

Annual Report

Fiscal Year 2019

BOARD OF PSYCHOLOGIST AND PSYCHOLOGICAL ASSOCIATE LICENSING EXAMINERS



**Department of Commerce, Community
and Economic Development**

**Division of Corporations, Business
and Professional Licensing**

This annual performance report is presented in accordance with
Alaska statute AS 08.01.070(10).

Its purpose is to report the accomplishments, activities, and the
past and present needs of the licensing program.

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Regulation Recommendations Proposed Legislation for FY 2020

No Recommendations

The Board has no recommendations for proposed regulations at this time.

Recommendations

The Board has the following recommendations for proposed regulations:

The Board has a regulations project underway to review and update regulations as needed. Currently, there are regulation change in the works as part of this on-going effort.

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Goals and Objectives

Part I

FY 2019's goals and objectives, and how they were met:

1. To enforce the Psychology Practice Act by:

- (a)** Requesting to hold meetings for FY 2018 and to hold teleconference meetings as deemed necessary.

The Board met five times in FY 2019. All meetings held a quorum. During those meetings, the board evaluated and approved license applications, conducted evaluations, and proposed regulatory changes consistent with the growing and changing needs of the public. There was a Special Teleconference held on July 12, 2018 on an urgent matter. The November meeting was administratively adjourned due to the November 30, 2018 earthquake. Unfinished business from the November, 2018 meeting was completed by the end of the January/February meeting in Juneau.

- (b)** Maintaining board activity and involvement in review of investigative matters, regarding the practice of psychology. Maintaining an annual update of the list of expert witnesses that the Division of Corporations, Business and Professional Licensing, Investigative Section, may use for investigative matters.

The Board received an investigative report during each meeting. The board assured that the investigator had convenient and timely access to qualified board members to review data collected during the investigative process. The Board is prepared to provide the investigator with appropriate referrals to well qualified Psychologists, should their expertise be required.

- (c)** Requesting that the Division of Corporations, Business and Professional Licensing, Investigative Section, continue to provide statistics reflecting the number of cases investigated, provide a projected cost of those investigations, provide the Department of Law expenses so that the board can be aware of the project expenses, and advised annually of the projected cost with updates given quarterly.

Communication and cooperation with the Investigations Unit during FY 2019 were positive and productive.

- (d)** Adhering to statutes and regulations in awarding licenses to applicants.

All applications received by the Board were reviewed and acted on, consistent with current statutes and regulations. The Board worked to improve forms and applications.

- (e)** To continue to review AS. 08.86.204 – grounds for imposition of disciplinary sanctions and to recommend statutes or regulations as deemed necessary.

The Board did not find a need to recommend statutory or regulatory changes related to imposition of disciplinary sanctions during FY 2019.

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Goals and Objectives (continued)

Part I (continued)

FY 2019's goals and objectives, and how they were met:

2. To ensure continued competency of licensed psychology professionals by:

- (a) Continuing to review and update as needed regulations regarding continuing education.

The Board is looking forward to conducting the required CE Audit of the 2019 renewal applicants. No regulation changes in the area were identified.

- (b) Continuing to encourage the Alaska Psychological Association (AK-PA) to communicate matters of interest or concern with the Board regarding competency, licensing, continuing education or other information relevant to the practice of psychology in the State of Alaska.

- (c) The Board made time at each meeting for public comment and invited an AK-PA representative to attend. In addition the Board responded positively to AK-PA's requests to be placed on the agenda for engaging in discussions with the Board on matters of mutual interest and concern.

3. To assure the public that persons offering psychological care throughout the State of Alaska are professionally qualified by:

- (a) Reviewing AS 08.86.130 (licensing requirements) and recommend statutory or regulation changes as deemed necessary.

The Board reviewed AS 08.86.130 and associated regulations on an ongoing basis while reviewing applications for new licenses. The Board initiated regulation changes to clear up an ambiguity and to update an outdated regulation.

