

**STATE OF ALASKA**  
**DEPARTMENT OF COMMERCE, COMMUNITY & ECONOMIC DEVELOPMENT**  
**DIVISION OF CORPORATIONS, BUSINESS & PROFESSIONAL LICENSING**  
**BOARD OF PSYCHOLOGIST & PSYCHOLOGICAL ASSOCIATE EXAMINERS**

**MINUTES OF MEETING**  
August 22-23, 2013

***The Staff of the Division of Corporations, Business and Professional Licensing prepared these draft minutes. They have not been reviewed or approved by the board.***

By the authority of AS 08.01.070(2), and in compliance with the provisions of AS 44.62, Article 6, a scheduled meeting of the Board of Psychologist and Psychological Associate Examiners was held on August 23-24, 2012 at the Robert B. Atwood Building, 550 West 7<sup>th</sup> Ave, Suite 1270, Anchorage, Alaska.

**Thursday, August 22, 2013**

**Call to Order/Roll Call**

The meeting was called to order at 8:40 am by Dr. John DeRuyter, Board Chair.

Those present, constituting a quorum of the Board:

Dr. John DeRuyter, Psychologist  
Dr. Kristi Fuller, Psychologist  
Dr. Joel Wieman, Psychologist  
Allen Levy, Psychological Associate  
Christian Muntean, Public Member

In attendance from the Department of Commerce, Community and Economic Development, Division of Corporations, Business and Professional Licensing were:

Susan Johnson, Licensing Examiner  
Michelle Johnston, Records and License Supervisor  
Michelle Wall-Rood, Investigator  
Quinten Warren, Investigator  
Patrick O'Tierney, Deputy Commissioner  
Don Habeger, Division Director  
Sara Chambers (telephonically)

### **Agenda Item 2 – Review/Amend Agenda**

***Upon a motion duly made by Mr. Levy, seconded by Dr. Wieman, and approved unanimously, it was:***

***RESOLVED to approve the agenda.***

### **Agenda Item 3 – Review Task List**

Tasked individuals gave a brief update on their progress. While completing the annual review, Dr. DeRuyter noticed several goals and objectives that will need to be looked at over the next year. The Board discussed the use of the Drop Box to share documents.

### **Agenda Item 4 – Ethics Disclosure**

No one had any ethics disclosures.

### **Agenda Item 9 – Courtesy License Report**

There was one license discussed, Dr. Natalie Novick-Brown has not reported on her courtesy license. Staff sent an email and received no response. Staff will follow-up via postal mail.

### **Agenda Item 10 – Division Updates/Budget Reports**

The Board discussed the aspects of HB 84. Mr. Levy inquired about the training criteria of the military. Dr. Fuller will find out if the military enlists recruits as psychologists or trains recruits as psychologists. Military internships are APA approved. Dr. DeRuyter does not believe there will be many issues for the Psychologist and Psychological Associate Examiner Board. Mr. Levy suggested referring the question to Senator Murkowski's office.

Mr. Levy pointed out that part of HB 187 under the fee restructuring section; there is a paragraph that discusses extending licenses to the spouses of military personnel. Dr. DeRuter stated that the Board currently follows that process.

Dr. DeRuter tabled the conversation until 1:00 PM when Director Habeger and Sara Chambers would be able to join the meeting.

### **Agenda Item 6 – Review and Approve Minutes from April 22-23, 2013 Meeting**

***Upon a motion duly made by Mr. Levy, seconded by Dr. Fuller and approved unanimously, it was:***

***RESOLVED to approve the minutes from the April 22-23, 2013 Board meeting.***

### **Agenda Item 11 – Board Correspondence**

The Board reviewed correspondence from Dr. John Worrall. Dr. Worrall will need to apply for a Temporary Psychology license and complete his post-Doctoral work after he receives his licensing. Regulations allow for classes to be made up after he is licensed. Staff will draft a letter for Dr. DeRuyter's signature.

The Board reviewed correspondence from Dr. Tony Rousmaniere regarding Dr. Mark J. Stein's future employment with University of Alaska Fairbanks. Dr. Stein needs to document the exam process that he followed to obtain his Doctorate in England, take the EPPP and submit it to the Board for approval. Dr. Wieman stated his concern at the Board's ability to compare the educational process that provided licensing to Dr. Stein in England. Mr. Levy stated that there are companies that will provide that service to the Board. Such documentation should be provided to the Board by Dr. Stein. Dr. DeRuyter was concerned that the training in both countries may not be similar. Dr. Fuller stated England does not participate in national testing for Psychologists. The Board tabled the conversation until review of Dr. Stein's application was completed later in the day.

