

▶ **Who may see your file?**

The psychologist/psychotherapist keeps your information in a file. The file contains the general practitioner's referral, the indication for therapy, the therapy plan, letters from you and about you, and a description of the progress of the therapy. Your file is strictly confidential. Your practitioner must store your file and your information in such a way that nobody can look at it. Your private life must be protected. You may look into your file and make a photocopy yourself. Sometimes, with your permission, others are involved in your therapy. If there is information in your file which is issued confidentially by others, you may not have a look at it. You may add something to your file but you may not take anything out. For example, you may add remarks or observations about the therapy, or criticism about the way in which your situation is described. You may also have your file destroyed. For this you must submit a written request. The administrator records of your therapy may not be destroyed, because verification by the insurance company must remain possible.

▶ **Do you have to fill in the questionnaires?**

Your practitioner would like to know if you are satisfied with the therapy, how therapy is progressing and whether your complaints are diminishing. In order to measure this, your practitioner can use different questionnaires. You will often receive the same questionnaire at the beginning and at the end of the therapy. This is called a ROM in technical terms, an abbreviation of Routine Outcome Monitoring. You do not have the obligation to cooperate with ROM, satisfaction questionnaires or other questionnaires. Speak to your practitioner about whether you want to fill in the questionnaires or not.

▶ **What can you do if you have a complaint about your therapy or your practitioner?**

If you have complaints about your practitioner or the therapy, the best initial course of action is to discuss the problem with him/her. Often there is a misunderstanding that can be solved with a conversation. However, if you are not able to find a solution together, you can approach one of the LWP Complaints Officers for mediation. If this does not solve your complaint, or if it cannot be expected in your situation that you discuss the problem with your practitioner and/or the Complaints Officer, then you can contact the independent mental healthcare practices Complaints Commission (de geschillencommissie vrijgevestigde ggz-praktijken in Dutch). In the Hague, this complaints commission has set up a digital portal for patients of independent psychologists/psychotherapists. There are expenses associated with the use of the complaints commission. Healthcare psychologists, psychotherapists and clinical (neuro)psychologists are also subject to disciplinary jurisdiction. This is regulated by the BIG Act. You can therefore also file your complaint with the Disciplinary Council for Healthcare (Tuchtcollege voor de gezondheidszorg in Dutch). You can find more information on <https://www.tuchtcollege-gezondheidszorg.nl/k-mee-en-klacht>.

▶ **What can you do if you have a complaint about your insurance company?**

Complaints about reimbursement by your insurance company, for example, can be addressed to the independent Foundation for Complaints and Disputes with Insurance Companies (Stichting Klachten en Geschillen Zorgverzekeringen in Dutch, www.skgz.nl). If you think that the insurance company is not respecting your privacy, or have another complaint or question about mental healthcare, you can address MIND, the national platform for patients in mental healthcare at www.mindjezorg.nl.

▶ **What information are you entitled to?**

According to the law (Wvkg), you have a right to information about fees and waiting times, for example. Furthermore, psychologists/psychotherapists have the obligation to inform you if incidents with language consequences have occurred during your therapy. They must give information about the nature and the circumstances of these incidents and the measures that they have taken in order to limit or remove the consequences. They must make a note in your file of when, how and why, the incident occurred and who was involved.

▶ **What can you do if you have a complaint about superfluous or complicated forms?**

If you think that the forms used by your insurance company or practitioner are unnecessarily complicated or superfluous, you can file a complaint with the Dutch Healthcare Authority (NZA), for this, call the hotline on +31 (0)88 770 8 770 or email info@nza.nl. The NZA can then issue a binding opinion on this. You can also file a report without the NZA attaching a binding opinion to it.

Addresses

▶ **National Association of Independent Psychologists and Psychotherapists/ Landelijke Vereniging van Vrijgevestigde**

Psychologen & Psychotherapeuten (LVPP)
Mallebaan 67, 3581 TC Utrecht
Tel. +31 (0)30 226 43 38
bureau@lvpp.info
www.lvpp.info

▶ **LWP Complaints Officers/ Klachtfunctionarissen LWP**

Tel. +31 (0)88 234 16 06
Email LWP@klachtcompany.nl

▶ **Complaints Commission for independent mental healthcare practices/ Geschillencommissie vrijgevestigde ggz-praktijken**

Postbus 90600, 2509 LP Den Haag
www.geschillencommissie.nl (via The Healthcare Complaints Commission, de Geschillencommissie Zorg in Dutch, you will be guided to the Complaints Commission for independent mental healthcare practices)

▶ **Central Disciplinary Council for Healthcare/ Centraal Tuchtcollege voor de Gezondheidszorg**

Postbus 28032, 2500 ET Den Haag, Tel. +31 (0)88 371 25 10
www.tuchtcollege-gezondheidszorg.nl

