



American Board of Psychiatry and Neurology, Inc.

A Member Board of the American Board of Medical Specialties (ABMS)

CONTINUING CERTIFICATION/MOC EXAMINATION IN FORENSIC PSYCHIATRY

Content Blueprint

| Number of questions: 170 | | |
|---------------------------------|---------------------------------------|-------------|
| 01. | Legal regulation of psychiatry | 17-21% |
| 02. | Civil | 17-21% |
| 03. | Criminal | 17-21% |
| 04. | Death penalty | 4-6% |
| 05. | Corrections/correctional health care | 8-10% |
| 06. | Legal systems/basic law | 7-9% |
| 07. | Children/families | 7-9% |
| 08. | Special issues in forensic psychiatry | 12-14% |
| TOTAL | | 100% |

Note: A more detailed content outline is shown below.



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CONTINUING CERTIFICATION/MOC EXAMINATION IN FORENSIC PSYCHIATRY Content Outline

| | |
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| Number of questions: 170 | |
| 01. | Legal regulation of psychiatry |
| A. | Hospitalization |
| 01. | Involuntary |
| a. | Standard of proof (<i>Addington v. Texas</i>) |
| b. | Due process/dangerousness (<i>Jackson v. Indiana</i>) |
| c. | Least restrictive alternative (<i>Lake v. Cameron</i>) |
| 02. | Voluntary (<i>Zinermon v. Burch</i>) |
| 03. | Procedural due process (<i>Lessard v. Schmidt</i>) |
| 04. | Patients' rights |
| a. | Civil Rights of Institutionalized Persons Act (CRIPA) |
| b. | Protection and Advocacy of Individuals with Mental Illness (PAIMI) |
| 05. | Outpatient commitment/alternatives to hospitalization |
| 06. | Failure to place mentally ill in community is discriminatory (<i>Olmstead v. L.C.</i>) |
| B. | Confidentiality/privilege/privacy |
| 01. | Definitions |
| a. | Privilege (<i>In re Lifschutz</i>) |
| b. | Confidentiality (<i>Doe v. Roe</i>) |
| 02. | HIPAA |
| 03. | Psychotherapist-patient privilege (<i>Jaffee v. Redmond</i>) |
| 04. | Federal Rules of Evidence (FRE) 501 |
| 05. | Exceptions to confidentiality/privilege |
| a. | Police powers versus confidentiality |
| b. | Limitations in fraud investigation |
| 06. | Reporting statutes |
| a. | Reporting acts override federal confidentiality law (<i>State v. Andring</i>) |
| b. | Degree of reporting required (<i>People v. Stritzinger</i>) |
| C. | Right to mental health treatment |
| 01. | Constitutional right to treatment (<i>O'Connor v. Donaldson</i>) |
| 02. | Professional judgment (<i>Youngberg v. Romeo</i>) |



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| | 03. | Based on statute, not Constitution |
| | 04. | Consent decree/minimal hospital standards (<i>Wyatt v. Stickney</i>) |
| D. | | Right to refuse mental health treatment |
| | 01. | Standards/procedures |
| | a. | Proxy decision making |
| | i. | Judicial model (<i>Rogers v. Commissioner</i>) |
| | ii. | Professional model (<i>Rennie v. Klein</i>) |
| | iii. | Override of treatment approval (<i>Application of the President and Directors of Georgetown College</i>) |
| | iv. | Prisoners (<i>Washington v. Harper</i>) |
| | b. | Guardianship/conservatorship |
| | c. | Substituted judgment |
| E. | | Duty to warn/protect |
| | 01. | Law |
| | a. | Statutes |
| | b. | Case law |
| | i. | Initial precedent (<i>Tarasoff v. Regents of the University of California</i>) |
| | ii. | Duty to detain (<i>Lipari v. Sears</i>) |
| | iii. | Foreseeable victim (<i>Jablonski v. US</i>) |
| | iv. | Driving |
| | 02. | Practice |
| F. | | Informed consent |
| | 01. | Elements of informed consent |
| | a. | Standard set by law (<i>Canterbury v. Spence</i>) |
| | b. | Reasonable person standard |
| | 02. | Exceptions |
| | 03. | Advance directives |
| | 04. | Research (<i>Kaimowitz v. Michigan</i>) |
| | 05. | Withdrawal of life-sustaining treatment (<i>Cruzan v. Director, Missouri Department of Mental Health</i>) |
| G. | | Medical board issues/licensure |
| | 01. | National Practitioner Data Bank |
| | 02. | Professional health issues/impaired physicians |
| | 03. | Out-of-state licensure |
| | a. | Forensic experts |
| | b. | Telemedicine |



