

State Of Alaska
DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT
DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING

BOARD OF PSYCHOLOGIST AND PSYCHOLOGICAL ASSOCIATE EXAMINERS
January 31, 2019 & February 1, 2019

These are DRAFT minutes prepared by the staff of the Division of Corporation, Business and Professional Licensing. These minutes have not been reviewed or approved by the Board.

Written meeting minutes reflects a brief overview of the business conducted by the board during their meeting. For a more detailed account, please request a copy of the meeting recording.

Thursday, January 31, 2019

Agenda Item – Call to order and Roll call

Board Chair Al Levy called the meeting to order at 9:04 am.

Those present constituting a quorum of the Board:

Al Levy, Psychological Associate
Joel Wieman, Psychologist
Suzanne Dutson, Public Member
Richard Lazur, Psychologist

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

Renee Hoffard, Records and Licensing Supervisor
Sara Chambers, Director
Lacey Bartlett, Occupational Licensing Examiner
Erika Prieksat, Investigator III

Agenda Item – Review & Approve Agenda

The board reviewed the drafted agenda of the meeting. Suzanne Dutson stated agenda item #17.C – Telepsychology Website – was covered adequately by the last board meeting. She requested to amend item #17 to be able to discuss SB 74 and some concerns she had with it.

In a motion duly made by Joel Wieman and seconded by Suzanne Dutson, with unanimous consent, it was resolved to approve the agenda as amended.

Renee Hoffard noted due to being unable to schedule future meetings at this time, the Annual Report had been added to the agenda for review if the board would like. The report needs submitted by June 1st, 2019 so it needs to be reviewed and approved to the division. Board Chair Al Levy brought up challenges with the annual review as there has been a large turnover of new board members.

45 Board Chair Levy, discussed the upcoming meetings with legislators that have been scheduled while in
46 Juneau. The meetings scheduled were with Mia Costello, Matt Claman, Elvi Gray-Jackson, Tom Begich,
47 and Cathy Giessel. It will be discussed later who will attend what meeting. Board Chair Levy requested
48 to have the Exam Drafting removed from the agenda due to board staff turnover. It would be too
49 difficult to start that process and then start it over again with 2 new board members.

50

51 **In a motion duly made by Suzanne Dutson and seconded by Richard Lazur, with unanimous consent, it**
52 **was resolved to amend the agenda to remove item #21 – Exam Question Drafting – and replace it with**
53 **Legislative Meetings.**

54

55 **Agenda Item – Ethics Report**

56 Board Chair Al Levy gave a brief overview of the requirements of ethics reporting as a board member.
57 Hearing no violations or reports, Mr. Levy moved the board onto the next agenda item.

58

59 *Director Sarah Chambers joined at 9:10am.*

60

61 **Agenda Item – Board Training**

62

63 Division Director, Sara Chambers joined the meeting to provide board training. Director Chambers
64 discussed how well the board is able operate and work through conflict. Questions arose in regards to
65 how to interpret what is written in statute and regulation, how to work through gray areas, and what is
66 the board's authority to deviate/make decisions on what is written. The regulations had fallen behind
67 the times and how is the board supposed to respond?

68

69 Director Chambers assisted in explaining the elements to consider: you are erring in favor of the
70 applicant, you are not raising the bar ABOVE the current standards, and you are doing it consistently.
71 When a statute is outdated and causes issues to the process, it is the authority of the board to address it
72 and can take the steps to address the issue. And in the interim, what are the requirements to be more
73 attainable? The board was advised to identify the effect of the unintended consequences (outdated
74 standards) and come up with a more adaptive standards to achieve our professionals being able to work
75 in Alaska.

76

77 The Board and Director Chambers all agreed working together, communication, and monitoring needs
78 of our licensees are essential in supporting our professionals. Our collective goals are to get our
79 professionals to work. If regulations changes are necessary, the Board could start a regulations project
80 to address those needs. It was also agreed that with the new board members coming in, Director
81 Chambers would join additional meetings as needed for continued Board Training.