Regional Disciplinary Councils

▶ **Regional Disciplinary Council Amsterdam**

(Noord-Holland, Utrecht) Postbus 84500, 1080 BN Amsterdam
Tel. +31 (0)88 371 25 00

▶ **Regional Disciplinary Council Den Haag**

(Zuid-Holland, Zeeland) Postbus 97831, 2509 CE Den Haag
Tel. +31 (0)88 371 25 20

▶ **Regional Disciplinary Council Eindhoven**

(Noord-Brabant, Limburg) Postbus 61, 5600 AB Eindhoven
Tel. +31 (0)88 371 25 50

▶ **Regional Disciplinary Council Groningen**

(Groningen, Friesland, Drenthe) Postbus 1144, 9700 CC Groningen
Tel. +31 (0)88 371 25 60

▶ **Regional Disciplinary Council Zwolle**

(Overijssel, Gelderland, Flevoland) Postbus 10657, 8000 GB Zwolle
Tel. +31 (0)88 371 25 70

What you should know when starting therapy with an independent psychologist or psychotherapist

2020



LANDELIJKE VERENIGING VAN VRIJGEVESTIGDE PSYCHOLOGEN & PSYCHOTHERAPEUTEN

Please note: this brochure only contains information about therapy for adults. This falls within the scope of the Care Insurance Act. Therapy for children and young people up to age 18 falls within the scope of the Youth Act. The LVP has a separate brochure on the subject (dutch). When you start therapy with an independent psychologist or psychotherapist, it is important to know what you can expect. For example, how reimbursement is arranged and what the bilateral rights and obligations are. This brochure contains more information about these topics.

What does independent mean?
Independent psychologists or psychotherapists are those who are self-employed. They run their own practice and are not tied to an institution or a psychiatric hospital. An advantage of this is that you will always have sessions with the same practitioner, i.e. the psychologist or psychotherapist chosen by you. An independent practitioner can run a joint practice with other psychologists or psychotherapists.

What does the National Association of Independent Psychologists and Psychotherapists (LVP) do?
The LVP is an association of independent psychologists and psychotherapists which represents their interests. LVP members are registered by the government in the BIG register (see also www.bigregister.nl). This means that the psychologist/psychotherapist satisfies the requirements that the government has set regarding training and professional practice. In addition, LVP members are monitored for fulfillment of the requirements set upon them by law. Therefore, when you start therapy with a member of the LVP, you can be sure that your practitioner is lawfully recognized and satisfies the legal requirements.

Who carries out the therapy?
In the general basic mental healthcare you will be treated by a primary care/healthcare psychologist, psychotherapist, or clinical (neuro)psychologist. In the specialized mental healthcare you will be treated by a psychotherapist, clinical (neuro)psychologist or psychiatrist. The general practitioner is the professional who directs the referral to either the general basic mental healthcare or the specialized mental healthcare.

What are the quality statutes?
Since 1 January 2017, every psychologist/psychotherapist has the legal obligation to have statutes regarding quality, in which a description is given of the care provided and how this care is organized. You will find your practitioner's quality statutes on the practice website and/or in the practice itself.

What is the general basic mental healthcare?
If you have a psychological complaint or if your general practitioner suspects that you have a psychological condition, he or she can refer you to the general basic mental healthcare. The psychologist/psychotherapist will assess the severity of your problem, the risk, the complexity, and the course of your complaints to determine whether you are eligible for therapy and if so, which type - short, medium-term or intensive. In the case of persisting complaints, you will be eligible for chronic therapy.

What is the specialized mental healthcare?
If your problems are more complex and last longer, the general practitioner will refer you to the specialized mental healthcare in which longer therapy is an option.

Which training requirements must a psychologist/psychotherapist satisfy?
A person who holds a university degree in psychology is a basic psychologist. Basic psychologists are not allowed to treat patients. At least two years of additional training leading to the title of healthcare psychologist are required for that. Clinical (neuro) psychologists and psychotherapists have followed a four-year training programme after their university degree.

Are you looking for a healthcare provider?
You can search for a healthcare provider on the LVP website www.lvp.info. You can search by name, location, and sector: general basic mental healthcare, specialized mental healthcare and youth mental healthcare. You can also carry out an advanced search, for example by type of complaint, age category or life stage, and practitioner gender.

Will your therapy be reimbursed?
Therapy with an independent psychologist or psychotherapist who is registered in the BIG register is covered in principle by the basic insurance. In order to be reimbursed you need a referral from the general practitioner. This is regulated in the Care Insurance Act. The amount that is reimbursed depends on:

- whether your practitioner has signed a contract with your insurance company or not,
- your insurance policy (in kind or restitution)
- whether your practitioner has signed a contract with your insurance company or not, signed a contract with your insurance company. Your practitioner will send the invoice directly to your insurance company. If your practitioner has not signed a contract, your insurance company will reimburse approximately 60% to 80% of the therapy. You must pay for the remaining expenses yourself. **You must always pay the mandatory excess yourself (385 euros in 2020).** If you have a restitution policy, it doesn't matter whether your practitioner has signed a contract with your insurance company. In principle you will then be reimbursed in full for therapy. **You must still pay the mandatory excess yourself (385 euros in 2020).** Some restitution policies do not reimburse the full amount. Read your policy carefully. Your practitioner can also check this for you on Esivizier.nl. Please note that only a true restitution policy will reimburse the full amount. Your practitioner will send the invoice to you. You must then send it to your insurance company.