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| | 04. | Physician-assisted suicide (<i>Washington v. Glucksberg</i>) |
| H. | | Research |
| | 01. | Common Rule (45 C.F.R. 46) |
| | a. | Institutional review board |
| | b. | Vulnerable populations |
| | 02. | Ethics |
| 02. | | Civil |
| A. | | Professional liability |
| | 01. | Standards of care |
| | 02. | Elements of professional liability |
| | 03. | Damage |
| | a. | Punitive |
| | b. | Compensatory |
| | 04. | Burden/standard of proof |
| | a. | Reasonable medical certainty |
| | b. | <i>Res ipsa loquitur</i> |
| | 05. | Types of negligence |
| | a. | Comparative |
| | b. | Contributory |
| | c. | Negligence per se |
| | d. | Gross negligence |
| | 06. | Professional liability insurance/types of policies |
| | a. | Occurrence |
| | i. | Punitive damages excluded from insurance coverage |
| | ii. | Policy language determines coverage |
| | b. | Claims made/tail coverage |
| | 07. | Types of professional liability claims |
| | a. | Suicide/homicide and risk assessment |
| | b. | Boundary violations (<i>Roy v. Hartogs</i>) |
| | c. | Medical management |
| | i. | Tardive dyskinesia (<i>Clites v. Iowa</i>) |
| | ii. | Other issues |
| B. | | Personal injury |
| | 01. | Legal principles |
| | a. | Eggshell plaintiffs |
| | b. | Zone of danger (<i>Dillon v. Legg</i>) |
| | 02. | Causation |



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| 03. | Damages |
| 04. | Posttraumatic stress disorder (PTSD)/Traumatic brain injury (TBI) |
| C. | Workplace issues (AAPL Practice Guideline for the Forensic Evaluation of Psychiatric Disability) |
| 01. | Workers' compensation |
| 02. | Social Security/Supplemental Security Income (SSI) |
| 03. | Disability |
| a. | Private |
| b. | Social Security Disability Insurance (SSDI) |
| 04. | Harassment |
| a. | Definition (<i>Meritor Savings Bank v. Vinson</i>) |
| b. | Hostile work environment (<i>Harris v. Forklift Systems</i>) |
| c. | Same-sex harassment (<i>Oncale v. Sundowner Offshore Services</i>) |
| 05. | Discrimination/Title VII |
| 06. | Americans with Disabilities Act (ADA) |
| a. | HIV (<i>Bragdon v. Abbott</i>) |
| b. | ADA applies to prisons (<i>US v. Georgia</i>) |
| 07. | Fitness-for-duty evaluations |
| a. | Dangerousness |
| b. | Work impairment |
| D. | Competency for medical treatment and finance |
| 01. | Guardianship/conservatorship of person and property |
| 02. | Assessment of capacity |
| E. | Testamentary capacity |
| 01. | Elements |
| 02. | Undue influence |
| 03. | Insane delusions |
| F. | Competency to enter into contracts |
| 03. | Criminal |
| A. | Competency |
| 01. | Stand trial (AAPL Competency to Stand Trial Practice Guideline) |
| a. | Assessment of competency to stand trial |
| i. | Standards (<i>Dusky v. US, Godinez v. Moran, Wilson v. US</i>) |
| ii. | Procedural due process (<i>Cooper v. Oklahoma</i>) |
| b. | Restoration of competency |
| i. | Involuntary treatment (<i>Riggins v. Nevada, Sell v. US</i>) |