The Board reviewed correspondence from Dr. Sarah Dewane regarding an extension for Virginia Parret. Dr. DeRuyter questioned why temporarily licensed holders feel it is necessary to request extensions when temporary licenses are issued for two years. The Supervision Plans are renewed after a year if the applicant has not completed them at the one year mark. The Board discussed the system error that only issues licenses one year at a time rather than the two years that is allowed by Statutes and Regulations. Contradictions were found between the supervision plans and the temporary license. Statute 08.86.135 states that the license is valid for the length of time that the Supervised Plan allows up to two years under regulatory authority (12 AAC 60.20).

Dr. DeRuyter stated that there is at least a misconception on the time frames for Supervision Plans due to how licenses are being issued. Dr. Fuller acknowledged that the only stipulation for a licensee to be licensed for two years is that the supervisor must agree to two years of supervision. Mr. Muntean suggested cleaning up the forms since this has been a repeated issue. Staff will complete this task and present the updated forms to the Board.

***The Board took a break at 9:55 A.M. and returned at 10:10 A.M.***

In discussion, the Board determined that the application for Mariana G. Hoar was incomplete and the Board has requested additional information for the application for Mark Stein before he can be considered for licensure.

***Upon a motion duly made by Mr. Levy, seconded by Dr. Fuller and approved unanimously, it was:***

***RESOLVED to refer the application for Psychologist by Exam of Mark Stein to investigations to look into the asterisk response on his application.***

***Upon a motion duly made by Mr. Levy, seconded by Dr. Fuller and approved unanimously, it was:***

***RESOLVED to approve the following Psychologist Temporary License by Examination applications and to sit for the EPPP:***

Courtney Skaar  
Tina M. Woods  
Rebecca Robinson  
Tara Ford  
Trina T. Do  
Kurt C. Webb

***Upon a motion duly made by Mr. Levy, seconded by Dr. Fuller and approved unanimously, it was:***

***RESOLVED to approve the following application(s) for Psychologist by Credentials:***

Matthew M. Clark

**The Board adjourned for lunch at 11:50 AM.**

**The Board reconvened at 1:07 PM.**

**Agenda Item 10 – Division Update**

Director Habeger and Deputy Commissioner O'Tierney joined the meeting in person and Sara Chambers joined the meeting telephonically. In discussion, all forty programs were reconciled to the State Accounting System in order to implement a check and balance system. Director Habeger stated that there was a fee reduction process. State law requires that fees pay for the program, but the state cannot carry a large surplus, so a fee

adjustment is a mechanism that the division uses to ensure that there is not too much surplus in programs.

Mr. Levy stated that the Board would like to be able to have the ability to spend the Board's money on travel and other specific Board needs. Director Habeger replied that several licensees, Board members and Chairs spoke to their Legislator and there was a response driven by Representative Hawker who convinced his colleagues that the money was indeed the Board's money and if the Board needs to travel out of state, the Board should be able to do so. There is a state process, but through the work in the House and the Senate, the budget was increased by more than \$300,000.00. Appropriation for travel authorization by the legislature is \$730,000.00. The Board expressed their gratitude to Director Habeger and Deputy Commissioner O'Tierney considering how isolated Alaska is from the professional regulations of Psychology. Often, the Board's only access to new information is by attendance at regional or national Psychology meetings. Director Habeger talked about the fact that the budget is a work in progress and Boards will have to continually discuss the budget with the Legislature for the Legislature to understand the needs of the Board. Chairman DeRuyter stated that the Board has never had a clear sense of how much money was allocated and could be used by the Board. Chairman DeRuyter questioned if there was a dollar amount available that the Board could use to plan for travel. Director Habeger stated that there is a set dollar amount that can be used; however the dollar amount that is represented is the amount that the Board submits in their Annual Budget.

Director Habeger stated that the number one priority of travel funding is in state travel. Travel in state is mandated in Statutes. Staff travel is second in priority to ensure that Board activities are fully supported. The third priority is out of state travel by Board members and the fourth priority is staff travel out of state. Mr. Levy discussed the lack of information between the Board and the Division. Director Habeger stated that there are changes taking place to ensure information flows more freely between the two parties. Dr. DeRuyter requested a path to follow up on Board requests. Director Habeger stated to contact the License Examiner first, then the Records and License Supervisor, Sara Chambers and then himself for in-state travel; then to Deputy Commissioner O'Tierney for out of state travel; then to the Governor's office for out of country travel. There was further discussion regarding the process of requesting out of state travel for the Board.