82

83 **In a motion duly made by Richard Lazur and seconded by Suzanne Dutson, with unanimous**
84 **consent, it was resolved to amend the agenda to move Division Update to 9:45am to make**
85 **best use of time.**

86 **Agenda Item – Division Update**

87

88 Board Chair Al Levy addressed Director Chambers and a few concerns he had regarding Board Member

89 turnover and administrative staffing turn over. Board Chair Levy was concerned current members
90 haven't been notified their term has been ended by the current administration or have been replaced.
91 Chair Levy stated it's the Governors prerogative to appoint anyone he wants for his administration but
92 HOW it is done and how it impacts the board are matters for concern. Director Chambers addressed
93 those concerns by stating she's receiving the same information as it comes in. She has expressed the
94 concern as a division to the Director of Boards and Commissions, and we would like to find out sooner
95 rather than later when board members are being replaced. It has been affecting our boards negatively
96 and how they're able to conduct business. The discussion continued around ensuring the productivity of
97 the board and to effectively pass leadership training onto new members. It was agreed that all will do
98 their best to communicate upcoming changes and work to manage the steep learning curve of our
99 incoming members.

100

101 *Erika Prieksat joined at 9:56am*

102

103 **Agenda Item – Investigative Report**

104

105 Investigator Erika Prieksat addressed the board with current investigation. There was 1 opened matter,
106 4 closed matters, and 4 remain ongoing. Information was relayed to Investigator Prieksat regarding
107 board member turnover and open investigations. It was advised to Investigator Prieksat any items
108 previously assigned to Dr. Chris Reynolds or Dr. Richard Lazur would need to be reassigned. Additional
109 training was also planned for future meetings when our new board members have joined so they fully
110 understanding their roles in investigations.

111

112 **Break 10:06am – 10:22am.**

113

114 **Agenda Item – Division Update**

115

116 Fiscal Year 2018 (FY18):

117 The board took in just over \$17,000, however the expenses were almost \$100,000. With a surplus from
118 past years, the program can remain in a positive fiscal position with a balance of \$318,694.

119

120 Fiscal Year 2019 (FY19) 2nd Quarter:

121 At the end of the 2nd quarter of FY19, the board income was approximately \$16,400 and the outgoing
122 has been just over \$45,500. Total revenue will increase as we're in a renewal cycle. The board was
123 informed it is tracking right along with previous years and overall is maintaining well. Ms. Chambers
124 reviewed the indirect vs direct expenses, how these expenses are figured, and what the boards past
125 trends have looked like.

126

127 Administrative staff changes were also extensively discussed. It was asked if there was a way to
128 reimburse the psychology board or shift cost from the board for administrative changes, such as,
129 removing the licensing examiner to another program. Could the financial responsibility be shifted to the
130 program that's receiving the licensing examiner? Director Chambers explained the division is focused on
131 maintaining work and the state's needs. The best is being done to mitigate costs and anticipate the
132 needs of all the boards. Director Chambers advised the board if they do have a remedy to the situation,
133 to please let her know. Board Chair Al Levy stated he would collect some information from other boards
134 and see what type of proposal could be submitted.

135

136

137 Proposed License Fees

138

139 Director Chambers discussed the proposed license fee decrease. Both the board and the division have
140 been working toward a more balanced income to expenditure ratio. The major concern raised regarded
141 having enough funds to cover unforeseen expenses, such as investigations. After extensive discussion
142 regarding the boards desire to maintain an adequate surplus, while also adapting to a more suitable
143 license fee based on income vs. expenditure, a \$500.00 license fee was proposed by the board.