- (b) Maintaining board knowledge of issues and licensing.

Activity #1:

To send as many board members as possible and the licensing examiner to ASPPB annual and midyear conferences.

Restrictions on travel and unexpected turnover in board membership limited the Board's ability to meet this goal. Only one member attended the ASPPB Annual Meeting in October 2018. No board members attended the ASPPB Mid-Year Meeting in 2019. As a result, the Board is not staying current on national issues that directly impact the practice of psychology in Alaska: 1. PLUS (Psychology Licensing Universal System (PLUS) – The Board has implemented the PLUS system as an option for new applicants. So far the system is working.

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Goals and Objectives (continued)

Part I (continued)

FY 2019's goals and objectives, and how they were met:

Activity #1 Continued...

But the new licensing examiner and new board members need training on understanding and use of the PLUS system. 2. PSYPACT - ASPPB's interstate compact has reached the minimum threshold for activation of this interstate compact. The board is reviewing PSYPACT in order to decide whether or not to participate. Continued attendance at ASPPB Conferences is essential in this process. 3. EPPP 2 - The EPPP 2 is replacing the old EPPP - the national licensing exam used by Alaska to qualify for a psychologist or psychological associate license. The EPPP2 is set to replace the EPPP in January, 2020. Board members need training and information on the impact of the new test on licensing and practice of psychology. 4. Antitrust issues - The 2014 Supreme Court ruling in the North Carolina State Board of Dental Examiners v. Federal Trade Commission put all licensing boards on notice to be paying attention to antitrust and unfair restriction of trade. New and old board members need training on this issue as an on-going process.

Activity #2:

Making online training available through the Council on Licensure, Enforcement and Regulation (CLEAR) to each board member annually.

This resource was available, but the board did not find a need to make use of it during FY 2019.

4. To ensure the public that qualified psychology providers are available by:

- (a) Continuing to review applications for licensure and issue licenses in accordance with statutes and regulations. All applications were processed and reviewed by the Board in a timely manner in accordance with statutes and regulations. The Board has been increasingly using ONBOARD to review applications. In general that is working, but there have been applications with unique circumstances that would need extra scrutiny or attention—better addressed in a face to face meeting.
- (b) Conducting four jurisprudence examinations for FY 2019. This is an area of strength as the Board has continued to offer the examination as required, while continuing to add and develop new test items. The Board conducted four jurisprudence examinations in FY 2019.
- (c) Reviewing and updating the current pool of questions for the State Law and Ethics Examination (SLEE). Work on this goal was interrupted by the earthquake and by unexpected turnover in board members.
- (d) Maintaining good relations and professional relationships with training programs and professional associations.

The Board Chair provided a two-hour lecture to UAA's psychology graduate program on February 28, 2019

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Goals and Objectives (continued)

5. To promote high professional standards of psychology practice by:

(a) Assessing the impact of continuing education requirements for the license renewal process.

(b) Educating the public regarding the practice of psychology and the purpose of the board by:

Activity #1:

Advertise meetings of the Board.

All board meetings were properly noticed.

Activity #2:

Include public comment on agendas at the Board meetings.

A time for public comment is included on every agenda. Agendas are made public in advance of each meeting.

Activity #3:

Hold public hearings to consider regulatory changes.

Improvements to the Board's web site have been made. The Board holds public hearings and allows for public comment on all regulatory matters and proposed changes. The Board complies with the Open Meetings Act.

(c) Maintaining good relations and appropriate distinctions between the State Medical Board, Board of Clinical Social Work Examiners, the Board of Marital and Family Therapy, the Board of Professional Counselors, and other boards as appropriate; to work on areas of mutual interest by participating in joint meetings as appropriate.

The Board communicates with allied boards on issues of mutual interest.

(d) Maintaining good relations and ongoing communications with the legislative, executive and judicial branches of the State of Alaska government.