Dr. DeRuyter commented that the Board does not know how to budget for Regulatory change. Director Habeger stated that there is some ambiguity regarding the change due to the number of hours spent, how complex the process is, and whether the Department of Law has to get involved in the change. Ms. Chambers added that the cost for Regulatory change is approximately \$2000.00 for an average size Board. That cost also includes staff

time, staff costs, mailing costs and the Department of Law's time. Director Habeger stated that the more consolidated the requests, the more money the Board saves.

HB 84 is Statute that was passed by Legislature this year. It has an implementation deadline for the Board to consider and boards shall consider evaluating military training, education and credit to provide an applicant a license. The Board has to agree that the level of activity a military person has achieved is equivalent to partial or all requirements for licensure. Their application would be expedited. At this time, there is no national guidance matrix at this time for military training. A process must be in effect by January 1, 2014. Staff will contact the American Psychology Association (APA) to find out if they have any reference material that can be used to compare military training versus non-military training.

Mr. Levy questioned if the Board needed to create a third pathway for licensure by military credentials. Director Habeger stated that the Board needs to understand the academic training and clinical experiences afforded by each of the military branches have that reviewed by the APA and find out if it meets their requirements. This can be used as a resource to the Examiner to distribute to applicants to expedite the application process. Dr. Fuller expressed concern that supervisors in a program may have never been licensed in Alaska. Dr. DeRuyter stated it is implied in the regulations that a person that is already practicing psychology in a military environment does not need to be licensed within our jurisdiction.

HB 187 is concerned with occupational licensing fees. One driver is the cost of public protection. The most important component of HB 187 is an attempt to control the cost of investigations to Boards. Public protection is considered all inclusive and HB 187 is asking the Legislature for \$1.7 million in the general funds to pay for investigative time. This bill will be before the house in the upcoming Legislative session. The Division is asking for support by the Board.

**The Board took a break at 2:53 PM and returned at 3:08 PM**

***Upon a motion duly made by Mr. Levy, seconded by Dr. Fuller and approved unanimously, it was:***

***RESOLVED to enter into Executive Session to review the State Law & Ethics Exams and to review the exam questions.***

***The Board ended the day in Executive session at 4:30 PM.***

***The Board continued their meeting on August 23, 2013 in Executive session at 9:00 AM.***

***The Board resumed their general business meeting at 9:26 AM.***

***Upon a motion duly made by Mr. Levy, seconded by Mr. Muntean and approved unanimously, it was:***

***RESOVLED that the Post-Doctoral Supervision Plan for Rebecca Robinson be approved for her to sit for the EPPP and the State Law & Ethics Exam be approved upon review of the four missing references from her file.***

### **Agenda Item 5 – Investigative Report**

Investigator Michelle Wall-Rood joined the meeting to provide an investigative report and is reflective of the status of open matters up to and including August 15, 2013 and closed matters up to and including August 15, 2013. During this period, there were three open investigations, two complaints and five pending intakes. There were two investigations closed, two complaints closed and six intakes that were closed. Investigator Wall-Rood stated because there were so many incomplete complaints, she will add them as a number rather than listing them on her Board report.

For clarification, Investigator Wall-Rood explained the investigative process. Step one is the intake process where a complaint is made to the investigator; step two consists of reviewing the complaint paperwork and contacting a Board member for further review; step three consists of the reviewing Board member affirming that their belief is that there is a violation. If there is verification of a violation, the process is moved into the investigation procedure which may result in disciplinary action.

Mr. Levy inquired what the process would be if all Board members knew the subject of a complaint. Investigator Wall-Rood explained that she would retain an expert from out of state. Chairman DeRuyter requested adding the list of out of state contacts to the next Board meeting packet.

### **Agenda Item 7 – AK-PA Testimony**

Dr. Baker joined the meeting via teleconference. AK-PA is changing officers. The President Elect is Dr. Jennifer Beathe. This year, it is important that AK-PA look at Legislative issues and concerns and consider the development of a Legislative agenda to discuss with the President of AK-PA and Lobbyist John Welch. Chairman DeRuyter asked Dr. Baker if AK-PA was aware of HB 187. Dr. Baker was familiar with it, but asked for further clarification from Dr. DeRuyter. Dr. DeRuyter explained the Bill and then asked for the support of AK-PA.

Mr. Levy asked if AK-PA taken a position on the proposed regulation changes. Dr. Baker stated that there had been no communication regarding the changes.