144

145 **In a motion duly made by Richard Lazur, and seconded by Suzanne Dutson, with unanimous**
146 **consent, it was resolved to recommend a fee of \$500 for initial licensing.**

147

148 **Break 11:27am – 11:36am**

149

150 Agenda Item – Public Comments

151

152 There were no members of the public present that wished to provide public comments to the board.

153

154 **Lunch 11:40pm – 1:06pm**

155

156 Agenda Item – Review & Approve Meeting Minutes

157

158 The previous meeting minutes were reviewed by the board.

159

160 **In a motion duly made by Richard Lazur, and seconded by Suzanne Dutson, with unanimous**
161 **consent, it was resolved to approve the November 30, 2018 meeting minutes as written.**

162

163 Agenda Item – Application Review

164

165 The board reviewed 3 applications for licensure and 1 supervision extension request via OnBoard;
166 ballots were signed using electronic signature per division policy. Applicants will be notified of the
167 board's decision within 10 business days of the board meeting.

168

169 **Break 2:38pm - 2:48pm**

170

171 Agenda Item – Exam Scoring

172

173 **Upon a motion made by Richard Lazur, seconded by Suzanne Dutson, and approved**
174 **unanimously, it was resolved to enter into Executive Session in accordance with AS 44.62.310(c), and**
175 **Alaska constitutional right to privacy provisions for the purpose of discussing matters involving**
176 **matters which by law, municipal character, or ordinance are required to be confidential. Board staff**
177 **Renee Hoffard and Lacey Bartlett to remain in the room.**

178

179 **Off record at 2:49pm**

180 **On record at 3:58pm**

181

182 Board Chair Levy stated they have all done good work for the day and accomplished many items. Not
183 hearing any additional information to be discussed on the record, meeting was recessed.

184

185 **Recess at 3:59pm until 9:00 am on Friday, February 1, 2019.**

186

187 **Friday, February 1, 2019**

188

189 Board Chair Al Levy called the meeting to order at 9:08am

190

191 Those present, constituting a quorum of the Board:

192

193 Al Levy, Psychological Associate

194 Joel Wieman, Psychologist

195 Suzanne Dutson, Public Member

196 Richard Lazur, Psychologist

197

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

200

201 Lacey Bartlett, Licensing Examiner

202 Renee Hoffard, Records & Licensing Supervisor

203 Sarah Chambers, Division Director

204

205 Members of the Public in attendance:

206 Jana Zeedyk,

207

208 **Reconvene at 9:08am.**

209

210 Roll Call, present Al Levy, Joel Wieman, Suzanne Dutson, and Richard Lazur.

211

212 Board Staff Renee Hoffard and Lacey Bartlett.

213

214 **Agenda Item – Correspondence**

215

216 No correspondence was provided to the board for this meeting. Renee Hoffard addressed the board
217 regarding a question on a courtesy license compliance reporting. A psychologist had completed his
218 permanent license since receiving his courtesy license. Ms. Hoffard's question was to clarify if the
219 individual needed to submit his courtesy license report OR if his permanent license replaced the need
220 for the license report. It was requested to notate the file of his upgrade to permanent licensing and the
221 applicant submit a letter requesting early expiration of his courtesy license (as he was issued a
222 permanent license). Board Chair Levy requested this information be added to our procedure manual as
223 this situation will likely arise again and it was agreed to add to the division's training manual.

224

225 **In a motion duly made by Richard Lazur, seconded by Suzanne Dutson, with unanimous**
226 **consent, it was resolved to amend the agenda to move Old Business up to make best use of**
227 **time.**

228

229 **Agenda Item – Old Business**

230

231 Board member Suzanne Dutson presented her license category analysis. State of Alaska currently holds
232 4 license statuses. Ms. Dutson spoke of other states and their licensing categories. The goal would be
233 to add “Retired” status to the licensing categories, in order to reflect a more accurate status than an
234 individual who retires and their license goes to “Inactive”. Concerns have been raised regarding inactive
235 licenses and a potential negative connotation on them when reality is the professional has retired or
236 moved on from practice. Supervisor Hoffard advised the board that changes to add a license status
237 would require legislative action as the board only has authority to make changes on what is currently
238 written in statute. It was discussed how an individual would be able to go into retired status and how
239 that process would look. All changes and procedures would be included in a regulations project.