(e) During the February 2019 meeting in Juneau, board members made contact with legislators and their staff on issues of importance to the Board.

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Goals and Objectives

Part II

FY 2020's goals and objectives, and proposed methods to achieve them.

Describe any strengths, weaknesses, opportunities, threats and required resources:

1. To enforce the Psychology Practice Act by:

- (a)** Requesting to hold face to face meetings for FY 2020 and to hold teleconference meetings as deemed necessary.

Weakness and possible threat: The complete turnover in board membership set to happen in FY 2020 threatens the future healthy functioning of the Board due to the loss of experience and institutional memory. This threat can be mitigated by permitting face to face meetings of the Board for purposes of training and team building.

- (b)** Maintaining board activity and involvement in review of investigative matters regarding the practice of psychology. To maintain an annual update of the list of expert witnesses that the Division of Corporations, Business and Professional Licensing, Investigative Section, may use for investigative matters.

Weakness and possible threat: The complete turnover in board membership set to happen in FY 2020 threatens the future healthy functioning of the Board due to the loss of experience and institutional memory. This threat can be mitigated by permitting face to face meetings of the Board for purposes of training and team building.

- (c)** Requesting that the Division of Corporations, Business and Professional Licensing, Investigative Section, continued to provide statistics reflecting the number of cases investigated, provide a projected cost of those investigations, provide the Department of Law expenses so that the board can be aware of the project expenses, and advised annually of the projected cost with updates given quarterly.

Strength—The Division has been consistently supportive and has always provided the information necessary for the Board to carry out its duties.

- (d)** Adhering to statutes and regulations in awarding licenses to applicants.

Weakness and possible threat: The complete turnover in board membership set to happen in FY 2020 threatens the future healthy functioning of the Board due to the loss of experience and institutional memory. This threat can be mitigated by permitting face to face meetings of the Board for purposes of training and team building.

- (e)** Continuing to review AS. 08.86.204 – grounds for imposition of disciplinary sanctions and to recommend statutes or regulations as deemed necessary.

Anticipated area of weakness due to the lack of experience and training of new board members. This weakness can be mitigated by seizing opportunities for improvement by increasing the number of board members attending ASPPB annual and midyear conferences, as well as attending CLEAR conferences and online trainings. It is imperative that as many board members as possible and the licensing examiner attend both the ASPPB Annual and Midyear conferences in FY 2020.

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Goals and Objectives (continued)

Part II (continued)

FY 2020's goals and objectives, and proposed methods to achieve them.

Describe any strengths, weaknesses, opportunities, threats and required resources:

2. To ensure continued competency of licensed psychology professionals by:

- (a) Continuing to review and update as needed regulations regarding continuing education.

Weakness and possible threat: The complete turnover in board membership set to happen in FY 2020 threatens the future healthy functioning of the Board due to the loss of experience and institutional memory. This threat can be mitigated by permitting face to face meetings of the Board for purposes of training and team building.

- (b) Continuing to encourage the Alaska Psychological Association (AK-PA) to communicate matters of interest or concern with the Board regarding competency, licensing, continuing education or other information relevant to the practice of psychology in the State of Alaska.

Strength—The Board has been and will continue to build a healthy and appropriate relationship with AK-PA. Progress is expected to continue in this area as AK-PA's leadership has been actively attending board meetings.

3. To assure the public that persons offering psychological care throughout the State of Alaska are professionally qualified by:

- (a) Reviewing AS 08.86.130 (licensing requirements) and recommend statutory or regulation changes as deemed necessary.

Weakness and possible threat: The complete turnover in board membership set to happen in FY 2020 threatens the future healthy functioning of the board due to the loss of experience and institutional memory. This threat can be mitigated by reconsidering the travel restrictions currently in place and allowing this necessary training to take place.

- (b) Maintaining board knowledge of issues and licensing.