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| | ii. | Confinement for restoration (<i>Jackson v. Indiana</i>) |
| | c. | Competency to represent oneself (<i>Indiana v. Edwards</i>) |
| 02. | | Testimonial |
| | a. | FRE 601 |
| | b. | Other |
| 03. | | Waive rights |
| | a. | Confessions (<i>Colorado v. Connelly</i>) |
| | b. | Jury/counsel/appeals |
| | i. | Standards (knowing, intelligent, voluntary) |
| | ii. | <i>Alford</i> plea (<i>North Carolina v. Alford</i>) |
| | c. | Silence |
| 04. | | Forensic assessment instruments |
| B. | | Criminal responsibility (Insanity Defense Guideline) |
| 01. | | Diminished capacity (<i>Montana v. Egelhoff</i>) |
| 02. | | Mens rea (<i>Clark v. Arizona</i>) |
| 03. | | Insanity defense |
| | a. | Standards |
| | i. | Cognitive prong (<i>M'Naghten</i>) |
| | ii. | American Law Institute Model Penal Code |
| | iii. | Federal Insanity Defense Reform Act |
| | iv. | Product test/ <i>Durham</i> rule (<i>Durham v. US, Washington v. US</i>) |
| | b. | Waiving the defense (<i>Frendak v. US</i>) |
| | c. | Disposition/outcome |
| | i. | Length of confinement (<i>Jones v. US</i>) |
| | ii. | Criteria for confinement (<i>Foucha v. Louisiana</i>) |
| 04. | | Postacquittal/Psychiatric Security Review Board |
| 05. | | Guilty but mentally ill |
| C. | | Alcohol and drug prosecution |
| 01. | | Status (<i>Robinson v. California</i>) |
| 02. | | Intoxication (<i>Powell v. Texas</i>) |
| D. | | Presentencing/diversion programs |
| 01. | | Diversion programs |
| 02. | | Mental health/drug courts |
| 04. | | Death penalty |
| A. | | Ethics |
| 01. | | Physician participation |



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| | 02. Treatment on death row |
| B. | Competence to be executed (<i>Panetti v. Quarterman</i>) |
| | 01. Definition (<i>Ford v. Wainwright</i>) |
| | 02. Restoration issues (<i>State v. Perry</i>) |
| C. | Exceptions |
| | 01. Intellectual disability (<i>Atkins v. Virginia, Hall v. Florida</i>) |
| | 02. Juveniles (<i>Roper v. Simmons</i>) |
| | 03. Mental illness |
| D. | Epidemiology |
| E. | Aggravating circumstances |
| | 01. Due process protections (<i>Estelle v. Smith</i>) |
| | 02. Hypothetical questions about dangerousness (<i>Barefoot v. Estelle</i>) |
| F. | Mitigating circumstances (<i>Ake v. Oklahoma</i>) |
| G. | Victim impact testimony (<i>Payne v. Tennessee</i>) |
| 05. | Corrections/correctional health care |
| A. | Epidemiology |
| | 01. Prevalence of mental disorders and substance abuse |
| | 02. Demographics of correctional populations |
| | a. Gender |
| | b. Race |
| | c. Age |
| | d. Economic status |
| | e. Jail and prison census |
| B. | Settings |
| | 01. Differences among lockups, jails, and prisons |
| | 02. Community corrections |
| | 03. Different custody classification settings (e.g., camps, minimum security, supermax) |
| C. | Special treatment programs |
| | 01. Residential treatment units (e.g., SNU, ICU, ICP, RTP) for inmates with mental illnesses |
| | 02. Inmates who exhibit inappropriate sexual behaviors (e.g., public masturbation, exposure of genitals) |
| | 03. Inmates who self-harm (e.g., cutters, swallowers) |
| | 04. Programs for inmates with developmental disabilities |
| | 05. Geriatric inmates |
| | 06. End-of-life issues |



