

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

**MINUTES OF MEETING
November 20-21, 2014**

The staff of the Division of Corporations, Business & 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 November 20 and 21st, 2014, at the Robert B. Atwood Building, 550 West 7th Avenue, Suite 1535, Anchorage, Alaska.

Thursday, November 20, 2014

Call to Order/Roll Call

The meeting was called to order at 8:40 a.m. by Karen Hudson, Licensing Examiner.

Those present, constituting a quorum of the Board:

John DeRuyter, Psychologist
Al Levy, Psychological Associate
Joel Wieman, Psychologist
Christian Muntean, Public Member

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

Karen Hudson, Licensing Examiner
Cori Hondolero, Executive Administrator, ANC

Agenda Item 1 – Review/Amend Agenda

Board Chair Dr. John DeRuyter advised of adjustments to the agenda, with Agenda Item #9 (ASPPB Conference Report), to be moved to Friday. Dr. DeRuyter indicated there are important matters for the board to consider for after his term is up. The board discussed the upcoming transition and Dr. DeRuyter indicated his willingness to stay with the board until he is replaced but confirmed does not intend to stay in the chair position.

Mr. Levy requested an agenda item for Policy Review regarding storage of the State Law and Ethics Exam (SLEE), following a conversation with licensing examiner Karl Marx. The board discussed the need for a larger review of the exam process and the exam version.

**Upon a motion by Mr. Muntean, seconded by Mr. Levy, and approved unanimously, it was:
MOVED to amend the Agenda as discussed.**

Agenda Item 2 – Review/Amend Task List

Licensing Examiner Karen Hudson noted that there was no current task list; she provided a copy of the May 2014 task list. Dr. DeRuyter reviewed the task list and determined most of the items had been

completed except a list of the number of licenses issued year to year and broken down between psychologist and psychological associate licenses.

Cori Hondolero noted that this task did not need to be completed by Martha Hewlett but could be done by an examiner. Dr. DeRuyter noted he had that information in report form and would distribute to the board; there was also a request for board members to be provided with an annual report; Cori Hondolero indicated she would get that to the board.

Agenda Item 3 – Ethics Disclosure

The Board discussed ethics issues when reviewing exams for interns they may have worked with and determined that there is no ethics issue since the identity of the test taker is confidential; however, the board recognized there is a difference if someone you know is involved in an investigation.

The Board had no ethics disclosures.

Agenda Item 5 – Review/Approve Minutes

Dr. DeRuyter advised the Board that there are no minutes from the August meeting. The Board has been advised by the Division that the meeting recording and meeting notes have not been located following a change of staff.

Mr. Levy raised the issue of a regulation change to 12 AAC 60.185 which reads “the ethics to be adhered to by licensed psychologists and psychological associates ... (June 2003)”. Chair DeRuyter noted that is an error and needs to be amended to “most recent” but Mr. Levy indicated he had been told by Department of Law that the language “most recent” is not acceptable. Chair DeRuyter recommended this be added to the agenda item for regulations review along with a systematic regulations review.

Agenda Item 4 – Investigative Report

Chief Investigator Angela Birt and Investigator Michele Wall-Rood joined the board meeting.

Chief Birt introduced herself to the board and gave board members her background. She explained changes that are taking place in the investigative unit, restructuring it to add two senior investigators that will be overseeing health care and non-health care professions. She noted that the psychology program would not see any real changes except better access to supervisory response and turnaround times. Chief Birt invited calls from any board members if they had problems or concerns.

Mr. Levy posed the question if changes are anticipated given the change in administration; Chief Birt responded that there may be changes at levels above, such as the Commissioner and potentially at the Director (partially exempt) level, but that she didn’t believe it would affect the day to day business of investigations and its staff.

Mr. Levy and other board members expressed appreciation for Investigator Wall-Rood.

Chief Birt indicated she is working with the Director on an investigative issue involving numerous state employees who have been given a job title that is a protected class and who have been asked to work beyond their scope. She indicated that the state has to fix the position descriptions and is wrestling with how to do that.

Mr. Levy asked if the Division would get a seat at the table, and Chief Birt suggested the board may provide meaningful feedback on rewriting those descriptions. Dr. DeRuyter indicated he had provided feedback in August and offered to provide language; namely that people with bachelor's degrees don't do treatment planning and assessments.