Activity #1: To send as many board members as possible and the licensing examiner to ASPPB annual and midyear conferences.

Weakness and possible threat: The complete turnover in board membership set to happen in FY 2020 threatens the future healthy functioning of the Board due to the loss of experience and institutional memory. This threat can be mitigated by reconsidering the travel restrictions currently in place and allowing this necessary training to take place.

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Goals and Objectives

Part II (continued)

FY 2020's goals and objectives, and proposed methods to achieve them.

Describe any strengths, weaknesses, opportunities, threats and required resources:

4. To ensure the public that qualified psychology providers are available by:

- (a)** Continuing to review applications for licensure and issue licenses in accordance with statutes and regulations.

Weakness and possible threat: The complete turnover in board membership set to happen in FY 2020 threatens the future healthy functioning of the Board due to the loss of experience and institutional memory. This threat can be mitigated by permitting face to face meetings of the Board for purposes of training and team building.

- (b)** Conducting four jurisprudence examinations for FY 2019.

Weakness and possible threat: The complete turnover in board membership set to happen in FY 2020 threatens the future healthy functioning of the Board due to the loss of experience and institutional memory. This threat can be mitigated by permitting face to face meetings of the Board for purposes of training and team building.

- (c)** Reviewing and updating the current pool of questions for the State Law and Ethics Examination (SLEE). An area in which we expect to see continued growth and improvement, but will require the Board spending extra time on this project.

Weakness and possible threat: The complete turnover in board membership set to happen in FY 2020 threatens the future healthy functioning of the Board due to the loss of experience and institutional memory. This highly demanding and complex task is best done in work sessions in which all members are physically present. This threat can be mitigated by permitting face to face meetings of the Board for purposes of training, accomplishing set tasks, and team building.

- (d)** Maintaining good relations and professional relationships with training programs and professional associations.

An area of past strength that hopefully will continue with the new board.

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Goals and Objectives

Part II (continued)

FY 2020's goals and objectives, and proposed methods to achieve them.

Describe any strengths, weaknesses, opportunities, threats and required resources:

5. To promote high professional standards of psychology practice by:

- (a) Assessing the impact of continuing education requirements for the license renewal process.
- (b) Educating the public regarding the practice of psychology and the purpose of the Board by:

Activity #1:

Advertising meetings of the Board.

Activity #2:

Including public comment on agendas at the board meetings.

Activity #3:

Holding public hearings to consider regulatory changes.

This is an area of opportunity and strength. The Board is actively working on improving its web site and improving its ability to reach the public, to make the public more aware of the Board as an instrument for protection of the public.

- (c) Maintaining good relations and appropriate distinctions between the State Medical Board, Board of Clinical Social Work Examiners, the Board of Marital and Family Therapy, the Board of Professional Counselors, and other boards as appropriate; to work on areas of mutual interest by participating in joint meetings as appropriate.

This an area with great opportunity. The Board will continue its communication with allied professional boards.

- (d) Maintaining good relations and ongoing communications with the legislative, executive and judicial branches of the State of Alaska government.
- (e) This is an area of growing strength that may be expected to continue if the Board is allowed to hold one meeting a year in Juneau.

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Sunset Audit Recommendations

Date of Last Legislative Audit: 2018

Board Sunset Date: June 30, 2026

Audit Recommendation: The Division of Corporations, Business, and Professional Licensing in consultation with the Board, should reduce fees.

Action Taken: The Board has implemented a fee reduction for psychologists and psychological associates effective in the next renewal period – July 1, 2019.

Next Steps: Continue evaluating fees and budget surplus to maintain fees at an appropriate level.

Date Completed: July 1, 2019

Audit Recommendation: Division of Corporations, Business, and Professional Licensing’s director should develop procedures to ensure courtesy licensees comply with monthly reporting requirements.

Action Taken: Improved reporting and tracking procedures have been implemented.

Next Steps: Maintain compliance

Date Completed: Fall 2017