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| D. | Treatment of the seriously mentally ill |
| 01. | Understanding levels of care (e.g., crisis stabilization, residential treatment, outpatient, hospital) |
| 02. | Service delivery issues |
| a. | Medication management/issues |
| b. | Continuity of care with clinicians |
| c. | Physical plant issues (e.g., need for adequate programming space, sound privacy, safety) |
| d. | Staffing issues |
| 03. | Practice guidelines |
| a. | Psychiatric Services in Correctional Facilities, Third Edition. American Psychiatric Association |
| i. | Screening assessment process |
| ii. | Sick call process |
| iii. | Custody interface |
| iv. | Confidentiality/dual agency |
| v. | Other |
| b. | National Commission on Correctional Health Care guidelines on mentally ill inmates in segregation (locked-down settings) |
| c. | APA resource document on the use of restraints and seclusion in correctional settings |
| E. | Suicide prevention |
| F. | Prison Rape Elimination Act (PREA) |
| G. | Due process issues, including role of mental health clinician in disciplinary process |
| 01. | Involuntary hospitalization (<i>Vitek v. Jones</i>) |
| 02. | Involuntary medication (<i>Washington v. Harper</i>) |
| 03. | Undue hardship |
| 04. | Civil commitment following incarceration (<i>Baxstrom v. Herold</i>) |
| H. | Sociology of correctional institutions |
| 01. | Gangs |
| 02. | Protective custody issues |
| 03. | Prison culture (e.g., snitching, correctional officer wall of silence) |
| I. | Conditions of confinement |
| 01. | Segregation settings |
| 02. | Supermax settings |
| 03. | Cell versus dormitory settings |



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| | 04. | General environment (physical conditions, recreational time) (<i>Brown v. Plata</i>) |
| J. | | Security versus treatment issues |
| | 01. | Impact on delivery of mental health services |
| | 02. | Medical autonomy |
| | 03. | Deliberate indifference (<i>Estelle v. Gamble, Farmer v. Brennan</i>) |
| K. | | Probation/parole |
| | 01. | Definitions |
| | 02. | Role of mental health system in probation/parole |
| | a. | Dangerousness assessments |
| | b. | Treatment recommendations |
| | c. | Treatment/monitoring |
| | d. | Coordination with probation/parole officers |
| L. | | Sex offenders |
| | 01. | Treatment programs |
| | a. | Elements of treatment |
| | b. | Problems in treatment |
| | c. | Assessment issues re recidivism |
| | d. | Treatment setting (e.g., outpatient, residential, institutional) |
| | e. | Penile plethysmography |
| | 02. | Protective custody issues—inmate cultural issues re sex offenders |
| | 03. | Due process |
| | a. | Indefinite commitment (<i>Specht v. Patterson</i>) |
| | b. | Civil versus criminal proceeding (<i>Allen v. Illinois</i>) |
| | c. | Definition of mental abnormality (<i>Kansas v. Hendricks</i>) |
| | d. | Volitional control (<i>Kansas v. Crane</i>) |
| | e. | Adequacy of treatment |
| | f. | Federal sex offender commitment (<i>US v. Comstock</i>) |
| | 04. | Sex offender recidivism |
| | 05. | Paraphilic disorders |
| | 06. | Juvenile sex offenders |
| M. | | Class actions/consent decrees |
| 06. | | Legal systems/basic law |
| A. | | Sources of law |
| | 01. | Constitution |
| | 02. | Statutes |
| | 03. | Regulations/administrative law |