Chief Birt confirmed that the Division understands the problem but has limited ability to dictate, noting Dr. DeRuyter's letter had been shared with the Department of Corrections. She reiterated that the process of changing job descriptions is slow and has labor relation impacts such as potential pay changes and reclassification.

Dr. DeRuyter raised the important ancillary issue of complaints coming to the Division from prisoners, expressing his concern that they are an unprotected group. Chief Birt suggested the board consider whether or not there is efficacy in sending a stronger message to the state like a cease and desist. Dr. DeRuyter clarified he was not advocating any particular action.

Christian Muntean stated he does not think the board has an understanding of effective strategy. Chief Birt suggested the board talk with Director Chambers to determine if it is appropriate for the Board Chair to send a letter to the Department of Corrections outlining the issue and stating a willingness to work with them, but stating that in the end the board is charged with this duty and if progress is not shown the board will have to take action. Chief Birt reiterated a preference for working closely with the Director in determining when the deadline would be and maybe setting a hard deadline.

Chief Birt agreed to return to discuss the title issue with Director Chambers at 1:00 p.m. Dr. DeRuyter noted that any ongoing communication will be copied to the investigator.

Chief Birt restated that she'd like to avoid being heavy-handed but there may be a point at which that becomes necessary.

The board discussed a deadline of the end of the fiscal year, or June 2015, and Chief Birt acknowledged this as a reasonable timeframe and a good opportunity with a new administration.

Investigator Wall-Rood thanked the board for their time and service to the state. She reviewed her written report to board, reporting that between August 9, 2014 and October 22, 2014 there had been 5 matters opened and 9 matters closed leaving a total of 13 matters open and under review. Investigator Wall-Rood noted that 6 or 7 of those matters are title/name matters and are currently being monitored and held while a decision is made how to proceed.

A question was posed to Investigator Wall-Rood regarding out-of-state experts testifying in court who do not hold Alaska licenses. Investigator Wall-Rood stated that if a Judge accepts expert testimony, there is not much the state can do after the fact. Mr. Levy suggested a cease and desist order to stop this type of unlicensed practice. Investigator Wall-Rood noted that it is possible to open a complaint, verify the practice, and send a letter of advisement, but noted that a cease and desist may not be cost-effective unless the individual is repeatedly examining and testifying. Dr. Weiman suggested unlicensed practice is an ethical violation, so another option is reporting an ethics violation to the APA. Investigator Wall-Rood indicated her standard of practice has been a letter of advisement and a letter to their state as education, and may send a letter to the organization that used the individual. Some pay attention and some don't.

Dr. DeRuyter indicated his dislike for decisions based on money but acknowledged that is a very real part of the cost of investigations.

Mr. Levy inquired into the legislation shifting costs to the general fund. Cori Hondolero responded that HB 187 died last session. Dr. Weiman stated it was his understanding that several associations had fought the legislation. The board noted that this issue could be discussed with Senator Giessel.

Investigator Wall-Rood clarified how she rotates board member reviewers, or when complaints come in on the same person or same fact pattern how the same reviewer will receive several complaints.

Investigator Wall-Rood concluded her investigative report.

Cori Hondolero provided the board a report with license type and count.

Agenda Item 6 – Courtesy License Report

The Board reviewed the current courtesy license report and noted that one licensee appeared to have been issued all new courtesy licenses. Licensing examiner Karen Hudson stated that she believed the report is in error, and a corrected report with correct names will be provided to board members.

Agenda Item 7 – AK-PA

No guest was present from AK-PA and no report was given. An invitation from Phil Baker to attend the annual meeting and Christmas Party on December 8 was extended via Licensing Examiner Karen Hudson.

Agenda Item 8 – Public Comment

No members of the public were present at the meeting and no public comment was given.

Christian Muntean discussed the willingness of Senator Giessel to help out, specifically with the question of a background check. She wants to come in and get a sense of where the board wants to go and what needs to be changed.