What does your practitioner charge for?
Your practitioner is legally required to keep a record of the time he or she spends on the therapy. This includes the time spent on emails, phone calls, consultation with colleagues, or administrative tasks as well as your therapy sessions. The time spent in total will be charged after the therapy. Expenses can be higher than you expect, and you may find yourself paying the full excess amount even for a short therapy. Ask your psychologist/psychotherapist for the payment conditions as soon as therapy starts. You can also find this information in your practitioner's quality statutes.

What will not be reimbursed?
Some types of therapy are not reimbursed. You will not be reimbursed for the following:

- psychoanalysis
- relationship therapy (relationship therapy is reimbursed if it takes place during therapy for another condition, such as depression or anxiety disorder)
- adjustment disorders
- other ailments and problems that can be reason for care (the so-called Y codes)

Your psychologist or psychotherapist can tell you more about this.

What happens if you miss your appointment?
If you do not cancel an appointment with enough notice, you will be charged for the appointment. This is called 'no show'. Your insurance company will not reimburse this. Your psychologist/psychotherapist may establish the 'no show' fee, and will inform you further of this upon starting therapy. You can also find this information in your practitioner's quality statutes.

What are your rights and obligations and those of the psychologist/psychotherapist?
The independent psychologist/psychotherapist has the obligation to abide by certain rules. These are listed in two Codes of Professional Standards:

- The Code of Professional Standards for Psychotherapists in the case of primary care/healthcare psychologists and clinical (neuro)psychologists.

Moreover, the government has passed a number of laws in which the rights and obligations of healthcare providers and patients are stipulated:

- the Individual Healthcare Professions Act (IBG)
- the Medical Treatment Contracts Act (WMO)
- the General Data Protection Regulation (GDPR/WVG)
- the Healthcare Quality, Complaints and Disputes Act (Wkqz)
- the Healthcare Market Regulation Act (Wmo).

The most important points from these laws are explained below.

What is and is not allowed in the therapeutic relationship?
Psychologist/psychotherapists have an obligation to carry out their work carefully and to treat you with respect; they may not abuse their position. Contact and the relationship between the psychologist/psychotherapist and the patient is strictly professional. The practitioner is not allowed to accept presents which are worth more than a small amount of money, for example. Expressions of intimacy are not permitted. Social contact between practitioner and patient is forbidden. For the duration of the therapy, psychologist/psychotherapists may not enter into an agreement with you in which they could have an advantage.

How are your personal data protected?
The psychologist/psychotherapist must ensure that your personal data is stored securely, both digitally and on paper. This requirement stems from the new European privacy law the GDPR/WVG. Your practitioner must state in a privacy statement how he has arranged the security of your personal data. You can ask for it when you go into treatment.

Does the psychologist/psychotherapist have a professional secrecy obligation?
Psychologist/psychotherapists have a professional secrecy obligation; they must keep your information secret. They may disclose your information to the Employee Insurance Agency (UWV) or the Health and Safety Service, for example, only with your explicit permission. Psychologist/psychotherapists may only breach their confidentiality obligation in emergency situations, for example if people are being put in danger. They may discuss your therapy with colleagues, who also have a confidentiality obligation for that matter. Your practitioner does need your permission in order to disclose information to your general practitioner. The insurance company must verify whether your therapy has been correctly declared. In exceptional cases and only if there is reason to do so, your insurance company is allowed to look into your file.

Does the insurance company have permission to find out what the diagnosis is?
In order to be compensated for healthcare, your psychologist/psychotherapist will send a declaration form to your insurance company. If your therapy falls under the specialized mental healthcare, the diagnosis is stated on this declaration form. If you have an objection to your insurance company having access to your diagnosis on the declaration form, you can inform your practitioner of your objection. This is called the opt-out rule. The Dutch Healthcare Authority (Nederlandse Zorgautoriteit in Dutch, NZa) has developed the Privacy Statement, to be filled in for this purpose. The diagnosis is not stated on the invoice in the general basic mental healthcare.

What is a course of therapy like?
Psychologist/psychotherapists have the obligation to let you know what they believe is best for you. After that, they draw up a therapy plan. They must consult you on the goal of therapy and the way in which that goal can be reached. They must also tell you how long they expect the therapy to last. You give permission for the therapy on the basis of this information. The practitioner will continue to consult you, give you information during the therapy and decide together with you. The psychologist/psychotherapist may only withhold information from you if the knowledge would be of serious detriment to you. In that case he or she must first consult a colleague.