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| | 04. Case law |
| B. | Court system |
| C. | Adjudicative process |
| | 01. Civil procedure |
| | 02. Criminal procedure |
| | 03. Evidence (including subpoenas) |
| | a. General acceptance (<i>Frye v. US</i>) |
| | b. Standards for expert testimony (<i>Daubert v. Merrell Dow</i>) |
| | c. Judicial discretion |
| | d. Judge as gatekeeper (<i>Kumho Tire v. Carmichael</i>) |
| | 04. Burden/standard of proof |
| 07. | Children/families |
| A. | Civil |
| | 01. Abuse/neglect/foster care |
| | 02. Child abuse reporting statutes |
| | a. Battered child syndrome (<i>Landeros v. Flood</i>) |
| | b. State has no constitutional duty to protect (<i>DeShaney v. Winnebago</i>) |
| | 03. Divorce/custody/visitation (<i>Painter v. Bannister</i>) |
| | 04. Guardian ad litem |
| | 05. Termination of parental rights (<i>Santosky v. Kramer</i>)/fitness to parent |
| | 06. Competency—emancipation, mature minor |
| | 07. Commitment (<i>Parham v. JR and JL</i>) |
| | 08. Informed consent/assent |
| | 09. Adoption |
| | 10. Evaluation of child sexual abuse |
| | 11. Children as witnesses/evaluation of psychic harm/PTSD claims in children (<i>People v. Stritzinger</i>) |
| | 12. Professional liability/ethics/confidentiality |
| B. | Criminal |
| | 01. Juvenile court (<i>In re Gault</i>) |
| | 02. Children in Need of Services (CHINS)/ Persons in Need of Supervision (PINS) |
| | 03. Waiver |
| | 04. Competence to be a witness |
| | 05. Delinquency |



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| 06. | Sentencing |
| a. | <i>Graham v. Florida</i> |
| b. | <i>Miller v. Alabama</i> |
| C. | Forensic evaluation of children, adolescents, and their families |
| D. | Individuals with Disabilities Education Act (IDEA)/ADA (<i>Irving Independent School District v. Tatro, Board of Education v. Rowley</i>) |
| 08. | Special issues in forensic psychiatry |
| A. | Hypnosis |
| 01. | Use of hypnosis in a forensic context |
| a. | Orne criteria (<i>State v. Hurd</i>) |
| b. | Per se exclusion of testimony not allowed (<i>Rock v. Arkansas</i>) |
| B. | Polygraphy |
| C. | Syndromes (battered woman, rape trauma) (<i>Ibn-Tamas v. US</i>) |
| D. | Malingering, factitious disorder imposed on self, factitious disorder imposed on another |
| E. | Neuropsychological assessments of malingering |
| F. | Psychological/neuropsychological testing |
| 01. | Uses in forensic evaluations |
| 02. | Uses in malingering (SIRS, TOMM, MMPI-2) |
| G. | Psychopathy/antisocial personality disorder |
| H. | Neuroimaging |
| I. | Prosecution for drug and alcohol use (<i>Robinson v. California, Powell v. Texas</i>) |
| J. | Psychological autopsies |
| 01. | Suicide by cop |
| 02. | Cause of death—accident, homicide, or suicide |
| K. | Ethics |
| 01. | AAPL ethical guidelines |
| 02. | AMA Council on Ethical and Judicial Affairs (CEJA) |



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| | 03. APA guidelines |
| L. | Practice |
| | 01. Videotape/audiotape |
| | 02. Confidentiality |
| | 03. Dual agency |
| M. | Expert witness |
| | 01. Conflicts that might influence opinion |
| | 02. Federal Rules of Civil Procedure 26 (Rule 26) |
| | 03. Federal Rule of Evidence (FRE) 702 |
| N. | Risk assessment |
| | 01. Suicide |
| | 02. Violence to others |
| | a. Sex offenders |
| | b. Stalking |
| | c. Fire setting |
| | d. Other (e.g., fitness for duty) |
| | 03. Standardized assessment instruments |