240

241 *Director Sarah Chambers entered 9:31am*

242

243 Board member Suzanne Dutson went on to discuss the PSYPact Interstate Agreement and how it could
244 benefit Alaska. PSYPact is a contract for specific, limited purpose, or particular policy issue - telehealth
245 and temporary in-person, face-to-face practice of psychology across jurisdictional boundaries. After
246 presenting the PSYPact information, questions were raised regarding how it would financially effect the
247 State. Overall the project would have positive benefits to Alaska and serving our rural population.
248 Additional questions requiring research are going to be addressed and clarified before presenting the
249 information to Legislators. Specifically questioned were annual fees to the state, what fees are collected
250 for processing PSYPact applications, how are investigations handled/funded, and what is the specific
251 time scope of practice for both telehealth and face-to-face practice under PSYPact.

252

253 Chair Al Levy notified Director Chambers of the 2 items the board is currently working on for the current
254 legislative session which were: 1. adding another licensing category and 2. pursue background checks for
255 applicants.

256

257 **Upon a motion made by Joel Wieman, seconded by Suzanne Dutson, and approved**
258 **unanimously, it was resolved to enter into executive session in accordance with AS**
259 **44.62.310(c), and Alaska Constitutional Right to privacy provisions for the purpose of**
260 **discussing subjects that tend to prejudice the reputation and character of any person,**
261 **provided the person may request a public discussion. Board staff Renee Hoffard, Lacey**
262 **Bartlett, and Sarah Chambers to remain in the room.**

263

264 **Off Record at 10:18am**

265 **On Record at 10:43am**

266

267 **Break 10:43am – 10:55am.**

268

269 **In a motion duly made by Suzanne Dutson, seconded by Richard Lazur, with unanimous**
270 **consent, it was resolved to amend the agenda to move AKPA call to 1:00pm.**

271

272 Board Chair Levy advised the board of their goals for speaking with legislators while in Juneau. The
273 board is seeking to require applicants to pass a background check to practice psychology in Alaska. It
274 was advised the board keep it simple when speaking to legislators and their staff. The board does not
275 have authority to require background checks and they are seeking authority to do so. Mr. Levy stated

276 they're trying to find a sponsor for the background legislation through these meetings. Member
277 Suzanne Dutson brought up SB74, instructing boards to implement things such as background checks.
278 Supervisor Renee Hoffard helped clarify what was written in SB74 and how the board can make only
279 make changes based on the diagnoses, prescriptions, treatments, or delivery of service. The Board
280 imposing background checks would be outside the scope of the items currently written.

281
282 The Editing of Supervised Practice Plan Forms was tabled to the next meeting when the 2 new board
283 members can be present.

284

285 **Agenda Item – New Business**

286

287 The board reviewed the updated regulations language for 12 AAC 60.010 & 12 AAC 60.030. The
288 recommended language was to correct and clarify needs for Courtesy Licenses and Letters of Reference.
289 After a brief discussion, the board decided to table 12 AAC 60.010 for further clarification and move
290 forward with 12 AAC 60.030.

291

292 **In a motion duly made by Richard Lazur, seconded by Suzanne Dutson, with a roll call vote, it**

293 **was resolved to amend add section B: 12 AAC 60.030. APPLICATION FOR LICENSURE BY**

294 **CREDENTIALS. (a) An applicant for licensure by credentials as a psychologist will be licensed**
295 **without examination if the applicant**

296 **(1) if applying under AS 08.86.150(1),**

297 **(A) complies with the application requirements of 12 AAC 60.010(a)(1), (2), (4), and (6);**

298 **(B) submits 5 letters of recommendation from three licensed psychologists, members of the**

299 **American Psychological Association, or diplomates of the American Board of Professional**

300 **Psychology; and two from other persons not related to the applicant; and**

301 **(C)**

302

303 **Al Levy – Yes**

304 **Joel Wieman – Yes**

305 **Suzanne Dutson – Yes**

306 **Richard Lazur – Yes**

307

308 Recap of the ASPPB October 2018 Meeting was tabled by Board Chair Al Levy for the next board
309 meeting. Member Joel Wieman did not have his notes with him to present.