Dr. Baker stated that he thought the idea of offering Continuing Education credits for Cultural Diversity was a good idea. Mr. Levy commented that the Board has not taken the position that Cultural Diversity training is a bad idea, however no one has provided data that supports mandating Cultural Diversity training as protecting the public.

***The Board took a break at 10:09 AM and back on the record at 10:32 AM.***

### **Agenda Item 8 – Public Comment**

There were no members of the public present and no public comment correspondence.

### **Agenda Item 16 – Review, Amend & Adopt Regulations**

The Board reviewed the following amendments for adoption:

- 12 AAC 60.270 (b)
- 12 AAC 60.300 (b)
- 12 AAC 60.300 (c)
- 12 AAC 60.300 (d)
- 12 AAC 60.300 (e)
- 12 AAC 60.310 (a)

The members of the Board discussed the comments that were submitted regarding the regulation changes. Mr. Levy pointed out that "of" should be changed to "or" under 12 AAC 60.300 (c). The Board agreed that this change did not change the meaning of the regulation.

Mr. Levy requested that the minutes reflect that the Board will revisit the regulations for sharpening of the language.

***Upon a motion duly made by Mr. Levy, seconded by Mr. Muntean and approved unanimously, it was:***

***RESOLVED that the Board adopt the following regulations as amended:***

- 12 AAC 60.270 (b) – Computation of Continuing Education Hours***
- 12 AAC 60.300 (b) – Nonacademic Continuing Education Programs APA approved***
- 12 AAC 60.300 (c) – Approved Non-Academic Continuing Education Programs***
- 12 AAC 60.300 (d) – Continuing Education Credit for attending Board Meetings***
- 12 AAC 60.300 (e) – Interactive Continuing Education online***
- 12 AAC 60.310 (a) – Individual Study***

Mr. Muntean inquired on the difficulty of requesting the National Fingerprint background checks of all new applicants. Ms. Johnston advised that this would require a change in Statutes. There is a charge for this background check and Ms. Johnston advised that either the licensee would pay for the

check or if the charge would be built into the licensing fee. Regulatory authority would be required if the background check fee were to be charged separately. Any changes of this nature that the Board is seeking would be a much smoother transition if the Board could find a Legislative Representative to sponsor the change.

### **Agenda Item 15 – Administrative Business**

The Board discussed changing the format of the meeting agenda. Staff will divide administrative business into old business and new business. License application forms will be reviewed during the next meeting. Mr. Levy is still researching the definitions of "imminent danger" and "duty to warn."

There was general discussion among the Board about finding a Legislator that would be on call for the Board. It was determined that the best course of action would be to contact lawmakers independently rather than being tied to one specific Legislator. Dr. DeRuyter stated that an individual effort seems more likely to have positive effects on lawmakers.

The Professional Exam Services (PES) special accommodation fees were addressed by the Board. The State of Alaska has a liaison that will accommodate special requests. Mr. Muntean asked if the State has a special office for special needs. Ms. Johnston responded that there is such an office however she will check on fees through that office.

Dr. DeRuyter addressed Credentialing agency regulations corresponding with AS 08.86.150. He suggested this can be addressed at the same time that the Board addressed changes to 12 AAC 60.310(a). Dr. Fuller agreed. This item will be listed under ongoing business in the next meeting. Mr. Levy will place the regulation in the Board's drop box so that all members will have access to the same document without discussion.

***Upon a motion duly made by Mr. Levy, seconded by Dr. Fuller and approved unanimously, it was:***

***RESOLVED that the Board sends one Board member and the Licensing Examiner to the ASPPB conference in October.***

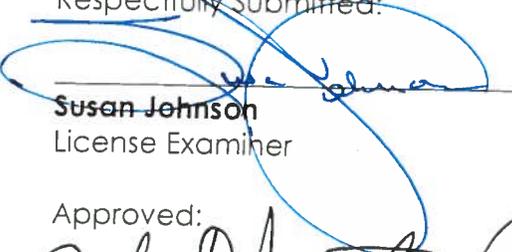
The next scheduled Board meetings are as follows:

November 14 & 15, 2013 – Anchorage  
February 27 & 28, 2013 – Anchorage  
April 24 & 25, 2013 - Anchorage

Upon a motion duly made by Mr. Levy, seconded by Dr. DeRuyter and approved unanimously, it was:

**RESOLVED that the Board adjourn at 11:59 AM.**

Respectfully Submitted:

  
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**Susan Johnson**  
License Examiner

Approved:

  
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**Dr. John DeRuyter, Chair**  
Alaska State Board of Psychologists and Psychological  
Associate Examiners

Date: 11/15/2013