

**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
December 7-8, 2006**

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 December 7-8, 2006, at the Salamantof Bldg, Kenai, AK.

Thursday – December 7, 2006

Call to Order/Roll Call

The meeting was called to order at 9:00 a.m. by Dr. Miller.

Those present, constituting a quorum of the Board:

John A. Miller, Psychologist
Lorin L. Bradbury, Psychologist
Destiny Sargeant, Psychologist
Cam Carlson, Public Member
Lisa Turner, Psychological Associate

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

Cori Hondolero, Records & Licensing Supervisor – Juneau
Susan Winton, Investigator – Anchorage (via conference call)

Guests present:

Dr. Phillip Baker – Alaska Psychological Association (AK-PA) (via conference call)
Joseph Kashi – Attorney representing Charles Head
Pat Porter – Mayor of Kenai

Agenda Item 1 – Ethics Report

There were no ethics conflicts to disclose.

Agenda Item 2 – Review Agenda

Board added discussion about psychological associates to the agenda as a new item 9a.

Upon a motion by Mrs. Carlson, seconded by Dr. Bradbury and approved unanimously, it was:

MOVED to approve the agenda as amended.

Agenda Item 4 – Review/Approve Minutes

June 15-16, 2006

Previously reviewed and approved by the Board. Final copy signed by Dr. Miller.

July 20, 2006 Teleconference

Previously reviewed and approved by the Board. Final copy signed by Dr. Miller.

September 21-22, 2006

- Page one – add that Dr. Baker attended the meeting via conference call.

Dr. Bradbury asked if Dr. Miller had received the data from the informal survey from Dr. Baker (agenda item five of the minutes). Dr. Miller stated that he did receive and review the data.

- Page four – insert “of those” after “training for supervisors” in the first sentence of the second paragraph.

Agenda item six of the minutes – there was general discussion about the status of the regulations project. The Board requested that Division staff send out regulations as soon as possible after being directed to do so by the Board. It was specifically requested that items not be held to add to the next project.

Agenda item nine of the minutes – it was noted the draft regulations were not distributed to all members as indicated by the minutes.

Upon a motion by Ms. Turner, seconded by Mrs. Carlson and approved unanimously, it was:

Moved to approve the September 21-22, 2006 minutes as amended.

Agenda Item 3 – Investigative Report

The Board called Susan Winton, Investigator.

Open Investigations:

- | | |
|-------------|--|
| 2900-04-003 | Violating Professional Ethics. Pending investigation and expert review. |
| 2900-06-001 | Violating Professional Ethics. Pending additional information and revised Memorandum of Agreement. Ms. Winton advised that there is an attorney involved in this case and that a possible MOA may be coming. |
| 2902-06-01 | Substance Abuse. An active investigation is on-going. |

Ms. Winton noted that an MOA had been drafted with an additional charge for not disclosing “yes” answer. Ms. Winton stated that she would fax a copy of the signed MOA to Ms. Turner, so that the Board could discuss and vote on accepting it.

Probation:

No licensees currently on probation.

The Board took a moment to commend Ms. Winton for being able to step into the job and pick up right where Ms. McQuaid had left off. The Board also made a point to note that Ms. Winton is very thorough and that they appreciate her efforts.

Agenda Item 6 – ASPPB

Dr. Bradbury presented the Board with a review of the Association of State and Provincial Psychology Boards (ASPPB) meeting that he attended in San Diego. Dr. Bradbury stated that going to the meeting was a very good experience and briefly outlined some of the topics that were discussed at the meeting.

In 1996 the Board removed the scope of practice information from the regulations for psychological associates. Ontario requires that both psychologists and psychological associates meet the same criteria. It was noted that the Board may want to clarify this issue more with updates to the regulations.

There was discussion about the possibility of administering the EPPP earlier in the licensure application process possibly at the end of graduate training. It was also noted that applicants can take a practice exam online for \$50.00.

Doing away with post-doctoral supervision was a topic reviewed during the meeting. It was noted that most jurisdictions want to keep this requirement, but Boards were warned to expect to be approached about eliminating the requirement.

There was Board discussion about the ASPPB mid-winter meeting. Dr. Bradbury noted that this meeting is more geared towards Boards and providing training and information to Board members.

Ms. Turner requested that the Board discuss the Board searching the National Practitioners Databank as a routine part of the licensure process. It was requested that staff research and find out if searching this data base would require a statute and/or regulation change or if the Board could take action on this issue via a motion on the record.

The Board also requested that staff inquire with investigator Winton to find out what the turn around time is for reporting actions/violations against a license.

There was additional Board discussion about which background checks should be required. It was noted that there is a difference between checking the practitioner’s databank and requesting a criminal background check.