Agenda Item 11 – Application Review

The Board reviewed the following applications:

Psychologist by Credentials

-Richard A. Harris

Psychologist by Examination

-Jaedon P. Avey
-Ruddy M. Taylor

Psychological Associate

-Liana W. Shelby
-Michael Sapiro

Alternative Supervision Plan

-Kathryn Dziekan

Change of Supervision Plan

-Kristy Kay Becker

During the application review, Chair DeRuyter noted that Kathryn Dziekan is almost to the end of supervision and the proposed supervision is two (meetings) per month. It appears the change application from Kathryn Dziekan is to change supervisor and for a longer plan. But the supervision she is anticipating is described as clinical staff meetings, twice a month and 12 AAC 60.080 requires a minimum of one hour per week of post doc. She is also asking for an extension for a year but that would be a separate question and separate ballot; if she is asking for an extension it needs to be a formal request and cannot be in an email. She will need to show cause, why she is requesting change.

The board will require verification from new supervisor that she is aware of the regulation that she needs to follow 12 AAC 60.080(a)(3)(B) under extended supervision plan. Chair DeRuyter requested a communication back to K.Dziekan requesting such verification.

The board briefly discussed the need to update the Change of Supervision Form and a Request for Extension Form. A request to insert a reference to 12 AAC 60.080 near or next to the supervisor's signature was made.

Christian Muntean questioned why only one letter of reference is required for a Psychological Associate application. The board discussed background requirements, standards, passing scores, and possible regulation changes for the psychological associate license. Cori Hondolero advised that the regulations process has gotten more complex and it is advisable to make a regulations project comprehensive. The Board determined to add the psychological associate regulations to the task list.

Cori Hondolero addressed board concerns about board forms being updated and ability to fill out online.

The board also discussed the need for "Frequently Asked Questions" section on the board's website as a way to potentially improve the information provided by applicants, and the possibility of a ListServ as a means to distribute important information rather than a forum. The lack of information or the misinformation among licensees was discussed. Board members noted that since voting to grant CE credit for attendance at a board meeting, attendance has remained low, so having visibility is important.

**Upon a motion by Mr. Muntean, seconded by Dr. Weiman and approved unanimously, it was:
MOVED to approve the following psychologist applications for licensure by credentials:**

-Richard A. Harris

**Upon a motion by Mr. Muntean, seconded by Dr. Weiman and approved unanimously, it was:
MOVED to approve the following psychologist by examination applications:**

-Jaedon P. Avey

-Ruddy M. Taylor

**Upon a motion by Dr. Fuller, seconded by Mr. Levy and approved unanimously, it was:
MOVED to approve the following psychological associate application:**

-Liana W. Shelby

-Michael P. Sapiro

**Upon a motion by Dr. Fuller, seconded by Mr. Levy and approved unanimously, it was:
MOVED to approve the alternate supervision plan pending verification that expected supervision meets the requirements of 12 AAC 60.080(a)(3)(B) for:**

-Kathryn Dziekan

**Upon a motion by Dr. Fuller, seconded by Mr. Levy and approved unanimously, it was:
MOVED to approve the request for Change of Supervisor for:**

-Kristy Kay Becker

Agenda Item 13 – Administrative Business

Board members signed travel documents.

A wall certificate was signed by Chair DeRuyter.

The board discussed an email from licensing examiner Karl Marx regarding the state law and ethics exam study materials and the process followed for obtaining those materials. Ms. Hondolero advised that materials can be emailed, there is a link on the website, and a hard copy can be provided.

A discussion was held regarding receiving electronic board packets, and it was noted that the board used to receive electronic packets but it did not save paper because board members continued to want a hard copy for notes.

Dr. DeRuyter reviewed the afternoon agenda, including the budget review with Director Chambers, and the issue with the Department of Corrections, the minutes issue, potentially grading the ethics exam and question review and rewrite on Friday's agenda, the task list, establishing meeting dates for January and April, and the Board's long term goals.

The Board recessed for lunch at 12:00 p.m.; reconvened at 1:15 p.m.

Agenda Item 10 – Budget & Travel Report

The meeting was called to order at 1:15 p.m.

Division Director Sara Chambers, Administrative Officer Martha Hewlett, and Division Operations Manager Colleen Kautz joined the board meeting via teleconference.

Chief Investigator Angela Birt and Investigator Michele Wall-Rood joined the board meeting.