310

311 **In a motion duly made by Suzanne Dutson, seconded by Richard Lazur, with unanimous**

312 **consent, it was resolved to amend the agenda to move agenda item Board Admin. Business up**

313 **to make best use of time.**

314

315 **Agenda Item – Board Admin Business**

316

317 The courtesy license report was presented to the board by Supervisor Renee Hoffard. Of the 5 Courtesy
318 Licenses addressed, 1 was out of compliance and the individual has been contacted. It was asked by
319 Board Chair Levy if there was a place online to file the courtesy report and the answer was no. There is
320 however potential in the future to add such a function to the division website.

321

322 In order to include the 2 new board members coming in, it was suggested by Board Chair Al Levy to
323 schedule the next meeting only so new members can have input for future meeting dates. The next
324 meeting was set for May 9th & 10th, 2019. Once administrative staff can be contacted, the SLEE will be
325 confirmed for some time during the week of April 15-19th, 2019.

326
327 The board discussed the upcoming ASPPB Midyear Meeting. Because board member Suzanne Dutson
328 has been working diligently on the PSYPact Compact and Licensing Categories, it was requested she
329 attend the ASPPB Midyear Meeting in April, 2019. It was also requested new Licensing Examiner Lacey
330 Bartlett attend to gain knowledge and training for her position, as well as the 2 new board members.

331
332 After discussing the upcoming annual reports due date to the division, it was requested by Chair Al Levy
333 to have the annual report review as its own agenda item for the May meeting. This would allow the
334 new board members to be present and provide input into the annual review.

335
336 Before recessing for lunch, the board discussed what board members would meet with which
337 legislators. It was also directed the board members would discuss seeking a legislative sponsor for the
338 additional licensing category and for seeking background checks for applicants.

339 **Lunch 11:37am – 1:03pm**

340

341 *Michael Reed & Jana Zeedyk joined 1:00pm.*

342

343 **Agenda Item – AKPA**

344

345 Michael Reed and Jana Zeedyk from AKPA reviewed the APA Licensing Act for the board. Dr. Zeedyk
346 explained they were working on finalizing the wording and information for the updated Model Licensing
347 Act (MLA). She was hoping to have the finalized product ready for submission in the very near future.
348 Dr. Zeedyk described how AKPA is proposing a revision to modernize the evolving opportunities of
349 licensure. The main areas of revision were additions for action on reciprocity using ASPPB, CPQ as the
350 credential. It was also presented, the hope to have applicants licensed after internship. Based on
351 recent research, its viewed applicants are reaching their required internship hours prior to reaching
352 their supervised post-doctoral internship. It was explained as a “resequencing of training hours”.
353 Finally, Dr. Zeedyk presented the additional licensing categories being sought: Federal/Tribal Personnel,
354 Inactive, Senior Psychologist, and Senior Psych. Associate. When questioned when they would like to
355 present the proposal to the legislature, the hope is to possibly make the current session but it is still
356 unclear at this time. After clarification of some details, Dr. Zeedyk and Mr. Reed were thanked for their
357 time. They also agreed to join the May board meeting to address our new board members and bring
358 everyone current with where the project currently stands.

359

360 **Agenda Item - Adjourn**

361

362 After a brief review of the legislative meetings which have already been held, Chair Al Levy thanked the
363 board for their hard work and completing very important tasks. Hearing no additional comments or
364 concerns from the board, it was moved to adjourn.

365

366 **Upon a motion made by Richard Lazur, seconded by Suzanne Dutson, and approved**
367 **unanimously, it was resolved to adjourn the meeting.**

368

369 **Chair Levy Adjourned the meeting at 1:26pm**

370 **Off record at 1:26pm**

371

372 Respectfully submitted,

373

374

375

376 _____
Lacey Bartlett

377 Occupational Licensing Examiner

378

379

380

381 _____
Allen Levy

382 Board Chair

383

384

_____ Date

_____ Date

DRAFT