The Board requested that staff find out: Can the Board require these items? How much information can the Board request? Is an applicant's signature required to conduct these checks? Is a statute/regulation change required? What is the cost? Are there different costs depending on the level of the background check?

Break at 10:27 a.m.; back on the record at 10:41 a.m.

Agenda Item 5 – Public Comment

Joseph Kashi – Attorney representing Charles Head

Mr. Kashi joined the meeting to discuss the status of the application for Charles Head. He stated that he was not being paid by Dr. Head and that he was inquiring with the Board as a favor. Mr. Kashi wanted to point out that Dr. Head did graduate from an APA approved program.

There was Board discussion about drafting a new regulation that would allow the acceptance of an exam other than the EPPP. There was also discussion about the ability to accept experience as a substitution for other requirements.

In the end Mr. Kashi requested that the Board place Dr. Head's application on hold and not take action to deny the license. It was noted that Dr. Head could do a written request to withdraw his application or that if no correspondence was received from or on Dr. Head's behalf that the application would be considered abandoned.

Dr. Baker – Alaska Psychological Association (AK-PA)

The Board called Dr. Baker to discuss any issues that AK-PA wanted to bring forward. Dr. Baker stated that the only issue he has are the changes to the continuing education credits. Dr. Baker also mentioned that AK-PA would like to see tightening of the supervision requirements and that trainers need to hear what the concerns are.

Dr. Miller wanted to know how much AK-PA is involved with the new UAA and UAF, Ph.D program in terms of putting it in line with the statutes and regulations. Dr. Bradbury stated that he will email the ASPPB summary to Dr. Baker. Dr. Bradbury explained that APA is recommending doing away with Post-Doctoral hours and incorporating an extra 1500 hours of pre-doctoral hours.

Pat Porter – Mayor of Kenai

Ms. Porter joined the meeting to welcome the Board to Kenai.

Agenda Item 7 – Credential Comparison

The Board reviewed the documents that Dr. Sargeant had provided at the September meeting and discussed the difference between the two credentials.

National Register

The requirements and reciprocity for the National Register were discussed.

CPQ

Dr. Sargeant noted the CPQ website is more user friendly. CPQ is leading the way of reciprocity.

The Board discussed a possible regulation change to add the National Register or CPQ

Upon a motion by Dr. Sargeant, seconded by Mrs. Carlson and approved unanimously, it was:

Moved to adjourn for lunch.

Lunch break at 11:55 a.m.; back on the record at 1:27 p.m.

Agenda Item 8 – Application Review

Psychologist by Credentials Applications

Marsha A. Hedrick
Elisa Max

Psychologist by Examination Applications

Pamela Robinson – review statement of supervised experience
Wendy Arundale – 2nd review

Renewal/Reinstatement Requests

Robb Stokes, Psychological Associate -2nd review
Diane J. Preston, Psychological Associate

Upon a motion by Dr. Sargeant, seconded by Ms. Turner and approved unanimously, it was:

Moved to approve Pamela Robinson's supervised experience and approve her to sit for the EPPP and State Law & Ethics examination.

Moved to approve Elisa Max and Marsha Hedrick for licensure by credentials.

Moved to approve the reinstatement of Diane Preston's Psychological Associate license.

The additional documentation that Mr. Stokes provided to the Board did not verify that the continuing education that he completed meets regulatory requirements.

Upon a motion by Ms. Turner, seconded by Dr. Bradbury and approved unanimously, it was:

Moved to table the reinstatement request of Mr. Stokes until he can provide proof that the 20 continuing education hours that he submitted meet the requirements of 12 AAC 60.300(b).

The Board discussed and reviewed the additional documentation that Dr. Arundale submitted. It was noted that the burden of proof had not been met. The catalog that Dr. Arundale submitted did not clearly outline the residency requirements.

The Board still could not verify that the requirements of 12 AAC 60.083(b) (1) had been met. The Board requested that Dr. Arundale submit an itemized breakdown of when and how the residency hours were obtained.

Upon a motion by Dr. Sargeant, seconded by Ms. Turner and approved unanimously, it was:

Moved to consider Wendy Arundale's application incomplete until she submits proof that her education meets the requirements of 12 AAC 60.083(b)(1) and (b)(2)(D) . Ms. Arundale is to submit documentation of the minimum 324 required face to face residency hours.

Agenda Item 9 – Regulation Update

The Board discussed the various pending regulation projects. It was noted that there are a few different projects going at the same time.

Break at 3:00 p.m.; back on the record at 3:12 p.m.

12 AAC 60.080(b). The Board discussed the comments previously received from AK-PA. The Board opted not to add additional restrictions or changes to this regulation.