Administrative Officer Martha Hewlett reviewed the FY 2014 Schedule of Revenues and Expenditures with Board members. She explained the financial coding to board members, and reviewed revenue and direct expenditures. She and Director Chambers addressed board questions regarding the direct expenditures figure encompassing the cost of staff serving the needs of the board, which includes not only the examiner but fractions of time for investigative staff, paralegal, regulation specialist and administrative staff time.

Martha Hewlett reviewed travel expenditures, which includes meetings and conferences, contractual expenditures, supplies, which includes items used to put together board packets – which brought total direct expenditures to \$110,035.

She further explained indirect expenditures as the cost for Director Chambers, Martha Hewlett, the Administrative Operations Manager, and other administrative staff who don't necessarily pinpoint their time in increments, as well as the cost of leases and insurance. The final indirect expenditure total was \$25,827.

Martha Hewlett concluded her report by noting that the board ended in a surplus for the year.

Dr. DeRuyter noted that contractual expenses were significant and asked about the impact in terms of license fees. Director Sara Chambers noted the significant increase in legal expenses, which was explained by Investigator Wall-Rood as an anomaly in this past year although it can happen in any year so must be part of any fee analysis. She noted also more modest, expected increases in personal services and travel, as well as labor costs going up as rates go up.

Director Chambers invited board members to contact her or Martha with additional questions.

She directed the board's attention to the Annual Fiscal Report, and advised that the division has been working over the past few years to be transparent and to become better at articulating how the division arrives at revenue and expenses. Director Chambers described the process as relentless and incremental improvement, a foundation established under Director Habeger to further refine processes and increase communication to the board.

Director Chambers directed the Board to a couple points in the Annual Fiscal Report:

- FY 2014 reduced indirect expenses by close to 1 million. The Division adjusted its engagement with the Department of Law to refine when and how they are contacted, and to look for internal resources before the additional expense – this was reduced by 34%
- FY 2014 is first year in recent history of professional licensing being in surplus position – very scant but 10 million is a surplus

These things were accomplished while the #s of licensees are increasing. Director Chambers noted that the Division is trying to work smarter as well as harder, all while meeting the requirements of the legislature, the needs of the union, and the required terms of relationships with various stakeholders.

Director Chambers reviewed page 7 and 8 of the report, an annual indirect expenses discussion to help the board understand not only their direct expenses but the indirect expenses allocated across the division. This section lists the types of expenses allocated across the Division and down to boards and commissions. –

She concluded by pointing out that of the total indirect liability of 4 million, only 1.8 or 1.9 is generated through the Division – the remainder is generated from DCCED for services like network services, human resources, procurement, etc.

Director Chambers outlined for the board the method of allocating expenses, which has changed. Last years' allocation had been done by percentage of licensees, but the Division refined the allocation process

further this year and is allocating by human resources (number of position control numbers (PCNs), and accounting transactions.

She noted that smaller programs may have seen an increase in some areas, since in the past some of the indirect expenses may have been paid by other programs. However, this method of allocation this is making the playing field more fair overall.

For the few programs that saw an increase, Director Chambers has asked for the administrative division to analyze and write up an explanation that is particular to those programs describing exactly where that increase came from, and the change in methodology.

Dr. DeRuyter thanked Director Chambers for the report and for what is being done by the Division by both Director Chambers and by her predecessor Don Habeger to provide clear accounting and accountability in the past few years, expressing his absolute trust in the process.

Director Chambers briefly reviewed the appendices, noting that Appendix A is the roll up for all professional licensing programs, it does not include corporations and business licensing.

Appendix B covers expenses allocated through PCN versus non-PCN this year versus last year for all licensing programs. Appendix C breaks those down further.

Appendix D shows indirect expenses for all entire division for any particular line item.

Appendix E shows how to get to reports, and an explanation of the codes.

Director Chambers concluded her report by inviting the board to follow up with any questions they may have.

Dr. Weiman asked if the licensing fee for a new license accurately reflects the cost of licensing and testing.

Director Chambers discussed fee analysis in general, noting that it takes looking back to look forward. The Division reviews two closed fiscal years' actual expenses then looks forward at reasonably forecastable activity including any surplus or deficit, any significant appeals coming up, things that may unduly skew expenses. All this information is analyzed and a fee recommendation made. The Division brings a fee recommendation to the board, which is an opportunity for input and frank discussion.

