of the person using professional health care services, copies of that person's records in the possession or under the control of the licensed practitioner.
 19. Failing to retain client records for a period of seven years, unless laws specific to the profession allow for a shorter retention period. When other laws or agency rules require retention for a longer period of time, the longer retention period shall apply.
 20. Conviction of a crime related to the practice of the profession or conviction of a felony, whether or not related to the practice of the profession.
 21. Failing to report to the office a conviction of any felony or any offense related to the practice of the profession in a Vermont district court, a Vermont superior court, a federal court, or a court outside Vermont within 30 days.
 22. Exercising undue influence on or taking improper advantage of a person using professional services, or promoting the sale of services or goods in a manner which exploits a person for the financial gain of the practitioner or a third party.
 23. Performing treatments or providing services that the licensee is not qualified to perform or which are beyond the scope of the licensee's education, training, capabilities, experience, or scope of practice.
 24. Failing to report to the office within 30 days a change of name or address.
 25. Failing to exercise independent professional judgment in the performance of licensed activities when that judgment is necessary to avoid action repugnant to the obligations of the profession.
 26. Failure to practice competently by reason of any cause on a single occasion or on multiple occasions may constitute unprofessional conduct, whether actual injury to a client, patient, or customer has occurred. Failure to practice competently includes:
 - a. Performance of unsafe or unacceptable patient or client care; or
 - b. Failure to conform to the essential standards of acceptable and prevailing practice.
 27. The burden of proof in a disciplinary action shall be on the state to show by a preponderance of the evidence that the person has engaged in unprofessional conduct.