Upon a motion by Dr. Sargeant, seconded by Dr. Bradbury and approved unanimously, it was:

Moved to send the 11/22/06 draft regulation changes to 12 AAC 60.150, 60.190 and 60.200 out for public comment.

Upon a motion by Dr. Sargeant, seconded by Dr. Bradbury and approved unanimously, it was:

Moved not to adopt the changes to regulations 12 AAC 60.080(b) and 60.990(a) (6) as public noticed.

Upon a motion by Dr. Sargeant, seconded by Dr. Bradbury and approved by Dr. Sargeant, Dr. Bradbury, Dr. Miller and Ms. Turner, it was:

Moved to adopt the changes to regulations 12 AAC 60.280, 60.310 and 60.350 as public noticed.

Mrs. Carlson abstained from voting on this motion.

There was Board discussion about the easiest way to make motions or take action so that a project would not get held due to multiple regulation changes being in the same motion. The Board wanted clarification from Mr. Maiquis regarding making separate motions for each change. The thought was that this may eliminate hold ups in the future, but wanted to ask Mr. Maiquis.

If the Board made all separate motions, would it require separate adoption orders? Also, what would the cost associated with separate motions/actions be?

The Board requested that staff e-mail once Mr. Maiquis' preference was clarified. The Board noted that they may need Mr. Maiquis on the agenda at the next meeting.

The Board discussed the draft changes that Ms. Turner and Dr. Bradbury had worked on. Both Ms. Turner and Dr. Bradbury stated that they would e-mail the drafts to Division staff for distribution to all members.

12 AAC 60.084. This regulation is tied into psychological associate scope of practice. Dr. Bradbury noted that since the scope of practice is not clearly defined, psychological associates can do almost the same things as a psychologist. The Board opted to not make any changes to this regulation at the present time. Dr. Bradbury stated that he would do additional research and gather information from other jurisdictions.

12 AAC 60.170. Discussion about the three year requirement. It was noted that a passing score is a passing score. An additional change that would need to be made would be to add "province of Canada" to the regulation.

12 AAC 60.180. It was noted that "licensed" needs to be added to this regulation, so that it matches the changes that were made to 60.190 and 60.200.

Upon a motion by Ms. Turner, seconded by Dr. Sargeant and approved unanimously, it was:

Moved to amend 12 AAC 60.170 to read: "An applicant for licensure by examination who has passed the EPPP examination under the jurisdiction of another state or territory of the United States, or a province of Canada may transfer those scores to the board."

Moved to amend 12 AAC 60.180(a) to read: "Neither a licensed psychologist nor a psychologist-supervisor may function outside her or his particular field or fields of competence as established by her or his education, training, and experience."

Moved to amend 12 AAC 60.180(b) to read: "A licensed psychological associate may not function outside the scope of practice as established by the licensee's education and training."

The Board indicated that they would like Division staff to move forward with the adopted regulations and hold off on public noticing the November draft regulations until the above listed changes are added and the Board has had a chance to review an updated draft.

The Board discussed item 9-a that had been added at the beginning of the meeting. AS 08.86.166 and 08.86.160(a) (4) – these statutes require that a psychological associate pass the EPPP and State Law & Ethics examinations. Dr. Bradbury noted that a psychological associate who is working at an agency may not need a temporary license, but if they are entering private practice they do need a temporary license. It was requested that Division staff find out where the psychological associates that were approved at the September meeting are working to determine if they need a temporary license to begin supervision.

Upon a motion by Dr. Sargeant, seconded by Ms. Turner and approved unanimously, it was:

Moved to adjourn the meeting at 4:37 p.m.

Friday – December 8, 2006

Call to Order/Roll Call

The meeting was called to order at 8:31 a.m. by Dr. Miller.
Those present, constituting a quorum of the Board:

John A. Miller, Psychologist
Lorin L. Bradbury, Psychologist
Destiny Sargeant, Psychologist
Cam Carlson, Public Member
Lisa Turner, Psychological Associate

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

Cori Hondolero, Records & Licensing Supervisor
Susan Winton, Investigator – Anchorage (via conference call)

Ms. Turner informed the Board that Investigator Winton had faxed her a signed Memorandum of Agreement (MOA) from Barry Levit.

Upon a motion by Ms. Turner seconded by Dr. Sargeant and approved unanimously, it was:

Moved to enter into executive session to discuss the MOA for Barry Levit.

Enter executive session at 8:35 a.m.; back on the record at 9:39 a.m.

Agenda Item 10 – State Law & Ethics Examination

Board reviewed the score sheets from the last State examination.

Upon a motion by Dr. Bradbury, seconded by Ms. Turner and approved unanimously, it was:

Moved to enter into executive session to discuss the State Law & Ethics Examination.

Enter executive session at 9:43 a.m.; back on the record at 10:47 a.m.