She noted that state statute says licensing programs must be self-supported, and deficits or surpluses that may have been paid forward by previous licensing fees are part of that system.

In response to further inquiry from Dr. DeRuyter, Director Chambers responded that the Division is obliged by state statute to look at every single fee and analyze whether it is doing its job and decide to increase or decrease. The cost is generally being covered and fees are analyzed and brought to the board for review and adjustment, then put through the regulation process. The board discussed the regulations process.

Director Chambers briefly address board travel issues, noting she had emailed all board members information about new travel processes. Board members were advised they could apply for reimbursement of travel and that the Division can now book your travel for board members if it is a hardship or inconvenience.

Agenda Item 4 – Investigative Report

Dr. DeRuyter addressed Chief Birt and invited her to outline the job title issue with the Department of Corrections for Director Chambers.

Chief Birt briefly outlined the issue, noting that certain employees have job descriptions which are protected language, the jobs were conceptualized in 1968 and terminology protected in 1967 so it is a longstanding technical issue. The board wants to resolve matter before the end of the fiscal year because the job title is incorrect and the job description contains performance measures outside scope of practice unless they are properly licensed. Board wants to resolve matter before end of fiscal year.

Chief Birt noted that she had run into the Deputy Commissioner from the Department of Corrections and given him the outline, he wants to resolve.

Director Chambers stated that her recommendation was the Division work on the matter internally, agency to agency. She would like to make it as non-charged as possible, noting it is an administrative error that needs correction before moving into a phase of correction. She wants to avoid escalation that scares employees.

Dr. DeRuyter agreed that this is not about going after individuals, they are faultless. Director Chambers added that perception is reality and people get scared and start pulling in unnecessary resources; she does not want to diminish anyone's rights. She added that since Chief Birt had communicated with the Department of Corrections Deputy Commissioner, we need to start with our Deputy Commissioner and have a phone call.

Chairman DeRuyter offered to look at the job description(s) in question and identify specific duties that need to be done by licensed individuals so that they can do their jobs within an appropriate scope of practice. Board members discussed an approach from behavioral health language and perspective, as there may be other relevant boards such as marital and family therapists.

Director Chambers thanked the board for offering perspective, tools and solutions. She reiterated that Chief Birt will contact the Division's Deputy Commissioner and the Department of Administration's Deputy Commissioner to conference on concerns and come up with solutions while respecting needs of the agency and the people in those positions.

Dr. DeRuyter raised the issue that this was not an abstract problem to be solved, but a real problem with complaints pending. He asked that the board be kept in the loop on progress being made.

Director Chambers agreed it is appropriate to keep the board in the loop and that there is a need to map out strategy and frame the board's sense of urgency without compromising due process.

A discussion about potential liability for was held.

Agenda Items 10 & 13 – Budget & Travel Report / Administrative Business

Director Chambers returned to ongoing budget topic, noting that her conversations with the legislative budget and audit committee are continuing. She reported that funding and travel concerns remain. The discussion about fines going to the general fund remains an issue that is being looked at, as well as what happens in instances of extreme legal expenses when the good apples end up paying for that bad apple –

whether or not there is a way to offset those legal fees. She noted there are quite a few fiscal topics that the legislature is mulling over.

Director Chambers noted that HB 187 initiated much of the discussion, so the legislature may be feeling compelled to deliberate these issues.

If another bill is filed, Director Chambers indicated she would email the board so they could engage in the process, assuring them they are welcome to communicate with legislators either as a board or as individuals either in support or to raise concern.

Director Chambers noted that the division is working on staffing the permanent examiner position, and have been interviewing this week with a good pool of candidates.

Dr. DeRuyter inquired about the issue with the last minutes. Director Chambers responded that there was a bit of a mystery surrounding that situation; the division has neither recording nor written documentation of that meeting. Her recommendation to staff was to defer to the board for any motions or decisions made so that a records can be made for public. It looked like not a long agenda with a lot of action items so if the board was able to recreate an agenda with any action items the loop could be closed on the legal aspect of that meeting.

Dr. DeRuyter noted that a lot of the meeting was in executive session, doing work on the SLEE, but what is a concern is that the approval of various licenses got recorded and decisions executed. He expected that if not we'd have people calling.

