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State of Alaska

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

BOARD OF PSYCHOLOGISTS AND PSYCHOLOGICAL ASSOCIATE EXAMINERS

December 18, 2021

These are DRAFT minutes prepared by the staff of the
Division of Corporations, Business, and Professional Licensing.

These minutes have not yet been reviewed or approved by the Board.

By the authority of AS. 08.01.070(2), and in compliance with the provisions of AS 44.64, Article 6, a
scheduled board meeting was held via Zoom.

Saturday, December 18, 2021

Agenda Item – Call to Order & Roll Call

Board Chair Erin Johnson called the meeting to order at 10:04 AM

Those present constituting a quorum of the board:

Erin Johnson, Chair, Psychologist

Bradley McConnell, Psychologist

Sherri Scott, Psychological Associate

Bernard Gatewood, Public Member

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

Lacey Derr, Records & Licensing Supervisor

Members of AkPA Present:

Marvo Reguindin – Executive Director

Hannah Ekstrom – MLA Drafter

Robert Lane – MLA Drafter

Marjory Kyle – AkPA Member

Stephanie Richardson

John Walsh - Lobbyist

Agenda Item – Review and Approve Agenda

The board reviewed the drafted agenda of the meeting.

42 **In a motion duly made by Bernard Gatewood and seconded by Bradley McConnell, with**
43 **unanimous consent, it was resolved to approve the agenda as presented.**

44

45 **Agenda Item – Model Licensure Act - AkPA**

46

47 Board Chair Erin Johnson provided a bit of background on the Model Legislation Act (MLA) presented by
48 AkPA and the request to have a meeting with the drafters of the legislations. This was to help answer
49 board questions and provide clarifying information within the MLA. It was noted the draft being
50 reviewed was version 32-LS0963\A and that the language of ‘reciprocity’ had been removed. The board
51 began addressing each area of change one by one.

52

53 *AS 08.86.070, (4), (9)*

54 The first section included an addition of a code of ethics. The board questioned how this came to be
55 added and AkPA stated it was likely part of a public workgroup and possibly even a suggestion by a
56 former board member. AkPA explained the requirement for a code of ethics was in regulation and for
57 consistency, adding it broadly to statute was a way to “match things up”. The board questioned if
58 during public commentary, had any other code of ethics besides APA been preferred and there were a
59 few suggestions but APA was the strongly preferred choice, matching closely with the intent of the MLA
60 as well. Also questioned was the intent behind the addition of maintaining an active relationship with a
61 national association of psychology boards as the board wanted to ensure their ability to maintain
62 sovereignty. At times, the agenda of national associations may conflict with the boards and it is
63 important to be able to maintain the ability to disagree. Per AkPA representatives, the inclusion was
64 suggested by previous Alaska Psychology Board members and likely associated with the administration
65 of the national psychology exam (EPPP) and facilitation of score distribution. The language was
66 intended to be broad to support board sovereignty.

67

68 *AS 08.86.130(a), (3), (5), (c)*

69 Chair Johnson requested AkPA present some of the thinking behind the suggested changes to (3), then
70 the board could respond with questions. Hannah Ekstrom with AkPA explained this was largely taken
71 from the APA Model License Act and psychology students are doing a lot more hours and training pre-
72 graduation. The debt associated with these extra hours/training is also compounding. She continued to
73 explain 17 states have already reviewed and adopted by removing the requirement of post-doctoral
74 internship. The language was developed to make it an option for potential licensees who have obtained
75 the hours prior to graduation the ability to obtain full licensure or a combination of predoctoral and
76 postdoctoral internship. Ms. Ekstrom further described how agencies would be able to bill for these
77 licensed providers and allows additional access to mental health services in Alaska. Chair Johnson asked
78 about the ‘Temporary License’ and if it was removed. The ‘Temporary License’ is how a potential
79 licensee obtains the postdoctoral hours as described but could not locate the Temporary License
80 language in this draft and asked why it had been removed. Ms. Ekstrom did not have the immediate
81 answer and would look into that change, it could be there was no changes therefore not included in the
82 presented draft. Chair Johnson asked what were the average practical hours AkPA was finding before
83 people entered pre- and post-doctoral internships. Robert Lane with AkPA stated there were predicated
84 on 1500 hours of practical and 1500 hours in predoctoral internship. Board member Sherri Scott asked
85 about the parameter set for these hours and it was relayed the hours would be based on APA

86 equivalency standards. The board and AkPA discussed the potential language confusion of using
87 'practicum' and suggested it be 'practical and internship' with no comma. Section (5) was briefly
88 discussed and was primarily lifted from the APA Model license act to the give board the ability to create
89 forms, this was not a specific AkPA related suggestion. AkPA would investigate changing 'brief
90 summary' to 'CV' or similarly related language.