Upon a motion by Dr. Bradbury, Seconded by Dr. Sargeant and approved unanimously, it was:

MOVED to incorporate the new and amended questions into the State Law & Ethics Examination.

Agenda Item 11 – Goals and Objectives

The Board reviewed the Goals and Objectives for fiscal year 2007.

Agenda Item 12 – Correspondence Review

John Caccavale – National Alliance of Professional Psychology Providers (NAPPP)

Mr. Caccavale sent the Board a request that continuing education from NAPPP be accepted.

The Board stated that it does not review courses for approval and that all continuing education must meet regulatory requirements.

Joseph Kashi

Mr. Kashi had sent a letter to the Board regarding the status of Dr. Head's application. This issue was addressed with Mr. Kashi during the public comment portion of the meeting (agenda item 5).

Paul Henry

Mr. Henry wrote to the Board to inquire about approved degrees and non-APA approved programs.

The Board stated that the burden of proof is on the applicant to prove that they have met all statutory/regulatory requirements. The Board does not pre-approve programs for applicants. It was noted that there have been some problems for applicants who have graduated from distance programs and have had difficulty verifying that they have met the residency requirements of 12 AAC 60.083(b)(1).

Associate of State & Provincial Psychology Boards (ASPPB)

Current copy of disciplinary data sent to Board. No response required.

The Board wanted to make sure that all actions against Alaska licensees are reported to ASPPB.

Shu-Ping Lin, Ph.D

Dr. Lin wrote to the Board to ask if teaching could count towards the 1500 required post doctoral hours and can supervising students for their clinical hours with clients count as face-to-face service with patients or direct service hours.

The Board stated all post doctoral experience must be pre-approved by the Board and must be completed under the supervision of a licensed psychologist or diplomate of the American Board of Professional Psychology. Sections AS 08.86.130, 12 AAC 60.070, 60.080 and 60.990(2) & (9) outline these requirements.

Nadine Rhodes-Marsh

Ms. Rhodes-Marsh submitted continuing education courses to the Board for review.

The Board does not pre-approve continuing education for providers or licensees. It is the responsibility of the licensee to assure that the courses they take meet regulatory requirements.

Caroline Blair

Ms. Blair wrote to the Board to ask about distance psychology programs accepted by the Board.

The Board stated that they do not pre-approve programs and requested that the same response that was sent to Mr. Henry be sent to Ms. Blair.

Lisa Gersony – Connecticut Psychological Association

Ms. Gersony wrote to the Board to inquire if the Board has any regulation changes in the works regarding the post doctoral requirements.

The Board stated that they are not currently considering any changes to the post doctoral requirements.

Agenda Item 13 – Scope of Practice

Dr. Bradbury will check with other jurisdiction on how they are defining scope of practice and will present that information at the next scheduled meeting.

Agenda Item 14 – Licensure Requirements

Dr. Bradbury stated that there needs to be some changes made to the statutes and regulations. Sec. 08.86.135 needs to be similar to psychological associate. To add subparagraph (4) to 08.86.130 (a) (1) (2), so it can be consistent with psychological associate. To make it a requirement for applicants to pass the exams before obtaining supervision.

The Board discussed either editing or eliminating Sec. 08.86.180(b). Dr. Bradbury will research and draft something for the Board to review at the next meeting. Any changes made will be forwarded to a friendly legislature for review.

This will be added to the next agenda for the April 12-13 meeting.

Agenda Item 15 – Administrative Issues

Budget Report

The Board reviewed the Expenditure and Revenue Report.

Sign Wall Certificate

The Board signed one wall certificate for Jason L. Whipple, Psychologist.

Schedule Next Meeting

The Board discussed setting meetings dates for the 1st Thursday/Friday of every quarter, but decided that as long as the dates were set far in advance and not changed then any dates agreed upon by the Board would work.

The Board set the following meeting dates for 2007:

April 12-13, 2007 in Anchorage - The Board requested two full days for this meeting.

June 21-22, 2007 in Fairbanks

September 20-21, 2007 in Bethel

December 13-14, 2007 in Juneau

Task Lists

Cori Hondolero

- Add discussion about CPQ, National Register and 20 years of experience to next meeting agenda.
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Dr. Sargeant

Dr. Bradbury

Dr. Miller

Mrs. Carlson

Ms. Turner

Upon a motion by Dr. Bradbury, Seconded by Dr. Sargeant and approved unanimously, it was:

MOVED to adjourn the meeting.

There being no further business, the meeting adjourned at 11:34 a.m.

Respectfully Submitted:

Cori Hondolero
Records & Licensing Supervisor

Approved:

Dr. John A. Miller, Ph.D, Chair

Date: _____