Director Chambers indicated she believed licenses were processed and the results of decisions in those meetings were followed up on – that there doesn't seem to be a gap in that regard. However, the division does not have a record of the board going on record to prove that. It could be determined that the board never approved that license, so it would be helpful to the board to try to recreate that list.

Dr. DeRuyter observed that the files of the applicants approved should have ballots in the files.

Director Chambers closed with an invitation to the board to contact her if the board had concerns or need clarity.

Off record: 2:55 p.m.

On record: 3:02 p.m.

Dr. DeRuyter raised the issue of goals he would like to include in the board's conversation with Senator Giessel, including the concern and need for background checks.

Cori Hondolero added that there is at times some confusion about different levels of checks. For some, you must physically appear to be fingerprinted and have an official background check. Others may be a criminal background report, which can be requested by applicant by going to troopers and getting their own report. The difference between criminal background report and courtview was discussed.

Christian Muntean expressed his interest in pursuing higher level, stating that this profession has potential for harm, and there is no way to know if there is anything is an applicant's background unless they self-report.

Cori Hondolero indicated she would provide background and fingerprint language from the nursing statutes, and emphasized the importance of making sure the authority is put in centralized statute as well as in program statutes. The board discussed working with Senator Giessel and how the board will be able to assist her, including being aware of where the statutes will need to be changed. There will be two statutory changes – one as an amendment to add generic authority and one to the board’s own statutes.

Dr. DeRuyter would also like to discuss HB187 with Senator Giessel. Cori Hondolero indicated that HB 187 is dead but there may be a new piece of legislation filed before session starts.

Agenda Item 12 – State Law and Ethics Examination

Upon a motion by Christian Muntean, seconded by Dr. Weiman and approved unanimously, it was:

MOVED to go into executive session to score past examinations and to review test questions.

Back on record: 3:38 pm

Upon a motion by Christian Muntean, seconded by Dr. Weiman and approved unanimously, it was:

MOVED to recess until 8:30 a.m. Friday, November 21, 2014.

Friday, November 21, 2014

Call to Order/Roll Call

The meeting was called to order at 8:35 a.m. by Dr. John DeRuyter, Chairperson.

Those present, constituting a quorum of the Board:

- Dr. John DeRuyter, Psychologist
- Al Levy, Psychological Associate
- Joel Wieman, Psychologist
- Christian Muntean, Public Member

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

- Cori Hondolero, Executive Administrator
- Karen Hudson, Licensing Examiner

Dr. DeRuyter updated Al Levy on the budget discussion by Director Chambers and efforts by Director Chambers and Director Habeger to make the accounting process transparent and the reports accurate and useable.

Senator Cathy Giessel joined the board meeting.

Dr. DeRuyter outlined the board's struggle with the ability to do criminal background checks on its licensees, not having the statutory authority to do it.

Senator Giessel reviewed the research provided by Cori Hondolero, who explained that this included the main authority (centralized statutes) to ask for background checks and that the Division has 2 or 3 programs currently doing background checks. Ms. Hondolero samples of their statutes and regulations.

Senator Giessel disclosed that she had served on the Board of Nursing for many years and further advised the board that she does not think this legislation will be a big lift. She asked who might oppose a bill and queried the Director's feelings on it.

Board members discussed support coming from the Division and the Alaska Psychological Association. Senator Giessel asked if licensees understand that there will be costs associated with the change, and the Board discussed what costs licensees could expect. Senator Giessel noted that the nursing program is dealing with the issue of test results having to be duplicated for different entities because results can't be shared, which is a firewall put in place by the FBI – so this ends up as an added cost. She noted that ASHBA is pushing back on these costs for that program.

The Board discussed the importance of getting the statute changes made then following with the regulation changes, and the length of time it will take before all is implemented. Senator Giessel suggested that they communicate directly with her and her staffperson Jane Conway. They will try to submit a prefiled bill. Board members discussed looking for a house sponsor to get in touch with Senator Giessel as well.

Board members agreed that it is a good idea to hold the January meeting in Juneau to give them an opportunity to meet legislators.

Agenda Item 15 – Administrative Business

Meeting dates were confirmed to be January 29 – 30, 2015 in Juneau, with a recommendation by staff that travel arrangements be made early since during legislative session flights and hotels book early.