91
92 The board's next question section (c) and what the definition of 'professional sources' meant or what
93 intended audience was for professional sources. Mr. Lane and Ms. Ekstrom indicated this would be
94 something the board could define in regulation. Chair Johnson highlighted the broadness as written
95 could result in letters of reference from anyone who held any sort of professional license and not within
96 a similar licensing field as envisioned. The board also asked why three (3) letters of reference instead of
97 the five (5) as is currently written. Additionally, Chair Johnson addressed what was written on the
98 application and current regulation, they are 'letters of *reference*' not 'letters of *recommendation*'. AkPA
99 representatives stated this number was not pulled from APA draft language but feedback from
100 workgroups and the language could be made parallel to current regulation if 'letters of
101 recommendation' was not accurate. There were no negatives immediately identified by using the word
102 '*recommendation*' so no changes were suggested at this time.

103
104 AS 08.86.132

105 Moving onto the section adding AS 08.86.132 – Part-time Licenses – the board asked where twenty (20)
106 years of practice came from. An example was presented by AkPA for the case of Dr. Paul Craig who had
107 ended traditional practice and consulting to write a textbook. Once he completed this and began
108 presenting his work, providing lectures, and discussing this information, he ran into conflict with the
109 written statute & regulation and calling himself a psychologist. This intermediate area of practice
110 between full practice and retirement is where the Part-time license would apply. In regard to the 20
111 years of practice, AkPA indicated this is a number where there is significant longevity in the professional
112 confidence of these individuals but this number was an area of concern for drafters as well as it could be
113 seen as discriminatory. Chair Johnson asked about how many psychologists are anticipated to fit into
114 this category as it potentially is making a brand-new license type for 20-30 people. AkPA stated there
115 were only 5-6 individuals who attended workgroups that would fit into this category. The board did
116 want to identify concern with '20 years of practice' as this could be discriminatory and that they would
117 need to hold additional discussions as a board to address potential issues.

118
119 AS 08.86.150(c)

120 The board briefly wanted to bring attention to the word 'unreasonable' and concerns that word could
121 have for the board. The concern was what does unreasonable mean as it can drastically vary from one
122 person to another. Staffing shortages across the nation affect production and would the board be able
123 to defend that word in court? AkPA was going to bring it back to their workgroups to identify if that
124 would be the most appropriate statement.

125
126 AS 08.86.155, 08.86.165, & 08.86.168

127 Dr. McConnell questioned section (b)(1) and the 40 CE's completed in the preceding two years and
128 clarifying that of Alaska's CE requirements. The discussion included the difference of in person CE
129 requirements versus jurisdictions where all self-study may be allowed. Chair Johnson agreed and

130 further questioned what the meaning behind the ‘inactive license’ was. Mr. Lane explained it makes
131 sense to have an inactive license at times for various reasons in life but individuals need a way of getting
132 them back (these are not considered long breaks of practice). If they have taken a short break and kept
133 up on CE’s, it is a way to get back to active practice quickly. Section 08.86.165 & 08.86.168 was
134 intended to mirror that of the psychologist, just for psychological associates. There were no further
135 questions on these sections.

136
137 AS 08.86.180(b)
138 The board asked for the intent on this section as these would *NOT* be applicable for licensure,
139 specifically the tribal organization verbiage. The board had requested clarification on these private
140 tribal organizations and their fit into the public health, IHS, or other non-state board regulated entity.
141 AkPA responded that they had not contacted their governmental representative but were going to do so
142 and provide clarification. Ensuring proper licensing (or not) was happening if private village tribal
143 organizations were indeed sovereign to that of state licensing requirements. It was suggested the board
144 define “Tribal Organization” in regulation and the board requested further clarification from appropriate
145 federal government representatives first.

146
147 **Agenda Item – Adjourn**

148 The board thanked AkPA for taking the time to go line by line and the feelings were
149 reciprocated. The board requested to see the draft revisions made so they could discuss
150 further and identify any additional areas of review.

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153 **In a motion duly made by Bernard Gatewood and seconded by Bradley McConnell, with**
154 **unanimous consent, it was resolved to adjourn the meeting at 12:21 PM.**

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156 **Off Record: 12:21 PM**

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165 **Lacey Derr**
166 **Records & Licensing Supervisor**

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173 **Date**

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174 **Erin Johnson**
175 **Board Chair**

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176 **Date**