The board discussed the remaining topic addressed by Director Chambers, the absence of minutes of the previous meeting, and the need to re-do motions. Mr. Levy again raised the issue of security of the state law and ethics exam materials and the board requested it be kept with the binder in the exam closet.

Dr. DeRuyter noted that the board still had exams to be graded, and he would like to take time to discuss the ASPPB conference as well as engage in forward thinking for things the board will need to do once he is no longer chairman.

Agenda Item 12 – State Law and Ethics Examination

Upon a motion by Christian Muntean, seconded by Dr. Weiman and approved unanimously, it was:

MOVED to go into executive session to score past examinations and to review test questions.

Executive session at 9:37 a.m.; back on record at 11:50 a.m.

The Board recessed for lunch at 11:51 a.m.; reconvened at 1:22 p.m.

Agenda Item 12 – State Law and Ethics Examination

Upon a motion by Christian Muntean, seconded by Dr. Weiman and approved unanimously, it was:

MOVED to go into executive session to score past examinations and to review test questions.

Executive session at 1:23 p.m.; back on record at 3:32 p.m.

Agenda Item 9 – ASPPB Conference Report

Dr. DeRuyter reported a move toward requiring accredited programs for licensing in various jurisdictions, noting Alaska's regulations don't require accreditation but the rest of the system is moving in that direction. The APAC decided that in 2017 it will not allow participants or programs that are not accredited in the internship match. The reason for that is an attempt to get away from the profit schools churning out sub-par applicants and producing a glut. He noted that neither of his interns had matched this past year.

As a housekeeping matter, Dr. DeRuyter raised the issue of a post doc description that is accurate on an application but not in regulation. He discussed the presentation attended at the ASPPB conference for streamlining the application process by using CPQ or another similar credential banking for vetted applications and advised board members that Alec Segel had offered to come to a board meeting to talk about this. Board members discussed the \$200 fee to applicants, and whether there were any downsides but cost. Board members were receptive to having a presentation by Alec Segel.

Dr. DeRuyter advised that Pearson is the new EPPP vendor, and the test taker can now get an unofficial score when they push complete. The board will still get an official score

Further discussion by Dr. DeRuyter focused on best practice as a statistical model. He stated an awareness of a significant deviation from identified best practices on multiple occasions, and the regulations are silent on it and it is difficult to address a circumstance that ought to be addressed. His concern is that a deviation from standard protocol that results in a lower standard of care or misdiagnosis, and whether that can be addressed in regulation.

He noted that some jurisdictions have ethical standards or codes of conduct and when regulations reference those standards, they move from aspirational to operational, which seems a cleaner standard for evaluating behavior. He closed by noting that this was nothing the board needed to act on at this time, but a tool to consider.

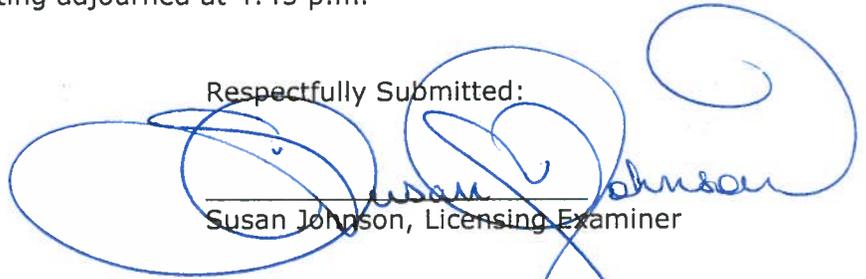
Dr. DeRuyter advised that a thorough application review was also suggestion, to assure a social security number was required, to delete unnecessary information, and to be careful with mental status questions. The board discussed these recommendations, and licensing examiner Karen Hudson confirmed the application contained a social security number.

Upon a motion by Mr. Levy, seconded by Christian Muntean and approved unanimously, it was MOVED to enter into executive session to score past examinations and to review test questions.

Back on record: 4:45 p.m.

There being no further business, the meeting adjourned at 4:45 p.m.

Respectfully Submitted:



Susan Johnson, Licensing Examiner

Approved:



John DeRuyter, Chair

11/18/2015
Date